



MANNING
BALANCE OF CITY AND

Special Meeting of the Council

MINUTES

Date:	Tuesday, 31 January 2017
Time:	6:30pm
Location:	Council Chamber, Civic Centre 699 Doncaster Road, Doncaster

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4.2 Planning Application PL16/026217 at 142-146 Andersons Creek Road, Doncaster East for the construction of thirty-three, three-storey dwellings and one, two-storey dwelling with associated basement car parking and alteration of access to a road in a Road Zone, Category 174

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**MANNINGHAM CITY COUNCIL
MINUTES OF THE SPECIAL MEETING OF THE COUNCIL
HELD ON 31 JANUARY 2017 AT 6:30PM
IN COUNCIL CHAMBER, CIVIC CENTRE
699 DONCASTER ROAD, DONCASTER**

The meeting commenced at 6.30pm.

PRESENT:

**Mayor Michelle Kleinert (Mayor)
Councillor Mike Zafiropolous (Deputy Mayor)
Councillor Anna Chen
Councillor Andrew Conlon
Councillor Sophy Galbally
Councillor Geoff Gough
Councillor Dot Haynes
Councillor Paul McLeish
Councillor Paula Piccinini**

OFFICERS PRESENT: Chief Executive Officer, Mr Warwick Winn
Director Assets & Engineering, Mr Leigh Harrison
Director Planning & Environment, Ms Teresa Dominik
Director Community Programs, Mr Chris Potter
Director Shared Services, Mr Philip Lee
Executive Manager People & Governance, Ms Jill Colson

**1 OPENING PRAYER AND STATEMENTS OF
ACKNOWLEDGEMENT**

The Mayor read the Opening Prayer & Statements of Acknowledgement.

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

There were no apologies.

3 PRIOR NOTIFICATION OF CONFLICT OF INTEREST

The Chairman asked if there were any written disclosures of a conflict of interest submitted prior to the meeting and invited Councillors to disclose any conflict of interest in any item listed on the Council Agenda.

There were no disclosures made.

4 PLANNING PERMIT APPLICATIONS

4.1 Planning Application PL16/026448 at 268-272 Manningham Road, Templestowe Lower for the use and development of the land for a two-storey medical centre with associated basement car park, reduction of the associated car parking requirements and alteration of access to a road in a Road Zone, Category 1

File Number:	IN16/7
Responsible Director:	Director Planning and Environment
Applicant:	Victorian Specialist Centre Pty Ltd
Planning Controls:	Residential Growth Zone, Schedule 2; Design and Development Overlay, Schedule 8; Adjacent to land in a Road Zone, Category 1
Ward:	Koonung
Attachments:	1 Development and landscape plans 2 Legislative Requirements

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 268-272 Manningham Road, Templestowe Lower. This report recommends approval of the submitted proposal subject to amendments that will be addressed by way of permit conditions. The application is being reported to Council given that it is a Major Application (a development cost of more than \$5 million).

Proposal

2. The proposal is for the development of a two-storey medical centre building on three (3) lots known as 268, 270 and 272 Manningham Road, Templestowe Lower. The development has a site coverage of 47%, a site permeability of 30% and provides 82 car parking spaces over two basement levels. The centre will allow up to 30 practitioners to provide medical services at any one time.

Key issues in considering the application

3. The key issues for Council in considering the proposal relate to:
 - (a) Use of the land as a medical centre;
 - (b) Built form and landscaping;
 - (c) Off-site amenity impacts;
 - (d) Car parking, access, traffic and bicycle parking; and
 - (e) Objector concerns.

Objector concerns

4. Three (3) objections have been received for the application. These can be summarised as:

- (a) Off-site amenity impacts including overshadowing, visual bulk, overlooking and loss of privacy;
- (b) Inappropriate building design and excessive site coverage;
- (c) Excessive impervious surfaces and increased stormwater runoff, impacts from excavation, inadequate landscaping opportunities and planting within easements.

Assessment

5. The proposal is considered to comply with the relevant planning policy in the Manningham Planning Scheme, in particular Clause 22.05 Non-Residential Uses in Residential Areas Policy and Schedule 8 to the Design and Development Overlay (DDO8). The use of the land for a medical centre is supported by policy given the site is located on a main road and within close proximity to the Macedon Square Activity Centre.
6. The design of the building will make a positive contribution to the streetscape and will not create any unreasonable visual or other off-site amenity impacts on nearby properties, subject to changes that will be required by way of permit conditions. Adequate setbacks are also provided to site boundaries to allow for appropriate landscaping opportunities.
7. The proposal seeks a reduction in the associated car parking requirement at Clause 52.06 Car Parking in the Manningham Planning Scheme, equating to a reduction of ten (10) car parking spaces from the standard requirement (from 92 to 82). The reduction is supported based on the empirical assessments undertaken for similar medical centres that show the adequacy of a reduced number of car parking spaces and the availability of bus services which operate in both directions along Manningham Road.

Conclusion

8. The report concludes that the proposal is considered to comply with the relevant planning policy and should therefore be supported, subject to some design changes to the building presentation and the inclusion of suitable management plan conditions.
9. It is recommended that the application be supported subject to permit conditions.

1. RECOMMENDATION

That Council:

- A. Having considered all objections a NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application PL16/026448 for the use and development of the land for a two-storey medical centre with associated basement car park, reduction of the associated car parking requirements and alteration of access to a road in a Road Zone, Category 1 subject to the following conditions:
 1. Before the development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to the satisfaction of the Responsible Authority and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the decision plans prepared by The Buchan

Group (Revision P04, dated 19 August 2016), but modified to show the following:

- 1.1 The southern wall of the upper level located opposite the properties at 33, 35 and 37 Philip Avenue, recessed from the southern edge of the ground level wall by at least one metre;
- 1.2 An indent of a minimum width of 2 metres and a minimum depth of 5 metres on the southern upper level wall of the building between Suites 11 and 12, to create articulation to the wall and roof form;
- 1.3 All batter slopes to be no steeper than 1:3 or replaced with retaining walls;
- 1.4 Deletion of all reference to advertising and the advertising signage area shown on the northern wall (north elevation plan);
- 1.5 The obscure glazed sections of all windows to be fixed, or if openable, a cross-section diagram submitted to demonstrate that the window design does not allow direct views into existing secluded private open space areas;
- 1.6 Details of any services within the front setback (including the fire tank and pump room, meters and any fire boosters) including dimensions and materials, with a design which is integrated with the overall development;
- 1.7 A disability access ramp to allow barrier access between the street and the main building entry, as per the discussion plan received by Council on 18 January 2017;
- 1.8 The system size of the solar panels notated on the roof plan to reflect the details in the Sustainability Management Plan required under Condition 4 of this permit;
- 1.9 The area of roof being directed to the water tank used for landscaping as per the Sustainability Management Plan required under Condition 4 of this permit;
- 1.10 Any changes required to improve stormwater quality as per the Sustainability Management Plan required under Condition 4 of this permit;
- 1.11 Any changes required by VicRoads (Conditions 41 to 45 of this permit).

Endorsed Plans

2. The development as shown on the approved plans must not be altered without the prior written consent of the Responsible Authority.

Construction Management Plan

3. Before the development starts, two copies of a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The Plan

must address, but not be limited to, the following:

- 3.1 A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;
- 3.2 Hours of construction;
- 3.3 Delivery and unloading points and expected frequency;
- 3.4 On-site facilities for vehicle washing;
- 3.5 Asset protection procedures for any public footpaths;
- 3.6 On-site facilities for vehicle washing;
- 3.7 The location of parking and site facilities for construction workers;
- 3.8 Measures to minimise the impact of construction vehicles arriving at and departing from the land;
- 3.9 Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;
- 3.10 The measures for prevention of the unintended movement of building waste and other hazardous materials and pollutants on or off the site, whether by air, water or other means;
- 3.11 An outline of requests to occupy the front nature strip and any anticipated disruptions to local services;
- 3.12 Measures to minimise the amount of waste construction materials;
- 3.13 Measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;
- 3.14 Adequate environmental awareness training for all on-site contractors and sub-contractors.

Sustainability Management Plan

4. Before the development starts or the issue of a building permit for the development, whichever is sooner, two copies of an amended Sustainability Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The plan must be generally in accordance with the decision plan prepared by Murchie Consulting (dated 16 November 2016) but modified to include the following:
 - 4.1 An ESD assessment tool (such as BESS) to benchmark the performance of the proposal;
 - 4.2 More details on the Co-Efficient of Performance of the proposed VRF A/C system and a more details description of the proposed zoning

and controls;

- 4.3 A more detailed description of the proposed lighting strategy, zoning and controls;
- 4.4 The use of LEDs throughout the building;
- 4.5 A STORM or MUSIC report to demonstrate how the proposal deals with stormwater quality and achieves a 100% STORM score or equivalent MUSIC rating.

Waste Management Plan

5. Before the development starts or the issue of a building permit for the development, whichever is sooner, two copies of an amended Waste Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The plan must be generally in accordance with the decision plan prepared by Leigh Design (dated 17 November 2016) but modified to include:
 - 5.1 Swept path diagrams to demonstrate that the private waste collection vehicle can enter and exit the site in a forward direction (which may include the ability to perform a 3-point turn within the basement);
 - 5.2 The height clearance of the basement and confirmation that it is adequate for the waste collection vehicle.

Management plan compliance

6. The Management Plans approved under Conditions 3, 4 and 5 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.
7. Before the approved use starts, a report from the author of the Sustainability Management Plan, approved pursuant to this permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must be submitted to the satisfaction of the Responsible Authority and must confirm that all measures in the Sustainability Management Plan approved under Condition 4 of this permit have been implemented in accordance with the approved plans.

Completion

8. Before the approved use starts, landscaped areas must be fully planted and mulched or grassed generally in accordance with the approved plan and to the satisfaction of the Responsible Authority.
9. Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the

satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.

10. Driveway gradients and transitions as shown on the plan approved under Condition 1 of this permit must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.

Landscaping Plan

11. Before the development starts, two copies of an amended landscaping plan must be submitted to the Responsible Authority for approval. The plan must be generally in accordance with the decision plan and submitted concept landscape plan prepared by Formium (Revision B, dated October 2016), but modified to show:

- 11.1 A minimum of one (1) canopy tree within the front setback that can reach a minimum mature height of 8 metres;

- 11.2 All canopy trees are at least 1.5 metres in height at the time of planting;

- 11.3 Shallow rooted planting within the easements;

- 11.4 Planting within 2 metres along the frontage from the edge of the driveway(s) and 2.5 metres along the driveway(s) from the frontage to be no greater than 0.9 metres in height at maturity.

The use of synthetic grass as a substitute for open lawn area within secluded private open space or a front setback will not be supported. Synthetic turf may be used in place of approved paving decking and/or other hardstand surfaces.

Landscape bond

12. Before the release of the approved plan for the approved development, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all landscaping works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

Stormwater – On-site detention (OSD)

13. The owner must provide on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:

- 13.1 Be designed for a 1 in 5 year storm; and

13.2 Storage must be designed for 1 in 10 year storm.

Construction Plan (OSD)

14. Before the development starts, a construction plan for the system required by Condition 13 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.

Drainage

15. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.
16. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.

Site Services

17. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
18. All upper level service pipes (excluding stormwater downpipes) and any wall mounted spa-bath pump must be concealed and screened respectively to the satisfaction of the Responsible Authority.
19. Communal lighting must be connected to reticulated mains electricity and be operated by a time switch, movement sensors or a daylight sensor to the satisfaction of the Responsible Authority.
20. Any reverse cycle air-conditioning unit erected on the walls or roofs of the building must be so located, as to not adversely affect the amenity of the area by way of appearance/visual prominence to the satisfaction of the Responsible Authority. Where the Responsible Authority identifies a concern about visual appearance, appropriately designed/finished screening must be installed and maintained to the satisfaction of the Responsible Authority.
21. Unless depicted on a Roof Plan approved under Condition 1 of this permit, no roof plant (includes air conditioning units, basement exhaust ducts, solar panels or hot water systems) which is visible to immediate neighbours or from the street may be placed on the roof of the approved building, without details in the form of an amending plan being submitted to and approved by the Responsible Authority.
22. Any wall-mounted, instantaneous gas hot water system located on a an external wall of the building, so as to be visible from off the site must be

provided with a neatly designed, durable screen (in perforated metal sheeting, for instance) to the satisfaction of the Responsible Authority or be of the recessed type with a cover plate.

23. If allowed by the relevant fire authority, external fire services must be enclosed in a neatly constructed, durable cabinet finished to complement the overall development, or in the event that enclosure is not allowed, associated installations must be located, finished and landscaped to minimise visual impacts from the public footpath in front of the site to the satisfaction of the Responsible Authority.
24. Any security door/grille to the basement opening must maintain sufficient clearance when fully open to enable the convenient passage of waste collection vehicles which are required to enter the basement and such clearance must also be maintained in respect of sub-floor service installations throughout areas in which the waste collection vehicle is required to travel to the satisfaction of the Responsible Authority.

Vehicle Crossings and Accessways

25. Prior to occupation of the approved dwellings, any new or modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
26. Redundant vehicle crossovers must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.

Car Parking

27. Before the approved use starts, all areas set aside for car parking and access lanes as shown on the approved plan must be:
 - 27.1 Line marked to indicate each car parking space;
 - 27.2 Marked to show the direction of traffic along access lanes and driveways;
 - 27.3 The car parking spaces for a person with a disability designed and marked to comply with the relevant Australian Standard;to the satisfaction of the Responsible Authority.
28. Parking areas and access lanes must be kept available for these purposes at all times, must be maintained and must not be used for any other purpose to the satisfaction of the Responsible Authority.
29. All car parking spaces must be designed to allow all vehicles to enter and leave the site in a forward direction.

Operation

30. The loading and unloading of goods from vehicles associated with the medical centre use must only be carried out on the land.
31. Except with the prior written consent of the Responsible Authority, the

number of medical practitioners who work at the centre at any one time must not exceed thirty (30) and in the event of a roster system being applied, such roster must ensure that no overlap of consultation periods occurs.

32. Except with the prior written consent of the Responsible Authority and except in the case of an emergency, the medical centre must only operate between the following hours:

Monday to Friday: 8am to 8pm

Saturday: 8am to 5pm

Sunday: 9am to 5pm

33. All noise emanating from any mechanical plant (air conditions, refrigeration plant, etc.) must comply with the State Environment Protection Policy N-1 and in the event of the Responsible Authority receiving justifiable complaints regarding noise from such sources, the onus will be on the owner of the development site to prove compliance with the relevant policy to the satisfaction of the responsible authority.
34. All security alarms or similar devices installed on the land must be of a silent type to the satisfaction of the Responsible Authority.
35. External lighting must be designed so to limit loss of amenity to residents of adjoining properties to the satisfaction of the Responsible Authority.
36. Any infectious or potentially infectious wastes (as defined by the EPA) must be disposed of in accordance with Environmental Protection Authority (EPA) requirements, to the satisfaction of the Responsible Authority.
37. Garbage and recycling storage areas must be maintained in a neat and tidy condition to the satisfaction of the Responsible Authority.

Fencing / Retaining Walls

38. Before the approved use starts, all fencing must be erected in good condition in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
39. All retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority.

Maintenance

40. Buildings, paved areas, drainage and landscaping and all external areas must be maintained to the satisfaction of the Responsible Authority.

VicRoads Conditions (conditions 41 to 45)

41. Before the commencement of works, amended plans, showing the access arrangement to the subject land, to the satisfaction of VicRoads must be submitted to the responsible authority for endorsement. Once endorsed, the plans will form part of this planning permit. The amended plans shall

include (but not limited to):

- 41.1 A fully dimensioned access arrangement off Manningham Road that is designed to allow concurrent vehicular movement of a SRV and B85 car.
- 41.2 Allowance for vehicle to turnaround when the car park is closed.
- 41.3 The edges of the access crossover must be angled at 60 degrees to the edge of the road, at least for the first 3 metres from the edge of the shoulder (or as approved).
42. All disused or redundant crossovers must be removed and the nature strip, footpath and kerb and channel reinstated.
43. Prior to the commencement of the use or the occupation of the buildings, all works required under this permit must be provided and available for use to the satisfaction of the Responsible Authority and at no cost to VicRoads.
44. Vehicles must enter and exit the land in a forward direction at all times.
45. No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.

Permit Expiry

46. This permit will expire if one of the following circumstances apply:
 - 46.1 The development is not started within two (2) years of the date of this permit; and
 - 46.2 The development is not completed within four (4) years of the date of this permit; and
 - 46.3 The use is not started within two (2) years of the completion of the development.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the Planning & Environment Act 1987.

1. ALTERNATIVE RECOMMENDATION

That Council:

- A. **Having considered all objections a NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application PL16/026448 for the use and development of the land for a two-storey medical centre with associated basement car park, reduction of the associated car parking requirements and alteration of access to a road in a Road Zone, Category 1 subject to the following conditions:**

1. **Before the development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to the satisfaction of the**

Responsible Authority and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the decision plans prepared by The Buchan Group (Revision P04, dated 19 August 2016), but modified to show the following:

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- 1.2 An indent of a minimum width of 2 metres and a minimum depth of 5 metres on the southern upper level wall of the building between Suites 11 and 12, to create articulation to the wall and roof form;
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- 1.5 The obscure glazed sections of all windows to be fixed, or if openable, a cross-section diagram submitted to demonstrate that the window design does not allow direct views into existing secluded private open space areas;
- 1.6 Details of any services within the front setback (including the fire tank and pump room, meters and any fire boosters) including dimensions and materials, with a design which is integrated with the overall development;
- 1.7 A disability access ramp to allow barrier access between the street and the main building entry, as per the discussion plan received by Council on 18 January 2017;
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Endorsed Plans

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 - 3.2 Hours of construction;
 - 3.3 Delivery and unloading points and expected frequency;
 - 3.4 On-site facilities for vehicle washing;
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 - 3.6 The location of parking and site facilities for construction workers;
 - 3.7 Measures to minimise the impact of construction vehicles arriving at and departing from the land;
 - 3.8 Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;
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- 4.4 The use of LEDs throughout the building;
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 - 5.2 The height clearance of the basement and confirmation that it is adequate for the waste collection vehicle.

Management plan compliance

6. The Management Plans approved under Conditions 3, 4 and 5 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.
7. Before the approved use starts, a report from the author of the Sustainability Management Plan, approved pursuant to this permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must be submitted to the satisfaction of the Responsible Authority and must confirm that all measures in the Sustainability Management Plan approved under Condition 4 of this permit have been implemented in accordance with the approved plans.

Completion

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9. Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to

screen overlooking.

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- 11.1 A minimum of one (1) canopy tree within the front setback that can reach a minimum mature height of 8 metres;
- 11.2 All canopy trees are at least 1.5 metres in height at the time of planting;
- 11.3 Shallow rooted planting within the easements;
- 11.4 Planting within 2 metres along the frontage from the edge of the driveway(s) and 2.5 metres along the driveway(s) from the frontage to be no greater than 0.9 metres in height at maturity.

The use of synthetic grass as a substitute for open lawn area within secluded private open space or a front setback will not be supported. Synthetic turf may be used in place of approved paving decking and/or other hardstand surfaces.

Landscape bond

12. Before the release of the approved plan for the approved development, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all landscaping works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

Stormwater – On-site detention (OSD)

13. The owner must provide on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:

- 13.1 Be designed for a 1 in 5 year storm; and

13.2 Storage must be designed for 1 in 10 year storm.**Construction Plan (OSD)**

- 14. Before the development starts, a construction plan for the system required by Condition 13 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.**

Drainage

- 15. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.**
- 16. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.**

Site Services

- 17. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.**
- 18. All upper level service pipes (excluding stormwater downpipes) and any wall mounted spa-bath pump must be concealed and screened respectively to the satisfaction of the Responsible Authority.**
- 19. Communal lighting must be connected to reticulated mains electricity and be operated by a time switch, movement sensors or a daylight sensor to the satisfaction of the Responsible Authority.**
- 20. Any reverse cycle air-conditioning unit erected on the walls or roofs of the building must be so located, as to not adversely affect the amenity of the area by way of appearance/visual prominence to the satisfaction of the Responsible Authority. Where the Responsible Authority identifies a concern about visual appearance, appropriately designed/finished screening must be installed and maintained to the satisfaction of the Responsible Authority.**
- 21. Unless depicted on a Roof Plan approved under Condition 1 of this permit, no roof plant (includes air conditioning units, basement exhaust ducts, solar panels or hot water systems) which is visible to immediate neighbours or from the street may be placed on the roof of the approved building, without details in the form of an amending plan being submitted to and approved by the Responsible Authority.**
- 22. Any wall-mounted, instantaneous gas hot water system located on a**

an external wall of the building, so as to be visible from off the site must be provided with a neatly designed, durable screen (in perforated metal sheeting, for instance) to the satisfaction of the Responsible Authority or be of the recessed type with a cover plate.

23. If allowed by the relevant fire authority, external fire services must be enclosed in a neatly constructed, durable cabinet finished to complement the overall development, or in the event that enclosure is not allowed, associated installations must be located, finished and landscaped to minimise visual impacts from the public footpath in front of the site to the satisfaction of the Responsible Authority.
24. Any security door/grille to the basement opening must maintain sufficient clearance when fully open to enable the convenient passage of waste collection vehicles which are required to enter the basement and such clearance must also be maintained in respect of sub-floor service installations throughout areas in which the waste collection vehicle is required to travel to the satisfaction of the Responsible Authority.

Vehicle Crossings and Accessways

25. Prior to occupation of the approved dwellings, any new or modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
26. Redundant vehicle crossovers must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.

Car Parking

27. Before the approved use starts, all areas set aside for car parking and access lanes as shown on the approved plan must be:
 - 27.1 Line marked to indicate each car parking space;
 - 27.2 Marked to show the direction of traffic along access lanes and driveways;
 - 27.3 The car parking spaces for a person with a disability designed and marked to comply with the relevant Australian Standard;to the satisfaction of the Responsible Authority.
28. Parking areas and access lanes must be kept available for these purposes at all times, must be maintained and must not be used for any other purpose to the satisfaction of the Responsible Authority.
29. All car parking spaces must be designed to allow all vehicles to enter and leave the site in a forward direction.

Operation

30. The loading and unloading of goods from vehicles associated with the medical centre use must only be carried out on the land.
31. Except with the prior written consent of the Responsible Authority, the number of medical practitioners who work at the centre at any one time must not exceed thirty (30) and in the event of a roster system being applied, such roster must ensure that no overlap of consultation periods occurs.
32. Except with the prior written consent of the Responsible Authority and except in the case of an emergency, the medical centre must only operate between the following hours:

Monday to Friday: 8am to 8pm

Saturday: 8am to 5pm

Sunday: 9am to 5pm
33. All noise emanating from any mechanical plant (air conditions, refrigeration plant, etc.) must comply with the State Environment Protection Policy N-1 and in the event of the Responsible Authority receiving justifiable complaints regarding noise from such sources, the onus will be on the owner of the development site to prove compliance with the relevant policy to the satisfaction of the responsible authority.
34. All security alarms or similar devices installed on the land must be of a silent type to the satisfaction of the Responsible Authority.
35. External lighting must be designed so to limit loss of amenity to residents of adjoining properties to the satisfaction of the Responsible Authority.
36. Any infectious or potentially infectious wastes (as defined by the EPA) must be disposed of in accordance with Environmental Protection Authority (EPA) requirements, to the satisfaction of the Responsible Authority.
37. Garbage and recycling storage areas must be maintained in a neat and tidy condition to the satisfaction of the Responsible Authority.

Fencing / Retaining Walls

38. Before the approved use starts, all fencing must be erected in good condition in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
39. All retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority.

Maintenance

40. Buildings, paved areas, drainage and landscaping and all external areas must be maintained to the satisfaction of the Responsible

Authority.**VicRoads Conditions (conditions 41 to 45)**

41. Before the commencement of works, amended plans, showing the access arrangement to the subject land, to the satisfaction of VicRoads must be submitted to the responsible authority for endorsement. Once endorsed, the plans will form part of this planning permit. The amended plans shall include (but not limited to):
 - 41.1 A fully dimensioned access arrangement off Manningham Road that is designed to allow concurrent vehicular movement of a SRV and B85 car.
 - 41.2 Allowance for vehicle to turnaround when the car park is closed.
 - 41.3 The edges of the access crossover must be angled at 60 degrees to the edge of the road, at least for the first 3 metres from the edge of the shoulder (or as approved).
42. All disused or redundant crossovers must be removed and the nature strip, footpath and kerb and channel reinstated.
43. Prior to the commencement of the use or the occupation of the buildings, all works required under this permit must be provided and available for use to the satisfaction of the Responsible Authority and at no cost to VicRoads.
44. Vehicles must enter and exit the land in a forward direction at all times.
45. No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.

Permit Expiry

46. This permit will expire if one of the following circumstances apply:
 - 46.1 The development is not started within two (2) years of the date of this permit; and
 - 46.2 The development is not completed within four (4) years of the date of this permit; and
 - 46.3 The use is not started within two (2) years of the completion of the development.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the Planning & Environment Act 1987.

MOVED: CR PAULA PICCININI
SECONDED: CR ANNA CHEN

That the Alternative Recommendation be adopted with the inclusion of the following:

- B. Direct officers to investigate car parking issues in the surrounding residential streets, including the potential requirement for Permit Zones for local residents.**

SUSPEND STANDING ORDERS

MOVED: CR DOT HAYNES
SECONDED: CR PAUL MCLEISH

That Standing Orders be suspended to allow speakers being taken out of order.
CARRIED

RESUME STANDING ORDERS

MOVED: CR DOT HAYNES
SECONDED: CR GEOFF GOUGH

That Standing Orders be resumed.
CARRIED

The original Motion was then PUT and CARRIED.

2. BACKGROUND

- 2.1 The application was received by Council on 1 July 2016.
- 2.2 A request for further information was sent to the Applicant on 28 July 2016 and raised preliminary concerns regarding the submitted proposal relating to the design of the built form, provision of landscaping, the design of the car park and the on-site car parking space provision.
- 2.3 The application was amended under Section 50 of the *Planning and Environment Act 1987* (the Act) on 11 November 2016 to include the reduction of the standard car parking requirements of the Manningham Planning Scheme and the alteration of access to a road in a Road Zone, Category 1 (Manningham Road) in the proposal.
- 2.4 All requested further information was received by Council on 1 December 2016.
- 2.5 The statutory time for considering a planning application is 60 days. The 60 day timeframe for this application will lapse on 13 February 2017.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site comprises three (3), side-by-side residential lots on the southern side of Manningham Road, namely 268, 270 and 272 Manningham Road.
- 3.2 The site is rectangular in shape with an indented south-western corner. The site has a street frontage of 55.37 metres, a maximum depth of 43.85 metres on the eastern boundary and an area of approximately 2,440 square metres.
- 3.3 The site slopes up by approximately 2.7 metres from the north-west corner (front) to the south-east corner (rear).
- 3.4 Easements (2.44 metre wide) are located along the southern (rear) and eastern site boundaries.
- 3.5 The three (3) lots are each developed with a single-storey brick dwelling with a secluded private open space area and outbuildings located to the rear. Each lot is accessed by a vehicle crossover on the western end of the respective street frontage.
- 3.6 The land titles are not constrained by covenants or Section 173 Agreements.

The Surrounds

- 3.7 The site directly abuts six (6) properties, which are described as follows:

Direction	Address	Description
West	266 Manningham Road, Templestowe Lower	This property is developed with four, two-storey dwellings with associated basement car parking. The development is set back 1.5 metres from the common boundary at its closest point and the secluded private open space areas of the dwellings are oriented towards the site.
South-west	2 Madeleine Street, Doncaster	This property abuts the western section of the site's southern boundary and the southern section of the site's western boundary, forming the indented south-wester corner of the site. The property is developed with a two-storey, brick dwelling set back approximately 15 metres from the common boundary. The secluded private open space area is located to the rear of the dwelling and adjacent to the site
South	33 Philip Avenue, Doncaster	This property abuts the eastern section of the site's southern (rear) boundary and is developed with a two-storey, brick dwelling set back 22.7 metres from the common boundary. The secluded private open space area to the rear of the dwelling is adjacent to the site and comprises a shed on the north-western corner.
	35 Philip Avenue, Doncaster	This property abuts the central section of the site's southern (rear) boundary and is developed with a single-storey, brick

	37 Philip Avenue, Doncaster	dwelling set back 8.7 metres from the common boundary. The secluded private open space area to the rear of the dwelling is adjacent to the site and comprises a swimming pool that is surrounded by screen landscaping. This property abuts the western section of the site's southern (rear) boundary and is developed with a single-storey, brick dwelling set back 16 metres from the common boundary. The secluded private open space area to the rear of the dwelling is adjacent to the site and is vegetated with canopy trees.
East	274 Manningham Road, Templestowe Lower	This property abuts the site to the east and is developed with two single-storey dwellings in a tandem arrangement. The vehicle crossover is located on the western end of the frontage, leading to a driveway that to the west of the dwellings and adjacent to the common boundary.

- 3.8 The character of the immediate neighbourhood is mixed, with a variety of non-residential uses located along this section of Manningham Road. This includes the Macedon Square shopping centre located approximately 80 metres to the north-east of the site. There are examples of more intensive multi-unit residential developments on nearby properties, such as 282 Manningham Road. Areas located away from the main roads consist of single or two dwellings on a lot.
- 3.9 Immediately to the north of the site is Manningham Road, a major arterial road which has three (3) lanes of traffic in both directions and a raised median strip. Opposite the site, on the southern side of Manningham Road, is a right-turn lane into Hotham Street. Bus services are available in both directions along Manningham Road, with the nearest bus stop located 80 metres to the west of the site.

4. THE PROPOSAL

- 4.1 It is proposed to demolish the existing buildings and remove all vegetation on the site (no planning permit required) to use and develop the land for a two-storey medical centre building with basement car parking. The proposal also seeks a reduction of the associated car parking requirement of the Manningham Planning Scheme and alteration of access to a road in a Road Zone, Category 1.

Submitted plans and documents

- 4.2 The proposal is outlined on the plans prepared by The Buchan Group, Revision P04, dated 19 August 2016 and the concept landscape plan prepared by Formium, Revision B, dated October 2016. Refer to Attachment 1.
- 4.3 The following reports were also submitted as part of the application:
- A planning report prepared by SJB Planning, dated November 2016;

- A traffic report prepared by C Maragos and Associates, dated 21 October 2016;
- A waste management plan prepared by Leigh Design, dated 17 November 2016;
- A sustainability management plan prepared by Murchie Consulting, dated 16 November 2016.

Development summary

4.4 A summary of the proposed development is provided as follows:

Land Size:	2440m ²	Street setback to Manningham Road (north)	Basement – 5.5m Ground floor – 7m First floor – 7.5m
Site Coverage:	47%	Setback to western boundary	Basement – 2m Ground floor – 3.3m First floor – 3.3m
Permeability:	30%	Setback to eastern boundary	Basement – 1.7m Ground floor – 9.7m First floor – 9.7m
Maximum Building Height:	9.5m	Setback to southern (rear) boundary adjacent to 33, 35 and 37 Philip Avenue	Basement – 4m Ground floor – 4m First floor – 4.4m
Car parking spaces:	Total – 82 Basement 1 – 37 Basement 2 – 45 including 4 staff spaces	Setback to southern (rear) boundary adjacent to 2 Madeleine Street	Basement – 2.6m Ground floor – 3m First floor – 3m
Bicycle spaces:	Visitors – 8 Staff – 6		

Built form and earthworks

- 4.5 The proposed medical centre building is constructed in white polished precast concrete walls with feature timber cladding and an angular light grey metal roof.
- 4.6 In order to level the site for the development, fill of up to 1.1 metres in height at the north-western section of the site and cut of up to 1.7 metres in depth along the eastern and southern boundaries are required. A mix of batter slopes and retaining walls are proposed.
- 4.7 The ground level comprises an entry atrium, 3 separate receptions and waiting areas, 11 suites, 2 consulting rooms, 4 cubicles, a therapy gym, 2 offices and a staff room.

- 4.8 The upper level comprises a reception and waiting area, 13 suites, office and an operating room for day surgery.

Land use

- 4.9 Three separate medical practices will be provided on the ground level and a cosmetic surgery practice on the first floor level. The balance of the building will be leased to other medical practitioners.

- 4.10 The hours of operation are:

- Monday to Friday: 8am to 8pm;
- Saturday: 8am to 5pm;
- Sunday: 9am to 5pm.

- 4.11 A maximum of thirty (30) practitioners will provide health care services within the medical centre at any one time.

Access and car parking

- 4.12 A new 5.5 metre wide vehicle crossover is located near the eastern end of the frontage, leading to a driveway along the eastern boundary to two basement levels. The basement includes 82 car parking spaces, 6 staff bicycle spaces and a loading bay for deliveries and waste collection.

- 4.13 Pursuant to Clause 52.06 of the Manningham Planning Scheme, a medical centre with 30 medical practitioners providing health services requires the provision of 92 on-site car parking spaces. As the proposal only provides 82 on-site spaces, a reduction of 10 spaces from the standard requirement is sought as part of this application.

- 4.14 Pursuant to Clause 52.29 (Land adjacent to a Road Zone category 1) of the Manningham Planning Scheme, this application includes the proposed alteration of access to a road in a Road Zone, Category 1.

5. LEGISLATIVE REQUIREMENTS

- 5.1 Refer to Attachment 2.

6. REFERRALS

External

- 6.1 Given the proposal involves the creation and alteration of access to Manningham Road (a road identified as a Road Zone, Category 1) it is a statutory requirement to refer the application to VicRoads as a determining referral authority.
- 6.2 VicRoads support the proposal and have no objection to the proposal subject to five (5) conditions (**Conditions 41 to 45**).

Internal

6.3 The application was referred to a number of Service Units within Council. The following table summarises their responses:

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> All runoff must be directed to the point of discharge (Condition 15). The whole of the land must be drained to prevent ponding and overland flows (Condition 16). An on-site storm water detention system is required (Conditions 13 and 14).
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> A “Vehicle Crossing Permit” is required. All redundant crossovers must be removed and the footpath, nature strip and kerbing reinstated (Condition 26).
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> Swept path diagrams for a waste collection vehicle must be depicted to demonstrate that the vehicle can enter and exit the site in a forward direction (Condition 5.1).
Engineering & Technical Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> The proposed reduction of ten (10) car parking spaces is appropriate in the context of the development and the surrounding street network. The findings of the submitted traffic report are supported.
Engineering & Technical Services Unit – Car Parking Layout	<ul style="list-style-type: none"> The dimensions of the car parking spaces are satisfactory.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> A Construction Management Plan is required (Condition 3).
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> It is agreed that a private waste collection contractor will be required to undertake waste collection from the development. Waste collection needs to occur within the property boundary. No bins can be left outside the property boundary for any reason. The Waste Management Plan (WMP) needs to detail how the collection contractors will enter and exit the site, access each bin, as well as include plans showing sufficient turning facilities, swept path diagrams, turning circles and relevant height clearances (Condition 5).
Engineering & Technical Services Unit – Easements	<ul style="list-style-type: none"> Formal consent to “Build Over Easement” is required.
Strategic Projects Unit – Sustainability	<ul style="list-style-type: none"> The following changes to the Sustainability Management Plan (SMP) is required (Condition 4): The SMP has not included an ESD assessment tool (such as BESS) to

Service Unit	Comments
	<p>benchmark the performance of the proposal.</p> <ul style="list-style-type: none"> • The SMP needs to provide more details on the Co-Efficient of Performance (COP) of the proposed VRF A/C system and a more detailed description of the proposed zoning and controls. • The proposal needs to commit to the use of LEDs throughout and the SMP needs to provide a more detailed description of the proposed zoning and controls. • Plan notations are required to state the area of roof being directed to the rainwater tank for landscape. • A STORM or MUSIC report must be completed as part of the SMP to demonstrate how the proposal deals with Council's expectations on stormwater quality (STORM score of 100% or equivalent MUSIC rating).

7. CONSULTATION / NOTIFICATION

7.1 Notice of the application was given over a four-week period which concluded on 13 January 2017, by sending letters to nearby properties and displaying three (3) signs on site (a sign on the frontage of each lot).

7.2 Three (3) objections were received, from the following properties:

- 31 Philip Avenue, Doncaster;
- 35 Philip Avenue, Doncaster (adjoining property to the south);
- 37 Philip Avenue, Doncaster (adjoining property to the south).

7.3 The grounds of objection can be summarised as follows:

- Off-site amenity impacts including overshadowing, overlooking and loss of privacy, and continuous built form with no visual relief (an upper level graduation is suggested);
- Excessive site coverage of more than 60%;
- Excessive impervious surfaces and increased stormwater runoff;
- Inadequate landscaping opportunities along the southern site boundary due to the basement excavation and planting within easements;
- Impacts of the excavation on adjoining properties.

7.4 A response to the grounds of objections are provided in the following Assessment section of this report.

8. ASSESSMENT

- 8.1 The proposal has been assessed against the relevant state and local planning policies, the zone, overlay and the relevant particular provisions and general provisions of the Manningham Planning Scheme.
- 8.2 The assessment is made under the following headings:
- Use;
 - Built form and landscaping;
 - Off-site amenity;
 - Car parking, access, traffic and bicycle parking;
 - Objector concerns;
 - Other matters.

Use

- 8.3 The use of the land for a medical centre is supported by local policy at Clause 22.05 of the Manningham Planning Scheme, as the site is located within close proximity to the Macedon Square Activity Centre and is located on a main road (Manningham Road).
- 8.4 The use of the land for a medical centre is also supported under the zone (Residential Growth Zone), and it is noted that a purpose of the zone is to allow *“non-residential uses to serve local community needs in appropriate locations”*.
- 8.5 The proposed hours of operation (Monday to Friday 8am to 8pm, Saturday 8am to 5pm and Sunday 9am to 5pm) for the medical centre are considered appropriate for such a use and will not result in any unreasonable amenity impacts. The hours will be restricted by a permit condition (**Condition 32**).

Built form and landscaping

- 8.6 An assessment against the requirements of the DDO8 is provided in the table below. These requirements also cover the policy requirements regarding built form and landscaping at Clause 22.05 of the Manningham Planning Scheme:

Design Element	Level of Compliance
<p><u>Building Height and setbacks</u></p> <ul style="list-style-type: none"> • The minimum lot size is 1800 square metres, which must be all the same sub-precinct. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage. • The building has a maximum height of 11 metres provided the condition regarding minimum lot size is met. If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross 	<p>Met</p> <p>The maximum building height of 9.5 metres does not exceed the requirement of 11 metres.</p>

<p>section wider than eight metres of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.</p>	
<ul style="list-style-type: none"> • Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. • Minimum side street setback is the distance specified in Clause 55.03-1. 	<p>Met The street setback of 7 metres exceeds the minimum setback requirement.</p>
<p>Form</p> <ul style="list-style-type: none"> • Ensure that the site area covered by buildings does not exceed 60 percent. 	<p>Met The site coverage is 47% based on the gross floor area of the ground level.</p>
<ul style="list-style-type: none"> • Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Met subject to condition Visual interest to the development is provided by a variation of materials and finishes, articulation, the use of glazing and changes in roof forms.</p> <p>However, it is considered that the linear presentation of the south elevation will create a sense of visual bulk to the adjoining properties to the south (rear). A permit condition will require an indent of a minimum width of 2 metres and a minimum depth of 5 metres on the southern upper level wall of the building between Suites 11 and 12, to create articulation in the wall and roof form to provide visual interest and reduce the off-site amenity impacts to the adjoining properties (Condition 1.2).</p>
<ul style="list-style-type: none"> • Minimise buildings on boundaries to create spacing between developments. 	<p>Not applicable</p>
<ul style="list-style-type: none"> • Where appropriate ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area. 	<p>Met subject to condition The building is not stepped down at the rear of the site to provide a transition to the adjoining properties to the south, which are located within the General Residential Zone, Schedule 1. Although the southern section of the building is cut into the slope of the land and there are opportunities for screen landscaping along the rear boundary, the section of building adjacent to the properties on Philip Avenue has a height of up to 8.5 metres and the linear two-storey walls will create a sense of visual bulk on the adjoining properties.</p> <p>Given the size of the site, the large gross floors area of the building (ground level of 1146 square metres and upper level of 883 square metres) and the incorporation of a large void over the</p>

	<p>entry atrium on the north-eastern part of the building, it is not considered unreasonable to require some of the built form to be taken off the most sensitive interface to the adjoining properties to the south.</p> <p>A permit condition will therefore require the upper level of the southern wall opposite the properties on Philip Avenue to be recessed at least one metre from the southern edge of the ground level to provide graduation and reduce the sense of visual bulk (Condition 1.1).</p> <p>It is considered that the section of the southern wall opposite 2 Madeleine Street on the south-western corner of the building does not need to be graduated given the limited length of this wall facing the adjoining property to the south-west and the screening is provided by an adjoining tree.</p>
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Met</p> <p>Although the building is not stepped, it is cut into the slope of the land on the northern and eastern sides to respond to the slope and reduce its visual impact on the adjoining properties.</p>
<ul style="list-style-type: none"> Avoid reliance on below ground light courts for any habitable rooms. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Met</p> <p>The level of articulation provided is considered acceptable for a commercial building. As discussed above, graduation will be required on the section of the southern wall opposite the adjoining properties on Philip Avenue to further reduce the sense of visual bulk to this sensitive interface.</p>
<ul style="list-style-type: none"> Ensure that the upper level of a three storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos. 	<p>Met</p> <p>No imposing design features are proposed.</p>
<ul style="list-style-type: none"> Be designed and sited to address slope 	<p>Met</p>

constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation.	The building is cut into the slope of the land on the northern and eastern sides to respond to the slope and reduce its visual impact on the adjoining properties.
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Met South-facing upper level windows are obscure glazed to limit overlooking.</p>
<ul style="list-style-type: none"> Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities. 	<p>Met subject to condition The main entry of the building is clearly defined. However, it is not considered to be accesible for people of all mobilities given there are steps between the footpath and the front entry. The applicant has submitted a discussion plan (received by Council on 18 January 2017) to demonstrate how a disability access ramp can be provided between the footpath and the building. This ramp will be required by a permit condition (Condition 1.7).</p>
<ul style="list-style-type: none"> Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	<p>Met The projection of the basement is limited to the north elevation at the front of the site and does not result in an excessive building height as viewed by adjoining properties to the east, south and west.</p>
<ul style="list-style-type: none"> Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site. 	<p>Met The basement car park is not clearly visible from the site frontages.</p>
<ul style="list-style-type: none"> Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking. 	<p>Met Car parking is provided within the basement.</p>
<ul style="list-style-type: none"> Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established. 	<p>Met A rear setback of 4 metres is provided to most sections of the rear boundary and allows sufficient space for effective in-ground landscaping.</p>
<ul style="list-style-type: none"> Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces. 	<p>Met The walls are set back adequately from site boundaries to allow for landscaping and effective screen planting. The concept landscpae plan shows landscaping can be provided along all side and rear boundaries.</p>
<ul style="list-style-type: none"> Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the 	<p>Met subject to condition A condition will require service equipment to be appropriately screened to limit amenity impacts (Conditions 20</p>

<p>built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces.</p>	<p>to 22). A condition will also require any services within the frontage to be designed so they complement the overall development (Condition 1.6).</p>
<p><u>Car Parking and Access</u></p> <ul style="list-style-type: none"> • Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback. 	<p>Met</p> <p>Only one vehicle crossover is proposed and it is set back 2.6 metres from the closest street tree.</p>
<ul style="list-style-type: none"> • Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary. 	<p>Met</p> <p>Extensions of the basement beyond the ground level are minimal and generally not visible from beyond the site.</p>
<ul style="list-style-type: none"> • Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling. 	<p>Not applicable</p>
<ul style="list-style-type: none"> • Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	<p>Met</p> <p>Gradients of the driveway comply with Design Standard 3 in Clause 52.06-8 of the Manningham Planning Scheme.</p>
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> • On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity. 	<p>Not applicable</p>
<ul style="list-style-type: none"> • On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity. 	<p>Met subject to condition</p> <p>The submitted concept landscape plan shows that canopy trees can be planted within the front setback. This requirement will also be included as a permit condition (Condition 11.1).</p>
<ul style="list-style-type: none"> • Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form. 	<p>Met subject to condition</p> <p>The submitted concept landscape plan shows adequate planting can be achieved along the site boundaries to soften the appearance of the built form. Although a site cut is required at the southern and eastern part of the site, the retaining walls are set back from the</p>

	<p>site boundaries to allow planting on natural ground level.</p> <p>A permit condition will require any batter slopes to be no steeper than 1:3 to allow them to be suitably landscaped. Otherwise they are required to be replaced with retaining walls (Condition 1.3).</p>
<p><u>Fencing</u></p> <ul style="list-style-type: none"> • A front fence must be at least 50 per cent transparent. • On sites that front Blackburn Road, Andersons Creek Road and Reynolds Road, a fence must: <ul style="list-style-type: none"> • not exceed a maximum height of 1.8m • be setback a minimum of 1.0m from the front title boundary and a continuous landscaping treatment within the 1.0m setback must be provided. 	<p>Not applicable</p>

Off-site amenity

- 8.7 The assessment of off-site amenity is guided by policy at Clause 22.05 of the Manningham Planning Scheme.

Noise

- 8.8 It is not considered that the proposal will result in any unreasonable noise impacts to adjoining properties, as staff and users (outdoor pedestrian activity) is limited to the front of the site. The landscaped area along the southern site boundary is not shown on the submitted plans as being used as outdoor space. The driveway is also cut into the slope of the land and provided with landscape buffers to the site boundaries.

Overlooking

- 8.9 The ground level windows are adequately screened by boundary fencing and will not allow overlooking into the adjoining properties.
- 8.10 Windows have been designed to limit overlooking to adjacent dwellings. The upper level west and south-facing windows are obscure glazed up to 1.7 metres above the finished floor level and there are no east-facing upper level windows within 9 metres of the eastern site boundary that would allow unreasonable overlooking.

Overshadowing

- 8.11 It is considered that the development will not result in unreasonable overshadowing concerns to the adjoining properties to the south (33, 35, 37 Philip Avenue), given the building is set back at least 4 metres from the southern site boundary and cut into the slope of the land.

- 8.12 The property at 35 Philip Avenue is set back only 8.7 metres from the common boundary, which is less than the dwellings on the other lots and includes a swimming pool within the rear secluded private open space area. Although shadows cast by the development will cover the rear portion of this property and the swimming pool, the amenity impact will not be unreasonable as the extent of shadows will not generally extend beyond the shadows already cast by the boundary fence. The conditions requiring the design of the first floor southern wall to be graduated and articulation to the upper level wall will also further reduce overshadowing impacts (**Conditions 1.1 and 1.2**).
- 8.13 Whilst the proposal will cast shadows into the adjoining properties to the west, the impact is considered acceptable as the building is set back at least 6.2 metres from the adjoining dwellings and the impact will be limited to the period before 12 noon.

Safety

- 8.14 The proposal will not result in unreasonable safety concerns to people accessing the medical centre, as the main entry is clearly visible from the frontage and will allow passive surveillance opportunities.

Car parking, access, traffic and bicycle parking

Traffic

- 8.15 Council's traffic engineers and VicRoads support the proposal and it is considered that any increase in traffic can be readily accommodated by Manningham Road and will not result in adverse impacts to local streets.

Access

- 8.16 The proposal seeks to create and alter access to Manningham Road by widening the existing crossover for 272 Manningham Road to provide access and removing all other crossovers. As VicRoads have no objection to the proposal subject to conditions which will be included in the permit (**Conditions 41 to 45**), the access arrangement to Manningham Road is considered appropriate.

Car parking

- 8.17 Pursuant to Clause 52.06 of the Manningham Planning Scheme, the car parking rate for a medical centre use is 5 spaces for the first person providing health services plus 3 spaces to every other person providing health services. The proposed medical centre with 30 medical practitioners providing health services, requires the provision of 92 on-site car parking spaces. As 82 car parking spaces are provided on-site, a reduction of 10 car parking spaces is sought.
- 8.18 The proposed reduction has been assessed against the decision guidelines in Clause 52.06-6 of the Manningham Planning Scheme and is supported and considered acceptable for the following reasons:
- The Car Parking Demand Assessment submitted with the application, provides support for the proposed car parking rate based on an empirical assessment of similar medical centres (Manningham Medical Centre and Epping Medical Centre).

- Bus services are available on Manningham Road.
- Council's Engineering and Technical Services Unit supports the proposed reduction in car parking and the on-site car parking provision.

8.19 For the proposed basement car parking, an assessment against the car parking design standards in Clause 52.06-8 of the Manningham Planning Scheme is provided in the table below:

Design Standard	Met/Not Met
1 – Accessways	Met The driveway is 5 metres wide. A minimum headroom of 2.45 metres is provided. Visibility splay areas and a passing area is provided at the frontage. Vehicles are able to enter and leave the site in a forward direction.
2 – Car Parking Spaces	Met The garages and car parking spaces comply with the minimum dimensions required under this standard.
3 – Gradients	Met The maximum driveway gradient and transitions between gradients comply with the standard.
4 – Mechanical Parking	Not applicable No mechanical parking is proposed.
5 – Urban Design	Met The driveway will not be visually dominating on the streetscape given its location at the eastern end of the site. The entry to the basement car park is obscured and not visible from the street.
6 – Safety	Met Access to the basement is restricted by a security door.
7 – Landscaping	Met The submitted concept landscape plan shows sufficient planting on both sides of the driveway to soften its appearance.

Bicycle parking

8.20 Pursuant to Clause 52.34 of the Manningham Planning Scheme, the proposal is required to provide 3 bicycle spaces for employees and 7 bicycle spaces for visitors. The proposal provides 8 spaces located externally outside the main building entry for visitors and 6 spaces within the basement for staff. This exceeds the minimum requirement. It is considered that the spaces are convenient and easily accessible. The staff bicycle spaces are also enclosed and secure.

Objector concerns

Built form, visual bulk and overshadowing

- 8.21 Objectors raise the issue of how the building presents to the south and this concern is shared by Officers. To address this issue without unreasonably compromising the floor space for the medical centre, a permit condition will require the upper level of the building to be recessed at least one metre from the southern edge of the ground level (**Condition 1.1**). A permit condition will also require a break to the southern upper level wall between Suites 11 and 12 to create articulation, similar to the break in the wall and roof line opposite the property on 37 Philip Avenue, which will assist in reducing the sense of visual bulk associated with the continuous built form (**Condition 1.2**). These design changes will go some way in addressing the concerns raised by the objector on the continuous built form, visual bulk and overshadowing to their southern adjoining dwelling.

Site coverage

- 8.22 Regarding the objector concern that the proposed building exceeds a 60% site coverage, it is considered appropriate to calculate the site coverage of the ground level of the building (47%) given the basement is largely below natural ground level. The proposed site coverage is supported by DDO8 and the design allows for sufficient space for landscaping along the site boundaries.

Permeability and drainage

- 8.23 The basement is set back from all site boundaries to allow for screen landscaping and the proposal provides for 30% permeability which will reduce storm water runoff. An on-site storm water detention system will also be required to reduce runoff impacts by way of permit condition (**Condition 13**).

Excavation and easements

- 8.24 It is not considered that the excavation will impact on the adjoining properties, given the retaining wall and basement are set back approximately 2.7 metres and 4 metres from the southern site boundary respectively. The Building Surveyor for the development will be responsible for ensuring that the proposal will not result in damages or other impacts to the adjoining properties.
- 8.25 A permit condition will require any planting within the easements to be shallow rooted (**Condition 11.3**).

Overlooking

- 8.26 In relation to overlooking and loss of privacy concerns, plans show that the south-facing upper level windows will be obscure glazed up to 1.7 metres, which will limit overlooking into the south adjoining properties. Whilst ResCode is not applicable to this application, this design response is consistent with the ResCode requirements at Standard B22 which requires a habitable room window with a direct view into a the secluded private open space of an existing dwelling within a horizontal distance of 9 metres to have fixed, obscure glazing in any part of the window below a.7 metre above floor level. A permit condition (**Condition 1.5**) will require the obscure glazed sections of all windows to be fixed, or a cross-section diagram submitted to demonstrate that windows will not allow direct views into existing secluded private open space areas if they are openable.

Other matters

8.27 As this application does not seek permission for advertising signage, a permit condition will require the signage shown on the submitted north elevation of the medical centre to be deleted from plans (**Condition 1.4**). Any signage displayed on the land will be subject to a separate planning application and assessment if a permit is required under Clause 52.05 of the Manningham Planning Scheme.

9. CONCLUSION

9.1 It is recommended that the application be supported subject to conditions.

10. DECLARATION OF CONFLICT OF INTEREST

10.1 No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

ADDENDUM TO ITEM 4.1

1. CONSULTATION / NOTIFICATION

- 1.1 Notice of the application was given over a four-week period which concluded on 13 January 2017, by sending letters to nearby properties and displaying three (3) signs on site (a sign on the frontage of each lot).
- 1.2 ~~Three (3)~~ Five (5) objections were received, from the following properties:
- 31 Philip Avenue, Doncaster;
 - 35 Philip Avenue, Doncaster (adjoining property to the south);
 - 37 Philip Avenue, Doncaster (adjoining property to the south);
 - 1/8 Macedon Road, Lower Templestowe (Podiatry Practice within Bulleen Plaza);
 - 13 Winters Way, Doncaster.
- 1.3 The grounds of objection can be summarised as follows:
- Off-site amenity impacts including overshadowing, overlooking and loss of privacy, and continuous built form with no visual relief (an upper level graduation is suggested);
 - Excessive site coverage of more than 60%;
 - Excessive impervious surfaces and increased stormwater runoff;
 - Inadequate landscaping opportunities along the southern site boundary due to the basement excavation and planting within easements;
 - Impacts of the excavation on adjoining properties;
 - Increase in traffic along Manningham Road, which will cause safety and congestion problems;
 - Design of basement and reduction of car parking is insufficient and will increase car parking problems within the area (Manningham Road and onto adjoining neighbouring streets);
 - There are other Medical Centres in the immediate area servicing demand;
 - Inadequate waste and storage areas.
- 1.4 A response to the grounds of objections are provided in the following Assessment section of this report.

2. ASSESSMENT

- 2.1 The proposal has been assessed against the relevant state and local planning policies, the zone, overlay and the relevant particular provisions and general provisions of the Manningham Planning Scheme.
- 2.2 The assessment is made under the following headings:
- Use;

- Built form and landscaping;
- Off-site amenity;
- Car parking, access, traffic and bicycle parking;
- Objector concerns;
- Other matters.

Use

- 2.3 The use of the land for a medical centre is supported by local policy at Clause 22.05 of the Manningham Planning Scheme, as the site is located within close proximity to the Macedon Square Activity Centre and is located on a main road (Manningham Road).
- 2.4 The use of the land for a medical centre is also supported under the zone (Residential Growth Zone), and it is noted that a purpose of the zone is to allow "*non-residential uses to serve local community needs in appropriate locations*".
- 2.5 The proposed hours of operation (Monday to Friday 8am to 8pm, Saturday 8am to 5pm and Sunday 9am to 5pm) for the medical centre are considered appropriate for such a use and will not result in any unreasonable amenity impacts. The hours will be restricted by a permit condition (**Condition 32**).

Built form and landscaping

- 2.6 An assessment against the requirements of the DDO8 is provided in the table below. These requirements also cover the policy requirements regarding built form and landscaping at Clause 22.05 of the Manningham Planning Scheme:

Design Element	Level of Compliance
<u>Building Height and setbacks</u> <ul style="list-style-type: none"> • The minimum lot size is 1800 square metres, which must be all the same sub-precinct. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage. • The building has a maximum height of 11 metres provided the condition regarding minimum lot size is met. If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres. 	Met The maximum building height of 9.5 metres does not exceed the requirement of 11 metres.
<ul style="list-style-type: none"> • Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. • Minimum side street setback is the distance specified in Clause 55.03-1. 	Met The street setback of 7 metres exceeds the minimum setback requirement.
<u>Form</u> <ul style="list-style-type: none"> • Ensure that the site area covered by buildings does not exceed 60 percent. 	Met The site coverage is 47% based on the gross floor area of the ground level.
<ul style="list-style-type: none"> • Provide visual interest through articulation, 	Met subject to condition

<p>glazing and variation in materials and textures.</p>	<p>Visual interest to the development is provided by a variation of materials and finishes, articulation, the use of glazing and changes in roof forms.</p> <p>However, it is considered that the linear presentation of the south elevation will create a sense of visual bulk to the adjoining properties to the south (rear). A permit condition will require an indent of a minimum width of 2 metres and a minimum depth of 5 metres on the southern upper level wall of the building between Suites 11 and 12, to create articulation in the wall and roof form to provide visual interest and reduce the off-site amenity impacts to the adjoining properties (Condition 1.2).</p>
<ul style="list-style-type: none"> Minimise buildings on boundaries to create spacing between developments. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Where appropriate ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area. 	<p>Met subject to condition</p> <p>The building is not stepped down at the rear of the site to provide a transition to the adjoining properties to the south, which are located within the General Residential Zone, Schedule 1. Although the southern section of the building is cut into the slope of the land and there are opportunities for screen landscaping along the rear boundary, the section of building adjacent to the properties on Philip Avenue has a height of up to 8.5 metres and the linear two-storey walls will create a sense of visual bulk on the adjoining properties.</p> <p>Given the size of the site, the large gross floors area of the building (ground level of 1146 square metres and upper level of 883 square metres) and the incorporation of a large void over the entry atrium on the north-eastern part of the building, it is not considered unreasonable to require some of the built form to be taken off the most sensitive interface to the adjoining properties to the south.</p> <p>A permit condition will therefore require the upper level of the southern wall opposite the properties on Philip Avenue to be recessed at least one metre from the southern edge of the ground level to provide graduation and reduce the sense of visual bulk (Condition 1.1).</p> <p>It is considered that the section of the</p>

	southern wall opposite 2 Madeleine Street on the south-western corner of the building does not need to be graduated given the limited length of this wall facing the adjoining property to the south-west and the screening is provided by an adjoining tree.
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	Met Although the building is not stepped, it is cut into the slope of the land on the northern and eastern sides to respond to the slope and reduce its visual impact on the adjoining properties.
<ul style="list-style-type: none"> Avoid reliance on below ground light courts for any habitable rooms. 	Not applicable
<ul style="list-style-type: none"> Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	Met The level of articulation provided is considered acceptable for a commercial building. As discussed above, graduation will be required on the section of the southern wall opposite the adjoining properties on Philip Avenue to further reduce the sense of visual bulk to this sensitive interface.
<ul style="list-style-type: none"> Ensure that the upper level of a three storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	Not applicable
<ul style="list-style-type: none"> Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos. 	Met No imposing design features are proposed.
<ul style="list-style-type: none"> Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation. 	Met The building is cut into the slope of the land on the northern and eastern sides to respond to the slope and reduce its visual impact on the adjoining properties.
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	Met South-facing upper level windows are obscure glazed to limit overlooking.
<ul style="list-style-type: none"> Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities. 	Met subject to condition The main entry of the building is clearly defined. However, it is not considered to be accessible for people of all mobilities given there are steps between the footpath and the front entry. The applicant has submitted a discussion plan (received by Council on 18 January 2017) to demonstrate how a disability access ramp can be provided between the footpath and the building. This ramp will be required by a

	permit condition (Condition 1.7).
<ul style="list-style-type: none"> Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	Met The projection of the basement is limited to the north elevation at the front of the site and does not result in an excessive building height as viewed by adjoining properties to the east, south and west.
<ul style="list-style-type: none"> Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site. 	Met The basement car park is not clearly visible from the site frontages.
<ul style="list-style-type: none"> Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking. 	Met Car parking is provided within the basement.
<ul style="list-style-type: none"> Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established. 	Met A rear setback of 4 metres is provided to most sections of the rear boundary and allows sufficient space for effective in-ground landscaping.
<ul style="list-style-type: none"> Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces. 	Met The walls are set back adequately from site boundaries to allow for landscaping and effective screen planting. The concept landscpae plan shows landscaping can be provided along all side and rear boundaries.
<ul style="list-style-type: none"> Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces. 	Met subject to condition A condition will require service equipment to be appropriately screened to limit amenity impacts (Conditions 20 to 22). A condition will also require any services within the frontage to be designed so they complement the overall development (Condition 1.6).
<p><u>Car Parking and Access</u></p> <ul style="list-style-type: none"> Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback. 	Met Only one vehicle crossover is proposed and it is set back 2.6 metres from the closest street tree.
<ul style="list-style-type: none"> Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary. 	Met Extensions of the basement beyond the ground level are minimal and generally not visible from beyond the site.
<ul style="list-style-type: none"> Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling. 	Not applicable

<ul style="list-style-type: none"> • Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	Met Gradients of the driveway comply with Design Standard 3 in Clause 52.06-8 of the Manningham Planning Scheme.
<p>Landscaping</p> <ul style="list-style-type: none"> • On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity. 	Not applicable
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<ul style="list-style-type: none"> • Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form. 	Met subject to condition The submitted concept landscape plan shows adequate planting can be achieved along the site boundaries to soften the appearance of the built form. Although a site cut is required at the southern and eastern part of the site, the retaining walls are set back from the site boundaries to allow planting on natural ground level. A permit condition will require any batter slopes to be no steeper than 1:3 to allow them to be suitably landscaped. Otherwise they are required to be replaced with retaining walls (Condition 1.3).
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3 – Gradients	Met The maximum driveway gradient and transitions between gradients comply with the standard.
4 – Mechanical Parking	Not applicable No mechanical parking is proposed.
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Permeability and drainage

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Increase in traffic along Manningham Road, which will cause safety and congestion problems

- 2.27 As discussed under the Assessment Section (2.15-2.20) of this Report; Council's traffic engineers and VicRoads have considered that the proposed increase in traffic can be readily accommodated by Manningham Road and will not result in adverse impacts to local streets, subject to Conditions (Conditions 25-29 and Conditions 41-45).

Design of basement and reduction of car parking is insufficient and will increase car parking problems within the area (Manningham Road and onto adjoining neighbouring streets)

- 2.28 The basement design and access to the basement has been designed to meet the Car Parking and Access Requirements of Clause 52.06. Permit Conditions (Conditions 27-29) require line marking for car parking spaces, direction of traffic along lanes/driveways and design to allow all vehicles to enter and leave the site forward direction.
- 2.29 VicRoads have specifically required an amendment to the access arrangement (Condition 41), to require suitable access for an SUV size car (B85 car), allowance for vehicles to turn around when the car park is closed and the edges of the access to be 60% to ensure suitable turning/access. It is anticipated that this would include the creation of an altered or widened access way or passing bay at the entrance, to accommodate this.
- 2.30 As discussed under the Assessment Section (2.17-2.20) of this Report; the proposed reduction of 10 car parking spaces has been considered under Clause 52.06-6 of the Manningham Planning Scheme and is supported as acceptable for the following reasons:
- The Car Parking Demand Assessment submitted with the application, provides support for the proposed car parking rate based on an empirical assessment of similar medical centres (Manningham Medical Centre and Epping Medical Centre);
 - Bus services are available on Manningham Road;
 - Council's Engineering and Technical Services Unit supports the proposed reduction in car parking and the on-site car parking provision.

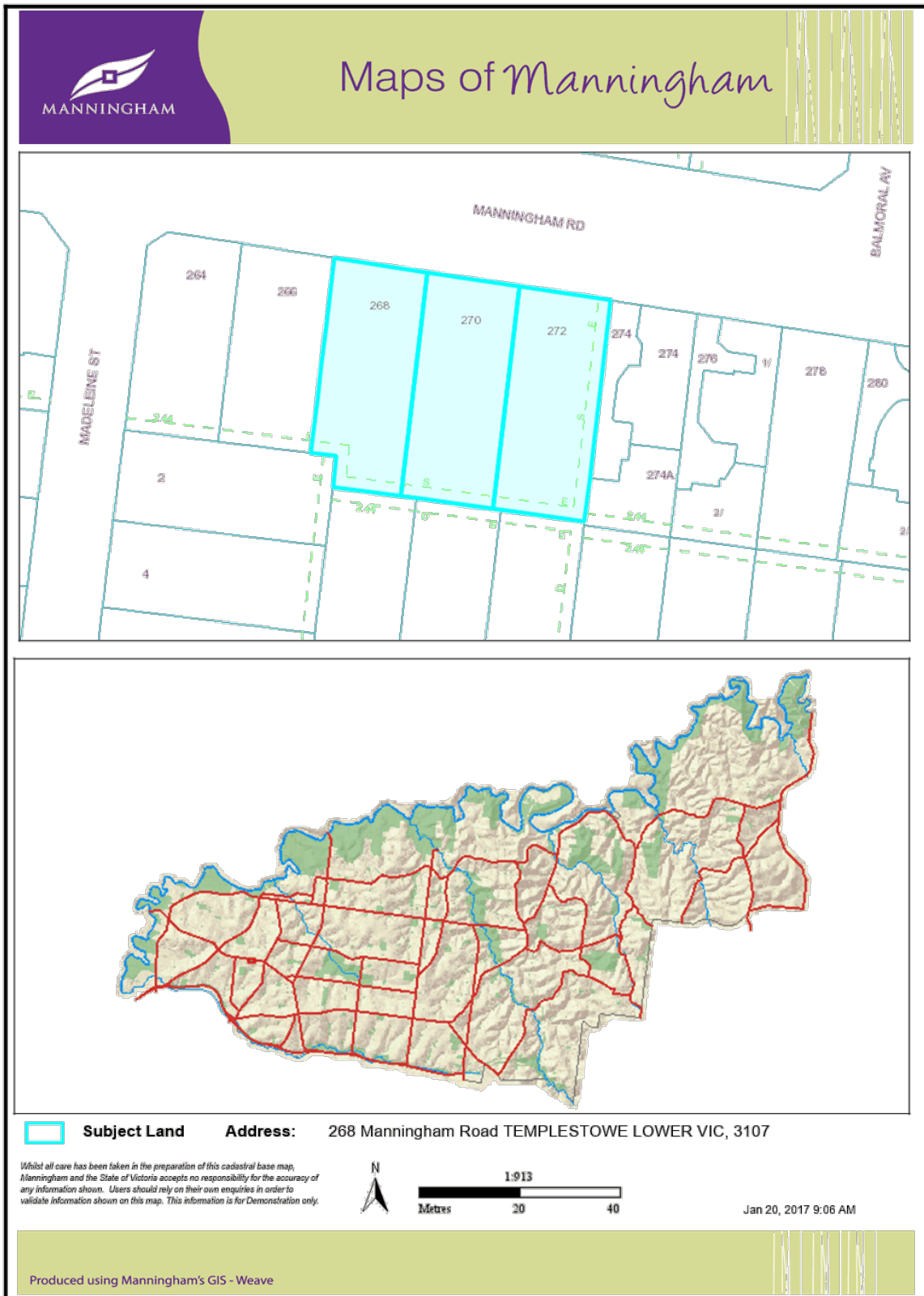
There are other Medical Centres in the immediate area servicing demand


- 2.31 The existence of other Medical Centres or services in the immediate area is not relevant consideration of the Manningham Planning Scheme and cannot be deliberated as a part of this assessment.

Inadequate waste and storage areas

- 2.32 As discussed under the Assessment Section (6.3) of the Council Report; the Engineering and Technical Services Unit have assessed the proposed waste and storage areas and support the application. Their comments are as follows:
- It is agreed that the Private Waste Collection Contractor will be required to undertake waste collection from the development.
 - Waste Collection needs to occur within the property boundary.
 - No bins can be left outside the property boundary for any reason.
 - The Waste Management Plan (WMP) needs to detail how the collection contractors will enter and exit the site, access each bin, as well as include plans showing sufficient turning facilities, swept path diagrams, turning circles and relevant height clearances (Condition 5).
- 2.33 No concerns have been raised regarding the adequacy of the space available of the waste and storage areas.

- 2.34 A permit condition (Condition 5) requires submission of a Waste Management Plan for approval. The plan must be in accordance with the submitted plan but must include, swept path diagrams to demonstrate that the private waste collection vehicle can enter and exit the site in a forward direction and the height clearance of the basement and confirmation that it is adequate for the waste collection vehicle.



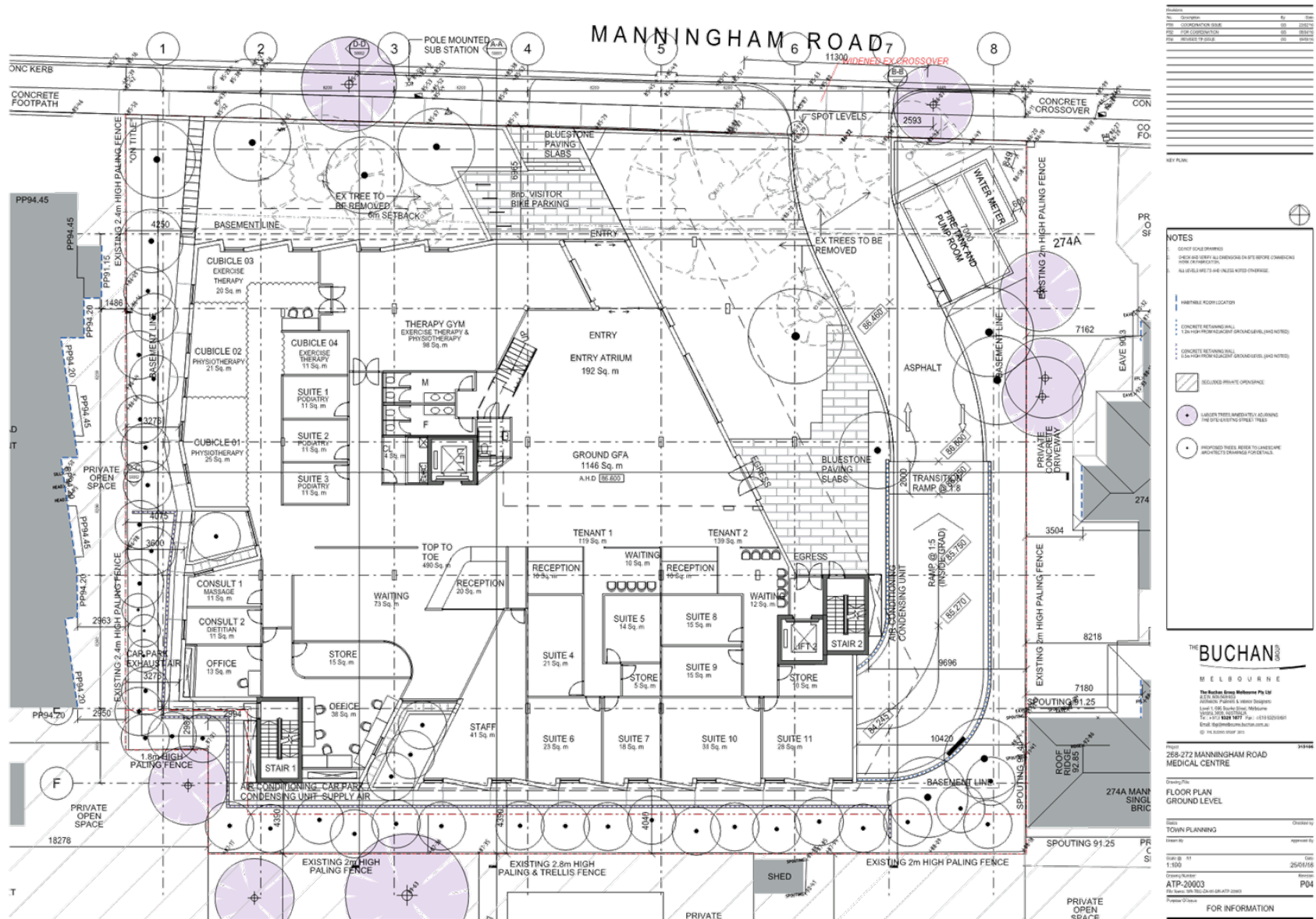
 **Subject Land** **Address:** 268 Manningham Road TEMPLESTOWE LOWER VIC, 3107

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Jan 20, 2017 9:06 AM

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Revision	By	Date
1	PP	11/01/17
2	PP	11/01/17
3	PP	11/01/17
4	PP	11/01/17
5	PP	11/01/17
6	PP	11/01/17
7	PP	11/01/17
8	PP	11/01/17

- NOTES**
- 1. VERIFY SHED DIMENSIONS
 - 2. CHECK ALL EXISTING DIMENSIONS IN SITE BEFORE COMMENCING WORK (PARTICULARLY)
 - 3. ALL UTILITIES TO BE MAINTAINED UNCHANGED
 - 4. HAINFIELD ROOM LOCATION
 - 5. CONCRETE RETAINING WALL, 1.2m HIGH FROM EXISTING GRABRACKS (SEE LINE NOTED)
 - 6. CONCRETE RETAINING WALL, 1.5m HIGH FROM EXISTING GRABRACKS (SEE LINE NOTED)
 - 7. SECURED PRIVATE OPEN SPACE
 - 8. LARGER TREES IMMEDIATELY ADJOINING THE OPENING SPACE TO BE MAINTAINED
 - 9. PROPOSED TREES REFER TO LANDSCAPE ARCHITECT'S DRAWING FOR DETAILS

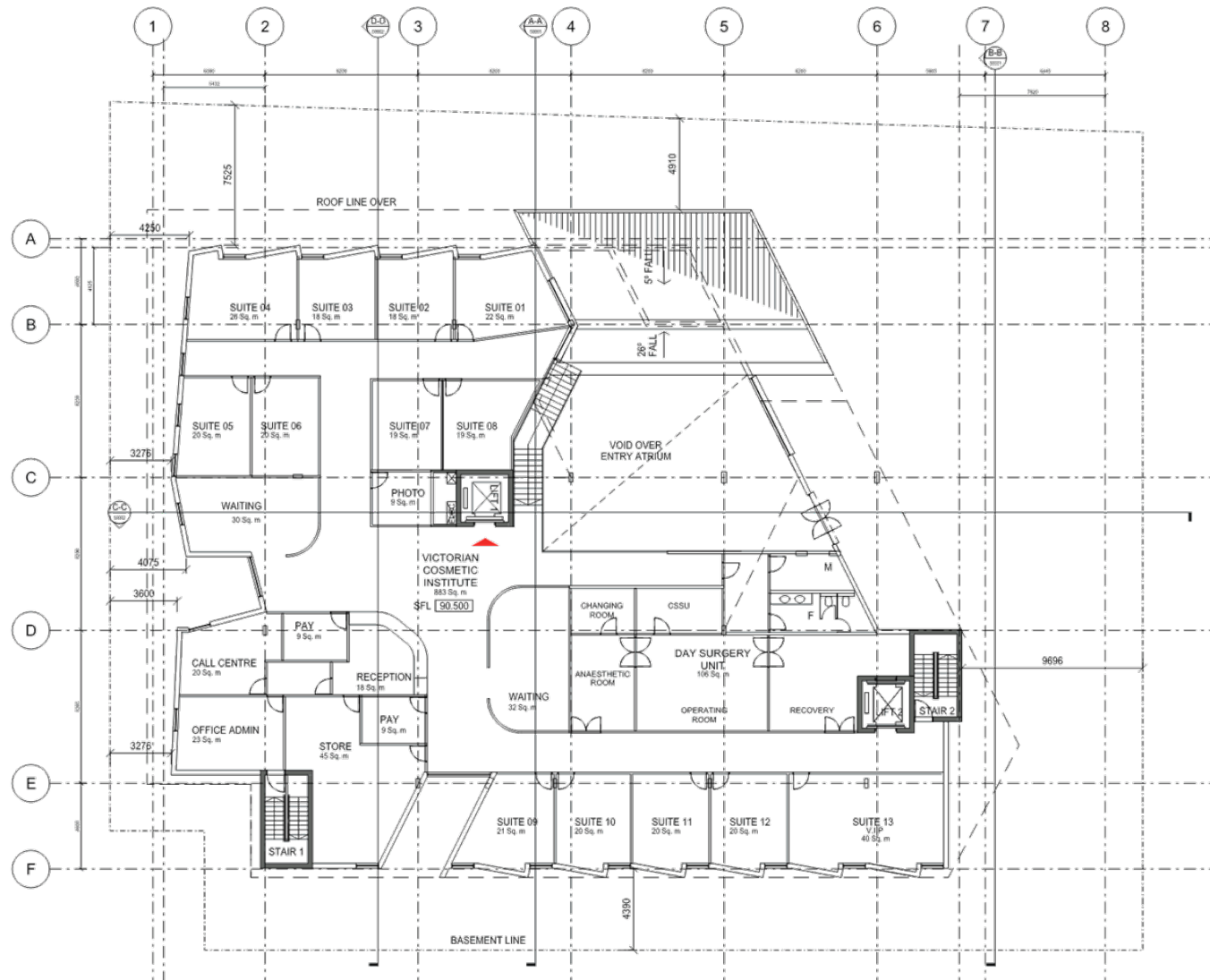
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Project: 255-272 MANNINGHAM ROAD
303494
255-272 MANNINGHAM ROAD
MEDICAL CENTRE

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Scale: 1:100
Date: 11/01/17
Project Number: ATP-20003
Revision: 08/10/17 (REVISED TO 08/11/17)

FOR INFORMATION



NO.	DESCRIPTION	BY	DATE
001	CONCEPT DESIGN	001	01/12/16
002	SCHEMATIC DESIGN	002	01/12/16
003	PRELIMINARY DESIGN	003	01/12/16
004	FINAL DESIGN	004	01/12/16
005	AS-BUILT	005	01/12/16

NOTES

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2. ALL DIMENSIONS TO UNLESS NOTED OTHERWISE.

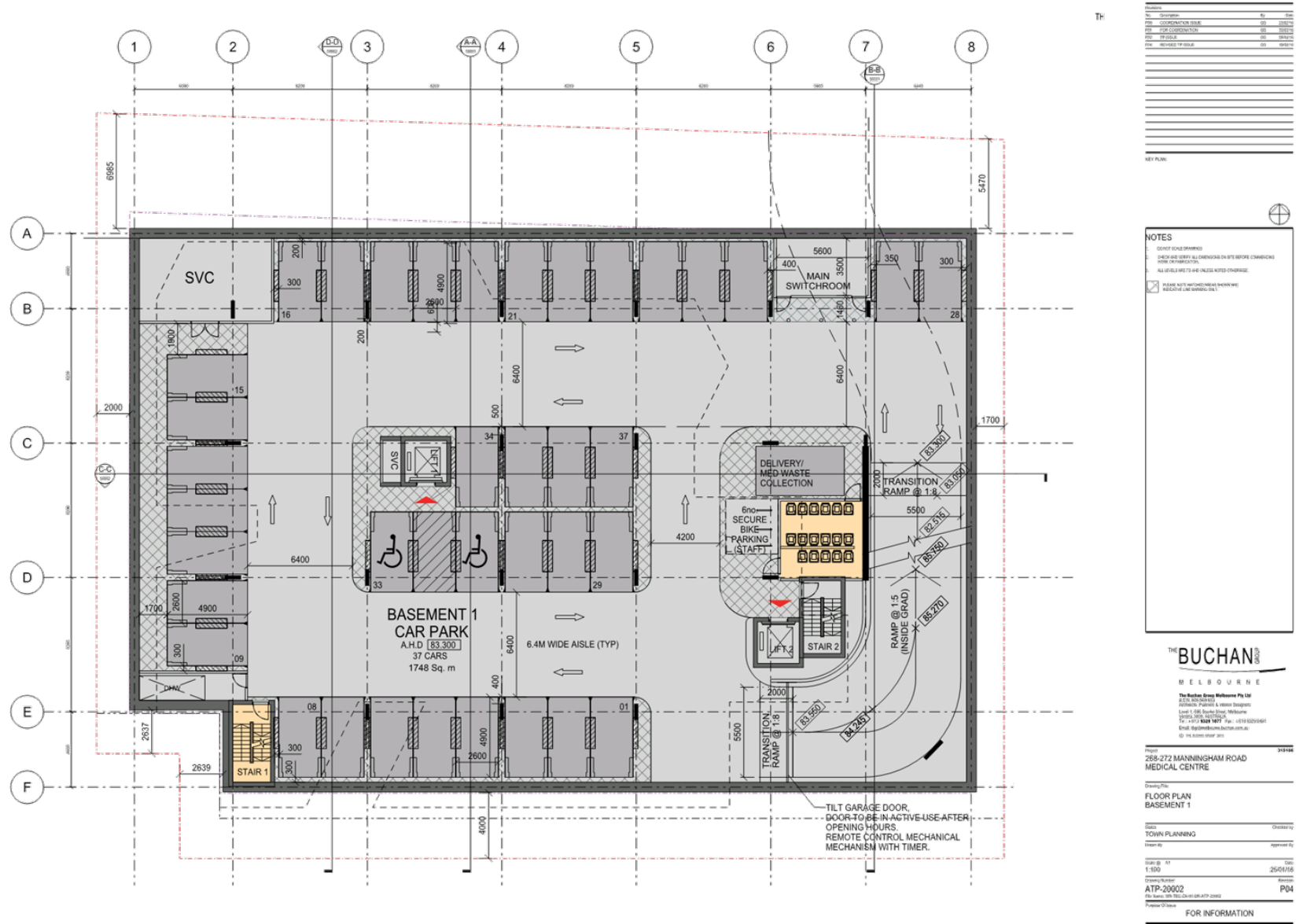
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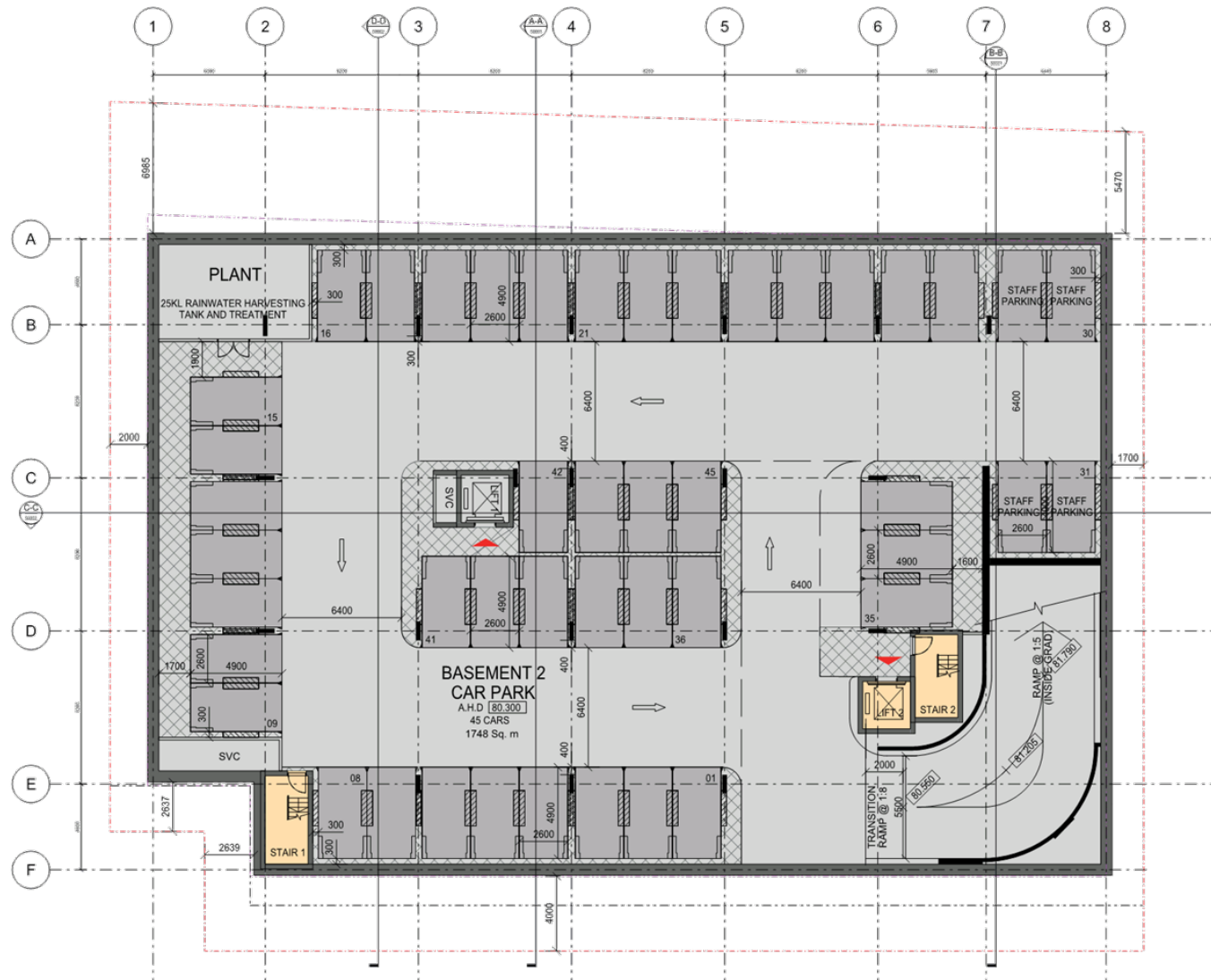
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Project: 263-272 MANNINGHAM ROAD
 MEDICAL CENTRE

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TOWN PLANNING	
Date:	Checked by:
1:150	Approved by:
ATP-20004	Version:
	P04

FOR INFORMATION





NO.	DESCRIPTION	BY	DATE
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002	PRELIMINARY PLAN	001	2016/01/14
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018	PRELIMINARY PLAN	001	2016/01/14
019	PRELIMINARY PLAN	001	2016/01/14
020	PRELIMINARY PLAN	001	2016/01/14

NOTES

- DO NOT SCALE DRAWING
- WORK AS SHOWN UNLESS INDICATED IN WRITTEN COMMUNICATION FROM THE ARCHITECT
- ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE
- PLEASE REFER TO ALL NOTES IN THIS DRAWING

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Project: 265-272 MANNINGHAM ROAD MEDICAL CENTRE

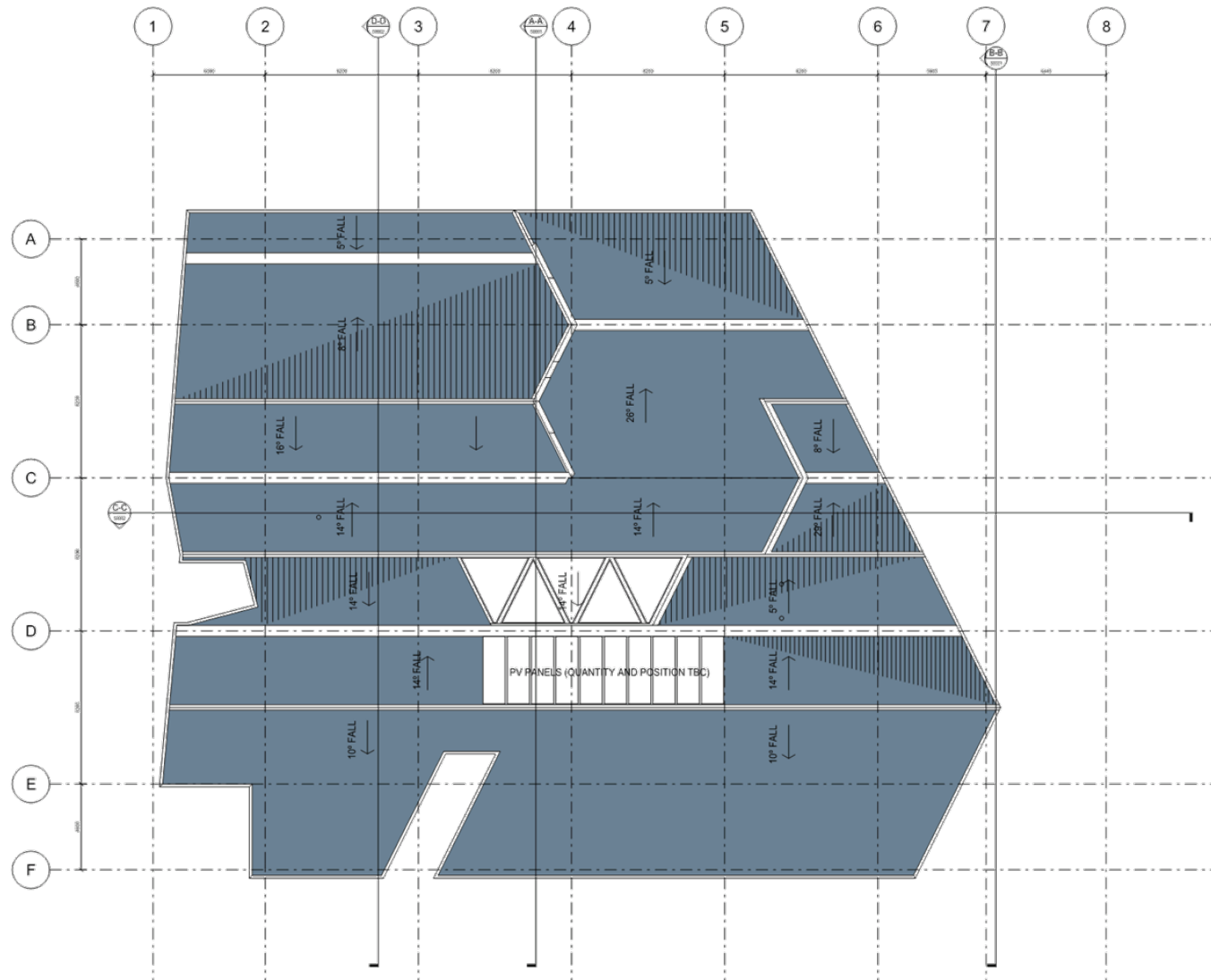
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Rev.	Description	By	Date
1	CONSTRUCTION ISSUE	GP	12/22/16
2	REVISED	GP	12/22/16

NOTES

1. CHECK SCALE DRAWINGS.
 2. CHECK ALL LEVELS AND DIMENSIONS ON SITE BEFORE COMMENCING WORK.
 3. ALL DETAILS ARE TO HAVE UNLESS NOTED OTHERWISE.

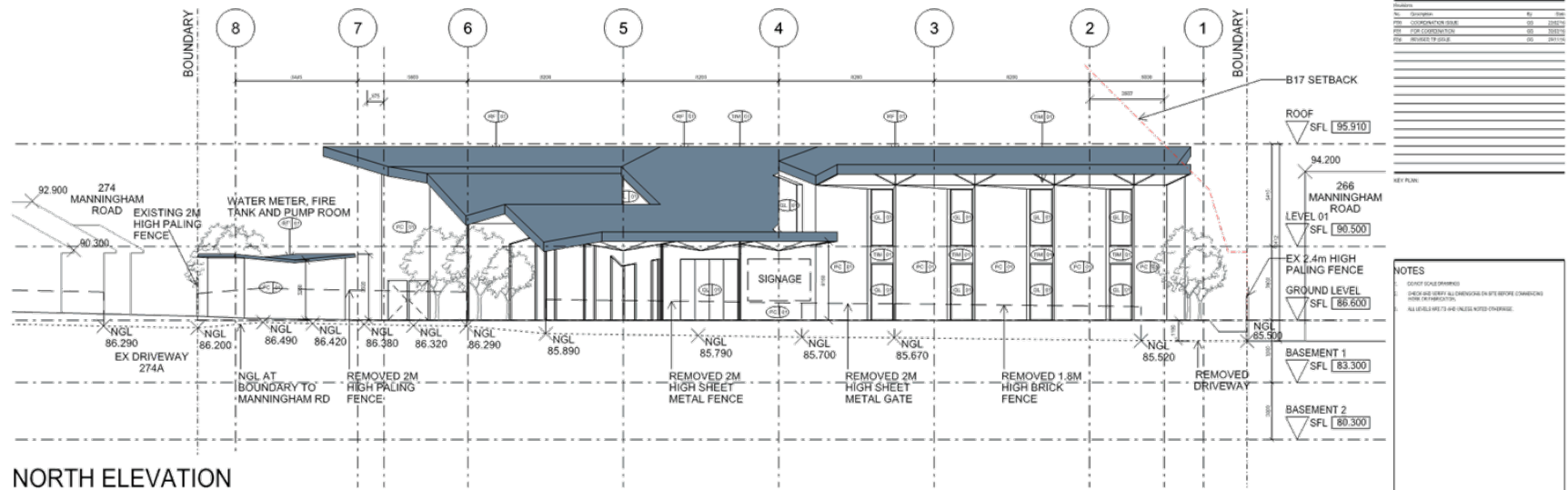
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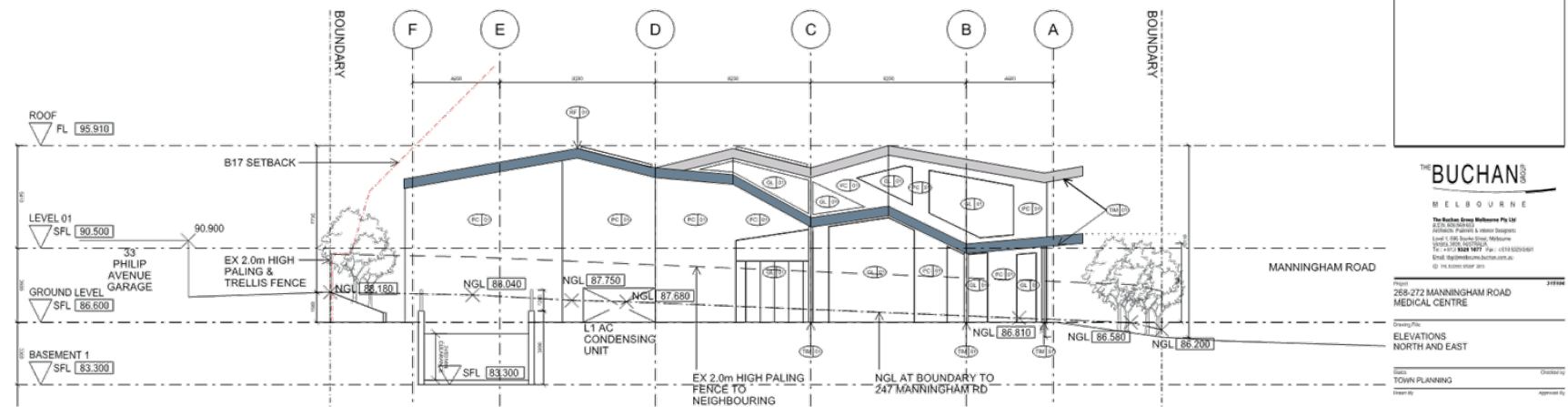
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 Drawing Title: ROOF PLAN

Scale: 1:500
 Drawing Number: ATP-20010
 Revision: P03

FOR INFORMATION



NORTH ELEVATION (MANNINGHAM ROAD)



EAST ELEVATION

NO.	DESCRIPTION	BY	DATE
001	CONCEPTUAL DESIGN	001	2016/01/20
002	FINAL CONCEPTUAL DESIGN	002	2016/01/20
003	REVISED TP 2016/01	003	2016/01/20

NOTES

1. VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING WORKS.

2. ALL UTILITIES TO BE RELOCATED AS SHOWN.

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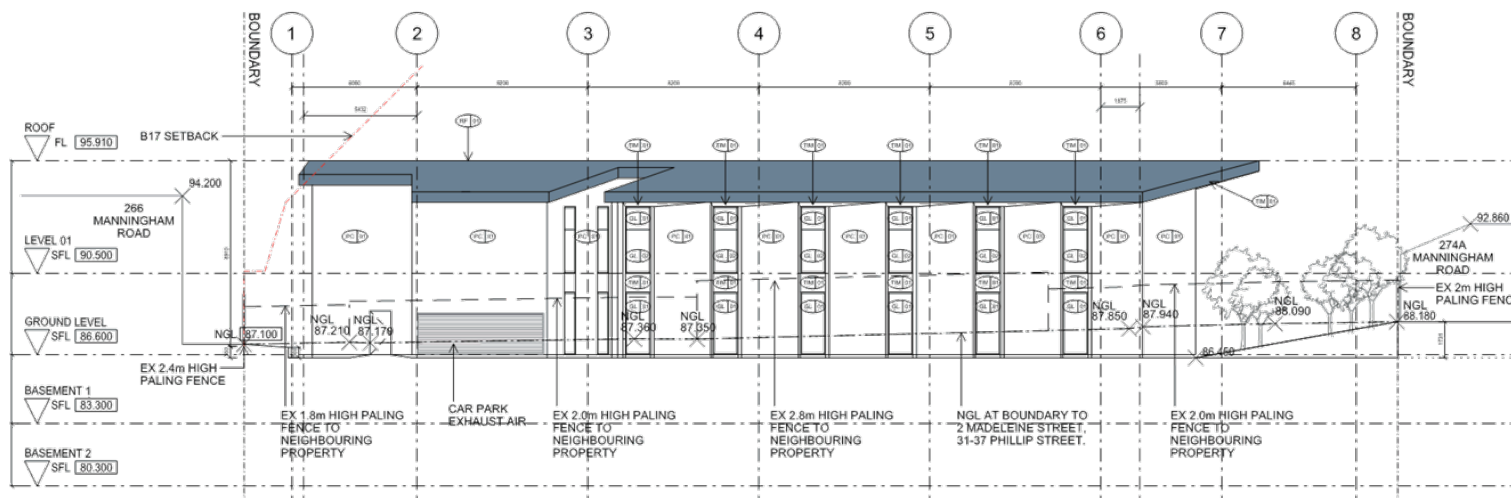
253-272 MANNINGHAM ROAD
 MEDICAL CENTRE

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 Checked by: [Name]
 Approved by: [Name]

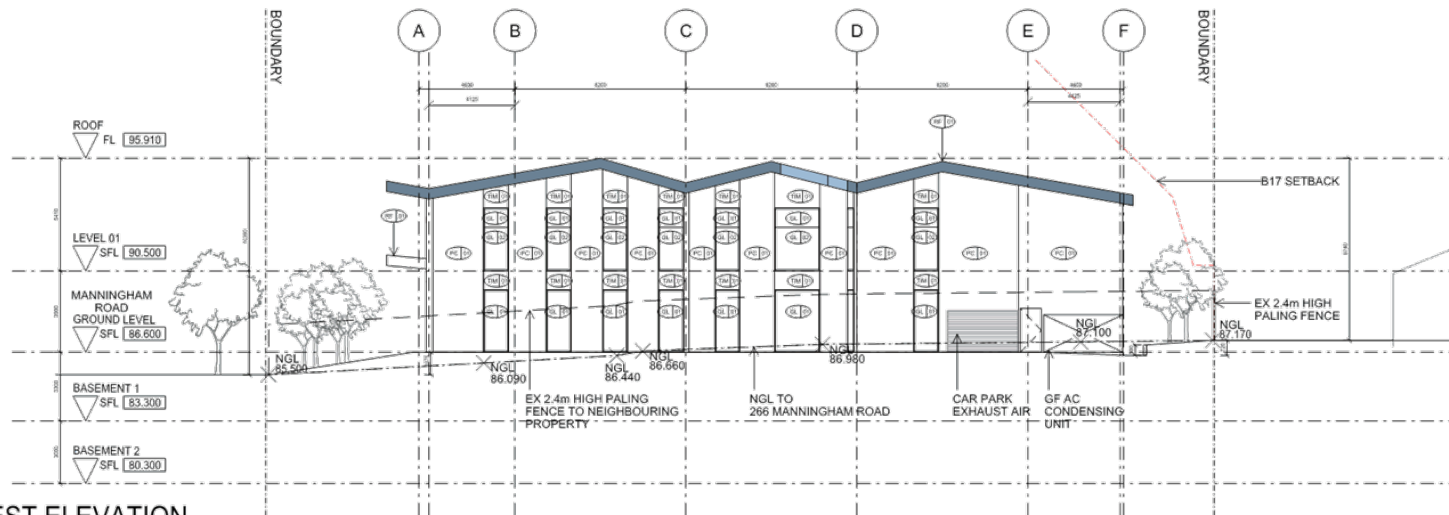
Scale: 1:150
 Date: 25/01/16

Project Number: ATP-40001
 Revision: P04

FOR INFORMATION



SOUTH ELEVATION



WEST ELEVATION

NO.	DESCRIPTION	BY	DATE
001	CONCEPT PLAN ISSUE	00	2016/01/20
002	FINAL CONCEPT PLAN	00	2016/01/20
003	REVISED TP 2016/01	00	2016/01/20

NOTES

1. DON'T SCALE DRAWINGS

2. ALWAYS CHECK ALL DIMENSIONS ON SITE BEFORE COMMENCING WORKS

3. ALL UTILITIES TO BE MARKED BEFORE COMMENCE.

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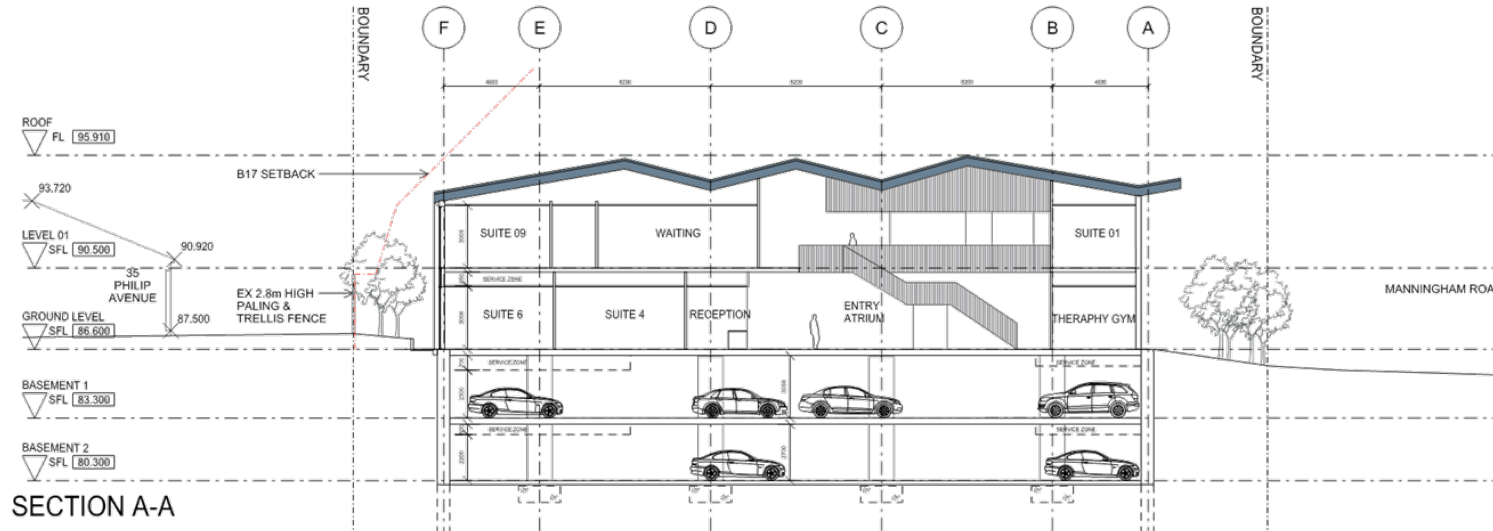
The Buchanan Group Melbourne Pty Ltd
 2/174 MANNINGHAM ROAD
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 Level 1, 106, Spadina Street, Melbourne
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 Email: Melbourne@buchanan.com.au
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Project: 266-272 MANNINGHAM ROAD
 MEDICAL CENTRE

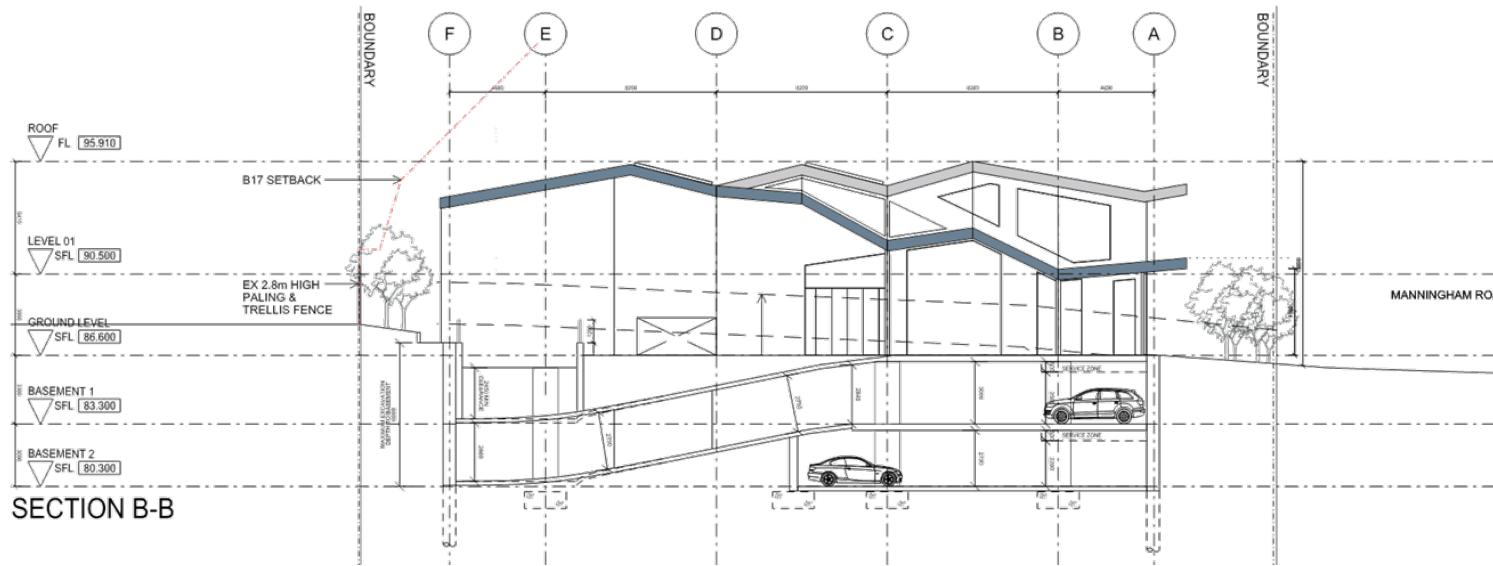
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 SOUTH AND WEST

Scale: [Scale]
 TOWN PLANNING
 Approved by: [Name]
 Date: 01/11/2016
 Drawing Number: ATP-40002
 Project Number: P04

FOR INFORMATION



SECTION A-A



SECTION B-B

NO.	DESCRIPTION	BY	DATE
001	CONCEPT PLAN	001	2016/04/01
002	FINAL CONCEPT PLAN	002	2016/04/01
003	FINAL CONCEPT PLAN	003	2016/04/01
004	FINAL CONCEPT PLAN	004	2016/04/01
005	FINAL CONCEPT PLAN	005	2016/04/01
006	FINAL CONCEPT PLAN	006	2016/04/01
007	FINAL CONCEPT PLAN	007	2016/04/01
008	FINAL CONCEPT PLAN	008	2016/04/01
009	FINAL CONCEPT PLAN	009	2016/04/01
010	FINAL CONCEPT PLAN	010	2016/04/01

NOTES

- DO NOT SCALE DRAWINGS
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- ALL DIMENSIONS TO FACE UNLESS NOTED OTHERWISE.

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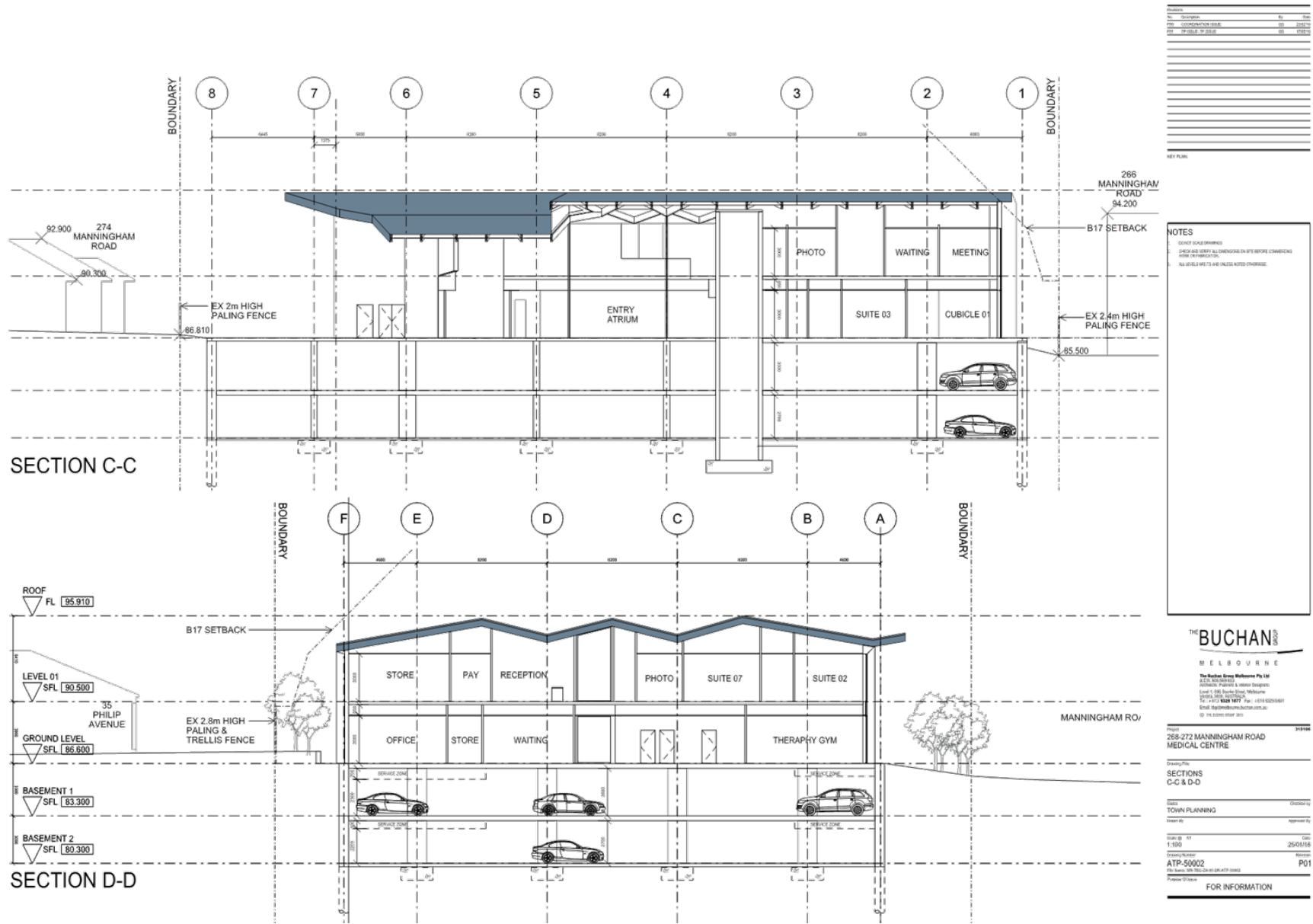
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Scale: 1:500

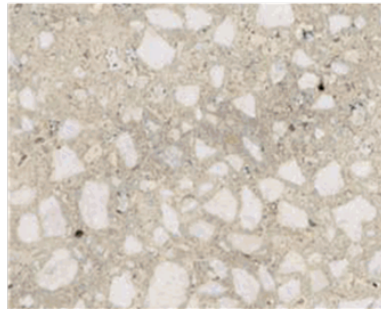
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Checked by: P02

FOR INFORMATION



Materials Schedule



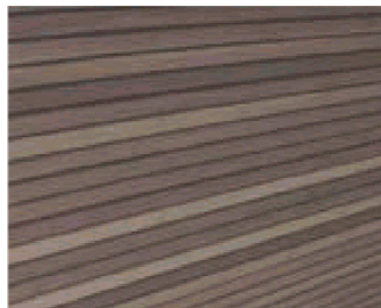
PC-01 _ Exterior walls

Precast Concrete
Cut and Polished
White Colour



RF-01 _ Metal Roof

Metal sheet roofing
Upstand Seam
Selected Light Grey



**TIM-01 _ External walls
Spandrel Panels
Window reveals
Feature Soffits**

Timber Cladding
Butt Jointed with Shadow Gap



GL-01 _ Glazing

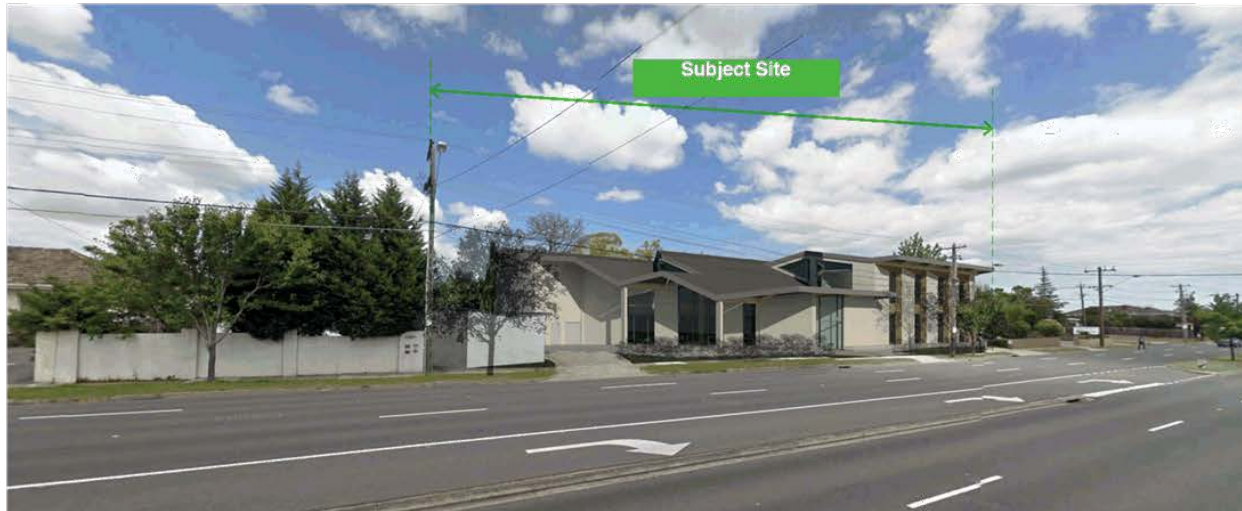
Double Glazed Units
Selected Grey Window Frames
Clear Glazing

GL-02 _ Glazing (Level 1, South/West)

Double Glazed Units
Selected Grey Window Frames
Opaque Privacy Glazing

Photographic Representation

Photomontage



Proposed view from east along Manningham Rd



Proposed streetscape along Manningham Road

**268-272
MANNINGHAM**

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**TOWN PLANNING PACKAGE
MANNINGHAM ROAD MEDICAL CENTRE**
268-272 Manningham Road, Templestree Lower, VIC 3113

DATE: November 2016
REVISION: NONE
SCALE: 1:500
PROJECT NO: 315 106

SITE ANALYSIS
Existing Site Context/ Photos

ATP-00700

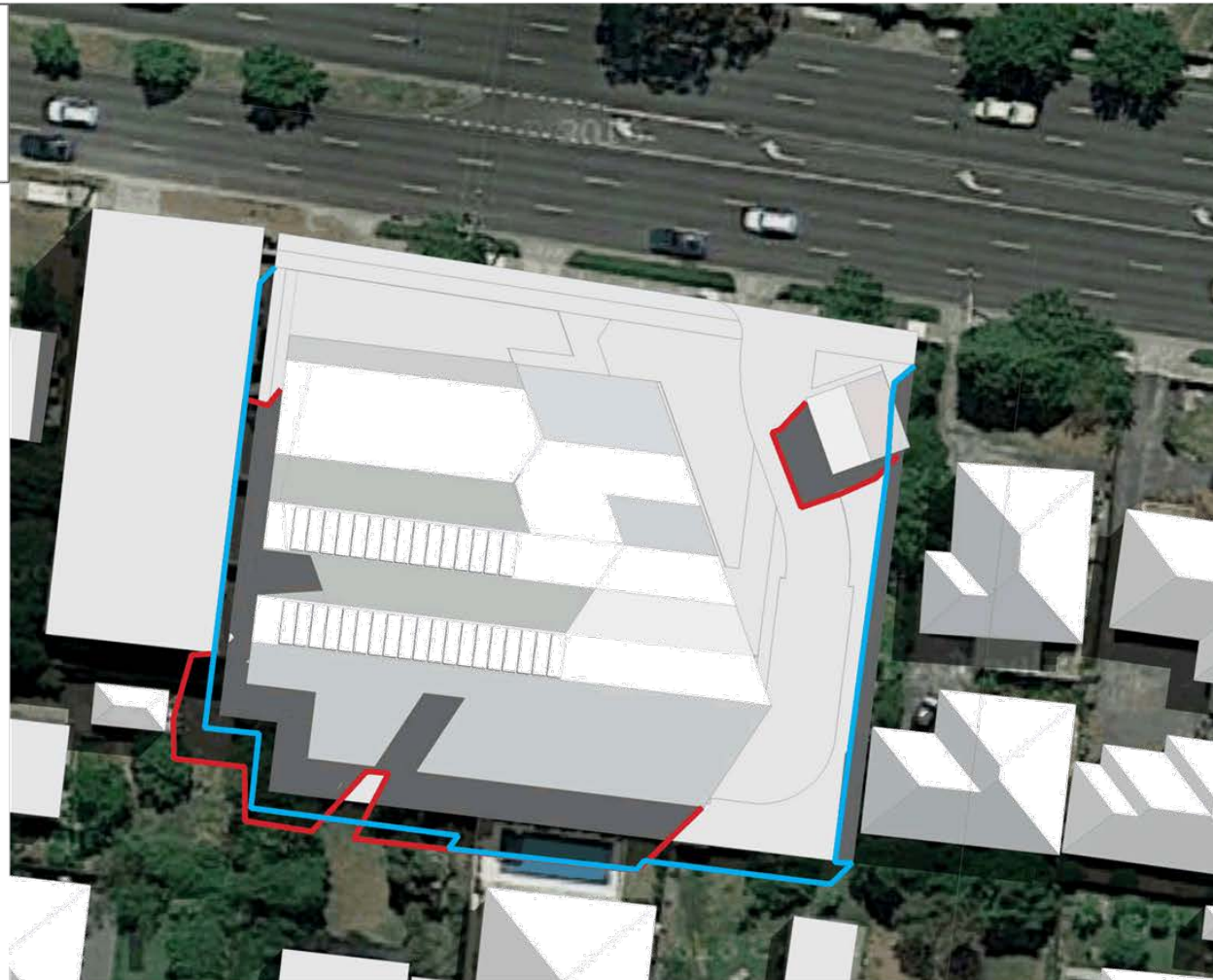
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SHADOW DIAGRAMS

Key

- Proposed Building Shadow —
- Retained Existing Fence shadow —



22nd September - 9am

0 1 3 6 10m

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268-272 Manningham Road, Templestowe Lower, VIC 3113

DATE: November 2016
REVISION:
SCALE:
PROJECT NO.: 315 106

SHADOW DIAGRAMS

ATP-00900

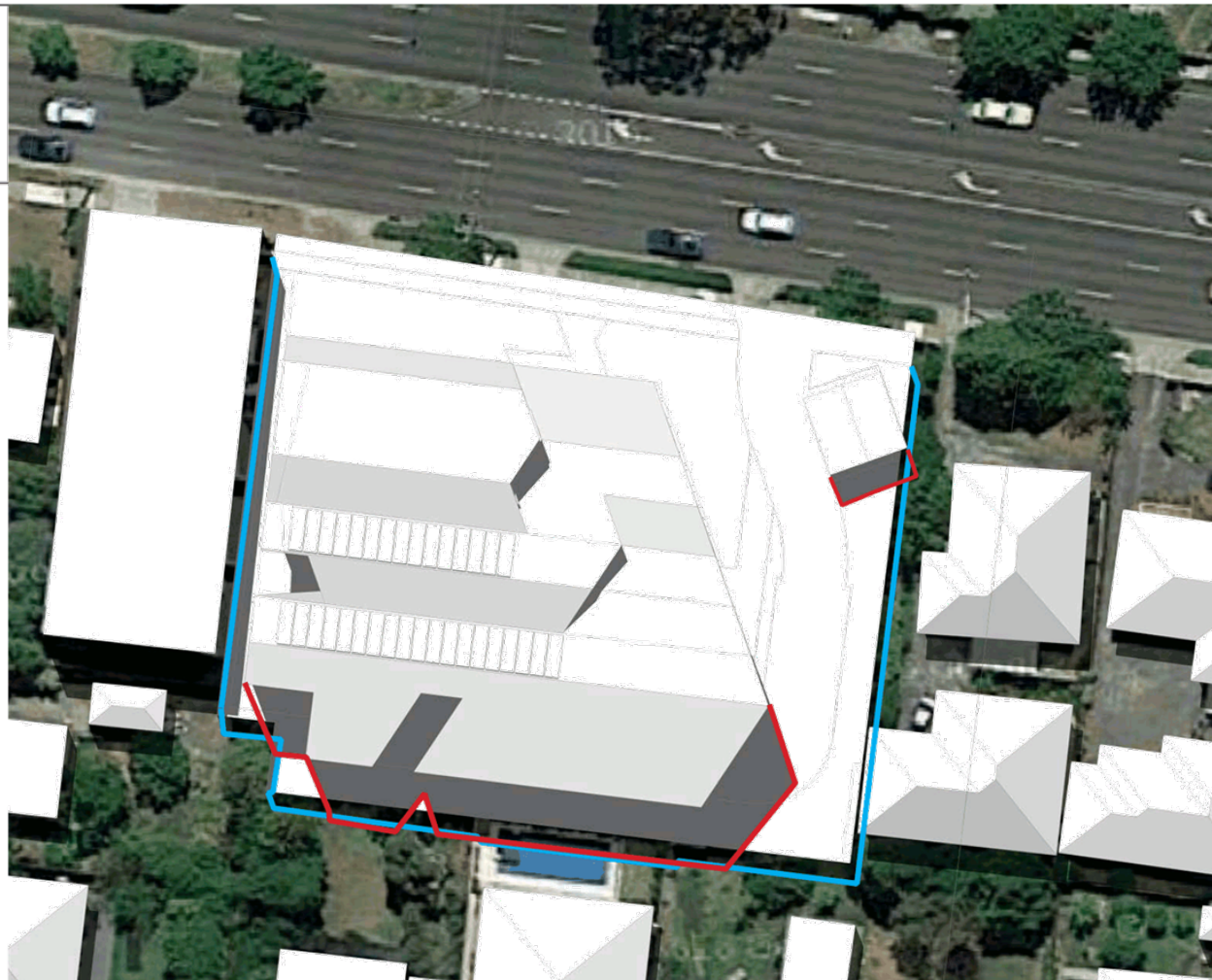
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SHADOW DIAGRAMS

Key

- Proposed Building Shadow —
- Retained Existing Fence shadow —



22nd September -12pm

0 1 3 5 10m

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268-272 Manningham Road, Templestowe Lower, VIC 3113

DATE: November 2016
REVISION:
SCALE:
PROJECT NO: 315 106

SHADOW DIAGRAMS

ATP-00901

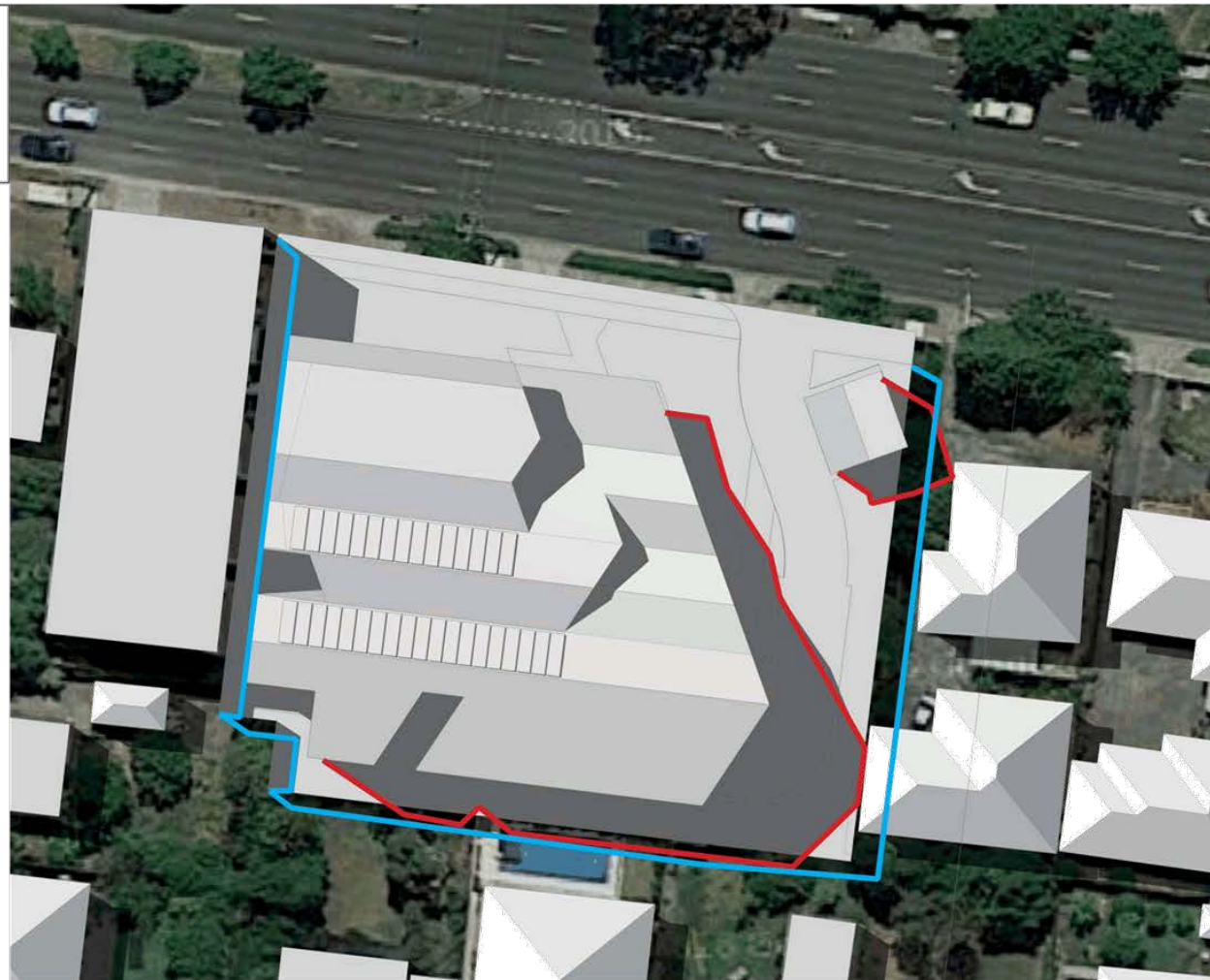
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SHADOW DIAGRAMS

Key

- Proposed Building Shadow —
- Retained Existing Fence shadow —



22nd September - 2pm

0 1 5 10m

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DATE: November 2016
REVISION:
SCALE:
PROJECT NO: 315 106

SHADOW DIAGRAMS

ATP-00902

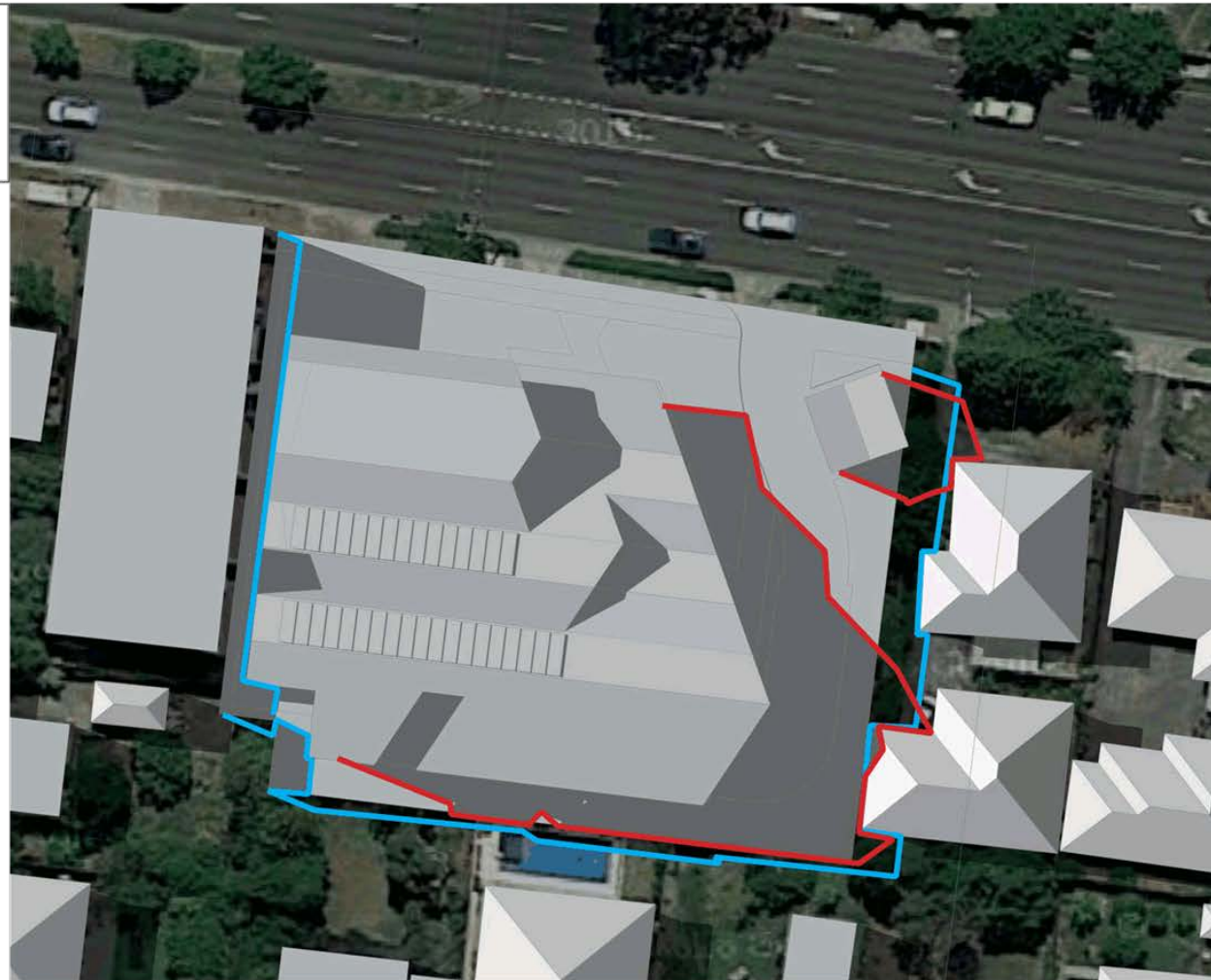
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SHADOW DIAGRAMS

Key

- Proposed Building Shadow —
- Retained Existing Fence shadow —



22nd September - 3pm

0 1 2 3 4 5 10m

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DATE: November 2016
REVISION: NONE
SCALE: 1:500
PROJECT NO: 315 106

SHADOW DIAGRAMS

ATP-00903

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5. LEGISLATIVE REQUIREMENTS

5.1 PLANNING AND ENVIRONMENT ACT 1987 (THE ACT)

The *Planning and Environment Act 1987* is the relevant legislation governing planning in Victoria. The Act identifies subordinate legislation in the form of Planning Schemes to guide future land use and development.

Section 60 of The *Planning and Environment Act*, requires the Responsible Authority to consider the following before deciding on an application:

- *The relevant planning scheme;*
- *The objectives of planning in Victoria;*
- *All objections and other submissions which it has received;*
- *Any decision and comments of a referral authority which it has received; and*
- *Any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.*

Section 61(4) of the Act makes specific reference to covenants. Under Section 61(4) of the *Planning & Environment Act 1987* the Responsible Authority must not issue a planning permit that would result in a breach of a registered restrictive covenant.

5.2 MANNINGHAM PLANNING SCHEME

Clauses of the Manningham Planning Scheme the Responsible Authority must consider:

- State Planning Policy Framework
- Local Planning Policy Framework
- Clause 32.07 Residential Growth Zone, Schedule 2
- Clause 43.02 Design and Development Overlay, Schedule 8
- Clause 52.06 Car Parking
- Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road
- Clause 55 Two or more dwellings on a lot and Residential Buildings
- Clause 65 Decision Guidelines

Zone

Clause 32.07 Residential Growth Zone, Schedule 2

The purpose of the Residential Growth Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide housing at increased densities in buildings up to and including four storey buildings.*
- *To encourage a diversity of housing types in locations offering good access to services and transport including activities areas.*
- *To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.*
- *To allow educational, recreational, religious, community and a limited range of other non residential uses to serve local community needs in appropriate locations.*

A Planning Permit is required to use the land for a medical centre with a gross floor area that exceed 250 square metres. A Planning Permit is required for buildings and works associated with the medical centre (Section 2 use).

Overlay(s)

Clause 43.02 Schedule 8 to the Design and Development Overlay

The design objectives are as follows:

- *To increase residential densities and provide a range of housing types around activity centres and along main roads.*
- *To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.*
- *To support three storey, 'apartment style', developments within the Main Road subprecinct and in sub-precinct A, where the minimum land size can be achieved.*
- *To support two storey townhouse style dwellings with a higher yield within subprecinct B and sub-precinct A, where the minimum land size cannot be achieved.*
- *To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive, taking into account the preferred neighbourhood character.*
- *To encourage spacing between developments to minimise a continuous building line when viewed from a street.*
- *To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties.*
- *To ensure developments of two or more storeys are sufficiently stepped down at the perimeter of the Main Road sub-precinct to provide an appropriate and attractive interface to sub-precinct A or B, or other adjoining zone.*
- *Higher developments on the perimeter of sub-precinct A must be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct B or other adjoining zone.*
- *To ensure overlooking into adjoining properties is minimised.*
- *To ensure the design of carports and garages complement the design of the building.*
- *To ensure the design of basement and undercroft car parks complement the design of the building, eliminates unsightly projections of basement walls above natural ground level and are sited to allow for effective screen planting.*
- *To create a boulevard effect along Doncaster Road and Manningham Road by planting trees within the front setback that are consistent with the street trees.*
- *To encourage landscaping around buildings to enhance separation between buildings and soften built form.*

Permit Requirement

- *A permit is required to construct or extend a front fence within 3 metres of a street, if the fence is associated with 2 or more dwellings on a lot or a residential building.*
- *A permit is not required to construct or extend one dwelling on a lot more than 500 square metres.*

Building Height & Setbacks

- Any building or works must comply with the requirements set out in Table 1 and 2 of this Schedule.
- A permit cannot be granted to vary the condition regarding the minimum land size and configuration specified in Table 2 to this Schedule.
- A permit cannot be granted to vary the Maximum Building Height specified in Table 2 to this Schedule. This does not apply to:
 - The rebuilding of a lawful building or works which have been damaged or destroyed.
 - A building which exceeds the specified building height for which a valid building permit was in effect prior of the introduction of this provision.

- For the purposes of this Schedule, the Maximum Building Height does not include building services, lift over-runs and roof mounted equipment, including screening devices.
- For the purposes of this Schedule, balconies, terraces, and verandahs may encroach within the Street Setback by a maximum of 2.0m, but must not extend along the width of the building.

Table 1

Sub-Precinct	Maximum Building Height	Condition regarding minimum land size	Street Setback
DDO8-1 Main Road Sub-Precinct	11 metres provided the condition regarding minimum lot size is met. If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.	1800 square metres must be all the same sub-precinct. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage	<p>For one dwelling on a lot:</p> <ul style="list-style-type: none"> • Minimum front street setback is the distance specified in Clause 54.03-1 or 6 metres, whichever is the lesser. • Minimum side street setback is the distance specified in Clause 54.03-1. <p>For two or more dwellings on a lot or a residential building:</p> <ul style="list-style-type: none"> • Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. • Minimum side street setback is the distance specified in Clause 55.03-1.

State Planning Policy Framework

The relevant sections of the state planning policy framework are as follows:

Clause 15.01-1 Urban design

The objective of this policy is:

- *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

Clause 15.01-2 Urban design principles

The objective of this policy is:

- *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

Clause 15.01-4 Design for safety

The objective of this policy is:

- *To improve community safety and encourage neighbourhood design that makes people feel safe.*

Policy guidelines

Planning must consider as relevant:

- *Safer Design Guidelines for Victoria (Crime Prevention Victoria and Department of Sustainability and Environment, 2005).*

Clause 15.01-5 Cultural identity and neighbourhood character

The objective of this policy is:

- *To recognise and protect cultural identity, neighbourhood character and sense of place.*

Clause 15.02-1 Energy and resource efficiency

The objective of this policy is:

- *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

Clause 17.01-1 Business

The objective of this policy is:

- *To encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

Local Planning Policy Framework (LPPF)

Municipal Strategic Statement

Clause 21.03 Key Influences

This clause identifies that future housing need and residential amenity are critical land-use issues that will challenge Manningham's future growth and sustainable development. The MSS acknowledges that there is a general trend towards smaller household size as a result of an aging population and smaller family structure which will lead to an imbalance between the housing needs of the population and the actual housing stock that is available.

This increasing pressure for re-development raises issues about how these changes affect the character and amenity of our local neighbourhoods. In meeting future housing needs, the challenge is to provide for residential re-development in appropriate locations, to reduce pressure for development in more sensitive areas, and in a manner that respects the residential character and amenity valued by existing residents.

Clause 21.05 Residential

This policy outlines the division of Manningham into four Residential Character Precincts. The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available. In areas which are removed from these facilities a lower intensity of development is encouraged. A low residential density is also encouraged in areas that have identified environmental or landscape features.

The site is within "Precinct 2 –Residential Areas Surrounding Activity Centres and Along Main Roads".

A substantial level of change is anticipated in Precinct 2. Whilst this area will be a focus for higher density developments, there are three sub-precincts which each stipulate different height, scale and built form outcomes to provide a transition between each sub-precinct and

adjoining properties, primarily in Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads.

The area around The Pines Activity Centre (shown on Manningham Planning Scheme maps as DDO9) is an area where development ranging in height from 11 metres to 16 metres is encouraged in designated areas, as identified in The Pines Activity Centre Structure Plan (2011).

Development in Precinct 2 should:

- *Provide for contemporary architecture*
- *Achieve high design standards*
- *Provide visual interest and make a positive contribution to the streetscape*
- *Provide a graduated building line from side and rear boundaries*
- *Minimise adverse amenity impacts on adjoining properties*
- *Use varied and durable building materials*
- *Incorporate a landscape treatment that enhances the overall appearance of the development.*
- *Integrate car parking requirements into the design of buildings and landform.*

Clause 21.05-4 Built form and neighbourhood character

The objective of this policy is:

- *To ensure that residential development enhances the existing or preferred neighbourhood character of the residential character precincts as shown on Map 1 to this Clause.*

The strategies to achieve this objective include:

- *Require residential development to be designed and landscaped to make a positive contribution to the streetscape and the character of the local area.*
- *Ensure that where development is constructed on steeply sloping sites that any development is encouraged to adopt suitable architectural techniques that minimise earthworks and building bulk.*
- *Ensure that development is designed to provide a high level of internal amenity for residents.*
- *Require residential development to include stepped heights, articulation and sufficient setbacks to avoid detrimental impacts to the area's character and amenity.*

Clause 21.05-6 Economic development issues

The objective of this policy is:

- *To encourage uses with a community service role to locate in close proximity to activity centres or other community based facilities.*
- *To ensure that business activities do not compromise the residential amenity and character of the neighbourhood.*
- *To ensure that the range of uses within mixed use developments are compatible.*
- *To locate commercial uses such as restaurants within activity centres.*
- *To discourage the rezoning of land for commercial uses outside activity centres*

The strategies to achieve this objective include:

- *Require residential development to be designed and landscaped to make a positive contribution to the streetscape and the character of the local area.*
- *Ensure that where development is constructed on steeply sloping sites that any development is encouraged to adopt suitable architectural techniques that minimise earthworks and building bulk.*

Local Planning Policy

Clause 22.05 Non-residential uses in residential areas

The objectives of this policy are:

- *To encourage uses with a community service role to be located within or in close proximity to activity centres, avoiding linear commercial development outside this area.*
- *To ensure that the siting, design, scale and appearance of development reflects either the existing or preferred residential and streetscape character.*
- *To retain existing vegetation where possible when sites are developed for nonresidential purposes and ensure that a high standard of landscaping is achieved.*
- *To ensure the layout of buildings and outdoor areas meets the highest standards of accessibility. To provide for a high level of privacy and protection from unreasonable overlooking.*
- *To ensure that residential amenity is not detrimentally affected by the operation of nonresidential uses including the effects of noise, car parking and traffic, light, odour and waste.*
- *To ensure that the location of the use does not adversely affect the role and function of the road network and that adequate provision is made for on-site car parking.*
- *To encourage the design of frontages of buildings at footpath level to offer visual interest, passive surveillance and opportunity for social interaction.*
- *To ensure that non-residential use and development within low density residential areas are subordinate to the bulk and scale of surrounding residential development and is sensitive to the landscape character and environmental values of the site and area.*
- *To ensure the design and siting of buildings are appropriate to the environment and low density housing character of the area.*
- *To encourage consolidation of existing allotments located in the Residential Growth Zone to facilitate integrated mixed use development on larger sites.*
- *To encourage non-residential uses within the Residential Growth Zone to be integrated at ground level within developments, with residential above.*

Clause 22.08 Safety through urban design

This policy applies to all land in Manningham. It endeavours to provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham. The policy seeks attractive, vibrant and walkable public spaces where crime, graffiti and vandalism is minimised.

Clause 22.09 Access for disabled people

This policy also applies to all land in Manningham. It seeks to ensure that people with a disability have the same level of access to buildings, services and facilities as any other person. The policy requires the needs of people with a disability to be taken into account in the design of all proposed developments.

Particular Provisions**Clause 52.06 Car Parking**

Pursuant to Clause 52.06-5, car parking is required to be provided at the following rate:

- 1 space for 1 and 2 bedroom dwellings
- 2 spaces for 3 or more bedroom dwellings
- 1 visitor space to every 5 dwellings for developments of 5 or more dwellings

Clause 52.06-8 outlines various design standards for parking areas that should be achieved.

Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

The purpose of this clause is:

- *To ensure appropriate access to identified roads.*
- *To ensure appropriate subdivision of land adjacent to identified roads.*

A permit is required to create or alter access to a road in a Road Zone, Category 1. A permit is required to create or alter access to land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Clause 52.34 Bicycle Facilities

For a medical centre, one bicycle space for employees is required to each 8 practitioners and one bicycle space for students is required to each 4 practitioners.

General Provisions

Clause 65 Decision Guidelines

This clause outlines that before deciding on an application, the responsible authority must consider, as appropriate:

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*

5.3 OTHER RELEVANT LEGISLATION AND POLICY

None applicable.

4.2 Planning Application PL16/026217 at 142-146 Andersons Creek Road, Doncaster East for the construction of thirty-three, three-storey dwellings and one, two-storey dwelling with associated basement car parking and alteration of access to a road in a Road Zone, Category 1

File Number:	IN17/1
Responsible Director:	Director Planning and Environment
Applicant:	888 Developments Pty Ltd
Planning Controls:	Residential Growth Zone, Schedule 2; Design and Development Overlay, Schedule 9; Adjacent to land in a Road Zone, Category 1
Ward:	Mullum Mullum
Attachments:	1 Development and landscape plans 2 Legislative Requirements

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of a planning permit application submitted for land at 142-146 Andersons Creek Road, Doncaster East. This report recommends approval of the submitted proposal subject to amendments that will be addressed by way of permit conditions. The application is being reported to Council given that it is a Major Application (more than 15 dwellings and a development cost of more than \$5 million).

Proposal

2. The proposal is for the development of 34 dwellings on a site of 4042 square metres, with one row across the northern section of the site and two rows on the southern section of the site in an east-west direction. The development has a site coverage of 47%, a site permeability of 20% and provides a total of 74 car parking spaces in the form of garages and car parking spaces within the basement.

Key issues in considering the application

3. The key issues for Council in considering the proposal relate to:
 - (a) Policy (consistency with state and local planning policy);
 - (b) Compliance with built form and urban design policies;
 - (c) Car parking, access, traffic and bicycle parking;
 - (d) Compliance with Clause 55 (Rescode); and
 - (e) Objector concerns.

Objector concerns

4. A total of two (2) objections have been received for the application. The issues can be summarised as:
 - (a) Overdevelopment and out of character
 - (b) Increased traffic
 - (c) Overlooking and loss of privacy

Assessment

5. The proposal is considered to comply with the relevant planning policy in the Manningham Planning Scheme, in particular Clause 21.05 Residential, Schedule 9 to the Design and Development Overlay (DDO9) and Clause 55 (ResCode). These planning controls recognise there will be a substantial level of change in dwelling yield and built form on the site, which is located within The Pines Activity Centre.
6. The proposal responds positively to the site context as the site's location and size are capable of accommodating the development in the proposed height and built form. The immediate area has undergone substantial change, and the character of the area includes a range of residential development types and built form that includes higher density apartment style developments.
7. The proposed development is appropriately designed to step with the slope of the land and allow generous boundary setbacks which will allow for landscaping and protect surrounding residents from unreasonable visual bulk and off-site amenity impacts. The proposal also achieves an acceptable balance between considering the amenity of nearby properties while also considering the internal amenity of future occupants within the proposed development.

Conclusion

8. The report concludes that the proposal complies with the relevant planning policies and should therefore be supported subject to conditions requiring design changes to the basement layout and the submission of suitable management plans.
9. It is recommended that the proposal be supported subject to permit conditions.

1. RECOMMENDATION

That Council:

- A. Having considered all objections a NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application PL16/026217 for the construction of thirty-three, three-storey dwellings and one, two-storey dwelling with associated basement car parking, and alteration of access to a road in a Road Zone, Category 1 subject to the following conditions –
 1. Before the development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to the satisfaction of the Responsible Authority and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the decision plans prepared by Plus Architecture (dated 24 October 2016), but modified to show the following:
 - 1.1 All tandem garages with a minimum length of 11.3 metres by enlarging the size of the basement (area);
 - 1.2 All garages with a minimum width of at least 3 metres to comply with the relevant Australian Standard 2890.1-2004;
 - 1.3 Visibility splay areas adjacent to the driveway at the frontage notated

to comply with Design Standard 1 in Clause 52.06-8 of the Manningham Planning Scheme;

- 1.4 East-facing habitable room windows of Dwelling 19 to be acoustically treated to protect residents from vehicular noise from the road;
- 1.5 All habitable room windows directly facing Reynolds Road and Andersons Creek Road acoustically treated to protect residents from vehicular noise;
- 1.6 Cross-section diagrams to demonstrate there will be no direct views into secluded private open space areas and habitable room windows of 5/148 Andersons Creek Road, 2/207 Reynolds Road and 4/207 Reynolds Road to comply with the objective at Clause 55.04-6 of the Manningham Planning Scheme;
- 1.7 Details of internal fencing located between the central pathway and the secluded private open space areas notated on the ground floor plan, with a minimum height of 1.7 metres;
- 1.8 Mailboxes located at the street frontage(s) to comply with Australia Post requirements;
- 1.9 The location and design details of any building services at the street frontage(s), designed and integrated to complement the overall development style;
- 1.10 The catchment area for the rainwater tank and proposed reuse of the collected water as specified in the Sustainability Management Plan required under Condition 4 of this permit;
- 1.11 The location and details of the raingarden specified in the Sustainability Management Plan required under Condition 4 of this permit;
- 1.12 All changes required by VicRoads (Conditions 38 to 42 of this permit).

Endorsed Plans

2. The development as shown on the approved plans must not be altered without the written consent of the Responsible Authority.

Construction Management Plan

3. Before the development starts, two copies of a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The Plan must address, but not be limited to the following:
 - 3.1 A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - 3.2 Hours of construction;
 - 3.3 Delivery and unloading points and expected frequency;

- 3.4 On-site facilities for vehicle washing;
- 3.5 Asset protection procedures for any public footpaths;
- 3.6 On-site facilities for vehicle washing;
- 3.7 The location of parking and site facilities for construction workers;
- 3.8 Measures to minimise the impact of construction vehicles arriving at and departing from the land;
- 3.9 Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;
- 3.10 The measures for prevention of the unintended movement of building waste and other hazardous materials and pollutants on or off the site, whether by air, water or other means;
- 3.11 An outline of requests to occupy the front nature strip and any anticipated disruptions to local services;
- 3.12 Measures to minimise the amount of waste construction materials;
- 3.13 Measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;
- 3.14 Adequate environmental awareness training for all on-site contractors and sub-contractors.

Sustainability Management Plan

4. Before the development starts or the issue of a building permit for the development, whichever is sooner, two copies of an amended Sustainability Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The plan must be generally in accordance with the decision plans prepared by Ark Resources (dated 16 August 2016) but modified to include the following:
 - 4.1 An ESD assessment tool (such as BESS) to benchmark the performance of the proposal as the STEPS tool has been retired;
 - 4.2 A 10% improvement on the National Construction Code requirements in relation to energy ratings;
 - 4.3 The type (central or individual units) and star rating of the domestic hot water system;
 - 4.4 The use of LED lights in the car park as opposed to florescent lamps.

Waste Management Plan

5. Before the development starts or the issue of a building permit for the development, whichever is sooner, two copies of an amended Waste Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The plan must be generally in accordance with the decision plan prepared by Leigh Design (dated 22 July 2016) but modified to include:
 - 5.1 No private waste contractor bins must be left outside the development boundary or left unattended at any time on any street frontage for any reason.

Management Plan Compliance

6. The Management Plans approved under Conditions 3, 4 and 5 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.
7. Before the approved use starts, a report from the author of the Sustainability Management Plan, approved pursuant to his permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures in the Sustainability Management Plan approved under Condition 3 of this permit have been implemented in accordance with the approved plans.

Completion

8. Before the occupation of the approved dwellings, landscaped areas must be fully planted and mulched or grassed generally in accordance with the approved plan and to the satisfaction of the Responsible Authority.
9. Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.
10. Driveway gradients and transitions as shown on the plan approved under Condition 1 of this permit must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.

Landscape Plan

11. Before the development starts, two copies of an amended landscaping plan must be submitted to the Responsible Authority for approval. The plan must be generally in accordance with the decision plan prepared by John Patrick Landscape Architects (dated 16 August 2016), but modified to show:
 - 11.1 All canopy trees are at least 1.5 metres in height at the time of

planting;

- 11.2 Planting within 2 metres along the frontage from the edge of the driveway(s) and 2.5 metres along the driveway(s) from the frontage to be no greater than 0.9 metres in height at maturity.

The use of synthetic grass as a substitute for open lawn area within secluded private open space or a front setback will not be supported. Synthetic turf may be used in place of approved paving decking and/or other hardstand surfaces.

Landscape Bond

12. Before the release of the approved plan for the development, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

Stormwater – On-site detention (OSD)

13. The owner must provide on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:

13.1 Be designed for a 1 in 5 year storm; and

13.2 Storage must be designed for 1 in 10 year storm.

Construction Plan (OSD)

14. Before the development starts, a construction plan for the system required by Condition 13 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.

Drainage

15. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.
16. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.

Environment Audit

17. All the conditions of the Statement of Environmental Audit submitted with the application (prepared by Charles David Barber, dated 19 February 2014) must be complied with at all times to the satisfaction of the Responsible Authority.

Site Services

18. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
19. All upper level service pipes (excluding stormwater downpipes) and any wall mounted spa-bath pump must be concealed and screened respectively to the satisfaction of the Responsible Authority.
20. Communal lighting must be connected to reticulated mains electricity and be operated by a time switch, movement sensors or a daylight sensor to the satisfaction of the Responsible Authority.
21. Any reverse cycle air-conditioning unit erected on the walls, roofs or balconies of the approved dwellings must be so located, as to not adversely affect the amenity of the area by way of appearance/visual prominence to the satisfaction of the Responsible Authority. Where the Responsible Authority identifies a concern about visual appearance, appropriately designed/finished screening must be installed and maintained to the satisfaction of the Responsible Authority.
22. Unless depicted on a Roof Plan approved under Condition 1 of this permit, no roof plant (includes air conditioning units, basement exhaust ducts, solar panels or hot water systems) which is visible to immediate neighbours or from the street may be placed on the roof of the approved building, without details in the form of an amending plan being submitted to and approved by the Responsible Authority.
23. A centralised TV antenna must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.
24. No individual dish antennae may be installed on the overall building to the satisfaction of the Responsible Authority.
25. Any wall-mounted, instantaneous gas hot water system located on a balcony wall or on a general external wall of the building, so as to be visible from off the site must be provided with a neatly designed, durable screen (in perforated metal sheeting, for instance) to the satisfaction of the Responsible Authority or be of the recessed type with a cover plate.
26. If allowed by the relevant fire authority, external fire services must be enclosed in a neatly constructed, durable cabinet finished to complement the overall development, or in the event that enclosure is not allowed, associated installations must be located, finished and landscaped to minimise visual impacts from the public footpath in front of the site to the satisfaction of the Responsible Authority.

27. Any security door/grille to the basement opening must maintain sufficient clearance when fully open to enable the convenient passage of waste collection vehicles which are required to enter the basement and such clearance must also be maintained in respect of sub-floor service installations throughout areas in which the waste collection vehicle is required to travel to the satisfaction of the Responsible Authority.

Vehicle Crossings and Accessways

28. Prior to occupation of the approved dwellings, any new or modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
29. Redundant vehicle crossovers must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.
30. An intercom and an automatic basement door opening system (connected to each dwelling) must be installed, so as to facilitate convenient 24-hour access to the basement car park by visitors, to the satisfaction of the Responsible Authority.

Car Parking

31. Before the occupation of the approved dwellings, all associated basement parking spaces must be line-marked, numbered and signposted to provide allocation to each dwelling and visitors to the satisfaction of the Responsible Authority.
32. The visitor car parking spaces must be clearly marked and must not be used for any other purpose to the satisfaction of the Responsible Authority.

Fencing

33. Prior to the occupation of the approved dwellings, all fencing must be erected in good condition in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.

Brickwork / Retaining Walls

34. All brickwork on or immediately adjacent to the boundaries of the site which is visible from the adjoining property must be cleaned and finished to the satisfaction of the Responsible Authority.
35. All retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority.

Maintenance

36. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.

Earthworks

37. The extent and depth of cut and fill must not exceed that shown on the

plans endorsed under Condition 1 of this permit without the written consent of the Responsible Authority.

VicRoads Conditions (Conditions 38 to 42)

38. Prior to commencement of permitted development, a detailed functional layout plan and functional stage Road Safety Audit by an independent VicRoads pre-qualified audit team, must be submitted to VicRoads and the Responsible Authority for approval. The detailed functional layout drawing must include, but not be limited to the following:
- 38.1 A line marked short left turn deceleration lane into the site from Reynolds Road;
 - 38.2 Amended line marking for the existing lane drop along the site frontage;
 - 38.3 The proposed access crossover flared at 60 degrees with 3.0m radial turnouts at the kerb;
 - 38.4 Appropriate swept path analysis for the largest design vehicle expected to access the site (item "c" modified accordingly as required);
 - 38.5 Pedestrian visibility splays in accordance with Design Standard 1 of Clause 52.06.
39. Before the use of the permitted development and/or commencement of any works required by VicRoads under this permit a detailed engineering design must be prepared generally in accordance with the accepted functional layout plan and to the satisfaction of VicRoads.
40. Before the use of the permitted development, all works required by VicRoads under this permit must be completed to the satisfaction of VicRoads and at no cost to VicRoads.
41. The preparation of the detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements - Developer Funded Projects" and any other requirements considered necessary depending on the nature of the work.
42. No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.

Permit Expiry

43. This permit will expire if one of the following circumstances applies:
- 43.1 The development is not started within two (2) years of the date of this permit; and

43.2 The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the Planning & Environment Act 1987.

1. ALTERNATIVE RECOMMENDATION

That Council:

A. Having considered all objections a NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application PL16/026217 for the construction of thirty-three, three-storey dwellings and one, two-storey dwelling with associated basement car parking, and alteration of access to a road in a Road Zone, Category 1 subject to the following conditions –

- 1. Before the development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to the satisfaction of the Responsible Authority and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the decision plans prepared by Plus Architecture (dated 24 October 2016), but modified to show the following:**
 - 1.1 All tandem garages with a minimum length of 11.3 metres by enlarging the size of the basement (area);**
 - 1.2 All garages with a minimum width of at least 3 metres to comply with the relevant Australian Standard 2890.1-2004;**
 - 1.3 Visibility splay areas adjacent to the driveway at the frontage notated to comply with Design Standard 1 in Clause 52.06-8 of the Manningham Planning Scheme;**
 - 1.4 East-facing habitable room windows of Dwelling 19 to be acoustically treated to protect residents from vehicular noise from the road;**
 - 1.5 All habitable room windows directly facing Reynolds Road and Andersons Creek Road acoustically treated to protect residents from vehicular noise;**
 - 1.6 Cross-section diagrams to demonstrate there will be no direct views into secluded private open space areas and habitable room windows of 5/148 Andersons Creek Road, 2/207 Reynolds Road and 4/207 Reynolds Road to comply with the objective at Clause 55.04-6 of the Manningham Planning Scheme;**
 - 1.7 Details of internal fencing located between the central pathway and the secluded private open space areas notated on the ground floor plan, with a minimum height of 1.7 metres;**
 - 1.8 Mailboxes located at the street frontage(s) to comply with**

Australia Post requirements;

- 1.9 **The location and design details of any building services at the street frontage(s), designed and integrated to complement the overall development style;**
- 1.10 **The catchment area for the rainwater tank and proposed reuse of the collected water as specified in the Sustainability Management Plan required under Condition 4 of this permit;**
- 1.11 **The location and details of the raingarden specified in the Sustainability Management Plan required under Condition 4 of this permit;**
- 1.12 **All changes required by VicRoads (Conditions 38 to 42 of this permit).**

Endorsed Plans

2. **The development as shown on the approved plans must not be altered without the written consent of the Responsible Authority.**

Construction Management Plan

3. **Before the development starts, two copies of a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The Plan must address, but not be limited to the following:**
 - 3.1 **A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;**
 - 3.2 **Hours of construction;**
 - 3.3 **Delivery and unloading points and expected frequency;**
 - 3.4 **On-site facilities for vehicle washing;**
 - 3.5 **Asset protection procedures for any public footpaths;**
 - ~~3.6 **On-site facilities for vehicle washing;**~~
 - 3.6 **The location of parking and site facilities for construction workers;**
 - 3.7 **Measures to minimise the impact of construction vehicles arriving at and departing from the land;**
 - 3.8 **Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;**
 - 3.9 **The measures for prevention of the unintended movement of building waste and other hazardous materials and pollutants on or off the site, whether by air, water or other means;**

- 3.10 An outline of requests to occupy the front nature strip and any anticipated disruptions to local services;
- 3.11 Measures to minimise the amount of waste construction materials;
- 3.12 Measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;
- 3.13 Adequate environmental awareness training for all on-site contractors and sub-contractors.

Sustainability Management Plan

4. Before the development starts or the issue of a building permit for the development, whichever is sooner, two copies of an amended Sustainability Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The plan must be generally in accordance with the decision plans prepared by Ark Resources (dated 16 August 2016) but modified to include the following:
 - 4.1 An ESD assessment tool (such as BESS) to benchmark the performance of the proposal as the STEPS tool has been retired;
 - 4.2 A 10% improvement on the National Construction Code requirements in relation to energy ratings;
 - 4.3 The type (central or individual units) and star rating of the domestic hot water system;
 - 4.4 The use of LED lights in the car park as opposed to florescent lamps.

Waste Management Plan

5. Before the development starts or the issue of a building permit for the development, whichever is sooner, two copies of an amended Waste Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The plan must be generally in accordance with the decision plan prepared by Leigh Design (dated 22 July 2016) but modified to include:
 - 5.1 No private waste contractor bins must be left outside the development boundary or left unattended at any time on any street frontage for any reason.

Management Plan Compliance

6. The Management Plans approved under Conditions 3, 4 and 5 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.
7. Before the approved use starts, a report from the author of the Sustainability Management Plan, approved pursuant to his permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures in the

Sustainability Management Plan approved under Condition 3 of this permit have been implemented in accordance with the approved plans.

Completion

8. Before the occupation of the approved dwellings, landscaped areas must be fully planted and mulched or grassed generally in accordance with the approved plan and to the satisfaction of the Responsible Authority.
9. Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.
10. Driveway gradients and transitions as shown on the plan approved under Condition 1 of this permit must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.

Landscape Plan

11. Before the development starts, two copies of an amended landscaping plan must be submitted to the Responsible Authority for approval. The plan must be generally in accordance with the decision plan prepared by John Patrick Landscape Architects (dated 16 August 2016), but modified to show:
 - 11.1 All canopy trees are at least 1.5 metres in height at the time of planting;
 - 11.2 Planting within 2 metres along the frontage from the edge of the driveway(s) and 2.5 metres along the driveway(s) from the frontage to be no greater than 0.9 metres in height at maturity.

The use of synthetic grass as a substitute for open lawn area within secluded private open space or a front setback will not be supported. Synthetic turf may be used in place of approved paving decking and/or other hardstand surfaces.

Landscape Bond

12. Before the release of the approved plan for the development, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

Stormwater – On-site detention (OSD)

13. The owner must provide on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:

13.1 Be designed for a 1 in 5 year storm; and

13.2 Storage must be designed for 1 in 10 year storm.

Construction Plan (OSD)

14. Before the development starts, a construction plan for the system required by Condition 13 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.

Drainage

15. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.
16. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.

Environment Audit

17. All the conditions of the Statement of Environmental Audit submitted with the application (prepared by Charles David Barber, dated 19 February 2014) must be complied with at all times to the satisfaction of the Responsible Authority.

Site Services

18. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
19. All upper level service pipes (excluding stormwater downpipes) and any wall mounted spa-bath pump must be concealed and screened respectively to the satisfaction of the Responsible Authority.
20. Communal lighting must be connected to reticulated mains electricity and be operated by a time switch, movement sensors or a daylight

sensor to the satisfaction of the Responsible Authority.

21. Any reverse cycle air-conditioning unit erected on the walls, roofs or balconies of the approved dwellings must be so located, as to not adversely affect the amenity of the area by way of appearance/visual prominence to the satisfaction of the Responsible Authority. Where the Responsible Authority identifies a concern about visual appearance, appropriately designed/finished screening must be installed and maintained to the satisfaction of the Responsible Authority.
22. Unless depicted on a Roof Plan approved under Condition 1 of this permit, no roof plant (includes air conditioning units, basement exhaust ducts, solar panels or hot water systems) which is visible to immediate neighbours or from the street may be placed on the roof of the approved building, without details in the form of an amending plan being submitted to and approved by the Responsible Authority.
23. A centralised TV antenna must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.
24. No individual dish antennae may be installed on the overall building to the satisfaction of the Responsible Authority.
25. Any wall-mounted, instantaneous gas hot water system located on a balcony wall or on a general external wall of the building, so as to be visible from off the site must be provided with a neatly designed, durable screen (in perforated metal sheeting, for instance) to the satisfaction of the Responsible Authority or be of the recessed type with a cover plate.
26. If allowed by the relevant fire authority, external fire services must be enclosed in a neatly constructed, durable cabinet finished to complement the overall development, or in the event that enclosure is not allowed, associated installations must be located, finished and landscaped to minimise visual impacts from the public footpath in front of the site to the satisfaction of the Responsible Authority.
27. Any security door/grille to the basement opening must maintain sufficient clearance when fully open to enable the convenient passage of waste collection vehicles which are required to enter the basement and such clearance must also be maintained in respect of sub-floor service installations throughout areas in which the waste collection vehicle is required to travel to the satisfaction of the Responsible Authority.

Vehicle Crossings and Accessways

28. Prior to occupation of the approved dwellings, any new or modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
29. Redundant vehicle crossovers must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the

Responsible Authority.

30. An intercom and an automatic basement door opening system (connected to each dwelling) must be installed, so as to facilitate convenient 24-hour access to the basement car park by visitors, to the satisfaction of the Responsible Authority.

Car Parking

31. Before the occupation of the approved dwellings, all associated basement parking spaces must be line-marked, numbered and signposted to provide allocation to each dwelling and visitors to the satisfaction of the Responsible Authority.
32. The visitor car parking spaces must be clearly marked and must not be used for any other purpose to the satisfaction of the Responsible Authority.

Fencing

33. Prior to the occupation of the approved dwellings, all fencing must be erected in good condition in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.

Brickwork / Retaining Walls

34. All brickwork on or immediately adjacent to the boundaries of the site which is visible from the adjoining property must be cleaned and finished to the satisfaction of the Responsible Authority.
35. All retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority.

Maintenance

36. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.

Earthworks

37. The extent and depth of cut and fill must not exceed that shown on the plans endorsed under Condition 1 of this permit without the written consent of the Responsible Authority.

VicRoads Conditions (Conditions 38 to 42)

38. Prior to commencement of permitted development, a detailed functional layout plan and functional stage Road Safety Audit by an independent VicRoads pre-qualified audit team, must be submitted to VicRoads and the Responsible Authority for approval. The detailed functional layout drawing must include, but not be limited to the following:

38.1 A line marked short left turn deceleration lane into the site from

Reynolds Road;

- 38.2 Amended line marking for the existing lane drop along the site frontage;
 - 38.3 The proposed access crossover flared at 60 degrees with 3.0m radial turnouts at the kerb;
 - 38.4 Appropriate swept path analysis for the largest design vehicle expected to access the site (item "c" modified accordingly as required);
 - 38.5 Pedestrian visibility splays in accordance with Design Standard 1 of Clause 52.06.
- 39. Before the use of the permitted development and/or commencement of any works required by VicRoads under this permit a detailed engineering design must be prepared generally in accordance with the accepted functional layout plan and to the satisfaction of VicRoads.
 - 40. Before the use of the permitted development, all works required by VicRoads under this permit must be completed to the satisfaction of VicRoads and at no cost to VicRoads.
 - 41. The preparation of the detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements - Developer Funded Projects" and any other requirements considered necessary depending on the nature of the work.
 - 42. No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.

Permit Expiry

- 43. This permit will expire if one of the following circumstances applies:
 - 43.1 The development is not started within two (2) years of the date of this permit; and
 - 43.2 The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the Planning & Environment Act 1987.

MOVED: CR ANNA CHEN
SECONDED: CR PAULA PICCININI

That the Alternative Recommendation be adopted.

CARRIED

2. BACKGROUND

- 2.1 Pre-application advice was sought by the Applicant in relation to the proposed development, on 6 July 2015.
- 2.2 The proposal was presented to the Sustainable Design Taskforce meeting on 26 November 2015, and the issue of a continuous built form along the Reynolds Road frontage was raised and discussed at the meeting.
- 2.3 The application for planning permit was received on 2 May 2016.
- 2.4 A request for further information was sent by Council to the Applicant on 26 May 2016 and raised preliminary concerns that related to the access arrangements, basement layout, the presentation of the development to the street and on-site amenity.
- 2.5 All requested further information was received by Council on 25 October 2016.
- 2.6 The statutory time for considering a planning application is 60 days and this lapsed on 9 January 2017.
- 2.7 Planning Permit PL12/022890 was issued on 20 December 2012 for the construction of a four-storey apartment building comprising 82 dwellings, the alteration of access to a road in a Road Zone, Category 1 and the removal of native vegetation on the site. The permit has been extended and remains valid subject to the commencement of the development by 20 December 2018.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site is situated on the north-eastern corner of Andersons Creek Road and Reynolds Road.
- 3.2 The irregularly shaped lot has a frontage of 83.97 metres to Andersons Creek Road, a frontage of 51.23 metres to Reynolds Road and a 7.36 metre splay at the south-western corner, and a minimum depth of 43 metres. The lot has a total area of approximately 4042 square metres.
- 3.3 The site was previously used as a petrol station / car wash / convenience shop but this use has ceased. Underground petrol tanks and some building elements have been removed as part of the remediation works required to make the land suitable for residential use. There is currently a deep excavation associated with this work (where tanks and some affected soil have been removed).

- 3.4 The land falls by approximately 8 metres from the south-west corner to the north-east corner, with the slope being the steepest along the northern site boundary and at the north-east corner.
- 3.5 There are some canopy trees at the western end of the site and several other trees around the perimeter. Dense shrub planting also exists along part of the northern and eastern site boundaries.
- 3.6 Vehicular access to the site is provided by three (3) vehicle crossovers. This includes one 7 metre wide crossover on the northern end of the frontage to Andersons Creek Road and two crossovers (9 to 10 metres wide) on the central section of the Reynolds Road frontage.
- 3.7 There are no fences along the street frontages or the northern boundary apart from temporary security fencing. A paling fence is provided on the eastern site boundary.
- 3.8 Electricity supply easements (up to 3.13 metres in width) are located along the western and southern frontages of the site. A drainage and sewerage easement (with dimensions of 2.4 metres x 2.4 metres) is located on the north-eastern corner.
- 3.9 The land title is not constrained by covenants or Section 173 Agreements.

The Surrounds

- 3.10 The site has two street frontages and directly abuts two (2) properties, which are described as follows:

Direction	Address	Description
North	Units 4 to 11, 148-150 Andersons Creek Road, Doncaster East	<p>This property is developed with eleven, two-storey dwellings.</p> <p>A row of four dwellings (Units 1 to 4) present to an excavated front setback characterised by stepped retaining walls up to the frontage. Paved terraces (above undercroft garage parking) are constructed to the rear of the ground floors.</p> <p>The other dwellings (Units 5 to 11) are angled and stepped down the site, so as to face to the north-east. The ground floors of these dwellings sit much lower than the site, with the level difference being up to 4.5 metres. The dwellings within this row have single storey projections at the rear and are provided with large rear secluded private open spaces up to the retained batter.</p> <p>A strip of Common Property is situated between the site and the adjoining property to the north. This strip is shared between the site and the adjoining property and contains a series of timber sleeper</p>

		retaining walls which define a maximum level change of 4.5 metres down from the site to the adjoining property.
East	Units 1 to 5, 207 Reynolds Road, Doncaster East	The property is developed with eighteen, two-storey dwellings constructed in two rows on either side of a central driveway. Five dwellings (Units 1 to 5) are adjacent to the eastern boundary of the site, set back at least 4.2 metres from the common boundary. The ground floors and the rear yards are set down due to excavation. Within the westernmost walls, the upper level of each dwelling presents a bedroom window and a bathroom window (obscured) to the site.

10. The character of The Pines Activity Centre is in transition, with several large townhouse and apartment developments, including the adjoining properties to the north (148 Andersons Creek Road) and east (207 Reynolds Road) and the opposite properties to the west on Morello Circle and Red Hill Terrace. Areas located away from the main roads consist of fairly homogenous housing of single dwellings with curvilinear road systems.

3.11 Both Reynolds Road and Andersons Creek Road are major arterial roads under the jurisdiction of VicRoads, with raised central medians. Bus services operate along both roads. Adjacent to the site, there is a merge lane which allows left turning vehicles from Andersons Creek Road to ease into the eastbound traffic lanes on Reynolds Road.

3.12 The site is well located to a range of services, with The Pines Shopping Centre located 350 metres to the west and Milgate Primary School located 1.1km to the south by road. Anderson Park is located diagonally opposite the site to the south-west.

4. THE PROPOSAL

4.1 It is proposed to construct a total of thirty four (34) dwellings, comprising thirty-three, three-storey dwellings and one, two-storey dwelling with an associated basement car park. Alteration to access to a Road Zone Category 1 is also sought.

Submitted plans and documents

4.2 The proposal is outlined on plans prepared by Plus Architecture, dated 24 October 2016 and a landscape plan prepared by John Patrick Landscape Architecture, dated 16 August 2016. Refer to Attachment 1.

4.3 The following reports were submitted to support the application:

- A planning report prepared by Contour Consultants, dated August 2016;
- A statement of environment audit prepared by Charles David Barber, dated 19 February 2014;

- A traffic report prepared by Cardno, dated 16 August 2016;
- A waste management plan prepared by Leigh Design, dated 22 July 2016;
- A sustainability management plan prepared by Ark Resources, dated 16 August 2016;
- An arboricultural report prepared by John Patrick Landscape Architects, dated September 2016.

Development summary

4.4 A summary of the development is provided as follows:

Land Size:	4042m ²	Maximum Building Height:	11.4m
Site Coverage:	47%	Street setback to Reynolds Road (south)	Basement – 3.6m Ground floor – 3.55m First floor – 3.1m Second floor – 3.1m
Permeability:	20%	Street setback to Andersons Creek Road (west)	Basement – 3m Ground floor – 3.6m First floor – 3.6m Second floor – 3.6m
Number of Dwellings:	34	Setback to northern boundary	Basement – 0m Ground floor – 3.7m First floor – 3.2m Second floor – 3.2m
3 bedrooms:	1		
4 bedrooms:	33		
Density:	One per 118.9m ²	Setback to eastern boundary	Basement – 1m Ground floor – 1.6m First floor – 3.3m Second floor – 8.1m
		Car parking spaces:	74
		Resident spaces:	68
		Visitor spaces:	6

Design layout

- 4.5 The dwellings are laid out in three rows. Dwellings 1 to 18 forms a continuous row along the northern section of the site. Dwellings 19 to 26 are located at the south-eastern section and Dwellings 27 to 34 at the south-western section of the site. The dwellings within each row are attached on all levels.
- 4.6 All dwellings are provided with ground level courtyards on the northern and southern sides, with the northern secluded private open space areas directly accessible from the living rooms of the respective dwellings. The courtyards for Dwelling 1 and Dwelling 34 also extend to the west of the respective dwellings

and within the street setback to Andersons Creek Road. The courtyard for Dwelling 18 extends to the east of the dwelling.

- 4.7 Dwellings 23 to 34 (at the south-western section of the site) are each provided with a rooftop terrace area of 30 to 35 square metres, accessible from the respective dwellings by stairs and a lift.

Access and car parking

- 4.8 The front entries of Dwellings 1 and 19 to 34 are accessed directly from the site frontages. Pedestrian access to the remaining dwellings is via the central common pathway with access points at the centre of both site frontages. Access to the common pathway is restricted by security gates.
- 4.9 Vehicle access is provided via a new 6.4 metre wide crossover on the eastern end of the Reynolds Road frontage. It leads to a driveway ramp that provides access to the basement car park, restricted by a security door. All existing crossovers will be removed with the kerbing and nature strip reinstated.
- 4.10 Pursuant to Clause 52.29 (Land adjacent to a Road Zone category 1) of the Manningham Planning Scheme, this application includes the proposed alteration of access to a road in a Road Zone, Category 1.
- 4.11 The basement consists of 30 garages for Dwellings 1 to 14 and Dwellings 19 to 34, each providing two car parking spaces in a tandem arrangement. The garages allow internal access to the respective dwellings via a lift.
- 4.12 The north-eastern section of the basement consists of 14 car parking spaces, including 8 car parking spaces for the residents of Dwellings 15 to 18 and 6 visitor car parking spaces. Access to the dwellings from these car parking spaces is via a communal staircase and lift at the eastern end of the development.

Design detail

- 4.13 The proposed building has a stylish modern architectural design, which includes a flat roof and articulated façade presentations on all sides. The façades consist of a mix of applied finish, concrete blockwork, cladding with timber batten screens.

Open space

- 4.14 No existing trees are retained within the site. Landscaping, including canopy trees are proposed adjacent to the site boundaries.
- 4.15 1.7 metre high fences (1.1 metre timber batten fence on a 0.6 metre high concrete wall) are provided along the site frontages, providing screening to private open space areas. The fences are set back 1.1 metres from the site boundaries and buffered from the frontage by planter boxes.

5. LEGISLATIVE REQUIREMENTS

- 5.1 Refer to Attachment 2.

6. REFERRALS

External

- 6.1 Given the proposal involves the creation and alteration of access to Andersons Creek Road and Reynolds Road, it is a statutory requirement to refer the application to VicRoads as a determining referral authority.
- 6.2 VicRoads has no objection to the proposal subject to five (5) permit conditions (**Conditions 38 to 42**).

Internal

- 6.3 The application was referred to a number of Service Units within Council. The following table summarises their responses:

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> All runoff must be directed to the point of discharge. The whole of the land must be graded and drained to prevent ponding and overland flows. An on-site storm water detention system is required.
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> A “Vehicle Crossing Permit” is required. All redundant crossovers must be removed and the footpath, nature strip and kerbing reinstated.
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> The accessway’s width, headroom, internal radius, sightlines and gradients are satisfactory.
Engineering & Technical Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> The required number of car parking spaces is provided. The development will not generate unreasonable traffic congestion within the surrounding street network.
Engineering & Technical Services Unit – Car Parking Layout	<ul style="list-style-type: none"> Whilst the basement single garages do not satisfy the planning scheme requirements, an internal width of 3 metres is acceptable as it satisfies the relevant Australian Standard. Tandem garages are required to have a length of 11.3 metres.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> A Construction Management Plan is required.
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> Council agrees that a private waste collection contractor will be required to undertake waste collection from the development. No private waste contractor bins can be left outside the property boundary for any reason.

Service Unit	Comments
Engineering & Technical Services Unit – Easements	<ul style="list-style-type: none"> • “Build Over Easement” approval is required.
Strategic Projects Unit – Sustainability	<ul style="list-style-type: none"> • The use of the STEPS tool to assess the development is not accepted as it has now been retired. Other tools such as BESS should be used. • A 10% improvement on the National Construction Code requirements in relation to energy ratings is required. • The type (central or individual units) and star rating of the domestic hot water system need to be provided. • The use of LED lights in the car park as opposed to florescent lamps is required. • The catchment area for the rainwater tank and proposed reuse of the collected water as specified in the submitted Sustainability Management Plan needs to be shown on the plans. • The location and details of a raingarden specified in the submitted Sustainability Management Plan need to be shown on the plans.
Economic and Environmental Planning Unit – Urban Design	<ul style="list-style-type: none"> • The single and double-height vertical screens, glazing and folded and extruded elements provide visual interest and identify this as a high-quality, 21st century development. • Any future rationalisation or substitution of materials, (i.e. copper, woodgrain concrete, timber appearance aluminium, dark tinted glass, brick and concrete pavers), or changes to building articulation and fenestration post-planning approval should be referred back to Council’s urban design team for approval. • This townhouse model is an exciting one and if successful could be replicated in suitable locations elsewhere in Manningham. • A visual and physical break in the built form is provided along the Reynolds Road façade. This assists with reducing the visual bulk of the development. • The basement carpark is sufficiently concealed.

6.4 The above requirements have been included as permit conditions or notes as appropriate (**Conditions 1, 3 to 7, and 13 to 16**).

7. CONSULTATION / NOTIFICATION

- 7.1 Notice of the application was given for a three-week period which concluded on 8 December 2016, by sending letters to nearby properties and displaying a sign on each street frontage.
- 7.2 Objections have been received from the following properties:
- Unit 3, 148 Andersons Creek Road, Doncaster East
 - Unit 5, 148 Andersons Creek Road, Doncaster East (adjoining property to the north)
- 7.3 The following is a summary of the grounds upon which the above properties have objected to the proposal:
- Overdevelopment and out of character
 - Increased traffic
 - Overlooking and loss of privacy
- 7.4 A response to the grounds of objections are included in the Assessment section of this report (below).

8. ASSESSMENT

- 8.1 An assessment is made under the following headings:
- State and Local Planning Policy Frameworks (SPPF and LPPF);
 - Design and built form;
 - Car parking, access, traffic and bicycle facilities;
 - Clause 55 (Rescode);
 - Objector concerns; and
 - Other matters.

State and Local planning policy frameworks (SPPF and LPPF)

- 8.2 Key objectives of the SPPF and LPPF seek to intensify Activity Centres as a focus for high-quality development and encourage increased activity and density as a way to achieve broader urban consolidation objectives.
- 8.3 The site is located within The Pines Activity Centre and covered by an adopted structure plan that has residential dwellings a preferred land use. It will also return residential land to its intended function of providing housing and contribute to the profile of this activity centre.
- 8.4 Policy also encourages urban consolidation in this specific location due to its capacity to support change given the site's excellent access to shopping / community facilities and bus services. The policy anticipates a substantial level of change from the existing character of primarily single dwellings and dual occupancies which has occurred in the past.

- 8.5 The size of the subject site (approximately 4,042 square metres) is considered appropriate to accommodate the development in the height and form proposed. The height of the development is consistent with the preferred future character outlined in the DDO9 and the scale of built form corresponds with other nearby developments that have been constructed within the activity centre.

Design and built form

- 8.6 An assessed against the requirements of DDO9 is provided in the table below:

Design Element	Level of Compliance
<p><u>Building Height</u></p> <ul style="list-style-type: none"> Sub-Precinct B: maximum 14 metres 	<p>Met</p> <p>The maximum building height of 11.4 metres does not exceed this requirement.</p>
<p><u>Form</u></p> <ul style="list-style-type: none"> Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Met</p> <p>Visual interest to the development is provided by a variation of materials and finishes, articulation, use of glazing and screens.</p>
<ul style="list-style-type: none"> Minimise buildings on boundaries to create spacing between developments. 	<p>Met</p> <p>Buildings on boundaries is limited to a section of the basement car park on the northern boundary and will not reduce spacing between developments.</p>
<ul style="list-style-type: none"> Where appropriate ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area. 	<p>Met</p> <p>The development is stepped down towards the east to follow the slope of the land. The dwellings on the northern section of the site are also situated lower than the other dwellings to provide a transition to the adjoining properties to the north.</p>
<ul style="list-style-type: none"> Ensure that upper levels of a building provide adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Met</p> <p>The upper levels of the dwellings are well articulated and the sense of visual bulk will be further reduced by the use of different materials and finishes.</p>
<ul style="list-style-type: none"> Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos. 	<p>Met</p> <p>No imposing design features are proposed.</p>
<ul style="list-style-type: none"> Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation. 	<p>Met</p> <p>The dwellings are situated on various finished floor levels to step the development to respond to the slope of the land.</p>
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Met</p> <p>Screens are provided to minimise overlooking into the adjoining properties. The screens are incorporated into the design of the building and are not</p>

	considered excessive.
<ul style="list-style-type: none"> Seek design solutions which respect the principle of equitable access at the main entry of any building for people of all mobilities. 	<p>Met The front entries of the dwellings can be conveniently accessed by people with limited mobility.</p>
<ul style="list-style-type: none"> Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	<p>Met The projection of the basement on the north elevation does not result in an excessive building height as viewed by adjoining properties, given the level difference of the site with the north, the setback of the development from the adjoining properties.</p>
<ul style="list-style-type: none"> Ensure basement car parks are not visually obtrusive when viewed from the front of the site. 	<p>Met The basement car park is not clearly visible from the site frontages.</p>
<ul style="list-style-type: none"> Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces. 	<p>Met subject to condition The walls are generally set back from site boundaries to allow for landscaping and effective screen planting. A permit condition will require a landscaping plan to show planting details (Condition 11).</p>
<p><u>Car Parking and Access</u></p> <ul style="list-style-type: none"> Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback. 	<p>Met Only one vehicle crossover is proposed and no street trees will be affected.</p>
<ul style="list-style-type: none"> Ensure the setback of the basement car park does not extend beyond the built form of the upper levels of the building in the front and rear setback. 	<p>Considered Met Although the basement extends beyond the built form of the upper levels at the rear, the design response is considered acceptable as the extended area is limited to the north-east corner, is utilised as paved secluded private open space areas and landscaping will be provided within raised planter boxes. It is considered that there will not be unreasonable off-site amenity impacts on the adjoining properties to the north given the existing level difference between the site and land to the north.</p>
<ul style="list-style-type: none"> Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Ensure that access gradients of basement car parks are designed 	<p>Met Gradients of the driveway comply with</p>

appropriately to provide for safe and convenient access for vehicles and servicing requirements.	Design Standard 3 in Clause 52.06-8 of the Manningham Planning Scheme.
<p>Landscaping</p> <ul style="list-style-type: none"> On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity. 	<p>Met subject to condition</p> <p>The submitted landscape plan shows the planting of canopy trees within the street setbacks to both Andersons Creek Road and Reynolds Road. A permit condition will require canopy trees to be 1.5 metres at the time of planting (Condition 11.1).</p>
<ul style="list-style-type: none"> On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity. 	Not applicable
<ul style="list-style-type: none"> Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form. 	<p>Met</p> <p>The submitted landscape plan shows adequate planting along the site boundaries to soften the appearance of the built form.</p>
<p>Fencing</p> <ul style="list-style-type: none"> A front fence must be at least 50 per cent transparent. On sites that front Blackburn Road, Andersons Creek Road and Reynolds Road, a fence must: <ul style="list-style-type: none"> not exceed a maximum height of 1.8m be setback a minimum of 1.0m from the front title boundary and a continuous landscaping treatment within the 1.0m setback must be provided. 	<p>Met</p> <p>The front fences do not exceed 1.8 metres in height, are set back at least one metre from the site boundaries and partly transparent.</p>

Car parking, access, traffic and bicycle parking

Car parking

- 8.7 Prior to a new use commencing or a new building being occupied, Clause 52.06-2 of the Manningham Planning Scheme requires that the number of car parking spaces outlined at Clause 52.06-6 be provided on the land or as approved under Clause 52.06-3, to the satisfaction of the Responsible Authority.
- 8.8 Clause 52.06 clause requires resident car parking at a rate of one space for each dwelling with one or two bedrooms and two spaces for each dwelling with three or more bedrooms.
- 8.9 Visitor car parking is required at a rate of one car parking space for every five dwellings.
- 8.10 For the proposal, Clause 52.06 requires the provision of 68 car parking spaces for residents (2 per dwelling) and 6 visitor car parking spaces. The proposed car parking provision on site meets this requirement.

8.11 An assessment against the car parking design standards at Clause 52.06-8 of the Manningham Planning Scheme is provided in the table below:

Design Standard	Met/Not Met
1 – Accessways	<p>Met subject to condition All car parking spaces have been designed to allow vehicles to enter and exit the site in a forward direction. The basement has a minimum headroom of 2.5 metres which complies with the requirement of 2.1 metres. A permit condition will require the visibility splay areas adjacent to the driveway at the frontage to be shown to demonstrate compliance with the standard (Condition 1.3).</p>
2 – Car Parking Spaces	<p>Met subject to condition The tandem garages for Dwellings 23 to 26 and Dwellings 32 to 34 have a length of approximately 10.7 to 10.8 metres, which is less than a length of 11.3 metres required by Council's Engineers. A permit condition will require these garages to be lengthened by increasing the size of the basement (Condition 1.1).</p> <p>It is noted that the garages have a minimum width of approximately 2.9 metres, which is less than the required width of 3.5 metres required under this standard. In this instance, a reduced width for the single garages is considered acceptable in the context of the development as the layout is not dissimilar to a large basement car park but with enclosed spaces. The garages are also used by residents who will adjust to the reduced width of the garages over time. However, a permit condition will require them to be widened to a minimum width of 3 metres to comply with the relevant Australian Standard AS2890.1-2004, which will satisfy the decision guideline in Clause 52.06-9 of the Manningham Planning Scheme (Condition 1.2).</p>
3 – Gradients	<p>Met The maximum driveway gradient and transitions between gradients comply with the standard.</p>
4 – Mechanical Parking	<p>Not applicable No mechanical parking is proposed.</p>
5 – Urban Design	<p>Met The driveway and basement car park will not be visually dominating on the streetscape given their location at the eastern end of the site and their limited width.</p>
6 – Safety	<p>Met Access to the basement is restricted by a security door.</p>
7 – Landscaping	<p>Met</p>

	The submitted landscape plan shows sufficient planting on both sides of the driveway to soften its appearance.
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Access

- 8.12 A permit is required under Clause 52.29 of the Manningham Planning Scheme as the proposal involves removing three (3) existing crossovers and providing a new crossover on Reynolds Road. As VicRoads support the proposed development and have no objection to the proposal, the access arrangement is considered appropriate.

Bicycle facilities

- 8.13 There is no requirement under the Manningham Planning Scheme to provide bicycle spaces as the built form is three storeys in height. In any case, the proposal provides six bicycle spaces located near the Andersons Creek Road frontage and six spaces at the eastern end of the central common pathway for residents and visitors.

Traffic

- 8.14 The submitted traffic impact assessment states that the proposed development is expected to generate up to 24 residential vehicle movements per peak hour. It is not expected that this level of traffic will cause significant impact on the operations of the surrounding road network and will be indiscernible in areas away from the immediate vicinity of the site.
- 8.15 Council's Engineering Services Unit raise no concern in relation to the expected traffic generated by the proposed development and agree with the findings in the submitted report.

Clause 55 (Rescode)

- 8.16 An assessment against the objectives of Clause 55 of the Manningham Planning Scheme is provided in the table below:

OBJECTIVE	OBJECTIVE MET / NOT MET
<p>55.02-1 – Neighbourhood Character</p> <ul style="list-style-type: none"> 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. 	<p>Met</p> <p>The proposal contributes to the preferred character of more intense development and the substantial change envisaged for The Pines Activity Centre, as discussed in the assessment against the state and local planning policy frameworks.</p>
<p>55.02-2 – Residential Policy</p> <ul style="list-style-type: none"> 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 policies. 	<p>Met</p> <p>The application was accompanied by a written statement that has demonstrated how the development is consistent with State, Local and Council policy.</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
<ul style="list-style-type: none"> To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	
<p>55.02-3 – Dwelling Diversity</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	<p>Met</p> <p>The proposal includes a mix of dwellings with either three or four bedrooms and a range of different sizes to provide diversity.</p>
<p>55.02-4 – Infrastructure</p> <ul style="list-style-type: none"> 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. 	<p>Met subject to condition</p> <p>The site has access to all services. The applicant will be required to provide an on-site stormwater detention system to alleviate pressure on the drainage system (Condition 13).</p>
<p>55.02-5 – Integration With Street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<p>Met</p> <p>Front entries of dwellings are oriented to face the site frontages where possible to integrate the development with the street. Front fences are not excessive in height and are partly transparent.</p>
<p>55.03-1 – Street Setback</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Considered Met</p> <p>The development is set back 3.6 metres from the frontage to Andersons Creek Road, which does not meet the requirement of 9 metres under the standard. However, the design response is considered acceptable given the site's location on the corner of two major roads and the wide nature strip on Andersons Creek Road will limit potential visual impacts on the streetscape and adjoining properties. The street setback is also similar to the four-storey apartment previously approved on the site, which had a street setback of 3.8 metres. A reduced setback also allows for a more efficient use of this significant site within The Pines Activity Centre to allow for a substantial provision of housing.</p> <p>The development is set back 3.5 metres from the frontage to Reynolds Road, which complies with the standard for a corner lot.</p>
<p>55.03-2 – Building Height</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Met</p> <p>The maximum building height of 11.4 metres does not exceed the 14 requirement allowed under DDO9 for</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
	this site.
55.03-3 – Site Coverage <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	Met The proposed site coverage is 47%, which is below the 60% requirement in the standard.
55.03-4 – Permeability <ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. 	Met The proposal has 20% of site area as pervious surface, which complies with the standard.
55.03-5 – Energy Efficiency <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	Met Living rooms are located on the northern end of the respective dwellings to maximise solar access. All dwellings are also provided with north-facing secluded private open space areas. The layout of the dwellings also allow for cross ventilation between the north and south-facing windows.
55.03-6 – Open Space <ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	Not Applicable No communal open space is proposed. The development is not adjacent to any public open space.
55.03-7 – Safety <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	Met The central pathway is mostly visible from the street frontages and access is restricted by security gates.
55.03-8 – Landscaping <ul style="list-style-type: none"> 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. 	Met subject to condition The submitted landscape plan demonstrates that the site can be adequate landscaped to respect the character of the area (Condition 11).
55.03-9 – Access <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	Met There is only one vehicle crossover proposed for the development.
55.03-10 – Parking Location <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. 	Met subject to condition 30 out of the 34 dwellings include a lift that allows internal access to the respective garages. The remaining 4 dwellings are within close proximity to a communal lift and staircase that allows

OBJECTIVE	OBJECTIVE MET / NOT MET
	<p>convenient access to the basement car parking spaces.</p> <p>A condition will require the east-facing habitable room windows of Dwelling 19 to be acoustically treated to protect residents from vehicular noise, given these windows are directly adjacent to the common driveway (Condition 1.4).</p>
<p>55.04-1 – Side And Rear Setbacks</p> <ul style="list-style-type: none"> 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. 	<p>Considered Met</p> <p>The development is set back sufficiently from the eastern boundary to comply with the standard, as it has a maximum height of 7.7 metres and a setback of 3.3 metres, which exceeds the setback requirement of 2.8 metres.</p> <p>At its closest point to the northern boundary, the development has a height of 10.1 metres and a setback of 3.18 metres, which does not comply with the requirement of 5.2 metres in the standard. However, the setback is considered acceptable and will not have significant impacts to the existing dwellings to the north, given the level difference of the land and the articulation of the facades and the lack of potential overshadowing due to the orientation of the lots.</p>
<p>55.04-2 – Walls On Boundaries</p> <ul style="list-style-type: none"> 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. 	<p>Met</p> <p>The proposed wall built to the northern boundary does not exceed the maximum height and length requirements of the standard.</p>
<p>55.04-3 – Daylight To Existing Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	<p>Met</p> <p>Existing habitable room windows are provided with sufficient light court areas that comply with the standard. The development is also set back sufficiently from existing habitable room windows as required by the standard.</p>
<p>55.04-4 – North Facing Windows</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Not Applicable</p> <p>There are no north-facing windows within 3 metres to the south of the site.</p>
<p>55.04-5 – Overshadowing Open Space</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Considered Met</p> <p>The shadows cast by the development will affect the existing secluded private open space areas of the adjoining properties to the east, covering three of</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
	the open space areas (Units 2, 3 and 4, 207 Reynolds Road) entirely from 2pm onwards. The overshadowing impact is considered acceptable given a satisfactory portion of these open space areas will enjoy solar access from 9am to 2pm to comply with the objective of this clause.
<p>55.04-6 – Overlooking</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Met subject to condition</p> <p>Boundary fencing and privacy screens on upper levels are generally adequate in limiting views into the adjoining properties to comply with the standard. Given the proximity of the development to the existing secluded private open space areas within 5/148 Andersons Creek Road, 2/207 Reynolds Road and 4/207 Reynolds Road, a permit condition will require cross section diagrams to be submitted to demonstrate there will be no direct views into these open spaces to comply with the standard (Condition 1.6).</p>
<p>55.04-7 – Internal Views</p> <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Met subject to condition</p> <p>Internal fences are provided between secluded private open space areas. The upper level windows do not allow views of more than 50% of a secluded private open space area.</p> <p>A permit condition will require the details of the internal fence between the central pathway and the secluded private open space areas to be notated on the ground floor plan, with a minimum height of 1.7 metres (Condition 1.7).</p>
<p>55.04-8 – Noise Impacts</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise. 	<p>Met subject to condition</p> <p>There are no unusual noise sources that may affect existing dwellings.</p> <p>A permit condition will require the habitable room windows directly facing Reynolds Road and Andersons Creek Road to be acoustically treated to protect residents from external traffic noises on these main roads (Condition 1.5).</p>
<p>55.05-1 – Accessibility</p> <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Met</p> <p>The front entries of the dwellings are accessible. Lifts are provided within 30 of the dwellings to allow access to all</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
	levels.
55.05-2 – Dwelling Entry <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	Met The front entries of the dwellings can be easily identified.
55.05-3 – Daylight To New Windows <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	Met New windows are provided with sufficient light court areas to allow adequate solar access.
55.05-4 – Private Open Space <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	Considered Met All dwellings are provided with ground level courtyards to the north and south of the respective dwellings, with 12 of the dwellings also provided with roof terraces. Although the secluded private open space areas for 10 of the dwellings (Dwellings 4-9, 19-22) do not comply with the minimum area of 40 square metres, the open spaces are considered adequate for the recreation needs of residents and their northern orientation will maximise solar access. The residents also has access to the communal pathway and open space area. Anderson Park is also located directly to the south-west of the site.
55.05-5 – Solar Access To Open Space <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	Met All dwellings are provided with north-facing secluded private open space areas to maximise solar access.
55.05-6 – Storage <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	Met Adequate storage spaces for each dwelling are provided within the basement.
55.06-1 – Design Detail <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. 	Met The dwellings are articulated and incorporate various materials and finishes to reduce the sense of visual bulk.
55.06-2 – Front Fence <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	Met The front fence complies with the requirement under DDO9.
55.06-3 – Common Property <ul style="list-style-type: none"> 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. 	Met The communal basement and pathway are practically designed and will not result in management difficulties.
55.06-4 – Site Services <ul style="list-style-type: none"> To ensure that site services can be 	Met subject to condition Appropriate site services are provided.

OBJECTIVE	OBJECTIVE MET / NOT MET
<p>installed and easily maintained.</p> <ul style="list-style-type: none"> To ensure that site facilities are accessible, adequate and attractive. 	<p>A condition will require mailboxes to be located at the frontage to comply with Australia Post requirements (Condition 1.8). A condition will require the location of any building services at the frontage, including fire boosters, to be shown and designed to complement the overall development (Condition 1.9).</p>

Objector concerns

Overdevelopment and out of character

- 8.17 The proposal respects the preferred character as directed by state and local policies, which supports a more intense built form within The Pines Activity Centre. The scale of built form is also similar to the developments on other lots within this Activity Centre and is less intense than the four-storey apartment development previously approved on the site.
- 8.18 The proposal satisfies the objectives and requirements of DDO9 and Clause 55 in respect to site coverage, setbacks, permeability, car parking, and open space provision. The layout and design of the proposal also provide an acceptable level of on-site amenity for future residents and therefore the proposal is not considered to be an overdevelopment of the site.

Increased traffic

- 8.19 Regarding the potential increase in traffic, Council's Engineering & Technical Services Unit raise no concerns regarding the impact of the proposal on the surrounding traffic network. The increased traffic movement associated with the additional dwellings on the site can be readily accommodated in the surrounding street network.
- 8.20 An assessment on the potential traffic impact is provided in the traffic report submitted with the application. The report concludes that the anticipated traffic generation will be low in traffic engineering terms and the impact will be indiscernible in areas away from the immediate vicinity of the site.

Overlooking and loss of privacy

- 8.21 Potential overlooking to the adjoining properties to the north has been assessed against DDO9 and Clause 55.04-6 of the Manningham Planning Scheme. External screens with no more than 25% transparency are provided to limit views from the north-facing habitable room windows, which comply with the standard in Clause 55.04-6 (Overlooking). The proposed dwellings are also located more than 9 metres from existing habitable room windows to the north.
- 8.22 Given the proximity of the development to the existing secluded private open space areas within 5/148 Andersons Creek Road, 2/207 Reynolds Road and 4/207 Reynolds Road, a permit condition will require cross section diagrams to be submitted to demonstrate there will be no direct views into these open spaces to comply with the standard (**Condition 1.6**).

Other matters

8.23 Although the proposal involves the removal of trees native in species, it is noted that the trees were planted on a levelled area as part of the landscaping for the service station which occupied the site previously. Their removal is therefore exempt from the need for a Planning Permit under Clause 52.17 of the Manningham Planning Scheme.

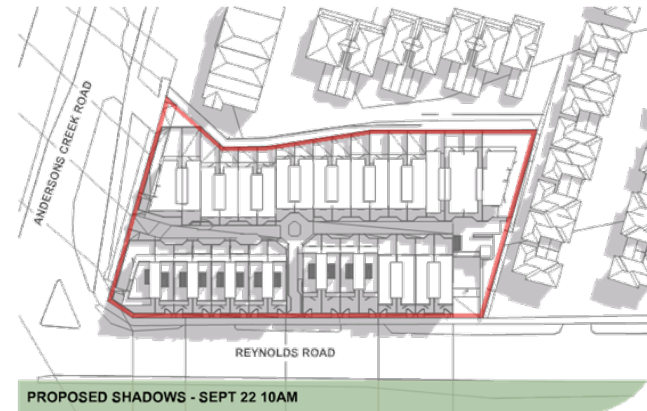
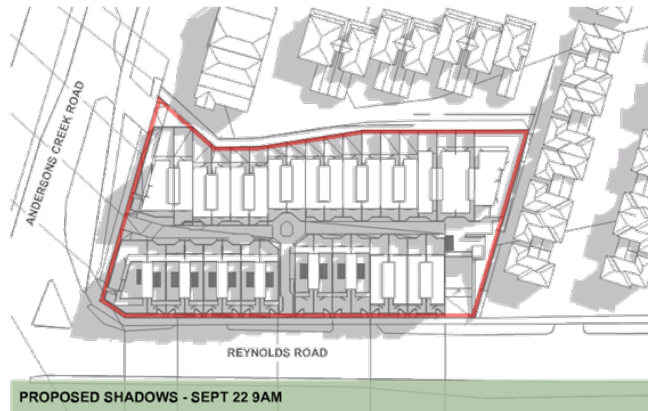
9. DECLARATION OF CONFLICT OF INTEREST

9.1 No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.



5.01

SHADOW ANALYSIS (1)

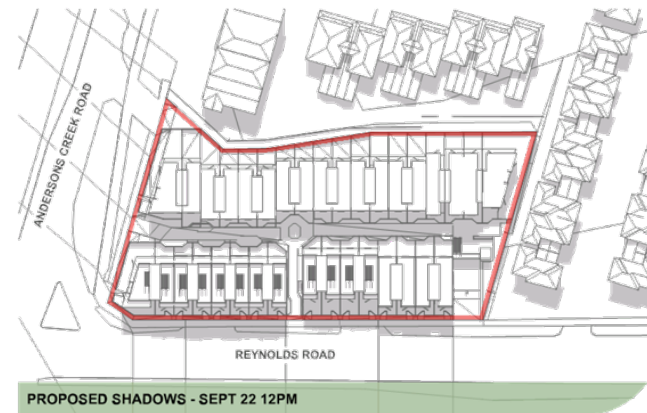
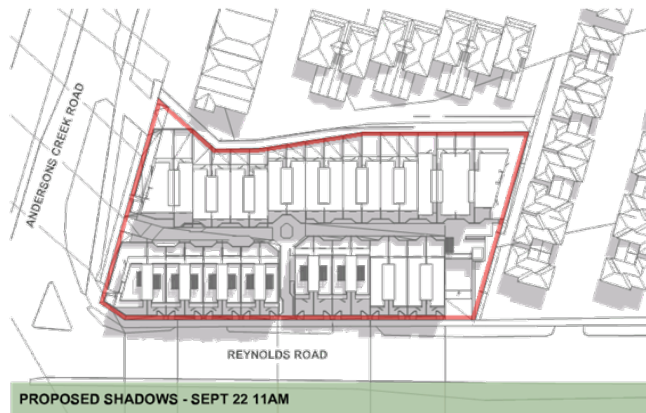


142-146 Andersons Creek road, Doncaster East VIC 3109

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5.02
SHADOW ANALYSIS (2)



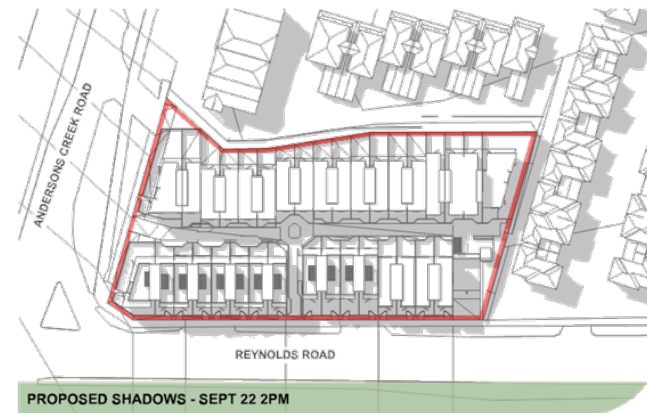
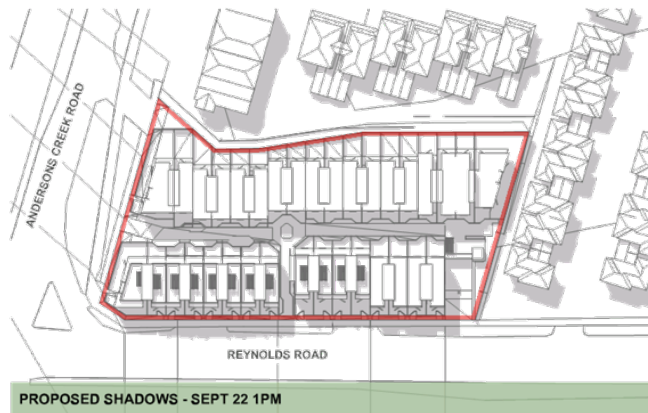
142-146 Andersons Creek road, Doncaster East VIC 3109

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5.03

SHADOW ANALYSIS (3)

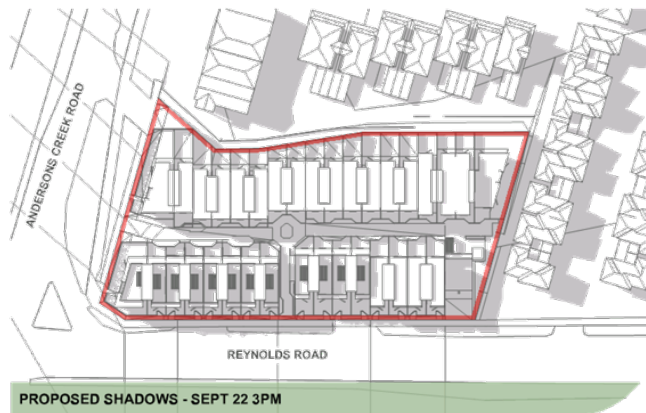


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5.04
SHADOW ANALYSIS

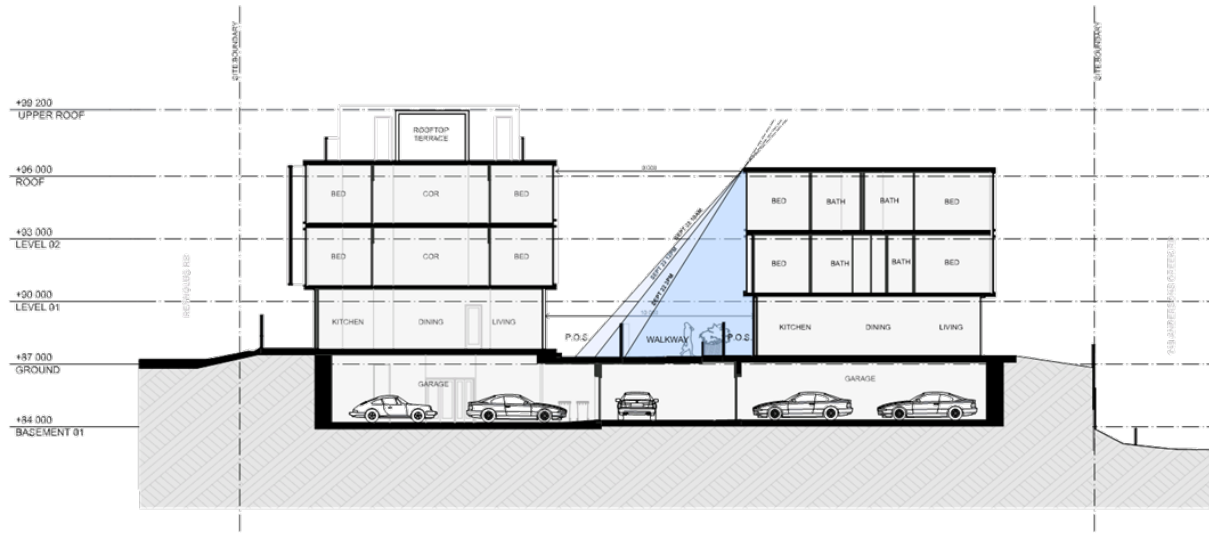


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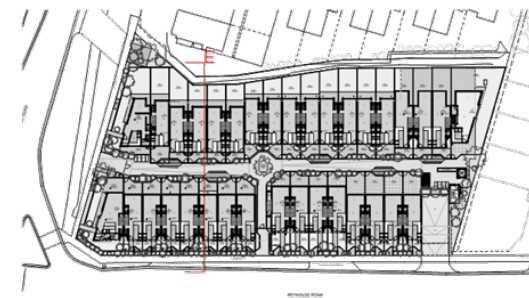
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5.05
SHADOW ANALYSIS SECTION



SECTION E 1:200 @A3
SHADOW STUDIES BETWEEN TWO TOWNHOUSES



KEYPLAN



142-146 Andersons Creek road, Doncaster East VIC 3109

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6.01
DEVELOPMENT SCHEDULE



142-146 Andersons Creek rd, Doncaster East.
DEVELOPMENT SCHEDULE

Job Number 12372
File K:\12300\12372\Administrati\12 Schedules\12.6.01 Development Density
Date 19/09/2016

	RESIDENTIAL							TOTAL APTS./FLOOR	SERVICES/CRD Area	RETAIL Area (GFA)	COMMERCIAL Area (GFA)	CARPARK		PUBLIC Area	AREA PER LEVEL (EXCLUDING BALCONIES)		FLOOR EFFICIENCY (EX CARP & BALCONIES) %
	Area	Mix										NO	Area		sellable sqm	GFA	
		21sqm TH.A	165sqm TH.B	152sqm TH.C	208sqm TH.D	152sqm TH.E	174sqm TH.F										
Basement 01	1824	1	11	4	1	13		30	13			74	1113		1824	2950	-
Ground Floor	1726						3	4	59					801	1726	1785	99.29%
Level 01	1855							0							1855	1855	100.00%
Level 02	1772							0							1772	1772	100.00%
Roof	144							0							144	144	100.00%
	0							0							0	0	-
	0							0							0	0	-
	0							0							0	0	-
	0							0							0	0	-
	0							0							0	0	-
	0							0							0	0	-
	0							0							0	0	-
Totals	7321	1	11	4	1	13	3	1	72	0	0	74	1113	801	7321	8506	
TOTAL TOWNHOUSES =								34									
		3%	32%	12%	3%	38%	9%	3%									
												sqm/car =	15.0				



TYPICAL TOWNHOUSE TYPES

	TYPE A	TYPE B	TYPE C	TYPE D	TYPE E	TYPE F	TYPE G
GROUND	65	49	49	64	48	56	70
LEVEL 01	71	52	52	72	52	59	79
LEVEL 02	71	52	51	72	52	59	
ROOF	12	12					
TOTAL	219	165	152	208	152	174	149

*PRIVATE OPEN SPACES A/C BASEMENTS VARY.
PLEASE SEE BASEMENT, GROUND FLOOR AND ROOF PLAN FOR AREA

PERMEABILITY 20%
SITE COVERAGE 47%
(SITE AREA 4042sqm)

⚠ CHANGES
- PUBLIC GREEN AREA INCREASE

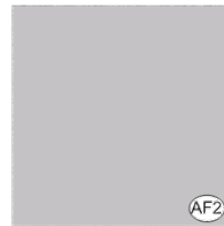


7.01
MATERIAL SCHEDULE



APPLIED FINISH - LIGHT

(AF1)



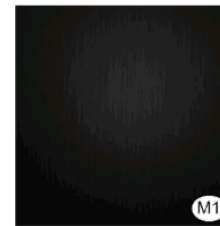
APPLIED FINISH - GREY

(AF2)



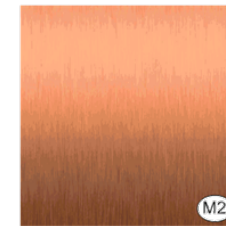
APPLIED FINISH - DARK

(AF3)



METAL - DARK

(M1)



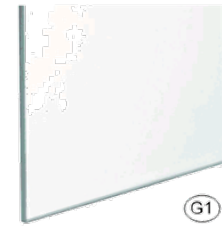
METAL - COPPER

(M2)



CONCRETE BLOCK - LIGHT

(C1)



GLAZING - CLEAR

(G1)



GLAZING - DARK TINTED

(G2)



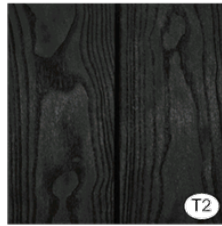
GLASS DOOR - WHITE

(G3)



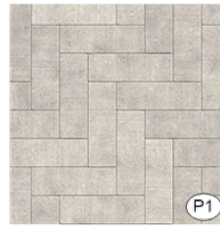
TIMBER APPEARANCE - LIGHT

(T1)



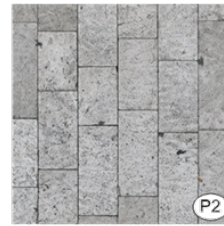
TIMBER APPEARANCE - DARK

(T2)



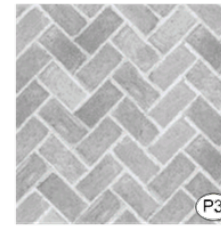
CONCRETE PAVEMENT - LIGHT
(PUBLIC AREA)

(P1)



CONCRETE PAVEMENT - GREY
(PUBLIC AREA)

(P2)



BRICK PAVEMENT - GREY
(PRIVATE AREA)

(P3)



CONCRETE RETAINING WALL
- WOOD GRAIN FINISH

(RW)

1
CHANGES
- RW MATERIAL ADDED
- T3 MATERIAL REMOVED
- MATERIAL CHANGE T2
- KEY PLAN UPDATED

EXTERNAL FINISHES

- (AF1) APPLIED FINISH - LIGHT
- (AF2) APPLIED FINISH - GREY
- (AF3) APPLIED FINISH - DARK
- (M1) METAL - DARK
- (M2) METAL - COPPER
- (C1) CONCRETE BLOCK - LIGHT
- (G1) GLAZING - CLEAR
- (G2) GLAZING - DARK, TINTED
- (G3) GLASS DOOR - WHITE
- (T1) TIMBER APPEARANCE - LIGHT
- (T2) TIMBER APPEARANCE - DARK
- (P1) CONCRETE PAVEMENT - LIGHT
- (P2) CONCRETE PAVEMENT - GREY
- (P3) CONCRETE BRICK PATTERN PAVEMENT - GREY
- (RW) CONCRETE RETAINING WALL - WOOD GRAIN FINISH

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5. LEGISLATIVE REQUIREMENTS

5.1 PLANNING AND ENVIRONMENT ACT 1987 (THE ACT)

The *Planning and Environment Act 1987* is the relevant legislation governing planning in Victoria. The Act identifies subordinate legislation in the form of Planning Schemes to guide future land use and development.

Section 60 of The *Planning and Environment Act*, requires the Responsible Authority to consider the following before deciding on an application:

- *The relevant planning scheme;*
- *The objectives of planning in Victoria;*
- *All objections and other submissions which it has received;*
- *Any decision and comments of a referral authority which it has received; and*
- *Any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.*

Section 61(4) of the Act makes specific reference to covenants. Under Section 61(4) of the *Planning & Environment Act 1987* the Responsible Authority must not issue a planning permit that would result in a breach of a registered restrictive covenant.

5.2 MANNINGHAM PLANNING SCHEME

Clauses of the Manningham Planning Scheme the Responsible Authority must consider:

- State Planning Policy Framework
- Local Planning Policy Framework
- Clause 32.07 Residential Growth Zone, Schedule 2
- Clause 43.02 Design and Development Overlay, Schedule 9
- Clause 52.06 Car Parking
- Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road
- Clause 55 Two or more dwellings on a lot and Residential Buildings
- Clause 65 Decision Guidelines

Zone

Clause 32.07 Residential Growth Zone, Schedule 2

The purpose of the Residential Growth Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide housing at increased densities in buildings up to and including four storey buildings.*
- *To encourage a diversity of housing types in locations offering good access to services and transport including activities areas.*
- *To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.*
- *To allow educational, recreational, religious, community and a limited range of other non residential uses to serve local community needs in appropriate locations.*

A Planning Permit is required to construct two or more dwellings on a lot within this zone.

An assessment for buildings and works for two or more dwellings is required under the provisions of Clause 55 of the Manningham Planning Scheme.

The purpose of Clause 55 is generally to provide well designed dwellings with considered regard to internal amenity, while at the same time, maintaining the amenity and character of the locality, with particular emphasis on the amenity of adjoining residents.

Overlay(s)

Clause 43.02 Schedule 9 to the Design and Development Overlay

The design objectives are as follows:

- *To increase residential densities and provide a range of housing types around The Pines Activity Centre.*
- *To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.*
- *To encourage apartment style developments on larger lots which address the street frontage.*
- *To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive.*
- *To implement the building form of The Pines Activity Centre Structure Plan 2011.*
- *To encourage spacing between developments to minimise a continuous building line when viewed from a street.*
- *To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties.*
- *To ensure overlooking into adjoining properties is minimised.*
- *To ensure the design of carports and garages complement the design of the associated building.*
- *To ensure the design of basement car parks complement the design of the building, minimises unsightly projections of basement walls above natural ground level and are sited to allow for effective screen planting.*
- *To provide built form and landscape outcomes that provide for a transition between the subject site and abutting residential properties.*

Building Height & Setbacks

- Development should comply with the preferred height of 14 metres in Area B.

A Planning Permit is required to construct a building or construct or carry out works under this overlay.

State Planning Policy Framework

The relevant sections of the state planning policy framework are as follows:

Clause 15.01-1 Urban design

The objective of this policy is:

- *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

Clause 15.01-2 Urban design principles

The objective of this policy is:

- *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

Clause 15.01-4 Design for safety

The objective of this policy is:

- *To improve community safety and encourage neighbourhood design that makes people feel safe.*

Policy guidelines

Planning must consider as relevant:

- *Safer Design Guidelines for Victoria (Crime Prevention Victoria and Department of Sustainability and Environment, 2005).*

Clause 15.01-5 Cultural identity and neighbourhood character

The objective of this policy is:

- *To recognise and protect cultural identity, neighbourhood character and sense of place.*

Clause 15.02-1 Energy and resource efficiency

The objective of this policy is:

- *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

Clause 16.01-1 Integrated housing

The objective of this policy is:

- *To promote a housing market that meets community needs.*

Clause 16.01-2 Location of residential development

The objective of this policy is:

- *To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.*

Clause 16.01-4 Housing diversity

The objective of this policy is:

- *To provide for a range of housing types to meet increasingly diverse needs.*

Clause 16.01-5 Housing affordability

The objective of this policy is:

- *To deliver more affordable housing closer to jobs, transport and services.*

Local Planning Policy Framework (LPPF)**Municipal Strategic Statement**Clause 21.03 Key Influences

This clause identifies that future housing need and residential amenity are critical land-use issues that will challenge Manningham's future growth and sustainable development. The MSS acknowledges that there is a general trend towards smaller household size as a result of an aging population and smaller family structure which will lead to an imbalance between the housing needs of the population and the actual housing stock that is available.

This increasing pressure for re-development raises issues about how these changes affect the character and amenity of our local neighbourhoods. In meeting future housing needs, the challenge is to provide for residential re-development in appropriate locations, to reduce pressure for development in more sensitive areas, and in a manner that respects the residential character and amenity valued by existing residents.

Clause 21.05 Residential

This policy outlines the division of Manningham into four Residential Character Precincts. The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available. In areas which are removed from these facilities a lower intensity of development is encouraged. A low residential density is also encouraged in areas that have identified environmental or landscape features.

The site is within “Precinct 2 –Residential Areas Surrounding Activity Centres and Along Main Roads”.

A substantial level of change is anticipated in Precinct 2. Whilst this area will be a focus for higher density developments, there are three sub-precincts which each stipulate different height, scale and built form outcomes to provide a transition between each sub-precinct and adjoining properties, primarily in Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads.

The area around The Pines Activity Centre (shown on Manningham Planning Scheme maps as DDO9) is an area where development ranging in height from 11 metres to 16 metres is encouraged in designated areas, as identified in The Pines Activity Centre Structure Plan (2011).

Development in Precinct 2 should:

- *Provide for contemporary architecture*
- *Achieve high design standards*
- *Provide visual interest and make a positive contribution to the streetscape*
- *Provide a graduated building line from side and rear boundaries*
- *Minimise adverse amenity impacts on adjoining properties*
- *Use varied and durable building materials*
- *Incorporate a landscape treatment that enhances the overall appearance of the development.*
- *Integrate car parking requirements into the design of buildings and landform.*

Clause 21.05-2 Housing

The relevant objectives of this policy are:

- *To accommodate Manningham’s projected population growth through urban consolidation, in infill developments and Key Redevelopment Sites.*
- *To ensure that housing choice, quality and diversity will be increased to better meet the needs of the local community and reflect demographic changes.*
- *To ensure that higher density housing is located close to activity centres and along main roads in accordance with relevant strategies.*
- *To promote affordable and accessible housing to enable residents with changing needs to stay within their local neighbourhood or the municipality.*
- *To encourage development of key Redevelopment Sites to support a diverse residential community that offers a range of dwelling densities and lifestyle opportunities.*
- *To encourage high quality and integrated environmentally sustainable development.*

The strategies to achieve these objectives include:

- *Ensure that the provision of housing stock responds to the needs of the municipality’s population.*
- *Promote the consolidation of lots to provide for a diversity of housing types and design options.*
- *Ensure higher density residential development occurs around the prescribed activity centres and along main roads identified as Precinct 2 on the Residential Framework Plan 1 and Map 1 to this clause.*

- *Encourage development to be designed to respond to the needs of people with limited mobility, which may for example, incorporate lifts into three storey developments.*

Clause 21.05-4 Built form and neighbourhood character

The objective of this policy is:

- *To ensure that residential development enhances the existing or preferred neighbourhood character of the residential character precincts as shown on Map 1 to this Clause.*

The strategies to achieve this objective include:

- *Require residential development to be designed and landscaped to make a positive contribution to the streetscape and the character of the local area.*
- *Ensure that where development is constructed on steeply sloping sites that any development is encouraged to adopt suitable architectural techniques that minimise earthworks and building bulk.*
- *Ensure that development is designed to provide a high level of internal amenity for residents.*
- *Require residential development to include stepped heights, articulation and sufficient setbacks to avoid detrimental impacts to the area's character and amenity.*

Local Planning Policy

Clause 22.08 Safety through urban design

This policy applies to all land in Manningham. It endeavours to provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham. The policy seeks attractive, vibrant and walkable public spaces where crime, graffiti and vandalism is minimised.

Clause 22.09 Access for disabled people

This policy also applies to all land in Manningham. It seeks to ensure that people with a disability have the same level of access to buildings, services and facilities as any other person. The policy requires the needs of people with a disability to be taken into account in the design of all proposed developments.

Particular Provisions

Clause 52.06 Car Parking

Pursuant to Clause 52.06-5, car parking is required to be provided at the following rate:

- 1 space for 1 and 2 bedroom dwellings
- 2 spaces for 3 or more bedroom dwellings
- 1 visitor space to every 5 dwellings for developments of 5 or more dwellings

Clause 52.06-8 outlines various design standards for parking areas that should be achieved.

Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

The purpose of this clause is:

- *To ensure appropriate access to identified roads.*
- *To ensure appropriate subdivision of land adjacent to identified roads.*

A permit is required to create or alter access to a road in a Road Zone, Category 1. A permit is required to create or alter access to land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Clause 52.34 Bicycle Facilities

No bicycle spaces are required to be provided as the development is less than 4 storeys.

Clause 55 Two more dwellings on a lot and residential buildings

The development of two or more dwellings on a lot must meet the requirements of this clause.

General ProvisionsClause 65 Decision Guidelines

This clause outlines that before deciding on an application, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy *Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*

5.3 OTHER RELEVANT LEGISLATION AND POLICY

None applicable.

4.3 Planning Application PL16/026362 at 336-338 Manningham Road, Doncaster for the construction of a four-storey apartment building containing 25 dwellings over two levels of basement car parking and the creation and alteration of access to a road in a Road Zone Category 1

File Number:	IN17/2
Responsible Director:	Director Planning and Environment
Applicant:	Melbourne Planning Outcomes
Planning Controls:	Residential Growth Zone, Schedule 2 (RGZ2); Design and Development Overlay Schedule 8-1 (DDO8-1)
Ward:	Koonung
Attachments:	1 Development and Landscape Plans 2 Legislative Requirements

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 336-338 Manningham Road, Doncaster. This report recommends approval of the submitted proposal subject to amendments that will be addressed by way of permit conditions. The application is being reported to Council given that it is a Major Application (more than 15 dwellings and a development cost of more than \$5 million).

Proposal

2. The proposal is for the development of a four-storey apartment building containing 25 dwellings on two (2) lots with a combined site area of 1,307 square metres at 336 and 338 Manningham Road, Doncaster. The development proposes a site coverage of 58.5%, a site permeability of 30.4% with a maximum building height of 12.3 metres. The development provides 32 car parking spaces over two basement levels.

Key issues in considering the application

3. The key issues for Council in considering the proposal relate to:
 - (a) Policy (consistency with state and local planning policy);
 - (b) Compliance with built form and urban design policies;
 - (c) Parking, access, traffic and bicycle parking;
 - (d) Compliance with Clause 55 (Rescode); and
 - (e) Objector concerns.

Objector concerns

4. A total of three (3) objections have been received for the application. These can be summarised as:
 - (a) Overdevelopment;
 - (b) Design and built form (building height and visual bulk, setbacks and opportunity for landscaping);
 - (c) Traffic and car parking; and

- (d) Off-site amenity impacts (overshadowing, overlooking and loss of privacy, heat transfer and construction impacts).

Assessment

5. The proposal is generally consistent with the provisions of the Manningham Planning Scheme, in particular Clause 21.05 Residential, Schedule 8 to the Design and Development Overlay (DDO8) and Clause 55 (ResCode). These controls recognise that there will be a substantial level of change in dwelling yields and built form on the site.
6. The proposed development sits comfortably within the changing Manningham Road streetscape, as it is not dissimilar in scale and design to other higher density apartment-style developments that have been developed along this section of the road. Whilst the building has a maximum height of 12.3 metres, the section above the 10 metre preferred height is limited to a well set back central storey and surrounding roof terraces. This generally reflects the preferred character of the area and the built form outcome sought along main roads under DDO8 – Main Road Sub-precinct.
7. The development is attractive in appearance and appropriately designed to graduate from the side and rear boundaries as building height increases. The building also incorporates generous boundary setbacks to allow for landscaping and protect surrounding residents from unreasonable visual and amenity impacts. It also achieves an acceptable balance between considering the amenity of nearby properties and its attention to the internal amenity of future occupants.

Conclusion

8. The report concludes that the proposal is considered to comply with the relevant planning policy and should therefore be supported, subject to some design changes to the building and the inclusion of suitable management plan conditions. The proposal makes efficient use of the subject site and is an appropriate residential development within this part of Manningham, with good access to services, facilities and public transport.
9. It is recommended that the application be supported subject to conditions.

1. RECOMMENDATION

That Council:

- A. Having considered all objections a NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application PL16/026362 at 336-338 Manningham Road, Doncaster for the construction of a four-storey apartment building containing 25 dwellings over two levels of basement car parking and the creation and alteration of access to a road in a Road Zone, Category 1 subject to the following conditions –
 1. Before the development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the decision plans prepared by Clarke Hopkins Clarke, dated 12 September 2016 (received 9

November 2016), but modified to show:

- Built form
 - 1.1 The setback to the 1.7 metre high fence to the frontage of Apartments G.02 and G.03 be increased to 3 metres, with a minimum 0.5 metre landscape area provided adjacent to the fence within the secluded private open space areas;
 - 1.2 The second floor Apartment 2.05 balcony eastern setback demonstrated to comply with Standard B17 of Clause 55.04-1 of the Manningham Planning Scheme;
 - 1.3 Deletion of the second floor central roof canopy between the southern balconies of Apartments 2.06 and 2.07;
 - 1.4 All balcony overlooking diagrams measured from the edge of the balconies and demonstrated to comply with Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme;
 - 1.5 The following windows and balconies screened in accordance with Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme:
 - 1.5.1 The south-west facing habitable room windows and balconies of Apartments G.05, G.06, G.07 and G.08;
 - 1.5.2 The balcony of Apartment 1.01 screened to 1.7 metres above finished floor level;
 - 1.5.3 The bedroom windows of Apartment 1.06;
 - 1.5.4 The balcony of Apartment 2.05.
 - 1.6 1.7 metre high balustrade screens between the balconies of Apartments 2.06 and 2.07, measured from the finished floor levels;
- Access
 - 1.7 A plan notation confirming the existing location and removal of the redundant westernmost vehicle crossover and the reinstatement of footpath, nature strip and kerb, in accordance with Condition 27 of this permit;
 - 1.8 A plan notation specifying the Telstra pit lid within the proposed crossover be modified to a heavy duty lid;
 - 1.9 Clarification of the surface treatment along the edges of the driveway and ramp, with any landscaping areas clearly indicated;
 - 1.10 Maximum trafficable width of the driveway and crossover, with the crossover to align with the driveway;
 - 1.11 A safety screen perpendicular to the site frontage, between the driveway and the pedestrian path, which must be transparent within

at least the first 2.5 metres of the frontage;

1.12 Relocation of the visitor intercom to the eastern side of the driveway;

1.13 Demonstrate with swept path diagrams, turning circles and meeting height clearances that a private waste collection vehicle can collect waste from within the development, having the ability to perform a 3-point turn within the site and enter and exit the site in a forward direction;

- Site services

1.14 The letterboxes and service cabinet mirrored, the paved area terminating at the western end of the relocated letterboxes and the area between the service cabinet and the front title boundary set aside for landscaping;

1.15 The location of any fire services and details of how they will be designed so as to minimise visual impacts from Manningham Road;

1.16 The design details of the building's front entry, including an elevation drawing of the letterboxes and screening to the services cabinets;

1.17 The resident bicycle storage area provided in a lockable compound;

1.18 Details of the type and material of enclosure for each storage area within the basement and ground floor levels;

1.19 The location of retractable clotheslines to all ground level open spaces and balconies, designed so they are not visible from the street or adjoining properties;

1.20 An indicative location of the stormwater detention system or systems which must be located outside of easements and canopy tree landscaped areas;

1.21 Details of basement ventilation, including the location of any mechanical intake or outlet;

1.22 The location of roof-mounted plant equipment set back from the edge of the roof, with details of screening measures;

1.23 A plan notation to indicate the use of acoustically rated glass to all habitable room windows facing Manningham Road;

1.24 A schedule listing the minimum sustainability features applicable to the development, as described in the approved Sustainability Management Plan;

1.25 A plan notation indicating the 572 square metre roof area harvested for 22,000L rainwater storage and connected to all 40 toilets;

1.26 Provide sufficient shading/overhangs to avoid overheating and glare

- to exposed glazing of third floor apartments;
- 1.27 Provide adjustable external blinds/shutters on west facade of third floor apartments to control glare and summer solar gains;
 - 1.28 Provide adequate overhangs to control summer glare while allowing winter solar gains to northern glazing of third floor apartments;
- Plan details and notations
 - 1.29 Apartment 26 renumbered to G.05 on the ground floor plan;
 - 1.30 Apartment 1.01 numbered on the first floor plan;
 - 1.31 The third floor finished floor level consistent with the section plans (relative level 107.20 metres);
 - 1.32 Detail the material and level of transparency (if any) of the front fence, to complement the development, which must not be paling;
 - 1.33 A schedule of materials and finishes with colour samples of all external walls, roofs, fascias, window frames, paving (including terraces, balconies, roof terraces, stairs), fencing, privacy screens, roof top plant screens and retaining walls.
 - Endorsed Plans
 2. The development as shown on the approved plans must not be altered without the written consent of the Responsible Authority.
 - Construction Management Plan
 3. Before the development starts, two copies of a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The Plan must address, but not be limited to the following:
 - 3.1 A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - 3.2 Hours of construction;
 - 3.3 Delivery and unloading points and expected frequency;
 - 3.4 On-site facilities for vehicle washing;
 - 3.5 Asset protection procedures for any public footpaths;
 - 3.6 On-site facilities for vehicle washing;
 - 3.7 The location of parking and site facilities for construction workers;
 - 3.8 Measures to minimise the impact of construction vehicles arriving at and departing from the land;
 - 3.9 Methods to contain dust, dirt and mud within the site, and the method

and frequency of clean up procedures;

3.10 The measures for prevention of the unintended movement of building waste and other hazardous materials and pollutants on or off the site, whether by air, water or other means;

3.11 An outline of requests to occupy the front nature strip and any anticipated disruptions to local services;

3.12 Measures to minimise the amount of waste construction materials;

3.13 Measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;

3.14 Adequate environmental awareness training for all on-site contractors and sub-contractors.

- Sustainability Management Plan

4. Before the development starts or the issue of a building permit for the development, whichever is the sooner, two copies of an amended Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. When approved the Plan will form part of the permit. The recommendations of the Plan must be incorporated into the design and layout of the development and must be implemented to the satisfaction of the Responsible Authority before the occupation of any dwelling. The Plan must be generally in accordance with the plan prepared by prepared by F2 Design, dated 16 August 2016 but modified to show the following:

4.1 Indoor Environment Quality – Third floor apartments

4.1.1 Ensure that exposed glazing has sufficient shading/overhangs to avoid overheating and glare;

4.1.2 Provide adjustable external blinds/shutters on west facade to control glare and summer solar gains;

4.1.3 Ensure north glazing has adequate overhangs to control summer glare while allowing winter solar gains.

4.2 Energy Efficiency – Clotheslines

4.2.1 Fixed or retractable clotheslines for each dwelling in a courtyard, hidden on a balcony or within a bathroom or laundry with adequate ventilation to prevent condensation and mould growth;

4.2.2 Reflect the provision for clotheslines in the STEPS report.

4.3 Energy Efficiency – Renewable Electricity Supply

4.3.1 Provide solar PV system sized to offset 50% emissions from gas hot water boiler connected to common area services;

4.3.2 Total PV system size should be 8-10kW (only 0.32-0.4kW/dwelling) depending on efficiency of gas hot water boiler (ie. higher efficiency boiler will result to a smaller PV system to offset 50% emissions).

4.4 Stormwater Management – Rainwater Tank

4.4.1 Demonstrate 572 square metre roof area harvested for 22,000L rainwater storage and connected to all 40 toilets;

4.4.2 Ensure gravity overflow from rainwater to onsite detention;

4.4.3 Demonstrate on landscape plans minimum 10 square metre vegetated buffer strips (planterboxes) for treatment of 60 square metre ground floor terrace paving.

4.5 STORM report

4.5.1 Amalgamate separate rainwater tanks and buffer strips.

- Waste Management Plan

5. Before the development starts, or the issue of a building permit for the development, whichever is the sooner, an amended Waste Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit. The Plan must generally be in accordance with the plan prepared by Leigh Design, dated 16 May 2016, but modified to provide for:

5.1 A private waste contractor to drive into the development, access the bins from the bin collection points, empty the bins and upon completion return the bins to the point from where they were collected;

5.2 No private waste contractor bins can be left outside the development boundary or left unattended at any time on any street frontage for any reason.

- Management Plan Compliance

6. The Management Plans approved under Conditions 3, 4 and 5 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.

7. Before the approved use starts, a report from the author of the Sustainability Management Plan, approved pursuant to his permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures in the Sustainability Management Plan approved under Condition 4 of this permit have been implemented in accordance with the approved plans.

- Completion

8. Before the occupation of the approved dwellings, landscaped areas must be fully planted and mulched or grassed generally in accordance with the approved plan and to the satisfaction of the Responsible Authority.
 9. Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.
 10. Driveway gradients and transitions as shown on the plan approved under Condition 1 of this permit must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.
- Landscape Plan
 11. Before the development starts, two copies of an amended landscaping plan must be submitted to the Responsible Authority for approval. The plan must be generally in accordance with the approved site layout plan and the decision plan prepared by John Patrick Landscape Architects (dated August 2016), but modified to show:
 - 11.1 Species, locations, approximate height and spread of proposed planting;
 - 11.2 Ground floor terrace paving (60 square metres) to fall towards the vegetated buffer strip (minimum 10 square metres);
 - 11.3 Details of planting within planter boxes on the second floor front balconies;
 - 11.4 The irrigation of the lightweight planter boxes controlled by sensors;
 - 11.5 Fixed edge strips for separation between grassed and garden areas and/or to contain mulch on batters;
 - 11.6 All canopy trees and screen planting along the side and rear boundaries are at least 1.5 metres in height at the time of planting.
 - The use of synthetic grass as a substitute for open lawn area within secluded private open space or a front setback will not be supported. Synthetic turf may be used in place of approved paving decking and/or other hardstand surfaces.
 - Landscape Bond
 12. Before the release of the approved plan for the development, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

- Stormwater – On-site detention (OSD)
 13. The owner must provide on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:
 - 13.1 Be designed for a 1 in 5 year storm; and
 - 13.2 Storage must be designed for 1 in 10 year storm.
- Construction Plan (OSD)
 14. Before the development starts, a construction plan for the system required by Condition 13 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.
- Drainage
 15. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.
 16. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.
- Site Services
 17. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
 18. Maintenance of the landscaped planter boxes must be managed by the body corporate.
 19. All upper level service pipes (excluding stormwater downpipes) and any wall mounted spa-bath pump must be concealed and screened respectively to the satisfaction of the Responsible Authority.
 20. Any reverse cycle air-conditioning unit erected on the walls, roofs or balconies of the approved dwellings must be so located, as to not adversely affect the amenity of the area by way of appearance/visual prominence to the satisfaction of the Responsible Authority. Where the Responsible Authority identifies a concern about visual appearance, appropriately designed/finished screening must be installed and maintained to the

satisfaction of the Responsible Authority.

21. Unless depicted on a Roof Plan approved under Condition 1 of this permit, no roof plant (includes air conditioning units, basement exhaust ducts, solar panels or hot water systems) which is visible to immediate neighbours or from the street may be placed on the roof of the approved building, without details in the form of an amending plan being submitted to and approved by the Responsible Authority.
 22. A centralised TV antenna must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.
 23. No individual dish antennae may be installed on the overall building to the satisfaction of the Responsible Authority.
 24. Any wall-mounted, instantaneous gas hot water system located on a balcony wall or on a general external wall of the building, so as to be visible from off the site must be provided with a neatly designed, durable screen (in perforated metal sheeting, for instance) to the satisfaction of the Responsible Authority or be of the recessed type with a cover plate.
 25. If allowed by the relevant fire authority, external fire services must be enclosed in a neatly constructed, durable cabinet finished to complement the overall development, or in the event that enclosure is not allowed, associated installations must be located, finished and landscaped to minimise visual impacts from the public footpath in front of the site to the satisfaction of the Responsible Authority.
 26. Any security door/grille to the basement opening must maintain sufficient clearance when fully open to enable the convenient passage of waste collection vehicles which are required to enter the basement and such clearance must also be maintained in respect of sub-floor service installations throughout areas in which the waste collection vehicle is required to travel to the satisfaction of the Responsible Authority.
- Vehicle Crossings and Accessways
 27. Prior to occupation of the approved dwellings, the modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
 28. The redundant vehicle crossover must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.
 29. An intercom and an automatic basement door opening system (connected to each dwelling) must be installed, so as to facilitate convenient 24-hour access to the basement car park by visitors, to the satisfaction of the Responsible Authority.
 - Car Parking
 30. Before the occupation of the approved dwellings, all associated basement parking spaces must be line-marked, numbered and signposted to provide allocation to each dwelling and visitors to the satisfaction of the

Responsible Authority.

31. Visitor car parking spaces must be clearly marked and must not be used for any other purpose to the satisfaction of the Responsible Authority.
 - Fencing
32. Prior to the occupation of the approved dwellings, all fencing must be erected in good condition in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
 - Retaining Walls
33. All retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority.
 - Maintenance
34. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.
 - Earthworks
35. The extent and depth of cut and fill must not exceed that shown on the plans endorsed under Condition 1 of this permit without the written consent of the Responsible Authority.
 - Permit Expiry
36. This permit will expire if one of the following circumstances applies:
 - 36.1 The development is not started within two (2) years of the date of this permit; and
 - 36.2 The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the Planning & Environment Act 1987.

1. ALTERNATIVE RECOMMENDATION

That Council:

- A. **Having considered all objections a NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application PL16/026362 at 336-338 Manningham Road, Doncaster for the construction of a four-storey apartment building containing 25 dwellings over two levels of basement car parking and the creation and alteration of access to a road in a Road Zone, Category 1 subject to the following conditions –**

1. Before the development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the decision plans prepared by Clarke Hopkins Clarke, dated 12 September 2016 (received 9 November 2016), but modified to show:

Built form

- 1.1 The setback to the 1.7 metre high fence to the frontage of Apartments G.02 and G.03 be increased to 3 metres, with a minimum 0.5 metre landscape area provided adjacent to the fence within the secluded private open space areas;
- 1.2 The second floor Apartment 2.05 balcony eastern setback demonstrated to comply with Standard B17 of Clause 55.04-1 of the Manningham Planning Scheme;
- 1.3 Deletion of the second floor central roof canopy between the southern balconies of Apartments 2.06 and 2.07;
- 1.4 All balcony overlooking diagrams measured from the edge of the balconies and demonstrated to comply with Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme;
- 1.5 The following windows and balconies screened in accordance with Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme:
 - 1.5.1 The south-west facing habitable room windows and balconies of Apartments G.05, G.06, G.07 and G.08;
 - 1.5.2 The balcony of Apartment 1.01 screened to 1.7 metres above finished floor level;
 - 1.5.3 The bedroom windows of Apartment 1.06;
 - 1.5.4 The balcony of Apartment 2.05.
- 1.6 1.7 metre high balustrade screens between the balconies of Apartments 2.06 and 2.07, measured from the finished floor levels;

Access

- 1.7 A plan notation confirming the existing location and removal of the redundant westernmost vehicle crossover and the reinstatement of footpath, nature strip and kerb, in accordance with Condition 27 of this permit;
- 1.8 A plan notation specifying the Telstra pit lid within the proposed crossover be modified to a heavy duty lid;
- 1.9 Clarification of the surface treatment along the edges of the driveway and ramp, with any landscaping areas clearly

indicated;

- 1.10 Maximum trafficable width of the driveway and crossover, with the crossover to align with the driveway;
- 1.11 A safety screen perpendicular to the site frontage, between the driveway and the pedestrian path, which must be transparent within at least the first 2.5 metres of the frontage;
- 1.12 Relocation of the visitor intercom to the eastern side of the driveway;
- 1.13 Demonstrate with swept path diagrams, turning circles and meeting height clearances that a private waste collection vehicle can collect waste from within the development, having the ability to perform a 3-point turn within the site and enter and exit the site in a forward direction;

Site services

- 1.14 The letterboxes and service cabinet mirrored, the paved area terminating at the western end of the relocated letterboxes and the area between the service cabinet and the front title boundary set aside for landscaping;
- 1.15 The location of any fire services and details of how they will be designed so as to minimise visual impacts from Manningham Road;
- 1.16 The design details of the building's front entry, including an elevation drawing of the letterboxes and screening to the services cabinets;
- 1.17 The resident bicycle storage area provided in a lockable compound;
- 1.18 Details of the type and material of enclosure for each storage area within the basement and ground floor levels;
- 1.19 The location of retractable clotheslines to all ground level open spaces and balconies, designed so they are not visible from the street or adjoining properties;
- 1.20 An indicative location of the stormwater detention system or systems which must be located outside of easements and canopy tree landscaped areas;
- 1.21 Details of basement ventilation, including the location of any mechanical intake or outlet;
- 1.22 The location of roof-mounted plant equipment set back from the edge of the roof, with details of screening measures;
- 1.23 A plan notation to indicate the use of acoustically rated glass to all habitable room windows facing Manningham Road;
- 1.24 A schedule listing the minimum sustainability features applicable to the development, as described in the approved

Sustainability Management Plan;

- 1.25 A plan notation indicating the 572 square metre roof area harvested for 22,000L rainwater storage and connected to all 40 toilets;
- 1.26 Provide sufficient shading/overhangs to avoid overheating and glare to exposed glazing of third floor apartments;
- 1.27 Provide adjustable external blinds/shutters on west facade of third floor apartments to control glare and summer solar gains;
- 1.28 Provide adequate overhangs to control summer glare while allowing winter solar gains to northern glazing of third floor apartments;

Plan details and notations

- 1.29 Apartment 26 renumbered to G.05 on the ground floor plan;
- 1.30 Apartment 1.01 numbered on the first floor plan;
- 1.31 The third floor finished floor level consistent with the section plans (relative level 107.20 metres);
- 1.32 Detail the material and level of transparency (if any) of the front fence, to complement the development, which must not be paling;
- 1.33 A schedule of materials and finishes with colour samples of all external walls, roofs, fascias, window frames, paving (including terraces, balconies, roof terraces, stairs), fencing, privacy screens, roof top plant screens and retaining walls.

Endorsed Plans

2. The development as shown on the approved plans must not be altered without the written consent of the Responsible Authority.

Construction Management Plan

3. Before the development starts, two copies of a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The Plan must address, but not be limited to the following:
 - 3.1 A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - 3.2 Hours of construction;
 - 3.3 Delivery and unloading points and expected frequency;

- 3.4 On-site facilities for vehicle washing;
- 3.5 Asset protection procedures for any public footpaths;
- ~~3.6 On-site facilities for vehicle washing;~~
- 3.6 The location of parking and site facilities for construction workers;
- 3.7 Measures to minimise the impact of construction vehicles arriving at and departing from the land;
- 3.8 Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;
- 3.9 The measures for prevention of the unintended movement of building waste and other hazardous materials and pollutants on or off the site, whether by air, water or other means;
- 3.10 An outline of requests to occupy the front nature strip and any anticipated disruptions to local services;
- 3.11 Measures to minimise the amount of waste construction materials;
- 3.12 Measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;
- 3.13 Adequate environmental awareness training for all on-site contractors and sub-contractors.

Sustainability Management Plan

- 4. Before the development starts or the issue of a building permit for the development, whichever is the sooner, two copies of an amended Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. When approved the Plan will form part of the permit. The recommendations of the Plan must be incorporated into the design and layout of the development and must be implemented to the satisfaction of the Responsible Authority before the occupation of any dwelling. The Plan must be generally in accordance with the plan prepared by prepared by F2 Design, dated 16 August 2016 but modified to show the following:
 - 4.1 Indoor Environment Quality – Third floor apartments
 - 4.1.1 Ensure that exposed glazing has sufficient shading/overhangs to avoid overheating and glare;
 - 4.1.2 Provide adjustable external blinds/shutters on west facade to control glare and summer solar gains;
 - 4.1.3 Ensure north glazing has adequate overhangs to control summer glare while allowing winter solar gains.

- 4.2 Energy Efficiency – Clotheslines**
 - 4.2.1 Fixed or retractable clotheslines for each dwelling in a courtyard, hidden on a balcony or within a bathroom or laundry with adequate ventilation to prevent condensation and mould growth;**
 - 4.2.2 Reflect the provision for clotheslines in the STEPS report.**
- 4.3 Energy Efficiency – Renewable Electricity Supply**
 - 4.3.1 Provide solar PV system sized to offset 50% emissions from gas hot water boiler connected to common area services;**
 - 4.3.2 Total PV system size should be 8-10kW (only 0.32-0.4kW/dwelling) depending on efficiency of gas hot water boiler (ie. higher efficiency boiler will result to a smaller PV system to offset 50% emissions).**
- 4.4 Stormwater Management – Rainwater Tank**
 - 4.4.1 Demonstrate 572 square metre roof area harvested for 22,000L rainwater storage and connected to all 40 toilets;**
 - 4.4.2 Ensure gravity overflow from rainwater to onsite detention;**
 - 4.4.3 Demonstrate on landscape plans minimum 10 square metre vegetated buffer strips (planterboxes) for treatment of 60 square metre ground floor terrace paving.**
- 4.5 STORM report**
 - 4.5.1 Amalgamate separate rainwater tanks and buffer strips.**

Waste Management Plan

- 5. Before the development starts, or the issue of a building permit for the development, whichever is the sooner, an amended Waste Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit. The Plan must generally be in accordance with the plan prepared by Leigh Design, dated 16 May 2016, but modified to provide for:**
 - 5.1 A private waste contractor to drive into the development, access the bins from the bin collection points, empty the bins and upon completion return the bins to the point from where they were collected;**
 - 5.2 No private waste contractor bins can be left outside the development boundary or left unattended at any time on any street frontage for any reason.**

Management Plan Compliance

6. The Management Plans approved under Conditions 3, 4 and 5 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.
7. Before the approved use starts, a report from the author of the Sustainability Management Plan, approved pursuant to his permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures in the Sustainability Management Plan approved under Condition 4 of this permit have been implemented in accordance with the approved plans.

Completion

8. Before the occupation of the approved dwellings, landscaped areas must be fully planted and mulched or grassed generally in accordance with the approved plan and to the satisfaction of the Responsible Authority.
9. Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.
10. Driveway gradients and transitions as shown on the plan approved under Condition 1 of this permit must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.

Landscape Plan

11. Before the development starts, two copies of an amended landscaping plan must be submitted to the Responsible Authority for approval. The plan must be generally in accordance with the approved site layout plan and the decision plan prepared by John Patrick Landscape Architects (dated August 2016), but modified to show:
 - 11.1 Species, locations, approximate height and spread of proposed planting;
 - 11.2 Ground floor terrace paving (60 square metres) to fall towards the vegetated buffer strip (minimum 10 square metres);
 - 11.3 Details of planting within planter boxes on the second floor front balconies;
 - 11.4 The irrigation of the lightweight planter boxes controlled by

sensors;

11.5 Fixed edge strips for separation between grassed and garden areas and/or to contain mulch on batters;

11.6 All canopy trees and screen planting along the side and rear boundaries are at least 1.5 metres in height at the time of planting.

The use of synthetic grass as a substitute for open lawn area within secluded private open space or a front setback will not be supported. Synthetic turf may be used in place of approved paving decking and/or other hardstand surfaces.

Landscape Bond

12. Before the release of the approved plan for the development, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

Stormwater – On-site detention (OSD)

13. The owner must provide on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:

13.1 Be designed for a 1 in 5 year storm; and

13.2 Storage must be designed for 1 in 10 year storm.

Construction Plan (OSD)

14. Before the development starts, a construction plan for the system required by Condition 13 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.

Drainage

15. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.

16. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.

Site Services

17. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
18. Maintenance of the landscaped planter boxes must be managed by the body corporate.
19. All upper level service pipes (excluding stormwater downpipes) and any wall mounted spa-bath pump must be concealed and screened respectively to the satisfaction of the Responsible Authority.
20. Any reverse cycle air-conditioning unit erected on the walls, roofs or balconies of the approved dwellings must be so located, as to not adversely affect the amenity of the area by way of appearance/visual prominence to the satisfaction of the Responsible Authority. Where the Responsible Authority identifies a concern about visual appearance, appropriately designed/finished screening must be installed and maintained to the satisfaction of the Responsible Authority.
21. Unless depicted on a Roof Plan approved under Condition 1 of this permit, no roof plant (includes air conditioning units, basement exhaust ducts, solar panels or hot water systems) which is visible to immediate neighbours or from the street may be placed on the roof of the approved building, without details in the form of an amending plan being submitted to and approved by the Responsible Authority.
22. A centralised TV antenna must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.
23. No individual dish antennae may be installed on the overall building to the satisfaction of the Responsible Authority.
24. Any wall-mounted, instantaneous gas hot water system located on a balcony wall or on a general external wall of the building, so as to be visible from off the site must be provided with a neatly designed, durable screen (in perforated metal sheeting, for instance) to the satisfaction of the Responsible Authority or be of the recessed type with a cover plate.
25. If allowed by the relevant fire authority, external fire services must be enclosed in a neatly constructed, durable cabinet finished to complement the overall development, or in the event that enclosure is not allowed, associated installations must be located, finished and landscaped to minimise visual impacts from the public footpath in front of the site to the satisfaction of the Responsible Authority.
26. Any security door/grille to the basement opening must maintain

sufficient clearance when fully open to enable the convenient passage of waste collection vehicles which are required to enter the basement and such clearance must also be maintained in respect of sub-floor service installations throughout areas in which the waste collection vehicle is required to travel to the satisfaction of the Responsible Authority.

Vehicle Crossings and Accessways

27. Prior to occupation of the approved dwellings, the modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
28. The redundant vehicle crossover must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.
29. An intercom and an automatic basement door opening system (connected to each dwelling) must be installed, so as to facilitate convenient 24-hour access to the basement car park by visitors, to the satisfaction of the Responsible Authority.

Car Parking

30. Before the occupation of the approved dwellings, all associated basement parking spaces must be line-marked, numbered and signposted to provide allocation to each dwelling and visitors to the satisfaction of the Responsible Authority.
31. Visitor car parking spaces must be clearly marked and must not be used for any other purpose to the satisfaction of the Responsible Authority.

Fencing

32. Prior to the occupation of the approved dwellings, all fencing must be erected in good condition in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.

Retaining Walls

33. All retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority.

Maintenance

34. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.

Earthworks

35. The extent and depth of cut and fill must not exceed that shown on the plans endorsed under Condition 1 of this permit without the

written consent of the Responsible Authority.

Permit Expiry

36. This permit will expire if one of the following circumstances applies:

36.1 The development is not started within two (2) years of the date of this permit; and

36.2 The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the Planning & Environment Act 1987.

**MOVED: CR PAULA PICCININI
SECONDED: CR SOPHY GALBALLY**

That the Alternative Recommendation be adopted.

CARRIED

2. BACKGROUND

- 2.1 A pre-application advice request was submitted on 19 October 2015.
- 2.2 The proposal was presented to the Sustainable Design Taskforce meeting on 25 August 2016, which raised an issue regarding minor architectural details.
- 2.3 The application was received on 10 June 2016.
- 2.4 A request for further information was sent on 8 July 2016. This included preliminary concerns relating to compliance with the covenant registered on title, landscaping opportunities, balcony area and solar orientation.
- 2.5 All requested further information was received on 27 October 2016.
- 2.6 The statutory time for considering a planning application is 60 days, which lapsed on 26 December 2016.
- 2.7 The land titles are affected by Covenant C580593 on 336 Manningham Road and Covenant C434779 on 338 Manningham Road. The covenants regulate building materials, fence locations and limit advertising signs.
- 2.8 In an Order dated 8 December 2016, the Supreme Court of Victoria varied the covenants, to include wording pertaining to the erection of a building to be used for the purpose of dwellings. The proposal will not result in a breach to the covenants.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site is situated on the southern side of Manningham Road, approximately 70 metres west of its intersection with Somerville Street.
- 3.2 The site comprises two regular shaped lots known as 336 and 338 Manningham Road. They have a combined width of 33.52 metres, a depth of 39.01 metres and a total area of 1,307 square metres.
- 3.3 The site presently accommodates a single-storey dwelling at 336 Manningham Road and a double-storey dwelling at 338 Manningham Road, each with a vehicle crossing on the eastern side of the lots, accessed by a service road from Manningham Road. Private open space areas are located to the south of the respective dwellings.
- 3.4 The topography falls from the north-east corner (front) to the south-west corner (rear) by approximately 2.43 metres.
- 3.5 Drainage and sewerage easements run adjacent to the southern (rear) boundary with a width of 2.44 metres and adjacent to the western boundary with a width of 1.83 metres.
- 3.6 No fence is located on the frontage. Paling fences up to 1.8 metres in height are located on the eastern, southern and western boundaries.

The Surrounds

- 3.7 The site directly abuts four properties to the east, west and south. The surrounding development is described as follows:

Direction	Address	Description
East	340 Manningham Road, Doncaster	This property is developed with a single-storey brick dwelling set back 7.6 metres from the frontage and 1.65 metres from the common boundary. A single vehicle crossing is located on the western side of the frontage providing access to an undercroft single garage. The secluded private open space is located to the south of the dwelling.
South	6-7, 8 Howard Court, Doncaster	<p>These properties are located to the rear of the site. 6-7 Howard Court is developed with a single-storey brick dwelling set back more than 9 metres from the common boundary. Secluded private open space areas are located to the east and west of the dwelling. A swimming pool is located adjacent to the common boundary.</p> <p>8 Howard Court is developed with a single-storey brick dwelling set back 1.84 metres from the common boundary. The secluded private open space is located to the east of the dwelling.</p> <p>These properties are within the General Residential Zone, Schedule 1 and an incremental change area.</p>
West	334 Manningham Road, Doncaster	This property is developed with a two-storey brick dwelling set back 7.47 metres from the frontage and 1.88 metres from the common boundary. A central double vehicle crossing provides access to two garages. The secluded private open space is

		located to the south of the dwelling.
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- 3.8 The character of the broader area is in transition. While single detached brick dwellings are still common on many properties, an increasing number of lots are being developed with two or more townhouse style dwellings and apartments are becoming increasing apparent along Manningham Road itself. The closest example of a higher density, apartment style development is at 316 Manningham Road.
- 3.9 To the north of the site is Manningham Road, a major arterial road with three lanes of traffic in both directions (inclusive of a bus lane), with a central median strip. A service road provides access to the properties on the southern side of the road. Manningham Road is under the jurisdiction of VicRoads and served by several bus routes, including the Smart Bus orbital route.
- 3.10 The site is well located to a range of services, with Macedon Plaza Shopping Centre located 500 metres to the west and Westfield Doncaster Shopping Centre located 1.4km to the east. St. Gregory The Great Primary School is located 700 metres to the east. Somerville Reserve is the closest public open space and is located 400 metres away by road. The site is approximately 600 metres from the major open space area to be declared as part of the final stages of the Tullamore Estate.

4. THE PROPOSAL

- 4.1 It is proposed to remove the existing buildings and construct a four-storey apartment building comprising 25 dwellings with two levels of associated basement car parking.

Submitted plans and documents

- 4.2 The proposal is outlined on the plans prepared by Clarke Hopkins Clarke, dated 12 September 2016 (received 9 November 2016) and a landscape plan prepared by John Patrick Landscape Architecture, dated August 2016 (received 18 November 2016). Refer to Attachment 1.
- 4.3 The following reports were submitted to support the application:
- A planning report prepared by Melbourne Planning Outcomes, dated 4 June 2016
 - A waste management plan prepared by Leigh Design, dated 16 May 2016;
 - A traffic report prepared by Traffix Group, dated 9 May 2016; and
 - A sustainability management plan prepared by F2 Design, dated 16 August 2016.

Development summary

- 4.4 A summary of the development is provided as follows:

Land Size:	1,307m ²	Maximum Building Height:	12.3m
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Site Coverage: 58.5%	Street setback to Manningham Road (north)	Basement – 6m Ground floor – 6m First floor – 6m Second floor – 8m Third floor – 12.47m
Permeability: 30.4%	Setback to eastern boundary	Basement – 2.1m Ground floor – 2.5m First floor – 2.5m Second floor – 4.15m Third floor – 7.76m
Number of Dwellings: 25	Setback to southern boundary	Basement – 4.014m Ground floor – 4.21m First floor – 4.21m Second floor – 7.92m Third floor – 13.86m
• 1 bedroom: 1	Setback to western boundary	Basement – 2.1m Ground floor – 2.5m First floor – 2.5m Second floor – 4.18m Third floor – 9.628m
• 2 bedrooms: 22	Car parking spaces:	32
• 3 bedrooms: 2	Resident spaces:	27
Density: One per 52.28m ²	Visitor spaces:	5

Design layout

- 4.5 The ground level consists of seven, two-bedroom apartments and one, one-bedroom apartment, each provided with a ground level courtyard.
- 4.6 The first floor consists of ten, two-bedroom apartments, each provided with a balcony that ranges from 8 to 14 square metres.
- 4.7 The second floor consists of five, two-bedroom apartments and two, three-bedroom apartments over two storeys, each provided with a balcony that ranges from 12 to 31 square metres.
- 4.8 The third floor consists of upper floor areas for two of the second floor dwellings and additional roof terraces with a pergola over three, second floor dwellings, accessible from the respective dwellings by stairs.

Pedestrian and vehicle access and layout

- 4.9 The pedestrian entry to the building is provided via a footpath adjacent to the driveway. It leads to the entry foyer and the lift lobby at ground floor. The lift services all levels except the third floor, which is accessible only by stairs from each applicable dwelling.

- 4.10 Vehicle access is provided via the service road to the existing crossover of 338 Manningham Road, widened to 6.4 metres on the eastern side of the frontage. It leads to a 5.5 metre wide driveway ramp that provides access to the basement car park, restricted by an automatic garage door. An intercom is provided for visitors at the driveway entrance.
- 4.10 The two basement levels consist of 32 car parking spaces, including 5 visitor car parking spaces. Access to the dwellings from these car parking spaces is via a central communal staircase and lift.
- 4.11 The basement also incorporates a waste storage room, a 20,000L capacity underground water tank, 8 bicycle parking spaces and storage spaces for 15 dwellings. Storage for the remaining 10 dwellings is provided at ground floor.

Landscaping

- 4.12 No existing trees are retained within the site. Canopy trees are proposed adjacent to the site boundaries.
- 4.13 A 1.7 metre fence (0.9 metre timber fence on a 0.8 metre high retaining wall) is provided within the front setback, providing screening to private open space areas. The fence is set back 2 metres from the front boundary, with common landscaping to be provided within this setback.

Design detail

- 4.14 The proposed building features a contemporary architectural design, which incorporates a flat roof and articulated façade presentations on all sides. The façades consist of a mix of render, timber and metal cladding with framing elements projecting from the building, together with various façade treatments.

5. LEGISLATIVE REQUIREMENTS

- 5.1 Refer to Attachment 2.

6. REFERRALS

External

- 6.1 Given the proposal involves the creation and alteration of access to Manningham Road, it is a statutory requirement to refer the application to VicRoads as a determining referral authority.
- 6.2 VicRoads have no objection and no conditions associated with the proposal.

Internal

- 6.3 The application was referred to a number of Service Units within Council. The following table summarises the responses:

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> There is adequate point of discharge for the site. All runoff is to be directed to the point of discharge (Condition 15).

Service Unit	Comments
	<ul style="list-style-type: none"> • Provide an on-site stormwater detention system (Condition 13).
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> • The existing disused vehicle crossover is required to be removed and the nature strip, kerb and channel and footpath reinstated (Condition 1.7). • The modified vehicle crossover is over the existing Telstra pit. The Telstra pit is to be converted to a heavy duty lid (Condition 1.8). • A “Vehicle Crossing Permit” is required.
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> • Adequate sight lines are available from the exit lane. • The width and internal radius of the driveway allow sufficient turning areas for all vehicles to reverse and exit the site in a forward direction. • There is at least 2.1 metres headroom beneath overhead obstructions.
Engineering & Technical Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> • The dimensions of the car parking spaces comply. • There are no traffic issues in the context of the traffic and the surrounding street network. • The number of car parking spaces provided accord with the requirements.
Engineering & Technical Services Unit – Car Parking Layout	<ul style="list-style-type: none"> • The car parking layout is satisfactory.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> • A construction management plan is required (Condition 3).
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> • Private waste collection will be required. • Amendments to the submitted Waste Management Plan are required before approval. • Waste collection must occur within the development, including performing a 3-point turn within the site and enter and exit the site in a forward direction (Condition 1.13). • A final Waste Management Plan needs to be approved as part of the permit (Condition 5).
Engineering & Technical Services Unit – Easements	<ul style="list-style-type: none"> • Build over easement approval is not required.
Strategic Projects Unit – Sustainability	<ul style="list-style-type: none"> • The following amendments to the submitted Sustainability Management Plan are required before approval (Conditions 1.24 to 1.28 and 4). <p><u>Indoor Environment Quality</u></p> <ul style="list-style-type: none"> • Ensure that top floor apartments exposed glazing has sufficient shading/overhangs to

Service Unit	Comments
	<p>avoid overheating and glare;</p> <ul style="list-style-type: none"> • Provide adjustable external blinds/shutters on west facade to control glare and summer solar gains. • Ensure north glazing has adequate overhangs to control summer glare while allowing winter solar gains. <p><u>Energy Efficiency</u></p> <ul style="list-style-type: none"> • Reflect on latest plans fixed or retractable clothes lines in: <ul style="list-style-type: none"> ○ courtyard or; ○ hidden on balcony or; ○ bathroom/laundry with adequate ventilation to prevent condensation/mould growth. • Reflect in STEPS – Energy. <p><u>Energy Efficiency – renewable electricity supply</u></p> <ul style="list-style-type: none"> • Provide solar PV system sized to offset 50% emissions from gas hot water boiler connected to common area services; • Total PV system size should be 8-10kW (only 0.32-0.4kW/dwelling) depending on efficiency of gas hot water boiler (ie. higher efficiency boiler will result to a smaller PV system to offset 50% emissions). <p><u>Stormwater Management – Rainwater tank</u></p> <ul style="list-style-type: none"> • Reflect on latest plans 572m² roof area harvested for 22,000L rainwater storage and connected to all 40 toilets; • Ensure gravity overflow from rainwater to onsite detention; • Reflect on latest landscape plans 13m² vegetated buffer strips (planterboxes) for treatment of 60m² ground floor terrace paving; <p><u>STORM report</u></p> <ul style="list-style-type: none"> • Amend STORM report to amalgamate separate rainwater tanks and buffer strips.
Economic and Environmental Planning Unit – Urban Design	<ul style="list-style-type: none"> • Visual interest and articulation is provided with framing elements, building recesses and extrusions, and a varied material palette. Effort has been made to provide visual interest on the he south-west elevation (at the rear of the development), in particular. • The basement carpark is concealed from view. • The front fence proposed is not 50% transparent but is sufficiently recessed (3 metres) to provide for landscaping across this frontage.

Service Unit	Comments
	<ul style="list-style-type: none"> • Service cabinets are appropriately concealed behind batten screening. • Balcony landscaping proposed will assist in softening the appearance of the building. The irrigation of the lightweight planter boxes should be controlled by sensors and maintenance of the planter boxes be managed by the body corporate (Conditions 11.4 and 18). • I note that the redundant crossover will be removed and reinstated as a nature strip. This will provide opportunity for an additional street tree.

7. CONSULTATION / NOTIFICATION

7.1 Notice of the application was given for a three-week period which concluded on 22 December 2016, by sending letters to nearby properties and displaying a sign on each frontage.

7.2 Objections have been received from the following properties:

- 340 Manningham Road, Doncaster (adjoining property to the east);
- 5 Howard Court, Doncaster (adjoining property to the south); and
- 6-7 Howard Court, Doncaster (adjoining property to the south).

7.3 The following is a summary of the grounds upon which the above properties have objected to the proposal:

- Overdevelopment;
- Building height, setbacks and visual bulk;
- Inadequate car parking and increased traffic;
- Overshadowing;
- Overlooking and loss of privacy;
- Heat transfer; and
- Construction impacts due to the proximity of basement excavation to boundaries.

7.4 A response to the grounds of objection are included in the assessment from sections 8.26 to 8.39.

8. ASSESSMENT

- 8.1 The proposal has been assessed against the relevant state and local planning policies, the zone, overlay and the relevant particular provisions and general provisions of the Manningham Planning Scheme.
- 8.2 The assessment is made under the following headings:
- State and Local Planning Policy Frameworks (SPPF and LPPF);
 - Design and built form;
 - Car parking, access, traffic and bicycle facilities;
 - Clause 55 (Rescode);
 - Objector concerns; and
 - Other matters.

State and Local Planning Policy Frameworks (SPPF and LPPF)

- 8.3 Key objectives of the SPPF and LPPF seek to intensify activity centres as a focus for high-quality development and encourage increased activity and density as a way to achieve broader urban consolidation objectives.
- 8.4 At both the SPPF and LPPF levels, policy encourages higher density development in established activity centres or on strategic redevelopment sites, particularly for housing. Whilst the subject site is not specifically identified as a strategic redevelopment site within the MSS, it substantially meets key criteria as a strategic redevelopment site primarily through its location and proximity to a Principle Activity Centre and a Neighbourhood Activity Centre with good access to public transport and existing services, and the ability of the subject site to accommodate more than ten dwellings.
- 8.5 The use of the subject land for the purpose of dwellings is appropriate within the zoning of the land and the strategic context of the site. There is policy support for an increase in residential density within and close to activity centres and the activation of street frontages to increase the vibrancy of the area.
- 8.6 The proposed development exceeds the 10 metre building height requirement outlined in the DDO8 for lots with an area less than 1,800 square metres that have a slope of 2.5 degrees or more. The consolidation of two lots with a combined area of 1,307 square metres is considered appropriate to accommodate the development in the height proposed as the development provides increased setbacks to compensate for its larger scale in comparison to traditional medium density housing. This is consistent with the preferred future character outlined in the DDO8. The subject site is located in an area which is undergoing change and revitalisation due to the demand for increased density within the municipality.
- 8.7 While there is a strategic imperative for Council to encourage urban consolidation where an opportunity exists, this is not in isolation and other relevant policies (requiring new design to be appropriate for the physical and social context) are still relevant. The proposed development and its response to the streetscape and elements (including supporting high quality urban design, on and off-site amenity of future occupants and neighbours, energy efficiency and a positive contribution

to neighbourhood character) will be assessed in the following sections of this report.

- 8.8 Council has, through its policy statements throughout the Planning Scheme, and in particular by its adoption of the DDO8 over part of this neighbourhood, created a planning mechanism that has, and will in time alter the existing neighbourhood character along Manningham Road and in some adjoining side streets.
- 8.9 Council's planning preference is for higher density, multi-unit developments which can include apartment style developments on larger lots. This higher density housing thereby provides for the "preferred neighbourhood character" which is guided by the design elements contained within the DDO8, in conjunction with an assessment against Clause 21.05 and Clause 55 – Rescode. The resultant built form is contemplated to have a more intense and less suburban outcome.
- 8.10 An apartment development across this site is generally consistent with the broad objectives of Council's planning policy outlined at Clause 21.05 of the Manningham Planning Scheme. The policy encourages urban consolidation (and apartment buildings) in this specific location due to its capacity to support change given the site's main road location and proximity to services, such as public transport. The policy anticipates a substantial level of change from the existing character of primarily single dwellings and dual occupancies which has occurred in the past.

Design and built form

- 8.11 An assessment against the requirements of the DDO8 is provided below:

Design Element	Met/Not Met
<p>DDO8-1 (Main Road Sub-Precinct)</p> <ul style="list-style-type: none"> The minimum lot size is 1800 square metres, which must be all the same sub-precinct. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage 11 metres provided the condition regarding minimum land size is met. <p>If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.</p>	<p>Considered Met</p> <p>The site has an area of less than 1,800 square metres that is entirely within the Main Road Sub-Precinct. Given the slope of the land, the site therefore has a maximum building height requirement of 10 metres.</p> <p>The building has a maximum height of 12.3 metres, which exceeds the preferred height by 2.3 metres.</p> <p>The purpose of providing discretion in building height on the Main Road Sub-Precinct is to allow flexibility to achieve design excellence. This might be through providing a 'pop-up' level to provide visual interest to an otherwise flat roof form, or a design feature at a 'gateway' site. The discretion is only provided to this sub-precinct because main road streetscapes are typically less fragmented environments compared to local streets and therefore can absorb some additional height.</p> <p>The portion of built form above a height of 10 metres is limited to the third floor component,</p>

Design Element	Met/Not Met
	<p>stairwells and roofed terrace area. These areas are centrally located within the site. The third floor occupies 117 square metres, or 22% of the second floor footprint (excluding balconies). The stairwells providing access to the roof terraces are setback a minimum of 12.47 metres from the front title boundary. The third storey is setback 7.76 metres from the eastern boundary, 9.628 metres from the western boundary and 13.86 metres from the rear boundary. These upper floor components will therefore only be visible when the site is viewed from a distance.</p> <p>The ground, first floor and second floor levels of the apartment building are within the maximum height limit of 10 metres.</p> <p>Overall, it is considered that the height of the building is acceptable and will not have unreasonable impacts on the streetscape or adjoining properties.</p>
<ul style="list-style-type: none"> Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. 	<p>Met subject to condition</p> <p>The ground and upper floor walls of the building have a minimum street setback of 6 metres.</p> <p>The DDO8 allows balconies and terraces to encroach within the street setback by a maximum of 2 metres, but they must not extend along the width of the building.</p> <p>At ground floor, terraces provided to three dwellings encroach into the 6 metre street setback by 3 metres. A 1 metre wide landscape area is provided to secluded private open space areas and a 2 metre wide common landscape area is provided within the site frontage, which somewhat limits canopy tree planting. To improve the balance between private and common open space, a condition (Condition 1.1) will require the setback to the 1.7 metre high fence to the frontage of Apartments G.02 and G.03 to be increased from 2 metres to 3 metres, and a minimum 0.5 metre landscape area be provided within the secluded private open space areas, which would require the terraces to be reduced by at least 0.5 metres in width.</p> <p>At first floor, balconies encroach into the 6</p>

Design Element	Met/Not Met
	<p>metre street setback by up to 2.05 metres. The balcony extends across the majority of the width of the building, separated in the location above the pedestrian entry. The width of the balconies are tapered and contrasted by recessed first floor building setbacks. Given the negligible 0.05 metre encroachment is over the ground floor terrace, landscaping will not be limited at ground floor.</p> <p>At second floor, balconies encroach into the 6 metre street setback by up to 1.65 metres. This is an allowable encroachment. It is considered that the section of balconies that extend across the width of the building within the 6 metre street setback is acceptable as it does not extend along the entire width of the building. A section of the balcony extends an additional 1.7 metres beyond the western side of the second floor building footprint, however this section is only partly roofed and is proportionate with the first floor balcony below.</p> <p>Landscaping is proposed along the northern edge of the first and second floor balcony within planter boxes.</p>
<p>Form</p> <ul style="list-style-type: none"> • Ensure that the site area covered by buildings does not exceed 60 percent. 	<p>Met</p> <p>The building has a site coverage of 58.5%.</p>
<ul style="list-style-type: none"> • Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Met</p> <p>The building incorporates a mixture of colours and materials to provide visual interest. Articulation is also provided by the stepping of walls, the use of balconies, glazing, fascias and framing elements.</p>
<ul style="list-style-type: none"> • Minimise buildings on boundaries to create spacing between developments. 	<p>Met</p> <p>No part of the building is constructed on the boundaries. Building setbacks are at least 2.5 metres along the side boundaries and at least 4.21 metres to the rear boundary to provide spacing between the building and the adjoining properties. This spacing can accommodate substantial landscaping and courtyards. This is considered to be a good outcome for adjoining properties and the streetscape.</p>
<ul style="list-style-type: none"> • Where appropriate ensure that buildings are stepped down at the rear of sites to provide a 	<p>Met</p> <p>The building is stepped down at the rear of the site through staggered setbacks, incorporation of balconies, framing elements</p>

Design Element	Met/Not Met
transition to the scale of the adjoining residential area.	and varied building materials. The upper levels of the building are graduated to provide increased setbacks to the rear boundary, which allows the building to be stepped down and provide a transition to the single-storey scale of the adjoining properties to the rear.
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Met</p> <p>Some excavation is proposed towards the rear of the site with the ground floor level cut in towards the front of the site. This reduces the elevation of the building above the natural ground level and the associated visual impact, providing a suitable transition to the adjoining residential properties within the incremental change area to the rear.</p>
<ul style="list-style-type: none"> Avoid reliance on below ground light courts for any habitable rooms. 	<p>Met</p> <p>The building does not rely on below ground light courts for any habitable rooms.</p>
<ul style="list-style-type: none"> Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Ensure that the upper level of a three storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Met</p> <p>The third floor level of the building covers 22% of the second floor level. The second floor level of the building covers 71% of the first floor level, meeting the 75% requirement. The second floor is also graduated from the lower levels to reduce its prominence and visual bulk.</p> <p>Overall, the building is well articulated and provides visual interest.</p>
<ul style="list-style-type: none"> Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos. 	<p>Met</p> <p>There are no porticos or imposing design elements proposed. Design features are considered to be well integrated into the overall design of the building.</p>
<ul style="list-style-type: none"> Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation. 	<p>Met</p> <p>The development incorporates excavation to the ground floor level towards the rear of the site.</p> <p>The projection of the basement above natural ground level is limited to the rear elevation. It is limited to approximately 1 metre and will be screened from the adjoining properties by boundary fences.</p>
<ul style="list-style-type: none"> Be designed to minimise 	<p>Met</p>

Design Element	Met/Not Met
<p>overlooking and avoid the excessive application of screen devices.</p>	<p>Screens are provided to upper level balconies to prevent direct views into the habitable room windows and secluded private open spaces of the adjoining properties. There is no excessive application of screen devices partly due to the liberal use of highlight windows that will prevent downward views. Overlooking impacts will be further discussed in the assessment against Clause 55.04-6 of the Manningham Planning Scheme.</p>
<ul style="list-style-type: none"> Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities. 	<p>Met The footpath to the building entry is appropriately graded to allow for equitable access by people of all mobilities.</p> <p>A lift provides access to the basement car park and entries of all dwellings.</p>
<ul style="list-style-type: none"> Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	<p>Met The basement projects above natural ground level on the rear elevation. The projection is not considered to be excessive and will not result in unreasonable visual impacts. The upper levels of the building are also graduated and the overall height on the western and southern elevations does not exceed 10 metres in height.</p>
<ul style="list-style-type: none"> Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site. 	<p>Met Across the frontage of the site, the basement is not visible as it is below ground level.</p>
<ul style="list-style-type: none"> Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking. 	<p>Met All car parking spaces are provided within the basement car park.</p>
<ul style="list-style-type: none"> Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established. 	<p>Met The basement is consistent with the front building setback of 6 metres and is set back 4 metres from the rear boundary, which provides adequate room for effective landscaping to be established.</p>
<ul style="list-style-type: none"> Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces. 	<p>Met The development provides appropriate wall setbacks to side and rear boundaries to allow for screen planting that soften the appearance of the built form.</p>

Design Element	Met/Not Met
<ul style="list-style-type: none"> Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces. 	<p>Met subject to condition A permit condition (Condition 1.22) will require the location of plant equipment on the roof away from the sides of the building and be screened to minimise any visual and amenity impacts on the street and adjoining properties. A permit condition will also require any service equipment to be screened to avoid unreasonable amenity impacts (Conditions 20).</p>
<p><u>Car Parking and Access</u></p> <ul style="list-style-type: none"> Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback. 	<p>Met subject to condition There is only one vehicular crossover proposed, which will be modified from the existing crossover of 338 Manningham Road. There are no street trees proximate to the modified crossover.</p>
<ul style="list-style-type: none"> Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	<p>Met subject to condition A permit condition will require driveway gradients and transitions generally achieved through the driveway construction process (Condition 10).</p>
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity. 	<p>Met subject to condition The condition requiring the front fence to be setback 3 metres from the site frontage (Condition 1.1) will greater emphasise a landscaped frontage. The submitted landscape plan provides three canopy trees within the front setback. A permit condition</p>

Design Element	Met/Not Met
<ul style="list-style-type: none"> On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity. 	<p>will require an amended landscaping plan (Condition 11) to reflect plan changes under Condition 1 and planting details within the second floor planter box.</p>
<ul style="list-style-type: none"> Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form. 	<p>Met The site plan shows the site will allow the planting of numerous canopy trees within the side and rear setbacks, which assist to soften the appearance of the built form.</p>
<p>Fencing</p> <ul style="list-style-type: none"> A front fence must be at least 50 per cent transparent. On sites that front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn and Mitcham Roads, a fence must: <ul style="list-style-type: none"> not exceed a maximum height of 1.8m be setback a minimum of 1.0m from the front title boundary <p>and a continuous landscaping treatment within the 1.0m setback must be provided.</p>	<p>Met subject to condition The front fence is not provided to the front title boundary as typically foreseen. The front fence has a maximum height of 1.7 metres and will be set back 3 metres from the front title boundary, and serves to create privacy to front-facing secluded private open space areas (Condition 1.1). It is therefore not beneficial to provide a minimum 50% transparency.</p> <p>This 3 metre setback provides ample opportunity to provide a connection between the development and landscaping along the site frontage with a continuous landscaping treatment.</p>

Car parking, access, traffic and bicycle facilities

Car parking, Access and Traffic

- 8.12 Prior to a new use commencing or a new building being occupied, Clause 52.06-2 requires that the number of car parking spaces outlined at Clause 52.06-6 to be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the Responsible Authority.
- 8.13 This clause requires resident car parking at a rate of one space for each dwelling with one or two bedrooms and two spaces for each dwelling with three or more bedrooms.
- 8.14 Visitor car parking is required at a rate of one car parking space for every five dwellings.
- 8.15 The proposal requires the provision of 27 car parking spaces for residents and 5 car parking spaces for visitors. The proposed parking provision complies with this requirement.
- 8.16 An assessment against the car parking design standards in Clause 52.06-8 is provided in the table below:

Design Standard	Met/Not Met
1 – Accessways	<p>Met subject to condition</p> <p>The accessway to the basement car park meets the minimum width and height clearance requirements. The car park has been designed for all vehicles to exit the site in a forward direction, including vehicles parked in the last space of a dead-end accessway. The driveway provides a width of 5.5 metres for the entire ramp, including within the site frontage, therefore a designated passing bay is not required. The surface treatment along the edges of the driveway ramp is unclear, therefore a permit condition will clarify this (Condition 1.9). An adequate visibility splay area is provided along the exit lane.</p> <p>For clarity, a permit condition will require the width of the driveway and crossover to be denoted and the crossover aligned with the driveway (Condition 1.10).</p>
2 – Car Parking Spaces	<p>Met</p> <p>Car parking spaces are provided in accordance with the requirements, with dimensions of 2.6 metres wide, a length of 4.9 metres and accessed from an aisle width of at least 6.4 metres. Clearance is provided adjacent to car parking spaces as per the standard.</p>
3 – Gradients	<p>Met</p> <p>The driveway ramp includes transition sections at least 2 metres in length, which complies with the standard. The driveway gradients have been assessed as compliant with the standard.</p>
4 – Mechanical Parking	<p>Not applicable</p> <p>No mechanical parking proposed.</p>
5 – Urban Design	<p>Met subject to condition</p> <p>The vehicle crossing and accessway located on the eastern side of the site will not dominate the landscape.</p> <p>The entry into the basement car park will not dominate the streetscape as it features an unassuming perforated metal garage door, is partially below natural ground level and is recessed from the first floor framing element above.</p>
6 – Safety	<p>Met subject to condition</p> <p>The basement car park is provided with an automatic garage door. An intercom system is provided for visitor use, however it is on the right hand side of the driveway as a vehicle approaches the door. A permit condition will require the intercom for car park access be relocated to the eastern side of the driveway (Condition 1.12).</p> <p>Given the proximity of the pedestrian path to the driveway, a permit condition will require a safety barrier within the frontage, with the material being transparent within the visibility splay area (Condition</p>

Design Standard	Met/Not Met
	1.11).
7 – Landscaping	Met No ground level car parking is proposed. Landscaping is provided to soften the appearance of the accessway.

- 8.17 The submitted traffic impact assessment confirms that the proposed development is expected to generate 13 residential vehicle movements per peak hour and a total of 125 vehicle trip ends per day to and from Manningham Road via the service road. The majority of vehicle movements would be in the morning peak period as residents commute to work/business or other activities. In the afternoon, the residential vehicle trips back to the site would be spread out over various times. The traffic impact assessment concludes that the volume of traffic that is likely to be generated by the development is small and will not have any material impact on the capacity and operation of the service road, Manningham Road and the surrounding road network and intersections.
- 8.18 Council's Engineering Services Unit raise no concern in relation to the expected traffic generated by the proposed development as confirmed in the submitted report. The proximity of the subject site to public transport is expected to encourage a greater variety of transportation methods as opposed to sole reliance on a vehicle.
- 8.19 Overall, the traffic generated as a result of the proposed development (while acknowledging existing traffic congestion and problems in the surrounding street network) is considered to be generally compliant with the broader policy objectives of encouraging sustainable transport modes and ensuring there is a satisfactory level of parking provision as outlined in the SPPF and LPPF.

Land Adjacent to a Road Zone Category 1

- 8.20 A permit is required under Clause 52.29 of the Manningham Planning Scheme as the proposal involves the removal of one existing crossover and modifications to an existing crossover to Manningham Road, which inclusive of the service road, is zoned Road Zone Category 1.
- 8.21 The decision guidelines of this Clause include the views of the relevant road authority.
- 8.22 As VicRoads have no objection to the proposal, the access arrangement is considered appropriate.

Bicycle Facilities

- 8.23 In developments of four or more storeys, one bicycle space is required for every five dwellings (for residents) and one bicycle space is required for every ten dwellings (for visitors).
- 8.24 The proposal requires the provision of 5 bicycle spaces for residents and 3 bicycle spaces for visitors. Eight resident bicycle rails are provided within the basement, adjacent to the waste storage area. Six visitor bicycles can be accommodated on the three rails provided adjacent to the building services enclosures, adjacent to the site frontage. A permit condition will require the

resident bicycle rails be provided in a lockable compound to meet this provision (**Condition 1.17**). The provision of these bicycle spaces exceeds the requirements of this clause.

Clause 55 (Rescode)

8.25 An assessment against the objectives of Clause 55 is provided in the table below:

Objective	Objective Met/Not Met
<p>55.02-1 – Neighbourhood Character</p> <ul style="list-style-type: none"> 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. 	<p>Met</p> <p>As outlined in the assessment of the proposal against the policy requirements of the Schedule 8 to the Design and Development Overlay (DDO8), it is considered that the proposed apartment development responds positively to the preferred neighbourhood character, and respects the natural features of the site and its surrounds.</p>
<p>55.02-2 – Residential Policy</p> <ul style="list-style-type: none"> 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 policies. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Met</p> <p>The application was accompanied by a written statement that has demonstrated how the development is consistent with State, Local and Council policy.</p>
<p>55.02-3 – Dwelling Diversity</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	<p>Met</p> <p>The proposal includes a mix of one, two and three bedroom dwellings with a range of floor areas to provide diversity.</p>
<p>55.02-4 – Infrastructure</p> <ul style="list-style-type: none"> 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. 	<p>Met subject to condition</p> <p>The site has access to all services. The applicant will be required to provide an on-site stormwater detention system to alleviate pressure on the drainage system (Condition 13).</p>
<p>55.02-5 – Integration With Street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<p>Met</p> <p>The front entry of the development is oriented the site frontage to integrate the development with the street.</p>
<p>55.03-1 – Street Setback</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred 	<p>Considered Met</p> <p>The ground and upper levels of the building are set back at least 6 metres from the site frontage, with the exception of a negligible</p>

Objective	Objective Met/Not Met
neighbourhood character and make efficient use of the site.	balcony encroachment. For the reasons discussed earlier in the report (section 8.11) under the DDO8 assessment, the street setback is considered appropriate.
55.03-2 – Building Height <ul style="list-style-type: none"> • To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	Considered Met The building has a maximum height of 12.3 metres, which is 2.3 metres higher than the 10 metre preferred height requirement under the DDO8. For the reasons discussed earlier in the report (section 8.11) under the DDO8 assessment, the maximum building height is considered appropriate.
55.03-3 – Site Coverage <ul style="list-style-type: none"> • To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	Met The proposed site coverage is 58.5%, which does not exceed the 60% requirement in the standard.
55.03-4 – Permeability <ul style="list-style-type: none"> • To reduce the impact of increased stormwater run-off on the drainage system. • To facilitate on-site stormwater infiltration. 	Met The proposal has 30.4% of site area as pervious surface, which complies with the standard.
55.03-5 – Energy Efficiency <ul style="list-style-type: none"> • To achieve and protect energy efficient dwellings. • To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	Considered Met Given the orientation of the site, there are numerous dwellings that can be considered south-facing; four dwellings on each of the ground and first floors, and two dwellings on the second floor. The living rooms of all other dwellings are oriented to the north, east or west to maximise exposure to sunlight. The applicant has submitted a Sustainability Management Plan (SMP) outlining ESD methods that will be utilised through construction to achieve a sustainable building. The report has been considered to be satisfactory by Council's Sustainability Officer subject to some changes that will be required as permit conditions (Condition 3 and Conditions 1.24 to 1.28).
55.03-6 – Open Space <ul style="list-style-type: none"> • To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	Not applicable No communal open space is proposed and the development is not adjacent to any public open space.
55.03-7 – Safety	Met

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	<p>The central pathway is mostly visible from the street frontages and access is restricted by an automatic garage door.</p>
<p>55.03-8 – Landscaping</p> <ul style="list-style-type: none"> 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. 	<p>Met subject to condition</p> <p>Generous landscaping can be accommodated within the setbacks to all site boundaries. The development is not expected to have any impact on vegetation within adjoining properties due to the building setbacks.</p> <p>A landscaping plan has been provided, but will be required to be amended by a permit condition (Condition 11) to reflect plan changes under Condition 1.</p> <p>The submitted landscape plan provides three canopy trees within the front setback and a combination of trees and shrubs along the side and rear boundaries.</p> <p>The plan shows details of planting within the planter box to the first floor balcony, but does not include reference to the second floor balcony, which also includes a planter box on the development plans. A permit condition will require the second floor planter box plantings detailed (Condition 11.3).</p> <p>A permit condition will require an indicative location of the stormwater detention system on the site plan to be located outside of easements and canopy tree landscape areas (Condition 1.20).</p> <p>A landscape maintenance bond of \$10,000 will be required by a permit condition (Condition 12).</p>
<p>55.03-9 – Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Met</p> <p>There is only one vehicle crossover proposed for the development.</p>
<p>55.03-10 – Parking Location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. 	<p>Met</p> <p>The central lift shaft provides equitable access for residents and visitors from all car parking spaces within the basement levels.</p>
<p>55.04-1 – Side And Rear Setbacks</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood 	<p>Met subject to condition</p> <p>The building setbacks specified earlier in the report (section 4.4) exceed the required setbacks to the side and rear boundaries. However, these setbacks do not take into</p>

Objective	Objective Met/Not Met
<p>character and limits the impact on the amenity of existing dwellings.</p>	<p>consideration balconies and framing elements that project forward of the building line.</p> <p>These setbacks have been reviewed and found to be compliant with the requirements of Standard B17, with the exception of the second floor Apartment 2.05 balcony. This 1.5 metre high balustrade has a height of 7.2 metres, which requires a minimum setback of 2.29 metres. A permit condition will require the 1.3 metre setback to be increased to comply with Standard B17 of Clause 55.04-1 (Side and rear setbacks objective) of the Manningham Planning Scheme (Condition 1.2).</p>
<p>55.04-2 – Walls On Boundaries</p> <ul style="list-style-type: none"> 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. 	<p>Not applicable</p> <p>There are no walls proposed to be constructed on boundaries.</p>
<p>55.04-3 – Daylight To Existing Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	<p>Met</p> <p>Existing habitable room windows are provided with sufficient light court areas that comply with the standard. The development is also set back sufficiently from existing habitable room windows as required by the standard.</p>
<p>55.04-4 – North Facing Windows</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Met</p> <p>There are four habitable room windows of the dwelling at 8 Howard Court within 3 metres of the common boundary. The development is set back sufficiently from these north-facing habitable room windows as required by the standard.</p>
<p>55.04-5 – Overshadowing Open Space</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Met</p> <p>The submitted shadow diagrams demonstrate that shadows cast by the building will affect the secluded private open space of the adjoining properties to the south and east, with the portion of open space affected being less than what is permissible by the standard.</p> <p>Shadows cast by the building into the adjoining property to the west will extend marginally beyond shadows cast by the existing boundary fence.</p> <p>Overshadowing impacts will therefore not</p>

Objective	Objective Met/Not Met
	have any unreasonable off-site amenity impacts.
<p>55.04-6 – Overlooking</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Met subject to condition</p> <p>All overlooking diagrams on the section plan show the 1.7 metre high eye line behind the edge of the respective balcony, which is not in accordance with Standard B22 of this clause. A permit condition will require all overlooking diagrams to be shown from the edge of the deck, for accuracy, and all diagrams demonstrated to meet the overlooking requirements (Condition 1.4). All habitable room windows are demonstrated to comply with the overlooking requirements either through 1.8 metre high boundary fencing, by proximate balcony screening or with sill heights of 1.7 metres above the applicable finished floor level, unless otherwise mentioned.</p> <p>East (south-east)</p> <ul style="list-style-type: none"> First floor: The Apartment 1.06 balcony incorporates a 1.5 metre high balustrade with a width of 0.6 metres on the eastern side. Given the height of the balcony relative to the adjoining dwelling, which is comparably lower, the screening device will adequately limit downward views into habitable room windows. <p>The Apartment 1.06 bedroom has a full length window directly opposite an adjoining habitable room window. A permit condition will require the window to meet the overlooking requirements (Condition 1.5.3).</p> <ul style="list-style-type: none"> Second floor: The Apartment 2.05 balcony incorporates a 1.5 metre high balustrade with a width of 0.6 metres on the eastern side, opposite habitable room windows of the adjoining dwelling. In conjunction with the increased balcony side setback condition discussed in the Side and Rear Setbacks assessment (section 8.25), a condition will require the balcony meet the overlooking requirements to limit downward views into habitable room windows of the adjoining dwelling (Condition 1.5.4). The southern side of the balcony is not required to be screened as there are no sensitive areas within 9

Objective	Objective Met/Not Met
	<p>metres. Any perceived overlooking in excess of 9 metres directly south-west will be limited by the first floor roof below.</p> <p>South (south-west)</p> <ul style="list-style-type: none"> • Ground floor: Apartments G.05, G.06, G.07 and G.08 each have raised balconies set back 2.8 metres from the rear boundary and habitable room windows offset from the balconies set back 4.21 metres and 5.265 metres. Overlooking may occur from the raised balconies and windows. A permit condition will require the balconies and windows to meet the overlooking requirements Condition 1.5.1). • First floor: The balconies of Apartments 1.07, 1.08, 1.09 and 1.10 incorporate 1.5 metre high balustrades with a width of 0.3 metres on the southern side (with framing that screens the outer edges). Given the height of the balconies relative to the adjoining properties, which are comparably lower, the screening devices will adequately limit downward views into habitable room windows and secluded private open space areas. • Second floor: The balconies of Apartments 2.06 and 2.07 incorporate 1.5 metre high balustrades with a width of 0.6 metres on the southern side (with screens on the inside edges). Given the height of the balconies relative to the adjoining properties, which are comparably lower, the screening devices will adequately limit downward views into habitable room windows and secluded private open space areas. <p>The eastern edge of the Apartment 2.06 balcony and the western edge of the Apartment 2.07 balcony that face adjoining properties to the side of the subject site are screened to 1.5 metres without a widened balustrade. Overlooking into the adjoining secluded private open space areas will be limited by the first floor roof below.</p> <p>The south-facing full length kitchen windows of Apartments 2.06 and 2.07 are not required to be screened as there are</p>

Objective	Objective Met/Not Met
	<p>no sensitive areas within 9 metres. Any perceived overlooking will be limited by the first floor roof below.</p> <p>West (north-west)</p> <ul style="list-style-type: none"> • First floor: The Apartment 1.01 balcony incorporates a 1.5 metre high balustrade with a width of 0.6 metres on the western side. While the screening device will limit downward views, it will not limit views from the balcony or the habitable room windows of the apartment directly across into the adjoining two-storey dwelling. A permit condition will require the balcony to be screened to 1.7 metres above finished floor level to meet the overlooking requirements (Condition 1.5.2). <p>The Apartment 1.01 bedroom has a full length window directly opposite the service area of the adjoining dwelling, which is a non-secluded private open space, and is not required to be screened.</p> <ul style="list-style-type: none"> • Second floor: The Apartment 2.01 balcony incorporates a 1.5 metre high balustrade with a width of 0.6 metres on the eastern side. Given the height of the balcony relative to the adjoining dwelling, which is comparably lower, the screening device will adequately limit downward views into habitable room windows. The southern side of the balcony is not required to be screened as there are no sensitive areas within 9 metres. Any perceived overlooking in excess of 9 metres directly south-west will be limited by the first floor roof below. <p>On the third floor, all habitable room windows and terraces are located to adequately limit overlooking into all adjoining properties, which is achieved through the setbacks to boundaries in conjunction with the second floor roof location that limits downward views.</p>
<p>55.04-7 – Internal Views</p> <ul style="list-style-type: none"> • To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Met subject to condition</p> <p>A permit condition will require details of the height of the screens between the balconies of the second floor Apartments 2.06 and 2.07 to be a minimum of 1.7 metres above finished floor level (Condition 1.6).</p>
<p>55.04-8 – Noise Impacts</p>	<p>Met subject to condition</p>

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise. 	<p>There are no unusual noise sources that may affect existing dwellings.</p> <p>A permit condition will require acoustic glass to be provided to the habitable room windows directly facing Manningham Road to protect residents from external traffic noises on the main road (Condition 1.23).</p> <p>Plant on the roof of the building will be visually screened, together with building services including electrical substations and air inlets for the mechanical basement ventilation (Conditions 1.22 and 1.21).</p>
<p>55.05-1 – Accessibility</p> <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Met</p> <p>The development allows barrier-free access for people with limited mobility to the front entry of the building.</p> <p>The lift provides access to the basement car park levels and entries of all dwellings.</p>
<p>55.05-2 – Dwelling Entry</p> <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	<p>Met</p> <p>The apartments all derive pedestrian access from the central entry path and foyer on the frontage. The building entry is well identified and sheltered by a canopy.</p>
<p>55.05-3 – Daylight To New Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	<p>Met</p> <p>All habitable rooms will have external windows to ensure they have adequate solar access. The windows have adequate light court areas. There are no habitable rooms that rely on borrowed light, open to a light well or rely on below ground light courts.</p>
<p>55.05-4 – Private Open Space</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Considered Met</p> <p>All eight ground floor dwellings are provided with secluded private open space which consists of paved courtyards, with six of these dwellings incorporating landscaped gardens. The total amount of private open space afforded to each dwelling at ground level ranges from 18.4 square metres (one-bedroom dwelling) to 68 square metres. It is considered that the spaces are sufficient in area for the recreation and service needs of residents and the provision of landscaping.</p> <p>The remaining dwellings are provided with secluded private open space in the form of a balcony that range from 8 square metres to 61 square metres (incorporating a roof terrace). Each balcony complies with the standard.</p>

Objective	Objective Met/Not Met
<p>55.05-5 – Solar Access To Open Space</p> <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	<p>Met</p> <p>Due to the nature of the proposal as an apartment building, it is not possible to provide all private open space areas with a northern aspect.</p> <p>However, south-facing courtyards have been minimised, and where proposed, they include a west or east orientation to provide a reasonable level of solar access.</p>
<p>55.05-6 – Storage</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>Met subject to condition</p> <p>Storage with a capacity of 6 cubic metres for each dwelling has been designated to three areas; two locations within the lower basement level with a combined total of 15 storage spaces and ten storage spaces at ground level adjacent to the lift foyer.</p> <p>A permit condition will require details of the type and material of enclosure for each storage space (Condition 1.18).</p>
<p>55.06-1 – Design Detail</p> <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. 	<p>Met subject to condition</p> <p>The dwellings are articulated and incorporate various materials and finishes to reduce the sense of visual bulk.</p> <p>It is considered there is an opportunity to further improve any perceived visual bulk on the rear elevation by deleting the central section of second floor roof canopy between Apartments 2.06 and 2.07 (Condition 1.3). This section of roof does not serve a functional purpose and is considered to de-emphasise the recessed building wall between these apartments.</p> <p>A permit condition will also require a full schedule of materials and finishes with colour samples (Condition 1.33).</p>
<p>55.06-2 – Front Fence</p> <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Met subject to condition</p> <p>As discussed, the front fence complies with the DDO8 requirements, and will be modified to provide additional landscaping within the front setback. The fence therefore respects the preferred character of the area.</p> <p>To ensure the front fence complements the development, a permit condition requires the material and level of transparency (if any) of the front fence to be detailed, which must not be paling (Condition 1.32).</p>
<p>55.06-3 – Common Property</p> <ul style="list-style-type: none"> To ensure that communal open 	<p>Met</p> <p>The communal basement and pathway are</p>

Objective	Objective Met/Not Met
<p>space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <ul style="list-style-type: none"> To avoid future management difficulties in areas of common ownership. 	<p>practically designed. There are no apparent difficulties associated with the future management of these areas.</p>
<p>55.06-4 – Site Services</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	<p>Met subject to condition</p> <p>Appropriate site services are provided. The letterboxes are provided parallel to the site frontage, with a paved area to the footpath providing convenient access for Australia Post and residents. However, in order to screen the adjacent services cabinet, a permit condition will require the letterboxes and services cabinet to be mirrored, with the paved area in front of the services cabinet deleted in favour of landscaping (Condition 1.14).</p> <p>A permit condition will require the location of any fire services at the frontage to be shown and designed to complement the overall development (Condition 1.15).</p> <p>To bring together the landscaping and screening requirements in front of service cabinets, a permit condition will require details of the building's front entry and an elevation of the letterboxes and screening to service cabinets (Condition 1.16).</p> <p>To ensure the appearance of the building does not detract from any elevation, a permit condition will require retractable clotheslines to be installed within all ground level open spaces and balconies to ensure that they are not visible from the street or adjoining properties (Condition 1.19).</p>

Objector concerns

8.26 A response to the grounds of objection is provided in the below paragraphs:

Overdevelopment

8.27 The proposal satisfies the requirements of Clause 55 in respect to site coverage, setbacks, permeability, car parking, and open space provision and therefore the proposal is not considered to be an over development of the site. State Government Policy, as well as Council Policy supports increased densities in areas with good access to public transport and other services.

Building height, setbacks and visual bulk

- 8.28 The proposed setbacks satisfy the relevant standards outlined in Clause 55 and provides appropriate opportunities for landscaping to soften the appearance of the development.
- 8.29 The proposed articulation, stepped design of upper levels, selection of building materials and proposed setbacks are considered to be sufficient to address visual bulk concerns.

Inadequate car parking and increased traffic

- 8.30 The development provides a sufficient number of car parking spaces within the basement as required by Clause 52.06 of the Manningham Planning Scheme.
- 8.31 Council's Engineering & Technical Services Unit has assessed the application and has raised no concerns regarding the impact of the proposal on the surrounding traffic network. The increased traffic movement associated with the development can be readily accommodated in the surrounding street network, including within the service road.

Overshadowing

- 8.32 The extent of shadows cast into the adjoining property to the east is not considered unreasonable, with the shadows cast predominantly overshadowing a garage and driveway. Overshadowing of secluded private open space is less than what is permissible by the standard.

Overlooking and loss of privacy

- 8.33 Potential overlooking to the adjoining properties to the north has been assessed against DDO8 and Clause 55.04-6 of the Manningham Planning Scheme. Multiple permit conditions will require plan changes to demonstrate compliance with Standard B22, including from the ground floor balconies and habitable room windows of all of the rear dwellings, the first floor balcony of Apartment 1.01, the window of the first floor Apartment 1.06 bedroom and the second floor balcony of Apartment 2.05.

Heat transfer

- 8.34 Council's Strategic Sustainability Planner has assessed the application in conjunction with the submitted Sustainability Management Plan and has considered it provides satisfactory ESD methods that will be utilised through construction to achieve a sustainable building.

Construction impacts due to the proximity of basement excavation to boundaries

- 8.35 The setback of 4 metres between the basement and the southern boundary is not considered to be unreasonable and not dissimilar to setbacks provided by other similar style developments.
- 8.36 Potential damage to the adjoining property from construction is a civil matter that needs to be addressed by the building surveyor responsible for the development.

Other matters

- 8.37 Apartment G.05 is indicated on the ground floor plan as Apartment 26 erroneously. A permit condition will require this Apartment be re-numbered to G.05 (**Condition 1.29**).
- 8.38 Apartment 1.01 is not numbered on the first floor plan. A permit condition will require it be numbered (**Condition 1.30**).
- 8.39 The floor level is omitted on the third floor plan. A permit condition will require the relative level 107.20 metres be shown to be consistent with the level on the section plan (**Condition 1.31**).

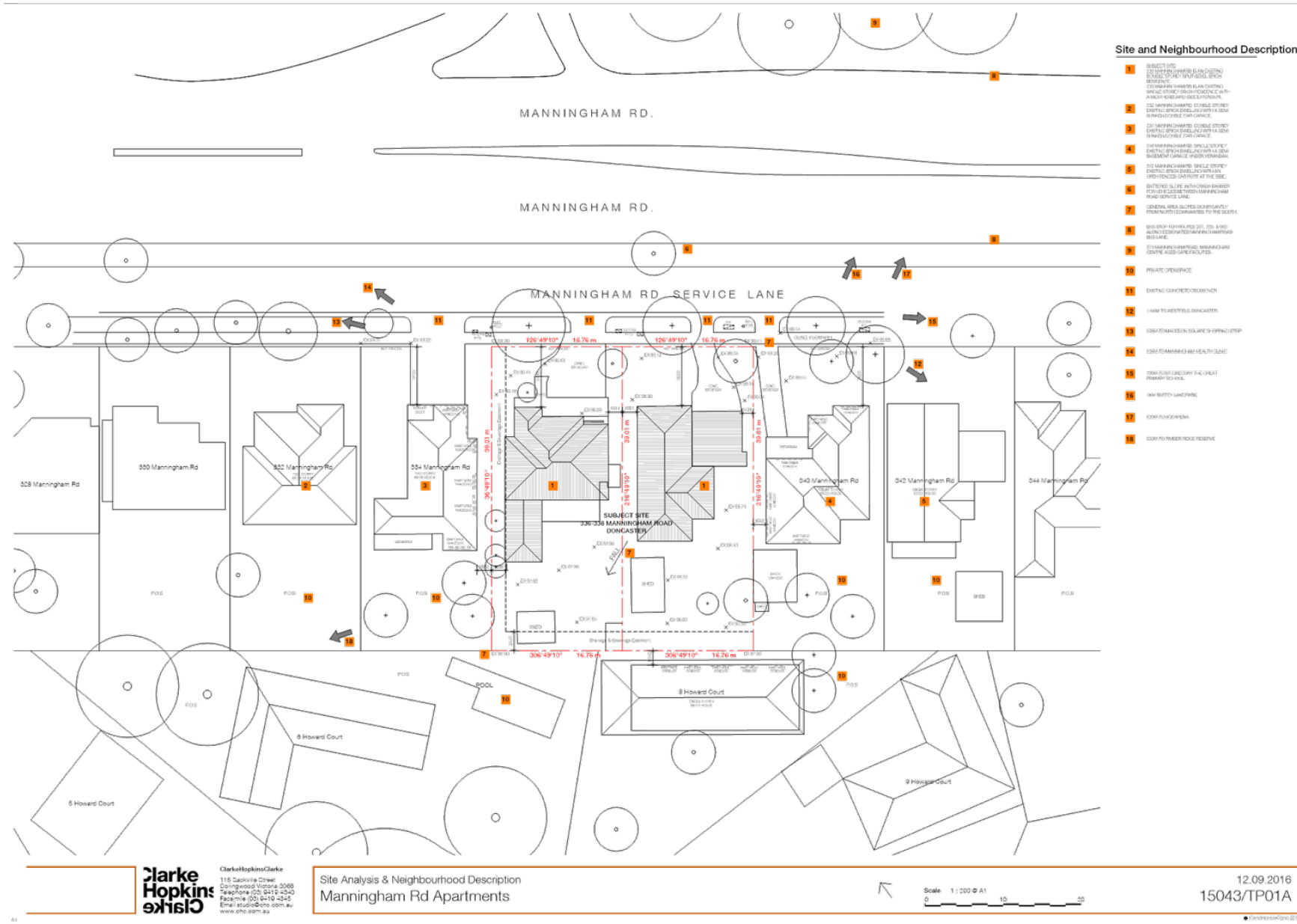
9. CONCLUSION

- 9.1 It is recommended that the application be supported subject to conditions.

10. DECLARATION OF CONFLICT OF INTEREST

- 10.1 No Officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.





Site and Neighbourhood Description

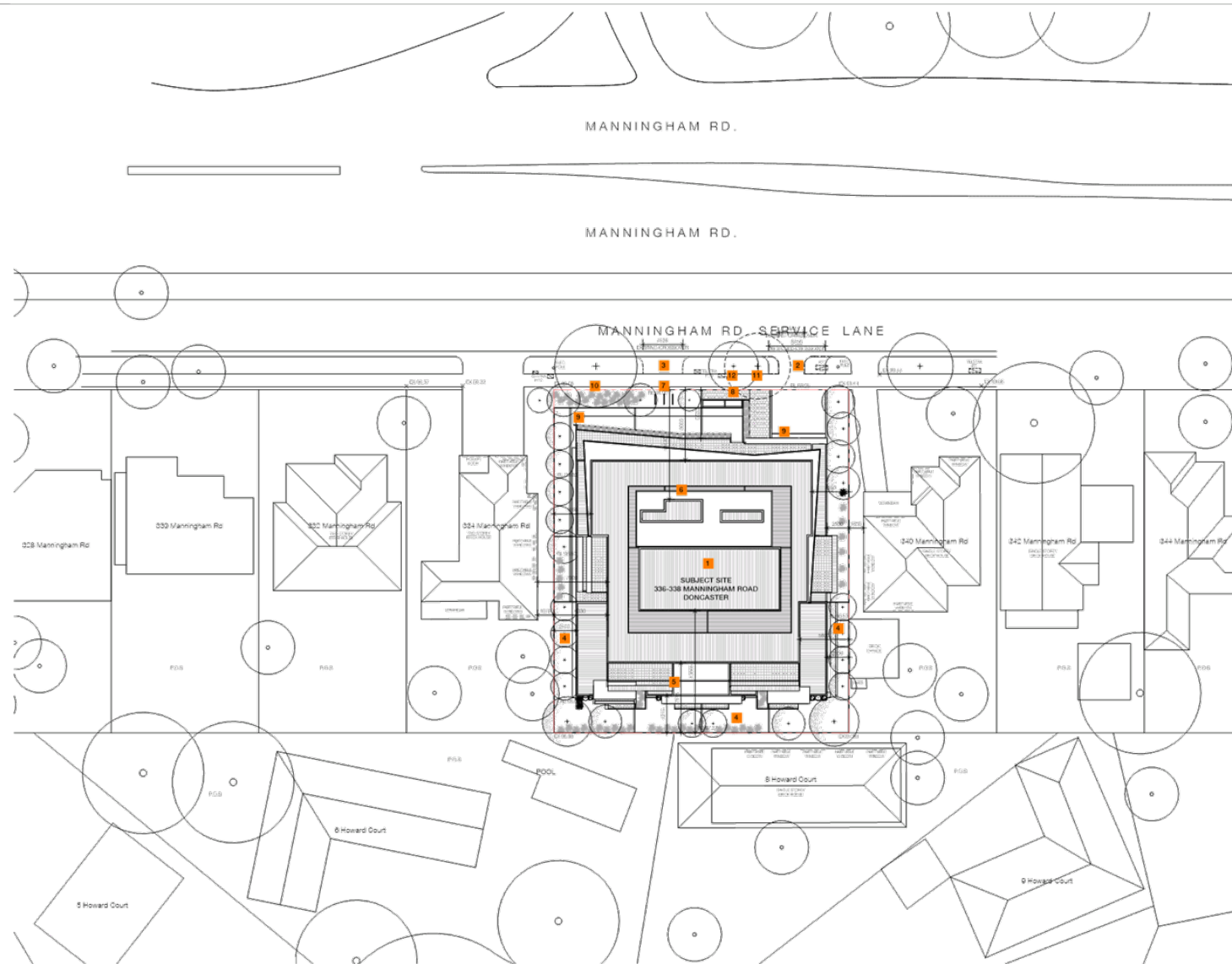
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- 2 336-338 MANNINGHAM ROAD DONKASTON
- 3 334 MANNINGHAM ROAD DONKASTON
- 4 332 MANNINGHAM ROAD DONKASTON
- 5 330 MANNINGHAM ROAD DONKASTON
- 6 328 MANNINGHAM ROAD DONKASTON
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Site Analysis & Neighbourhood Description
 Manningham Rd Apartments

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 15043/TP01A



Design Response

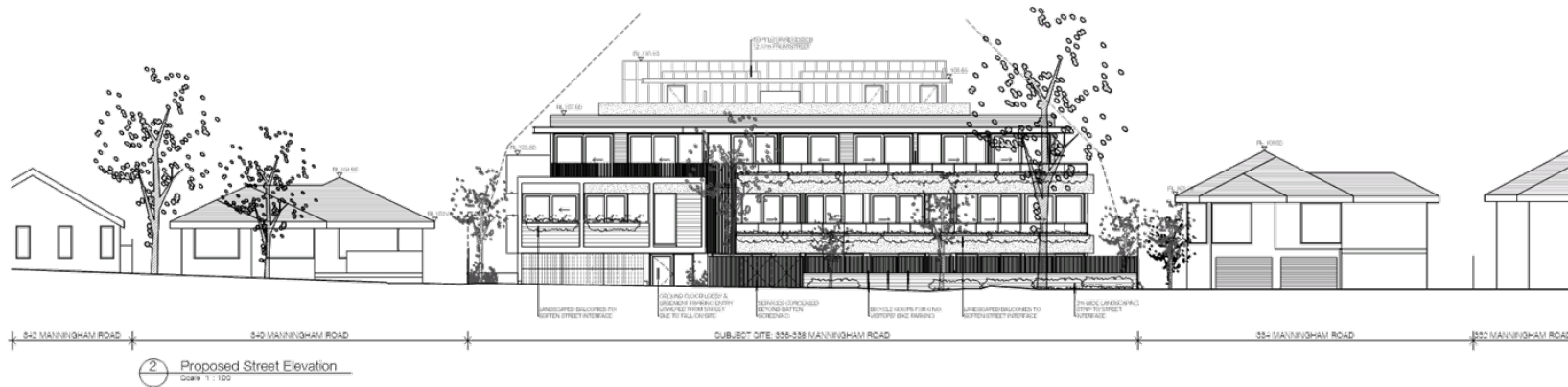
- 1. PROPOSED LEVEL APPROACH TO EXISTING CONCRETE OF 20 YEARS AND UNPAVED DRIVEWAY PARKING.
- 2. PROPOSED CONCRETE DRIVEWAY TO SUBJECT SITE. FOOTING FOUNDATION TO BE REDUCED TO 10% OF ROAD.
- 3. REINFORCEMENT OF EXISTING DRIVEWAY AND DRIVEWAY CURB AS PER CHANNEL REINFORCEMENT.
- 4. EXISTING DRIVEWAY TO BE REINFORCED TO PROPOSED DRIVELAY TO ALLOW FOR STORAGE AND WAREHOUSE TO BOTTOM BOUNDARY IN OTHER PLACES.
- 5. TYPICAL SETBACK TO THE RIGHT TO BE MAINTAINED AS PER THE ADJOINING PROPERTY.
- 6. EXISTING SETBACKS TO UPPER LEVEL TO BE MAINTAINED AS PER ADJOINING STREET LEVEL.
- 7. VARIATION OF SETBACKS TO APPROXIMATELY 10% OF STREET LEVEL.
- 8. INTERIM REINFORCEMENT OF DRIVEWAY.
- 9. VARIATION OF SETBACKS TO APPROXIMATELY 10% OF STREET LEVEL.
- 10. EXISTING DRIVEWAY TO BE MAINTAINED AS PER ADJOINING STREET LEVEL.
- 11. EXISTING DRIVEWAY TO BE MAINTAINED AS PER ADJOINING STREET LEVEL.
- 12. EXISTING DRIVEWAY TO BE MAINTAINED AS PER ADJOINING STREET LEVEL.

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Design Response
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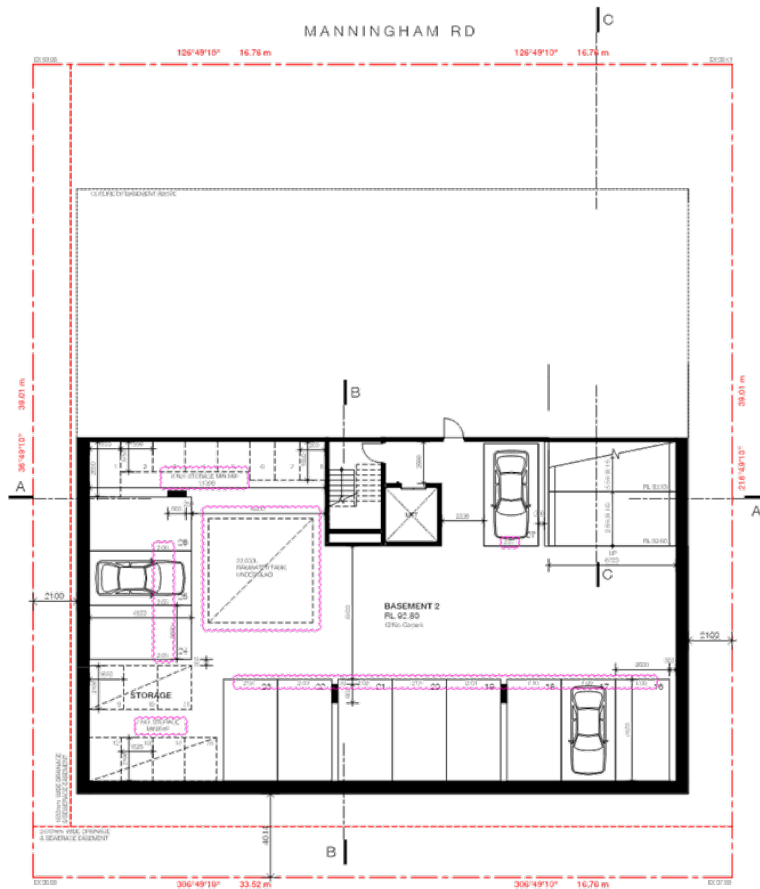


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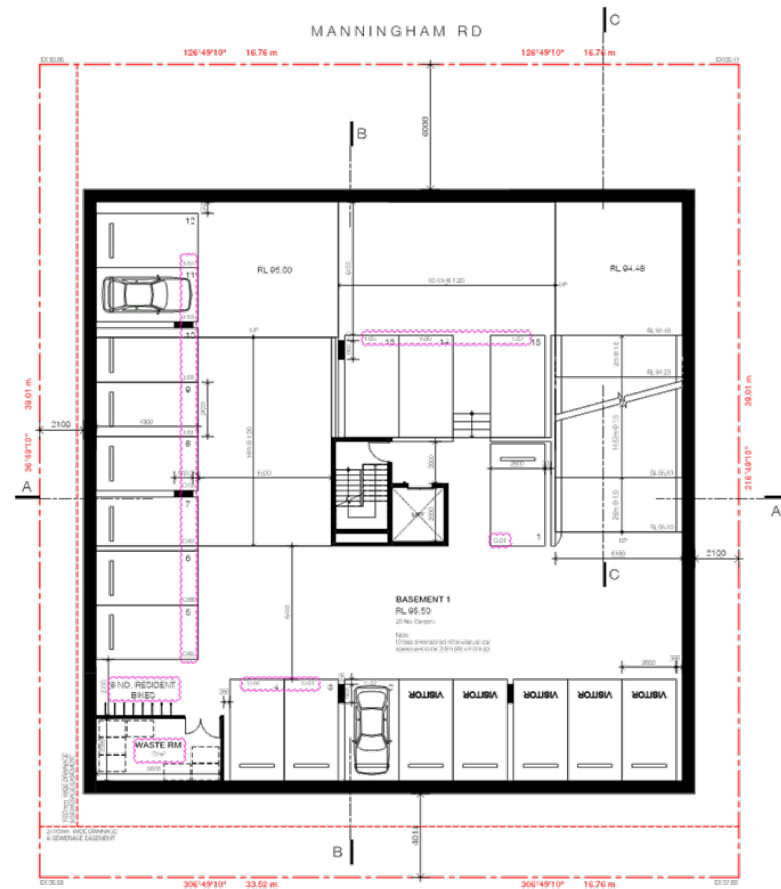
Street Elevations - Existing & Proposed
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 15043/TP03A



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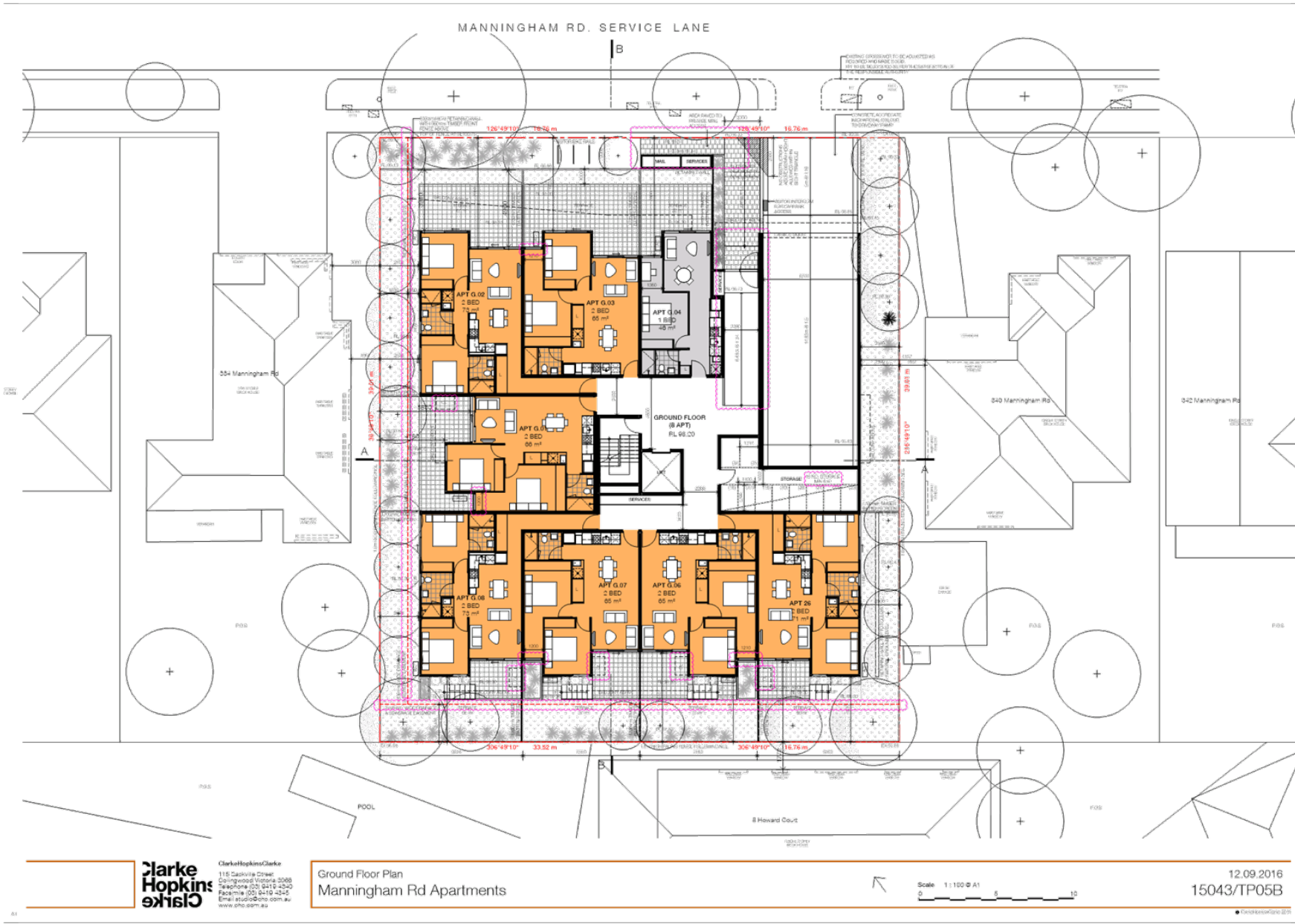
2 Basement 1 Plan
Scale: 1:100

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Basement Plans
Manningham Rd Apartments

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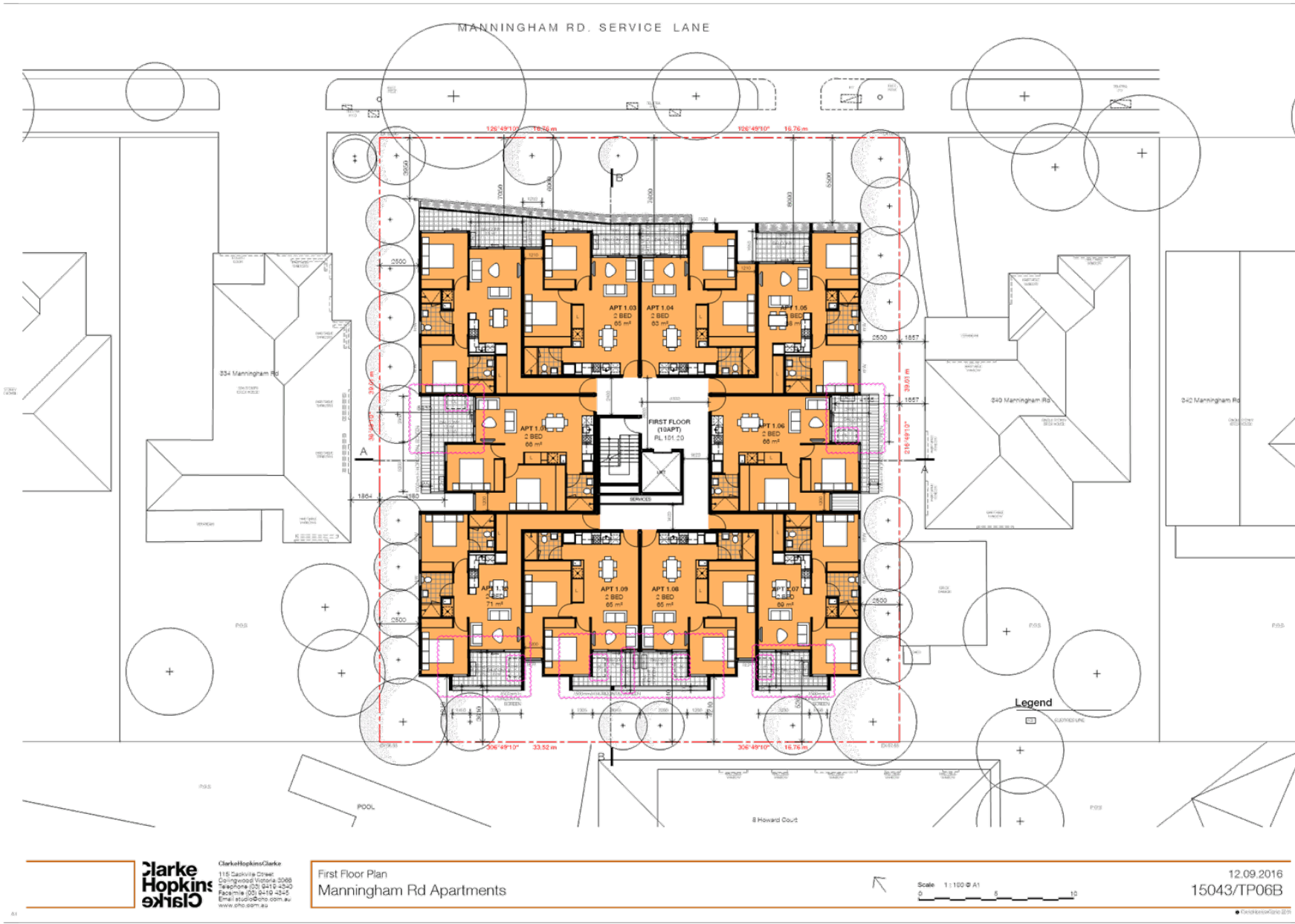


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Ground Floor Plan
 Manningham Rd Apartments

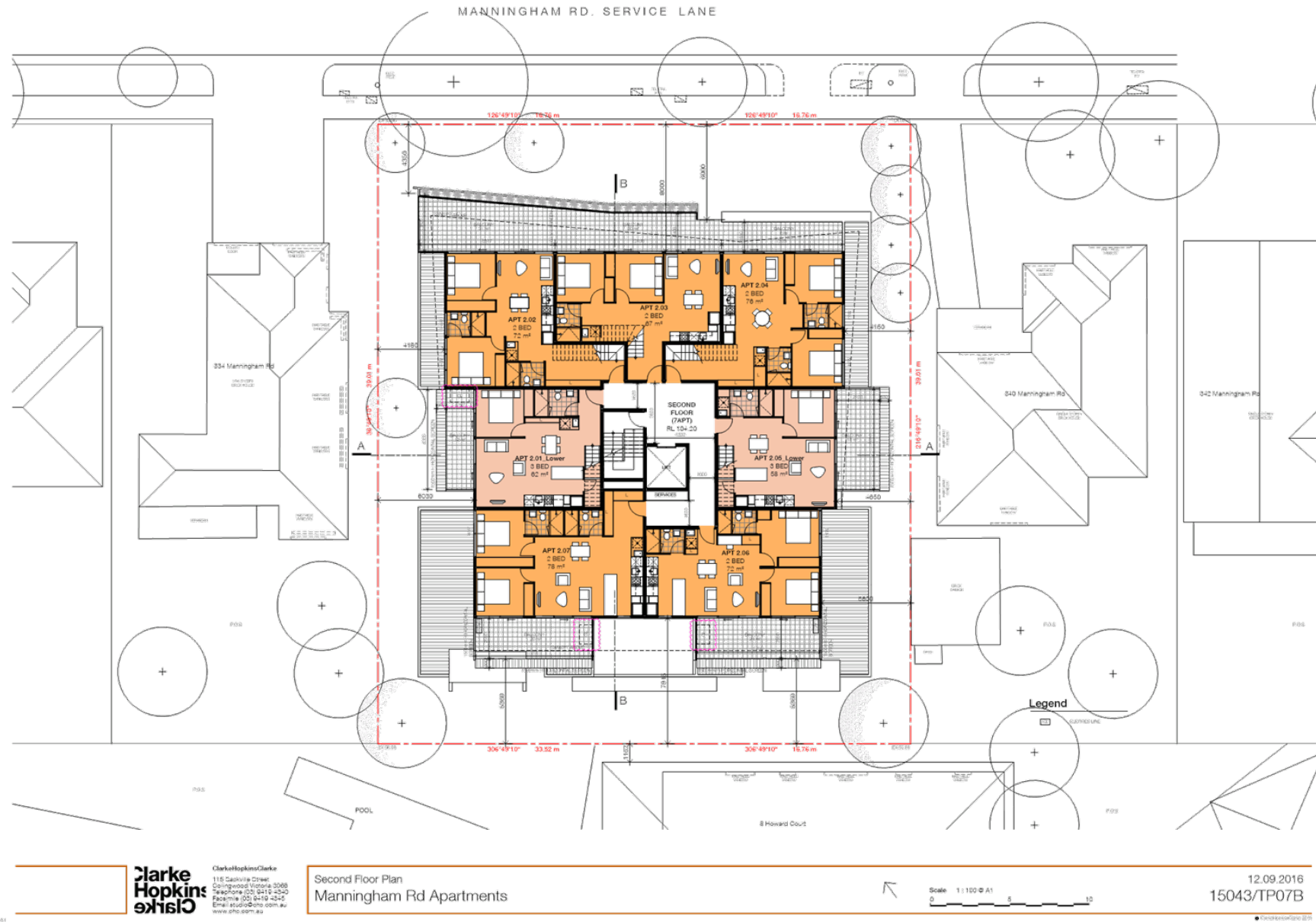
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First Floor Plan
Manningham Rd Apartments

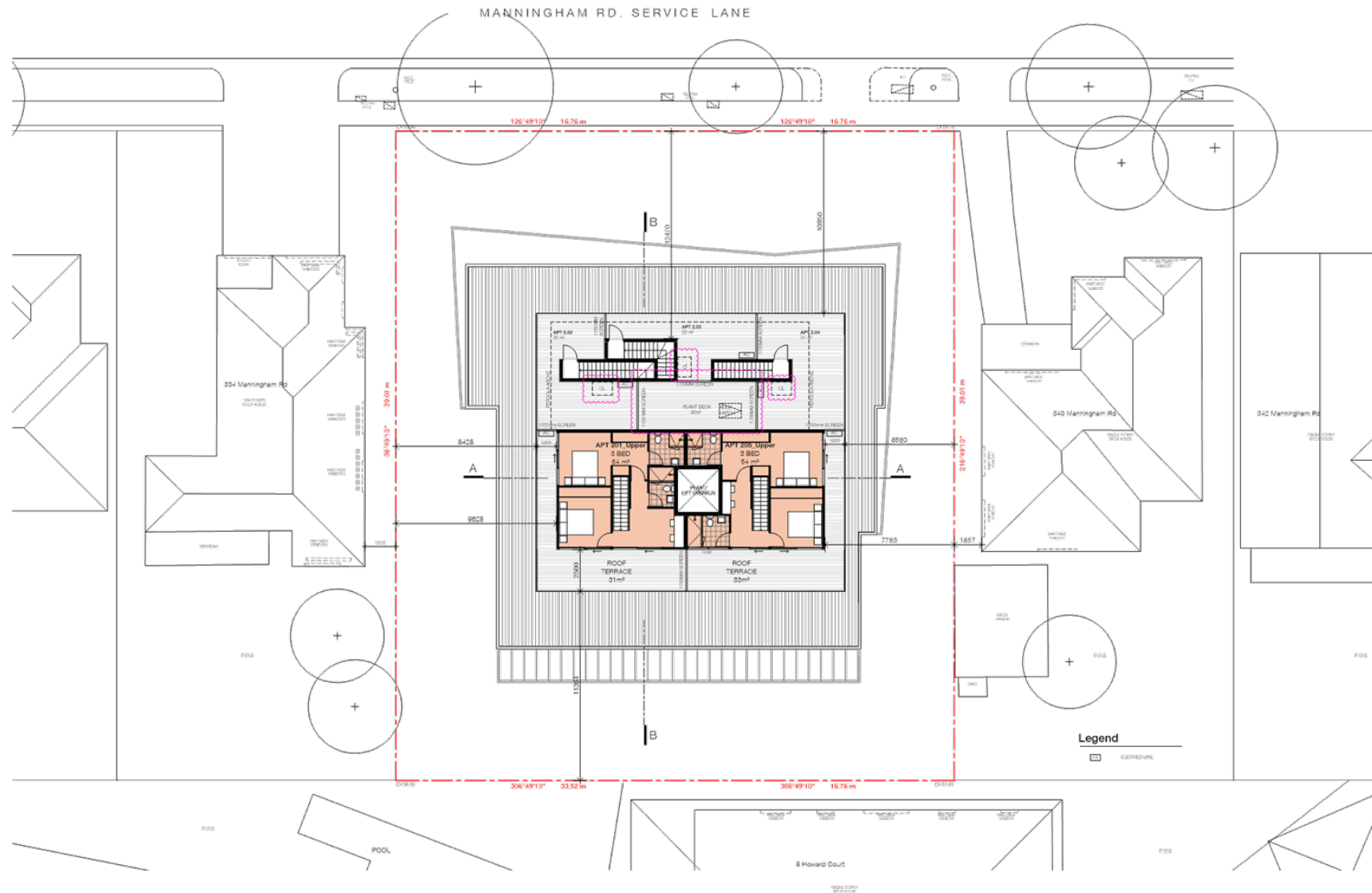


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Second Floor Plan
 Manningham Rd Apartments

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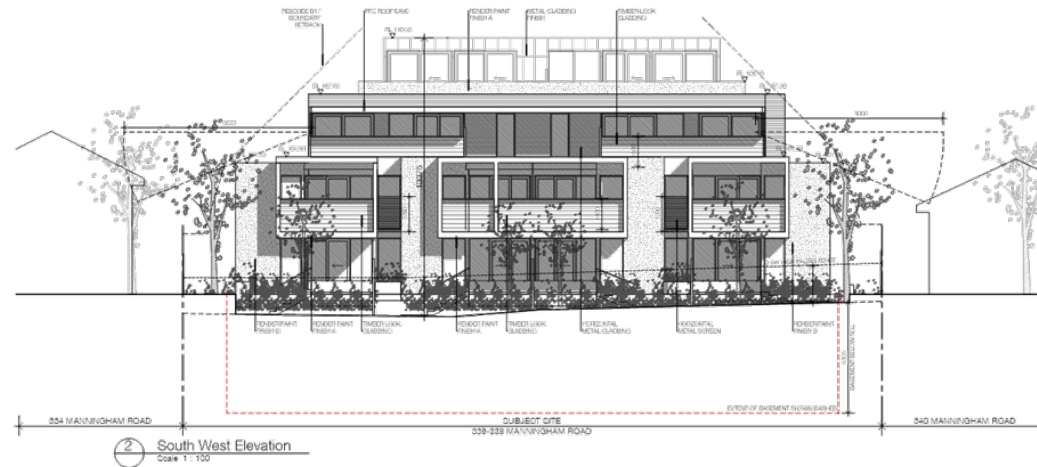
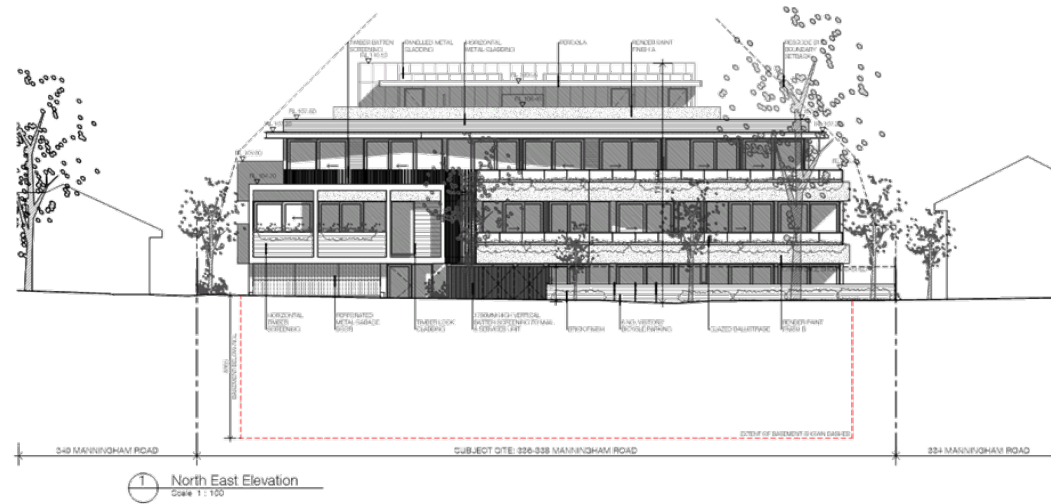


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Third Floor Plan
 Manningham Rd Apartments

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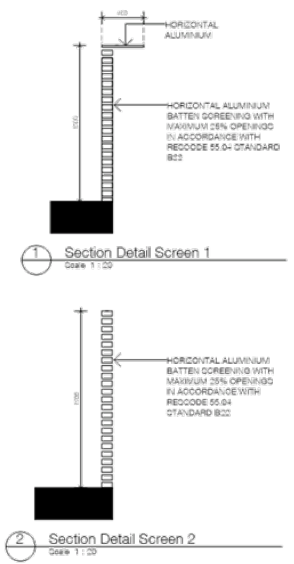
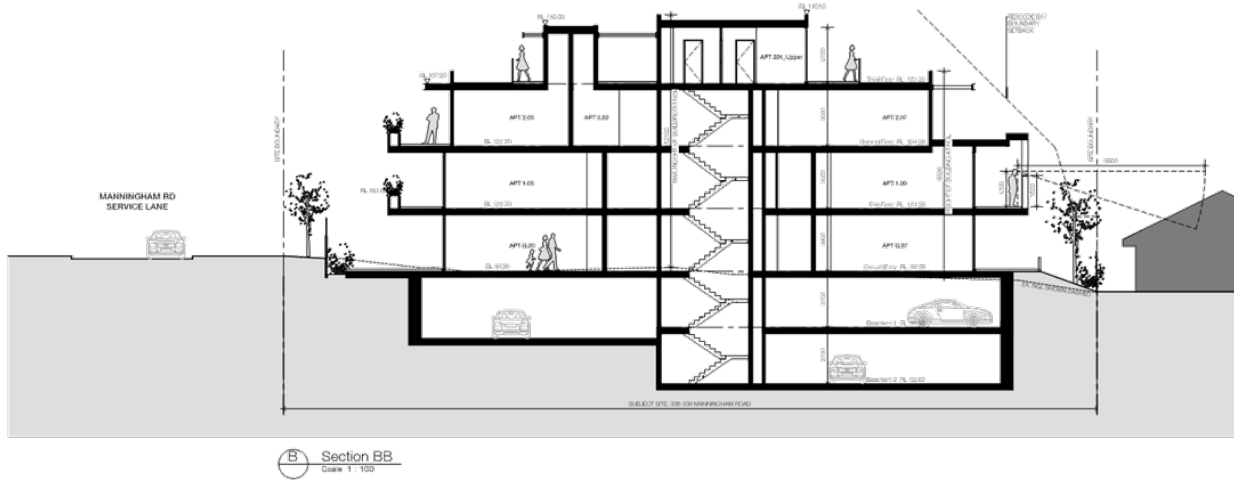
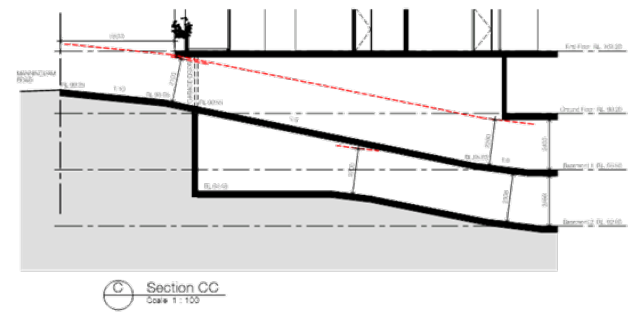
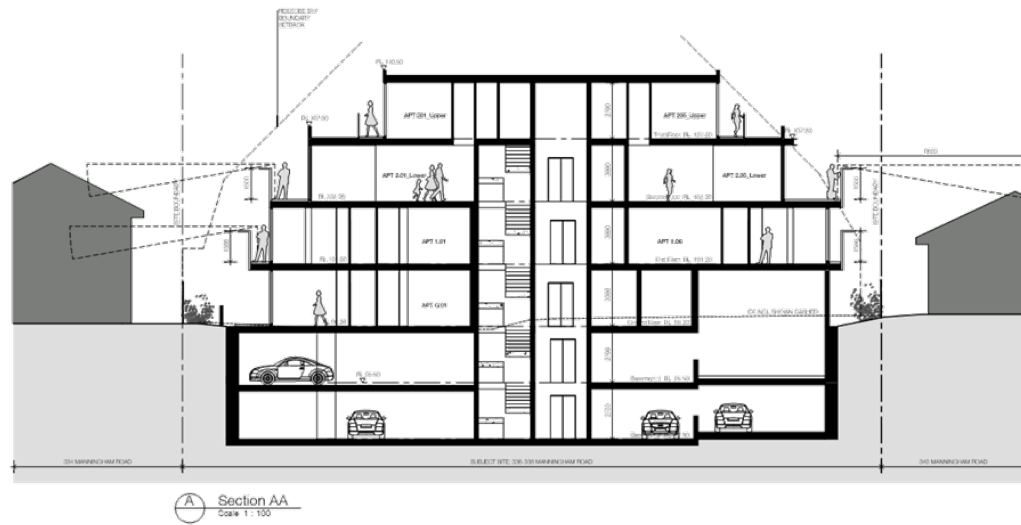


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Elevations
 Manningham Rd Apartments

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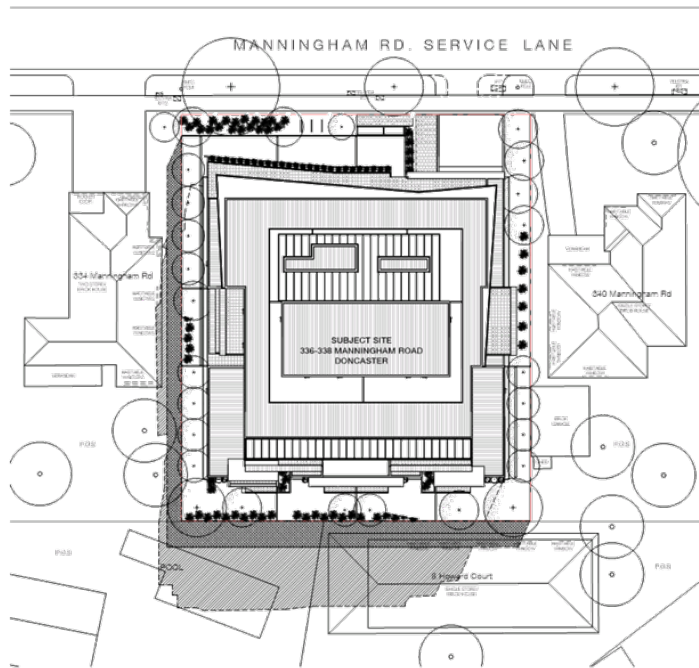


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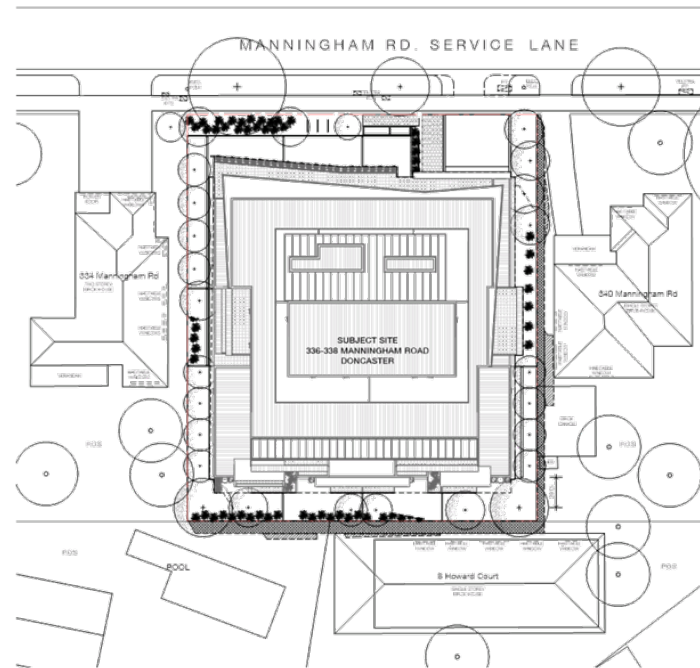
Sections
 Manningham Rd Apartments

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Sept 22 9am



Sept 22 12pm

Legend - Shadow

- SHADOWS OF EXISTING OR PROPOSED STRUCTURES
- SHADOWS OF ADJACENT BUILDINGS AND STRUCTURES AS PROVIDED ON THE CURRENT OR PROPOSED DEVELOPMENT PLAN



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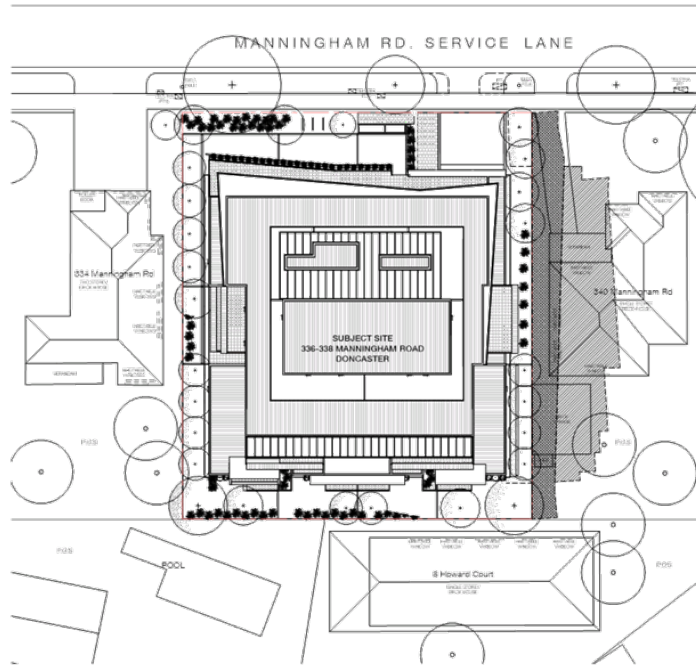
Shadow Diagrams 01
 Manningham Rd Apartments



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 15043/TP12

ClarkeHopkinsClarke



Sept 22 3pm

Legend - Shadow

- 
 EXTENT OF SHADOW ON FACED SURFACES OF EXISTING STRUCTURES
- 
 EXTENT OF ADDITIONAL SHADOWS ON FACED SURFACES OF EXISTING STRUCTURES FROM PROPOSED STRUCTURE AT HEIGHT OF SHADOWS ON FACED SURFACES

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Shadow Diagrams 02
 Manningham Rd Apartments

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 15043/TP13

5. LEGISLATIVE REQUIREMENTS

5.1 PLANNING AND ENVIRONMENT ACT 1987 (THE ACT)

The *Planning and Environment Act 1987* is the relevant legislation governing planning in Victoria. The Act identifies subordinate legislation in the form of Planning Schemes to guide future land use and development.

Section 60 of The *Planning and Environment Act*, requires the Responsible Authority to consider the following before deciding on an application:

- *The relevant planning scheme;*
- *The objectives of planning in Victoria;*
- *All objections and other submissions which it has received;*
- *Any decision and comments of a referral authority which it has received; and*
- *Any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.*

Section 61(4) of the Act makes specific reference to covenants. Under Section 61(4) of the *Planning & Environment Act 1987* the Responsible Authority must not issue a planning permit that would result in a breach of a registered restrictive covenant.

5.2 MANNINGHAM PLANNING SCHEME

Clauses of the Manningham Planning Scheme the Responsible Authority must consider:

- State Planning Policy Framework
- Local Planning Policy Framework
- Clause 32.07 Residential Growth Zone, Schedule 2
- Clause 43.02 Design and Development Overlay, Schedule 8
- Clause 52.06 Car Parking
- Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road
- Clause 55 Two or more dwellings on a lot and Residential Buildings
- Clause 65 Decision Guidelines

Zone

Clause 32.07 Residential Growth Zone, Schedule 2

The purpose of the Residential Growth Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To provide housing at increased densities in buildings up to and including four storey buildings.*
- *To encourage a diversity of housing types in locations offering good access to services and transport including activities areas.*
- *To encourage a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.*
- *To allow educational, recreational, religious, community and a limited range of other non residential uses to serve local community needs in appropriate locations.*

A Planning Permit is required to construct two or more dwellings on a lot within this zone.

An assessment for buildings and works for two or more dwellings is required under the provisions of Clause 55 of the Manningham Planning Scheme.

The purpose of Clause 55 is generally to provide well designed dwellings with considered regard to internal amenity, while at the same time, maintaining the amenity and character of the locality, with particular emphasis on the amenity of adjoining residents.

Overlay

Clause 43.02 Schedule 8 to the Design and Development Overlay

The design objectives are as follows:

- *To increase residential densities and provide a range of housing types around activity centres and along main roads.*
- *To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.*
- *To support three storey, 'apartment style', developments within the Main Road sub-precinct and in sub-precinct A, where the minimum land size can be achieved.*
- *To support two storey townhouse style dwellings with a higher yield within sub-precinct B and sub-precinct A, where the minimum land size cannot be achieved.*
- *To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive, taking into account the preferred neighbourhood character.*
- *To encourage spacing between developments to minimise a continuous building line when viewed from a street.*
- *To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties.*
- *To ensure developments of two or more storeys are sufficiently stepped down at the perimeter of the Main Road sub-precinct to provide an appropriate and attractive interface to sub-precinct A or B, or other adjoining zone.*
- *Higher developments on the perimeter of sub-precinct A must be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct B or other adjoining zone.*
- *To ensure overlooking into adjoining properties is minimised.*
- *To ensure the design of carports and garages complement the design of the building.*
- *To ensure the design of basement and undercroft car parks complement the design of the building, eliminates unsightly projections of basement walls above natural ground level and are sited to allow for effective screen planting.*
- *To create a boulevard effect along Doncaster Road and Manningham Road by planting trees within the front setback that are consistent with the street trees.*
- *To encourage landscaping around buildings to enhance separation between buildings and soften built form.*

Permit Requirement

- *A permit is required to construct or extend a front fence within 3 metres of a street, if the fence is associated with 2 or more dwellings on a lot or a residential building.*
- *A permit is not required to construct or extend one dwelling on a lot more than 500 square metres.*

Building Height & Setbacks

- Any building or works must comply with the requirements set out in Table 1 and 2 of this Schedule.
- A permit cannot be granted to vary the condition regarding the minimum land size and configuration specified in Table 2 to this Schedule.

- A permit cannot be granted to vary the Maximum Building Height specified in Table 2 to this Schedule. This does not apply to:
 - The rebuilding of a lawful building or works which have been damaged or destroyed.
 - A building which exceeds the specified building height for which a valid building permit was in effect prior of the introduction of this provision.
- For the purposes of this Schedule, the Maximum Building Height does not include building services, lift over-runs and roof mounted equipment, including screening devices.
- For the purposes of this Schedule, balconies, terraces, and verandahs may encroach within the Street Setback by a maximum of 2.0m, but must not extend along the width of the building.

Table 1

Sub-Precinct	Maximum Building Height	Condition regarding minimum land size	Street Setback
DDO8-1 Main Road Sub-Precinct	11 metres provided the condition regarding minimum lot size is met. If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.	1800 square metres must be all the same sub-precinct. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage	<p>For one dwelling on a lot:</p> <ul style="list-style-type: none"> • Minimum front street setback is the distance specified in Clause 54.03-1 or 6 metres, whichever is the lesser. • Minimum side street setback is the distance specified in Clause 54.03-1. <p>For two or more dwellings on a lot or a residential building:</p> <ul style="list-style-type: none"> • Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. • Minimum side street setback is the distance specified in Clause 55.03-1.

A Planning Permit is required to construct a building or construct or carry out works under this overlay.

State Planning Policy Framework

The relevant sections of the state planning policy framework are as follows:

Clause 15.01-1 Urban design

The objective of this policy is:

- *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

Clause 15.01-2 Urban design principles

The objective of this policy is:

- *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

Clause 15.01-4 Design for safety

The objective of this policy is:

- *To improve community safety and encourage neighbourhood design that makes people feel safe.*

Policy guidelines

Planning must consider as relevant:

- *Safer Design Guidelines for Victoria (Crime Prevention Victoria and Department of Sustainability and Environment, 2005).*

Clause 15.01-5 Cultural identity and neighbourhood character

The objective of this policy is:

- *To recognise and protect cultural identity, neighbourhood character and sense of place.*

Clause 15.02-1 Energy and resource efficiency

The objective of this policy is:

- *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

Clause 16.01-1 Integrated housing

The objective of this policy is:

- *To promote a housing market that meets community needs.*

Clause 16.01-2 Location of residential development

The objective of this policy is:

- *To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.*

Clause 16.01-4 Housing diversity

The objective of this policy is:

- *To provide for a range of housing types to meet increasingly diverse needs.*

Clause 16.01-5 Housing affordability

The objective of this policy is:

- *To deliver more affordable housing closer to jobs, transport and services.*

Local Planning Policy Framework (LPPF)**Municipal Strategic Statement**Clause 21.03 Key Influences

This clause identifies that future housing need and residential amenity are critical land-use issues that will challenge Manningham's future growth and sustainable development. The MSS acknowledges that there is a general trend towards smaller household size as a result of an aging population and smaller family structure which will lead to an imbalance between the housing needs of the population and the actual housing stock that is available.

This increasing pressure for re-development raises issues about how these changes affect the character and amenity of our local neighbourhoods. In meeting future housing needs,

the challenge is to provide for residential re-development in appropriate locations, to reduce pressure for development in more sensitive areas, and in a manner that respects the residential character and amenity valued by existing residents.

Clause 21.05 Residential

This policy outlines the division of Manningham into four Residential Character Precincts. The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available. In areas which are removed from these facilities a lower intensity of development is encouraged. A low residential density is also encouraged in areas that have identified environmental or landscape features.

The site is within “Precinct 2 – Residential Areas Surrounding Activity Centres and Along Main Roads”.

A substantial level of change is anticipated in Precinct 2. Whilst this area will be a focus for higher density developments, there are three sub-precincts which each stipulate different height, scale and built form outcomes to provide a transition between each sub-precinct and adjoining properties, primarily in Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads.

The three sub-precincts within Precinct 2 consist of:

Sub-precinct – Main Road (DDO8-1) is an area where three storey (11 metres) ‘apartment style’ developments are encouraged on land with a minimum area of 1,800m². Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage. The area of 1,800m² must all be in the same sub-precinct. All development in the Main Road sub-precinct should have a maximum site coverage of 60 percent.

Higher developments on the perimeter of the Main Road sub-precinct should be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct A or B, or other adjoining zone.

Sub-precinct A (DDO8-2) is an area where two storey units (9 metres) and three storey (11 metres) ‘apartment style’ developments are encouraged. Three storey, contemporary developments should only occur on land with a minimum area of 1800m². Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage. The area of 1800m² must all be in the same sub-precinct. In this sub-precinct, if a lot has an area less than 1800m², a townhouse style development proposal only will be considered, but development should be a maximum of two storeys. All development in Sub-precinct A should have a maximum site coverage of 60 percent.

Higher developments on the perimeter of sub-precinct A should be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct B, or other adjoining zone.

Sub-precinct B (DDO8-3) is an area where single storey and two storey dwellings only will be considered and development should have a maximum site coverage of 60 percent. There is no minimum land area for such developments.

The site is located within **Sub-Precinct – Main Road**.

Development in Precinct 2 should:

- *Provide for contemporary architecture*
- *Achieve high design standards*

- *Provide visual interest and make a positive contribution to the streetscape*
- *Provide a graduated building line from side and rear boundaries*
- *Minimise adverse amenity impacts on adjoining properties*
- *Use varied and durable building materials*
- *Incorporate a landscape treatment that enhances the overall appearance of the development.*
- *Integrate car parking requirements into the design of buildings and landform.*

Clause 21.05-2 Housing

The relevant objectives of this policy are:

- *To accommodate Manningham's projected population growth through urban consolidation, in infill developments and Key Redevelopment Sites.*
- *To ensure that housing choice, quality and diversity will be increased to better meet the needs of the local community and reflect demographic changes.*
- *To ensure that higher density housing is located close to activity centres and along main roads in accordance with relevant strategies.*
- *To promote affordable and accessible housing to enable residents with changing needs to stay within their local neighbourhood or the municipality.*
- *To encourage development of key Redevelopment Sites to support a diverse residential community that offers a range of dwelling densities and lifestyle opportunities.*
- *To encourage high quality and integrated environmentally sustainable development.*

The strategies to achieve these objectives include:

- *Ensure that the provision of housing stock responds to the needs of the municipality's population.*
- *Promote the consolidation of lots to provide for a diversity of housing types and design options.*
- *Ensure higher density residential development occurs around the prescribed activity centres and along main roads identified as Precinct 2 on the Residential Framework Plan 1 and Map 1 to this clause.*
- *Encourage development to be designed to respond to the needs of people with limited mobility, which may for example, incorporate lifts into three storey developments.*

Clause 21.05-4 Built form and neighbourhood character

The objective of this policy is:

- *To ensure that residential development enhances the existing or preferred neighbourhood character of the residential character precincts as shown on Map 1 to this Clause.*

The strategies to achieve this objective include:

- *Require residential development to be designed and landscaped to make a positive contribution to the streetscape and the character of the local area.*
- *Ensure that where development is constructed on steeply sloping sites that any development is encouraged to adopt suitable architectural techniques that minimise earthworks and building bulk.*
- *Ensure that development is designed to provide a high level of internal amenity for residents.*
- *Require residential development to include stepped heights, articulation and sufficient setbacks to avoid detrimental impacts to the area's character and amenity.*

Local Planning Policy

Clause 22.08 Safety through urban design

This policy applies to all land in Manningham. It endeavours to provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham. The policy seeks attractive, vibrant and walkable public spaces where crime, graffiti and vandalism is minimised.

Clause 22.09 Access for disabled people

This policy also applies to all land in Manningham. It seeks to ensure that people with a disability have the same level of access to buildings, services and facilities as any other person. The policy requires the needs of people with a disability to be taken into account in the design of all proposed developments.

Particular Provisions

Clause 52.06 Car Parking

Pursuant to Clause 52.06-5, car parking is required to be provided at the following rate:

- 1 space for 1 and 2 bedroom dwellings.
- 2 spaces for 3 or more bedroom dwellings.
- 1 visitor space to every 5 dwellings for developments of 5 or more dwellings.

Clause 52.06-8 outlines various design standards for parking areas that should be achieved.

Clause 52.29 Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road

The purpose of this clause is:

- To ensure appropriate access to identified roads.
- To ensure appropriate subdivision of land adjacent to identified roads.

A permit is required to create or alter access to a road in a Road Zone, Category 1. A permit is required to create or alter access to land in a Public Acquisition Overlay if the purpose of acquisition is for a Category 1 road.

Clause 52.34 Bicycle Facilities

Pursuant to Clause 52.34-3, the following number of bicycle spaces are required in development of four or more storeys:

- 1 space for every 5 dwellings for residents.
- 1 space for every 10 dwellings for visitors.

Clause 55 Two more dwellings on a lot and residential buildings

The development of two or more dwellings on a lot must meet the requirements of this clause. An assessment against this clause is provided in the report.

General Provisions

Clause 65 Decision Guidelines

This clause outlines that before deciding on an application, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The purpose of the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.

The meeting concluded at 6:45pm.

Chairperson
CONFIRMED THIS 21 February 2017