

9.2 Planning Application PLN18/0448 at 39 Greenridge Avenue, Templestowe for the construction of a three-storey building comprising 13 apartments

File Number:	IN19/78
Responsible Director:	Director City Planning and Community
Applicant:	Draeh Planning
Planning Controls:	General Residential Zone, Schedule 3; Special Building Overlay
Ward:	Heide
Attachments:	1 Decision Plans 2 Legislative Requirements

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 39 Greenridge Avenue, Templestowe and recommends refusal of the submitted proposal. The application is being reported to Council given as it is a Major Application (with a development cost of more than \$5 million).

Proposal

2. The proposal is for buildings and works associated with the construction of a three-storey apartment building comprising 13 dwellings, with at-grade car parking. The proposal incorporates the reuse of a former aged care facility. The existing building is predominantly single-storey, with a small first floor footprint.
3. The reuse of the building for this proposal necessitates a significant increase in the first floor footprint and the addition of a new second floor.
4. The land has a total area of 3,091m². The building has an overall site coverage of 47% and a site permeability of 38%. The building has a maximum height of 10.495m. A total of 24 car spaces and 18 bicycle spaces are provided.

Advertising

5. Notice of the application was given over a three week period which concluded on 12 December 2018.
6. To date, five objections have been received. The objections include issues relating to neighbourhood character, design and built form (building height, number of storeys and street presentation), traffic and car parking (distance from public transport, lack of off-street and on-street car parking and sustainable transport), off-site amenity impacts (overshadowing, privacy and overlooking and noise) and construction impacts.

Assessment

7. The development of the land with a three-storey apartment building is inconsistent with the relevant objectives of state and local planning policies of the Manningham Planning Scheme, including the requirements of the Clause 21.05

(Residential) and the purpose of the General Residential Zone, Schedule 3. A development of this scale, intensity and typology is not supported by local planning policy, does not respect the existing neighbourhood character and does not constitute an incremental level of change.

8. The proposal does comply with some requirements of Clause 55 (two or more dwellings on a lot or residential buildings) relating to site coverage and permeability and provides adequate car parking access with a surplus of car parking spaces.
9. However, it fails to meet key objectives relating to building height, street setback, side and rear setbacks and design detail, which contribute to a development that does not respect the existing neighbourhood character. Inadequate deep soil area, an over-reliance on screen planting and a lack of capacity for canopy tree planting serve to exacerbate visual bulk concerns. The proposal also fails to provide adequate internal amenity, as it relates to daylight to new windows, room depth, solar access to open space and internal views.

Conclusion

10. This report concludes that the proposal does not comply with the relevant planning policy in the Scheme and should not be supported.
11. It is recommended that Council resolve to not support the application and as an appeal has been lodged by VCAT for “failure to determine” by the permit applicant, VCAT, the permit applicant and objectors be notified accordingly of this decision.

1. RECOMMENDATION

That Council:

- A. Resolve to not support Planning Application PLN18/0448 at 39 Greenridge Avenue, Templestowe for the construction of a three-storey apartment building comprising 13 apartments and act in accordance with the provisions of Section 84(1 & 2) of the Planning & Environment Act 1987 (an application may be determined after an appeal has been lodged but the Responsible Authority must not issue the decision).**
- B. That the Victorian Civil and Administrative Tribunal and all objectors be advised that the application has been considered by Council where it was resolved to not support the application on the following grounds:-**
 - 1. The proposal does not respect the existing neighbourhood character or constitute an appropriate incremental level of change, which is contrary to Clause 21.05 (Residential), the purpose of the General Residential Zone and the objectives of Clauses 55.02-1 (Neighbourhood Character) and 55.02-2 (Residential Policy) of the Manningham Planning Scheme.**
 - 2. The proposal will result in unreasonable streetscape and off-site amenity impacts to adjoining properties through unsympathetic built form, scale, excessive bulk and massing, verticality and lack of articulation, which is contrary to the objectives of Clauses 55.02-1 (Neighbourhood Character), 55.03-1 (Street Setback), 55.03-2 (Building**

Height), 55.04-1 (Side And Rear Setbacks) and 55.06-1 (Design Detail) of the Manningham Planning Scheme.

- 3. The proposal does not provide adequate canopy tree planting and landscaping opportunities throughout the site due to the siting of the building, decks, hard stand areas and retaining walls, which is contrary to the objectives of Clauses 55.03-8 (Landscaping) and 55.07-4 (Deep soil areas and canopy trees) of the Manningham Planning Scheme.**
- 4. The proposal will result in unreasonable on-site amenity impacts to future residents due to poor solar access to habitable room windows and open space, as well as internal views, which is contrary to the objectives of Clauses 55.04-7 (Internal Views), 55.05-3 (Daylight To New Windows), 55.05-5 (Solar Access To Open Space) and 55.07-14 (Windows) of the Manningham Planning Scheme.**
- 5. The proposal may result in unreasonable off-site amenity impacts due to inadequate overlooking treatments to adjoining properties to the north and north-west, which is contrary to Clause 55.04-6 (Overlooking) of the Manningham Planning Scheme.**

2. BACKGROUND

- 2.1 A pre-application request was submitted to Council on 11 May 2018. Officers raised significant concerns with the proposal, identifying it would be unlikely to be supported as the proposal did not meet fundamental policy objectives.
- 2.2 The application was submitted to Council on 5 July 2018.
- 2.3 A request for further information was sent on 1 August 2018. The letter also raised a number of concerns with the proposal including those contained in the grounds of refusal.
- 2.4 All requested further information was received by Council on 9 November 2018. Included with the further information was an increased development cost estimate of greater than \$5 million.
- 2.5 Notice of the application was given over a minimum three-week period which concluded on 12 December 2018.
- 2.6 The statutory time to enable an application to be lodged by the applicant at VCAT for Council's failure to determine the application within 60 days concluded on 10 February 2019.
- 2.7 An application has been lodged against Council's failure to determine the application within the prescribed time under Section 79 of the *Planning and Environment Act 1987*.
- 2.8 The land title is not affected by any covenants or restrictions.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site is situated on the northern side of Greenridge Avenue, Templestowe, approximately 365m by road from the intersection with King Street.
- 3.2 The site is triangular in shape, with dimensions of approximately 102m along the southern boundary frontage, 54.6m along the eastern side boundary, with rear boundary dimensions of 44.6m to the north and 51.4m to the north-west. The site area is 3,091m².
- 3.3 The topography of the site is undulating. The lowest point of the site is at the western corner, however the site has a similar low point centrally at the location of an existing building. The frontage rises to the east, with the highest point in the location of the existing crossover. Existing retaining walls surround much of the existing building, which is benched into the site. The car park is set 2m lower than the crossover on a sloping surface.
- 3.4 The site is encumbered by multiple easements, including a 25m wide transmission easement. Through the middle of the transmission easement is a drainage and sewerage easement, and on the western side of the transmission easement is an additional 2m wide drainage easement adjacent to the site frontage.
- 3.5 An existing building is located on the western part of the site. It is predominantly a single-storey building, with a small first floor footprint. The building is a former aged care facility constructed of brick with flat roofing.
- 3.6 The building consists of a 798m² ground floor area containing 26 rooms and associated amenities and facilities, with a central unroofed courtyard. The entry to the building faces east onto the existing car park. The first floor incorporates two self-contained apartments within a smaller 180m² footprint. Also located on the eastern side of the building is a small 169m² basement, which comprises storage, laundry facilities and services.
- 3.7 An open air car park incorporating 17 car spaces is located on the eastern side of the property, within the transmission easement. The car park is accessed from a 6.2m wide crossover located at the eastern end of the site frontage. A pedestrian path extends from the site frontage to the driveway.
- 3.8 Side and rear fencing consists of timber palings, varying from 1.65m to 2m in height. The site frontage is fenced with approximately 1.8m high vertical timber slats. An electrical substation is located within the site frontage on the western side of the driveway. A 10m high *Eucalyptus mannifera* 'Brittle Gum' is located 4m west of the existing crossover within the road reserve. Other features within the road reserve include three additional street trees, light poles, sewer pits, side entry pits and two brick paved car parking bays.

The Surrounds

- 3.9 The site has direct abutments with six properties, as follows:

Direction	Address	Description
North-	12 Mossdale	A 735m ² property developed with a two-storey brick

west	Court	dwelling with a hipped tile roof. The dwelling is setback 7.7m from its Mosssdale Court frontage and 4m from the common boundary separated by private open space and some landscaping providing a buffer along the boundary. Several habitable room windows face the subject site.
	44 Beecroft Crescent	A 919m ² property developed with a two-storey brick dwelling with a hipped tile roof. The dwelling features a first floor roofed balcony across the entire façade, setback a minimum 5.9m from the common boundary, separated by a swimming pool and paved area, with a landscape buffer along the boundary. The dwelling contains numerous habitable room windows facing the subject site, with a minimum setback of 7.2m.
North	46 Beecroft Crescent	A 1,047m ² property developed with a three-storey attic-style brick dwelling with a steep hipped tile roof. The dwelling presents to the subject site as a two storey dwelling, with the attic style windows facing east-west. The dwelling is setback 8.7m from the common boundary separated by private open space, with a landscape buffer along the boundary. Several habitable room windows face the subject site. This private open space area extends to the east, whereby a substantial 40m setback is present between this dwelling and the adjoining dwelling at 48 Beecroft Crescent.
	48 Beecroft Crescent	An 866m ² property developed with a two-storey brick dwelling with a hipped tile roof. The dwelling is setback 17.7m from the common boundary separated by a swimming pool and paved area, with a landscape buffer along the boundary.
East	39B Greenridge Avenue	A 612m ² property developed with a two-storey brick and render dwelling with a hipped tile roof. The ground floor is setback 11.8m and the first floor is setback 12.4m from the common boundary, separated by a common property area, with private open space at the rear of the site. The dwelling contains numerous habitable room windows facing the subject site.
	39A Greenridge Avenue	A 277m ² property developed with a single storey brick dwelling with a hipped tile roof. The dwelling is setback 7.6m from its Greenridge Avenue frontage, and 11.6m from the common boundary, separated by common property incorporating a driveway and a wide landscape strip along the boundary. The dwelling contains several habitable room windows facing the subject site.
Adjoining lots are subject to the same height controls as the subject site.		

- 3.10 The broader area contains a high proportion of two-storey detached dwellings, with several examples of multi-unit developments, including on the southern side of Greenridge Avenue and Mosssdale Court. The predominant typology of multi-unit development in the immediate area is two dwellings on a lot, with a two-storey form, generally attached in a side-by-side formation.

- 3.11 Lot sizes in the area are highly variable, highlighted by the above instances of immediately adjacent properties. This irregularity is due to the curvilinear road network and varying subdivision pattern, including the prevalence of cul-de-sacs. Subdivided properties in the immediate area generally have lot sizes greater than 300m². The exception to these characteristics is the subject site itself, being the largest property in the wider area.
- 3.12 Greenridge Avenue is a 5m wide local street serving two-way traffic in an east-west direction. The road terminates at the western end of the subject site with a hammerhead turning bay. Beyond this point, a separate roadway is provided in the form of Mossdale Court to the west. Kerbside parking is not permitted along this section of Greenridge Avenue due to the narrow road width. Dedicated brick paved parking bays are provided within the road reserve on both sides of the road. This narrow section of road currently serves 13 properties, including the subject site. To the east, within 25m of the eastern end of the subject site, Greenridge Avenue opens up to a 10m wide roadway.
- 3.13 The site is serviced by bus routes operating along King Street, with the furthest bus stop being on Victoria Street, approximately 630m by road. The site is within 2.5km of Jackson Court Shopping Centre and 3.2km of Stockland The Pines Shopping Centre by road. The site is also serviced by Mossdale Court Reserve within 130m walking distance, and Ruffey Lake Park within 900m walking distance. Other community and local facilities include a childcare centre within 300m walking distance, Serpells Primary School and St Charles Borromeo Primary School located approximately 1.5km by road, and Doncaster and East Doncaster Secondary Schools located within 2.5km by road.

4. THE PROPOSAL

- 4.1 The proposal is outlined on the plans prepared by Axiom Architects, Job No. GNR_18, Revisions B dated 8 November 2018 and a concept landscape plan prepared by Hamilton Landscape Architects Pty Ltd, Job No. 18-019, Revision B (undated). Refer to Attachment 1.
- 4.2 The following reports were provided in support of the application:
- Town Planning report prepared by Draeh Planning dated November 2018;
 - Traffic Impact Assessment prepared by O'Brien Traffic dated 31 October 2018;
 - Waste Management Plan prepared by Leigh Design dated 28 June 2018;
 - Sustainable Management Plan prepared by GIW Environmental Solutions, Revision D dated 26 October 2018;
 - Green Travel Plan prepared by GIW Environmental Solutions, Revision B dated 28 June 2018; and
 - Arboricultural Assessment prepared by Jarrad Miller Arboriculture, Reference No. 18102TEM, Version 1 dated 28 June 2018 and Version 2 dated 1 November 2018.

Development summary

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

Land Size:	3,091m ²	Minimum wall setback to Greenridge Ave	Ground: 5.125m First: 7.62m Second: 7.624m
Site Coverage:	47%	Minimum wall setback to eastern boundary	Ground: 26.5m First: 26.5m Second: 26.5m
Permeability:	38%	Minimum wall setback to northern boundary	Ground: 2.5m First: 2.5m Second: 3.8m
Maximum Building Height:	10.495m	Minimum wall setback to north-eastern boundary	Ground: 2.712m First: 2.716m Second: 3.914m
Number of Dwellings:	13 dwellings		
• 2 Beds:	• 8		
• 3 Beds:	• 4		
• 4 Beds:	• 1		
Dwelling Density:	One per 237.8m ²		
Car parking	Required:	Provided:	
• Total:	• 18 spaces	• 24 spaces	
• 2 Beds:	• 8	• 12	
• 3 Beds:	• 8	• 8	
• 4 Beds:	• 2	• 2	
• Visitors:	• N/A	• 2	
• Surplus:	• N/A	• 6	

Design layout

- 4.4 The existing basement footprint is retained and comprises external storage for each apartment, 13 bicycle spaces and a bicycle repair station and tool shed. The existing ground floor footprint remains largely the same, with changes including straightening of former curvilinear walls, the conversion of a room on the north-western side to the Dwelling 4 to an alfresco area and the modification of the central courtyard to an internal passage with smaller garden beds. Building setbacks remain the same, with the exception of covered alfresco areas that project into the Greenridge Avenue frontage by 2.5m. Ground floor level comprises five dwellings, the main entry and lift lobby in its original location, the provision of five bicycle spaces and the expansion of the existing car park on the eastern side of the property. A 28m² communal garden is provided between the building and the car park.
- 4.5 The first floor footprint has been significantly increased to the south (Greenridge Avenue) and to the north and north-west. This includes the partial cantilevering of the building over the north-western ground floor footprint. A visual break is provided on the eastern car park side, in the form of a void over the building entry below. A central internal passage is provided above the courtyard. This first floor level comprises four dwellings. A balcony is provided on the northern and north-western sides, with consistent row of balconies provided to the front façade.
- 4.6 The second floor is an additional level over the existing building. The footprint provides increased setbacks from the ground floor below to the northern and north-western sides. The visual break on the car park side is maintained as per the level below. A central internal passage is provided above the courtyard. This second floor level also comprises four dwellings. Balconies are positioned similarly to the first floor level, with the front setback being consistent with the first floor setback.

Pedestrian and vehicular access and layout

- 4.7 Pedestrian access will be from a well-defined lobby on the eastern side of the building, with the option of stairs or a ramp. A path with a 1:42 gradient leads from the site frontage directly to the building entry.
- 4.8 The existing vehicle crossover will be relocated to the west. The 6.5m wide crossover leads to an expanded car park with two rows of vehicle parking. Each row is covered by a carport structure. The car park provides 24 vehicle spaces. A bin storage area and a waste vehicle parking bay is located towards the front of the site. A 17,000 litre underground water tank is located under car spaces in the western car parking bay.

Landscaping

- 4.9 No existing trees are to be retained. Proposed landscaping includes an abundance of screen planting along all boundaries and the provision of several tree varieties, predominantly located within the front setback. Limited tree planting is proposed within the rear setback.

Design Detail

- 4.10 The proposed building is of a Georgian architectural style with contemporary elements. Materials include the application of brick to ground floor walls and render to first and second floor walls. A tiled, hipped roof is applied above the second floor. Lower floor roofs are flat and concealed by parapet walls.
- 4.11 Verticality is expressed through the building's sheer form and the consistent use of balcony columns, infilled with clear glazed balustrades. Horizontal form is expressed through predominantly unbroken balcony treatment as well as the use of decorative mouldings that wrap around the building at the top of parapets.
- 4.12 Fencing in the streetscape borrows from the existing fencing design with vertical timber panels and the inclusion of brick piers with decorative moulded capping.

5. LEGISLATIVE REQUIREMENTS

- 5.1 Refer to Attachment 2.
- 5.2 A permit is required under the following Clauses of the Manningham Planning Scheme:
- Clause 32.08-6 (General Residential Zone – GRZ), to construct two or more dwellings on a lot.
 - Clause 44.05 (Special Building Overlay – SBO), to construct a building or to construct or carry out works, including a fence.

6. REFERRALS**External**

- 6.1 Pursuant to Clause 44.05-6 (SBO), the application must be referred to the relevant floodplain management authority. The application was referred to Melbourne Water Corporation as a determining referral authority.

- 6.2 Melbourne Water have no objection subject to conditions requiring that the decision plans, including the roofed car park not be altered, and specifying that the main entry ramp be constructed to the finished surface levels shown.
- 6.3 Given the proposal involves the construction of a building or the construction or carrying out of works on land within 60 metres of a major electricity transmission line (220 Kilovolts or more) or an electricity transmission easement, the application has been referred to AusNet Services as a determining referral authority.
- 6.4 AusNet Services have no objection subject to conditions requiring that no part of the building (including eaves) be permitted within the easement, with the exception of the carport structures, which must be open-sided and not exceed 3m in height. The western carport cannot be relocated east. A future electric car charging station is not permitted within the easement. Natural surface levels on the easement must not be altered by stockpiling or landscaping, and a maximum 3m height limitation is placed on the use of the car park by vehicles as well as all trees and shrubs at maturity within the easement.

Internal

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

Service Unit	Comments
Infrastructure Services Unit – Drainage	<ul style="list-style-type: none"> No objection subject to conditions for the provision of onsite storm water detention.
Infrastructure Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> No objection subject to conditions requiring the removal of the redundant crossover.
Infrastructure Services Unit – Access and Driveway	<ul style="list-style-type: none"> No objection subject to conditions requiring maintenance of adequate sight lines from the exit lane.
Infrastructure Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> No objection as the number of car parking spaces provided is satisfactory and there are no traffic issues in the context of the traffic and the surrounding street network.
Infrastructure Services Unit – Car Parking Layout	<ul style="list-style-type: none"> No objection.
Infrastructure Services Unit – Construction Management	<ul style="list-style-type: none"> No objection subject to a requirement for the provision of a construction management plan.

Service Unit	Comments
Infrastructure Services Unit – Waste	<ul style="list-style-type: none"> No objection subject to conditions for on-site private waste collection and for the provision of an approved waste management plan.
Infrastructure Services Unit – Easements	<ul style="list-style-type: none"> No objection as approval is not required for buildings or works within Council easements.
Infrastructure Services Unit – Flooding	<ul style="list-style-type: none"> The site is not subject to inundation from Council's drainage systems. Approval is required to be obtained from Melbourne Water.
Integrated Planning Unit – Sustainability	<ul style="list-style-type: none"> No objection subject to a requirement for the provision of an approved sustainability management plan. No objection subject to a requirement for the provision of an approved green travel plan, including provision for a charging point for electric vehicles. The provision of these management plans meets the requirements of Clause 22.12 (Environmentally Sustainable Development) of the Scheme.

7. CONSULTATION / NOTIFICATION

7.1 Notice of the application was given over a three-week period which concluded on 12 December 2018, by sending letters to nearby properties and displaying a sign on the frontage.

7.2 Five objections have been received from the properties identified below:



7.3 The main grounds of the objection can be summarised into the following categories:

- Neighbourhood character;
- Design and built form (building height, number of storeys and street presentation);
- Traffic and car parking (distance from public transport, lack of off-street and on-street car parking and sustainable transport);
- Off-site amenity impacts (overshadowing, privacy and overlooking and noise);
- Construction impacts (traffic).

7.4 A response to the grounds of objection are included in the assessment section of this report.

8. ASSESSMENT

Planning Policy Frameworks

8.1 At both the SPPF and LPPF levels, policy emphasises the need for a mix of developments that are well designed with a focus on high density residential development in established activity centres, along main roads and on strategic redevelopment sites. However, in areas which are removed from activity centres and main roads, a lower intensity of development is encouraged.

8.2 Clause 21.05 (Residential) identifies that the property is within Precinct 4 – Post 1975 residential areas. This precinct includes areas that have been

predominantly developed since 1975, with a substantial amount of development occurring between late 1980s and the 1990s. Although some of the housing built in the 1970s is single storey, housing built in the 1980s and 1990s is predominantly double storey and in some instances three storeys.

- 8.3 It is recognised that in this precinct there is minimal unit development. The key direction for this precinct is for an incremental level of change that respects the existing neighbourhood character.
- 8.4 The General Residential Zone (GRZ) emphasises this key direction in its purpose, to encourage development that respects the neighbourhood character of the area as well as encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- 8.5 The site is removed from activity centres and main roads. There are limited services and facilities available along the nearest main roads, which emphasises that a lower intensity of development should be sought on this site.
- 8.6 The existing building is predominantly single-storey, with a small first floor footprint. The development of a three-storey apartment building is not anticipated by policy. The assessment of an apartment building is typically reserved for areas where policy contemplates this development typology, including near activity centres and along main roads. In those instances, a rigorous assessment is enabled through clear planning policy direction and through the implementation of deliberate zones and overlays.
- 8.7 Through the implementation of the GRZ3 within the wider area, the vision for future growth is one that respects neighbourhood character existing neighbourhood character must be respected. The proposal does not respond to the policy framework that seeks only an incremental level of change, however it remains necessary to determine if it achieves acceptable off-site amenity impacts.

Zone

- 8.8 The GRZ does not prohibit the use or development of a three-storey apartment building. All mandatory requirements of the GRZ must be met.
- 8.9 The GRZ specifies that the maximum building height must not exceed 11m and must contain no more than 3 storeys at any point (excluding a basement). The building has a maximum height of 10.495m comprising three storeys, which complies with the GRZ requirements.
- 8.10 It is established that the garden area requirement of Clause 32.08-4 does not apply to this application to alter or extend an existing building as the building did not comply with the minimum garden area requirement prior to the approval date of Amendment VC110 on 27 March 2017.

Two or more dwellings on a lot and residential buildings

- 8.11 Pursuant to Clause 55, all sub-clauses must be assessed, except Clause 55.03-5, Clause 55.03-6, Clause 55.04-8, Clause 55.05-1, Clause 55.05-2 and Clause 55.05-6.

8.12 A development must meet all of the objectives of this clause and should meet all of the standards.

8.13 An assessment against the relevant 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>Not Met</p> <p>The development does not respect the existing neighbourhood character by virtue of its three-storey form and associated scale, bulk and massing, which emphasise the verticality of the design.</p> <p>The three-storey apartment building does not respect the pattern of development in the neighbourhood, which predominantly consists of detached dwellings. The Georgian architectural style is not representative of predominant architectural styles of the area.</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 Municipal Planning Strategy and the Planning Policy Framework. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Not Met</p> <p>While the application was accompanied by a written statement demonstrating how the applicant believes the proposal is consistent with planning policy, the above assessment establishes that the proposal is not in accordance with the residential policies of Clause 21.05.</p> <p>The proposal does not constitute a medium density development in the context of the pattern of development in the neighbourhood and planning policy, which seeks an incremental level of change that respects the existing neighbourhood character.</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 two, three and four bedroom dwellings with a range of floor areas and variations in study types 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</p> <p>The site has access to all services. Should a permit issue, the applicant would be required to provide an on-site stormwater detention system to alleviate pressure on the drainage system.</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>While the pedestrian entry is not directly oriented to the street, it logically uses the existing building entry. This is clearly discernable from a direct path and a</p>

Objective	Objective Met/Not Met
<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>recessed pedestrian gate at the site frontage to integrate the development with the street.</p> <p>Not Met</p> <p>The required setback is the average of the two adjoining properties, which are considered to face the same street, equating to a requirement of 7.719m.</p> <p>Taken more literally, as the adjoining property to the west at 12 Mosssdale Court does not actually face the <i>same</i> street, the setback requirement would be derived from the adjoining property to the east, at 7.767m.</p> <p>In either case, the building falls marginally short of these requirements, with a 7.6m setback to the front wall. This is considered acceptable as it is a negligible shortfall that relates only to the ground floor front wall.</p> <p>The main issue is actually the encroachment of the ground floor alfrescos and the presentation of the first and second floor balconies.</p> <p>Standard B6 specifies allowable encroachments for eaves, as well as porches, pergolas and verandahs with a height of less than 3.6m, which must not encroach more than 2.5m.</p> <p>The ground floor roofed alfresco areas project forward of the front wall of the building by 2.5m, with a setback of 5.125m from the site frontage. This continuous encroachment across the building façade does not constitute an allowable encroachment under the standard.</p> <p>While the first and second floor balconies provide negligibly non-compliant setbacks of 7.635m. These elements form a curtain forward of the front wall of the building, and present with an unacceptable visual impact when viewed from the street.</p> <p>The combination of the breadth of the projection forward of the building, and the extent of bulk, massing and verticality presented by the curtain is not acceptable. While this does serve to conceal the otherwise sheer first and second floor front</p>

Objective	Objective Met/Not Met
	<p>walls, more appropriate design approaches could have been used other than the curtain design.</p> <p>The integration of the existing building into the proposal appears to present this challenge, and while siting the alfrescos and balconies forward of the building does attempt to make efficient use of the site, it comes at the detriment of respecting the existing neighbourhood character.</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>Not Met</p> <p>The building has a maximum height of 10.495m, which is within the maximum 11m requirement specified by the GRZ, which meets Standard B7.</p> <p>However, the height of the building does not respect the existing neighbourhood character.</p> <p>The scale, bulk and massing of the building, including a lack of articulation to break up the breadth of the building, contribute to a height that is unsympathetic to the existing neighbourhood character. The building presents with an unacceptable visual impact when viewed from the street and from adjoining properties.</p>
<p>55.03-3 – Site Coverage</p> <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. 	<p>Met</p> <p>The proposed site coverage is 47%, which is well below the 60% requirement in Standard B8, due to a high proportion of the site being set aside for car parking within the transmission easement.</p>
<p>55.03-4 – Permeability and stormwater management</p> <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. To encourage stormwater management that maximises the retention and reuse of stormwater. 	<p>Met</p> <p>The proposal has 38% of site area as pervious surface, which exceeds the 20% requirement in Standard B9.</p>
<p>55.03-7 – Safety</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	<p>Met</p> <p>The building entrance faces the pedestrian pathway, which is clearly visible from the street frontage, with access limited by a gate at the site frontage.</p> <p>Good visibility and surveillance is provided to</p>

Objective	Objective Met/Not Met
<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>the car park from the street.</p> <p>Not Met</p> <p>The siting of the building, its associated alfresco and deck areas and the location of site services limit the capacity for canopy tree planting.</p> <p>The submitted concept landscape plan relies heavily on narrow sections of screen planting alongside property boundaries and de-emphasises tree planting. Screen planting will provide little visual relief from the scale and massing of the three-storey building.</p> <p>The above constraints also do not allow for the growth of canopy trees and simultaneous structural protection of the building.</p> <p>No landscaping is provided to buffer the east-facing ground floor habitable room windows of Dwellings 1 and 5 from the pedestrian path, resulting in poor internal amenity to these exposed bedrooms.</p> <p>Other aspects of the proposed landscaping are acceptable, including the communal productive garden and the location of landscaping adjacent to the car park.</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>The provision of one new double-width crossover to replace the existing crossover is appropriate and does not reduce existing on-street car parking. The new crossover location does not pose any implications on existing street trees.</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>Parking is provided for all dwellings, with capacity for two visitors, by allocated car spaces within the at-grade car park. The proximity of the car spaces to the building entry provides reasonably convenient access, and the car park is secured by a gate at the site frontage.</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>Not Met</p> <p>The building setbacks specified earlier in the report have been reviewed and found to meet Standard B17.</p> <p>However, there is a lack of articulation provided, particularly at first floor level on the northern elevation. This façade presents as a continuous wall, setback 2.716m, with a</p>

Objective	Objective Met/Not Met
	25m length, with an additional 7.2m long section of 1.7m high obscure glazing along the same alignment. This is unsympathetic to the existing neighbourhood character and may unreasonably impact on the amenity of existing dwellings to the north.
55.04-2 – Walls On Boundaries <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. 	Not applicable There are no walls proposed to be constructed on boundaries.
55.04-3 – Daylight To Existing Windows <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	Met Existing habitable room windows are provided with sufficient light court areas that comply with the standard. The development is set back sufficiently from existing habitable room windows as required by the standard.
55.04-4 – North Facing Windows <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	Not applicable There are no north-facing habitable room windows of an existing dwelling located within 3m of a boundary on an abutting lot.
55.04-5 – Overshadowing Open Space <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	Met The submitted shadow diagrams for the September equinox demonstrate that shadows cast by the building do not fall onto any adjoining properties.
55.04-6 – Overlooking <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	Not Met There appears to be overlooking from the north-west facing first floor bedroom 3 and 4 windows of Dwelling 9. While the north-western fence height in this location is more akin to a ground floor scenario, it is unclear whether the fence satisfactorily limits overlooking into the secluded private open space area of 44 Beecroft Crescent. It is also unclear whether overlooking is satisfactorily limited from the western side of the second floor Dwelling 12 deck, into the secluded private open space area of 12 Mossdale Court. Overlooking is demonstrated as compliant from the second floor Dwelling 13 balcony (and by extension, the kitchen), utilising the existing northern boundary fence as a screening device. The plans demonstrate that there will be no unreasonable overlooking to the east due to

Objective	Objective Met/Not Met
	<p>the extensive 26.5m setback, given that overlooking is calculated on the basis of a 9m horizontal distance.</p> <p>It should be noted that OG glazing should be clearly defined on the plans.</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>Not Met</p> <p>The balconies of each dwelling have been designed to prevent internal views and generally provide a reasonable degree of separation between dwellings.</p> <p>However, it is unclear how internal views are limited across the central courtyard at ground and first floor levels. Specifically, between habitable room windows and the central internal passageway, between Dwellings 2, 4 and 5 at ground floor and between Dwellings 7 and 9 at first floor. Internal views may also be possible between floor levels.</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>Not Met</p> <p><u>External facing windows</u></p> <p>Dwellings 3, 4 and part of Dwelling 5 have subterranean habitable room windows on the northern side.</p> <p>The setback to the boundary from these windows is between 2.712m and 3.076m, however the affected windows of Dwellings 3 and 4 are located between 1.4 and 1.7m from an existing retaining wall, which is proposed to be retained. In some instances, this retaining wall height exceeds the ceiling level of the affected habitable rooms, reaching a height of between 2.7m and 3.6m. When combined with the height of the boundary fence, ground floor habitable room windows are faced with a barrier between 4.4m and 5.2m high at the boundary. The amount of daylight that can therefore be provided to these dwellings is very poor. All affected rooms associated with Dwellings 3 and 4 are single aspect. Dwelling 4 is the worst case. Contributing further to this poor amenity, is a 3.7m long roofed alfresco that is closed on three sides, providing poor amenity to the alfresco and the living room window within the alfresco. Dwellings 3 and 4 are afforded poor internal amenity due to poor outlook and limited daylight to habitable room windows.</p>

Objective	Objective Met/Not Met
	<p><u>Internal facing (courtyard) windows</u> The central courtyard serves as the only aspect to several bedrooms, including to Dwellings 2, 4 and 5 at ground floor, and Dwelling 9 at first floor. The level of daylight afforded to these habitable rooms is further diminished by the 1.5m wide internal passageway in the centre of the courtyard, which extends three storeys high, limiting light to the courtyard.</p> <p>Being at ground level, Dwelling 4 is one of the worst affected dwellings, which further contributes to its poor internal amenity overall, as all of its habitable rooms are poorly served by daylight.</p> <p>There are two instances of multi-aspect living rooms also facing the courtyard, being Dwellings 7 and 9 at first floor, which are not of concern given the central courtyard provides a secondary light source.</p> <p>Despite the second floor dwellings being the closest source to central courtyard light at the top level, no habitable room windows, single or multi-aspect, rely on this interface.</p> <p>It is therefore established that the habitable rooms that are most reliant on light from the central courtyard are ground floor bedrooms (in addition to the Dwelling 9 first floor bedroom), non-reliant multi-aspect habitable rooms are located at first floor, and inexplicably, there are no reliant habitable rooms at second floor. Having regard to access to daylight, the internal layout of dwellings is therefore very poorly conceived.</p> <p>All other habitable rooms will have adequately located and setback external windows to ensure they achieve adequate solar access.</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>Each dwelling at ground floor is provided with a total minimum area of 40m², comprising a minimum area of 25m² with minimum dimensions of 3m as secluded private open space, with the exception of Dwelling 4.</p> <p>Excluding the inaccessible part of the site behind the retaining wall along the northern</p>

Objective	Objective Met/Not Met
	<p>boundary, the Dwelling 4 secluded private open space falls marginally short of the area requirement, with 24m². This is considered negligible and provides sufficient area for the recreation and service needs of residents.</p> <p>The balcony requirements of this clause for first and second floor levels do not apply to apartment developments. This will instead be assessed at Clause 55.07-9.</p>
<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>Not Met</p> <p><u>Ground Floor solar access</u> The secluded private open space areas of Dwellings 1 and 2 are located on the south-western side of the building. Solar access to these secluded private open space areas is limited by the balconies at first and second floors. The usability of these recreation spaces are further limited by an approximate 1m wide row of shrubs proposed along the front boundary, rendering that area of the secluded private open space inaccessible. It appears that solar access to Dwellings 1 and 2 is therefore non-compliant.</p> <p>Dwelling 4’s secluded private open space area is inhibited by a 5.2m high fence (combined with the retaining wall). Standard B29 requires a 6.68m setback from the fence. A 6.5m setback is provided to the rear of the alfresco. Not only is the required setback not achieved, but this open space is further inhibited by the roofed alfresco itself, which is setback 2.712m from the boundary. This secluded private open space area is therefore considered to provide poor usability and amenity based on the low level of sunlight it will receive.</p> <p>The level of solar access provided to the north-facing secluded private open space areas of Dwellings 3 and 5 are considered acceptable. Despite the 5.1m high fence (combined with the retaining wall) and the projection of the alfresco roof into the secluded private open space area of Dwelling 5, the substantial setback to the north-eastern wall of the building should provide this area of secluded private open space with sufficient solar access.</p>

Objective	Objective Met/Not Met
	<p><u>First and Second Floor solar access</u> Dwellings 6 and 7 on the first floor and Dwellings 10 and 11 on the second floor all incorporate south-west facing roofed balconies. Despite Dwellings 7 and 11 also having a northern aspect, the fact that these areas are roofed and are setback only 1.4m from an adjacent dwelling wall to the north, they are provided with limited solar access. The level of solar access provided to each of these dwellings is considered inadequate.</p> <p>The remaining first and second floor Dwellings 8, 9, 12 and 13 should each achieve an acceptable level of direct northern solar access.</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>Not Met</p> <p>The building presents with a scale, bulk and massing that does not respect the existing neighbourhood character.</p> <p>There are very few examples of Georgian architecture in the immediate area. Therefore, this architectural style is not considered to be representative of the existing neighbourhood character. However, this does not necessarily preclude this architectural style from being adopted provided that the effect this detailing has on the visual bulk of the building is acceptable in the neighbourhood setting.</p> <p>Design detailing on the northern and eastern façades facing the street comes in multiple forms. The repetitive use of balcony columns emphasise the building’s verticality on the southern elevation. Sheer walls are provided to the first and second floors on the eastern elevation. Horizontal form is expressed with decorative mouldings that wrap around the building at the top of parapets, which attempt to articulate the continuous rendered balconies along the southern façade. The decorative mouldings also attempt to provide a visual break from sheer first and second floor walls on the eastern facade.</p> <p>While the incorporation of face brick to the ground floor reflects the prevailing materials in the neighbourhood, the adoption of Georgian architectural style and the incorporation of associated materials, finishes</p>

Objective	Objective Met/Not Met
	<p>and detailing appear to only serve to emphasise concerns relating to building bulk and massing due to the scale of the development, which is demonstrated to be out of character with the area.</p> <p>The design of the roof does little to alleviate concerns regarding bulk and massing, particularly due to the lack of eaves that are associated with this architectural style.</p> <p>Window and door proportions are acceptable.</p> <p>The effect that the design detail has on the visual bulk of the building is not acceptable in this neighbourhood setting.</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</p> <p>The proposed front fence borrows from the existing fence design, simplifying its intricate vertical elements, and complementing the ground floor external walls by utilising brick piers.</p> <p>The 2m high fence exceeds the 1.5m height anticipated in this area, however may look out of place at a height of 1.5m due to the scale of the proposed building. Given the existing fencing is approximately 1.8m, a 2m high fence with a high level of visual permeability will be acceptable when combined with appropriate landscaping.</p> <p>The fence therefore respects the existing character of the area.</p>
<p>55.06-3 – Common Property</p> <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. 	<p>Met</p> <p>The driveway, pathway and landscape areas are 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</p> <p>Appropriate site services are provided. The letterboxes are perpendicular to the site frontage, adjacent to the pedestrian gate. Fire services and an electricity meter box are reasonably well integrated into the proposed front fence design.</p>
<p>55.07-1 – Energy Efficiency</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and buildings. 	<p>Met</p> <p>Given the orientation of the site, the proposal makes a reasonable attempt to limit the</p>

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. To ensure dwellings achieve adequate thermal efficiency. 	<p>energy efficiency impacts to southern apartments. All southern apartments incorporate eastern or western interfaces.</p> <p>The submitted Sustainability Management Plan demonstrates a 6.7 Star average rating. The average cooling load across the development is 21 MJ/sqm, which meets the NatHERS maximum cooling load for the Melbourne climate zone.</p>
<p>55.07-2 – Communal open space</p> <ul style="list-style-type: none"> To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development. 	<p>Not applicable</p> <p>The development comprises less than 40 dwellings, and is therefore not required to provide any communal open space.</p> <p>The development does, however provide a north-facing communal garden, easily accessible from the end of the pedestrian path.</p>
<p>55.07-3 – Solar access to communal outdoor open space</p> <ul style="list-style-type: none"> To allow solar access into communal outdoor open space. 	<p>Not applicable</p> <p>As above.</p>
<p>55.07-4 – Deep soil areas and canopy trees</p> <ul style="list-style-type: none"> To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect. 	<p>Not Met</p> <p>There are inadequate deep soil areas throughout the site. Only two locations comprise the minimum 6m dimensions, with a total area of 100m², which falls substantially short of the required 15% of the site area (equating to 463.65m²). As previously assessed, inadequate landscape areas are provided to support canopy tree planting.</p>
<p>55.07-5 – Integrated water and stormwater management</p> <ul style="list-style-type: none"> To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. To facilitate stormwater collection, utilisation and infiltration within the development. To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site. 	<p>Met</p> <p>A 17,000 litre rainwater tank is located beneath a section of the car park.</p> <p>An 8m² rain garden is also proposed to collect rainwater from the car park canopy and car park surface for treatment prior to discharge into the stormwater system.</p> <p>The submitted Sustainability Management Plan demonstrates a STORM rating of 100%. If a permit were to issue, the applicant would be required to provide an on-site stormwater detention system to alleviate pressure on the drainage system.</p>
<p>55.07-6 – 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 	<p>Met</p> <p>There are no unusual noise sources within the development that may affect existing dwellings.</p>

Objective	Objective Met/Not Met
and internal noise sources.	The site's location within a residential street ensures residents are protected from external sources, such as excessive traffic noise.
55.07-7 – Accessibility <ul style="list-style-type: none"> To ensure the design of dwellings meets the needs of people with limited mobility. 	Met At least 50% of the dwellings meet the accessibility requirements for door opening widths, entrance paths and access to an adaptable bathroom.
55.07-8 – Building entry and circulation <ul style="list-style-type: none"> To provide each dwelling and building with its own sense of identity. To ensure the internal layout of buildings provide for the safe, function and efficient movement of residents. To ensure internal communal areas provide adequate access to daylight and natural ventilation. 	Met The building entry does not directly face the street, however its position on the eastern façade is highly visible from the street, particularly as it is accentuated by the direct pedestrian path. The building entrance is well covered by the canopy above. The lift and stairs are well located within an open and spacious lobby.
55.07-9 – Private open space above ground floor <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	Met All upper floor balconies meet the minimum balcony area and dimension requirements, with most balconies substantially exceeding the requirements.
55.07-10 – Storage <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	Met Each dwelling is provided with a minimum of 14m ³ of secure storage within the basement, exceeding the minimum 6m ³ requirement. Storage within the dwellings meet the minimum storage volumes.
55.07-11 – Waste and recycling <ul style="list-style-type: none"> To ensure dwellings are designed to encourage waste recycling. To ensure that waste and recycling facilities are accessible, adequate and attractive. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm. 	Met The submitted waste management plan details that garbage, recycling and garden waste will be appropriately managed and collected on site.
55.07-12 – Functional layout <ul style="list-style-type: none"> To ensure dwellings provide functional areas that meet the needs of residents. 	Met All bedrooms and living areas exceed the minimum dimensions and areas required.
55.07-13 – Room depth	Not Met For the reasons mentioned in the Daylight to

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To allow adequate daylight into single aspect habitable rooms. 	<p>New Windows assessment, Dwelling 4 living rooms are not provided with reasonable daylight access. Dwelling 4 is heavily constrained by its single aspect to the high and proximate retaining wall and fence. The attempt to provide a secondary aspect to a living room window is impeded by its location under a covered alfresco, which itself is already constrained by the aforementioned retaining wall and fence.</p> <p>A higher and acceptable level of amenity is provided to all remaining ground floor living areas, as well as first and second floor living areas, which are all external facing, have a shallow depth and generally provide more than one aspect.</p>
<p>55.07-14 – Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	<p>Not Met</p> <p>All habitable room windows are provided with at least one window in an external wall of the building.</p> <p>However, the internal amenity of several habitable room windows is compromised by poor daylight access (Dwelling 2, bedrooms 2 and 3; Dwelling 3, bedroom 2; and Dwelling 4, bedroom 2), or a combination of poor daylight and southern orientation (Dwelling 4, master bedroom; and Dwelling 5, bedroom 2).</p>
<p>55.07-15 – Natural ventilation To encourage natural ventilation of dwellings.</p> <ul style="list-style-type: none"> To allow occupants to effectively manage natural ventilation of dwellings. 	<p>Met</p> <p>At least 40% of dwellings should achieve effective cross ventilation.</p>

Car parking, access and traffic

- 8.14 The 13 apartments comprise eight, two-bedroom dwellings and five dwellings with three or more bedrooms. The Scheme requires that each two-bedroom dwelling is provided with one vehicle space and that each dwelling with three or more is provided with two vehicle spaces. As the site is located within the Principal Public Transport Network buffer area, no visitor car parking spaces are required by the Scheme.
- 8.15 The development generates a car parking requirement of 18 car parking spaces. The 24 car parking spaces proposed exceeds this requirement by six car parking spaces. However, the plans show that some two-bedroom dwellings are allocated an extra car parking space, resulting in a surplus of two car spaces. These surplus car parking spaces have been allocated to visitors.

8.16 An assessment against the car parking design standards at Clause 52.06-9 is provided in the table below:

Design Standard	Assessment
1 – Accessways	<ul style="list-style-type: none"> • A minimum 6.1m by 7m passing area is provided within the site frontage. • All vehicles are able to exit the site in a forwards direction. • An adequate visibility splay area is provided along the exit lane. • A minimum 6.4m accessway width is provided between the two car parking bays.
2 – Car Parking Spaces	<ul style="list-style-type: none"> • Car parking spaces are provided in accordance with the dimensions and clearance areas required.
3 – Gradients	<ul style="list-style-type: none"> • Driveway gradients have been assessed as compliant with the standard.
4 – Mechanical Parking	<ul style="list-style-type: none"> • No mechanical parking is proposed.
5 – Urban Design	<ul style="list-style-type: none"> • Landscaping can be established around the car park, including within the front setback to soften the appearance of hardstand areas.
6 – Safety	<ul style="list-style-type: none"> • Access to the car park is secured by a security gate. • Pedestrian access from the site frontage is clearly separated from the roadway.
7 – Landscaping	<ul style="list-style-type: none"> • Landscaping can be placed along the driveway and around the perimeter of the car park.

8.17 The submitted traffic impact assessment estimates that the proposed development could generate up to 86 vehicle trips per day, including approximately 9 vehicle movements per AM peak hour and 9 vehicle movements per PM peak hour. It concludes that the volume of traffic generated by the development can be comfortably accommodated by the nearby road network.

8.18 Council's Infrastructure Services Unit has not raised concern in relation to the expected volume of traffic generated by the proposed development as assessed in the submitted traffic report. The number of vehicle movements is not anticipated to have a discernible impact on the surrounding road network once distributed to the nearby arterial road network.

Bicycle Facilities

8.19 This clause only applies to developments for a residential building of four or more storeys. Therefore, this proposal for a three-storey development is not required to provide bicycle facilities.

8.20 However, a Green Travel Plan was required to be prepared pursuant to Clause 22.12 (Environmentally Sustainable Development) of the Scheme. The plan requires the provision of 13 resident bicycle spaces, a repair and maintenance station, and the provision of 5 visitor bicycle spaces. All of these requirements have been met.

Objector concerns

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

Neighbourhood character

8.22 The development does not respect the existing neighbourhood character by virtue of its three-storey form and associated scale, bulk and massing, which emphasise the verticality of the building.

8.23 The building does not respect the pattern of development in the neighbourhood, predominantly consisting of detached dwellings. The proposal also does not respond to the policy framework that seeks only an incremental level of change.

8.24 These issues warrant refusal of the application.

Design and built form

8.25 The development is within the maximum 11m building height prescribed by the zone, however the height and scale of the building does not respect the existing neighbourhood character.

8.26 The sheer form, scale, bulk and massing of the building is unsympathetic to the existing neighbourhood character. The limited articulation provided by design detail elements are not considered to be sufficient to address visual bulk concerns.

8.27 These issues warrant refusal of the application.

Traffic, car parking and sustainable transport

8.28 The potential traffic impacts have been assessed in the submitted traffic report and Council's Engineering Services Unit who both concluded that, on considering the proposal in the context of the surrounding street network, the proposal can be accommodated within the road network without creating any adverse traffic safety or capacity problems.

8.29 The number of on-site car parking spaces provided exceeds the requirement for a residential development of this capacity, including the provision for two visitor spaces. Therefore, it is not anticipated that there will be any adverse impacts on parking within the street.

8.30 The residential precinct the site is located within is an area removed from activity centres and main roads, therefore it is also further removed from public transport services. A development of this scale and intensity is not considered acceptable in this location.

Off-site amenity impacts

8.31 The development will not cause unreasonable overshadowing to adjoining properties during the September equinox control period. Overshadowing during winter months cannot be considered under the Scheme.

8.32 Potential overlooking to the adjoining properties has been assessed. It is unclear whether the overlooking requirements have been fully met, as it relates to the properties to the north. This will therefore form a ground of refusal.

- 8.33 The development has adequately avoided direct views into habitable room windows and secluded private open space areas of adjoining properties to the east due to the substantial level of separation provided.
- 8.34 It is not considered that the development will introduce unreasonable noise impacts.

Construction impacts

- 8.35 Should a permit issue, a detailed construction management plan would be required to be provided, which sets out matters relating to hours of construction, traffic control and safety measures, dust, dirt and mud control and the location of parking and site facilities for construction workers. The management plan would be enforced, where necessary, by Council's Planning Compliance team.

9. CONCLUSION

- 9.1 That Council resolve not to support this application and act in accordance with the provisions of Section 84(1) and (2) of the *Planning and Environment Act 1987*.

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.