

0.0 Planning Application PLN18/0671 at Tullamore Doncaster 463-535 Doncaster Road Doncaster for construction of a part six-storey and part seven-storey residential apartment building with basement car parking (over two basement levels) and associated removal of vegetation

File Number:	IN19/374
Responsible Director:	Director City Planning and Community
Applicant:	Mirvac Doncaster Pty Ltd C/- Contour Consultants Ltd
Planning Controls:	Residential Growth Zone Schedule 1 (RGZ1), Environmental Significance Overlay Schedule 5 (ESO5) and Development Plan Overlay Schedule 3 (DPO3)
Ward:	Koonung
Attachments:	1 Locality Map 2 Decision Plans 3 Legislative Requirements

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land within the Tullamore Estate at 463-535 Doncaster Road, Doncaster and recommends approval of the submitted proposal, subject to conditions. The application is being reported to Council given that it is a Major Application (with more than 15 dwellings and a development cost of more than \$5 million).

Proposal

2. It is proposed to construct a part six-storey and part-seven storey residential apartment building consisting of two adjoining modules and containing a total of 102 dwellings, comprised of 24 one-bedroom dwellings, 51 two-bedrooms dwellings, 27 three-bedroom dwellings and car parking over two basement levels.
3. The building modules are visually separate and linked by a glazed three level structure containing the buildings main foyer 'atrium'.
4. The subject land currently has an area of 12,395m² and will at a later time be subdivided from the "High Density Stage" area of the Eastern Golf Course Development Plan to a lot size of 6935m². The proposed building within this future subdivided lot will have a site coverage of 51.5% and a site permeability of 67%. The future lot is depicted on the site plans and leaves a further future development site to the east.
5. The development comprises one full basement level of car parking, a partial basement car park/ground floor level and residential levels above, up to Level 5. Vehicular access is from the internal road system of the estate.
6. The number of car spaces within the basements comply with the car parking requirements of Clause 52.06 – Car Parking. The proposal provides a surplus of 15 car spaces.

7. Though within the Principal Public Transport Network Area, the proposal only provides 10 of the required 20 visitor spaces required by the Eastern Golf Course Development Plan.
8. While there is no maximum building height for this area of the Residential Growth Zone Schedule 1 (RGZ1), the built form presents to Doncaster Road partially as six-storeys (to the West Module), whereas the Development Plan specifies that development of the high density lots should present at five-storeys to Doncaster Road.
9. A permit is required for the proposed removal of two native trees under the Environmental Significance Overlay Schedule 5 (ESO5), which were not identified to be “removed” as identified in Appendix 2.4 of “Flora and Fauna Assessment and Biodiversity Offset Analysis, 463-535 Doncaster Road, Doncaster, Victoria” prepared by Ecology and Heritage Partners (April 2014).

Notification

10. Under the Development Plan Overlay, an application under any provision of the Manningham Planning Scheme is exempt from the notice requirements of the *Planning and Environment Act 1987*, if a proposal is generally in accordance with the development plan, as is the case with this application.

Key issues in considering the application

11. The key issues for Council in considering the proposal relate to:
 - Planning Policy Frameworks
 - The Eastern Golf Course Development Plan (DP)
 - Building Layout and Design
 - Urban Design and Design Detail
 - Landscape Design
 - Apartment developments Particular Provision (Clause 58)
 - Car parking, access and bicycle facilities and
 - Vegetation Removal.

Assessment

12. The development of the land for the residential apartment building is generally consistent with policy objectives for urban consolidation and substantial change.
13. The development of the land for the high density residential apartment building is consistent with the relevant objectives of State-wide and local planning policies of the Manningham Planning Scheme (the Scheme), including the requirements of the Residential Growth Zone Schedule 1 (RGZ1) and supporting policy relating to the Eastern Golf Course Key Development Site.
14. The proposal presents at a scale that adequately complements other high density developments (both approved and constructed) in the area and the lower-scale residential character to the south outside of the Doncaster Hill Activity Centre. The presentation also provides a favourable visual variation to the built form heights, as viewed along the Doncaster Road frontage of the Tullamore Estate. The sixth level

is to the Western module, is centrally located within the Higher Density Lots of the Development Plan with the maximum building height 1.95m above the maximum relative level (RL height) of the “Phoenix” apartments (currently nearing completion to the west).

15. As required by the Development Plan, a generous landscape link (over 36m in width) is provided between the existing “Phoenix” apartment building and the proposed building, being a combination of setbacks on both sites. This landscaped separation is enhanced by the siting of the proposed building which angles away from the link and provides ample separation of proposed works from the Bunya Heritage Pine located immediately to the west of the development site (visible from Doncaster Road). This spacing will also achieve the envisaged vista down to the retained “Heritage Stables” building to the north.
16. During the assessment process, a conceptual pedestrian link to the west of the proposed building has been developed, so as to improve pedestrian links into the site for residents, neighbours and visitors and giving a more direct connection between Doncaster Road and the “Heritage Stables” building (proposed café conversion). This will encourage physical activity by improved ease of pedestrian access into and through the Tullamore Estate site, in accordance with the Development Plan.
17. The vegetation removal is generally in accordance with the Eastern Golf Course Development Plan, as most trees remaining on the site are listed to be “removed” as identified in Appendix 2.4 of “Flora and Fauna Assessment and Biodiversity Offset Analysis” (April 2014). The proposal includes an assessment of all remaining trees on the site, including the two native trees proposed for removal and establishes that Tree 223 (of the Arborist Report prepared by Galbraith and Associates Tree Consultants and Contractors dated 28 November 2018) could be retained, with minor modifications to the pedestrian path and some retaining walls to avoid impacts on the Tree Protection Zone.
18. Though the proposal is within 400 metres of a Principal Public Transport Network Area and does not normally require the provision of visitor car spaces, the approved Development plan requires the provision of 20 visitor spaces. With 10 spaces being provided adjacent to the building, a condition will require that an additional 10 spaces be provided onsite to ensure compliance with the Development Plan is achieved.

Conclusion

19. The relevant planning controls seek a high density residential development for the subject site. The proposed development generally complies with the various requirements of the RGZ1, the Design and Development Overlay Schedule 3 (DDO3), the Environmental Significance Overlay Schedule 5 (ESO5), the Eastern Golf Course Development Plan and the Apartment Development provisions of Clause 58, as they relate to siting, internal amenity, building presentation, access, car parking and landscaping.
20. This report concludes that the proposal complies with the relevant planning policy in the Scheme and should be supported, subject to conditions requiring modest design changes around the building, additional details and the submission of management plans for approval prior to the commencement of works.

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

1. RECOMMENDATION

That Council:

- A. Issue a PLANNING PERMIT in relation to Planning Application PLN18/0671 within the Tullamore Estate at 463-535 Doncaster Road, Doncaster for the construction of a part six-storey and part seven-storey residential apartment building with basement car parking (over two basement levels) and associated removal of vegetation under the following Permit Conditions:**

Amended Plans

1. Before the development starts, 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 be endorsed and will then form part of the permit. The plans must be generally in accordance with the decision plans (prepared by Mirvac Design - Architects Planners Interior designers and dated 11 April 2019) but modified to show the following:

Car Parking

- 1.1. A car parking and storage allocation schedule or suitable notations indicating that each dwelling will be provided the number of residential car parking spaces and external storage areas, in accordance with the Manningham Planning Scheme, as relevant;
- 1.2. The provision of 10 additional visitor spaces onsite;
- 1.3. A convex mirror to be installed on the north side of the ramp adjacent to the bicycle parking area, as recommended by the Transport Impact Assessment (prepared by GTA Consultants and dated 5 December 2018) and as shown on GTA drawing V154600-AT01-04 (attached in Appendix A of the report);
- 1.4. A notation that where storage areas are immediately adjacent to car parking spaces within the basement, that these storage areas will be allocated to the owners of these car parking space;

Building

- 1.5. The internal floor to ceiling dimension of each level, indicated on the elevation plans to minimum of 2.7m in height, to the satisfaction of the Responsible Authority;
- 1.6. Location of all services, AC units, solar hot water and details of any basement ventilation, including the location of any flue, mechanical intake or outlet;

Trees and Landscaping

- 1.7. Retention of Tree 223 of the Arborist Report prepared by Galbraith and Associates Tree Consultants and Contractors dated 28 November 2018;
- 1.8. The pedestrian path in accordance with the Shared Path Concept Plan (prepared by Tract Consultants for Mirvac and dated 15 April 2019), but modified to avoid impacts on Tree 223 in accordance with the Australian Standard (AS 4970-2009) and modify retaining walls where necessary, to the satisfaction of the Responsible Authority;

- 1.9. Modification of the retaining walls to the west of the site, to ensure they are less than 1.0m in height and comply with Condition 1.7;
- 1.10. A lighting plan for around the building, particularly related to creating safe, well-lit spaces around the building;
- 1.11. Design details of any signage within the Doncaster Road frontage;
- 1.12. Elevational details of how all fire service, gas installations and electrical cabinets/podiums will be presented/located, so as to minimise visual impacts to the streetscape and be suitably integrated into the detailed design of the building;

Materials and Finishes

- 1.13. Details of the protective finish 'AcraTex Performance Coating' or alike low maintenance alternative for the white painted masonry external building material, to be included on the materials schedule of the plan, to the satisfaction of the Responsible Authority;
- 1.14. Details of the screening to the 1.8m high rooftop services;
- 1.15. Details of the fences to the ground floor courtyards, to be a maximum of 1.8m in height and to have a minimum of 50% transparency;
- 1.16. Details of any safety railing/fencing required to the top of the 3.0m high retaining wall to the southern side of the accessway a safety railing / fence will be required to the top of this wall ;
- 1.17. Details of all paving finishes, terraces, stairs and ramps; and
- 1.18. A notation that the external materials and building will be required to be maintained to a high quality, to the satisfaction of the Responsible Authority, at the cost of the Owners Corporation, in accordance with Condition 49 of this Permit;

Other

- 1.19. A notation for a carriageway easement in favour of Manningham City Council to align with the pedestrian pathway as required by Condition 1.7, 1.10 and 47 of this Permit, unless otherwise agreed in writing to the satisfaction of the Responsible Authority;
- 1.20. Any modifications, notations and/or relevant requirements as recommended by the Acoustic Report and Wind Assessment as required by Condition 3 and 4 of this Permit.
- 1.21. Any modifications, notations and/or relevant requirements as set out in the Sustainability Management Plan (SMP) and Waste Management Plan (WMP) endorsed under Conditions 6 and 7 of this permit.

Endorsed Plans

2. The layout of the site and the size of buildings and works shown on the approved plans must not be modified for any reason, without the written consent of the Responsible Authority.

Acoustic Report

3. Concurrent with the submission of plans for endorsement under Condition 1, an Acoustic Report prepared by a suitably qualified consultant must be submitted to and approved by the responsible authority. The report must specify glazing or any other works or treatments (for example, specification of seals around windows) which are required to ensure suitable acoustic amenity standards are achieved for all apartments fronting Doncaster Road. The acoustic report is to be prepared in accordance with the requirements and Standard D16 of Clause 58.04-3 of the Manningham Planning Scheme.

When approved, the report will be endorsed and will then form part of the permit. Any recommendations made in the report are to be shown or notated on the plans submitted for endorsement.

Wind Assessment

4. Concurrent with the submission of plans for endorsement under Condition 1, a Wind Assessment prepared by a suitably qualified consultant must be submitted to and approved by the responsible authority. The report must consider any suitable treatments which do not significantly alter the visual appearance of the building which would improve the amenity of any outdoor balcony areas and the Communal Area at Level 5.

When approved, the report will be endorsed and will then form part of the permit. Any recommendations made in the report are to be shown or notated on the plans submitted for endorsement.

Construction Management Plan (CMP)

5. Not less than 3 months before the development starts, two copies of a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. The Construction Management Plan must be prepared using Council's CMP Template to address the following elements referenced in Council's Construction Management Plan Guidelines:
 - 5.1. Element A1: Public Safety, Amenity and Site Security
 - 5.2. Element A2: Operating Hours, Noise and Vibration Controls
 - 5.3. Element A3: Air Quality and Dust Management
 - 5.4. Element A4: Stormwater and Sediment Control and Tree Protection
 - 5.5. Element A5: Waste Minimisation and Litter Prevention
 - 5.6. Element A6: Traffic and Parking Management.

Council's CMP Template forms part of the Guidelines. When approved the plan will form part of the permit.

Council's Works Code of Practice (June 2016) and Construction Management Plan Guideline (June 2016) are available on Council's website or by contracting the Statutory Planning Unit on 9840 9470.

Sustainability Management Plan

6. Not less than 3 months before the development starts, an amended Sustainability Management Plan (SMP) must be submitted to the satisfaction of the Responsible Authority 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 (Sustainable Management Plan prepared by Umo Lai dated 17 April 2019) but modified to show the following:
 - 6.1. An updated BESS Report which is not the 'Draft' version.

Waste Management Plan

7. Not less than 3 months before the development starts, 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 be generally in accordance with the submitted draft Waste Management Plan prepared by WasteTech, dated 5 December 2018, but modified to:

- 7.1. Include that a tug device may be required to assist in the manoeuvring of bins from the bin rooms to the bin collection points;
- 7.2. Note that the developer must ensure that the private waste contractor can access the development and the private waste contractor bins; and
- 7.3. Note that no private waste contractor bins can be left outside the property boundary for any reason.

Management Plan Compliance

8. The Management Plans approved under Conditions 5, 6 and 7 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.
9. Prior to the occupation of the approved dwellings, a report from the author of the SMP report (as approved pursuant to this permit), or similarly qualified person or company, must be submitted to the satisfaction of the Responsible Authority. The report must confirm that the sustainable design features/initiatives specified in the SMP have been implemented in accordance with the approved Plan.

Landscaping

10. Before the development starts, a detailed Landscape Plan must be prepared by a landscape architect showing species, locations, approximate height and spread of proposed planting, and must be submitted to the satisfaction of the Responsible Authority for approval. The plan must be generally in accordance with the Landscape Concept Plans (prepared by Tract dated 6 October 2016) but modified to have regard to the approved Eastern Golf Course Development Plan dated September 2015, and include (but not be limited to) the following:
 - 10.1. The provision of the pedestrian path in accordance with the Shared Path Concept Plan (prepared by Tract Consultants for Mirvac and dated 15 April 2019), with details on plan to show:
 - 10.1.1. The path modified to avoid impacts on Tree 223 in accordance with the Australian Standard (AS 4970-2009), including modified retaining walls where necessary;
 - 10.1.2. The path to be a minimum width of 1.5m, with stainless steel handrails adjacent to steps as a minimum and where appropriate, continuous handrails to the eastern side, to the satisfaction of the Responsible Authority;
 - 10.1.3. Directional signage at each end of the pedestrian link consistent with *Manningham's Outdoor Signage Strategy 2011*, or as otherwise agreed and to the satisfaction of the Responsible Authority;
 - 10.1.4. Details of path materials and construction.
 - 10.2. Details of the retaining walls locations and construction, modified as required by conditions of this permit,
 - 10.3. Details of the community food garden in accordance with the approved Sustainable Management Plan approved under Condition 6 of this Permit;
 - 10.4. Planting schedule revised to remove weedy species such as

Agapanthus 'Snowball';

- 10.5. The canopy trees along Doncaster Road to be advanced plantings;
 - 10.6. Methods of interim protection for newly established vegetation;
 - 10.7. Details of an in-ground, automatic watering system linked to the rainwater tanks and installed to service garden areas;
 - 10.8. Methods of interim protection for newly established vegetation;
 - 10.9. The location and details of Tree Protection Fencing (TPF) during construction.
11. All indigenous plants used during or after the development (including for landscaping, screening, revegetating, etc.) must be of local provenance sourced from an approved indigenous nursery. Details of the plant supplier must be included in the Landscape Plan and evidence of source must be provided prior to commencement of planting.
 12. 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.
 13. No vegetation, apart from that shown on the approved plan as vegetation to be removed may be felled, destroyed or lopped without the prior written consent of the Responsible Authority.

Landscape Bond

14. Before the release of the approved plans under Condition 1 of this permit, 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 over the entire site, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

Drainage

15. Stormwater must not be discharged from the site 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.

Access and car parking

17. The external driveway system and parking spaces, as shown on the endorsed plans must be formed to the depicted levels and must be constructed, surfaced, drained and appropriately line marked to the satisfaction of the Responsible Authority.
18. Before the occupation of the building, all car parking spaces as shown in the approved car parking schedule required under Condition 1 of this permit,

must be line-marked, numbered, signposted and lit to the satisfaction of the Responsible Authority. An advisory sign must be erected adjacent to each basement car park opening providing details of the building address and any visitor car parking spaces available inside the building, to the satisfaction of the Responsible Authority.

19. All visitor car parking spaces must be clearly marked and must not be used for any other purpose to the satisfaction of the Responsible Authority.
20. Driveway gradients and transitions as shown on the endorsed plans must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.
21. Parking areas and access lanes must be kept available for these purposes at all times and must be maintained to the satisfaction of the Responsible Authority.
22. The development must be provided with external lighting capable of illuminating access to each car parking space, outdoor service areas, pedestrian walkways and the building entry. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.
23. Any security door/grille to the basement openings must maintain sufficient clearance when fully open to enable the convenient passage of rubbish 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 rubbish truck is required to travel to the satisfaction of the Responsible Authority.
24. Automatic basement door opening systems must be installed and maintained, so as to facilitate secure access to the allocated parking areas by residents, visitors and a rubbish collection contractor, all to the satisfaction of the Responsible Authority.

Site Services and Amenity

25. All on-site services, including water, electricity (excluding an electrical substation), gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
26. All upper level service pipes (excluding stormwater downpipes) must be concealed and screened respectively to the satisfaction of the Responsible Authority.
27. All hot water systems (excluding associated solar panels) must be installed within the subject building, unless otherwise agreed in writing with the Responsible Authority.
28. All roof-top plant (including air conditioning units, basement exhaust ducts, solar panels or hot water systems) which is visible to immediate neighbours or from the street must be installed in appropriately screened areas to minimise their general visual impacts, unless otherwise agreed in writing with the Responsible Authority.

29. Any reverse cycle air-conditioning unit erected on the walls or roof of the approved 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.
30. Any clothes-drying rack or line system located on a balcony / terrace must be lower than the height of the balustrade and must not be visible from outside the site, to the satisfaction of the Responsible Authority.
31. In the event of gas being supplied to the approved dwellings, the owner must liaise with the relevant service authority to determine an appropriately discrete location for the placement of gas meters to the satisfaction of the Responsible Authority. Where no such placement is possible, meters must be "banked" and provided with a neatly designed, durable screen surround (in stained timber, or dark coloured, perforated metal sheeting, for instance) to the satisfaction of the Responsible Authority.
32. A centralised TV antenna must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.
33. No individual dish antennae may be installed on the overall building to the satisfaction of the Responsible Authority.
34. Communal lighting, including access-way and entry paths lighting and any other lighting around the building, must be connected to reticulated mains electricity and be operated by a time switch or a daylight sensor to the satisfaction of the Responsible Authority.
35. All security alarms or similar devices installed on the land must be of a silent type to the satisfaction of the Responsible Authority.
36. All noise emanating from any mechanical plant must comply with the relevant State noise control legislation and in particular, any basement exhaust duct/unit must be positioned, so as to minimise noise impacts on residents of the subject building and adjacent properties 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.
38. 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.
39. If required 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.

Advertising Signs

40. Except in accordance with rules adopted by any future Owners' Corporation, no "For Sale" or "For Rent/Lease" signs relating to completed dwellings within the approved development may be displayed along the Doncaster Road frontage to the satisfaction of the Responsible Authority.

Vegetation Protection

41. The owner must ensure that contractors/tradespersons who install services or work near the vegetation to be retained are made aware of the need to preserve the vegetation and to minimise impacts through appropriate work practices.
42. Before works start, native vegetation protection fencing must be erected around vegetation and/or scattered trees to be retained on site. This fencing must be erected around the Tree Protection Zone (TPZ) of the trees to be retained, unless otherwise agreed in writing, by the Responsible Authority.
43. The protection fencing must be constructed to the satisfaction of the responsible authority. The protection fencing must remain in place at least until all works are completed to the satisfaction of the responsible authority. Except with the written consent of the responsible authority, within this area:
 - 43.1. No vehicular or pedestrian access, trenching or soil excavation is to occur;
 - 43.2. No storage or dumping of tools, equipment or waste is to occur;
 - 43.3. No entry and exit pits for underground services are to be constructed.
44. A suitably qualified wildlife handler is to be present when felling trees.

Vegetation Offsets

45. Before any native vegetation is removed, evidence that an offset has been secured must be provided to the satisfaction of the responsible authority. This offset must meet the offset requirements set out in this permit and be in accordance with the requirements of *Permitted clearing of native vegetation – Biodiversity assessment guidelines* and the *Native vegetation gain scoring manual*. Offset evidence can be either:
 - 45.1. A security agreement, to the required standard, for the offset site or sites, including a 10 year offset management plan, which is to include the ongoing management regime in perpetuity. Every year, for ten years, after the responsible authority has approved the offset management plan, the applicant must provide notification to the responsible authority of the management actions undertaken towards the implementation of the offset management plan. An offset site condition statement, including photographs must be included in this notification;
 - 45.2. A credit register extract from the Native Vegetation Credit Register; or
 - 45.3. Evidence of existing credit register extract to which the offset is to be deducted.

Pedestrian Pathway

46. The construction and installation of the pedestrian path, signage and all costs associated, as required by Condition 1.7 and 1.10 of this Permit, must be borne by the permit holder with no cost to the Responsible Authority.
47. Prior to the occupation of the development or the subdivision of the land, a carriageway easement must be created in favour of Manningham City Council:
- 47.1. To align with the pedestrian pathway connecting Doncaster Road to Stables Circuit (to the western side of the building), as required by Condition 1.7 and 1.10 of this Permit;
- 47.2. Inclusive of up to one metre either side of the final path alignment (easement approximately 3.5m in width).
- To the satisfaction of the Responsible Authority unless otherwise agreed in writing by the Responsible Authority.
48. The pedestrian path connecting Doncaster Road to Stables Circuit (to the western side of the building, is to be maintained in accordance with the approved plans, to provide unobstructed public access through this portion of the site, to the satisfaction of the Responsible Authority.

Maintenance

49. Buildings, external surfaces, paved areas, fencing, external lighting, sight screens, drainage and landscaping must be maintained to a high quality, to the satisfaction of the Responsible Authority.

Transport for Victoria

50. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Doncaster Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria eight (8) weeks prior by telephoning 1800 800 007 or emailing bus.stop.relocations@ptv.vic.gov.au.
51. The existing bus stop and associated infrastructure on Doncaster Road must not be altered without the prior consent of Public Transport Victoria. Any alterations including temporary works or damage during construction must be rectified to the satisfaction of Public Transport Victoria and at the cost of the permit holder.

Section 173 Agreement (VicRoads Consent)

52. Unless otherwise agreed in writing by the Responsible Authority, prior to endorsement of Condition 1 Plans, consent must be provided by VicRoads for the proposed modifications to the Batter, in accordance with the requirements of Section 173 Agreement AN144689Q (25/09/2018), to the satisfaction of the Responsible Authority.

Expiry

53. This permit will expire if one of the following circumstances applies:
- 53.1. The development is not started within two (2) years of the date of the

issue of this permit; and

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

The Responsible Authority may extend these times 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 and Environment Act 1987.

2. BACKGROUND

- 2.1 Application for a planning permit PLN18/0671 was lodged with Council on 11 October 2018.
- 2.2 Further information was requested by Council on 4 November 2018.
- 2.3 Presentation was made to the Sustainable Design Taskforce on 13 December 2018.
- 2.4 Further information was received by Council on 31 January 2019.
- 2.5 A further request for information was made on 22 February 2019.
- 2.6 Further and final information was received by Council on 18 April 2019.
- 2.7 Under the Development Plan Overlay, an application under any provision of this planning scheme is exempt from the notice requirements of the *Planning and Environment Act 1987* if a development plan has been prepared to the satisfaction of the Responsible Authority.
- 2.8 The statutory time for considering a planning application is 60 days, which falls on 15 July 2019.
- 2.9 Three separate Section 173 Agreements are registered on the title of the property (AL849013P 29/04/2015, AM749778C 05/05/2016 and AN144689Q 03/10/2016).
- 2.10 The Section 173 Agreements have requirements regarding a land management plan, public open space, areas adjacent to existing residential properties and the batter that supports the road reserve of Doncaster Road.
- 2.11 The requirements of two of the Section 173 Agreements will not be affected by this proposal (AL849013P 29/04/2015 and AM749778C 05/05/2016).
- 2.12 Section 173 Agreement AN144689Q 03/10/2016 relating to the Batter that supports the road reserve of Doncaster Road will be affected. As the proposed development fronts the batter and road reserve area impacted by the Agreement, the proposal was referred to VicRoads for comment, as the agreement requires that consent is provided by VicRoads, as well as Council in relation to modifications of this Batter.

3. THE SITE AND SURROUNDS

- 3.1 The subject site forms part of the larger Tullamore Estate (Lot S4 on plan of subdivision SP807637C) and is located to the east of the intersection of Doncaster Road and the newly created Heritage Boulevard and to the east of the “Phoenix” apartment building which is nearing completion (Lot A on plan of subdivision 731534J).



Figure 1. Location of Stages 1 to 5 of the Tullamore estate

- 3.2 The site forms a part of land identified in the Eastern Golf Course Development Plan, endorsed by Council in September 2014, as the “Higher Density Stage”. The “Higher Density Stage” has abutments to Doncaster Road (south), Heritage Boulevard (west) and Stables Circuit (north), Stage 1 subdivision (north) and existing residential lots and dwellings fronting Doncaster Road (east).
- 3.3 The “Higher Density Stage” super lot has been subdivided as a result of the first Tullamore apartment building (“Phoenix” apartments). The remaining area on which the proposed building is to be constructed is currently 12,395sqm, with a frontage of 237m to Doncaster Road, a maximum depth of approximately 52m and a frontage of approximately 54m to Stables Circuit.
- 3.4 The application and plans depict the indicative future subdivision line for the subject development, resulting in a future lot area of 6935sqm over which the development is to occur.

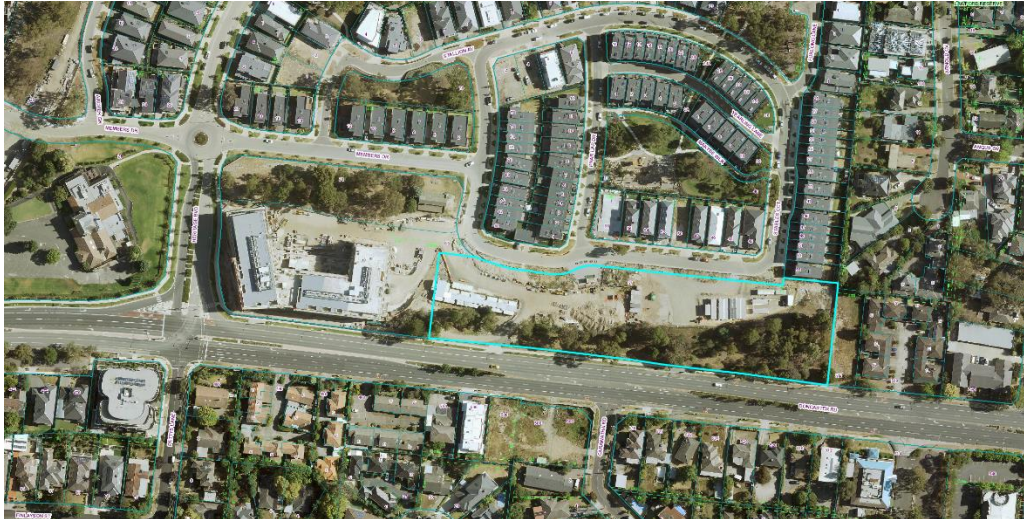


Figure 2. Aerial view of the subject site within the southern portion of the Tullamore estate

- 3.5 The nominated site area slopes from the south-east corner down towards the north-west, with a moderate fall of approximately 5-6m over approximately 48m.
- 3.6 The site is located on Doncaster Road within the Tullamore Estate, less than 700m west of the Westfield Doncaster (a Regional Activity Centre) and approximately 780m east of the Eastern Freeway and adjacent “Park and Ride” providing bus access to the CBD.



Figure 3. Aerial view of the Tullamore estate

- 3.7 Vehicle access to the proposed building is via the signalised Heritage Boulevard intersection with Doncaster Road for the estate and via Members Drive and Stables Circuit for the proposed building.

4. THE PROPOSAL

- 4.1 The proposal is outlined on the plans prepared by Mirvac Design - Architects Planners Interior designers, Project Job No. 3.E.09, dated 11 April 2019, together with perspectives dated 13 November 2018, and landscape concept plans prepared by Tract, dated 15 April 2019. Refer to Attachment 1.

4.2 The following plans are provided in support of the application:

- Feature survey Plan prepared by Bosco Jonson dated 22 August 2018;
- Development plans (Amended) and perspectives prepared by Mirvac Design - Architects Planners Interior designers and dated 11 April 2019;
- Apartment Development Guidelines Diagram Plans prepared by Mirvac Design - Architects Planners Interior designers and dated 3 December 2018 (associated with Clause 58 Assessment prepared by Contour Town Planners and dated 3 October 2018);
- Shared Path Concept Plan prepared by Tract Consultants for Mirvac and dated 15 April 2019; and
- Landscape Concept Plans prepared by Tract Consultants for Mirvac and dated 12 September 2018;

4.3 The following reports are provided in support of the application:

- Town Planning report prepared by Contour Town Planners dated 2 October 2018;
- Clause 58 Assessment - Better Apartment Design Standards prepared by Contour Town Planners and dated 3 October 2018;
- Waste Management Plan prepared by WasteTech Services and dated 22 November 2018;
- Transport Impact Assessment prepared by GTA Consultants and dated 5 December 2018;
- Sustainable Management Plan prepared by Umo Lai dated 17 April 2019;
- Construction Management Plan prepared by Mirvac and dated 14 March 2019;
- Biodiversity Offset Implications Report prepared by Ecology and Heritage Partners and dated September 2018;
- Arborist Report prepared by Galbraith and Associates Tree Consultants and Contractors dated 28 November 2018; and
- Stormwater Management Plan prepared by and dated 7 September 2018.

4.4 The application is for the construction of part six-storey and part-seven storey residential apartment building, with associated basement car parking and associated vegetation removal. A summary of the proposal is as follows:

4.5 Built form:

- The site is located on the southern edge of the Tullamore Estate, to the north of the Doncaster Road frontage and to the south-east of the heritage building (Stables) and directly to the east of the Tullamore Development Apartment A ("Phoenix" apartments) which are nearing completion.
- Car parking is provided over two basement levels - a lower basement level and one partial basement and partial lower ground floor (northern side of the building)
- A total of 102 dwellings is proposed with mix of apartment sizes including:
 - 24 one-bedroom apartments;
 - 51 two-bedroom apartments;

- 27 three-bedroom apartments.

4.6 Height

- The West Building module presents as five-storeys to Doncaster Road and six-storeys to the north (the north is 'internal' to the Tullamore Estate). The East Building module presents as six-storeys to Doncaster Road and seven-storeys to the north.
- The maximum building height is 21.5m (in the north-west corner of the western module). This excludes 1.8m high roof top services, lift overrun and associated screening.

4.7 Materials and Finishes

- The materials and finishes include:
 - Brick finish (light grey)
 - Painted masonry (white) walls and some balcony rails (with 'AcraTex Performance Coating');
 - Grey glazed railings with a black powdercoat frame;
 - Grey glazing to dwelling windows;
 - Timber look soffit lining (top level external ceiling);
 - Painted palisade fence (not detailed in schedule);
 - Planter boxes to each balcony area with cascading greenery/plants over some balcony areas.

4.8 A summary of the development is also provided as follows:

Element	Details
Building Details	<ul style="list-style-type: none"> • Total Site Area –site coverage (Lot S4 on plan of subdivision SP807637C) 12,395sqm • Site area of proposed future subdivided lot - 6935sqm • Building site coverage (future lot) – 3578sqm / 51.5% • Impervious site coverage (future lot) – 4637sqm / 67%
Dwellings	<ul style="list-style-type: none"> • A total of 102 dwellings with mix of apartment sizes including: <ul style="list-style-type: none"> ○ 24 one-bedroom apartments; ○ 51 two-bedroom apartments; ○ 27 three-bedroom apartments; and ○ A total of 102 apartments.
Building Height	<ul style="list-style-type: none"> • 21.5m (and 1.8m high rooftop services and screening)
Basements	<ul style="list-style-type: none"> • Basement level 2 (full basement level): <ul style="list-style-type: none"> ○ 102 residents car parking spaces;

	<ul style="list-style-type: none"> ○ 86 storage cage/room areas; ● Basement level 1/ground floor: <ul style="list-style-type: none"> ○ 42 resident car parking spaces; ○ 20 bicycle parking spaces; ○ 15 storage cage/room areas.
Car parking	<ul style="list-style-type: none"> ● Residential requirement: <ul style="list-style-type: none"> ➤ 24: 1 Beds – 24 car spaces required ➤ 51: 2 Beds – 51 car spaces required ➤ 27: 3 Beds – 54 car spaces required ➤ Total required – 129 car spaces ● Total provided – 144 residential car spaces (within basements) ● Surplus of 15 residential car spaces
Visitor Spaces	10 car parking spaces including one disability spaces (external to building and basements)
Setbacks	<ul style="list-style-type: none"> ● Doncaster Road (southern boundary): <ul style="list-style-type: none"> ○ West Building: <ul style="list-style-type: none"> ○ 7.34m to the southern corner built form; ○ 5.26m to the southernmost balcony. ○ East Building: <ul style="list-style-type: none"> ○ 15.96m to the built form; ○ 13.9m to the balcony. ● Stables Circuit (northern boundary): <ul style="list-style-type: none"> ○ West Building: <ul style="list-style-type: none"> ○ 9.97m to the northern corner built form; ○ 5.26m to the northernmost balcony. ○ East Building: <ul style="list-style-type: none"> ○ 7.6m to the built form; ○ 5.63m to the balcony. ● Western Boundary (to Phoenix Apartment site): <ul style="list-style-type: none"> ○ 9.86m to the built form; ○ 8.96m to the balcony. ● Eastern Boundary (eastern edge of Tullamore site): <ul style="list-style-type: none"> ○ Over 90m
Dwelling Density	<ul style="list-style-type: none"> ● One dwelling per 68m² of the future lot area

Design layout

- 4.9 The building is designed as two modules being described as the East and West modules. The modules are visually separated and by a glazed three level link containing the building's main foyer 'atrium'.
- 4.10 The Lower Basement level is a full basement. In response to the slope of the site, the Basement and Lower Ground floor level includes dwellings at ground level along the northern elevation and a partial basement to the southern side. Level 1 includes ground level dwellings facing Doncaster Road and first level north facing apartments.
- 4.11 Dwellings are located to the north and south of central corridors running east and west. The design of the two modules allows improved orientation and amenity to apartments at the ends.

Vehicular Access and Car parking

- 4.12 Vehicular access is from Stables Circuit, via a driveway to the southern end of the eastern side of the building.
- 4.13 The first Basement Level 1 is partially basement (southern side of the building) and partially ground floor level (northern side of the building). This basement/ground provides access down to the main (lower) Basement Level 2. A total of 144 residents' car parking spaces and 20 residents' bicycle parking spaces is provided within the basements.
- 4.14 Ten visitor car spaces are provided external to the building, on either side of the access-way into the site (including one disability space).
- 4.15 Seven additional bicycle hoops providing 14 bicycle spaces are also provided external to the building.
- 4.16 Waste collection is provided from the eastern end of the Basement 1/Ground Floor Level, via a separate roller door to the north of the main basement vehicle entrance.
- 4.17 Residential storage enclosures are provided at each car park level, either directly adjacent to car spaces, in separate compounds or at the end of car parking rows.

Pedestrian access and layout

- 4.18 Four external points of entry are available to pedestrians; a main foyer entrance from Doncaster Road (from the south), a main foyer entrance from Stables Circuit (from the north) and a less formal entrance at either end of the building to the ground floor level apartments (east and west of the buildings).
- 4.19 The entrances lead to the main foyer where there are further security doors to access each lift lobby area for the East and West module. The entrances at the ends of the building also lead to either East or West module lift lobbies.
- 4.20 Three lifts are provided for the building, one for the East module and two for the West module.
- 4.21 The application includes a Conceptual Pedestrian Link to the west of the building (prepared by Tract and dated 15/04/19) to provide a pedestrian access path around the building, from Doncaster Road to the Tullamore Estate (north to south). The concept plan was prepared and submitted subsequent to

discussions with Council's Open Space and Landscape Officers and Planning Officers to encourage and improve pedestrian access links into the site for residents, neighbours and visitors, including access to the "Heritage Stables" building, in accordance with the Development Plan.

Landscaping

- 4.22 Landscape Concept Plans prepared by Tract Consultants and dated 12 September 2018, detail proposed canopy trees and landscaping within the frontage to Doncaster Road to achieve a boulevard treatment and additional canopy trees and landscaping are provided along the Stables Circuit frontage and to the west of the building.
- 4.23 The Landscape design includes a communal kitchen garden and pergola seating area to the north-west of the building and open lawn areas surrounded by landscaping and inclusive of seating, to the north and north-east of the building.
- 4.24 Planter boxes are proposed to the majority of balconies, with cascading greenery/plants envisaged over some. The landscape design also details the rooftop planting area which is part of the communal area to Level 5 (Conservatory).

Vegetation Removal

- 4.25 A permit is not required for removal of native vegetation on the site which are listed to be "removed" as identified in Appendix 2.4 of "Flora and Fauna Assessment and Biodiversity Offset Analysis, 463-535 Doncaster Road, Doncaster, Victoria" by Ecology and Heritage Partners and dated April 2014 (FFABOA Report).
- 4.26 Two native trees on the site were not identified in the FFABOA Report and require a Planning Permit for removal under the ESO3. The two trees are identified as Trees 223 and 232 with the Arborist Report prepared by Galbraith and Associates Tree Consultants and Contractors, dated 28 November 2018.
- 4.27 The Arborist Report prepared by Galbraith and Associates Tree Consultants and Contractors dated 28 November 2018, provides an assessment of the trees on site, the proposed removals and finds specifically:
- *Of 61 trees shown in subject site area (as identified by the Biodiversity Offset Implications Report prepared by Ecology and Heritage Partners and dated September 2018), 32 are no longer present.*
 - *The remaining 29 trees are a mixture of indigenous, Victorian native and Australian native species (mainly eucalypts and wattles);*
 - *Almost all are less than 30 years old (or less) except for Trees 59, 250 and 260 which are approximately 50 years old;*
 - *The trees are very likely planted. In general, their condition is fair. No tree is of high significance or has a high worth for retention.*
 - *Trees 223 and 232 are both healthy Yellow Box (Eucalyptus melliodora) approximately 25 years old and of non-local provenance:*
 - *Tree 223 has branch attachments with bark inclusions which over time and without remedial work will result in the tree being prone to branch failures. Tree 223 should be able to be retained according to*

the current plan because the nearest work, a retaining wall, is outside its TPZ (Australian Standard). The plans do not indicate retention of this tree.

- *Tree 232 has a deep, split-prone main stem bifurcation at approximately 5 metres above ground and has little worth for retention. Tree 232 cannot be retained as it is located within the building footprint of the proposed apartments.*

4.28 The submitted Biodiversity Offset Implications Report prepared by Ecology and Heritage Partners and dated September 2018, calculates the proposed offsets for the vegetation impacts and removals of the two trees on site.

Design detail

- 4.29 The proposed building has a contemporary architectural design, featuring an elegant, uncluttered presentation with a strong emphasis on glazing and complementary curved elements to corners and a “floating” roof. Curvilinear balconies wrap around the northern and southern elevations and are a key visual feature to most elevations.
- 4.30 The balconies exhibit an elongated linear form that provide visual continuity along the primary elevations and are finished with alternating painted masonry (white) and grey glazed balustrades (with a black powder-coat frame). The mixed treatment of balconies creates visual interest and forms a signature design element. The base and ground floor of the building are constructed of a grey brick with vertical palisade fencing to the ground level courtyards.
- 4.31 The top level features a roof form which soars out over the balconies below and is finished with a timber look lining soffit.



Figure 4. Perspective looking south-east from Stables Circuit.

5. LEGISLATIVE REQUIREMENTS

- 5.1 Refer to Attachment (2) (Planning & Environment Act 1987, Manningham Planning Scheme, other relevant legislation policy)
- 5.2 A Planning Permit is required under the following Clauses of the Manningham Planning Scheme:
- Clause 22.17 – Eastern Golf Course Key Redevelopment Site Policy
 - Clause 32.07-5 - Residential Growth Zone, Schedule 1 (EASTERN GOLF COURSE SITE 463 – 535 DONCASTER ROAD, DONCASTER):
 - *To construct a residential building.*
An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58.
 - Clause 42.01 Environmental Significance Overlay, Schedule 5 (ENVIRONMENTALLY SIGNIFICANT URBAN AREAS):
 - *A permit is only required to remove, destroy or lop Victorian native vegetation.*
 - Clause 52.17 – Native Vegetation
 - *A permit is required to remove, destroy or lop native vegetation.*
 - Eastern Golf Course Development Plan.

6. REFERRALS

VicRoads Referral

- 6.1 A permit is not required under Clause 52.29 of the Manningham Planning Scheme as the proposal does not involve modification or creation of access to a road in the Road Zone Category 1, however the 173 Agreement AN144689Q 03/10/2016, relates to the batter that supports the road reserve of Doncaster Road. Given the batter will be affected as the proposed development, consent is required by VicRoads as well as Council in relation to the modifications of this batter supporting the footpath.
- 6.2 VicRoads have advised that they are not able to provide full consent until further geotechnical and design information is provided for assessment. They have advised as follows: - they have directed that:
- *In a planning application perspective, Mirvac has to satisfy requirements of the 173 Agreement, that will require that the proposed works in relation to the temporary batter must be to the satisfaction of VicRoads*
 - *Independent of the above VicRoads has to be notified by the relevant Building Surveyor by issuing a Form 3 notice under the Building Act. Mirvac will expedite this process to get VicRoads approval. Work that impact on the road will also require a Consent under the Road Management Act 2004. In responding to the Form3 Notice VicRoads will also advise the team that process NRIW applications. The process is explained in VicRoads website under Non Road Infrastructure Works and Protection Work Notices.*
- 6.3 Subsequently, a condition will require that prior to endorsement of Condition 1 Plans, consent must be provided by VicRoads for the proposed modifications to the batter, in accordance with the requirements of Section 173 Agreement AN144689Q (25/09/2018), unless otherwise agreed in writing, and to the satisfaction of the Responsible Authority.

Transport for Victoria Referral

- 6.4 As the proposal comprises 60 or more dwellings, it is a statutory requirement to refer the application to Transport for Victoria as a determining referral authority.
- 6.5 Transport for Victoria has no objection subject to conditions on any permit issued requiring the permit holder take all reasonable steps to ensure that disruption to bus operation along Doncaster Road is minimised during construction.

Internal

- 6.6 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 –	<ul style="list-style-type: none"> • No objection subject to standard drainage conditions and stormwater connection to the point of discharge.

Service Unit	Comments
Drainage	
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> • No objection.
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> • No objection.
Engineering & Technical 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.
Engineering & Technical Services Unit – Car Parking Layout	<ul style="list-style-type: none"> • No objection.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> • No objection subject to a requirement for the provision of a Construction Management Plan.
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> • No objection subject to conditions for on-site private waste collection
Engineering & Technical Services Unit – Easements	<ul style="list-style-type: none"> • There are no easements located on the land or in the vicinity of the proposal.
Engineering & Technical Services Unit – Flooding	<ul style="list-style-type: none"> • No objection as the site is not subject to inundation.
City Strategy Unit – Sustainability	<ul style="list-style-type: none"> • No objection subject to standard conditions and improved details regarding the size and location of the rainwater tank.
City Strategy Unit – Landscape and	<ul style="list-style-type: none"> • No objections subject to conditions

Service Unit	Comments
Urban Design	

7. CONSULTATION / NOTIFICATION

- 7.1 Pursuant to Clause 43.04-2 of the Scheme, an application under any provision of the Scheme which is generally in accordance with the development plan is exempt from the notice (advertising) requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review (appeal) rights of Section 82(1) of the Act.
- 7.2 The proposal is considered to be generally in accordance with the Development Plan and therefore is exempt from the notice provisions of the planning scheme.

8. ASSESSMENT

- 8.1 The proposal has been assessed against the relevant state and local planning policies, the zone, overlay, Eastern Golf Course Development Plan and the relevant particular provisions and general provisions of the Scheme.
- 8.2 The following assessment is made under the headings:
- Planning Policy Frameworks;
 - Eastern Golf Course Development Plan;
 - Building Layout and Design;
 - Urban Design and Design Detail;
 - Landscape Design;
 - Apartment Developments (including internal and external amenity);
 - Car parking, access and bicycle facilities; and
 - Vegetation Removal.

Planning Policy Frameworks

- 8.3 Key objectives of the PPF and LPPF identify that future housing need and residential amenity are critical land-use issues that will challenge Manningham's future growth and sustainable development and 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.
- 8.4 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.
- 8.5 Residential Policy outlines that infill residential development and redevelopment of key strategic sites that consolidate the role of established urban areas and

reduce developmental pressure in the areas with environmental values will be encouraged.

- 8.6 It recognises that whilst single detached dwellings will continue to represent the largest proportion of Manningham's housing stock, there will be a need for a greater mix of housing in the form of medium and higher density residential developments. Higher density housing will be encouraged in close proximity to activity centres and along major roads and transport routes.
- 8.7 Council's planning preference is for higher density, apartment style developments, as outlined at Clause 21.05 of the 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 is also guided by the elements contained within the DDO3, the associated Eastern Golf Course Development Plan, and in conjunction with an assessment against Clause 58 – Apartment Developments.
- 8.8 Through various policy statements within the Planning Scheme, in particular through the adoption of the DDO3 and the Eastern Golf Course Development Plan over this key strategic site, a planning mechanism exists that will in time alter the existing neighbourhood character along the frontage to the Tullamore Estate and this part of Doncaster Road. The ultimate built form is contemplated as providing substantial change that has a more intense and less suburban outcome.

Eastern Golf Course Development Plan

- 8.9 The primary consideration for this application is policy background and land use. The parameters for use and development on the site (and the wider Tullamore Estate) are established in the Eastern Golf Course Development Plan which is the principle assessment tool for the current, and any future planning applications at the site, together with Clause 58 - Apartment Developments.
- 8.10 Any development application on this site must first be considered to be "*generally in accordance*" with the approved Development Plan. The approved Development Plan describes built form and design outcomes and objectives, and the requirement that an application be generally in accordance with the Development Plan therefore builds in a certain degree of flexibility to allow the proposal to be refined during the ongoing design and development phases. The determining factor in terms of whether the proposal is generally in accordance with the Development Plan, is therefore how the proposed built form, design and particulars of development respond to the objectives.
- 8.11 Relevant to this proposal, the Development Plan identifies potential higher density residential areas adjacent to Doncaster Road as being suitable for more intensive apartment-style living. It seeks to maximise vistas to culturally-historic precincts, and key areas of open space, providing clear and direct links for pedestrians, cyclists and vehicles. Public amenity and recreation are emphasised by providing areas of retained native bushland, natural gullies, barbeque facilities and open landscaped areas. Sign-posted walking trails and bike paths further encourage community exploration (internal and external to the site), and appreciation of the site's natural characteristics.

- 8.12 This proposal relates to a part six-storey, part seven-storey residential apartment building above 2 basement levels and essentially the development of a portion of the site (identified as *Higher Density*) fronting Doncaster Road, to the east of the Heritage Boulevard site entrance and east of the Heritage Bunya Pine and “Heritage Stables” building. The residential apartment building proposal includes a total of 102 dwellings (24 one-bedroom apartments, 51 two-bedroom apartments and 27 three-bedroom apartments).
- 8.13 The Eastern Golf Course Development Plan sets out a number of Doncaster Road Location Specific Design Principals, Urban Design Objectives and Principals (Section 3.8.3) including Design Objectives and Principals relating to Built Form, Car parking and Access, Landscaping and Fencing. A full assessment against the relevant design objectives and principals is found at Paragraph 8.38 of this Report.
- 8.14 As demonstrated within the Eastern Golf Course Development Plan Assessment Table (Paragraph 8.38 of this Report), the proposed residential use and mix constitutes higher density residential accommodation and the number and mix of dwellings is considered to be in accordance with the Development Schedule in the Development Plan. Further discussion on the most relevant building and design aspects of the development are also addressed in this report.

Building Layout and Design

- 8.15 The two main entrances to the central atrium (from Doncaster Road and from Stables Circuit) will be highly identifiable by the paths, landscaping and foyer entrances that are defined by extensive glazing. The east and west entrances are less formal entrances likely to be primarily used by residents of the building.
- 8.16 The building offers a suitable mix of one and two bedroom apartments with varied balcony designs, sizes and orientation. The size and layout of apartments also varies considerably which is seen as a positive outcome to address amenity considerations, as required by Clause 58. The apartment layouts are designed to maximise opportunities for good ventilation and sunlight penetration, where practicable.
- 8.17 The proposed open plan living areas will offer versatility and suitably sized bedroom. The design proposal has maximised exposure to natural light to all rooms, rather than just living areas and provides expansive balcony areas around most apartment edges.

Building Height

- 8.18 The Residential Growth Zone has a discretionary building height of 13.5 metres. Schedule 1 to the Residential Growth Zone (RGZ1) specifies a 11 metre maximum building height where land is further than 70 metres from the Doncaster Road boundary of the site. Given the land is within 70m of the Doncaster Road boundary, this height requirement is not applicable.
- 8.19 The Development Plan objectives include ‘*A scale of highest density residential development which has a presentation to the Doncaster Road frontage of between two and five storeys in height*’. The proposed building will present generally as five storeys to Doncaster Road for the East module and proposes a six storey presentation to Doncaster Road for the smaller West module. Given the proposed form and the location of this West module central adjacent to the

“Phoenix” apartments (being 5 storeys) and the proposed East module (being 5 storeys when viewed from Doncaster Road); the proposed six storey West module is considered to provide a favourable visual variation in the built form.

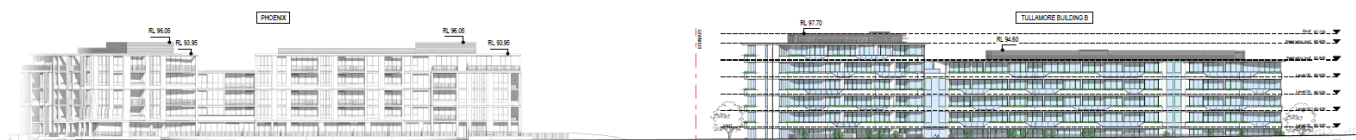


Figure 5 – Doncaster Road Streetscape/Southern Elevation of existing Phoenix Building and Proposed Tullamore Building B.

- 8.20 It is noted that the maximum building height of the West module, presenting as six storeys to Doncaster Road, is 1.95m higher than the relative (RL) maximum building height of the “Phoenix” apartments and 1.65m higher than the maximum rooftop services height RL. It is considered from Doncaster Road that the development transitions down from west to east and is an appropriate design response.
- 8.21 The building design takes advantage of the significant slope on the land and presents the ground level as part basement, part ground level, resulting in the building presenting as six and seven storeys to the north elevation (internal to the Tullamore Estate).
- 8.22 The slope has also been appropriately used by locating the accessway and basement entry where they are not visible to Doncaster Road or Stables Circuit. This design response appropriately responds to the design principals approved in the Development Plan.

Urban Design and Design Detail

- 8.23 The Scheme (Clause 15.01-1 and 15.01-2 Urban Design and Principals) policy directs the creation of good quality urban environments that are safe, functional while providing a sense of place and cultural identity. Design outcomes that contribute positively to local urban character, enhance the public realm whilst minimising detrimental impact on neighbouring properties are also sought.
- 8.24 Clause 21.05-4 (Built form and Neighbourhood Character) of the Scheme requires residential development to be designed and landscaped to make a positive contribution to the streetscape and local character, is designed to provide a high level of internal amenity for residents and includes articulation and sufficient setbacks to avoid any potential amenity impacts.
- 8.25 The Development Plan details a number of Urban Design and Built Form objectives, which also include encouraging development that is contemporary in design, spacing between developments, articulated built-form, and a range of

visually interesting building materials and façade treatments, including cascading plants to all levels.

- 8.26 The architectural design is considered to be well conceived and of a commendable high standard. By providing the two adjoining but visually separate modules and curvilinear design detail to the external balcony and roof forms, the overall design successfully addresses the potential issue of visual monotony associated with such a lengthy building. The design compliments the adjoining “Phoenix” apartments in colour pallet and some use of grey brickwork at the lower levels while creating an individual “identity” through use of curvilinear detailing (as opposed to the square set detailing of the “Phoenix” apartments.
- 8.27 Overall the development will make a positive architectural contribution to this key and prominent frontage to Tullamore Estate and Doncaster Road and its location on the western edge of the Doncaster Hill Principal Activity Centre.
- 8.28 The “retro” inspired roof canopy is seen as an interesting design inclusion which will also contribute significantly to the specific character of this building. In this manner, the overall design will stand well apart from the relatively conservative design of the building to the west.
- 8.29 In terms of materials and finish, the proposal offers an appropriately modern design outcome for the site. It adopts interesting design techniques to create visual interest and adopts a coherent palette of colour, material selection and finishes to provide an attractive presentation to all elevations. These elements emphasise the curvilinear design aspects. The generous depth to balconies is also a good design outcome which will create colour tone differentiation through shadowing.
- 8.30 Concerns regarding the on-going maintenance of the proposed painted render, particularly with cascading plants, have been reduced by further advice regarding the species selection to reduce maintenance issues and the use of a “Acratex Performance Coating” which is designed to have superior resistance to staining and cracking. Given particular details have not provided on the materials schedule or plans, details will be required through a permit condition.
- 8.31 The submitted Material Schedule is also lacking detail for some of the proposed materials and finishes in relation to fencing and rooftop services screening. A proposed condition will require this information.

Landscape Design

- 8.32 The setbacks from boundaries allow suitable spacing for generous landscaping and canopy trees around the site, to “soften” the lower levels and compliment the overall development.
- 8.33 The landscaping treatment suitably responds to the guidelines of the Development Plan and assists in “breaking up” the length of continuous built form.
- 8.34 Extensive communal and landscape spaces are provided at ground level including a kitchen garden and pergola seating area in the north-western corner of the site and open landscaped and grassed areas with seating to the north and north-east of the site. A communal kitchen entertaining and terrace area is also provided on level 5, the ‘Conservatory’.

- 8.35 A wide landscape link is provided between the proposed building and the “Phoenix” apartments to the west. This link is enhanced by the proposed siting of the building and the long term preservation of a Bunya Bunya pine.
- 8.36 The conceptual pedestrian link to the west of the building (prepared by Tract and dated 15/04/19), from Doncaster Road to the Tullamore Estate will encourage and improve access and pedestrian links into the site for residents, neighbours and visitors, including to the heritage stables building and will encourage physical activity by improved ease of pedestrian links and access, in accordance with the Development Plan.
- 8.37 The path will be required by conditions to be included on the development plans but to be modified to avoid impacts on Tree 223 (in accordance with the Australian Standard for Trees on Development Sites) and provide more details, as recommended by Council’s Landscape and Urban Design team.
- 8.38 An assessment against the relevant design objectives and principals of the Eastern Golf Course Development Plan is found below:

POLICY / OBJECTIVE	RESPONSE - OBJECTIVE
<p>Section 3.8.3 – Location Specific Design Principals (Page 26 of Development Plan)</p>	
<p>The Staging and residential Density Plan highlights the area within the Eastern Golf Course (EGC) designated for higher density residential development interfacing with Doncaster Road. Located to the East of the main vehicle entry to EGC from Doncaster Road, the higher density sites will incorporate the following urban design principles:</p>	
<ul style="list-style-type: none"> • A scale of highest density residential development which has a presentation to the Doncaster Road frontage of between two and five stories in height. 	<p>The proposed building will generally present as five storeys to Doncaster Road for the East module and proposes a sixth storey presentation to Doncaster Road for the smaller West module.</p> <p>Whilst the sixth level is a minor variation from the Development Plan objectives, the presentation is considered to provide favourable visual articulation stepping the building down the site to the larger East module of five stories fronting Doncaster Road.</p> <p>The variation to the smaller West module can be considered as a design element, and is marginally higher (1.95 metres) than the adjacent Phoenix Apartments and assists with providing variation in the built form along the extensive Doncaster Road frontage.</p>
<ul style="list-style-type: none"> • A visual landscape link from Doncaster Road through to the retained heritage stables building. 	<p>A generous visual landscape link is provided to the western side of the building over to the “Phoenix” apartments. This wide corridor will ensure the preservation of the Bunya Bunya Heritage Pine located near the Doncaster Road frontage, and allows views/connection through to the retained heritage stables building. This landscape link is enhanced by the siting of the proposed building which angles away creating a width of 36m at one point.</p>

	By way of conditions, a pedestrian link (path with intermittent stairs) will be included within the landscaping, to encourage access to and from the Tullamore estate, including the heritage stables building and other parks and services.
<ul style="list-style-type: none"> Consideration of public transport pick up and drop off locations pertaining to pedestrian access locations from EGC to Doncaster Road. 	Bus routes are located adjacent to the site and Public Transport Victoria have advised of no objection to the proposal, subject to standard construction and protection conditions.
Section 3.8 Doncaster Road Entry Feature	
<ul style="list-style-type: none"> A signalised intersection will be constructed at the Doncaster Road primary entrance to EGC. This provides an opportunity for a landscaping entry feature that provides a high quality and visually appropriate entry marker of the site. The entry feature will reflect the overall character of the site, while establishing the identity of the development for passing motorists, cyclists and pedestrians on Doncaster Road. 	The proposal has no direct relationship with the signalised intersection into the estate or the related landscaping/design elements that have been established here.
3.8.3 Doncaster Road Urban Design Objectives and principles	
<ul style="list-style-type: none"> To encourage development that is contemporary in design, includes an articulated built-form, and incorporates a range of visually interesting building materials and façade treatments 	The architectural design and form is contemporary and provides for visual articulation as discussed in the main body of the report.
<ul style="list-style-type: none"> To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive 	<p>Ample articulation and visual interest is provided by varied balcony projections with curvilinear design detail, separation of the building modules and the integration of a glazed vertical foyer</p> <p>The design of the projecting upper storey roof canopy is seen as an architectural expression which “caps” and complements the overall built form.</p> <p>Overall the well-conceived design elements contribute to a presentation which will sit comfortably in this location.</p>
<ul style="list-style-type: none"> To encourage spacing between developments to minimise a continuous building line when viewed from Doncaster Road 	<p>The proposed spacing of over 36m from the nearby “Phoenix” apartments and the variation in alignment of the building provides adequate spacing between buildings when viewed from Doncaster Road..</p> <p>In addition, the placement of the open car park on the eastern side of the building provides a substantial separation to the eastern boundary of</p>

	the development site, thus providing a good basis for separation for any future development.
<ul style="list-style-type: none"> To provide sufficient spacing between developments to provide for view corridors from Doncaster Road into the site 	The spacing of over 36m on the western side will provide an ample gap and view corridor from Doncaster Road into the site.
<ul style="list-style-type: none"> To encourage landscaping around buildings which enhance separation between buildings and soften built form 	Landscaping is proposed around the building and will suitably soften the built form and provide separation between the “Phoenix” apartments to the west and future development to the east.
<ul style="list-style-type: none"> To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties 	<p>It is considered that the design and siting have had regard to the future development of a potential apartment building to the east.</p> <p>Plans also indicate a potential future vehicle access connection to the east side of the proposed access from Stables Circuit.</p>
<ul style="list-style-type: none"> 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. 	The design suitably responds to the slope of the land by providing a main lower basement level and a partial basement/partial lower level, which ensures there are no excessive projections of basement walls above natural ground level.
<ul style="list-style-type: none"> To create a boulevard effect along Doncaster Road by planting trees within the front setback that are consistent with, and complement the street tree landscape 	The landscape plan includes trees along the Doncaster Road frontage to create a boulevard character.
<ul style="list-style-type: none"> To provide suitable pedestrian access locations from Doncaster Road. 	<p>A formal pedestrian access is provided to the main entry to Doncaster Road. Minor access paths serve side entries, but these only connect with Stables Circuit.</p> <p>The submitted proposal offers no path connection from Doncaster Road through to Stable Circuit which is a shortcoming.</p> <p>There is ample opportunity to create and provide a pedestrian link from Doncaster Road along the western interface of the building. A concept plan (prepared by Tract and dated 15/04/19) is considered generally suitable but will need to be modified to provide more details, avoid Tree 223 in accordance with the Australian Standard. This has been conditioned accordingly.</p> <p>Importantly, the pedestrian access will improve connectivity into the Tullamore Estate. Conditions will be required to ensure on-going public access.</p>
Built Form	
<ul style="list-style-type: none"> Provide a minimum 5 metre built-form setback to create a consistent 	The front setback will be varied along Doncaster Road, with the southern corner of the West

built edge, and incorporate tree planting and landscaping to achieve a boulevard character	module provided with a 5.26m setback, increasing to 9.3m. The East module will have a predominant setback of 9.34m. These setbacks satisfy the requirement and provide sufficient spacing to achieve the required boulevard character.
<ul style="list-style-type: none"> Provide visual interest through articulation, glazing, and variation in materials and textures 	There is visual interest provided to the building to varied materials, articulation, architectural features and glazing.
<ul style="list-style-type: none"> Minimise buildings on boundaries to create spacing between developments 	There are no buildings proposed on the boundaries and spacing between existing and future buildings is considered appropriate.
<ul style="list-style-type: none"> Ensure that buildings are stepped down at the rear of sites (where appropriate), to provide a transition to the scale of the adjoining residential area 	<p>The scale of the building is suitable and given there is no adjoining residential development, stepping of the built form is not considered necessary.</p> <p>The proposed building will be setback over 21m from the closest residential lots to the north.</p>
<ul style="list-style-type: none"> Ensure buildings are designed to suitably integrate with the gradient of the land 	The building has been suitably designed to respond and take advantage of the slope.
<ul style="list-style-type: none"> Avoid reliance on below-ground light courts for any habitable rooms 	There are no below ground light courts proposed.
<ul style="list-style-type: none"> Ensure that the upper levels provide adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer-wall presentation 	There is adequate articulation and visual interest as previously discussed.
<ul style="list-style-type: none"> Integrate porticos and other design features within the overall design of the building, and not include imposing design features such as double storey porticos 	The overall architectural presentation is of a high standard and there are no “jarring” design elements.
<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>The slope of the land has been used to advantage by suitably locating the access-way and basement entries where they are not visible to Doncaster Road. The slope has also been appropriately used by designing the lower ground level as a partial basement and partial ground level.</p> <p>Retaining wall presentations are generally suitable however, conditions will require changes to the retaining wall arrangement to the west of the building, to enable the pedestrian access path and retention of Tree 223.</p>
<ul style="list-style-type: none"> Be designed to minimise overlooking, and avoid excessive application of screen devices 	<p>Given the generous level of separation to housing to the north and west, there will be no adverse overlooking impacts.</p> <p>Balconies are suitably protected from internal views by walls separating balconies.</p>
<ul style="list-style-type: none"> Ensure design solutions respect the 	The building will be accessible for people of all

principle of equitable access at the main entry of any building for people of all mobilities	mobilities via the north and south main foyer entries and to all lifts, including from the basement.
<ul style="list-style-type: none"> Ensure that projections of basement car parking above natural level do not result in excessive building height as viewed by neighbouring properties 	The design of the lower ground floor and partial basement level is considered an appropriate design response given the fall of the land..
<ul style="list-style-type: none"> Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site 	Due to the slope and proposed landscaping, the basement entry will not be visible from the frontage of Doncaster Road and will not be obtrusive or prominent from Stables Circuit or from within the site.
<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 	The building (including basements) are suitably setback from boundaries and the spacing for landscaping around the site is generous and will enable canopy trees to flourish.
<ul style="list-style-type: none"> Ensure that service equipment, building services, lift over-runs and roof mounted equipment including screen 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. 	Screening is proposed to the roof services at a height of 1.8m and appears to be horizontal panel however, the material is not detailed. Conditions will require details of the screens including colours and materials.
Car parking and Access	
<ul style="list-style-type: none"> Provide vehicular access to residential buildings from within the site, with no direct vehicle access to Doncaster Road 	The proposed vehicle access from Stables Circuit and is to the satisfaction of Council's Engineering (Traffic) Unit.
<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. 	The proposed vehicle access and basement car parking is to the satisfaction of Council's Engineering (Traffic) Unit.
Landscaping	
<ul style="list-style-type: none"> Provide opportunities for planting to side boundaries in areas that assist in breaking up the length of continuous built form and / or soften the appearance of the built form 	The setbacks from boundaries allow suitable spacing for generous landscaping and canopy trees around the site, to soften and compliment the building.
<ul style="list-style-type: none"> Provide planting within the building setback that includes a row of avenue trees. 	The proposal includes suitable avenue trees along Doncaster Road and Stables Circuit to the north of the building.
Fencing	
<ul style="list-style-type: none"> Ensure that front fences facing Doncaster Road are 50 per cent transparent, have a maximum height of 1.8 metres, and that there is a 	Fencing is proposed to the courtyards of the ground level apartments (presenting to Doncaster Road). The fencing is black painted vertical bar fencing (nominated to be Palisade) with a brick

<p>setback of a minimum of 1.0 metre from the front title boundary (unless abutting a tree reserve), which is to be set aside for a continuous landscape treatment.</p>	<p>base. Maximum heights are not indicated and all fences are setback significantly more than 1.0m from any title boundary and landscaping is provided to front these courtyards. Conditions will require that the fences are a maximum of 1.8m in height, with 50% transparency.</p> <p>Given the 3.0m high retaining wall to the southern side of the access-way, a safety railing / fence will be required to the top of this wall. Conditions will also require this fence to be detailed to be a maximum of 1.8m in height and to have a minimum of 50% transparency.</p>
<p>3.11 Access and Circulation</p>	
<ul style="list-style-type: none"> The EGC Development Plan provides for a residential outcome based upon ease of pedestrian access throughout the site, and integration with the existing local community. Vehicle access and circulation supports this pedestrian network, and provides suitable connectivity within the existing street network 	<p>The pedestrian link conceptually proposed on the Doncaster Road Access Plan (prepared by Tract and dated 15/04/19) and urban spaces around the building will suitably integrate and encourage movement through and around the site.</p> <p>The vehicle entry and the final pedestrian path arrangement provide suitable connectivity.</p>
<ul style="list-style-type: none"> The EGC Development Plan seeks to encourage physical activity through the site for future and surrounding residents. This is achieved through the provision of open spaces and linkages which encourage physical activity and social interaction for all age groups. 	<p>The conceptual pedestrian link from Doncaster Road to the Tullamore Estate will encourage and improve access and pedestrian links into the site for residents, neighbours and visitors, encouraging physical activity by improved ease of pedestrian links and access.</p>
<p>3.11.6 Car Parking (Page 34)</p>	
<ul style="list-style-type: none"> High Density – (<i>Higher Density area</i>) One (1) visitor space per five (5) dwellings 	<p>With only 10 of the 20 visitor spaces being provided, a condition has been included to require the provision of an additional 10 spaces.</p>

Apartment Developments Particular Provision (Clause 58)

8.39 Pursuant to Clause 58 (Apartment Developments), a development must meet all of the objectives of this clause and should meet all of the standards.

8.40 A full assessment against the objectives of Clause 58 is provided in the Clause 58 Assessment Table found at Paragraph 8.45 of this report. An assessment of many of the relevant Design Principals, Design and Urban Design Objectives relating to Built Form, Car Parking, Access and Landscaping are discussed under the main assessment headings. Additional discussion is as below where appropriate or non-compliances are identified within the assessment:

8.41 Storage

- Each apartment will be provided with a minimum 4sqm of storage within the basement and internal storage within each dwelling which exceeds the minimum requirement of Standard D20 of Clause 58.05-4.

- The basement storage areas are currently unallocated and are located either adjacent to car spaces or within separate storage compound areas.
- Conditions will require plan details and notations to ensure that storage areas adjacent to car spaces are allocated accordingly.

8.42 Site Services

- The fire booster, gas and water services are located facing Stables Circuit. Design details have not been provided. A condition of the permit will require design details to be provided to the satisfaction of the Responsible Authority.

8.43 Room Depth

- All apartments meet the maximum 9m room depth except for the following:
 - Ap. 1.04 has a maximum depth of 9.33m, however, enjoys a northern orientation, a minimum width of 4.0m and overall apartment width of 13m;
 - Ap. 1.13 has a maximum depth of 9.285m a minimum width of 4.0m and overall apartment width of 13m.
- In both of these apartments the kitchen is the area furthest space from a natural daylight source. These apartments exceed the 9 metre maximum by 330mm and 285mm accordingly. This is considered a marginal non-compliance and overall these apartments provide for a high standard of internal and external amenity.
- Floor to ceiling heights need to be clearly shown on the plans. This can be conditioned accordingly.

8.44 Natural Ventilation

- 36% of the dwellings achieve the cross ventilation standards of Standard B27, falling short of the 40% requirement.
- Given the site requires an east-west orientation, it is difficult to provide compliance to the dwellings centrally located within the larger East module.
- Dwellings which are not provided with full compliance with this standard are provided with generous proportions in regards to the overall width of the dwellings and all habitable rooms and bedrooms have large openable windows or doors to generous balcony areas.
- Given the optimal amenity provided by other design factors, the reduction of the standard is considered appropriate in this instance.
- A wind assessment was not included with the submission. Considering the open nature of the site location, conditions will require a wind assessment to assess and where appropriate recommend wind ameliorate impacts by potential screening, landscaping or suitable features which do not impact the overall design and visual outcome of the building.

- 8.45 An assessment against the objectives of Clause 58 (Apartment Developments) is provided in the table below:

Objective	Satisfied/Not Satisfied
<p>58.02-1 – Urban context</p> <ul style="list-style-type: none"> To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area. To ensure that development responds to the features of the site and the surrounding area. 	<p>Satisfied</p> <p>The proposed apartment development positively responds to the urban context and the preferred future development of the area, as detailed within the Development Plan. Furthermore, it is considered that the proposal responds to surrounding and adjoining site conditions.</p>
<p>58.02-2 – 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 higher density residential development where development can take advantage of public and community infrastructure and services. 	<p>Satisfied</p> <p>The application was accompanied by a written statement demonstrating how the development is in accordance with Municipal Planning Strategy and the Planning Policy Framework.</p> <p>The site fronts Doncaster Road, is proximate to Westfield Doncaster, the Eastern Freeway, is identified as High Density lots within the Development Plan, and therefore appropriately supports higher density residential development to take advantage of existing nearby public and community infrastructure and services, as well as the public and community infrastructure and services within the Tullamore Estate.</p>
<p>58.02-3 – 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>Satisfied</p> <p>The proposal includes a suitable mix of one, two and three bedroom dwellings with a range of floor areas to provide diversity.</p>
<p>58.02-4 – 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>Satisfied</p> <p>The site has access to all services and will be provided with a third pipe for recycled water.</p>
<p>58.02-5 – Integration with the street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. Provide adequate vehicle and pedestrian links that maintain or enhance local accessibility. Complement existing adjoining/surrounding open space. 	<p>Satisfied with Condition</p> <p>Vehicle access is suitably provided from Stables Circuit to the north.</p> <p>Four pedestrian entry points are provided to the building, from each side of the building and particularly to the two road frontages.</p> <p>Given the unique arrangement of the two road frontages (north and south) and the centralised location of the building within the High Density Lots of the Tullamore Estate with surrounding and nearby open space areas, the development should also provide a pedestrian access external to and around the building.</p> <p>A suitable pedestrian path will be required around the building to enhance access, walkability, street integration and permeability into the public parks, walking tracks, future café and other future services within the Tullamore Estate. In conjunction with officer input, the applicant has developed a concept path layout to the west of the</p>

Objective	Satisfied/Not Satisfied
	<p>proposed building.</p> <p>Conditions will require this path to be included on the development plans, as discussed in the Assessment Section of this application and as advised by the Open Space and Landscape Planner in the Referrals Section of this report.</p>
<p>58.03-1 – Energy efficiency</p> <ul style="list-style-type: none"> • To achieve and protect energy efficient dwellings and buildings. • 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>Satisfied</p> <p>Given the orientation and configuration of the site, the proposal provides a reasonable overall response and works to improve and take advantage of the energy efficiency opportunities in respect of the southern apartments.</p>
<p>58.03-2 – 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>Satisfied</p> <p>Ample communal open space areas are provided at the ground level around the building and at Levels 5 of the East module, significantly exceeding the requirement of 250m².</p> <p>These have been described previously.</p>
<p>58.03-3 – Solar access to communal outdoor open space</p> <ul style="list-style-type: none"> • To allow solar access into communal outdoor open space. 	<p>Satisfied</p> <p>The kitchen garden with pergola area is optimally located to the north-west corner of the building and will receive sunlight for most of the day.</p> <p>The Conservatory is also located to the north-west corner of the East module and will receive more than two hours of sunlight per day, even at the winter solstice.</p> <p>Other open landscaped areas with seating to the north and north-east of the building will also receive ample sunlight.</p>
<p>58.03-4 – 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>Satisfied</p> <p>Multiple pedestrian entries are available to access the apartments. The main foyer will have secured access and the lift lobby for each module will be secured through a second point, providing a safe arrangement.</p> <p>The basement car park levels will have a security door at the entrance and the development has been designed to not have visitor car access into the basements.</p>
<p>58.03-5 – 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 	<p>Satisfied with conditions</p> <p>The proposed landscaping across the site is an appropriate design response and meets the requirements/objectives of the Development Plan, subject to conditions discussed within the Assessment Section of the report.</p> <p>Ample spacing is provided for canopy tree development. Substantial areas of landscaping are also proposed within</p>

Objective	Satisfied/Not Satisfied
<p>importance.</p> <ul style="list-style-type: none"> To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect. 	<p>upper level and cascading planting within balcony planter boxes will soften the building.</p> <p>Modification of the western retaining walls is required to facilitate the pedestrian path demonstrated by the Doncaster Road Access Plan (prepared by Tract Consultants and dated 15/4/19). Associated conditions will ensure the walls are less than 1.0m in height and that any impacts to Tree 144 are in accordance with the Australian Standard for trees on Development Sites.</p>
<p>58.03-6 – Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the urban context. 	<p>Satisfied</p> <p>One 6.5m wide vehicle crossover is proposed to access the development from Stables Circuit.</p> <p>The design and location of the access are satisfactory in the local context.</p>
<p>58.03-7 – Parking location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To protect residents from vehicle noise within developments. 	<p>Satisfied</p> <p>Lifts and stairs will provide suitable and equitable access into the building from the two basement levels for residents.</p> <p>Residents are therefore protected from vehicle noise within the development.</p> <p>Visitor spaces are external and setback from the building.</p>
<p>58.03-8 – 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>Satisfied with conditions</p> <p>A rainwater tank is located underground but in the frontage to Stables Circuit. It is not clear how far below ground the water tank is located and some plans indicate a modified location and size.</p> <p>Conditions will require it to be located to ensure proposed landscaping and trees do not impact the tank or relocated below the basement. Size should also be nominated.</p> <p>The proposal includes connection to the mandated recycled water third pipe, given Tullamore is within the 'Mandated Recycled Water Area'.</p> <p>The submitted Sustainability Management Plan demonstrates a STORM rating of 100%.</p>
<p>58.04-1 – Building setback</p> <ul style="list-style-type: none"> To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. To allow adequate daylight into new dwellings. To limit views into habitable room windows and private open space of new and existing dwellings. 	<p>Satisfied</p> <p>The front setback exceeds the minimum 5.0m Doncaster Road setback requirement of the Development Plan and all other setbacks are considered an appropriate response to the site context.</p> <p>The setbacks are as follows:</p> <ul style="list-style-type: none"> Doncaster Road (southern boundary): <ul style="list-style-type: none"> West module: <ul style="list-style-type: none"> 7.34m to the southern corner built form;

Objective	Satisfied/Not Satisfied
<ul style="list-style-type: none"> To provide a reasonable outlook from new dwellings. To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents. 	<ul style="list-style-type: none"> ○ 5.26m to the southernmost balcony. ○ East module: <ul style="list-style-type: none"> ○ 15.96m to the built form; ○ 13.9m to the balcony. • Stables Circuit (northern boundary): <ul style="list-style-type: none"> ○ West module: <ul style="list-style-type: none"> ○ 9.97m to the northern corner built form; ○ 5.26m to the northernmost balcony. ○ East module: <ul style="list-style-type: none"> ○ 7.6m to the built form; ○ 5.63m to the balcony. • Western Boundary (to “Phoenix” apartments site): <ul style="list-style-type: none"> ○ 9.86m to the built form; ○ 8.96m to the balcony. • Western Boundary (western edge of Tullamore site): <ul style="list-style-type: none"> ○ 30.29m.
<p>58.04-2 – Internal views</p> <ul style="list-style-type: none"> To limit views into the private open space and habitable room windows of dwellings within a development. 	<p>Satisfied</p> <p>Balconies are designed to limit internal views, either by being isolated or suitably screened by integrated walls.</p> <p>All windows and balconies prevent overlooking of more than 50% of the private open space of a lower level or adjoining apartments.</p>
<p>58.04-3 – 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 and internal noise sources. 	<p>Satisfied with condition</p> <p>There are no unusual noise sources within the development that may affect existing dwellings.</p> <p>Plant and services are located within the roof and basements and will meet EPA Guidelines.</p> <p>The submission suggests that acoustic attenuation measures could be incorporated through conditions requiring an acoustic assessment and details to be included in response, if approval is granted. Conditions will therefore address this aspect</p>
<p>58.05-1 – Accessibility</p> <ul style="list-style-type: none"> To ensure the design of dwellings meets the needs of people with limited mobility. 	<p>Satisfied</p> <p>A total of 52 dwellings (51%) meet the accessibility requirements for door opening widths, entrance paths and access to an adaptable bathroom.</p> <p>Standard D17 specifies that 50% dwellings should meet these accessibility requirements – therefore the Standard is satisfied.</p>
<p>58.05-2 – Building entry and circulation</p> <ul style="list-style-type: none"> To provide each dwelling and building with its own sense of 	<p>Satisfied</p> <p>The two main building entrances (north and south) provide shelter and are easily identifiable, safe and functional.</p> <p>The two additional entrances to the east and west improve</p>

Objective	Satisfied/Not Satisfied
<p>identity.</p> <ul style="list-style-type: none"> To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. To ensure internal communal areas provide adequate access to daylight and natural ventilation. 	<p>efficiency of movement for residents, and also provide some daylight to the main corridors at this level.</p> <p>The main foyer area and corridors have appropriate sightlines and opportunity for natural ventilation. Daylight be a feature of the foyer due to the extent of glazing.</p> <p>Lifts and stairwells are well located to provide equitable access.</p>
<p>58.05-3 – 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>Satisfied</p> <p>All apartments meet or exceed the private open space requirements.</p> <p>All ground floor apartments are provided with courtyard/balcony areas of 25sqm or more and a minimum dimension of more than 3.0m.</p> <p>All upper level 3 bedroom apartments are provided with balconies with more than 12sqm and a minimum dimension of more than 2.4m.</p> <p>All upper level 1 and 2 bedroom apartments are provided with balconies with a minimum of 8sqm and a minimum dimension of more than 2m and all have additional area exceeding this or with a lesser dimension.</p> <p>All private open space and balcony areas are therefore provided with suitable space to ensure reasonable recreation, functionality and service needs for future residents.</p> <p>Air conditioning units are generally located on the roof or within the basement service areas.</p>
<p>58.05-4 – Storage</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>Satisfied with condition</p> <p>Each apartment will be provided with a minimum 4sqm of storage within the basement and internal storage within each dwelling which exceeds the minimum requirement of Standard D20 of Clause 58.05-4.</p> <p>The basement storage areas are currently unallocated and are located either adjacent to car spaces or within separate storage compound areas.</p> <p>Conditions will require plan details and notations to ensure that storage areas adjacent to car spaces are allocated to apartments with ownership of those car spaces and will also require a schedule of car space allocation and storage allocation prior to occupation of the building.</p>
<p>58.06-1 – 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. 	<p>Satisfied</p> <p>The car parking areas, paths, landscape areas, lobby/corridors are practically designed and can be suitably maintained by a future Owners' Corporation.</p>

Objective	Satisfied/Not Satisfied
<ul style="list-style-type: none"> To avoid future management difficulties in areas of common ownership. 	
<p>58.06-2 – 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>Satisfied with condition</p> <p>Appropriate site services are provided to the rooftop and basement areas. A number of service rooms are located adjacent to the Basement 1 level and to the rear of the corridors servicing the north-facing ground level apartments.</p> <p>A mail room is located securely and adjacent to the main foyer area.</p> <p>The fire booster, gas and water services are located to the Stables Circuit frontage, given details are not provided, conditions will require they adequately integrate with the development, including height, design, materials and finishes.</p> <p>As previously described, further details will be obtained in respect of the rainwater tank.</p>
<p>58.06-3 – Waste and recycling</p> <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. 	<p>Satisfied with condition</p> <p>The submitted waste management plan details that waste will be appropriately managed and collected on-site.</p> <p>A specific condition relating to this aspect will be included.</p>
<p>58.07-1 – Functional layout</p> <ul style="list-style-type: none"> To ensure dwellings provide functional areas that meet the needs of residents. 	<p>Satisfied</p> <p>All bedrooms and living areas meet the minimum dimensions and areas required, as demonstrated by ADG Diagrams.</p>
<p>58.07-2 – Room depth</p> <ul style="list-style-type: none"> To allow adequate daylight into single aspect habitable rooms. 	<p>Satisfied by condition</p> <p>All apartments meet the maximum 9m room depth except for the following:</p> <ul style="list-style-type: none"> Ap. 1.04 has a maximum depth of 9.33m, however, enjoys a northern orientation, a minimum width of 4.0m and overall apartment width of 13m. Ap. 1.13 has a maximum depth of 9.285m a minimum width of 4.0m and overall apartment width of 13m. <p>In both of these apartments the kitchen is the area furthest from the daylight, the 2.7m high ceiling height is met and the daylight, outdoor living space and amenity advantages to the rest of these apartments generally exceed the requirements.</p>
<p>58.07-3 – Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into 	<p>Satisfied</p> <p>All habitable rooms are provided with at least one window</p>

Objective	Satisfied/Not Satisfied
new habitable room windows.	<p>in an external wall of the building.</p> <p>It is noted that some bedrooms are provided with a nook to the external window. These windows meet the Standard required dimensions and will receive adequate daylight.</p>
<p>58.07-4 – Natural ventilation</p> <ul style="list-style-type: none"> • To encourage natural ventilation of dwellings. • To allow occupants to effectively manage natural ventilation of dwellings. • Wind exposure of the site. 	<p>Objective Satisfied with condition</p> <p>36% of the dwellings achieve the cross ventilation standards of Standard B27, falling short of the 40% requirement.</p> <p>Given the site requires an east-west orientation, it is difficult to provide compliance to the dwellings centrally located to the larger East module in particular.</p> <p>Most of the dwellings which are not provided with full compliance with this standard are provided with generous proportions in regards to the overall width of the dwellings and all habitable rooms and bedrooms with have large openable windows or doors to the generous balcony areas.</p> <p>Given the optimal amenity provided by other design factors, the reduction of the standard is considered appropriate in this instance.</p> <p>A wind assessment was not included with the submission. Considering the open nature of the site location, conditions will require a wind assessment to assess and where appropriate recommend wind ameliorate impacts by potential screening, landscaping or suitable features which do not impact the overall design and visual outcome of the building.</p>

Car parking, access and traffic

8.46 The car parking requirement of Clause 52.06 in relation to the number of spaces provided, is summarised in the table below:

Purpose	Scheme car parking requirement	Car parking provided
24 One-Bedroom Dwellings 51 Two-bedroom Dwellings 27 Three-bedroom Dwellings 102 Dwellings	129 spaces	144 spaces (15 spaces surplus)

Required visitor spaces	20 spaces	10 visitor spaces (including one disability space)
Total	119 spaces	154 spaces

- 8.47 The Scheme requires a total of 144 car parking spaces for the proposed residential development. The number of car parking spaces within the basement exceeds this requirement by 15 car parking spaces and these spaces are proposed to be allocated to apartments as additional residents spaces.
- 8.48 The Development Plan objectives for high density development includes a visitor car parking provision of 1 space per 5 dwellings, therefore attributing a provision of 20 visitor car spaces for the proposed development.
- 8.49 10 external visitor car parking spaces are provided in response to this requirement of the Development Plan along with the surplus of 15 residential car spaces (within the basements). The applicant's traffic consultant presents that these spaces are expected to cater for the anticipated demand and notes a number of on-street visitor spaces are provided throughout the Tullamore Estate site (as presented in the letter titled 'Stage 1 Parking Analysis' prepared by Cardno, dated 25 May 2015).
- 8.50 Though 10 visitor spaces are being provided, it is considered appropriate that the minimum visitor parking requirements of the Development Plan be satisfied that that 10 additional spaces be provided onsite.
- 8.51 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"> Accessway sightlines at the site's internal frontage comply with Design Standard 1 of Clause 52.06-9 and are satisfactory. The driveway(s) is at least 3m wide and complies with Design Standard 1: Accessways of Clause 52.06-9 and are satisfactory. The internal radius of the driveway at the change of direction allows sufficient room for vehicles to turn and exit the site in a forward direction and complies with Design Standard 1: Accessways of Clause 52.06-9 and is satisfactory. A minimum 2.1m of headroom clearance beneath overhead obstructions is provided which complies with Design Standard 1: Accessways of Clause 52.06-9 and is satisfactory. All vehicles are able to exit the site in a forward direction.
2 – Car Parking Spaces	<ul style="list-style-type: none"> Car parking spaces are provided in accordance with the requirements.
3 – Gradients	<ul style="list-style-type: none"> Driveway gradients comply with Design Standard 3: Gradients of Clause 52.06-9 and are satisfactory.
4 – Mechanical Parking	<ul style="list-style-type: none"> No mechanical parking is proposed.

Design Standard	Assessment
5 – Urban Design	<ul style="list-style-type: none"> The development utilises the existing access road infrastructure of Stables Circuit which is appropriate. The visitor car parking area and the entrance to the basement are suitably designed and will not be dominant elements.
6 – Safety	<ul style="list-style-type: none"> Access to the basement residential car parking is secured by a gate. Pedestrian access from the site frontages is clearly separated from the roadways.
7 – Landscaping	<ul style="list-style-type: none"> Landscaping is well placed along either side of the driveway.

8.52 Council's Engineering and Technical Services Unit has raised no concern in relation to the expected volume of traffic generated by the proposed development as assessed in the submitted traffic report.

Bicycle Facilities

8.53 This clause applies to developments for a residential building of four or more storeys. For this proposal 30 bicycle spaces are required inclusive of 20 resident bicycle spaces and 10 resident visitor spaces. The proposal provides 20 resident bicycle spaces within a basement bicycle parking area and 14 bicycle spaces external to the building (7 bicycle hoops which can contain 2 bicycles), thus exceeding the requirement by 4 bicycle spaces.

8.54 The Transport Impact Assessment prepared by GTA Consultants and dated 5 December 2018 recommends that a convex mirror be installed on the north side of the ramp adjacent to the bicycle parking area (as shown on GTA drawing V154600-AT01-04 attached in Appendix A of the report) to improve sight distance for cyclists exiting the bicycle store area. This is required by a condition.

Vegetation Removal

8.55 The vegetation removal is generally in accordance with the Eastern Golf Course Development Plan, as most trees remaining on the site are listed to be "removed" as identified in Appendix 2.4 of "Flora and Fauna Assessment and Biodiversity Offset Analysis" (April 2014). There are two native trees on the site which are not listed in this report and therefore require a Planning Permit for removal.

8.56 The Arborist Report (prepared by Galbraith and Associates Tree Consultants and Contractors dated 28 November 2018) includes an assessment of all remaining trees on the site, including the two native trees proposed for removal. The assessment establishes that of the 29 remaining trees on the site, only 1 tree is able to be reasonably retained (Tree 223).

8.57 The Arborist Report finds that Tree 223 (south-west corner) should be able to be retained according to the current plan given the built form is generally removed from the TPZ of this tree. Given the plans do not indicate retention of this tree, conditions will require it is retained and the western pedestrian path and retaining walls to be redesigned, so as to consider the impacts on this tree.

8.58 It is noted that the other tree detailed by the Arborist Report (Tree 232) is located wholly within the proposed building footprint. The tree also has a deep, split-

prone main stem bifurcation and is assessed as having little worth for retention. It is therefore acknowledged that this tree cannot be reasonably retained.

- 8.59 The submitted Biodiversity Offset Implications Report prepared by Ecology and Heritage Partners and dated September 2018 calculates the proposed offsets for the vegetation impacts and removals as a whole for the Tullamore Estate. Conditions will require offsets to be modified to consider the approved removal of Tree 232 and the retention of Tree 223.

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.