

0.0 Planning Application PL16/026951 at 27 & 29 Serpells Road, Templestowe for the construction of a three storey apartment building comprising thirty (30) dwellings above basement and sub-basement car parking

File Number:	IN17/443
Responsible Director:	Director Planning and Environment
Applicant:	Ratio Planning Consultants Pty Ltd
Planning Controls:	General Residential Zone, Schedule 2 and Design and Development Overlay, Schedule 8
Ward:	Heide
Attachments:	1 Advertised/Decision Plans 2 Legislative Requirements

EXECUTIVE SUMMARY**Purpose**

1. This report provides Council with an assessment of the planning permit application submitted for land at 27 and 29 Serpells Road, Templestowe and recommends refusal of the submitted proposal. The application is being reported to Council given that it is a Major Application (more than 15 dwellings and an estimated development cost of more than \$5 million).

Proposal

2. The proposal is for the development of a three (3) storey apartment building with two (2) basement levels across 27 and 29 Serpells Road, Templestowe. The site is 2,164.9 square metres. The building provides thirty (30) 1 bedroom and 3 bedroom dwellings over four levels and sixty-four (64) car parking spaces within the basement levels. The proposal has a maximum height of 11 metres, a site coverage of 60 percent and site permeability of 20 percent.

Key issues in considering the application

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

Objector concerns

4. Twenty-four (24) objections have been received for the application, raising issues which are summarised as follows:
 - (a) Construction impacts;
 - (b) Land use;
 - (c) Infrastructure;
 - (d) Environmentally sustainable design initiatives;
 - (e) Neighbourhood character;
 - (f) Property values;

- (g) Off-site amenity impacts;
- (h) On-site amenity impacts;
- (i) Overdevelopment;
- (j) Traffic and car parking; and
- (k) Strategic issues.

Assessment

5. In principle, the proposed development of the land for a three-storey apartment building is suitable for the site and location. While the submitted proposal is not supported, it is considered that a similar development proposal could be designed to achieve the relevant State and Local Policies, design objectives of the Design and Development Overlay, Schedule 8 (DDO8) and objectives of Clause 55 Two or More Dwellings on a Lot and Residential Buildings of the Manningham Planning Scheme.
6. The submitted proposal fails to comply with specific elements of the preferred neighbourhood character outcomes established by the DDO8. These include an inadequate street setback, lack of sufficient visual interest, lack of an appropriate step down and transition to adjoining properties, lack of recessing of upper levels, the use of dominant design features, excessive application of screening devices, an inadequate rear setback and excessive front fencing. Subsequently, the submitted development does not meet the preferred neighbourhood character.
7. The proposal does not comply with several objectives of Clause 55 Two or More Dwellings on a Lot and Residential Buildings. These include Clause 55.02-1 Neighbourhood Character, Clause 55.02-5 Integration with the Street, Clause 55.03-1 Street Setback, Clause 55.04-1 Side and Rear Setbacks, Clause 55.04-5 Overshadowing Open Space, Clause 55.04-7 Internal Views, Clause 55.06-1 Design Detail or Clause 55.06-2 Front Fence. Subsequently, the development does not contribute towards the preferred neighbourhood character, provide for reasonable standards of amenity for existing dwellings or appropriately respond to the site and neighbourhood character.

Conclusion

8. The report concludes that the proposal does not comply with the design objectives of the DDO8 or meet many of the relevant objectives of Clause 55 Two or More Dwellings on a Lot and Residential Buildings of the Manningham Planning Scheme.
9. It is recommended that the application be refused.

RECOMMENDATION

That Council:

- A. **Having considered the proposal and all objections, issue a NOTICE OF DECISION TO REFUSE TO GRANT A PERMIT for planning application PL16/026951 for the construction of a three storey apartment building comprising thirty (30) dwellings above basement car parking, for the following reasons:**
 1. **The proposed front setback does not respect the preferred neighbourhood character for Residential Precinct 2 (Design and**

Development Overlay, Schedule 8) and will have an unreasonable visual impact to the street, failing to meet the objective of Clause 55.03-1 Street Setback of the Manningham Planning Scheme.

2. The proposed building design provides insufficient visual relief to the streetscape and inappropriate visual interest to the side elevations, failing to integrate all design features within the overall design of the building and has not been designed to avoid the excessive application of screen devices, contrary to the preferred neighbourhood character outcomes for Residential Precinct 2 (Design and Development Overlay, Schedule 8) and the objective of Clause 55.06-1 Design Detail of the Manningham Planning Scheme.
3. Relative to the side and rear boundaries, the proposed development does not provide for appropriate setbacks or an appropriate step down and built form transition, failing to comply with the preferred neighbourhood character outcomes for Residential Precinct 2 (Design and Development Overlay, Schedule 8) and failing to limit impacts to the amenity of existing dwellings, contrary to the objective of Clause 55.04-1 Side and Rear Setbacks of the Manningham Planning Scheme.
4. The upper level of the proposed building is unduly bulky and visually intrusive and does not provide for an adequate reduction in footprint, failing to comply with the preferred neighbourhood character outcomes for Residential Precinct 2 (Design and Development Overlay, Schedule 8) and failing to limit impacts to the amenity of existing dwellings, contrary to the objective of Clause 55.04-1 Side and Rear Setbacks of the Manningham Planning Scheme.
5. The proposed 1.7 metre high front fence in an opaque material will appear as visual bulky to the street and compromises the streetscape integration of the development, failing to comply with the preferred neighbourhood character outcomes for Residential Precinct 2 (Design and Development Overlay, Schedule 8) and the objectives of Clause 55.02-5 Integration with the Street and Clause 55.06-2 Front Fence of the Manningham Planning Scheme.
6. The proposed design response does not meet the preferred neighbourhood character and is inappropriate for the site context, failing to respond to the features of the site and surrounding area or meet the objectives of Clause 55.02-1 Neighbourhood Character of the Manningham Planning Scheme.
7. The proposed building will significantly overshadow the secluded private open space area of the existing dwelling at 4/31-33 Serpells Road, Templestowe (adjoining to the east), failing to meet the objective of Clause 55.04-5 Overshadowing Open Space of the Manningham Planning Scheme.

2. BACKGROUND

- 2.1 The application was received by Council on 12 December 2016.

- 2.2 A request for further information letter was sent on 6 January 2017. This letter included preliminary concerns relating to the built form, transitioning to adjoining properties, landscaping, off-site amenity impacts and the functionality of the basement.
- 2.3 The proposal was presented to the Sustainable Design Taskforce meeting on 23 February 2017, at which the predominant issues raised related to the interfaces to adjoining properties and zones.
- 2.4 All further information was received by Council on 26 May 2017.
- 2.5 The applicant was advised in an email dated 5 June 2017 that a number of the preliminary concerns raised in the 6 January 2017 letter were outstanding.
- 2.6 The application was advertised on 7 June 2017.
- 2.7 The statutory time for considering a planning application is 60 days, which lapsed on 16 August 2017.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site comprises two (2) sites fronting Serpells Road; Lot 3, located on the eastern side (29 Serpells Road) and Lot 4 located on the western side (27 Serpells Road). The site is located approximately 30 metres from the Serpells Road and Williamsons Road intersection.
- 3.2 Together the lots form a rectangular shaped site, with an angled front boundary to Serpells Road.
- 3.3 The site has a street frontage of 43.4 metres, a maximum depth of 58.64 metres on the eastern boundary and an area of approximately 2,164.9 square metres.
- 3.4 The site slopes down from the frontage (south to north), 2.98 metres along the western boundary and 4.6 metres along the eastern boundary. The site has a more gentle slope down along the frontage (southern boundary) of 0.92 metres from east to west.
- 3.5 A 1.83 metre wide drainage and sewerage easement is located along the rear (northern) boundary. Conditional approval was granted by Council on 16 February 2017 to remove/vary this easement (Planning Permit PL16/026669).
- 3.6 The eastern lot (29 Serpells Road) is currently developed with a single-storey brick and weatherboard dwelling and the western lot (27 Serpells Road) is currently developed with a single-storey weatherboard dwelling. Both lots have large secluded private open space areas to the rear and are accessed via gravel crossovers from Serpells Road.
- 3.7 Neither land title is constrained by encumbrances, caveats or other notices.

The Surrounds

- 3.8 The immediate neighbourhood features a mixed residential character, with Serpells Road serving as an interface between the medium-density and low density residential areas of Templestowe.
- 3.9 The northern side of Serpells Road, between Williamsons Road and Foote Street, falling within the General Residential Zone, is developed with a mixture of traditional single and double-storey housing on conventional lots and more recent multi-dwelling, townhouse style development.
- 3.10 The southern side of Serpells Road, on the Williamsons Road side, falls within the Low Density Residential Zone, featuring a low density residential character consisting of single dwellings on larger lots, whilst the Foote Street side falls within the General Residential Zone and contains a mixture of traditional single and double-storey housing on conventional lots.
- 3.11 The site directly abuts eight (8) properties as follows:

Direction	Address	Description
East	Units 1 and 4, 31-33 Serpells Road, Templestowe	These lots form part of a four unit development and are each developed with a two-storey brick townhouse. Both lots contain walls that are built to the common boundary and have secluded private open space areas to the northern and western sides that adjoin the common boundary. Unit 1 is setback approximately 6 metres from the Serpells road boundary (south). A common property accessway that runs through the centre of the development provides access from Serpells Road to all four lots.
East	Units 2, 237 Williamsons Road, Templestowe	This lot forms part of a two unit development and is developed with a two-storey brick townhouse. The dwelling is setback approximately 2.6 metres from the common boundary at the closest point with secluded private open space on the northern and western side of the dwelling, adjoining the common boundary. A common property accessway that runs along the northern side of the development provides access from Williamsons Road for both lots.
West	25 and 25A Serpells Road, Templestowe	These lots form part of a two unit development in a tandem, battle-axe arrangement, each developed with a single-storey brick dwelling. 25A contains a wall built to the common boundary and has secluded private open space on the northern and eastern side of the dwelling, adjoining the common boundary. 25 is setback approximately 6.5 metres from

		common boundary at the closest point with a secluded private open space on the eastern side of the dwelling, adjoining the common boundary. 25A is setback approximately 5.5 metres from the Serpells Road boundary (south). Both lots are serviced by individual crossovers and accessways from Serpells Road.
North	Unit 2, 3 and 4, 239 Williamsons Road, Templestowe	These lots form part of a four unit development and are each developed with a single-storey brick townhouse. Unit 2 and 3 contain walls that are built to the common boundary with secluded private open space on the southern side of the dwelling, abutting the common boundary. Unit 4 is setback approximately 3 metres from the common boundary at the closest point, with secluded private open space on the southern and western sides of the dwelling, abutting the common boundary. A common property accessway that runs along the northern side of the development provides access from Williamsons Road for all four lots.

3.12 The site is located approximately 400 metres to the south-east of the *Templestowe Village* neighbourhood activity centre and 2.3 kilometres north of the *Doncaster Hill* principal activity centre.

3.13 The primary arterial roads servicing the immediately surrounding area are Williamsons Road and Foote Street/Reynolds Road. The nearest bus stop is located on Williamsons Road, approximately 90 metres from the site.

4. THE PROPOSAL

4.1 It is proposed to demolish the existing dwellings and remove all vegetation on the site (no planning permit required) and construct a three-storey building providing thirty dwellings over two levels of car parking (basement and sub-basement level).

Submitted Plans and Documents

4.2 The proposal is outlined on the plans prepared by *Kavallaris Urban Design*, project number 15-019, revision 1, dated 30 March 2017 (received by Council on 5 May 2017). Refer to attachment 1.

4.3 The following reports and plans were submitted with the application:

- Town Planning Report (*Ratio Planning Consultants*, dated December 2016);
- Traffic Report (*Salt³*, dated 7 December 2016);
- Waste Management Plan (*Salt³*, dated 7 December 2016);

- Sustainable Design Assessment (*Enrate (Aust)*, dated 30 November 2016);
- Arboricultural Report (*John Patrick*, dated June 2016).
- Landscape Plan (*John Patrick*, dated November 2016)

Development Summary

4.4 A summary of the development is provided as follows:

Land Size:	2,164.9m ²	Maximum Building Height:	10.998m
Site Coverage:	60%	Street setback to Serpells Road (south)	Basement 2 – 6m Basement 1 – 6m Ground floor – 4.3m First floor – 4.3m Second floor – 4.3m
Permeability:	20%	Setback to northern boundary	Basement 2 – 3.9m Basement 1/Lower ground floor – 3.51m Ground floor – 3.99m First floor – 4.54m Second floor – 8.95m
Number of Dwellings:	30	Setback to eastern boundary	Basement 2 – 1.82m Basement 1/Lower ground floor – 1.82m Ground floor – 1.09m First floor – 3.26m Second floor – 4.56m
• 1 bedroom:	3	Setback to western boundary	Basement 2 – 1.17m Basement 1/Lower ground floor – 1.05m Ground floor – 2.99m First floor – 2.86m Second floor – 6.88m
• 2 bedrooms:	16	Resident spaces:	58
• 3+ bedrooms:	11	Visitor spaces:	6
Density:	One dwelling per 72.17m ²		

Development Layout

- 4.5 The lower ground floor/basement 1 level contains four (4) dwellings (B.01 to B.04), consisting of two, three-bedroom dwellings and two, two-bedroom dwellings. These dwellings are provided with ground level secluded private open space to the northern side. All dwellings at this level are provided with one living area and no habitable rooms rely on borrowed light.
- 4.6 The ground floor level contains eleven (11) dwellings (0.01 to 0.11), consisting of two, one-bedroom dwellings, seven, two-bedroom dwellings and two, three-

bedroom dwellings. The three (3) dwellings on the southern side of the building are provided with ground level secluded private open space within the front setback, whilst the remaining dwellings on this level are provided with balcony or alfresco secluded private open space on their respective interfaces. All dwellings at this level are provided with one living area and no habitable rooms rely on borrowed light.

- 4.7 The first floor level contains eleven (11) dwellings (1.01 to 1.11), consisting of one, one-bedroom dwelling, seven, two-bedroom dwellings and three, three-bedroom dwellings. All dwellings on this level are provided with secluded private open space balconies on their respective interfaces. All dwellings at this level are provided with one living area and no habitable rooms rely on borrowed light.
- 4.8 The second floor level contains four (4) dwellings (2.01 to 2.04), each with three bedrooms. All dwellings at this level feature a single living area with multiple aspects and are provided with large balcony terrace areas on their respective interfaces. Two bedrooms at this level rely on light from internal light courts.
- 4.9 A substation is proposed adjacent to the south-eastern corner of the site.

Vehicle and Pedestrian Access

- 4.10 The existing gravel crossover on the western side of the frontage is proposed to be widened to 5.5 metres, leading to a 5.69 metre wide accessway along the western boundary down to the basement and sub-basement level car parking.
- 4.11 The basement includes sixty-four (64) car parking spaces across two levels, including six (6) visitor car parking spaces located at the first basement level. The basement includes twenty-four (24) car parking spaces in a tandem arrangement.
- 4.12 A total of thirty (30) communal (resident and visitor) bicycle spaces are provided with the basement levels.
- 4.13 Twenty-nine (29) individual storage spaces of between 6.1 cubic metres and 24 cubic metres are provided within the basement levels. A common waste storage area of 33 square metres is provided within the first basement level.
- 4.14 The building is serviced by a central lift and stairwell that services all levels, including the basement levels. Centrally located lobbies and corridors provide access from the lift and stairwell at each level, with access to ground floor level lobby provided from the street via a shared pedestrian pathway. The dwellings orientated towards the street (0.01 to 0.03) are also provided with individual pedestrian entry pathways.

Earthworks

- 4.15 The basement levels require earthworks with a maximum cut depth of approximately 5.9 metres.
- 4.16 Earthworks are required on the eastern and western sides of the building to create levelled areas around the lower ground floor level dwellings. These earthworks have a maximum cut depth of 1.93 metres and are proposed to be managed by a single retaining wall on each side of the building. Some nominal batter slopes also appear to be required on the northern side of the building.

Landscaping

- 4.17 No existing trees will be retained within the site.
- 4.18 New canopy trees are proposed within all ground level secluded private open space areas. Screen planting is generally proposed along the northern, eastern and western boundaries for the length of the building and accessway.
- 4.19 Small landscaping strips are provided between the front fences and title boundary in some locations.

Design Detail

- 4.20 The proposed building features a contemporary architectural design, incorporating a flat roof and articulated façade presentation on all sides. The facades utilise a range of contemporary building materials, finishes and colours, making use of different cladding finishes. Louvre screens and obscure glazing is proposed to satisfy screening requirements.
- 4.21 A 1.7 metre high front fence of stackbond brown brick cladding is proposed along majority of the front (southern) boundary, bounding the secluded private open space areas of the street level dwellings (0.01 to 0.03). These fences are setback between 0.39 metres and 1.2 metres from the front boundary.

5. LEGISLATIVE REQUIREMENTS

- 5.1 Refer to Attachment 2.
- 5.2 A permit is required under the following clauses of the Manningham Planning Scheme:
- Clause 32.08-6 (**General Residential Zone**), a permit is required to construct two or more dwellings on a lot.
 - Clause 32.08-6 (**General Residential Zone**), a permit is required to construct a front fence within 3 metres of a street if the fence is associated with 2 more dwellings on a lot or a residential building and exceeds the maximum height specified in Clause 55.06-2.
 - Clause 43.02-2 (**Design and Development Overlay**), a permit is required to construct or carry out works.
 - Clause 43.02-2 (**Design and Development Overlay**), a permit is required to construct a front fence within 3 metres of a street if the fence is associated with 2 more dwellings on a lot or a residential building.

6. REFERRALS

External

- 6.1 There are no external determining or recommending referral authorities.

Internal

- 6.2 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 – Accessways	<ul style="list-style-type: none"> • 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. • Accessway sightlines at the site's frontage are obstructed or not defined for the driveway to the basement and is not satisfactory. • Driveway gradients comply with Design Standard 3: Gradients of Clause 52.06-9 and are satisfactory.
Engineering & Technical Services Unit – Footpath and Crossovers	<ul style="list-style-type: none"> • The vehicle crossover is satisfactorily located. • Redundant crossovers are to be removed and the nature strip, kerb and footpath in front of the site reinstated. • A kerb and channel and footpath is to be provided and to connect to the existing in front of 31 Serpells Road.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> • A <i>Construction Management Plan</i> is required
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> • There is no point of discharge available for the site. An outfall drainage system is required (to the rear of 237 Williamsons Road and to the Grated Side Entry Pit just in front of 239 Williamsons Road). • An on-site storm water detention system is required.
Engineering & Technical Services Unit – Flooding	<ul style="list-style-type: none"> • The property is not subject to inundation.
Engineering & Technical Services Unit – Easement	<ul style="list-style-type: none"> • An easement burdens the site. <i>Build Over Easement</i> approval is not required as no buildings or works are proposed within the easements.
Engineering & Technical Services Unit – Parking Provisions and Traffic Impacts	<ul style="list-style-type: none"> • The number of car parking spaces is provided in accordance with Clause 52.06-5 and are satisfactory. • The dimensions of the garages, carport and uncovered parking spaces comply with Design Standard 2 in Clause 52.06-9 and are satisfactory.

Service Unit	Comments
	<ul style="list-style-type: none"> • All tandem spaces are required to be clarified as being allocated to the same dwelling. • The car park layout is satisfactory.
Engineering & Technical Services Unit – Waste Management	<ul style="list-style-type: none"> • Council agrees that a private waste collection contractor will be required to undertake waste collection from the development. • Collections by a private waste contractor need to occur from within the property basement. • The developer will need to ensure that a private waste collection vehicle will have a minimum 2.5m overhead height clearance to ensure that an orderly collection can occur. • No private waste contractor bins can be left outside the property boundary for any reason. • Prior to the issue of the Permit: <ul style="list-style-type: none"> a) Two copies of a Waste Management Plan must be submitted (which adhere to the draft Waste Management Plan prepared by Salt 3, dated 7 December 2016) and approved to the satisfaction of the Responsible Authority. When approved the Waste Management Plan will form part of the permit. b) The developer is required to show the exact location a private waste collection vehicle will stop and undertake waste collection from within the basement and ensure that a minimum 2.5m overhead height clearance is provided at this point to ensure that an orderly collection can occur. • No private waste contractor bins can be left outside the development boundary or left unattended at any time on any street frontage for any reason.
City Strategy – Urban Design	<ul style="list-style-type: none"> • Assessing the impact that this development might have on streetscape character is a challenging task given the location of this site and low density residential abuttal. • The proposed apartment building is a ‘boxy’ design when viewed from the street and presents featureless sheer walls to the east and west. The prominent extruded frame elements applied to the first floor of south-facing apartments add to the ‘boxy’ appearance of this development, and the sheer wall proposed on the south-west corner of the building will be particularly visible given its location on the driveway. • The front setbacks have been staggered in an effort to provide visual interest and break down building mass, however physical breaks are

Service Unit	Comments
	<p>required along this elevation (possibly between balconies and / or expressed in the roofline) to assist with breaking down the visual and physical bulk of the development.</p> <ul style="list-style-type: none"> • Some building elements protrude into the required 6 metre street setback and restrict opportunity for landscaping. • Additional building stepping is required to provide an appropriate transition of scale to the properties to the north. • The building has been improperly designed with respect to avoiding excessive application of screening devices. • The proposed solid front fence should be replaced with something that has transparency. Allowing views into the landscaped frontage of the development will assist with softening the development and better integrating it with the Serpells Road streetscape.

7. CONSULTATION / NOTIFICATION

7.1 Notice of the application was given over a three-week period, concluding on 28 June 2017, by sending letters to the owners and occupiers of nearby properties and displaying one (1) large sign on the frontage of each lot in accordance with the Act.

7.2 To date, twenty-four (24) objections were received, from the following properties:

- 6 Serpells Road, Templestowe;
- 13 Serpells Road, Templestowe;
- 14-16 Serpells Road, Templestowe;
- 19 Serpells Road, Templestowe (three objections received from this property);
- 22-24 Serpells Road, Templestowe;
- 25 Serpells Road, Templestowe;
- 25A Serpells Road, Templestowe (two objections received from this property);
- 30-34 Serpells Road, Templestowe;
- 4/31-33 Serpells Road, Templestowe;
- 36-38 Serpells Road, Templestowe (two objections received from this property);

- 1/237 Williamsons Road, Templestowe;
- 1/239 Williamsons Road, Templestowe;
- 2/239 Williamsons Road, Templestowe;
- 3/239 Williamsons Road, Templestowe;
- 4/239 Williamsons Road, Templestowe;
- 3 June Crescent, Templestowe;
- 2/13 June Crescent, Templestowe;
- 3/19 June Crescent, Templestowe;
- 25 June Crescent, Templestowe;
- 27 June Crescent, Templestowe.

7.3 The grounds of objection can be summarised as follows:

- Construction impacts, including dust, noise, vibration and construction vehicles parking on and utilising roads;
- Impacts from additional residents, including increased crime;
- Inadequate infrastructure to handle development density increases, including lack of footpaths, lack of road gutters, no space for Council waste collection, overloading of existing drainage and lack of public transport options;
- Insufficient environmentally sustainable design initiatives;
- Lack of reflection of the existing neighbourhood character in scale and development type and architectural form;
- Loss of surrounding property values;
- Off-site amenity impacts, including visual bulk, loss of sunlight, loss of solar access, loss of privacy, noise impacts and reduction in safety;
- On-site amenity, including limited options for movement, small room sizes, limited solar access, limited storage areas and lack of security;
- Overdevelopment of the land in both density and site coverage, with regard to both the size of the site and the existing development character, including lack of space for vegetation and lack of compliance with garden area requirements;
- Traffic and car parking impacts, including inadequate on-site car parking spaces, additional on-street car parking, additional traffic to local streets, additional traffic to main roads and congestion for emergency services;

- Wider strategic issues, including inadequate transition to the adjoining Low Density Residential Zone and improper application of the Design and Development Overlay, Schedule 8.

7.4 A response to the grounds of objection are included in the assessment from sections 8.26 to 8.45 of this report.

8. ASSESSMENT

State and Local planning policy

- 8.1 Key objectives of the State Planning Policy Framework (SPPF) seek to identify appropriate areas for housing growth, including a focus on increasing housing densities in areas surrounding existing services, jobs, public transport and infrastructure in order to accommodate Melbourne's future population growth in a sustainable manner.
- 8.2 For the most part, the proposal responds positively to the broader housing and residential development policies contained within the SPPF, including Clause 15 Built Environment and Heritage and Clause 16 Housing.
- 8.3 These objectives are further developed at a local level through the Local Planning Policy Framework. Clause 21.05 Residential recognises the need to reduce developmental pressure on areas of established environmental or rural values through infill residential development and consolidation. This notion is implemented through the separation of Manningham's residential land into four residential character precincts that seek to channel increased housing densities around activity centres and main roads where facilities and services are available.
- 8.4 The subject site and all surrounding properties between Atkinson Street (north), Williamsons Road (east), Serpells Road (south) and Anderson Street (west) fall within Residential Character Precinct 2 – Residential Areas Surrounding Activity Centres and Along Main Roads. This precinct anticipates a substantial level of change with these areas being a focus for higher density developments. This higher density outcome is controlled through the implementation of the Design and Development Overlay, Schedule 8 (DDO8), which establishes preferred neighbourhood character outcomes and further separates Precinct 2 into three sub-precincts. The sub-precincts of the DDO8 features differing density objectives that anticipate and encourage different built form outcomes. The intent of these sub-precincts is to accommodate for the anticipated increases to density in a manner that provides for a transition between each of sub-precincts and the adjoining residential areas, to create a graduated built form and minimise amenity impacts to existing developments. Effectively, it is anticipated that, through practical application of the DDO8, the existing neighbourhood character of areas surrounding activity centres and main roads will be significantly altered over time.
- 8.5 The subject site and the properties to the north (along Williamsons Road and Foote Street) fall within Sub-Precinct A, whilst the properties to the west (along Serpells Road and June Crescent) are within Sub-Precinct B. The subject sites are notable as being the only properties within the immediately surrounding area that fall within Sub-Precinct A and do not have a frontage to either a main road or commercial area.

- 8.6 Dependant on the land size, Sub-Precinct A encourages either two-storey townhouse style development or three-storey apartment style development. The subject sites achieve the minimum area of 1,800 square metres and therefore three-storey, apartment style development is the encouraged form of development.
- 8.7 Considering the above, there is a high level of strategic and policy justification for a three-storey apartment style development on the land. The lack of frontage to a main road should not discount the site for the preferred apartment style of development, due to the overriding emphasis on urban consolidation and the capacity of the area to support change on account of the availability and proximity to services, including the close proximity to Williamsons Road. Subsequently, at a broad level, the proposal to develop the land for a three-storey apartment building is acceptable and complies with the relevant state and local planning policies.
- 8.8 Whilst the overarching form of the development is acceptable, the proposal does not comply with the high level policies of Clause 21.05 that guide the preferred development outcomes. Clause 21.05 specifies that development in Residential Precinct 2 should:
- *Provide for contemporary architecture*
 - *Achieve high design standards*
 - *Provide visual interest and make a positive contribution to the streetscape*
 - *Provide a graduated building line from side and rear boundaries*
 - *Minimise adverse amenity impacts on adjoining properties*
 - *Use varied and durable building materials*
 - *Incorporate a landscape treatment that enhances the overall appearance of the development*
 - *Integrate car parking requirements into the design of buildings and landform.*
- 8.9 The proposed development fails to *provide visual interest and make a positive contribution to the streetscape, provide a graduated building line from side and rear boundaries and minimise adverse amenity impacts on adjoining properties*. These are addressed in greater detail under the following Design, Built Form and Landscaping Assessment (sections 8.10 to 8.11).

Design, Built Form and Landscaping

- 8.10 The DDO8 provides a range of design objectives and specific form, car parking and access, landscaping and fencing policies that further refine the high level policies of the LPPF, establishing the preferred neighbourhood character outcomes for Residential Precinct 2 and providing specific guidance for the anticipated increases in density.
- 8.11 An assessment against the requirements of DDO8 is provided as follows:

Design Element	Met/Not Met
<p>Maximum building height</p> <ul style="list-style-type: none"> 11 metres provided the condition regarding minimum land size is met. If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres. <p>For the purposes of this Schedule, the Maximum Building Height does not include building services, lift over-runs and roof mounted equipment, including screening devices.</p>	<p>Met.</p> <p>The subject sites achieve the minimum land size of 1,800 square metres, resulting in an applicable mandatory maximum building height of 11 metres.</p> <p>The building, not including any roof mounted building services, has a maximum height of 10.998 metres.</p>
<p>Street setback</p> <ul style="list-style-type: none"> Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. <p>For the purposes of this Schedule, balconies, terraces, and verandahs may encroach within the Street Setback by a maximum of 2.0m, but must not extend along the width of the building.</p>	<p>Not met.</p> <p>Whilst the front walls of the building are generally setback 6 metres from the front boundary, reflective of the front boundary alignment, several building elements protrude within the required 6 metre street setback, including balconies, party walls and roof covers at all three levels. These elements are particularly prominent at the first floor level, forming a framing feature around the entirety of the façade presentation of the building that defines the first floor level and emphasises the street facing balconies. Despite some staggering caused by the varied street setback, there is no physical breaks in this element which extends along the full width of the building.</p> <p>The street setback to the front building walls and these protruding elements does not remain consistent across the entirety of the frontage, diminishing to a minimum of approximately 4.2 metres on the western side. It is further noted that at this point of the minimum setback, the building will present as predominantly three-storey and includes sheer walls (western side).</p> <p>The protrusion of the first floor balconies for the entire width of the building does not comply with the street setback requirements, presenting an unreasonable encroachment to the preferred street setback distance with</p>

Design Element	Met/Not Met
	<p>little visual relief. The minimal street setback to the south-western corner of the building is particularly problematic, presenting a significant level of building bulk to the streetscape on the western side with minimal opportunity to provide landscaping relief given the location of the driveway. The subsequent prominence of this element exacerbates the visual bulk of the first floor level and results in a continuous building line when viewed from the street, contrary to the relevant design objectives of the DDO8.</p>
<p>Form</p> <ul style="list-style-type: none"> • Ensure that the site area covered by buildings does not exceed 60 percent. 	<p>Met. The site coverage is 60 percent.</p>
<ul style="list-style-type: none"> • Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Not met. The building fails to provide for sufficient levels of visual interest to sections of the side elevations.</p> <p>The northern and southern ends of the eastern and western elevations both present two-storey sheer walls with a consistent blue stone cladding finish applied at both levels. Further, these sections of the development contain minimal glazing or other examples of articulation.</p> <p>These elevations will be visible from the streetscape and adjoining secluded private open space areas, presenting an unduly bulky interface that is lacking in sufficient levels of visual interest.</p>
<ul style="list-style-type: none"> • Minimise buildings on boundaries to create spacing between developments. 	<p>Met. The development includes no walls on boundaries.</p>
<ul style="list-style-type: none"> • Where appropriate ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area. 	<p>Not met. This provision elaborates on the design objective that <i>higher developments on the perimeter of sub-precinct A must be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct B or other adjoining zone.</i></p> <p>Accounting for these two provisions, the development should provide for stepping to</p>

Design Element	Met/Not Met
	<p>the rear of the site, on the northern side and to the interface to Sub-Precinct B on the western side.</p> <p>The building is not appropriately stepped down at the rear of the site to provide a transition to the adjoining properties to the north. Whilst it is acknowledged that the adjoining land to the north also falls within Sub-Precinct A, some consideration must be given to the existing single-storey town-house development on the land, including the location of the secluded private open space areas. The scale of the building at the rear, which extends nearly the full width of the site, maintains the three storey interface and has nominal rear setbacks, including minimums of 3.5 metres at the ground floor level, 3.99 metres at the first floor level and 4.52 metres at the second floor level (which do not comply with the side and rear setback standards), fails to provide for a sufficient transition and presents a bulky interface to the adjoining properties to the north.</p> <p>The building is not appropriately stepped down to the western side to provide a transition to the adjoining properties to the west. At the northern end of the western elevation, the nominal recessing of the first and second floors above the projected basement (which fail to comply with the side and rear setback standards at the second floor level) result in a three-storey sheer wall presentation that will present at an unreasonable bulk and scale to the adjoining properties to the west. The aforementioned lack of visual interest to this section of the western elevation further exacerbates the visual intrusiveness of this interface.</p>
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Met.</p> <p>The development generally reflects the natural topography of the land, utilising some excavation to provide at grade dwellings on the northern and southern sides and an overall construction height that generally follows the fall of the land.</p>
<ul style="list-style-type: none"> Avoid reliance on below ground light courts for any habitable rooms. 	<p>Not met.</p> <p>At the basement 1/lower ground floor level, Dwelling B.04's east-facing bedroom windows and Dwelling B.01's west-facing</p>

Design Element	Met/Not Met
	windows are located below natural ground level. These windows will receive limited solar access, sited to face high retaining walls.
<ul style="list-style-type: none"> Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	Not applicable.
<ul style="list-style-type: none"> Ensure that the upper level of a three storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Not met.</p> <p>For the benefit of this assessment, the upper level elements are treated as, on the southern side of the building, the first floor level and, on the northern side of the building, the second floor level given the slope of the land.</p> <p>The upper level elements at both the southern and northern sides of the building do not provide for an appropriate reduction in form, presenting near identical building footprints to the levels below with minimal variation in setbacks between levels. Numerically, when accounting for the balconies, the upper levels do not achieve the preferred 25 percent reduction. Sufficient levels of visual interest have not been provided to offset this non-compliance.</p> <p>Subsequently, the upper levels are unduly bulky and visually intrusive to all elevations when taking into account the preferred neighbourhood character.</p>
<ul style="list-style-type: none"> Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos. 	<p>Not Met.</p> <p>The design element that frames the first floor level balconies on the façade of the building, which conclude with solid walls on both sides, is an imposing design feature within the streetscape presentation of the building. The balconies, due to these excessive framing elements, have not been integrated within the built form of the building, with the framing elements exacerbating the prominence and bulk of the first floor level and resulting in a 'boxy' presentation to the street.</p>
<ul style="list-style-type: none"> Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the 	<p>Met.</p> <p>The basement levels are cut suitably into the slope of the land and all finished floor levels are appropriately sited, resulting in no</p>

Design Element	Met/Not Met
height of finished floor levels and providing appropriate retaining wall presentation.	unreasonable basement or finished floor level projections. All retaining walls have been appropriately sited to manage the required earthworks.
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Not met. Other than the second floor, west-facing windows, nearly all upper level habitable room windows within the development require screening to limit overlooking in accordance with the requirements of Clause 55.04-6 Overlooking. This is a direct result of the nominal setbacks provided to the sensitive interfaces of adjoining properties, demonstrating poor site responsiveness.</p> <p>The building has therefore not been reasonably designed to avoid the excessive application of screening devices to minimise overlooking.</p> <p>The need for extensive screening application will compromise internal amenity of residents. Further, the use of external screens to satisfy the screening requirements of Clause 55.04-6 will result in increased visual bulk to these sensitive interfaces.</p>
<ul style="list-style-type: none"> Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all motilities. 	<p>Met. The main lobby entry to the building is located at the ground floor level and provides access to the central lift which services all levels of the dwelling, including the basement.</p>
<ul style="list-style-type: none"> Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	<p>Met. The building has been appropriately designed to minimise any excessive projection above natural ground level, with the design incorporating the slope of the land to ensure that the exposed area at the basement level on the northern side is instead utilised for dwellings.</p>
<ul style="list-style-type: none"> Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site. 	<p>Met. The basement entry has been appropriately integrated within the design of the building.</p>
<ul style="list-style-type: none"> Integrate car parking requirements into the design of buildings and landform by 	<p>Met. Car parking is appropriately provided within the basement levels only.</p>

Design Element	Met/Not Met
<p>encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking.</p>	
<ul style="list-style-type: none"> Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established. 	<p>Not met. The basement level is setback a minimum of 6 metres from the front boundary at both levels and a minimum of 3.9 metres from the rear boundary (lower level).</p> <p>It is further noted that the development as a whole does not achieve a minimum 4 metre rear setback, compromising the ability to achieve effective landscaping within the rear setback in accordance with the provision and contributing towards the aforementioned insufficient step down and transition at the rear of the site.</p>
<ul style="list-style-type: none"> Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces. 	<p>Met. All building walls have been sited a sufficient distance from side and rear boundaries to allow for effective screen planting.</p>
<ul style="list-style-type: none"> Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces. 	<p>Met. All roof mounted service equipment, including the lift over-run, have been centrally located to minimise aesthetic impacts.</p> <p>The substation is appropriately screened by fencing to all sides.</p>
<p>Car Parking and Access</p> <ul style="list-style-type: none"> Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases 	<p>Met Only one vehicle crossover is proposed. The crossover will not impact any existing street trees.</p>

Design Element	Met/Not Met
<p>where a larger tree requires an increased setback.</p>	
<ul style="list-style-type: none"> Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary. 	<p>Met. The locations where the basement extends beyond the built form at ground level within the front setback and on the eastern and western sides of the building have been provided with paved or decking areas.</p>
<ul style="list-style-type: none"> Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Ensure that access gradients of basement carparks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	<p>Met. The driveway has been designed with gradients that comply with Design Standard 3 of Clause 52.06-9.</p>
<p>Landscaping</p> <ul style="list-style-type: none"> On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity. 	<p>Met. Sufficient permeable space is provided within the front setback to accommodate for 3 canopy trees with a spreading crown. The landscape plan submitted with the application demonstrates that at least 3 canopy trees can be planted within the front yard areas.</p>
<ul style="list-style-type: none"> On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity. 	<p>Not applicable.</p>
<ul style="list-style-type: none"> Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form. 	<p>Met. As discussed, all building walls have been sited a sufficient distance from side and rear boundaries to allow for effective screen planting. The landscape plan submitted with the application demonstrates screen planting along the side and rear boundaries.</p>

Design Element	Met/Not Met
<p>Fencing</p> <ul style="list-style-type: none"> A front fence must be at least 50 per cent transparent. 	<p>Not met.</p> <p>The proposed 1.7 metre high fence utilises a brick material with no transparency. The fence is required to utilise an opaque material due to the location of secluded private open space areas within the front setback.</p> <p>Whilst the varying setbacks of the front fence to the front boundary will allow for some landscaping, the front fencing will be visually intrusive to the streetscape. The fence will create a visual barrier to the subject land, affecting passive surveillance and reducing any sense of pedestrian engagement to the development.</p> <p>Further, the front fence effectively removes visibility of the ground floor level to the streetscape, removing any articulation and visual interest created by this level and further increasing the prominence of the boxy first floor level.</p>

Car Parking, Access, Traffic and Bicycle Parking

Clause 52.06 Car Parking

- 8.12 Clause 52.06 Car Parking applies to a new use or an increase in the floor or site area of an existing use, establishing the minimum required rate of car parking for land uses and criteria for the layout of on-site car parking and accessways.
- 8.13 Prior to a new use commencing or the increase to the floor area or site area of an existing use, Clause 52.06-2 of the Scheme requires that the number of car parking spaces outlined at Clause 52.06-5 be provided on the land or as approved under Clause 52.06-3, to the satisfaction of the Responsible Authority.
- 8.14 Clause 52.06-5 requires resident car parking be provided at a rate of one (1) space for each dwelling with one or two bedrooms and two (2) spaces for each dwelling with three or more bedrooms. Clause 52.06-5 also requires visitor car parking be provided at a rate of one (1) space for every five (5) dwellings.
- 8.15 In accordance with Clause 52.06-5, the proposed development is required to provide forty-one (41) car parking spaces for residents and six (6) car parking spaces for visitors.
- 8.16 The proposal includes fifty-eight (58) resident car parking spaces and six (6) visitor car parking spaces within the two basement levels, for a total of sixty-four (64) on-site car parking spaces. The proposed development therefore satisfactorily caters for additional car parking demand on-site, exceeding the minimum car parking requirements by seventeen (17) spaces.

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

Design Standard	Met/Not Met
1 – Accessways	<p>Met. The accessway is at least 3 metres wide.</p> <p>An internal radius of at least 4 metres or with a width of 4.2 metres is provided at all changes of direction.</p> <p>Minimum headroom of at least 2.1 metres is provided beneath all overhead obstructions.</p> <p>The accessway and car parking layout has been designed to allow for forward entry and exit to the site for all spaces.</p> <p>Not met. Corner splays or an area at least 50 percent clear of visual obstructions have not been correctly depicted adjacent to the site frontage.</p> <p>The accessway has been generally designed to allow for two way traffic and vehicle passing. However, the accessway to 2 reduces to a width of 5 metres, which does not allow for two-way traffic and will reduce the efficiency of the basement.</p>
2 – Car Parking Spaces	<p>Met All car parking spaces achieve the minimum dimension requirements established by Table 2: Minimum dimensions of car parking spaces and accessways.</p>
3 – Gradients	<p>Met The driveway gradients have been designed in accordance with Design Standard 3, including compliance with the maximum gradient requirement and the implementation of suitable transition sections for all sag and summit changes.</p>
4 – Mechanical Parking	<p>Not applicable No mechanical parking proposed.</p>
5 – Urban Design	<p>Met The basement entry is appropriately recessed from the frontage presentation of the development and will not visually dominate public space.</p>
6 – Safety	<p>Met Whilst no details are provided on the submitted plans, the basement level will presumably be provided with suitable lighting and signage to delineate each car parking space.</p> <p>The basement level will be secured by a remote controlled door.</p> <p>Pedestrian access to the basement level can be gained from</p>

Design Standard	Met/Not Met
	the street through the central lobby entry and lift or stairs.
7 – Landscaping	Met Suitable landscaping opportunities are provided within the front setback to soften the appearance of the driveway and basement.

Traffic Impacts

- 8.18 It is not anticipated that the volume of traffic that is likely to be generated by the development will have a material impact on the capacity and operation of Serpells Road or the surrounding road network and intersections.
- 8.19 Council's Engineering Services Unit raises no concern in relation to the expected traffic generated by the proposed development.
- 8.20 The Traffic Engineering Report submitted with the application (*Salt*³, dated 7 December 2016) anticipates that the peak traffic generated by the site at both AM and PM periods can be accommodated within the surrounding road network capacity.

Clause 52.34 Bicycle Facilities

- 8.21 Clause 52.34 Bicycle Facilities does not apply to dwelling developments of less than four storeys. Therefore, there is no statutory obligation to provide bicycle spaces.
- 8.22 Nevertheless, the development includes thirty (30) bicycle spaces within the basement levels for residents and visitors.

On-Site and Off-Site Amenity Impacts

- 8.23 Clause 55 Two or More Dwellings on a Lot and Residential Buildings applies to an application to construct two or more dwellings on a lot, establishing the planning controls for on-site and off-site amenity through the application of objectives and standards.
- 8.24 Clause 55 specifies that a development must meet all of the objectives and should meet all of the standards of this clause. The standards contain *requirements to meet the objectives* and compliance with these requirements is widely accepted as satisfying the relevant objective.
- 8.25 An assessment against the objectives and standards of Clause 55 is provided in the table below:

Objective	Objective Met/Not Met
55.02-1 – Neighbourhood Character <ul style="list-style-type: none"> • To ensure that the design respects the existing neighbourhood character or contributes to a preferred 	Not met. As outlined in the assessment of the proposal against the DDO8 (Design, Built Form and Landscaping Assessment), the development does not satisfactorily contribute towards the

Objective	Objective Met/Not Met
<p>neighbourhood character.</p> <ul style="list-style-type: none"> To ensure that development responds to the features of the site and the surrounding area. 	<p>preferred neighbourhood character.</p> <p>As outlined in the assessment of the proposal against the DDO8 (Design, Built Form and Landscaping Assessment), the development does not satisfactorily respond to the features of the site and surrounding area.</p> <p>Subsequently, the objectives of Clause 55.02-1 have not been met.</p>
<p>55.02-2 – Residential Policy</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Standard met</p> <p>The application was accompanied by a suitable written statement that demonstrated how the applicant considers the development to be consistent with State, Local and Council policy.</p>
<p>55.02-3 – Dwelling Diversity</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	<p>Standard met.</p> <p>The development provides for a range of different dwelling sizes and types, including dwellings with different numbers of bedrooms and at least one dwelling that contains a kitchen, bath/shower and a toilet and wash basin at ground floor level.</p>
<p>55.02-4 – Infrastructure</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Standard met.</p> <p>The development can be connected to reticulated services, including sewerage, drainage, electricity and gas.</p> <p>The development will not unreasonably exceed the capacity of utility services and infrastructure.</p> <p>The development can provide for upgraded drainage from the site to mitigate impacts to existing drainage infrastructure through outfall drainage works to the existing drainage network and an on-site storm water detention system to limit permissible discharge.</p>

Objective	Objective Met/Not Met
<p>55.02-5 – Integration With the Street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<p>Not met.</p> <p>The development provides adequate vehicle and pedestrian links from Serpells Road, with evident vehicle access to the basement level and pedestrian connection via a dedicated pathway to the primary lobby entry.</p> <p>The building has been oriented to face an existing street, oriented towards the Serpells Road frontage.</p> <p>High front fencing in front of the building has not been avoided. As outlined in the assessment of the proposal against the DDO8 (Design, Built Form and Landscaping Assessment), the high front fencing reduces the sense of pedestrian engagement and compromises the streetscape integration of the development.</p> <p>There is no existing public open space adjacent to the site.</p> <p>Considering the above, the development has not been satisfactorily integrated with the street and the objective has not been satisfied.</p>
<p>55.03-1 – Street Setback</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Not Met.</p> <p>Standard B6 requires a street setback of approximately 6 metres based on the average setbacks of the adjoining properties.</p> <p>The development provides for a minimum street setback of approximately 4.2 metres.</p> <p>In accordance with the relevant decision guidelines, Council must consider <i>any relevant neighbourhood character objective, policy or statement set out in this scheme</i>. It is noted that the DDO8 establishes a preferred street setback of 6 metres.</p> <p>As outlined in the assessment of the proposal against the DDO8 (Design, Built Form and Landscaping Assessment), the development presents an excessive encroachment within this preferred street setback, particularly at the south-western corner, where the minimum street setback is proposed. This will result in an unreasonable visual impact to the streetscape.</p>

Objective	Objective Met/Not Met
	<p>Considering the above, the setback of the building from the street does not respect the preferred neighbourhood character and the objective of Clause 55.03-1 has not been met.</p>
<p>55.03-2 – Building Height</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Standard met.</p> <p>The maximum building height does not exceed the applicable maximum building height listed under the DDO8 of 11 metres, with a proposed maximum height of 10.998 metre.</p>
<p>55.03-3 – Site Coverage</p> <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	<p>Standard met.</p> <p>The site area covered by buildings does not exceed 60 percent, with a proposed site coverage of 60 percent.</p>
<p>55.03-4 – Permeability</p> <ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. 	<p>Standard met.</p> <p>The site area covered by pervious surfaces is at least 20 percent of the site, with a proposed pervious surface coverage of 20 percent.</p>
<p>55.03-5 – Energy Efficiency</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>Standard met.</p> <p>The building has been orientated to make appropriate use of solar energy, with suitable glazing to all habitable room windows, multiple aspects to living areas where practical for efficient solar access.</p> <p>The south-to-north orientation of the site will ensure no unreasonable reduction to the energy efficiency of any existing dwellings.</p> <p>Living areas and private open space have been located to the northern side of the development where practical, with all dwellings on the northern side of the building provided with either ground floor open space or balconies on the northern side of the building with northern interfaces from the primary living areas.</p> <p>All north-facing windows on the development are relatively unimpeded on the northern side to maximise solar access.</p>

Objective	Objective Met/Not Met
<p>55.03-6 – Open Space</p> <ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>Not applicable.</p> <p>There is no public or communal open space provided on site.</p>
<p>55.03-7 – Safety</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	<p>Standard met.</p> <p>The primary entry to the building is not obscured or isolated from the streetscape, readily visible from the street and delineated by the pedestrian entry pathway from the front boundary.</p> <p>Planting which creates unsafe spaces along streets and accessways has been avoided.</p> <p>The basement level will be secured by a remote controlled door, with the entry to the basement visible from several windows and balconies within the development. The basement level will be presumably provided with lighting to increase visibility and passive surveillance.</p> <p>All private spaces within the development are adequately protected from inappropriate use as a public thoroughfare by building walls and internal fencing.</p>
<p>55.03-8 – Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. 	<p>Standard met.</p> <p>The landscape plan submitted with the application demonstrates that the development layout can accommodate for a landscaping design that is appropriate for the site.</p> <p>The arboricultural report submitted with the application assesses no trees located on the land as being of significant retention value. As such, no vegetation on the land is worthy of retention.</p>
<p>55.03-9 – Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Standard met.</p> <p>The accessway does not exceed 33 percent of the street frontage, occupying 13.5 percent of the frontage.</p> <p>One double width crossover has been provided, which is suitable for a development of this nature.</p> <p>As the proposal involves removal of two</p>

Objective	Objective Met/Not Met
	<p>existing crossovers, the development will not result in any net loss to on-street car parking.</p> <p>The development does not include any direct access from a Road Zone.</p> <p>The waste management plan submitted with the application demonstrates that a private waste collection vehicle can adequately enter the basement level and manoeuvre within.</p>
<p>55.03-10 – Parking Location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. 	<p>Standard Met.</p> <p>Car parking facilities have been located in a convenient and secure manner, located within the basement level that is secured via the remote controlled door and accessed via the internal stairwell and lift.</p> <p>Ventilation to the basement level can be provided via mechanical means.</p> <p>There are no habitable room windows located within close proximity to the accessway that would experience adverse noise impacts from the use of the accessway.</p>
<p>55.04-1 – Side And Rear Setbacks</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Not met.</p> <p>Building walls within the southern half of the development (where above the two levels of basement) are setback in accordance with Standard B17.</p> <p>At the northern half of the building (where above the one basement level only), there are several instances of buildings walls that are not setback in accordance with Standard B17. These include:</p> <ul style="list-style-type: none"> The first floor level, eastern elevation (Dwelling 1.09), requires a setback of 5 metres, provided with a setback of 3.26 metres, demonstrating a non-compliance of 1.74 metres; The first floor level, western elevation (Dwelling 1.06), requires a setback of 4.59 metres, provided with a setback of 2.98 metres, demonstrating a non-compliance of 1.61 metres; The first floor level, northern elevation (Dwelling 1.07 and Dwelling 1.08), require a

Objective	Objective Met/Not Met
	<p>minimum setback of 5.19 metres, providing a setback of 4.58 metres, demonstrating a maximum non-compliance of 0.61 metres.</p> <p>It is further noted that the eastern and western elevations do not accurately represent the northern façade of the building, omitting the protruding walls of Dwelling 1.07 and Dwelling 1.08), and depicting a compliant rear setback.</p> <p>Among other considerations, the relevant decision guidelines require Council to consider <i>any relevant neighbourhood character objective, policy or statement set out in this scheme and the impact on the amenity of the habitable room windows and secluded private open space of existing dwellings.</i></p> <p>As discussed under the Design, Built Form and Landscaping Assessment, Council's local policy, including the DDO8, requires developments be stepped down at the rear to create appropriate and attractive interfaces and transitions to the scale of adjoining residential areas. Failure to comply with the standard setbacks requirements at the rear of the site, for both the side and rear setbacks constitutes a failure to provide for an adequate step down in accordance with the local policy.</p> <p>At the rear of the site, the development has several sensitive interfaces to adjoining properties. Critical to these instances of non-compliant setbacks are the secluded private open space (SPOS) and west facing habitable room windows of 2/237 Williamsons Road, the SPOS and south-facing habitable room windows of units 2-4, 239 Williamsons Road and the SPOS areas of 25 and 25A Serpells Road. The non-compliant setbacks are located adjacent to these sensitive interfaces and will have an unreasonable impact on the amenity of these dwellings through visual bulk, which is further exacerbated through the lack of sufficient articulation, as discussed under the Design, Built Form and Landscaping Assessment.</p>

Objective	Objective Met/Not Met
	<p>This fails to achieve compliance with the high level objective of Clause 21.05 to <i>minimise adverse amenity impacts on adjoining properties</i>.</p> <p>The proposal therefore does not provide setbacks that respect the preferred neighbourhood character or suitably limit amenity impacts to existing dwellings and the objective of Clause 55.04-1 has not been met.</p>
<p>55.04-2 – Walls On Boundaries</p> <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Not applicable.</p> <p>The development includes no walls built to boundaries.</p>
<p>55.04-3 – Daylight To Existing Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	<p>Standard met.</p> <p>All existing habitable room windows are provided with a light court in excess of 3 square metres with a minimum dimension of at least 1 metre.</p>
<p>55.04-4 – North Facing Windows</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Not applicable.</p> <p>There are no north-facing habitable room windows of existing dwellings within 2 metres of the subject sites southern boundary.</p>
<p>55.04-5 – Overshadowing Open Space</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Not met.</p> <p>Based on the submitted existing shadow diagrams, at least 75 percent of the SPOS area of 4/31-33 Serpells Road (adjoining to the east) does not currently receive at least five hours of sunlight between 9am and 3pm on 22 September, overshadowed by existing dwellings and fences. The majority of this SPOS is overshadowed prior to 12pm. As existing sunlight to this SPOS is less than the requirements of the standard, the amount of sunlight should not be further reduced.</p> <p>Based on the submitted proposed shadow diagrams, the proposed building will further overshadow the SPOS area of 4/31-33 Serpells Road, introducing additional shadowing from 2pm. Subsequently, this space will only receive substantial solar access between 1pm and 2pm. This will have an unreasonable impact on the amenity and</p>

Objective	Objective Met/Not Met
	<p>usability of this space. It is further noted the submission received from this property does raise concerns regarding this overshadowing.</p> <p>Whilst it is acknowledged that existing solar access to this space is nominal, the development could have minimised additional overshadowing to this space during the control period by providing compliant side setbacks to the eastern boundary.</p> <p>At least 75 percent or 40 square metres (whichever is the lesser) of all other adjoining SPOS areas will receive at least five hours of sunlight between 9am and 3pm on 22 September.</p> <p>Considering the impacts the SPOS area of 4/31-33 Serpells Road, the development has not met the objective of Clause 55.04-5.</p>
<p>55.04-6 – Overlooking</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Standard met.</p> <p>All habitable room windows and balconies have been located or designed to avoid direct views into the SPOS areas of existing dwellings within a horizontal distance of 9 metres (measured at ground level), with the application of louvre screens and a combination of opaque railing and planter boxes used to direct views away from the SPOS areas.</p> <p>All habitable room windows and balconies with a direct view into a habitable room window of an existing dwelling within a horizontal distance of 9 metres (measured at ground level) are provided with louvre screens or a combination of opaque railing and planter boxes in accordance with the standard.</p>
<p>55.04-7 – Internal Views</p> <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Not met.</p> <p>At the second floor level, several west-facing windows of Dwelling 2.03, which are not provided with any screening devices, will have near unimpeded views to the whole of the ground level SPOS area of Dwelling 0.04. This will have an unreasonable impact on the amenity and usability of this space for future residents.</p> <p>There appears to be no other opportunities</p>

Objective	Objective Met/Not Met
	<p>for unreasonable internal views within the development.</p> <p>As internal views have not been suitably limited, the objective of Clause 55.04-7 has not been met.</p>
<p>55.04-8 – Noise Impacts</p> <ul style="list-style-type: none"> • To contain noise sources in developments that may affect existing dwellings. • To protect residents from external noise. 	<p>Standard met.</p> <p>A service area is proposed on the roof of the building, well removed from bedrooms of existing dwellings.</p> <p>There are no unusual noise impacts anticipated from adjoining properties or Serpells Road that would necessitate consideration of noise impacts in the siting of noise sensitive rooms within the development.</p>
<p>55.05-1 – Accessibility</p> <ul style="list-style-type: none"> • To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Standard met.</p> <p>The development is accessible for people with limited mobility, with the primary entry located at the ground floor level, accessible at grade, from the street, and a centrally located lift servicing all levels of the building.</p>
<p>55.05-2 – Dwelling Entry</p> <ul style="list-style-type: none"> • To provide each dwelling or residential building with its own sense of identity. 	<p>Standard met.</p> <p>The primary entry to the building, located on the streetscape elevation, is visible and easily identifiable from the street.</p> <p>The primary entry to the building provides shelter and acts as a transitional space around the entry, offered modest shelter by the cantilevered balconies above and leading to a lobby entry space.</p>
<p>55.05-3 – Daylight To New Windows</p> <ul style="list-style-type: none"> • To allow adequate daylight into new habitable room windows. 	<p>Standard met.</p> <p>All habitable room windows within the development are located to face either an outdoor space clear to the sky or a verandah that is open for at least a third of its perimeter.</p>
<p>55.05-4 – Private Open Space</p> <ul style="list-style-type: none"> • To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Standard met.</p> <p>All dwellings are provided with private open space with convenient access from a living room, consisting of either:</p> <ul style="list-style-type: none"> • At least 40 square metres of ground level private open space, which includes an area/areas with a minimum dimension of 3 metres of at

Objective	Objective Met/Not Met
	<p>least 25 square metres of secluded private open space; or</p> <ul style="list-style-type: none"> • A balcony of an area of at least 8 square metres with a minimum dimension of at least 1.6 metres.
<p>55.05-5 – Solar Access To Open Space</p> <ul style="list-style-type: none"> • To allow solar access into the secluded private open space of new dwellings and residential buildings. 	<p>Standard met.</p> <p>The proposal has reasonably provided for north-facing secluded private open space areas and balconies where practicable and appropriate with consideration to the development form and site orientation.</p>
<p>55.05-6 – Storage</p> <ul style="list-style-type: none"> • To provide adequate storage facilities for each dwelling. 	<p>Standard met.</p> <p>Individual storage spaces are shown within the two basement levels. All storage spaces are at least 6 cubic metres and could be made secure by a range of methods.</p> <p>It is noted that only 29 (twenty-nine) storage spaces are depicted on the plans. However, as some of the storage spaces are significantly oversized, they could be reasonably separated to ensure that at least 6 cubic metres is provided to all dwellings.</p>
<p>55.06-1 – Design Detail</p> <ul style="list-style-type: none"> • To encourage design detail that respects the existing or preferred neighbourhood character. 	<p>Not met.</p> <p>Accounting for the DDO8, the development should respect the preferred neighbourhood character.</p> <p>The design objectives of the DDO8 encourage <i>development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.</i></p> <p>In broad terms, the contemporary design of the building complies with the preferred character of the development. However, as outlined in the assessment of the proposal against the DDO8 (Design, Built Form and Landscaping Assessment), particular aspects of the proposal do not meet the preferred neighbourhood character. These include:</p> <ul style="list-style-type: none"> • The lack of visual interest to sections of the side elevations; • The dominance of the framing element around the south-facing, first floor façade; and

Objective	Objective Met/Not Met
	<ul style="list-style-type: none"> Excessive application of external screening devices to windows. <p>The objective of Clause 55.06-1 has not been met.</p>
<p>55.06-2 – Front Fence</p> <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Not met.</p> <p>The proposed front fence exceeds the applicable maximum front fence height for 'other streets' of 1.5 metres.</p> <p>As outlined in the assessment of the proposal against the DDO8 (Design, Built Form and Landscaping Assessment), the height and lack of transparency of the front fence will have visual bulk impacts to the street.</p> <p>The front fence does not meet the preferred neighbourhood character and the objective of Clause 55.06-2 has not been met.</p>
<p>55.06-3 – Common Property</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	<p>Standard met.</p> <p>The development provides sufficient delineation of public, communal and private areas via the use of internal fencing and building walls throughout the site.</p> <p>The basement levels, which will be predominantly common property, are functional and capable of efficient management.</p>
<p>55.06-4 – Site Services</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	<p>Standard met.</p> <p>The design of the building has afforded sufficient space for facilities and services, with a dedicated rooftop service area and dedicated substation area at ground level.</p> <p>Bin and recycling enclosures are located within the basement level in a dedicated storage area that is adequate in size for the number of dwellings. The bin and recycling storage area can be conveniently accessed by residents via the centrally located lift or stairwell.</p> <p>Mailboxes have been suitably located adjacent to the primary building entry, accessible from the pedestrian pathway.</p>

Objector Concerns

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

Construction impacts

8.27 Impacts from the construction of a development, including dust, noise, vibration and construction vehicles parking on roads is not a consideration of the planning application process. The integrity of construction is controlled and considered through the building permit process whilst amenity impacts from construction of developments is regulated by the *Environmental Protection Agency (EPA)* through guidelines and legislation, including the *Environmental Protection Act 1970*. At any rate, a planning permit issued for the proposal would include the requirement to submit a construction management plan (CMP) which would provide Council with enforceable minimum standards for amenity impacts during construction in accordance with the EPA guidelines.

Environmentally sustainable design

8.28 The application included a sustainable design assessment report. The report includes a BESS assessment that provides for a score of +52%, achieving pass marks in the categories of water, energy, stormwater and indoor environmental quality. Under the current guidelines, a score of over 50% and pass marks in at least four categories is considered to constitute 'best practice'. Subsequently, the development has suitably considered environmentally sustainable design initiatives.

Infrastructure

8.29 The application has been considered by Council's Engineering and Technical Services Officers. It has been determined that Council managed infrastructure, including site drainage, footpaths and road drainage (kerb and channel) can be suitably upgraded as part of any development on-the site. In addition, an on-site stormwater detention system (OSD) can be installed to limit permissible discharge from the site. Any planning permit issued for the proposal would include requirements to undertake such works.

8.30 The proposal includes on-site waste collection from a private waste contractor, with no waste collection by council proposed or required. The waste collection arrangement has been reviewed by Council's Engineering and Technical Services Officers and is deemed to be generally acceptable.

8.31 Residential Precinct 2 and the DDO8 have been applied to residential areas throughout Manningham that have been recognised as having the capacity to accommodate for a substantial level of change, including from a transport perspective. The public transport access to the site is reasonable for a development of this scale.

Land use impacts

8.32 The subject land is located within the General Residential Zone, land that has been specifically zoned for residential use. Within this zone, the residential use of the land (regardless of the number of dwellings) does not require planning approval. Subsequently, noise impacts from the future residential use of the land or occupation of these dwellings, including noise impacts or issues with the nature or the residents, cannot be considered in assessment of this application.

Neighbourhood character

- 8.33 Residential Precinct 2 delineates areas within Manningham that are a *focus for higher density developments*, where a *substantial level of change is anticipated*. Moreover, the applicable objectives of the DDO8 aim to *support three storey, 'apartment style', developments within the Main Road sub-precinct and in sub-precinct A, where the minimum land size can be achieved* and establish *development that is contemporary in design* as the preferred development character.
- 8.34 In light of an applicable preferred neighbourhood character, the lack of reflection of the existing neighbourhood character with relation to scale, development type and architectural form is irrelevant. On the whole, the apartment form of the development with the contemporary design typology is a generally acceptable outcome for the site as it complies with the preferred development outcomes and neighbourhood character. The section drawings submitted with the application demonstrate that the proposal technically does not exceed 3 storeys at any point. Conversely, several specific elements of the development do not comply with these preferred neighbourhood character outcomes, as outlined under the assessment section of this report (Section 8).

Off-site amenity impacts

- 8.35 As outlined within the On-Site and Off-Site Amenity Impacts assessment section of this report (Sections 8.23 to 8.25), the development fails to achieve compliance with several amenity impact objectives and standards of the Manningham Planning Scheme. These include side and rear setbacks (Clause 55.04-1) and overshadowing open space (Clause 55.04-5). In light of this, it is anticipated that the development will cause unreasonable amenity impacts to adjoining properties. Specifically, the inadequate side and rear setbacks will have visual bulk impacts to adjoining properties to the north, east and west and the development will unreasonably overshadow the secluded private open space area of 4/31-33 Serpells Road.
- 8.36 As the development demonstrates full compliance with the remainder of the off-site amenity impact provisions of the Manningham Planning Scheme, other off-site amenity impacts, including overlooking, daylight to existing windows and overshadowing (to all properties other than 4/31-33 Serpells Road) have been suitably limited. The development will therefore not result in an unreasonable impact to the off-site amenity with specific regard to these factors.

On-site amenity

- 8.37 As outlined within the On-Site and Off-Site Amenity Impacts assessment section of this report (Sections 8.23 to 8.25), the development complies with all on-site amenity provisions of the Manningham Planning Scheme (Clause 55.05). Subsequently, the on-site amenity provided within the development layout is satisfactory with regard to these controls. This includes the provision of suitable storage provisions, adequate consideration of solar access where practical and the provision of car parking within a basement which can be made suitably secure.

Overdevelopment

- 8.38 As discussed under the assessment section of this report (Section 8), the development does not comply with a number of site layout and building massing provisions of the Manningham Planning Scheme, failing to provide for an adequate street setback, side and rear setbacks or appropriate recessing of upper levels. Considering this, with regard to both the preferred neighbourhood character outcomes and the standard Clause 55 requirements, the development is excessive and an overdevelopment of the land.
- 8.39 Conversely, it is acknowledged that the development does achieve compliance with a number of layout and massing provisions, achieving numerical compliance with the applicable requirements for building height, site coverage and site permeability.
- 8.40 Further, lack of compliance with the garden area requirements introduced under Amendment VC110 to the Manningham Planning Scheme is irrelevant to the assessment of this application and is not indicative of an overdevelopment. As the application was received prior to the gazettal date of VC110 (27 March 2017), the application receives the benefit of transitional provisions and the minimum garden area does not apply.

Property values

- 8.41 The impact on property prices is not a consideration of the planning permit application process. The Victorian Civil and Administrative Tribunal and its predecessors have generally found subjective claims that a proposal will reduce property values are difficult, if not impossible to gauge and of no assistance to the determination of a planning permit application. It is considered the impacts of a proposal are best assessed through an assessment of the amenity implications rather than any impacts upon property values, as provided under Section 8 of this report.

Strategic issues

- 8.42 A number of objections raise concerns that relate to inappropriate zone and overlay controls for the subject land and the surrounding area. The appropriateness of zone, overlay and other planning controls cannot be considered as part of a planning permit application. Assessment of the application can only consider the planning controls that have been applied, as relevant, and not whether these controls are appropriate. This is a matter for Council to consider at a wider strategic level, not as a part of individual planning permit applications.
- 8.43 Regarding the low density interface, the DDO8 overlay that applies to the land does not implement specific strategies for built form transitions at the front of sites, nor specific transitions for adjacent Low Density Residential Zone. At any rate, the road reserve serves as a sufficient transition and buffer between the land within Residential Precinct 2 on the northern side of Serpells Road, and the land within the Low Density Residential Zone on the southern side and no additional transition within the development at the frontage is required. With regard to maintenance of the road, the zoning is irrelevant, as local roads are managed by Council's Engineering and Technical Services Unit on a case by case basis.

Traffic and car parking

- 8.44 The development exceeds the minimum number of car parking spaces required to be provided on-site as required by Clause 52.06 Car Parking of the Manningham Planning Scheme. Subsequently, as the statutory requirement has been met and no reduction of the standard car parking requirements is being sought. Impacts caused by a potential increase in demand for on-street car parking cannot be considered in assessment of this application.
- 8.45 Council's Engineering and Technical Services Unit has assessed the application and has raised no concerns regarding the impact of the proposal on the surrounding traffic network. The increased traffic movement associated with the development can be readily accommodated in the surrounding street network.

9. CONCLUSION

- 9.1 It is recommended that the application be refused.

10. DECLARATION OF CONFLICT OF INTEREST

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