

0.0 Planning Application PLN24/0477 at 722 Doncaster Road & 724 Doncaster Road, Doncaster for the partial demolition and buildings and works for alterations to the existing heritage building, construction of a four-storey apartment building (34 dwellings) with basement car parking and alteration of access to a road in a Transport Zone 2.

File Number: IN25/808

Responsible Director: Director City Planning and Liveability

Applicant: Urbis

Planning Controls: Clause 32.07 Residential Growth Zone Schedule 2
Clause 32.08 General Residential Zone Schedule 2 (partial)
Clause 43.02 Design and Development Overlay Schedule 8-1
Clause 43.02 Design and Development Overlay Schedule 8-2 (partial)
Clause 43.01 Heritage Overlay Schedule 215

Ward: Schramm

Attachments: 1 Decision Plans
2 Legislative Requirements
3 Map of Objectors (confidential)

PURPOSE OF REPORT

1. This report provides Council with an assessment of the planning permit application submitted for 722 & 724 Doncaster Road, Doncaster and recommends approval of the submitted proposal, subject to changes by way of permit conditions.
2. The application is being reported to Council as it is a Major Application (any land outside the demarcated Activity Centre Zone (ACZ) pursuant to the provisions of the Manningham Planning Scheme where more than 20 dwellings are proposed, and the cost of works is greater than \$10 million).

EXECUTIVE SUMMARY

Proposal

3. The proposal involves partial demolition and alterations to the existing heritage building at 724 Doncaster Road, and the construction of a four-storey apartment complex comprising 34 dwellings. The new building will wrap around the heritage dwelling on its western and southern sides. The site spans two lots with a combined area of 1,979.5 square metres.
4. The proposed building includes one basement level that will accommodate 27 resident car parking spaces. The ground floor features 7 apartments and a partial basement level providing an additional 13 resident car parking spaces. The first floor contains 11 apartments, the second floor includes 10 apartments, and the third floor comprises the remaining 6 apartments along with a communal rooftop terrace.
5. The development also includes the demolition of the existing timber fence fronting Doncaster Road and the rear skillion section of the heritage dwelling at

724 Doncaster Road. Alterations to the heritage building are proposed, including the addition of a small deck/landing to the eastern side, the creation of new door and window openings, and the internal blacking out of selected existing windows.



Figure 1: Doncaster Road Frontage



Figure 2: Doncaster Road Frontage



Figure 3: Presentation to east



Figure 4: Presentation to South

6. The provision of car parking spaces complies with the requirements of the Manningham Planning Scheme. A total of 37 resident car parking spaces are allocated across all apartments and the heritage dwelling. Additionally, three surplus unallocated spaces are proposed, which may be assigned as second or third car spaces to individual dwellings at a later stage. Visitor parking is not required as the site is located within the Principal Public Transport Network. Furthermore, 12 bicycle parking spaces are provided within the basement car park.
7. Vehicle access is provided by a double width crossover to Doncaster Road with a left-in and left-out only configuration. The crossover includes a central traffic island to enforce this configuration.
8. On-site private waste collection is proposed with the bin storage area provided within the basement level.

Notification

9. Notice of the application was initially given over a two-week period, which concluded on 17 September 2025.
10. To date, one objection has been received to the proposal. The objection raises concerns primarily about the loss of privacy and overlooking.

Key issues in considering the application

11. The key issues for Council in considering the proposal relate to:
 - Planning Policy Framework.
 - Design and Built form and response to heritage dwelling.
 - Car parking.
 - Objector concerns.

Assessment Summary

12. The development of the land for a four-storey apartment building over two lots with a total area of 1,979.5 square metres is consistent with policy objectives for urban consolidation and substantial change.
13. The proposal complies with various policies relating to the built form, response to the heritage dwelling, amenity impacts to nearby properties and the on-site amenity of future residents.
14. Subject to the recommended conditions, the proposal generally complies with the objectives of Clause 57 (Two or more dwellings on a lot and residential buildings of four storeys), the design requirements of Schedule 8 to the Design and Development Overlay (DDO8-1), the purpose and decision guidelines of the Residential Growth Zone and Heritage Overlay, and is an appropriate response to its physical site context as well as its strategic policy context.
15. The proposed car parking spaces and design is consistent with the requirements of Clause 52.06 (Car parking) of the Scheme.

Conclusion

16. The proposal positively responds to the objectives of the Manningham Planning Scheme and generally achieves compliance with the Clause 57 requirements. Minor changes are recommended through permit conditions which will further improve the development.
17. It is recommended that the application be supported subject to conditions.

1. RECOMMENDATION**That Council:**

A. Having considered all objections issue a NOTICE OF DECISION TO GRANT A PERMIT in relation to Planning Application PLN24/0477 at 722 Doncaster Road and 724 Doncaster Road for the partial demolition and buildings and works for alterations to the existing heritage building, construction of a four-storey apartment building with basement car parking and alteration of access to a road in a Transport Zone 2, subject to the following conditions:

Amended Plans

1. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the decision plans (prepared by Martyn Tribe Architects Pty Ltd, Revision B. dated 15 August 2025), but modified to show:

Built form

- a) Consolidation of Apartments G06 and G07 at ground level into a single, larger apartment by:

- i. Providing secluded private open space within the front setback complaint with Standard E3-5 of Clause 57.03-5 (Private open space) and Standard E 3-6 of Clause 57.03-6 (Solar access to open space) of the Scheme.
 - ii. Making internal rearrangements to simultaneously demonstrate compliance with Standard E3-7 of Clause 57.03-7 (Functional Layout), Standard E3-8 of Clause 57.03-8 (Room depth), Standard E3-9 of Clause 57.03-9 (Daylight to new windows), Standard E3-10 of Clause 57.03-10 (Natural ventilation) and Standard E3-12 of Clause 57.03-12 (Accessibility for apartment developments).
 - iii. Renumbering all other apartments, updating car parking allocation and all Apartment schedules.
- b) Enhanced visual articulation of the southern stairwell wall by incorporating various design modifications/material variations to the satisfaction of the Responsible Authority.
- c) Deletion of any internal sheeting proposed to the western windows of the heritage dwelling, unless otherwise agreed to the satisfaction of Responsible Authority.
- d) Annotation for the existing or proposed window on the east elevation accurately shown on plans and elevation.
- e) The shared bin area within the basement increased by repurposing the space allocated for 4 bicycle spaces east of the bin room and relocating 2 of the bicycle spaces elsewhere, if demonstrated as feasible, to the satisfaction of Responsible Authority.
- f) Provision of a private bin area for the heritage dwelling to demonstrate compliance with the Standard E5-5 of Clause 57.05-5 (Waste and Recycling), within its private open space area, with the collection of these bins to be undertaken by Council along the Doncaster Road frontage, to the satisfaction of Responsible Authority.

Off-Site Amenity

- g) Adequate screening (including any increase to planter box depth, while simultaneously demonstrating compliance with Standard E3-5 of Clause 57.03-5 (Private open space)) to the following balcony edges, unless demonstrated via cross-section that views within 9 metres of these balconies into the secluded private open space of southern and eastern adjoining properties to comply with Standard E4-4 of Clause 57.04-4 (Overlooking) of the Scheme:
 - i. Eastern edge of balcony adjacent to Master Bedroom of Apartment 206.
 - ii. Southern edges of balconies to Apartments 304, 305 and 306.
 - iii. Southern and eastern edges of the communal terrace.
- h) A plan notation confirming a maximum transparency of 25% to all 1.7 metre high balcony balustrades, to demonstrate compliance with Standard E4-4 of Clause 57.04-4 (Overlooking) of the Scheme.
- i) Details of plant equipment screening to the satisfaction of the Responsible Authority.

Vehicle access and car parking

- j) Car parking allocation for Apartment 205 shown within the basement.

On-Site Amenity

- k) The attached ensuites of Master bedrooms for Apartments 111 (2BR), 304 (3BR), and 306 (2BR) each converted to an adaptable bathroom, where practical to demonstrate compliance with Standard E3-12 of Clause 57.03-12 (Accessibility for apartment developments) of the Scheme.
- l) The toilets within the adaptable bathrooms of Apartments G05, 103, 110, 202, 204, 305 and 306 swapped with the basins, where practical, to be placed closest to the doors, achieving compliance with Design Option B of Table E3-12 to achieve compliance with Standard E3-12 of Clause 57.03-12 (Accessibility for apartment developments) of the Scheme.
- m) Plan notation to confirm 1.8 metre high internal fencing separating the ground floor secluded private open spaces of the apartments, to demonstrate compliance with Standard E4-5 of Clause 57.04-5 (Internal Views) of the Scheme.
- n) Adequate solar protection to the north facing habitable room windows of Apartments 203-206 to demonstrate compliance with Standard E5-4 of Clause 57.05-4 (Solar access protection to new north facing windows) of the Scheme, unless otherwise agreed to the satisfaction of Responsible Authority.

Open Areas and Fencing

- o) The 1.7 metre high fence along the western side of the secondary pedestrian entry path constructed using high-quality materials and to incorporate external lighting, which may be mounted on the fence itself.
- p) Installation of a low-height, transparent feature fence, (matching the front fence) located between the secondary pedestrian pathway and the hedge adjacent to the heritage dwelling, to support practical subdivision in the future.
- q) A landscape area or planter box measuring approximately 1.5 metres by 2.5 metres, located adjacent to the services/booster to separate the shared pathway from the 1.7 metre high fence enclosing the secluded private open space of Apartment G07.
- r) The fencing screening services within the front setback to provide no more than 25% transparency to demonstrate compliance with the Standard E3-3 of Clause 57.03-3 (Street integration) of the Scheme.
- s) External lighting to all pathways, including along the main pedestrian entry, and secondary pedestrian entrance located between the apartment building and the heritage dwelling, in accordance with Standard E3-3 of Clause 57.03-3 (Street integration) of the Scheme.
- t) A notation to indicate tree protection must be undertaken in accordance

with the Tree Protection and Management Plan approved as part of this permit and to the satisfaction of the Responsible Authority.

- u) All water tanks, sheds, and services located outside the TPZ of any tree to be retained, unless otherwise agreed to by the Responsible Authority.

Material Schedule

- v) A full colour and material schedule for the proposed painting of the exterior of the heritage dwelling.
- w) Colour details of the front metal picket fence.

Other

- x) A plan notation to confirm compliance with the heritage requirements listed under Conditions of this permit.

Endorsed Plans

2. The approved development must always accord with the endorsed plans unless modified with the prior written consent of the Responsible Authority.

Landscape Plan

3. Concurrent with the submission of development plans for endorsement under condition 1 of this permit, amended landscape plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the permit. The plans must be generally in accordance with the submitted landscape plans (prepared by John Patrick, Job number 24-273, revision D, dated 14 August 2025), but modified to show:
 - a) Consistency with any relevant changes to the development layout as shown on the development plans endorsed under Condition 1 of this permit.
 - b) The proposed species to be planted must incorporate species indigenous to Manningham or Victorian Native species selected from the [Manningham Native Splendour Guide](#) for indigenous species, to the satisfaction of the Responsible Authority. *Corymbia citriodora* must be substituted for an indigenous *Eucalypt* species and *Tristaniopsis laurina* substituted for an *Acacia implexa*.
 - c) Quantity and locations of shrubs, grasses and groundcovers provided on the plan.
 - d) Details of the irrigation systems for all communal garden beds and lightweight planter boxes, to be controlled by sensors.
 - e) All screen planting along the eastern and southern site boundaries to be at least 1.5 metres in height at the time of planting.
 - f) Plant species within the visibility splays shown on the plans endorsed under this permit with a height of no greater than 0.9 metres at maturity.
 - g) A notation that synthetic grass will not be used as a substitute for any open lawn area within the subject land.

Management Plans

4. Concurrent with the submission of development plans for endorsement under condition 1 of this permit, an amended Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. When approved, the SMP will be endorsed and will then form part of the permit. The report must be generally in accordance with the SMP submitted with the application, but modified to show:
 - a) Consistency with any relevant changes to the development as shown on the development plans submitted for endorsement under this permit.
 - b) An amended STORM rating report recalculated using the correct catchment area of 1,980.5 square metres, and achieving a 100% STORM rating, unless otherwise agreed to the satisfaction of the Responsible Authority.
5. Concurrent with the submission of development plans for endorsement under condition 1 of this permit, an amended Waste Management Plan (WMP) must be submitted to and approved by the Responsible Authority. When approved, the WMP will be endorsed and will then form part of the permit. The WMP must be generally in accordance with the waste management plan submitted with the application (prepared by Traffix Group, revision B, dated 15 November 2024), but modified to show:
 - a) Consistency with any relevant changes to the development as shown on the development plans submitted for endorsement under Condition 1 of this permit.
 - b) Provision of a private bin storage area for the heritage dwelling within its private open space, with bins collected by Council.
 - c) Private on-site waste collection for all apartments.
 - d) An updated shared bin area for the apartments, in accordance with the development plans submitted for endorsement under Condition 1 of this permit.
6. Concurrent with the submission of development plans for endorsement under condition 1 of this permit, a Tree Protection and Management Plan (TPMP) prepared by a suitably qualified arborist setting out how the trees to be retained will be protected during the construction process must be submitted to and approved by the Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The TPMP must generally follow the layout of Section 5 of AS4970 'Protection of trees on development sites' and include:
 - a) A plan showing the tree protection zone (TPZ) and structural root zone (SRZ) for all trees to be retained along with the location of protective fencing and/or areas where ground protection systems will be used.
 - b) Details of proposed work within TPZ and arborist supervision when this is proposed.
 - c) A statement advising any removal or pruning of Council owned trees must be undertaken by Council approved contractor.
 - d) A statement that Council will be notified within 24 hours of any breach of the TPMP or where damage has occurred to any protected tree.
 - e) An inspection timeframe (minimum frequency of every 3 months), with a compliance check list to be signed and dated by the developer's project arborist and project manager/foreperson.

7. Before the development starts, including demolition, a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority using Manningham's CMP template. When approved the CMP will be endorsed and will then form part of the permit.
8. The development and any measures to be implemented must always accord and comply with the management plans and reports endorsed under this permit, unless modified with the prior written consent of the Responsible Authority.

Vegetation

9. Except for vegetation shown on the endorsed plans to be removed, no vegetation may be removed, destroyed or lopped, unless with the written consent of the Responsible Authority.
10. All tree and/or vegetation protection fencing must be maintained in good condition until the completion of the construction works on the subject land to the satisfaction of the Responsible Authority.
11. All contractors/tradespersons (including demolition workers) who install services or work near trees to be retained must be made aware of any tree protection measures required under this permit.

Department of Transport

12. The permit holder must avoid disruption to bus operations along Doncaster Road during the construction of the development. Any planned disruptions to bus operation during construction and mitigation measures must be communicated to and approved by the Head, Transport for Victoria a minimum of eight weeks prior. Any damage to public transport infrastructure must be rectified to the satisfaction of the Head, Transport for Victoria at the full cost of the permit holder.
13. All vehicles must always enter and exit the site in a forward direction (left in left out only) to the satisfaction of the Head Transport for Victoria.
14. All disused or redundant crossings along Doncaster Road must be removed and the area reinstated to kerb, channel and footpath to the satisfaction of and at no cost to the Head, Transport for Victoria prior to the occupation of the buildings hereby approved.

Heritage

15. Prior to any demolition works commencing on site or the endorsement of plans under condition 1, whichever is sooner, a Conservation Works Plan (CWP) prepared by a suitably qualified and experienced Heritage Consultant must be submitted to and approved by the Responsible Authority. When approved, the CWP will be endorsed and will then form part of the permit. The CWP must include details of:
 - a) The reconstruction and restoration of the heritage house, including the verandah, which was damaged by the tree.
 - b) The reconstruction of the chimney as part of the works.

c) The proposed new front door and its frame (like for like).

16. Prior to commencement of works, a Heritage Protection Plan (HPP) prepared by a suitably qualified and experienced Heritage Consultant must be submitted to and approved by the Responsible Authority. The HPP must demonstrate the protection of heritage fabric during and at the completion of construction works. The HPP must comply with the Heritage Protection Plan Guidelines prepared by Heritage Victoria (2022).
17. Deletion of the internal sheeting proposed over any of the western windows of the heritage dwelling, unless otherwise agreed to the satisfaction of Responsible Authority.
18. Before any demolition work commences, a full photographic recording must be undertaken of the heritage place in compliance with Heritage Victoria Technical Note: Specification for the submission of Archival Photographic Records.

Reticulated Gas Service Mandatory Condition

19. Any new apartment development allowed by this permit must not be connected to a reticulated gas service (within the meaning of clause 53.03 of the relevant planning scheme). This condition continues to have force and effect after the development authorised by this permit has been completed.

Completion

20. The approved dwellings must not be occupied unless the development and all landscaping is completed generally in accordance with the endorsed plans to the satisfaction of the Responsible Authority.
21. The approved dwellings must not be occupied unless all screening measures are constructed, installed and maintained permanently in accordance with the endorsed plans and to the satisfaction of the Responsible Authority. Any non-permanent screening measures (such as obscure film or spray) must not be used in lieu of any required fixed and permanent screening measures.
22. All roof-top plant and services (including any hot water systems, but excluding solar panels) must be installed and maintained in appropriately screened areas, unless otherwise agreed in writing with the Responsible Authority.
23. Unless with the written consent of the Responsible Authority, any air-conditioning unit installed on a balcony or terrace must always stand at floor level and be positioned to minimise off-site visual impacts to the satisfaction of the Responsible Authority.
24. Unless with the written consent of the Responsible Authority, no air-conditioning unit may be erected on an external wall of the building at any time.

On-Site Stormwater Detention System

25. Before the development starts, an engineering plan for an on-site stormwater detention (OSD) system to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority, unless further written consent is obtained from the Responsible Authority stating an OSD system is not required. When approved the plan will be endorsed and will then

form part of the permit. The plan must depict an on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks) that is designed in accordance with Council's [On-Site Stormwater Detention Guidelines \(March 2021\)](#) to the satisfaction of the Responsible Authority.

26. The approved dwellings must not be occupied unless the OSD system is installed and maintained in accordance with the engineering plan endorsed under this permit to the satisfaction of the Responsible Authority, unless further written consent is obtained from the Responsible Authority stating an OSD system is not required.

Drainage

27. Stormwater must not be discharged from the subject land other than to the legal point of discharge or other approved means to the satisfaction of the Responsible Authority. Before any connection including any outfall drain is made to a Council maintained asset, a Connection to Council Drain Permit must be approved by the Responsible Authority.
28. The whole of the subject land, including landscaped and paved areas must be graded and drained to prevent ponding and to minimise overland flows onto adjoining properties to the satisfaction of the Responsible Authority.

Services

29. All services associated with the approved development, including water, electricity, sewerage and telephone, must be installed underground, unless with the written consent of the Responsible Authority.
30. All pipes must be concealed, with the exception of roofing downpipes and external pipes associated with water tanks, which (where exposed) must be finished in a colour complementing the wall surface to the satisfaction of the Responsible Authority.
31. All external service equipment (including any air-conditioning unit or hot water boosters, etc.) must be located and treated in accordance with the endorsed plans.
32. All common areas must be lit to the satisfaction of the Responsible Authority and all lighting must be located, directed, shielded and be of limited intensity so that no nuisance or loss of amenity is caused to any person within or beyond the subject land, to the satisfaction of the Responsible Authority.
33. A centralised TV antenna system must be installed to each building and connections made to each dwelling to the satisfaction of the Responsible Authority. No individual dish antennas may be installed on balconies, terraces, roofs or walls to the satisfaction of the Responsible Authority.

Maintenance

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

Car Parking and Access

35. Before the occupation of the approved development, the vehicular crossing must be constructed as depicted on the endorsed plans and any section of redundant existing vehicular crossing(s) must be removed and the kerb, channel, footpath and nature strip (as relevant) must be reinstated at the full cost of the owner and to the satisfaction of the Responsible Authority.
36. Before the occupation of the approved development, all parking spaces must be line-marked, numbered, signposted and allocated to each dwelling and maintained to the satisfaction of the Responsible Authority.
37. All car parking spaces, bicycle parking spaces, access lanes and driveways shown on the endorsed plans must be kept available for these purposes at all times to the satisfaction of the Responsible Authority.

Permit Expiry

38. This permit will expire if one of the following circumstances applies:
 - a) The development is not started within four (4) years of the date of this permit.
 - b) The development is not completed within six (6) years of the date of this permit.

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

2. BACKGROUND

- 2.1 An application for a planning permit PLN24/0477 was lodged with Council on 16 December 2024.
- 2.2 Further information was requested by Council on 13 January 2025. The letter raised concerns with several aspects with the proposal, including the response to site topography, visual imposition on existing heritage dwelling and neighbouring properties, material finish, internal amenity, design detail, landscaping and access arrangement.
- 2.3 An application to amend the proposal under Section 50 of the *Planning and Environment Act 1987* was submitted on 30 May 2025. The application was amended to address some of the concerns raised in Council's further information request letter, including but not limited to lowering overall building height by 500mm, redesign of main pedestrian entrance, additional articulation to the south, and alteration of external material finish at level three.
- 2.4 Following the Section 50 Amendment, a second request for further information was sent on 27 June 2025. The letter raised concerns relating to the pedestrian access arrangement, landscaping, articulation of built form to the south, on site amenity and overlooking.

- 2.5 All requested further information was received as part of a second Section 50 Amendment submitted on 18 August 2025. It included some design changes to the secondary pedestrian entrance, landscape plan and addressed some overlooking concerns.
- 2.6 Notice of the application was given over a two-week period, which concluded on 17 September 2025.
- 2.7 The statutory clock that applies to planning applications is 60 days. For this application, this time passed on 6 November 2025.
- 2.8 The land titles are not affected by any covenants or Section 173 Agreements.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site has a combined frontage along Doncaster Road of 51.92 metres and a depth of 39.5 metres, with a total area of 1,979.5 square metres.
- 3.2 The site has a cross fall of approximately 4.1 metres from east to west.
- 3.3 The site is not affected by any easements.
- 3.4 722 Doncaster Road, Doncaster is currently vacant and contains no vegetation. 724 Doncaster Road is developed with a single-storey heritage-listed dwelling situated towards the front of the site. The front setback of this dwelling is moderately vegetated, featuring several canopy trees. Vehicle access to the heritage dwelling is provided via a shared crossover with 726 Doncaster Road, located along the eastern portion of the frontage. Additionally, an approximately 5.5 metre wide crossover is positioned along the eastern edge of 724 Doncaster Road.
- 3.5 The site is enclosed by various fencing types: a 1.4 metre-high timber paling fence along the eastern boundary, timber paling fencing ranging from 1.6 to 1.8 metres in height along the southern boundary, and a 2.5 to 2.7 metre high fire resistant painted board fence along the western boundary.

The Surrounds

- 3.6 The site is located on the edge of Doncaster Hill Activity Centre, with the immediate area characterised by mixed land uses varying between residential and various commercial buildings.
- 3.7 Residential development in the surrounding area is characterised by a mix of two-to three-storey multi-unit townhouse-style developments and apartment buildings, predominantly located along Doncaster Road. These are interspersed with single dwelling lots. Commercial development in the immediate vicinity is generally low-scale and serves the local community, including a small retail strip located opposite the subject site on Doncaster Road. Public transport is accessible via bus services along Doncaster Road, including routes 280, 295, 902, and 907.
- 3.8 The immediate surrounding land is described as:

Direction	Address	Description
East	726 Doncaster Road	A single storey dwelling with its driveway providing vehicular access abutting the common boundary of the subject site. The primary secluded private open space is located towards the rear (south) of the dwelling.
South	5 Queens Avenue 9 Queens Avenue 11 Queens Avenue	Properties at 5 and 11 Queens Avenue, located to the south of the subject site, are each developed with single-storey dwellings, set back approximately 22.3 metres and 18.6 metres respectively from the shared boundary. The primary secluded private open spaces for both dwellings are situated to the north, facing the subject site. 9 Queens Avenue is developed with three, two-storey dwellings. Dwelling 3/9 Queens Avenue is partially constructed along the common boundary, with a minimum setback of 1.17 metres. The secluded private open space of this dwelling directly abuts the subject site.
West	720 Doncaster Road	A three-storey medical centre with a modern appearance finished in grey concrete and feature cladding. A 2.5 to 2.7 metre high fire-resistant painted board fence is constructed on the common site boundary. The interface towards the subject site is generally blank with some window openings limited to its upper level.

- 3.9 The zoning of the immediate area comprises of Residential Growth Zone for all lots abutting Doncaster Road. The site also abuts Schedule 1 to the General Residential Zone to the south.



Figure 5: Zoning Map

4. THE PROPOSAL

- 4.1 The proposal is outlined on the plans prepared by Martyn Tribe Architects Pty Ltd, Project number 2342, Revision B dated 15 August 2025. Attachment 1. These plans form the decision plans to be relied upon in this assessment.
- 4.2 The following supporting documents were submitted with the initial proposal:
- Town Planning Report prepared by Urbis
 - Heritage Impact Assessment prepared by Urbis
 - Arboricultural Impact Assessment prepared by John Patrick
 - Landscape Plan prepared by John Patrick
 - Traffic Engineering Assessment prepared by Traffix Group
 - Waste Management Plan prepared by Traffix Group
 - Sustainable Management Plan prepared by Green Rate

PROPOSAL SUMMARY	
Building details	Site area: 1979.5 square metres
	Site coverage: 60%
	Permeability: 32.1%
Proposed use	Dwellings (no permit required for the use)

PROPOSAL SUMMARY	
Storeys	Four storeys
Maximum building height	12 metres above natural ground level measured at southern staircase (Internal Elevation B - Sheet TP16) 11.8 metres (measured on Section A - Sheet TP17) 13.2 metres above natural ground level measured at Lift overrun (Internal Elevation B- Sheet TP16)
Minimum front setback	6 metres to Doncaster Road
Minimum side setbacks	Minimum 4.8 metre setback from the eastern boundary. Wall on western boundary extending for 12.3 metres. Minimum 1.4 metres setback from the western boundary.
Minimum rear setback (South)	Minimum 4.5 metre setback from the southern boundary.
Dwellings	Total: 34 (including existing heritage dwelling) • Studio: 1 dwelling • 1 Bedroom: 10 dwellings • 2 bedrooms: 20 dwellings • 3 bedrooms: 3 dwellings
Car parking	Total Car Parking Spaces Provided = 40 (Required 37 Spaces)
Proposed access	The vehicle access is provided by a double width crossover to Doncaster Road with a left-in and left-out only configuration.
Building materials	The lower three levels of the apartment building will feature light-toned materials, including off-white and light grey masonry, along with cement cladding. The topmost level will be finished in dark grey fibre cement cladding to provide contrast and visual interest. The heritage dwelling is proposed to be restored with a weatherboard exterior and a corrugated galvanised iron sheet roof, consistent with the existing structure.
Easements	Nil.
Tree removal	Three trees within the front setback of existing heritage dwelling

PROPOSAL SUMMARY	
	on 724 Doncaster Road are proposed to be removed.
Affordable Housing	The proposal does not provide any Affordable Housing per its definition under the Section 3AA of the Planning & Environment Act 1987.

Design and built form

- 4.3 The proposal involves the retention and restoration of the existing heritage dwelling, with the demolition of the rear skillion section to enable the construction of a four-storey apartment building. The new building adopts a broadly 'L-shaped' footprint, wrapping around the heritage dwelling to the west and south, allowing the heritage dwelling to remain distinctly identifiable within the overall development.
- 4.4 The apartment building presents a distinctly contemporary architectural response, contrasting with the traditional hipped-roof timber character of the heritage dwelling. The design incorporates a neutral material palette, with horizontal framing elements that define recessed balconies. The façade treatment includes off-white and light grey masonry and fibre cement cladding across the lower three levels, transitioning to dark grey fibre cement cladding at the uppermost level, reinforcing the building's modern identity.
- 4.5 The flat-roofed form of the apartment building responds to the natural slope of the site, stepping down from 4 storeys on the western side of the heritage dwelling to 3 storeys on the southern side of the dwelling. On the southern elevation, the upper levels of the apartment building are generally set back from the respective lower levels, with its footprint recessed behind the balconies.

Pedestrian and vehicle access

- 4.6 A centrally positioned vehicular crossover and driveway provide direct access to the underground car park. The main pedestrian entrance to the apartment building is defined by a sequence of steps and a ramp, leading to a recessed, enclosed airlock-style entry. A separate pedestrian pathway located between the heritage dwelling and the apartment building offers access to the ground floor units from Doncaster Road.

Landscaping

- 4.7 All existing vegetation on the site will be removed. New screen planting is proposed along the side and rear boundaries. Landscaping surrounding the development will include a mix of trees capable of reaching heights of 8 to 9 metres, complemented by shrubs and ground cover species.

5. LEGISLATIVE REQUIREMENTS

- 5.1 Refer to Attachment 2 (Planning & Environment Act 1987, Manningham Planning Scheme, other relevant legislation policy).
- 5.2 The following permit requirements applies pursuant to these provisions of the Manningham Planning Scheme:

- Clause 32.07-6 Residential Growth Zone, to construct two or more dwellings on a lot.
 - Clause 32.08-7 General Residential Zone, to construct two or more dwellings on a lot.
 - Clause 43.01-1 Heritage Overlay, to demolish or remove a building, and to construct a building or carry out works, including:
 - A fence, because the fence is visible from a street.
 - Externally paint a building because the schedule to this overlay specifies the heritage place as one where external paint controls apply.
 - Clause 43.02-2 Design and Development Overlay, to construct a building or construct or carry out works, and to construct a fence.
 - Clause 52.29-2 Land Adjacent to the Principal Road Network, to create or alter access to a road in a Transport Zone 2.
- 5.3 Planning Scheme Amendment VC267 was approved on 6 March 2025. This amendment introduced the Townhouse and Low-Rise Code and made several changes to Clause 55 of the Scheme, including the removal of Clause 55.07 (Apartment Developments) and the introduction of Clause 57. Clause 57 applies to residential buildings of four storeys, including this application. As a Section 50 Amendment to the application was lodged after the introduction of VC267, this application must assess Clause 57 – Two or More Dwellings on a Lot and Residential Buildings of Four Storeys.

6. REFERRALS

External

- 6.1 A statutory referral is required to the Department of Transport and Planning pursuant to Clause 52.29 and Clause 66.03 of the Manningham Planning Scheme. They are a determining referral authority. The referral response was received on 10 July 2025.
- 6.2 They have no objection subject to permit conditions being included on the permit.

Internal

- 6.3 The application was referred to the following internal departments, with their responses summarised below:

Service Unit	Comments
City Infrastructure	No objection to the proposal subject to conditions and the following comments: • Traffic generation, impacts and access points are considered acceptable and approval is required from DTP.

Service Unit	Comments
	- Stormwater impacts have been demonstrated as adequate subject to a permit condition for changes to the STORM report. - The Waste Management Plan is considered satisfactory subject to a permit condition for the heritage dwelling to be provided separate, private bin access for Council collection. - A Construction Management Plan is required by permit condition.
Statutory Planning Arborist	No objection to the proposal subject to conditions and the following comments: - A permit condition will require a Tree Protection and Management Plan. - The landscape plan must be amended to incorporate species indigenous to Manningham or Victorian Native species.
Heritage	No objection to the proposal subject to conditions and the following comments: - A permit condition will require a Conservation Works Plan (CWP) outlining proposed restoration and reconstruction works. - A Heritage Protection Plan is required by permit condition to show how the heritage fabric will be protected during and after construction. - Permit conditions will require removal of internal sheeting to windows on the western elevation of the heritage dwelling and an amended materials schedule to include external paint colour details for the heritage dwelling. - A permit condition will require a full photographic record of the heritage dwelling prior to works.
Sustainability	No objection to the proposal subject to conditions and the following comments: The development demonstrates best practice in sustainable design with a 51% BESS overall score and minimums in Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories met.

7. CONSULTATION / NOTIFICATION

- 7.1 Notice of the application has been undertaken over a two-week period.
- 7.2 To date, 1 objection has been received to the proposal. The location of objector's property is demonstrated on the map included in Confidential Attachment 3.
- 7.3 The objection concerns primarily relate to the loss of privacy and overlooking.

8. ASSESSMENT

8.1 The majority of the site is located within the Residential Growth Zone, Schedule 2 (RGZ2) and is affected by the Design and Development Overlay, Schedule 8-1 (DDO8-1). A portion of the land along the southern boundary, measuring approximately 2.2 to 3 metres in width, is within the General Residential Zone – Schedule 2 (GRZ2) and is subject to the Design and Development Overlay – Schedule 8-2 (DDO8-2) as seen in the image below:



Figure 6: Zoning Map showing Residential Growth Zone Schedule 2 and General Residential Zone Schedule 2

8.2 The proposed development is entirely located within the Residential Growth Zone. The portion of land within the General Residential Zone is used solely for the secluded private open space of the dwellings. Therefore, the requirements relating to height, number of storeys, and garden area under the General Residential Zone do not apply. The application will be assessed solely against the provisions of Residential Growth Zone Schedule 2:

Zone	RGZ-2
Preferred character designation under Clause 15.01-5L-02	Precinct 2: Residential Areas surrounding activity centres and main roads. The objective is to promote substantial change that is high quality, contemporary and designed to provide a transition between sub-precincts in Precinct 2.
	DDO8-1 Main Road Sub Precinct To support 3 storey, 'apartment style', developments within the Main Road sub-precinct and in sub-precinct A, where the minimum land size can be achieved.
Height	RGZ – Discretionary height – should not exceed 13.5 metres (and

requirement	14.5m on a sloped site). Supports 4 storey buildings with increased residential density. RGZ (Schedule 2) – No height specified DDO8-1 - Discretionary height 11 metres as the land size condition of 1,800 square metres all in the same sub-precinct has been met. (Land within DDO8-1 = 1,840 square metres) A permit can be granted to vary building height.
Proposed heights	12 metres above natural ground level measured at southern staircase (Internal Elevation B- Sheet TP16) 11.8 metres (measured Section A -Sheet TP17) 13.2 metres above natural ground level measured at Lift overrun (Internal Elevation B- Sheet TP16). However, DDO8 excludes including building services, lift over-runs from the maximum building height consideration.
Site Coverage	DDO8-1 (Main Road Sub Precinct) Discretionary - 60% site coverage preferred. 60% proposed.

8.3 724 Doncaster Road is also affected by Heritage Overlay 215.



8.4 The proposal has been assessed against the relevant state and local planning policies, the zone and overlay, and the relevant particular provisions and general provisions of the Manningham Planning Scheme.

8.5 The assessment is made under the following headings:

- Planning Policy Framework.
- Design and Built Form and response to Heritage dwelling.

- Two or more dwellings on a lot and Residential buildings of four storeys.
- Car parking, access and traffic.
- Objector concerns.

Planning Policy Framework

- 8.6 At both the state and local levels, relevant planning policy identifies the need for a greater mix of housing in Manningham, including medium and higher density residential developments. Policy also seeks to ensure that these developments are well designed and focus on locating higher density housing in close proximity to activity centres and along main roads and public transport routes.
- 8.7 Their shared intent is to encourage diverse housing types, such as apartments and townhouses while ensuring development respects neighbourhood character and provides a graduated transition in scale to adjoining lower-density areas. They promote contemporary, well-articulated building design, with attention to façade variation, materials, and landscaping to soften the built form.
- 8.8 The subject site is located within Precinct 2: Residential Areas surrounding Activity Centres and Main Roads. The objective of this precinct is “to promote substantial change that is high quality, contemporary and designed to provide a transition between sub-precincts in Precinct 2”.
- 8.9 The higher density outcomes for Precinct 2 are controlled through the implementation of the Design and Development Overlay, Schedule 8 (DDO8), which outlines specific built form, car parking, landscape and fencing outcomes. These outcomes are intended to regulate the design of new developments in Precinct 2, to define what constitutes substantial change in the Manningham context and to achieve a preferred neighbourhood character.
- 8.10 The subject site is (largely) within the DDO8-1 Sub-precinct (Main Road) with the rear 139.5 square metres of land along southern boundary located within DDO8-2 (Sub Precinct A). It is noted that the entire built form of the development is limited to the DDO8-1. This sub-precinct supports apartment style development along main roads and on larger consolidated lots.
- 8.11 In addition to being affected by planning policy that encourages a substantial level of change, the site’s location in proximity to Doncaster Hill Activity Centre and abuttal to a main arterial road serviced by bus routes demonstrates that it is appropriate for a higher form of density than what currently exists, provided that an appropriate design outcome is achieved.
- 8.12 The development of the land with an increased residential density including a mix of housing typology is therefore appropriate when considering the strategic context of the site, in accordance with the Planning Policy Frameworks.
- 8.13 In addition, 724 Doncaster Road, Doncaster is also subject to Clause 43.01 Heritage Overlay (HO125). Clause 15.03-1L (Heritage Conservation – Manningham) of the Planning Scheme seeks to protect, conserve, and enhance places of cultural and architectural heritage significance throughout the municipality.
- 8.14 The clause discourages both partial and full demolition of heritage places, except where it involves non-original fabric or non-contributory elements. It encourages development that respects the historic character without directly replicating the

heritage place, and supports adaptive restoration and conservation works that reinforce the area's heritage identity and contribute positively to the streetscape.

- 8.15 The proposal responds appropriately to the policy guidelines of Clause 15.03 and Clause 43.01 of the Scheme.

Design and Built Form and Response to Heritage Dwelling

- 8.16 The proposal complies with the requirements of the Residential Growth Zone, maintaining a maximum building height of less than 13.5 metres and limiting the development to 4 storeys, in accordance with the zone's prescribed controls.
- 8.17 The Main Roads Sub-Precinct recommends three storey apartment style development with building height of 11 metres on consolidated sites (excluding building services, lift over-runs, roof mounted equipment and screening devices). Due to the discretionary nature of the height recommendations, Council does have the ability to allow greater heights up to those permitted under the Zone. There are examples of past approvals where some fourth storeys have been considered appropriate where the sites are generally large such as 478-482 Doncaster Road.

The proposed building has an overall height of 12 metres (southern staircase and at Dwelling 304), exceeding the 11 metre discretionary maximum height specified for Schedule 8-1 of the Design and Development Overlay.



Figure 7: East- West cross-section demonstrating maximum building heights above NGL

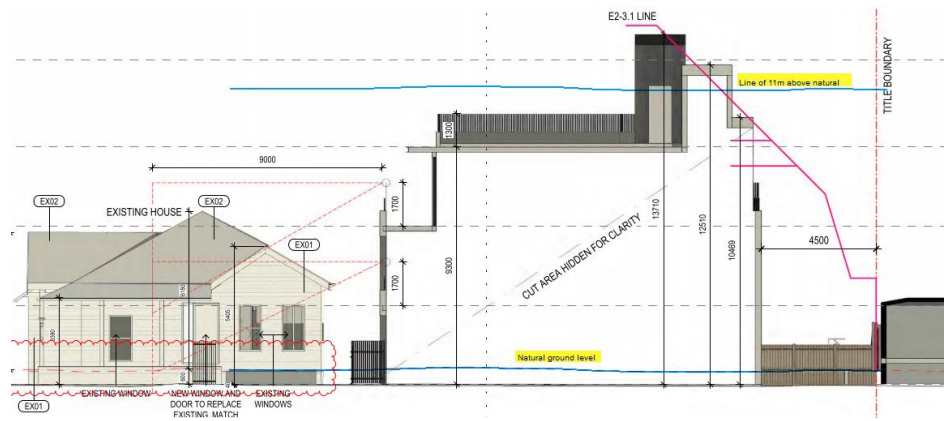


Figure 8: North-South cross-section demonstrating maximum building heights above NGL

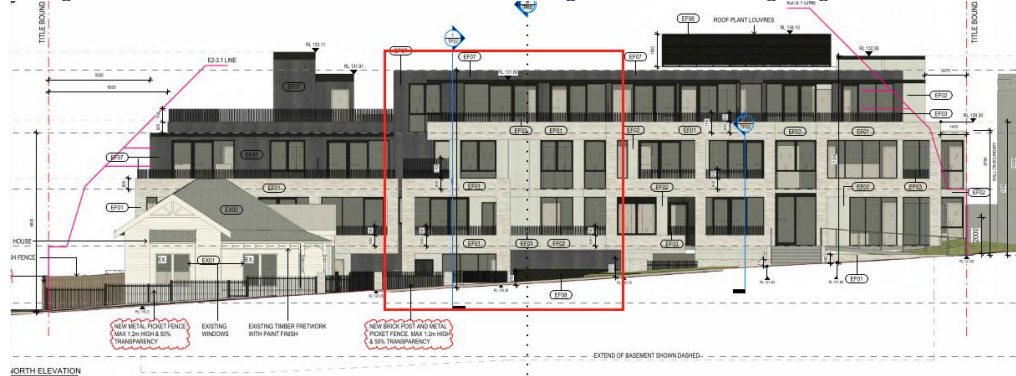


Figure 9: Four storey presentation to north (Doncaster Road)



Figure 10: Four storey presentation to south (residential interface)

- 8.18 The variation in height and number of storeys is confined to the central portion of the apartment building, affecting the north (Doncaster Road) and south (residential interface) elevations. The remainder of the building complies with the height controls, remaining below 11 metres when measured from the natural ground level directly beneath.
- 8.19 Exceeding the discretionary height control along Doncaster Road is considered acceptable, as main road streetscapes typically present a less sensitive environment than local streets and are therefore more capable of accommodating additional building height without adverse visual impact.
- 8.20 Along the southern residential interface, which adjoins the General Residential Zone 2 (DDO8-2 Sub-Precinct A), the proposal provides upper-level setbacks ranging from 5.2m to 6.3m at the second floor and extending to 8.7m to 10.4m at the third floor, which exceeds the setback requirements of Clause 57.02-3 (Side

and rear setback) of the Scheme. The only non-compliance is the relatively narrow south facing stairwell, falling short of the required setback by 0.4 to 1.6m.

- 8.21 While the design attempts to soften the appearance of the southern staircase through box-framing elements and fenestration at the lower two levels, these treatments are insufficient to fully mitigate its vertical dominance. This issue will be addressed via a permit condition requiring a combination of additional material variation (preferably a darker finish to the uppermost level) and other potential design enhancements such as window fenestration at the top two levels of the southern staircase.
- 8.22 Due to the natural slope of the land and surrounding terrain, the proposed building will sit below the height of the adjoining private hospital to the west. This ensures the development remains visually subordinate within the broader context and does not dominate the surrounding built form.
- 8.23 The design also responds sensitively to the site's topography by stepping down to three storeys along the eastern section, located south of the heritage dwelling. This approach results in a more graduated built form that reduces visual impact.
- 8.24 The proposed apartment development on the land complies with Clause 15.03-1L and Heritage Overlay HO125 by retaining all original and contributory heritage elements, avoiding demolition. The design respects the historic character without imitation, using complementary materials and scale. The development is contemporary in design and will be easily identified as new construction, hence not confusing the historic development of the site.
- 8.25 The upper levels of the apartment building are recessed behind north and east facing balconies, allowing the built form to step away from the heritage dwelling and maintain its visual prominence. The use of dark grey cement cladding at the third floor level further contributes to a recessive appearance, helping to reduce the perceived height of the development. Additionally, the heritage dwelling is proposed to be reconstructed and restored to its original condition, representing a positive heritage outcome for the site.
- 8.26 For the reasons outlined above, the proposed building height and four-storey form are considered appropriate and acceptable within the context of the site.
- 8.27 The DDO8 outlines specific built form, car parking, landscape and fencing outcomes that should be achieved by a proposal, to meet its overall design objectives.
- 8.28 The following assessment is made against the specific built form, car parking, landscape and fencing requirements of the DDO8:

Design Element	Compliance
Building Height and Setbacks (Sub-Precinct Main Road DDO8-1)	
- Discretionary height of 11 metres if the minimum land size condition is met (1800 square metres). - If the condition is not met, the maximum height is 9 metres unless the slope of the natural	Considered Satisfied The average building height of approximately 11 metres is generally consistent with the recommended height controls. However, the increased height of up to 12 metres at the central north and south elevations exceeds the preferred limit. For the reasons outlined above

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	in this report, and subject to appropriate conditions, this variation is considered acceptable within the context of the site and surrounding area.
Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser.	Satisfied A 6 metre front setback is achieved. Despite the encroachment of services, the driveway, and pedestrian pathways within the street setback, sufficient space remains for landscaping. A 1 metre to 2.7 metre wide landscape bed between the front fencing, services, pathways, and the street frontage provides ample opportunity for dense shrub planting, which will help soften the building's presentation to the streetscape.
Form	
Ensure that the site area covered by buildings does not exceed 60 percent.	Satisfied The development has a site coverage of 60%.
Provide visual interest through articulation, glazing and variation in materials and textures.	Satisfied with condition The combination of contemporary architectural features and a mix of modern materials including off-white masonry, light and dark grey cement cladding, charcoal toned powder coated aluminium battens to balconies, and glazed windows introduces varied tones and textures that create visual interest while complementing each other and integrating well with the existing streetscape. As outlined in this report, a permit condition will require the introduction of varied material finishes (preferably in darker tones) and additional window fenestration at the uppermost level of the south facing staircase wall. These measures are intended to mitigate the perceived visual bulk and enhance visual interest, ensuring a more refined and contextually responsive built form.
Minimise buildings on boundaries to create spacing between developments.	Considered Satisfied The proposed development includes a two-storey wall along the western site boundary, ranging in height from 5.87 to 6.07 metres and extending for a length of 12.3 metres. This outcome is considered acceptable due to

	the existing site context, which features a continuous 2.5 to 2.7 metre high fence along the western boundary and a two-storey (approximately 8 metres above natural ground level) blank façade associated with the adjoining private hospital. These existing conditions result in a non-sensitive interface, where the proposed wall will not adversely impact visual amenity or sensitive uses.  Additionally, the proposed wall is centrally located along the western site boundary, while the remaining built form is set back a minimum of 1.4 metres. This setback allows for a landscaped buffer, creating visual relief between built forms on adjoining lots when viewed from both the front and rear elevations.
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.	Satisfied with condition The rear portion of the development presents a partial four-storey form. Properties to the south are located within the General Residential Zone – Schedule 2 (GRZ2) and Design and Development Overlay Schedule 8-2 (DDO8-2), which allow for similar, albeit less intense, development potential. Importantly, the proposal incorporates a progressively increased southern setback, particularly at the second and third levels, where habitable spaces are recessed behind south-facing balconies to reduce visual bulk, and amenity impacts to the residential properties. While the location of the internal staircase along the southern edge limits the ability to further stagger the setback in that area, a permit condition will be applied to enhance articulation and break up the perceived massing of the staircase when viewed from the south.
Where appropriate, ensure that buildings are designed to	Satisfied The levels and heights of the proposed

step with the slope of the land.	dwellings step down with the slope of the land. In particular, the built form transitions from a four-storey presentation to three storeys as it approaches the eastern site boundary, responding to the surrounding context.
Avoid reliance on below ground light courts for any habitable rooms.	Satisfied No below-ground light courts are proposed as part of the development. Due to the site's topography, ground floor dwellings G04 and G05 are partially benched into the site, resulting in a maximum cut of approximately 1.4 to 1.7 metres along the southern boundary. However, with a southern setback of 4.5 metres, this excavation allows for sufficient daylight access to the habitable areas of these dwellings.
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.	Satisfied The proposal generally avoids sheer wall presentation by incorporating appropriate setbacks, material variation, and design elements that contribute to a well-articulated built form. The visual massing of the apartment building is effectively broken up with use of rectilinear balcony framing, which introduces depth, recesses, and visual interest. Uncovered balconies at the first and second floor levels, facing both the heritage dwelling and the southern boundary, further assist in reducing perceived bulk. Additionally, variation in materials and fenestration enhances articulation between levels. Notably, at the third-floor level, the use of dark grey cement cladding combined with generous setbacks to the north and south boundaries helps to minimise visual bulk and contributes to a contextually responsive design.
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	Considered satisfied The proposal comprises a four-storey building. The third floor level occupies only 62.6% of the second floor footprint, which is well below the 75% maximum specified in DDO8, demonstrating a clear effort to reduce visual

continuous sheer wall presentation.	bulk. While the second floor represents 85% of the first floor area, slightly exceeding the preferred ratio, this is largely attributed to the inclusion of covered balconies, which contribute to the building's architectural articulation rather than adding substantial mass. Overall, the development exhibits a high level of architectural interest through thoughtful design features and material variation, which help to break up the built form and enhance the visual quality of the streetscape and surrounding properties. Additionally, the upper levels are appropriately set back from site boundaries, further mitigating the perception of bulk and ensuring a respectful interface with adjoining sites.
Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos.	Satisfied There are no porticos proposed. The main building entry is recessed and enclosed to integrate within the overall development. The entrance to the heritage dwelling is provided via the secondary pedestrian entrance to the west of the dwelling.
Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation.	Satisfied The levels and heights of the dwellings are suitably stepped with the slope of the land. Due to the natural fall of the land towards the east, the development accommodates a full lower level basement and a smaller upper level basement within the western portion of the site. The lower level basement is fully excavated into the subject land, while the upper level basement partially projects above the natural ground level along the northern and southern elevations. This projection is thoughtfully integrated into the overall built form through consistent material finishes, landscaping treatments, and by incorporating the projection into balcony spaces for the upper level dwellings, ensuring a cohesive and visually balanced design outcome.
Be designed to minimise overlooking and avoid the excessive application of screen devices.	Satisfied with condition Subject to conditions discussed in the assessment of Clause 57.04-4 (Overlooking) of the Scheme, overlooking impacts will be suitably minimised without excessive screening.

• Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities.	Satisfied The main entry will be able to be navigated by people of all mobilities as it is accessed via a 1:14 ramp from Doncaster Road. Additionally, two lifts within the building provide access to all levels.
• Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. • Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site.	Satisfied The basement car park at both levels will not be visually obtrusive when viewed from Doncaster Road or south adjoining properties.
• Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking.	Satisfied All car parking spaces are incorporated into the basement levels.
• 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.	Satisfied The basement is set back a minimum of 6 metres from the street frontage, aligning with the upper level front setback and maintaining a consistent presentation to the public realm. Additionally, it is set back 4 metres from the rear boundary, allowing for meaningful landscaping opportunities that soften the built form.
• 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.	Satisfied The building is set back between 4.5 and 6 metres from the southern, eastern, and northern boundaries, allowing for the planting of canopy trees and effective screening vegetation to soften the built form and enhance the landscape character. Along the western boundary, a minimum setback of 1.4 metres is provided (excluding the proposed wall on boundary), which is sufficient to accommodate screen planting and contribute to visual separation between adjoining developments.

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.	Satisfied The plant equipment on the roof is located away from the sides of the building and is screened to minimise any visual and amenity impacts on the street and adjoining properties.
Car Parking and Access	
Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback.	Satisfied with condition Vehicular access to the basement car park is provided via a centrally located double width crossover and driveway, ensuring efficient circulation and minimal disruption to the streetscape. The crossover design must be approved by DTP. No street trees are required to be removed.
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.	Satisfied The basement car park does not extend beyond the built form of the ground floor level. The basement projection is well integrated into the built form by incorporating it as balcony space for the upper-level dwellings.
Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling.	Not applicable There are no garages located in the street elevation.
Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements.	Not applicable The driveway gradients are required to be assessed in accordance with Clause 52.06-9 (Car parking) of the Scheme. This will be discussed further in the report.
Landscaping	
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	Satisfied At least four canopy trees that have a spreading crown and are capable of growing to at least 8 metres at maturity are proposed within the Doncaster Road frontage.

are capable of growing to a height of 8.0m or more at maturity.	
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.	Satisfied The site plan shows a variety of planting along all site boundaries to soften the appearance of the built form.
Fencing	
- A front fence must be at least 50 per cent transparent. - On sites that front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn and Mitcham Roads, a fence must: - not exceed a maximum height of 1.8m - be setback a minimum of 1.0m from the front title boundary and a continuous landscaping treatment within the 1.0m setback must be provided.	Satisfied The front fence has a maximum height of 1.2 metres. The front fence is a metal picket fence, which is at least 50% transparent. It is setback at least 1 metre from the title boundary along Doncaster Road to enable a continuous landscape treatment in front of the proposed fence.

8.29 Having regard to the above assessment against the requirements of Schedule 8 to the Design and Development Overlay, the proposed design meets the preferred neighbourhood character and responds to the features of the site.

Two or more dwellings on a lot and residential buildings

8.30 Pursuant to Clause 57 (Two or more dwellings on a lot and residential buildings of four storeys), a development must meet all of the objectives of this clause and should meet all of the standards. However, Clauses 55.05-3 (Rooftop solar energy generation area) does not apply to an apartment development. Additionally, Clause 57.03-12 (Accessibility for apartment developments) and 57.05-7 (Energy efficiency for apartment development) do not apply to the construction or extension of a dwelling that is not in or does not form a part of the apartment development (relevant to the heritage dwelling).

8.31 An assessment against the objectives and standards of Clause 57 is provided in the table below:

Clause 57	Comments
Clause 57.02-1 Street Setback Standard E2-1	Not Applicable Clause 57 states that where a standard is modified by a zone or overlay, the modified standard takes precedence.

The proposed setback is a requirement of the DDO8-1.

**Clause 57.02-2
Building Height
Standard E2-2**

Not Applicable

Clause 57 states that where a standard is modified by a zone or overlay, the modified standard takes precedence.

The discretionary building height is a requirement of the DDO8-1.

**Clause 57.02-3 Side
and Rear setback
Standard E2-3**

Met with condition

An assessment against the setback requirements of Standard E2-3 is shown in the table below:

57.02-3 SIDE & REAR SETBACKS				
Location	Wall height (m)	Setback required (m)	Setback provided (m)	Compliance
South G03 B1	3.3	1	4.5	Met
South Unit 107 Bedroom	6.9	1.99	4.5	Met
South Unit 206 MB	9.3	4.39	5.35	Met
South Second floor staircase	10.2	5.29	4.825	Not met by 465mm
South Unit 207 Bedroom	9.4	4.49	5.25	Met
South Unit 208 Living room	8.3	3.39	7	Met
South Unit 209 Living room	8.2	3.29	6.6	Met
South Unit 210 Balcony (enclosed)	7.5	2.59	4.1	Met
South Third floor staircase	12.19	7.28	5.65	Not met by 1.63m
South Unit 304 Bedroom 2	12	7.09	8.71	Met
South Unit 305 Bedroom 1	11	6.09	10.45	Met
South Unit 306 Living room	10.2	5.29	6.22	Met
East G02 Living room	3.5	1	4.86	Met
East Unit 106 Master Bedroom	7.1	2.19	4.86	Met
East Unit 206 Living room	10.3	5.39	5.55	Met
East Unit 206 Master Bedroom	10.2	5.29	8.225	Met
East FF D3 B3 /Ensuite	5.63	1.609	4.59	Met
East FF D2 B3/Ensuite	6.03	1.729	4.59	Met
West Unit 210 Living room	6.2	1.78	1.5	Not met by 280mm
West Unit 201 Balcony (enclosed)	6.5	1.87	1.41	Not met by 460mm
West Unit 306 Living room	9.6	4.69	3.5	Not met by 1.19m
West Unit 301 Master Bedroom	9.2	4.29	3.485	Not met by 805mm
West Third floor staircase	9.9	4.99	2.27	Not met by 2.72m

As shown in the table above, the proposal falls short of meeting the setback requirements along the western elevation and at the second and third floor levels of the staircase on the southern elevation. The non-compliance of 0.4 metres at the second floor and 1.6 metres at the third floor is considered acceptable, as it is confined to a relatively short section of 4.4 metres.

The remainder of the southern elevation is well recessed and articulated, effectively mitigating concerns regarding visual bulk. While design measures such as framing elements and windows have been introduced at the lower levels to reduce the massing of the staircase, these treatments are insufficient to fully address its verticality. Accordingly, a permit condition will require further articulation of the south-facing staircase wall, including the use of darker material finishes and additional window fenestration at the upper levels to reduce perceived bulk and enhance visual interest.

As outlined in the DDO8 assessment table above, the proposal does not fully comply with the setback requirements along the western elevation. However, this outcome is considered acceptable due to the existing site context, which includes a continuous 2.5 to 2.7 metre high fence along the western boundary and a two-storey blank façade associated with the adjoining private hospital. These existing conditions result in a non-sensitive interface, thereby reducing the impact of the proposed built form on the western boundary.

Clause 57.02-4 Wall on Boundaries
Standard E2-4

Considered Met

The proposed wall on the western boundary, extending 12.36 metres in length, complies with Standard E2-4.

Although the proposed wall height of 5.8 to 6.7 metres exceeds the standard, this variation is considered acceptable due to the existing site context. Specifically, the adjoining property to the west features a two-storey blank wall facing the subject site (refer to image below).

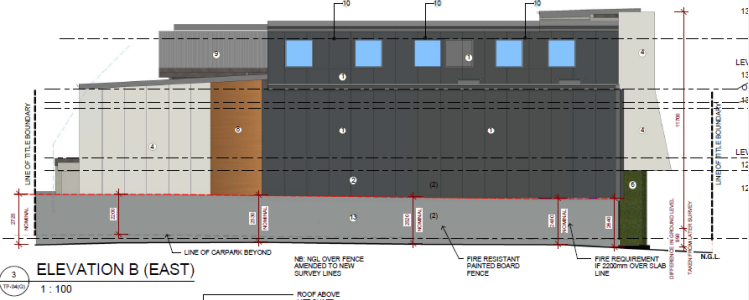


Figure 11: East elevation extracted from the current endorsed plans for the hospital development on the adjoining western property.

Cross-section AA on Sheet TP17 illustrates the proposed

wall in relation to the neighbouring development. It shows that the private hospital's blank wall, approximately 8 metres high and set back 1.8 metres from the shared boundary, will visually dominate the proposed wall. Furthermore, as there are no windows on the lower two levels of the hospital, the proposal does not raise concerns regarding visual bulk.



Figure 12: Section AA on TP17

Clause 57.02-5 Site Coverage
Standard E2-5

Met
A site coverage of maximum 60% complies with the DDO8-1 requirement.

Clause 57.02-6 Access
Standard E2-6

Met
A dual crossover with a total window of 8.9 metres comprises of 17.9% of the total street frontage, complying with Standard E2-4.

The number of access point on a Transport Zone 2 is limited to one and is not increased.

The location of the crossover does not impact any street trees.

Clause 57.02-7 Tree Canopy
Standard E2-7

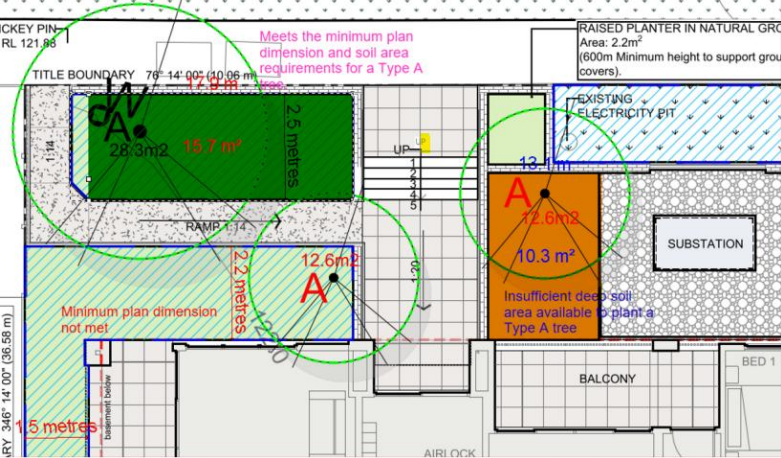
Met with condition
Given that the site area exceeds 1,000 square metres, the development is required to provide a minimum canopy cover of 20% of the total site area, equating to 395 square metres.

While the submitted landscape plan indicates a canopy cover of 400 square metres through the planting of 13 Type A and 2 Type B canopy trees, this figure is inaccurate. The canopy cover has been calculated using the sliding scale outlined in the Department of Transport and Planning's Townhouse and Low-Rise Code Guidelines, which are not incorporated into the Planning Scheme.

Therefore, the canopy cover must be assessed in accordance with Table E2-7.2 of the Standard, resulting in a revised canopy cover of 262 square metres.

Furthermore, the deep soil areas identified for some proposed canopy trees are incorrectly represented, as they

include impervious surfaces such as driveways and concrete paths (e.g. Type A tree highlighted in orange in the image below).



Council's Planning Arborist has reviewed these plans and required permit conditions be included for changes to plant species.

Although the development does not achieve the provision of 395 square metres of canopy cover, subject to permit conditions it will make a meaningful contribution to enhancing the green character of the area. It will also help mitigate the visual impact of the building on the streetscape and appropriately respond to the established neighbourhood character.

Clause 57.02-8 Front Fences

Standard E2-8

Met

Standard E2-8 allows a 2 metre high front fence for a site fronting Transport Zone 2.

The DDO8-1 varies the front fence requirement to 1.8 metres in height along Doncaster Road, with 50 % transparency and a setback of at least 1 metre from the title boundary.

The proposed front fence is max 1.2 metres high with 50% transparency and is setback 1.2 metres from the title boundary allowing for a continuous landscaping treatment.



Clause 57.03-1 Dwelling diversity

Standard E3-1

Met

The development proposes an appropriate mix of dwelling typologies comprising of studio, one bedroom, 2 bedroom and 3-bedroom dwellings.

Development includes:

Total: 34 (including existing heritage dwelling)

- Studio: 1 dwelling
- 1 Bedroom: 10 dwellings
- 2 bedrooms: 20 dwellings
- 3 bedrooms: 3 dwellings

**Clause 57.03-2
Parking location
Standard E3-2**

Considered Met

The development does not propose any habitable room windows directly adjacent to the driveway.

The balcony of Dwelling 103 is positioned directly above the shared driveway, which may result in occasional noise from vehicle movements. However, given the dwelling's direct frontage to Doncaster Road, ambient noise levels in this location are already elevated. Consequently, any additional noise generated from the shared driveway is unlikely to have a significant impact.

**Clause 57.03-3
Street integration
Standard E3-3**

Met with condition

Passive surveillance is provided by a row of street facing balconies, habitable room windows oriented towards Doncaster Road.

The development proposes a substation and services/booster within 3 metres of the street frontage. However, these do not take up more than 20% of the street frontage and are located behind a fence, complying with the standard. A permit condition will however require the screening of these services to be no more than 25% transparent to demonstrate compliance with Standard E3-3.

Mailboxes for all dwellings are proposed within the airlocked main pedestrian entrance.

A permit condition will require lighting to all external pathways i.e. along the main pedestrian entry and secondary pedestrian entrance located between the apartment building and the heritage dwelling.

**Clause 57.03-4 Entry
Standard E3-4**

Met with condition

The primary pedestrian entrance to the apartment building is clearly defined through a combination of steps and a ramp, leading to a recessed, enclosed airlock-style entry that provides both accessibility and weather protection. This porched and recessed entry is directly visible from the street and establishes a strong sense of identity for the building within the streetscape.

The shared corridors at upper levels have at least one source of natural light and ventilation.

In addition, a secondary pedestrian pathway located between the heritage dwelling and the apartment building

offers convenient access to the ground floor units directly from Doncaster Road, as well as a direct entry to the heritage dwelling.

While this is a secondary entrance and does not require prominent emphasis (to avoid pedestrian confusion), it is important that the space feels welcoming. To enhance its amenity, a permit condition will require the fence to the west of this pathway to be constructed using high-quality materials and to incorporate external lighting, potentially mounted on the fence itself.

A further permit condition will require the installation of a low-height, transparent feature fence between this pathway and the hedge adjacent to the heritage dwelling, to support practical subdivision in the future.

**Clause 57.03-5
Private Open Space
Standard E3-5**

Met with condition

The Standard requires ground floor dwellings to be provided with a minimum of 25 square metres of secluded private open space (SPOS), with a minimum dimension of 3 metres. While the SPOS areas for ground floor dwellings (including Dwellings 101, 110, and 111) comply with this requirement, Dwellings G06, G07, and 101 fall short, with the following provisions:

- Dwelling G06: 21 square metres with a minimum dimension of 2.81 metres.
- Dwelling G07: 21 square metres located within the front setback, with a minimum dimension of 3 metres.

These areas do not meet the minimum numerical requirements of the Standard. In addition, their functionality is compromised due to the presence of services such as clotheslines, planter boxes, and heating/cooling units. In the case of Dwelling G07, the space is also encroached upon by the front porch and lacks full seclusion.

Further, the SPOS for Dwelling G06 functions more as a narrow light court and is expected to be significantly overshadowed during the day, further limiting its usability.

To address these shortcomings, a permit condition will require the consolidation of Dwellings G06 and G07 into a single, larger dwelling. This will allow for the provision of a more functional and compliant SPOS area within the front setback, potentially achieved by reducing the footprint of Dwelling G07 at the street frontage.

The upper-level footprint may remain as proposed, which could result in a slight cantilevering above the reconfigured ground floor. This is considered acceptable, as the 6 metre front setback will be maintained and cantilevering will be oriented towards the street.

Inclusion of this permit condition will reduce the total number of dwellings to 33. This is considered acceptable,

as it facilitates the creation of a larger ground floor dwelling with appropriate on-site amenity, rather than retaining two compromised dwellings.

Clothesline have been provided to each dwelling with SPOS at ground floor level.

The upper-level dwellings have been provided with balconies as their SPOS:

- North facing balconies of dwellings 102, 103, 104, 105, 106, 202, 203, 204, 205, 206, 301, 302, 303, are at least 8 square metres with minimum 1.7 metre width.
- South facing balconies of dwellings 108, 109, 210, 209, 208, 207, 306, 305, and 304 are at least 8 square metres with minimum 1.2 metre dimension.
- West facing balcony of dwelling 201 (2BR) is at least 8 square metres with minimum 2 metre width.
- East facing balcony of dwelling 107 (1BR) is at least 8 square metres with 1.8 metre width.

All heating and cooling devices for the upper-level dwellings have been provided at the roof.

Clause 57.03-6 Solar access to Open space

Standard E3-6

Considered Met

Dwellings 111, 110, 109, G05, G04, and G06 have their ground floor (or split-level) secluded private open space (SPOS) located to the south of the apartment building. The southern setbacks associated with these SPOS areas do not comply with the Standard. However, given the site's orientation, it is inevitable that some dwellings will have south-facing SPOS. Considering the scale and layout of the development, strict compliance with the Standard is challenging.

However, these SPOS areas are expected to receive some solar access from the east and west during relevant times of the day, which will help support their usability and amenity despite the non-compliance with the southern setback requirement. Additionally, as discussed above under Clause 57.03-5, a permit condition will be included to consolidate Dwellings G06 and G07 to provide for a larger dwelling and a compliant secluded private open space.

Clause 57.03-7 Functional Layout

Standard E3-7

Considered Met

All dwellings are provided with a main bedroom that meets the minimum dimension requirement of 3 metres by 3.4 metres.

All secondary bedrooms also comply with the minimum dimension of 3 metres by 3 metres.

All bedrooms include at least 0.8 square metres of wardrobe space.

The proposed living room areas for all dwellings comply with

Standard E3-7 in terms of overall area. However, 7 of the 34 dwellings do not meet the minimum dimension requirements specified in the Standard. Despite this, each of these living rooms has a minimum dimension of at least 3 metres, and the non-compliance is either minor or offset by an increased dimension on the opposite side.

These variations are considered acceptable given the overall functionality and usability of the living spaces.

**Clause 57.03-8
Room Depth
Standard E3-8**

Met

All dwellings are designed with a minimum ceiling height of 2.7 metres. In accordance with the Standard, all single-aspect bedrooms have a depth of less than 6.7 metres (calculated as 2.5 times the ceiling height) from the external wall containing the window, thereby meeting Standard requirements.

The living rooms of Dwellings G01, G02, 104, 111, 204, 206, 303, and 306 are not single aspect and are therefore not subject to the depth limitation.

For single aspect living rooms, the following dwellings—G06, G07, 105, 106, 108, 205, 207, 210, 304, and 305 have depths of less than or equal to 6.7 metres from the external window, complying with the Standard.

The remaining single-aspect living room depths in Dwellings G03 to G05, 101 to 103, 107, 109, 110, 201 to 203, 208, 209, 301, and 302 exceed the 6.7 metre depth but remain under 9 metres. In these cases, the kitchen is positioned furthest from the window, and any overhangs above the window do not exceed 2 metres. As such, these layouts are considered compliant with the Standard.

**Clause 57.03-9
Daylight to new
window
Standard E3-9**

Considered met

A window in an external wall of the building is provided to all habitable rooms.

The Standard requires that if daylight to a bedroom comes from a smaller secondary area, it must be at least 1.2 metres wide, have a depth of maximum 1.5 times the width and have a window with clear sky access.

Daylight to bedrooms of the following dwellings is provided by from smaller secondary areas:

Unit	Width of sec area (min 1.2 required)	Depth of sec area (1.5x width allowed)	Compliance with width and depth
103	1.38	1.91	Met
109	1.2	1.5	Met
110	1.9	1.83	Met
208	1.2	1.8	Met
209	1.2	1.8	Met

210	1.15	1.61	Does not meet minimum width requirement.
302	1.28	1.53	Met
305	1.2	1.8	Met

The non-compliance of 0.05 metres at dwelling 210 is considered minor in nature and is therefore reasonable.

**Clause 57.03-10
Natural Ventilation
Standard E3-10**

Met

The standard requires at least 40% of dwellings to have openable windows, doors or other ventilation devices in external walls of the building that provide:

- A maximum breeze path through the dwelling of 18 metres.
- A minimum breeze path through the dwelling of 5 metres.
- Ventilation openings with approximately the same size.

At least 14 dwellings within the apartment (13 dwellings required) have cross ventilation that comply with the above requirement.

Although the breeze path for the heritage dwelling is shown through a solid southern wall, when measured from the north-facing to the existing west-facing windows, it remains under 18 metres, thereby complying with the Standard.

**Clause 57.03-11
Storage
Standard E3-11**

Considered met

Plan TP20 includes a storage summary table confirming that all dwellings, except G03 and 203, meet the storage requirements in accordance with the Standard.

- Dwelling G03 (2BR) provides 8.84 cubic metres of internal storage, slightly below the 9 cubic metre requirements.
- Dwelling 203 (1BR) provides 9.76 cubic metres of total storage, just under the 10 cubic metre requirements.

These shortfalls are minor and considered acceptable. The heritage dwelling is provided with 6 cubic metres of external storage within its secluded private open space.

**Clause 57.03-12
Accessibility for
Apartment
developments
Standard E3-12**

Met with condition

The plans demonstrate that 17 of the 34 dwellings (50%) meet the requirements for accessible design, including a 1.2 metre wide circulation path between the main entrance, living room, main bedroom; an adaptable bathroom, as well as 0.85 metre wide doorways to the dwelling and main bedroom.

Dwellings 111 (2BR), 304 (3BR), and 306 (2BR) each include a master bedroom with an ensuite; however, these bathrooms are not designed as adaptable. Instead, a

separate adaptable bathroom is provided in each dwelling.

A permit condition will require, where practical, the conversion of the attached ensuite into an adaptable bathroom. While significant design constraints may limit this outcome for Dwellings 111 and 304, there appears to be potential to achieve this for Dwelling 306.

Additionally, seven dwellings (G05, 103, 110, 202, 204, 305, and 306) propose adaptable bathrooms in accordance with Design Option B of Table E3-12. However, in these cases, the toilet is not positioned closest to the door. It appears feasible to swap the location of the toilet and basin to achieve compliance, and a permit condition will be included to address this, where practical.

Clause 57.04-1
Daylight to existing windows
Standard E4-1

Met

The setback of the heritage dwelling from the site boundary remains unchanged; therefore, daylight access to the east-facing windows of the adjoining property is expected to remain largely unaffected.

Similarly, the dwellings to the south at 5 and 11 Queens Avenue are significantly set back from the shared boundary. As a result, the proposal is not expected to cause any significant impact on daylight access to the existing windows facing the subject site.

The dwelling 3/9 Queens Avenue to the south has windows oriented towards the site. Compliance with the setback requirements from existing windows is shown below:

57.04-1 DAYLIGHT TO EXISTING WINDOWS				
Location	Wall height (m)	Setback required (m)	Setback provided (m) from window	Compliance
South Dwelling 108	6.3	3.15	7.1	Met
South Dwelling 207	9.4	4.7	7.84	Met
South Dwelling 304	12	6	11.3	Met

Clause 57.04-2
Existing north facing windows
Standard E4-2

Met

Council's records of the endorsed plans for the development to the south at 9 Queens Avenue reveals that there are no habitable room windows within 3 metres of the common site boundary.

Clause 57.04-3
Overshadowing secluded open spaces
Standard E4-3

Met

Given the size and orientation of the Secluded Private Open Spaces (SPOS) of the other adjoining properties i.e. 11 Queens Avenue, 5 Queens Avenue and 726 Doncaster Road, these will continue to receive adequate solar access (i.e. at least 25 square metres with 3metre dimension) during relevant times of the day.

Shadows from the proposed development do not extend

beyond the existing boundary fencing shadows within the SPOS of 3/9 Queens Avenue between 9am - 3pm on 22 September, thereby complying with the standard requirement.

**Clause 57.04-4
Overlooking
Standard E4-4**

Met with condition

In Clause 57.04-4, a habitable room does not include a bedroom.

Ground Floor Level:

- **Eastern Interface:**
A new 1.8 metre high boundary fence along the eastern boundary will restrict overlooking from the decks and habitable room windows of dwellings G02 and G03.
The proposed deck adjacent to the eastern side of the heritage dwelling will have a maximum height of 800mm above natural ground level. Views from this deck toward the east will be effectively screened by the new 1.8 metre high fence, in accordance with the standard requirements.
- **Southern Interface:**
Dwelling G03 features bedroom windows facing south. As bedrooms are not classified as habitable rooms under the standard, no screening is required or can be required. The existing 1.6 metre high boundary fence between G03 and 11 Queens Avenue is therefore considered sufficient.
- Additionally, due to the proposed excavation along the southern boundary, the 1.6 metre high fence atop the retaining wall will adequately prevent overlooking from the living rooms of dwellings G04 and G05 into 3/9 Queens Avenue.

First Floor Level:

- **Eastern and Southern Balconies (Dwellings 107 & 108):**
The eastern and southern edges of the balconies for Dwellings 107 and 108 are screened to a height of 1.7 metres above the finished floor level, in compliance with the standard.
- **Southern Balconies (Dwellings 109 & 110):**
The southern edges of the balconies for Dwellings 109 and 110 are also screened to 1.7 metres above the finished balcony level, meeting the standard requirements.
- **Dwelling 111 – Southern Interface:**
The existing 1.8 metre high southern boundary fence between Dwelling 111 and 5 Queens Avenue is sufficient to prevent overlooking from the south-facing balcony of Dwelling 111.
- **Bedroom Windows – Screening Not Required:**
The following bedroom windows do not require

screening under the standard:

- South-facing bedroom window of Dwelling 108
- South facing Master bedroom window of Dwelling 109
- Bedroom 1 and Master bedroom windows of Dwellings 110 and 111

However, additional measures have been implemented. I.e. the Bedroom 1 window of Dwelling 109 and the south-facing bedroom window of Dwelling 107 are either obscure glazed or highlight windows with a sill height of at least 1.7 metres above finished floor level.

- **Eastern Windows:**

The east-facing bedroom windows of Dwelling 106 and the living room window of Dwelling 107 are fixed obscure glazed up to 1.7 metres above finished floor level.

The east-facing windows of Dwelling 104 are set back more than 9 metres from the eastern site boundary and therefore do not require screening.

Second Floor Level:

- **Dwelling 206 – Balcony Screening:**

The eastern edge of Dwelling 206's balcony (adjacent to the Living Room/Bedroom 2) is screened to a height of 1.7 metres above the finished floor level, in accordance with the standard. However, the balcony adjoining the Master Bedroom is only screened to 1 metre in height along its eastern and southern edges. While the Master Bedroom itself does not require screening, the balcony being approximately 1.4 metres wide and therefore useable, does require adequate screening to prevent overlooking into the secluded private open space (SPOS) of the adjoining eastern and southern properties. This matter will be addressed via a permit condition.

- **Balcony Screening to Dwelling 207-210:**

The southern, eastern, and western edges of the balconies for Dwellings 207, 208, 209, and 210 are screened to 1.7 metres above the finished floor level, complying with the standard.

A permit condition will require notations on the plans confirming that these 1.7 metre high balcony balustrades maintain a maximum transparency of 25%, in line with the standard.

- **Bedroom Windows – Screening Not Required:**

The south-facing Master Bedroom windows of Dwellings 209 and 210 do not require screening

under the standard.

- **Dwelling 208 – Living Room Window:**
Cross-section 3 on Sheet TP22 confirms that the south-facing Living Room window of Dwelling 208 is set back more than 9 metres from the existing windows of the adjoining property at 3/9 Queens Avenue. Therefore, screening is not required.
- **Dwelling 204 – Eastern Windows:**
The east-facing windows of Dwelling 204 are set back more than 9 metres from the eastern site boundary and do not require screening.

Third Floor Level:

- **Dwellings 304, 305, and 306 – Southern Interface:**
The balconies of Dwellings 304, 305, and 306 are proposed to be screened with 1.3 metre high balustrades to limit views into the secluded private open spaces (SPOS) of the adjoining southern properties. Dwellings 304 and 306 also include a 0.5-metre-wide planter between the balustrade and the balcony edge. However, the views from these balconies appear to fall within 9 metres of the SPOS of the southern adjoining properties, and insufficient information has been provided to confirm whether the proposed treatments adequately limit overlooking in accordance with the standard.
- A permit condition will therefore require either the provision of appropriate screening to these balconies, or cross-sectional drawings demonstrating that views within 9 metres into existing SPOS and habitable room windows of the southern adjoining properties are appropriately limited.
- **Communal Terrace – Southern and Eastern Edges:**
The southern and eastern edges of the communal terrace are also proposed to be screened with 1.3 metre high balustrades. A permit condition will require either the provision of compliant screening, or cross-sectional evidence confirming that views within 9 metres into the SPOS of the adjoining southern and eastern properties are appropriately limited in accordance with the standard.
- A condition has also been included on the landscape plan requiring all screen planting along the eastern and southern site boundaries to be at least 1.5 metres in height at the time of planting. The proposed screen planting will also assist to minimise views to and from the subject site.

Clause 57.04-5
Internal views
Standard E4-5

Met with condition

Adequate screening to the south-facing upper-level balconies will effectively limit internal overlooking in accordance with the standard.

Internal views from the proposed east-facing balconies and windows of Dwellings 104, 204, and 304 have been appropriately addressed through either adequate screening or sufficient separation, ensuring compliance with the standard.

A permit condition will require a plan notation confirming that the ground floor secluded private open spaces (SPOS) of the dwellings are separated by internal fencing with a minimum height of 1.8 metres to maintain privacy between dwellings.

Clause 57.05-1
Permeability and
Stormwater
management
Standard E5-1

Met with condition

The development achieves a Storm rating of 100% using Melbourne Waters Storm Tool. However, Council engineers have identified an error in the report, where the catchment area has been incorrectly stated as 1,836 square metres instead of the actual 1,980 square metres. A permit condition will be imposed to ensure this discrepancy is corrected and the STORM rating accurately reflects the development's performance.

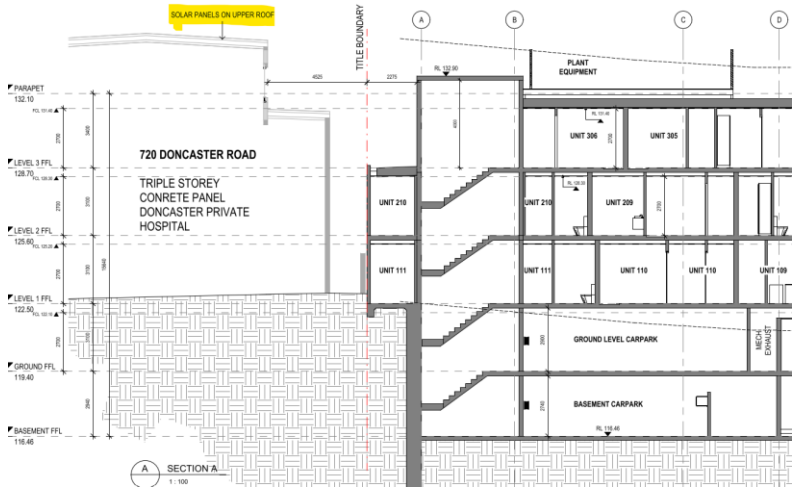
An 18,500L (minimum) rainwater tank is proposed to be connected to 707 square metres of roof and all toilets will be connected to the tank.

The development proposes a site permeability of more than 20% of the site area.

Clause 57.05-2
Overshadowing
domestic solar
energy system
Standard E5-2

Met

Of all adjoining properties, only the west adjoining property has solar panels installed on its roof. The proposed development sits below the maximum building height of 720 Doncaster Road. As such, it will not result in overshadowing of the existing solar panels, thereby maintaining compliance with the relevant solar access standards.



Clause 57.05-3 Rooftop solar energy generation area Standard E5-3	N/A
Clause 57.05-4 Solar access protection to new north facing windows Standard E5-4	Met with condition The north facing balconies of Dwellings 101-106, 201-203 and 301-303 are roofed providing adequate solar protection. However, permit condition will require adequate solar protection at the north facing habitable room windows of Dwellings 203-206 to demonstrate compliance with the standard unless otherwise agreed to the satisfaction of Responsible Authority.
Clause 57.05-5 Waste and Recycling Standard E5-5	Met with condition In accordance with the standard, the development must provide: • 1.8 square metres of private bin storage for the heritage dwelling, and • 21.5 square metres of shared waste storage for the 33 apartment dwellings (calculated as 0.5 square metres × 33 dwellings + 5 square metres). The proposal includes a shared bin storage area of approximately 17.5 square metres within the lower basement, with private waste collection via a mini loading vehicle. However, the plans do not specify the exact dimensions or total area of the waste room. To ensure compliance, a permit condition will require the shared bin area to be increased, potentially by repurposing the space allocated for four bicycle spaces east of the bin room and relocating two bicycle spaces elsewhere, if feasible. This adjustment may reduce the total bicycle parking provision to 8 spaces, falling short of the Clause 52.34 requirement by two spaces. Given the site's location within a Principal Public Transport Network (PPTN), this minor reduction is considered acceptable. Additionally, a permit condition will require the provision of a private bin area for the heritage dwelling, located within its private open space, to demonstrate compliance with Standard E5-5. Collection of these bins will be undertaken by Council from the Doncaster Road frontage, as also noted in Council's engineering referral comments. A permit condition will also require submission of an updated Waste Management Plan to reflect the above two requirements.

Clause 57.05-6 Noise Impacts

Standard E5-6

Met

The plant equipment has been located on the roof top with screening on all sides to reduce noise impacts.

Clause 57.05-7 Energy efficiency for apartment developments

Standard E5-7

Met

The submitted Sustainability Management Plan (SMP) has been internally referred to Council's Sustainability Officer, who has reviewed the document and deemed it satisfactory.

Car Parking and Bicycle provision

8.32 Pursuant to Clause 52.06 of the Scheme, each one and two-bedroom dwelling is required to provide one vehicle space per dwelling and each three-bedroom dwelling is required to be provided with two vehicle space per dwelling.

8.33 Given that the site is located within the Principal Public Transport Network buffer area, no visitor car parking space is required and none can be imposed.

8.34 The development generates a requirement of 37 car parking spaces for the 34 dwellings (including the heritage dwelling). The proposal provides 40 spaces, meeting this requirement. However, there is a discrepancy between the decision plans, which show 39 spaces, and the Traffic Report, which confirms 40. Specifically, the allocation for Dwelling 205 is missing from the plans but included in the Traffic Report. A permit condition will require the plans to be amended to reflect the correct car parking allocation for Dwelling 205, consistent with the Traffic Report. The remaining 3 car parking spaces are proposed to be allocated to the dwellings at a later stage.

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

Design Standard	Assessment
1 – Accessways	- The accessway to the basement car park meets the minimum width and height clearance requirements. - A minimum 2.1 metre headroom has been provided beneath overhead obstructions. - A passing area measuring 5 metres wide by 7.2 metres long is provided at the vehicle entrance to the site. While this does not strictly meet the standard requirement of a 6.1 metre width, the proposed access arrangement featuring a left-in/left-out configuration separated by a traffic island has been reviewed by both the Department of Transport and Planning (DTP) and Council engineers and is acceptable. - 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. - Adequate visibility splay areas are provided at the frontage.
2 – Car Parking Spaces	Car parking spaces are provided in accordance with the dimensions and clearance areas required.

Design Standard	Assessment
3 – Gradients	• Driveway gradients have been assessed as compliant with the standard.
4 – Mechanical Parking	• No mechanical car parking is being proposed.
5 – Urban Design	• The double width crossover and driveway along the street frontage do not dominate the public realm. • The basement car park does not project significantly above the natural ground level along the Doncaster Road frontage.
6 – Safety	• Access to the residential car parking area is secured. The heritage dwelling is allocated two basement car spaces, accessible via the internal secondary pathway and the southern lift core. • Pedestrian access from the site frontages is clearly defined and legible.
7 – Landscaping	• The proposed landscaping is considered to soften the appearance of the driveway and the basement car park.

- 8.36 The access arrangements and traffic impacts have been reviewed by both Transport for Victoria and Council's Engineers, with no objections raised to the proposed development.
- 8.37 Pursuant to Clause 52.34 (Bicycle Facilities) of the Scheme, in a development of four or more storeys, one resident bicycle space is required to be provided to each 5 dwellings, and one visitor bicycle space is required to be provided to each 10 dwellings generating a requirement of 10 bicycle spaces.
- 8.38 The development provides for a total of 12 bicycle spaces within the basement car park, exceeding this requirement. However as discussed under Clause 57.05-5 (Waste and Recycling) a permit condition to increase the shared bin area may result in reduction in 2 bicycle spaces. Considering the location of the site within the PPTN, if at all any reduction is required, it is considered reasonable.

Objections

- 8.39 To date one objection has been received for the application.
- 8.40 An informal consultation discussion via telephone was held with the objector to discuss their concerns. The objector was advised that bedroom windows could not be screened and officers will assess the application against the provisions of the relevant standard.
- 8.41 A response to the grounds of objection is provided in the paragraphs below:

Off-site amenity impacts relating to privacy

- 8.42 As outlined in the Clause 57 assessment, the south-facing windows and balconies at the ground, first, and second floors comply with Standard E4-4 of Clause 57.04-4 (Overlooking). The standard excludes bedroom windows from the definition of habitable rooms; therefore, screening to these windows is not required.

- 8.43 However, the third floor south-facing balconies raise potential overlooking concerns. A permit condition will require either the provision of adequate screening to the southern edges of these balconies, or cross-sectional drawings demonstrating that views within 9 metres into the secluded private open space of the adjoining southern properties are effectively limited by existing boundary fencing, in accordance with Standard E4-4.

9. CONCLUSION

- 9.1 The proposal is considered satisfactory and positively responds to the objectives of the Manningham Planning Scheme with a high degree of compliance particularly with respect to urban design, height, massing, response to heritage dwelling, car parking and traffic. Minor changes are recommended through permit conditions which will result in a generally compliant outcome.
- 9.2 It is recommended that the application be approved subject to conditions.

10. DECLARATION OF CONFLICT OF INTEREST

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