

ADDENDUM TO ITEM 4.1 PLANNING APPLICATION PL16/026448 AT 268-272
MANNINGHAM ROAD, TEMPLESTOWE LOWER

1. CONSULTATION / NOTIFICATION

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

1.2 ~~Three (3)~~ Five (5) objections were received, from the following properties:

- 31 Philip Avenue, Doncaster;
- 35 Philip Avenue, Doncaster (adjoining property to the south);
- 37 Philip Avenue, Doncaster (adjoining property to the south);
- 1/8 Macedon Road, Lower Templestowe (Podiatry Practice within Bulleen Plaza);
- 13 Winters Way, Doncaster.

1.3 The grounds of objection can be summarised as follows:

- Off-site amenity impacts including overshadowing, overlooking and loss of privacy, and continuous built form with no visual relief (an upper level graduation is suggested);
- Excessive site coverage of more than 60%;
- Excessive impervious surfaces and increased stormwater runoff;
- Inadequate landscaping opportunities along the southern site boundary due to the basement excavation and planting within easements;
- Impacts of the excavation on adjoining properties;
- Increase in traffic along Manningham Road, which will cause safety and congestion problems;
- Design of basement and reduction of car parking is insufficient and will increase car parking problems within the area (Manningham Road and onto adjoining neighbouring streets);
- There are other Medical Centres in the immediate area servicing demand;
- Inadequate waste and storage areas.

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

2. ASSESSMENT

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

2.2 The assessment is made under the following headings:

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

Use

2.3 The use of the land for a medical centre is supported by local policy at Clause 22.05 of the Manningham Planning Scheme, as the site is located within close proximity to the Macedon Square Activity Centre and is located on a main road (Manningham Road).

2.4 The use of the land for a medical centre is also supported under the zone (Residential Growth Zone), and it is noted that a purpose of the zone is to allow *“non-residential uses to serve local community needs in appropriate locations”*.

2.5 The proposed hours of operation (Monday to Friday 8am to 8pm, Saturday 8am to 5pm and Sunday 9am to 5pm) for the medical centre are considered appropriate for such a use and will not result in any unreasonable amenity impacts. The hours will be restricted by a permit condition (**Condition 32**).

Built form and landscaping

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

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

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

	<p>1146 square metres and upper level of 883 square metres) and the incorporation of a large void over the entry atrium on the north-eastern part of the building, it is not considered unreasonable to require some of the built form to be taken off the most sensitive interface to the adjoining properties to the south.</p> <p>A permit condition will therefore require the upper level of the southern wall opposite the properties on Philip Avenue to be recessed at least one metre from the southern edge of the ground level to provide graduation and reduce the sense of visual bulk (Condition 1.1).</p> <p>It is considered that the section of the southern wall opposite 2 Madeleine Street on the south-western corner of the building does not need to be graduated given the limited length of this wall facing the adjoining property to the south-west and the screening is provided by an adjoining tree.</p>
<ul style="list-style-type: none"> • Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Met</p> <p>Although the building is not stepped, it is cut into the slope of the land on the northern and eastern sides to respond to the slope and reduce its visual impact on the adjoining properties.</p>
<ul style="list-style-type: none"> • Avoid reliance on below ground light courts for any habitable rooms. 	<p>Not applicable</p>
<ul style="list-style-type: none"> • Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Met</p> <p>The level of articulation provided is considered acceptable for a commercial building. As discussed above, graduation will be required on the section of the southern wall opposite the adjoining properties on Philip Avenue to further reduce the sense of visual bulk to this sensitive interface.</p>
<ul style="list-style-type: none"> • Ensure that the upper level of a three storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Not applicable</p>
<ul style="list-style-type: none"> • Integrate porticos and other design features with the overall design of the 	<p>Met</p>

building and not include imposing design features such as double storey porticos.	No imposing design features are proposed.
<ul style="list-style-type: none"> • Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation. 	<p>Met</p> <p>The building is cut into the slope of the land on the northern and eastern sides to respond to the slope and reduce its visual impact on the adjoining properties.</p>
<ul style="list-style-type: none"> • Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Met</p> <p>South-facing upper level windows are obscure glazed to limit overlooking.</p>
<ul style="list-style-type: none"> • Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities. 	<p>Met subject to condition</p> <p>The main entry of the building is clearly defined. However, it is not considered to be accessible for people of all mobilities given there are steps between the footpath and the front entry. The applicant has submitted a discussion plan (received by Council on 18 January 2017) to demonstrate how a disability access ramp can be provided between the footpath and the building. This ramp will be required by a permit condition (Condition 1.7).</p>
<ul style="list-style-type: none"> • Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	<p>Met</p> <p>The projection of the basement is limited to the north elevation at the front of the site and does not result in an excessive building height as viewed by adjoining properties to the east, south and west.</p>
<ul style="list-style-type: none"> • Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site. 	<p>Met</p> <p>The basement car park is not clearly visible from the site frontages.</p>
<ul style="list-style-type: none"> • Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking. 	<p>Met</p> <p>Car parking is provided within the basement.</p>
<ul style="list-style-type: none"> • Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established. 	<p>Met</p> <p>A rear setback of 4 metres is provided to most sections of the rear boundary and allows sufficient space for effective in-ground landscaping.</p>
<ul style="list-style-type: none"> • Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces. 	<p>Met</p> <p>The walls are set back adequately from site boundaries to allow for landscaping and effective screen planting. The concept landscpae plan shows landscaping can be</p>

	provided along all side and rear boundaries.
<ul style="list-style-type: none"> Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces. 	Met subject to condition A condition will require service equipment to be appropriately screened to limit amenity impacts (Conditions 20 to 22). A condition will also require any services within the frontage to be designed so they complement the overall development (Condition 1.6).
<p><u>Car Parking and Access</u></p> <ul style="list-style-type: none"> Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback. 	Met Only one vehicle crossover is proposed and it is set back 2.6 metres from the closest street tree.
<ul style="list-style-type: none"> Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary. 	Met Extensions of the basement beyond the ground level are minimal and generally not visible from beyond the site.
<ul style="list-style-type: none"> Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling. 	Not applicable
<ul style="list-style-type: none"> Ensure that access gradients of basement carparks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	Met Gradients of the driveway comply with Design Standard 3 in Clause 52.06-8 of the Manningham Planning Scheme.
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity. 	Not applicable
<ul style="list-style-type: none"> On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity. 	Met subject to condition The submitted concept landscape plan shows that canopy trees can be planted within the front setback. This requirement will also be included as a permit condition (Condition 11.1).
<ul style="list-style-type: none"> Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous 	Met subject to condition The submitted concept landscape plan shows adequate planting can be achieved

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

Off-site amenity

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

Noise

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

Overlooking

2.9 The ground level windows are adequately screened by boundary fencing and will not allow overlooking into the adjoining properties.

2.10 Windows have been designed to limit overlooking to adjacent dwellings. The upper level west and south-facing windows are obscure glazed up to 1.7 metres above the finished floor level and there are no east-facing upper level windows within 9 metres of the eastern site boundary that would allow unreasonable overlooking.

Overshadowing

- 2.11 It is considered that the development will not result in unreasonable overshadowing concerns to the adjoining properties to the south (33, 35, 37 Philip Avenue), given the building is set back at least 4 metres from the southern site boundary and cut into the slope of the land.
- 2.12 The property at 35 Philip Avenue is set back only 8.7 metres from the common boundary, which is less than the dwellings on the other lots and includes a swimming pool within the rear secluded private open space area. Although shadows cast by the development will cover the rear portion of this property and the swimming pool, the amenity impact will not be unreasonable as the extent of shadows will not generally extend beyond the shadows already cast by the boundary fence. The conditions requiring the design of the first floor southern wall to be graduated and articulation to the upper level wall will also further reduce overshadowing impacts (**Conditions 1.1 and 1.2**).
- 2.13 Whilst the proposal will cast shadows into the adjoining properties to the west, the impact is considered acceptable as the building is set back at least 6.2 metres from the adjoining dwellings and the impact will be limited to the period before 12 noon.

Safety

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

Car parking, access, traffic and bicycle parking

Traffic

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

Access

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

Car parking

- 2.17 Pursuant to Clause 52.06 of the Manningham Planning Scheme, the car parking rate for a medical centre use is 5 spaces for the first person providing health services plus 3 spaces to every other person providing health services. The proposed medical centre with 30 medical practitioners providing health services, requires the provision of 92 on-site car parking spaces. As 82 car parking spaces are provided on-site, a reduction of 10 car parking spaces is sought.
- 2.18 The proposed reduction has been assessed against the decision guidelines in Clause 52.06-6 of the Manningham Planning Scheme and is supported and considered acceptable for the following reasons:

- The Car Parking Demand Assessment submitted with the application, provides support for the proposed car parking rate based on an empirical assessment of similar medical centres (Manningham Medical Centre and Epping Medical Centre).
- Bus services are available on Manningham Road.
- Council's Engineering and Technical Services Unit supports the proposed reduction in car parking and the on-site car parking provision.

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

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

Bicycle parking

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

Objector concerns

Built form, visual bulk and overshadowing

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

Site coverage

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

Permeability and drainage

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

Excavation and easements

2.24 It is not considered that the excavation will impact on the adjoining properties, given the retaining wall and basement are set back approximately 2.7 metres and 4 metres from the southern site boundary respectively. The Building Surveyor for the development will be responsible for ensuring that the proposal will not result in damages or other impacts to the adjoining properties.

2.25 A permit condition will require any planting within the easements to be shallow rooted (**Condition 11.3**).

Overlooking

2.26 In relation to overlooking and loss of privacy concerns, plans show that the south-facing upper level windows will be obscure glazed up to 1.7 metres, which

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

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

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

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

2.28 The basement design and access to the basement has been designed to meet the Car Parking and Access Requirements of Clause 52.06. Permit Conditions (**Conditions 27-29**) require line marking for car parking spaces, direction of traffic along lanes/driveways and design to allow all vehicles to enter and leave the site forward direction.

2.29 VicRoads have specifically required an amendment to the access arrangement (**Condition 41**), to require suitable access for an SUV size car (B85 car), allowance for vehicles to turn around when the car park is closed and the edges of the access to be 60% to ensure suitable turning/access. It is anticipated that this would include the creation of an altered or widened access way or passing bay at the entrance, to accommodate this.

2.30 As discussed under the Assessment Section (2.17-2.20) of this Report; the proposed reduction of 10 car parking spaces has been considered under Clause 52.06-6 of the Manningham Planning Scheme and is supported as acceptable for the following reasons:

- The Car Parking Demand Assessment submitted with the application, provides support for the proposed car parking rate based on an empirical assessment of similar medical centres (Manningham Medical Centre and Epping Medical Centre);
- Bus services are available on Manningham Road;
- Council's Engineering and Technical Services Unit supports the proposed reduction in car parking and the on-site car parking provision.

There are other Medical Centres in the immediate area servicing demand

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

Inadequate waste and storage areas

2.32 As discussed under the Assessment Section (6.3) of the Council Report; the Engineering and Technical Services Unit have assessed the proposed waste and storage areas and support the application. Their comments are as follows:

- It is agreed that the Private Waste Collection Contractor will be required to undertake waste collection from the development.
- Waste Collection needs to occur within the property boundary.
- No bins can be left outside the property boundary for any reason.
- The Waste Management Plan (WMP) needs to detail how the collection contractors will enter and exit the site, access each bin, as well as include plans showing sufficient turning facilities, swept path diagrams, turning circles and relevant height clearances (**Condition 5**).

2.33 No concerns have been raised regarding the adequacy of the space available of the waste and storage areas.

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