

## Planning Application PL15/025922 at 25-35 Park Road, Donvale for forty-five dwellings

Responsible Director: Director Planning & Environment

File No. PL15/025922

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

**Land:** 25-35 Park Road, Donvale  
**Zone** General Residential Schedule 3  
**Applicant:** Taouk Architects (Owner: Donvale Garden Estate Pty Ltd)  
**Ward:** Mullum Mullum  
**Melway Reference:** 48J5  
**Time to consider:** 16 September 2016

### SUMMARY

*It is proposed to construct forty-five, two-storey dwellings on a vacant parcel of land (area - 1.3729ha) which has frontage to Park Road, directly to the south of part of the Eastern Freeway Linear Reserve. Site works are required to remove some trees and to adjust levels. Part of the works involves the construction of a stormwater retarding basin at the north-western corner of the site. Other service alterations will be required due to the placement of a sewer.*

*The overall dwelling density is 1 dwelling per 305m<sup>2</sup>, however, this figure is influenced by the inclusion of the retarding basin over which no housing will occur. Twenty-five dwellings will have three bedrooms and the remaining twenty will have four bedrooms (plan index is incorrect).*

*Vehicular access is to be provided from the local street system and entails the construction of a new public road section between Wrendale Drive and Langford Crescent (both of these streets currently terminate at the site boundaries).*

*Apart from two dwellings, all other dwellings will be served by a private road in an elongated loop configuration which will connect with the new road section in two locations. It is anticipated by the applicant that the private road and the retarding basin will be under the control of a future Owners' Corporation.*

*Each dwelling will have its own or a bifurcated driveway connection. Apart from one dwelling which relies on a single garage with a tandem space, all other dwellings will have a double garage. There will be a total of ninety resident car spaces and five communal visitor spaces located off the private road. Driveways will allow twenty eight visitors' cars to be parked in front of garages, if residents have only one or two cars.*

*There is no separate footpath system provided for the private road, but a 1.2m wide strip will be colour differentiated to one side, so as to encourage pedestrians to walk within this strip. Pedestrian connections are provided to Park Road and the northern parkland.*

*The application was advertised and forty-six objections were received.*

*Grounds mainly relate to increased traffic movement through local streets (with an inherent reduction of safety/local amenity and traffic delays at main intersections), overdevelopment of the land at a density not in keeping with the neighbourhood character, traffic/noise/safety impacts of construction traffic. Many objectors indicated that all vehicular access should have been provided from Park Road.*

*Council's traffic engineer is of the opinion that local streets are capable of handling the level of additional traffic which would stem from the proposed road connection between Wrendale Drive and Langford Crescent (as a result of the proposed housing) and that there are no inherent traffic engineering issues with the connection. Moreover, the connection would improve accessibility for emergency services and rubbish collection to the neighbourhood.*

*From a planning perspective, it is considered that the application does not provide satisfactory placement of a range of dwellings in respect of the road system (public and private) and as a result, there would be adverse streetscape and landscaping impacts which would detract from the proposal's ability to respond appropriately to the existing neighbourhood character.*

*There are also various layout issues which result in poor internal amenity as a result of overlooking and shadowing of private open space.*

*A range of Objectives are not met in terms of the Clause 55 (ResCode) assessment required by the Manningham Planning Scheme and there are concerns regarding the proposed private road/footpath design.*

*This report recommends refusal of the application.*

## **1 BACKGROUND**

### **Site Description**

- 1.1 The irregularly shaped site consists of two lots with a total area of 13,728m<sup>2</sup>. The land is vacant and was sold by VicRoads in 2014, on the basis that it was surplus to the needs of this authority. The land has a 62.98m frontage to Park Road. The frontage is fenced with woven wire and there is no vehicular access to this road. An indented bus stop with long tapers extends across much of the frontage.
- 1.2 The northern boundary has a dimension of 172.0m and abuts part of the Eastern Freeway Linear Park which is owned by VicRoads. The western boundary has a dimension of 93.94m and is abutted by two residential properties and the end of Wrendale Drive. The southern boundary has a dimension of 172.05m and is abutted by seven residential properties and the northern end of Langford Crescent.
- 1.3 The subject land is mainly grassed and open. Filling and alteration of the drainage pattern has occurred over the land as a result of VicRoad's ownership. The current relief of the land is characterised by a general fall from east to the west, with a level difference of 3.0m along the southern boundary and a level difference of 6.57m along the northern boundary. There is also fall to the north of between 1.86m and 5.28m, with the larger amount being at the western end.
- 1.4 There are two shallow valleys which converge and then terminate in a wide drainage basin located at the north-western corner of the land. One of these

valleys extends from the end of Langford Crescent, while the other is at the centre of the site in an east/west direction. Acting essentially as open drains, these areas can be affected by soakage and stormwater flow, including flooding under extreme weather circumstances.

- 1.5 The low point is drained by a 900mm stormwater pipe which extends under the parkland to the north. The associated open culvert (invert level of 111.8mAHD) also picks up overland flow from part of the VicRoad's parkland reserve immediately to the north.
- 1.6 The central valley is partly characterised by a row of dead or senescent pine and cypress trees which are considered to have no retention value. There are also twelve small deciduous trees in two rows near the northern boundary. These form part of a formal pattern of parallel rows which is established on the open space to the north. There is also some limited vegetation along the southern boundary, mainly on either side of the Langford Crescent abuttal.
- 1.7 Paling fences are located along the residential abuttals, while woven wire fencing is provided to the two "end of road" abuttals, as well as the northern boundary.
- 1.8 The site is affected by three easements. There is a 1.83m wide drainage and sewerage easement along the entire southern boundary. This contains a sewer. The sewer branches across between Langford Crescent and Wrendale Drive, being contained in a 1.83m wide sewerage easement. A 55.0m long, 2.01m wide drainage easement also extends north from the end of Langford Crescent. There are no Council drains on the land.
- 1.9 The main constraints of the site are considered to be -
  - The topographical and drainage characteristics;
  - The likelihood of fill over the land;
  - The existing easements;
  - The lack of existing vehicular access to Park Road and the abuttal of an indented bus stop across the frontage;
  - The need to consider traffic noise impacts from the EastLink Freeway; and traffic on Park Road (bus stop adjacent); and
  - The nature of residential abuttals.
- 1.10 In terms of positive attributes, the land is of generous area and can be modified through earthworks and a new drainage system subject to engineering approval. The abuttal of several road "ends" offers access options through the local street system and there are views and access opportunities in respect of the parkland and an associated cycle path system to the north. There are also some existing acoustic walls constructed close to the EastLink Freeway and where there are no walls, the freeway is set lower due to cutting. Bus services are also adjacent in Park Road.

### **Neighbourhood Description**

- 1.11 The site is within the north-eastern portion of a residential precinct which is broadly defined by the EastLink Freeway reserve to the north, Mitcham Road to the south-west and Park Road to the east.
- 1.12 This precinct shares similar housing characteristics to land on the eastern side of Park Road and is characterised by a curvilinear subdivisional layout which was commenced in the early 1960's. The initial subdivision terminated at Langford Crescent at the southern site boundary, with the subject land still being an orchard at this time.
- 1.13 The original housing is typical of this period with some evidence of newer house construction and several multi-unit developments, including a fourteen townhouse development at 163 Mitcham Road and a five dwelling development at 11 Langford Crescent. There is also a spread of two dwelling developments, being mainly located along Park Road.
- 1.14 Gardens are generally well established with a good presentation of canopy trees, many of which are native species. In the local streets, there is a range of frontage treatments, with some being open and others having low fences.
- 1.15 The subject land is not considered to be an "island site" and instead is interpreted as being an integral part of this housing precinct with the potential for relatively straightforward road connection to the local street system, as was originally envisaged through the primary subdivision.
- 1.16 The site has abuttals with a total of nine residential properties (west and south), all containing single dwellings which are generally elevated on the side which faces the site. All are provided with paling fences to the common boundary. These vary in height and are generally in good condition.
- 1.17 Surrounding development is described as follows:

Direction	Address	Description
North	Eastern Freeway Linear Reserve	<p>This is a public reserve which is suited to informal passive recreation.</p> <p>The open space near the site is grassed and formally treed in a pattern which recognises the orchard history of the area. The deciduous trees are still young and will develop to create an interesting character.</p> <p>There is a wide grassed batter down to the Eastern Freeway Trail (cycle/pedestrian link) and some elevated concrete sound attenuation walls beyond.</p>
South	23 Park Road, Donvale	<p>This lot has a side boundary common with the site. It contains an older, single storey, brick house with a hipped/tiled roof and a</p>

Direction	Address	Description
	1 Clements Avenue, Donvale	<p>setback of 9.1m from Park Road. There is a carport on the northern side and a cement sheet garage to the rear. There is heavy shrub screening along part of the common boundary, but several habitable room windows have views to the site (wall setback approx. 5.5m). The frontage is stepped 5.0m forward of the site's frontage.</p> <p>This lot has a rear boundary common with the site. It contains an older, single storey, brick house with a hipped/tiled roof. Several large habitable room windows and an elevated rear verandah offer views to the site (wall setback is approx. 19.0m).</p>
	3 Clements Avenue, Donvale	<p>This lot has a rear boundary common with the site. It contains an older, single storey, brick house with a hipped/tiled roof and a flat roofed double garage with an infill section to the back boundary. Several small habitable room windows face the site (wall setback approx. 17.0m).</p>
	5 Clements Avenue, Donvale	<p>This lot has a rear boundary common with the site. It contains a single storey, brick house with a hipped/tiled roof and a large rear verandah to one side. Some screening is provided by tall shrubs on the rear boundary, however, there are still views to the site from a large habitable room window and the verandah (wall setback approx. 19.0m).</p>
	7 Clements Avenue, Donvale	<p>This lot has a rear boundary common with the site. It contains an older, single storey, brick house with a hipped/tiled roof. The house is angled diagonally down the lot and presents a narrow end wall to</p>

Direction	Address	Description
	9 Clements Avenue, Donvale	<p>the site. A large habitable room window in this wall is largely screened by an adjacent tree (corner setback approx. 12.5m). Dense screen planting is becoming established along the rear boundary. An in-ground swimming pool is within the north-eastern portion of the rear yard.</p> <p>This lot has a rear boundary common with the site. The lot contains an older, split-levelled, timber house with a hipped/tiled roof. There is a carport under the high northern end and a verandah facing the site (wall setback approx. 10.0m). The property features some tall eucalypts, pines and other under-storey planting which provide quite good screening from the site. The house has a minimum side setback of approx. 4.0m to Langford Crescent, with no fence and some tree planting to the nature strip. Submitted plans do not show the side boundary line to Langford Crescent and incorrectly provide setback details to the road pavement.</p>
	16 Langford Drive, Donvale	<p>This wedge shaped lot has a side boundary common with the site. It contains a single storey, brick and "Shadowclad" dwelling with a low metal sheet roof over the older section. A new flat roofed extension has been added to the northern end since the applicant's survey plans were completed, so this is not shown on the submitted plans. The new section is high and quite close to the common boundary. Several habitable room windows offer views over the sloping side fence. A roofed outdoor space is to the rear. The house has a minimum front setback of 7.9m and is served by 2 crossovers, with the northernmost accessing a garage below the main floor level. There is no front</p>

Direction	Address	Description
		fence.
East	28-30 Park Road, Donvale  32 Park Road, Donvale	<p>This property contains five brick dwellings served by a central driveway. The front two dwellings are two-storey. A paling fence is provided to the frontage. There is a wide, grassed nature strip in front, with a bus stop.</p> <p>This lot contains a recently built, two-storey house which presents to Savaris Court. There is no vehicular access to Park Road and there is a paling fence to the frontage.</p>
West	18 Wrendale Drive, Donvale  23 Wrendale Drive, Donvale	<p>This triangular lot has a side boundary common with the site. It contains a painted, brick house with a metal sheet roof. The house is quite high on the eastern side and there is garage parking under the main floor. A series of large habitable room windows in the long eastern wall faces down the site, these being above the height of paling fence. A small front balcony and a rear covered entertaining area also offer views (approx. side setback 2.7m). The front setback to Wrendale Drive is 5.88m (to a corner). There is no front fence, but planting is provided. There is a crossover near the end of Wrendale Drive.</p> <p>This lot has a side boundary common with the site. It contains a single storey, brick house with a hipped/tiled roof and a flat roofed carport to the common boundary. There is an elevated side verandah and several windows and a door with views over the site. There is a minimum side setback of approx. 4.0m. Some screening is provided by trees.</p>

Direction	Address	Description
		There is a crossover near the end of Wrendale Drive.

- 1.18 Park Road is a Council link road with a single traffic lane in either direction. There is a constructed footpath and an open grassed area within the nature strip adjacent to the site (with electrical supply poles). The speed limit past the site is 60kph. No parking is possible adjacent or opposite the site due to bus stops. The road does not appear to attract on-street parking in the vicinity of the site.
- 1.19 Wrendale Drive is a Council local street which connects with Mitcham Road (4 traffic lanes with a central median) at a wide “T” intersection. Cars can turn left or right here and sight lines are good in either direction. A “Keep Clear” zone is provided for the two lanes adjacent to the intersection. The central median is not wide enough for safe “propping”, so gaps in the two traffic flows must be synchronised in order to turn right from the intersection in a single movement.
- 1.20 Wrendale Drive has a trafficable width of approximately 7.3m and has constructed footpaths on either side. The road slopes down to the site boundary where there is a “T” turn around treatment. There is an “elbow” bend half way along the street. Unrestricted parallel parking is available along both sides of the street. There are only twenty-three dwellings with access to and from this street, so traffic flows are very light.
- 1.21 Langford Crescent is a Council local street, being served by Clements Avenue which is a short local street connecting with Park Road at a “T” intersection. Sight lines at this intersection are good. Both Clements Avenue and Langford Crescent have trafficable widths of approximately 7.3m. Unrestricted parallel parking is available along both sides of the street.
- 1.22 Langford Crescent extends to the north and south of the Clements Avenue intersection. The southern section is a cul de sac with a turning bowl at the end, while the northern section runs downhill to the site boundary, where it terminates without a turning space. There are only two residential properties abutting the northern section of this road. Grassed nature strips exist. Traffic flow in these streets is also very light, as there is no through traffic.
- 1.23 In terms of local zoning under the Manningham Planning Scheme, the site is zoned General Residential Zone Schedule 3. Land to the east and south of the site is zoned General Residential Zone Schedule 1. Land on the eastern side of Park Road is zoned General Residential Zone Schedule 3. Land to the north (Eastern Freeway Linear Reserve) is zoned Road Zone Category 1.
- 1.24 The site is well served by public bus transport on Park Road and Mitcham Road. Mitcham Station (rail) is also 1.7km away. A small strip of shops and a petrol station are located nearby, opposite the Park Road/Mitcham Road intersection. Another local activity centre is at the intersection of Springvale Road and Mitcham Road (medical centre opposite) being 1.2km by road from the site. Comprehensive shopping and service facilities are at Tunstall Square Activity Centre (Neighbourhood level) which is 2.17km by road from the site.



1.25 Donvale Reserve which includes sports ovals and tennis courts is 1.3km to the north-west, being adjacent to Mitcham Road. The Eastern Freeway Trail (cycle/pedestrian link) is close to the site and this route connects with the Koonung Trail and the East Link Trail. Cycle access to this path is available from Park Road.

1.26 Two primary schools are within 1.5km of the site.

### **Planning History**

1.27 This is the first planning application received in respect of this land.

1.28 The application was first lodged with Council on 23 December 2015 and proposed forty-six dwellings. Without having proceeded to the public notification stage, the application was amended to provide for forty-five dwellings on 18 July 2016.

1.29 Following the public notification stage, a Consultation Meeting (applicant /objector) was held on 28 September 2016. The meeting was well attended by local residents who were strenuously opposed to the proposed road connections to local streets. Traffic/parking impacts to local streets were discussed, along with concerns regarding the impact of construction vehicles and the perceived overdevelopment of the land. Objectors also outlined concerns regarding the level of compatibility with the prevailing well treed and spacious neighbourhood character.

1.30 Objectors expressed concern that Park Road had not been utilised as a proper frontage, with sole vehicular access provided from this arterial road. The planning consultant for the applicant discussed the proposal in general and outlined what he saw as the benefit of applying for a multi-unit development, rather than a small lot subdivision. It was suggested that further work could be done on the proposal.

1.31 On 6 October 2016, the applicant's planning consultant provided officers with a rudimentary sketch showing the deletion of the proposed road connection to local streets and an angled driveway at the south-eastern corner of the site (the entry of the indented bus bay) "punched through" a new gap in the proposed dwellings achieved through the deletion of Dwelling 16. There was a suggestion of some additional dwellings at the western end where the public road connection could be removed. A circle was also drawn in the middle of Park Road which was assumed to be a roundabout. The envisaged process to achieve this change was not indicated.

1.32 The officer response was to outline that the detailed assessment process had proceeded sufficiently to conclude that the application had inherent design and safety issues relating to the proposed private road. On this basis and considering the lack of any apparent design input from the applicant's traffic engineer, it was considered that there was little common ground for further discussion about access.

1.33 No further submissions were made to Council by the applicant.

## **2 PROPOSAL**

### **Overview**

2.1 The application was supported by plan documentation, including cut and fill details. No landscaping plan formed part of the final submission.

- 2.2 The following consultant's reports were also lodged-
- Planning report (Melbourne Planning Outcomes)
  - Traffic/Parking report (Traffix Group)
  - Storm Water Management Plan (Stormy Water Solutions)
  - Traffic Noise Report (AECOM Australia Pty Ltd)
  - Arboricultural Report (Carney & Stone).
- 2.3 Additional information (as a result of officer requests) was provided by the traffic consultant and the drainage consultant.
- 2.4 The proposal has been put forward as a multi-unit development for assessment under Clause 55 (ResCode) of the Manningham Planning Scheme. As with most multi-unit proposals, the subdivision of the land into lots is not proposed at this stage and would follow on from any planning approval which is issued for "construction of dwellings".
- 2.5 A new public road connection is proposed in the form of an "elbow" between the ends of Wrendale Drive and Langford Crescent. A modified stormwater retarding basin in a more defined space is to be constructed in the north-western corner of the land. A new electrical sub-station in the form of an above-ground kiosk is proposed to the side of Dwelling 27 with service access via a driveway to the proposed road connection (near the current end of Wrendale Drive).
- 2.6 Forty-five, two-storey dwellings are proposed. Four dwellings will have their front entries presenting to the new road. All others will present to a private access road (loop configuration) which will be in common ownership. Apart from Dwelling 43 which has a single space garage, all dwellings will have a double space garage, with many offering driveway parking opportunities in front (discussed in the Parking Provision section of this report).
- 2.7 The dwellings will display contemporary architectural form and the majority will be attached to at least one other dwelling, with only Dwellings 26, 27, 36 and 37 being detached.
- 2.8 There will be twenty-five, three bedroom dwellings and twenty dwellings with four bedrooms. The larger dwellings have a bedroom on the ground floor. Ten dwellings will abut the southern boundary, four will abut the Park Road frontage and thirteen will abut the northern boundary.
- 2.9 Site coverage (buildings) is shown at 36.47%, while pervious land surface is shown at 36.24%. The proposed dwelling density is 1 dwelling per 305m<sup>2</sup> of total site area.
- 2.10 More specific details of the proposal are provided as follows-
- Earthworks/Drainage modifications**
- 2.11 Prior to building commencement, all vegetation will be removed from the site and bulk earthworks will be carried out to establish correct levels for the road connection, the private access road, the altered retarding basin and the footprints for the dwellings. Generally, filling will occur through the centre of the site and along the north/south valley. Cutting of between 200mm and 1.0m will occur along part of northern area, while cutting of 200mm will occur over the western half of the southern area.

- 2.12 Earthworks will also occur in relation to the proposed retarding basin in the north-western corner to modify batters and establish cut lines for a proposed retaining wall system. These works will provide for increased storage capacity within a more defined space.
- 2.13 Some new batters associated with the retarding basin will be at a slope of approximately 1:4 and there will be several retaining walls of up to 1.7m high. The walls will follow the line of the safety rail shown on the Site/Ground Floor Plan. The basin floor will have a wetland character consisting of water tolerant plantings in a shallow marsh zone (water depth of 400mm under normal conditions). It is indicated that the basin has been designed to handle a 1:100 year storm event by providing upper levels of approximately 155mAHD. The system will include a pollutant trap.
- 2.14 The drainage infrastructure associated with the new public road will handle some limited stormwater flow from the Wrendale Drive and larger volumes from Langford Crescent, as well as the stormwater from the proposed development. This water will discharge into the retarding basin via a new pipe. Outfall drainage will be via an existing pipe which runs to the north.
- 2.15 No security fencing is shown between the road/private access road and the retarding basin.

#### **Building description and height**

- 2.16 The proposed dwellings are typical of current multi-unit design trends and include a mix of “flat top”, skillion and hipped/tiled roofs. All dwellings have a covered front porch. Proposed external materials include a palette of face brick, render, timber and sheeted panels.
- 2.17 All garage doors are provided with highlight fenestration. Dwelling window design complements the proposed designs. Floor to ceiling heights are conventional.
- 2.18 The flat roofed dwellings are generally less than 7.0m in height (from finished ground level), while the dwellings with higher roofs will be generally less than 8.0m in height (from finished ground level). Along the southern interface with existing housing, no dwelling height will exceed 7.73m above the natural ground level (takes into account some filling under Dwelling 25).
- 2.19 At the Ground Floor, the front walls of the dwellings are setback a range of distances from the edge of the private access road, with some being generous (Dwelling 29 - 4.6m) and others being minimal (Dwelling 43 - 1.75m, Dwelling 8 - 2.0m). Porches are located in the “front yard” setback, with porches to Dwellings 15, 17, 20, 21 and 22 being complemented by roof projections across the main wall (supported at one end by a blade wall). These structures are setback a minimum of 1.6m from the private access road.
- 2.20 At the upper floor, the front walls are generally stepped back from the lower wall, thus offering a greater setback. The majority of upper setbacks to the private access road are greater than 3.5m, but several are not, with the upper floors of Dwellings 3 and 43 being only 2.04m and 1.7m at the closest points. This is due to reverse articulation whereby the upper floor projects out from the lower wall.

- 2.21 The majority of dwellings have some level of party wall attachment at the Ground Floor, while all upper floors are separated to varying degrees (not less than 2.0m and generally quite generous).
- 2.22 The applicant's planning consultant has indicated that the front yards of the dwellings are to be in private ownership, thus requiring individual owners to maintain them. Each dwelling is provided with secluded private open space in the form of a rear/side yard, with some dwellings having a combination of such spaces. At least one of these "dual" yards will have direct access from a living room and is provided with a timber deck immediately adjacent. Externally accessible storage is provided through a combination of sheds (in yards), garage storage space and under-stair space.
- 2.23 External clotheslines and 2000 litre, free-standing water tanks are also proposed for each dwelling. No roof-top plant is depicted on the Roof Plan.
- 2.24 The Traffic Noise Report (AECOM Australia Pty Ltd) concluded that no sound attenuation features were required in respect of the dwellings as a result of traffic noise from the EastLink Freeway and none were included in the design.

**Building setbacks (to boundaries and the new road)**

- 2.25 There are no "front setbacks" to existing roads, however, Dwellings 12-16 will back onto the Park Road frontage, with varied setbacks at both floor levels. At the ground floor setbacks range from 5.4m (scaled) to 1.0m-1.1m (also scaled). Walls are stepped and there is no prevailing minimum.
- 2.26 The upper levels of these dwellings also have varied setbacks, with Dwelling 13 in the north-eastern corner being the closest to Park Road and with a minimum setback of 2.2m (to a main wall).
- 2.27 Along the southern boundary, a consistent minimum setback of 3.0m is provided at the ground floor, with varying garage setbacks creating stepping. Upper floor walls on this side have minimum setbacks of between 3.58m and 4.4m, with the majority being at 3.7m. Dwelling 26 which will adjoin the elevated dwelling extension at 16 Langford Crescent will have an upper level setback of 4.0m.
- 2.28 Along the northern boundary, a ground floor minimum setback of 2.2m is provided for eleven of the twelve dwellings, but with much greater setback to the garage walls, thus creating stepping. Dwelling 12 at the eastern end has a minimum setback of 4.72m.
- 2.29 At the upper floor, minimum setbacks range from 2.76m to 5.65m.
- 2.30 To the western boundary, Dwellings 26 and 27 have ground floor setbacks ranging between 5.0m (scaled) and 8.17m, while upper floor setbacks are not less than 8.0m.
- 2.31 Dwellings 25, 26, 27 and 45 will present walls to the proposed road and as such will have a "street frontage". The minimum setbacks of these dwellings vary due to the stepped wall lines and angled presentation of the dwellings.
- 2.32 The following minimum future street setbacks are shown-

Ground Floor Setback (minimum)	Upper Floor Setback (minimum)

Dwelling 25	3.0m to a corner	4.2m to a corner
Dwelling 26	8.15m to a corner	9.6m to a corner
Dwelling 27	4.17m to a corner	5.8m to a corner
Dwelling 44	2.9m to a corner	3.16m to a corner
Dwelling 45	2.73m to a corner	3.85m to a corner

### **Vehicular access and circulation**

- 2.33 It is proposed that the development will be accessed via a new road connection between Wrendale Drive and Langford Crescent. This means that all traffic into and out of the development will ultimately access either Mitcham Road or Park Road via the local street system.
- 2.34 The proposed public road connection would be built to generally match the pavement and nature strip widths of the adjoining local streets. A pavement width of 5.5m is nominated in the Traffix Group report. Footpaths (1.2m wide) are to be constructed on either side. Finished levels and gradients were not provided for the road. The proposed road would, however, be required to be constructed to Council specifications, if an approval is gained.
- 2.35 The proposed private access road will be generally 4.3m wide (bitumen surface) and will connect with the new road in two places, with the intersections being approximately 15.0m apart. The two associated openings will be 7.0m wide. The private access road narrows in two locations on the northern arm where two “bulges” are shown (in front of Dwellings 31-32 and Dwelling 35). The Traffic/Parking report refers to these as “narrowed sections” for speed control.
- 2.36 The private access road includes an integrated 1.2m wide trafficable footpath (concrete) on the “outside” edge and with no grade separation to the driveway pavement. This provides a combined trafficable width of 5.5m. No kerbs are shown on the submitted plan. Levels on the southern section of the driveway indicate road drainage towards the footpath side. It is not known where stormwater pits would be located.
- 2.37 The private access road is not shown with nature strips and what would eventually be the frontage of any future lots (in the event of subdivision of an approved development) will adjoin the trafficable pavement.
- 2.38 The private access road will be maintained by any future Owners’ Corporation (Council will have no responsibility). Council would be responsible for the maintenance of the public road connection.

### **Road and driveway illumination**

- 2.39 Public street lighting in accordance with current Australian Standards would be required to the new road section. Such details would be specified within an engineering construction plan which would be required by a condition, in the event of an approval.
- 2.40 Illumination of the private access road is proposed through “bollard lights” which are taken to mean low level, post-type lights connected to mains electricity via an underground supply. The lights are shown along both sides

of the private access road at wide intervals, being within the front yards of dwellings and adjacent to the circulation pavement.

- 2.41 The running and maintenance costs of the private access road lighting will be the responsibility of any future Owners' Corporation.

#### **Pedestrian circulation**

- 2.42 The Ground Floor Plan shows footpaths within the nature strips on either side of the new road section. The extent, width and materials of such paths would be specified on an engineering construction plan required by a condition, in the event of an approval. As there are no concrete footpaths at the lower end of Langford Crescent, the paths would terminate at the site boundary. Connections would be required to the existing footpaths within Wrendale Drive.
- 2.43 The Ground Floor Plan shows a 1.2m wide concrete footpath to one side of the 4.3m wide private access road. The plan also shows this footpath zone "bulging out" in one location on the southern section (in front of Dwelling 21). Being part of the trafficable surface means that when two cars pass, one car will be driving on the footpath. The applicant's traffic report indicates that this is not considered to be unsafe for pedestrians, due to the low traffic volumes and the expected slow speeds of the traffic.
- 2.44 The plan provides two other pedestrian path connections. Located in a 3.0m wide corridor between Dwellings 5 and 6, one path would connect with parkland to the north. Another path within a 2.9m wide corridor between Dwellings 14 and 15 will provide access to Park Road. Security gates are proposed to both paths.
- 2.45 Being within what will be Common Property of a multi-unit development (in the event of an approval and subdivision), none of the pedestrian paths associated with the private access road would be public, so persons from outside of the development would have no legal right of passage through the site.

#### **Landscape Theme**

- 2.46 No landscape plan was submitted for the current proposal. In the event of an approval, a detailed plan would be required by way of condition.
- 2.47 Based on the theme of an earlier plan for the superseded forty-six dwelling development (LCD-002 received on 23 December 2015), it is expected that eucalypts would be planted along the new road, acacias would be planted in front of the retarding basin and ornamental exotic trees would line the private access road, being planted within grassed front yards. Rear yards would have some shrub planting and a native or exotic tree. Screen planting in rows is shown along the southern boundary.
- 2.48 Mixed screen tree planting is shown as a possibility along the Park Road nature strip in front of the site frontage (subject to Council approval).

#### **Parking Provision**

- 2.49 Apart from Dwelling 43 which has a single garage and a tandem parking space in front, all other dwellings are provided with a double garage. This provides a minimum of ninety resident parking spaces. In addition, at least twenty-eight driveways to garages are capable of accommodating a parked car without any overhang off the driveway.

- 2.50 There are five communal visitor spaces towards the eastern end of the private access road. Depending on what rules are adopted by any future Owners' Corporation, parking may also occur along the private access road (presumably on the side opposite to the trafficable footpath).
- 2.51 Some limited on-street parking would also be available along the straight section of the proposed public road.

#### **Traffic Generation**

- 2.52 The applicant's traffic report estimates that on the private access road, no section will accommodate more than 150 vehicle trips ends (VTE) per day. In terms of overall traffic generation, it is estimated that the likely traffic generation rate will be 6.5VTE per dwelling per day, resulting in a total of 293VTE per day. The peak hour rate is calculated to be 0.65VTE per dwelling which translates to a total of 29VTE.
- 2.53 The report concludes that as the traffic from the development will be fairly evenly distributed between several local roads, there will not be any unreasonable impacts on the road network or associated intersections.
- 2.54 The report did not examine delay times at the local street intersections with Park Road and Mitcham Road, but this aspect has been considered as part of the officer assessment.

#### **Rubbish Collection**

- 2.55 A Waste Management Plan was provided with the application. As the applicant was advised that Council contractors would not collect waste from the private access road, the plan proposes private rubbish collection for all dwellings not fronting the proposed road connection (total of 41). The four dwellings which front the proposed public road could utilise Council kerbside collection.
- 2.56 All residents will be responsible for moving their bins to and from the collection points which are generally shown within the front yard of dwellings. The private contractor is expected to use a full-size truck (8.8m long) with rear lifting and a two man crew.

### **3 PRIORITY/TIMING**

- 3.1 The statutory time for considering a planning application is 60 days. The statutory time lapsed on 16 September 2016.
- 3.2 No Application for Review against failure to grant a permit (within the prescribed period) has been lodged by the applicant.
- 3.3 The nature of this proposal, along with the complexities of the site have meant that consideration of the application has been over a longer period than normal. Issues which may not have been immediately apparent when the application was first lodged have been brought out through the detailed assessment process and officer discussion.

### **4 RELEVANT LEGISLATION**

- 4.1 The Planning and Environment Act 1987 is the relevant legislation governing planning in Victoria. The Act identifies subordinate legislation in the form of Planning Schemes to guide future land use and development.

- 4.2 Section 60 of the Act outlines what matters a Responsible Authority must consider in the determination of an application. The Responsible Authority is required to consider:
- the relevant planning scheme; and
  - the objectives of planning in Victoria; and
  - all objections and other submissions which it has received and which have not been withdrawn; and
  - any decision and comments of a referral authority which it has received; and
  - any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.
- 4.3 Section 61(4) of the Act makes specific reference to covenants, however, this is not relevant because none of the lots are burdened by a covenant.
- 4.4 Pursuant to Section 79 of the Planning and Environment Act 1987, an applicant for a permit may apply to VCAT for review of the failure of the responsible authority to grant a permit within the prescribed time.

## 5 MANNINGHAM PLANNING SCHEME

### State Planning Policy Framework

- 5.1 The following clauses are seen as the most relevant to the subject application
- 5.2 **Clause 13.03-1 Use of contaminated and potentially contaminated land** seeks to ensure that potentially contaminated land is suitable for its intended future use and development. Applicants must provide information as required.
- 5.3 **Clause 15.01-1 Urban Design** seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. Strategies towards achieving this are identified as follows:
- Promote good urban design to make the environment more liveable and attractive.
  - Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.
  - Require development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate.
  - Ensure transport corridors integrate land use planning, urban design and transport planning and are developed and managed with particular attention to urban design aspects.



- Encourage retention of existing vegetation or revegetation as part of subdivision and development proposals.
- 5.4 **Clause 15.01-4 Design for Safety** seeks to improve community safety and encourage neighbourhood design that makes people feel safe. The strategy identified to achieve this objective is to ensure the design of buildings, public spaces and the mix of activities contributes to safety and perceptions of safety.
- 5.5 **Clause 15.01-5 Cultural Identity and Neighbourhood Character** seeks to recognise and protect cultural identity, neighbourhood character and sense of place. Strategies towards achieving this are identified as follows:
- Ensure development responds and contributes to existing sense of place and cultural identity.
  - Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.
  - Ensure development responds to its context and reinforces special characteristics of local environment and place.
- 5.6 **Clause 15.02-1 Energy and Resource Efficiency** seeks to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.
- 5.7 **Clause 16.01-1 Integrated Housing** seeks to promote a housing market that meets community needs. Strategies towards achieving this are identified as follows:
- Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations.
  - Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.
- 5.8 **Clause 16.01-2 Location of Residential Development** seeks to locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport. Strategies towards achieving this are identified as follows:
- Increase the proportion of housing in Metropolitan Melbourne to be developed within the established urban area, particularly at activity centres, employment corridors and at other strategic sites, and reduce the share of new dwellings in greenfield and dispersed development areas.
  - In Metropolitan Melbourne, locate more intense housing development in and around activity centres, in areas close to train stations and on large redevelopment sites.
  - Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.
  - Facilitate residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water efficient design principles and encourages public transport use.

- 5.9 **Clause 16.01-4 Housing Diversity** seeks to provide for a range of housing types to meet increasingly diverse needs. Strategies towards achieving this are identified as follows:
- Ensure housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.
  - Support opportunities for a wide range of income groups to choose housing in well serviced locations.
- 5.10 **Clause 16.01-5 Housing affordability** seeks to deliver more affordable housing closer to jobs, transport and services.
- 5.11 **Clause 18.02-5 Car parking** seeks to ensure an adequate supply of car parking that is appropriately designed and located.
- 5.12 **Clause 19.03-2 Water supply, sewerage and drainage** covers community service infrastructure and in particular calls for urban stormwater drainage systems to reduce peak flows, enhance flood protection and to reduce litter intrusion.

#### **Municipal Strategic Statement (Clause 21)**

- 5.13 **Clause 21.03 Key Influences** identifies that future housing need and residential amenity are critical land use issues. The MSS acknowledges that there is a general trend towards smaller household size as a result of an aging population and smaller family structure which will lead to an imbalance between the housing needs of the population and the actual housing stock that is available.
- 5.14 This increasing pressure for re-development raises issues about how these changes affect the character and amenity of local neighbourhoods. In meeting future housing needs, the challenge is to provide for residential redevelopment in appropriate locations, to reduce pressure for development in more sensitive areas, and in a manner that reasonably respects the residential character.
- 5.15 **Clause 21.05 Residential** applies to development in a General Residential Zone. This policy outlines the division of Manningham into four Residential Character Precincts. The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available.
- 5.1 The site and land immediately to the east is not within an area covered by the precincts. However, land to the south of the site is within Precinct 1 – Residential Areas removed from Activity Centres and Main Roads. An “incremental level of change” is anticipated in this precinct, with a “less intensive urban form”.
- 5.2 **Clause 21.05-2 Housing** has the following relevant objectives:
- To accommodate Manningham’s projected population growth.
  - To ensure that housing choice, quality and diversity will be increased to better meet the needs of the local community and reflect demographic changes.
  - To ensure that higher density housing is located close to activity centres and along main roads in accordance with relevant strategies.

- To promote affordable and accessible housing to enable residents with changing needs to stay within their local neighbourhood or the municipality.
  - To encourage development of key Redevelopment Sites to support a diverse residential community that offers a range of dwelling densities and lifestyle opportunities.
  - To encourage high quality and integrated environmentally sustainable development.
- 5.3 The strategies to achieve these objectives include:
- Encourage the provision of housing stock which responds to the needs of the municipality's population.
  - Promote the consolidation of lots to provide for a diversity of housing types and design options.
  - Encourage and guide higher density residential development close to activity centres and along main roads identified as Precinct 2 on the Residential Framework Plan 1 and Map 1 to this clause.
  - Encourage development to be designed to respond to the needs of people with limited mobility, which may for example, incorporate lifts into three storey developments.
  - Support an incremental level of change that respects existing neighbourhood character in residential areas developed post 1975 identified as Precinct 4 on the Residential Framework Plan 1 and Map 1 to this clause.
  - Investigate the most appropriate suite of planning controls to achieve the desired outcomes for Key Redevelopment Sites.
- 5.4 **Clause 21.05-4 Built form and neighbourhood character** has the following objective:
- To encourage residential development that enhances the existing or preferred neighbourhood character of the residential character precincts as shown on Map 1 to this Clause.
- 5.5 The strategies to achieve this objective include:
- Require residential development to be designed and landscaped to make a positive contribution to the streetscape and the character of the local area.
  - Ensure that where development is constructed on steeply sloping sites that any development is encouraged to adopt suitable architectural techniques that minimise earthworks and building bulk.
  - Ensure that development is designed to provide a high level of internal amenity for residents.
  - Require residential development to include stepped heights, articulation and sufficient setbacks to avoid detrimental impacts to the area's character and amenity.
- 5.6 **Clause 21.10 Ecologically Sustainable Development** is relevant to this application. It outlines a number of objectives and strategies to address key areas of ecologically sustainable development under the following headings

building energy management, water sensitive design, external environmental amenity, waste management, quality of private and public realm and transport.

### **Clause 22 Local Planning Policies**

5.7 **Clause 22.08 Safety through urban design policy** includes the following objective:

- To provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham.

5.8 Key design matters (relevant to this application) are as follows-

#### Building design

- The location of building entrances and windows maximise opportunities for passive surveillance of streets and other public spaces.
- Buildings be orientated to maximise surveillance of entrances and exits from streets.
- Building design and layout avoid potential entrapment points, such as “blind” alcoves and “dead-ends”.

#### Street layout/access and subdivision

- Streetscapes be attractive, and have clearly defined areas for pedestrian and vehicle movement by providing a nature strip, change in levels, different building materials and appropriate lighting.
- The streetscape should provide natural surveillance and visibility for pedestrians, drivers and occupants of adjacent buildings/properties.

#### Car parks

- The design, location and management of car parks promote public safety and maximise visibility and sightlines to eliminate hidden car spaces, blind corners and areas of potential entrapment.

5.9 **Clause 22.09 Access for disabled people policy** includes the following objectives:

- To facilitate the integration of people with a disability into the community.
- To ensure that people with a disability have the same level of access to buildings, services and facilities as any other person.

### **Clause 32 Residential Zones**

5.10 The site, Park Road (adjacent to the site) and land immediately opposite on Park Road are within the General Residential Zone Schedule 3. Residential lots immediately abutting the site are, however, within the General Residential Zone Schedule 3. Parkland to the north of the site is within the Road Zone Category 1.

5.11 **Clause 32.08 General Residential Zone** contains the following purpose statement:

- To implement the State Planning Policy Framework and the Local Planning Policy

- Framework, including the Municipal Strategic Statement and local planning policies.
  - To encourage development that respects the neighbourhood character of the area.
  - To implement neighbourhood character policy and adopted neighbourhood character guidelines.
  - To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.
  - To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.
- 5.12 A planning permit is required to construct two or more dwellings on a lot within this zone. Clause 55 (ResCode) is the assessment tool for buildings of up to four storeys in height.
- 5.13 Schedule 3 to Clause 32.08 General Residential Zone relates to “Post 1975 Residential Areas” and contains no special requirements in relation to Clause 55 standards.
- 5.14 **Clause 55 Two or more dwellings on a lot and residential buildings** applies to the overall development and sets out various Objectives which must be met. Various Standards are provided as a method of achieving the required Objective.

#### **Particular Provisions**

- 5.15 **Clause 52.06 Car parking** sets out parking rates and provides a decision making framework to vary such rates. The clause also sets out design standards for car spaces and vehicular access (including ramps). The required parking rate for a dwelling is as follows-
- One car space to each one or two bedroom dwelling, plus
  - Two car spaces to each three or more bedroom dwelling (with studies or studios that are separate rooms, counted as a bedrooms), plus
  - One car space for visitors to every five dwellings for developments of five or more dwellings.
- 5.16 This clause also sets out design standards for driveways and car park layout.
- 5.17 **Clause 52.34 Bicycle Facilities** does not apply, as no part of the development exceeds three storeys.

#### **General Provisions**

- 5.18 **Clause 65 (Decision Guidelines)** outlines that before deciding on an application, the responsible authority must consider, as appropriate:
- The matters set out in Section 60 of the Act.
  - The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
  - The purpose of the zone, overlay or other provision.

- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extent and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

**5.19 Clause 62 Uses, Buildings, Works, Subdivisions and Demolition Not Requiring a Permit** states that no planning permit is required for the use of land for a "Road" or associated works.

**5.20** Proposed Amendment C109 is a planning scheme amendment which aims to utilise updated flood modelling by Council and Melbourne Water as a basis for applying flooding overlays to affected areas throughout Manningham.

**5.21** As a result of the site's drainage characteristics, much of this area is affected by a proposed Special Building Overlay Schedule 2, with some peripheral land at the upper end of the east/west depression being within proposed Special Building Overlay Schedule 3.

**5.22** Proposed Special Building Overlay Schedule 2 would trigger the need for a planning permit for buildings and works, with consideration being given to establishing required floor levels for new dwellings.

## **6 PLANNING ASSESSMENT**

### **Overview**

- 6.1** The site is within a small, well defined housing precinct bounded by Park Road, Mitcham Road and the EastLink Freeway reservation and has full visual exposure to Park Road, both across the frontage and diagonally across VicRoad's parkland (viewed from the north-east). It is considered that this precinct is suited to an incremental level of housing change. Taking into account the larger size of the original house lots and the age of associated housing, there is likely to be on-going redevelopment for multi-unit housing in this precinct.
- 6.2** In terms of development potential, the site can be modified through earthworks to offer excellent opportunities for dwelling construction, without

any significant impacts to residential interfaces. The land is well served by bus transport, has public open space adjacent and is well connected via fully constructed local roads to the arterial road network, offering short driving times to Tunstall Square Neighbourhood Activity Centre or commercial and rail facilities in nearby Mitcham.

- 6.3 The site is therefore considered to be well suited to some form of multi-unit development. Whether this is achieved through a single development or through a series of smaller developments is not critical from a planning perspective. The opportunity to carry out a single development does, however, offer advantages in terms of simplifying infrastructure construction, managing construction activities (including truck access) and achieving architectural/landscaping continuity throughout.
- 6.4 Being such a large parcel of land means that a housing development over the entirety has the potential to generate its own sense of identity in terms of style and built form, especially as there are no planning impediments to a more contemporary style of housing.
- 6.5 However, with a proposed road connection to two abutting streets resulting in local traffic and pedestrians traffic movement through the development site (via the proposed public road reservation), dwellings which present to the proposed public road will be “read” as part of the wider streetscape, while there will also be lengthy views presented along the southern arm of the private access road. On this basis, it is important that the development presents appropriately in a setting that complements the “feel” of the neighbourhood. This also applies to the proposed retarding basin, as this open area will be highly visible at the bend in the proposed road.
- 6.6 From a general planning perspective, it is considered that the proposed development does not “hit the mark” in terms of the spatial presentation of a range of dwellings to the proposed road, the private access road and to the Park Road frontage.
- 6.7 There are also shortcomings in respect of the arrangement of secluded private open space at the western end of the central housing rows and landscape presentation issues.
- 6.8 Concern also exists in respect of how pedestrian access is to be achieved throughout the main part of the development (private access road) and the fact that cars and pedestrians are expected to share the same space for relatively long distances in a residential environment where distractions and possibly unexpected pedestrian movement may occur from front entries and driveways. This arrangement was utilised in respect of an intensive housing development at Morello Circle, Doncaster East and the general impression of how it is functioning is not particularly favourable.
- 6.9 Had the current development been for the subdivision of land into lots, it would have been assessed under Standard C20 of Clause 56.06-7 Neighbourhood street network detail objective. This standard provides design criteria for different levels of streets and roads. “Access place” applies to minor streets with shared traffic and pedestrian use (but with pedestrian priority) and for such streets a 5.5m pavement width is required for car use and a 1.5m wide footpath is required to one side, not less than 1.0m from the kerb.

- 6.10 The proposal has not followed this design approach, but rather combined both aspects of vehicular and pedestrian movement into a single entity (for the private access road), in order to maximise land availability for housing development. In other words, in the interests of a higher dwelling density, a more “space saving” internal access system has been adopted. While this approach may be reasonable for a much smaller housing development or for short lanes, it is not considered appropriate for development of this scale and with such long, straight sections of roadway.
- 6.11 Having considered the resident/objector concerns regarding the proposed road connection into the local street system, it is concluded that there is no justifiable traffic engineering basis on which to oppose such connection. Although a frontage exists to Park Road, the applicant is under no obligation to utilise this for access and Council must consider the proposal as presented.
- 6.12 It is recognised that the proposed use of local streets for vehicular access will result in a reduction of the amenity levels that are currently enjoyed by residents of the abutting local streets, but not to the extent that the character of the local streets or the liveability of homes will be significantly changed. Allowing for the expected increase in traffic through local streets, the character of the streets will become more like neighbouring streets, where there are higher traffic volumes due to greater street length and hence dwelling numbers.
- 6.13 The following detailed assessment of the application is made in respect of the relevant sections of the Manningham Planning Scheme:
- Clause 52.06 Car Parking**
- 6.14 Prior to a new use commencing or a new building being occupied, Clause 52.06-2 requires that the number of car parking spaces outlined at Clause 52.06-6 to be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the Responsible Authority.
- 6.15 This clause requires resident car parking at a rate of one space for each dwelling with one or two bedrooms and two spaces for each dwelling with three or more bedrooms. Visitor car parking is required at a rate of one car parking space for every five dwellings. What actually constitutes a “visitor space” is not defined by the Planning Scheme.
- 6.16 In terms of the required number of visitor car parking spaces (nine spaces), the proposal provides five communal spaces towards the eastern end of the private access road. It is estimated that safe public parking for at least four other cars would also be available along the proposed road connection at the western end of the site. In addition, many dwellings would be able to accommodate a visitor’s car in front of their double garage. Therefore, visitor parking requirements are considered to be satisfied.
- 6.17 The following table provides an assessment of the proposal against the seven (7) design standards at Clause 52.06-8:

Design Standard	Met/Not Met
1 - Accessways	<p><b>Met subject to a condition on any planning approval</b></p> <p>It is considered that this Design Standard relates</p>



	<p>primarily to driveways of the development which includes the private access road, but not the proposed new road connection which is built to a higher standard.</p> <p>The private access road has a width greater than 3.0m (the minimum width) and has appropriate radii. All driveways to garages have a minimum width of 3.0m. The driveways which abut the trafficable footpath are not provided with turning radii at the intersectional edges. The design appears to suggest that this is unnecessary due to the additional turning space provided by the trafficable footpath. This approach is not supported and would be required to be altered in the event of an approval.</p> <p>The required passing areas are provided where the private access road connects with the proposed public road. However, Council's Traffic Engineer has some safety concerns about northbound cars turning right into these intersections. A method to slow southbound cars is required, so as to improve reaction times (relates to the bend in the road and sight distances).</p> <p>Suitable visibility splays for vehicles egressing driveways can be achieved and garage openings are of compliant height.</p>
2 - Car Parking Spaces	<p><b>Met subject to a condition on any planning approval</b></p> <p>The internal dimensions of the garages and the size of the communal visitor parking spaces are satisfactory. However, several garages appear not to provide a 6.0m clear length for parking due to storage allocation at the end. Any planning approval would rectify this through a permit condition.</p>
3 - Gradients	<p><b>Met</b></p> <p>Gradients of the private access road and all driveway gradients are compliant.</p> <p>In the event of an approval, a construction design plan would be required in respect of the private access road and the public road connection.</p>
4 - Mechanical Parking	<p><b>Not applicable.</b></p>
5 - Urban Design	<p><b>Met</b></p> <p>Parking, garage doors and accessways will not be visually dominating. Fenestration is provided to double garage doors and many garages are stepped back or have a different floor level in relation to the adjoining</p>

	garage (where they abut).
6 - Safety	<p><b>Met</b></p> <p>The five communal visitor car spaces will be safe to use and will be illuminated by the communal lighting system of the private access road.</p> <p>This clause does not specifically cover pedestrian safety along driveways and only refers to safety in parking areas. Overall, pedestrian safety within the development is, nonetheless, a matter which needs to be considered as part of the overall planning assessment and a shortcoming has been identified.</p> <p>This issue will be discussed in relation to Clause 55.03-7 Safety in the following section.</p>
7 - Landscaping	<p><b>Not Applicable</b></p> <p>This design standard relates mainly to open car parks where there is a need for landscaping and water sensitive urban design.</p> <p>In the event of an approval, the entire site would be subject to the approval of a detailed Landscaping Plan which would include planting adjacent to communal parking spaces (where practical).</p>

**Clause 55 Two or More Dwellings on a Lot**

- 6.18 This clause sets out a range of objectives which must be met. Each objective is supported by standards which should be met. If an alternative design solution to the relevant standard meets the objective, the alternative may be considered.
- 6.19 The following table sets out the level of compliance with the objectives of this clause:

OBJECTIVE	OBJECTIVE MET/NOT MET
<p><b>55.02-1 – Neighbourhood Character</b></p> <p>To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>To ensure that development responds to the features of the site and the surrounding area.</p>	<p><b>Not Met</b></p> <p>It is considered that the proposal fails to adequately respond or contribute to the existing neighbourhood character. Overall, there are areas where dwellings are very cramped in relation to their road frontage. This arrangement will contrast with the predominant spatial theme of the local area and will not enable adequate landscaping responses to be developed, in order to soften the presentation of the two-storey built form, both internally and externally.</p> <p>The proposed retarding basin will not present well from a landscape perspective due to the use of</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>high retaining walls and steep batters. A wider and more contoured design would create a better relationship with the adjoining houses (existing and proposed) and would then as a result, meld with the levels of the adjoining parkland in a more responsive manner.</p> <p>It is considered that a reduction in dwelling numbers is called for, so as to achieve a more spacious and landscape responsive private road/path system throughout, along with greater setbacks to road interfaces (proposed and existing).</p>
<p><b>55.02-2 – Residential Policy</b></p> <p>To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</p> <p>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</p>	<p><b>Not Met</b></p> <p>It is agreed that the site is suitable for medium density residential development due to its physical characteristics, location and the general availability of public transport, community infrastructure and services.</p> <p>The proposal is therefore considered to satisfy the primary strategic requirement for new housing within Clause 16.01-2. The site does not meet the criteria of a strategic redevelopment site under Clause 16.01-3, so there is no “open ticket” to a higher density development.</p> <p>In respect of Clause 16.01-4 Housing Diversity, the proposal will offer a range of house sizes and designs, but no real variation in type. However, this is not unreasonable within the existing neighbourhood context.</p> <p>It is considered that the proposal is non-compliant in respect of some strategies outlined in Clause 15.01-1 Urban Design. In particular, there are a number of design/setout shortcomings which make the development not as liveable as it should be. There are also some design/layout aspects that do not represent good urban design or a suitable response to the context of the site as part of this Donvale neighbourhood.</p> <p>In respect of Clause 15.01-4 Design for safety, there are perceived safety issues in respect of pedestrian infrastructure.</p> <p>In respect of Clause 13.03-1 Use of contaminated and potentially contaminated land, the history of the land would suggest that there is no likelihood of the land being contaminated.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>In respect of Clause 19.03-2 Water supply, sewerage and drainage, it is considered that the provision of a correctly designed retarding basin on the land will eliminate the likelihood of any flooding to the proposed houses or the road connection.</p> <p>In terms of Local Planning Policy, it is considered that although the site is not within a defined residential character precinct, the overarching character theme for this land can reasonably be linked to the classification of land to the south, where an “incremental level of change” is anticipated.</p> <p>The proposal will increase housing choice in the neighbourhood by providing modern homes which will be primarily constructed along a private road.</p> <p>In terms of Clause 21.05-4 Built form and neighbourhood character, it is considered that several strategies linked to the objective are not satisfactorily met. These relate to the provision of high levels of internal amenity for residents and the need to provide suitable setbacks to avoid detrimental impacts to the area’s character and amenity.</p>
<p><b>55.02-3 – Dwelling Diversity</b></p> <p>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p><b>Met</b></p> <p>There is some variation in dwelling size, with all dwellings containing either three or four bedrooms. There is also some variety in proposed floor plans.</p> <p>The dwelling type is aimed at the “family” market.</p> <p>In this location, there is no inherent planning concern with the fact that dwellings are all of the same type.</p>
<p><b>55.02-4 – Infrastructure</b></p> <p>To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>	<p><b>Not Met (first Objective)</b></p> <p>The site has access to all services.</p> <p>The proposed retarding basin will act as a stormwater detention system and so regulate the flow of stormwater from the land. Council’s engineers have determined that the proposed retarding basin is satisfactory in terms of its capacity and outfall characteristics. There are however, engineering and planning concerns about the proposed slope characteristics/wall construction. It is also considered that the on-going maintenance requirements should not be the</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>responsibility of residents of the development.</p> <p>There is no evidence of service capacity issues in this location.</p> <p>While there are no related planning controls, the proposed placement of an electricity supply kiosk adjacent to the secluded private open space and a bedroom of Dwelling 27 is not considered to constitute a responsive or appropriate design approach.</p> <p>The relocation of the facility away from housing or the provision of greater separation is called for by the principles of general amenity.</p>
<p><b>55.02-5 – Integration With Street</b></p> <p>To integrate the layout of development with the street.</p>	<p><b>Met</b></p> <p>None of the proposed dwellings will face onto to an existing street, but five will present to a future street, being the public road connection. Consideration must therefore be given to this aspect.</p> <p>Four of the dwellings are provided with direct path access to the proposed public footpath, while Dwelling 45 relies on connection with its driveway.</p> <p>The orientation of Dwellings 25, 26, 27, 44 and 45 to this road connection is appropriate and will help to create an appropriate streetscape, especially as no fencing is proposed to the front yards.</p> <p>There are, however, setback concerns with some of the dwellings presenting to proposed road connection, as well as dwellings which back onto the Park Road frontage. These concerns are discussed in Clause 55.03-1- Street setback.</p>
<p><b>55.03-1 – Street Setback</b></p> <p>To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p><b>Not Met</b></p> <p>Under normal circumstances where a proposed dwelling faces an existing street, the required minimum setback from the street is derived from the methods set out in Standard B6 of Clause 55.03-1. In this case, there is no existing street onto which dwellings front, only a proposed section of street (being the public road connection).</p> <p>While Park Road provides an existing street frontage, in the context of the development proposal, it has been represented as a “back boundary”, almost as though there were other lots</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>to the east rather than a busy road.</p> <p>Comparison can be made to those dwellings in other subdivisions which present rear walls to Tree Reserves along arterial roads. However, in respect of the proposal, there is no treed buffer separating the residential boundary from the road reservation.</p> <p>The alignment of the Park Road frontage is also not consistent with the frontage of the dwelling to the south, being stepped 5.0m back from the front boundary of No. 23 Park Road.</p> <p>While it could be argued that the use of Standard B6 on this frontage to determine appropriate building setbacks is not the intended approach, the dwelling setbacks should, nonetheless, be responsive to any adjacent dwelling setback and ensure that proposed dwellings “sit well” in the streetscape and the wider neighbourhood context.</p> <p>In particular, the Park Road setbacks should allow for screen planting (a feature of the immediately abutting dwelling) and ensure that proposed dwellings do not “crowd” the frontage. This is important, as there will be considerable contrast between the nature of existing housing to the west, the proposed housing on the site and then the open parkland to the north. In addition, housing will be quite exposed to the street due to the open and wide nature strip and a lack of street trees in this location.</p> <p>Taking these aspects into consideration, it is considered that the setbacks which are provided to Park Road will not meet the component of the Objective which relates to neighbourhood character. This aspect is more important than the “efficient use of the site” component.</p> <p>Determining what is an appropriate setback is a subjective matter, but a 4.0m minimum for the ground floor walls along the boundary is seen as reasonable, especially if some other wall sections are set further back. This would allow screen planting within the respective yards to develop and offer an acceptable level of building separation to the street.</p> <p>In addition, all upper floors should be stepped further back from the eastern ground floor walls so as to provide a graduated height change.</p> <p>Taking into account the setbacks that are proposed</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>to Park Road (as little as 1.0m to Dwelling 13), it is considered that the proposed dwellings at this end of the site are not appropriately laid out and are not sufficiently respectful of neighbourhood character.</p> <p>As the proposed road connection links the development with the surrounding street network, a wider streetscape relationship is created between the five dwellings which are to present to the new road. There is also a more specific spatial relationship associated with Dwellings 25, 26 and 27 which adjoin existing dwellings in either Langford Crescent or Wrendale Drive.</p> <p>Consideration therefore needs to be given to the future street setbacks of Dwellings 25, 26, 27, 44 and 45.</p> <p>Dwelling 25 - Standard B6 recommends a 4.0m front setback for this dwelling, as the existing dwelling to the south (9 Clements Avenue) presents a side wall to what is proposed to be the common street. The proposal provides a minimum setback of 3.0m, with this distance increasing to 5.0m at the north-western corner. Given the presence of a solid blade wall projection to the side of the porch, and the form of the dwelling, it is considered that a 4.0m minimum setback is appropriate. On this basis, the dwelling is too close to the frontage.</p> <p>Dwelling 26 - This dwelling has a generous front setback of not less than 8.15m and so responds well to the setback of the adjacent dwelling at 16 Langford Crescent (minimum setback of 7.9m). The recommended setback of Standard B6 is met.</p> <p>Dwelling 27 - This dwelling is effectively a "corner" property. Standard B6 recommends a 4.0m minimum front setback and this is achieved. There is also good transition between the larger setback of Dwelling 26 to the south, so the spatial relationship between dwellings will be "comfortable". The northern side wall setback of this dwelling is also compliant and responds well to the minimum front setback of the existing dwelling at 18 Wrendale Drive.</p> <p>Dwelling 44 - The "Development Context" range of Standard B6 does not immediately fit the circumstances of Dwellings 44 and 45, but it is reasonable to conclude that a 4.0m setback is the "best fit" dimension. Dwelling 44 has a stepped</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>front wall, with setbacks at corners of 2.9m and 3.0m. While it is recognised that walls are further back in part, it is nonetheless, considered that a 4.0m minimum should be applied to help maintain a more open streetscape presentation, especially given the two-storey built form.</p> <p>Dwelling 45 - This dwelling also has a stepped front wall due to the setback of the garage. The main wall has a corner which is only 2.735m from the frontage which is considered to be an inadequate setback distance.</p> <p>Although the private access road will effectively function as a street, it is considered that the Street Setback Objective does not apply to the remaining dwellings which face onto the private access road.</p> <p>There are, however, concerns that some of these dwellings are positioned too close to the driveway to ensure reasonable design/amenity/landscaping outcomes.</p> <p>This aspect is discussed in more detail within Clause 55.03-8 – Landscaping and Clause 55.06 Detailed Design.</p>
<p><b>55.03-2 – Building Height</b></p> <p>To ensure that the height of buildings respects the existing or preferred neighbourhood character.</p>	<p><b>Met</b></p> <p>Standard B7 requires that the maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. As there is no maximum height set by the zone provisions and no overlay, a maximum height of 9.0m (to Natural Ground Level) applies, unless certain slope criteria occur, in which case, a 10.0m maximum applies. These heights are not mandatory limits.</p> <p>Given the slope characteristics of the site, the 10.0m maximum height dimension applies.</p> <p>Natural Ground Level (NGL) is not defined by the Planning Scheme and when a site has been modified through earthworks there can be different opinions about what constitutes “natural ground”.</p> <p>As there is to be deep filling of the central valley, the existing ground level will be in some areas well below the finished site level. Given that some central dwellings are to be constructed over this fill, the height measurement (as per the “building</p>



OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>height” definition, is taken from the existing ground level. Despite this, the Standard is still met overall.</p> <p>In this regard, five dwellings are at or close to the 10.0m height due to deep filling below their envelope (Dwellings 1, 28, 30, 31 and 32).</p> <p>With two-storey built form throughout and no significant filling to the residential interfaces, the height of the dwellings is deemed to be satisfactory from a neighbourhood character perspective.</p>
<p><b>55.03-3 – Site Coverage</b></p> <p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p><b>Met</b></p> <p>There is no maximum site coverage specified in the schedule to the General Residential Zone, so on this basis, Standard B8 recommends a maximum site coverage of 60%.</p> <p>The proposed site coverage is 36.47% which is quite low for a development of this nature. This figure is, however, influenced by the inclusion of the new road reserve and the retarding basin in the site area figure.</p> <p>If these areas are deducted from the site figure, the residue “core housing area” (located east of the new road and the proposed retarding basin) is approximately 10,850m<sup>2</sup>. Based on this figure, the forty-three dwellings within this area would have a site coverage of approximately 46.0%.</p> <p>In both cases, the standard is easily complied with and it is considered that the Objective is met.</p> <p>Despite compliance with recommended site coverage figure, this report concludes that a more responsive layout is called for through a reduction in dwelling numbers. This would most likely be associated with a lower overall site coverage figure.</p>
<p><b>55.03-4 – Permeability</b></p> <p>To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p>	<p><b>Met</b></p> <p>The proposal has 36.24% of site area as a pervious surface which is greater than the 20% minimum amount recommended by the relevant Standard.</p> <p>Overall, there are considered to be adequate opportunities to absorb a percentage of rainwater into the ground.</p> <p>The proposed retarding basin will control the rate at which stormwater is discharged from the site.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<p><b>55.03-5 – Energy Efficiency</b></p> <p>To achieve and protect energy efficient dwellings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	<p><b>Met</b></p> <p>The proposed dwellings will be required to comply with State determined energy ratings at the Building Permit stage.</p> <p>It is considered that the two-storey buildings will be relatively efficient from a thermal mass perspective, particularly as concrete slab construction is proposed for the ground level.</p> <p>A high percentage of the dwellings will also have a living space with a northern window which is beneficial from a solar access perspective.</p> <p>Breeze paths through the dwellings are not excessive in length.</p> <p>The flat roof design of some dwellings would be particularly suited to the installation of solar panels for water heating and/or energy generation.</p>
<p><b>55.03-6 – Open Space</b></p> <p>To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</p>	<p><b>Met subject to conditions on any planning approval</b></p> <p>The proposal provides an open area in the north-western corner of the site for use as a retarding basin. However, this area will not be used as recreational space or be landscaped, other than through the planting of grass and the installation of water tolerant planting to its base area.</p> <p>While there is no pressing need for Dwelling1 (located immediately adjacent to the retarding basin) to present to the space, it is considered that there will be a poor layout synergy with part of the dwelling being placed hard up to the basin edge.</p> <p>The overall layout recognises the opportunity to connect the new housing with the public open space to the north (via a private walkway) and this is a positive feature which will increase future resident amenity.</p> <p>The Site Plan/Ground Floor does not nominate the type of fencing to be built along the northern boundary. While an open style of fencing would allow views of the parkland from ground level, it is likely that the majority of future residents would prefer a solid paling fence for security and privacy reasons.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>It would be appropriate from a drainage perspective to maintain wire boundary fencing adjacent to the retarding basin. Fencing details can be required through a permit condition in the event of an approval.</p> <p>As the private access road will be a private asset and security gates will be installed to the pedestrian lanes to the adjoining park and the Park Road frontage, there will be no thoroughfare across the site for existing residents living in adjacent streets.</p> <p>Currently, various large holes exist in the cyclone wire boundary fencing to the site, presumably to facilitate public access from local streets across the vacant land to the VicRoad's park. Human nature being what it is would suggest that local residents may continue to "short cut" through the site to and from the park, most likely via the eastern edge of the retarding basin.</p> <p>As Council's open space planner supports the concept of a public footpath connection between Wrendale Drive/Langford Crescent and the Eastern Freeway Linear Park, any planning approval for this land needs to be responsive to this issue.</p> <p>The proposal is not responsive in its current form, however, there is clear potential for a link to be achieved.</p> <p>This could be achieved by a planning condition requirement for a public pedestrian link (through the use of a Section 173 Agreement condition and the creation of a future easement of way at any subdivisional stage). A more spacious and gradually contoured retarding basin (with greater separation to any adjacent dwelling) would provide the opportunity for this option to be explored more fully.</p> <p>This lends weight to the conclusion that the retarding basin is too constrained in its area and form.</p>
<p><b>55.03-7 – Safety</b></p> <p>To ensure the layout of development provides for the safety and security of residents and property.</p>	<p><b>Not Met</b></p> <p>This Objective is considered to be met in terms of "security of residents and property" in that yard spaces will be fenced and there will be gates to the proposed pedestrian lane connections.</p> <p>Residents of dwellings which back onto parkland may feel vulnerable to persons "coming over the</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>back fence”, but this concern can be addressed by individual owners through the use of movement sensing flood lights to rear yards.</p> <p>In terms of safety, it is considered that there are two aspects to be considered. The first is the risk associated with the proposed retarding basin and the second is the risk associated with the proposed pedestrian circulation system of the private access road.</p> <p>In terms of the retarding basin, it is considered that as there will be some permanent water held in the basin and associated levels will vary (depending on the rainfall), the basin will represent the same sort of risk as could be linked to a swimming pool, dam or open drain. Given the proximity to proposed dwellings, there is a case for the provision of security fencing equal to that of a domestic swimming pool enclosure, along with secured gates for service access. This at least would discourage younger children from finding their way to the water (if they wandered). No such fencing is provided.</p> <p>The other matter relates to general safety for persons walking along the private access road. The applicant’s traffic consultant is satisfied with the shared pedestrian/vehicular arrangement and talks positively about the slow traffic speeds that can be expected.</p> <p>However, it must be remembered that there will be different age groups both walking and driving along the private access road and there is no guarantee that all drivers will drive slowly all of the time and that pedestrians and pets will stay on the path confines.</p> <p>With no kerb separation and no height difference between the path surface and the proper driveway surface, there would be no tactile indicator for drivers who may stray inadvertently onto the path section. With many distractions possible for drivers moving through such a housing development, there is increased risk of a pedestrian related accident.</p> <p>Support for the proposed shared pedestrian path/driveway is therefore not given and it is considered that any pedestrian path associated with the private access road should be grade separated and setback from the trafficable surface. Advice from Council’s traffic engineer supports this</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>conclusion.</p> <p>Given the above, the Objective is not met by the proposal.</p>
<p><b>55.03-8 – Landscaping</b></p> <p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>	<p><b>Not Met</b></p> <p>As this site is not of habitat importance and the mature vegetation on the land is in quite poor condition, it is considered that only the first and third Objectives need to be considered.</p> <p>It is recognised that a development of this nature will require the clearing of the whole site to achieve the necessary surface level adjustments and to provide construction access during the building process. As a result, there will be dependence on fresh landscaping to achieve a long term planting theme.</p> <p>In the event of an approval, Council would have the ability to generally specify species and locations for primary garden elements, such as street trees, screen planting to boundaries and canopy trees with private spaces.</p> <p>With no proposed landscaping plan provided, Council is left with the question of whether there is sufficient open space (private or common) to provide a satisfactory landscaping theme.</p> <p>It is considered that the answer to this question is no, with the main shortcomings being with the ability to provide a satisfactory tree planting regime along the private access road. The main constraint is seen to be the complete lack of common nature strips and the cramped front yard setbacks of many dwellings which are located quite close to the private access road.</p> <p>Another area of concern is in relation to the eastern boundary, where dwellings are in part quite close to the Park Road frontage and with limited opportunities to provide a good overall balance between screen planting to soften built form and useable secluded private open space.</p> <p>Taking into account the prominent position of the proposed retarding basin and its likely visibility to the general public, it is considered that the sides of</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>this space should be of sufficient width to provide a meaningful landscape treatment and that there should not be high exposed retaining walls built along the batters.</p> <p>For the above reasons, it is considered that two objectives are not met.</p>
<p><b>55.03-9 – Access</b></p> <p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>	<p><b>Met</b></p> <p>There will be only two dwelling crossovers constructed on the proposed public road section (being to Dwelling 26 and 27). These are well spaced and would be compatible with the pattern of crossovers in the local streets.</p>
<p><b>55.03-10 – Parking Location</b></p> <p>To provide convenient parking for resident and visitor vehicles.</p> <p>To avoid parking and traffic difficulties in the development and the neighbourhood.</p> <p>To protect residents from vehicular noise within developments.</p>	<p><b>Met</b></p> <p>As each garage is integrated into the respective dwelling design and has an internal door connection, resident parking is convenient. Many visitors will be able to park on the garage driveway of the dwelling they are visiting. Use can also be made of the communal parking spaces at the eastern end of the site.</p> <p>On-street parking for at least four cars would be available on the future public “Road” and there is potential for some limited parking along some sections of the private access road, on the side opposite to the trafficable footpath. Such parking could, however, impact on turning into and out of opposite driveways, so it would be appropriate for any Owners’ Corporation to mark the appropriate locations.</p> <p>The range of parking options throughout the development should ensure that under normal circumstances, there are no significant parking issues.</p> <p>There is not expected to be parking overspill into adjoining streets.</p> <p>Council’s traffic engineer has determined that the anticipated increase in traffic volumes through local streets serving the site are within normal limits and that there should be no unreasonable impacts.</p> <p>While it is recognised that the current “cul de sac” lifestyle characteristics will be lost, the reduction in general amenity associated with this aspect of the</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>proposal is not considered to be of sufficient weight to warrant a specific ground for planning refusal.</p> <p>The movement of cars around the site is not likely to generate any adverse noise impacts on future residents. There is, however, likely to be occasional and short term noise impact from rubbish trucks, as they circulate (which is not unusual).</p>
<p><b>55.04-1 – Side And Rear Setbacks</b></p> <p>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p><b>Met</b></p> <p>As there is no minimum distance specified in the schedule to the zone, Standard B17 provides a method of determining the minimum recommended wall setbacks from the rear or side boundaries.</p> <p>It is considered that the Park Road boundary is neither a side or rear boundary and setbacks for dwellings which adjoin this boundary have been discussed in Clause 55.03-1 – Street setback.</p> <p>In respect of this application, there is compliance with the wall height/setback standard, with most wall setbacks to side boundaries being in excess of the minimum.</p> <p>Minimum ground floor setbacks along the southern boundary (adjoined by the back yards of existing houses) are not less than 3.0m, with all garage walls being stepped further back. This setout is considered to be acceptable, particularly as there are some gaps provided between pairs of dwellings. Upper level setbacks are not less than 3.58m and again this is considered to be reasonable for this form of development, especially as the related wall sections are not long.</p> <p>Along the northern boundary, it is considered that all ground floor setbacks are acceptable. Dwellings 1, 2, 9 and 10 have upper wall sections which are setback approximately 2.7m. This is considered to be satisfactory, given that the abuttal is to a large open space where there will be no sense of “cramping”.</p> <p>Along the western boundary, there are only two dwellings with abuttal. These are setback large distances compared with the minimum requirements. This is beneficial to future residents</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	of these dwellings due to the visual/privacy impacts generated by the existing dwelling at 18 Wrendale Drive.
<p><b>55.04-2 – Walls On Boundaries</b></p> <p>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p><b>Not applicable</b></p> <p>There are no building walls built to boundaries.</p>
<p><b>55.04-3 – Daylight To Existing Windows</b></p> <p>To allow adequate daylight into existing habitable room windows.</p>	<p><b>Met</b></p> <p>Standard B19 sets out certain minimum requirements for daylighting to habitable room windows of existing houses. The standard is easily met as there are no existing habitable room windows within close proximity to the site boundaries.</p>
<p><b>55.04-4 – North Facing Windows</b></p> <p>To allow adequate solar access to existing north-facing habitable room windows.</p>	<p><b>Met</b></p> <p>There are no existing north-facing habitable room windows in close proximity to the site and hence, there can be no adverse solar access impacts.</p>
<p><b>55.04-5 – Overshadowing Open Space</b></p> <p>To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p><b>Met</b></p> <p>As demonstrated by the submitted shadow diagrams, at the control period (September Equinox), there will not be any unreasonable overshadowing of adjoining properties to the south or west of the site.</p> <p>Existing back yards to the south of the site are quite spacious and only a small percentage of the areas will be affected by shadow. A swimming pool at 7 Clements Avenue will be partly shadowed at 9.00am. From this time on, the shadow will reduce to no impact before 12.00midday. This impact will not occur during the warmer months of the year, so there are no amenity concerns.</p> <p>On this basis, both Standard B21 and the Objective are met.</p>



OBJECTIVE	OBJECTIVE MET/NOT MET
<p><b>55.04-6 – Overlooking</b></p> <p>To limit views into existing secluded private open space and habitable room windows.</p>	<p><b>Met</b></p> <p>The design requirements of Standard B22 are complied with, with all upper level habitable room windows that face south towards existing residential properties being provided with external sight screens.</p> <p>One upper level, habitable room window of Dwelling 26 faces the eastern wall of the dwelling at 18 Wrendale Drive (where there are elevated habitable room windows). However, as the distance between opposite windows is greater than 9.0m, the relevant standard is met and there is no requirement for screening.</p>
<p><b>55.04-7 – Internal Views</b></p> <p>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</p>	<p><b>Not Met</b></p> <p>Appropriate levels of internal privacy are provided in respect of habitable room windows and secluded private open space of dwellings located around the perimeter of the site.</p> <p>There is, however, a range of privacy issues apparent in respect of the central dwellings especially where dwellings back onto each other in close proximity. This impact is increased by the fact that many of the dwellings in the southern row have higher floor levels than the dwellings to the north, thus reducing the effectiveness of any intervening fence.</p> <p>There are however, instances of habitable room windows of opposite dwellings being located in close proximity and with no apparent screen between. Examples are Dwellings 31/41 and 32/40.</p> <p>There are also some instances where persons standing on a deck or at a habitable room window of one dwelling are likely to have views into the secluded private open space of an adjoining dwelling. For instance, there would be overlooking from the southern deck of Dwelling 29 to the rear yard of Dwelling 45. A similar problem would occur in relation to overlooking of the yard of Dwelling 32 from the meals room window of Dwelling 40.</p> <p>These issues could be rectified by installing sight screens above fencing and by moving some decks away from shared fencelines. Screening in the</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>form of obscure glass could also be provided to habitable room windows where an issue existed.</p>
<p><b>55.04-8 – Noise Impacts</b></p> <p>To contain noise sources in developments that may affect existing dwellings.</p> <p>To protect residents from external noise.</p>	<p><b>Met</b></p> <p>Subject to conditions on any planning approval</p> <p>There is no anticipated noise source from the proposed housing which is likely to impact on the existing dwellings adjacent to the site. The construction of dwellings on this land is in fact likely to reduce noise transfer from traffic the EastLink Freeway to those residences to the south of the site.</p> <p>Council does not engage its own acoustic engineers to assess planning applications. In circumstances where it is deemed that a problem may exist, the applicant for a planning permit will be required to provide an acoustic assessment.</p> <p>Such a report, relating to the impacts of current and future traffic noise impacts from the EastLink Freeway was provided by the applicant. The submitted report indicates that -</p> <p><i>“Noise levels are predicted to comply with VicRoads criteria of 63dB(A) at the proposed lot locations within the development for both year 2027 and year 2043 scenarios. Predicted noise levels are based on a 3% increase in traffic flow per year from the existing 2015 traffic volumes. No noise mitigation has been recommended.”</i></p> <p>No assessment was made in respect of noise impacts from traffic using Park Road. A site inspection of the eastern boundary by the planning officer, indicated that there was general traffic noise transfer to the eastern end of the site.</p> <p>It is a reasonable assumption that noise from such bus movements would impact markedly on the four dwellings which are to back onto Park Road. On this basis, it would have been appropriate to provide acoustic rated glass to the habitable room windows and doors which present to the eastern boundary. There is no notation to this effect. An increased setback would also be beneficial.</p> <p>In the event of planning approval, this could be</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	required through a planning condition.
<p><b>55.05-1 – Accessibility</b></p> <p>To encourage the consideration of the needs of people with limited mobility in the design of developments.</p>	<p><b>Met</b></p> <p>The related standard clarifies that to meet this objective-</p> <p><i>“The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.”</i></p> <p>All dwellings have front access doors that are either readily accessible or could be made accessible for persons with limited mobility. All front doors provide access to living space within the dwellings.</p>
<p><b>55.05-2 – Dwelling entry</b></p> <p>To provide each dwelling or residential building with its own sense of identity.</p>	<p><b>Not Met</b></p> <p>Each dwelling is provided with a sense of personal address and a level of shelter at the front entry.</p> <p>However, a number of dwellings (Dwellings 8 and 11 are examples) have their front entry paths located very close to the trafficable footpath, resulting in a cramped layout and a poor sense of entry.</p> <p>Other front entries are also shown facing directly onto rubbish bin collection points. These shortcomings are linked to the lack of continuity with front setbacks and the adoption of inadequate minimum distances.</p>
<p><b>55.05-3 – Daylight to new windows</b></p> <p>To allow adequate daylight into new habitable room windows.</p>	<p><b>Met</b></p> <p>Each external habitable room window within the proposed dwellings will receive an adequate level of daylight.</p>
<p><b>55.05-4 – Private open space</b></p> <p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p><b>Not Met</b></p> <p>Standard B28 provides a range of open space options for multi-unit development. These include ground level private open space, balconies or a roof-top terrace. For ground level open space, an area of 40m<sup>2</sup> is required with one part being to the side or rear with a minimum area of 25m<sup>2</sup> and a minimum dimension of 3.0m. Convenient access from a living room is also required.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>Overall, the proposal achieves compliance with the Standard.</p> <p>In terms of layout, there is a clear deficiency with the arrangement of the rear yards of Dwellings 28, 29, 43, 44 and 45. In particular, Dwelling 45's secluded private open space is adjoined by the secluded private open space of the other four dwellings, resulting in poor general amenity and "crowding".</p> <p>This dwelling also is shown with a full height kitchen window opening onto the secluded private open space of Dwelling 44 (Ground floor plan and elevation). This is assumed to be an error.</p> <p>The poor arrangement of secluded private open space in respect of the abovementioned dwellings is considered to be a product of having one too many dwellings at the western end of the private access road. It is considered that Dwelling 45 should have been omitted to allow for an alternative floor plan for Dwelling 44 and a better open space arrangement for the remaining dwellings.</p> <p>Other factors relating to front setback support this conclusion.</p>
<p><b>55.05-5 – Solar access to open space</b></p> <p>To allow solar access into the secluded private open space of new dwellings and residential buildings.</p>	<p><b>Not Met</b></p> <p>Private open space should be located on the northern side of a dwelling if appropriate. The only standard relating to the Objective is based on a secluded private open dimension calculation linked to the height of any wall on the northern side of secluded private open space.</p> <p>Allowing for the fact that a range of dwellings have their secluded private open space on the northern side of the dwelling, the main consideration needs to concentrate on Dwellings 17 to 25 along the southern boundary and Dwellings 28 to 35 which have all or part of their open space to the south of the respective dwelling.</p> <p>In respect of the southern row of dwellings, it is apparent that the required standard is not met in respect of any of the yards to the south of the dwellings. With a typical wall height of approx. 7.0m (double storey walls), a setback to the southern edge of the open space of 8.3m is required to allow reasonable sunlight availability at</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>the southern part of the open space. With a range of upper floor walls setback much closer to the southern boundary, the results are very poor for these spaces.</p> <p>To compensate for this, the design provides for separation between pairs of dwellings with alternative secluded private open space areas between. These areas contain the main decks/sitting areas for the respective dwellings and will receive sunlight during the middle of the day, as the sun moves across the sky. Whether this is an acceptable result is debatable. Overall, it is considered that a more balanced result should have been sought by increasing the setbacks of walls from the southern boundary.</p> <p>In respect of the other rows under consideration, wider spacing of pairs of dwellings (with open space between) provides for longer periods of northern sunlight to these spaces, while deeper rear yards also assist in allowing some sun into these spaces throughout the day. Dwellings 28 and 29, however, have reduced amenity due to the fact that the rear deck areas are in shade all day.</p>
<p><b>55.05-6 – Storage</b></p> <p>To provide adequate storage facilities for each dwelling.</p>	<p><b>Met</b></p> <p>The provision of externally accessible storage for each dwelling is made available in a range of ways and is considered to be acceptable. The provision of recessed internal stores to some garages means that the additional garden sheds to the relevant dwellings are smaller than usual.</p> <p>This is beneficial from an internal presentation perspective.</p>
<p><b>55.06-1 - Design Detail</b></p> <p>To encourage design detail that respects the existing or preferred neighbourhood character.</p>	<p><b>Not Met</b></p> <p>The following Decision Guidelines are required to be considered by Council-</p> <ul style="list-style-type: none"> <li>• Any relevant neighbourhood character objective, policy or statement set out in this scheme.</li> <li>• The design response.</li> <li>• The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting.</li> <li>• Whether the design is innovative and of a</li> </ul>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>high architectural standard.</p> <p>The proposed architectural presentation throughout the development offers a contemporary statement that responds positively to the existing neighbourhood character. The overall concept is well conceived and none of the proposed dwellings stand out as being too large or bulky.</p> <p>The selection of building materials and finishes has been developed to complement design elements and will work well in the local context. Window design is attractive and well proportioned.</p> <p>Efforts have been made to vary roofline treatments/styles and this is seen as a positive feature.</p> <p>While not being specifically listed in this section of Clause 55, it is considered that the spatial arrangement of dwellings within a housing development such as this, is an important matter for consideration and one which is clearly linked to appropriate design response.</p> <p>What needs to be recognised with this design, is that the length and generally straight alignment of the two arms of the private access road will create internal streetscapes, with the rows of abutting dwellings extending for over 110.0m. The proximity of dwellings to the central accessways and the nature of their entries and front yards play an important role in determining how persons interpret the space and what opportunities will exist to develop planting themes which can soften the overall impact of the housing rows.</p> <p>It can be difficult to gauge how built form relationships will work and comparisons with existing development can assist. Morello Circle in Doncaster East provides an example.</p> <p>In respect of the two-storey houses which have been constructed to the private road in this existing development, front walls are mainly setback approximately 4.0m from a central driveway (with no nature strips). Various front entry porticos extend into the front setbacks.</p> <p>While opinions may vary as to whether this existing development (located within The Pines Activity Centre) is too congested, it can, nonetheless, be concluded that general wall setbacks of any less than 4.0m would not have represented a suitable</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>design response.</p> <p>The subject proposal provides a range of dwelling setbacks to the private access road, but only a relatively small number have setbacks which are at or greater than 4.0m. It is considered that a more consistent approach is called for, with an appropriate minimum being established.</p> <p>With some front walls being setback as little as 2.0m from the edge of the private access road and many prominent porch elements extending quite close to the driveway, it is considered that the proposed layout will be cramped in some areas and will not adequately respect the spatial and landscaping characteristics of the neighbourhood.</p>
<p><b>55.06-2 – Front Fences</b></p> <p>To encourage front fence design that respects the existing or preferred neighbourhood character.</p>	<p><b>Not Applicable</b></p> <p>Only four dwellings (Nos. 25, 26, 27 and 44) will have a front presentation to the future public road. None of these dwellings is proposed with a front fence.</p> <p>None of the other dwellings are proposed with fencing between the dwelling and the private access road.</p>
<p><b>55.06-3 – Common Property</b></p> <p>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>To avoid future management difficulties in areas of common ownership.</p>	<p><b>Met subject to conditions on any planning approval</b></p> <p>In the event of an approval and the future subdivision of the land to create individual lots for each dwelling, “communal open space” will consist of a sub-station envelope, the two walkways which provide access to Park Road /adjacent parkland and some pockets of unassigned open space along the private access road. The retarding basin is also proposed to be in common ownership.</p> <p>Costs such as public liability insurance, upkeep of the private access road/trafficable footpath, including drainage and lighting would be apportioned to the forty-three owners whose properties abut the private access road.</p> <p>In the event of an approval, a standard maintenance condition could be included in any permit.</p> <p>Unlike most multi-unit developments with a shared driveway system, the garden areas between the private access road and the walls of the dwellings</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>(and driveway connections) are not proposed to be in common ownership. This situation removes all responsibility for the upkeep of these spaces from the Owners' Corporation.</p> <p>As a result, if individual owners decided to not maintain their garden or to "modify" it, then overall presentation could be significantly downgraded. Examples of this situation exist in Morello Circle, Doncaster East where some front yards are completely overgrown, landscaping lacks synergy and in one case, a sloping yard has been roughly "carpeted" with artificial grass.</p> <p>Planning enforcement is also more difficult, due to the fact that individual owners need to be dealt with. Given the above, and the fact that there are some expansive open space areas adjacent to some dwellings (Dwellings 25, 28, 33, 36 and 44 for instance), it is considered that any approved plan should be required to denote the private access road setbacks as "future common property".</p> <p>In this manner, the areas would be maintained by contractors working for the Owners' Corporation. In addition, lighting bollards (or street lights) and the required electricity supply conduits would then be located in general common property, rather than common property easements.</p> <p>The proposed public road connection would be required to be constructed and illuminated to Council's satisfaction, as ultimately Council would be responsible for the upkeep of the public road and its drainage/lighting.</p>
<p><b>55.06-4 – Site Services</b></p> <p>To ensure that site services can be installed and easily maintained.</p> <p>To ensure that site facilities are accessible, adequate and attractive.</p>	<p><b>Met subject to conditions on any planning approval</b></p> <p>There are no apparent difficulties in respect of the supply and future maintenance of services to the proposed dwellings.</p> <p>No details are provided in respect of fire services which would be assessed and made compliant as part of any building permit that may be issued.</p> <p>Lighting of the private access road is proposed via bollards lights which is considered to be a poor option for such a long accessway. Overhead lighting with appropriate levels of illumination and</p>



OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>spacing is considered to be more appropriate.</p> <p>Dwellings abutting the proposed public road connection will be able to utilise Council waste collection. These dwellings will be provided with three rubbish bins.</p> <p>All other dwellings will be served by a private rubbish collection service. Under the proposed Waste Management Plan, these dwellings will have two bins for rubbish and recyclables. Green waste is to be collected by “the future landscape contractor”.</p> <p>Three dwellings (Nos.15, 38 and 44) have access constraints for rubbish bin movement, in that there is either no garage doorway access to the yard or no side gate. Several other dwellings have stairs from the yard to the garage door access which would make bin movement difficult for some residents. These issues could be addressed by permit conditions in the event of an approval.</p> <p>Mail deliveries would be to individual letterboxes located predominantly in front of the dwellings. From a design perspective, it would be beneficial if there was control over the letterbox design, with perhaps a range of standard options being put forward. This issue could be addressed by a permit condition, in the event of a permit being issued.</p> <p>Fixed clotheslines of an appropriate size are provided within secluded private open spaces.</p>

## 7 CONSULTATION

- 7.1 The application was advertised by erecting three signs (Park Road frontage and at the ends of Langford Crescent and Wrendale Drive). Letters were also sent to forty-two residential properties, as well as VicRoads/ConnectEast. Forty-six objections were received, with some households generating more than one objection.
- 7.2 An objection was also received from ConnectEast which is the concessionaire of EastLink, pursuant to a grant by the State (not a referral authority).
- 7.3 Details are as follows:

Affected Property
1 Langford Crescent, Donvale
2 Langford Crescent, Donvale

<b>Affected Property</b>
3 Langford Crescent, Donvale
5 Langford Crescent, Donvale
7 Langford Crescent, Donvale
10 Langford Crescent, Donvale
12 Langford Crescent, Donvale
15 Langford Crescent, Donvale
15A Langford Crescent, Donvale
16 Langford Crescent, Donvale
1 Wrendale Drive, Donvale
2 Wrendale Drive, Donvale
3 Wrendale Drive, Donvale
4 Wrendale Drive, Donvale
6 Wrendale Drive, Donvale
6A Wrendale Drive, Donvale
7 Wrendale Drive, Donvale
8 Wrendale Drive, Donvale
9 Wrendale Drive, Donvale
10 Wrendale Drive, Donvale
11 Wrendale Drive, Donvale
12 Wrendale Drive, Donvale
13 Wrendale Drive, Donvale
14 Wrendale Drive, Donvale
1/15 Wrendale Drive, Donvale
2/15 Wrendale Drive, Donvale
16 Wrendale Drive, Donvale
17 Wrendale Drive, Donvale
18 Wrendale Drive, Donvale
19 Wrendale Drive, Donvale
21 Wrendale Drive, Donvale
23 Wrendale Drive, Donvale
4 Clements Avenue, Donvale
7 Clements Avenue, Donvale
9 Clements Avenue, Donvale
21 Park Road, Donvale
Land to the north (objection from ConnectEast Pty Ltd)

**Grounds:****Neighbourhood Character/Design Aspects**

- The proposal is an overdevelopment.

- The dwelling density is too high and not in keeping with the predominant residential character of the neighbourhood.
- The general form of the development including lot size, site coverage, setbacks, open space provision, driveway width and parking location is not responsive to the character of the existing housing of the neighbourhood.
- Larger lots for each dwelling would be more compatible with the local residential character/fabric.
- Building designs are bulky and layout is “tightly packed”.
- Architectural style is repetitive may not complement the neighbourhood.
- None of the housing is “lower cost” to make it more affordable.
- No communal open space provided on-site and no playground for children.
- No provision for additional community services.
- Dwelling setbacks and height do not respect the local housing.
- Private access road is too narrow at 4.3m (excludes the integrated footpath).
- Insufficient landscaping opportunities to respond to the “leafy” character of Donvale.
- Private open space provision for the dwellings is limited and not suited to “family living” which characterises Donvale.
- Land to be occupied by Dwellings 26 and 27 should be public open space.
- The future Owners’ Corporation may not maintain the large retarding basin.

Response

- There is general agreement that the proposed layout is not sufficiently responsive to the neighbourhood character and that improvement is called for in respect of internal setbacks to any private road system and the Park Road frontage.
- Based on the type of houses that are proposed and taking into consideration the layout issues which have been identified, it is agreed that a reduction in dwelling numbers is called for.
- Site coverage, building height, private open space, parking and setback analysis is provided in the Clause 55 assessment. There is reasonable compliance with most Objectives, except mainly in relation to building setbacks from Park Road, the proposed road connection and the private access road and the layout of some proposed back yards.
- Building design is considered to be acceptable in the neighbourhood context and there are no “bulk” issues.
- There is no statutory requirement for play facilities and there is an opportunity to use adjacent parkland for passive recreation.

- The scale of the development does not generate a need for any community services.
- There is no recognised planning precedent requiring the developer to provide a “low cost” housing component for a development of this scale.
- The Clause 55 assessment recognises that additional landscaping opportunities are called for.
- Safety concerns have been identified in respect of the design of the proposed private access road.
- Council’s engineers have indicated that improvements are required to the design of the proposed retarding basin and have provided appropriate design guidelines which require the removal of high retaining walls. It is also now considered that as the site constitutes only 25% of the total catchment area, it would be more appropriate for Council to own and maintain the area.

#### **Traffic impacts /Access design**

- All vehicular access should have been restricted to Park Road (which is the address of the subject land) – possible roundabout could be constructed here.
- Traffic generation figures provided in the applicants Traffic Report are out of date and are likely to be much higher during peak periods.
- Increased traffic flow/congestion in local streets which access this development will result in lower safety levels and make rubbish collection more difficult.
- Local streets which provide access are narrow and characterised by on-street parking resulting in dangerous limitations for increased traffic flow.
- Extraneous traffic enters Wrendale Drive already (looking for a shortcut).
- Wrendale Drive and Langford Crescent both have bends which increase traffic risk.
- On-street parking in Wrendale Drive makes it difficult to reverse out of driveways safely.
- Increased delays at the intersection of Wrendale Drive/Mitcham Road and the intersection of Clements Avenue/Park Road which are difficult to turn out of; especially at peak periods.
- Applicant’s Traffic Report does not address impacts at the above intersections.
- Cars on Mitcham Road can use Wrendale Drive T intersection as part of U turn movement.
- Proposed “Road” connection will increase the incidence of “rat running” by extraneous traffic.
- Private access road does not have a carriageway width of 5.5m due to inclusion of the footpath.
- No local support for the proposed “Road” connection.

- Emergency vehicles may find that access is difficult.
- Traffic flow will be concentrated along Wrendale Drive, rather than Langford Crescent and Clements Avenue.
- Residents tend to walk along the road pavement in Langford Crescent and Clements Avenue due to a lack of constructed footpaths (additional traffic will be a danger).

#### Response

- There are many instances where properties with a particular street address, have vehicle access from an adjoining street to which they also have a frontage.
- At the pre-application stage, Council officers did not believe there was a need to reject the applicant's proposal to connect the site through the local street system. This view was based on the fact that such access was originally envisaged when the area was subdivided and there were perceived benefits in respect of street connectivity/rubbish collection.
- The applicant has had ample opportunity to seek specialist engineering/traffic advice regarding the possible construction of an alternative access arrangement and has decided to continue with the current proposal. On this basis, Council must assess the access arrangements based on advice from its traffic engineer.
- Council's traffic engineers have made an independent assessment of the likely traffic impacts on local streets (as a result of the proposed housing) and considers that the likely impacts are not onerous, with local streets having sufficient capacity to handle the traffic increases without adverse safety consequences. It is anticipated that the development will generate an additional 30 vehicle movements in the peak periods, which will be distributed across Wrendale Drive, Langford Crescent and Clements Avenue. The additional traffic generated is unlikely to significantly increase congestion in the local road network. Officers can inspect local streets and consult with residents if parking restrictions become warranted.
- Council's traffic engineers accept that the submitted traffic generation figures are appropriate for this type of housing.
- In respect of "potential rat running", motorists attempting to undertake a short cut from Mitcham Road to Park Road via the proposed new connection of Wrendale Drive and Langford Crescent will be required to give way to Park Road traffic. It is unlikely that this route would reduce travel time as a result.
- Motorists attempting to undertake a short cut from Park Road to Mitcham Road via the proposed new connection of Wrendale Drive and Langford Crescent would only undertake this manoeuvre to turn right into Mitcham Road. There are limited gap opportunities to turn right from Wrendale Drive into Mitcham Road and this option is not considered a favourable option.

- Officers can monitor concerns such as “rat running” and if warranted in future, traffic management measures could be considered. The proposed development is unlikely to alter existing driver behaviour of those not residing in abutting local streets.
- Council’s traffic engineers have indicated that a rate of 6.5VTE (as applied) is consistent with the ‘*Guide to Traffic Generating Developments*’ – Road and Traffic Authority, and is considered to be appropriate for this development. A rate of 10.7VTE as suggested by objectors is considered to be too high.
- The proposed inclusion of a footpath within the trafficable width of the private road is not supported. The principles underpinning conventional subdivision design require a 5.5m wide carriageway, in addition to a 1.5m wide pedestrian path.
- The proposal will have no adverse impacts on public rubbish collection and would simplify this process by connecting two local streets.
- In the event of any pedestrian hazards being identified in local streets as a result of increased traffic and the lack of constructed footpaths, Council has the option of installing sealed footpaths as may be deemed necessary.

#### **Parking Provision/Local impacts**

- An inadequate amount of car parking is provided within the development site (Some families will have more than two cars).
- Five dedicated visitor spaces are insufficient for a development of this scale and Planning Scheme requires nine visitor spaces.
- Proposed private access road is too narrow to accommodate parallel parking.
- Local streets will be used for “overflow parking” and this will make it harder for rubbish collection.
- Parking restrictions may need to be introduced in local streets.
- Double garages appear to be smaller than normal and may not accommodate 2 cars, particularly with storage areas provided.
- Nearby residents of a Mitcham Road unit development sometimes park in Wrendale Drive.

#### **Response**

- The proposed parking provision is considered to satisfy the statutory parking requirements of the Manningham Planning Scheme.
- Options exist for visitor parking on driveways and along parts of the proposed circulation system and this parking will supplement the designated communal parking spaces.
- The majority of households (74.4%) in Manningham own 2 or less vehicles. In the event of a resident owning a 3<sup>rd</sup> vehicle

they can accommodate this vehicle within their property in front of their garage. It is noted that in general, the number of households with 3 or more vehicles is steadily reducing within Manningham.

- There is no apparent reason as to why overflow parking would occur into local streets.
- Several garages appear not to provide a 6.0m clear length for parking due to storage allocation at the end. Any planning approval would rectify this situation through a permit condition.
- Any existing on-street parking in Wrendale Drive would be lawful and is not a matter for consideration in respect of this application.

### **General Amenity**

- Increased noise from traffic and new households.
- Increased pollution in local streets.
- Loss of view from existing dwelling.
- Loss of safety for residents who currently live in a quiet “child friendly” cul de sac environment.
- Land was previously “earmarked” for public open space.
- Garbage bins may be stored in front of dwellings due to space constraints.
- Overlooking from windows and shadowing of yards.
- Too many people will be concentrated into a small area and there may be adverse social consequences.
- Bus services in Park Road are widely spaced.

### **Response**

- Residential streets can generally carry volumes up to 2000 vehicles per day before residential amenity is adversely affected by traffic noise. It is recognised that there will be some noise increase in adjoining local streets as a result of the proposed development, but not at levels that would disrupt local suburban lifestyles.
- Any increased pollution from car fumes is not a valid planning concern.
- Whilst it is recognised that views may form part of residential amenity, there is no specific controls within the Manningham Planning Scheme that protects residents’ rights to a view. It is not considered that the extent of views lost or the significance of the view would warrant refusal or modification of the application.
- It is recognised that with increased traffic flow through local streets, there will be a reduction in the safety levels associated

with cul de sac housing. This is an acceptable consequence, given the design and spare capacity of the local streets.

- The subject land is now in private ownership and is capable of being developed under the current land use zoning.
- In terms of bin storage, any approved plan would show the envisaged location for on-site rubbish bin storage. Such locations are required to be obscured from public view.
- Overlooking and shadowing is considered within the Clause 55 assessment and there are no unreasonable impacts.
- The social make-up of future residents is not a planning concern.
- The spacing of bus services is not a planning concern.

### **Construction Impacts**

- If construction vehicles access the site through the local street network there will be significant safety and amenity impacts due to the nature of the roads.
- There will be significant amount of truck traffic generated to service building operations (likely to include articulated vehicles).
- Considerable construction noise and dust over a long period.
- Construction worker parking must occur on-site not in local streets.
- Possible disruption to services.

### **Response**

- Construction activities associated with the development will be temporary. The Planning Permit will require the preparation of a Construction Management Plan (CMP) which will include consideration of access arrangements.
- It is agreed that there is potential for amenity and possibly safety impacts to occur in local streets serving the site during the construction of any major development project on the subject property.
- With heavy machinery, road making vehicles, cement trucks, dump trucks and semi-articulated vehicles being typically required to access the site over a long period of time, it would be desirable for truck access during the construction phase to be limited to a temporary access from Park Road. This may be required to be achieved over part of the adjacent VicRoad's parkland, if there are safety issues with the operation of the bus stop.
- If such temporary access was achieved, any approved development plan would need to provide for some degree of staging to ensure that the truck access remained available until the final part of the development was completed.
- If temporary access to Park Road could not be achieved for trucks and road making equipment, then all access would need



to occur through local streets. This is possible due to the available street width, however, on-street parking management may be required if safety issues arose.

- Construction noise and dust nuisance are matters that can be regulated by a Construction Management Plan and relevant EPA controls.
- Construction worker parking is often difficult to control, but if required, temporary parking restrictions could be applied to affected sections of local streets.
- Local services are unlikely to be disrupted by construction activity.

#### **Drainage**

- Possible flooding due to natural drainage issues in the vicinity of the proposed retarding basin.
- Risk of flooding to existing houses may be increased.

#### **Response**

- Council's engineering assessment and design input on drainage matters would ensure that there would be no adverse drainage impacts, even in severe storm events.
- Any permit that issued could contain appropriate conditions regarding drainage and general infrastructure construction.

#### **Loss of Vegetation/Tree planting**

- A row of Pine trees will be lost from the centre of the site.
- Little scope for replacement canopy trees.

#### **Response**

- The trees in the centre of the site are either dead or senescent.
- Landscaping capacity is discussed in the Clause 55 assessment. It is agreed that more scope for canopy tree planting would benefit a development of this nature.

#### **Loss of property values**

- The nature of the development will reduce values of existing properties.

#### **Response**

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

#### **Other**

- Current owner has apparently no intention of building and is likely to sell land with any planning approval.

Response

- When a planning permit is issued, it relates to the land and not the ownership of the land. It is commonplace for land to be on-sold with a planning permit.

7.4 ConnectEast was made aware of the proposed application at the design stage and sent Council a detailed letter dated 17 December 2015. This letter was referred to in a later response to the public notification process. The following is a summary-

- Connect East is not a referral authority and there is no statutory requirement to include its recommended conditions in a permit that may issue.
- ConnectEast is required to maintain certain acoustic standards (relating to traffic noise) in respect of housing near the Freeway.
- ConnectEast is required to keep the option open for the construction of westerly oriented on and off ramps at Park Road.
- The applicant's Acoustic Report did not take into account altered noise impacts on the land, in the event of future ramp construction and did not include noise impacts from traffic on Park Road (a more detailed assessment technique should have been used).
- Appropriate planning conditions should be applied in respect of acoustic assessment and responses and in respect of construction activities and drainage (an attachment provides guidelines of circumstances where conditions could be applied and also sets out suggested conditions).
- The following noise attenuation conditions were provided-
  - "Where it is required to erect a noise barrier we note that any noise barriers to be erected on the EastLink lease area are required to have a design life of 40 years in order to comply with the requirements of the EastLink Concession Deed.
  - Where it is agreed that a noise wall is not required, and prior to the issue of a statement of compliance, the owner of the land shall enter into an agreement under Section 173 of the Planning and Environment Act 1987 with Council which covers the relevant noise requirements set out in the VicRoads Traffic Noise Reduction Policy."

Response

- In the event of a planning permit being issued, Council could include a requirement for a more comprehensive traffic noise assessment report, addressing all of the additional criteria identified by ConnectEast and also include conditions requiring compliance.
- Should the findings of the report indicate any non-compliance with the adopted noise impact criteria, then appropriate design elements could be incorporated into any final plan. Based on the current assessment, there is no real likelihood that the construction of acoustic walls would be a requirement.

- Other suggested site construction and management conditions could be included if they were considered relevant and were not covered by the standard conditions of approval applied by Council.

7.5 The application was also referred to a number of Service units. The following table summarises the responses:

Services Unit	Comments
Economic and Environmental Planning (Open space)	<p>The area bounded by Mitcham Road, Park Road and Eastlink is a very isolated community, with no Council-owned open space within walking distance.</p> <p>Pedestrian access between Wrendale Drive and Langford Crescent through to the Eastern Freeway Linear Park is critical.</p> <p>The proposed retarding basin looks like it needs work in order to be safe, maintainable and amenable. While it does not constitute open space, designing the drainage infrastructure to give the appearance open continued landscape provision will help to maintain the existing neighbourhood character, along with sightlines and physical access to the adjacent Eastlink land. The proposed development will result in a major change to the existing landscape character in this area, in terms of population density, built form and loss of perceived borrowed landscape: the design should make more effort to ameliorate this impact.</p> <p>Support is given to the creation of a pedestrian connection between Wrendale Drive and Langford Crescent.</p> <p>With no Eastlink works to the north (possible on-ramp to freeway) in the near future, it would be beneficial to future residents for the northern property boundary to consist of transparent fencing, affording residents views of the existing open space.</p>
Engineering and Technical Services (Flooding and Drainage)	<p>The comments below have been based on the Storm Water Management Plan report prepared by Stormy Water Solutions, Revision C, dated 30 June 2016.</p> <p>(a) The on-site detention functions of the proposed retarding basin/wetland facility appear to be satisfactory, subject to ConnectEast approval of the impacts of water ponding in a 100 year ARI storm event on the southern side of EastLink Freeway Linear Park site.</p>

Services Unit	Comments
	<p>(b) The design generally satisfies the requirements relating to Council's proposed Planning Amendment C109 relating to flood management.</p> <p>(c) The subject site comprises approximately 25% of the total catchment area and as such it is considered appropriate that the proposed retarding basin / wetland, Gross Pollutant Trap and associated infrastructure be owned and maintained by Council.</p> <p>(d) The ownership of the land the retarding basin and wetland encumber will need to be clarified.</p> <p>(e) The current design incorporates a number of retaining walls ranging in height from 0.7 to over 2.0 metres with associated fencing, which will place a burden on Council's future maintenance resources and ongoing maintenance costs. It is recommended to minimise the number and extent of retaining walls within the retarding basin, including the deletion of the eastern retaining wall.</p> <p>(f) To enable regular maintenance and ensure long term safe operation of the wetland / basin, it is required that a detailed design of the retarding basin / wetland based on the principles from Melbourne Water's guidelines, <i>Constructed Wetlands Design Manual - Part A2</i> and relevant publications, is prepared, providing for:</p> <ul style="list-style-type: none"> <li>• public safety;</li> <li>• ease of maintenance with respect to safe maintenance vehicle access to the wetland and assets, for clearing of debris, vegetation management, including grass cutting, de-silting of the wetland and clearance of blockages;</li> <li>• maintenance vehicle access turnaround area;</li> <li>• the open space to be largely mowable.</li> </ul> <p>(g) Pit 50 and endwall P49 are Connect East assets and modifications / improvements / connections to these assets will require Connect East approval.</p> <p>(h) An industrial vehicle crossover from the public road and a hardstand area is to be provided for a maintenance vehicle access to the CDS GPT system.</p> <p>(i) Some form of barrier, (bollards or the like), is to be provided around the perimeter of the retarding basin to prevent unauthorised vehicle entry.</p> <p>(j) A Geotechnical Report on the soil and</p>

Services Unit	Comments
	<p>groundwater conditions is to be prepared to inform the design of the retarding basin / wetland and associated infrastructure, including but not limited to the selection of the exfiltration rate.</p>
<p>Engineering and Technical Services (Traffic/Infrastructure)</p>	<p><b>Road Connection</b> - The road connection of Langford Crescent with Wrendale Drive is supported, as it will improve traffic circulation, emergency access and the serviceability of the local street network. It will also address the lack of a vehicle turning area at the northern end of Langford Crescent.</p> <p><b>Crash Analysis History (nearby intersections)</b> - One crash has been recorded at the intersection of Park Road and Clements Avenue in the last five years, involving a motorist not giving way to traffic on Park Road while attempting a right turn from Clements Avenue. No other crashes have been recorded in the local access streets surrounding the subject site during this period.</p> <p>Sight distance at both intersections meets appropriate standards and there is no reason to suggest that any additional traffic would adversely change the site conditions.</p> <p><b>Intersection Capacity Analysis</b> – No intersection capacity analysis has been provided for the development. The Traffic Impact Assessment report prepared by TraffixGroup states that <i>“not all site generated traffic will travel along any one road within the site and that all site generated traffic can easily be accommodated by the surrounding road network and intersections without any discernible impacts”</i>. Based on site observations of the Park Road/Clements Avenue and Wrendale Drive/Mitcham Road intersections, Council officers generally agree with the statement above. It is considered that during the AM peak period, the majority of traffic from the development will exit the site to utilise the Park Road/Mitcham Road signalised intersection via Clements Avenue. As such, an additional 24 vehicle movements in the AM peak period is likely to use Langford Crescent/Clements Avenue. The additional volume during the AM peak is not considered to be significant or adversely impact on residential amenity or the performance of the intersection, given that the local road network carries lower volumes when compared to other streets performing a similar function.</p> <p><b>Traffic Generation – See Table 1 at Section 6.6</b> A rate of 6.5vte is consistent with the <i>‘Guide to Traffic Generating Developments’</i> – Road and Traffic Authority, and is considered to be appropriate for this</p>

Services Unit	Comments
	<p>development.</p> <p>The traffic analysis indicates that the development will generate traffic in the order of 299 vehicle movements per day. The current residential properties in the local area generate in the order of 560 vehicles per day. The additional traffic generated in the local precinct (Langford Crescent, Clement Avenue and Wrendale Drive) as a result of the development would increase to 859 vehicles per day.</p> <p>Local residential streets which provide access to and from the site can carry up to 2000 vehicles per day. The total combined existing and proposed traffic volumes are well within this limit.</p> <p><b>Car Parking</b> Each dwelling, except one, is provided with a double garage in accordance with current Standards. Car parking requirements of the Planning Scheme for resident parking have generally been met. Egress from the proposed garages is acceptable;</p> <p>Vehicles from Units 12 and 13 will be required to reverse a short distance (11 metres) to enter the roadway, however, this is considered to be satisfactory;</p> <p>On-street parking along the public road will be prohibited at the road bend. Limited parking opportunities will be available for informal parking along the public road.</p> <p>The statutory requirement for visitor parking is nine (9) spaces, based on 1 visitor space for every 5 dwellings. The applicant has provided five (5) exclusive visitor spaces, a shortfall of four spaces. Parking opportunities are, however, available where the driveway length for the dwellings, between garage and footpath is sufficient. Parking is also available along the public road. The development meets the visitor parking requirements of the Planning Scheme in this regard.</p> <p><b>Pedestrian Access</b> The development provides a 1.2 metre wide footpath. It is understood that the trafficable pedestrian path is proposed to be differentiated via the use of a different pavement type. Table C1 of the Planning Scheme specifies a requirement of 1.5 metre wide footpath offset a minimum distance of 1m from the kerb.</p> <p>The proposed pedestrian path is incorporated as part of the trafficable lane and this arrangement is</p>

Services Unit	Comments
	<p>considered to be undesirable from a pedestrian safety perspective, as it does not provide physical separation between vehicles and pedestrians.</p> <p>The provision of pedestrian links to the parkland located north of the subject site, adjacent to the EastLink Freeway and to Park Road is supported, subject to extension of the proposed path to the existing path on Park Road. Also support the path being extended into the reserve to the north as well.</p> <p><b>Private Access Road – Grades/width</b> – The private road has a proposed width of 5.5 metres, which provides for 2 way traffic flow and incorporates a path 1.2 metres wide, effectively reducing the trafficable width to 4.3metres.</p> <p>The trafficable lanes, excluding the path, are less than the minimum width for two way traffic.</p> <p>There is no discernible separation between pedestrians and through traffic. The proposed design does not provide any protection for pedestrians from vehicles and compromises safety.</p> <p>No cross section details of the road have been provided, including details of the kerb (if any), road cross falls, footpath treatment and road drainage. The road narrowing shown in front of TH21, TH22, TH32 and TH35 will not achieve the 15kph target speed specified in the Planning Scheme.</p> <p>The access road grades throughout the development are acceptable.</p> <p>Sight distance for north-bound vehicles turning right at both access points into the development do not meet safe stopping distance requirements. Mitigation measures are required to address safety such as the introduction of traffic management devices on the public road to slow traffic prior to approaching the road bend.</p> <p>Path widths are to be maintained at intersections to accommodate all traffic movements.</p> <p>The plans do not show any features to demarcate and identify the access into the development as a private road.</p> <p><b>Street Lighting</b> - No details have been provided on the level of illumination from proposed bollard system. It is unclear whether the proposed light levels meet Australian Standards for pedestrian lighting. A street lighting design will be required to</p>

Services Unit	Comments
	<p>be provided, meeting Australian Standards.</p> <p>Within the road reservation proposed to be under Council control, overhead street lighting will be required.</p>
Engineering Operations (Waste)	<p>A Waste Management Plan is required to be approved as part of any planning permit conditions.</p> <p>Waste collection will be required to be mainly by private waste contractor, with dwellings fronting the roadway extension being served by Council collection.</p>
Engineering and Technical Services (Easements)	<p>There are existing drainage and sewer easements within the proposed development. The provision of easements within the development will require further consideration, following finalisation of servicing requirements for the development.</p> <p>Easements are to be created over the proposed Council drainage network and in favour of ConnectEast for any drainage assets under their jurisdiction.</p> <p>Yarra Valley Water to be consulted on the existing sewer easement within the subject site and requirements for additional easements.</p>

## 7.6 Table 1 Traffic Generation Analysis (Council)

Existing Residential Traffic generation					
	No. of residences	*Vehicle trip ends per vehicle property? per day (x 10)	Peak Hour (10%)	AM Peak 80% out/ 20% in	PM Peak 30% out/ 70% in
Wrendale Drive	23	230	23	18/5	7/16
Clements Avenue	9	90	9	7/2	3/6
Langford Crescent	24	240	24	19/5	7/17

Proposed Development					
	No. of residences	**Vehicle trip ends per vehicle property? per day (x 6.5)	Peak Hour (10%)	AM Peak 80% out/ 20% in	PM Peak 30% out/ 70% in
Internal road	46	299	30	24/6	9/21

\*Residences located in the surrounding local streets generate approximately **10 vehicle trips per dwelling per day**. Generally, 10 percent of trips will occur in the morning and evening peak traffic hours. The majority of traffic generated by the residential development during the morning peak period will be residents departing (80% out and 20% in) and the majority of traffic during the evening peak period will be residents returning (30% out, 70% in).



**8 CONCLUSION**

- 8.1 It is considered appropriate to refuse the application. While the proposal has a range of positive attributes, the overall design is not sufficiently cognisant of and responsive to the surrounding residential context, in a way that ensures compatibility with the existing neighbourhood character. There are also safety concerns with the proposed combination of pedestrian and traffic access arrangements along the private road and design/layout concerns with the general cramping of built form onto this access and the Park Road frontage.
- 8.2 It is considered that the shortcomings are largely to do with trying to achieve a particular dwelling yield. Based on the issues identified in this report, it is clear that a reduction in dwelling numbers is called for, along with a more responsive design approach to internal amenity and landscaping.

**RECOMMENDATION**

**That having considered all objections, A REFUSAL TO GRANT A PERMIT be issued in relation to Planning Application No. PL15/025922 for the construction forty-five dwellings at Nos. 25-35 Park Road, Donvale, on the following grounds-**

- 1. The proposal does not adequately respect the existing neighbourhood character due to the following-**
  - 1.1. The inadequacy of building setbacks to the Park Road frontage, resulting in a cramped streetscape presentation and insufficient landscaping opportunities to ameliorate the bulk of two storey built form in this location;**
  - 1.2. The inadequacy of building setbacks to the eastern side of the proposed public road connection, resulting in a cramped and inappropriate streetscape presentation; and**
  - 1.3. A range of minimal building setbacks to the private road, resulting in a cramped and inappropriate internal streetscape presentation.**
- 2. The proposed development provides inadequate communal landscape opportunities (in particular for the development of canopy trees along the proposed private road) to assist with the softening of the overall built form, in response to the existing neighbourhood character.**
- 3. The proposed retarding basin is inappropriately designed in terms of its general landscape presentation to the proposed public road, public safety levels and ease of future maintenance.**
- 4. The combined vehicular access and pedestrian path system of the private road is considered to be inappropriate for a development of this scale and will result in poor internal safety levels for pedestrians.**
- 5. The lack of grade or nature strip separation between the combined vehicular access and pedestrian path system of the private road will encourage parallel parking on the footpath to the detriment of resident safety and amenity.**

6. **The proximity of a range of dwelling entries to the private road pavement results in reduced safety levels and a poor sense of address for these dwellings.**
7. **Inadequate design input has occurred to ensure reasonable privacy levels in respect of various secluded private open spaces and ground floor habitable room windows of dwellings which back onto each other within the central housing area defined by the private road.**
8. **Dwelling 45 is provided with an unsatisfactory secluded private open space, in that the yard will be adjoined by four other areas of secluded private open space and with potential for overlooking from an adjacent deck of Dwelling 29 to the detriment of future amenity of the residents of Dwelling 45.**
9. **The proximity of southern upper floor walls to the southern ground floor walls of various dwellings within the southern building row will result in excessive overshadowing of the southern yards, taking into account the minimum width of these spaces.**
10. **The bollard lighting system for the private road is not suited to the proposed road lengths and is unlikely to provide an adequate level of illumination to ensure pedestrian safety at night.**
11. **The proposal does not provide for a public cycle/pedestrian connection between Wrendale Drive/Langford Crescent and the Eastern Freeway Linear Park, with its associated cycle/pedestrian path.**
12. **The proposal does not adequately respond to the State Planning Policy Framework in terms of Clause 15.01-1 Urban Design (liveability) and Clause 15.01-4 Design for safety (Pedestrian infrastructure).**
13. **Having regard to the above, the proposal does not meet Objectives contained in the following sections of Clause 55 Two or More Dwellings on a Lot of the Manningham Planning Scheme-**
  - 13.1. **Clause 55.02-1 Neighbourhood Character;**
  - 13.2. **Clause 55.02-2 Residential Policy**
  - 13.3. **Clause 55.02-4 Infrastructure;**
  - 13.4. **Clause 55.03-1 Street setback;**
  - 13.5. **Clause 55.03-7 Safety;**
  - 13.6. **Clause 55.03-8 Landscaping;**
  - 13.7. **Clause 55.04-7 Internal views;**
  - 13.8. **Clause 55.05-3 Dwelling entry;**
  - 13.9. **Clause 55.05-4 Private open space;**
  - 13.10. **Clause 55.05-5 Solar access to open space; and**
  - 13.11. **Clause 55.06-1 Design detail.**

“Refer Attachments”

\* \* \* \* \*