

0.0 Planning Application PL16/026217 at 142-146 Andersons Creek Road, Doncaster East for the construction of thirty-three, three-storey dwellings and one, two-storey dwelling with associated basement car parking and alteration of access to a road in a Road Zone, Category 1

File Number:	IN17/1
Responsible Director:	Director Planning and Environment
Applicant:	888 Developments Pty Ltd
Planning Controls:	Residential Growth Zone, Schedule 2; Design and Development Overlay, Schedule 9; Adjacent to land in a Road Zone, Category 1
Ward:	Mullum Mullum
Attachments:	1 Development and landscape plans 2 Legislative Requirements

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of a planning permit application submitted for land at 142-146 Andersons Creek Road, Doncaster East. This report recommends approval of the submitted proposal subject to amendments that will be addressed by way of permit conditions. The application is being reported to Council given that it is a Major Application (more than 15 dwellings and a development cost of more than \$5 million).

Proposal

2. The proposal is for the development of 34 dwellings on a site of 4042 square metres, with one row across the northern section of the site and two rows on the southern section of the site in an east-west direction. The development has a site coverage of 47%, a site permeability of 20% and provides a total of 74 car parking spaces in the form of garages and car parking spaces within the basement.

Key issues in considering the application

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

Objector concerns

4. A total of two (2) objections have been received for the application. The issues can be summarised as:
 - (a) Overdevelopment and out of character
 - (b) Increased traffic
 - (c) Overlooking and loss of privacy

Assessment

5. The proposal is considered to comply with the relevant planning policy in the Manningham Planning Scheme, in particular Clause 21.05 Residential, Schedule 9 to the Design and Development Overlay (DDO9) and Clause 55 (ResCode). These planning controls recognise there will be a substantial level of change in dwelling yield and built form on the site, which is located within The Pines Activity Centre.
6. The proposal responds positively to the site context as the site's location and size are capable of accommodating the development in the proposed height and built form. The immediate area has undergone substantial change, and the character of the area includes a range of residential development types and built form that includes higher density apartment style developments.
7. The proposed development is appropriately designed to step with the slope of the land and allow generous boundary setbacks which will allow for landscaping and protect surrounding residents from unreasonable visual bulk and off-site amenity impacts. The proposal also achieves an acceptable balance between considering the amenity of nearby properties while also considering the internal amenity of future occupants within the proposed development.

Conclusion

8. The report concludes that the proposal complies with the relevant planning policies and should therefore be supported subject to conditions requiring design changes to the basement layout and the submission of suitable management plans.
9. It is recommended that the proposal be supported subject to permit conditions.

1. RECOMMENDATION**That Council:**

- A. **Having considered all objections a NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application PL16/026217 for the construction of thirty-three, three-storey dwellings and one, two-storey dwelling with associated basement car parking, and alteration of access to a road in a Road Zone, Category 1 subject to the following conditions –**

1. **Before the development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to the satisfaction of the Responsible Authority and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the decision plans prepared by Plus Architecture (dated 24 October 2016), but modified to show the following:**
 - 1.1 **All tandem garages with a minimum length of 11.3 metres by enlarging the size of the basement (area);**
 - 1.2 **All garages with a minimum width of at least 3 metres to comply with the relevant Australian Standard 2890.1-2004;**

- 1.3 Visibility splay areas adjacent to the driveway at the frontage notated to comply with Design Standard 1 in Clause 52.06-8 of the Manningham Planning Scheme;
- 1.4 East-facing habitable room windows of Dwelling 19 to be acoustically treated to protect residents from vehicular noise from the road;
- 1.5 All habitable room windows directly facing Reynolds Road and Andersons Creek Road acoustically treated to protect residents from vehicular noise;
- 1.6 Cross-section diagrams to demonstrate there will be no direct views into secluded private open space areas and habitable room windows of 5/148 Andersons Creek Road, 2/207 Reynolds Road and 4/207 Reynolds Road to comply with the objective at Clause 55.04-6 of the Manningham Planning Scheme;
- 1.7 Details of internal fencing located between the central pathway and the secluded private open space areas notated on the ground floor plan, with a minimum height of 1.7 metres;
- 1.8 Mailboxes located at the street frontage(s) to comply with Australia Post requirements;
- 1.9 The location and design details of any building services at the street frontage(s), designed and integrated to complement the overall development style;
- 1.10 The catchment area for the rainwater tank and proposed reuse of the collected water as specified in the Sustainability Management Plan required under Condition 4 of this permit;
- 1.11 The location and details of the raingarden specified in the Sustainability Management Plan required under Condition 4 of this permit;
- 1.12 All changes required by VicRoads (Conditions 38 to 42 of this permit).

Endorsed Plans

2. The development as shown on the approved plans must not be altered without the written consent of the Responsible Authority.

Construction Management Plan

3. Before the development starts, two copies of a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The Plan must address, but not be limited to the following:

- 3.1 A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems

experienced;

- 3.2 Hours of construction;
- 3.3 Delivery and unloading points and expected frequency;
- 3.4 On-site facilities for vehicle washing;
- 3.5 Asset protection procedures for any public footpaths;
- 3.6 On-site facilities for vehicle washing;
- 3.7 The location of parking and site facilities for construction workers;
- 3.8 Measures to minimise the impact of construction vehicles arriving at and departing from the land;
- 3.9 Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;
- 3.10 The measures for prevention of the unintended movement of building waste and other hazardous materials and pollutants on or off the site, whether by air, water or other means;
- 3.11 An outline of requests to occupy the front nature strip and any anticipated disruptions to local services;
- 3.12 Measures to minimise the amount of waste construction materials;
- 3.13 Measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;
- 3.14 Adequate environmental awareness training for all on-site contractors and sub-contractors.

Sustainability Management Plan

4. Before the development starts or the issue of a building permit for the development, whichever is sooner, two copies of an amended Sustainability Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The plan must be generally in accordance with the decision plans prepared by Ark Resources (dated 16 August 2016) but modified to include the following:
 - 4.1 An ESD assessment tool (such as BESS) to benchmark the performance of the proposal as the STEPS tool has been retired;
 - 4.2 A 10% improvement on the National Construction Code requirements in relation to energy ratings;
 - 4.3 The type (central or individual units) and star rating of the domestic hot water system;

- 4.4 The use of LED lights in the car park as opposed to florescent lamps.**

Waste Management Plan

- 5. Before the development starts or the issue of a building permit for the development, whichever is sooner, two copies of an amended Waste Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The plan must be generally in accordance with the decision plan prepared by Leigh Design (dated 22 July 2016) but modified to include:**

- 5.1 No private waste contractor bins must be left outside the development boundary or left unattended at any time on any street frontage for any reason.**

Management Plan Compliance

- 6. The Management Plans approved under Conditions 3, 4 and 5 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.**
- 7. Before the approved use starts, a report from the author of the Sustainability Management Plan, approved pursuant to his permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures in the Sustainability Management Plan approved under Condition 3 of this permit have been implemented in accordance with the approved plans.**

Completion

- 8. Before the occupation of the approved dwellings, landscaped areas must be fully planted and mulched or grassed generally in accordance with the approved plan and to the satisfaction of the Responsible Authority.**
- 9. Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.**
- 10. Driveway gradients and transitions as shown on the plan approved under Condition 1 of this permit must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.**

Landscape Plan

11. Before the development starts, two copies of an amended landscaping plan must be submitted to the Responsible Authority for approval. The plan must be generally in accordance with the decision plan prepared by John Patrick Landscape Architects (dated 16 August 2016), but modified to show:

11.1 All canopy trees are at least 1.5 metres in height at the time of planting;

11.2 Planting within 2 metres along the frontage from the edge of the driveway(s) and 2.5 metres along the driveway(s) from the frontage to be no greater than 0.9 metres in height at maturity.

The use of synthetic grass as a substitute for open lawn area within secluded private open space or a front setback will not be supported. Synthetic turf may be used in place of approved paving decking and/or other hardstand surfaces.

Landscape Bond

12. Before the release of the approved plan for the development, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

Stormwater – On-site detention (OSD)

13. The owner must provide on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:

13.1 Be designed for a 1 in 5 year storm; and

13.2 Storage must be designed for 1 in 10 year storm.

Construction Plan (OSD)

14. Before the development starts, a construction plan for the system required by Condition 13 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.

Drainage

15. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage

system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.

16. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.

Environment Audit

17. All the conditions of the Statement of Environmental Audit submitted with the application (prepared by Charles David Barber, dated 19 February 2014) must be complied with at all times to the satisfaction of the Responsible Authority.

Site Services

18. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
19. All upper level service pipes (excluding stormwater downpipes) and any wall mounted spa-bath pump must be concealed and screened respectively to the satisfaction of the Responsible Authority.
20. Communal lighting must be connected to reticulated mains electricity and be operated by a time switch, movement sensors or a daylight sensor to the satisfaction of the Responsible Authority.
21. Any reverse cycle air-conditioning unit erected on the walls, roofs or balconies of the approved dwellings must be so located, as to not adversely affect the amenity of the area by way of appearance/visual prominence to the satisfaction of the Responsible Authority. Where the Responsible Authority identifies a concern about visual appearance, appropriately designed/finished screening must be installed and maintained to the satisfaction of the Responsible Authority.
22. Unless depicted on a Roof Plan approved under Condition 1 of this permit, no roof plant (includes air conditioning units, basement exhaust ducts, solar panels or hot water systems) which is visible to immediate neighbours or from the street may be placed on the roof of the approved building, without details in the form of an amending plan being submitted to and approved by the Responsible Authority.
23. A centralised TV antenna must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.
24. No individual dish antennae may be installed on the overall building to the satisfaction of the Responsible Authority.
25. Any wall-mounted, instantaneous gas hot water system located on a

balcony wall or on a general external wall of the building, so as to be visible from off the site must be provided with a neatly designed, durable screen (in perforated metal sheeting, for instance) to the satisfaction of the Responsible Authority or be of the recessed type with a cover plate.

26. If allowed by the relevant fire authority, external fire services must be enclosed in a neatly constructed, durable cabinet finished to complement the overall development, or in the event that enclosure is not allowed, associated installations must be located, finished and landscaped to minimise visual impacts from the public footpath in front of the site to the satisfaction of the Responsible Authority.
27. Any security door/grille to the basement opening must maintain sufficient clearance when fully open to enable the convenient passage of waste collection vehicles which are required to enter the basement and such clearance must also be maintained in respect of sub-floor service installations throughout areas in which the waste collection vehicle is required to travel to the satisfaction of the Responsible Authority.

Vehicle Crossings and Accessways

28. Prior to occupation of the approved dwellings, any new or modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
29. Redundant vehicle crossovers must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.
30. An intercom and an automatic basement door opening system (connected to each dwelling) must be installed, so as to facilitate convenient 24-hour access to the basement car park by visitors, to the satisfaction of the Responsible Authority.

Car Parking

31. Before the occupation of the approved dwellings, all associated basement parking spaces must be line-marked, numbered and signposted to provide allocation to each dwelling and visitors to the satisfaction of the Responsible Authority.
32. The visitor car parking spaces must be clearly marked and must not be used for any other purpose to the satisfaction of the Responsible Authority.

Fencing

33. Prior to the occupation of the approved dwellings, all fencing must be erected in good condition in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.

Brickwork / Retaining Walls

34. All brickwork on or immediately adjacent to the boundaries of the site which is visible from the adjoining property must be cleaned and finished to the satisfaction of the Responsible Authority.
35. All retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority.

Maintenance

36. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.

Earthworks

37. The extent and depth of cut and fill must not exceed that shown on the plans endorsed under Condition 1 of this permit without the written consent of the Responsible Authority.

VicRoads Conditions (Conditions 38 to 42)

38. Prior to commencement of permitted development, a detailed functional layout plan and functional stage Road Safety Audit by an independent VicRoads pre-qualified audit team, must be submitted to VicRoads and the Responsible Authority for approval. The detailed functional layout drawing must include, but not be limited to the following:
 - 38.1 A line marked short left turn deceleration lane into the site from Reynolds Road;
 - 38.2 Amended line marking for the existing lane drop along the site frontage;
 - 38.3 The proposed access crossover flared at 60 degrees with 3.0m radial turnouts at the kerb;
 - 38.4 Appropriate swept path analysis for the largest design vehicle expected to access the site (item "c" modified accordingly as required);
 - 38.5 Pedestrian visibility splays in accordance with Design Standard 1 of Clause 52.06.
39. Before the use of the permitted development and/or commencement of any works required by VicRoads under this permit a detailed engineering design must be prepared generally in accordance with the accepted functional layout plan and to the satisfaction of VicRoads.
40. Before the use of the permitted development, all works required by VicRoads under this permit must be completed to the satisfaction of VicRoads and at no cost to VicRoads.

41. **The preparation of the detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements - Developer Funded Projects" and any other requirements considered necessary depending on the nature of the work.**
42. **No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.**

Permit Expiry

43. **This permit will expire if one of the following circumstances applies:**
 - 43.1 **The development is not started within two (2) years of the date of this permit; and**
 - 43.2 **The development is not completed within four (4) years of the date of this permit.**

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

2. BACKGROUND

- 2.1 Pre-application advice was sought by the Applicant in relation to the proposed development, on 6 July 2015.
- 2.2 The proposal was presented to the Sustainable Design Taskforce meeting on 26 November 2015, and the issue of a continuous built form along the Reynolds Road frontage was raised and discussed at the meeting.
- 2.3 The application for planning permit was received on 2 May 2016.
- 2.4 A request for further information was sent by Council to the Applicant on 26 May 2016 and raised preliminary concerns that related to the access arrangements, basement layout, the presentation of the development to the street and on-site amenity.
- 2.5 All requested further information was received by Council on 25 October 2016.
- 2.6 The statutory time for considering a planning application is 60 days and this lapsed on 9 January 2017.
- 2.7 Planning Permit PL12/022890 was issued on 20 December 2012 for the construction of a four-storey apartment building comprising 82 dwellings, the alteration of access to a road in a Road Zone, Category 1 and the removal of

native vegetation on the site. The permit has been extended and remains valid subject to the commencement of the development by 20 December 2018.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site is situated on the north-eastern corner of Andersons Creek Road and Reynolds Road.
- 3.2 The irregularly shaped lot has a frontage of 83.97 metres to Andersons Creek Road, a frontage of 51.23 metres to Reynolds Road and a 7.36 metre splay at the south-western corner, and a minimum depth of 43 metres. The lot has a total area of approximately 4042 square metres.
- 3.3 The site was previously used as a petrol station / car wash / convenience shop but this use has ceased. Underground petrol tanks and some building elements have been removed as part of the remediation works required to make the land suitable for residential use. There is currently a deep excavation associated with this work (where tanks and some affected soil have been removed).
- 3.4 The land falls by approximately 8 metres from the south-west corner to the north-east corner, with the slope being the steepest along the northern site boundary and at the north-east corner.
- 3.5 There are some canopy trees at the western end of the site and several other trees around the perimeter. Dense shrub planting also exists along part of the northern and eastern site boundaries.
- 3.6 Vehicular access to the site is provided by three (3) vehicle crossovers. This includes one 7 metre wide crossover on the northern end of the frontage to Andersons Creek Road and two crossovers (9 to 10 metres wide) on the central section of the Reynolds Road frontage.
- 3.7 There are no fences along the street frontages or the northern boundary apart from temporary security fencing. A paling fence is provided on the eastern site boundary.
- 3.8 Electricity supply easements (up to 3.13 metres in width) are located along the western and southern frontages of the site. A drainage and sewerage easement (with dimensions of 2.4 metres x 2.4 metres) is located on the north-eastern corner.
- 3.9 The land title is not constrained by covenants or Section 173 Agreements.

The Surrounds

- 3.10 The site has two street frontages and directly abuts two (2) properties, which are described as follows:

Direction	Address	Description
North	Units 4 to 11, 148-150 Andersons Creek Road, Doncaster East	This property is developed with eleven, two-storey dwellings. A row of four dwellings (Units 1 to 4)

		<p>present to an excavated front setback characterised by stepped retaining walls up to the frontage. Paved terraces (above undercroft garage parking) are constructed to the rear of the ground floors.</p> <p>The other dwellings (Units 5 to 11) are angled and stepped down the site, so as to face to the north-east. The ground floors of these dwellings sit much lower than the site, with the level difference being up to 4.5 metres. The dwellings within this row have single storey projections at the rear and are provided with large rear secluded private open spaces up to the retained batter.</p> <p>A strip of Common Property is situated between the site and the adjoining property to the north. This strip is shared between the site and the adjoining property and contains a series of timber sleeper retaining walls which define a maximum level change of 4.5 metres down from the site to the adjoining property.</p>
East	Units 1 to 5, 207 Reynolds Road, Doncaster East	<p>The property is developed with eighteen, two-storey dwellings constructed in two rows on either side of a central driveway. Five dwellings (Units 1 to 5) are adjacent to the eastern boundary of the site, set back at least 4.2 metres from the common boundary. The ground floors and the rear yards are set down due to excavation. Within the westernmost walls, the upper level of each dwelling presents a bedroom window and a bathroom window (obscured) to the site.</p>

10. The character of The Pines Activity Centre is in transition, with several large townhouse and apartment developments, including the adjoining properties to the north (148 Andersons Creek Road) and east (207 Reynolds Road) and the opposite properties to the west on Morello Circle and Red Hill Terrace. Areas located away from the main roads consist of fairly homogenous housing of single dwellings with curvilinear road systems.
- 3.11 Both Reynolds Road and Andersons Creek Road are major arterial roads under the jurisdiction of VicRoads, with raised central medians. Bus services operate along both roads. Adjacent to the site, there is a merge lane which allows left turning vehicles from Andersons Creek Road to ease into the eastbound traffic lanes on Reynolds Road.
- 3.12 The site is well located to a range of services, with The Pines Shopping Centre located 350 metres to the west and Milgate Primary School located 1.1km to the

south by road. Anderson Park is located diagonally opposite the site to the south-west.

4. THE PROPOSAL

4.1 It is proposed to construct a total of thirty four (34) dwellings, comprising thirty-three, three-storey dwellings and one, two-storey dwelling with an associated basement car park. Alteration to access to a Road Zone Category 1 is also sought.

Submitted plans and documents

4.2 The proposal is outlined on plans prepared by Plus Architecture, dated 24 October 2016 and a landscape plan prepared by John Patrick Landscape Architecture, dated 16 August 2016. Refer to Attachment 1.

4.3 The following reports were submitted to support the application:

- A planning report prepared by Contour Consultants, dated August 2016;
- A statement of environment audit prepared by Charles David Barber, dated 19 February 2014;
- A traffic report prepared by Cardno, dated 16 August 2016;
- A waste management plan prepared by Leigh Design, dated 22 July 2016;
- A sustainability management plan prepared by Ark Resources, dated 16 August 2016;
- An arboricultural report prepared by John Patrick Landscape Architects, dated September 2016.

Development summary

4.4 A summary of the development is provided as follows:

Land Size:	4042m ²	Maximum Building Height:	11.4m
Site Coverage:	47%	Street setback to Reynolds Road (south)	Basement – 3.6m Ground floor – 3.55m First floor – 3.1m Second floor – 3.1m
Permeability:	20%	Street setback to Andersons Creek Road (west)	Basement – 3m Ground floor – 3.6m First floor – 3.6m Second floor – 3.6m
Number of Dwellings:	34	Setback to northern boundary	Basement – 0m Ground floor – 3.7m First floor – 3.2m Second floor – 3.2m
3 bedrooms:	1		
4 bedrooms:	33		

Density:	One per 118.9m ²	Setback to eastern boundary	Basement – 1m Ground floor – 1.6m First floor – 3.3m Second floor – 8.1m
		Car parking spaces:	74
		Resident spaces:	68
		Visitor spaces:	6

Design layout

- 4.5 The dwellings are laid out in three rows. Dwellings 1 to 18 forms a continuous row along the northern section of the site. Dwellings 19 to 26 are located at the south-eastern section and Dwellings 27 to 34 at the south-western section of the site. The dwellings within each row are attached on all levels.
- 4.6 All dwellings are provided with ground level courtyards on the northern and southern sides, with the northern secluded private open space areas directly accessible from the living rooms of the respective dwellings. The courtyards for Dwelling 1 and Dwelling 34 also extend to the west of the respective dwellings and within the street setback to Andersons Creek Road. The courtyard for Dwelling 18 extends to the east of the dwelling.
- 4.7 Dwellings 23 to 34 (at the south-western section of the site) are each provided with a rooftop terrace area of 30 to 35 square metres, accessible from the respective dwellings by stairs and a lift.

Access and car parking

- 4.8 The front entries of Dwellings 1 and 19 to 34 are accessed directly from the site frontages. Pedestrian access to the remaining dwellings is via the central common pathway with access points at the centre of both site frontages. Access to the common pathway is restricted by security gates.
- 4.9 Vehicle access is provided via a new 6.4 metre wide crossover on the eastern end of the Reynolds Road frontage. It leads to a driveway ramp that provides access to the basement car park, restricted by a security door. All existing crossovers will be removed with the kerbing and nature strip reinstated.
- 4.10 Pursuant to Clause 52.29 (Land adjacent to a Road Zone category 1) of the Manningham Planning Scheme, this application includes the proposed alteration of access to a road in a Road Zone, Category 1.
- 4.11 The basement consists of 30 garages for Dwellings 1 to 14 and Dwellings 19 to 34, each providing two car parking spaces in a tandem arrangement. The garages allow internal access to the respective dwellings via a lift.
- 4.12 The north-eastern section of the basement consists of 14 car parking spaces, including 8 car parking spaces for the residents of Dwellings 15 to 18 and 6 visitor car parking spaces. Access to the dwellings from these car parking spaces is via a communal staircase and lift at the eastern end of the development.

Design detail

4.13 The proposed building has a stylish modern architectural design, which includes a flat roof and articulated façade presentations on all sides. The façades consist of a mix of applied finish, concrete blockwork, cladding with timber batten screens.

Open space

4.14 No existing trees are retained within the site. Landscaping, including canopy trees are proposed adjacent to the site boundaries.

4.15 1.7 metre high fences (1.1 metre timber batten fence on a 0.6 metre high concrete wall) are provided along the site frontages, providing screening to private open space areas. The fences are set back 1.1 metres from the site boundaries and buffered from the frontage by planter boxes.

5. LEGISLATIVE REQUIREMENTS

5.1 Refer to Attachment 2.

6. REFERRALS

External

6.1 Given the proposal involves the creation and alteration of access to Andersons Creek Road and Reynolds Road, it is a statutory requirement to refer the application to VicRoads as a determining referral authority.

6.2 VicRoads has no objection to the proposal subject to five (5) permit conditions (**Conditions 38 to 42**).

Internal

6.3 The application was referred to a number of Service Units within Council. The following table summarises their responses:

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> All runoff must be directed to the point of discharge. The whole of the land must be graded and drained to prevent ponding and overland flows. An on-site storm water detention system is required.
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> A “Vehicle Crossing Permit” is required. All redundant crossovers must be removed and the footpath, nature strip and kerbing reinstated.
Engineering & Technical Services Unit – Access and	<ul style="list-style-type: none"> The accessway’s width, headroom, internal radius, sightlines and gradients are satisfactory.

Service Unit	Comments
Driveway	
Engineering & Technical Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> • The required number of car parking spaces is provided. • The development will not generate unreasonable traffic congestion within the surrounding street network.
Engineering & Technical Services Unit – Car Parking Layout	<ul style="list-style-type: none"> • Whilst the basement single garages do not satisfy the planning scheme requirements, an internal width of 3 metres is acceptable as it satisfies the relevant Australian Standard. • Tandem garages are required to have a length of 11.3 metres.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> • A Construction Management Plan is required.
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> • Council agrees that a private waste collection contractor will be required to undertake waste collection from the development. • No private waste contractor bins can be left outside the property boundary for any reason.
Engineering & Technical Services Unit – Easements	<ul style="list-style-type: none"> • “Build Over Easement” approval is required.
Strategic Projects Unit – Sustainability	<ul style="list-style-type: none"> • The use of the STEPS tool to assess the development is not accepted as it has now been retired. Other tools such as BESS should be used. • A 10% improvement on the National Construction Code requirements in relation to energy ratings is required. • The type (central or individual units) and star rating of the domestic hot water system need to be provided. • The use of LED lights in the car park as opposed to florescent lamps is required. • The catchment area for the rainwater tank and proposed reuse of the collected water as specified in the submitted Sustainability Management Plan needs to be shown on the plans. • The location and details of a raingarden specified in the submitted Sustainability Management Plan need to be shown on the plans.
Economic and Environmental	<ul style="list-style-type: none"> • The single and double-height vertical screens, glazing and folded and extruded elements

Service Unit	Comments
Planning Unit – Urban Design	<p>provide visual interest and identify this as a high-quality, 21st century development.</p> <ul style="list-style-type: none"> • Any future rationalisation or substitution of materials, (i.e. copper, woodgrain concrete, timber appearance aluminium, dark tinted glass, brick and concrete pavers), or changes to building articulation and fenestration post-planning approval should be referred back to Council's urban design team for approval. • This townhouse model is an exciting one and if successful could be replicated in suitable locations elsewhere in Manningham. • A visual and physical break in the built form is provided along the Reynolds Road façade. This assists with reducing the visual bulk of the development. • The basement carpark is sufficiently concealed.

6.4 The above requirements have been included as permit conditions or notes as appropriate (**Conditions 1, 3 to 7, and 13 to 16**).

7. CONSULTATION / NOTIFICATION

7.1 Notice of the application was given for a three-week period which concluded on 8 December 2016, by sending letters to nearby properties and displaying a sign on each street frontage.

7.2 Objections have been received from the following properties:

- Unit 3, 148 Andersons Creek Road, Doncaster East
- Unit 5, 148 Andersons Creek Road, Doncaster East (adjoining property to the north)

7.3 The following is a summary of the grounds upon which the above properties have objected to the proposal:

- Overdevelopment and out of character
- Increased traffic
- Overlooking and loss of privacy

7.4 A response to the grounds of objections are included in the Assessment section of this report (below).

8. ASSESSMENT

8.1 An assessment is made under the following headings:

- State and Local Planning Policy Frameworks (SPPF and LPPF);
- Design and built form;
- Car parking, access, traffic and bicycle facilities;
- Clause 55 (Rescode);
- Objector concerns; and
- Other matters.

State and Local planning policy frameworks (SPPF and LPPF)

- 8.2 Key objectives of the SPPF and LPPF seek to intensify Activity Centres as a focus for high-quality development and encourage increased activity and density as a way to achieve broader urban consolidation objectives.
- 8.3 The site is located within The Pines Activity Centre and covered by an adopted structure plan that has residential dwellings a preferred land use. It will also return residential land to its intended function of providing housing and contribute to the profile of this activity centre.
- 8.4 Policy also encourages urban consolidation in this specific location due to its capacity to support change given the site's excellent access to shopping / community facilities and bus services. The policy anticipates a substantial level of change from the existing character of primarily single dwellings and dual occupancies which has occurred in the past.
- 8.5 The size of the subject site (approximately 4,042 square metres) is considered appropriate to accommodate the development in the height and form proposed. The height of the development is consistent with the preferred future character outlined in the DDO9 and the scale of built form corresponds with other nearby developments that have been constructed within the activity centre.

Design and built form

- 8.6 An assessed against the requirements of DDO9 is provided in the table below:

Design Element	Level of Compliance
<u>Building Height</u> <ul style="list-style-type: none"> • Sub-Precinct B: maximum 14 metres 	Met The maximum building height of 11.4 metres does not exceed this requirement.
<u>Form</u> <ul style="list-style-type: none"> • Provide visual interest through articulation, glazing and variation in materials and textures. 	Met Visual interest to the development is provided by a variation of materials and finishes, articulation, use of glazing and screens.
<ul style="list-style-type: none"> • Minimise buildings on boundaries to create spacing between developments. 	Met Buildings on boundaries is limited to a section of the basement car park on the northern boundary and will not reduce spacing between developments.
<ul style="list-style-type: none"> • Where appropriate ensure that 	Met

buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area.	The development is stepped down towards the east to follow the slope of the land. The dwellings on the northern section of the site are also situated lower than the other dwellings to provide a transition to the adjoining properties to the north.
<ul style="list-style-type: none"> Ensure that upper levels of a building provide adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Met</p> <p>The upper levels of the dwellings are well articulated and the sense of visual bulk will be further reduced by the use of different materials and finishes.</p>
<ul style="list-style-type: none"> Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos. 	<p>Met</p> <p>No imposing design features are proposed.</p>
<ul style="list-style-type: none"> Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation. 	<p>Met</p> <p>The dwellings are situated on various finished floor levels to step the development to respond to the slope of the land.</p>
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Met</p> <p>Screens are provided to minimise overlooking into the adjoining properties. The screens are incorporated into the design of the building and are not considered excessive.</p>
<ul style="list-style-type: none"> Seek design solutions which respect the principle of equitable access at the main entry of any building for people of all mobilities. 	<p>Met</p> <p>The front entries of the dwellings can be conveniently accessed by people with limited mobility.</p>
<ul style="list-style-type: none"> Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	<p>Met</p> <p>The projection of the basement on the north elevation does not result in an excessive building height as viewed by adjoining properties, given the level difference of the site with the north, the setback of the development from the adjoining properties.</p>
<ul style="list-style-type: none"> Ensure basement car parks are not visually obtrusive when viewed from the front of the site. 	<p>Met</p> <p>The basement car park is not clearly visible from the site frontages.</p>
<ul style="list-style-type: none"> Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces. 	<p>Met subject to condition</p> <p>The walls are generally set back from site boundaries to allow for landscaping and effective screen planting. A permit condition will require a landscaping plan to show planting details (Condition 11).</p>
<p><u>Car Parking and Access</u></p> <ul style="list-style-type: none"> Include only one vehicular crossover, wherever possible, to 	<p>Met</p> <p>Only one vehicle crossover is proposed and no street trees will be affected.</p>

<p>maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback.</p>	
<ul style="list-style-type: none"> Ensure the setback of the basement car park does not extend beyond the built form of the upper levels of the building in the front and rear setback. 	<p>Considered Met Although the basement extends beyond the built form of the upper levels at the rear, the design response is considered acceptable as the extended area is limited to the north-east corner, is utilised as paved secluded private open space areas and landscaping will be provided within raised planter boxes. It is considered that there will not be unreasonable off-site amenity impacts on the adjoining properties to the north given the existing level difference between the site and land to the north.</p>
<ul style="list-style-type: none"> Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Ensure that access gradients of basement carparks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	<p>Met Gradients of the driveway comply with Design Standard 3 in Clause 52.06-8 of the Manningham Planning Scheme.</p>
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity. 	<p>Met subject to condition The submitted landscape plan shows the planting of canopy trees within the street setbacks to both Andersons Creek Road and Reynolds Road. A permit condition will require canopy trees to be 1.5 metres at the time of planting (Condition 11.1).</p>
<ul style="list-style-type: none"> On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form. 	<p>Met The submitted landscape plan shows adequate planting along the site boundaries to soften the appearance of the built form.</p>
<p><u>Fencing</u></p> <ul style="list-style-type: none"> A front fence must be at least 50 per cent transparent. On sites that front Blackburn Road, 	<p>Met The front fences do not exceed 1.8 metres in height, are set back at least one metre from the site boundaries and partly</p>

<p>Andersons Creek Road and Reynolds Road, a fence must:</p> <ul style="list-style-type: none"> • not exceed a maximum height of 1.8m • be setback a minimum of 1.0m from the front title boundary <p>and a continuous landscaping treatment within the 1.0m setback must be provided.</p>	transparent.
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Car parking, access, traffic and bicycle parking

Car parking

- 8.7 Prior to a new use commencing or a new building being occupied, Clause 52.06-2 of the Manningham Planning Scheme requires that the number of car parking spaces outlined at Clause 52.06-6 be provided on the land or as approved under Clause 52.06-3, to the satisfaction of the Responsible Authority.
- 8.8 Clause 52.06 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.
- 8.9 Visitor car parking is required at a rate of one car parking space for every five dwellings.
- 8.10 For the proposal, Clause 52.06 requires the provision of 68 car parking spaces for residents (2 per dwelling) and 6 visitor car parking spaces. The proposed car parking provision on site meets this requirement.
- 8.11 An assessment against the car parking design standards at Clause 52.06-8 of the Manningham Planning Scheme is provided in the table below:

Design Standard	Met/Not Met
1 – Accessways	<p>Met subject to condition</p> <p>All car parking spaces have been designed to allow vehicles to enter and exit the site in a forward direction. The basement has a minimum headroom of 2.5 metres which complies with the requirement of 2.1 metres. A permit condition will require the visibility splay areas adjacent to the driveway at the frontage to be shown to demonstrate compliance with the standard (Condition 1.3).</p>
2 – Car Parking Spaces	<p>Met subject to condition</p> <p>The tandem garages for Dwellings 23 to 26 and Dwellings 32 to 34 have a length of approximately 10.7 to 10.8 metres, which is less than a length of 11.3 metres required by Council's Engineers. A permit condition will require these garages to be lengthened by increasing the size of the basement (Condition 1.1).</p> <p>It is noted that the garages have a minimum width of approximately 2.9 metres, which is less than the</p>

	required width of 3.5 metres required under this standard. In this instance, a reduced width for the single garages is considered acceptable in the context of the development as the layout is not dissimilar to a large basement car park but with enclosed spaces. The garages are also used by residents who will adjust to the reduced width of the garages over time. However, a permit condition will require them to be widened to a minimum width of 3 metres to comply with the relevant Australian Standard AS2890.1-2004, which will satisfy the decision guideline in Clause 52.06-9 of the Manningham Planning Scheme (Condition 1.2).
3 – Gradients	Met The maximum driveway gradient and transitions between gradients comply with the standard.
4 – Mechanical Parking	Not applicable No mechanical parking is proposed.
5 – Urban Design	Met The driveway and basement car park will not be visually dominating on the streetscape given their location at the eastern end of the site and their limited width.
6 – Safety	Met Access to the basement is restricted by a security door.
7 – Landscaping	Met The submitted landscape plan shows sufficient planting on both sides of the driveway to soften its appearance.

Access

8.12 A permit is required under Clause 52.29 of the Manningham Planning Scheme as the proposal involves removing three (3) existing crossovers and providing a new crossover on Reynolds Road. As VicRoads support the proposed development and have no objection to the proposal, the access arrangement is considered appropriate.

Bicycle facilities

8.13 There is no requirement under the Manningham Planning Scheme to provide bicycle spaces as the built form is three storeys in height. In any case, the proposal provides six bicycle spaces located near the Andersons Creek Road frontage and six spaces at the eastern end of the central common pathway for residents and visitors.

Traffic

8.14 The submitted traffic impact assessment states that the proposed development is expected to generate up to 24 residential vehicle movements per peak hour. It is not expected that this level of traffic will cause significant impact on the

operations of the surrounding road network and will be indiscernible in areas away from the immediate vicinity of the site.

- 8.15 Council's Engineering Services Unit raise no concern in relation to the expected traffic generated by the proposed development and agree with the findings in the submitted report.

Clause 55 (Rescode)

- 8.16 An assessment against the objectives of Clause 55 of the Manningham Planning Scheme is provided in the table below:

OBJECTIVE	OBJECTIVE MET / NOT MET
<p>55.02-1 – Neighbourhood Character</p> <ul style="list-style-type: none"> To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area. 	<p>Met</p> <p>The proposal contributes to the preferred character of more intense development and the substantial change envisaged for The Pines Activity Centre, as discussed in the assessment against the state and local planning policy frameworks.</p>
<p>55.02-2 – Residential Policy</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Met</p> <p>The application was accompanied by a written statement that has demonstrated how the development is consistent with State, Local and Council policy.</p>
<p>55.02-3 – Dwelling Diversity</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	<p>Met</p> <p>The proposal includes a mix of dwellings with either three or four bedrooms and a range of different sizes to provide diversity.</p>
<p>55.02-4 – Infrastructure</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Met subject to condition</p> <p>The site has access to all services. The applicant will be required to provide an on-site stormwater detention system to alleviate pressure on the drainage system (Condition 13).</p>
<p>55.02-5 – Integration With Street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<p>Met</p> <p>Front entries of dwellings are oriented to face the site frontages where possible to integrate the development with the street. Front fences are not excessive in height and are partly transparent.</p>
<p>55.03-1 – Street Setback</p>	<p>Considered Met</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
<ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>The development is set back 3.6 metres from the frontage to Andersons Creek Road, which does not meet the requirement of 9 metres under the standard. However, the design response is considered acceptable given the site's location on the corner of two major roads and the wide nature strip on Andersons Creek Road will limit potential visual impacts on the streetscape and adjoining properties. The street setback is also similar to the four-storey apartment previously approved on the site, which had a street setback of 3.8 metres. A reduced setback also allows for a more efficient use of this significant site within The Pines Activity Centre to allow for a substantial provision of housing.</p> <p>The development is set back 3.5 metres from the frontage to Reynolds Road, which complies with the standard for a corner lot.</p>
<p>55.03-2 – Building Height</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Met</p> <p>The maximum building height of 11.4 metres does not exceed the 14 requirement allowed under DDO9 for this site.</p>
<p>55.03-3 – Site Coverage</p> <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	<p>Met</p> <p>The proposed site coverage is 47%, which is below the 60% requirement in the standard.</p>
<p>55.03-4 – Permeability</p> <ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. 	<p>Met</p> <p>The proposal has 20% of site area as pervious surface, which complies with the standard.</p>
<p>55.03-5 – Energy Efficiency</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>Met</p> <p>Living rooms are located on the northern end of the respective dwellings to maximise solar access. All dwellings are also provided with north-facing secluded private open space areas. The layout of the dwellings also allow for cross ventilation between the north and south-facing windows.</p>
<p>55.03-6 – Open Space</p> <ul style="list-style-type: none"> To integrate the layout of development with any public and communal open 	<p>Not Applicable</p> <p>No communal open space is proposed. The development is not adjacent to any</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
space provided in or adjacent to the development.	public open space.
55.03-7 – Safety <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	Met The central pathway is mostly visible from the street frontages and access is restricted by security gates.
55.03-8 – Landscaping <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. 	Met subject to condition The submitted landscape plan demonstrates that the site can be adequately landscaped to respect the character of the area (Condition 11).
55.03-9 – Access <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	Met There is only one vehicle crossover proposed for the development.
55.03-10 – Parking Location <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. 	Met subject to condition 30 out of the 34 dwellings include a lift that allows internal access to the respective garages. The remaining 4 dwellings are within close proximity to a communal lift and staircase that allows convenient access to the basement car parking spaces. A condition will require the east-facing habitable room windows of Dwelling 19 to be acoustically treated to protect residents from vehicular noise, given these windows are directly adjacent to the common driveway (Condition 1.4).
55.04-1 – Side And Rear Setbacks <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	Considered Met The development is set back sufficiently from the eastern boundary to comply with the standard, as it has a maximum height of 7.7 metres and a setback of 3.3 metres, which exceeds the setback requirement of 2.8 metres. At its closest point to the northern boundary, the development has a height of 10.1 metres and a setback of 3.18 metres, which does not comply with the requirement of 5.2 metres in the standard. However, the setback is considered acceptable and will not have significant impacts to the existing

OBJECTIVE	OBJECTIVE MET / NOT MET
	dwellings to the north, given the level difference of the land and the articulation of the facades and the lack of potential overshadowing due to the orientation of the lots.
<p>55.04-2 – Walls On Boundaries</p> <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Met</p> <p>The proposed wall built to the northern boundary does not exceed the maximum height and length requirements of the standard.</p>
<p>55.04-3 – Daylight To Existing Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	<p>Met</p> <p>Existing habitable room windows are provided with sufficient light court areas that comply with the standard. The development is also set back sufficiently from existing habitable room windows as required by the standard.</p>
<p>55.04-4 – North Facing Windows</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Not Applicable</p> <p>There are no north-facing windows within 3 metres to the south of the site.</p>
<p>55.04-5 – Overshadowing Open Space</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Considered Met</p> <p>The shadows cast by the development will affect the existing secluded private open space areas of the adjoining properties to the east, covering three of the open space areas (Units 2, 3 and 4, 207 Reynolds Road) entirely from 2pm onwards. The overshadowing impact is considered acceptable given a satisfactory portion of these open space areas will enjoy solar access from 9am to 2pm to comply with the objective of this clause.</p>
<p>55.04-6 – Overlooking</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Met subject to condition</p> <p>Boundary fencing and privacy screens on upper levels are generally adequate in limiting views into the adjoining properties to comply with the standard. Given the proximity of the development to the existing secluded private open space areas within 5/148 Andersons Creek Road, 2/207 Reynolds Road and 4/207 Reynolds Road, a permit condition will require cross section diagrams to be submitted to demonstrate there will be no direct views into these open spaces to comply with the standard (Condition 1.6).</p>
<p>55.04-7 – Internal Views</p> <ul style="list-style-type: none"> To limit views into the secluded private 	<p>Met subject to condition</p> <p>Internal fences are provided between</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
open space and habitable room windows of dwellings and residential buildings within a development.	<p>secluded private open space areas. The upper level windows do not allow views of more than 50% of a secluded private open space area.</p> <p>A permit condition will require the details of the internal fence between the central pathway and the secluded private open space areas to be notated on the ground floor plan, with a minimum height of 1.7 metres (Condition 1.7).</p>
<p>55.04-8 – Noise Impacts</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise. 	<p>Met subject to condition</p> <p>There are no unusual noise sources that may affect existing dwellings.</p> <p>A permit condition will require the habitable room windows directly facing Reynolds Road and Andersons Creek Road to be acoustically treated to protect residents from external traffic noises on these main roads (Condition 1.5).</p>
<p>55.05-1 – Accessibility</p> <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Met</p> <p>The front entries of the dwellings are accessible. Lifts are provided within 30 of the dwellings to allow access to all levels.</p>
<p>55.05-2 – Dwelling Entry</p> <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	<p>Met</p> <p>The front entries of the dwellings can be easily identified.</p>
<p>55.05-3 – Daylight To New Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	<p>Met</p> <p>New windows are provided with sufficient light court areas to allow adequate solar access.</p>
<p>55.05-4 – Private Open Space</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Considered Met</p> <p>All dwellings are provided with ground level courtyards to the north and south of the respective dwellings, with 12 of the dwellings also provided with roof terraces. Although the secluded private open space areas for 10 of the dwellings (Dwellings 4-9, 19-22) do not comply with the minimum area of 40 square metres, the open spaces are considered adequate for the recreation needs of residents and their northern orientation will maximise solar access. The residents also has access to the communal pathway and open space area. Anderson Park is also located directly to the south-west of the site.</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
55.05-5 – Solar Access To Open Space <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	Met All dwellings are provided with north-facing secluded private open space areas to maximise solar access.
55.05-6 – Storage <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	Met Adequate storage spaces for each dwelling are provided within the basement.
55.06-1 – Design Detail <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. 	Met The dwellings are articulated and incorporate various materials and finishes to reduce the sense of visual bulk.
55.06-2 – Front Fence <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	Met The front fence complies with the requirement under DDO9.
55.06-3 – Common Property <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	Met The communal basement and pathway are practically designed and will not result in management difficulties.
55.06-4 – Site Services <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	Met subject to condition Appropriate site services are provided. A condition will require mailboxes to be located at the frontage to comply with Australia Post requirements (Condition 1.8). A condition will require the location of any building services at the frontage, including fire boosters, to be shown and designed to complement the overall development (Condition 1.9).

Objector concerns

Overdevelopment and out of character

- 8.17 The proposal respects the preferred character as directed by state and local policies, which supports a more intense built form within The Pines Activity Centre. The scale of built form is also similar to the developments on other lots within this Activity Centre and is less intense than the four-storey apartment development previously approved on the site.
- 8.18 The proposal satisfies the objectives and requirements of DDO9 and Clause 55 in respect to site coverage, setbacks, permeability, car parking, and open space provision. The layout and design of the proposal also provide an acceptable level of on-site amenity for future residents and therefore the proposal is not considered to be an overdevelopment of the site.

Increased traffic

- 8.19 Regarding the potential increase in traffic, Council's Engineering & Technical Services Unit raise no concerns regarding the impact of the proposal on the surrounding traffic network. The increased traffic movement associated with the additional dwellings on the site can be readily accommodated in the surrounding street network.
- 8.20 An assessment on the potential traffic impact is provided in the traffic report submitted with the application. The report concludes that the anticipated traffic generation will be low in traffic engineering terms and the impact will be indiscernible in areas away from the immediate vicinity of the site.

Overlooking and loss of privacy

- 8.21 Potential overlooking to the adjoining properties to the north has been assessed against DDO9 and Clause 55.04-6 of the Manningham Planning Scheme. External screens with no more than 25% transparency are provided to limit views from the north-facing habitable room windows, which comply with the standard in Clause 55.04-6 (Overlooking). The proposed dwellings are also located more than 9 metres from existing habitable room windows to the north.
- 8.22 Given the proximity of the development to the existing secluded private open space areas within 5/148 Andersons Creek Road, 2/207 Reynolds Road and 4/207 Reynolds Road, a permit condition will require cross section diagrams to be submitted to demonstrate there will be no direct views into these open spaces to comply with the standard (**Condition 1.6**).

Other matters

- 8.23 Although the proposal involves the removal of trees native in species, it is noted that the trees were planted on a levelled area as part of the landscaping for the service station which occupied the site previously. Their removal is therefore exempt from the need for a Planning Permit under Clause 52.17 of the Manningham Planning Scheme.

9. DECLARATION OF CONFLICT OF INTEREST

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