

0.0 Planning Application PL16/026362 at 336-338 Manningham Road, Doncaster for the construction of a four-storey apartment building containing 25 dwellings over two levels of basement car parking and the creation and alteration of access to a road in a Road Zone Category 1

File Number:	IN17/2
Responsible Director:	Director Planning and Environment
Applicant:	Melbourne Planning Outcomes
Planning Controls:	Residential Growth Zone, Schedule 2 (RGZ2); Design and Development Overlay Schedule 8-1 (DDO8-1)
Ward:	Koonung
Attachments:	1 Development and Landscape Plans 2 Legislative Requirements

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 336-338 Manningham Road, Doncaster. 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 a four-storey apartment building containing 25 dwellings on two (2) lots with a combined site area of 1,307 square metres at 336 and 338 Manningham Road, Doncaster. The development proposes a site coverage of 58.5%, a site permeability of 30.4% with a maximum building height of 12.3 metres. The development provides 32 car parking spaces over two basement levels.

Key issues in considering the application

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

Objector concerns

4. A total of three (3) objections have been received for the application. These can be summarised as:
 - (a) Overdevelopment;
 - (b) Design and built form (building height and visual bulk, setbacks and opportunity for landscaping);
 - (c) Traffic and car parking; and

- (d) Off-site amenity impacts (overshadowing, overlooking and loss of privacy, heat transfer and construction impacts).

Assessment

5. The proposal is generally consistent with the provisions of the Manningham Planning Scheme, in particular Clause 21.05 Residential, Schedule 8 to the Design and Development Overlay (DDO8) and Clause 55 (ResCode). These controls recognise that there will be a substantial level of change in dwelling yields and built form on the site.
6. The proposed development sits comfortably within the changing Manningham Road streetscape, as it is not dissimilar in scale and design to other higher density apartment-style developments that have been developed along this section of the road. Whilst the building has a maximum height of 12.3 metres, the section above the 10 metre preferred height is limited to a well set back central storey and surrounding roof terraces. This generally reflects the preferred character of the area and the built form outcome sought along main roads under DDO8 – Main Road Sub-precinct.
7. The development is attractive in appearance and appropriately designed to graduate from the side and rear boundaries as building height increases. The building also incorporates generous boundary setbacks to allow for landscaping and protect surrounding residents from unreasonable visual and amenity impacts. It also achieves an acceptable balance between considering the amenity of nearby properties and its attention to the internal amenity of future occupants.

Conclusion

8. The report concludes that the proposal is considered to comply with the relevant planning policy and should therefore be supported, subject to some design changes to the building and the inclusion of suitable management plan conditions. The proposal makes efficient use of the subject site and is an appropriate residential development within this part of Manningham, with good access to services, facilities and public transport.
9. It is recommended that the application be supported subject to 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 PL16/026362 at 336-338 Manningham Road, Doncaster for the construction of a four-storey apartment building containing 25 dwellings over two levels of basement car parking and the creation 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 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 Clarke Hopkins Clarke, dated 12**

September 2016 (received 9 November 2016), but modified to show:

Built form

- 1.1 The setback to the 1.7 metre high fence to the frontage of Apartments G.02 and G.03 be increased to 3 metres, with a minimum 0.5 metre landscape area provided adjacent to the fence within the secluded private open space areas;
- 1.2 The second floor Apartment 2.05 balcony eastern setback demonstrated to comply with Standard B17 of Clause 55.04-1 of the Manningham Planning Scheme;
- 1.3 Deletion of the second floor central roof canopy between the southern balconies of Apartments 2.06 and 2.07;
- 1.4 All balcony overlooking diagrams measured from the edge of the balconies and demonstrated to comply with Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme;
- 1.5 The following windows and balconies screened in accordance with Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme:
 - 1.5.1 The south-west facing habitable room windows and balconies of Apartments G.05, G.06, G.07 and G.08;
 - 1.5.2 The balcony of Apartment 1.01 screened to 1.7 metres above finished floor level;
 - 1.5.3 The bedroom windows of Apartment 1.06;
 - 1.5.4 The balcony of Apartment 2.05.
- 1.6 1.7 metre high balustrade screens between the balconies of Apartments 2.06 and 2.07, measured from the finished floor levels;

Access

- 1.7 A plan notation confirming the existing location and removal of the redundant westernmost vehicle crossover and the reinstatement of footpath, nature strip and kerb, in accordance with Condition 27 of this permit;
- 1.8 A plan notation specifying the Telstra pit lid within the proposed crossover be modified to a heavy duty lid;
- 1.9 Clarification of the surface treatment along the edges of the driveway and ramp, with any landscaping areas clearly indicated;
- 1.10 Maximum trafficable width of the driveway and crossover, with the crossover to align with the driveway;
- 1.11 A safety screen perpendicular to the site frontage, between the

driveway and the pedestrian path, which must be transparent within at least the first 2.5 metres of the frontage;

- 1.12 Relocation of the visitor intercom to the eastern side of the driveway;
- 1.13 Demonstrate with swept path diagrams, turning circles and meeting height clearances that a private waste collection vehicle can collect waste from within the development, having the ability to perform a 3-point turn within the site and enter and exit the site in a forward direction;

Site services

- 1.14 The letterboxes and service cabinet mirrored, the paved area terminating at the western end of the relocated letterboxes and the area between the service cabinet and the front title boundary set aside for landscaping;
- 1.15 The location of any fire services and details of how they will be designed so as to minimise visual impacts from Manningham Road;
- 1.16 The design details of the building's front entry, including an elevation drawing of the letterboxes and screening to the services cabinets;
- 1.17 The resident bicycle storage area provided in a lockable compound;
- 1.18 Details of the type and material of enclosure for each storage area within the basement and ground floor levels;
- 1.19 The location of retractable clotheslines to all ground level open spaces and balconies, designed so they are not visible from the street or adjoining properties;
- 1.20 An indicative location of the stormwater detention system or systems which must be located outside of easements and canopy tree landscaped areas;
- 1.21 Details of basement ventilation, including the location of any mechanical intake or outlet;
- 1.22 The location of roof-mounted plant equipment set back from the edge of the roof, with details of screening measures;
- 1.23 A plan notation to indicate the use of acoustically rated glass to all habitable room windows facing Manningham Road;
- 1.24 A schedule listing the minimum sustainability features applicable to the development, as described in the approved Sustainability Management Plan;
- 1.25 A plan notation indicating the 572 square metre roof area

harvested for 22,000L rainwater storage and connected to all 40 toilets;

- 1.26 Provide sufficient shading/overhangs to avoid overheating and glare to exposed glazing of third floor apartments;
- 1.27 Provide adjustable external blinds/shutters on west facade of third floor apartments to control glare and summer solar gains;
- 1.28 Provide adequate overhangs to control summer glare while allowing winter solar gains to northern glazing of third floor apartments;

Plan details and notations

- 1.29 Apartment 26 renumbered to G.05 on the ground floor plan;
- 1.30 Apartment 1.01 numbered on the first floor plan;
- 1.31 The third floor finished floor level consistent with the section plans (relative level 107.20 metres);
- 1.32 Detail the material and level of transparency (if any) of the front fence, to complement the development, which must not be paling;
- 1.33 A schedule of materials and finishes with colour samples of all external walls, roofs, fascias, window frames, paving (including terraces, balconies, roof terraces, stairs), fencing, privacy screens, roof top plant screens and retaining walls.

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 the sooner, two copies of an amended Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. When approved the Plan will form part of the permit. The recommendations of the Plan must be incorporated into the design and layout of the development and must be implemented to the satisfaction of the Responsible Authority before the occupation of any dwelling. The Plan must be generally in accordance with the plan prepared by prepared by F2 Design, dated 16 August 2016 but modified to show the following:
 - 4.1 Indoor Environment Quality – Third floor apartments
 - 4.1.1 Ensure that exposed glazing has sufficient shading/overhangs to avoid overheating and glare;
 - 4.1.2 Provide adjustable external blinds/shutters on west facade to control glare and summer solar gains;
 - 4.1.3 Ensure north glazing has adequate overhangs to control summer glare while allowing winter solar gains.
 - 4.2 Energy Efficiency – Clotheslines
 - 4.2.1 Fixed or retractable clotheslines for each dwelling in a courtyard, hidden on a balcony or within a bathroom or

laundry with adequate ventilation to prevent condensation and mould growth;

4.2.2 Reflect the provision for clotheslines in the STEPS report.

4.3 Energy Efficiency – Renewable Electricity Supply

4.3.1 Provide solar PV system sized to offset 50% emissions from gas hot water boiler connected to common area services;

4.3.2 Total PV system size should be 8-10kW (only 0.32-0.4kW/dwelling) depending on efficiency of gas hot water boiler (ie. higher efficiency boiler will result to a smaller PV system to offset 50% emissions).

4.4 Stormwater Management – Rainwater Tank

4.4.1 Demonstrate 572 square metre roof area harvested for 22,000L rainwater storage and connected to all 40 toilets;

4.4.2 Ensure gravity overflow from rainwater to onsite detention;

4.4.3 Demonstrate on landscape plans minimum 10 square metre vegetated buffer strips (planterboxes) for treatment of 60 square metre ground floor terrace paving.

4.5 STORM report

4.5.1 Amalgamate separate rainwater tanks and buffer strips.

Waste Management Plan

5. Before the development starts, or the issue of a building permit for the development, whichever is the sooner, an amended Waste Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit. The Plan must generally be in accordance with the plan prepared by Leigh Design, dated 16 May 2016, but modified to provide for:

5.1 A private waste contractor to drive into the development, access the bins from the bin collection points, empty the bins and upon completion return the bins to the point from where they were collected;

5.2 No private waste contractor bins can be left outside the development boundary or left unattended at any time on any street frontage for any reason.

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 4 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 approved site layout plan and the decision plan prepared by John Patrick Landscape Architects (dated August 2016), but modified to show:

- 11.1 Species, locations, approximate height and spread of proposed planting;
- 11.2 Ground floor terrace paving (60 square metres) to fall towards the vegetated buffer strip (minimum 10 square metres);
- 11.3 Details of planting within planter boxes on the second floor front balconies;
- 11.4 The irrigation of the lightweight planter boxes controlled by sensors;
- 11.5 Fixed edge strips for separation between grassed and garden areas and/or to contain mulch on batters;
- 11.6 All canopy trees and screen planting along the side and rear

boundaries are at least 1.5 metres in height at the time of planting.

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.

Site Services

- 17. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.**
- 18. Maintenance of the landscaped planter boxes must be managed by the body corporate.**
- 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. 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.**
- 21. 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.**
- 22. A centralised TV antenna must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.**
- 23. No individual dish antennae may be installed on the overall building to the satisfaction of the Responsible Authority.**
- 24. 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.**
- 25. 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.**
- 26. 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**

27. Prior to occupation of the approved dwellings, the 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.
28. The redundant vehicle crossover must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.
29. 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

30. 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.
31. 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

32. 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.

Retaining Walls

33. 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

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

Earthworks

35. 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.

Permit Expiry

36. This permit will expire if one of the following circumstances applies:

36.1 The development is not started within two (2) years of the date of this permit; and

36.2 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 A pre-application advice request was submitted on 19 October 2015.
- 2.2 The proposal was presented to the Sustainable Design Taskforce meeting on 25 August 2016, which raised an issue regarding minor architectural details.
- 2.3 The application was received on 10 June 2016.
- 2.4 A request for further information was sent on 8 July 2016. This included preliminary concerns relating to compliance with the covenant registered on title, landscaping opportunities, balcony area and solar orientation.
- 2.5 All requested further information was received on 27 October 2016.
- 2.6 The statutory time for considering a planning application is 60 days, which lapsed on 26 December 2016.
- 2.7 The land titles are affected by Covenant C580593 on 336 Manningham Road and Covenant C434779 on 338 Manningham Road. The covenants regulate building materials, fence locations and limit advertising signs.
- 2.8 In an Order dated 8 December 2016, the Supreme Court of Victoria varied the covenants, to include wording pertaining to the erection of a building to be used for the purpose of dwellings. The proposal will not result in a breach to the covenants.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site is situated on the southern side of Manningham Road, approximately 70 metres west of its intersection with Somerville Street.
- 3.2 The site comprises two regular shaped lots known as 336 and 338 Manningham Road. They have a combined width of 33.52 metres, a depth of 39.01 metres and a total area of 1,307 square metres.
- 3.3 The site presently accommodates a single-storey dwelling at 336 Manningham Road and a double-storey dwelling at 338 Manningham Road, each with a

vehicle crossing on the eastern side of the lots, accessed by a service road from Manningham Road. Private open space areas are located to the south of the respective dwellings.

- 3.4 The topography falls from the north-east corner (front) to the south-west corner (rear) by approximately 2.43 metres.
- 3.5 Drainage and sewerage easements run adjacent to the southern (rear) boundary with a width of 2.44 metres and adjacent to the western boundary with a width of 1.83 metres.
- 3.6 No fence is located on the frontage. Paling fences up to 1.8 metres in height are located on the eastern, southern and western boundaries.

The Surrounds

- 3.7 The site directly abuts four properties to the east, west and south. The surrounding development is described as follows:

Direction	Address	Description
East	340 Manningham Road, Doncaster	This property is developed with a single-storey brick dwelling set back 7.6 metres from the frontage and 1.65 metres from the common boundary. A single vehicle crossing is located on the western side of the frontage providing access to an undercroft single garage. The secluded private open space is located to the south of the dwelling.
South	6-7, 8 Howard Court, Doncaster	<p>These properties are located to the rear of the site. 6-7 Howard Court is developed with a single-storey brick dwelling set back more than 9 metres from the common boundary. Secluded private open space areas are located to the east and west of the dwelling. A swimming pool is located adjacent to the common boundary.</p> <p>8 Howard Court is developed with a single-storey brick dwelling set back 1.84 metres from the common boundary. The secluded private open space is located to the east of the dwelling.</p> <p>These properties are within the General Residential Zone, Schedule 1 and an incremental change area.</p>
West	334 Manningham Road, Doncaster	This property is developed with a two-storey brick dwelling set back 7.47 metres from the frontage and 1.88 metres from the common boundary. A central double vehicle crossing provides access to two garages. The secluded private open space is located to the south of the dwelling.

- 3.8 The character of the broader area is in transition. While single detached brick dwellings are still common on many properties, an increasing number of lots are being developed with two or more townhouse style dwellings and apartments are becoming increasingly apparent along Manningham Road itself. The closest example of a higher density, apartment style development is at 316 Manningham Road.

- 3.9 To the north of the site is Manningham Road, a major arterial road with three lanes of traffic in both directions (inclusive of a bus lane), with a central median strip. A service road provides access to the properties on the southern side of the road. Manningham Road is under the jurisdiction of VicRoads and served by several bus routes, including the Smart Bus orbital route.
- 3.10 The site is well located to a range of services, with Macedon Plaza Shopping Centre located 500 metres to the west and Westfield Doncaster Shopping Centre located 1.4km to the east. St. Gregory The Great Primary School is located 700 metres to the east. Somerville Reserve is the closest public open space and is located 400 metres away by road. The site is approximately 600 metres from the major open space area to be declared as part of the final stages of the Tullamore Estate.

4. THE PROPOSAL

- 4.1 It is proposed to remove the existing buildings and construct a four-storey apartment building comprising 25 dwellings with two levels of associated basement car parking.

Submitted plans and documents

- 4.2 The proposal is outlined on the plans prepared by Clarke Hopkins Clarke, dated 12 September 2016 (received 9 November 2016) and a landscape plan prepared by John Patrick Landscape Architecture, dated August 2016 (received 18 November 2016). Refer to Attachment 1.
- 4.3 The following reports were submitted to support the application:
- A planning report prepared by Melbourne Planning Outcomes, dated 4 June 2016
 - A waste management plan prepared by Leigh Design, dated 16 May 2016;
 - A traffic report prepared by Traffix Group, dated 9 May 2016; and
 - A sustainability management plan prepared by F2 Design, dated 16 August 2016.

Development summary

- 4.4 A summary of the development is provided as follows:

Land Size:	1,307m ²	Maximum Building Height:	12.3m
Site Coverage:	58.5%	Street setback to Manningham Road (north)	Basement – 6m Ground floor – 6m First floor – 6m Second floor – 8m Third floor – 12.47m
Permeability:	30.4%	Setback to eastern boundary	Basement – 2.1m Ground floor – 2.5m First floor – 2.5m

		Second floor – 4.15m Third floor – 7.76m
Number of Dwellings: 25	Setback to southern boundary	Basement – 4.014m Ground floor – 4.21m First floor – 4.21m Second floor – 7.92m Third floor – 13.86m
• 1 bedroom: 1	Setback to western boundary	Basement – 2.1m Ground floor – 2.5m First floor – 2.5m Second floor – 4.18m Third floor – 9.628m
• 2 bedrooms: 22	Car parking spaces:	32
• 3 bedrooms: 2	Resident spaces:	27
Density: One per 52.28m ²	Visitor spaces:	5

Design layout

- 4.5 The ground level consists of seven, two-bedroom apartments and one, one-bedroom apartment, each provided with a ground level courtyard.
- 4.6 The first floor consists of ten, two-bedroom apartments, each provided with a balcony that ranges from 8 to 14 square metres.
- 4.7 The second floor consists of five, two-bedroom apartments and two, three-bedroom apartments over two storeys, each provided with a balcony that ranges from 12 to 31 square metres.
- 4.8 The third floor consists of upper floor areas for two of the second floor dwellings and additional roof terraces with a pergola over three, second floor dwellings, accessible from the respective dwellings by stairs.

Pedestrian and vehicle access and layout

- 4.9 The pedestrian entry to the building is provided via a footpath adjacent to the driveway. It leads to the entry foyer and the lift lobby at ground floor. The lift services all levels except the third floor, which is accessible only by stairs from each applicable dwelling.
- 4.10 Vehicle access is provided via the service road to the existing crossover of 338 Manningham Road, widened to 6.4 metres on the eastern side of the frontage. It leads to a 5.5 metre wide driveway ramp that provides access to the basement car park, restricted by an automatic garage door. An intercom is provided for visitors at the driveway entrance.
- 4.10 The two basement levels consist of 32 car parking spaces, including 5 visitor car parking spaces. Access to the dwellings from these car parking spaces is via a central communal staircase and lift.

- 4.11 The basement also incorporates a waste storage room, a 20,000L capacity underground water tank, 8 bicycle parking spaces and storage spaces for 15 dwellings. Storage for the remaining 10 dwellings is provided at ground floor.

Landscaping

- 4.12 No existing trees are retained within the site. Canopy trees are proposed adjacent to the site boundaries.
- 4.13 A 1.7 metre fence (0.9 metre timber fence on a 0.8 metre high retaining wall) is provided within the front setback, providing screening to private open space areas. The fence is set back 2 metres from the front boundary, with common landscaping to be provided within this setback.

Design detail

- 4.14 The proposed building features a contemporary architectural design, which incorporates a flat roof and articulated façade presentations on all sides. The façades consist of a mix of render, timber and metal cladding with framing elements projecting from the building, together with various façade treatments.

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 Manningham Road, it is a statutory requirement to refer the application to VicRoads as a determining referral authority.
- 6.2 VicRoads have no objection and no conditions associated with the proposal.

Internal

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

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> There is adequate point of discharge for the site. All runoff is to be directed to the point of discharge (Condition 15). Provide an on-site stormwater detention system (Condition 13).
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> The existing disused vehicle crossover is required to be removed and the nature strip, kerb and channel and footpath reinstated (Condition 1.7). The modified vehicle crossover is over the existing Telstra pit. The Telstra pit is to be converted to a heavy duty lid (Condition 1.8). A "Vehicle Crossing Permit" is required.

Service Unit	Comments
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> • Adequate sight lines are available from the exit lane. • The width and internal radius of the driveway allow sufficient turning areas for all vehicles to reverse and exit the site in a forward direction. • There is at least 2.1 metres headroom beneath overhead obstructions.
Engineering & Technical Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> • The dimensions of the car parking spaces comply. • There are no traffic issues in the context of the traffic and the surrounding street network. • The number of car parking spaces provided accord with the requirements.
Engineering & Technical Services Unit – Car Parking Layout	<ul style="list-style-type: none"> • The car parking layout is satisfactory.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> • A construction management plan is required (Condition 3).
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> • Private waste collection will be required. • Amendments to the submitted Waste Management Plan are required before approval. • Waste collection must occur within the development, including performing a 3-point turn within the site and enter and exit the site in a forward direction (Condition 1.13). • A final Waste Management Plan needs to be approved as part of the permit (Condition 5).
Engineering & Technical Services Unit – Easements	<ul style="list-style-type: none"> • Build over easement approval is not required.
Strategic Projects Unit – Sustainability	<ul style="list-style-type: none"> • The following amendments to the submitted Sustainability Management Plan are required before approval (Conditions 1.24 to 1.28 and 4). <p><u>Indoor Environment Quality</u></p> <ul style="list-style-type: none"> • Ensure that top floor apartments exposed glazing has sufficient shading/overhangs to avoid overheating and glare; • Provide adjustable external blinds/shutters on west facade to control glare and summer solar gains. • Ensure north glazing has adequate overhangs to control summer glare while allowing winter solar gains. <p><u>Energy Efficiency</u></p> <ul style="list-style-type: none"> • Reflect on latest plans fixed or retractable

Service Unit	Comments
	<p>clothes lines in:</p> <ul style="list-style-type: none"> ○ courtyard or; ○ hidden on balcony or; ○ bathroom/laundry with adequate ventilation to prevent condensation/mould growth. <ul style="list-style-type: none"> ● Reflect in STEPS – Energy. <p><u>Energy Efficiency – renewable electricity supply</u></p> <ul style="list-style-type: none"> ● Provide solar PV system sized to offset 50% emissions from gas hot water boiler connected to common area services; ● Total PV system size should be 8-10kW (only 0.32-0.4kW/dwelling) depending on efficiency of gas hot water boiler (ie. higher efficiency boiler will result to a smaller PV system to offset 50% emissions). <p><u>Stormwater Management – Rainwater tank</u></p> <ul style="list-style-type: none"> ● Reflect on latest plans 572m² roof area harvested for 22,000L rainwater storage and connected to all 40 toilets; ● Ensure gravity overflow from rainwater to onsite detention; ● Reflect on latest landscape plans 13m² vegetated buffer strips (planterboxes) for treatment of 60m² ground floor terrace paving; <p><u>STORM report</u></p> <ul style="list-style-type: none"> ● Amend STORM report to amalgamate separate rainwater tanks and buffer strips.
Economic and Environmental Planning Unit – Urban Design	<ul style="list-style-type: none"> ● Visual interest and articulation is provided with framing elements, building recesses and extrusions, and a varied material palette. Effort has been made to provide visual interest on the he south-west elevation (at the rear of the development), in particular. ● The basement carpark is concealed from view. ● The front fence proposed is not 50% transparent but is sufficiently recessed (3 metres) to provide for landscaping across this frontage. ● Service cabinets are appropriately concealed behind batten screening. ● Balcony landscaping proposed will assist in softening the appearance of the building. The irrigation of the lightweight planter boxes should be controlled by sensors and maintenance of the planter boxes be managed by the body corporate (Conditions 11.4 and 18). ● I note that the redundant crossover will be

Service Unit	Comments
	removed and reinstated as a nature strip. This will provide opportunity for an additional street tree.

7. CONSULTATION / NOTIFICATION

- 7.1 Notice of the application was given for a three-week period which concluded on 22 December 2016, by sending letters to nearby properties and displaying a sign on each frontage.
- 7.2 Objections have been received from the following properties:
- 340 Manningham Road, Doncaster (adjoining property to the east);
 - 5 Howard Court, Doncaster (adjoining property to the south); and
 - 6-7 Howard Court, Doncaster (adjoining property to the south).
- 7.3 The following is a summary of the grounds upon which the above properties have objected to the proposal:
- Overdevelopment;
 - Building height, setbacks and visual bulk;
 - Inadequate car parking and increased traffic;
 - Overshadowing;
 - Overlooking and loss of privacy;
 - Heat transfer; and
 - Construction impacts due to the proximity of basement excavation to boundaries.
- 7.4 A response to the grounds of objection are included in the assessment from sections 8.26 to 8.39.

8. ASSESSMENT

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

- 8.3 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.
- 8.4 At both the SPPF and LPPF levels, policy encourages higher density development in established activity centres or on strategic redevelopment sites, particularly for housing. Whilst the subject site is not specifically identified as a strategic redevelopment site within the MSS, it substantially meets key criteria as a strategic redevelopment site primarily through its location and proximity to a Principle Activity Centre and a Neighbourhood Activity Centre with good access to public transport and existing services, and the ability of the subject site to accommodate more than ten dwellings.
- 8.5 The use of the subject land for the purpose of dwellings is appropriate within the zoning of the land and the strategic context of the site. There is policy support for an increase in residential density within and close to activity centres and the activation of street frontages to increase the vibrancy of the area.
- 8.6 The proposed development exceeds the 10 metre building height requirement outlined in the DDO8 for lots with an area less than 1,800 square metres that have a slope of 2.5 degrees or more. The consolidation of two lots with a combined area of 1,307 square metres is considered appropriate to accommodate the development in the height proposed as the development provides increased setbacks to compensate for its larger scale in comparison to traditional medium density housing. This is consistent with the preferred future character outlined in the DDO8. The subject site is located in an area which is undergoing change and revitalisation due to the demand for increased density within the municipality.
- 8.7 While there is a strategic imperative for Council to encourage urban consolidation where an opportunity exists, this is not in isolation and other relevant policies (requiring new design to be appropriate for the physical and social context) are still relevant. The proposed development and its response to the streetscape and elements (including supporting high quality urban design, on and off-site amenity of future occupants and neighbours, energy efficiency and a positive contribution to neighbourhood character) will be assessed in the following sections of this report.
- 8.8 Council has, through its policy statements throughout the Planning Scheme, and in particular by its adoption of the DDO8 over part of this neighbourhood, created a planning mechanism that has, and will in time alter the existing neighbourhood character along Manningham Road and in some adjoining side streets.
- 8.9 Council's planning preference is for higher density, multi-unit developments which can include apartment style developments on larger lots. This higher density housing thereby provides for the "preferred neighbourhood character" which is guided by the design elements contained within the DDO8, in conjunction with an

assessment against Clause 21.05 and Clause 55 – Rescode. The resultant built form is contemplated to have a more intense and less suburban outcome.

- 8.10 An apartment development across this site is generally consistent with the broad objectives of Council's planning policy outlined at Clause 21.05 of the Manningham Planning Scheme. The policy encourages urban consolidation (and apartment buildings) in this specific location due to its capacity to support change given the site's main road location and proximity to services, such as public transport. 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.

Design and built form

- 8.11 An assessment against the requirements of the DDO8 is provided below:

Design Element	Met/Not Met
<p>DDO8-1 (Main Road Sub-Precinct)</p> <ul style="list-style-type: none"> The minimum lot size is 1800 square metres, which must be all the same sub-precinct. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage 11 metres provided the condition regarding minimum land size is met. <p>If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.</p>	<p>Considered Met</p> <p>The site has an area of less than 1,800 square metres that is entirely within the Main Road Sub-Precinct. Given the slope of the land, the site therefore has a maximum building height requirement of 10 metres.</p> <p>The building has a maximum height of 12.3 metres, which exceeds the preferred height by 2.3 metres.</p> <p>The purpose of providing discretion in building height on the Main Road Sub-Precinct is to allow flexibility to achieve design excellence. This might be through providing a 'pop-up' level to provide visual interest to an otherwise flat roof form, or a design feature at a 'gateway' site. The discretion is only provided to this sub-precinct because main road streetscapes are typically less fragmented environments compared to local streets and therefore can absorb some additional height.</p> <p>The portion of built form above a height of 10 metres is limited to the third floor component, stairwells and roofed terrace area. These areas are centrally located within the site. The third floor occupies 117 square metres, or 22% of the second floor footprint (excluding balconies). The stairwells providing access to the roof terraces are setback a minimum of 12.47 metres from the front title boundary. The third storey is setback 7.76 metres from the eastern boundary, 9.628 metres from the western boundary and 13.86 metres from the rear</p>

Design Element	Met/Not Met
	<p>boundary. These upper floor components will therefore only be visible when the site is viewed from a distance.</p> <p>The ground, first floor and second floor levels of the apartment building are within the maximum height limit of 10 metres.</p> <p>Overall, it is considered that the height of the building is acceptable and will not have unreasonable impacts on the streetscape or adjoining properties.</p>
<ul style="list-style-type: none"> Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. 	<p>Met subject to condition</p> <p>The ground and upper floor walls of the building have a minimum street setback of 6 metres.</p> <p>The DDO8 allows balconies and terraces to encroach within the street setback by a maximum of 2 metres, but they must not extend along the width of the building.</p> <p>At ground floor, terraces provided to three dwellings encroach into the 6 metre street setback by 3 metres. A 1 metre wide landscape area is provided to secluded private open space areas and a 2 metre wide common landscape area is provided within the site frontage, which somewhat limits canopy tree planting. To improve the balance between private and common open space, a condition (Condition 1.1) will require the setback to the 1.7 metre high fence to the frontage of Apartments G.02 and G.03 to be increased from 2 metres to 3 metres, and a minimum 0.5 metre landscape area be provided within the secluded private open space areas, which would require the terraces to be reduced by at least 0.5 metres in width.</p> <p>At first floor, balconies encroach into the 6 metre street setback by up to 2.05 metres. The balcony extends across the majority of the width of the building, separated in the location above the pedestrian entry. The width of the balconies are tapered and contrasted by recessed first floor building setbacks. Given the negligible 0.05 metre encroachment is over the ground floor terrace, landscaping will not be limited at ground floor.</p>

Design Element	Met/Not Met
	<p>At second floor, balconies encroach into the 6 metre street setback by up to 1.65 metres. This is an allowable encroachment. It is considered that the section of balconies that extend across the width of the building within the 6 metre street setback is acceptable as it does not extend along the entire width of the building. A section of the balcony extends an additional 1.7 metres beyond the western side of the second floor building footprint, however this section is only partly roofed and is proportionate with the first floor balcony below.</p> <p>Landscaping is proposed along the northern edge of the first and second floor balcony within planter boxes.</p>
<p>Form</p> <ul style="list-style-type: none"> Ensure that the site area covered by buildings does not exceed 60 percent. 	<p>Met The building has a site coverage of 58.5%.</p>
<ul style="list-style-type: none"> Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Met The building incorporates a mixture of colours and materials to provide visual interest. Articulation is also provided by the stepping of walls, the use of balconies, glazing, fascias and framing elements.</p>
<ul style="list-style-type: none"> Minimise buildings on boundaries to create spacing between developments. 	<p>Met No part of the building is constructed on the boundaries. Building setbacks are at least 2.5 metres along the side boundaries and at least 4.21 metres to the rear boundary to provide spacing between the building and the adjoining properties. This spacing can accommodate substantial landscaping and courtyards. This is considered to be a good outcome for adjoining properties and the streetscape.</p>
<ul style="list-style-type: none"> Where appropriate ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area. 	<p>Met The building is stepped down at the rear of the site through staggered setbacks, incorporation of balconies, framing elements and varied building materials. The upper levels of the building are graduated to provide increased setbacks to the rear boundary, which allows the building to be stepped down and provide a transition to the single-storey scale of the adjoining properties to the rear.</p>
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Met Some excavation is proposed towards the rear of the site with the ground floor level cut in towards the front of the site. This reduces</p>

Design Element	Met/Not Met
	the elevation of the building above the natural ground level and the associated visual impact, providing a suitable transition to the adjoining residential properties within the incremental change area to the rear.
<ul style="list-style-type: none"> Avoid reliance on below ground light courts for any habitable rooms. 	<p>Met The building does not rely on below ground light courts for any habitable rooms.</p>
<ul style="list-style-type: none"> Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Ensure that the upper level of a three storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Met The third floor level of the building covers 22% of the second floor level. The second floor level of the building covers 71% of the first floor level, meeting the 75% requirement. The second floor is also graduated from the lower levels to reduce its prominence and visual bulk.</p> <p>Overall, the building is well articulated and provides visual interest.</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 There are no porticos or imposing design elements proposed. Design features are considered to be well integrated into the overall design of the building.</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 The development incorporates excavation to the ground floor level towards the rear of the site.</p> <p>The projection of the basement above natural ground level is limited to the rear elevation. It is limited to approximately 1 metre and will be screened from the adjoining properties by boundary fences.</p>
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Met Screens are provided to upper level balconies to prevent direct views into the habitable room windows and secluded private open spaces of the adjoining properties. There is no excessive application of screen devices partly due to the liberal use of highlight windows that will prevent downward views. Overlooking impacts will be further discussed in the assessment against Clause 55.04-6 of the Manningham Planning Scheme.</p>

Design Element	Met/Not Met
<ul style="list-style-type: none"> Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities. 	<p>Met The footpath to the building entry is appropriately graded to allow for equitable access by people of all mobilities.</p> <p>A lift provides access to the basement car park and entries of all dwellings.</p>
<ul style="list-style-type: none"> Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	<p>Met The basement projects above natural ground level on the rear elevation. The projection is not considered to be excessive and will not result in unreasonable visual impacts. The upper levels of the building are also graduated and the overall height on the western and southern elevations does not exceed 10 metres in height.</p>
<ul style="list-style-type: none"> Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site. 	<p>Met Across the frontage of the site, the basement is not visible as it is below ground level.</p>
<ul style="list-style-type: none"> Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking. 	<p>Met All car parking spaces are provided within the basement car park.</p>
<ul style="list-style-type: none"> Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established. 	<p>Met The basement is consistent with the front building setback of 6 metres and is set back 4 metres from the rear boundary, which provides adequate room for effective landscaping to be established.</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 The development provides appropriate wall setbacks to side and rear boundaries to allow for screen planting that soften the appearance of the built form.</p>
<ul style="list-style-type: none"> Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces. 	<p>Met subject to condition A permit condition (Condition 1.22) will require the location of plant equipment on the roof away from the sides of the building and be screened to minimise any visual and amenity impacts on the street and adjoining properties. A permit condition will also require any service equipment to be screened to avoid unreasonable amenity impacts (Conditions 20).</p>

Design Element	Met/Not Met
<p><u>Car Parking and Access</u></p> <ul style="list-style-type: none"> • Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback. 	<p>Met subject to condition There is only one vehicular crossover proposed, which will be modified from the existing crossover of 338 Manningham Road. There are no street trees proximate to the modified crossover.</p>
<ul style="list-style-type: none"> • Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary. 	<p>Not applicable</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 subject to condition A permit condition will require driveway gradients and transitions generally achieved through the driveway construction process (Condition 10).</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. • 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>Met subject to condition The condition requiring the front fence to be setback 3 metres from the site frontage (Condition 1.1) will greater emphasise a landscaped frontage. The submitted landscape plan provides three canopy trees within the front setback. A permit condition will require an amended landscaping plan (Condition 11) to reflect plan changes under Condition 1 and planting details within the second floor planter box.</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 	<p>Met The site plan shows the site will allow the planting of numerous canopy trees within the side and rear setbacks, which assist to soften</p>

Design Element	Met/Not Met
and/or soften the appearance of the built form.	the appearance of the built form.
<p>Fencing</p> <ul style="list-style-type: none"> A front fence must be at least 50 per cent transparent. On sites that front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn and Mitcham Roads, a fence must: <ul style="list-style-type: none"> not exceed a maximum height of 1.8m be setback a minimum of 1.0m from the front title boundary <p>and a continuous landscaping treatment within the 1.0m setback must be provided.</p>	<p>Met subject to condition</p> <p>The front fence is not provided to the front title boundary as typically foreseen. The front fence has a maximum height of 1.7 metres and will be set back 3 metres from the front title boundary, and serves to create privacy to front-facing secluded private open space areas (Condition 1.1). It is therefore not beneficial to provide a minimum 50% transparency.</p> <p>This 3 metre setback provides ample opportunity to provide a connection between the development and landscaping along the site frontage with a continuous landscaping treatment.</p>

Car parking, access, traffic and bicycle facilities

Car parking, Access and Traffic

- 8.12 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.
- 8.13 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.
- 8.14 Visitor car parking is required at a rate of one car parking space for every five dwellings.
- 8.15 The proposal requires the provision of 27 car parking spaces for residents and 5 car parking spaces for visitors. The proposed parking provision complies with this requirement.
- 8.16 An assessment against the car parking design standards in Clause 52.06-8 is provided in the table below:

Design Standard	Met/Not Met
1 – Accessways	<p>Met subject to condition</p> <p>The accessway to the basement car park meets the minimum width and height clearance requirements. The car park has been designed for all vehicles to exit the site in a forward direction, including vehicles parked in the last space of a dead-end accessway. The driveway provides a width of 5.5 metres for the entire ramp, including within the site frontage,</p>

Design Standard	Met/Not Met
	<p>therefore a designated passing bay is not required. The surface treatment along the edges of the driveway ramp is unclear, therefore a permit condition will clarify this (Condition 1.9). An adequate visibility splay area is provided along the exit lane.</p> <p>For clarity, a permit condition will require the width of the driveway and crossover to be denoted and the crossover aligned with the driveway (Condition 1.10).</p>
2 – Car Parking Spaces	<p>Met</p> <p>Car parking spaces are provided in accordance with the requirements, with dimensions of 2.6 metres wide, a length of 4.9 metres and accessed from an aisle width of at least 6.4 metres. Clearance is provided adjacent to car parking spaces as per the standard.</p>
3 – Gradients	<p>Met</p> <p>The driveway ramp includes transition sections at least 2 metres in length, which complies with the standard. The driveway gradients have been assessed as compliant with the standard.</p>
4 – Mechanical Parking	<p>Not applicable</p> <p>No mechanical parking proposed.</p>
5 – Urban Design	<p>Met subject to condition</p> <p>The vehicle crossing and accessway located on the eastern side of the site will not dominate the landscape.</p> <p>The entry into the basement car park will not dominate the streetscape as it features an unassuming perforated metal garage door, is partially below natural ground level and is recessed from the first floor framing element above.</p>
6 – Safety	<p>Met subject to condition</p> <p>The basement car park is provided with an automatic garage door. An intercom system is provided for visitor use, however it is on the right hand side of the driveway as a vehicle approaches the door. A permit condition will require the intercom for car park access be relocated to the eastern side of the driveway (Condition 1.12).</p> <p>Given the proximity of the pedestrian path to the driveway, a permit condition will require a safety barrier within the frontage, with the material being transparent within the visibility splay area (Condition 1.11).</p>
7 – Landscaping	<p>Met</p> <p>No ground level car parking is proposed. Landscaping is provided to soften the appearance of the accessway.</p>

8.17 The submitted traffic impact assessment confirms that the proposed development is expected to generate 13 residential vehicle movements per peak hour and a

total of 125 vehicle trip ends per day to and from Manningham Road via the service road. The majority of vehicle movements would be in the morning peak period as residents commute to work/business or other activities. In the afternoon, the residential vehicle trips back to the site would be spread out over various times. The traffic impact assessment concludes that the volume of traffic that is likely to be generated by the development is small and will not have any material impact on the capacity and operation of the service road, Manningham Road and the surrounding road network and intersections.

- 8.18 Council's Engineering Services Unit raise no concern in relation to the expected traffic generated by the proposed development as confirmed in the submitted report. The proximity of the subject site to public transport is expected to encourage a greater variety of transportation methods as opposed to sole reliance on a vehicle.
- 8.19 Overall, the traffic generated as a result of the proposed development (while acknowledging existing traffic congestion and problems in the surrounding street network) is considered to be generally compliant with the broader policy objectives of encouraging sustainable transport modes and ensuring there is a satisfactory level of parking provision as outlined in the SPPF and LPPF.

Land Adjacent to a Road Zone Category 1

- 8.20 A permit is required under Clause 52.29 of the Manningham Planning Scheme as the proposal involves the removal of one existing crossover and modifications to an existing crossover to Manningham Road, which inclusive of the service road, is zoned Road Zone Category 1.
- 8.21 The decision guidelines of this Clause include the views of the relevant road authority.
- 8.22 As VicRoads have no objection to the proposal, the access arrangement is considered appropriate.

Bicycle Facilities

- 8.23 In developments of four or more storeys, one bicycle space is required for every five dwellings (for residents) and one bicycle space is required for every ten dwellings (for visitors).
- 8.24 The proposal requires the provision of 5 bicycle spaces for residents and 3 bicycle spaces for visitors. Eight resident bicycle rails are provided within the basement, adjacent to the waste storage area. Six visitor bicycles can be accommodated on the three rails provided adjacent to the building services enclosures, adjacent to the site frontage. A permit condition will require the resident bicycle rails be provided in a lockable compound to meet this provision (**Condition 1.17**). The provision of these bicycle spaces exceeds the requirements of this clause.

Clause 55 (Rescode)

- 8.25 An assessment against the objectives of Clause 55 is provided in the table below:

Objective	Objective Met/Not Met
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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>As outlined in the assessment of the proposal against the policy requirements of the Schedule 8 to the Design and Development Overlay (DDO8), it is considered that the proposed apartment development responds positively to the preferred neighbourhood character, and respects the natural features of the site and its surrounds.</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 one, two and three bedroom dwellings with a range of floor areas 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>The front entry of the development is oriented the site frontage to integrate the development with the street.</p>
<p>55.03-1 – Street Setback</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Considered Met</p> <p>The ground and upper levels of the building are set back at least 6 metres from the site frontage, with the exception of a negligible balcony encroachment.</p> <p>For the reasons discussed earlier in the report (section 8.11) under the DDO8 assessment, the street setback is considered appropriate.</p>
<p>55.03-2 – Building Height</p>	<p>Considered Met</p>

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>The building has a maximum height of 12.3 metres, which is 2.3 metres higher than the 10 metre preferred height requirement under the DDO8.</p> <p>For the reasons discussed earlier in the report (section 8.11) under the DDO8 assessment, the maximum building height is considered appropriate.</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 58.5%, which does not exceed 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 30.4% 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>Considered Met</p> <p>Given the orientation of the site, there are numerous dwellings that can be considered south-facing; four dwellings on each of the ground and first floors, and two dwellings on the second floor. The living rooms of all other dwellings are oriented to the north, east or west to maximise exposure to sunlight.</p> <p>The applicant has submitted a Sustainability Management Plan (SMP) outlining ESD methods that will be utilised through construction to achieve a sustainable building. The report has been considered to be satisfactory by Council's Sustainability Officer subject to some changes that will be required as permit conditions (Condition 3 and Conditions 1.24 to 1.28).</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 space provided in or adjacent to the development. 	<p>Not applicable</p> <p>No communal open space is proposed and the development is not adjacent to any public open space.</p>
<p>55.03-7 – Safety</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	<p>Met</p> <p>The central pathway is mostly visible from the street frontages and access is restricted by an automatic garage door.</p>
<p>55.03-8 – Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character 	<p>Met subject to condition</p> <p>Generous landscaping can be accommodated within the setbacks to all site</p>

Objective	Objective Met/Not Met
<p>of the neighbourhood.</p> <ul style="list-style-type: none"> To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. 	<p>boundaries. The development is not expected to have any impact on vegetation within adjoining properties due to the building setbacks.</p> <p>A landscaping plan has been provided, but will be required to be amended by a permit condition (Condition 11) to reflect plan changes under Condition 1.</p> <p>The submitted landscape plan provides three canopy trees within the front setback and a combination of trees and shrubs along the side and rear boundaries.</p> <p>The plan shows details of planting within the planter box to the first floor balcony, but does not include reference to the second floor balcony, which also includes a planter box on the development plans. A permit condition will require the second floor planter box plantings detailed (Condition 11.3).</p> <p>A permit condition will require an indicative location of the stormwater detention system on the site plan to be located outside of easements and canopy tree landscape areas (Condition 1.20).</p> <p>A landscape maintenance bond of \$10,000 will be required by a permit condition (Condition 12).</p>
<p>55.03-9 – Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Met</p> <p>There is only one vehicle crossover proposed for the development.</p>
<p>55.03-10 – Parking Location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. 	<p>Met</p> <p>The central lift shaft provides equitable access for residents and visitors from all car parking spaces within the basement levels.</p>
<p>55.04-1 – Side And Rear Setbacks</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Met subject to condition</p> <p>The building setbacks specified earlier in the report (section 4.4) exceed the required setbacks to the side and rear boundaries. However, these setbacks do not take into consideration balconies and framing elements that project forward of the building line.</p> <p>These setbacks have been reviewed and found to be compliant with the requirements of Standard B17, with the exception of the</p>

Objective	Objective Met/Not Met
	second floor Apartment 2.05 balcony. This 1.5 metre high balustrade has a height of 7.2 metres, which requires a minimum setback of 2.29 metres. A permit condition will require the 1.3 metre setback to be increased to comply with Standard B17 of Clause 55.04-1 (Side and rear setbacks objective) of the Manningham Planning Scheme (Condition 1.2).
55.04-2 – Walls On Boundaries <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. 	Not applicable There are no walls proposed to be constructed on boundaries.
55.04-3 – Daylight To Existing Windows <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	Met 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.
55.04-4 – North Facing Windows <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	Met There are four habitable room windows of the dwelling at 8 Howard Court within 3 metres of the common boundary. The development is set back sufficiently from these north-facing habitable room windows as required by the standard.
55.04-5 – Overshadowing Open Space <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	Met The submitted shadow diagrams demonstrate that shadows cast by the building will affect the secluded private open space of the adjoining properties to the south and east, with the portion of open space affected being less than what is permissible by the standard. Shadows cast by the building into the adjoining property to the west will extend marginally beyond shadows cast by the existing boundary fence. Overshadowing impacts will therefore not have any unreasonable off-site amenity impacts.
55.04-6 – Overlooking <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	Met subject to condition All overlooking diagrams on the section plan show the 1.7 metre high eye line behind the edge of the respective balcony, which is not in accordance with Standard B22 of this

Objective	Objective Met/Not Met
	<p>clause. A permit condition will require all overlooking diagrams to be shown from the edge of the deck, for accuracy, and all diagrams demonstrated to meet the overlooking requirements (Condition 1.4). All habitable room windows are demonstrated to comply with the overlooking requirements either through 1.8 metre high boundary fencing, by proximate balcony screening or with sill heights of 1.7 metres above the applicable finished floor level, unless otherwise mentioned.</p> <p>East (south-east)</p> <ul style="list-style-type: none"> • First floor: The Apartment 1.06 balcony incorporates a 1.5 metre high balustrade with a width of 0.6 metres on the eastern side. Given the height of the balcony relative to the adjoining dwelling, which is comparably lower, the screening device will adequately limit downward views into habitable room windows. <p>The Apartment 1.06 bedroom has a full length window directly opposite an adjoining habitable room window. A permit condition will require the window to meet the overlooking requirements (Condition 1.5.3).</p> <ul style="list-style-type: none"> • Second floor: The Apartment 2.05 balcony incorporates a 1.5 metre high balustrade with a width of 0.6 metres on the eastern side, opposite habitable room windows of the adjoining dwelling. In conjunction with the increased balcony side setback condition discussed in the Side and Rear Setbacks assessment (section 8.25), a condition will require the balcony meet the overlooking requirements to limit downward views into habitable room windows of the adjoining dwelling (Condition 1.5.4). The southern side of the balcony is not required to be screened as there are no sensitive areas within 9 metres. Any perceived overlooking in excess of 9 metres directly south-west will be limited by the first floor roof below. <p>South (south-west)</p> <ul style="list-style-type: none"> • Ground floor: Apartments G.05, G.06, G.07 and G.08 each have raised balconies set

Objective	Objective Met/Not Met
	<p>back 2.8 metres from the rear boundary and habitable room windows offset from the balconies set back 4.21 metres and 5.265 metres. Overlooking may occur from the raised balconies and windows. A permit condition will require the balconies and windows to meet the overlooking requirements Condition 1.5.1).</p> <ul style="list-style-type: none"> • First floor: The balconies of Apartments 1.07, 1.08, 1.09 and 1.10 incorporate 1.5 metre high balustrades with a width of 0.3 metres on the southern side (with framing that screens the outer edges). Given the height of the balconies relative to the adjoining properties, which are comparably lower, the screening devices will adequately limit downward views into habitable room windows and secluded private open space areas. • Second floor: The balconies of Apartments 2.06 and 2.07 incorporate 1.5 metre high balustrades with a width of 0.6 metres on the southern side (with screens on the inside edges). Given the height of the balconies relative to the adjoining properties, which are comparably lower, the screening devices will adequately limit downward views into habitable room windows and secluded private open space areas. <p>The eastern edge of the Apartment 2.06 balcony and the western edge of the Apartment 2.07 balcony that face adjoining properties to the side of the subject site are screened to 1.5 metres without a widened balustrade. Overlooking into the adjoining secluded private open space areas will be limited by the first floor roof below.</p> <p>The south-facing full length kitchen windows of Apartments 2.06 and 2.07 are not required to be screened as there are no sensitive areas within 9 metres. Any perceived overlooking will be limited by the first floor roof below.</p> <p>West (north-west)</p> <ul style="list-style-type: none"> • First floor: The Apartment 1.01 balcony incorporates a 1.5 metre high balustrade

Objective	Objective Met/Not Met
	<p>with a width of 0.6 metres on the western side. While the screening device will limit downward views, it will not limit views from the balcony or the habitable room windows of the apartment directly across into the adjoining two-storey dwelling. A permit condition will require the balcony to be screened to 1.7 metres above finished floor level to meet the overlooking requirements (Condition 1.5.2).</p> <p>The Apartment 1.01 bedroom has a full length window directly opposite the service area of the adjoining dwelling, which is a non-secluded private open space, and is not required to be screened.</p> <ul style="list-style-type: none"> • Second floor: The Apartment 2.01 balcony incorporates a 1.5 metre high balustrade with a width of 0.6 metres on the eastern side. Given the height of the balcony relative to the adjoining dwelling, which is comparably lower, the screening device will adequately limit downward views into habitable room windows. The southern side of the balcony is not required to be screened as there are no sensitive areas within 9 metres. Any perceived overlooking in excess of 9 metres directly south-west will be limited by the first floor roof below. <p>On the third floor, all habitable room windows and terraces are located to adequately limit overlooking into all adjoining properties, which is achieved through the setbacks to boundaries in conjunction with the second floor roof location that limits downward views.</p>
<p>55.04-7 – Internal Views</p> <ul style="list-style-type: none"> • To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Met subject to condition</p> <p>A permit condition will require details of the height of the screens between the balconies of the second floor Apartments 2.06 and 2.07 to be a minimum of 1.7 metres above finished floor level (Condition 1.6).</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 acoustic glass to be provided to the habitable room windows directly facing Manningham Road to protect residents from external traffic noises on the</p>

Objective	Objective Met/Not Met
	<p>main road (Condition 1.23).</p> <p>Plant on the roof of the building will be visually screened, together with building services including electrical substations and air inlets for the mechanical basement ventilation (Conditions 1.22 and 1.21).</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 development allows barrier-free access for people with limited mobility to the front entry of the building.</p> <p>The lift provides access to the basement car park levels and entries of all dwellings.</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 apartments all derive pedestrian access from the central entry path and foyer on the frontage. The building entry is well identified and sheltered by a canopy.</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>All habitable rooms will have external windows to ensure they have adequate solar access. The windows have adequate light court areas. There are no habitable rooms that rely on borrowed light, open to a light well or rely on below ground light courts.</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 eight ground floor dwellings are provided with secluded private open space which consists of paved courtyards, with six of these dwellings incorporating landscaped gardens. The total amount of private open space afforded to each dwelling at ground level ranges from 18.4 square metres (one-bedroom dwelling) to 68 square metres. It is considered that the spaces are sufficient in area for the recreation and service needs of residents and the provision of landscaping.</p> <p>The remaining dwellings are provided with secluded private open space in the form of a balcony that range from 8 square metres to 61 square metres (incorporating a roof terrace). Each balcony complies with the standard.</p>
<p>55.05-5 – Solar Access To Open Space</p> <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	<p>Met</p> <p>Due to the nature of the proposal as an apartment building, it is not possible to provide all private open space areas with a northern aspect.</p> <p>However, south-facing courtyards have been</p>

Objective	Objective Met/Not Met
	minimised, and where proposed, they include a west or east orientation to provide a reasonable level of solar access.
<p>55.05-6 – Storage</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>Met subject to condition</p> <p>Storage with a capacity of 6 cubic metres for each dwelling has been designated to three areas; two locations within the lower basement level with a combined total of 15 storage spaces and ten storage spaces at ground level adjacent to the lift foyer.</p> <p>A permit condition will require details of the type and material of enclosure for each storage space (Condition 1.18).</p>
<p>55.06-1 – Design Detail</p> <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. 	<p>Met subject to condition</p> <p>The dwellings are articulated and incorporate various materials and finishes to reduce the sense of visual bulk.</p> <p>It is considered there is an opportunity to further improve any perceived visual bulk on the rear elevation by deleting the central section of second floor roof canopy between Apartments 2.06 and 2.07 (Condition 1.3). This section of roof does not serve a functional purpose and is considered to de-emphasise the recessed building wall between these apartments.</p> <p>A permit condition will also require a full schedule of materials and finishes with colour samples (Condition 1.33).</p>
<p>55.06-2 – Front Fence</p> <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Met subject to condition</p> <p>As discussed, the front fence complies with the DDO8 requirements, and will be modified to provide additional landscaping within the front setback. The fence therefore respects the preferred character of the area.</p> <p>To ensure the front fence complements the development, a permit condition requires the material and level of transparency (if any) of the front fence to be detailed, which must not be paling (Condition 1.32).</p>
<p>55.06-3 – Common Property</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	<p>Met</p> <p>The communal basement and pathway are practically designed. There are no apparent difficulties associated with the future management of these areas.</p>
<p>55.06-4 – Site Services</p>	<p>Met subject to condition</p>

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	<p>Appropriate site services are provided. The letterboxes are provided parallel to the site frontage, with a paved area to the footpath providing convenient access for Australia Post and residents. However, in order to screen the adjacent services cabinet, a permit condition will require the letterboxes and services cabinet to be mirrored, with the paved area in front of the services cabinet deleted in favour of landscaping (Condition 1.14).</p> <p>A permit condition will require the location of any fire services at the frontage to be shown and designed to complement the overall development (Condition 1.15).</p> <p>To bring together the landscaping and screening requirements in front of service cabinets, a permit condition will require details of the building's front entry and an elevation of the letterboxes and screening to service cabinets (Condition 1.16).</p> <p>To ensure the appearance of the building does not detract from any elevation, a permit condition will require retractable clotheslines to be installed within all ground level open spaces and balconies to ensure that they are not visible from the street or adjoining properties (Condition 1.19).</p>

Objector concerns

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

Overdevelopment

8.27 The proposal satisfies the requirements of Clause 55 in respect to site coverage, setbacks, permeability, car parking, and open space provision and therefore the proposal is not considered to be an over development of the site. State Government Policy, as well as Council Policy supports increased densities in areas with good access to public transport and other services.

Building height, setbacks and visual bulk

8.28 The proposed setbacks satisfy the relevant standards outlined in Clause 55 and provides appropriate opportunities for landscaping to soften the appearance of the development.

8.29 The proposed articulation, stepped design of upper levels, selection of building materials and proposed setbacks are considered to be sufficient to address visual bulk concerns.

Inadequate car parking and increased traffic

- 8.30 The development provides a sufficient number of car parking spaces within the basement as required by Clause 52.06 of the Manningham Planning Scheme.
- 8.31 Council's Engineering & Technical Services Unit has assessed the application and has raised no concerns regarding the impact of the proposal on the surrounding traffic network. The increased traffic movement associated with the development can be readily accommodated in the surrounding street network, including within the service road.

Overshadowing

- 8.32 The extent of shadows cast into the adjoining property to the east is not considered unreasonable, with the shadows cast predominantly overshadowing a garage and driveway. Overshadowing of secluded private open space is less than what is permissible by the standard.

Overlooking and loss of privacy

- 8.33 Potential overlooking to the adjoining properties to the north has been assessed against DDO8 and Clause 55.04-6 of the Manningham Planning Scheme. Multiple permit conditions will require plan changes to demonstrate compliance with Standard B22, including from the ground floor balconies and habitable room windows of all of the rear dwellings, the first floor balcony of Apartment 1.01, the window of the first floor Apartment 1.06 bedroom and the second floor balcony of Apartment 2.05.

Heat transfer

- 8.34 Council's Strategic Sustainability Planner has assessed the application in conjunction with the submitted Sustainability Management Plan and has considered it provides satisfactory ESD methods that will be utilised through construction to achieve a sustainable building.

Construction impacts due to the proximity of basement excavation to boundaries

- 8.35 The setback of 4 metres between the basement and the southern boundary is not considered to be unreasonable and not dissimilar to setbacks provided by other similar style developments.
- 8.36 Potential damage to the adjoining property from construction is a civil matter that needs to be addressed by the building surveyor responsible for the development.

Other matters

- 8.37 Apartment G.05 is indicated on the ground floor plan as Apartment 26 erroneously. A permit condition will require this Apartment be re-numbered to G.05 (**Condition 1.29**).
- 8.38 Apartment 1.01 is not numbered on the first floor plan. A permit condition will require it be numbered (**Condition 1.30**).
- 8.39 The floor level is omitted on the third floor plan. A permit condition will require the relative level 107.20 metres be shown to be consistent with the level on the section plan (**Condition 1.31**).

9. CONCLUSION

9.1 It is recommended that the application be supported subject to conditions.

10. DECLARATION OF CONFLICT OF INTEREST

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