

9.2 Planning Application PL16/026220 at 399-403 Manningham Road, Doncaster for the construction of a four storey apartment building containing 37 dwellings, plus associated basement car parking and the creation and alteration of access to a road in a Road Zone, Category 1

File Number:	IN17/277
Responsible Director:	Director Planning and Environment
Applicant:	Winex Property Pty.Ltd.
Planning Controls:	Residential Growth Zone Schedule 2 (GRZ2), Design and Development Overlay Schedule 8 (DDO8-1), Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road
Ward:	Heide Ward
Attachments:	1 Development Plans 2 Legislative Requirements

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 399-403 Manningham Road, Templestowe Lower. 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 comprising 37 dwellings over three residential allotments, with a combined site area of 1,992.5 square metres. The development proposes a site coverage of 59.7%, a site permeability of 34.5% and a maximum building height of 12.75 metres. A total of 47 car parking spaces are provided 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. Five (5) objections have been received for the application, which are summarised as follows:
 - (a) Neighbourhood character and overdevelopment;
 - (b) Traffic congestion/safety and inadequate car parking;
 - (c) Building height and the interface with adjoining properties;

- (d) Overlooking and loss of privacy;
- (e) Overshadowing;
- (f) Loss of vegetation;
- (g) Loss of amenity through noise and wind;
- (h) Health/safety associated with sub-station;
- (i) Construction impacts due to the proximity of basement excavation to boundaries; and
- (j) Property devaluation.

Assessment

5. The proposal is generally consistent with the provisions of the Manningham Planning Scheme, in particular Clause 21.05 Residential, the Design and Development Overlay – Schedule 8, 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 similar in scale to other higher density ‘apartment’ style developments in the vicinity. Whilst the building exceeds the preferred 11 metre building height by 1750mm, the tallest point of the building is generally central to the site, where associated amenity impacts are least. The generous area of the site (exceeding 1,800smq) grants the capacity to absorb some larger building proportions and heights, which are further masked through creative design techniques.
7. The building maintains a compact footprint and has limited hard surface standing, allowing for a thorough landscaped theme to be established within the generous boundary setbacks. With maturity, such plantings will create a ‘green screen’ which will compliment and soften built form. The development also achieves a well-thought out balance in the consideration of the amenity of nearby properties and the internal amenity of future occupants. The site contexts lends itself to further benefits, with its more sensitive interfaces being located to its north where amenity impacts are lesser.
8. The architectural quality displayed is considered to be dynamic and innovative. This quality of architecture would be an exciting and vibrant addition to the built fabric of the Municipality, as sought in the preferred neighbourhood character for substantial change areas.

Conclusion

9. The report concludes that the proposal is considered to achieve the objectives and intent of the relevant planning policy and should therefore be supported, subject to some design changes and the inclusion of suitable management plan conditions. The proposal makes efficient use of the site and is an appropriate residential development within this part of Manningham, with good access to services, facilities and public transport.
10. It is recommended that the application be supported subject to conditions.

RECOMMENDATION

That Council:

- A. Having considered all objections a NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application PL16/026220 at 399-403 Manningham Road, Doncaster for the construction of a four storey apartment building containing 37 dwellings plus associated basement car parking, and the creation and alteration of access to a road in a Road Zone Category 1–**

- 1. Before the development starts, two copies of amended plans (scale 1:100) 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 Rothe Lowman Architects (dated 20 March 2017, and received 23 March 2017), but modified to show the following:**

Built form

- 1.1. The wall of the northern building module (G.08, 1.08 and 2.08) to be setback a minimum of 2.9m from the eastern boundary, or compliance with Clause 55.04-3 of the Manningham Planning Scheme demonstrated to the satisfaction of the Responsible Authority;**
- 1.2. The north facing balconies at each level modified to further restrict downward views into the adjoining properties. This can be achieved by raising the planter heights and/or adding obscured glazing above, or other suitable method to the satisfaction of the Responsible Authority;**
- 1.3. Battle axe windows of 2.04, 2.05 and 2.06 to demonstrate that a minimum 2 (depth) to 1 (width) ratio is achieved, with lighter wall colours nominated on walls adjacent to these windows;**
- 1.4. Bedroom doors opening onto balconies to be largely glazed;**
- 1.5. Operability of all obscured/translucent windows to be clarified;**
- 1.6. Modification of the communal open space to achieve screen planting along the western boundary;**
- 1.7. Design detail of planters, showing the depth, material, internal structure, drainage, and any additional screening required by Condition 1.2;**
- 1.8. The pedestrian stairs adjacent to the frontage where not in alignment with the entry path to be replaced with landscaping;**
- 1.9. Front fencing to demonstrate 50% transparency;**
- 1.10. Further details of roof mounted equipment screening, ensuring material selection compliments the overall design scheme of the building, and minimises visual impact on public domain;**
- 1.11. Replacement of blockwork and metal dividing fencing over**

easement with timber paling, or other similar removable material;

1.12. Notation that acoustically rated glazing is to be used for all south facing windows and sliding doors;

1.13. The rainwater tank capacity nominated and consistent with the Sustainability Management Plan required by Condition 5 of this permit;

1.14. The system size of solar panels nominated and consistent with the Sustainability Management Plan required by Condition 5 of this permit;

The Basement and Accessways

1.15. Plan notation that any redundant vehicle crossover must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority;

1.16. Location of intercom systems and security door;

1.17. Notation to nominate the allocation of the tandem car spaces to a three bedroom dwelling;

1.18. Storage provided in accordance with Clause 55.05-6 (Storage) of the Manningham Planning Scheme by:

1.18.1. Each apartment allocated a minimum of 6 cubic metres of storage;

1.18.2. Storage areas designed to not obstruct the parking and circulation of vehicles, or other services provided within the basement to the satisfaction of the Responsible Authority;

1.18.3. Details of the type and material of enclosure for each storage area within the basement and ground floor levels;

Site services

1.19. The letterboxes relocated to face Manningham Road adjacent to the pedestrian path and integrated into the landscaping, unless written agreement to the proposed location is received from Australia Post, to the satisfaction of the Responsible Authority;

1.20. Details of how service cabinets will be screened/finished so as to integrate into the overall development scheme;

1.21. The design details of the building's front entry and letterboxes (if required);

1.22. Details of basement ventilation, including the location of any mechanical intake or outlet;

1.23. A schedule listing the minimum sustainability features

applicable to the development, as described in the approved Sustainability Management Plan;

Materials

1.24. A separate sheet with a full 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. This is to include:

- 1.24.1. Dark/patterned paving upon the pedestrian path areas and vehicular accessway, where visible to Manningham Road;**
- 1.24.2. Balcony balustrades shown in an earthy tone, with the elevation schedule updated accordingly;**
- 1.24.3. Detailing of front fencing to demonstrate 50% transparency;**
- 1.24.4. Details of balcony/planter drainage, demonstrating concealed drainage pipes which not visible from beneath or externally.**

Endorsed Plans

- 2. The development as shown on the approved plans must not be altered without the prior written consent of the Responsible Authority.**
- 3. The existing bus stop and associated infrastructure on Manningham Road must not be altered without the prior consent of Public Transport Victoria. Any alterations including temporary works or damage during construction must be rectified to the satisfaction of Public Transport Victoria at the cost of the permit holder.**

Construction Management Plan

- 4. 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:**
 - 4.1. A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;**
 - 4.2. Hours of construction;**
 - 4.3. Delivery and unloading points and expected frequency;**
 - 4.4. On-site facilities for vehicle washing;**
 - 4.5. Asset protection procedures for any public footpaths;**

- 4.6. The location of parking and site facilities for construction workers;
- 4.7. Measures to minimise the impact of construction vehicles arriving at and departing from the land;
- 4.8. Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;
- 4.9. 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;
- 4.10. An outline of requests to occupy the front nature strip and any anticipated disruptions to local services;
- 4.11. Measures to minimise the amount of waste construction materials;
- 4.12. Measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;
- 4.13. Adequate environmental awareness training for all on-site contractors and sub-contractors.

Sustainability Management Plan

5. Before the development starts or the issue of a building permit for the development, whichever is the sooner, two copies of a revised Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. The revised plan must be prepared in accordance with the current version of the Green Star – Design & As Built tool, or the Built Environment Sustainability Scorecard. When approved the Plan will form part of the permit. The recommendations of the revised 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 revised plan must be generally in accordance with the plan prepared by prepared by Ark (dated 2 May 2016) but modified to account for all design changes required by Condition 1 of this permit, as necessary.

Waste Management Plan

6. 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 14 March 2017), but modified to include:
 - 6.1. The exact located of waste collection vehicles will stop and undertake waste collection from within the basement and ensure

that a minimum 2.4 metre high overhead height clearance is provided at this point to ensure an orderly collection of waste;

- 6.2. 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

7. The Management Plans approved under Conditions 4, 5 and 6 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.
8. 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

9. Before the occupation of the dwellings approved under this planning permit, 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.
10. Before the occupation of the dwellings approved under this planning permit, privacy screens and/or obscure glazing as required in accordance with the approved plans must be installed 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.
11. Before the occupation of the dwellings approved under this planning permit, 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.
12. Before the occupation of the dwellings approved under this planning permit, any new or modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
13. Before the occupation of the dwellings approved under this planning permit, any redundant vehicle crossover must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.

14. Before the occupation of the dwellings approved under this planning permit, all fencing must be erected in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
15. Before the occupation of the dwellings approved under this planning permit, 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.
16. Before the occupation of the dwellings approved under this planning permit, intercom and an automatic basement door opening system for both basement doors (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.
17. Before the occupation of the dwellings approved under this planning permit, 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.
18. Visitor car parking spaces must be clearly marked and must not be used for any other purpose to the satisfaction of the Responsible Authority.

Landscaping Plan

19. Before the development starts, two copies of an amended Landscaping Plans (scale 1:100) and dimensioned, must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the concept landscape design report prepared by (Tract (revised 3 May 2016) but modified to show:
 - 19.1. The current design layout and any amendments required under Condition 1 of the planning permit;
 - 19.2. Notation prior to the construction commencing on site, the owner must arrange with Council's Parks Unit for the removal of the street trees located in front of the subject land and its replacement. All costs associated with this must be paid to the satisfaction of the Responsible Authority. The removal and replacement of street trees shall only be undertaken by Council contractors to ensure quality and safety of work.
 - 19.3. Species, locations, approximate height and spread of all proposed planting;
 - 19.4. At least four canopy trees within the frontage, capable of growing to a height of 8.0m or more at maturity, and at least 2.5m at the time of planting;
 - 19.5. A continuous landscaping treatment in front of the fencing within the site frontage, other than in the location of service cabinets;

- 19.6. The pedestrian stairs adjacent to the frontage where not in alignment with the entry path to be replaced with landscaping;
- 19.7. All canopy trees and screen planting along the side boundaries at least 1.5 metres in height at the time of planting;
- 19.8. Planting along the rear boundary to provide for a dense screen. All screening trees/plants must be a minimum height of 3.5m at the time of planting and capable of reaching a mature height of at least 6m;
- 19.9. Details of planting to be provided within the planter boxes facing Manningham Road, with the methods in place to maintain the health of such species;
- 19.10. Details of planter design and drainage, generally in accordance with Condition 1.7.

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.

Landscaping Bond

20. 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

21. 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:

- 21.1 Be designed for a 1 in 5 year storm; and
- 21.2 Storage must be designed for 1 in 10 year storm.

Construction Plan

22. Before the development starts, a construction plan for the system required by Condition 21 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

23. 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.
24. 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

25. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
26. Maintenance of the common area landscaping must be managed by the owners corporation.
27. 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.
28. Any reverse cycle air-conditioning unit erected on the walls, roofs or balconies of the approved dwellings must be located, 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.
29. 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.
30. A centralised TV antenna must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.
31. No individual dish antennae may be installed on the overall building to the satisfaction of the Responsible Authority.
32. 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.

33. 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.
34. 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.

Maintenance

35. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction 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 request was received by Council in February 2016, proposing a five-storey building on the site. Advice provided by Council Officers highlighted numerous concerns with the proposal.
- 2.2 The Planning Permit Application was received by Council on 3 May 2016. The development included a number of changes to address some of the concerns identified at the pre-application stage, including a reduction in the number of storeys, footprint area and dwelling numbers.
- 2.3 A request for further information was sent on 27 May 2016. This included preliminary concerns which generally related to the building height, sizing of the upper level footprints, and extent of transitioning towards the north.
- 2.4 The proposal was presented to the Sustainable Design Taskforce meeting on 23 June 2016, at which the primary issues raised included the appropriateness of the fourth storey, built form presentation to the north, and importance of greenery upon the building. The architectural scheme was otherwise well received and commended.

- 2.5 All required further information was received on 30 August 2016, and included some refinements to the proposal.
- 2.6 The application was advertised on 12 September 2016.
- 2.7 Following this advertising period, the application was amended under Section 57A of the Act on 12 October 2016. This application declared the intent to reduce the building footprint, however final plans were not formally substituted until 23 March 2017, subsequent to a number of discussions with Council Officers.
- 2.8 The most significant revisions to these amended plans include a reduction in the number of dwellings from 39 to 37 by way of reducing the fourth level footprint, with commensurate increased boundary setbacks to the side and rear boundaries, a reduction in the overall building height by 300mm, increased angling of the mansard roof with associated lowered wall heights, altered balustrade treatment to northern balconies, relocation of vehicular access and to the general basement layout, and a reduced number of car spaces commensurate with the dwelling reduction.
- 2.9 These plans were re-advertised under Section 57B of the Act on 29 March 2017 by ways of sending letter to the adjoining and objecting properties.
- 2.10 The proposal and assessment referred to in the body of this report are based on these substituted plans.
- 2.11 The statutory time for considering a planning application is 60 days, which lapsed on 22 May 2017.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The subject site is located on the north-east side of Manningham Road (north for the purpose of this report), approximately 60m north-west of the road's intersection with Crawford Road and 500m south-east of High Street.
- 3.2 The subject site is the combination of three residential allotments, being No's. 399, 401 and 403 Manningham Road. The site is irregular in shape, having a combined site frontage of 61.7m to Manningham Road, a maximum depth of 40.15m, and overall area of 1,992sqm.
- 3.3 The land slopes unusually, being relatively flat along the length of the northern and eastern boundaries, however with a northward slope following the western boundary. Similarly, there is an eastward cross-fall following the site frontage. A 2.44 metre wide easement, for the purpose of drainage and sewerage, traverses the length of the rear boundary.
- 3.4 The site is currently occupied by three single storey dwellings (one on each allotment). The dwellings are centrally located on their respective lots, with private open space to the rear. Each gains access to the road network via a single width vehicle crossover connecting to the adjoining service road of Manningham Road (to which the site has frontage).
- 3.5 Vegetation coverage is largely concentrated along the site boundaries, none which is assessed as having a high retention value (as per Arboricultural Assessment prepared by AJ Arboriculture).

- 3.6 The side boundaries are defined by 1.9m high paling fences, with fencing of varying of heights between 1.6m-1.9m defining the rear boundary

The Surrounds

- 3.1 The site directly abuts five properties. These properties are described as follows:

Direction	Address	Description
North	1, 3 and 5 Palmerston Avenue, Templestowe Lower	<p>No. 1 Palmerston Avenue shares half of its rear boundary with the eastern portion of the subject site, and is developed with a two storey brick dwelling with pitched tile roof. The section of this property which abuts the site is generally used for secluded private space, with the dwelling located beyond to the east. One habitable room window is oriented to face the site.</p> <p>No. 3 Palmerston Avenue adjoins the central portion of the common boundary, and is developed with a single storey brick dwelling with hipped tile roof. The dwelling is setback a minimum of 2.4m from the site, with secluded private space to its rear and east. A swimming pool is located in the larger area to the east of the dwelling and is setback some 3.0m from the common boundary. One habitable room window is within the rear elevation of the dwelling.</p> <p>No. 5 Palmerston Avenue generally adjoins the western portion of the site, and is developed with a single storey brick dwelling with a hipped tile roof. The dwelling is setback a minimum of 4.8m from the common boundary, and has one habitable room window facing toward the site. Secluded private space is located to the south and west of the dwelling.</p> <p>All of these properties are Zoned General Residential 1.</p>
West	397 Manningham Road, Doncaster	<p>To the immediate west is No. 397 Manningham Road which is developed with a two storey dwelling with pitched tile roof. Vehicular access is via a crossover along the Manningham Road service road. Secluded private open space is provided to the rear and one habitable room window faces the site. This property has the same zoning and overlay controls as the subject site.</p> <p>Further west is an open Council reserve, which has recently undergone a residential rezoning (to RGZ2 and DDO8-1). Land beyond includes the Manningham Centre Nursing Home/Melaleuca Lodge Nursing Home and Ambulance Victoria Regional Headquarters.</p>

East	405 Manningham Road, Doncaster	<p>No. 405 Manningham Road is developed with five, two storey rendered brick townhouses with hipped tile roofing. Vehicular access is via a central double width crossover to the service road.</p> <p>No. 1/405 Manningham Road and No. 2/405 Manningham Road of this development adjoin the length of the western boundary, and are separated by their respective garages. The dwellings are each setback a minimum of 3.0m from the shared boundary, with the intervening areas used as secluded private open space. Unit 2 has one habitable room window facing the site.</p>
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- 3.2 The land adjoining (facing Manningham Road) and opposite falls within the Residential Growth Zone, being an area designed for substantial change. The neighbourhood character is therefore in transition. The original housing character of single detached brick dwellings still remains quite prevalent, however higher density townhouses and apartment style buildings are emerging, in line with the intended character. Apartment buildings are typically seen on consolidated allotments, however, are also seen at lower scales and intensities on single sites.
- 3.3 The nearest 'apartment' style developments include 194 & 196 Manningham Road to the south-east and 181-183 Manningham Road to the west. A notice of Decision to Grant a Permit has recently been issued for a three to four storey apartment building at 195-197 Manningham Road.
- 3.4 Land to the north of the site is zoned General Residential, Schedule 1, where a less intensive, incremental level of change (to existing neighbourhood character) is supported. This is enforced by the objectives of Clause 21.05 (Residential) and Clause 22.15 (Dwellings in the General Residential Zone, Schedule 1) under the Manningham Planning Scheme.
- 3.5 Manningham Road is under the jurisdiction of VicRoads, functioning as a Primary Arterial Road which generally runs in an east-west direction between Williamsons Road and Bulleen Road. Three traffic lanes are accommodated in each direction (inclusive of a bus lane), separated by a central median. It is classified as a 'bus priority' route and 'preferred traffic' route by VicRoads. The service road directly adjoining the site serves to support the residential properties in a one-way east-bound traffic flow. It has a carriageway width of approximately 5.3m, which accommodates both a traffic lane and kerbside parallel parking along the northern side. Access into the service lane from Manningham Road is generally in front of No. 397 and No. 399 Manningham Road (north-west corner of the site), with an exit function onto Manningham Road located approximately 95m to the south-east, just beyond Crawford Road.
- 3.6 The subject site is well located with respect to its proximity to a range of commercial and community facilities, public parks and public transport services.
- 3.7 There are two activity centres, being the Macedon Plaza Shopping Centre located 600m to the east, and Westfield Doncaster 'Shoppingtown' approximately 900m to the east. These provide for supermarkets, specialty shops, medical facilities and dining/entertainment service.

- 3.8 Bus routes 281, 903 (Smart Bus) and 305 (Peak) run along Manningham Road directly in front of the site, providing connection to numerous bus services from the Doncaster 'Shoppingtown' Bus Terminal including routes 207, 279, 280, 282, 295, 304, 902, 907 and 961.
- 3.9 Crawford Reserve, Balmoral Reserve, Aquarena Swimming Pool and Lynnwood Parade Reserve all within a 1km radius, whilst St Gregory the Great Primary School is within 500m distance.

4. THE PROPOSAL

- 4.1 It is proposed to demolish the existing buildings and clear all vegetation to enable the construction of a four storey apartment building comprising 37 dwellings, plus associated basement car parking. The proposal also seeks to create and alter access to a road in a Road Zone Category 1.

Submitted plans and documents

- 4.2 The proposal is depicted on plans prepared by Rothe Lowman Architects (dated 20 March 2017, and received 23 March 2017), and the Landscaping Design Report prepared by Tract Consultants (received 3 May 2016). Refer to Attachment 1.
- 4.3 The following reports were submitted in support of the application:
- Town Planning Report – Ratio Consultants, 16 August 2016;
 - Traffic Impact Assessment Report – Ratio Consultants, 21 March 2017;
 - Waste Management Plan – Leigh Design, 14 March 2017;
 - Sustainability Management Plan – Ark Resources, 2 May 2016;
 - Arboriculture Report – AJ Arboriculture, February 2016; and
 - Acoustic Report – Vipac Engineers and Scientists, 27 June 2016.

Development summary

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

Site area:	1,992.49sqm.	Maximum Building Height:	12.75m.
Maximum number of storeys:	Four		
Site Coverage:	59.7%.	Front setback to Manningham Road (south)	Basement – 5.4m Ground floor – 6.0m First floor – 6.0m Second floor – 6.0m Third floor – 6.0m
Permeability:	34.5%.	Rear setback to northern boundary	Basement – 4.0m Ground floor – 4.0m

		First floor – 4.0m Second floor – 4.0/6.5m Third floor – 10.8m
Number of Dwellings: 37	Side setback to eastern boundary	Basement – 1.45m Ground floor – 2.13m First floor – 2.13m Second floor – 2.13m Third floor – 5.3m
• 1 bedroom: 2	Side setback to western boundary	Basement – 1.9m Ground floor – 2.3m First floor – 2.3m Second floor – 2.3m Third floor – 3.4m
• 2 bedrooms: 33	Car parking spaces:	47
• 3 bedrooms: 2	Resident spaces:	39 (39 required)
Density: One dwelling per 53.9sqm.	Visitor spaces:	8 (7 required)

Design layout

- 4.5 The ground level consists of 10 x 2 bedroom apartments, each provided with a ground level courtyard ranging between 9 square metres and 16.6 square metres in area.
- 4.6 The first floor consists of 11 x 2 bedroom apartments, each provided with a balcony that ranges from 9.7 to 14.6 square metres in area.
- 4.7 The second floor consists of 1 x 1 bedroom apartment and 10 x 2-bedroom apartments, with a balconies ranting between 9.7 square metres and 14.6 square metres in area.
- 4.8 The third floor contains 1 x 1 bedroom apartment, 2 x 2-bedroom apartments and 2 x 3 bedroom apartments. The two larger apartments are provided with balconies of over 70 square metres which are to the north of the building.
- 4.9 A communal garden area is proposed to the west of the building, incorporating BBQ areas and outdoor seating for the use of the residents.
- 4.10 A substation kiosk is situated between the basement ramp and the eastern boundary, setback 2.5 metres from the frontage. It has an area of 31 square metres, and is enclosed by 1.7 metre high blockwork walls to its north and east, and black powdercoated and perforated metal screening where visible from the street.

Pedestrian and vehicle access and layout

- 4.11 Vehicular access is via a double-width crossover proposed at the eastern end of the frontage, leading to two levels of basement car parking.
- 4.12 Access to the dwellings from the basement level is from communal stairs and a lift.

4.13 The basement also incorporates a waste storage room, underground water tank, resident bicycle parking spaces and storage spaces for each apartment.

4.14 A centrally located foyer defines the entrance to the building, with pedestrian access provided via both stairs and ramp from Manningham Road. The internal lift and stairs service all levels.

Landscaping

4.15 All trees are to be cleared from within the site. Canopy trees are proposed adjacent to all site boundaries in addition to formalised plantings in landscaping beds adjacent to the site's boundaries. Planters are incorporated into each balcony edge.

4.16 Trees on adjacent properties are protected through appropriate building setbacks.

External presentation

4.17 The proposed building is of a contemporary design, with its symmetrical form and mansard roof treatment being a unique and innovative architectural feature. It can be described as cubical in shape, with a raked roof capping. The primary material applied to the external walls is a light grey zinc metal cladding, with contrasting dark metal patterned cladding and vertical glazing used at defined points along the elevations. Balconies are enclosed by a natural stone/blockwork with planters incorporated into their design.

5. LEGISLATIVE REQUIREMENTS

5.1 Refer to Attachment 2 (Planning & Environment Act 1987, Manningham Planning Scheme, other relevant legislation policy).

6. REFERRALS

External

6.1 Given the proposal includes creating and altering vehicular access to Manningham Road, it is a statutory requirement to refer the application to VicRoads as a Determining Referral Authority.

6.2 VicRoads have not objected to the proposal, noting that the access is off a service road that performs a local access function and is unlikely to impact adversely on the safety and performance of Manningham Road.

Internal

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

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

Service Unit	Comments
Engineering & Technical	<ul style="list-style-type: none"> There is adequate point of discharge for the

Service Unit	Comments
Services Unit – Drainage	<p>site. All runoff is to be directed to the point of discharge (Condition 23).</p> <ul style="list-style-type: none"> On-site stormwater detention system required (Condition 21).
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> The existing disused vehicle crossovers are required to be removed and the nature strip, kerb and channel and footpath reinstated (Condition 13). A “Vehicle Crossing Permit” is required.
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> Adequate sight lines are available from the exit lane. Driveway gradients comply with Design Standard 3 and widths comply with Design Standard 1. 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"> Car space dimensions comply and provision of spaces is in accordance with Clause 52.06-5. There are no traffic issues in the context of the surrounding street network.
Engineering & Technical Services Unit – Car Parking Layout	<ul style="list-style-type: none"> Tandem car space to be allocated to a three bedroom dwelling (Condition 1.17). Sight distances from space adjacent to Basement 1 ramp may be limited by adjacent wall. (Addressed in amended design which incorporates greater spacing between ramp and adjacent car space, and a convex mirror).
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> A Construction Management Plan is required (Condition 4).
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> Private waste collection is required onsite. A final Waste Management Plan to be approved (Condition 6).
Engineering & Technical Services Unit – Easements	<ul style="list-style-type: none"> Timber paling fence to be used in lieu of blockwork/metal fencing over easement (Condition 1.11). Build over easement approval required.
Strategic Projects Unit – Sustainability	<ul style="list-style-type: none"> The depth to width ratios of battle axe bedrooms in apartments 204, 205, 206, 207 to demonstrate proportions not exceeding 2:1 (depth: width), with materials adjacent to be of a lighter colour (Condition 1.3). Plans to notate tanks size, capacity and area of impervious area draining to them in accordance with SMP (Condition 1.13). Plans to notate system size of solar panels in accordance with SMP (Condition 1.14).

7. CONSULTATION / NOTIFICATION

- 7.1 Notification of the application was given for a three-week period which concluded on 4 October 2016, by sending letters to nearby properties and displaying three signs along the street frontages.
- 7.2 Three objections were received from the following properties:
- 3/405-409 Manningham Road (adjoining the site to the east);
 - 3 Palmerston Avenue (adjoining the site to the north);
 - 1 Palmerston Avenue (adjoining the site to the north).
- 7.3 The re-advertising of the amended application was also carried out under Section 57B of the Act by way of letters to all adjoining and objecting properties, concluding 20 April 2017. No objection withdrawals were received, however an additional two objections were received from:
- 1/405-409 Manningham Road (adjoining the site to the east);
 - 2/405-409 Manningham Road (adjoining the site to the east).
- 7.4 A total of five (5) objections have therefore been received to date.
- 7.5 The following is a summary of the grounds upon which the above properties have objected to the proposal:
- Neighbourhood character and overdevelopment;
 - Traffic congestion/safety and inadequate car parking;
 - Building height and the interface with adjoining properties;
 - Overlooking and loss of privacy;
 - Overshadowing;
 - Loss of vegetation;
 - Loss of amenity through noise and wind;
 - Health/safety associated with sub-station;
 - Construction impacts due to the proximity of basement excavation to boundaries; and
 - Property devaluation.
- 7.6 A response to the grounds of objection are included in the assessment from paragraphs 8.29 to 8.50 of this report.

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 site is not 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 Principal Activity Centre and a Neighbourhood Activity Centre with good access to public transport and existing services, and the ability of the site to accommodate a higher dwelling yield.
- 8.5 The use of the site 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 11 metre building preferred height requirement outlined in the DDO8 for lots with an area of at least 1,800 square metres. It should be noted, however, that the building remains well below the 13.5 metre height implied by the Residential Growth Zone, where increased housing densities within buildings up to four storeys are anticipated.
- 8.7 The consolidation of the three allotments provides for a substantial overall site area of nearly 2,000 square metres, in turn allowing for a greater intensity of building scale and height to be supported, within a centralised built form. This is consistent with the objectives for growth zone areas and the overarching intent of the DDO8. The site is located in an area which is undergoing change and revitalisation due to the demand for increased density within the municipality.
- 8.8 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 (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.
- 8.9 Council has, through its policy statements in the Manningham Planning Scheme, and in particular by its adoption of the DDO8 over part of this neighbourhood, created a planning mechanism that will in time alter the existing neighbourhood character along Manningham Road and in some adjoining side streets.

- 8.10 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.
- 8.11 An apartment development across this site is generally consistent with State Policy and 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 style’ buildings) in 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 have occurred in the past.

Design and Built Form

8.12 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 1,992.49 square metres that is entirely within the Main Road Sub-Precinct. Given it exceeds the minimum 1800sqm land size, there is a preferred maximum building height of 11 metres. The Residential Growth Zone prescribes a maximum building height of 13.5 metres.</p> <p>The building has a maximum height of 12.75 metres. The increased building height is attributed to the inclusion of a fourth storey component. It must be acknowledged that policy makes reference to ‘three storey buildings’ and a preferred building height. However, the purpose of providing discretion with building heights on the Main Road Sub-Precinct is to allow flexibility to achieve design excellence. The discretion is only provided to this sub-precinct because main road streetscapes are typically more fragmented in character compared to local streets and therefore can absorb some greater height.</p> <p>From a numerical perspective, the sectional diagrams submitted with the application provide a more tangible depiction of the actual building height at varying points across the site. It can be seen that the building remains generally at an 11.0m height in the vicinity of the western boundary, largely due to the benching of the ground level into the</p>

Design Element	Met/Not Met
	<p>south-west corner. However, as a result of the site's cross-fall, the building height naturally increases toward the north-east.</p> <p>A further consideration is the siting of the taller elements in context of what is visibly perceived from surrounding perspectives. This is where the design approach becomes important. The design presented with this proposal utilises an innovative mansard roof styling (characterised by four sloping sides) upon each of the elevations. What this does is to essentially conceal much of the taller wall elements of the building into what appears to be a receding roof. By virtue of this, the 'vertical' wall height at each elevation is reduced, and the taller elements are drawn in toward the centre of the building.</p> <p>This mansard roof design is applied to the fourth storey along the southern half of the building (facing Manningham Road). As seen in the attached perspectives, the building gives the first impression of being only three storeys. This is largely attributed to the receding top level, and clever use of the overhanging framing feature (beginning at the first floor) which draws attention away from the recessed glazing beneath (applied to the more exposed eastern end of the ground level). Numerically, the vertical wall height as measured at the 6.0m front setback mark does not exceed 10m. Where building height increases to 12.2m, this element is setback 8.5m from the frontage. It should also be noted that the site's location adjacent to a service road means that the visual presence of the building to Manningham Road itself will be quite subdued, namely due to the substantial setback and intervening planting within the two road reserves in front.</p> <p>The northern half of the building is treated with a slightly different design approach. Rather than applying the mansard roofing to the top level (as per the front facade), it has been applied to the third storey. The mansard angling begins as low 1m above the third storey floor level (at an approximate 7.5m wall height) and continues up to the balcony edges of the fourth storey. The northern elevation of the fourth storey is then finished in a contrasting dark cladding and</p>

Design Element	Met/Not Met
	<p>perforated metal screen, which gives the appearance of a 'pop up' level within a central location of the building. The use of the dark colouring also creates a 'capping' effect, which gives the impression of a lowered building height.</p> <p>The perceived height of the building is the main impact to consider in this instance, as it can be reasonably argued that the central location of the taller elements, mansard roof approach and dark 'capping' colours will make height appear lower than it would in a more traditional apartment design. There is also argument to suggest that the more generous site area (nearly 2000sqm) could justify some increased intensity.</p> <p>The building heights proposed may ordinarily be considered too much of a departure from policy, however as described above and demonstrated in the attached plans and perspectives, it is adequately justified by the innovative and carefully considered design scheme proposed.</p> <p>The intent of this design objective is therefore considered met.</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 The building is setback a minimum of 6.0 metres to Manningham Road.</p> <p>There is a 1.0m encroachment of balconies and terraces into this setback, which is within the permissible 2.0m encroachment of the DDO8.</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 59.7%.</p>
<ul style="list-style-type: none"> Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Met The building has a less traditional form than typically seen in apartment design. Whilst a very uniform module and palette selection is used, the overall symmetry is the key feature of this design. Too much symmetry can often risk a 'boxy' outcome, however both interest and articulation is achieved in this case. The most notable façade feature of the building the vertical zinc cladding. This presents as a 'framing' element around the fenestration and balconies, and are separated by vertical</p>

Design Element	Met/Not Met
	<p>glazed elements, which creates a three module effect across the front and rear elevations.</p> <p>Further articulation is achieved through the deep set recesses, and contrasting black metal material changes in appropriately chosen locations alongside elevations for interest.</p> <p>The stone finishes on the balconies add a warmer, more natural/earthy tone to the building which provides for some needed “softening” and will complement the green planter theme of the balconies. It is noted that the elevations still refer to the use of a “charcoal” concrete block finish, however this appears to be error on the plans which will require correcting (Condition 1.24).</p> <p>It is also imperative the planting within the planter boxes be maintained in an appropriate manner, to ensure the greenery shown on the front façade continues to feature upon the building (Condition 19.9).</p>
<ul style="list-style-type: none"> Minimise buildings on boundaries to create spacing between developments. 	<p>Met</p> <p>No part of the building is constructed on a boundary. Due to the angled nature of the side boundaries, setbacks range between 1.4m to over 12.0m from the eastern boundary, and between 2.26m and 7.0m from the west. From the street perspective, a very generous corridor of spacing will be perceived along the eastern boundary, providing for a visual break of over 18.0m between the proposed building, and the adjoining dwelling at No. 1/405 Manningham Road. This is considered an appropriate 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</p> <p>The rear elevation retains the symmetrical design seen upon the front elevation. This approach results in a consistent setback treatment at both the ground and first floor level. Parts of the building (the framing elements) and balcony edges are setback 4.0m from the rear boundary, with the recessed sections (which account for approximately half of the elevation length) being setback 7.1m.</p> <p>On plan, the third storey component does</p>

Design Element	Met/Not Met
	<p>appear at face value to share the same setback configurations as the two levels below. However, with application of the mansard roof, only 1m of the third level wall height shares these setbacks, with the wall area above this angled back to the top of the third storey and beyond to the fourth storey balconies, to eventually reach a setback of 9.0m.</p> <p>This is seen as an acceptable approach, given the wall heights (up to 7.5m in height) are not dissimilar to the two storey dwelling heights adjoining to the north. The recessed sections provide for a good level of relief across the length of the elevation, and the receding mansard pulls any added height away from the rear boundary to achieve a sense of transitioning in scale.</p> <p>As touched on above, the northern elevation of the fourth storey (excluding balconies) is substantially setback over 10m from the rear boundary. This level is effectively concealed by the mansard roof when viewed from the secluded private open space of the neighbouring properties to the north (as demonstrated in the sight line diagrams submitted with the application). Whilst there will arguably be some visibility of the taller elements from some more distant locations within these adjoining properties, the design treatments in place and dark metal material contrast will reduce the visual prominence of this element.</p> <p>It is therefore considered that development provides for an acceptable level of transitioning toward the more sensitive residential properties to the north.</p> <p>It should also be noted that the built form will be further softened by the implementation of advanced tree planting along the rear boundary, as discussed in the landscape section below.</p>
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Met</p> <p>Excavation is proposed at the southern (front) end of the building, in response to the northward slope of the land, which allows the apartments at the northern end to sit closer to the natural ground level. As the land slope is not substantial, there is limited opportunity to</p>

Design Element	Met/Not Met
	provide for a lower level toward the north, without resulting in substantially sunken apartments with compromised amenity. However, when viewing the side elevations, the building gives the impression of 'stepping down', as the mansard roof is applied to a lower floor level than where applied to the front. The building/wall height is consequently lowered toward the more sensitive area at 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 fourth storey of the building covers 62% of the lower two levels. However, the third storey component, as referred to in this element, essentially replicates the footprint of the levels below. However, for the reasons aforementioned, the third storey appears to be substantially smaller due to the effects of the mansard roof form. If calculating the 'roof area' of the third storey, the floor area would equate to approximately 150sqm less, and a reduction to approximately 81% of the level below. As the top of the wall is where the eye is drawn to, the sense of recessiveness intended by this design objective is achieved. Similarly, the roof area of the fourth storey is approximately 130sqm less than its total floor area and 46% of the levels below.</p> <p>The proposal also demonstrates a high level of architectural interest which effectively reduces the appearance of visual bulk. The proposal is considered to meet the test of achieving exemplary architectural interest and adequately reducing perceived visual bulk.</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 	<p>Met The depth of excavation has suitably</p>

Design Element	Met/Not Met
<p>minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation.</p>	<p>addressed site slope, minimised basement projections, and the overall height of the building.</p>
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Met subject to condition Screening mechanisms have been selected carefully, with the only use of translucent glazing being used on the vertical fenestration features facing north. It is noted that each of the bedrooms which are provided with an obscured northern window, are also provided with an additional, unobscured window facing into their respective balconies, ensuring amenity and daylight is maximised. Feature planters are the main form of screening applied to balconies (which also treats overlooking from adjacent living room windows). This provides outward views toward the north, without impacting the privacy of the adjacent dwellings. Some modification is considered necessary to the height of some planters, as discussed in further detail within Rescode section of this report (Condition 1.2).</p>
<ul style="list-style-type: none"> Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities. 	<p>Met The building entry requires steps to access, however, is accompanied by a pedestrian ramp (1:14) to facilitate equitable access from the footpath.</p> <p>The internal lift provides access to the basement car park and entries to 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 is generally concealed below the natural ground level, eliminating excessive building height. There is a very minor projection to the north, however, this space sits beneath the ground level footprint and the associated courtyards of the north facing dwellings.</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 The basement is not visible from the street frontage.</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 	<p>Met All car parking spaces are provided within the basement car park.</p>

Design Element	Met/Not Met
<p>minimise the use of open car park and half basement parking.</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 From the rear boundary, the basement is setback is at least 4.0 metres for its entirety, 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 Due to the angled natural of the side boundaries, basement and ground level setbacks range between 1.4m to 7.0m from the eastern boundary. Similarly, setbacks from the western boundary range between 1.8m and 7.0m. This provides for ample screen planting opportunity along each boundary, along with deeper pockets which can accommodate smaller canopy trees, which together will 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 Roof mounted equipment is located centrally within the roof space. A1500mm high plant screen is proposed around its perimeter, appearing to be of a black vertical metal screen. Whilst this appears a reasonable choice, a condition will require that the location, material type and colouring be nominated, ensuring that it complements the overall design scheme of the building, and minimises the aesthetic impact on the public realm (Condition 1.10).</p>
<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 One crossover is proposed to service the development. The crossover is 7.5m in width, and will replace the three existing single crossovers along the site frontage. On street parking space will be increased as a consequence. The removal of one street tree is required to accommodate this, which is identified in the Arboriculture Report as a 5m tall Brush Box, which has been excessively pruned for powerlines and pavement clearance, and compromised by the large overhanging tree to the north. A condition has been included requiring its removal and replacement at the cost of the landowner to the satisfaction of the Responsible Authority (Condition 19.2).</p>

Design Element	Met/Not Met
<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>Met The basement levels project only 550mm into the 6 metre front setback of the building. This encroaching areas is utilised for the planters and courtyards above, thereby not reducing landscaping opportunity in the sites frontage.</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 Vehicular access into the basement has been appropriately designed to provide for safe and convenient access into the building. Whilst an indicative location for an intercom has been shown, a condition will require that such system be installed to facilitate visitor access into the building (Condition 16).</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 A landscape concept design has been submitted to demonstrate a potential planting theme for the site. A more formalised plan will be required to demonstrate the precise numbers and locations of plants throughout the site.</p> <p>Given the width of the frontage, a requirement for four canopy trees across the frontage would be a reasonable requirement, along with supporting understorey trees and plants. This site has the benefit of established planting within both road reserves of Manningham Road and the service road, which will in itself provide for a green softening of the building in an immediate sense.</p> <p>It is noted that the pedestrian entrance stairs appear unnecessarily wide where adjacent to the site frontage, therefore should be replaced with landscaping where not in alignment with the pathway width (Conditions 1.8 and 19.6).</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 with condition To ensure screen planting has a more immediate effect, trees along the rear boundary will be required to have a height of at least 3.5m at the time of planting.</p>

Design Element	Met/Not Met
and/or soften the appearance of the built form.	<p>Modification to the communal open space and BBQ location is also required in order to ensure landscaping can be provided along the length of the western boundary. (Condition 1.6 and 19.7)</p> <p>Further detailing regarding the planter box design, material and drainage methods are also required to ensure practicality and maintenance is appropriately considered. (Condition 1.7 and 19.10)</p>
<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 with condition</p> <p>A perforated metal fence is proposed along part of the frontage. The fence is setback 1.65m front the frontage, however the extent of transparency will need to be further detailed to demonstrate a 50% transparency. Continuous landscaping treatment within the setback will also be required. (Conditions 1.24 and 19.5)</p>

Car parking, access, traffic and bicycle facilities

- 8.13 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.
- 8.14 This clause requires resident car parking to be provided at a rate of 1 space for each dwelling with one or two bedrooms, and 2 spaces for each dwelling with three or more bedrooms.
- 8.15 Visitor car parking is also prescribed at a rate of 1 car parking space for every five dwellings.
- 8.16 The proposal requires the provision of 39 car parking spaces for residents and 7 car parking spaces for visitors. The proposed parking provision complies with the residential requirements and is satisfactory. There are 8 visitor spaces provided, exceeding the requirements of the Scheme. The provision of one additional visitor space is a positive aspect, ensuring reliance on the service road for parking overflow is further avoided, particularly given objector concerns in this regard.
- 8.17 An assessment against the car parking design standards in Clause 52.06-8 of the Scheme is provided in the table below:

Design Standard	Met/Not Met
1 – Accessways	<p>Met The accessways servicing the basement car park meets the minimum width and height clearance requirements, and has been designed to allow all vehicles to exit in a forward direction onto Manningham Road.</p> <p>The passing bay required dimensions of 5 metres x 7 metres have been exceeded in width to enable provision of a median with visitor parking intercom.</p>
2 – Car Parking Spaces	<p>Met Car parking space dimensions and aisle widths are provided in accordance with the requirements. One tandem arrangement is proposed, which will require allocation to a three-bedroom apartment.</p>
3 – Gradients	<p>Met Gradients of the basement ramp achieve the necessary transitions and transition lengths required.</p>
4 – Mechanical Parking	<p>Not applicable No mechanical parking proposed.</p>
5 – Urban Design	<p>Met The vehicle crossing and accessway are not dominant features in the streetscape, particularly in context of the width of the frontage and main building façade. Treatment of the areas surrounding the car park entry are cohesive with the overall design of the building.</p>
6 – Safety	<p>Met subject to condition The basement car park is provided with automatic doors. A condition will require that the intercom system and automatic doors be installed prior to occupation (Condition 16).</p>
7 – Landscaping	<p>Met subject to condition No ground level car parking is proposed. Landscaping is provided to soften the appearance of the accessway. A condition has been included requiring a Landscaping Plan be submitted for approval (Condition 19).</p>

- 8.18 The Traffic Report suggests that the proposed development is expected to generate 19 residential vehicle movements per am peak and pm peak hour and a in the order of 189 vehicle trips per day. The report concludes that the expected volume of traffic likely to be generated by the development (approximately one vehicle every three minutes) can be accommodated by the surrounding road network without adverse traffic safety or operational issues, noting that traffic will enter and exit via the service road.
- 8.19 Council's Engineering and Technical Services Unit and VicRoads raise no concern in relation to the expected traffic generated by the proposed development. The proximity of the subject site to public transport will encourage a greater variety of transportation methods as opposed to sole reliance on a vehicle.
- 8.20 Overall, the traffic generated as a result of the proposed development (while acknowledging existing traffic congestion and problems in the surrounding street network) is not considered likely to significant impact upon the existing street network.

- 8.21 The proposal 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

- 8.22 A permit is required under Clause 52.29 of the Manningham Planning Scheme as the proposal involves the creation of a new crossover and the removal of existing crossovers in Manningham Road, as it is zoned Road Zone, Category 1.
- 8.23 The decision guidelines of this clause include the views of the relevant road authority.
- 8.24 VicRoads have not objected to the proposal.

Bicycle Facilities

- 8.25 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).
- 8.26 The proposal requires 11 bicycle spaces, comprising of seven for resident spaces and four for visitors. The proposal exceeds this requirement, offering 10 spaces within the basement levels for residents, and four visitor spaces adjacent to the pedestrian entry ramp to the building. These are provided in the form of 'Ned Kelly' rails and 'towel hitching' racks in the basement, and 'Arc de Triomphe' rails at the entry. These are provided within a lockable storage room for added security.

Clause 55 (Rescode)

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

Objective	Objective Met/Not Met
<p>55.02-1 – Neighbourhood Character</p> <ul style="list-style-type: none"> To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area. 	<p>Met</p> <p>As outlined in the assessment of the proposal against the policy requirements of the Design and Development Overlay – Schedule 8 (DDO8), 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 	<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>Clauses 21.05 (Residential) and 43.02 (Design and Design and Development Overlay – Schedule 8), are applicable to the site and support higher density</p>

Objective	Objective Met/Not Met
<p>Framework, including the Municipal Strategic Statement and local planning policies.</p> <ul style="list-style-type: none"> To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>developments on main roads. The development can take advantage of public transport and community infrastructure and services within a walking distance of the site.</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 landowner will be required to provide an on-site stormwater detention system to alleviate pressure on the drainage system (Condition 21).</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 orientated to face Manningham Road and provides clear and defined pedestrian and vehicle links.</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>Met</p> <p>The building is setback 6 metres to Manningham Road which complies with DDO8.</p>
<p>55.03-2 – Building Height</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Objective Considered Met</p> <p>The building has a maximum height of 12.75 metres, which is above the 11 metre preferred height requirement under the DDO8, however compliant with the 13.5m maximum height of the RGZ2.</p> <p>For the reasons discussed in Section 8.12 of this report, the maximum building height is considered acceptable.</p>
<p>55.03-3 – Site Coverage</p>	<p>Met</p> <p>The proposed site coverage is 59.7%, which is below</p>

Objective	Objective Met/Not Met
<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. 	the 60% requirement in the standard.
<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 34.5% of site area as pervious surface, which complies with the standard requirement.</p>
<p>55.03-5 – Energy Efficiency</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>Met subject to condition</p> <p>Given the orientation of the site, dwellings fronting Manningham Road do not benefit from a northern orientation, however do get exposure to western sun (south-western orientation). These bedrooms of these dwellings are designed in such a way that they incorporate windows facing towards either the side boundary, increasing north-western and south-eastern exposures.</p> <p>As discussed in Section 6.5 Internal Referrals of this report, a condition has been included requiring a revised SMP to be submitted for approval. The condition includes a number of sustainability measures to be incorporated into the building's design (Condition 5).</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>Met</p> <p>A communal open space area is provided to the west of the building at the ground level. This is a positive feature, enabling residents to take advantage of a larger space for recreational and entertainment purposes. The area incorporates BBQs and seating. Some modifications are required to the area to enable planting along the western boundary, as discussed above (Conditions 1.6)</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 pedestrian path is visible from Manningham Road and access into the building is restricted. Access into basement is restricted by intercom controlled automatic doors.</p>
<p>55.03-8 – Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that 	<p>Met subject to conditions</p> <p>Generous landscaping can be accommodated within the setbacks to all site 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</p>

Objective	Objective Met/Not Met
<p>maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <ul style="list-style-type: none"> To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. 	<p>required to be amended by a permit condition (Condition 19) to reflect all plan changes under Condition 1 and as discussed above.</p> <p>A landscape maintenance bond of \$10,000 will be required by a permit condition (Condition 20).</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>Consideration of access was made in the DDO8 assessment in Section 8 of this report.</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 The internal lift 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</p> <p>Some areas of non-compliance has been identified. From the western boundary, the wall height (beneath the mansard roof) of Apartment 3.01 comes within 3.4m of the boundary at its closest point toward the southern end. At this point, the 8.6m wall height requires a 3.7m setback. This 300mm shortfall is for a point only, as the remainder of the wall pulls away from the angled boundary. Given it is for one small defined point, and is located adjacent of a non-sensitvie area, this is considered acceptable.</p> <p>Similarly, the bathroom of Apartment 3.05 is setback a mimumm of 5.9m from the western boundary, falling short of the 6.3m setback requirement for a wall hieght of 11.2m. The extent of non-compliance is for less than half of the bathroom wall, and is largely accounted to the perforated screen application which projects beyond the wall itself. Again, being located opposite a non-sentive area, this is considered acceptable.</p> <p>A more significant non-compliance is from the eastern boundary. Apartment 2.08 reaches a wall height of 7.8m (below mansard), which requires a setback of 2.9m. The 2.1m setback proposed at this point is quite a notable shortfall. Whilst only for a pinch point, the wall is located opposite a more sensitve SPOS area and therefore compliance is called for. A simple way of achieving this is to require the entire eastern wall of the northern building module to be setback a minimum of 2.9m. This will require a reduction to all associated apartments (G.08, 1.08 and 2.08), without significantly</p>

Objective	Objective Met/Not Met
	<p>compromising the design and symmetry of the building. A condition will require this, or that compliance be demonstrated in another suitable manner to the satisfaction of the Responsible Authority. (Condition 1.1)</p> <p>All other setbacks comply with or exceed the prescribed requirements of the Standard and Objective. Setbacks to the northern boundary are particularly generous and in excess of the requirements, which is an appropriate response to the more sensitive Zoning of the adjoining land.</p>
<p>55.04-2 – Walls On Boundaries</p> <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Not applicable</p> <p>There are no walls proposed on a boundary.</p>
<p>55.04-3 – Daylight To Existing Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	<p>Met</p> <p>All existing and proposed habitable room windows are provided with sufficient light court areas that comply with the standard.</p>
<p>55.04-4 – North Facing Windows</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Not applicable</p> <p>There are no north-facing habitable room windows within 3 metres of the site.</p>
<p>55.04-5 – Overshadowing Open Space</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Met</p> <p>Overshadowing is required to be considered on the 22nd September equinox between 9am and 3pm (Standard B21).</p> <p>The only property to experience overshadowing from the proposed development, during the control period, is the property to the west at No. 397 Manningham Road.</p> <p>This property is impacted at 9am, with shadow cast over the majority of the front garden area. By 10am, shadow has reduced to half of the front garden area, and is almost completely removed by 11am. At no time is the secluded private open space area of this property affected, therefore well exceeding the Standard.</p>

Objective	Objective Met/Not Met
	<p>The properties 2/4.5 Manningham Road is not impacted by shadows until 3pm. At this time, a small shadow extends marginally beyond the fence shadow, and maintains a compliant level of sunlight access to this existing private open space. It is noted that the requirements to increase the northern modules setback from the eastern boundary will further reduce, or possibly completely remove any shadows affecting this property.</p>
<p>55.04-6 – Overlooking</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Met subject to condition</p> <p>Windows facing to the east and west have been treated with an obscured glazing where appropriate. The more sensitive area in terms of overlooking is to the properties to the north, which have their rear yards generally adjoining the subject site.</p> <p>All windows facing this aspect have been treated with obscured glazing. Openability of these windows, however needs to be nominated on the plans for clarity (condition 1.5) from both an overlooking perspective and an internal amenity one.</p> <p>Balconies on the other hand, feature a planter box treatment, which, by virtue of its depth, will prevent views within the 9.0m viewing arc considered under Standard B22. Whilst the Standard is satisfied, there is concern that the extent of views available beyond the 9.0m arc may be quite substantial, which is not ideal, particularly given the large depth of these adjoining garden areas, and inclusion of a pool area within No. 3 Palmerston Avenue in particular.</p> <p>A way of achieving this is to raise the height of the planters, or to add a raised lip of obscured glass their outer edge. It is not expected that the balustrades be raised to 1.7m, as this would result in a poor level of amenity to these respective dwellings, however they should be heightened to a degree which further prevent downward views, whilst still maintaining an outlook. This could be done via the methods aforementioned, or by other suitable treatment to the satisfaction of the Responsible Authority (Condition 1.2).</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 	<p>Met</p> <p>The proposed design layout will limit internal views into the secluded private open space and habitable room windows of dwellings within the development.</p>

Objective	Objective Met/Not Met
buildings within a development.	
<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>A permit condition will require acoustically treated glazing to be provided to the habitable room windows directly facing Manningham Road, to protect occupants from external traffic noise (Condition 1.12).</p> <p>Plant on the roof is centrally located and may not require screening. Building services, including electrical substations and air inlets for the mechanical basement ventilation are required to be shown on the plans (Condition 1.23).</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>A pedestrian adjacent to the main entrance allows access for people with limited mobility to the front entry of the building.</p> <p>The internal lift provides access to the basement level visitor parking 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 pedestrian path and foyer at 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 subject to conditions</p> <p>Recommendations from Council's Sustainability Adviser are summarised in Section 6.5 Internal Referrals of this report.</p> <p>The concern relating to battle axe dimensions appear to achieve the required 1:2 ratio on plan, however further clarification will be required, along with lighter coloured walls to be provided adjacent. (Condition 1.3).</p> <p>A further condition will require that the bedrooms with doors connecting onto their respective balconies be largely glazed, to ensure daylight is maximised (Condition 1.4).</p> <p>Planning reforms in respect to 'apartment' style developments have been initiated by the State Government, and include design elements relating to room depth, window size and energy efficiency. These have been adopted into the Scheme.</p> <p>Whilst not applicable to this application, the recommended conditions relating to daylight to new</p>

Objective	Objective Met/Not Met
	windows are consistent with the policy objective and are also consistent with the policy direction anticipated under the new reforms (Refer to Section 9 of this report).
<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>Met</p> <p>The ground floor dwellings are provided with secluded private open space areas in the form of paved courtyards and with those to the north also having landscaped gardens.</p> <p>The total amount of private open space afforded to each dwelling ranges between 8 square metres and 91 square metres. Balcony depths are generally at a minimum of 1.7m or more. Whilst the ground level courtyards do not achieve an area of 25sqm, application of the Standard for ‘courtyard’ SPOS is generally directed at more traditional housing forms, and is not typically expected in smaller apartment style dwellings.</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>An apartment building design typology, does not always allow all private open space areas to be provided with a northern aspect.</p> <p>Due to the orientation of the site, a northern exposure to all dwellings cannot be achieved, however those generally directed to the south do have some easterly or westerly aspects.</p>
<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>6 cubic metres of externally accessible storage is prescribed for each dwelling under the clause.</p> <p>Storage has been provided in the basement levels within separate store areas. The development schedule indicates that a minimum of 6 cubic metres has been provided to each dwelling, however it is unclear how this is achieved. A condition will require that the storage volumes be nominated and that 6 cubic metres be provided for each dwelling (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 apartment building is well designed and incorporates various materials and finishes to reduce the sense of visual bulk. This is described within the assessment above.</p> <p>A permit condition will also require a full schedule of materials and finishes with colour samples (Condition</p>

Objective	Objective Met/Not Met
	1.24).
<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</p> <p>The front fence proposed is compliant with this clause and the requirements of the DD08.</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, pathway and shared landscaping areas are practically designed. There are no apparent difficulties associated with the future management of these areas. As noted above, some modification to the communal open space area will be required to facilitate additional landscaping.</p>
<p>55.06-4 – Site Services</p> <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>Met subject to condition</p> <p>Site services are generally appropriately provided.</p> <p>All fire services, substations etc have been nominated on the site plan, however detail regarding their treatment is lacking in elevation.</p> <p>To bring together the landscaping and screening requirements adjacent to service cabinets, a permit condition will require details to demonstrate how they will be integrated into the development (Condition 1.20).</p> <p>The location of letterboxes may not be compliant with the requirements of Australia Post. A condition will require that it achieve their requirements, or be suitably located adjacent to the frontage. (Condition 1.19)</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 1.21).</p>

Objector issues / concerns

8.28 A response to the grounds of objection is provided in the following paragraphs:

Neighbourhood character and overdevelopment

- 8.29 The proposal has been assessed against the preferred neighbourhood character anticipated by planning policy at Clause 21.05 of the Manningham Planning Scheme. The policy outlines a substantial level of change is anticipated and a departure from the existing neighbourhood character is therefore inevitable. This, however, does not imply that impacts generated by the preferred neighbourhood character can unreasonably impact adjoining private properties or public spaces.
- 8.30 This site is capable of being developed for a range of dwelling typologies including that of an 'apartment' style development which is proposed. This typology generates different living standards to detached dwellings and may potentially impact the current outlook of neighbouring properties. One benefit of an apartment style development is the more stringent requirement for a consolidated footprint with generous perimeter setbacks and landscaping.
- 8.31 The building is provided with articulated facades, varied materials and colours palette and an array of interesting architectural elements that adds visual interest. With conditions to improve east boundary setbacks, the building will be well setback from all boundaries, and particularly that to the north. Adequate physical articulation and modulation is included and dense landscaping can be established and to break up and disguise the length of the building and mitigate visual bulk concerns. Mature planting requirements along the northern boundary will also provide an immediate softening of the built form, with the nominated height of 3.5m meaning that half of the visible wall height will be largely concealed, as canopy spread develops.

Traffic congestion and inadequate car parking

- 8.32 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.
- 8.33 Manningham Road falls within the jurisdiction of VicRoads, who have not objected to the access arrangements and do not foresee any adverse impacts upon the safety and performance of Manningham Road. Any pre-existing traffic issues associated with location of the service road exit onto Manningham Road, would need to be addressed by VicRoads.
- 8.34 The development provides a sufficient number of car parking spaces within the basement as required by Clause 52.06 (Car parking) of the Manningham Planning Scheme for resident and visitors. The statutory requirements are exceeded by one space, which has been allocated to visitors. Whilst kerb-side parking within the service road cannot be prevented, exceeding the statutory car parking requirements gives some assurance that the expected parking demands generated are adequately serviced.

Building height and scale

- 8.35 The proposed building exceeds the preferred 11 metre height requirement under the DDO8. A full assessment is made of this in Section 8.12 of the report. Importantly, the height control is not a mandatory control in the Main Road Sub-precinct which applies to the site and discretion can be used in considering designs that exceed the preferred height. The increased height is supported in this instance as the fourth level is a centralised component and designed in a

manner that ensures that it has little, if any visibility from the adjoining private open space areas to the north.

- 8.36 It is acknowledged that the outlook from the adjoining properties will be altered by the proposal, however, there are mechanisms to soften these impacts. One will be to include advanced tree planting along the northern boundary to give some immediate relief from these perspectives.
- 8.37 The proposed articulation, selection of building materials and proposed setbacks are considered to be site responsive in their design and provide an acceptable interface to adjoining properties.

Overlooking and loss of privacy

- 8.38 Overlooking was assessed in Section 8 of this report.
- 8.39 With relation to an omitted window from No.1 Palmerston Avenue, this has been considered in the assessment, however the development remains compliant nonetheless. Although, it is agreed that further effort can be made to minimise views into the more sensitive private open space areas to the north by way of modifying the balcony design. **(Condition 1.2).**
- 8.40 In response to overlooking concerns toward the east, all of the habitable room windows on the eastern elevation have been treated with obscured glazing. The only windows with an outlook to the east is the Living room of Apartment 3.04, which is setback in the order of 10m from the respective boundary and compliant with ResCode.

Overshadowing

- 8.41 Overshadowing concerns have been raised by the property owners to the north and east. As demonstrated in the shadow diagrams, the properties to the north are not affected by any overshadowing within the considered control period of 9am to 3pm during the 22nd September equinox. The property at No.2/405 Manningham Road is the only property to the east affected by overshadowing. At 3pm, a small, irregular shadow will extend beyond the fence line by approximately 1 metre. More than 75% of the secluded private open space will remain unaffected by the development, and therefore well within compliance with Standard B21. This shadow is also likely to be reduced as a consequence of the condition requiring the northern module of the building to achieve setback compliance from the east boundary **(Condition 1.1).**

Inadequate landscaping/Loss of vegetation

- 8.42 The planning application was accompanied with a concept Landscaping Plan that provided indicative plantings for consideration. Upper, mid and lower level landscaping treatments, including canopy tree planting, is shown along site boundaries, albeit that some improvements are required along the western boundary **(Condition 1.6).** This level of landscaping is supported under the DDO8 and Clause 55.03-8 (Landscaping) of the Manningham Planning Scheme and is generally considered acceptable.
- 8.43 In relation to the loss of vegetation, the removal of vegetation on the site does not require planning permit approval under the Manningham Planning Scheme. Vegetation loss is to be expected, especially on sites that are supported for a

substantial level of change under the MPS, as the site is. It is also noted that no vegetation to be removed was assessed as having a high retention value. A condition has been included to require a complete landscaped treatment which will ensure canopy trees and understory planting is substantially replaced, where practical.

- 8.44 A condition has been included requiring a Landscaping plan be submitted for approval (**Condition 19**), along with the payment of a \$10,000 Landscaping Bond to ensure it is maintained for a 13 week period after completion (**Condition 20**).

Amenity impacts associated with noise, window and sub-station

- 8.45 Ordinary noises emanating from adjoining residential properties must be expected in a residential setting. However, when noise types or levels are excessive, they impact amenity. This concern is a civil matter and is not a consideration that can be contemplated in the planning application assessment process.
- 8.46 The second concern relates to noise generated by vehicles entering/leaving the site. This is not expected to be excessive based upon the entrance design, the numbers of vehicles exiting the site per day, and due to the noise already generated along Manningham Road which carries approximately 29,000 vehicles per day.
- 8.47 In relation to concerns regarding increased wind and associated health implications, it is not clear from the objection if this is referring to impacts associated with the construction phase, or by the building itself. Assuming the impacts are referring to the construction phase, a permit holder is required, by way of a condition on permit, to meet relevant Local Law and EPA regulations regarding construction practices to ensure that amenity impacts are mitigated. In addition to these requirements, for a development of this size, a Construction Management Plan is recommended as a permit condition (**Condition 4**).
- 8.48 In terms of safety issues associated with the sub-station, it is common for larger developments to require a sub-station to provide electricity to the development. These are required to be installed and commissioned in accordance with their design requirements. The EMR emissions generated from the operation of these facilities is not a planning consideration.

Construction impacts due to the proximity of basement excavation to boundaries

- 8.49 The basement is removed from all site boundaries, being setback 1.45m or greater. 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.

Property devaluation

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

impacts upon property values. This report appropriately provides a detailed assessment of the amenity impact of the proposed development.

9. ANY OTHER MATTERS

- 9.1 On 13 April 2017, Amendment VC136 introduced new provisions into the Planning Scheme, which in summary:
- Defines what an 'apartment' is.
 - Adds a new Clause 55.07 to the existing Clause 55, which specifically relates to apartments of 4 storeys or less, which continue to be controlled by Clause 55.
 - Exempts apartments of 4 storeys or less from a number of existing requirements of Clause 55, which overlap with the new requirements of Clause 55.07.
 - Adds a new Clause 58 for apartments of 5 storeys or more.
 - Moves the requirement for an Urban Context report into Clause 58.
- 9.2 Clause 55.07 implements objectives and standards relating to energy efficiency, communal open space, solar access to communal open space, deep soil areas and canopy trees, integrated stormwater management, accessibility, noise impacts, building entry and circulation, private open space above ground floor, storage, waste and recycling, functional layout, room depth, windows and natural ventilation.
- 9.3 The operation of this clause remains the same, in that an objective describes the desired outcome to be achieved in the completed development, and the standard contains the requirements to meet the objective. A standard should usually be met, however if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered. Developments must meet all of the objectives that apply to the application.
- 9.4 Transitional provisions apply to applications lodged before the gazetted date of this amendment. This application is subject to this exemption, and therefore an assessment has not been made against Clause 55.07, which would otherwise be applicable. Whilst it can be assumed that the objectives could be met, there is an absence of detailing to perform any measurable assessment against the relevant standards.

10. CONCLUSION

- 10.1 It is recommended that the application be supported, subject to conditions.

11. DECLARATION OF CONFLICT OF INTEREST

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