

0.0 Planning Application PL17/027801 at 14 and 16 Clay Drive, Doncaster for the development of a five-storey apartment building containing twenty-two dwellings over basement car parking

File Number:	IN18/382
Responsible Director:	Director City Planning and Community
Applicant:	Arnwell Pty Ltd C/- Planning and Property Partners
Planning Controls:	Activity Centre Zone, Schedule 1 (ACZ1); Development Contributions Plan Overlay, Schedule 1 (DCPO1); Parking Overlay, Schedule 1 (PO1)
Ward:	Koonung
Attachments:	1 Decision Plans 2 Legislative Requirements

EXECUTIVE SUMMARY**Purpose**

1. This report provides Council with an assessment of the planning permit application submitted for land at 14 and 16 Clay Drive, Doncaster and recommends refusal of the submitted proposal. The application is being reported to Council given that it is a Major Application (with more than 15 dwellings and a development cost of more than \$5 million).

Proposal

2. The proposal is for the use and development of land at 14 and 16 Clay Drive, Doncaster for a five storey apartment building comprising 22 dwellings, with a full basement level of car parking and a partial level of parking above in a Lower Ground Floor.
3. The land has a total area of 1,337 square metres. The building provides for 22 apartments has a site coverage of 63%, a site permeability of 17.05% and a maximum building height of 14.5 metres. A total of 41 car spaces is provided, with 30 spaces being within the main basement an 11 spaces being above in the Lower Ground Floor. Two of the Lower Ground Floor spaces are allocated to visitors. Ten bicycle spaces are provided.

Advertising

4. Notice of the application was given over a three week period which concluded on 8 August 2018.
5. To date 14 objections have been received. The objections include issues relating to the pattern of development/streetscape, neighbourhood character/architectural presentation, overdevelopment, poor design response/lack of stepping to adjoining property/zone to the south, overlooking, shadowing impact, traffic/on-street parking impacts, noise, construction impact, internal amenity, landscaping and plan detailing.

Key issues in considering the application

6. The key issues for Council in considering the proposal relate to:

- Planning Policy Frameworks;
- Design and built form;
- Apartment developments;
- Car parking, access, traffic and bicycle facilities; and
- Objector concerns.

Assessment

7. The development of the land with a high density residential apartment building is consistent with the relevant objectives of state and local planning policies of the Manningham Planning Scheme (the Scheme), including the requirements of the Activity Centre Zone 1 (ACZ1) and supporting policy relating to the Doncaster Hill Principal Activity Centre.
8. While the proposal complies with requirements of the ACZ1 relating to siting, height and setbacks, it fails to meet requirements relating to overshadowing, landscape design and building presentation. The development does not transition appropriately to surrounding development, including to the adjoining property to the south, which is within the General Residential Zone (Design and Development Overlay Schedule 8-2). The proposal also fails to provide adequate internal amenity, as it relates to building entry, private open space, room depth and daylight to windows.

Conclusion

9. This report concludes that the proposal does not comply with the relevant planning policy in the Scheme and should be refused.
10. It is recommended that the application be refused.

1. RECOMMENDATION

That Council:

- A. **Having considered all objections, issue a NOTICE OF REFUSAL in relation to Planning Application PL17/027801 at 14 and 16 Clay Drive, Doncaster for the development of a five-storey apartment building containing twenty-two dwellings over basement car parking, for the following reasons –**
 1. **The proposal does not provide an appropriate transition in scale, form and height to the adjoining properties to the south located in the General Residential Zone, which is contrary to Schedule 1 to the Activity Centre Zone and the objective of Clause 58.02-1 (Urban context) of the Manningham Planning Scheme.**
 2. **The proposal will result in unreasonable streetscape and off-site amenity impacts to adjoining properties through unsympathetic built form, excessive bulk and massing, blank wall presentation, verticality, the removal of vegetation, the lack of boundary landscaping, inadequately overlooking treatments and overshadowing impacts, which is contrary to Schedule 1 to the Activity Centre Zone of the Manningham Planning Scheme.**
 3. **The proposal does not provide adequate landscaping opportunities**

within the front setback and along the northern and southern boundaries, due to the location of the basement, driveway and hard stand areas, which is contrary to Clause 52.06-9 (Car parking design standard 7), 58.03-5 (Landscaping) objectives and Schedule 1 to the Activity Centre Zone of the Manningham Planning Scheme.

4. The proposal will result in unreasonable on-site amenity impacts to future residents, by failing to meet minimum balcony requirements, which is contrary to Clause 58.05-3 (Private open space), or maximum room depth dimensions, which is contrary to Clause 58.07-2 (Room depth), or providing any daylight to many habitable room windows, which is contrary to Clause 58.07-3 (Windows) objectives of the Manningham Planning Scheme.
5. The proposal does not provide adequate facilities and detailed design through poorly integrated building entry, which is contrary to 58.05-2 (Building entry and circulation), and inappropriately located mailboxes and service cabinets that are poorly integrated with the development, which is contrary to Clause 58.06-2 (Site Services) objectives of the Manningham Planning Scheme.
6. The proposal does not provide adequately detailed visibility splay requirements along the exit lane at the site frontage and has not fully considered crossover width or location impacts on street trees, which is contrary to Design Standard 1 (Accessways) at Clause 52.06-9 (Car Parking) of the Manningham Planning Scheme.

2. BACKGROUND

- 2.1 The application was submitted to Council on 26 October 2017.
- 2.2 A request for further information was sent on 21 November 2017. The letter also raised a number of concerns with the proposal including those now forming refusal grounds.
- 2.3 The application proposal was presented to the Sustainable Design Taskforce meeting on 23 November 2017.
- 2.4 All requested further information was received by Council on 26 April 2018.
- 2.5 The application was not advertised immediately at the request of the applicant who sought to investigate the status of the land to the north of the site which is developed by two units and owned by Council. The land is proposed to form a road between Clay Drive and Hepburn Road under the Doncaster Hill Activity Centre Structure Plan.
- 2.6 It is understood that the whole width of the Council owned property is not required for the roadway, meaning some of the land could be offered for sale. However, there is no firm design or timeframe associated with the road construction, and the applicant request Council continue processing the application.
- 2.7 Notice of the application was given over a minimum three-week period which concluded on 8 August 2018.

- 2.8 The statutory time for considering a planning application is 60 days, which lapsed on 25 June 2018.
- 2.9 The land titles are not affected by any covenants or restrictions.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site is situated on the eastern side of Clay Drive, Doncaster, approximately 125 metres south of the "T" intersection with Doncaster Road.
- 3.2 The rectangular shaped site (2 lots) has a frontage of 35.36m, northern and southern boundaries of 37.8m and an eastern (rear) boundary of 35.36m. Site area is 1,337 square metres.
- 3.3 The site is affected by a 3.0m wide drainage and sewerage easement located along the eastern boundary.
- 3.4 No. 14 Clay Drive (northern lot) is vacant, open and grassed (except for a vegetable garden) with a paling fence to the current frontage and paling fences to the northern and eastern boundaries. This land is unfenced to 16 Clay Drive.
- 3.5 No. 16 Clay Drive is developed with a large brick dwelling which is two-storey to the front and three-storey to the rear. There is a brick and steel rail fence to the frontage (positioned forward of the actual title boundary in the Clay Drive road reserve).
- 3.6 There is a large conifer within the front yard and a single crossover at the southern end of the frontage. A large multi-stemmed Weeping Lilly Pilly is located just to the rear of the front brick fence in the south-western corner of the site (this tree appears to be in the road reserve).
- 3.7 A medium sized street tree is approximately 1.5m north of the crossover.
- 3.8 The land has a significant crossfall of approximately 7.0m from the north-western corner to the south-eastern corner and side/rear boundaries are defined by paling fences.
- 3.9 The rear of No.16 Clay Drive has been filled to create a relatively level yard at the fenceline. The fill is retained hard up to a paling fence which is constructed on the lower ground level of No. 45 Walker Street to the east. As a result the paling fence as viewed from the west is quite low. Trees within No. 45 Walker Street assist in maintaining privacy.

The Surrounds

- 3.10 The site has direct abutments with five properties, as follows:

Direction	Address	Description
North	1 and 2, 12 Clay Drive, Doncaster	This property is in the Activity Centre Zone. This property is developed with two, two storey dwellings positioned one behind the other.

		<p>There are two crossovers serving the dwellings.</p> <p>Council owns this land and there is a future proposal to construct a roadway on this site connecting through to Hepburn Road to the east. (Council also owns the property to the east of 12 Clay Drive, being 1 and 2, 49 Walker Street.)</p> <p>A row of medium sized trees is along the common boundary.</p>
East	<p>47 Walker Street, Doncaster</p> <p>45 Walker Street, Doncaster</p>	<p>These properties are in the Activity Centre Zone.</p> <p>This property is developed with a large two-storey brick dwelling which is setback approximately 7.5m from the common boundary. The dwelling presents as single storey to the site. Various habitable room windows and a terrace face the site. The main private open space is at the rear of the dwelling.</p> <p>This property is developed with an “L” shaped single storey brick dwelling setback approximately 10.0m from the common boundary. The dwelling is positioned lower than the site due to slope/terracing.</p> <p>The main private open space is to the rear and there are several screen trees across the yard.</p>
South	18 Clay Drive Doncaster	<p>This property is in the General Residential Zone and subject to Design and Development Overlay Schedule 8-2.</p> <p>The property is developed with a two/three storey brick dwelling of similar scale and style to the dwelling at 16 Clay Drive. As the brick front fence of this property lines up with the front fence at No.16 Clay Drive, this suggests that it too is not constructed to the Title boundary.</p> <p>The dwelling is setback approximately 2.5m from the common boundary and presents a sheer two/three storey wall to the site with various habitable room windows (at both main levels), a small upper balcony and a raised landing (above fence height) facing the site.</p>

3.11 There are two large two-storey brick dwellings opposite the site on the western side of Clay Drive (within the Activity Centre Zone).

3.12 Clay Drive is a local street (concrete footpaths on either side) which extends downhill from Doncaster Road to Frederick Street/Tram Road. While being

essentially a residential street containing predominantly single houses on each lot, the northern part of the street is characterised by a large apartment building (“The Nest”) at 642 Doncaster Road (side presentation to the west side Clay Drive) and a large office building and open car park to the south. Opposite “The Nest” is an office building at 660 Doncaster Road (side presentation to Clay Drive) and the South Point apartment building (7 storeys) at 8 Clay Drive to the south.

- 3.13 At the Doncaster Road intersection, all traffic leaving Clay Drive must turn left.
- 3.14 Residential abutments in Clay Drive are subject to Resident Parking Permits. In front of the site there is also a 2 hour parking limitation between 8.00am and 6.00pm Saturday and Sunday. On-street parking is common at the northern end of the street, especially during week-days.
- 3.15 The site is at the southern edge of the Doncaster Hill Principal Activity Centre. The Activity Centre spans along the main arterial roads (Doncaster Road, Tram, Elgar and Williamsons Road corridors) and forms a central hub of residential, commercial, retail and recreational facilities. It is apparent that the area is changing in line with Council's vision, evidenced by the construction of various residential apartment towers within the precinct and the approval of a range of development permits for the same.
- 3.16 In terms of public transport, the site is well serviced by bus routes operating along Tram and Doncaster Roads, connecting activity centres and residential areas within the municipality to Melbourne's Central Activity District. A major bus interchange is situated within the Westfield Doncaster complex which is approximately 280 metres walk from the site. The site is within the Principal Public Transport Network designation area as introduced by Amendment VC148.
- 3.17 In addition to having access to the numerous retail, restaurant and entertainment venues within the Shopping Centre, the site is well serviced by other community and local facilities.
- 3.18 The southern boundary of the site and the southern boundary of 11 Clay Drive on the opposite side of the road represent the southern edge of the Activity Centre Zone, with properties to the south being within the General Residential Zone Schedule 2 and covered by Design and Development Overlay Schedule 8-2.
- 3.19 As has been indicated, Council has acquired land (1/2, 12 Clay Drive and 1/2, 49 Walker Street) with a view to extending Hepburn Road westward, so as to connect with Clay Drive. The purpose of this future road connection is to improve local access to arterial roads and assist with pedestrian connectivity within the Doncaster Hill Activity Centre.
- 3.20 The road construction will involve demolition of the four dwellings on the properties, with civil works being “earmarked” for this year's capital works programme.

4. THE PROPOSAL

- 4.1 The proposal is outlined on the plans prepared by Metaxas Architects Pty Ltd, Project No. 15.046 Revisions A and Ai of April and May 2018 and a landscape plan prepared by John Patrick Landscape Architects Pty Ltd, Job No. 17-0384 dated March 2018. Refer to Attachment 1.

4.2 The following reports were provided in support of the application:

- Town Planning report and Clause 58 Assessment prepared by Planning and Property Partners (originally dated October 2017 and referring to an earlier building layout);
- Waste Management Plan prepared by Waste Tech Services Pty Ltd dated 20 April 2018;
- Traffic Impact Assessment prepared by One Mile Grid Pty Ltd dated 19 April 2018;
- Sustainable Management Plan prepared by Urban Digestor dated 19 April 2018;
- Green Travel Plan prepared by Urban Digestor dated 16 May 2018;
- Arboricultural Assessment (includes assessment of development impacts) prepared by Arbour Survey Pty Ltd dated 12 October 2017; and
- Compressed Air Excavation Tree Root Report by Greenwood Consulting dated 17 May 2018 (assessing likely impact of basement excavation on a row of trees immediately to the north of the site).

Development summary

4.3 A summary of the development is provided as follows:

Land Size:	1337m ²	Maximum Building Height:	14.3m (In relation to NGL)
Site Coverage:	63%	Design Element Height:	N/A
Permeability:	17.05%	Min. wall setback to Clay Drive (west)	Basement – 4.03m Lwr. Ground – 4.02m Ground – 6.425m (est.) Levels 1-3 – 6.387m Level 4 – 7.0m (est.)
Number of Dwellings:	22 • 2 bedrooms: • 6 • 3 bedrooms: • 16	Min. wall setback to northern boundary	Basement – 0.0m Lwr. Ground – 0.0m Ground – 4.53m Levels 1-3 – 4.53m Level 4 – 4.52m
Dwelling Density:	One per 60.77m ² Floor areas ranging from 96m ² to 136m ²	Min. wall setback to eastern (rear) boundary	Basement – 3.25m Lwr. Ground – 3.25m Ground – 4.5m Levels 1-3 – 4.5m Level 4 – 18.3m (to lift)
Total car parking spaces:	41 • Residents: • 39 • Visitors: • 2	Min. wall setback to southern boundary	Basement – 0.0m Lwr. Ground – 4.54m Ground floor – 4.52m Level 1-3 – 4.53m Level 4 – 4.38m

Design layout

- 4.4 The proposed building has a relatively square footprint and is characterised by a roofline that slopes down to the south (as a result of the northern wall being higher than the southern wall). The building is to be constructed in pre-cast concrete and will have terraces on each wall presentation, with these generally being partially recessed into the main footprint.
- 4.5 Lift and stair access is provided to every level of the building.
- 4.6 The Basement is below natural ground level and is dedicated to resident parking and storage facilities. There is wide ramp access to the level above. The Basement extends to both the northern and southern boundaries and up to the rear easement.
- 4.7 The Lower Ground Floor is predominantly taken up with an “L” shaped parking area which is below ground on the northern side. This area also contains a large plant room with a 10,000 litre water tank, a bin room, storage for residents and bicycle parking. There are also 2 dwellings at this level which open to terracing on the eastern and southern sides. These dwellings have internal access to the central lift/stair facilities and the parking area.
- 4.8 The parking component of the Lower Ground Floor extends to the northern boundary and the rear easement. At the south-eastern corner of the building, the terrace of Dwelling LG01 will be approximately 1.25m higher than the south-eastern corner of the site.
- 4.9 The Ground Floor plan consists of the lobby and 4 dwellings, each with large terraces. Viewed from the street, the northern end of this floor will be cut into the ground by up to 2.2m, with retaining walls being setback from the frontage to facilitate tree planting at NGL. A stepped, powder coated aluminium coated vertical slat fence (maximum height of 1.769m) is proposed to the frontage, north of the pedestrian path/stair entry.
- 4.10 Service cabinets for fire booster, gas and water are to be set into a wall on the southern side of the pedestrian path/stair entry.
- 4.11 The First, Second and Third Floor plans are the same, consisting of 5 dwellings, each with a terrace from living areas. Two dwellings also have side terraces to bedrooms.
- 4.12 The Fourth Floor plan contains single dwelling, positioned at the north-western corner. This dwelling has a large front terrace and a roof terrace to the east. Screened services are adjacent.
- 4.13 The dwellings are all two and three bedroom units with a floor area range of 96m² to 136 m².
- 4.14 Where there are above ground terraces facing to the north, east and south, Plans notate a special balustrade design (“SC01”) which is demonstrated in Section CC as 1.5m high obscure glass balustrade with a horizontal shelf atop (400mm wide) designed to reduce overlooking impacts in the vicinity of the building.

Pedestrian and vehicular access and layout

- 4.15 Pedestrian access will be from a central point of the Clay Drive frontage, with the option of stairs or a ramp. A wide path will serve a spacious communal lobby.
- 4.16 The building will have ramped vehicular access at the south-western corner of the lot, with a 2 way entry/exit point and a curved alignment past this point.
- 4.17 The Basement level will contain 32 car spaces, with no tandem or stacker parking. Fourteen storage lock-ups (8.6m²) are provided.
- 4.18 The Lower ground Floor will contain 11 car spaces, 2 of which are for visitors. Eight storage lock-ups (min. area of 7.1m²) are provided. Waste services in the form of an enclosed bin room are provided near the base of the access ramp.

Landscaping

- 4.19 No existing trees are to be retained. A row of trees is proposed along the frontage, north of the path entry. These will be into deep earth. Another tree within a raised planter (over slab) is proposed in front of the lobby.
- 4.20 Four trees and smaller plantings are proposed along the northern boundary within raised planters (over slab).
- 4.21 A row of nine trees is also proposed along the eastern boundary (in deep earth, but over an easement) with smaller plantings below.
- 4.22 A row of five trees with smaller plantings below is proposed along the southern boundary, east of the vehicular ramp. These trees will be within a raised planter (over slab).
- 4.23 As the vehicular ramp will be constructed adjacent to the southern boundary for a length of approximately 11.0m, there will be no planting at this point.

Design Detail

- 4.24 The proposed building features a contemporary architectural style which exhibits a relatively "solid" vertical form with a mildly angled roof line and shallow roofing element. The front elevation to Clay Drive is heavily articulated through a series of terraces which project forward of the main walls. These include framing elements which create bold feature statements, especially as the upper floor terraces are roofed. The front entry is however, relatively recessive and non-descript.
- 4.25 On the Clay Drive elevation, terraces and their side blade walls project well forward of the wall setbacks, effectively bringing the building forward in terms of its perceived presentation. This can be observed on Views "A, B and C" on TP06.1 Rev. A.
- 4.26 Side walls to the north and south display some articulation through terrace projection, but both offer high wall sections to the front with some mild edge projections and colour changes to assist in "breaking up" the rather robust presentation. There are numerous sections of wall that are predominantly blank, relying on precast concrete incorporating textured sections to provide articulation.

- 4.27 The rear wall to the east incorporates a heavy use of terraces projecting forward of the building line, with minimal articulation to the outer edges provided through fenestration and precast concrete.

5. LEGISLATIVE REQUIREMENTS

- 5.1 Refer to Attachment 2.
- 5.2 A permit is required under Clause 37.08-6 (Activity Centre Zone, Schedule 1) of the Manningham Planning Scheme, to construct a building or construct or carry out works.

6. REFERRALS

External

- 6.1 There are no applicable determining or recommending referral authorities.

Internal

- 6.2 The application was referred to a number of service units within Council. Reference to conditions would apply if a permit were to be issued. The following table summarises the responses:

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> No objection subject to conditions for the provision of onsite storm water detention.
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> No objection subject to conditions providing for the widening of the crossover to 5.5 metres and addressing street tree conflict.
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> No objection subject to conditions demonstrating adequate sight lines are available from the exit lane.
Engineering & Technical Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> No objection as the number of car parking spaces provided is satisfactory and there are no traffic issues in the context of the traffic and the surrounding street network.
Engineering & Technical Services Unit – Car Parking	<ul style="list-style-type: none"> No objection.

Service Unit	Comments
Layout	
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> No objection subject to a requirement for the provision of a construction management plan.
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> No objection subject to conditions for private waste collection.
Engineering & Technical Services Unit – Easements	<ul style="list-style-type: none"> No objection subject to build over easement approval being granted.
Engineering & Technical Services Unit – Flooding	<ul style="list-style-type: none"> No objection as the site is not subject to inundation.
City Strategy Unit – Urban Design	<ul style="list-style-type: none"> Given the future interface with a new road and shared path to the north, this development should be designed to respect the existing residential interface to the north in the short term, and a future extended Hepburn Road that will run along the property's northern boundary. Substantial changes would be required to achieve this. The building has a square footprint which extends vertically to the roofline on all sides, and features large sections of blank wall on the northern and southern elevations, resulting in excessive building bulk. The basement carpark extends to the northern boundary which limits boundary landscaping to two raised planters. The pedestrian entrance to the building is relatively concealed.

7. CONSULTATION / NOTIFICATION

7.1 Notice of the application was given over a three week period, concluding on 8 August 2018, by sending letters to the owners and occupiers of adjoining and nearby properties and by displaying a sign on the site frontage, in accordance with the requirements of the Act.

7.2 To date, 14 objections has been received from the following properties:

- 13, 15, 17, 18, 19, 20, 22, 24, 26, 30, 1/32 and 39 Clay Drive, Doncaster.

7.3 The main grounds of the objection can be summarised into the following categories:

- Inappropriate built form (bulk, architecture, lack of graduated stepping to the General Residential 2 Zone to the south);
- Out of character with existing streetscape;
- Does not properly respond to relevant planning provisions;
- Off-site amenity impacts (loss of sunlight, loss of privacy through overlooking and noise);
- On-site amenity (poor unit layout at the lower ground floor);
- On-street parking impacts and increased traffic;
- Loss of property value;
- Likely construction impacts; and
- Inadequate plan detailing.

7.4 A response to the grounds of objection are included in the assessment section of this report.

8. ASSESSMENT

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

8.2 The following assessment is made under the headings:

- Planning Policy Frameworks;
- Design and built form;
- Apartment developments;
- Car parking, access, traffic and bicycle facilities; and
- Objector concerns.

Planning Policy Frameworks

8.3 Key objectives of the PPF 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 PPF and LPPF levels, policy emphasises the need for mixed use development with a focus on high density residential development in the Doncaster Hill Activity Centre, in which the site is located. The use of the site for the purpose of a residential apartment building is appropriate within the zoning of the land and the strategic context of the site. The site's location places it within very good proximity to access to public transport and existing services.

8.5 Council has, through its policy statements throughout the Planning Scheme, sought to implement this policy as it relates to Doncaster Hill at Clause 21.09 through Schedule 1 to the Activity Centre Zone.

8.6 Within the Doncaster Hill Principal Activity Centre there are various precincts delineated in accordance with their topographic orientation and aspect on Doncaster Hill, their relationship to main roads, and their present and future uses. The site, together with all land within the ACZ on the south side of Doncaster Road east of Tram Road, is within Precinct 2.

- 8.7 Under the ACZ1, the subject site is located in Precinct 2: South East Doncaster Boulevard. Further to this, the site is within Sub Precinct 2F.
- 8.8 The most relevant objective for Precinct 2 (Clause 5.2-2) is *to encourage an appropriate mix of residential and commercial uses in the precinct.*
- 8.9 Within Sub-Precinct 2F the maximum allowable building height (excluding basement) is 14.5m (mandatory). The following building setback requirements apply:
- Front – 5.0m
 - Side and rear – 4.5m.
- 8.10 Balconies may be constructed within the setback areas specified in the precinct provisions at Clause 5 of this Schedule provided they are designed and located to the satisfaction of the responsible authority.
- 8.11 A Precinct Guideline indicates that built form should achieve a general stepping of the building in a southerly direction from the ridgeline, down Tram Road, and towards the residential area to the east.
- 8.12 Design and Development guidelines at Clause 4.4 include the following:
- *Development should be designed to avoid casting shadows on adjacent properties (including public open space areas) outside the activity centre between 11:00am and 2:00pm on 22 September.*
 - *Incorporate screen planting and landscape buffers of 1.5 metre minimum width as an interface to adjoining sites;*
 - *Provide canopy trees and native indigenous plantings.*
- 8.13 The land use for dwellings is a use that is supported under the ACZ1 that does not require a planning permit. The Doncaster Hill Principal Activity Centre supports mixed-use and higher density residential development within the activity centre. The proposal provides an appropriate use for the location.
- 8.14 The building is in a local street that is highly accessible to and from Doncaster Road and Westfield Doncaster and the proposal is consistent with the land use vision for the Doncaster Hill area. In particular, it supports the key vision objectives, which encourage high density, high-rise development and innovative contemporary design.

Design and Built Form

- 8.15 The ACZ1 sets a number of mandatory and preferred maximums/minimums for buildings within the Activity Centre. These mainly relate to the scale of the development, such as height and setback distances. The requirements establish a three dimensional building envelope for each site.
- 8.16 The following assessment identifies and considers these mandatory and preferred requirements from the ACZ1, as outlined at Clause 4.4 (Design and Development), as well as the decision guidelines at Clause 8.0.

Building Height

- 8.17 The maximum building height is a mandatory requirement. The maximum building height permitted for this site under the ACZ1 is 14.5 metres with no allowance for any additional design element feature.

- 8.18 Acknowledging the slope of the site, the proposed building reaches a height of 14.5 metres. Due to some lack of clarity on plan, if a permit were to issue, a condition would require dimensions to clearly demonstrate compliance with the mandatory maximum building height requirement.
- 8.19 A car park exhaust vent and lift overrun are shown exceeding the maximum building height. The ACZ1 makes allowances for plant rooms, plant, screens and lift-overruns above the maximum building height if certain criteria are met, which they are in this instance.
- 8.20 While the proposal meets the mandatory maximum height requirement, the footprint and form of the development appears to adopt this height limit, together with minimum setback requirements, forgoing regard to other objectives, requirements or the orderly planning of the area.
- 8.21 The proposed apartment development fails to respond positively to the existing urban context or the preferred future development of the area, having regard to its southern interface (which is within the General Residential Zone 2 and Design and Development Overlay 8-2). The development does not appropriately scale or transition to the south, including having regard to the topography of the area, which also falls to the south.

Front Setback

- 8.22 The building exceeds the preferred 5 metre front setback requirement, with a minimum 6.387 metres being achieved. The ACZ allows for minor buildings and works within the setbacks (such as verandahs, architectural features, balconies, sunshades, screens, artworks and street furniture setbacks) provided they are designed and located appropriately. Terraces set forward of the front façade are generally compliant with the 5 metre building setback, with two exceptions.
- 8.23 The first floor central terrace is setback 3.5 metres from the site frontage. Given this terrace spans only 5 metres, is predominantly located over the pedestrian entry path below, it is considered an acceptable variation across the 35.36 metre wide frontage. The fourth floor terrace is setback 4.832 metres from the site frontage. This terrace spans 13.5 metres across the site frontage, on the northern side of the building. It is likely that this negligible setback variance will be imperceptible from the street. Front terraces are therefore considered to be designed and located appropriately.
- 8.24 While the proposal generally meets the front setback requirements, the development presents to the street with repetitious balconies, with bulk, massing and verticality that is unsympathetic with existing development in the street and future development encourage under the Activity Centre Zone and Design and Development Overlay Schedule 8-2.

Side and Rear Building Setbacks

- 8.25 Policy includes preferred minimum requirements relating to side and rear setbacks (i.e. they can be varied by a permit). The minimum setback from a side or rear boundary is 4.5 metres. Setbacks to the building above natural ground level are compliant from all boundaries at all levels. Terraces are set forward of the 4.5 metre building setbacks on all sides on the first, second and third floors. The minimum terrace setback provided from a side or rear boundary is 3.58 metres. All projecting terraces are screened to limit overlooking and provide some much needed building articulation, therefore the extent of the projection of

terraces is considered acceptable. No side or rear setback encroachment is made at the fourth floor.

- 8.26 While the proposal generally meets the side and rear setback requirements, the development presents to adjoining properties with bulk, massing and verticality, as well as large areas of blank walls. To the north, the development has not been designed to take into account the future road, and to the south the development fails to provide adequate transition in scale, form or building height.
- 8.27 These issues are exacerbated by inadequate landscaping opportunities to the northern and southern boundaries, to be discussed.

Overshadowing

- 8.28 The site is located on the southern edge of the activity centre. Develop should avoid casting shadows outside the activity centre between 11:00am and 2:00pm. The development has not avoided casting shadows on adjacent properties outside the activity centre. The sheer southern walls of the building makes little attempt to reduce overshadowing into the adjoining property to the south at 18 Clay Drive, causing unreasonably off-site amenity impacts.

Landscape Design

- 8.29 Landscaping is required to provide screen planting and minimum 1.5 metre wide landscape buffers as an interface to adjoining sites. Landscaping along the side boundaries is significantly limited by basement walls that extend across a significant proportion of the northern and southern boundaries. The location of these walls prevent any deep soil planting. Planter boxes are presumed to be used but are inadequately detailed, particularly as the site falls to the rear. While the depth of the planter boxes is unknown and variable across the length of the site, the width of these planting areas is also generally inadequate.
- 8.30 Along the northern boundary, sections of landscape achieve a width of 1.9 metres, however a central 11.2 metre long section provides a width of only 0.8 metres. Along the southern boundary, the first 13 metres from the site frontage will remain unplanted due to the location of the driveway. The following 21 metres of the site is provided with a 1.2 metre wide landscape strip. The submitted landscape plan appears to depict shrubs in these locations with a height at maturity of up to only 1.5 metres. Trees ranging between 8 and 11 metres in height are relied upon for screening. Notably, the south-western corner of the building will not be screened due to the position of the driveway adjacent to the southern boundary.
- 8.31 The development requires the removal of several off-site trees. Tree 20 is an 8 metre high Weeping Lilly Pilly located within the road reserve, to the immediate south-west of the subject site. It is within the direct path of the proposed crossover and driveway. The submitted arborist report incorrectly assesses the tree as located within the subject site, thereby not giving the assessment the weight that is normally afforded to off-site vegetation. It is considered to have a short useful life expectancy with a poor structure due to poor pruning, likely due to its location adjacent to the existing driveway. Tree 2 is an 8 metre high Queensland brush box located within the road reserve on the other side of the proposed crossover. The proposed crossover alignment is unclear, and therefore impacts to this tree are also unclear.

- 8.32 Trees 10 to 14 range between 6 and 8 metres in height, and are located in a row along the northern property boundary within 12 Clay Drive. Detailed root investigation by the arborist has determined that Trees 10 to 13 would be compromised by the proposed basement location. It concludes that a 1 metre basement setback would make retention viable. While 12 Clay Drive is earmarked for a future roadway, current plans provide for a 5 metre buffer between the common boundary and the roadway. Opportunities have been overlooked to retain this vegetation to contribute towards the integration of the development with the future roadway.
- 8.33 Sufficient landscaping opportunities have been provided for canopy tree planting within the rear setback. However, limited opportunities for canopy tree planting have been provided within the site frontage due to the extent of retaining walls and hardstand areas. A 1.4 metre wide landscape strip is provided along the northern side of the site frontage and space for a larger canopy tree is provided adjacent to the pedestrian entry. This leaves much of the southern side of the site frontage under planted.

Access and Mobility

- 8.34 A pedestrian ramp provides suitable access to the building entry. Should a permit issue, a condition would require the submission of a Disability Access Plan that implements the recommendations of a Disability Access Audit (prepared by a suitably qualified person) that demonstrates compliance with the relevant Australian Standards for vehicle and pedestrian access into the building, to the satisfaction of the Responsible Authority.

Apartment Developments

- 8.35 Pursuant to Clause 58 (Apartment Developments), a development must meet all of the objectives of this clause and should meet all of the standards.
- 8.36 An assessment against the objectives of Clause 58 is provided in the table below:

Objective	Objective Met/Not Met
<p>58.02-1 – Urban context</p> <ul style="list-style-type: none"> To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area. To ensure that development responds to the features of the site and the surrounding area. 	<p>Not Met</p> <p>The proposed apartment development does not respond positively to the existing urban context or the preferred future development of the area, having regard to its southern interface (which is within the General Residential Zone 2 and Design and Development Overlay 8-2). The development does not appropriately scale or transition to the south, including having regard to the topography of the area, where the land falls to the south.</p>
<p>58.02-2 – 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 Municipal Planning Strategy and the Planning Policy Framework. 	<p>Met</p> <p>The application was accompanied by a written statement demonstrating how the development is in accordance with Municipal Planning Strategy and the Planning Policy Framework.</p> <p>The site can support higher density</p>

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To support higher density residential development where development can take advantage of public and community infrastructure and services. 	residential development to take advantage of public and community infrastructure and services.
<p>58.02-3 – 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 two and three bedroom dwellings with a range of floor areas to provide diversity. The applicant should be commended for the proportion of large three bedroom apartments.</p>
<p>58.02-4 – 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</p> <p>The site has access to all services.</p>
<p>58.02-5 – Integration with the street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<p>Met</p> <p>The front entry of the development is oriented to the site frontage to integrate the development with the street.</p>
<p>58.03-1 – Energy efficiency</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. To ensure dwellings achieve adequate thermal efficiency. 	<p>Met</p> <p>Given the orientation of the site, the proposal makes a reasonable attempt to limit the energy efficiency impacts to southern apartments. All southern apartments incorporate eastern or western interfaces, with north facing open space areas.</p> <p>The submitted Sustainability Management Plan demonstrates a 6.6 Star average rating. The average cooling load across the development is 19.8 MJ/sqm, which meets the NatHERS maximum cooling load for the Melbourne climate zone.</p>
<p>58.03-2 – Communal open space</p> <ul style="list-style-type: none"> To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development. 	<p>Not applicable</p> <p>The development comprises less than 40 dwellings, and therefore is not required to provide communal open space.</p>
<p>58.03-3 – Solar access to communal outdoor open space</p> <ul style="list-style-type: none"> To allow solar access into communal outdoor open space. 	<p>Not applicable</p> <p>As above.</p>
<p>58.03-4 – Safety</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents 	<p>Met</p> <p>The central pathway is visible from the site frontage and access to the basement is restricted by a security garage door that is</p>

Objective	Objective Met/Not Met
and property.	operated by an intercom system.
<p>58.03-5 – Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect. 	<p>Not Met</p> <p>The development does not provide appropriate landscaping in the context of a five storey building within the ACZ1. Landscape strips along the northern and southern boundaries are inadequate for the provision of suitable opportunities for planting to soften the overall built form and screen specific elements.</p> <p>The development has not sought to maximise deep soil areas for the planting of canopy trees due to the location and extent of basement and driveway areas to the northern and southern boundaries. Landscaping within the front setback is also limited due to the extent of retaining walls and hardstand areas.</p> <p>The location and extent of the driveway and basement also impacts off-site vegetation, within the road reserve and the adjoining property to the north at 12 Clay Drive.</p>
<p>58.03-6 – Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the urban context. 	<p>Not Met</p> <p>One vehicle crossover is proposed for the development, however it is located immediately adjacent to the southern property boundary, preventing any planting along the boundary and compelling the removal of two trees within the road reserve.</p>
<p>58.03-7 – Parking location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To protect residents from vehicle noise within developments. 	<p>Met</p> <p>The central lift shaft provides equitable access for residents and visitors from all car parking spaces within the basement levels. Residents are generally protected from vehicle noise within the development, with the exception of the ground floor south-facing bedroom of apartment G01, which is located directly above the driveway ramp. Given this is the only bedroom directly affected in this way, and the apartment has two other bedrooms, this is considered acceptable.</p>
<p>58.03-8 – Integrated water and stormwater management</p> <ul style="list-style-type: none"> To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. To facilitate stormwater collection, utilisation and infiltration within the development. 	<p>Would be met subject to a condition</p> <p>A 10,000 litre rainwater tank is located within the lower basement plant area. The submitted Sustainability Management Plan demonstrates a STORM rating of 100%. If a permit were to issue, the applicant would be required to provide an on-site stormwater detention system to alleviate pressure on the drainage system.</p>

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site. 	
<p>58.04-1 – Building setback</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Not applicable</p> <p>Pursuant to Clause 58, the land is included in a zone where the scheduled to the zone (ACZ1) specifies a building setback requirement different from a requirement set out in Clause 58.04-1, therefore the requirement in the schedule to the zone applies.</p>
<p>58.04-2 – Internal views</p> <ul style="list-style-type: none"> To limit views into the private open space and habitable room windows of dwellings within a development. 	<p>Met</p> <p>1.8 metre high screens between balconies will adequately limit internal views at the same level.</p> <p>Views of the private open space of a lower-level dwelling directly below will also be limited by 1.5 metre high balustrades.</p>
<p>58.04-3 – 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 and internal noise sources. 	<p>Met</p> <p>There are no unusual noise sources within the development that may affect existing dwellings.</p> <p>The site's location within a residential street ensures residents are protected from external noise sources, such as excessive traffic noise.</p>
<p>58.05-1 – Accessibility</p> <ul style="list-style-type: none"> To ensure the design of dwellings meets the needs of people with limited mobility. 	<p>Met</p> <p>At least 50% of the dwellings meet the accessibility requirements for door opening widths, entrance paths and access to an adaptable bathroom.</p>
<p>58.05-2 – Building entry and circulation</p> <ul style="list-style-type: none"> To provide each dwelling and building with its own sense of identity. To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. To ensure internal communal areas provide adequate access to daylight and natural ventilation. 	<p>Not Met</p> <p>Concern is expressed that visibility of the entry to the building is problematic as it is considerably lower than the site frontage and is therefore lost visually.</p> <p>The building entrance is well covered by the terrace above.</p> <p>The lift and stairs are well located within an open and spacious lobby.</p>
<p>58.05-3 – 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>Not Met</p> <p>Many three-bedroom dwellings do not provide the minimum 12 square metres with minimum dimensions of 2.4 metres, including Apartments 103, 105, 203, 204 (2 bedrooms</p>

Objective	Objective Met/Not Met
	<p>with study), 205, 303 and 305. Each of these examples provide the minimum dimension to only part of the balcony, with the balance of the minimum area met through narrower balcony sections.</p> <p>Two-bedroom dwellings provide the minimum respective balcony areas and dimensions. Dwellings with ground floor private open space are provided with a minimum area of 25 square metres with minimum 3 metre dimensions of usable space.</p>
<p>58.05-4 – Storage</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>Met</p> <p>Each dwelling is provided with a minimum 7.1 cubic metres of storage within the basement. These storage areas are unallocated. Storage within the dwellings meet the minimum storage volumes.</p>
<p>58.06-1 – 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, paths, front landscape areas (within the front setback) and internal lobby and corridors are practically designed. There are no apparent difficulties associated with the future management of these areas.</p>
<p>58.06-2 – 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>Not met</p> <p>Appropriate site services are provided. The letterboxes are provided within the internal lobby. It is unclear whether this arrangement will provide convenient access for Australia Post.</p> <p>Other site services are provided to the site frontage. Insufficient details have been provided to verify the cabinets at the frontage are appropriately integrated to complement the design of the development, including height, design, materials and finishes.</p>
<p>58.06-3 – Waste and recycling</p> <ul style="list-style-type: none"> To ensure dwellings are designed to encourage waste recycling. To ensure that waste and recycling facilities are accessible, adequate and attractive. To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm. 	<p>Met</p> <p>The submitted waste management plan details that garbage and recycling will be appropriately managed and collected on site. Garden waste will not be collected and will be managed by the building manager via contractors.</p>
<p>58.07-1 – Functional layout</p> <ul style="list-style-type: none"> To ensure dwellings provide 	<p>Met</p> <p>All bedrooms and living areas meet the</p>

Objective	Objective Met/Not Met
functional areas that meet the needs of residents.	minimum dimensions and areas required.
58.07-2 – Room depth <ul style="list-style-type: none"> To allow adequate daylight into single aspect habitable rooms. 	Not Met There are multiple single aspect habitable rooms (combined living, dining and kitchens) that exceed a room depth of 9 metres, including Apartments 104, 204, 302 and 304.
58.07-3 – Windows <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	Not Met All habitable room windows are provided with at least one window in an external wall of the building, with the exception of the study to many dwellings, including Apartments G02, 103, 104, 105, 203, 204, 205, 303, 304 and 305. No windows are provided to these rooms.
58.07-4 – Natural ventilation <ul style="list-style-type: none"> To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings. 	Met At least 40% of dwellings should provide effective cross ventilation.

Car parking, access, traffic and bicycle facilities

Car parking and access

8.37 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 in Table 1 at Clause 52.06-5 to be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the Responsible Authority.

8.38 For the ACZ1, resident car parking is required at a rate of one space for each dwelling with one or two bedrooms and two spaces for each dwelling with three or more bedrooms. The development comprises six, two-bedroom apartments and 16, three-bedroom apartments. The Scheme requires a 38 car parking spaces for residents. Visitor car parking is required at a rate of one car parking space for every ten dwellings. For 22 dwellings, this equates to the requirement for 2 visitor spaces. Therefore, a total of 40 car parking spaces are required for the proposed development. A total of 41 car parking spaces are proposed over the two basement levels, which exceeds this requirement by 1 space.

8.39 An assessment against the relevant car parking design standards at Clause 52.06-9 of the Scheme is provided in the table below:

Design Standard	Assessment
1 – Accessways	Not Met <ul style="list-style-type: none"> A minimum 6.1 metre by 7 metre passing area is provided within the site frontage, however the width of the crossover is unclear. The development has not demonstrated if an adequate visibility splay area is provided along the exit lane.

Design Standard	Assessment
	<ul style="list-style-type: none"> • The accessway to the basement car park meets the minimum width and height clearance requirements. • All vehicles are able to exit the site in a forwards direction. • Within the basement, a 4 metre internal radius is provided at changes of direction.
2 – Car Parking Spaces	<p>Met</p> <ul style="list-style-type: none"> • Car parking spaces are provided in accordance with dimension requirements.
3 – Gradients	<p>Met</p> <ul style="list-style-type: none"> • Driveway gradients are compliant with the standard.
5 – Urban Design	<p>Met</p> <ul style="list-style-type: none"> • The development utilises existing access road infrastructure, which will not dominate the landscape. • Parking areas are all incorporated into the basement levels and will not be visible from the street.
6 – Safety	<p>Met</p> <ul style="list-style-type: none"> • A security gate and associated intercom system are provided to the basement entry. • Pedestrian access from the site frontage is clearly separated from the roadway.
7 – Landscaping	<p>Not Met</p> <ul style="list-style-type: none"> • Inadequate landscaping is provided around the entrance to the basement. No landscaping is provided on the southern side, along the boundary.

Traffic

- 8.40 The submitted traffic report identifies that the proposed development is expected to generate 110 vehicle movements per day. This would equate to less than one movement every 6 minutes during peak hours, and is therefore not expected to have an impact on the operation of the surrounding road network.
- 8.41 The curvilinear design of the driveway provides single direction traffic, limiting oncoming traffic visibility beyond the passing area provided. This warrants an assessment of potential vehicle conflicts. The submitted traffic report concludes that there is a very low probability of vehicles entering and exiting the site simultaneously (0.01% chance).
- 8.42 Council's Engineering and Technical Services unit have not raised concern with traffic impacts off-site or vehicles conflicts on-site.
- 8.43 Overall, the traffic generated as a result of the proposed development is considered to be generally compliant with the broader policy objectives of encouraging sustainable transport modes.

Bicycle Facilities

8.44 In developments for a residential building of four or more storeys, the Scheme requires 1 resident bicycle parking space to be provided for every 5 dwellings and 1 visitor space for every 10 dwellings. For the proposal, this equates to 4 resident bicycle spaces and 2 visitor spaces, or a total 6 spaces. The proposal provides 10 bicycle spaces, which exceeds the requirements of the Scheme.

Objector concerns

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

Inappropriate built form (bulk, architecture, lack of graduated stepping to the General Residential 2 Zone to the south)

8.46 The development fails to provide an adequate transition to the south and presents to adjoining properties and the street with a high level of bulk, massing and verticality. Officers share these concerns.

Out of character with existing streetscape

8.47 The ACZ1 seeks to implement a preferred character. However, to achieve this on the periphery of the ACZ1, where the site transitions to the General Residential Zone, requires the development to provide an appropriate transition in height, and to step down with the topography, which also falls to the south. As above, officers share these concerns.

Does not properly respond to relevant planning provisions

8.48 The proposal demonstrates an appropriate response to some planning provisions, including maximum building height and building setbacks, but has not demonstrated an appropriate response to landscape design, building presentation and the aforementioned building transition.

Off-site amenity impacts (loss of sunlight, loss of privacy through overlooking and noise)

8.49 The development will cause unreasonable overshadowing to the adjoining property to the south, which is located outside of the ACZ1. This warrants refusal of the application.

8.50 Overlooking measures to the terraces are capable of complying with overlooking requirements, however the detail provided on plan is inadequate to demonstrate compliance.

8.51 It is not considered that the development will introduce unreasonable noise impacts.

On-site amenity (poor unit layout at the lower ground floor)

8.52 There are several concerns with the internal amenity of the apartments, including relating to building entry, private open space, room depth and daylight to windows. These grounds warrant refusal of the application.

On-street parking impacts and increased traffic

- 8.53 The potential traffic impacts have been assessed in the submitted traffic report and Council's Engineering and Technical Services Unit who both concluded that, on considering the proposal in the context of the traffic and the surrounding street network, the proposal can be accommodated within the road network without creating any adverse traffic safety or capacity problems.
- 8.54 The number of on-site car parking spaces provided meets the requirement for a residential development of this capacity, including the provision for two visitor spaces. Therefore, it is not anticipated that there will be any adverse impacts on parking within the street.

Loss of property value

- 8.55 Any possible impact to the value of an objector's property is considered a subjective claim and not a ground which should be given any relevancy in the consideration of the planning permit application.

Likely construction impacts

- 8.56 Should a permit issue, a detailed construction management plan would be required to be provided, which sets out matters relating to hours of construction, dust, dirt and mud control and the location of parking and site facilities for construction workers. The management plan would be enforced, where necessary, by Council's Compliance Unit.
- 8.57 Any 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.

Inadequate plan detailing

- 8.58 There are numerous instances where plan detailing is considered inadequate, as noted within this assessment.

9. CONCLUSION

- 9.1 It is recommended that the application be refused.

10. DECLARATION OF CONFLICT OF INTEREST

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