

9.1 Planning Application PLN18/0210 at 775-779 Doncaster Road, Doncaster for the construction of a four-storey apartment building plus associated basement car parking, and altered access to a road in a Road Zone, Category 1

File Number:	IN18/469
Responsible Director:	Director City Planning and Community
Applicant:	Wilman Pty Ltd C/o Contour Consultants (Aus) Pty Ltd
Planning Controls:	Residential Growth Zone Schedule 2 abuts Road Zone Category 1, Design and Development Overlay Schedule 8-1
Ward:	Koonung
Attachments:	<ol style="list-style-type: none">1 Decision Plans PLN18/0210 775-779 Doncaster Road, Doncaster2 Discussion Plans received 26 October 2018 PLN18/0210 775-779 Doncaster3 Legislative requirements PLN18/0210 775-779 Doncaster Road, Doncaster

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 775, 777 and 779 Doncaster Road, Doncaster and 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 (with more than 15 dwellings and a development cost of more than \$5 million).

Proposal

2. The proposal is for the construction of 38 dwellings within a four storey apartment building and is to consist of two, one bedroom dwellings, thirty, two bedroom dwellings and six, three bedroom dwellings. A total of 52 car parking spaces are to be provided within two levels of basement parking, comprising of 44 resident car spaces and 8 visitor car parking spaces, accessed by a central driveway, requiring a new vehicle crossover to Doncaster Road.
3. The land has a combined total area of 2096 square metres across three consecutive lots, containing one detached single storey brick dwelling per lot. The proposal has a site coverage of 57%, a site permeability of 34%, and a maximum building height of 13.34 metres.
4. The subject land is within a main road precinct that is undergoing a transition in development from low-rise detached brick dwellings to apartment buildings and townhouses that are two, three and four storeys in scale, with contemporary architectural forms.

Key issue in considering the application

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

- Compliance with the relevant State, Local Policy Frameworks (SPPF, LPPF);
- Design and Built Form;
- Open space and landscaping;
- On-site (internal) amenity and Off-site amenity (Clause 55 assessment);
- Car parking, access and traffic; and
- Objector concerns.

Objector concerns

6. At the time of writing, one objection has been received from the adjoining property to the east at No. 781 Doncaster Road, Doncaster.



7. The concerns raised can be summarised as loss of sunlight, loss of privacy through overlooking and overshadowing.

Conclusion

8. The proposed development features a well-designed, contemporary and coherent external facade which generally complies with planning requirements including the mandatory maximum building height of 13.5m in the Residential Growth Zone. Furthermore, the scale and setbacks of the building are generally reasonable, satisfactory car parking is provided, quality landscaping is proposed and neighbours external amenity is protected.
9. The development does fall short on a number of internal amenity qualities for future residents. Following advertising, and in response to Officer concerns, the applicant has provided amended discussion plans showing several modest, but important improvements to the internal layout of the development that provides confidence that concerns raised can be addressed via conditions. It is noted the amended discussion plans also address a couple of minor issues Officers also had with the externals of the building.
10. Subject to conditions, including requiring the modifications shown on the amended discussion plans, the development complies with all of the objectives and standards of Clause 55 of the Scheme. Overall, this is a well-designed and attractive apartment style development consistent with planning policies of the Manningham Planning Scheme (the Scheme), including the requirements of the Residential Growth Zone Schedule 2 (RGZ2) and the objectives of the Design and Development Overlay Schedule 8 (DDO8).
11. It is recommended that the application be supported, subject to the following conditions.

RECOMMENDATION

That Council:

Issue a NOTICE OF DECISION TO GRANT A PLANNING PERMIT in relation to Planning Application PLN18/0210 at 775, 777 & 779 Doncaster Road, Doncaster for the construction of a four-storey apartment building comprising of 37 dwellings with associated basement car parking, and the creation and alteration of access to a road in a Road Zone, Category 1 subject to the following conditions –

1. **Before the development starts, amended plans drawn to scale and dimensioned, must be submitted via email 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 CHT Architects Pty Ltd, dated 27 August 2018, but modified to show the following:**
 - 1.1 **All of the amendments depicted in the amended discussion plans prepared by CHT Architects Pty Ltd, received 26 October 2018 (without updated date and revision numbers), which included:**

- 1.1.1 Alterations to the internal layout of apartments to improve accessibility, functionality and access to natural light at ground, first and second floor levels;
- 1.1.2 Apartments G.06, G.08, 1.06, 1.08, 2.06 and 2.08 setback at least 4 metres from the northern boundary, with balconies setback at least 5.5 metres from the northern boundary;
- 1.1.3 Increased setbacks from the eastern and western boundaries at second and third floor levels to Apartments 2.09, 3.01 and 3.03 through deletion of part of the balcony and balustrading;
- 1.1.4 Deletion of one dwelling at first floor level through consolidation of Apartments 2.08 & 2.09, relocation of the eastern balcony of Apartment 2.09 to the north;
- 1.1.5 Addition of north facing windows to Apartments 2.03 and 2.09;
- 1.1.6 Provision of two operable skylights to the third floor corridor;
- 1.2 Addition of a 400 mm high trellis to the northern and eastern boundary fences;
- 1.3 The east facing habitable room window of Apartment 1.09 & 2.08 and west facing bedroom windows of Apartment 1.03 screened to a height of at least 1.7 m above finished floor level in accordance with Standard B22 of Clause 55.04-6 (Overlooking) of the Manningham Planning Scheme;
- 1.4 Amendment to the driveway gradient to increase by 150 mm within two metres of the southern boundary, and subsequently graded in accordance with Design Standard 3 of Clause 52.06-9 (Car Parking) of the Manningham Planning Scheme.
- 1.5 Provision of a passing bay within the driveway entrance to Doncaster Road of at least 6.1 m x 7 m in accordance with Design Standard 1 of Clause 52.06-9 (Car Parking) of the Manningham Planning Scheme;
- 1.6 Deletion of the 1.7 m high screen west of the south facing balcony of Apartment 3.03, and application of obscure glazing to the south facing bathroom windows of Apartments 3.02 & 3.03;
- 1.7 Reduction in the height of the roof top screen to minimise projection above roof top services;
- 1.8 Internal storage to each dwelling provided in accordance with Standard B44 of Clause 55.07-10 (Storage), depicted on an updated schedule;
- 1.9 A report from an acoustic engineer to demonstrate compliance with Standard B40 in relation to traffic noise impacts to apartments.
- 1.10 Plan changes specified in the Sustainable Management Plan

submitted with the application as per Condition 3 of this permit.

Endorsed Plans

- 2. The development, including the location of buildings, services, engineering works, fences and landscaping as shown on the approved plans must not be altered without the prior written consent of the Responsible Authority.**

Sustainable Management Plan

- 3. Prior to the endorsement of plans under Condition 1 of this Permit, of an amended Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. The Plan must include the initiatives in the BESS assessment submitted with the application (Project No. 11304, dated 11 July 2018) and account for any design changes required by Condition 1 of this permit, and address the following:**
 - 3.1. Demonstration that the development approved under Condition 1 of this permit, meets minimum 50% overall score and minimums in Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories in BESS to demonstrate best practice. In areas falling short of the aforementioned targets adjustments will need to be made to demonstrate that the project meets the BESS minimums**
 - 3.2. Daylight Access: Provide amended daylight calculations that indicate that each apartment meets daylight best practice standards.**
 - 3.3. Energy 1.1: A commitment to achieving a rating beyond the 6-star minimum requirement of the National Construction Code (NCC).**
 - 3.4. Water 1.1: A commitment to providing dishwashers and washing machines as part of the base building if they are to be included within the BESS assessment. If this is not the case, then BESS needs to be amended to default/unrated.**
 - 3.5. Energy 3.4: Provision of details showing how the all the laundry areas are designed with no space for a dryer. If this is not the case, the development needs to commit to providing clothes dryers as part of the base building if they are to be included within the BESS assessment beyond 1-star.**
 - 3.6. Energy – Lighting: Replace T5 fluorescent lighting with an alternative lighting source that does not include toxic substances.**
 - 3.7. Stormwater: Additional notes on the plans to indicate rainwater tanks connection to toilets, bin wash & irrigation;**
 - 3.8. Urban Ecology 2.4: Provision of an external tap and floor waste to the balcony and private open space of each dwelling.**

Construction Management Plan

- 4. Not less than 28 days before the development starts, two copies of a**

Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. When approved, the CMP will form part of the permit. The Construction Management Plan must be prepared using Council's CMP Template to address the following elements referenced in Council's Construction Management Plan Guidelines:

- 4.1. Element A1: Public Safety, Amenity and Site Security;**
- 4.2. Element A2: Operating Hours, Noise and Vibration Controls;**
- 4.3. Element A3: Air Quality and Dust Management;**
- 4.4. Stormwater and Sediment Control and Tree Protection;**
- 4.5. Element A5: Waste Minimisation and Litter Prevention; and**
- 4.6. Element A6: Traffic and Parking Management.**

Council's CMP Template forms part of the Guidelines. When approved the plan will form part of the permit.

Council's Works Code of Practice (June 2016) and Construction Management Plan Guideline (June 2016) are available on Council's website or by contracting the Statutory Planning Unit on 9840 9470.

Waste Management Plan

- 5. Not less than 28 days before the development starts, a 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 be generally in accordance with the submitted draft Waste Management Plans (WMP) prepared by Leigh Design (dated 21 November 2017). The developer must ensure that the private waste contractor can access the development and the private waste contractor bins. No private waste contractor bins can be left outside the development boundary at any time on any street frontage for any reason.**

Management Plan Compliance

- 6. The Management Plans approved under Conditions 3, 4, 5 of this permit must be implemented and complied with at all times, to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.**

Landscape Plan

- 7. Before the development starts, a landscaping plan prepared by a landscape architect or person of approved competence must be submitted to the Responsible Authority for approval. Such plan must be generally in accordance with the landscape concept plan LSK001_F prepared by Papworth Davies, dated 3 August 2018, and modified to show:**
 - 7.1. Changes to the development in accordance with Condition 1 of the permit;**
 - 7.2. Species, locations, approximate height and spread of proposed planting and the retention of existing trees and shrubs, where appropriate or as directed by any other condition of this Permit;**

- 7.3. Details of soil preparation and mulch depth for garden beds and surface preparation for grassed areas;
- 7.4. Fixed edge strips for separation between grassed and garden areas and/or to contain mulch on batters;
- 7.5. A sectional detail of the canopy tree planting method which includes support staking and the use of durable ties;
- 7.6. A minimum of three (3) large canopy trees, of a species indigenous to Manningham capable of reaching a minimum mature height of 8 metres, within the front setback of the site. The trees must be a minimum height of 1.5 metres at the time of planting;
- 7.7. A minimum of one (1) large canopy tree, within the private open space of each dwelling at ground level, to be a minimum height of 1.5 metres at the time of planting, capable of growing to at least 8 metres at maturity;
- 7.8. Plants along the eastern, western and northern boundaries, to be a minimum height of 0.5 metres at the time of planting, capable of growing to at least 3 metres at maturity;
- 7.9. Planting within 2 metres along the frontage from the edge of the driveway and 2.5 metres along the driveway from the frontage to be no greater than 0.9 metres in height at maturity.

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

Landscape Bond

8. 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.

Vegetation and tree protection

9. The development must be undertaken in accordance with the recommendations of the arboricultural report (prepared by John Patrick Pty Ltd, dated April 2018) to the satisfaction of the Responsible Authority.
10. No vegetation (including street trees), apart from that shown on the approved plan as vegetation to be removed may be felled, destroyed or lopped without the written consent of the Responsible Authority.
11. The owner must ensure that contractors/tradespersons who install services or work near the vegetation to be retained on the land and adjoining properties are made aware of the need to preserve the

vegetation and to minimise impacts through appropriate work practice.

Drainage

- 12. The owner must provide on-site stormwater 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:**
 - 12.1. Be designed for a 1 in 5 year storm; and**
 - 12.2. Storage must be designed for 1 in 10 year storm.**
- 13. Before the development starts, a construction plan for the system required by Condition 12 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.**
- 14. The 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 Connection to Council Drain Permit is first obtained from the Responsible Authority.**
- 15. 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

- 16. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.**
- 17. All upper level service pipes (excluding stormwater downpipes) must be concealed and screened respectively, to the satisfaction of the Responsible Authority.**
- 18. Communal lighting must be connected to reticulated mains electricity and be operated by a time switch, movement sensors or a daylight sensor to the satisfaction of the Responsible Authority.**
- 19. A centralised TV antenna system must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.**
- 20. No individual dish antennas may be installed on balconies, terraces, roofs or walls to the satisfaction of the Responsible Authority**
- 21. Any reverse cycle air-conditioning unit, hot water boosters or other**

service plant erected on the walls of the approved building must be appropriately designed and finished with screening if necessary to minimise general visual impacts from off the site to the satisfaction of the Responsible Authority.

22. Any PVC pipes serving rainwater tanks which are positioned against building walls must be painted to match the colour of roofline guttering to the satisfaction of the Responsible Authority.

Rooftop Plant

23. All roof-top plant (including any hot water systems, but excluding solar panels) must be installed in appropriately screened areas, unless otherwise agreed in writing with the Responsible Authority.
24. Unless sufficiently screened by roof parapets, all solar panels and any associated safety railings must be located away from the outer edges of the roof section upon which they are installed, so as to minimise general visual impacts from off the site to the satisfaction of the Responsible Authority.

Services on Balconies and Terraces

25. Any air-conditioning unit installed on a balcony or terrace must stand at floor level and be positioned to minimise general visual impacts from off the site, and unless otherwise agreed in writing with the Responsible Authority, no air-conditioning unit may be erected on an external wall to the satisfaction of the Responsible Authority.
26. Any clothes-drying rack or line system located on a balcony or terrace must be lower than the balustrade of the balcony or terrace and must not be visible from off the site to the satisfaction of the Responsible Authority.

Car Parking

27. Car parking spaces shown on the endorsed plans must not be used for any purpose other than the parking of vehicles, to the satisfaction of the Responsible Authority.
28. The areas set aside for visitor car parking shown on the endorsed plans must be made available for use free of charge at all times and must not be used for any other purpose.
29. Visitor parking spaces within the development must be:
- 29.1. Clearly identified by appropriate signage having an area no greater than 0.3m²;
 - 29.2. Line marked to indicate each car space; and
 - 29.3. Available for visitor usage at all times.

Site Management Practices

- 30. The owner must use appropriate site management practices during demolition/construction to limit neighbourhood amenity detriment and protect community and Council assets in accordance with Council's Works Code of Practice, including measures to prevent the transfer of mud, dust, sand, slurry, litter, concrete or other construction waste from the site into drains or onto nearby roads. In the event that a road or drain is affected, the owner must upon direction of the responsible authority take the necessary steps to clean the affected portion of road or drain to the satisfaction of the Responsible Authority.**

Completion and Maintenance

- 31. Before the occupation of any approved dwelling, the following works must be completed generally in accordance with the approved plans and to the satisfaction of the Responsible Authority:**
- 31.1. All privacy screens and obscured glazing must be installed, noting the use of obscure film fixed to transparent windows is not considered to be 'obscured glazing';**
 - 31.2. All driveways, bicycle and car parking areas fully constructed, with appropriate grades and transitions, line marked and/or signed and available for use; and**
 - 31.3. All landscape areas must be fully planted and mulched or grassed.**
- 32. Once the permitted development has commenced it must be completed to the satisfaction of the Responsible Authority.**
- 33. Buildings, including screening, engineering works, fences and landscaped areas must be maintained to the satisfaction of the Responsible Authority.**

VicRoads Conditions

- 34. Prior to the commencement of the use or occupation of the development, all disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads or the RA.**
- 35. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access crossover and associated works must be provided and available for use.**
- 36. Vehicles must enter and exit the land in a forward direction at all times.**

Permit Expiry

- 37. This permit will expire if one of the following circumstances applies:**
- 37.1. The development is not started within two (2) years of the date of this permit; and**
 - 37.2. 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.

1. BACKGROUND

- 1.1 The application was submitted on 9 April 2018.
- 1.2 A request for further information was sent on 7 May 2018, with the lapse date extended on 21 August 2018.
- 1.3 Planning Scheme Amendment VC148 was incorporated into the Manningham Planning Scheme on 31 July 2018. The amendment alters the Car Parking provisions at Clause 52.06 of the Scheme to exempt all visitor parking requirements from land within the Principal Public Transport Network Area (PPTN). The subject land is within the PPTN area, and therefore visitor parking is provided in excess of the planning scheme requirements.
- 1.4 A second further information request was sent on 13 August 2018, and the information was submitted on 31 August 2018.
- 1.5 Notice of the application was given over a minimum three-week period which concluded on 10 October 2018. One objection was received.
- 1.6 The statutory time for considering a planning application is 60 days, which is due on 6 December 2018.

2. THE SITE AND SURROUNDS

The Site

- 2.1 The site is situated on the northern side of Doncaster Road, between Thiele Street to the west, and Church Road to the east.
- 2.2 The site is comprised of three lots (Lots 18, 19 & 20 on PS 054013) on an irregular shaped lot, with a frontage 57.6 metres, eastern and western boundaries 39.01 metres deep, and a northern (rear) boundary of 57.6 m. The combined lot size is 2096 square metres.
- 2.3 The site is affected by a 2.44m wide drainage and sewerage easement located along the northern boundary.
- 2.4 The Certificate of Titles submitted with the application indicates no restrictive covenants on the land.
- 2.5 No. 775 Doncaster Road (western lot) is developed with a single storey brick dwelling with a hipped roof form of tile, and a low steel front fence. The frontage includes established bushes and trees including a Mexican Cypress tree. The

rear of the site is heavily vegetated, and includes two Box Elder Trees, a Chinese Elm and fruit trees. All vegetation will be removed from the site.

- 2.6 No. 777 Doncaster Road (central lot) is developed with a single storey brick dwelling with a hipped roof form of tile, and a low brick front fence. A brick garage is located on the western boundary of the lot.
- 2.7 No. 779 Doncaster Road (eastern lot) is developed with a single storey brick dwelling with a hipped roof form of tile, and a low brick front fence. A brick garage and carport are located on the western boundary of the lot.

The Surrounds

- 2.8 The site has direct abuttals with four properties, as follows:

Direction	Address	Description
North	4 Zander Court, Doncaster	<p>This property is in the General Residential Zone Schedule 2 and the Design and Development Overlay Schedule 8-2.</p> <p>This property is developed with one, single storey dwelling constructed of brick with a hipped roof of tiles. The dwelling is setback at least 2.7 metres from the southern boundary.</p> <p>A large eucalypt is located east of the dwelling.</p> <p>The backyard is located west of the dwelling, adjacent to No. 775 Doncaster Road.</p>
	5 Zander Court, Doncaster	<p>This property is in the General Residential Zone Schedule 2 and the Design and Development Overlay Schedule 8-2.</p> <p>This property is developed with one, double storey dwelling constructed of brick with a hipped roof of tiles. A single storey garage is partially located on the southern boundary adjacent to the north west corner of No. 779 Doncaster Road.</p>
East	781 Doncaster Road, Doncaster	<p>This property is within the Residential Growth Zone Schedule 2.</p> <p>This property is developed with a single storey brick dwelling which is setback approximately 7.9m from the street boundary, and approximately 3m to 10.6m from the shared boundary. Various habitable room windows face the site. The main private open space is at the rear of the dwelling.</p> <p>The frontage includes a 10m high Sydney Blue</p>

		<p>Gum adjacent to the western boundary.</p> <p>A one metre high brick front fence is located on the street boundary.</p>
West	773 Doncaster Road, Doncaster	<p>This property is within the Residential Growth Zone Schedule 2.</p> <p>The property is developed with a single storey brick dwelling with a hipped roof form of tiles setback approximately 7.5m from the street boundary, and at least 3m from the shared boundary.</p> <p>The dwelling is setback approximately 3m from the common boundary.</p> <p>A 1 m high brick front fence is located on the street boundary.</p>

2.9 Further afield, it is evident that the pattern of built form in the immediate neighbourhood is undergoing transition, given its proximity (approx. 235m east) from a Principal Activity Centre (Doncaster Hill). Other sites developed recently include the following developments:

- No. 6 Thiele Street, 18m north-west of the site, which is a four-storey apartment building constructed across three consolidated lots comprised of fifty (50) apartments over a basement/sub-basement garage approved in September 2012 under Planning Permit PL12/022675. The built form is contemporary with a flat roof form, finished in a mix of metal cladding and rendered walls with glass balustrades to balconies and timber screen fencing to private yards within the frontage.
- No. 765 Doncaster Road, 65 metres west of the site, contains a four-storey apartment building constructed over three consolidated lots on the corner of Doncaster Road and Thiele Street. The building is comprised of thirty-eight (38) apartments with a basement garage approved in April 2009 under Planning Permit PL08/019603, and constructed in a contemporary form with a flat roof form, finished in a mix of metal and timber cladding, render and stone with glazed balustrading to balconies.
- No. 33 Queens Avenue, 85 metres south west of the site, contains a three-storey apartment building constructed over two consolidated lots comprised of twenty-four apartments over a basement garage approved in May 2013 under Planning Permit PL11/022287, and constructed in a contemporary form with a flat roof form, finished in a mix of metal and timber cladding, and render with solid rendered and glazed balustrades to balconies.
- Nos. 734, 736, 763 and 787 Doncaster Road contain three-storey built forms constructed on single lots over a basement or undercroft garage, comprising of four to six townhouses in a contemporary architectural style with flat roof forms and finished in a mix of metal and timber cladding, and rendered walls with timber clad and glazed balustrades to balconies. These developments were approved in 2013 and 2014.

3. THE PROPOSAL

3.1 The proposal is outlined on the plans prepared by CHT Architects Pty Ltd, Project No. 14089 Revisions P2 & P3 dated 27 August 2018 and a landscape plan prepared by Papworth Davies Landscape Architects, Drawing No. LSK001_F dated 3 August 2018. Refer to Attachment 1.

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

- Town Planning and Urban Context report and Clause 55 Assessment prepared by Contour Town Planners, dated April 2018;
- Waste Management Plan prepared by Wilman Pty Ltd dated 21 November 2017;
- Traffic Impact Assessment prepared by Traffix Group Pty Ltd dated March 2018;
- Sustainable Management Plan prepared by Ark Resources dated 15 March 2018 and;
- Tree Assessment Report prepared by John Patrick Pty Ltd dated April 2018.

Development summary

3.3 A summary of the development is provided as follows:

Land Size:	2096 m ²	Maximum Building Height:	13.34 m (In relation to NGL)
Site Coverage:	57%	Design Element Height:	N/A
Permeability:	34%	Min. wall setback to Doncaster Road (south)	Basement 1 & 2: 6 m Ground: 6 m First: 6 m - 9.7 m Second: 6 m - 9.7m Third: 9.7m
Number of Dwellings:	38	Min. wall setback to eastern boundary	Basement 1 & 2: 3.6 m Ground: 3.6 m First: 3.6 m Second: 5.18 m Third: 7 m
	<ul style="list-style-type: none"> • 1 bedroom: • 2 • 2 bedrooms: • 30 • 3 bedrooms: • 6 		
Dwelling Density:	One per 55 m ²	Min. wall setback to western boundary	Basement 1 & 2: 3m Ground: 3 m First: 3 m Second: 5 m Third: 6.56 m
Total car parking spaces:	52	Min. wall setback to northern (rear) boundary	Basement 1 & 2: 4.6 m Ground floor: 3 m First: 3 m Second: 3 m - 4.66 m Third: 13.7 m
	<ul style="list-style-type: none"> • Residents: • 44 • Visitors: • 8 		

Design layout

- 3.4 The proposed building has a rectangular footprint and is characterised by staggered setbacks and recessive elements, particularly to the street and rear elevations at first and second floor levels. Mansard walls are proposed on the northern elevation at second floor level above two-storey sheer walls setback 3m from the northern boundary. The building is to be constructed in pre-cast concrete and will have balconies on each wall presentation, with these generally being partially recessed into the main footprint from the northern and southern walls, with the third level recessed from the second floor walls to provide large balconies to three dwellings.
- 3.5 The two Basement levels are below natural ground level and include 52 car spaces (with no tandem or stacker spaces), bicycle parking (49 racks), waste collection and storage facilities (40 cages). The basement is setback at least 4.46m from the rear boundary.
- 3.6 The Ground Floor plan consists of the entry foyer, an east-west corridor and eleven dwellings, each with large terraces at ground level, north and south of the site including most of the frontage. The First and Second Floor levels would comprise of twelve apartments separated by a long corridor running east-west, and the Third Floor would consist of 3 large dwellings, each with a large terrace.

Pedestrian and vehicular access and layout

- 3.7 The building will have ramped vehicular access at the centre of the consolidated lot to a basement garage, via a new 6.88m wide driveway and crossover to Doncaster Road angled slightly to the west to avoid an existing power pole. All existing crossovers will be removed.
- 3.8 Pedestrian access will be from the eastern point of the Doncaster Road frontage, with a ramp of 1:40 grade to the main entrance. Two alternative pedestrian accessways are located near the eastern and western boundaries.

Landscaping

- 3.9 All of the existing trees on the site are to be removed. However, four new medium sized canopy trees will be planted in the frontage, with layered landscaping in the form of smaller trees, understorey and groundcovers within the frontage and along the street boundary.
- 3.10 A row of seven trees are proposed along the northern (rear) boundary, the eastern boundary would include three small trees and two medium sized trees, and the western boundary would include four new medium sized canopy trees, all set amongst medium to large evergreen shrubs. Each secluded private open space area at ground level would include a small deciduous tree.

Design Detail

- 3.11 The proposed building features a contemporary architectural style, including a flat roof form and limited palette of materials comprising of off white pre-cast concrete panels, and black Colorbond steel cladding banding on the first floor level (visible from the eastern, western and northern elevations) and at third floor level. Screening measures utilise white/natural steel perforated metal screens and 25%

transparent, black meshed privacy screens and black steel picket balustrades to the front façade.

- 3.12 The form of the building provides visual interest and articulation to the front façade through the use of staggered setbacks and recessed terraces at ground, first and second floor levels, and separation of built form closer to the street boundary to break up the horizontal plane and provide depth to reduce the perception of scale from the street. The development exhibits relatively sheer vertical forms to the side and rear elevations, which is somewhat offset by deep setbacks from the northern boundary. However, the built form includes sections of two-storey sheer walls within 3m of the northern boundary, topped with mansard walls at second floor level.
- 3.13 Steel fins, 1.7 m high, and at least 50% transparent would be used to provide internal fencing and front fencing. Front fences would be setback at least 1 metre from the street boundary.
- 3.14 Service cabinets for fire booster, gas and water are to be located in 1.7m high cabinets east of the pedestrian entrance within the frontage of the lot near a canopy that protrudes 4m forward of the front façade. Services, solar panels and the lift overrun at roof top level would be screened by a 2.2m high louvre screen of black steel.

Amended Discussion Plans

- 3.15 Following advertising, and in response to Council and objector concerns, the applicant has provided plans showing several modest, but important improvements, to the development that can be conditioned should Council be of the view to support the development. The changes predominately relate to internal design, with the only external change being a 1m increase to the northern (rear) setback at ground, first and second levels (from 3m to 4m), and some increased setbacks at third floor level to ensure ResCode (Clause 55) setback requirements are met.
- 3.16 The internal changes are generally modest, but significantly improve the internal amenity of future residents. Examples of the most significant improvements include Apartment G10, where the kitchen and dining rooms have been relocated from an internal corridor to the east side where the rooms are provided a natural light source. Several apartments, such as G01, have been redesigned to include a kitchen separate to the living room.
- 3.17 The increase in setback from the rear northern boundary has resulted in the loss of three bedrooms overall to improve the interior of Apartments G08, 1.08, 2.06.
- 3.18 A further change is one less dwelling in the building as Apartment 208 (two bedrooms) and Apartment 209 (one bedroom) have been consolidated into one three bedroom apartment with a new north-facing balcony. Previously Apartment 209 was particularly poor as it was provided no northern light source and relied on a narrow eastern balcony that was concerning to the objector to the east due to potential overlooking.

4. LEGISLATIVE REQUIREMENTS

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

- 4.2 A planning permit is required under Clause 32.07-5 (Residential Growth Zone, Schedule 2), to construct two or more dwellings on a lot, Clause 43.02-2 (Design and Development Overlay Schedule 8-1), to construct a building or construct or carry out works, and the creation and alterations to access to a road within Road Zone Category 1 pursuant to Clause 52.29 (Land Adjacent to a Road Zone Category 1) of the Manningham Planning Scheme.

5. REFERRALS

External

- 5.1 VicRoads is the relevant determining referral authority as the development requires planning permission under Clause 52.29 (Land Adjacent to Road Zone Category 1) for the construction of one new vehicle crossover to Doncaster Road, and alterations to remove the three existing crossovers to this road.
- 5.2 VicRoads responded on 22 May 2018, and does not object to the development subject to conditions (refer to the officer's recommendation in this report).

Internal

- 5.3 The application was referred to a number of service units within Council. The following table summarises the responses:

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> No objection subject to conditions for the provision of onsite storm water detention and supporting plans.
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> No objection subject to removal and reinstatement of any redundant vehicle crossovers (as required by VicRoads).
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> No objection subject to modest widening of the vehicle crossover and driveway to provide a passing area at the entrance to the site in accordance with Scheme requirements, and the introduction of a small crest into the first 2m of the driveway to minimise overland flows entering the basement from the road reserve.
Engineering & Technical Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> No objection.
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 relating to private waste collection.
City Strategy Unit – Sustainability	<ul style="list-style-type: none"> No objection subject to additional information being provided, including BESS assessment.

6. CONSULTATION / NOTIFICATION

- 6.1 Notice of the application was given over a three week period, concluding on 10 October 2018, by sending letters to the owners and occupiers of adjoining and nearby properties and by displaying three large signs on the site frontage, in accordance with the requirements of the Act.
- 6.2 To date, one objection has been received from the following property:
- 781 Doncaster Road, Doncaster.
- 6.3 The main grounds of the objection can be summarised as follows:
- Off-site amenity impacts (loss of sunlight, loss of privacy through overlooking and overshadowing).
- 6.4 A response to the grounds of objection are included in the assessment section of this report.

7. ASSESSMENT

- 7.1 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.
- 7.2 The following assessment is made under the headings:
- Planning Policy Frameworks;
 - Design and built form;
 - Traffic and Parking;
 - On-site and Off-site Amenity;
 - Objector concerns;

Planning Policy Frameworks

- 7.3 Key objectives of the PPF and LPPF emphasises the need for a mix of development that are well designed with a focus on high density residential development in established activity centres, along main roads and on strategic redevelopment sites.
- 7.4 The subject land is located near the periphery of the Activity Centre Zone Schedule 1 being within 250 metres east of the Doncaster Hill Precinct, and is within the Residential Growth Zone Schedule 2 and the Design and Development Overlay Schedule 8-1 (DDO8).
- 7.5 Under Clause 21.05 Residential, the site falls within Precinct 2 - areas adjoining main roads and activity centres where a substantial level of change is anticipated. The Design and Development Overlay Schedule 8 (DDO8) itself provides design objectives, which direct the built form outcomes and drive the 'future character' intended, with regard to building height and setbacks, form, car parking, landscaping and fencing.
- 7.6 The construction of a four storey apartment building comprising of 38 dwellings (or 37 as per the amended discussion plans) with basement car parking over three lots, located along a main road near a Principal Activity Centre would be

consistent with policy objectives for urban consolidation and substantial change at both State and Local level.

- 7.7 Local planning policy at Clause 22.12 (Environmentally Sustainable Development) of the Scheme seeks to encourage consideration of sustainable design principles with regard to energy performance, water resources, indoor environment quality, storm water management, transport and urban ecology.
- 7.8 One measure indicated in the policy is for a Built Environment Sustainability Scorecard (BESS) Assessment with an overall score of at least 50% (Best Practice) and minimum scores in Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories in BESS. The proposed development achieves an overall BESS Score of 61%, with scores in each category exceeding the minimum scores.

Design and Built Form

- 7.9 The consideration of these issues at a micro level are driven through consideration of policy objectives at Clause 43.02 – Schedule 8 of the Design and Development Overlay as follows:

Clause 43.02 Schedule 8 to the Design and Development Overlay

Design Element	Level of Compliance
<u>Building Height and Setbacks</u>	Not Fully Met: addressed in discussion plans <ul style="list-style-type: none"> Building height is more than 11 m (13.45 m). A 6.0m front setback is achieved. A 4.0 rear setback is not fully achieved.
<u>Form</u>	Met <ul style="list-style-type: none"> Site coverage is below 60%. Upper levels well are articulated and there are no buildings on boundaries.
<u>Car Parking and Access</u>	Met <ul style="list-style-type: none"> One crossover per frontage proposed. Basement garage is proposed.
<u>Landscaping</u>	Met: subject to conditions <ul style="list-style-type: none"> At least three canopy trees are proposed in the street frontage. Conditions are required for large canopy tree planting. There is opportunity for screen planting along the side and rear boundaries as shown in the landscape plan.
<u>Fencing</u>	Met <ul style="list-style-type: none"> A 1.7 m high front fence of steel pickets/fins is proposed. The fence would be setback 1 metre from the front boundary. The fence would be at least 50% transparent.

- 7.10 The objectives of the DDO8 indicates support for three storey apartment buildings where the minimum land size of 1800 m² can be achieved. The proposed development is four storeys and would exceed the preferred building height of 11m. A fourth storey is supported in this context as:

- The site is within the Residential Growth Zone Schedule 2 which has a maximum building height of 13.5m;
 - The fourth storey is limited to a recessive element comprising three dwellings (Apartments 3.01, 3.02 and 3.03);
 - The fourth storey is setback at least 9.7m from Doncaster Road behind balconies;
 - The fourth storey is also well recessed on the eastern, northern and western elevations;
 - The fourth storey occupies less than 75% of the floor area of the lower levels; and
 - Existing four storey apartments are within close proximity of the site.
- 7.11 The rear setback of the basement levels would be at least 4m from the rear boundary, which accords with requirements for a 4m rear setback to provide space for landscaping and appropriate transition of built form to development at the rear of the site. Parts of the development, two protruding sections at ground, first and second floor levels encroach within this desired setback at 3m. This limits landscaping and transition in scale to the low rise built form north of the site (single to double storeys in Zander Court). Discussion plans prepared by CHT Architects, received on 26 October 2018 would address this concern by increasing the rear setbacks to at least 4m at ground, first and second floor levels.
- 7.12 The proposal generally meets the side and rear setback requirements, except for part of the second and third floor levels which fall short of the required setback by up to 1.33m. Discussion plans prepared by CHT Architects, received on 26 October 2018 addresses this concern by increasing the east and west setbacks and slightly reducing the height of walls by removing part of balconies and balustrading at second and third floor levels.
- 7.13 The changes increase space for landscaping opportunities on the site, but require permit conditions for large canopy tree plantings in the frontage to respond to the objectives of the Design and Development Overlay Schedule 8 and Standard B38 of Clause 55.07-4 (Deep Soil Areas and Canopy Trees Objective).
- 7.14 The contemporary design and finishes of the development, with a flat roof form and use of patterned pre-cast concrete and metal cladding finishes is generally supported in the objectives of the Design and Development Overlay Schedule 8. The staggered setbacks and balconies in the street elevation provide visual interest and diminish the sense of scale through the variation of the depth of walls, this is also somewhat achieved by the recessed balconies on the rear elevation as well at ground, first and second floor levels. The variation in the use of the off-white pre-cast concrete finishes and metal cladding also break up the sense of scale, with metal cladding on the third floor level differentiated from the other floor levels, and by wrapping the metal cladding around the first floor level to the side and rear elevations.
- 7.15 Permit conditions will require the 2.2m high roof top screening feature to be reduced in height so that this does not excessively protrude above the structures it screens, and to remove the 1.7m high screen to the south facing balcony of Apartment 3.03 which faces the street, as this apartment has north facing balcony for secluded private open space purposes.

On-site and Off-site Amenity

7.16 On-site and off-site amenity impacts have been assessed in accordance with Clause 55 (Construction of two or more dwellings on a lot) of the Manningham Planning Scheme, this also includes specific assessment against Clause 55.07 (Apartment Developments) which assesses internal amenity of apartment buildings up to four storeys high.

Clause 55 – Two or more dwellings on a lot

7.17 The following assessment under the provisions of Clause 55 is provided-

OBJECTIVE	OBJECTIVE MET/NOT MET
Clause 55.02 Neighbourhood Character and Infrastructure	
<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>There are several examples of townhouses and apartments on Doncaster Road within the immediate streetscape.</p> <p>Generally meets preferred neighbourhood character objectives in DDO8-1, subject to increasing the northern setback to provide a more sympathetic transition to the rear of the development down to the single storey dwelling north of the subject land. The additional space provided would increase landscaping opportunities to soften this edge of the development.</p>
<p>55.02-2 – Residential Policy</p>	<p>Met –</p> <p>The development responds to State and Local planning policy objectives.</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 10+ dwellings. 	<p>Met –</p> <p>38 dwellings are proposed with a mix of dwelling sizes, and including dwellings at ground level.</p> <ul style="list-style-type: none"> 2 dwellings: 1 beds 30 dwellings: 2 beds 6 dwellings: 3 beds <p>The amended discussion plans reduce the yield by 1 apartment, retaining an appropriate mix.</p>
<p>55.02-4 – Infrastructure</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. 	<p>Met –</p> <p>The site has access to all services. The applicant will be required to provide an</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<ul style="list-style-type: none"> To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>on-site stormwater detention system to alleviate pressure on the drainage system.</p> <p>There are no service supply issues in the subject neighbourhood.</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 building is oriented to Doncaster Road and 50% transparent front fencing is proposed.</p>
<p>Clause 55.03 Site Layout and Building Massing</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. The Design and Development Overlay Schedule 8 states that the minimum front setback is 6 metres. 	<p>Met –</p> <ul style="list-style-type: none"> Required front setback: 6 m (DDO8-1) Proposed front setback: 6 m
<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. Schedule 2 of the Residential Growth Zone indicates that the preferred maximum building height is 13.5 metres. 	<p>Met –</p> <p>The maximum building height is 13.45m above natural ground level.</p>
<p>55.03-3 – Site Coverage</p> <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	<p>Met –</p> <p>The proposed site coverage is less than 60%, (57%) which meets Standard B8.</p>
<p>55.03-4 – Permeability</p> <ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. 	<p>Met –</p> <p>At least 20% of the site is comprised of pervious surfaces (approx. 34%).</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 conditions to alter the internal layout in accordance with the discussion plans prepared by CHT Architects, received on 26 October 2018.</p> <p>Most of the dwellings have living areas opening out to secluded private open space with northern orientation.</p> <p>This includes alterations to increase access to natural light to living areas, such as Apartment G.10, and rearrangement of the internal layout including insertion of north facing living room windows to Apartments 2.03 & 2.09.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
55.03-6 – Open Space <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. 	N/A – The site does not adjoin public open or provide communal open space.
55.03-7 – Safety <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	Met – The entry is visible from the street, and the proposed layout prevents use of the site as a public thoroughfare.
55.03-8 – Landscaping <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. 	Met – Landscape plan provided, including canopy trees and layers of understorey and groundcovers along the title boundaries and within each secluded private open space area at ground level, which would soften the interface with the public realm and adjoining dwellings.
55.03-9 – Access <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	Met – The placement of a single crossover to each frontage is a satisfactory result. The width of the accessway would not exceed 19m (33% of 57.6 m) at a combined width of 6.88m.
55.03-10 – Parking Location <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To protect residents from vehicular noise within developments. 	Met – The basement garage has internal access via the stairs and a lift.
Clause 55.04 Amenity Impacts	
55.04-1 – Side And Rear Setbacks <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	Met – subject to conditions to increase the eastern, western and northern setbacks of the building in accordance with discussion plans prepared by CHT Architects received on 26 October 2018. Western and eastern setbacks at second and third floor level, and the setback of the mansard walls from the northern boundary fall short of the required setback under Standard B17. The western side setback at second floor level would be 5 metres, this falls short of the Standard B17 up to 0.9m; at third floor level would be 6.56m and would fall short

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>of the required setback by 1.33m.</p> <p>The eastern side setback at second floor level would generally not comply with the Standard, as the proposed setbacks would be 5m to 5.18m, which falls short of the required setbacks by up to 1.25 metres based on a wall height of between 10.4m and 10.7m.</p> <p>The discussion plans decrease the overall wall heights through the deletion of the balconies and balustrading to Apartment 3.03 and increase the eastern setback of the bedroom of Apartment 3.03 by one metre. The east facing balcony of Apartment 2.09 has been relocated to the north, which results in an increased setback and reduced wall heights which then comply with the setbacks of Standard B17.</p> <p>An additional western setback is introduced to the main living area of Apartment 3.01, as the dining room has been further setback from the boundary in the order of 1.2m. The alterations would result in compliance with the required setbacks at Standard B17.</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>N/A –</p> <p>No walls on boundaries are proposed.</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 - Windows in neighbouring dwellings are provided the necessary light court and setbacks from the development.</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>N/A -</p> <p>There are no 'north facing' habitable room window within 3 m of the subject land.</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>Shadows cast at 9 am to 10 am on 22 September would be cast over the driveway and garage to No. 773 Doncaster Road, west of the site.</p> <p>From 11 am to 1 pm shadows would be cast within the subject site. Shadows cast at 2 pm and 3 pm would be cast over the driveway and frontage of No. 781 Doncaster Road, east of the site.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	The proposed development would not overshadow secluded private open space areas of adjoining dwellings.
<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 conditions to screen habitable room windows on the eastern elevation of Apartment 1.09.</p> <p>The screening measures utilised include 1.8m high timber paling fencing on the side and rear boundaries and 1.7m high perforated metal and mesh screens (25% transparent) to necessary balconies.</p> <p>Habitable room windows at ground, first, and second floor level on the northern elevation would include sill heights of 1.7m above finished floor level in compliance with Standard B22.</p> <p>Permit conditions are required to include a 400 mm high trellis to the side and rear boundary fencing as the ground floor terraces include finished floor levels in the order of 1 m above natural ground level at the northern and eastern boundaries.</p> <p>Permit conditions are required to ensure that the east facing bedroom windows at first floor level of Apartment 1.09 are screened to at least 1.7m high above finished floor level to address objector concerns as the bedroom window would have direct views opposite a living room window at No. 781 Doncaster Road. In addition, west facing bedroom windows of Apartment 1.03 also require screening.</p>
<p>55.04-7 – Internal Views</p> <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Met –</p> <p>Screened through dividing walls and 1.7m high screens.</p>
<p>55.04-8 – Noise Impacts</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise. 	<p>Met –</p> <p>There are no unusual noise sources that may affect the dwellings.</p>
Clause 55.05 Onsite Amenity and Facilities	
<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>This objective is non-prescriptive and is interpreted as requiring general consideration of pedestrian access to dwellings in respect of persons who may otherwise not deal with steep slopes or</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>excessive numbers of stairs without assistance.</p> <p>Standard B25 recommends that the ground floor dwelling entries be accessible or be capable of being made accessible to persons of limited mobility. In this case, it is noted that the main entry would include a shallow ramp entrance (1:40) and that a lift has been provided within the building.</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>Dwellings are provided with a communal front entrance which provides a transitional space to the entry door. The entry is well defined and visible from the street.</p>
<p>55.05-3 – Daylight To New Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	<p>Met –</p> <p>All habitable room windows of the proposed dwellings face onto an outdoor space (clear to the sky) with minimum area of 3m² and a minimum dimension of 1.0m, in accordance with Standard B27.</p>
<p>55.05-4 – Private Open Space</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Met –</p> <p>The proposed open space areas complies with Standard B28.</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>The majority of dwellings would have north facing open space areas that would comply with Standard B29.</p> <p>Thirteen dwellings (out of 38) would have south facing open space which would be overshadowed by the proposed building, however these spaces provide landscaping opportunities within the frontage, and visual interest and active frontages to the street, and therefore are acceptable in this context.</p>
<p>55.05-6 – Storage</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>Met –</p> <p>Each dwelling would have 6 m³ storage area/cage within the basement.</p>
Clause 55.06 Detailed Design	
55.06-1 – Design Detail	Met – Subject to conditions to reduce

OBJECTIVE	OBJECTIVE MET/NOT MET
<ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. 	<p>the prominence of screens to Doncaster Road.</p> <p>The contemporary form and finishes (pre-cast concrete and Colorbond steel) utilised would meet policy objectives of the Design and Development Overlay Schedule 8, and is generally consistent with the finishes of apartment buildings in the immediate neighbourhood.</p> <p>However, 1.7m high internal screens to the sides of balconies facing Doncaster Road (e.g. Apartment 3.03) should be removed, and excessive roof top screening (2.2 m high) should be minimise visibility from the road as much as possible to improve streetscape presentation.</p>
<p>55.06-2 – Front Fence</p> <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Met</p> <p>A 1.7m high steel fin front fence is proposed, this would be at least 50% transparent, and is less than the required height of 1.8m along main roads.</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>Common Property is proposed within the basement, pedestrian entrances, foyers and communal areas.</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 –</p> <p>Meters are provided in cabinets by the main entrance, perpendicular to the street.</p>
<p>Clause 55.07 Apartment Developments</p>	
<p>55.07-1 – 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 – subject to conditions to alter the internal layout of the building in accordance with discussion plans prepared by CHT Architects received on 26 October 2018.</p> <p>Cooling loads for north facing apartments would be less than 30MJ/M² per annum, however, the internal layouts of Apartments G.06, G.07, G.08, G.10, 1.02, 1.03, 1.06, 1.07, 1.08, 1.10, 2.03, 2.06, 2.07, 2.08 & 2.09 would not achieve expectations for reasonable access to natural light and internal amenity.</p> <p>These apartments either have non-</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>habitable rooms to the north, or bedrooms north or east of main living areas which result in narrow window proportions to the main living areas.</p> <p>The changes to the internal layout depicted on the discussion plans received on 26 October 2018 would address these concerns by increasing access to natural light to main living areas of several apartments (e.g. Apts G.10, 1.06, 2.06) and through additional north facing windows to at least two apartments (e.g. Apts 2.03 & 2.08).</p>
<p>55.07-2 – 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. • Developments with 40 or more dwellings should provide a minimum area of communal open space of 2.5 square metres per dwelling or 250 square metres, whichever is lesser. 	<p>N/A –</p> <p>Less than 40 dwellings proposed and no communal open space is proposed.</p>
<p>55.07-3 – Solar Access to Communal Open Space</p> <ul style="list-style-type: none"> • The communal outdoor open space should be located on the north side of a building, if appropriate. • At least 50 per cent or 125 square metres, whichever is the lesser, of the primary communal outdoor open space should receive a minimum of two hours of sunlight between 9am and 3pm on 21 June. 	<p>N/A –</p> <p>No communal open space is proposed.</p>
<p>55.07-4 – Deep soil areas and canopy trees objective</p> <ul style="list-style-type: none"> • To promote climate responsive landscape design and water management in developments to support thermal comfort and reduce the urban heat island effect. • Standard B38 The landscape layout and design should: <ul style="list-style-type: none"> ▪ Be responsive to the site context ▪ Consider landscaping opportunities to reduce heat absorption such as green walls, green roofs and roof top gardens and improve on-site storm water infiltration. ▪ Maximise deep soil areas for planting of canopy trees. ▪ Integrate planting and water management. • Developments should provide the deep soil areas and canopy trees specified in Table B5. 	<p>Met – Subject to conditions to plant large canopy trees in the frontage and to the rear of the building.</p> <p>The proposed development would provide adequate opportunities (at least 209 m²) for deep soil planting and landscaping, however, permit conditions are required to ensure that large canopy trees are provided in the frontage of the lot and to the rear of the building to meet objectives within the Design and Development Overlay Schedule 8, and to soften the presentation to existing dwellings adjoining the land.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<ul style="list-style-type: none"> ▪ Site area: 1501 - 2500 square metres ▪ Deep soil areas: 10% of site area (minimum dimension of 6 metres) ▪ Minimum tree provision: 1 large tree (at least 12 metres) per 90 square metres of deep soil or 2 medium trees per 90 square metres of deep soil <p>If the development cannot provide the deep soil areas and canopy trees specified in Table B5, an equivalent canopy cover should be achieved by providing either:</p> <ul style="list-style-type: none"> ▪ Canopy trees or climbers (over a pergola) with planter pits sized appropriately for the mature tree soil volume requirements. ▪ Vegetated planters, green roofs or green facades 	
<p>55.07-5 Integrated water and stormwater management objectives</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. • 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. • Standard B39 Buildings should be designed to collect rainwater for non-drinking purposes such as flushing toilets, laundry appliances and garden use. • Buildings should be connected to a non-potable dual pipe reticulated water supply, where available from the water authority. • The stormwater management system should be: <ul style="list-style-type: none"> ▪ Designed to meet the current best practice performance objectives for stormwater quality as contained in the Urban Stormwater – Best Practice Environmental Management Guidelines (Victorian Stormwater Committee 1999) as amended. ▪ Designed to maximise infiltration of stormwater, water and drainage of residual flows into permeable surfaces, tree pits and treatment areas. 	<p>Met –Subject to drainage conditions.</p> <p>Permit conditions will require the development to provide an on-site stormwater detention system to alleviate pressure on the drainage system.</p> <p>A 30 000 L underground rainwater tank is proposed within the basement, according to the Sustainable Management Plan, will be connected to toilets for flushing and landscape irrigation.</p>
<p>55.07-6 Noise Impacts objectives</p> <ul style="list-style-type: none"> • To contain noise sources in developments that may affect existing dwellings. 	<p>Met –</p> <p>The living/dining rooms to Apartments 1.11 & 2.11 would be adjacent to the lift</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<ul style="list-style-type: none"> • To protect residents from external and internal noise sources. • Standard B40 noise sources, such as mechanical plants should not be located near bedrooms of immediately adjacent existing dwellings. • The layout of new dwellings and buildings should minimise noise transmission within the site. • Noise sensitive rooms (such as living areas and bedrooms) should be located to avoid noise impacts from mechanical plants, lifts, building services, non-residential uses, car parking, communal areas and other dwellings. • New dwellings should be designed and constructed to include acoustic attenuation measures to reduce noise levels from off-site noise sources. • Buildings within a noise influence area specified in table B6 should be designed and constructed to achieve the following noise levels: <ul style="list-style-type: none"> ▪ not greater than 35db(a) for bedrooms, assessed as an laeq,8h from 10pm to 6am. ▪ not greater than 40db(a) for living areas, assessed laeq,16h from 6am to 10pm. • Buildings, or part of a building screened from a noise source by an existing solid structure, or the natural topography of the land, do not need to meet the specified noise level requirements. • Noise levels should be assessed in unfurnished rooms with a finished floor and the windows closed. 	<p>shaft, however the lift mechanism would be adjacent to the garbage chute and carpark exhaust which should reduce noise penetration into the dwellings.</p> <p>Permit conditions will require a Noise/Acoustic Report to demonstrate compliance with Standard B40</p>
<p>55.07-7 Accessibility Objective</p> <ul style="list-style-type: none"> • To ensure the design of dwellings meets the needs of people with limited mobility. • Standard B41 at least 50 per cent of dwellings should have: <ul style="list-style-type: none"> ▪ A clear opening width of at least 850mm at the entrance to the dwelling and main bedroom. ▪ A clear path with a minimum width of 1.2 metres that connects the dwelling entrance to the main bedroom, an adaptable bathroom and the living area. ▪ A main bedroom with access to an adaptable bathroom. ▪ At least one adaptable bathroom that meets all 	<p>Met – subject to conditions to alter the internal layout of the building in accordance with discussion plans prepared by CHT Architects received on 26 October 2018.</p> <p>All apartments nominated to be assessed under the Standard (G.01, G.05, G.07, G.10, G.11, 1.01, 1.02, 1.05, 1.07, 1.10, 1.12, 2.01, 2.02, 2.03, 2.05, 2.06, 2.07, 2.08, 2.10, 3.01 & 3.03) do not comply with the requirements at Table B7 and therefore no apartments comply with Standard B41.</p> <p>The main issue is that toilets have not been located in the corner or closest to the door opening, meaning that there is no capability to install a hand rail to Australian Standards adjacent to the</p>

OBJECTIVE	OBJECTIVE MET/NOT MET																					
<p>of the requirements of either design A or design B specified in table B7.</p> <p>Table B7 Bathroom design</p> <table border="1"> <thead> <tr> <th></th> <th>Design option A</th> <th>Design option B</th> </tr> </thead> <tbody> <tr> <td>Door opening</td> <td>A clear 850mm wide door opening.</td> <td>A clear 820mm wide door opening located opposite the shower.</td> </tr> <tr> <td>Door design</td> <td>Either: <ul style="list-style-type: none"> A slide door, or A door that opens outwards, or A door that opens inwards that is clear of the circulation area and has readily removable hinges. </td> <td>Either: <ul style="list-style-type: none"> A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges. </td> </tr> <tr> <td>Circulation area</td> <td>A clear circulation area that is: <ul style="list-style-type: none"> A minimum area of 1.2 metres by 1.2 metres. Located in front of the shower and the toilet. Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap. </td> <td>A clear circulation area that is: <ul style="list-style-type: none"> A minimum width of 1 metre. The full length of the bathroom and a minimum length of 2.7 metres. Clear of the toilet and basin. The circulation area can include a shower area. </td> </tr> <tr> <td>Path to circulation area</td> <td>A clear path with a minimum width of 900mm from the door opening to the circulation area.</td> <td>Not applicable.</td> </tr> <tr> <td>Shower</td> <td>A hobless (step-free) shower.</td> <td>A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.</td> </tr> <tr> <td>Toilet</td> <td>A toilet located in the corner of the room.</td> <td>A toilet located closest to the door opening and clear of the circulation area.</td> </tr> </tbody> </table>		Design option A	Design option B	Door opening	A clear 850mm wide door opening.	A clear 820mm wide door opening located opposite the shower.	Door design	Either: <ul style="list-style-type: none"> A slide door, or A door that opens outwards, or A door that opens inwards that is clear of the circulation area and has readily removable hinges. 	Either: <ul style="list-style-type: none"> A slide door, or A door that opens outwards, or A door that opens inwards and has readily removable hinges. 	Circulation area	A clear circulation area that is: <ul style="list-style-type: none"> A minimum area of 1.2 metres by 1.2 metres. Located in front of the shower and the toilet. Clear of the toilet, basin and the door swing. The circulation area for the toilet and shower can overlap.	A clear circulation area that is: <ul style="list-style-type: none"> A minimum width of 1 metre. The full length of the bathroom and a minimum length of 2.7 metres. Clear of the toilet and basin. The circulation area can include a shower area.	Path to circulation area	A clear path with a minimum width of 900mm from the door opening to the circulation area.	Not applicable.	Shower	A hobless (step-free) shower.	A hobless (step-free) shower that has a removable shower screen and is located on the furthest wall from the door opening.	Toilet	A toilet located in the corner of the room.	A toilet located closest to the door opening and clear of the circulation area.	<p>toilet.</p> <p>Other issues include potential circulation problems to access living rooms in Apartments 2.02, 2.03 and 2.08 due to the constrained layout where living/dining areas have not been provided with sufficient space.</p> <p>The discussion plans received on 26 October 2018 address these concerns through rearranging the internal layouts of most of the dwellings, and to the bathrooms of at least 50% of the dwellings (19). Toilets have been relocated to either be in the corner or close to the bathroom door in accordance with the requirements of Table B7 of Standard B41.</p>
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<p>55.07-8 Building Entry And Circulation Objectives</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. Standard B42 entries to dwellings and buildings should: <ul style="list-style-type: none"> Be visible and easily identifiable. Provide shelter, a sense of personal address and a transitional space around the entry. The layout and design of buildings should: <ul style="list-style-type: none"> Clearly distinguish entrances to residential and non-residential areas. Provide windows to building entrances and lift areas. Provide visible, safe and attractive stairs from the entry level to encourage use by residents. 	<p>Met – Subject to conditions to incorporate two operable skylights to the third floor corridor in accordance with discussion plans prepared by CHT Architects received on 26 October 2018.</p> <p>The ground, first and second floor corridors have access to natural light or ventilation through glazed doors/windows east and west of each corridor.</p> <p>The corridor at third floor level would have no access to light and ventilation as three apartments surround the corridor.</p> <p>This would be addressed by the discussion plans received on 26 October 2018, which shows two operable skylights above the corridor.</p>																					

OBJECTIVE	OBJECTIVE MET/NOT MET															
<ul style="list-style-type: none"> ▪ Provide common areas and corridors that: <ul style="list-style-type: none"> <input type="checkbox"/> Include at least one source of natural light and natural ventilation. <input type="checkbox"/> Avoid obstruction from building services. <input type="checkbox"/> Maintain clear sight line 																
<p>55.07-9 Private Open Space Above Ground Floor</p> <ul style="list-style-type: none"> • To provide adequate private open space for the reasonable recreation and service needs of residents. • Standard B43 a dwelling should have private open space consisting of: <ul style="list-style-type: none"> ▪ an area of 15 square metres, with a minimum dimension of 3 metres at a podium or other similar base and convenient access from a living room, or ▪ a balcony with an area and dimensions specified in table B8 and convenient access from a living room. ▪ If a cooling or heating unit is located on a balcony, the balcony should provide an additional area of 1.5 square metres. <p>Table B8 Balcony size</p> <table border="1" data-bbox="193 1211 868 1323"> <thead> <tr> <th>Dwelling type</th> <th>Minimum area</th> <th>Minimum dimension</th> </tr> </thead> <tbody> <tr> <td>Studio or 1 bedroom dwelling</td> <td>8 square metres</td> <td>1.8 metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>8 square metres</td> <td>2 metres</td> </tr> <tr> <td>3 or more bedroom dwelling</td> <td>12 square metres</td> <td>2.4 metres</td> </tr> </tbody> </table>	Dwelling type	Minimum area	Minimum dimension	Studio or 1 bedroom dwelling	8 square metres	1.8 metres	2 bedroom dwelling	8 square metres	2 metres	3 or more bedroom dwelling	12 square metres	2.4 metres	<p>Met –</p> <p>Each dwelling would be provided with gardens at ground level or balconies that comply with the requirements of Standard B43.</p> <p>A variation to the balcony sizes of Apartments 1.07 and 2.07 would be required under the proposed amendments depicted on the amended discussion plans received on 26 October 2018, however this would be in the order of 0.5 m², as the balconies would be 11.5 m² in size. This is considered to be a reasonable size for a three bedroom apartment, particularly given the extent of compliance in other apartments, some with more than twice the required area.</p>			
Dwelling type	Minimum area	Minimum dimension														
Studio or 1 bedroom dwelling	8 square metres	1.8 metres														
2 bedroom dwelling	8 square metres	2 metres														
3 or more bedroom dwelling	12 square metres	2.4 metres														
<p>55.07-10 Storage</p> <ul style="list-style-type: none"> • To provide adequate storage facilities for each dwelling. • Standard B44 each dwelling should have convenient access to usable and secure storage space. • The total minimum storage space (including kitchen, bathroom and bedroom storage) should meet the requirements specified in table B9. <p>Table B9 Storage</p> <table border="1" data-bbox="193 1742 868 1906"> <thead> <tr> <th>Dwelling type</th> <th>Total minimum storage volume</th> <th>Minimum storage volume within the dwelling</th> </tr> </thead> <tbody> <tr> <td>Studio</td> <td>8 cubic metres</td> <td>5 cubic metres</td> </tr> <tr> <td>1 bedroom dwelling</td> <td>10 cubic metres</td> <td>6 cubic metres</td> </tr> <tr> <td>2 bedroom dwelling</td> <td>14 cubic metres</td> <td>9 cubic metres</td> </tr> <tr> <td>3 or more bedroom dwelling</td> <td>18 cubic metres</td> <td>12 cubic metres</td> </tr> </tbody> </table>	Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling	Studio	8 cubic metres	5 cubic metres	1 bedroom dwelling	10 cubic metres	6 cubic metres	2 bedroom dwelling	14 cubic metres	9 cubic metres	3 or more bedroom dwelling	18 cubic metres	12 cubic metres	<p>Met – Subject to conditions.</p> <p>Nearly all of the apartments on the advertised plans would receive minimum internal storage areas in accordance with Standard B44.</p> <p>Apartment 2.05 would have insufficient internal storage space, falling short of the minimum 9 m³ (6.9 m³) for a two bedroom dwelling.</p> <p>However, it is not clear whether the majority of apartments comply with Standard B44 in the amended internal layouts shown on the discussion plans submitted on 26 October 2018.</p> <p>Permit conditions will require each apartment to provide internal storage space in accordance with the requirements of Standard B44 of Clause</p>
Dwelling type	Total minimum storage volume	Minimum storage volume within the dwelling														
Studio	8 cubic metres	5 cubic metres														
1 bedroom dwelling	10 cubic metres	6 cubic metres														
2 bedroom dwelling	14 cubic metres	9 cubic metres														
3 or more bedroom dwelling	18 cubic metres	12 cubic metres														

OBJECTIVE	OBJECTIVE MET/NOT MET																		
	55.07-10 of the Manningham Planning Scheme.																		
<p>55.07-11 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 building would be provided with a garbage chute and a recyclable garbage chute leading to the basement.</p> <p>Private waste collection would be provided within the basement, which includes a dedicated waste collection area fully enclosed from the parking and storage areas.</p>																		
<p>55.07-12 Functional Layout</p> <ul style="list-style-type: none"> To ensure dwellings provide functional areas that meet the needs of residents. Standard B46 bedrooms should: Meet the minimum internal room dimensions specified in table B10. Provide an area <u>in addition to</u> the minimum internal room dimensions to accommodate a wardrobe. <p>Table B10 Bedroom dimensions</p> <table border="1" data-bbox="199 1182 868 1272"> <thead> <tr> <th>Bedroom type</th> <th>Minimum width</th> <th>Minimum depth</th> </tr> </thead> <tbody> <tr> <td>Main bedroom</td> <td>3 metres</td> <td>3.4 metres</td> </tr> <tr> <td>All other bedrooms</td> <td>3 metres</td> <td>3 metres</td> </tr> </tbody> </table> <p>Living areas (excluding dining and kitchen areas) should meet the minimum internal room dimensions specified in Table B11.</p> <p>Table B11 Living area dimensions</p> <table border="1" data-bbox="199 1370 868 1460"> <thead> <tr> <th>Dwelling type</th> <th>Minimum width</th> <th>Minimum area</th> </tr> </thead> <tbody> <tr> <td>Studio and 1 bedroom dwelling</td> <td>3.3 metres</td> <td>10 sqm</td> </tr> <tr> <td>2 or more bedroom dwelling</td> <td>3.6 metres</td> <td>12 sqm</td> </tr> </tbody> </table>	Bedroom type	Minimum width	Minimum depth	Main bedroom	3 metres	3.4 metres	All other bedrooms	3 metres	3 metres	Dwelling type	Minimum width	Minimum area	Studio and 1 bedroom dwelling	3.3 metres	10 sqm	2 or more bedroom dwelling	3.6 metres	12 sqm	<p>Met – subject to conditions to alter the internal layout of the building in accordance with discussion plans prepared by CHT Architects received on 26 October 2018.</p> <p>All of the bedrooms shown on the advertised plans comply with the minimum dimensions and storage requirements of Standard B46.</p> <p>Apartments 1.01, 1.02, 1.05, 1.06, 1.08, 1.09, 1.12, 2.01, 2.02, 2.05, 2.08, 2.09, 2.10, 2.11, 2.12 do not comply with table B11 as the kitchen/dining area encroach into the living area.</p> <p>These concerns are addressed by the discussion plans received on 26 October 2018, as the rearrangement of the internal layout would provide sufficient space for kitchen and dining areas out of the circulation spaces to access living rooms, bedrooms and bathrooms.</p> <p>The discussion plans require a minor variation to living area dimensions as the plans show living areas just under the required of 12m² (11.9 m²). This is supported due to the nature of the minor discrepancy and, as the internal layouts meet the objectives to provide for functional spaces.</p>
Bedroom type	Minimum width	Minimum depth																	
Main bedroom	3 metres	3.4 metres																	
All other bedrooms	3 metres	3 metres																	
Dwelling type	Minimum width	Minimum area																	
Studio and 1 bedroom dwelling	3.3 metres	10 sqm																	
2 or more bedroom dwelling	3.6 metres	12 sqm																	
<p>55.07-13 Room Depth Objective</p> <ul style="list-style-type: none"> To allow adequate daylight into single aspect habitable rooms. Standard B47 single aspect habitable rooms should 	<p>Met – subject to conditions to alter the internal layout of the building to reorient habitable rooms towards the north, and to provide additional windows in accordance with discussion plans prepared by CHT</p>																		

OBJECTIVE	OBJECTIVE MET/NOT MET
<p>not exceed a room depth of 2.5 times the ceiling height.</p> <ul style="list-style-type: none"> • The depth of a single aspect, open plan, habitable room may be increased to 9 metres if all the following requirements are met: <ul style="list-style-type: none"> ▪ The room combines the living area, dining area and kitchen. ▪ The kitchen is located furthest from the window. ▪ The ceiling height is at least 2.7 metres measured from finished floor level to finished ceiling level. ▪ This excludes where services are provided above the kitchen. ▪ The room depth should be measured from the external surface of the habitable room window to the rear wall of the room. 	<p>Architects received on 26 October 2018.</p> <p>Apartments G.10, 1.02, 1.03, 1.06, 1.07, 1.08, 1.10, 2.02, 2.06, 2.07, 2.08, 2.09 & 2.10 do not comply and would not receive adequate access to natural light.</p> <p>The discussion plans received on 26 October 2018 address these concerns by rearranging several of the internal floor plans to ensure that main living areas comply with the Standard B47, and by introducing new north facing windows and balconies.</p>
<p>55.07-14 Windows objective</p> <ul style="list-style-type: none"> • To allow adequate daylight into new habitable room windows. • Standard B48 habitable rooms should have a window in an external wall of the building. • A window may provide daylight to a bedroom from a smaller secondary area within the bedroom where the window is clear to the sky. • The secondary area should be: <ul style="list-style-type: none"> ▪ A minimum width of 1.2 metres. ▪ A maximum depth of 1.5 times the width, measured from the external surface of the window. 	<p>Met - subject to conditions to alter the internal layout of the building to reorient habitable rooms towards the north, and to provide additional windows in accordance with discussion plans prepared by CHT Architects received on 26 October 2018.</p> <p>The original advertised plans included kitchens and dining rooms that would not receive unobstructed access to natural light, for example Apartments G.10, 1.02, 1.03, 1.06, 1.07, 1.08, 1.10, 2.02, 2.06, 2.07, 2.08, 2.09 & 2.10.</p> <p>The rearrangement of the internal layouts address these concerns, for example relocating kitchens in Apartments G.07 and 1.07 to be off the main living area, and by introducing new north facing living room windows such as Apartment 2.03.</p>
<p>55.07-15 Natural Ventilation Objectives</p> <ul style="list-style-type: none"> • To encourage natural ventilation of dwellings. • To allow occupants to effectively manage natural ventilation of dwellings. • Standard B49 the design and layout of dwellings should maximise openable windows, doors or other ventilation devices in external walls of the building, where appropriate. 	<p>Met –</p> <p>Natural breeze paths would be provided in accordance with Standard B49.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<ul style="list-style-type: none"> • At least 40 per cent of dwellings should provide effective cross ventilation that has: <ul style="list-style-type: none"> ▪ A maximum breeze path through the dwelling of 18 metres. ▪ A minimum breeze path through the dwelling of 5 metres. ▪ Ventilation openings with approximately the same area. • The breeze path is measured between the ventilation openings on different orientations of the dwelling. 	

7.18 The table above highlights limited aspects of non-compliance with regard to the externality of the building, including Clause 55.04-1 (Side and Rear Setbacks) and Clause 55.04-6 (Overlooking).

7.19 Permit conditions will be required to address overlooking issues, including addition of a 400 mm high trellis to the 1.8 m high boundary fences, and screening of the bedroom window of Apartment 1.09 up to 1.7m above finished floor level in accordance with Standard B22 of Clause 55.04-6 (Overlooking) of the Manningham Planning Scheme.

7.20 The discussion plans prepared by CHT Architects, received on 26 October 2018, address the concerns relating to setback. The amended development is compliant with Standard B17 of Clause 55.04-1 (Side and Rear Setbacks) through the removal of a balcony and some subtle changes to rebates and wall treatments along the side boundaries. A new condition will address the overlooking concern.

7.21 The on-site amenity issues are more significant and extensive, effecting many of the apartments. They include poor daylight and sunlight access through lack of north facing habitable room windows and obstructed access to light to kitchens and living areas through excessive room depths. Other areas of concern related to the useability and accessibility of apartments posed by the internal layout, resulting in constrained, impractical spaces with dining areas obstructing circulation paths or occupying part of the living rooms, kitchens with within corridors and living rooms (e.g. Apartments G.01, G.02) and bathrooms that cannot be adapted for mobility impaired persons (toilets inaccessible). The internal layout would not meet the objectives and standards of Clause 55.07-7 (Accessibility), and Clause 55.07-12 (Functional Layout).

7.22 The discussion plans, prepared by CHT Architects, received on 26 October 2018 include significant changes to the internal layouts of several apartments to address concerns with access to natural light, room depth, accessibility and functional layout, including deletion of one dwelling through consolidation of Apartments 2.08 & 2.09 into one, three bedroom dwelling.

7.23 Permit conditions will require the changes outlined in the discussion plans to be implemented as the changes to the internal layout would result in general compliance with the objectives and standards of Clause 55.07 (Apartment

Developments), a variation of 0.1 m² to the living areas under Standard B46 of Clause 55.07-12 (Functional Layout) is supported on the basis that the living areas would provide functional living space to residents.

Car parking and traffic

- 7.24 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 52.06-5 to the satisfaction of the Responsible Authority.
- 7.25 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. The statutory rate requires the proposal (both the decision plans and the amended discussion plans) provide 44 resident car spaces. A total of 44 spaces are allocated to residents.
- 7.26 Amendment VC148 was introduced into the Scheme (31 July 2018) making changes to the car parking requirements of Clause 52.06. As a result of this amendment, any land within 400 metres of the Principal Public Transport Network Area as shown on the Principal Public Transport Network Area Maps (referred to in Column B of Table 1) does not require visitor car parking to be provided on site. As there are no transitional provisions associated with Amendment VC148, the current Scheme provisions are immediately applicable to this application.
- 7.27 With the site being directly serviced by bus routes under the PPTN, no visitor parking is required to be provided on site. Despite this, the proposal dedicates 8 spaces to visitor parking. Had the superseded rate of 1 visitor space per 5 dwellings be applied, 8 visitor spaces would have been required for the proposal.
- 7.28 An assessment against the car parking design standards in Clause 52.06-9 of the

Clause 52.06 – Car Parking Design Standard	Met/Not Met
1 - Accessways	Met, subject to conditions to provide a passing bay within the driveway entrance at least 6.1m wide x 7m long. The accessway 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 Doncaster Road.
2 – Car Parking Spaces	Met Car parking space dimensions and aisle widths are provided in accordance with the requirements (2.7 metre car space widths and 6.1 metre aisle widths).
3 - Gradients	Met, subject to condition to provide a crest in the first two metres to minimise overland flows entering the basement from the road reserve.
4 – Mechanical Parking	Not applicable – No mechanical parking proposed.
5 – Urban Design	Met The basement entry will not dominant features in the street. The basement entrance and door would be well recessed from the street (16.2m) and from the front wall of the building by approximately 9m.
6 – Safety	Met The visibility splays at the exit are clear of obstructions.

	Further, pedestrian are provided safe areas within the basement and driveway and provided appropriate sightlines.
7 – Landscaping	Met The driveway does limit the ability to landscape the area in front to the building.

Land Adjacent to a Road Zone Category 1

- 7.29 A permit is required under Clause 52.29 of the Manningham Planning Scheme as the proposal involves alterations to access and the removal of the existing crossovers in Doncaster Road.
- 7.30 VicRoads as the relevant referral authority, are satisfied with the proposed access arrangements are satisfactory and have provided a conditional approval subject to standard conditions.

Objector issues / concerns

- 7.31 One objection has been received from the adjoining property at No. 781 Doncaster Road, Doncaster indicating concerns regarding overlooking and loss of privacy primarily of the living room window, loss of sunlight to windows and overshadowing of the backyard.
- 7.32 As indicated previously, the terrace to the ground floor Apartment G.09 is more than 800mm above natural ground level at the eastern boundaries and therefore additional screening on the boundary is required to ensure compliance with Standard B22 of Clause 55.04-6 (Overlooking). This can be addressed through addition of a 400 mm high trellis to the eastern boundary fence. Permit conditions will also require screening of the east facing bedroom window/s of Apartment 1.09 to at least 1.7m above finished floor level which appears to have direct views of an existing habitable room window of the objector's dwelling directly opposite.
- 7.33 The development is appropriately setback in accordance with the requirements of Clause 55.04-3 (Daylight to Existing Windows) of the Scheme. The setbacks of the building from the existing windows of No. 781 Doncaster Road would be almost double the required amount.
- 7.34 With regard to overshadowing of open space, the Manningham Planning Scheme at Clause 55.04-5 (Overshadowing Open Space) assesses the impact of shadows on 22 September (Spring Equinox) over the secluded private open space areas of dwellings to ensure that backyards receive at least 5 hours of sunlight over 40 m² (at least 3m wide) from 9 am to 3 pm. This does not include shadows cast during other times of the year, and excludes driveways and open front yards.
- 7.35 The development only casts shadows at 2 pm and 3 pm over the driveway and frontage of No. 781 Doncaster Road, east of the site. No shadows would be cast over the north facing backyard on 22 September, thereby not adversely impacting the enjoyment of the back yard, compliant with the objectives and standards of the Scheme.

8. DECLARATION OF CONFLICT OF INTEREST

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