

0.0 Planning Application PLN19/0226 at 969-973 Doncaster Road Doncaster East, for the construction of a four-storey apartment building comprising 35 dwellings, basement car parking and the creation and alteration to a road in a Road Zone, Category 1.

File Number:	IN20/393
Responsible Director:	Director City Planning and Community
Applicant:	EJ Grech & Associates
Planning Controls:	Residential Growth Zone – Schedule 2 (RGZ2), Design & Development Overlay –Schedule 8 (DD08-1), Principal Public Transport Network (PPTN area)
Ward:	Koonung
Attachments:	1 Legislative Requirements 2 Decision Plans 3 Locality Map 4 Objector Map (9/7/20)

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 969, 971 and 973 Doncaster Road, Doncaster East and recommends approval of the submitted proposal, subject to conditions.
2. The application is being reported to Council given that it is a Major Application (with more than 20 dwellings).

History

3. Planning Permit PL09/020097 was issued on 14 February 2011, at the direction of VCAT, for a three-storey apartment building. On 25 November 2016, this permit was subsequently amended by VCAT, to allow an additional fourth storey.
4. After a number of extension of time requests to commence the development, the permit expired on the 14 February 2018.

Proposal

5. This application is for the construction of a four-storey residential apartment building comprising 35 dwellings, one basement car parking level and the creation and alteration to a road in a Road Zone, Category 1.
6. The building is sited over three (3) lots known as 969, 971 and 973 Doncaster Road, Doncaster East, with an area totalling 2047.75 square metres.
7. 43 car spaces are provided within the basement car park, which exceeds the requirements of Clause 52.06 - Car Parking. The surplus 7 car spaces is proposed to be allocated as visitor car spaces.
8. The proposed maximum height of the building is 13.735m, site coverage is 59.53% and site permeability 30.53%.

Notification

9. The application was advertised from the 12 May to the 27 May 2020. One objection has been received to the proposal. The objection relates to overlooking concerns, loss of privacy, concerns relating to noise from future residents using balconies and visual bulk from wrap-around balconies.

Key issues in considering the application

10. The key issues for Council in considering the proposal relate to
 - Planning Policy Frameworks
 - Building Layout and Design
 - Urban Design, Design Detail and Landscape Design (DDO8-1 Assessment)
 - On-site (internal) amenity and Off-site amenity (Clause 55 Assessment)
 - Car parking, access and bicycle facilities
 - Objector concerns

Assessment

11. The development of the land for a higher density residential apartment building is consistent with the relevant objectives of State and local planning policies of the Manningham Planning Scheme (the Scheme), including the requirements of the Residential Growth Zone, Schedule 2 (RGZ2).
12. The proposal presents a scale and form that complements the neighbourhood character of the area and provides an adequate transition and stepping down to adjoining properties. The proposal incorporates spacing for a generous landscape treatment around the building that assists to suitably screen and soften the built form to the more sensitive residential abuttals.
13. The design detail and architectural expression of the building makes a positive contribution to the area and streetscape by providing a building with high level of visual interest, architectural features, varied materials and detailing.
14. Varied setbacks to sensitive interfaces assist to minimise building bulk, overshadowing and general amenity impacts to adjoining properties. A range of screening devices and varied window forms minimises overlooking to adjoining properties.
15. The proposal provides suitable on-site amenity, private open space in the form of courtyards and balcony designs, and suitable daylight, solar access and energy efficiency.

Conclusion

16. The relevant planning controls seek a high density residential development for consolidated sites within this Main Road Sub-Precinct (DDO8-1). The proposed development generally complies with the various requirements of the RGZ2, the Design and Development Overlay Schedule 8-1 (Main Road Sub-Precinct), and the relevant provisions of Clause 55, including Clause 55.07 for Apartment Developments (up to four storeys), as they relate to siting, internal amenity, building presentation, access, car parking and landscaping.

17. This report concludes that the proposal complies with the relevant planning policy in the Scheme and should be supported, subject to conditions requiring modest design changes to the proposal and the submission of management plans for approval prior to the commencement of works.
18. It is recommended that the application be supported, subject to conditions.

1. RECOMMENDATION

That Council:

- A. **Having considered the objection, issues a Notice Of Decision To Grant A Permit in relation to Planning Application PLN19/0226 at 969, 971 and 973 Doncaster Road, Doncaster East, for the construction of a four-storey apartment building, associated basement car parking and the creation and alteration to a road in a Road Zone, Category 1, subject to the following conditions –**

Amended Plans

1. **Before the use and 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 E.J Grech & Associates Pty Ltd – Reference 1659-2, dated 22 April 2020), but modified to show the following:**

Screening

- 1.1 **The north facing first and second level habitable room windows screened in accordance with Overlooking Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme;**
- 1.2 **Details of screening between balconies of Apartments 13 and 14, and Apartments 24 and 25 to limit internal views with a height of 1.7m, in accordance with Internal Views Standard B23 of Clause 55.04-7 of the Manningham Planning Scheme;**
- 1.3 **Details of screening to limit internal views between north-facing balconies on all levels in accordance with Internal Views Standard B23 of Clause 55.04-7 of the Manningham Planning Scheme;**
- 1.4 **Notations to indicate the location and details of balustrades or privacy screens on all sides of each balcony;**
- 1.5 **A notation on the site plans and elevational details of a minimum 400mm high free standing trellis or alike screen (independent of the boundary fence), along the entire length of the northern boundary, to minimise any views into adjacent properties.**
- 1.6 **The east facing balcony return of apartments A5 & A28 screened in accordance with Overlooking Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme;**

- 1.7 The east facing Bedroom 1 and Kitchen windows of Apartment 6 screened in accordance with Overlooking Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme;
- 1.8 The west facing Kitchen window of Apartment 10 screened in accordance with Overlooking Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme;
- 1.9 The west facing balcony return of Apartment 10 screened in accordance with Overlooking Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme;

Windows

- 1.10 The dimensions of all the saddleback secondary windows of Apartments 8, 11, 19, 22, 27 and 32 clearly shown on the site plans, with a minimum window dimension of 1.2m and a maximum depth of 1.5m;

Noise Attenuation

- 1.11 Details of noise attenuating glazing to the windows and doors of all south facing apartments along Doncaster Road and above the accessway and east facing windows of Apartments 4, 15, 26 & 35 and west facing apartments 1, 11, 12, 22, 23, 32, 33, 34 to the satisfaction of the Responsible Authority;
- 1.12 Details of noise attenuating screening to the east and west of the services platform on the north side of third level to reduce noise and amenity impacts to the balconies of Apartments 33 and 35, unless otherwise agreed and to the satisfaction of the Responsible Authority;

Basement / Vehicle Access

- 1.13 A notation and sections to demonstrate headroom clearances above overhead obstructions within the basement and accessway (such as service pipes and utility conduits) are at least 2.1m or as otherwise required for the safe and convenient passage of garbage trucks considered in the Waste Management Plan approved under conditions of this permit, to the satisfaction of the Responsible Authority.
- 1.14 A notation on the plan that the Telstra pit within the proposed crossover will be relocated or provided with a heavy duty lid, to the satisfaction of the Responsible Authority;
- 1.15 The new position of the electricity pole and any hydrant, relocated at least one metre from the vehicle crossover with the approval of the relevant authorities;

Services

- 1.16 All air conditioning units on balconies relocated to the rooftop (with appropriate screening where necessary) and/or to the

basement (not to protrude on any car parking or storage areas), unless otherwise agreed and to the satisfaction of the Responsible Authority;

- 1.17 Design details of site services at the frontage, including the size of any cabinets, and the colours and finishes to integrate with the overall development to the satisfaction of the Responsible Authority;

Sustainable Design

- 1.18 A plan notation that any clothes-drying rack or line system located on a balcony or terrace must be lower than the balustrade of the balcony or terrace to minimise general visual impact from off the site.
- 1.19 A schedule listing all sustainability features / commitments applicable to the approved development, in accordance with the Sustainability Management Plan approved under relevant conditions of this permit;
- 1.20 A notation to indicate that the development must be constructed in accordance with the Sustainable Design Assessment approved under relevant conditions of this permit;

General

- 1.21 All requirements and design changes as required by the Waste Management Plan, and any other report approved under conditions of this permit;
- 1.22 All changes as required by the Department of Transport conditions of this permit;
- 1.23 A plan notation to indicate that the development must be carried out in accordance with the Tree Protection and Management Plan, in accordance with a further condition of this permit.

Endorsed Plans

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

Construction Management Plan

3. Not less than three months before the development starts, a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. 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:

- 3.1 Element A1: Public Safety, Amenity and Site Security;

- 3.2 Element A2: Operating Hours, Noise and Vibration Controls;
- 3.3 Element A3: Air Quality and Dust Management;
- 3.4 Element A4: Stormwater and Sediment Control and Tree Protection (also as per the specific requirements of this permit);
- 3.5 Element A5: Waste Minimisation and Litter Prevention; and
- 3.6 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.

Sustainability Management Plan

4. Before the review of plans required under Condition 1 of this permit, an amended Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. When approved the Plan will form part of the permit. The recommendations of the Plan must be incorporated into the design and layout of the development and must be implemented, to the satisfaction of the Responsible Authority before the occupation of any dwelling.

The plan must be generally in accordance with the Sustainable Management Plan prepared by Frater and dated 7 June 2020, but be modified to meet the minimum 50% overall score and minimums in Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories in BESS, to demonstrate best practice in sustainable design, to the satisfaction of the Responsible Authority and reflect any other relevant changes required by other conditions of this permit.

Green Travel Plan

5. The development must be constructed in accordance with the Green Travel Plan prepared by Frater and dated 20 December 2019, and all of its requirements 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.

Waste Management Plan

6. Not less than three months before the development starts, an amended Waste Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit. The plan must be generally in accordance with the submitted Waste Management Plan (prepared by Frater and dated 24 April 2020) and must include swept path diagrams to demonstrate how any waste collection vehicle will enter and exit the site in a forward direction to collect waste within the development, with no bins left outside the development boundary at any time for any reason.

Tree Protection Management Plan

7. Before the review of plans required under Condition 1 of this permit, a

Tree Protection and Management Plan (TPMP) prepared by a suitable qualified Arborist must be submitted for approval by the Responsible Authority. The plan must set out how the trees to be retained will be protected during construction, and which generally follows the layout of Section 5 of AS4970 'Protection of trees on development sites'. When approved the TPMP will be endorsed and form part of the permit. The TPMP must include:

- 7.1 A plan showing the TPZ and SRZ for all trees to be retained along with the location of protective fencing and/or areas where ground protection systems will be used;
- 7.2 Details of proposed work within TPZ and Arborist supervision when this is proposed;
- 7.3 A statement advising any removal or pruning of Council owned trees must be undertaken by Council approved contractor;
- 7.4 A statement that Council will be notified within 24 hours of any breach of the TPMP or where damage has occurred to the tree.

Management Plan Compliance

8. The Management Plans approved under conditions 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.
9. Before the occupancy of the development, a report from the author of the Sustainability Management Plan approved pursuant to Condition 4 of this permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must confirm that all measures / commitments in the Sustainability Management Plan approved under a condition of this permit have been implemented, to the satisfaction of the Responsible Authority.

Landscape Plan

10. Before the development starts, an amended landscaping plan must be submitted to the Responsible Authority for approval. The plan must be generally in accordance with the approved site layout plan and the landscape concept plan prepared by E.J Grech & Associates Pty Ltd (Project No. 29 and dated 17 April 2020), but modified to show:
 - 10.1 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;
 - 10.2 Details of soil preparation and mulch depth for garden beds and surface preparation for grassed areas;
 - 10.3 A sectional detail of the canopy tree planting method which includes support staking and the use of durable ties;

- 10.4 Species of plantings along the western boundary that will be a minimum of 3m at maturity (such as screening or hedging style planting), will be suited to the 1m garden bed width and will be a minimum height of 1m at the time of planting;
- 10.5 Species of plantings along the rear (northern) boundary which will be a minimum of 4m high and create a visual screen at maturity, have non-invasive root zones and will be a minimum height of 1.5m at the time of planting;
- 10.6 A minimum of 2 canopy trees along the northern boundary, which will be a minimum of 7m at maturity, have non-invasive root zones and will be a minimum height of 1.5m at the time of planting/installation;
- 10.7 Species of plantings along the eastern boundary which will be a minimum of 4m high and create a visual screen at maturity, have non-invasive root zones and will be a minimum height of 1.5m at the time of planting;
- 10.8 A minimum of 3 canopy trees within the front setback, which will be a minimum of 8m at maturity and will be a minimum height of 1.5m at the time of planting;
- 10.9 A minimum of 1 canopy tree within the south-east corner of the site (front setback), which will be a minimum of 12m at maturity and will be a minimum height of 1.5m at the time of planting/installation;
- 10.10 Details of soil preparation and mulch depth for garden beds;
- 10.11 Sectional details of shrub planting method;
- 10.12 A sectional detail of the planting method for the planter boxes above the basement, which includes the method of drainage;
- 10.13 The details and extent of automatic water saving systems (such as dripper feed) to communal areas garden beds;
- 10.14 All canopy trees and screen planting to be a minimum height of 1.5 metres, at the time of planting.

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

Landscape Bond

11. Before the release of the approved Condition 1 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.

Completion and Maintenance

- 12. 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:**
 - 12.1 All privacy screens and obscured glazing must be installed, noting that the use of obscure film fixed to transparent windows is not considered to be 'obscured glazing';**
 - 12.2 All driveways, bicycle and car parking areas fully constructed, with appropriate grades and transitions, line marked and/or signed and available for use; and**
 - 12.3 All landscape areas must be fully planted and mulched or grassed.**
- 13. Once the permitted development has commenced it must be continued and completed to the satisfaction of the Responsible Authority.**
- 14. Buildings, including screening, engineering works, drainage, fences, external lighting and landscaped areas must be maintained to the satisfaction of the Responsible Authority.**
- 15. The landscaping as shown on the approved landscaping plan must be maintained by replacing any dead, diseased, dying or damaged plants as soon as practicable and not using the areas set aside for landscaping for any other purpose, to the satisfaction of the Responsible Authority.**
- 16. Driveway gradients and transitions as shown on the plan approved under Condition 1 of this permit must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.**

Tree Protection

- 17. No vegetation, 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.**
- 18. The owner must ensure that contractors/tradespersons who install services or work near the vegetation to be retained are made aware of the need to preserve the vegetation and to minimise impacts through appropriate work practices.**
- 19. All Tree Protection Fencing must be maintained in good condition until the completion of the construction works on the site to the satisfaction of the Responsible Authority.**

Stormwater – On-site detention (OSD)

- 20. The owner must provide onsite storm water detention system to the satisfaction of Council's Infrastructure Services Department, which**

limits the Site Discharge 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 OSD system must meet the following requirements:

20.1 Discharge must be designed for a 20 % AEP (1 in 5 year storm);
and

20.2 Storage must be designed for 10% AEP (1 in 10 year storm).

Construction Plan (OSD)

21. Before the development starts, (after the approval of the endorsed plans) a certified construction plan for the system required by a condition of this permit must be submitted to and approved by Council's Infrastructure Services Department. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of Council's Infrastructure Services Unit.

Drainage

22. Stormwater must not be discharged from the site other than by means of drainage to the 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.

23. 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.

Car parking and Bicycle parking

24. Before the occupation of any of the approved dwellings, all associated basement parking spaces must be line-marked, numbered and marked to provide allocation to each dwelling and visitors to the satisfaction of the Responsible Authority.

25. Automatic basement door opening systems must be installed and maintained, so as to facilitate secure access to the allocated parking areas by residents, visitors and a rubbish collection contractor, to the satisfaction of the Responsible Authority.

26. Visitor car parking spaces must be made available for the parking of vehicles of visitors free of charge at all times and must not be used for any other purpose to the satisfaction of the Responsible Authority.

27. All bicycle parking must be maintained and not be used for any other purpose, to the satisfaction of the Responsible Authority.

28. Prior to occupation of the approved dwellings, any new or modified

vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.

29. Redundant vehicle crossovers must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.

Lighting

30. External lighting must be designed so as to minimise loss of amenity to residents of adjoining properties to the satisfaction of the Responsible Authority.
31. The development must be provided with external lighting capable of illuminating the accessway to the basement, pedestrian walkway, building entry and bicycle spaces. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.
32. 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.

General Services

33. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
34. All service pipes must be concealed and screened respectively to the satisfaction of the Responsible Authority.
35. A centralised TV antenna must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.
36. No individual dish antennae may be installed on the overall building to the satisfaction of the Responsible Authority.
37. Any external site services visible from the street must be enclosed or screened to complement the overall development to the satisfaction of the Responsible Authority. In the event that the services cannot be enclosed, they must be located, finished and landscaped to minimise visual impacts to the frontage to the satisfaction of the Responsible Authority.
38. 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.
39. Any clothes-drying rack or line system located on a balcony or terrace must be lower than the balustrade of the balcony or terrace to minimise

general visual impact from off the site to the satisfaction of the Responsible Authority.

Screening

40. All privacy screens must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority.
41. All retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority.

Department of Transport

42. Before the development starts, amended plans must be submitted to and approved by the Head, Transport for Victoria. When approved, the plans may be endorsed by the Responsible Authority and will then form part of the permit. The plans must be generally in accordance with the submitted plans (reference no 1659-2 dated April 2020, prepared by EJ Grech & Associates Pty Ltd) and annotated as but modified to show:
 - 42.1 The 6.1m wide access driveway for at least 7 metres from the edge of the property boundary;
 - 42.2 A sealed access crossover as at least 6.1 metres wide at the property boundary with the edges of the crossover angled at 60 degrees to the road reserve boundary, at least for the first 3 metres from the edge of the road with 3.0 metres radial turnouts;
 - 42.3 Relocation of the existing power pole located at least 1 metre away from the edge of the access crossover which is designed as per the above condition;
 - 42.4 Unless agreed otherwise a centrally located intercom that effectively separates the ingress and egress lanes while allowing concurrent movements at the proposed gate.
43. 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 and at no cost to Head, Transport for Victoria or the Responsible Authority.
44. 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.
45. Vehicles must enter and exit the land in a forward direction at all times.
46. The level of the footpaths must not be lowered or altered in any way to facilitate access to the site.
47. Any security boom, barrier, gate or similar device controlling vehicular access to the premises must be located a minimum of 6.85m inside the

property to allow vehicles to store clear of the Doncaster Road pavement and footpath.

Permit Expiry

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

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

48.2 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 Planning Permit PL09/020097 was issued on the 14 February 2011, at the direction of the Tribunal (VCAT Order P2079/2010), for the development of a three-storey apartment building with a basement car park and creation and alterations to access to a Road Zone Category 1.
- 1.2 On 25 November 2016, the permit (PL09/020097) was subsequently amended at the direction of VCAT to allow for the development of a four storey apartment building with a basement car park and creation and alterations to access to a Road Zone Category 1 (Refer Figure 1 & 2).
- 1.3 After a number of extension of time requests to commence the development, the permit expired on the 14 February 2018.

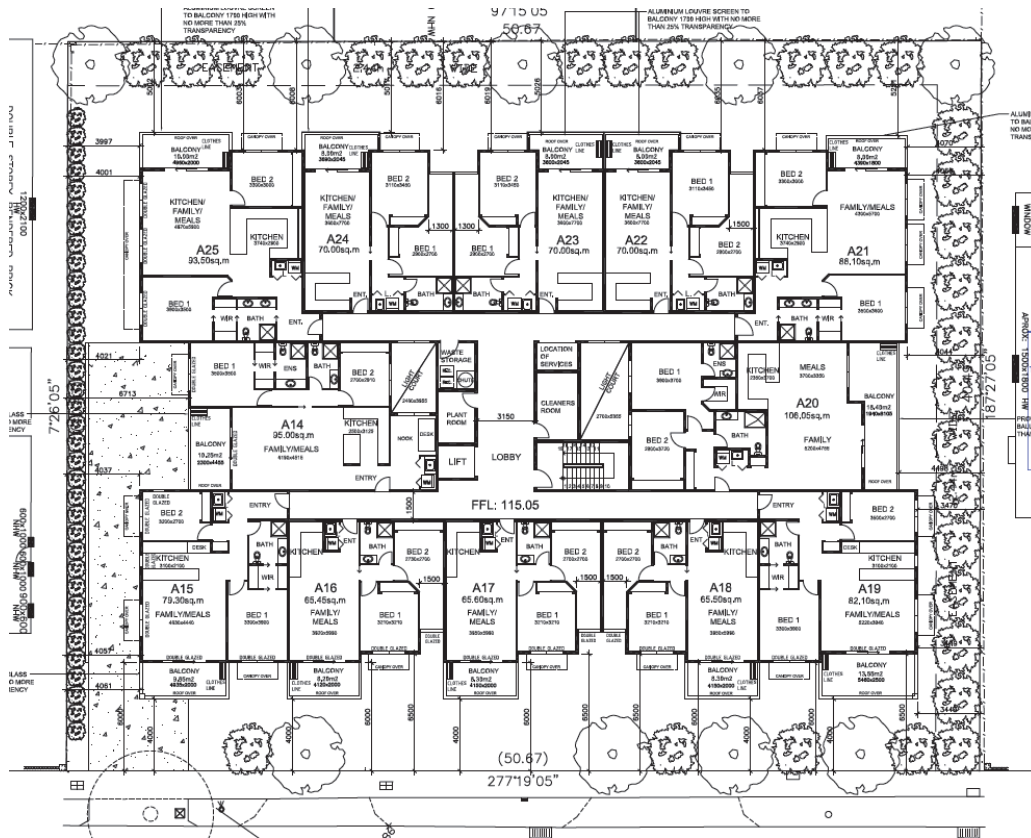
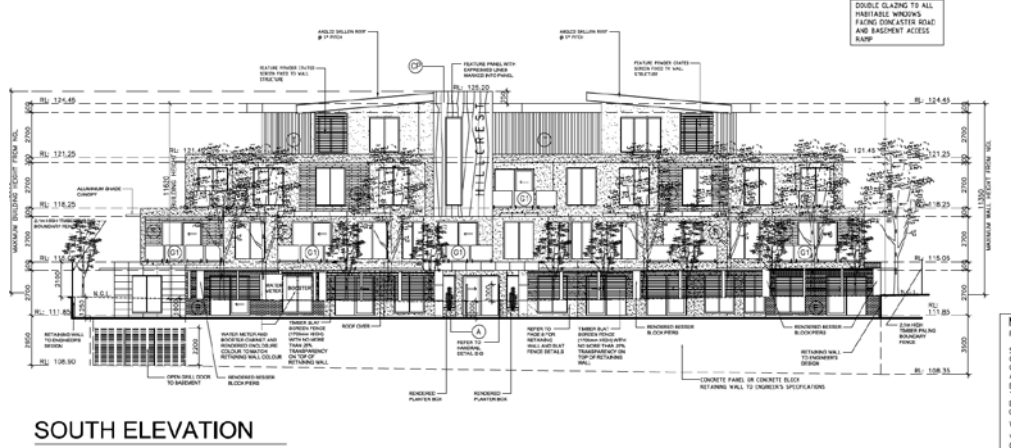


Figure 1 – Ground Floor Plan of Amended Endorsed Plans (PL09/020097)



SOUTH ELEVATION

Figure 2 – Southern Elevation of Amended Endorsed Plans (PL09/020097)

- 1.4 This application was submitted to Council on 19 June 2019.
- 1.5 A request for further information was sent on 20 June 2019 raising a number of concerns with the application.
- 1.6 Further information was received by Council on 20 December 2019, along with a Section 50 Amendment request as a result of a significant redesign of the proposal.
- 1.7 A further request for information was made on 6 February 2020.

- 1.8 On the 27 April 2020, a second Section 50 Amendment request was received with further changes to the proposal. The landscape plan, planning report, arborist report, waste management plan, and sustainability management plan were all updated accordingly.
- 1.9 Notice of the application was given from the 12 May 2020 to the 27 May 2020.
- 1.10 The statutory time for considering a planning application is 60 days, which lapsed on the 8 July 2020.
- 1.11 The land titles are not affected by any covenants or Section 173 Agreements.

2. THE SITE AND SURROUNDS

- 2.1 The site is located on the northern side of Doncaster Road, approximately 70 metres west of Dryden Street. The site comprises of three properties, 969, 971 and 973 Doncaster Road, Doncaster East (Refer to Figure 3).



Figure 3 – Site Aerial Photo (16 March 2020)

- 2.2 The site has an overall frontage (southern boundary) to Doncaster Road of 50.67 metres, 40.49 metres along the eastern boundary, 40.43 metres along the western boundary and 50.68 metres along the rear northern boundary. The total site area is 2047.75 square metres.
- 2.3 The site is vacant and devoid of vegetation.
- 2.4 The site has an approximate fall of 2.2 metres from the front southern boundary to the rear of the site.
- 2.5 Two (2) drainage and sewerage easements burden the site. One of the easements extends the length of the rear northern boundary whilst the second easement is situated along the eastern boundary. Both easements contain Council drainage infrastructure.
- 2.6 The site has abutments with six (6) properties. Surrounding development is described as follows:

Direction	Address	Description
North	6 Roderick Street 3/8 Roderick Street 10 Roderick Street	<p>There are 3 properties that adjoin the site to the north:</p> <ul style="list-style-type: none"> • 6 Roderick contains a single dwelling with an approximate land area of 889 square metres. The dwelling has a setback to the common boundary of approximately 23 metres. An outbuilding is located in the private open space positioned to the rear of the dwelling. • Unit 3, 8 Roderick contains a double-storey dwelling which has a setback to the common boundary of approximately 2.5 metres. It is at the rear of a three-unit open space located on the western side of the dwelling. Habitable room windows face the subject site. • 10 Roderick contains a single dwelling with an approximate land area of 850 square metres. An outbuilding is located on the eastern boundary. The dwelling has an approximate setback with the common boundary of 17.5 metres.
East	975 Doncaster Road	<p>This property adjoins the land to the east:</p> <ul style="list-style-type: none"> • It is setback from the common boundary by approximately 2 metres. • This property comprises a single brick dwelling with a detached carport. The carport sits forward of the dwelling. Low level vegetation is provided within the front setback..
West	1/967 Doncaster Road 2/967 Doncaster Road	<p>These two properties adjoin the site to the west:</p> <ul style="list-style-type: none"> • Both Dwellings (units 1 & 2) are setback from the common boundary between approximately 1 to 2 metres. • A common driveway that is situated along their western boundary (i.e. away from the subject site). Both properties, however, have their secluded private open spaces situated to the east thereby adjoining the site.

- 2.7 The character of the broader area is mixed, given the site's proximity to a Neighbourhood Activity Centre (Doncaster East Village, incorporating Devon

Plaza) along Doncaster Road and a number of other community facilities, including a medical centre, child care centre and Doncaster Police Station.

- 2.8 A number of new multi-unit developments are situated in close proximity to the site (948 and 977 Doncaster Road), recent 3 storey apartment buildings (with basement/partial basement) at 928, 945 and 965 Doncaster Road and a 4 storey apartment building with basement car parking at 956 Doncaster Road (directly opposite the site). These newer developments sit amongst the more traditional housing stock and multi-unit developments (Refer Figure 4).
- 2.9 There is no prevailing landscape character in the area, although most properties generally contain low level vegetation in their front yards and good levels of vegetation at the rear.
- 2.10 Doncaster Road is a major arterial road with three (3) traffic lanes in both directions and a central raised median, containing native (Eucalypts) trees. Speed limits are presently 70 kilometres an hour. A bus lane extends along Doncaster Road, which restricts car parking on weekdays from 7am to 9am and also 4pm to 7pm.

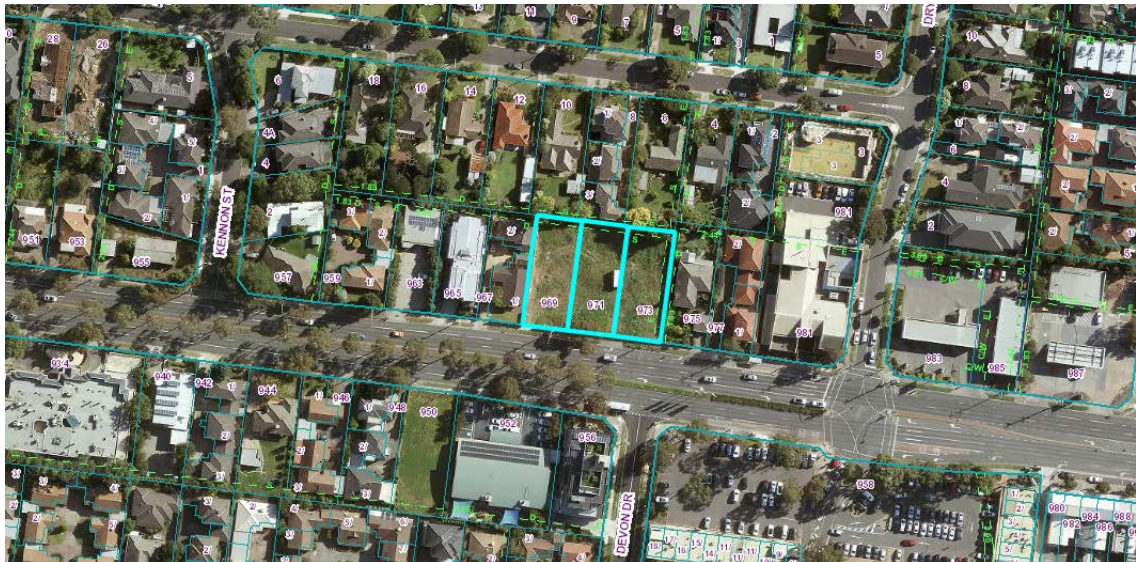


Figure 4 – Site and Surrounds Aerial Photo (16 March 2020)

- 2.11 The site benefits from a number of nearby amenities, one of which includes the Doncaster East Village (incorporating Devon Plaza) Neighbourhood Activity Centre. The centre contains a Woolworths supermarket together with a number of other speciality shops, situated within 100 metres of the site.
- 2.12 A number of other neighbourhood activity centres (Jackson Court, Donburn and Tunstall Square) are also easily accessible situated within 550 metres, 1.1 kilometres and 1.2 kilometres, respectively.
- 2.13 The site has easy access to a range of bus routes, available along both sides of Doncaster Road. Among other locations, the bus services provide access to the Doncaster Hill Principal Activity Centre and the Central Business District (CBD).
- 2.14 The site is also in close proximity to a number of Council-owned park facilities, including being within 400 metres of Doncaster Reserve (incorporating a sporting oval, playground equipment and indoor basketball complex).

3. THE PROPOSAL

- 3.1 The proposal is outlined on the plans prepared by E.J Grech & Associates Pty Ltd – Refer 1659-2, dated 22 April 2020, inclusive of Perspectives, Apartment floorplans, elevations, sections and details. Refer to Attachment 1.
- 3.2 The following plans are also provided in support of the application:
- Feature survey Plan prepared by A Line Surveying dated 8 November 2019;
 - Neighbourhood and Site Description and Design Response plans, originally prepared by E.J Grech & Associates Pty Ltd, originally prepared March 2015
 - Design Response plans, originally prepared by E.J Grech & Associates Pty Ltd – Refer 1659-2, originally prepared September 2015
 - Shadow Diagrams, prepared by E.J Grech & Associates Pty Ltd dated March 2020;
 - Colour and Material Schedule, dated 6 June 2020
 - Development plans (Amended) and perspectives prepared by Mirvac Design - Architects Planners Interior designers and dated 25 March 2020;
 - Landscape Concept Plans prepared by E.J Grech & Associates Pty Ltd, Project No. 29 and dated 17 April 2020.
- 3.3 The following reports are provided in support of the application:
- Town Planning report prepared by MCo. Town Planning, dated 22 April 2020;
 - Waste Management Plan prepared by Frater and dated 24 April 2020;
 - Parking Impact Assessment prepared by B Traffic Solutions and dated 20 December 2020;
 - Sustainable Management Plan prepared by Frater and dated 7 June 2020;
 - Construction Management Plan prepared by Mirvac and dated 14 March 2019;
 - Biodiversity Offset Implications Report prepared by Ecology and Heritage Partners and dated September 2018;
 - Arborist Report prepared by DB Horticulture and dated 15 April 2020;
 - Stormwater Management Plan prepared by and dated 7 September 2018;
 - Green Travel Plan prepared by Frater and dated 20 December 2019;
 - RFI Cover Letter and response to issues, prepared by E.J Grech & Associates Pty Ltd – Refer 1659-2, dated 24 April 2020;
 - MPL Certificate, prepared 18 June 2019.
- 3.4 A summary of the proposal is as follows:

Element	Details
Building Details	<ul style="list-style-type: none"> • Total Site Area (3 Lots) – 2047.75sqm • Site coverage 59.53% • Hard surface area 69.47% • Site Permeability 30.53%

Dwellings	<ul style="list-style-type: none"> • A total of 35 dwellings are proposed with mix of apartment sizes including: <ul style="list-style-type: none"> ○ 5 one-bedroom apartments; ○ 29 two-bedroom apartments; ○ 1 three-bedroom apartment.
Building Height	<ul style="list-style-type: none"> • 13.735m (no protruding rooftop services or screening)
Basements	<ul style="list-style-type: none"> • Basement level: <ul style="list-style-type: none"> ○ Total of 43 car parking spaces, inclusive of : <ul style="list-style-type: none"> - 36 resident car parking spaces; and - 7 visitor car parking spaces ○ 8 bicycle parking spaces and associated lockers; ○ 35 storage cage areas (not above or at the end of carparking spaces); ○ Waste storage room; ○ Internal stair access; ○ Internal lift access (1 lift); ○ Services room; and ○ Pedestrian emergency exit to ramp.
Car parking	<ul style="list-style-type: none"> • Residential requirement: <ul style="list-style-type: none"> ➤ 5: 1 Bedroom apartments – 5 car spaces required ➤ 29: 2 Bedroom apartments – 29 car spaces required ➤ 1: 3 Bedroom apartments – 2 car spaces required ➤ Total required – 36 car spaces • Total provided – 43 residential car spaces (within basements) • Surplus of 7 carparking spaces
Visitor Spaces	<ul style="list-style-type: none"> • 7 allocated visitor car spaces • The site is located within the Principal Public Transport Network (PPTN) Area and therefore is not required to provide visitor car spaces.
Setbacks (minimum)	<ul style="list-style-type: none"> • Doncaster Road (southern boundary): <ul style="list-style-type: none"> ○ Basement – 4.04m ○ Ground floor – 6.0m (courtyards 4.0m) ○ First floor – 6.0m (balconies 5.0m) ○ Second Floor – 6.0m (balconies 5.0m) ○ Third Floor – 7.0m (balconies 7.4m) • Northern boundary:

	<ul style="list-style-type: none"> ○ Basement – 5.15m ○ Ground floor – 6.9m (balconies 4.9m) ○ First floor – 6.9m (balconies 4.9m) ○ Second Floor – 9.04m (balconies 6.9m) ○ Third Floor – 17.95m (balconies 14.95m). ● Eastern boundary: <ul style="list-style-type: none"> ○ Basement – 3.0m ○ Ground floor – 2.44m ○ First floor – 2.44m ○ Second Floor– 4.9m (balcony A27 5.26m) ○ Third Floor – 11.12m (9.65m to balcony). ● Western boundary: <ul style="list-style-type: none"> ○ Basement – 1.0m ○ Ground floor – 2.45m ○ First floor – 4.04m ○ Second Floor – 7.0m (balcony A23 - 7.7m) ○ Third Floor –11.85m (balcony A34 - 10.35m).
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Height

- 3.5 The maximum building height is 13.735m from natural ground level (NGL), to the top of the parapet of the roof form, in the north-east corner of the centralised fourth level.
- 3.6 The highest point of the built form is setback 17.95m from the northern boundary and 11.15m from the eastern boundary. The fourth level is centrally located from both the eastern and western boundaries and sited further towards the Doncaster Road streetscape to minimise impacts to adjoining properties to the north.
- 3.7 The lift overrun and roof top services, do not extend above the fourth level parapets. Another plant platform with screening, is located on the roof form of the third level (to the north of the stairs area).

Building Layout Design and Access

- 3.8 The building is designed with a shared pedestrian entry, centrally located on the southern side (frontage) of the building and accessed by a path from Doncaster Road. The shared central lobby provides access to all apartments and contains a centralised lift, stairs and services area.
- 3.9 The ground and first floors consist of 11 apartments, Level 2 consists of 10 apartments and Level 3, 3 apartments. The dwellings incorporate a range of layouts with the majority of apartments being one and two bedrooms. Dwelling sizes vary from 52 square metres to 112 square metres.

- 3.10 The Basement level protrudes a maximum of 800mm above natural ground level, on the northern side of the building (due to the slope of the site). It protrudes 200mm at the north-western corner and 730mm at the north-eastern corner.
- 3.11 Vehicular access is via a 6.1 metre wide crossover in the south western corner of the site. The 6 metre wide accessway leads to a basement carpark providing a total of 36 resident car parking spaces, 7 visitor car parking spaces and 8 bicycle parking spaces.
- 3.12 Four (4) additional bicycle hoops providing 4 bicycle spaces are also provided in front of the building entry (adjacent to the frontage).
- 3.13 A waste room and bin tug area is provided in the basement. Waste collection is proposed to be provided by private collection, as detailed in the Waste Management Plan, prepared by Frater and dated 24 April 2020.
- 3.14 Separate individual residential storage enclosures are provided within the basement. The storage cages are either 6 cubic metres or 6.8 cubic metres for all apartments.

Design Detail

- 3.15 The proposed building features a modern contemporary architectural design incorporating feature box/framing elements within the design and varied setbacks providing a high level of articulation, stepping and visual interest. The building entry, while benched into the site, is emphasised through the use of a canopy. Fencing to the site frontage is designed to complement screening materials.
- 3.16 The proposed building is constructed of a mixture of vertical and matrix cladding and rendered painted finishes in different greys, black/charcoal and white.
- 3.17 Windows are generally aluminium with clear and obscure glazing. Balcony balustrades are either clear glass or opaque glass visual screens. The roof form is flat with parapets to the wall edge.

Landscaping

- 3.18 The Landscape Concept Plans (prepared by E.J Grech & Associates Pty Ltd, Project No. 29 and dated 17 April 2020), indicates conceptual planting of shrubs, screening vegetation and feature canopy trees. The conceptual landscaping includes:
 - Doncaster Road frontage: proposed low level planting and feature canopy trees in the front setback;
 - Rear (northern) setback: proposed landscaping of private rear courtyards (at ground level) with lawn and shrubs around the periphery and screening vegetation along the length of the rear boundary;
 - Eastern setback: proposed landscaping a mixture of lawn and screening vegetation;
 - Western setback: Low level planting within garden bed areas above the basement level (in a planter box arrangement).



Figure 5 – Perspective 3D of proposal from Doncaster Road (looking north-west)

3.19 The submitted Arborist Report details that no trees on adjoining sites or the street tree will be detrimentally impacted by the proposal.

4. LEGISLATIVE REQUIREMENTS

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

4.2 A planning permit is required for the following:

- Clause 32.07-5 (Residential Growth Zone Schedule 2 – RGZ2) - to construct two or more dwellings on a lot.
- Clause 43.02-2 (Design and Development Overlay, Schedule 8 – DDO8) - to construct a building or construct or carry out works.
- Clause 52.29 (Land Adjacent to a Road Zone Category 1 or a Public Acquisition Overlay for a Category 1 Road) - to create or alter access to a road in a Road Zone, Category 1.

5. REFERRALS

External

5.1 Given the proposal involves the alteration of access to Doncaster Road, it is a statutory requirement to refer the application to the Department of Transport (previously VicRoads) as a determining referral authority.

5.2 The Department of Transport have no objection, subject to conditions being included on any permit issued requiring the removal of the redundant crossovers and reinstatement of the area.

Internal

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

Service Unit	Comments
Infrastructure Services Unit – Drainage	<ul style="list-style-type: none"> No objection subject to conditions for the provision of onsite storm water detention.
Infrastructure Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> No objection subject to conditions requiring the removal of redundant crossovers, modified visibility splays (Dept of Transport), crossover construction and relocation or modification of power pole and Telstra pit.
Infrastructure Services Unit – Access and Driveway	<ul style="list-style-type: none"> No objection.
Infrastructure Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> No objection.
Infrastructure Services Unit – Car Parking Layout	<ul style="list-style-type: none"> No objection.
Infrastructure Services Unit – Construction Management	<ul style="list-style-type: none"> No objection subject to a requirement for the provision of a construction management plan.
Infrastructure Services Unit – Waste	<ul style="list-style-type: none"> No objection subject to a requirement for the modification of the waste management plan to include swept path diagrams for the waste truck to enter/exit the site.
Infrastructure Services Unit – Easements	<ul style="list-style-type: none"> No objection subject to build over easement approval being granted.
Infrastructure Services Unit – Flooding	<ul style="list-style-type: none"> No flooding / overland flow concerns.
Integrated Planning Unit – Sustainability (Environmental Sustainable Design)	<ul style="list-style-type: none"> No objection subject to amendment to the Sustainability Management Plan to ensure a minimum 50% BESS overall score and minimums in Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories, to demonstrate best practice in sustainable design. Conditions will require this is achieved.
Planning Arborist	<ul style="list-style-type: none"> Council's Planning Arborist does not have any concerns with the proposal, subject to standard conditions, including a Tree Protection and Management Plan (TPMP).

6. CONSULTATION / NOTIFICATION

- 6.1 The application was advertised by placing a sign on the frontage of each lot and sending letters to nearby properties.
- 6.2 One (1) objection was received to the proposal as shown in the map below.

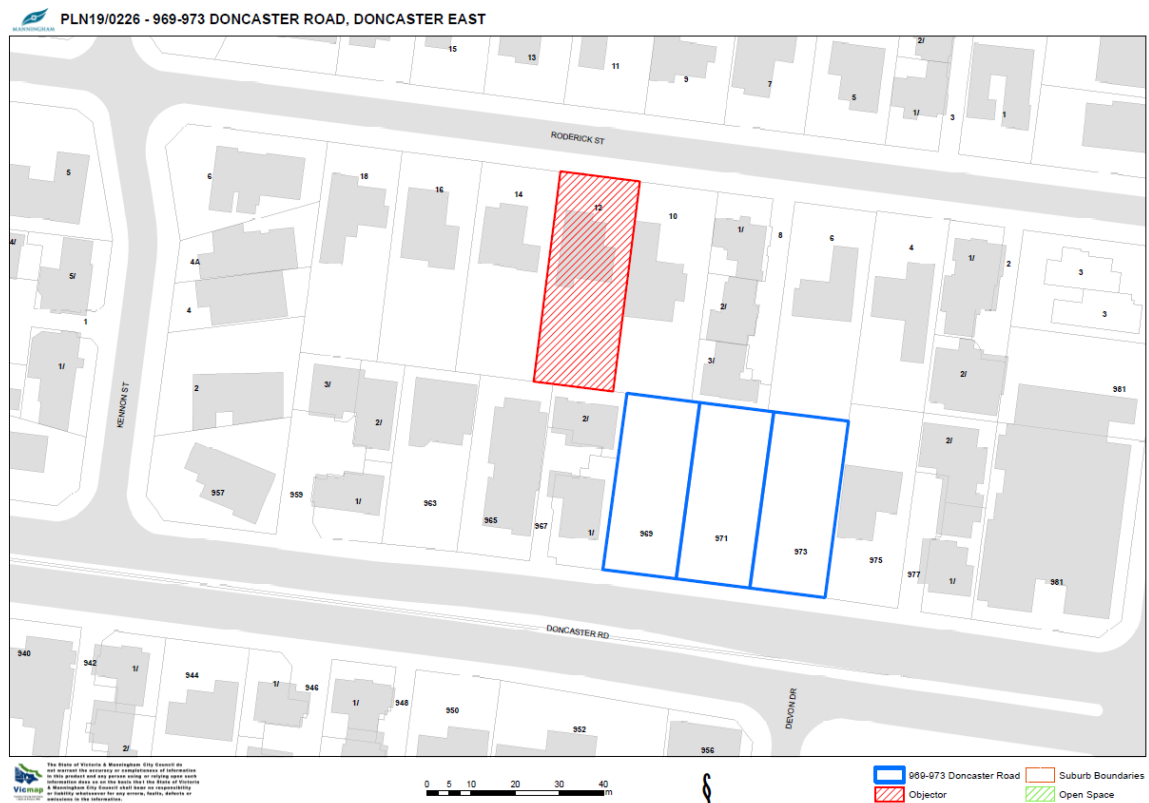


Figure 6 – Objector Map

6.3 The main grounds of objection can be summarised as follows:

- Rear fencing should be 2.1m in height.
- Windows facing in the North and North/West direction on the 4 levels should have obscure (frosted) glass, to prevent overlooking / loss of privacy.
- All balconies facing in the North and North/West direction should have screening (parapet) of 1.8m high, to prevent overlooking / loss of privacy.
- Concern that balconies will wrap around the north to the west will worsen privacy and noise issues (by allowing future residents to wander around the balconies).
- Concern that balconies that wrap around the building will increase building bulk.

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 and general provisions of the Scheme.

7.2 The following assessment is made under the headings:

- Planning Policy Frameworks;
- Design and built form;

- Offsite Amenity and Onsite Amenity Impacts (Clause 55)
- Car Parking, Access, Land Adjacent to RDZ1 and Bicycle Facilities
- Car parking, access and bicycle facilities; and
- Objector issues / concerns

Planning Policy Frameworks

- 7.3 At both the SPPF and LPPF levels, policy emphasises the need for a mix of developments that are well designed with a focus on high density residential development in established activity centres, along main roads and on strategic redevelopment sites. Whilst the subject site is not specifically identified as a strategic redevelopment site within the MSS, it substantially meets key criteria as a strategic redevelopment site primarily through its location and proximity to a Neighbourhood Activity Centre with good access to public transport and existing services.
- 7.4 Policy preference as outlined in Clause 21.05 is for higher density, including apartment style developments along major roads and near activity centres, which allow for proximity to services and public transport.
- 7.5 The policy is also complemented by the objectives contained within the Schedule 8 to the Design and Development Overlay (DDO8-1), and Clause 55 (Two or more Dwellings on a lot and Residential Buildings), including Clause 55.07 Apartment Developments.
- 7.6 Through various policy statements within the Planning Scheme and the DDO8, the original neighbourhood character along Doncaster Road is anticipated to change significantly. The envisioned preferred character is one of a substantial change that has a higher built form and density than a typical suburban character.

Design and Built Form

- 7.7 The design objectives of DD08 encourage development that is contemporary in design, that includes articulated built form and incorporates a range of visually interesting building materials and façade treatments. The modern contemporary architectural design of this building is considered to be well conceived and of a high standard. The articulation, stepping and architectural features, including external screens and box / framing elements provide variation and visual interest. The grey, charcoal and white colour pallet result in a cohesive design outcome through appropriate use of materials and colour selection. The design compliments the existing and emerging modern built form along Doncaster Road and the surrounding area (Refer Figure 5).



Figure 7 – Perspective 3D view of Development from Doncaster Road (looking north-east)

- 7.8 The Residential Growth Zone (RGZ) at Clause 32.07-9 specifies that the maximum building height should not exceed 13.5m. This requirement may be exceeded by up to 1m if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees. These are not mandatory requirements and can be varied with a planning permit. There is no limit on the number of storeys. Schedule 2 to the RGZ does not specify any further or varied requirements.
- 7.9 The submitted plans demonstrate that the site has a slope greater than 2.5 degrees, which establishes that the maximum allowable building height is 14.5 metres. The development has a maximum building height of 13.735 metres, which complies with the RGZ requirements.
- 7.10 Table 1 to Schedule 8 of the Design and Development Overlay (DDO8-1) specifies that land with the “Main Road” Sub-Precinct has a maximum building height of 11 metres, where the land area exceeds 1800sqm. A permit may be granted to vary the Maximum height specified in Table 1 (Main Road Sub-Precinct DDO8-1).
- 7.11 One of the DDO8 objectives seek to ‘*support three storey, ‘apartment style’, developments within the Main Road sub-precinct and in sub-precinct A, where the minimum land size can be achieved.*
- 7.12 Whilst the proposed building is four storeys, the fourth level is setback considerably from side and rear boundaries. This assists to minimise impacts to adjacent properties and ensures that views of this level are minimised to adjoining residential properties to the east, west and north (rear).
- 7.13 The fourth level will be visible to the streetscape, however this is considered to be consistent with other existing four storey developments along Doncaster Road and will provide visual interest and articulation to the built form with no increased amenity impacts.
- 7.14 Given all of the above, the fourth level and overall building heights are considered to suitably respond to the Residential Growth Zone, the Design & Development Overlay Schedule 8-1 and the transitioning neighbourhood character of the area.
- 7.15 Lift overrun and roof top services, do not extend above the fourth level parapets and do not require any additional screening.

- 7.16 The building primarily offers a mix of one and two bedroom apartments with various options of private open space through the provision of courtyards and/or balconies of various sizes and orientation.
- 7.17 The setbacks from boundaries allow suitable spacing for generous landscaping and canopy trees around the site, to further “soften” the visual appearance of the building to its surrounds.
- 7.18 The following assessment is made against the requirements of the DDO8:

Design Element	Met/Not Met
DDO8-1 (Main Road Sub-Precinct)	
<ul style="list-style-type: none"> • The minimum lot size is 1800 square metres, which must be all the same sub-precinct. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage 	<p>Met</p> <p>All three lots are within the Main Road sub-precinct and equate to 2047.75 square metres.</p>
<ul style="list-style-type: none"> • Height - 11 metres provided the condition regarding minimum land size is met. <p>If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.</p>	<p>Considered Met</p> <p>The submitted plans demonstrate that the site has a slope greater than 2.5 degrees, which establishes that the maximum allowable building height is 14.5 metres in the RGZ.</p> <p>The development has a maximum building height of 13.735 metres which exceed the specified height by 3.735 metres.</p> <p>The purpose of providing discretion in building height within the Main Road sub-precinct is to allow flexibility within the design to achieve design excellence. The discretion is only provided to this sub-precinct because main road streetscapes are typically less fragmented environments compared to local streets and therefore can absorb some additional height.</p> <p>The portion of built form above a height of 10.7 metres is limited to the top level. This level occupies 388m², or 40% of the level below and has been provided with substantial setbacks to all boundaries, in particular to the north. Level 2 does exceed 10.7m in height which complies with the 11 metre height requirement of the DDO8-1.</p> <p>Overall, it is considered that the height of the building is acceptable and will not have unreasonable impacts on the streetscape or</p>

Design Element	Met/Not Met
	adjoining properties.
<ul style="list-style-type: none"> Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. 	<p>Met</p> <p>The ground and upper floor walls of the building all meet or exceed the minimum street setback of 6m.</p> <p>DDO8 allows balconies and terraces to encroach within the street setback by a maximum of 2m, but they must not extend along the entire width of the building.</p> <p>The balconies do not protrude more than 2.0m into the setback.</p>
Form	
<ul style="list-style-type: none"> Ensure that the site area covered by buildings does not exceed 60 percent. 	<p>Met</p> <p>The building has a site coverage of 59.53% (less than 60%).</p>
<ul style="list-style-type: none"> Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Met</p> <p>The building design offers a high level of visual interest through architectural features, materials and colours.</p> <p>The design detail of the frontage includes framing elements bringing visual interest to the building and assisting to reduce the prominence of the upper level.</p> <p>Side and rear elevations are visually articulated by the stepping of built form, modified building finishes and a range of architectural detailing elements, including modified window presentations, external window screens and balcony features.</p>
<ul style="list-style-type: none"> Minimise buildings on boundaries to create spacing between developments. 	<p>Met</p> <p>No part of the building is constructed on any of the boundaries. The minimum side or rear building setback is 2.4 metres (from the western and eastern boundaries). The provision of spacing can accommodate appropriate landscaping and courtyards.</p>
<ul style="list-style-type: none"> Where appropriate ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the 	<p>Met</p> <p>The rear section of the building (second & third level floor plan) steps back considerably</p>

Design Element	Met/Not Met
adjoining residential area.	from the rear and side boundaries, reducing the visual bulk to the most sensitive residential interfaces to the north, east and west.
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Met</p> <p>Some excavation is proposed towards the Doncaster Road frontage with the ground floor level semi benched to keep the overall height of the building as low as possible.</p>
<ul style="list-style-type: none"> Avoid reliance on below ground light courts for any habitable rooms. 	<p>Met</p> <p>There are no below ground light courts. The south facing ground floor apartment courtyards to the site frontage are 800mm below natural ground level. The courtyards have an 800mm high retaining wall to their southern edge, with a 50% transparent, 1.5m high front fence, setback 2.0m from the building.</p>
<ul style="list-style-type: none"> Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Ensure that the upper level of a three storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Considered Met</p> <p>Level 4 (third floor plan) covers 40% of Level 3. Level 3 (second floor plan) covers 78.7% of Level 2 (first floor plan), which does not meet the 75% requirement.</p> <p>A minor variation of 3.7%, to the recommended 75% is considered negligible. The building is considered to be well graduated from the lower levels to reduce its prominence and visual bulk, particularly from the sensitive interfaces to the north, east and west</p> <p>Architectural interest is achieved by incorporating protruding balconies and the use of varied materials and colour palettes.</p> <p>Overall, the building is well articulated and provides appropriate visual interest.</p>
<ul style="list-style-type: none"> Integrate porticos and other 	<p>Met</p>

Design Element	Met/Not Met
<p>design features with the overall design of the building and not include imposing design features such as double storey porticos.</p>	<p>There are no double storey porticos or unreasonable imposing design features.</p> <p>Design features are well-integrated into the overall design of the building.</p>
<ul style="list-style-type: none"> Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation. 	<p>Met</p> <p>The basement is suitably excavated into the slope of the land. Given the slope down towards the north, there is a minor projection of up to 800mm on the northern side of the building. The projection ranges from 200mm to 730mm from the western to eastern corners of the building.</p> <p>This basement projection is not considered to be unreasonable and does not result in excessive building height as viewed from adjoining properties.</p>
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Considered Met</p> <p>Whilst the eastern and northern elevations rely on screening devices to many upper level windows and balconies, the ground floor and fourth level generally do not require any external screens.</p> <p>Where practicable, highlight windows are used to reduce reliance on external screens.</p> <p>Screening devices are suitably excluded from windows and balconies where setbacks are greater than 9.0m or do not result in overlooking of secluded private space or habitable room windows.</p>
<ul style="list-style-type: none"> Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities. 	<p>Met</p> <p>The building is provided with lifts to all levels, including from the basement.</p> <p>A disabled lift is provided in the front setback, where 4 steps could not be avoided between the frontage and the building entry.</p> <p>Accessible access to the development is further discussed in Clause 55 Assessment.</p>
<ul style="list-style-type: none"> Ensure that projections of basement car parking above 	<p>Considered Met</p>

Design Element	Met/Not Met
<p>natural ground level do not result in excessive building height as viewed by neighbouring properties.</p>	<p>The basement projects above natural ground level on the northern elevation (a maximum of 800mm). The projection is a maximum of 730mm in the north-east corner and a maximum of 203mm in the north-west corner. It is considered that such projections will not result in excessive building height. An assessment of setbacks and heights will be undertaken in the ResCode assessment.</p>
<ul style="list-style-type: none"> Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site. 	<p>Met</p> <p>Vehicle access to the basement is limited to the crossover in the south-west corner of the site and is not visually obtrusive when viewed from the streetscape.</p>
<ul style="list-style-type: none"> Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking. 	<p>Met</p> <p>All carparking, including visitor spaces, is suitably provided within the basement.</p>
<ul style="list-style-type: none"> Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established. 	<p>Met</p> <p>The basement is setback 5.149m from the rear northern boundary and will allow for the provision of suitable spacing for effective landscaping.</p> <p>The basement is setback 4.0m from the Doncaster Roads frontage, consistent with the front courtyards and balcony features which protrude into the 6.0m front setback. This also allows for the remaining 4.0m to be effectively landscaped to complement the development and building.</p>
<ul style="list-style-type: none"> Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces. 	<p>Met</p> <p>The development provides appropriate wall setbacks to side and rear boundaries to allow for screen planting that softens the appearance of the built form.</p> <p>The setback of the basement 1m from the western boundary and its landscaping is more constrained however conditions will require screening plants and small trees with less invasive root zones within the garden bed area and similarly considered species within the easements along the northern and</p>

Design Element	Met/Not Met
	eastern boundaries.
<ul style="list-style-type: none"> Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces. 	<p>Met subject to conditions</p> <p>The lift overrun is centrally located and setback considerably from boundaries.</p> <p>Roof top equipment is indicated, including screening and is not considered to impact the amenity of any surrounding properties.</p> <p>The services and plant equipment is discussed further in the Clause 55 Assessment.</p>
Car Parking and Access	
<ul style="list-style-type: none"> Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback. 	<p>Not applicable</p> <p>One double width vehicle crossover is proposed to Doncaster Road and has been designed to avoid street trees.</p>
<ul style="list-style-type: none"> Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary. 	<p>Met</p> <p>The basement along the Doncaster Road frontage aligns with ground level apartment courtyards.</p>
<ul style="list-style-type: none"> Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Ensure that access gradients of basement carparks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	<p>Met</p> <p>Gradients of the driveway have been assessed by Council's Infrastructure Services Unit and are considered to comply with Design Standard 3 in Clause 52.06-9 of the Manningham Planning Scheme.</p>
Landscaping	
<ul style="list-style-type: none"> On sites where a three storey 	<p>Met</p>

Design Element	Met/Not Met
<p>development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity.</p>	<p>There is ample spacing within the frontage of the site for the provision of at least 3 canopy trees.</p>
<ul style="list-style-type: none"> Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form. 	<p>Met</p> <p>The site will allow the planting of significant vegetation, including appropriate tree species within the side and rear setbacks, which assist to soften the appearance of the built form. Conditions will require appropriate species selection as part of the landscape plan.</p>
<p>Fencing</p>	
<ul style="list-style-type: none"> A front fence must be at least 50 per cent transparent. On sites that front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn and Mitcham Roads, a fence must: <ul style="list-style-type: none"> not exceed a maximum height of 1.8m be setback a minimum of 1.0m from the front title boundary <p>and a continuous landscaping treatment within the 1.0m setback must be provided.</p>	<p>Met</p> <p>The proposed fence within the front setback is set back more than 4 metres from the frontage.</p> <p>The fence is 50% transparent, 1.5m in height and constructed of materials to complement the development</p> <p>The 4 metre setback provides ample opportunity for generous landscaping to be achieved to the streetscape.</p>

On-site amenity and Off-site amenity impacts (Clause 55)

7.19 Pursuant to Clause 55 (Two or more Dwellings on a lot and Residential Buildings), a development must meet all of the objectives of this clause and should meet all of the standards.

7.20 The following assessment under the provisions of Clause 55 (Two or more Dwellings on a lot and Residential Buildings) is provided and the analysis indicates that the proposal responds appropriately to the applicable clauses, as follows:

Objective	Objective Met / Not Met
<p>55.02-1 – Neighbourhood Character</p> <ul style="list-style-type: none"> To ensure that the design respects the existing 	<p>Met</p> <p>It is considered that the development responds positively to the preferred neighbourhood character that seeks a high quality design</p>

Objective	Objective Met / Not Met
<p>neighbourhood character or contributes to a preferred neighbourhood character.</p> <ul style="list-style-type: none"> To ensure that development responds to the features of the site and the surrounding area. 	<p>response for Doncaster Road.</p>
<p>55.02-2 – Residential Policy</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Met</p> <p>The application was accompanied by a written statement that demonstrated how the applicant considers the development to be consistent with State, Local and Council policy.</p> <p>As discussed in the report, it is considered that the proposal complies with state and local 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 ten or more dwellings 	<p>Met</p> <p>The proposal offers three different dwelling typologies, including 5 one-bedroom apartments, 29 two-bedroom apartments and 1 three-bedroom apartment.</p> <p>Eleven apartments are wholly provided at ground level with various open space options.</p>
<p>55.02-4 – Infrastructure</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Considered Met subject to conditions</p> <p>This is subject to the requirements from Council's Infrastructure Services Unit, including an on-site storm water detention system.</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 development integrates and responds positively to the streetscape and preferred neighbourhood character, that seeks a high quality design response for Doncaster Road and inline with the relevant design objectives of the DDO8-1.</p>

Objective	Objective Met / Not Met
<p>55.03-1 – Street Setback</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Met</p> <p>The proposal meets all front setback requirements of DDO8-1, providing a 6.0 metre building setback, 4 metres for the basement and porch/balcony elements which do not protrude more than 2.0 metres into the front setback.</p>
<p>55.03-2 – Building Height</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Met</p> <p>The 13.735 metre overall maximum building height complies with the RGZ2 requirement of 14.5 metres, as discussed previously in the report.</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 proposal provides a site coverage of 59.53% and does not exceed the 60% requirement.</p>
<p>55.03-4 – Permeability and Stormwater Management</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. To encourage stormwater management that maximises the retention and reuse of stormwater. 	<p>Met</p> <p>The proposal provides for a site permeability of 30.53% (where 20% is the minimum).</p> <p>Onsite stormwater management will be required by standard conditions from the Infrastructure Services Unit, including an on-site storm water detention system.</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>This clause does not apply to an apartment development.</p>
<p>55.03-6 – Open Space</p>	<p>This clause does not apply to an apartment development.</p>

Objective	Objective Met / Not Met
<ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	
<p>55.03-7 – Safety</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	<p>Met</p> <p>The ground level private open space areas for each dwelling are secured by fencing.</p> <p>The building entry for vehicles and pedestrians are clearly visible from the street and do not create any unsafe spaces.</p> <p>The basement car parking area is secure and offers direct access via the lifts to each level of the building.</p>
<p>55.03-8 – Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. 	<p>Met</p> <p>It is considered that adequate landscaping opportunities have been provided throughout the development as discussed previously in the report.</p>
<p>55.03-9 – Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Met</p> <p>The proposal provides one vehicle entry/exit point to Doncaster Road which does not exceed 33% of the site frontage as required by the standard. Redundant crossovers will be removed. The application was referred to Vic Roads for comment who have no objection to the proposal.</p>
<p>55.03-10 – Parking Location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. 	<p>Met</p> <p>The basement carpark provides convenient and secure parking for residents and visitor vehicles</p>

Objective	Objective Met / Not Met
<ul style="list-style-type: none"> To protect residents from vehicular noise within developments. 	to the building.
<p>55.04-1 – Side And Rear Setbacks</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Met</p> <p>The development complies with all minimum setbacks of 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>Not applicable</p> <p>There are no walls proposed on boundaries.</p>
<p>55.04-3 – Daylight To Existing Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	<p>Met</p> <p>There are a number of habitable room windows in close proximity to the common site boundary:-</p> <ul style="list-style-type: none"> 2/967 Doncaster Road (west) – 1.21m setback to the common boundary. 975 Doncaster Road (east) – 2.34m setback to the common boundary. 3/8 Roderick Street (north) – 2.135m setback to the common boundary <p>Standard B19 is met and adequate daylight to all existing habitable room windows of adjoining properties is maintained.</p>
<p>55.04-4 – North Facing Windows</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Not applicable</p> <p>There are no north facing windows adjoining the site.</p>
<p>55.04-5 – Overshadowing Open Space</p>	<p>Met</p> <p>The shadow diagrams demonstrate that due to</p>

Objective	Objective Met / Not Met
<ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>the site orientation, there will be no shadows to adjoining properties to the north and minimal overshadowing to properties to the west in the morning and to the east in the afternoon.</p> <p>The SPOS areas of 973 Doncaster Road and units 1 & 2/967 Doncaster Road will continue to receive adequate sunlight during the relevant times of the day. The proposal complies with the standard.</p>
<p>55.04-6 – Overlooking</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Met by conditions</p> <p>The proposal generally incorporates a 1.7m high privacy screen to most north, east and west facing apartment balconies and screening devices on most east and west facing habitable room windows, to achieve compliance with Standard B21.</p> <p>Many of the north facing first and second level habitable windows are not treated to screen/obscure overlooking or comply with Standard B22. Conditions will require these windows to be screened to meet the Standard.</p> <p>Whilst a 2.1 metre high boundary fence is proposed along the entire length of the northern boundary, to further minimise views from ground level apartments it is recommended that a 400mm high free standing trellis be provided along the rear boundary to minimise any views into adjacent properties.</p> <p>It is also noted that the proposal includes concept screening and canopy tree plantings/landscaping along the northern boundary, which will assist to screen and soften the development assisting in the future provision of privacy to adjoining properties. Conditions will require species selection of these plantings to be suitable heights to provide visual screening at maturity.</p> <p>Additional screening measures to the satisfaction of the Responsible Authority is also required:-</p> <p><u>East elevation</u></p> <p>A5 – Balcony return</p>

Objective	Objective Met / Not Met
	<p>A6 – B1 and kitchen window</p> <p>A28 – Balcony return</p> <p><u>West elevation</u></p> <p>A10 – Balcony return and kitchen window</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 by condition</p> <p>There are not likely to be internal views between apartments as most balconies appear to have visual screens at first and second levels (as shown on the perspectives) and/or screening or highlight windows to adjacent habitable windows (such as between apartment 15 and 16).</p> <p>However, the details of privacy screens to the sides of balconies are not provided on the plans. Therefore conditions will require details of the screening to the extent of these balconies (to meet Standard B23), providing details and differentiating between where balustrades and screens are provided.</p> <p>It is also noted that some apartments on the southern side are not provided internal screens between their balconies, i.e. between Apartments 13 and 14, and between Apartments 24 and 25.</p> <p>Conditions will require that screening is provided to limit internal views between these balconies to meet the Standard. Conditions will also require details of screening between all ground floor north facing balconies (Apartments 6 to 10) to limit internal views and meet the Standard.</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>This clause does not apply to an apartment development.</p>
<p>55.05-1 – Accessibility</p> <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in 	<p>This clause does not apply to an apartment development.</p>

Objective	Objective Met / Not Met
the design of developments.	
<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. 	This clause does not apply to an apartment development.
<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 apartments face onto an outdoor space with minimum area of 3m² and a minimum dimension of 1.0m, in accordance with Standard B27.</p> <p>The south facing ground floor apartments with streetscape facing courtyards are marginally lower than the natural ground level of the frontage (approximately 850mm), however the 1.5m high fencing, with 50% transparency around these courtyards, allows for reasonable daylight access.</p>
<p>55.05-4 – Private Open Space</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents 	<p>Met by condition</p> <p>All upper level 1 and 2 bedroom apartments are provided with balconies over the minimum 8.0sqm with a 2 metre minimum dimension. Many of the apartments have larger balconies between 11-16sqm in size.</p> <p>Some ground level north (rear) facing apartments are provided with the 8sqm balcony and additionally provided with ground level courtyard spaces between 17.7sqm and 34.8sqm in area.</p> <p>The ground level streetscape apartments are provided with balcony area between 16-22sqm in size (constructed above the basement). The design also incorporates landscaping within the front setback which can be suitably maintained by the Owners Corporation.</p> <p>All private open space and balcony areas are therefore provided with suitable space to ensure reasonable recreation, functionality and service needs for future residents.</p> <p>Air conditioning units are generally located on the balconies and will be required by conditions to be located within the basement or rooftop service areas.</p>

Objective	Objective Met / Not Met
<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>Where practicable, all dwellings located on or near the north, east and west sides of the building will receive suitable solar access. Those dwellings located on the southern side of the building are not able to receive the solar access stipulated by the standard due to site orientation, however is considered acceptable for the scale and nature of the development proposed.</p>
<p>55.05-6 – Storage</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>This clause does not apply to an apartment development.</p>
<p>55.06-1 – Design Detail</p> <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. 	<p>Met</p> <p>It is considered the proposal complies with Standard B31. This is discussed in detail in the previous section of the report.</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>Not applicable as fence is setback greater than 3 metres from the boundary</p> <p>The proposed fence within the front setback is setback 4.0m from the frontage, 50% transparent and 1.5m in height. It consists of horizontal Colorbond slats, which is responsive to the material and colour pallet of the built form.</p>
<p>55.06-3 – Common Property</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	<p>Met</p> <p>The car parking areas, pedestrian paths and lobby/corridors areas, are practically designed and will be able to be suitably maintained by the future Owners' Corporation.</p> <p>The communal and private areas around the building are clearly delineated by fencing.</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. 	<p>Met by condition</p> <p>A service platform and some services are located on the rooftops. A services area, waste storage room and storage cage areas are suitably provided within the basement.</p>

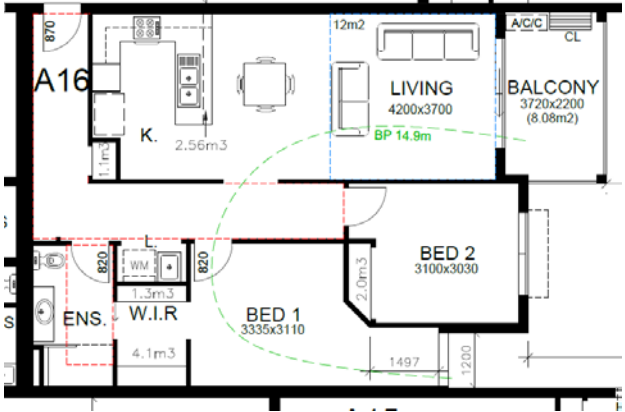
Objective	Objective Met / Not Met
<ul style="list-style-type: none"> To ensure that site facilities are accessible, adequate and attractive. 	<p>Conditions will require the air conditioners on the balconies to be relocated to the basement or rooftops.</p> <p>Mailboxes are suitably located adjacent to the site frontage, in a mailbox bank.</p> <p>The fire booster, gas and water services are located to the frontage and appear to be within masonry rendered service areas (as indicated on the 3D perspectives). However, given details are not provided, conditions will require details to be included on the plans, to ensure they are screened and integrate design of the proposal.</p> <p>A 20,000 litre rainwater tank is located below the basement.</p>
<p>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</p> <p>The submitted Sustainability Management Plan states the development will achieve a 6.0 Star average across all apartments with no apartments scoring below 5.0. This will be achieved using appropriate insulation level in all external walls, roof and floors. Cooling energy will be limited to 21 MJ/m².</p> <p>Given the orientation and configuration of the site and building, the proposal makes appropriate use of daylight, seeking north facing windows for all dwellings where practicable and easterly or westerly balcony/window orientation for south facing apartments, where possible.</p> <p>Solar panels are located on the rooftop.</p> <p>Given the development is an apartment building, the dwellings within, achieve adequate thermal efficiency.</p> <p>The energy efficiency of existing dwellings on adjoining lots is not unreasonably reduced.</p> <p>There are no solar energy systems on surrounding developments.</p>
<p>55.07-2 – Communal Space</p> <ul style="list-style-type: none"> To ensure that communal open space is accessible, practical, attractive, easily maintained 	<p>Not applicable</p> <p>This clause only relates to developments of 40 or more dwellings.</p>

Objective	Objective Met / Not Met
<p>and integrated with the layout of the development.</p>	
<p>55.07-3 – Solar access to communal outdoor space</p> <ul style="list-style-type: none"> To allow solar access into communal outdoor open space. 	<p>Not applicable</p> <p>No external communal open space is proposed.</p>
<p>55.07-4 – Deep soil areas and canopy trees</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. 	<p>Considered Met by condition</p> <p>The concept landscape design provides generous setbacks to the north, east and south (generally 5.0m, 4.0m and 3.0m respectively), which will support deep soil areas for planting of canopy trees.</p> <p>The western setback of 1.0m will also allow suitably selected plantings suitable small trees.</p> <p>The proposal does not propose any green walls or roof top garden areas. Planter box garden areas are proposed above the basement where the building is setback or stepped-in, in a number of locations.</p> <p>Table B5 specifies 10% of the site area should provide the deep soil areas with a minimum dimension of 6.0m. The proposal provides approximately 3% of the site which exceeds the minimum 6.0m dimension and 12% of the site a minimum dimension of 5.15m. Furthermore 10% of the site provides a minimum dimension of 4.0m and with 5% of the site with a minimum dimension of 3.0m.</p> <p>The deep soil spacing will provide suitable locations for at least 3 large trees and upwards of 8 medium trees.</p> <p>While the minimum dimension of 6.0m in Table B5 of Standard B38 is technically not met, it is considered that the objective is achieved as sufficient areas and spacing for deep soil planting can be provided.</p> <p>Conditions will require a water management to be an automatic water saving system (such as dripper feed) for the landscaped areas within the landscape conditions.</p>

Objective	Objective Met / Not Met
<p>55.07-5 – Integrated water and stormwater management</p> <ul style="list-style-type: none"> • To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. • To facilitate stormwater collection, utilisation and infiltration within the development. • To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site. 	<p>Met by condition</p> <p>A 20,000 litre rainwater tank is located under the basement.</p> <p>The submitted Sustainability Management Plan demonstrates a STORM rating of 100%.</p> <p>The applicant is required to provide an on-site stormwater detention system to alleviate pressure on the drainage system.</p>
<p>55.07-6 – Noise impacts</p> <ul style="list-style-type: none"> • To contain noise sources in developments that may affect existing dwellings. • To protect residents from external and internal noise sources. 	<p>Met by condition</p> <p>Plant and services are generally located on rooftops and within the basement and are specified to meet EPA Guidelines.</p> <p>A plant platform is proposed on the northern side of the roof on the third level. It contains the TV aerial and the air conditioning condenser for the common areas. Given its proximity to the balconies of Apartments 33 and 35, a condition will require noise attenuation screening on the east and west sides.</p> <p>Small air conditioners are proposed to be located on the balconies or courtyards of each apartment. Conditions will require these to be relocated to the basement or rooftop to provide increased private open space areas for residents.</p> <p>Given the location of the building on Doncaster Road, a condition will require noise attenuating glazing to south facing apartments along Doncaster Road and west facing apartments above the accessway ramp.</p>
<p>55.07-7 – Accessibility</p> <ul style="list-style-type: none"> • To ensure the design of dwellings meets the needs of people with limited mobility 	<p>Met</p> <p>51% of the Apartments (18 of 35) have been designed to meet the needs of people with limited mobility, in line with Standard B41.</p>

Objective	Objective Met / Not Met
	A wheelchair lift has been provided within the front setback, to ensure suitable access to the front foyer from Doncaster Road.
<p>55.07-8 – Building entry and circulation</p> <ul style="list-style-type: none"> • To provide each dwelling and building with its own sense of identity. • To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. • To ensure internal communal areas provide adequate access to daylight and natural ventilation. 	<p>Met</p> <p>The front foyer entry is centrally located within the streetscape, easily identifiable by a covered porch. The entry provides a clear and prominent sense of address for the building.</p> <p>The internal layout of the building and corridors provide natural light and ventilation from windows within most corridor lengths or from the central void / light court for all levels.</p> <p>The central services and lift area is centrally located to all apartments.</p> <p>The building entries and circulation design therefore achieves safe, functional and efficient movement for residents and visitors.</p>
<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 	<p>Met by condition</p> <p>As discussed in the Assessment of Clause 55.05-4 (Private open spaces), all 1 and 2 bedroom upper level apartments are provided with balconies, with areas of at least 8sqm and a minimum dimension of at least 2m.</p> <p>The 3 bedroom apartment (Apartment 25) has a balcony of 28sqm with a minimum dimension of 2.4m.</p> <p>All balconies are provided with access conveniently from open plan living room areas.</p>
<p>55.07-10 – Storage</p> <ul style="list-style-type: none"> • To provide adequate storage facilities for each dwelling. 	<p>Met</p> <p>Each 1 bedroom apartment is provided more than the minimum 6 cubic metres of storage within the dwelling and significantly more than the minimum total storage of 10 cubic metres (including storage within the basement).</p> <p>Each 2 bedroom apartment is provided with more than the minimum 9 cubic metres of storage within the dwelling and significantly more than the minimum total storage of 14 cubic metres (including storage within the basement).</p> <p>Dwelling 35 (the only 3 bedroom dwelling) is provided with more than the minimum 12 cubic</p>

Objective	Objective Met / Not Met
	<p>metres of storage within the dwelling and significantly more than the total minimum storage of 18 cubic metres (including storage within the basement).</p> <p>Each apartment is provided with at least 6 to 6.8 cubic metres of convenient storage within the basement.</p>
<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 by condition</p> <p>The submitted waste management plan proposes a private waste collection. The submitted waste management plan details that waste will be appropriately managed and collected on site. Swept path diagrams are required to be provided for the proposed truck.</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. 	<p>Considered Met</p> <p>All dwellings meet or exceed the minimum living room and bedroom dimensions of Standard B46, except the Main Bedroom of Apartment 16 (two-bedroom apartment). The main bedroom should provide a minimum width of 3 metres and a minimum depth of 3.4 metres (10.2 square metres).</p> <p>This variation is considered acceptable on the basis that the overall room size is larger in square metres than the room area calculation required by the standard (10.37 square metres). Acceptable internal amenity of the bedroom is still maintained.</p>

Objective	Objective Met / Not Met
	 <p>Apartment 16 internal layout plan.</p>
<p>55.07-13 – Room depth</p> <ul style="list-style-type: none"> To allow adequate daylight into single aspect habitable rooms. 	<p>Considered Met</p> <p>The proposed ceiling heights of all apartments are 2.7m above floor level. In all apartments, kitchens are located against the back wall of the open plan living areas, therefore 9.0m room depths are allowable.</p> <p>In most apartments, the 9.0m depth is not exceeded with a single aspect, except for the following apartments:</p> <ul style="list-style-type: none"> Apartment 5 - 9.2m depth Apartment 11 - 9.7m depth Apartment 16 - 9.2m depth Apartment 22 - 9.7m depth Apartment 27 - 9.7m depth Apartment 32 - 9.6m depth <p>These minor variations to 6 of the 35 apartments are considered minimal, only impact the back wall of the kitchens and are not considered to have a detrimental impact on the amenity of future residents. Given the locations of the apartments, there are no opportunities for the provision of a skylight.</p> <p>Adequate daylight is considered to be provided to these single aspect habitable rooms.</p>
<p>55.07-14 – Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	<p>Considered Met by condition</p> <p>Most habitable rooms in the development have an external wall window. However, some rooms are only provided with a smaller secondary window.</p> <p>Apartments 5, 8, 11, 16, 19, 22, 27 and 32 have habitable rooms that are provided with a saddleback window.</p>

Objective	Objective Met / Not Met
	<p>These windows are clear to the sky, with a minimum width of 1.2m and a maximum depth of 1.5m, as per Standard B48, except Apartment 19.</p> <p>The balcony above Apartment 19's Bedroom 1 secondary window protrudes over the extent of this window by 1.0m.</p> <p>Considering this window is a north facing window, the variation of one bedroom for the whole development is considered justifiable.</p> <p>Conditions will require the dimensions of all these secondary windows to be shown on the plans, as some are missing.</p>
<p>55.07-15 – Natural ventilation</p> <ul style="list-style-type: none"> • To encourage natural ventilation of dwellings. • To allow occupants to effectively manage natural ventilation of dwellings. 	<p>Met</p> <p>42.8% of (15 of 35) apartments are provided with cross-ventilation that meets the requirements of Standard B49 (minimum 40%). These apartments are generally located on the corners of the building or the top level and are able to provide cross ventilation.</p>

Car Parking, Access, Land Adjacent to RDZ1 and Bicycle Facilities

Car parking

7.21 The car parking requirement of Clause 52.06 in relation to the number of spaces provided, is summarised in the table below:

Purpose	Scheme requirement	Car parking provided
5 One-Bedroom Dwellings	36 spaces	36 residential spaces
29 Two-bedroom Dwellings		
1 Three-bedroom Dwelling		
Total - 35 Dwellings		
Required visitor spaces	0 (PPTN area)	7 visitor spaces
Total	36 spaces	43 spaces

7.22 The Scheme requires a total of 36 residential car parking spaces for the proposed residential development and no visitor spaces (given the site is located within the Principal Public Transport Network area (PPTN)).

7.23 The 43 car parking spaces provided within the basement therefore exceeds this requirement by 7. The proposed intention to allocate the 7 additional car parking spaces to visitor spaces, is considered a positive outcome.

Access

7.24 An assessment against the car parking design standards at Clause 52.06-9 is provided in the table below:

Design Standard	Assessment
1 – Accessways	<ul style="list-style-type: none"> • Visibility splay areas are provided on both sides of the accessway at the frontage. Department of Transport has no objection to the proposal subject to standard conditions. • The driveway is 6m in width for a length of 7.0m from the site frontage to provide a passing area. • A minimum 2.1m of headroom clearance beneath overhead obstructions appear to be provided, however a condition will require a notation to ensure service pipes and utility conduits etc, are to be a minimum height to allow for the safe and convenient passage of vehicles and garbage trucks. • All vehicles are able to exit the site in a forward direction.
2 – Car Parking Spaces	<ul style="list-style-type: none"> • Car parking spaces are provided in accordance with the required dimensions and clearance area requirements.
3 – Gradients	<ul style="list-style-type: none"> • The driveway gradients and transitions comply the standard.
4 – Mechanical Parking	<ul style="list-style-type: none"> • No mechanical parking is proposed.
5 – Urban Design	<ul style="list-style-type: none"> • The entrance to the basement is suitably designed and will not be a dominant element given it is recessed significantly from the frontage.
6 – Safety	<ul style="list-style-type: none"> • Access to the basement residential car parking is secured by an automatic gate and an intercom will be required by condition. • There is separate pedestrian access to the building from the frontage, at a considerable distance from the accessway.
7 – Landscaping	<ul style="list-style-type: none"> • There is landscaping along both sides of the accessway.

7.25 Council's Engineering and Technical Services Unit has raised no concern in relation to the expected volume of traffic generated by the proposed development as assessed in the submitted traffic report.

Land Adjacent to a Road Zone Category 1 (RDZ1)

7.26 A permit is required under Clause 52.29 of the Manningham Planning Scheme as the proposal involves the creation of a new crossover and the removal of two existing redundant crossovers (including one double crossover) to Doncaster Road, which is zoned Road Zone Category 1.

- 7.27 The Department of Transport (previously VicRoads) has provided conditional consent to the proposal, therefore the removal of the redundant crossovers to Doncaster Road and provision of the proposed crossover, is considered appropriate.

Bicycle Facilities

- 7.28 Clause 52.34 (Bicycle Facilities) applies to dwellings within developments of four or more storeys. For this proposal (35 dwellings) bicycle spaces are required , 7 resident bicycle spaces and 4 bicycle visitor spaces.
- 7.29 The proposal provides 8 resident bicycle spaces (Ned Kelly style) within a basement bicycle parking area and 4 bicycle spaces to the front of the building (bicycle hoops), exceeding the requirement by 1 resident bicycle space.
- 7.30 To comply with the Australian Standard (AS 2890.3: 2015), the Traffic Report (prepared by EB Traffic Solutions) recommended that an overall clearance of 2.7m be provided for the eight 'Ned Kelly' bicycle spaces (a length of 1.2 m for the bicycle rack and an aisle width of 1.5 m to enable the dwelling occupiers with adequate clearance to safely attached and remove a bicycle from the bicycle racks). This spacing has been provided in the decision plans.

Objector issues / concerns

- 7.31 The objection relates to overlooking, loss of privacy and noise amenity issues and building bulk. A response to the grounds of objection is provided in the paragraphs below:

Overlooking / Loss of Privacy

- 7.32 As discussed in detail in the Assessment Section of this report, the proposed building generally demonstrates compliance with Standard B22 of Clause 55.04-6 (Overlooking). Any non-compliances will be conditioned accordingly.
- 7.33 The rear (north) boundary fence is indicated in the plans to have an overall height of 2.1 metres. A free standing trellis will be requested as a condition of the permit.

Building Bulk (from wrap-around balconies)

- 7.34 As discussed in the Assessment Section of this report, the proposed building provides suitable setbacks that meet or exceed the relevant Standard in Clause 55. The building also provides suitable stepping and articulation on all sides. The balconies also meet the setback requirements of the Standard for side and rear setbacks and are not considered to result in unreasonable visual bulk given they are incorporated as part of the overall design of the building.
- 7.35 There are no balconies that wrap around the north-west corner of the building, which is the closest part of the building, to the objector's property.



Figure 8 – Perspective 3D view of rear north elevation & north-west corner of building

There are also existing mature trees within the adjoining properties along most of the northern boundary and adjacent to the north-west corner of the site. This will be complemented by the proposed screen landscaping along this boundary, which will assist in providing privacy and soften the appearance of the development.

Noise (from wrap-around balconies)

7.36 Concerns have been raised regarding the potential noise generated from the residential building after occupancy. The consideration of this planning application is confined only to the proposed development. The residential use of a residential building does not require a planning permit and is not a planning matter. Residential noise associated with a residential building is considered normal and reasonable in an urban setting. Any future issues of amenity, if they arise should be pursued as a civil matter.

8. CONCLUSION

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

9. DECLARATION OF CONFLICT OF INTEREST

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