

0.0 Planning Application PLN20/0544 at 15 Glendale Avenue, Templestowe for the construction of six, two-storey dwellings

File Number:	IN22/11
Responsible Director:	Acting Director City Planning & Community
Applicant:	Tom Motta Building Designer
Planning Controls:	General Residential Zone, Schedule 2; Design and Development Overlay Schedule 8-3 (Sub-precinct B)
Ward:	Westerfolds
Attachments:	1 Decision Plans 2 Legislative Requirements 3 Map of Objectors (confidential)

EXECUTIVE SUMMARY**Purpose**

1. This report provides Council with an assessment of the planning permit application submitted for the land at 15 Glendale Avenue, Templestowe. The report recommends approval of the submitted proposal, subject to amendments that will be addressed by way of permit conditions. The application is being reported to Council as the application has been called in at the request of Councillors.

Proposal

2. The proposal is for the construction of six, two-storey dwellings, each with an at-grade double garage. The existing dwelling on the land will be demolished to make way for the proposal.
3. The six dwellings are arranged in two rows of three, along the eastern and western boundaries of the site. The two dwellings at the 'front' of each row (Dwellings 1 and 4) have their garages facing Glendale Avenue, which are accessed by their own individual driveways and crossovers. The remaining dwellings (Dwellings 2, 3, 5 and 6) have their garages within a central shared driveway.
4. The land has a frontage of 28.95 metres to Glendale Avenue and a total site area of 1,323 square metres. The proposal has a building site coverage of 48.5%, site permeability of 31.7%, and achieves a garden area (per the definition at Clause 73.01 of the Manningham Planning Scheme) of 35.1%.
5. The maximum height of the development is 8.045 metres (north elevation).
6. A total of 12 car parking spaces are provided within the double garages of each dwelling. No on-site visitor car parking is provided.

Notification

7. Notice of the application was given over a two week period that concluded on 24 November 2021, by way of letters to adjacent and nearby properties and erecting a notice on the site frontage.

8. To date, 11 objections have been received. Issues raised primarily relate to traffic and car parking congestion and safety, internal driveway manoeuvrability, overdevelopment (including setting of a precedent), noise, pollution, overlooking, overshadowing to windows, neighbourhood character, streetscape impacts, insufficient landscaping/greenery, waste collection functionality, environmental impacts, insufficient infrastructure, insufficient room sizes and private open spaces, visual bulk/massing, impacts to adjoining trees, construction materials, boundary fencing, and property maintenance.
9. The location of objectors are shown on a map provided in Confidential Attachment 3.

Key issues in considering the application

10. The key issues for Council in considering the proposal relate to:
 - The Planning Policy Frameworks
 - Design and built form
 - Two or more dwellings on a lot and residential buildings
 - Car parking and traffic
 - Objector concerns

Assessment

11. The development of the land for six, two-storey dwellings is consistent with the Planning Policy Frameworks, Zone, Overlay and relevant Particular Provisions of the Manningham Planning Scheme.
12. Subject to the recommended conditions, the proposal generally complies with the objectives of Clause 55 (Two or more dwellings on a lot and residential buildings), the design requirements of Schedule 8 to the Design and Development Overlay (DDO8), the purpose and decision guidelines of the General Residential Zone, and is an appropriate response to its physical site context as well as its strategic policy context.
13. The proposed car parking arrangement is consistent with the requirements of Clause 52.06 (Car parking) of the Scheme.
14. The subject site is located within the Principal Public Transport Network (PPTN) area and therefore there is no requirement in the Manningham Planning Scheme for the provision of visitor car parking spaces.

Conclusion

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

1. RECOMMENDATION

That Council:

- A. **Having considered all objections, issue a Notice of Decision to Grant a Permit in relation to Planning Application PLN20/0544 at 15 Glendale Avenue, Templestowe for the construction of six, two-storey dwellings,**

subject to the following conditions –

Amended Plans

- 1. Before the development starts, amended plans drawn to scale and dimensioned, must be submitted 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 Tom Motta Building Designer, project number 001, Revision C, dated 1 November 2021), but modified to show:**

Open Space

- 1.1 Details of tree protection measures required to be implemented for all existing vegetation within adjoining properties, as per the Tree Protection Management Plan required as part of this permit.**
- 1.2 A notation to indicate that the gas and water meter locations will be screened by landscaping or non-obtrusive, attractive screens to the satisfaction of the Responsible Authority.**
- 1.3 The erroneous notations referring to removal and replacement of a street tree deleted.**
- 1.4 The Dwelling 2 and 5 storage sheds reduced in size to enable screen planting along the site boundaries, with alternate storage provided off the garage if practicable, while maintaining a total minimum 6 cubic metres of storage per dwelling.**
- 1.5 The Dwelling 3 clothesline relocated to the fence/adjoining garage wall on the boundary.**
- 1.6 The landscaping strips opposite the Dwelling 1, 2, 4 and 5 kitchen and meals windows with a width of 1.5 metres, or these windows having a sill height of at least 1.4 metres above the driveway level.**

Tree 30

- 1.7 The finished floor level of the Dwelling 4 garage to be 0.1 metre above natural ground level in accordance with the arborist recommendations to protect Tree 30, by cross sectional diagrams and additional survey information as necessary. Any subsequent changes to the garage appearance must be managed to minimise off-site amenity or other impacts, to the satisfaction of the Responsible Authority.**

Overlooking

- 1.8 Cross sectional diagrams demonstrating how the boundary fence and free-standing trellis will limit overlooking from the Dwelling 5 deck (including on a 45 degree angle from the edge of the deck) in accordance with Standard B22 of Clause 55.04-6 (Overlooking) of the Scheme.**

1.9 The erroneous notation on the north elevation of Dwelling 3 that refers to no trellis being required deleted.

1.10 A detailed diagram to demonstrate how the free-standing trellis will be constructed, which must not be attached to the fence to the satisfaction of the Responsible Authority.

Car parking / Access

1.11 The proposed crossover dimensioned to show a width of 3.0 metres.

1.12 Sensor lights provided above all porch entries and garage openings.

1.13 Doors providing internal access from garages redesigned so that they do not swing into the car parking spaces within the garages.

1.14 The internal dimensions of the Dwelling 1 and 4 garages, which comply with Clause 52.06-9 of the Scheme.

1.15 Updated swept path diagrams that show both the ingress and egress movements for the southern car pace in the Dwelling 3 garage.

Sustainability

1.16 Solar protection measures provided above the north facing living, meals and kitchen windows of Dwellings 3 and 6, which must not be more than 0.6 metres deep.

1.17 A notation to indicate that the development must be constructed in accordance with the Sustainable Design Assessment approved as part of this permit.

1.18 All plan notations required by the Sustainable Design Assessment approved as part of this permit;

1.19 A notation to indicate that the development must be constructed in accordance with the STORM Rating Report approved as part of this permit.

1.20 All plan notations required by the STORM Rating Report approved as part of this permit.

Endorsed Plans

2. The development as shown on the approved plans must not be altered without the written consent of the Responsible Authority.

Sustainable Design Assessment

3. The development must be constructed in accordance with the Sustainable Design Assessment approved and forming part of this permit (Prepared by Northern Environmental Design, dated 17

September 2020), 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.

Tree Protection Management Plan (TPMP)

4. Before the submission of plans to be endorsed under Condition 1, a Tree Protection and Management Plan (TPMP) prepared by a suitably qualified Arborist, setting 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', must be submitted to the Responsible Authority. When approved the TPMP will be endorsed and form part of the permit. The TPMP must include:
 - 4.1 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.
 - 4.2 Details of any proposed work within a TPZ and construction controls required to reduce the impacts to retained trees.
 - 4.3 A statement advising any removal or pruning of Council owned trees must be undertaken by Council approved contractor.
 - 4.4 A statement that Council will be notified within 24 hours of any breach of the TPMP or where damage has occurred to the tree.

Tree Protection Fencing

5. All Tree Protection Fencing must be maintained in good condition until the completion of the development to the satisfaction of the Responsible Authority.

Tree Impact Management

6. All contractors/tradespersons (including demolition workers) who install services or work near trees to be retained must be made aware of the need to preserve the trees and to minimize impacts on the trees through appropriate work practices.

Construction Management Plan

7. Before the development starts, two copies of 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:
 - 7.1 Element A1: Public Safety, Amenity and Site Security
 - 7.2 Element A2: Operating Hours, Noise and Vibration Controls

- 7.3 **Element A3: Air Quality and Dust Management**
- 7.4 **Element A4: Stormwater and Sediment Control and Tree Protection**
- 7.5 **Element A5: Waste Minimisation and Litter Prevention**
- 7.6 **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.

- 8. **The Construction Management Plan approved as part of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority.**

Completion

- 9. **Before the occupation of the approved dwellings, landscaped areas must be fully planted and mulched or grassed generally in accordance with the approved plan and to the satisfaction of the Responsible Authority.**
- 10. **Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority.**

The use of obscure film or spray fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.

- 11. **Driveway gradients and transitions as shown on the plan approved under Condition 1 of this permit must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.**

Landscape Plan

- 12. **Before the development starts, a landscaping plan prepared by a landscape architect or person of approved competence must be submitted to the Responsible Authority for approval. Such plan must be generally in accordance with the plan approved under Condition 1 of this permit, and must show:**
 - 12.1 **Any changes to the development layout required under Condition 1 of this permit as relevant;**
 - 12.2 **Species, locations, approximate height and spread of proposed planting and the retention of existing trees and shrubs (including in close proximity on adjoining properties), where appropriate or as directed by any other condition of this Permit;**
 - 12.3 **Details of soil preparation and mulch depth for garden beds and surface preparation for grassed areas;**

- 12.4 Fixed edge strips for separation between grassed and garden areas and/or to contain mulch on batters;
- 12.5 A sectional detail of the canopy tree planting method which includes support staking and the use of durable ties;
- 12.6 A minimum of one (1) canopy tree, capable of reaching a minimum mature height of 8 metres, within the front setback of Dwellings 1 and 4. The trees must be a minimum height of 1.5 metres at the time of planting;
- 12.7 A minimum of one (1) canopy tree, within the private open space of each dwelling, to be a minimum height of 1.5 metres at the time of planting, and to be one of the fastigate/upright species from the below list or similar, to the satisfaction of the Responsible Authority:
- Liriodendron tulipifera 'Fastigiata';
 - Quercus palustris 'Pringreen';
 - Ginkgo biloba 'Princeton Sentry';
 - Acer platanoides 'Crimson Sentry; or
 - Ulmus parvifolia 'Inspire PBR'.
- 12.8 Screen planting along the north, east and west boundaries, to be a minimum height of 0.5 metres at the time of planting, and capable of reaching a mature height of 3 metres;
- 12.9 Planting within 2 metres along the frontage from the edge of the driveways and 2.5 metres along the driveways from the frontage to be no greater than 0.9 metres in height at maturity.

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

Landscape Bond

13. Before the review of development plans under Condition 1 of this permit, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

Stormwater – On-site detention (OSD)

14. Before the development starts, an engineering plan for an on-site stormwater detention (OSD) system to the satisfaction of the Responsible Authority must be submitted to and approved by the

Responsible Authority. When approved the plan will be endorsed and will then form part of the permit. The plan must depict an on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks) that is designed in accordance with Council's [On-Site Stormwater Detention Guidelines \(March 2021\)](#) to the satisfaction of the Responsible Authority.

15. Before the dwellings are occupied, the OSD system must be installed and then maintained in accordance with the engineering plan endorsed under this permit to the satisfaction of the Responsible Authority.

Drainage

16. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Connection to Council Drain Permit is first obtained from the Responsible Authority.
17. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.

Site services

18. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
19. All external services including pipes must be concealed and screened respectively to the satisfaction of the Responsible Authority.
20. 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.

Vehicle Crossings and Accessways

21. 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.

Maintenance

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

Brickwork

- 23. All brickwork on or immediately adjacent to a site boundary (visible from the adjoining property) must be cleaned and finished to the satisfaction of the Responsible Authority.**

Permit Expiry

- 24. This permit will expire if one of the following circumstances applies:**

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

25.2 The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the *Planning & Environment Act 1987*.

2. BACKGROUND

- 2.1 No planning permits have been previously granted for the site.
- 2.2 A previous application (PLN18/0304) for the construction of eight, two-storey dwellings was considered by Council in May 2019. The proposal comprised two rows of four dwellings arranged along the east and west boundaries of the site, all serviced by a central driveway. Each dwelling was provided with a single width garage, with an additional car space provided within a mechanical car-stacker system. One on-site visitor car parking space was provided at ground level. The proposal had an overall site coverage of 46.7%, site permeability of 30.2% and a maximum building height of 8.335 metres. The style of the built form was contemporary, with a mix of flat and skillion roofs, and contemporary materials and design features including vertical battens. Council resolved to refuse to grant a permit for the application. This decision was upheld by the Victorian Civil and Administrative Tribunal (VCAT) following a hearing on 18 December 2019 in an Order dated 20 April 2020 (*Advanced Choice Property Group v Manningham CC* [2020] VCAT 499). The Tribunal however did make the following comments in relation to the future development of the site:-

“It is possible that a development of 8 dwellings will be approved on this site. However, consideration must be given to the appearance of visual bulk and continuous sheer wall presentation, and the impact on the streetscape and neighbouring properties both currently (as required to be considered by clause 55 of the Scheme) and with respect to future development opportunities and amenity. As noted earlier, this may involve separation between the dwellings, less dwellings, less bedrooms, increased articulation within the dwellings and the ground and upper level or other design changes. The design of the garage and the car stackers must also be reviewed to ensure that they are workable and that all of the elements within the garage can be properly utilised.”

- 2.3 The application was submitted on 2 December 2020 for the construction of six, two-storey dwellings.

- 2.4 A request for further information was sent on 23 December 2020. The letter also raised concerns in relation to minimum garden area compliance, sheer wall form, landscaping opportunities (due to location of site services), inconsistent window sizes/shapes, design detail, overlooking, and secluded private open space dimensions.
- 2.5 An application to amend the proposal under Section 50 of the *Planning and Environment Act 1987* was submitted on 31 May 2021. Subsequently, a second request for further information was sent on 29 June 2021. The letter raised similar concerns to the original letter, with the addition of a comment that the newly provided swept path diagrams would be subject to an assessment.
- 2.6 A second Section 50 Amendment was submitted on 2 October 2021 in response to the further information request letter from June 2021.
- 2.7 On 29 October 2021, email correspondence was sent to the applicant advising that the application was ready for notification, but that there were outstanding concerns. These included the lack of solid roofing above the Dwelling 1 and 4 porches, sheer wall form, and design detail.
- 2.8 On 3 November 2021, a third Section 50 Amendment was submitted. The amendment included reductions to the Dwelling 1 and 4 porch roof footprints and a change to solid roofing, as well as first floor setback increases to the east of Dwelling 1, west of Dwelling 4, and north of Dwellings 3 and 6. These setback increases resulted in the first floor walls being between 435mm and 465mm further away from the rear boundary, and provided up to an additional 1.3 metres of spacing between Dwellings 1 and 4 as viewed from Glendale Avenue.
- 2.9 Notice was given over a two week period concluding on 24 November 2021.
- 2.10 The statutory time for considering a planning application is 60 days, which lapsed on 25 December 2021.
- 2.11 A consultation meeting was held on 22 December 2022, attended by both the applicant and objectors.
- 2.12 The land title is not affected by any covenants or 173 Agreements.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site is situated on the northern side of Glendale Avenue, approximately 28 metres from the intersection with Hovea Street to the west, and approximately 105 metres north of Foote Street.
- 3.2 The site is rectangular in shape, with a frontage and rear dimensions of 28.95 metres, side boundary dimensions of 45.72 metres, and an area of 1,323 square metres. The site has an approximate fall of 4 metres from south (front) to north (rear).
- 3.3 The site contains a single storey rendered brick dwelling. The dwelling has a tiled gable roof, with a detached metal double garage. The garage is accessed via a concrete driveway and crossover adjacent to the eastern boundary. A second concrete driveway and crossover is located adjacent to the western boundary.

- 3.4 The vegetation on the site is relatively sparse, with some medium sized trees located adjacent to the eastern and western boundaries and in the front setback. The remainder of the land consists predominately of open lawn with some smaller shrubs dispersed throughout.
- 3.5 A 1.83 metre wide drainage easement runs along the northern boundary of the site.
- 3.6 There is no existing front fence along the Glendale Avenue frontage. Side and rear fencing consists of 1.6 metre high chain wire mesh along the eastern boundary, and 1.6 metre high palings along the north and west boundaries. A street tree is located near the centre of the frontage, and an electricity pole and Telstra pit are located immediately west of the eastern most crossover.

The Surrounds

- 3.7 The site has direct abutments with the following properties:

Direction	Address	Description
North	4 Hovea Street	This lot comprises a single storey red brick dwelling with an undercroft garage and a tiled pitched roof. The dwelling is setback 14.165 metres from the common boundary along with secluded private open space.
	6 Hovea Street	This lot comprises a single storey red brick dwelling with an undercroft garage and a tiled pitched roof. The dwelling is setback is 13.62 metres from the common boundary along with secluded private open space.
East	17 Glendale Avenue	This lot comprises a single storey brick dwelling with a flat galvanised iron roof and undercroft garage. The minimum building setback to the common boundary is 1.7 metres. One window faces the subject site.
West	13 Glendale Avenue	This property has been developed with four dwellings.
		Unit 2 abuts the southern part of the western boundary and is developed with a double storey brick dwelling with a pitched tiled roof and a brick garage on the common boundary. The private open space is located to the south of the dwelling adjacent to Glendale Avenue.
		Unit 3 abuts the northern part of the western boundary and is developed with a double storey brick dwelling with a pitched tiled roof and a brick garage on the common boundary. The private

		<p>open space is located to the north of the dwelling.</p> <p>The common driveway that serves the four dwellings abuts the central section of the western boundary.</p>
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- 3.8 The character of the broader area is mixed. To the north and east there are a number of single and two-storey unit developments, as well as a number of older single storey dwellings with under croft garages due to the sloping topography. The predominant external finishes include a range of brick and render, with mostly tiled pitched roofs with some examples of other roofing styles and materials.
- 3.9 To the south and west the character transitions to a more intensive built form generally in accordance with the variance in planning policy. In this nearby area, the prevalence of semi-attached dwellings increases, along with apartment building typology.
- 3.10 There are several planning application approvals on nearby sites, including at 21 Glendale Avenue, 33 Glendale Avenue, and 45 Glendale Avenue.
- 3.11 Planning Permit PLN18/0598 at 21 Glendale Avenue allows the construction of six, two-storey dwellings and associated basement garage. The Permit was issued as a result of a consent order submitted as part of a Section 77 (Refusal) VCAT appeal, after the original application was refused by Council Officers. The amended plans that led to the consent order show that the two-storey dwellings are contemporary in form and materials, are arranged in one row along the site, and are all attached at ground level, with two points of separation at the first floor level. This approval provides a density of 1 dwelling per 139.36m².
- 3.12 Planning Permit PLN19/0291 at 33 Glendale Avenue allows the construction of two, two-storey dwellings. The dwellings are contemporary in style with flat roofs, a grey and charcoal colour scheme, and contemporary materials and design features. Based on the land size of 741m², this proposal achieves a density of 1 dwelling per 370.3m².
- 3.13 Planning Permit PLN19/0158 at 45 Glendale Avenue was issued at the direction of VCAT after a Section 77 (Refusal) appeal. The current endorsed plans show the construction of two, three-storey dwellings and two, two-storey dwellings. The dwellings are arranged in one row and are fully attached at ground and first floor levels. This approval provides a density of 1 dwelling per 184.78m².
- 3.14 The site is in close proximity to two main arterial roads, being Foote Street and Williamsons Road.
- 3.11 There are no on-street parking restrictions along this section of Glendale Avenue, although there are several painted line markings along the south side of the street indicating 'no-standing' areas. Nearby parking restrictions include timed 'no-standing' signs within Glendale Avenue near the Foote Street intersection, and several other 'no-standing' signs further north along Hovea Street where it curves towards the east.
- 3.12 A number of bus stops are located within walking distance of the subject site with routes that cover a large variety of destinations across Melbourne. The routes include buses stopping at the corner of Anderson and Parker Streets (279 Box

Hill – Doncaster), at the corner of Foote Street and Williamsons’ Road (901 Melbourne Airport - Frankston) and multiple routes running through stops in Templestowe Village to the west – including the 905 to the Melbourne CBD. There are also multiple public open space areas generally within 300 metres of the site including Verbena Reserve, Kelly’s Corner and Hawtin Reserve, and the Manningham Templestowe Leisure Centre is also within a similar proximity.

4. THE PROPOSAL

4.1 The proposal is outlined on the plans prepared by Tom Motta Building Designer, project number 001, Revision C, dated 1 November 2021. Refer to Attachment 1.

4.2 The following reports/documents were submitted in support of the application:

- Sustainable Design Assessment (SDA) prepared by Northern Environmental Design, dated 17 September 2020.
- Waste Management Plan (WMP) prepared by Northern Environmental Design, dated 17 September 2020.
- Arborist Report prepared by Trees and Associates Pty Ltd, dated 24 May 2021.
- Swept Path Analysis, prepared by One Mile Grid Traffic Engineering, revision B. dated 11 February 2021.
- Clause 55 Assessment Report, prepared by Tom Motta Building Designer, Revision A, submitted 2 October 2021.

4.3 A summary of the development is provided as follows:

Land size:	1,323.6m ²	Minimum south wall (front) setback:	Ground: 6.04m
Site coverage:	48.5%		First Floor: 6.79m
Permeability:	31.7%		
Garden area:	35.1%		
Proposed maximum building height:	8.045m	Minimum north wall setback:	Ground: 2.025m First Floor: 2.585m
Number of dwellings:	6	Minimum east wall setback:	Ground: 1.5m First Floor: 2.03m
• 4 Beds:	• 4		
• 5 Beds:	• 2		
Dwelling density:	One per 220.6m ²		
Car parking:	2 spaces per dwelling	Minimum west wall setback:	Ground: 1.5m First Floor: 2m
• Total:	12 spaces		

<ul style="list-style-type: none"> • 4 Beds: 8 spaces • 5 Beds: 4 spaces 	<p>Minimum north wall setback</p> <p style="text-align: right;">Ground: 2.025m</p> <p style="text-align: right;">First Floor: 2.585m</p>
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Design Layout

- 4.4 The six dwellings are arranged in two rows of three running north-south. The two rows are separated by a central common driveway. Dwellings 1 and 4 address the street with their own individual driveways and crossovers.
- 4.5 Dwellings 1 and 4 are not attached to the adjacent dwellings to the rear. A 1.3 metre separation is provided at ground floor, and a minimum 2.25 metre separation is provided at the first floor.
- 4.6 Dwellings 2 and 3 are attached at ground level, as are Dwellings 5 and 6. These dwellings are not attached at first floor, with a 2.18 metre separation provided.
- 4.7 The ground floor of each dwelling contains a double garage, living, dining and kitchen areas, and one bedroom or enclosed study. Laundries and powder rooms/ensuites are also located at ground floor.
- 4.8 Outdoor secluded private open space (SPOS) is provided at ground level for each dwelling, adjacent to the side and rear boundaries of the site. Each SPOS is accessible directly from a living room, and a deck is provided for outdoor recreation, with the remainder of the spaces available for landscaping and services/equipment such as clotheslines, water tanks and storage sheds.
- 4.9 At the first floor, Dwellings 1 and 4 contain 4 bedrooms with a bathroom and separate toilet, and an ensuite to the main bedroom. Dwellings 2, 3, 5 and 6 contain 3 bedrooms with a bathroom and separate toilet, and an ensuite to the main bedroom.

Pedestrian and vehicle access

- 4.10 The garages of Dwellings 1 and 4 have front Glendale Avenue with independent driveways and crossovers for vehicle access. Pedestrian access to these front dwellings is gained via independent paved pedestrian paths directed to the Glendale Avenue frontage.
- 4.11 Dwelling 1 utilises an existing crossover, which is 3.11m wide.
- 4.12 Dwelling 4 also utilises an existing crossover, which is 3.08m wide.
- 4.13 Dwellings 2, 3, 5 and 6 have their garages facing inwards to central driveway. This driveway is connected to a crossover in the approximate centre of the Glendale Avenue frontage. Each of these dwellings has a delineated porch entry nearby to the garage opening separated by landscaping.

4.14 The crossover providing access from Glendale Avenue to the shared central driveway is a proposed third crossover, and will be 3 metres wide (as required by a permit condition).

4.15 Internal access is provided between the dwellings and their respective garages.

Landscaping

4.16 Landscaping opportunities are provided at ground level throughout the development.

Design detail

4.17 The ground floor of the development is finished in predominantly brick with some render, and has flat roofing with parapet forms.

4.18 The first floor of the development is finished in a mix of render and timber-look cladding, with traditional hipped roofing of charcoal grey roof tiles.

4.19 A 0.9m high steel fence with 50% transparency is proposed surrounding the front setbacks of Dwellings 1 and 4, with gates for their pedestrian paths. These front setback areas are excavated to a maximum depth of 0.85 metres, and retaining walls are provided to achieve this. The proposed steel fences are located above these retaining walls, enclosing the lowered portions of the front setbacks.

5. LEGISLATIVE REQUIREMENTS

5.1 Refer to Attachment 2.

5.2 A permit is required under the following Clauses of the Manningham Planning Scheme:

- Clause 32.08-6 (General Residential Zone, Schedule 2 – GRZ2), to construct two or more dwellings on a lot.
- Clause 43.02-2 (Design and Development Overlay, Schedule 8 – DDO8-3), to construct a building or construct or carry out works.

6. REFERRALS

External

6.1 There are no applicable determining or recommending referral authorities.

Internal

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

Service Unit	Comments
Infrastructure Services	No objection subject to standard conditions for the

Unit – Drainage	provision of an on-site storm water detention system.
Infrastructure Services Unit – Vehicle Crossing	No objection subject to a Vehicle Crossing Permit being obtained prior to the construction of the crossover.
Infrastructure Services Unit – Access and Driveway	No objection subject to gradients being shown to comply with Clause 52.06 (Car parking) of the Scheme.
Infrastructure Services Unit – Traffic and Car Parking	No objection, with a recommendation for one on-site visitor car parking space to be provided.
Infrastructure Services Unit – Car Parking Layout	No objection, subject to a condition for the doors providing internal access from garages to their dwellings to be clear of the car parking dimensions.
Infrastructure Services Unit – Construction management	No objection subject to a condition for a Construction Management Plan (CMP) to be prepared.
Infrastructure Services Unit – Waste	No objection, and advice that Council collection can occur. Recommendation for increased bin storage areas to account for future glass and food waste streams.
Infrastructure Services Unit – Easements	No objection.
Infrastructure Services Unit – Flooding	Not applicable. The site is not subject to flooding from Council's drainage systems.
Statutory Planning Arborist	No objection, subject to conditions for: <ul style="list-style-type: none"> • Location of tree protection fencing shown on plans. • Preparation of a Tree Protection and Management Plan. • Standard tree protection and impact management conditions.

7. CONSULTATION / NOTIFICATION

- 7.1 Notice of the application was given over a two week period that concluded on 24 November 2021.
- 7.2 During the notification period, letters were sent to nearby properties and a sign was displayed on the site frontage.
- 7.3 To date, 11 objections have been received. The main grounds of objection can be summarised into the following categories:

- Traffic and car parking (congestion and safety)
- Internal driveway manoeuvrability
- Overdevelopment (including setting of a precedent)
- Neighbourhood character (including streetscape impacts)
- Visual bulk/massing
- Overlooking
- Overshadowing to windows
- Insufficient landscaping/greenery
- Impacts to neighbouring trees
- Waste collection functionality
- Insufficient infrastructure
- Insufficient room sizes and private open spaces
- Noise
- Pollution and environmental impacts
- Construction materials
- Boundary fencing
- Property maintenance
- Construction impacts (including trades vehicle parking and truck access)

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

8. ASSESSMENT

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

8.2 The assessment is made under the following headings:

- Planning Policy Frameworks
- Design and Built Form
- Two or more dwellings on a lot and residential buildings
- Car parking and traffic
- Objector concerns

Planning Policy Frameworks

8.3 At both the state and local levels, relevant planning policy identifies a need for a greater mix of housing in Manningham, including medium and higher density residential developments. Policy also seeks to ensure that these developments are well designed, and has a focus on locating higher density housing in close proximity to activity centres and along main roads and public transport routes.

8.4 Clause 21.05 (Residential) separates Manningham's residential land into four residential character precincts. Clause 21.05 does this in response to higher level policy in the Planning Policy Framework such as Clause 16.01-1S (Housing supply), which encourages higher density housing development on sites that are well located in relation to jobs, services and public transport.

- 8.5 The subject site is included within Precinct 2, which covers residential areas surrounding activity centres and along main roads.
- 8.6 A substantial level of development change is anticipated in Precinct 2. This is distinct from the other residential character Precincts 1, 3 and 4 which anticipate either incremental or minimal change only.
- 8.7 Precinct 2 areas are also covered by the Design and Development Overlay, Schedule 8 (DDO8), which outlines specific built form, car parking, landscape and fencing outcomes. These outcomes are intended to regulate the design of new developments in Precinct 2, to define what constitutes substantial change in the Manningham context and to achieve a preferred neighbourhood character.
- 8.8 Precinct 2 areas are further delineated by Clause 21.05 into three sub-precincts. These sub-precincts dictate a tiered approach to the strategic policy intentions for substantial change, to ensure that the highest intensity development is appropriately located, and that appropriate transitions to incremental/minimal change areas are achieved by the larger built form.
- 8.9 The subject site is identified within Sub-precinct B (DDO8-3), in which *single storey and two storey dwellings only will be considered and development should have a maximum site coverage of 60 percent*. The proposal does not exceed two storeys at any point, and the site coverage is 48.5%.
- 8.10 In addition to being affected by planning policy that encourages a substantial level of change, the site's location demonstrates that it is appropriate for a higher form of density than what currently exists, provided that an appropriate design outcome is achieved. This site is in close proximity to main arterial roads Foote Street and Williamsons Road, associated bus routes, as well as the Templestowe Village Neighbourhood Activity Centre.
- 8.11 The development of the land with an increased residential density is therefore appropriate when considering the strategic context of the site, in accordance with the Planning Policy Frameworks. The proposed density of one dwelling per 220m² is considered to achieve the substantial level of change that is intended by the policies, and the maximum site coverage and recommended number of storeys is not exceeded.
- 8.12 The submitted Sustainable Design Assessment demonstrates that the proposal can achieve best practice sustainability outcomes in accordance with Clauses 21.10 and 22.12 (Environmentally Sustainable Development) of the Scheme. Compliance with this document will be required via permit conditions.
- 8.13 Despite meeting the high level strategic policies, the proposal must still meet the specific design objectives of the DDO8 and other relevant provisions of the Scheme. These provisions have all been assessed and detailed in the following paragraphs.

Design and Built Form

- 8.14 The proposal is consistent with the mandatory height (11 metres), number of storeys (3 storeys), and minimum garden area requirement (35%) of the General Residential Zone.

- 8.15 The DDO8 outlines specific built form, car parking, landscape and fencing outcomes that should be achieved by a proposal, to meet its overall design objectives.
- 8.16 The following assessment is made against the specific built form, car parking, landscape and fencing requirements of the DDO8:

Design Element	Compliance
Building Height and Setbacks (Sub-Precinct B)	
<ul style="list-style-type: none"> 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>Satisfied The slope of the site enables a maximum building height of 10 metres.</p> <p>The maximum height of the proposal is 8.045 metres, which does not exceed this requirement.</p>
<ul style="list-style-type: none"> Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. 	<p>Satisfied A 6.04 metre minimum setback is achieved to Glendale Avenue. Appropriate street setback variation is provided through greater setbacks being provided to the garages to avoid a continuous building line as viewed from the street.</p> <p>The porches of Dwellings 1 and 4 extend slightly forward of the front walls of the dwellings, which remains compliant with the DDO8 setback provision of the Scheme (which enables a maximum 2 metre encroachment).</p>
Form	
<ul style="list-style-type: none"> Ensure that the site area covered by buildings does not exceed 60 percent. 	<p>Satisfied. The development has a site coverage of 48.5%.</p>
<ul style="list-style-type: none"> Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Satisfied. The development incorporates a mixture of colours and materials to provide visual interest.</p> <p>Materials include dark brown brick, taupe render, timber-look cladding and charcoal coloured roofing. These materials and colours provide different tones and textures for visual interest, whilst also complementing one another and the existing streetscape.</p>
<ul style="list-style-type: none"> Minimise buildings on boundaries to create spacing between developments. 	<p>Satisfied. Buildings on boundaries are avoided except for the garages of Dwellings 1 and 4. The provision of a garage wall on a side boundary is a common design response, and these walls contribute to a modest percentage of the relevant boundary lengths (14.2%).</p> <p>The Dwelling 1 garage on the western</p>

	<p>boundary is also strategically located opposite an existing garage on the boundary on the adjoining property.</p> <p>The Dwelling 4 garage on the eastern boundary is not located opposite any existing habitable room windows or the main secluded private open space of the adjoining property.</p>
<ul style="list-style-type: none"> Where appropriate ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area. 	<p>Satisfied.</p> <p>The two-storey scale of the proposal in addition to the setbacks and internal separation of Dwellings 3 and 6, provide an appropriate transition to the single storey dwellings with under croft garages to the north (rear).</p>
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Satisfied.</p> <p>The levels and heights of the proposed dwellings step down in accordance with the slope of the land.</p>
<ul style="list-style-type: none"> Avoid reliance on below ground light courts for any habitable rooms. 	<p>Satisfied.</p> <p>No below ground light courts are proposed or required.</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>Satisfied.</p> <p>There are no continuous sheer walls proposed.</p> <p>Material variation and fenestration are utilised to provide articulation between the levels, especially where the first floor is minimally recessed from the ground floor below. The upper level is also adequately set back from external boundaries to reduce the appearance of visual bulk.</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>Not applicable.</p> <p>The proposal is two storeys only.</p>
<ul style="list-style-type: none"> Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos. 	<p>Satisfied.</p> <p>There are no double storey porticos or similarly imposing design features proposed. Single-storey porch canopies are proposed, which are not an excessive width or scale as compared to the entry doors and overall facades.</p>
<ul style="list-style-type: none"> Be designed and sited to address slope constraints, including minimising views of basement projections and/or 	<p>Satisfied.</p> <p>The levels and heights of the dwellings are suitably stepped in accordance with the slope of the land.</p>

<p>minimising the height of finished floor levels and providing appropriate retaining wall presentation.</p>	
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Satisfied subject to conditions. Subject to conditions discussed in the assessment of Clause 55.04-6 (Overlooking) of the Scheme, overlooking impacts will be suitably minimised without excessive screening.</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>Satisfied. The ground level entries of all dwellings respond to the slope of the land, minimising steps within the development.</p>
<ul style="list-style-type: none"> Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	<p>Not applicable. No basement is proposed.</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>Not applicable. Parking is provided at ground level.</p>
<ul style="list-style-type: none"> Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking. 	<p>Not applicable. Parking is provided at ground level.</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>Not applicable. Parking is provided at ground level.</p> <p>Nonetheless, there is considered to be sufficient opportunities for landscaping within the rear setback considering the scale of the proposal.</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>Satisfied subject to conditions. Sufficient setbacks for screen planting and provision of canopy trees are provided.</p> <p>Council's Statutory Planning Arborist has advised that there are sufficient soil volumes for the planting of canopy trees up to 20 metres at maturity in the secluded private open space (SPOS) areas, based on standard calculations. Standard landscaping conditions require canopy trees with a mature height of 6-8 metres, which is what will be required in this case.</p> <p>Within the SPOS of Dwellings 3, 5 and 6, there are limitations due to the overhang of</p>

	<p>existing neighbouring trees (in the case of Dwelling 5), or due to a lesser setback (Dwellings 3 and 6). For these spaces, Council’s Statutory Planning Arborist has provided a list of upright species that would be most appropriate. Permit conditions will require the trees in these spaces to be one of the recommended species.</p>
<ul style="list-style-type: none"> • Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces. 	<p>Satisfied subject to conditions. No lifts or roof-mounted services are proposed.</p> <p>A condition will require an additional notation to be added to the plans in relation to the gas and water meter locations, to specify that their location will be screened by landscaping or a non-obtrusive, attractive structure to the satisfaction of the Responsible Authority.</p>
<p>Car Parking and Access</p>	
<ul style="list-style-type: none"> • Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback. 	<p>Satisfied. Only one new crossover is proposed. However, a total of three crossovers will be provided for the site.</p> <p>In this case, this outcome is considered acceptable due to the following:</p> <ul style="list-style-type: none"> • No street trees require removal. • The site’s frontage is considerably wider than other allotments on the street (although notably, it is not ‘double-width’) • The accessways do not exceed 33% of the site frontage width, which satisfies Standard B14 of Clause 55.03-9 (Access) of the Scheme. • Two on-street parking spaces will remain available in front of the development. • If parking permits are introduced in the future (due to separate investigations into traffic and parking congestion on Glendale Avenue), the residents of the proposal will not be eligible for permits (pursuant to Manningham’s Parking Policy 2018), and therefore will not occupy the remaining on-street parking, whereas the current occupiers of the single dwelling on the site could. <p>No street trees are located within the nature strip in front of the site. The erroneous notation indicating the removal of a street tree will be deleted via a permit condition.</p> <p>The subject site is located within the Principal</p>

	Public Transport Network (PPTN) area and therefore there is no requirement in the Manningham Planning Scheme for the provision of visitor car parking spaces.
<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. 	Not applicable
<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>Satisfied.</p> <p>The Dwelling 1 and 4 garages are setback at least 1 metre from the front porches to which they are adjacent. They are also setback approximately 700mm from the front walls of the front dwelling walls that are not covered by the porch. This outcome is aligned with the intention of this objective, which is to ensure that the streetscape elevation of the development is not dominated by garages.</p>
<ul style="list-style-type: none"> Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	<p>Not applicable.</p> <p>Car parking is provided at ground level.</p> <p>Nonetheless, gradients are required to be assessed in accordance with Clause 52.06-9 (Car parking) of the Scheme.</p>
Landscaping	
<ul style="list-style-type: none"> On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity. 	<p>Not applicable.</p> <p>The proposal is two storeys only.</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>Satisfied subject to conditions.</p> <p>As previously discussed in the DDO8 assessment, setbacks and soil volumes are sufficient for the provision of landscaping including screen planting. Additionally, retaining walls are setback at least 0.5 metres from boundaries to ensure that planting can occur at natural ground level – to reduce the time taken for the planting to grow above the fence line. Standard conditions will require screen planting to be at least 0.5 metres at the time of planting, and capable of reaching at least 3 metres at maturity.</p> <p>To further improve screen planting outcomes further, conditions will require the rearrangement of services (clotheslines and</p>

	storage) to maximise available space along the fence.
Fencing	
<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>Satisfied. The 0.9m high black steel fence enclosing the front setbacks of Dwellings 1 and 4 is notated as 50% transparent.</p> <p>The site does not front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn or Mitcham Road.</p>

Two or more dwellings on a lot and residential buildings

8.17 Clause 55 (Two or more dwellings on a lot and residential buildings) of the Scheme is commonly referred to as 'ResCode', and sets out various objectives and standards that a proposal must and should meet (respectively).

8.18 An assessment against Clause 55 is provided in the table below:

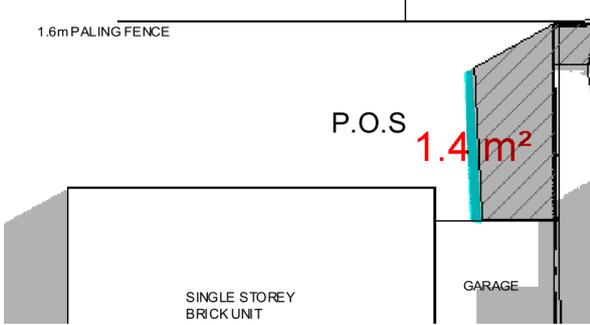
Design Element	Compliance
<p>55.02-1 – Neighbourhood Character</p> <ul style="list-style-type: none"> • To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. • To ensure that development responds to the features of the surrounding area. 	<p>Satisfied. As identified by the relevant planning policy, a substantial level of change is anticipated for this site. The preferred neighbourhood character as set out by the DDO8 is for highly articulated contemporary form, with a range of visually interesting materials and facades.</p> <p>The design of the proposal has greater regard to the <i>existing</i> neighbourhood character, rather than the preferred contemporary form.</p> <p>The more traditional roof form and materials responds to the features of the surrounding area, which includes several older subdivisions with more traditional styles and materials.</p> <p>The combination of dark brown brick, render and timber-look cladding present with a balance of traditional and contemporary materials, which provides an appropriate</p>

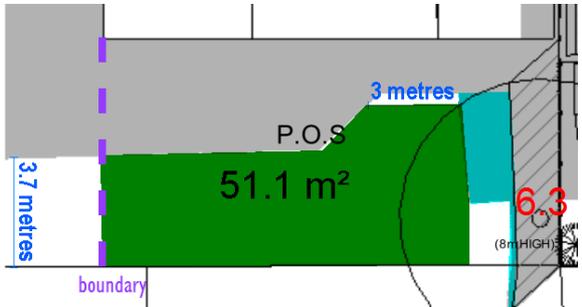
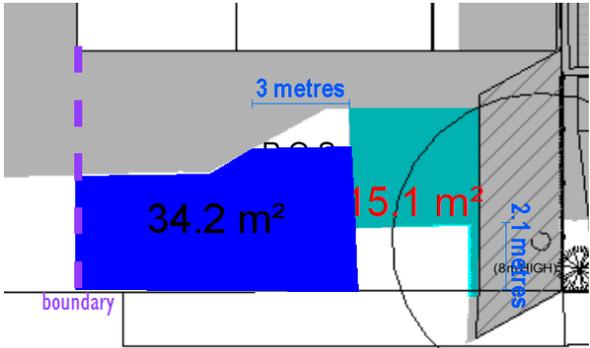
	<p>response to the preferred neighbourhood character.</p> <p>The proposal is considered to satisfy the objectives of this clause.</p>
<p>55.02-2 Residential policy</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Satisfied. The proposal responds to the relevant local planning policy including the preferred outcomes for Sub-Precinct B, in particular given that the development does not exceed two storeys at any point, and as the site coverage is less than 60%.</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>Not applicable. The proposal is for less than 10 dwellings.</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>Satisfied subject to conditions. No concerns have been raised by Council's Infrastructure Services Unit relating to the capacity of the existing infrastructure to support the proposed development. A standard condition will require an on-site storm water detention system to be installed, to manage the rate of flow of storm water from the site into the existing drains.</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>Satisfied. Adequate pedestrian and vehicle links are provided for each dwelling. Dwellings 1 and 4 are oriented to the street, and there is no high front fencing proposed.</p>
<p>55.03-1 Street setback</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Satisfied. The front setback of 6.04 metres complies with the minimum 6 metre requirement specified by the DDO8.</p>
<p>55.03-2 Building Height</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Satisfied. The maximum building height of 8.045 metres is below the 10 metre maximum specified for the site by the DDO8.</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 	<p>Satisfied. The site coverage of 48.5% is well below the 60% maximum.</p>

site.	
<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>Satisfied subject to conditions. The total permeable area of 31.7% exceeds the 20% minimum.</p> <p>As previously mentioned, an on-site detention system will be required via conditions.</p> <p>The proposal achieves a 100% STORM score through the provision of a 3,500L water tank to each dwelling.</p>
<p>55.03-5 Energy efficiency</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and residential buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>Satisfied subject to conditions. All ground level open space areas have a northern aspect. North facing first floor windows of Dwellings 3 and 6 are protected by the eaves of the hipped roofs above.</p> <p>As there are no eaves at ground level, a condition will require that solar protection measures be provided above the north facing living, meals and kitchen windows of Dwellings 3 and 6. These eaves will not be permitted to exceed a depth of 0.6 metres, to ensure compliance with the Garden Area requirements of the Zone are maintained.</p> <p>A standard condition will require all relevant notations to be added to plans in accordance with the commitments within the submitted BESS report.</p>
<p>55.03-6 Open space</p> <ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>Not applicable. There is no public open or communal open space provided on the site or directly abutting any boundary.</p>
<p>55.03-7 Safety</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property 	<p>Satisfied subject to conditions. There are no apparent safety or security issues with the development as proposed. Passive surveillance to the shared driveway is provided by the dwellings. Dwelling entries are not obscured from the common driveway or street, and secure parking is provided by enclosed garages with roller doors. Bollard lighting is provided within the landscape strips alongside the central driveway, and a condition will require that sensor lights be provided above all porch entries and garage openings to provide additional illumination.</p>
<p>55.03-8 Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. 	<p>Satisfied subject to conditions. As previously discussed, there are adequate setbacks and soil volumes for the provision of meaningful landscaping including screen</p>

<ul style="list-style-type: none"> • To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. • To provide appropriate landscaping. • To encourage the retention of mature vegetation on the site. 	<p>planting and canopy trees. Opportunities will be improved by previously discussed conditions for the relocation of sheds and clotheslines where possible. A condition will require the submission of a detailed landscape plan. Additionally, standard tree protection measures will be required to be implemented for existing trees on adjoining properties to minimise construction impacts.</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>Satisfied. The proposal includes crossovers that will occupy 31% of the site’s 28.95 metre frontage. This is below the 33% maximum set by Standard B14 of this Clause. This numerical compliance is also supported by the previously provided assessment in the DDO8 table of this report.</p>
<p>55.03-10 Parking location</p> <ul style="list-style-type: none"> • To provide convenient parking for resident and visitor vehicles. • To protect residents from vehicular noise within developments. 	<p>Satisfied subject to conditions. Internal access to all garages is provided from the respective dwellings. Landscaping buffers are also provided to habitable room windows facing the common driveway.</p> <p>To ensure compliance with Standard B15 of this Clause, a condition will require the landscape strips opposite the Dwellings 1, 2, 4 and 5 kitchen and meals windows be dimensioned to show a width of no less than 1.5 metres. Alternatively, the internal elevations must be updated to show that these windows have a sill height of at least 1.4 metres above the driveway level.</p> <p>As recommended by Council’s Infrastructure Services Unit, a condition will also require that internal access doors do not impede the parking spaces inside the garages (i.e. switch to sliding doors or inwards swinging doors).</p> <p>The subject site is located within the Principal Public Transport Network (PPTN) area and therefore there is no requirement in the Manningham Planning Scheme for the provision of visitor car parking spaces.</p>
<p>55.04-1 Side and rear setbacks</p> <ul style="list-style-type: none"> • To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Satisfied. The minimum ground floor setback provided to any side or rear boundary is 1.5 metres, which occurs in several locations. In accordance with Standard B17 of this Clause, a 1.5 metre setback allows a wall height of up to 5.25 metres. The maximum ground floor wall height within the development is 3.995 metres, which is well below the 5.25 metre maximum.</p> <p>At the first floor, the minimum setback</p>

	<p>provided to a side or rear boundary is 2 metres. This setback allows a wall height up to 6.91 metres in accordance with Standard B17. The maximum first floor wall height within the development is 6.835 metres, which is below this maximum.</p> <p>Notably, on the eastern elevation of Dwelling 5 where this maximum wall height occurs, the actual setback is 4.76 metres from the boundary – which is well within the B17 requirement.</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>Satisfied. In accordance with Standard B18 of this Clause, the maximum allowable length of a wall on a boundary is 10 metres plus 25% of the remaining available boundary length. For this site, this equates to a 18.93 metre long wall on each side boundary. The proposed garage walls on the east and west side boundaries are 6.5 metres long.</p> <p>The Dwelling 1 garage wall on the western boundary has a slightly higher average height (3.295 metres) than the required 3.2 metres. This is considered acceptable given there is an opposite wall on the boundary on the neighbouring property, and as the maximum height (3.375 metres) is well below the required 3.6 metres.</p> <p>The Dwelling 4 garage wall on the eastern boundary is also well below the 3.6 metre maximum wall height, at 3.35 metres. Its average wall height is also slightly higher than the required 3.2 metre average height, at 3.315 metres. This is a compromise as a result of the garage level needing to be 100mm clear of natural ground level within the tree protection zone of a neighbouring tree. The protection and retention of this neighbouring tree immediately opposite the proposed garage will assist in mitigating any minor visual or amenity impact that may occur as a result of the 15 centimetre variation to the recommended average wall height. The height of this wall is therefore considered acceptable.</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>Satisfied. Standard B19 of this clause sets out minimum clearances from existing habitable room windows for walls within a new development. All windows on the north and west adjoining properties are more than 3 metres from the common boundary and therefore the B19 clearances are easily met.</p>

	<p>On the eastern adjoining property, there is a non-habitable window notated within 1.7 metres of the common boundary. Although technically Standard B19 only applies to habitable room windows, the clearance to this window has still been assessed in this case. In accordance with Standard B19, a minimum width of 1 metre clear to the sky for a total area of more than 3 square metres is achieved. Additionally, the Dwelling 4 garage wall is 1.7 metres from the window, which exceeds the minimum setback requirement of 1.675 metres under Standard B19 (50% of the height of the wall). The first floor Bedroom 4 wall that is opposite the window has a setback of 4.575 metres, which exceeds the required setback of 3.1 metres under Standard B19.</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. There are no existing north facing habitable room windows on an adjoining property within 3 metres of the common boundary.</p>
<p>55.04-5 Overshadowing open space</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Satisfied. The proposal satisfies the requirements of Standard B20. Largely, this is due to the site's orientation with its frontage to the south.</p> <p>There is some minor additional shadowing (beyond the fence line) to the east adjoining property's SPOS at 3pm. At this time, the large majority of the SPOS is not impacted by shadows from the proposal.</p> <p>There is also some minor additional shadowing to the west at 9 and 10am, with the greater occurring at 9am. This affects the two existing SPOS areas to the west. For 3/13 Hovea Street, the 9am shadow diagram demonstrates that there is a 1.4m² increase to SPOS shadows per the below image, which is considered negligible due to the shape and dimensions of the additional shade:</p>  <p>For 2/13 Hovea Street, the shadows from the</p>

	<p>proposed development cause a reduction to the available sunlight to the POS at 9 and 10am. At 10am, a minimum of 40 square metres with a minimum dimension of 3 metres unshadowed space is achieved, which meets the Standard (see below).</p>  <p>At 9am, the proposal is ~5.8 square metres short of the required 40m² (see below):</p>  <p>However, in accordance with Standard B21, this SPOS will still receive more than 5 hours of daylight (with the required dimensions) between 9am and 3pm, as between 10am and 3pm, Standard B21 remains met.</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>Satisfied subject to conditions. All first floor habitable room windows facing a boundary are provided with fixed obscure glazing to at least 1.7 metres above internal finished floor level, or are highlight windows with a sill height of 1.7 metres or higher. Ground floor habitable room windows and outdoor decks are proposed to be screened by free-standing trellis along the boundary fence. In most locations, the elevations clearly demonstrate that this outcome will sufficiently limit overlooking. In some instances, further clarification via a cross sectional diagram is required to ensure compliance with Standard B22 of this Clause. As such, conditions will require cross sectional diagrams to show how the boundary fence and free-standing trellis will limit views from the north-east corner of the</p>

	<p>Dwelling 5 deck (including on a 45 degree angle from the edge of the deck) in accordance with Standard B22 of Clause 55.04-6 (Overlooking) of the Scheme.</p> <p>Any additional trellis height as a result of the above sectional diagram must account for views on a 45 degree splay from the edge of the relevant window or deck.</p> <p>Additionally, a condition will require the erroneous notation on the north elevation of Dwelling 3 (which refers to no trellis being required) to be deleted.</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>Satisfied. Internal elevations have been provided to demonstrate that views between dwellings within the development are limited in accordance with Standard B23 of this Clause.</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>Satisfied. There is unlikely to be any unusual noise generated in association with the proposed dwellings that would be unreasonable in a residential setting, and there are no apparent external noise sources that may affect the dwellings.</p>
<p>55.05-1 Accessibility</p> <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Satisfied. The levels of the dwellings respond to the slope of the land to minimise the number of ground level steps. All dwellings have their main living area and kitchen at ground level, and at least a water closet if not a full bathroom. All dwellings also have either a bedroom or an enclosed study at ground level.</p>
<p>55.05-2 Dwelling entry</p> <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	<p>Satisfied. The porch of each dwelling provides an individual sense of address. The porches are all clearly visible to the street and/or shared driveway, and opportunities for landscaping are provided adjacent to the entries.</p>
<p>55.05-3 Daylight to new windows</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	<p>Satisfied. All new windows within the development will receive adequate access to daylight in accordance with Standard B27.</p>
<p>55.05-4 Private open space</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Satisfied. All dwellings are provided with at least 25m² of secluded private open space on the ground level with a minimum dimension of 3 metres and convenient access from the respective living rooms.</p>
<p>55.05-5 Solar access to open space</p> <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings 	<p>Satisfied. The SPOS areas of Dwellings 3 and 6 are north facing and clearly comply with Standard B29. The first floor plan includes indications and dimensions to demonstrate that the remaining dwellings also meet the Standard.</p>
<p>55.05-6 Storage</p>	<p>Satisfied. Six cubic metres of externally</p>

<ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling 	<p>accessible storage is provided to all dwellings in a combination of storage sheds in the open space areas, and cupboards under the stairs that are accessible from the garages.</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>Satisfied. The design detail of the proposal respects the existing neighbourhood character and provides a suitable transition to the preferred neighbourhood character.</p> <p>Elevations show the use of materials with varied textures and colours, and appropriate provision and spacing of windows for visual interest. Spacing between the dwellings at first floor on all elevations, and ground floor on the north elevation, is also clearly appreciable and assists in minimising the impression of visual bulk.</p> <p>Floor plans show graduation between ground and first floor setbacks, as well as varied first floor setbacks that provide articulation and avoid linear wall form.</p>
<p>55.06-2 Front fences</p> <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Satisfied. As previously discussed, the front fence is consistent with the specific design objectives of the DDO8 for fences.</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>Satisfied. The common driveway is practically designed. There are no apparent managerial issues that would be likely to arise as a result of this design.</p>
<p>55.06-4 Site services</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive 	<p>Satisfied subject to conditions. There is sufficient space for site services to be provided and maintained.</p> <p>Standard site services conditions will be applied.</p>

Car parking and traffic

- 8.19 The Scheme requires that each dwelling with three or more bedrooms be provided with two vehicles spaces, at least one of which must be undercover. An enclosed double garage is provided for each dwelling to comply with this requirement.
- 8.20 As the site is located within the Principal Public Transport Network buffer area, the Scheme does not require any on-site visitor parking spaces to be provided.
- 8.21 An assessment against the design standards of Clause 52.06 (Car parking) of the Scheme is provided in the below table:

Design Standard	Assessment
1 – Accessways	<p>Satisfied subject to conditions</p> <ul style="list-style-type: none"> • The proposed driveways are at least 3 metres wide • There is no change of direction within the driveways themselves • At least 2.1 metres head room is provided for all garages and there is no first floor cantilevering affecting garage access. • The central accessway serves more than four car parking spaces, and is designed so that cars can enter and exit the site in a forwards direction. • Swept path diagrams have been provided that show the reversing manoeuvres required to enter and exit each of the car parking spaces from the central driveway. For the southern space of the Dwelling 3 garage, the ingress movement has been supplied rather than the egress movement also being shown. A condition will require this to be corrected. • The provided swept paths demonstrate that ingress and egress to/from the car parking spaces in the Dwelling 2, 3, 5 and 6 garages are possible with a maximum of one corrective manoeuvre. The northern most car paces (Dwellings 3 and 6) do not require any corrective manoeuvres. This outcome is considered a reasonable arrangement for a private garage, and allows all vehicles to conveniently exit the site in a forwards direction, which is a safer outcome. The swept path diagrams have also been assessed by Council's Infrastructure Services Unit who have raised no objection to the arrangement. • A passing area is not required based on the length of the shared driveway and the number of car parking spaces it services. • The site plan demonstrates corner splays on either sides of the driveways at the frontage, which are notated to be 50% clear of visual obstructions. The 0.9m front fences are transparent, and the mailboxes and meter structures are notated to have a maximum height of 0.9m. A standard permit condition will ensure any landscaping in these areas is also 0.9m high or less.
2 – Car parking spaces	<p>Satisfied subject to conditions</p> <ul style="list-style-type: none"> • The double garages are at least 5.5 metres wide and 6 metres deep in accordance with Design Standard 2. • The depth dimensions of the Dwellings 1 and 4 garages are not shown, which will be corrected by a condition.
3 – Gradients	Satisfied

	<ul style="list-style-type: none"> The common driveway has a gradient of 1:10 for the first 5 metres. All gradients and transitions are in accordance with Design Standard 3.
4 – Mechanical parking	<p>Not applicable</p> <ul style="list-style-type: none"> There is no mechanical parking proposed.
5 – Urban design	<p>Satisfied</p> <ul style="list-style-type: none"> The garages are predominantly internal facing, and the street-facing garages do not visually dominate any public space.
6 – Safety	<p>Satisfied</p> <ul style="list-style-type: none"> Natural surveillance is provided from multiple dwellings in the development and there are views down the shared driveway from the street. Pedestrian access is separated from vehicles for Dwellings 1 and 4. Pedestrian access to Dwellings 2, 3, 5 and 6 convenient and straightforward, and there are sufficient opportunities for refuge from vehicles.
7 – Landscaping	<p>Satisfied subject to conditions</p> <ul style="list-style-type: none"> Conditions for a landscape plan detailing specific planting within the landscaping strips will ensure that appropriate landscaping is provided for the development.

8.22 Pursuant to Manningham’s Parking Policy 2019, future residents of the proposal will not be eligible for any on-street parking permits if/when parking controls are introduced. The introduction of any parking controls would have to result from surveys/investigations by Council’s Infrastructure Services Unit, which would be undertaken separately to this planning application.

Objector issues / concerns

8.23 A response to the grounds of objection is provided below under the relevant category headings:

Traffic and car parking (congestion and safety)

8.24 The proposal provides the required number of car parking spaces for residents in accordance with Clause 52.06 (Car parking) of the Scheme based on the number of bedrooms to each dwelling.

8.25 The provision of one on-site visitor car space is not required by Clause 52.06 (Car parking) of the Scheme given the site’s proximity to public transport and inclusion within the Principal Public Transport Network (PPTN) buffer area.

8.26 In their referral response, Council’s Infrastructure Services Unit did raise a concern that the proposal may result in an increased demand for visitor parking on the street. Their recommendation to include an on-site visitor car parking space was not able to be imposed due to the site’s location in the PPTN buffer area under the Scheme.

8.27 The Infrastructure Services Unit referral response also acknowledged that Glendale Avenue is identified as a street with known parking issues. These issues will be investigated separately by the Infrastructure Services Unit from the

assessment of this planning application, which can only be assessed on its merits against the Manningham Planning Scheme.

- 8.28 Other issues raised by the objections that will need to be investigated separately to this application include - traffic from Foote Street and Williamsons Road using Glendale Avenue and the surrounding local streets as a cut-through, the streets are too narrow, problems with speeding vehicles, access for emergency services, and speed limits.
- 8.29 Various concerns were raised in the objections about instances where the double garages may be used for storage instead of car parking, and instances where households may own more than two cars. This application can only be assessed against the relevant car parking and storage requirements of the Scheme. The use of the garages within dwellings and ownership of vehicles are not matters that can be considered or enforced.
- 8.30 The number and combined width of crossovers in relation to the length of the street frontage has been assessed to be compliant against the relevant provisions of the Scheme. Additionally, only one new crossover is proposed, as two of the crossovers are already existing. There are also no street trees that will be impacted by the new crossover. The use of three crossovers enables the separation of the Dwelling 1 and 4 garages, which provides a more convenient access and parking arrangement for the development, and reduces the likelihood that future residents may revert to on-street parking. Two on-street car parking spaces will also be available in front of the site.

Internal driveway manoeuvrability

- 8.31 Internal driveway manoeuvrability is demonstrated on the advertised swept path diagrams, which have been reviewed by Council's Infrastructure Services Unit and further assessed in accordance with Clause 52.06 (Car parking) of the Scheme previously in this report.
- 8.32 The dimensions of the driveway, and the ingress and egress manoeuvres for all vehicles comply with the relevant provisions of the Scheme. These reversing manoeuvres also meet the relevant Australian Standard for off-street car parking (AS 2890. 1.2004).

Overdevelopment (including setting of a precedent)

- 8.33 The proposal has been assessed in detail against the relevant provisions of the Scheme by this report. The proposal is highly responsive to the high-level strategic policy intentions for the area, which anticipate a substantial level of development change.
- 8.34 As found by the assessment in this report, this substantial change is not achieved at the cost of non-compliances with the detailed design objectives and requirements for residential developments, or at the cost of unreasonable amenity impacts to the adjoining properties. Subject to several recommended conditions, the proposal is consistent with the specific design and character requirements of the DDO8, and the objectives and standards of Clause 55 'ResCode' of the Scheme.
- 8.35 Any future planning proposals in the neighbourhood will be considered on their individual merits and specific site context. This ensures that all applications are

fully considered with regard to their physical and policy context despite any 'precedent' that is perceived to be set by nearby developments.

Neighbourhood character (including streetscape impacts)

- 8.36 As outlined in the Planning Policy Framework and DDO8 assessments within this report, the proposal is considered to respond appropriately to both the existing and preferred neighbourhood character.
- 8.37 The increased residential density is in accordance with the substantial level of change that is anticipated by the relevant provisions and is not inconsistent with emerging developments in the area. The style and layout of the development is respectful of the existing development pattern and character of the street. The development layout with two detached dwellings (Dwellings 1 and 4) addressing the street will blend in with the existing pattern of development, and avoids excessive width and massing to the street.
- 8.38 The pitched tile roofs with eaves, and use of brick and render is also consistent with the prevailing dwelling materials within the streetscape, while the colours and ground floor parapets are suitably contemporary in accordance with the preferred neighbourhood character of the DDO8.
- 8.39 Sufficient space is provided for the provision of meaningful landscaping including screen planting and canopy trees, which will also respond to the surrounding neighbourhood character. As mentioned previously, a landscape plan will be required by permit conditions, to detail specific planting to Council's satisfaction.

Visual bulk/massing

- 8.40 The proposal meets the relevant building height, wall height, setback, site coverage, walls on boundaries, and design detail provisions of the Scheme, as discussed in detail by this report.
- 8.41 The dwellings are sited to respond to the slope of the land to avoid excessive building levels and overall heights.
- 8.42 Meaningful spacing is provided at the first floor between all dwellings, and in some instances at the ground floor as well. The central break in the development provided by the shared driveway also provides a significant break in the built form as viewed from the street.

Overlooking

- 8.43 Potential overlooking impacts as a result of the proposal have been assessed in detail in the Clause 55 assessment of this report. Several permit conditions have been recommended to demonstrate categorically that Standard B22 of Clause 55.04-6 (Overlooking) of the Scheme is met.

Overshadowing to windows

- 8.44 Daylight to existing windows has been assessed in detail in the Clause 55 assessment of this report, as has overshadowing to open space. The development provides sufficient building setbacks to ensure that the relevant provisions of the Scheme are met. Based on these assessments, it has been bound that no unreasonable off-site amenity impacts will occur as a result of overshadowing from the proposal.

Insufficient landscaping/greenery

- 8.45 The proposal complies with the mandatory minimum garden area of the General Residential Zone.
- 8.46 The minimum secluded private open space dimensions set by Clause 55.05-4 (Private open space) of the Scheme are exceeded by the proposal.
- 8.47 Council's Statutory Planning Arborist has advised that there is sufficient soil capacity for the provision of canopy trees, and has recommended some species that will be implemented through permit conditions.
- 8.48 Services/equipment including sheds and clotheslines will be relocated by permit conditions as practicable, to improve screen planting opportunities.
- 8.49 As previously discussed, a landscape plan will be required by permit conditions, to detail the specific planting outcomes, which must be to Council's satisfaction.

Impacts to neighbouring trees

- 8.50 Tree protection measures as recommended by the submitted arborist report and in accordance with advice from Council's Statutory Planning Arborist will be imposed via permit conditions.
- 8.51 The concern raised in relation to the impacts of the Dwelling 4 garage to adjoining Tree 30 on the east adjoining property is not considered to be fully resolved by the arboricultural advice, as a result of insufficient plan details.
- 8.52 Based on the contours shown on the survey plan in the location of the Dwelling 4 garage (67.21 AHD), the proposed garage level (67.05 AHD) will be 160mm lower than natural ground level. Despite this, the arborist recommendations and subsequent notations on the floor plans and elevations state that the garage level will be 100mm above natural ground level, to provide for a suspended slab that will protect Tree 30.
- 8.53 To address this inconsistency, and ensure that Tree 30 is protected, conditions will require that clear demonstration of the 100mm clearance is provided. This may be through cross sectional diagrams, a re-survey of the land, and/or other plan clarifications. The condition will also be worded to ensure that no subsequent amenity impacts are created through an increased wall or building heights for the garage.

Waste collection

- 8.54 Council's Infrastructure Services Unit have advised that Council waste collection can be provided for this development. As such, there is no requirement for a waste truck to enter the site and turn around.
- 8.55 The provided floor plans include outlines to show that the street frontage has the capacity for the number of bins that will be out for collection each week. These outlines demonstrate that the bins will not occupy the entire frontage of the site, which will allow space for vehicle visibility and for the bins to be spread out if necessary.

Insufficient infrastructure

- 8.56 Council's infrastructure Services Unit have raised no concerns relating to the capacity of existing services and utilities, and the demands associated with the proposal.
- 8.57 As previously mentioned, an on-site detention system will be required by permit conditions, which will regulate the flow of stormwater from the site into the existing drainage infrastructure.

Insufficient room sizes and private open spaces

- 8.58 The private open spaces are in excess of the dimensions required by the Scheme, and Council's Statutory Planning Arborist has confirmed that there is sufficient space for the provision of canopy trees. Additionally, the ability for services/equipment such as sheds, clotheslines and water tanks to be located away from the main outdoor living areas also demonstrates that sufficient open space is provided.
- 8.59 All bedrooms are provided with dimensions to show that they either meet or exceed a minimum width of 3 metres, which demonstrate they are adequate in size. The Scheme does not include any dimension requirements for living areas or other internal rooms for developments of this scale. Nonetheless, the sizes of the main living areas are not considered to be unreasonable, and are orientated and designed with good accessibility to the outdoor open spaces.

Noise

- 8.60 The consideration of this planning application is confined only to the construction of the dwellings, as the residential use of the dwellings does not require a planning permit and is not a planning matter. Residential noise associated with a dwelling is considered normal and reasonable in an urban setting, including any noise generated by children and families using their outdoor private open space areas. Any future issues of amenity, if they arise, should be pursued as a civil matter.

Pollution and environmental impacts

- 8.61 A BESS Report and STORM rating report have been prepared for the development, which demonstrate that best practice sustainability and stormwater management standards can be achieved. Previously mentioned conditions will require that all relevant plan notations be added to ensure that the proposal will meet the commitments made within these reports.
- 8.62 In addition to the above-mentioned reports, which are a standard requirement in accordance with Clause 22.12 (Environmentally Sustainable Development) of the Scheme, the development will be subject to various sustainability requirements at the building permit stage.
- 8.63 The provision of new dwellings that meet the current best practice standards for sustainability and stormwater management are considered to be an improved environmental outcome for the site.
- 8.64 There is no clear link between this proposal in particular, and an increase to pollution. Minimisation and/or mitigation of environmental impacts (such as pollution) is at the forefront of the relevant environmentally sustainable

development provisions of the Scheme, against which all planning applications are assessed.

Construction materials

- 8.65 There are no relevant provisions in the Scheme that regulate construction materials in relation to combustible cladding or similar considerations, as this is a consideration of the Building Permit process.
- 8.66 The external materials have been considered in relation to the design detail and neighbourhood character requirements of the Scheme, and were found to comply with those provisions.

Boundary fencing

- 8.67 A request has been made for 3 metre fencing along the eastern boundary. This considered excessive as the proposed fencing and trellis are already sufficient in height to provide screening as per Clause 55.04-6 (Overlooking) of the Scheme.
- 8.68 Boundary fencing is ultimately a civil matter between adjoining property owners and is only a relevant consideration for town planning insofar as it may be relied upon as a solution to limit potential overlooking.
- 8.69 If a civil agreement for a taller boundary fence is sought, it is recommended that the additional shadow impacts be considered, as this was a separate concern raised within the objector grounds.

Property maintenance

- 8.70 There is no demonstrated link between the approval of development applications and a lack of property maintenance.
- 8.71 There will be a greater responsibility for maintenance on the site once it is developed, as there will be an approved landscape plan that must be complied with, along with standard permit conditions for the development to be maintained to the satisfaction of Council.
- 8.72 Any future issues related to unsightly properties or fire hazards should be reported to Council's City Compliance Unit for investigation when/if they occur.

Construction impacts (including trades vehicle parking and truck access)

- 8.73 A permit condition will require that a Construction Management Plan (CMP) be prepared and submitted for assessment by Council prior to construction commencing on the site. The CMP will include a list of obligations that the construction process must adhere to, which can include the parking of trades vehicles and logistics for delivery trucks and machinery. Any breaches of the CMP during the construction process may result in enforcement action by Council.
- 8.74 The developer will be required to meet relevant Local Law and EPA practices to ensure that any impacts are mitigated, and compliance with Council's Works Code of Practice (June 2017) will also be required at all times.

9. CONCLUSION

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

10. DECLARATION OF CONFLICT OF INTEREST

10.1 No officers involved in the preparation of this report have any general or material conflict of interest in this matter.