

0.0 Planning Application PL16/026260 at 799 - 801 Doncaster Road and 1 Lauer Street, Doncaster for the construction of a 3-storey apartment building containing 37 dwellings over two levels of basement car parking, and the alteration of access to a road in a Road Zone Category 1 (removal of two crossovers in Doncaster Road)

File Number:	IN17/118
Responsible Director:	Director Planning and Environment
Applicant:	Lilia Doncaster Pty Ltd
Planning Controls:	Residential Growth Zone – Schedule 2 (RGZ2), Design and Development Overlay Schedule 8 (DDO8), Adjustments to a road in a Road Zone, Category 1 (RDZ1)
Ward:	Koonung
Attachments:	1 Locality Map 2 Advertised Plans 3 Planning Scheme Provisions

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 799 - 801 Doncaster Road and 1 Lauer Street, Doncaster. This report recommends approval of the submitted proposal subject to amendments that will be addressed by way of permit conditions. The application is being reported to Council given that it is a Major Application (more than 15 dwellings and a development cost of more than \$5 million).

Proposal

2. The proposal is for the development of a 3-storey 'apartment' style building containing 37 dwellings on three (3) adjacent lots with a combined site area of 1,968 square metres. The development proposes a site coverage of 59.8%, a site permeability of 36.0% and a maximum building height of 11.38 metres. The development provides 46 car parking spaces in two basement levels.

Key issues in considering the application

3. The key issues for Council in considering the proposal relate to:
 - (a) Policy (consistency with state and local planning policy);
 - (b) Compliance with built form and urban design policies;
 - (c) Parking, access, traffic and bicycle parking;
 - (d) Compliance with Clause 55 (Rescode); and
 - (e) Objector concerns.

Objector concerns

4. One (1) objection was received for the application, raising one issue as follows:
 - (a) The application should be amended to include a mix of businesses on the site.

Assessment

5. The proposal is generally consistent with the provisions of the Manningham Planning Scheme, in particular Clause 21.05 Residential, the Design and Development Overlay – Schedule 8, and Clause 55 (ResCode). These controls recognise that there will be a substantial level of change in dwelling yields and built form on the site.
6. The proposed development sits comfortably within the changing Doncaster Road streetscape, as it is similar in scale and design to other higher density ‘apartment’ style developments that have been developed along Doncaster Road. The maximum height of 11.38 metres has been generated from the finished floor levels having to be raised to allow for site inundation during a 1 in 100 year flooding event. This design generally reflects the preferred character of the area and the built form outcome sought along main roads under DDO8 Main Road Sub-precinct.
7. The building is attractively presented and appropriately designed. Generous boundary setbacks allow for landscaping and protect adjoining properties from unreasonable visual and amenity impacts. It also achieves an acceptable balance in the consideration of the amenity of nearby properties and its attention to the internal amenity of future occupants.

Conclusion

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

RECOMMENDATION

That Council:

- A. **Having considered all objections a NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application PL16/026260 at 799, 801 Doncaster Road and 1 Lauer Street, Doncaster for the construction of a 3-storey apartment building containing 37 dwellings over two levels of basement car parking, and the alteration of access to a road in a Road Zone Category 1 (removal of two crossovers in Doncaster Road) –**

1. **Before the development starts, two copies of amended plans (scale 1:100) and dimensioned, must be submitted to the satisfaction of the Responsible Authority 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 Jesse Ant Architects (Project No. 15037, dated 7 December 2016 (received 9 December 2016)), but modified to show the following:**

Built form

- 1.1. A solid impermeable brick or concrete wall constructed along the southern side of the access ramp with the height of 99.75m AHD, to direct overland flows into Lauer Street.
- 1.2. Ground level private open space for Apartments 8, 9, 10, & 11 graded to allow a flow path through this area, in accordance with the Flood Investigation Report prepared by Energy Water Management (dated 22 November 2016).
- 1.3. Internal fences between Apartments 7, 8, 9 & 10, and Apartments 11, 12 & 13 and the front fence along Doncaster Road to be permeable, to allow the passage of flood waters, whilst maintaining privacy between the secluded private open space areas in accordance with Clause 55.05-4 (Private open space) of the Manningham Planning Scheme.
- 1.4. North-facing bedroom windows of Apartments 102, 103, 202 & 204 designed to limit overlooking in accordance with the policy objective at Clause 55.04-6 (Overlooking) of the Manningham Planning Scheme.
- 1.5. Details of screening for roof mounted equipment (materials and dimensions), if visible from adjoining residential properties or the public domain.
- 1.6. An indicative location of the onsite stormwater detention system (to be located clear of the easement and proposed canopy trees).
- 1.7. Elevation drawings of each internal wall of each light court, with details of window type, to demonstrate that internal views are limited in accordance with Clause 55.04-7 (Internal views) of the Manningham Planning Scheme.
- 1.8. Internal amenity improved in accordance with Clause 55.03-5 (Energy efficiency), Clause 55.04-8 (Noise impacts), and Clause 55.05-3 (Daylight to new windows) of the Manningham Planning Scheme by providing:
 - 1.8.1. Plan notations to confirm that internal walls in the light courts will be painted in a high reflective (70%) paint finish;
 - 1.8.2. Face brickwork walls abutting the battle axe bedroom windows of Apartments 2, 3, 4, 8, 11, 12, 102, 103, 105, 106, 109, 110, 112 and 113 to have a colour reflectance of 60% to promote better daylight access;
 - 1.8.3. Fixed, external shading devices on the north-facing habitable room windows of Apartment 202 & 204, providing for solar protection;
 - 1.8.4. Operable, external shading devices on the west-facing windows at the end of the internal hallways for each level, the southern bedroom windows of Apartments 1,

- 101, 201, and the bedroom window in Apartment 210, for solar protection;
- 1.8.5. The four (4) light courts central to the building uncovered, to allow ventilation;
- 1.8.6. Windows in the light court operable above 1700mm above the finished floor level of the apartments, to allow ventilation;
- 1.8.7. Operable windows at the end of all hallways at each level of the building, to allow ventilation;
- 1.8.8. Plan notations to confirm that acoustically rated glazing will be used for all windows and sliding doors facing Doncaster Road (minimum), if not for the entire building.
- 1.9. A schedule of materials and finishes with colour samples of all external walls, roofs, fascias, window frames, paving (including terraces, balconies, roof terraces, stairs), fencing, privacy screens, roof top plant screens and retaining walls.
- 1.10. The letterboxes relocated to face Doncaster Road adjacent to the eastern side of the pedestrian path and integrated into the landscaping, unless written agreement to the location of the letterboxes in the Atrium is provided by Australia Post, to the satisfaction of the Responsible Authority.
- 1.11. The location of any fire services, meter boxes and boosters and details of how they will be designed so as to minimise visual impacts from either street frontage. This may include one or more of the building cladding materials proposed in the building;
- 1.12. The design details of the building's front entry, including an elevation drawing of any fire services, meter boxes and boosters and screening to the services cabinets.
- 1.13. Details of the type and material of enclosure for each storage area within the basement and ground floor levels.
- 1.14. The location of retractable clotheslines to all ground level open spaces and balconies, designed so they are not visible from the street or adjoining properties.
- 1.15. A schedule listing the minimum sustainability features applicable to the development, as described in the approved Sustainability Management Plan.

The Basement and Accessways

- 1.16. Visibility splays drawn in accordance with Design Standard 1: Accessways of Clause 52.06 (Car parking) of the Manningham Planning Scheme.

- 1.17. The entry to the basement car park constructed with a crest at the frontage to a height of 99.5m AHD. This must be shown on both the Ground Floor and Section drawings.
- 1.18. Plan notation to confirm that any redundant vehicle crossover must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.
- 1.19. Location of an intercom system adjacent to the basement security door.
- 1.20. Location of the 26,000 litre water tank(s), their size, capacity and area of impervious area draining them and their proposed use, ensuring the notations correspond with the SMP and STORM Report approved under Condition 4 of this permit.
- 1.21. Details of basement ventilation, including the location of any mechanical intake or outlet.

Endorsed Plans

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

Construction Management Plan

3. Before the development starts, two copies of a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved, the Plan will form part of the planning permit. The Plan must address, but not be limited to the following:
 - 3.1. A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;
 - 3.2. Hours of construction;
 - 3.3. Delivery and unloading points and expected frequency;
 - 3.4. On-site facilities for vehicle washing;
 - 3.5. Asset protection procedures for any public footpaths;
 - 3.6. The location of parking and site facilities for construction workers;
 - 3.7. Measures to minimise the impact of construction vehicles arriving at and departing from the land;
 - 3.8. Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;
 - 3.9. The measures for prevention of the unintended movement of building waste and other hazardous materials and pollutants on

or off the site, whether by air, water or other means;

- 3.10. An outline of requests to occupy the front nature strip and any anticipated disruptions to local services;
- 3.11. Measures to minimise the amount of waste construction materials;
- 3.12. Measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;
- 3.13. Adequate environmental awareness training for all on-site contractors and sub-contractors.

Sustainability Management Plan

4. Before the development starts or the issue of a building permit for the development, whichever is the sooner, two copies of a revised Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. When approved the SMP will form part of the permit. The Plan must generally be in accordance with the plan prepared by LID Consulting (dated 27 April 2016), but modified to provide:

Indoor Environment Quality

- 4.1. Any amendments required by Condition 1 of this permit;
- 4.2. Light court walls with a high reflectance (70%) paint finish;
- 4.3. Adjoining face brick works walls to battle axe apartments with a minimum reflectance (60%) paint finish;
- 4.4. Ensure north glazing has adequate overhangs to control summer glare while allowing winter solar gains.
- 4.5. Provide adjustable external blinds/shutters on west facade to control glare and summer solar gains;

Energy Efficiency – Clotheslines

- 4.6. Fixed or retractable clotheslines for each dwelling in a courtyard, hidden on a balcony or within a bathroom or laundry with adequate ventilation to prevent condensation and mould growth;
- 4.7. Reflect the provision for clotheslines in the STEPS report;

Water conservation

- 4.8. Location of water tanks with a 26,000 litre capacity, their size, capacity, and area of impervious area draining to them and their proposed uses. Notations are to correspond in the SMP and STORM Reports.

Waste Management Plan

5. Before the development starts, or the issue of a building permit for the development, whichever is the sooner, an amended Waste Management Plan, must be submitted to and approved by the Responsible Authority. When approved, the plan will form part of the permit. The Plan must generally be in accordance with the plan prepared by Leigh Design (dated 6 December 2016), but modified to provide for:
 - 5.1. A minimum 2.5 metre overhead height clearance provided at the waste collection vehicle stopping point in the upper basement, to ensure an orderly collection of waste;
 - 5.2. No private waste contractor bins are left outside the development boundary or left unattended at any time on any street frontage for any reason.

Management Plan Compliance

6. The Management Plans approved under Conditions 3, 4 and 5 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.
7. Before the approved use starts, a report from the author of the Sustainability Management Plan, approved pursuant to his permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures in the Sustainability Management Plan approved under Condition 4 of this permit have been implemented in accordance with the approved plans.

Completion

8. 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.
9. Before the occupation of the dwellings approved under this planning permit, privacy screens and/or obscure glazing as required in accordance with the approved plans must be installed to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.
10. Before the occupation of the dwellings approved under this planning permit, driveway gradients and transitions as shown on the plan approved under Condition 1 of this permit must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.

11. Before the occupation of the dwellings approved under this planning permit, any new or modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
12. Before the occupation of the dwellings approved under this planning permit, any redundant vehicle crossover must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.
13. Before the occupation of the dwellings approved under this planning permit, all fencing must be erected in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
14. Before the occupation of the dwellings approved under this planning permit, all retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority.
15. Before the occupation of the dwellings approved under this planning permit, intercom and an automatic basement door opening system for both basement doors (connected to each dwelling) must be installed, so as to facilitate convenient 24-hour access to the basement car park by visitors, to the satisfaction of the Responsible Authority.
16. Before the occupation of the approved dwellings, all associated basement parking spaces must be line-marked, numbered and signposted to provide allocation to each dwelling and visitors to the satisfaction of the Responsible Authority.
17. Visitor car parking spaces must be clearly marked and must not be used for any other purpose to the satisfaction of the Responsible Authority.

Landscaping Plan

18. Before the development starts, two copies of an amended Landscaping Plans (scale 1:100) must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the approved site layout plan and the decision plan prepared by John Patrick Landscape Architects Pty Ltd (Job No. 15-809, December 2016), but modified to show:
 - 18.1. Any amendments required under Condition 1 of the planning permit;
 - 18.2. All canopy trees and screen planting along the side and rear boundaries are at least 1.5 metres in height at the time of planting; and
 - 18.3. The use of synthetic grass as a substitute for open lawn area within secluded private open space or a front setback will not be supported. Synthetic turf may be used in place of approved

paving decking and/or other hardstand surfaces.

Landscaping Bond

19. Before the release of the approved plan for the development, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

Stormwater – On-site detention

20. The owner must provide on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:
 - Be designed for a 1 in 5 year storm; and
 - Storage must be designed for 1 in 10 year storm.

Construction Plan

21. Before the development starts, a construction plan for the system required by Condition 20 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.

Drainage

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

Site Services

24. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
25. Maintenance of the common area landscaping must be managed by

the body corporate.

26. All upper level service pipes (excluding stormwater downpipes) and any wall mounted spa-bath pump must be concealed and screened respectively to the satisfaction of the Responsible Authority.
27. Any reverse cycle air-conditioning unit erected on the walls, roofs or balconies of the approved dwellings must be located, to not adversely affect the amenity of the area by way of appearance/visual prominence to the satisfaction of the Responsible Authority. Where the Responsible Authority identifies a concern about visual appearance, appropriately designed/finished screening must be installed and maintained to the satisfaction of the Responsible Authority.
28. Unless depicted on a Roof Plan approved under Condition 1 of this permit, no roof plant (includes air conditioning units, basement exhaust ducts, solar panels or hot water systems) which is visible to immediate neighbours or from the street may be placed on the roof of the approved building, without details in the form of an amending plan being submitted to and approved by the Responsible Authority.
29. A centralised TV antenna must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.
30. No individual dish antennae may be installed on the overall building to the satisfaction of the Responsible Authority.
31. Any wall-mounted, instantaneous gas hot water system located on a balcony wall or on a general external wall of the building, so as to be visible from off the site must be provided with a neatly designed, durable screen (in perforated metal sheeting, for instance) to the satisfaction of the Responsible Authority or be of the recessed type with a cover plate.
32. If allowed by the relevant fire authority, external fire services must be enclosed in a neatly constructed, durable cabinet finished to complement the overall development, or in the event that enclosure is not allowed, associated installations must be located, finished and landscaped to minimise visual impacts from the public footpath in front of the site to the satisfaction of the Responsible Authority.
33. Any security door/grille to the basement opening must maintain sufficient clearance when fully open to enable the convenient passage of waste collection vehicles which are required to enter the basement and such clearance must also be maintained in respect of sub-floor service installations throughout areas in which the waste collection vehicle is required to travel to the satisfaction of the Responsible Authority.

Maintenance

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

Earthworks

35. The extent and depth of cut and fill must not exceed that shown on the plans endorsed under Condition 1 of this permit without the written consent of the Responsible Authority.

VicRoads Conditions (Conditions 36 - 37)

36. The proposed crossover along Lauer Street is to be constructed to the satisfaction of the responsible Authority and at no cost to The VicRoads, prior to the occupation of the use hereby approved.
37. The two redundant vehicle crossings on Doncaster Road should be removed and reinstated with footpath, nature strip and kerb and channel to the satisfaction of the Responsible Authority and at no cost to the VicRoads.

Permit Expiry

38. This permit will expire if one of the following circumstances applies:
- 38.1. The development is not started within two (2) years of the date of this permit; and
- 38.2. The development is not completed within four (4) years of the date of this permit.

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

1. BACKGROUND

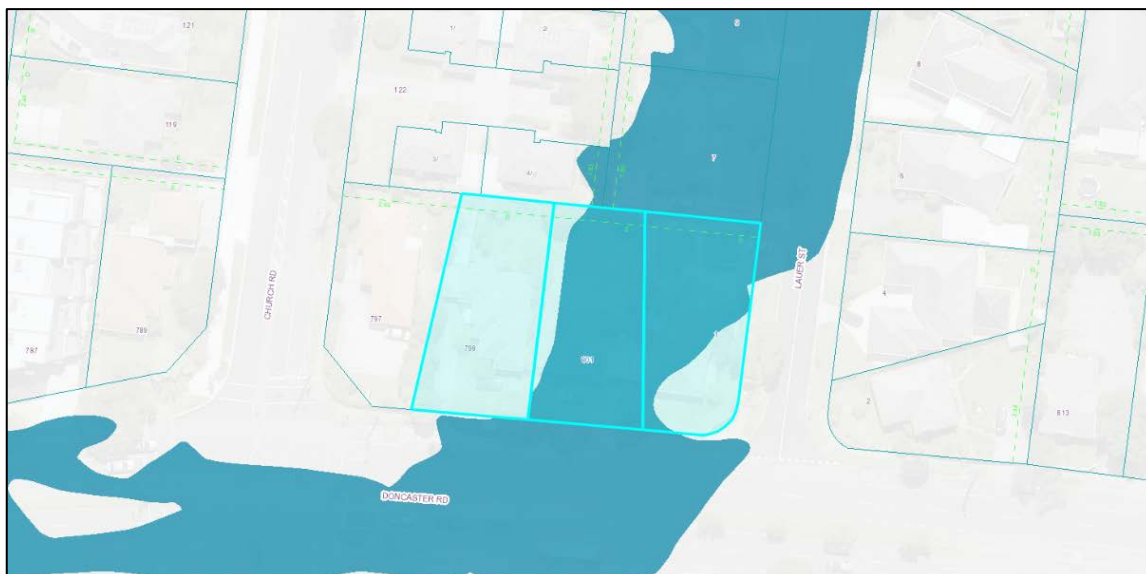
- 1.1 A proposal for the site was presented to the Sustainable Design Taskforce meeting on 3 December 2015, which raised issues regarding the appropriateness of the fourth storey, the reliance on internal light courts, excessive site coverage, the encroachment of balconies into the front setback, minimal basement setbacks, reliance on the front setback for courtyards, limited landscaping opportunities, the size of the third storey, minimal stepping of the building to the rear, architectural and visual interest, internal privacy and accessibility to some storage areas.
- 1.2 The planning application was received on 10 May 2016.
- 1.3 A request for further information was sent on 7 June 2016. This included identifying preliminary concerns relating to the proposal being an overdevelopment of the site, site inundation, compliance with the Design and Development Overlay – Schedule 8, the design of the basement, internal amenity, landscaping and built form.
- 1.4 All required further information was received on 9 December 2016.
- 1.5 The statutory time for considering a planning application is 60 days, which lapsed on 7 February 2017.

- 1.6 Planning Application PL13/023679 sought approval to construct 16 two-storey 'townhouse' style dwellings over the same 3 lots being sought to be developed under this planning application. This was refused at a Council meeting on July 29 2014.
- 1.7 Planning Permit PL13/023919 granted approval to remove 3 Covenants, one registered to the Title of each of the lots this planning application relates to. These Covenants restricted development to the construction of a private dwelling of brick and outbuildings. The Titles are now not encumbered by any Covenants.

2. THE SITE AND SURROUNDS

The Site

- 2.1 The site is situated on the north-western corner of the Doncaster Road and Lauer Street intersection, approximately 25 metres east of the Doncaster Road and Church Road intersection.
- 2.2 The site comprises three irregularly shaped lots with a combined area of 1,968 square metres. The Doncaster Road frontage is 49.39 metres, the Lauer Street frontage is 30.56 metres, the northern boundary is 51.51 metres, and the western boundary is 37.71 metres long. A 6.31 metre long curved splay is opposite the intersection.
- 2.3 Each lot within the site is currently developed with a single-storey brick dwelling with a tiled, hipped roof. The dwellings at 799, 801 Doncaster Road gain access from crossovers and driveways in Doncaster Road, and the dwelling at 1 Lauer Street from the crossover and driveway adjacent to the northern boundary in Lauer Street. The secluded private open space area are all located on the northern side of the dwellings.
- 2.4 The land slopes down from south-western corner (on Doncaster Road) towards the north-eastern corner (on Lauer Street), with a level difference of 2.69 metres. Along the Lauer Street frontage, the level difference is 2.28 metres.
- 2.5 A 2.44 metre wide drainage and sewerage easements abuts the length of the northern boundary within the site. Council's records indicate that there are drainage and sewerage pipes within the easement.
- 2.6 Front fencing ranges in height between 0.77 metres and 1.6 metres and is constructed in brick and timber.
- 2.7 The site is partly affected by the proposed Special Building Overlay – Schedule 3 that is currently being considered by Council under Planning Scheme Amendment C109, as follows:



The Surrounds

2.8 The site directly abuts four properties, to the north and west. The surrounding development is described as follows:

Direction	Address	Description
North	7 Lauer Street, Doncaster	This property adjoins the eastern half of the northern boundary. It is developed with a single-storey brick dwelling that is setback 7.6 metres to Lauer Street and 4.8 metres to the common boundary. Access is gained from a crossover and driveway that is adjacent to the common boundary. The garage is at the rear, and abuts the common boundary. The secluded private open space area is on the western side, at the rear of the dwelling. One habitable room window faces the site.
	Units 3 & 4/122 Church Road, Doncaster	<p>These properties adjoin the western half of the northern boundary and are part of a 4 unit single-storey residential development. Access is shared and central in the development and gained from Church Road.</p> <p>Unit 3 borders all but 3 metres of the common boundary with its secluded private open space area on the eastern side of the dwelling, which also adjoins the common boundary. Three habitable room windows face the site.</p> <p>Unit 4 borders the western 3 metres of the common boundary. The brick garage belonging to Unit 4 is located adjacent to the north western corner of the site, such that the dwelling does not have an interface with the site. There are no habitable room windows that face the site.</p>

West	797 Doncaster Road, Doncaster	This property adjoins the entire length of the western boundary. It is developed with a single-storey building that is used as a Medical Centre. The building is setback 14.6 metres to Doncaster Road and 4.0 metres to the common boundary. Access is gained from Church Road to the car park located within the Doncaster Road frontage. Being a Medical Centre, there are no habitable room windows that face the site.
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- 2.9 The character of the broader neighbourhood is in transition. Single, detached brick dwellings are common to many properties, however many of these lots are being redeveloped with two or more townhouse style dwellings or apartments on consolidated lots. The nearest apartment style development is at 765 & 767 Doncaster Road located approximately 260 metres west the site.
- 2.10 Doncaster Road adjoins the southern boundary of the site. This major arterial road has three lanes of traffic in each directions (inclusive of a bus lane), with a central dividing median. Doncaster Road is under the jurisdiction of VicRoads and is served by several bus routes, including the Smart Bus services.
- 2.11 On the northern side of the site, land is zoned General Residential Zone, Schedule 2 where less intensive town house style developments are supported under Clause 21.05 (Residential) and Clause 43.02 (Design and Development Overlay – Schedule 8 (DDO8-3)) under the Manningham Planning Scheme.
- 2.12 The site is well located to a range of services and facilities, with the Doncaster Secondary College located 150 metres to the north-west, the Municipal Offices located 500 metres to the west, and the Doncaster Shoppingtown located 1 kilometre to the west.
- 2.13 In front of the site in Doncaster Road is a bus stop.

3. THE PROPOSAL

- 3.1 It is proposed to demolish the existing buildings and clear all vegetation for the construction of a 3-storey apartment building comprising 37 dwellings above two levels of basement car parking, and alter the access to a road in a Road Zone, Schedule 1 (removal of two crossovers in Doncaster Road).

Submitted plans and documents

- 3.2 The proposal is depicted on plans prepared by Jesse Ant Architects (dated 7 December 2016, and received 9 December 2016), and a Landscaping Plan prepared by John Patrick Landscape Architects (dated December 2016, and received 9 December 2016). Refer to Attachment 1.
- 3.3 The following reports were submitted in support of the application:
- Town Planning Report – SJB Planning, December 2016;
 - Traffic Report – Cardno Victoria, 7 December 2016;
 - Waste Management Plan – Leigh Design, 6 December 2016;

- Sustainability Management Plan – LID Consulting, 27 April 2016;
- Flood Investigation Report – Energy Water Management, 22 November 2016;
- Arboricultural Report – Galbraith & Associates, 26 July 2016.

Development summary

- A summary of the development is provided as follows:

Site area:	1,968sqm.	Maximum Building Height:	11.38m.
Site Coverage:	59.8%.	Setback to Doncaster Road (south)	Lower Basement – 6.04m – 6.59m. Upper Basement – 9.06m – 9.44m Ground floor – 6.0m. First floor – 7.65m. Second floor – 9.01m.
Permeability:	36.0%.	Setback to Lauer Street (east)	Lower Basement – 9.1m – 9.8m. Upper Basement – 9.1m – 9.63m Ground floor – 3.0m. First floor – 3.25m. Second floor – 5.9m.
Number of Dwellings:	37.	Setback to northern boundary	Lower Basement – 4.0m. Upper Basement – 4.0m. Ground floor – 4.0m. First floor – 3.5m (balcony blade walls, otherwise 5.7m). Second floor – 5.6m (balcony blade walls, otherwise 7.04m).
• 1 bedroom:	4.	Setback to western boundary	Lower Basement – 2.45m – 4.68m. Upper Basement – 2.45m – 4.68m. Ground floor – 2.39m. First floor – 2.5m. Second floor – 5.43m.
• 2 bedrooms:	32.	Car parking spaces:	46.
• 3 bedrooms:	1.	Resident spaces:	39.
Density:	One per 53.2sqm.	Visitor spaces:	7.

Design layout

- 3.4 The ground level consists of 2 x 1-bedroom apartments, 10 x 2-bedroom apartments, plus 1 x 3 bedroom apartment, each provided with a ground level courtyard that ranges between 29.2 and 113.5 square metres in area.
- 3.5 The first floor consists of 2 x 1-bedroom apartments, plus 12 x 2 bedroom apartments, each provided with a balcony that ranges between 8 and 12.9 square metres in area.
- 3.6 The second floor consists of 10 x 2-storey dwellings, each provided with a balcony that ranges between 8.2 and 28.8 square metres in area.
- 3.7 Four light courts penetrate the building to the ground floor level and provide light to 19 inboard bedrooms and services rooms. These courts are all dimensioned 3.0 metres x 3.6 metres, and contain landscaping and are accessible from the ground level.

Pedestrian and vehicle access and layout

- 3.8 The pedestrian path from Doncaster Road leads into the entry and foyer of the building. The internal lift and stairs services all levels.
- 3.9 One crossover and driveway provides vehicular access. This is 5.7 metres wide and is adjacent to the northern boundary in Lauer Street. A remote controlled security gate is provided at the base of the ramp.
- 4.10 Access to the dwellings from the basement level is from a communal staircase and lift.
- 3.10 The basement levels incorporate a waste storage room (upper level), 27 bicycle parking spaces (upper level) and storage lockers for each apartment (on both levels).

Landscaping

- 3.11 All trees are to be cleared from within the site. Canopy trees are proposed adjacent to all site boundaries in addition to formalised plantings in landscaping beds adjacent to the site's boundaries.

Design detail

- 3.12 The proposed building is designed in contemporary architectural forms, which incorporates a flat roof and articulated façade presentations on all sides. The façades consist of a mix of render, timber, face brickwork and cladding with framing elements projecting from the building, together with various façade treatments.

4. LEGISLATIVE REQUIREMENTS

- 4.1 Refer to Attachment 2.

5. REFERRALS**External**

- 5.1 Given the proposal involves the removal of accessways onto Doncaster Road, it is a statutory requirement to refer the application to VicRoads as a determining referral authority.
- 5.2 VicRoads have not objected to the proposal, but have required 2 conditions to be included into a permit – letter dated 1 March 2017 (**Conditions 36-37**).

Internal

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

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> • There is adequate point of discharge for the site. All runoff is to be directed to the point of discharge (Condition 22). • Provide an on-site stormwater detention system (Condition 20).
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> • The existing disused vehicle crossover is required to be removed and the nature strip, kerb and channel and footpath reinstated (Condition 12). • A “Vehicle Crossing Permit” is required.
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> • Visibility splays are to be shown on the plans (Condition 1.16). • The width and internal radius of the driveway allow sufficient turning areas for all vehicles to exit the site in a forward direction. • There is at least 2.1 metres headroom beneath overhead obstructions. • An adequate passing bay has been provided at the frontage. • The accessway gradients comply with Design Standard 1: Accessways of Clause 52.06 (Car parking).
Engineering & Technical Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> • The dimensions of the car parking spaces comply. • There are no traffic congestion issues in the context the surrounding street network. • Car parking has been provided at the prescribed rate under Clause 52.06 (Car parking)
Engineering & Technical Services Unit – Car Parking Layout	<ul style="list-style-type: none"> • The car parking layout is satisfactory.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> • A Construction Management Plan is required (Condition 3).
Engineering & Technical Services Unit –	<ul style="list-style-type: none"> • The Flood Report that accompanied the planning application has been reviewed. The proposal is supported with the inclusion of the recommendations in the report, as conditions

Service Unit	Comments
Flooding	<p>in the permit as follows:</p> <ul style="list-style-type: none"> ○ Requires a crest to be constructed at the frontage, to prevent internal flooding (Condition 1.17). ○ Requires an impermeable wall on the southern side of the ramp to direct overland flows onto Lauer Street (Condition 1.1). ○ Requires grading of open space areas of Apartments 8-11 to form a flow path (Condition 1.2). ○ Requires front internal and front fence along Doncaster Road to be permeable (Condition 1.3).
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> ● Private waste collection is required onsite. ● Amendments are required to the submitted Waste Management Plan before approval to ensure a minimum 2.5 metre overhead clearance is provided at the waste collection vehicle stopping point to ensure orderly collection, and that no private waste collection bins are to be left on either street frontage for any reason. ● A final Waste Management Plan needs to be approved as part of the permit (Condition 5).
Engineering & Technical Services Unit – Easements	<ul style="list-style-type: none"> ● Build over easement approval is not required.
Strategic Projects Unit – Sustainability	<ul style="list-style-type: none"> ● The following amendments to the submitted Sustainability Management Plan (SMP) are required before approval (Conditions 4). <p><u>Indoor Environment Quality</u></p> <ul style="list-style-type: none"> ● Light courts are well sized for the height of the building and should provide adequate daylight to the bedroom windows in the court. To ensure maximum daylight distribution, plan notations are to be made for a high reflectance (70%) paint finish to be applied to all light court walls (Condition 4.2). ● To promote better daylight (via reflections), ensure that the proposed face brickwork walls abutting the battle axe bedroom windows of Apartments 2, 3, 4, 8, 11, 12, 102, 103, 105, 106, 109, 110, 112 and 113 are to have a colour reflectance of at least 60% (Condition 4.3). ● To shade unshaded windows in the north elevation, ensure that the habitable room windows in Apartments 202 & 204 have adequate fixed overhangs to control summer glare while allowing winter solar gains (Condition 4.4). ● To shade unshaded windows in the west elevation, ensure that the window at the end of the hallway (all levels), the southern bedroom windows in Apartments 1, 101, 201, and the bedroom window in Apartment 210 have operable external shading to control summer glare while allowing winter solar gains (Condition 4.5). <p><u>Water conservation</u></p> <ul style="list-style-type: none"> ● No water tank is shown on the plans, whereas the SMP

Service Unit	Comments
	<p>identifies a 26,000 litre tank.</p> <ul style="list-style-type: none"> Plans are required to be amended to show the location of the tank(s), their size, capacity and area of impervious area draining to them and their proposed use, and ensure that the notations align with the information contained in the SMP & STORM Report (Condition 1.20).
Economic and Environmental Planning Unit – Urban Design	<ul style="list-style-type: none"> The apartment building presents long facades to the north and south, but building recesses and stepping successfully breaks down the mass. The use of face brick and timber cladding on elevations is desirable. Opportunity for some solar screens or awnings to be provided for north-facing balconies (Condition 1.8). These will assist with providing visual interest and articulation. Light courts provide natural light to inboard bedrooms. Light courts should all be uncovered to provide ventilation (Condition 1.8). Although the Roof Plan indicates light courts are covered, the applicant has confirmed light courts are uncovered (email 6 March 2017). Windows lining the light courts should be openable. The applicant has confirmed light courts can have openable windows above 1.7 metres above finished floor level, and that operable windows can be provided at the end of hallways (Conditions 1.8) - (email 6 March 2017). Meter boxes and boosters are near the main entrance, and they should be appropriately screened with one or more of the building cladding materials proposed on the building (Condition 1.11). Should Australia Post require the mail box to be located near the property boundary (instead of in the Atrium), that this be incorporated into the design of landscaping (Condition 1.10).

6. CONSULTATION / NOTIFICATION

- 6.1 Notification of the application was given for a three-week period which concluded on 2 February 2017, by sending letters to nearby properties and displaying four signs in the street frontages.
- 6.2 One (1) objection was received from the following property:
- 58 Lawanna Drive, Templestowe.
- 6.3 The objection sought that the application be amended to include a mix of businesses to be developed on the site.
- 6.4 A response to the objection is included at the end of Section 8 Assessment of this report.

7. ASSESSMENT

- 7.1 The proposal has been assessed against the relevant state and local planning policies, the zone, overlay and the relevant particular provisions and general provisions of the Manningham Planning Scheme.
- 7.2 The assessment is made under the following headings:
- State and Local Planning Policy Frameworks (SPPF and LPPF);
 - Site inundation (Planning Scheme Amendment C109);
 - Design and built form;
 - Car parking, access, traffic and bicycle facilities;
 - Clause 55 (Rescode);
 - Objector concerns; and
 - Other matters.

State and Local Planning Policy Frameworks (SPPF and LPPF)

- 7.3 Key objectives of the SPPF and LPPF seek to intensify activity centres as a focus for high-quality development and encourage increased activity and density as a way to achieve broader urban consolidation objectives.
- 7.4 At both the SPPF and LPPF levels, policy encourages higher density development in established activity centres or on strategic redevelopment sites, particularly for housing. Whilst the site is not specifically identified as a strategic redevelopment site within the MSS, it substantially meets key criteria as a strategic redevelopment site primarily through its location and proximity to a Principle Activity Centre and a Neighbourhood Activity Centre with good access to public transport and existing services, and the ability of the site to accommodate more than ten dwellings.
- 7.5 The use of the site for the purpose of dwellings is appropriate within the zoning of the land and the strategic context of the site. There is policy support for an increase in residential density within and close to activity centres and the activation of street frontages to increase the vibrancy of the area.
- 7.6 The proposed development exceeds the 11 metre preferred building height requirement outlined in the DDO8 for lots with an area more than 1,800 square metres. The consolidation of three lots with a combined area of 1,968 square metres is considered appropriate to accommodate the development in the height proposed as the development provides increased setbacks to compensate for its larger scale in comparison to traditional medium density housing. This is consistent with the preferred future character outlined in the DDO8. The site is located in an area which is undergoing change and revitalisation due to the demand for increased density within the municipality.
- 7.7 While there is a strategic imperative for Council to encourage urban consolidation where an opportunity exists, this is not in isolation and other relevant policies (requiring new design to be appropriate for the physical and social context) are still relevant. The proposed development and its response to the streetscape (including supporting high quality urban design, on and off-site amenity of future

occupants and neighbours, energy efficiency and a positive contribution to neighbourhood character) will be assessed in the following sections of this report.

- 7.8 Council has, through its policy statements in the Manningham Planning Scheme, and in particular by its adoption of the DDO8 over part of this neighbourhood, created a planning mechanism that will in time alter the existing neighbourhood character along Manningham Road and in some adjoining side streets.
- 7.9 Council's planning preference is for higher density, multi-unit developments which can include apartment style developments on larger lots. This higher density housing thereby provides for the "preferred neighbourhood character" which is guided by the design elements contained within the DDO8, in conjunction with an assessment against Clause 21.05 and Clause 55 – Rescode. The resultant built form is contemplated to have a more intense and less suburban outcome.
- 7.10 An apartment development across this site is generally consistent with the broad objectives of Council's planning policy outlined at Clause 21.05 of the Manningham Planning Scheme. The policy encourages urban consolidation (and apartment buildings) in this specific location due to its capacity to support change given the site's main road location and proximity to services, such as public transport. The policy anticipates a substantial level of change from the existing character of primarily single dwellings and dual occupancies which have occurred in the past.

Site inundation (Planning Scheme Amendment C109)

- 7.11 In July 2005, the Victorian Auditor General recommended that Council's provide a higher level of flood protection, carry out reliable mapping and include the results in their planning schemes. As a consequence, Council is currently undertaking Planning Scheme Amendment C109, to provide properties with a greater level of protection against potential storm events.
- 7.12 The amendment applies to land in five local catchments in the City of Manningham which have been identified by Melbourne Water and Council as being liable to flooding in a 1 in 100 year storm event.
- 7.13 Amendment C109 proposes to change the Manningham Planning Scheme (MPS) by amending the Municipal Strategic Statement (MSS) at Clause 21.12 Infrastructure and Clause 21.16 Key References, to include reference to:
- The '*Flood Management Plan for Manningham Council and Melbourne Water June 2011*' which provides the strategic framework for establishing the appropriate Planning Scheme overlays to reflect the results of the flood mapping project and;
 - The '*Development of the Special Building Overlay – Technical Report for Manningham City Council (Cardno) September 2015*', which provides an overview of the methodology used in the flood mapping of the five local catchments.
- 7.14 The amendment commenced exhibition on the 12 November 2015 and the closing date for submissions was the 24 December 2015. Should the amendment become gazetted a planning permit would be required to construct a build or to construct or carry out works.

7.15 At its meeting of 21 February 2017, Council considered 6 recommendations in respect to Planning Scheme Amendment C109, under Item 10.3 of the Business Paper. Council resolved:

- *That this matter be deferred for three months to enable consultation with Councillors.*

7.16 Site flooding was a matter of concern raised to the applicant in Council's letter requiring Further Information (7 June 2016). In response, the applicant commissioned a Floor Investigation Report (Energy Water Management) for the consideration of Council officers.

7.17 The report concluded:

- *The proposed development would be constructed with a floor level set at 100.85 metres AHD, 300mm above the developed conditions peak 1% AEP flood level. The entry from Lauer Street would need to be constructed with a crest at a height of 99.5 metres AHD. This is 300mm above the flood level on Lauer Street at the entry point which is 99.2 metres AHD;*
- *A solid impermeable brick or concrete wall should also be constructed along the southern side of the ramp into the basement car park with a height of 99.75 metres AHD. This will direct overland flows back onto Lauer Street and away from the basement ramp; and*
- *The part of the property that makes up the private open space for Apartments G8, G9, G10 and G11 will need to be graded so that a flow path is formed through this area. It is also important that fences between these private open spaces are not impermeable (i.e. not brick walls). The plan attached shows the ground levels that need to be achieved through these private open spaces.*

7.18 Council's Engineering and Technical Services Unit have concurred with the findings of this report and required they be included as permit conditions **(Conditions 1.1, 1.2, 1.3 and 1.17)**.

Design and built form

7.19 An assessment against the requirements of the DDO8 is provided below:

Design Element	Met/Not Met
<p>DDO8-1 (Main Road Sub-Precinct)</p> <ul style="list-style-type: none"> • The minimum lot size is 1800 square metres, which must be all the same sub-precinct. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage • 11 metres provided the condition regarding minimum land size is met. <p>If the condition is not met, the</p>	<p>Objective Considered Met</p> <p>The site is greater than 1,800 square metres in area and is entirely located within the Main Road Sub-Precinct.</p> <p>The building has a maximum height of 11.38 metres, which exceeds the preferred height by 0.38 metres.</p> <p>The purpose of providing discretion in building height on the Main Road Sub-Precinct is to allow flexibility to achieve design excellence. This might be through providing a 'pop-up' level to provide visual interest to an otherwise flat roof form, or a</p>

Design Element	Met/Not Met
<p>maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.</p>	<p>design feature at a 'gateway' site. The discretion is only provided to this sub-precinct because main road streetscapes are typically less fragmented environments compared to local streets and therefore can absorb some additional height.</p> <p>The finished floor level of the building has been raised 0.3m above the 1 in 100 year flood level that affects the site. In protecting the ground floor levels from inundation, this has raised the building to exceed the preferred height of 11 metres, by 0.38 of a metre.</p> <p>This is not considered excessive, and possibly indiscernible. The generous setbacks of the building to Doncaster Road and the articulation in building form and use of materials to give the appearance of articulation is an appropriate design response to limit the appearance of height in the building.</p> <p>At every level in the Doncaster Road elevation the building has increased setbacks to the frontage with the upper floor level being setback between 9.0 metres and 9.7 metres.</p> <p>On balance, it is considered that the height of the building is acceptable and will not have unreasonable impacts on the streetscape or adjoining properties.</p>
<ul style="list-style-type: none"> Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. 	<p>Met</p> <p>The ground floor walls of the building are setback between 6.0 and 6.6 metres to Doncaster Road.</p> <p>The DDO8 allows balconies and terraces to encroach within the street setback by a maximum of 2 metres, which have been provided for all apartments in the Manningham Road frontage.</p>
<p>Form</p> <ul style="list-style-type: none"> Ensure that the site area covered by buildings does not exceed 60 percent. 	<p>Met</p> <p>The building has a site coverage of 59.8%.</p>
<ul style="list-style-type: none"> Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Met</p> <p>The building incorporates a mixture of colours and materials to provide visual interest.</p>

Design Element	Met/Not Met
	Articulation is also provided by the stepping of walls, the use of balconies, glazing, fascias and framing elements.
<ul style="list-style-type: none"> Minimise buildings on boundaries to create spacing between developments. 	<p>Met</p> <p>No part of the building is constructed on a boundary. Building setbacks range between 2.45 metres and 4.68 metres to the western boundary and 4.0 metres to the northern boundary providing space between the building and the adjoining properties. This spacing can accommodate substantial landscaping and courtyards. This is considered to be an appropriate outcome for adjoining properties and the streetscape.</p>
<ul style="list-style-type: none"> Where appropriate ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area. 	<p>Met</p> <p>The site is on a corner and has its frontage to Doncaster Road. Therefore the rear of the site is considered to be the northern boundary.</p> <p>The building is stepped down at the rear through staggered setbacks, and the incorporation of balconies and varied building materials.</p> <p>The upper levels of the building are graduated to provide increased setbacks to the rear boundary, which allows the building to be stepped down and provide a transition to the single-storey scale of the adjoining northern properties.</p>
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Met</p> <p>Excavation is proposed throughout and this reduces the height of the building above the natural ground level and the associated visual impact. The level differences across the site are not excessive given the area of the site. No stepping in floor levels has been provided and are not considered necessary for this design.</p>
<ul style="list-style-type: none"> Avoid reliance on below ground light courts for any habitable rooms. 	<p>Met</p> <p>The building does not rely on below ground light courts for any habitable rooms.</p>
<ul style="list-style-type: none"> Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Not applicable</p>
<ul style="list-style-type: none"> Ensure that the upper level of a three storey building does not exceed 75% of the lower levels, 	<p>Met</p> <p>The upper floor level of the building covers 68.4% of the second floor level below.</p>

Design Element	Met/Not Met
<p>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>	<p>Overall, the building is well articulated and provides visual interest.</p>
<ul style="list-style-type: none"> Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos. 	<p>Met There are no porticos or imposing design elements proposed. Design features are considered to be well integrated into the overall design of the building.</p>
<ul style="list-style-type: none"> Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation. 	<p>Met The depth of excavation has addressed site slope, minimised basement projections, and the overall height of the building.</p> <p>Some basement projections are visible in the northern elevation (maximum height 1.8 metres) and in the Lauer Street elevation adjacent to the entrance (maximum height 1.3 metre). The later will be mostly be obscured by the deck area of Apartment 6.</p> <p>The floor levels resulting in the projections are necessary to address the site inundation constraints of the site.</p>
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Met subject to condition Overlooking need only be considered towards the northern adjoining properties from the habitable room windows and balconies with in the development.</p> <p>Whilst most windows and balconies have been designed to appropriately limit overlooking, the north-facing bedroom windows of Apartments 102, 103, 202 & 204 are opposite secluded private open space areas or habitable room windows and require treatment.</p> <p>A condition has been included requiring these be designed to limit overlooking in accordance with Clause 55.04-6 (Overlooking) of the Manningham Planning Scheme (Condition 1.4).</p> <p>No screening devices are proposed.</p>
<ul style="list-style-type: none"> Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities. 	<p>Met The pedestrian path into the building entry contains no steps, allowing equitable access by people with all mobilities.</p>

Design Element	Met/Not Met
	The lift provides access to the basement car park and entries to all dwellings.
<ul style="list-style-type: none"> Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	<p>Met The basement projections in the northern elevation will not be visible from the adjoining residential properties.</p>
<ul style="list-style-type: none"> Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site. 	<p>Met The basement is not visible in either street frontage as it is below 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>Met All car parking is provided within the basement car park.</p>
<ul style="list-style-type: none"> Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established. 	<p>Met subject to condition The basement is consistent with the ground level building setback of 6 metres.</p> <p>The rear building setback is between 4.68 metres and 2.45 metres, and only partially complies with the preferred 4.0 metres setback.</p> <p>The application was accompanied with a Landscaping Plan that indicates that a substantial landscaping treatment can be provided in the rear setback, including the planting of canopy trees.</p> <p>On this basis, the proposed setbacks are considered reasonable.</p> <p>A condition has been included requiring a Landscaping Plan to be submitted for approval (Condition 18).</p>
<ul style="list-style-type: none"> Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces. 	<p>Met subject to condition The development provides appropriate wall setbacks to all boundaries to allow for screen planting that soften the appearance of the built form.</p> <p>A condition has been included requiring a Landscaping Plan be submitted for approval (Condition 18).</p>
<ul style="list-style-type: none"> Ensure that service equipment, building services, lift over-runs 	<p>Met subject to condition Roof mounted equipment is located centrally</p>

Design Element	Met/Not Met
<p>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>	<p>on the roof. A condition (Condition 1.7) has been included requiring these services be screened to minimise any visual and amenity impacts from the street or adjoining properties (if required).</p>
<p><u>Car Parking and Access</u></p> <ul style="list-style-type: none"> • Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback. 	<p>Met</p> <p>One crossover and accessway is proposed, in Lauer Street. This is a modified entrance to that currently in existence for the dwelling at 1 Lauer Street. No street trees will be impacted.</p> <p>This proposed access is considered appropriate for the development.</p>
<ul style="list-style-type: none"> • Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary. 	<p>Met</p> <p>The basement does not extend beyond the built form of the ground level in either the front or rear setback.</p>
<ul style="list-style-type: none"> • Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling. 	<p>Not applicable</p>
<ul style="list-style-type: none"> • Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	<p>Met</p> <p>Council's Engineering and Technical Services Unit have determined that the accessway gradients comply with Design Standard 3: Gradients of Clause 52.06 (Car parking) of the Manningham Planning Scheme. On this basis, safe and convenient access for vehicles and servicing requirements are provided.</p>
<p><u>Landscaping</u></p> <ul style="list-style-type: none"> • On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or 	<p>Met subject to condition</p> <p>Eleven canopy trees are shown on the Landscaping Plan within the Doncaster Road and Lauer Street frontages. A condition will require that a Landscaping Plan be submitted for approval (Condition 18).</p>

Design Element	Met/Not Met
<p>more at maturity.</p> <ul style="list-style-type: none"> On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity. 	
<ul style="list-style-type: none"> Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form. 	<p>Met</p> <p>The site plan shows the site will allow the planting of numerous canopy trees within the side and rear setbacks, which assist to soften the appearance of the built form.</p>
<p>Fencing</p> <ul style="list-style-type: none"> A front fence must be at least 50 per cent transparent. On sites that front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn and Mitcham Roads, a fence must: <ul style="list-style-type: none"> not exceed a maximum height of 1.8m be setback a minimum of 1.0m from the front title boundary <p>and a continuous landscaping treatment within the 1.0m setback must be provided.</p>	<p>Met</p> <p>A 1.8 metre high brick pier with metal infill fence is proposed 1 metre setback along the Doncaster Road frontage. The fence is 50% transparent and continuous is provided in front of the fence.</p> <p>Council's Engineering and Technical Services Department have required the fence be permeable to allow the passage of flood waters (Condition 1.3).</p>

Car parking, access, traffic and bicycle facilities

Car parking, Access and Traffic

- 7.20 Prior to a new use commencing or a new building being occupied, Clause 52.06-2 of the Scheme requires that the number of car parking spaces outlined at Clause 52.06-6 to be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the Responsible Authority.
- 7.21 This clause requires resident car parking to be provided at a rate of 1 space for each dwelling with one or two bedrooms, plus 2 spaces for each dwelling with three or more bedrooms.
- 7.22 Visitor car parking is required at a rate of 1 car parking space for every five dwellings.
- 7.23 The proposal requires the provision of 39 car parking spaces for residents and 7 car parking spaces for visitors. The proposed parking provision complies with the prescribed resident and visitor requirements and are satisfactory. It is noted that

Apartment 203 has been allocated 2 spaces, whereas only 1 space is required as the apartment has 2 bedrooms.

- 7.24 An assessment against the car parking design standards in Clause 52.06-8 is provided in the table below:

Design Standard	Met/Not Met
1 – Accessways	<p>Met The accessways servicing the basement car park meets the minimum width and height clearance requirements, and has been designed to allow all vehicles to enter and exit the site in a forward direction onto Lauer Street.</p> <p>The Standard requires a passing bay with dimensions of 5 metres x 7 metres for 2-way passing traffic at the frontage which has been provided.</p>
2 – Car Parking Spaces	<p>Met Car parking space dimensions and aisle widths are provided in accordance with the requirements.</p>
3 – Gradients	<p>Met Council's Engineering and Technical Service Department have determined the accessway gradients comply.</p>
4 – Mechanical Parking	<p>Not applicable No mechanical parking proposed.</p>
5 – Urban Design	<p>Met The vehicle crossover and accessway are not dominate features in the streetscape.</p>
6 – Safety	<p>Met subject to condition The basement car park is provided with an automatic door. A condition will require intercom systems be provided for both accessways (Condition 1.19).</p>
7 – Landscaping	<p>Met subject to condition No ground level car parking is proposed. Landscaping is provided to soften the appearance of the accessway. A condition has been included requiring a Landscaping Plan be submitted for approval (Condition 18).</p>

- 7.25 The Traffic Report confirms that the proposed development is expected to generate 26 residential vehicle movements per peak hour and a total of 260 vehicle trip ends per day. The majority of vehicle movements would be in the morning peak period when residents commute to work/business or other activities. In the afternoon, residential vehicle trips back to the site would be spread out over wider time frame. The report concludes that the expected volume of traffic that likely to be generated by the development will be assimilated into the surrounding road network and to not have a detrimental impact on the operation of Doncaster Road.

- 7.26 Council's Engineering Services Department raise no concern in relation to the expected traffic generated by the proposed development. The proximity of the site to public transport will encourage a greater variety of transportation methods as opposed to sole reliance on a vehicle.

7.27 Overall, the traffic generated as a result of the proposed development (while acknowledging existing traffic congestion and problems in the surrounding street network) is considered to be generally compliant with the broader policy objectives of encouraging sustainable transport modes and ensuring there is a satisfactory level of parking provision as outlined in the SPPF and LPPF.

Land Adjacent to a Road Zone Category 1

7.28 A permit is required under Clause 52.29 of the Manningham Planning Scheme as the proposal involves the removal of two crossover in Manningham Road, as it is zoned Road Zone, Category 1.

7.29 The decision guidelines of this clause include the views of the relevant road authority.

7.30 VicRoads have not objected to the proposal, but have required 2 conditions be included in the permit **(Conditions 36 and 37)**.

Bicycle Facilities

7.31 In developments of four or more storeys, one bicycle space is required for every five dwellings (for residents) and one bicycle space is required for every ten dwellings (for visitors).

7.32 The proposal requires the provision of 7 bicycle spaces for residents and 4 bicycle spaces for visitors (total 11). 27 resident bicycle spaces (rails) are provided within the upper basement, which exceeds the prescribed requirements. The provision of visitor bicycle parking in the basement instead of at the building entrance is considered acceptable, as occupants can allow access into the basement level for visitors.

Clause 55 (Rescode)

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

Objective	Objective Met/Not Met
<p>55.02-1 – Neighbourhood Character</p> <ul style="list-style-type: none"> To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area. 	<p>Objectives Considered Met</p> <p>As outlined in the assessment of the proposal against the policy requirements of the Design and Development Overlay – Schedule 8 (DDO8), the proposed apartment development responds positively to the preferred neighbourhood character and respects the natural features of the site, and its surrounds.</p>
<p>55.02-2 – Residential Policy</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning 	<p>Met</p> <p>The application was accompanied by a written statement that has demonstrated how the development is consistent with State, Local and Council policy.</p> <p>Clauses 21.05 (Residential) and 43.02 (Design and Design and Development Overlay – Schedule 8), are applicable to the</p>

Objective	Objective Met/Not Met
<p>policies.</p> <ul style="list-style-type: none"> To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>site and support medium density developments. The development can take advantage of public transport and community infrastructure and services.</p>
<p>55.02-3 – Dwelling Diversity</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	<p>Met</p> <p>The proposal includes a mix of one, two and three bedroom dwellings with a range of floor areas to provide diversity.</p>
<p>55.02-4 – Infrastructure</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Met subject to condition</p> <p>The site has access to all services. The landowner is required to provide an on-site stormwater detention system to alleviate pressure on the drainage system (Condition 20).</p>
<p>55.02-5 – Integration With Street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<p>Met</p> <p>The front entry of the development is orientated towards Doncaster Road and integrates well with the the street.</p>
<p>55.03-1 – Street Setback</p> <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Met</p> <p>The building is setback at least 6 metres to Doncaster Road which complies with DDO8.</p>
<p>55.03-2 – Building Height</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Objectives Considered Met</p> <p>The building has a maximum height of 11.38 metres, which is 0.38 metres above the 11 metre preferred height requirement under the DDO8.</p> <p>For the reasons discussed in Section 7.19 of this report, the maximum building height is considered appropriate.</p>
<p>55.03-3 – Site Coverage</p> <p>2. To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p>Met</p> <p>The proposed site coverage is 59.8%, which is below the 60% requirement in the standard.</p>
<p>55.03-4 – Permeability</p> <ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. 	<p>Met</p> <p>The proposal has 36.0% of site area as pervious surface, which complies with the standard requirement.</p>
<p>55.03-5 – Energy Efficiency</p> <ul style="list-style-type: none"> To achieve and protect energy 	<p>Met subject to condition</p> <p>As discussed in Section 6.3 Internal Referrals</p>

Objective	Objective Met/Not Met
<p>efficient dwellings.</p> <ul style="list-style-type: none"> To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>of this report, a condition has been included requiring a revised SMP to be prepared. The condition includes a number of sustainability measures to be incorporated into the building's design (Condition 4).</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 No communal open space is proposed and the development is not adjacent to any public open space.</p>
<p>55.03-7 – Safety</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	<p>Met The pedestrian path is visible from Doncaster Road and access into the building is restricted. Access into basement is restricted by intercom controlled automatic doors.</p>
<p>55.03-8 – Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. 	<p>Met subject to condition Generous landscaping will be accommodated within the setbacks to all site boundaries. The development is not expected to have any impact on vegetation within adjoining properties due to the building setbacks.</p> <p>A Landscaping Plan has been provided, but will be required to be amended by a permit condition (Condition 18) to reflect all plan changes under Condition 1.</p> <p>The submitted Landscaping Plan provides four canopy trees within the Manningham Road frontage and a combination of trees and landscaping adjacent to the other boundaries.</p> <p>A permit condition will require an indicative location of the stormwater detention system on the site plan to be located outside of easements and canopy tree landscape areas (Condition 1.6).</p> <p>A Landscaping maintenance bond of \$10,000 will be required by a permit condition (Condition 19).</p>
<p>55.03-9 – Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Met Consideration of access was made in the DDO8 assessment in Section 7 of this report.</p>
<p>55.03-10 – Parking Location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. 	<p>Met The lift provides equitable access for residents and visitors from all car parking spaces within the basement levels.</p>
<p>55.04-1 – Side And Rear Setbacks</p>	<p>Met</p>

Objective	Objective Met/Not Met
<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. 	The setbacks to the northern and western boundaries comply with the prescribed requirements at all levels.
<p>55.04-2 – Walls On Boundaries</p> <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Not applicable</p> <p>There are no walls proposed on a boundary.</p>
<p>55.04-3 – Daylight To Existing Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	<p>Met</p> <p>All existing habitable room windows are provided with sufficient light court areas that comply with the standard.</p>
<p>55.04-4 – North Facing Windows</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Not applicable</p> <p>There are no north facing windows within 3 metres of the site.</p>
<p>55.04-5 – Overshadowing Open Space</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Met</p> <p>No residential properties will be overshadowed by the proposed development.</p>
<p>55.04-6 – Overlooking</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Met subject to condition</p> <p>Whilst most windows and balconies have been designed to appropriately limit overlooking, the north-facing bedroom windows of Apartments 102, 103, 202 & 204 are opposite secluded private open space areas or habitable room windows and require treatment.</p> <p>A condition has been included requiring these be designed to limit overlooking in accordance with the prescribed requirements of Clause 55.04-6 (Overlooking) of the Manningham Planning Scheme (Condition 1.4).</p>
<p>55.04-7 – Internal Views</p> <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Met</p> <p>The proposed design layout will generally limit internal views into the secluded private open space and habitable room windows of dwellings within the development.</p> <p>Many bedroom windows face each other across the light courts, and without treatment, would allow internal views. Obscure glazing to 1.7 metres is notated on the floor plans,</p>

Objective	Objective Met/Not Met
	however an internal elevation of the light courts have not been provided and the window design is unknown. A condition has been included requiring an elevation plan of each side wall of each light court be prepared to provide window details, to ensure internal views are appropriately limited (Condition 1.7).
<p>55.04-8 – Noise Impacts</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise. 	<p>Met subject to conditions</p> <p>There are no unusual noise sources that may affect existing dwellings.</p> <p>A permit condition will require acoustically treated glazing to be provided to the habitable room windows directly facing Doncaster Road, to protect occupants from external traffic noise (Condition 1.8).</p> <p>Plant on the roof is centrally located and may not require screening. Building services, including electrical substations and air inlets for the mechanical basement ventilation are required to be shown on the plans (Condition 1.21).</p>
<p>55.05-1 – Accessibility</p> <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Met</p> <p>The internal lift provides access to the basement car park levels and entries of all dwellings.</p>
<p>55.05-2 – Dwelling Entry</p> <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	<p>Met</p> <p>The apartments all derive pedestrian access from the central pedestrian path and foyer at the frontage. The building entry is well identified and sheltered by a canopy.</p>
<p>55.05-3 – Daylight To New Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	<p>Met</p> <p>The proposal includes 4 light courts. These are located towards the centre of the building's footprint, for the penetration of light into bedrooms and service rooms that adjoin the light courts at each level.</p> <p>The light courts have dimensions of 3.0 metres x 3.6 metres which are considered sufficiently large to allow light to the ground level, and thereby into the rooms that are reliant upon this light.</p> <p>To maximise the effectiveness of the design of the light courts a condition has been included requiring the walls be painted in a high reflective (70%) paint finish (Condition</p>

Objective	Objective Met/Not Met
	<p>1.8).</p> <p>All other habitable room windows within the development will receive adequate daylight.</p>
<p>55.05-4 – Private Open Space</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Met</p> <p>All ground floor dwellings are provided with secluded private open space areas that have paved courtyards and landscaped gardens. These range in size between 29.2sqm and 113.5sqm and comply. Council's Engineering and Technical Services Unit have required fencing within the front setback be permeable to allow the flow of flood waters. This will generate a loss of privacy between adjacent secluded private open space areas if a fencing types cannot be designed to provide for both. A condition has been included requiring a detailed design of the internal fences within the Doncaster Road frontage be provided that demonstrates the free flow of flood waters and privacy between adjacent secluded private open space areas (Condition 1.3).</p> <p>The remaining dwellings are provided with secluded private open space in the form of balconies that range from 8sqm to 28.8sqm. Each balcony complies with the standard.</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>Objective Met</p> <p>An apartment building design typology, does not always allow all private open space areas to be provided with a northern aspect.</p> <p>The south-facing courtyards of Apartments 7-13 have a minimum depth of 5 metres which will allow for a satisfactory level of solar access into them.</p> <p>In the development 12 balconies face south, however 4 of these are on a corner of the building which will allow additional solar access from the side.</p> <p>On balance, for a proposal with 37 apartments, the vast majority of open space areas will receive adequate solar access due to their orientation.</p>
<p>55.05-6 – Storage</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>Met</p> <p>A minimum of 6 cubic metres of externally accessible storage is provided for each dwelling in both basement levels.</p>

Objective	Objective Met/Not Met
<p>55.06-1 – Design Detail</p> <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. 	<p>Met subject to condition</p> <p>The apartment building is well articulated and incorporates various materials and finishes to reduce the sense of visual bulk.</p> <p>A permit condition will require a full schedule of materials and finishes with colour samples (Condition 1.9).</p>
<p>55.06-2 – Front Fence</p> <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Met</p> <p>Consideration of the front fence was made in the DDO8 Section 7.19 of this report.</p>
<p>55.06-3 – Common Property</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	<p>Met</p> <p>The communal basement, pathway and shared landscaping areas are practically designed. There are no apparent difficulties associated with the future management of these areas.</p>
<p>55.06-4 – Site Services</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	<p>Met subject to condition</p> <p>Site services are generally appropriately provided. The proposed letterbox is located in the Atrium and may not be acceptable to Australia Post. Should they require this to be located to the front of the site in Doncaster Road, space is available adjacent to the eastern side of the pedestrian path. A condition has been included requiring this be relocated, unless Australia Post agrees to its proposed location (Condition 1.10).</p> <p>A permit condition will require the location of any fire services at the frontage to be shown and designed to complement the overall development (Condition 1.11).</p> <p>To bring together the landscaping and screening requirements adjacent to service cabinets, a permit condition will require details of the building's front entry and an elevation of the letterboxes and screening to service cabinets (Condition 1.12).</p> <p>To ensure the appearance of the building does not detract from any elevation, a permit condition will require retractable clotheslines to be installed within all ground level open spaces and balconies to ensure that they are not visible from the street or adjoining</p>

Objective	Objective Met/Not Met
	properties (Condition 1.14).

Objector concerns

7.34 A response to the grounds of objection is provided in the following paragraph:

Request to include a mix of businesses on the site

7.35 The site is zoned Residential Growth Zone, Schedule 2, which prohibits commercial uses as suggested would be an appropriate land use by the objector. It is noted that approximately 100 metres to the east, land is zoned Commercial 1 Zone where a mix of businesses is supported under the Manningham Planning Scheme.

8. CONCLUSION

8.1 It is recommended that the application be supported, subject to design changes that will be required by way of conditions.

9. DECLARATION OF CONFLICT OF INTEREST

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