

0.0 Planning Application PLN18/0571 at 674-680 Doncaster Road, 2 Short Street, 14, 14A, 16 and 18 Hepburn Road, Doncaster for the partial demolition of the existing building, use and development of the land for a 13-storey mixed-use building comprising 136 dwellings, place of assembly, child care centre, food and drink premises and office, reduction in standard car parking requirements and the creation and alteration of access to a road in a Road Zone, Category 1

File Number: IN19/242
Responsible Director: Director City Planning and Community
Applicant: Hollerich Town Planning Pty Ltd
Planning Controls: Activity Centre Zone, Schedule 1 (ACZ1); Heritage Overlay, Schedule 46 (HO46); Development Contributions Plan Overlay, Schedule 1 (DCPO1); Parking Overlay, Schedule 1 (PO1)
Ward: Koonung
Attachments: 1 Decision Plans
2 Legislative Requirements

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for 674-680 Doncaster Road, 2 Short Street, 14, 14A, 16 and 18 Hepburn Road, Doncaster and recommends approval, subject to amendments that will be addressed by way of permit conditions. The application is being reported to Council as it is a Major Application (with 15 or more dwellings and a development cost of more than \$5 million).

Proposal

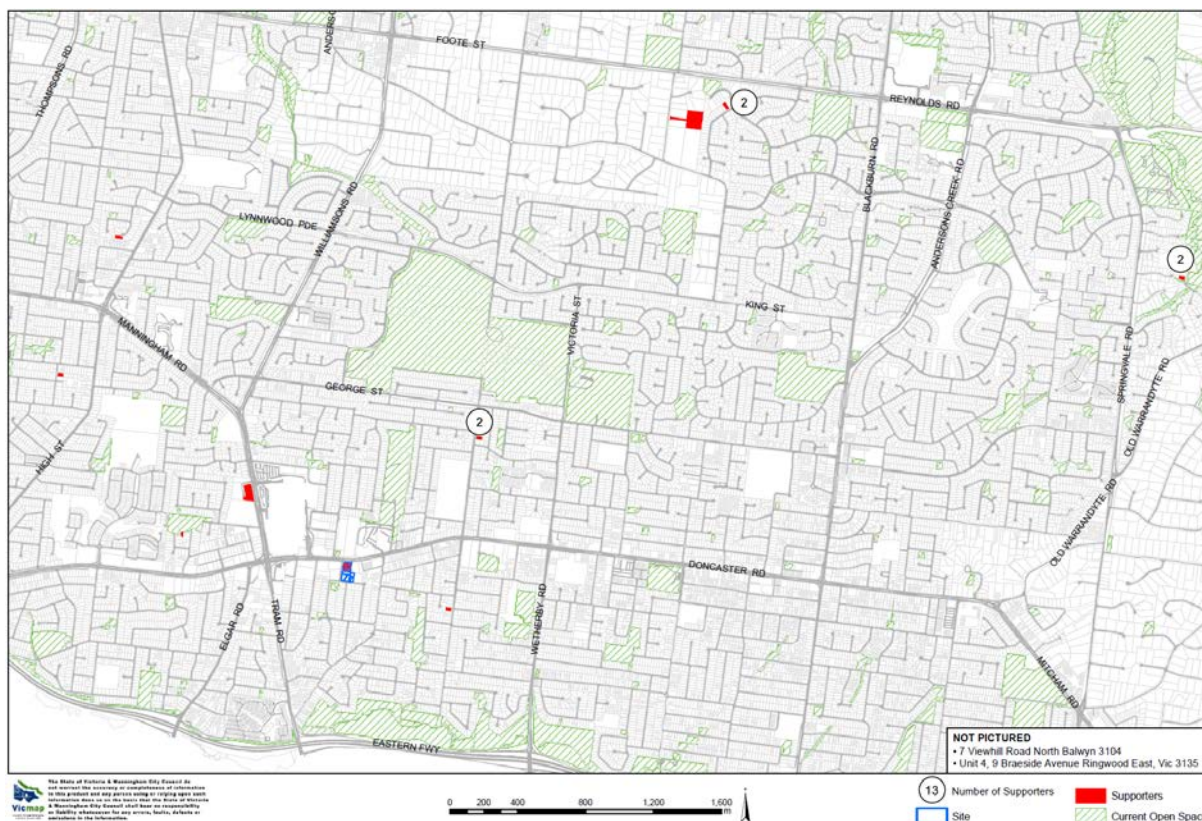
2. It is proposed to retain the existing chapel and demolish the remainder of the buildings, to use and develop the land for a 13-storey, mixed-use building. It comprises 136 dwellings (including six dwellings set aside for affordable housing), a place of assembly, child care centre, two food and drink premises and two offices. It also involves a reduction in standard car parking requirements associated with non-residential uses and creation and alteration of access to a road in a Road Zone, Category 1.
3. The land has a total area of 6,583m². The proposal has an overall site coverage of 74% and a site permeability of 12%. The building does not exceed the Activity Centre Zone maximum building height limits of 34.8m within Precinct 2B or 14.5m within Precinct 2F. A total of 400 car spaces are distributed over four levels, in two separate sections, with 198 spaces for the dwellings (residents and visitors) and 202 spaces for non-residential uses. 71 bicycle spaces are provided.
4. A separate application will consider an increase to the height of the building through a Planning Scheme Amendment.

Advertising

5. Notice of the application was given over a three week period which concluded on 27 March 2019.
6. 21 objections were received. The objections include concerns primarily relating to traffic and congestion, inadequate on-street and off-street car parking and pedestrian safety. Other issues include traffic noise, crossover location, public transport availability, overdevelopment, off-site amenity impacts, inadequate off-site public open space, and construction impacts.
7. The property addresses of all objectors is shown on the map below:



8. Sixteen submissions of support were also received. The property addresses of all supported is shown on the map below:



Key issues in considering the application

9. The key issues for Council in considering the proposal relate to:
- Planning Policy Frameworks;
 - Design, built form and heritage;
 - Apartment developments;
 - Car parking, access, traffic, land adjacent to a Road Zone Category 1 and bicycle facilities;
 - Affordable housing; and
 - Objector concerns.

Assessment

10. The development of the land for a mixed-use, high density residential apartment building is consistent with the relevant objectives of State and Local planning policies of the Manningham Planning Scheme (the Scheme), including the requirements of the Activity Centre Zone 1 (ACZ1) and supporting policy related to the Doncaster Hill Principal Activity Centre.
11. The development features a contemporary design, and meets the mandatory maximum building heights and setbacks to Doncaster Road (subject to condition) prescribed by the ACZ1. It presents a scale and design that complements other high density developments (both approved and constructed) in the area and appropriately responds to the heritage significance of the existing chapel (subject to conditions).
12. The proposal meets the car parking requirements for the dwellings (residents and visitors), however the application has a shortfall of car parking for non-residential

uses. Conditions will limit the operating hours of the child care centre and offices to weekdays only and limit the number of patrons associated with the place of assembly. Peak car parking demand is expected during the day on weekdays and weekends. During these times, the combination of the distribution of uses and limitations on the number of patrons associated with the place of assembly during weekdays will ensure that the non-residential car park can reasonably accommodate the anticipated demand.

Conclusion

13. The relevant planning controls seek an intensive residential or mixed use development for the subject site. The proposed development will comply with the various requirements of the ACZ1 as they relate to siting, height and building presentation and transitions appropriately to surrounding development. This report concludes that the proposal complies with the relevant planning policy in the Scheme and should be supported, subject to conditions requiring modest design changes to the building and the submission of management plans for approval prior to the commencement of works.
14. 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 PLN18/0571 at 674-680 Doncaster Road, 2 Short Street, 14, 14A, 16 and 18 Hepburn Road, Doncaster for the partial demolition of the existing building, use and development of the land for a 13-storey mixed-use building comprising dwellings, a place of assembly, child care centre, food and drink premises and offices, reduction in standard car parking requirements and the creation and alteration of access to a road in a Road Zone, Category 1, subject to the following conditions –**

1. **Before the use and development starts, amended plans drawn to scale and dimensioned, must be submitted to the satisfaction of 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 Design Inc, Project No. 16040, Revision P8 dated 1 March 2019), but modified to show:**

Built form and design

- 1.1 **A minimum 9m setback to the front tower to Doncaster Road;**
- 1.2 **The replacement of the pale bronze vertical Colorbond cladded screen (marked on the plan as CW03) defining the northern balconies of Apartments 6.11 on Level 6 and 7.11 on Level 7 with the pale bronze powdercoated aluminium box fins (marked on the plan as MB01), to terminate at the western edge of the balconies;**
- 1.3 **The brickwork identified on the plans as 'BK01' modified to a pale colour, which can match the original lighter coloured brick**

used for detailing on the 1889 church building;

Boulevard treatment and Doncaster Road frontage

- 1.4 Full details of the boulevard treatment along Doncaster Road, including maintaining a minimum 3.6m wide paved promenade with staggered avenues of deciduous trees, with full dimensions and paving materials in accordance with the Doncaster Hill Strategy;**
- 1.5 The continuation of the Doncaster Hill paved promenade treatment over the Doncaster Road crossover/driveway to reinforce pedestrian priority;**
- 1.6 Greater detail of the scale of the utility cabinets, fire booster assembly and water meters along the frontage, including details of adequate screening and to ensure these cabinets integrate appropriately with the development and are not dominant features of the front façade;**

Landscaping

- 1.7 All landscaping areas detailed and dimensioned to correspond with the concept landscape plans (prepared by Phillip Johnson Landscapes, Job No. 1019, dated 19 November 2018);**
 - 1.8 The following additional areas set aside for landscaping to the satisfaction of the Responsible Authority:**
 - 1.8.1 A minimum 1m wide area to the perimeter of the site, within the private open space area of dwellings fronting Short Street and Hepburn Road;**
 - 1.8.2 In suitable areas within the plazas;**
 - 1.8.3 In suitable areas between the driveway to the loading area and Apartment 1.02;**
 - 1.8.4 Along the eastern boundary, adjacent to 8-10 Hepburn Road;**
 - 1.9 Full details of retaining walls and fencing around the perimeter of the site and to each road frontage;**
 - 1.10 The location of street trees to be removed;**
 - 1.11 The retention of the street trees within the road reserve of Hepburn Road;**
- #### **Car parking, access and basement areas**
- 1.12 The numbering of all car parking spaces, demonstrating at least 184 residential spaces, 13 visitor spaces and at least 202 non-residential spaces;**

- 1.13 A detailed schedule and allocation of car parking spaces for:**
- 1.13.1 Each apartment and townhouse within the basement and Level 1, rationalised based on the location of corresponding allocated external storage spaces and the most convenient lift locations relative to the entrance of each dwelling;**
 - 1.13.2 Residential visitor spaces, located towards the entrance of the residential car park within Level 1;**
- 1.14 Allocation of external storage for each dwelling, rationalised based on the location of corresponding allocated resident vehicle spaces, including a minimum 6m³ of storage to each townhouse;**
- 1.15 Details of the materials and finishes of all external storage areas;**
- 1.16 Details and plan notations demonstrating each area set aside for bicycle spaces complies with Clause 52.34-6 (Design of bicycle spaces) and Clause 52.34-7 (Bicycle signage) of the Manningham Planning Scheme. The spaces provided within the Level 4 plaza must be fully rationalised having regard to the proximity to the crossover and functionality of the overall plaza;**
- 1.17 The driveway to the entry of the non-residential car park modified to be no steeper than 1:10 and demonstrated to comply with Clause 52.06-9 (Car Parking) of the Manningham Planning Scheme;**
- 1.18 A notation detailing that all redundant vehicle crossovers be removed and the footpath, nature strip, kerb and channel be reinstated;**
- 1.19 The location of intercom systems to the car park entries;**
- Other**
- 1.20 All balcony minimum dimensions to comply with Clause 58.05-3 (Private Open Space) of the Manningham Planning Scheme.**
- 1.21 Balcony barrier height and materials to demonstrate internal views have been satisfactorily limited between apartment balconies to meet Standard D15 of Clause 58.04-2 (Internal views) of the Manningham Planning Scheme;**
- 1.22 Measures to limit views into habitable room windows and private open space of new and existing dwellings to meet Standard D14 of Clause 58.04-1 (Building setback) of the Manningham Planning Scheme;**
- 1.23 All internal storage areas demonstrated to comply with Standard D20 of Clause 58.05-4 (Storage) of the Manningham Planning Scheme;**

- 1.24 Individual letterboxes provided to each townhouse with a frontage to Hepburn Road or Short Street, to be appropriately integrated into the fence design;
- 1.25 Capacity of the rainwater tanks;
- 1.26 A schedule listing all sustainability features / commitments applicable to the approved development, including the provision of third pipe and any plans changes as required, as per the Sustainability Management Plan approved under Condition 4 of this permit;
- 1.27 All recommendations and design changes as required by VicRoads;
- 1.28 All recommendations and design changes as required by the Pedestrian Wind Environment Report under Condition 8 of this permit, including the location, height and materials of all screens to the satisfaction of the Responsible Authority; and
- 1.29 All recommendations and design changes as required by the reports and management plans approved under Conditions 6, 7 and 11 of this permit to the satisfaction of the Responsible Authority.

Endorsed Plans

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

Construction Management Plan

3. Not less than three months before the development starts, a Construction Management Plan (CMP) must be submitted and approved to the satisfaction of the Responsible Authority. When approved the plan will form part of the permit. The Construction Management Plan is to be prepared in accordance with the template within Council's CMP Guidelines. The CMP must address:
 - 3.1 Element A1: Public Safety, Amenity and Site Security;
 - 3.2 Element A2: Operating Hours, Noise and Vibration Controls;
 - 3.3 Element A3: Air Quality and Dust Management;
 - 3.4 Element A4: Stormwater and Sediment Control and Tree Protection (also as per the specific requirements of this permit);
 - 3.5 Element A5: Waste Minimisation and Litter Prevention; and
 - 3.6 Element A6: Traffic and Parking Management which is also to include consideration of a shuttle service for construction personnel to and from the site.

Council's Works Code of Practice and Construction Management Plan Guideline are available on Council's website.

Sustainability Management Plan

4. Prior to the endorsement of plans under Condition 1, an amended Sustainability Management Plan (SMP) must be submitted and approved to the satisfaction of the Responsible Authority. When approved the Plan will form part of the permit. The recommendations of the Plan must be incorporated into the design and layout of the development and must be implemented to the satisfaction of the Responsible Authority before the occupation of any dwelling. The plan must be generally in accordance with the report prepared by Lucid Consulting, Revision P3 dated 20 December 2018, but be modified to:

- 4.1 Third pipe connection must not only be a single point connection to top up the rainwater tank;

Integrated Water Management

- 4.2 Site water management be designed to:

4.2.1 Minimise the use of potable water through efficiency and maximising the use of available alternate water sources;

4.2.2 Meet the requirements of servicing authorities, including connection to alternate water sources;

4.2.3 Achieve Victorian Best Practice for stormwater quality treatment outcomes;

4.2.4 Maximise opportunities for integration of landscape into treatment trains;

4.2.5 Limit the rate of stormwater discharge through a nominated point as required; and

4.2.6 Provide for the practicable ongoing operation and maintenance of design elements.

- 4.3 Detail the size and location of rainwater tanks connected to toilets and/or details of other treatment types proposed;

Green Star Assessment

4.4 Demonstrate achieving 'Best Practice' 4-stars (45 points minimum) in the Green Star Design & As-Built Rating System;

4.5 Demonstrate how the following credits have been achieved in the report:

4.5.1 Man-1.1 Accredited Professional;

4.5.2 IEQ-9.3 Exhaust or Elimination of Pollutants; and

- 4.5.3 IEQ-14.2 Advanced Thermal Comfort, demonstrating the 7-star requirement and PMV commitments for non-residential areas.**

Green Travel Plan

- 5. The development must be constructed in accordance with the Green Travel Plan approved and forming part of this permit (prepared by GTA Consultants, dated 10 December 2018), and all of its requirements must be implemented and complied with at all times to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.**

Waste Management Plan

- 6. Prior to the endorsement of plans under Condition 1, an amended Waste Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit. The plan must be generally in accordance with the submitted Waste Management Plan prepared by Leigh Design, dated 3 April 2018, but be modified to show:**

- 6.1 Measures to ensure that the private waste contractor can access the development and the private waste contractor bins;**
- 6.2 No private waste contractor bins can be left outside the development boundary at any time on any street frontage for any reason.**

Acoustic Report

- 7. Prior to the endorsement of plans under Condition 1, an amended Acoustic Report must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit. The plan must be generally in accordance with the acoustic report prepared by Acoustic Logic, dated 30 October 2018, but be modified to show:**

- 7.1 Measures to address external noise intrusion from traffic on Doncaster Road;**
- 7.2 Any further acoustic measures required to limit impacts to residents both within and external to the development from the child care centre and place of assembly to the satisfaction of the Responsible Authority.**

Pedestrian Wind Environment Report

- 8. Prior to the endorsement of plans under Condition 1, an amended Pedestrian Wind Environment Report must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit. The plan must be generally in accordance with the report prepared by Windtech, dated 11 February 2019, but be modified to show:**

8.1 Alternative measures to provide wind protection that avoids the provision of screens on the north-western balconies of Levels 6 and 7, based on the requirement under Condition 1.2 of this permit to the satisfaction of the Responsible Authority;

8.2 Diagrams to show the location of all required screens.

Disability Access Plan

9. Before the development starts, or the issue of a building permit for the development, whichever is the sooner, a Disability Access Plan that implements the recommendations of a Disability Access Audit, prepared by a suitably qualified person that demonstrates compliance with the relevant Australian Standards for access, including AS1428 Part 2, must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit. The plan must include but is not limited to:

9.1 Vehicular and pedestrian access into the building;

9.2 Access to the lifts;

9.3 The provision of tactile indicators;

9.4 The provision of braille indicators for the lifts;

9.5 The use of contrasting paving materials to assist the vision impaired;

9.6 All emergency exits; and

9.7 Car parking areas.

Car Parking Management Plan

10. Before the commencement of any approved use, a Car Parking Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the plan will then form part of the permit. Traffic and parking operations on and adjacent to the site must conform to this approved plan. The plan must be generally in accordance with the endorsed plans and must include:

10.1 The allocation of all car parking spaces;

10.2 Details of how each car park will be managed, including access arrangements and any measures to allow any available non-residential car parking spaces to be utilised by other uses as overflow parking;

10.3 Details of how the loading area will be managed;

10.4 Details of how all bicycle parking spaces will be allocated and managed.

Conservation Management Plan

11. Prior to any demolition works commencing on the site or the endorsement of plans under Condition 1, whichever is the sooner, a conservation management plan must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the conservation management plan will be endorsed and form part of the permit. The conservation management plan must provide further details of works which will be undertaken to the existing church building on the site and include:
- 11.1 Detailed plans to show the specific stain glass windows that will be retained and any measures required for removal during the construction process, storage details, restoration and installation measures as part of the interpretive strategy under Condition 16 of this permit, to the satisfaction of the Responsible Authority. The CMP must include details of a suitably qualified stained glass conservator undertaking the works;
 - 11.2 Details of the storage location for the existing interpretive signage, foundation stones and stain glass windows during construction works to ensure their protection;
 - 11.3 A detailed plan outlining the new location of the existing interpretive signage, foundation stones and stain glass windows as part of the interpretive strategy under Condition 16 of this permit;
 - 11.4 Detailed construction plans (drawn to scale of 1:20) of the new portico informed by available evidence of the original building to the satisfaction of the Responsible Authority and plan details of how the new portico and steps will be fixed to the existing church building;
 - 11.5 Detailed construction plans (drawn to the scale of 1:20) to show how the existing church building will be fixed to the new building to the satisfaction of the Responsible Authority; and
 - 11.6 Detailed construction plans (drawn to the scale of 1:20) to show the integration of the existing church building with the new building so that it is level and aesthetically compatible with the chapel extension, gardens and foyer to the satisfaction of the Responsible Authority.

Works must be undertaken in accordance with the conservation management plan and must be managed by a suitably qualified heritage specialist to the satisfaction of the Responsible Authority.

Management Plan Compliance

12. The Management Plans and reports approved under Conditions 3, 4, 5, 6, 7, 8, 9, 10 and 11 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.

13. Before the occupancy of the development, a report from the author of the Sustainability Management Plan approved under Condition 4 of this permit, or similar qualified person or company, must be submitted to the satisfaction of the Responsible Authority. The report must confirm that all measures / commitments in the Sustainability Management Plan approved under Condition 4 of this permit, and the third pipe requirements, have been implemented in accordance with the approved plans and the planning permit to the satisfaction of the Responsible Authority.

Removal of restriction

14. Before the development starts, the restriction contained in the Instrument of Transfer number B416060 on Lot 9 of PS 056685 must be removed from the title pursuant to Section 23 of the Subdivision Act 1988, to the satisfaction of the Responsible Authority.

Archival record

15. Prior to any demolition works commencing on the site, a photographic heritage record of the church building and the buildings to be demolished or altered must be prepared to the satisfaction of the Responsible Authority. One archival quality copy of the record along with an electronic copy must be submitted to the Responsible Authority. The record must also include:

15.1 Views of each elevation of the building/s;

15.2 Two diagonally opposed views of each internal space in the building/s; and

15.3 Any architectural design detailing of the building/s.

15.4 Photo log sheets including plans clearly showing north and indicating what direction the images were taken.

The photographic record must be taken with an SLR camera of at least 8 megapixels and images saved in RAW format.

Interpretive strategy

16. Before the commencement of the use of the place of assembly, an interpretive strategy of permanent displays must be installed within the Level 4 public space foyer to the satisfaction of the Responsible Authority. It must include the archival record approved under Condition 15, incorporated with existing interpretive signage, existing church archives that document the history and development of the site and the re-use of existing stain glass windows.

Landscape Plan

17. Before the development starts, amended landscaping plans must be submitted to the Responsible Authority for approval. The plans must be generally in accordance with the approved site layout plans and the decision plans prepared by Phillip Johnson Landscapes, Job No.

1019, dated 19 November 2018, but modified to show:

- 17.1 Species, locations, quantities, approximate height and spread of proposed planting;
- 17.2 Details of soil preparation and mulch depth for garden beds;
- 17.3 Sectional details of shrub planting method and the canopy tree planting method which includes support staking and the use of durable ties;
- 17.4 A separate sectional detail of Doncaster Road boulevard canopy tree planting methods, which includes appropriate root director or root cell technology incorporated to ensure that the boulevard paving is not damaged by tree roots over time;
- 17.5 Sectional details of the planting method for planter boxes, including the method of drainage;
- 17.6 Details of the site frontage to Doncaster Road, including the location of bicycle parking, ramps, planter beds, retaining walls and surface materials, to demonstrate how this area will function and be maintained to ensure a purposeful interaction with the public realm;
- 17.7 The irrigation of communal garden beds and lightweight planter boxes controlled by sensors;
- 17.8 Details of any rain-garden, including maintenance details;
- 17.9 All canopy trees and screen planting to be at least 1.5 metres in height at the time of planting, with the exception of trees within the Doncaster Road boulevard, which must be at least 3.5 metres in height at the time of planting.

Landscape Bond

- 18. Before the release of the approved plan for the development, a \$15,000 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.

Street Trees

- 19. Footpath panels adjacent to proposed street tree locations must be removed and reinstalled by the developer/property owner with TripStop X to Council specification, and to the satisfaction of the Responsible Authority.
- 20. All fencing foundations and infrastructure must be engineered and installed to withstand the pressure exerted from roots from street trees as they grow, to the satisfaction of the Responsible Authority.

21. All street trees along Hepburn Road must be retained and protected in accordance with AS 4970, to the satisfaction of the Responsible Authority.

22. All street tree removal and planting works must be undertaken by Council at the full cost of the permit holder, to the satisfaction of the Responsible Authority.

Completion and Maintenance

23. Once the permitted development has commenced it must be continued and completed to the satisfaction of the Responsible Authority.

24. Before the occupation of any approved dwelling the following works must be completed generally in accordance with the approved plans and to the satisfaction of the Responsible Authority:

24.1 All privacy screens and obscured glazing must be installed, noting that the use of obscure film fixed to transparent windows is not considered to be 'obscured glazing';

24.2 All driveways, bicycle and car parking areas fully constructed, with appropriate grades and transitions, line marked and/or signed and available for use; and

24.3 All landscape areas must be fully planted and mulched or grassed.

25. Buildings, including screening, engineering works, fences and landscaped areas must be maintained to the satisfaction of the Responsible Authority.

26. The landscaping as shown on the approved landscaping plan must be maintained by replacing any dead, diseased, dying or damaged plants as soon as practicable and not using the areas set aside for landscaping for any other purpose, to the satisfaction of the Responsible Authority.

27. In the event of excavation or works causing damage to any existing boundary fence, the owner of the development site must at their own cost repair or replace the affected fencing to the satisfaction of the Responsible Authority.

Stormwater – On-site detention (OSD)

28. 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:

28.1 Be designed for a 1 in 5 year storm; and

28.2 Storage must be designed for 1 in 10 year storm.**Construction Plan (OSD)**

29. Before the development starts, a construction plan for the system required by Condition 28 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

30. 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.
31. 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.

On-site car parking and bicycle parking and access

32. The areas set aside for the parking of vehicles, together with the aisles and access lanes as delineated on the endorsed plans must:
- 32.1 Be completed and line-marked to the satisfaction of the Responsible Authority prior to the occupation of the development or commencement of the uses hereby permitted;
 - 32.2 Be used for no other purpose and maintained at all times to the satisfaction of the Responsible Authority; and
 - 32.3 Be drained and sealed with an all-weather seal coat.
33. The residential, visitor and non-residential car parking areas must be clearly lined marked and signed and must not be used for any other purpose, to the satisfaction of the Responsible Authority.
34. The areas set aside for residential visitor car parking shown on the endorsed plans must be made available for this use free of charge at all times and must not be used for any other purpose, to the satisfaction of the Responsible Authority.
35. All bicycle parking areas must be maintained and not be used for any other purpose, to the satisfaction of the Responsible Authority.
36. The use of the crossover on Doncaster Road for vehicle access must only be associated with special events of the place of assembly, to the satisfaction of the Responsible Authority.
37. An intercom and an automatic garage door opening system must be

installed, so as to facilitate convenient 24 hour access to the residential car park by visitors, to the satisfaction of the Responsible Authority.

Place of Assembly

38. Except with the prior written consent of the Responsible Authority, the maximum number of patrons who may attend the place of assembly at any one time and the hours of operation of the place of assembly are:

404 patrons on Monday to Friday between 8:00am and 5:00pm

650 patrons on Monday to Friday between 5:00pm and 11:00pm

650 patrons on Saturday and Sunday between 8:00am and 11:00pm

39. The number of patrons who may attend the place of assembly on Monday to Friday between 8:00am and 5:00pm may increase to 650 patrons with the prior written consent of the Responsible Authority. Additional patrons will only be permitted if it can be demonstrated that the car parking demand for the place of assembly does not exceed 121 car parking spaces (or the equivalent car parking rate for 404 patrons), to the satisfaction of the Responsible Authority.

Child Care Centre

40. Except with the prior written consent of the Responsible Authority, the number of children who may attend the centre at any one time must not exceed 120.
41. Except with the prior written consent of the Responsible Authority, the child care centre must only operate between the hours of 6:00am and 7:00pm on weekdays only.
42. The external play areas must be kept in a neat and tidy condition to the satisfaction of the Responsible Authority.
43. The operator of the centre must through proper management and supervision techniques, ensure that excessive noise is not generated by external play activities, to the satisfaction of the Responsible Authority.
44. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose.

Food and Drink Premises

45. Except with the prior written consent of the Responsible Authority, the food and drink premises must only operate between the hours of 7.00am and 10:00pm Monday to Sunday.
46. The shop fronts of the food and drink premises must not be covered by promotional or other film or signage that reduces transparency of

the interface, to the satisfaction of the Responsible Authority.

47. The exhaust system to the food and drink premises must be fitted with filter devices capable of minimizing the external emission of odours and airborne fat particles and be maintained to the satisfaction of the Responsible Authority.

Offices

48. Except with the prior written consent of the Responsible Authority, the offices must only operate between the hours of 7:00am and 6:00pm on weekdays only, to ensure that unused car parking spaces outside of these times are made available as overflow parking for other uses.

Amenity

49. Before the uses commence, all fencing, including acoustic fencing and any other measures must be erected in accordance with the approved plan to the satisfaction of the Responsible Authority.
50. All security alarms or similar devices installed on the land must be of a silent type to the satisfaction of the Responsible Authority.
51. All noise emanating from any mechanical plant (air conditioners, refrigeration plant, etc.) must comply with the State Environment Protection Policy N-1 and in the event of the Responsible Authority receiving justifiable complaints regarding noise from such sources, the onus will be on the owner of the development site to prove compliance with the relevant policy to the satisfaction of the Responsible Authority.
52. All delivery and collection of goods associated with the non-residential uses must be conducted within the subject land and within the operating hours approved under this permit.
53. Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view. All waste collection and recycling collection must be undertaken in accordance with Council requirements and the approved waste management plan.
54. The collection of all waste from the premises must only be conducted between the hours of 8.00am to 6.00pm Monday to Friday to the satisfaction of the Responsible Authority.
55. The operators of non-residential uses must ensure to the satisfaction of the Responsible Authority that all on-site activities are conducted in an orderly manner and must endeavour to ensure that patrons / customers who depart the premises late at night, do so in a manner not likely to cause noise disturbances to nearby residents and residents in the building, and in accordance with any approved car parking operation approved under another condition of this permit.
56. The use and development must be managed so that the amenity of the

area is not detrimentally affected, to the satisfaction of the Responsible Authority, through the:

- 56.1 Transport of materials, goods or commodities to or from the land;
- 56.2 Storage of goods and wastes;
- 56.3 Appearance of any building, works or materials; and
- 56.4 Emission of noise, light, vibration, odour & dust.

Lighting

- 57. External lighting must be designed so as to minimise loss of amenity to residents of adjoining properties to the satisfaction of the Responsible Authority.
- 58. The development must be provided with external lighting capable of illuminating access to each car parking space, storage area, waste bins, pedestrian walkways, stairwells, lifts, dwelling entrances and entry foyers. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.

Development Contribution

- 59. Prior to the completion of the development, a Development Contribution as agreed by the Responsible Authority in accordance with Clause 45.06 Development Contributions Plan Overlay Schedule 1 – Doncaster Hill Development Contributions Plan must be paid to the Responsible Authority.

General

- 60. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
- 61. A centralised TV antenna must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.
- 62. No individual dish antennae may be installed on the overall building to the satisfaction of the Responsible Authority.
- 63. 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.
- 64. Buildings, engineering works, fences and landscaped areas must be maintained to the satisfaction of the Responsible Authority.

65. Privacy screens as required in accordance with the endorsed plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority thereafter.

Affordable housing

66. A minimum of six dwellings within the development are to be made available in accordance with Condition 67 for the purpose of affordable housing to the satisfaction of the Responsible Authority.
67. Prior to the commencement of buildings and works the owner of the land must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987 and registered on title in accordance with Section 181 of the Planning and Environment Act 1987 requiring:
- 67.1 The transfer to a registered Housing Association / Provider of six dwellings for the provision for affordable housing in accordance with the requirements of the Housing Act 1983 or other applicable legislation as amended from time to time to the satisfaction of the Responsible Authority; or
- 67.2 Six dwellings to be secured for the provision of affordable housing by a provider to the satisfaction of the Responsible Authority.
- 67.3 The cost of preparing and registering the agreement is to be paid by the permit holder.

Public Transport Victoria Condition

68. The permit holder must take all reasonable steps to ensure that disruption to bus operation along Doncaster Road is kept to a minimum during the construction of the development. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria eight (8) weeks prior by emailing customerservice@ptv.vic.gov.au.

VicRoads Conditions

69. A fully dimensioned Functional Layout Plan (FLP) for the access arrangement off Doncaster Road, to the satisfaction of VicRoads, must be submitted to the Responsible Authority for endorsement. Once endorsed, the plan(s) will form part of this permit. The amended plan(s) shall show:
- 69.1 Access and the layout of parking for “hearse” and “wedding vehicle”;
- 69.2 Demonstrated manoeuvring space for vehicles to enter and exit the site in a forward direction;
- 69.3 Access control (retractable bollards etc.) to limit access to

special events only; and

69.4 The access off Doncaster Road must not be connected to the parking areas within the development.

70. Prior to the commencement of the use or occupation of the development, all disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads or the RA.

71. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access crossover and associated works must be provided and available for use.

72. Vehicles must enter and exit the land in a forward direction at all times.

73. The level of the footpaths must not be lowered or altered in any way to facilitate access to the site.

Permit Expiry

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

74.1 The development is not started within four (4) years of the date of this permit; and

74.2 The development is not completed within eight (8) years of the date of this permit.

74.3 The uses are not commenced within two (2) years of the development being completed.

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 The proposal was presented to the Sustainable Design Taskforce meeting on 25 January 2018.
- 2.2 The application was submitted to Council on 27 August 2018.
- 2.3 A request for further information was sent on 24 September 2018 and all requested further information was received on 12 February 2019.
- 2.4 Notice of the application was given over a three-week period which concluded on 27 March 2019.
- 2.5 The statutory time for considering a planning application is 60 days, which lapsed on 13 April 2019.

- 2.6 The land titles are not affected by any Section 173 Agreements, however the title of 18 Hepburn Road is affected by a covenant. The covenant states that the owner must not “allow or permit to be erected on the said lot any building other than one dwelling house together with usual outbuildings and that such said house shall have external walls of brick and roof of slate or tile”.
- 2.7 Pursuant to the Schedule to Clause 52.02 of the Scheme, the whole of the restriction (contained in instrument of transfer number B416060 on Lot 9 of PS 056685) has been authorised for removal without a planning permit. Amendment C72 to the Manningham Planning Scheme was approved on 18 December 2008 for the removal of restrictive covenants applying to 16, 18, 20, 22 and 24 Hepburn Road and 1 Short Street, Doncaster. The amendment was undertaken to enable the affected properties to be developed in accordance with the planning scheme controls that apply and to facilitate development consistent with the objectives of the Doncaster Hill Strategy (October 2002 and revised October 2004). The covenant that affected 16 Hepburn Road has already been removed.
- 2.8 An application for certification and statement of compliance is required pursuant to Section 23 of the Subdivision Act 1988. A condition will require this restriction to be removed from title prior to the commencement of the development.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site comprises 9 lots over six properties surrounded by Doncaster Road to the north, Short Street to the west and Hepburn Road to the south.
- 3.2 The site has approximate dimensions of 45m to Doncaster Road, 98m to Short Street, 67m to Hepburn Road, a 112m long eastern interface with adjoining properties (including a 22m return), and a total site area of 6,583m².
- 3.3 The topography of the site consists of a 10m fall from front to rear, with a 1-2m east-west crossfall.
- 3.4 A 2.44m wide drainage and sewerage easement extends in a north-south direction along the eastern boundary of 2 Short Street and 16 Hepburn Road.
- 3.5 674-680 Doncaster Road comprises a centrally located chapel to Doncaster Road with a multi-storey brick addition to the rear and east. The western and southern areas of the property are set aside for a gravel car park. The remaining five properties that form the site each contain a single or two-storey dwelling. The dwelling at 18 Hepburn Road was a temporary land sales office that is now disused. Each dwelling is landscaped with a range of trees.
- 3.6 Numerous street trees are located within the road reserves, including a mature Paperbark tree in Short Street.

The Surrounds

- 3.7 The site, all adjoining and opposite properties are subject to the same planning controls, with the exception of properties opposite the subject site to the south, between Gifford and Gilmore Roads. Those properties are subject to the General Residential Zone, Schedule 2 and Design and Development Overlay, Schedule 8 (Sub-precinct A).

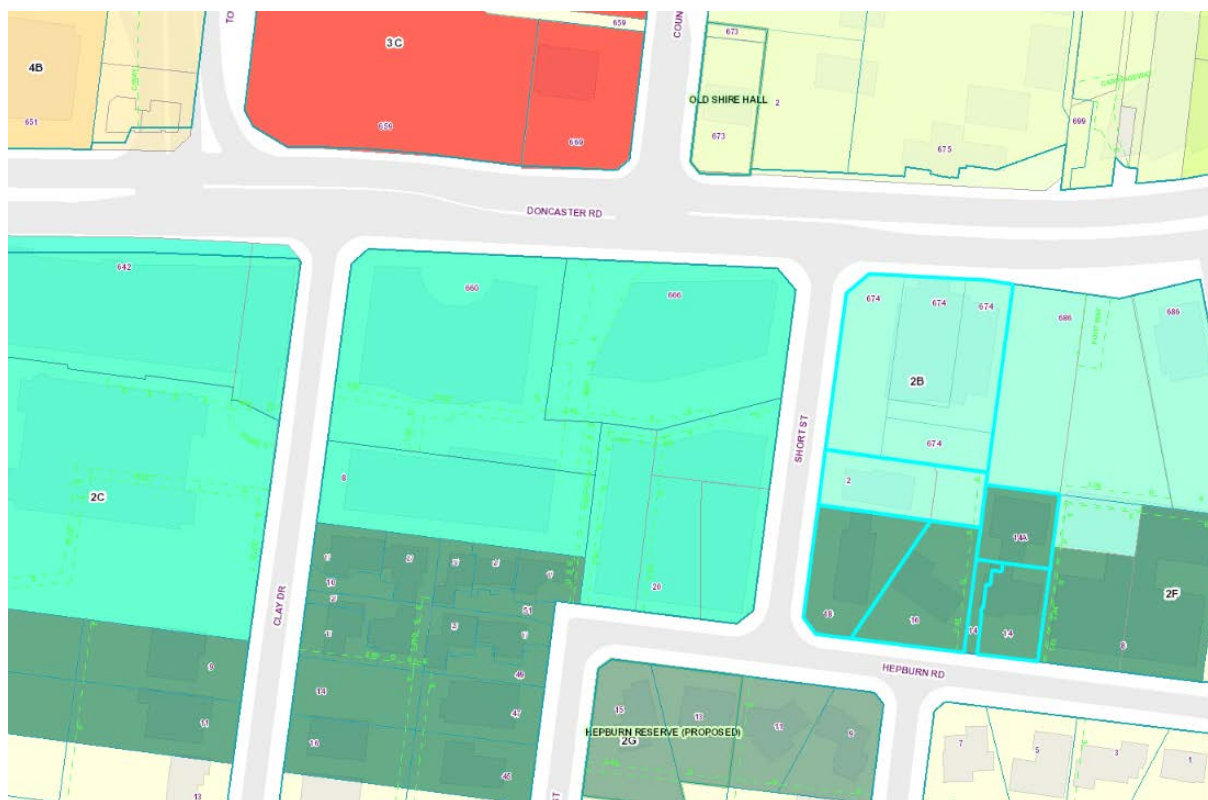
3.8 The site has direct abutments with the following properties:

Direction	Address	Description
East	686 Doncaster Road	<p>A 4,264m² site containing an existing building on the eastern side of the lot, currently used as a temporary land sales office. Planning Permit PL14/024719 allows the construction of a 10-storey building (comprising 275 dwellings), with three levels of basement car parking, providing retail premises and a restaurant at ground level.</p> <p>The approved plans show that the development will incorporate a double-width crossover and associated driveway together with four dwellings at ground level adjacent to the common boundary. Levels 1-7 above each contain six dwellings with balconies setback at least 4.5m from the common boundary. Level 8 contains five dwellings with a similar balcony layout adjacent to the common boundary. Levels 9 and 10 form a design element incorporating two dwellings, which maintain a minimum 4.5m setback from the common boundary.</p> <p>Within the site is a carriageway easement providing pedestrian access via an existing underpass beneath Doncaster Road.</p>
	8 Hepburn Road	<p>A 2,558m² site containing a five-storey building (comprising 67 apartments) with associated basement car parking that was approved under Planning Permit PL11/021855.</p> <p>The development comprises a central courtyard clear to the sky adjacent to the common boundary, with two dwellings at ground floor setback 4.9m from the common boundary. Levels 1-3 contain four dwellings setback a minimum 4.5m from the common boundary, however balconies encroach by 1.7m into this setback. Level 4 contains three dwellings, two at the rear of the site setback consistent with the lower levels and a third dwelling towards the front of the site setback 8.25m from the common boundary.</p>

3.9 To the north of the site is Doncaster Road, an arterial road with three lanes of traffic in both directions. On-street car parking is restricted with a 'No Standing and Clearway' sign. Short Street to the west of the site and Hepburn Road to the south are two-way, 7m wide two-lane local streets. Parking restrictions apply to both roads.

3.10 Opposite the site, on the western side of Short Street, 20-24 Hepburn Road comprises a 14-storey apartment building 'Magnolia' (incorporating 181 dwellings) and associated basement car parking on a 3,126m² lot. In addition, Planning Permit PL16/026965 was granted at 666 Doncaster Road, the property to the north of Magnolia, for a 13-storey, mixed-use building, incorporating 161 dwellings, basement car parking and three retail premises at ground level.

- 3.11 Opposite the site, on the southern side of Hepburn Road (between Walker Street and Gifford Road), four properties that currently contain dwellings are proposed to be consolidated to become public open space named Hepburn Reserve.
- 3.12 The character of the broader area is mixed, with a number of high rise developments to the west ('Nest' at 642 Doncaster Road, and 'Pinnacle' at 632 Doncaster Road), existing housing stock to the south and east (both within and outside of the ACZ), some medium density housing south of Doncaster Road, and a small commercial precinct to the east on Doncaster Road. The ACZ1 sub-precincts are shown on the map below.



- 3.13 The site is located within the Doncaster Hill Principal Activity Centre, spanning Manningham's main arterial roads (Doncaster, Tram, Elgar and Williamsons Roads), forming a central hub of residential, commercial, retail and recreational facilities. It is apparent that the area is changing in line with policy and the planning controls of the Scheme, evidenced by the construction of several residential apartment towers within the precinct.
- 3.14 The site is well serviced by bus routes operating along Doncaster Road, connecting activity centres and residential areas within the municipality to Melbourne's Central Activity District. A major bus interchange is situated within the Westfield Doncaster complex within 800m walking distance to the north-west. In addition to having access to the numerous retail, restaurant and entertainment venues within the centre, which itself is within 400m walking distance, the site is well serviced by other community and local facilities including Schramms Reserve and the proposed Hepburn Reserve, MC Square, Doncaster Primary and Doncaster Secondary College.

4. THE PROPOSAL

4.1 The proposal is outlined on the plans prepared by Design Inc, Project No. 16040, Revision P8 dated 1 March 2019 and a landscape plans prepared by Phillip Johnson Landscapes, Job No. 1019, dated 19 November 2018. Refer to Attachment 1.

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

- Town Planning report prepared by Hollerich Town Planning dated 22 August 2018;
- Heritage Impact Statement prepared by Trethowan dated 6 February 2019;
- Traffic Impact Assessment prepared by GTA Consultants dated 6 August 2018;
- Waste Management Plan prepared by Leigh Design dated 3 April 2018;
- Sustainable Management Plan prepared by Lucid Consulting, Revision P3 dated 20 December 2018;
- Green Travel Plan prepared by GTA Consultants dated 10 December 2018;
- Pedestrian Wind Environment Statement prepared by Windtech dated 11 February 2019; and
- Acoustic Report prepared by Acoustic Logic dated 30 October 2018.

Development summary

4.3 A summary of the development is provided as follows:

Land Size:	6,583m ²	Minimum wall setback to Doncaster Road (north)	Basement-Level 3: 12.4m Level 4: 10.285m Level 5: 6.1m Level 6-11: 8.855m Design element: 12m
Site Coverage:	74%	Minimum wall setback to northern boundary	Basement-Level 3: 0m Level 4: 4.55m Level 5: 4.5m Level 6-11: 4.5m
Permeability:	12%	Minimum wall setback to Short Street (west)	Basement-Level 3: 4.35m Level 4: 4.68m Level 5: 4.33m Level 6-11: 7.48m Design element: 10.1m
Maximum Building Height:	Proposed:	Minimum wall setback to Hepburn Road (south)	Basement-Level 3: 5m Level 4: 5m Level 5: 5m Level 6-11: 9.015m Design element: 56.795m
• Precinct 2B	• 28.8m	Minimum wall setback to north-eastern boundary	Basement-Level 3: 0m Level 4: 4.61m Level 5: 4.5m Level 6-11: 4.625m Design element: 4.625m
• Precinct 2F	• 14.42m	Area of uses:	Minimum wall
• Precinct 2G	• 14.5m		Basement-Level 3: 2.5m
Maximum Design Element Height 34.8m (Precinct 2B)	34.8m		
Number of Dwellings:	136 dwellings		
• 1 Bed = 33			
• 2 Beds = 55			
• 3 Beds = 46			
• 4 Beds = 2			
Dwelling Density:	One per 48.4m ²		

<ul style="list-style-type: none"> • Place of assembly • Food & drink • Office • Child care 	<ul style="list-style-type: none"> • 3,264m² • 291m² • 1,749m² • 725m², plus 841m² outdoor play space 	setback to south-eastern boundary	Level 4: 4.5m Level 5: 4.5m Level 6-11: 4.5m
Total car parking spaces:	Spaces provided: 400	Spaces required: 473	
<ul style="list-style-type: none"> • Residential: <ul style="list-style-type: none"> ➢ 1, 2 Beds ➢ 3+ Beds • Visitors: 	<ul style="list-style-type: none"> • 185 <ul style="list-style-type: none"> ➢ 88 ➢ 96 • 13 	<ul style="list-style-type: none"> • 184 <ul style="list-style-type: none"> ➢ 88 ➢ 96 • 13 	
Total non-residential uses:	Combined 202 car parking spaces for all non-residential uses	276	
<ul style="list-style-type: none"> • Place of assembly • Food & drink • Office • Child care 		<ul style="list-style-type: none"> • 195 • 10 • 45 • 26 	

Design layout

- 4.4 The focus of the building layout is to provide a place of assembly extending from the existing chapel, providing a range of complementary uses over two levels, including two food and drink premises, two office spaces and a child care centre, with the remainder of the building set aside for residential use.
- 4.5 The place of assembly occupies an area of 3,264m² over two levels, incorporating an auditorium with a capacity of 650 people, a hall with a capacity of 400 people, and numerous ancillary rooms. The two food and drink premises are accessed from plazas on either side of the existing chapel, with a floor area of 124m² and 167m², respectively. A 383m² office space is also provided at the Doncaster Road level. The level above contains an additional 1,366m² office space and a 725m² child care centre with a capacity of 120 children (with the number of staff required pursuant to relevant legislation), which incorporates an 841m² outdoor play area. Services associated with the auditorium below, together with mezzanine seating, are also provided at this level.
- 4.6 The fall of the land to the south enables the development to accommodate all car parking centrally. Fourteen, two to three-storey townhouses wrap around the building at ground level on the corner of Short Street and Hepburn Road. The apartment tower above the podium is skewed toward the Doncaster Road frontage. 240m² of northern outdoor communal open space is available, alongside an adjoining 154m² indoor area. Six apartments capable of housing six people (and their carers) through Manningham Inclusive Community Housing are incorporated into the development.

Pedestrian and vehicle access and layout

- 4.7 Multiple external access points are available to pedestrians. Access to all uses is provided via Doncaster Road, with separate lobbies accessing the residential tower from Doncaster Road and the commercial areas from Short Street. An

additional residential lobby is provided from Hepburn Road. Several of the townhouses that wrap around the building have direct street access from Short Street or Hepburn Road.

- 4.8 The slope of the land enables vehicle access from Short Street and Hepburn Road to different basement levels. Four vehicle access points are provided for the development. Residential and non-residential car parking is separated internally, with dedicated accessways provided from Short Street. A dedicated loading area is accessed from Hepburn Road. A new crossover is proposed to the Doncaster Road frontage that will ordinarily be obstructed by removable bollards. The crossover is only intended for use during weddings and funerals.

Landscaping

- 4.9 A strong landscape theme is proposed within the road reserves of Short Street and Hepburn Road. Canopy trees are proposed within the frontage to Doncaster Road to provide a boulevard treatment. The plazas feature limited landscape areas. Planting is proposed along the eastern boundary, including along a section over basement. Additional landscaping is provided above ground level within the outdoor play area of the child care centre and within the residential communal open space area. A central void on the eastern side of the residential tower offers limited planting, with a vertical garden above. Landscaping has not been detailed within the frontages of the townhouses that wrap around the building.

Design detail

- 4.10 The development features a contemporary architectural design, which emphasises distinct forms across its podium, tower and design element components. The podium wraps around to reveal the existing chapel from both the eastern or western approaches along Doncaster Road, nestling the ground level plazas around the chapel. The slope down Short Street reveals additional levels of the podium towards the rear of the site. The main podium level incorporating the non-residential uses is expressed through brickwork to match the existing chapel. The lower levels are finished in light render. The interface of the development with the adjoining apartment development on the eastern side is presented with a mid-grey render.
- 4.11 The tower has a deliberate north-west orientation to address the intersection of Doncaster Road and Short Street, pulling away from the chapel below while responding to the siting and form of the approved adjoining development at 686 Doncaster Road. The tower is articulated through light rendered framing elements with pale bronze vertical Colorbond cladding. The two upper levels comprising the design element are distinguished from the tower through the use of mid-grey vertical Colorbond cladding. Glazed balustrades are used throughout.

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 37.08-2 (Activity Centre Zone, Schedule 1), to use the land for a place of assembly, food and drink premises, offices and a child care centre.
- Clause 43.01 (Heritage Overlay, Scheduled 46), to demolish or remove a building and to construct a building or construct or carry out works.
- Clause 52.06 (Car Parking), for the reduction in car parking requirements for the child care centre, food and drink premises, place of assembly and offices.
- Clause 52.29 (Land Adjacent to a Road Zone Category 1 or a Public Acquisition Overlay for a Category 1 Road), to create or alter access to a road in a Road Zone, Category 1.

6. REFERRALS

External

- 6.1 Given the proposal involves the creation and alteration of access to Doncaster Road, it is a statutory requirement to refer the application to VicRoads as a determining referral authority.
- 6.2 VicRoads have no objection subject to conditions being included on any permit issued requiring the provision of a functional layout plan showing the access arrangement off Doncaster Road.
- 6.3 As the proposal involves a residential development comprising 60 or more dwellings, it is a statutory requirement to refer the application to Public Transport Victoria as a determining referral authority.
- 6.4 Public Transport Victoria has no objection subject to a condition on any permit issued requiring the permit holder take all reasonable steps to ensure that disruption to bus operation along Doncaster Road is minimised during construction.

Internal

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

Service Unit	Comments
Infrastructure Services Unit – Drainage	<ul style="list-style-type: none"> • No objection subject to conditions for the provision of on-site storm water detention.
Infrastructure Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> • No objection subject to conditions requiring the removal of redundant crossovers.
Infrastructure Services Unit – Access and Driveway	<ul style="list-style-type: none"> • No objection.

Service Unit	Comments
Infrastructure Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> The number of car parking spaces provided is adequate. The findings of the submitted traffic report are supported. The development will not generate any unreasonable traffic congestion within the surrounding street network.
Infrastructure Services Unit – Car Parking Layout	<ul style="list-style-type: none"> No objection.
Infrastructure Services Unit – Construction Management	<ul style="list-style-type: none"> No objection subject to a requirement for the provision of a construction management plan.
Infrastructure Services Unit – Waste	<ul style="list-style-type: none"> No objection subject to conditions for on-site private waste collection and for the provision of an approved waste management plan.
Infrastructure Services Unit – Easements	<ul style="list-style-type: none"> No objection as approval is required for buildings or works within the Council easement.
Infrastructure Services Unit – Flooding	<ul style="list-style-type: none"> The site is not directly subject to inundation from Council's drainage systems.
Integrated Planning Unit – Sustainability	<ul style="list-style-type: none"> No objection subject to a requirement for revisions to the plans and the sustainability management plan, including to indicate the size of rainwater tanks and their connections, demonstrate best practice 4-star in the Green Star Design and As-Built Rating System and revised the stormwater management strategy.
Integrated Planning Unit – Heritage	<ul style="list-style-type: none"> No objection subject to conditions. Heritage matters are considered later in the report.
City Amenity Unit – Street trees	<ul style="list-style-type: none"> No objection to the removal of the four trees located on Short Street and Doncaster Road on the basis that the replacement trees planted in the street will form an avenue of larger canopy trees. Trees located on Hepburn Road are to be retained with additional planting along Hepburn Road to be provided.

7. CONSULTATION / NOTIFICATION

- 7.1 Notice of the application was given over a three-week period, which concluded on 27 March 2019, by sending letters to nearby properties and displaying a sign to each lot frontage.

7.2 Twenty-one objections were received from the following properties:

- 214/20 Hepburn Road, Doncaster;
- 301/20 and 1401/20 Hepburn Rd, Doncaster;
- 302/20 Hepburn Road, Doncaster;
- 412/20 Hepburn Road, Doncaster;
- 713/20 Hepburn Road, Doncaster;
- 801/20 Hepburn Road, Doncaster;
- 811/20 Hepburn Road, Doncaster;
- 910/20 Hepburn Road, Doncaster;
- 1012/20 Hepburn Road, Doncaster;
- 1309/20 Hepburn Road, Doncaster;
- Three unspecified apartments within 20 Hepburn Road, Doncaster;
- G01/8 Hepburn Road, Doncaster;
- 102/8 Hepburn Road, Doncaster;
- 110/8 Hepburn Road, Doncaster;
- 411/8 Hepburn Road, Doncaster;
- 3 Hepburn Road, Doncaster;
- 14 Gilmore Road, Doncaster;
- 10 Gilmore Road, Doncaster; and
- 4 Gifford Road, Doncaster.

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

- Traffic and congestion, inadequate on-street and off-street car parking, crossover location, pedestrian safety, traffic noise and public transport availability;
- Overdevelopment;
- Off-site amenity impacts (loss of daylight, litter, noise and view loss);
- Lack of implementation of Hepburn Reserve public open space area, and need for upgrade of Walker Reserve; and
- Construction impacts (noise, dust, hours, traffic, parking and time span).

7.4 A response to the grounds of objection will follow.

7.5 Sixteen submissions of support were also received.

8. ASSESSMENT

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

8.2 The following assessment is made under the headings:

- Planning Policy Frameworks;
- Design, built form and heritage;
- Apartment developments;

- Car parking, access, traffic, Land Adjacent to a Road Zone Category 1 and bicycle facilities;
- Affordable housing; and
- Objector concerns.

Planning Policy Frameworks

- 8.3 Key objectives of the PPF and LPPF seek to intensify activity centres as a focus for high-quality development and encourage increased activity and density as a way to achieve broader urban consolidation objectives.
- 8.4 At both the PPF and LPPF levels, policy emphasises the need for mixed use development with a focus on high density residential development in the Doncaster Hill Activity Centre, in which the site is located. The use of the site for the purpose of dwellings, place of assembly, food and drink premises, office and child care is appropriate within the zoning of the land and the strategic context of the site.
- 8.5 Policy statements throughout the Planning Scheme implement this policy as it relates to Doncaster Hill at Clause 21.09 (Activity Centres and Commercial Areas) through Schedule 1 to the Activity Centre Zone (ACZ1).
- 8.6 Within the Doncaster Hill Principal Activity Centre there are various precincts delineated in accordance with their topographic orientation and aspect on Doncaster Hill, their relationship to main roads, and their present and future uses. The site, together with all land within the ACZ1 on the south side of Doncaster Road east of Tram Road, is within Precinct 2.
- 8.7 674-680 Doncaster Road and 2 Short Street are within Precinct 2B, whereas 14, 14A, 16 and 18 Hepburn Road are within Precinct 2F. The relevant objectives for Precinct 2 (Clause 5.7-2) are:
- *To encourage an appropriate mix of residential and commercial uses in the precinct.*
 - *To encourage the greatest area of high-density development to locate along the Doncaster Road ridgeline.*
 - *To encourage the provision of cafes, restaurants and outdoor eating within the precinct.*
 - *To retain and enhance the historic elements within the precinct and develop a link with the historic and arts enclave in Precinct 1.*
 - *To support and connect with the pedestrian link proposed for the Doncaster Road, Williamsons and Tram Roads intersection at the western end of the precinct.*
 - *To create a public urban space/plaza with good solar access abutting the south side of Doncaster Road, with convenient access to the north side.*
- 8.8 Mixed-use development is supported under the ACZ1. The proposal provides appropriate uses within a building in a location that is highly accessible to the community and the proposal is consistent with the vision for the Doncaster Hill area. In particular, it supports the key vision objectives, which encourage high density, high-rise mixed-use development and innovative contemporary design.
- 8.9 The non-residential uses are located across two levels; Doncaster Road level and the level above. The food and drink premises take advantage of the site's northern aspect, and are therefore well located to activate the public realm. The

non-residential uses are consistent with the objective of the ACZ1 which seeks to encourage commercial and small-scale retail uses at the lower levels of buildings, with higher-density apartment style residential development at upper levels.

- 8.10 The proposal also incorporates six apartments capable of housing six people (and their carers) through Manningham Inclusive Community Housing. The ACZ1 encourages increasing the provision, intensity and diversity of housing, especially affordable housing. These dwellings will be managed as affordable housing in accordance with the recommended conditions of the permit.

Design, built form and heritage

Building Height

- 8.11 Within Precinct 2B, the proposal has a tower height of 28.8m and the design element reaching a maximum height of 34.8m, which meets the mandatory maximum building heights of 29m and 34.8m respectively. Within Precinct 2F, the proposal has a total height of 14.42m, which meets the mandatory maximum building height of 14.5m. Allowable encroachments above the maximum building heights will include plant and associated screens. The proposal is fully compliant with maximum mandatory building heights of the ACZ1.
- 8.12 Under the ACZ1, the design element within Precinct 2B should not occupy more than 15% of the overall roof area of the building. The design element, incorporating the two upper levels of the building, comprises 18.1% of the overall roof area, which does not meet the preferred 15% of the overall roof area.
- 8.13 The following calculations have been submitted for the design element area:
- Total roof area in Precinct 2B = 2,624m²
 - Total floor area of Level 13 = 531m²
 - An area of 55m² of Level 13 does not contribute towards the design element calculation, including are services cupboards, stairwells, lift core, corridor and supply shafts
 - An area of 476m² of Level 13 is calculated as the design element
 - Design element % = $476\text{m}^2 / 2,624\text{m}^2 \times 100 = 18.1\%$.
- 8.14 Calculation of this figure which excludes internal space used for service cupboards, stairwells, lift cores, supply shafts and external balconies, is consistent with the approach taken in the assessment of other apartment buildings in Doncaster Hill.
- 8.15 The architectural form of the design element is supported. It includes two levels of dwellings, emphasising the tower form, while being set back from the tower through the use of balconies. The positioning of the design element is significant as it adds a degree of strength and weight to the building to the most prominent corner, being Doncaster Road and Short Street, with a design that provides continuity with the tower form.
- 8.16 The submitted size for the design element is 18.1%, whereas policy supports 15%. The difference of 3.1% from the prescribed size is a reasonable concession given the high quality design and materials proposed for the building, and given the overall development consolidates over lots to the rear that covers Precinct 2F.

- 8.17 The extensive southern setback of the design element ensures that it does not cast additional overshadowing upon nearby properties and public spaces at 12 noon on 22 June.
- 8.18 Overall, the location and design of the design element continues the theme of those in nearby developments within Doncaster Hill and aligns with the vision statement in the Doncaster Hill Strategy 2002, which seeks to emphasise the existing dramatic landform of Doncaster Hill through built form that steps down the hill.

Building Setbacks

- 8.19 The applicable building setback requirements of Precincts 2B and 2F are as follows:
- Mandatory minimum 5m setback to the front podium edge from the Doncaster Road boundary;
 - Mandatory minimum 9m setback to the front tower edge from the Doncaster Road boundary;
 - Preferred 5m setback from other front boundaries, including the western frontage of 2 Short Street and the entire southern interface with Hepburn Road; and
 - Preferred 4.5m setback from side boundaries, including the western sides of 674 Doncaster Road and 18 Hepburn Road and the entire eastern boundary, incorporating the northern boundary of 14A Hepburn Road.
- 8.20 Balconies, screens, street furniture, verandahs and architectural features are allowable encroachments that may be constructed within these setback provided they are designed and located to the satisfaction of the responsible authority.

Front building setbacks to Doncaster Road

- 8.21 The podium and tower setbacks to Doncaster Road are mandatory requirements and a permit cannot be granted to vary them. Both the podium and tower front setbacks to Doncaster Road comply with the required mandatory setbacks, with one negligible exception that will require a permit condition. A minimum 3.98m setback is provided to Level 5 (the floor above Doncaster Road level), however this is to the north-western corner splay, which is more regarded as the side setback.
- 8.22 There are several allowable encroachments within the 5m front podium setback to Doncaster Road. An extension is proposed to the front of the existing chapel, which would reduce the existing chapel setback from 2.635m to 0.46m. The extension is to reconstruct the former chapel portico, which had been removed from the original heritage building. Heritage advice received has confirmed that there is sufficient evidence of the original state of the fabric of the portico for the reconstructive work, which must be completed by suitably qualified heritage specialists or a builder or tradesperson with relevant expertise.
- 8.23 At the north-western corner of the frontage at Level 4 (Doncaster Road level), a canopy projects into the frontage with a street setback of 1.43m to provide pedestrian weather protection. The projection of this canopy will improve the functionality of the space and the legibility of the building entry from the street. There is also an allowable encroachment at Level 4 behind the pedestrian canopy. This section of wall has a parapet extending above the pedestrian canopy to define the canopy and the front wall of Level 5 above.

- 8.24 Above this point, a pale bronze vertical Colorbond cladded screen (marked on the plan as CW03) defines the northern balconies of Levels 6 and 7. The screen has a length of approximately 4.7m, projecting beyond the western edge of these balconies with a 1.615m setback to the corner splay. The design and location of this screen is unwarranted, adding bulk and mass to this prominent corner of the development and contributes to the chapel being overwhelmed by the podium. A condition will require deletion of the screen and its replacement with the pale bronze powdercoated aluminium box fins (marked on the plan as MB01).
- 8.25 There is one encroachment into the mandatory 9m front tower setback to Doncaster Road. Levels 6 and 7 have a minimum setback of 8.855m to the north-westernmost corner of the building, at Apartments 6.11 and 7.11. This is a negligible level of non-compliance, which will be rectified by condition that will require the building meet the minimum 9m mandatory setback to the front tower to Doncaster Road.

Front building setbacks to Short Street and Hepburn Road

- 8.26 The setbacks to Short Street and Hepburn Road are preferred 5m setbacks that can be varied with a permit. There is also a preferred 9m front tower setback to Short Street. This provision is interpreted as applying to the frontage of properties in the current lot configuration and street context, instead of its future consolidated form, which for instance, would otherwise regard the Hepburn Road frontage as a rear boundary. This provision therefore applies to the properties at 2 Short Street and the entire southern interface with Hepburn Road.
- 8.27 The ACZ1 allows the western boundary of 674 Doncaster Road and 18 Hepburn Road to have a 4.5m side setback. To also require a 5m front setback and 9m tower setback to the 2 Short Street frontage would therefore result in an unusual building alignment and would not provide any meaningful relief to the visual presentation. While the building falls short of the preferred 5m requirement, proposing a minimum 4.355m setback to the frontage of 2 Short Street, it aligns with the side setbacks of the building and creates continuity in building form. The tower has a 7.48m setback, which falls short of the 9m tower setback requirement. However, the tower is considered responsive to the site, particularly as it cuts away from the north-western corner of the site. It is noted that the design element exceeds the 9m tower requirement, with a 10.1m setback. The southern interface to Hepburn Road provides a consistent 5m setback, which meets this requirement.

Side building setbacks

- 8.28 The remaining setbacks are preferred 4.5m setbacks that can be varied with a permit. This relates to the western sides of 674 Doncaster Road and 18 Hepburn Road and the entire eastern boundary, incorporating the northern boundary of 14A Hepburn Road.
- 8.29 All setbacks above natural ground level are compliant from the northern part of the eastern boundary, southern part of the eastern boundary and the northern boundary of 14A Hepburn Road. The only exceptions to this 4.5m setback requirement from a side or rear boundary are the Level 3 and Level 5 setbacks to Short Street, at 4.35m and 4.33m respectively. These are both negligible reductions and are considered acceptable given they do not pose any unreasonable off-site amenity impacts, being adjacent to a roadway.

Overshadowing

- 8.30 The ACZ1 requires that development should not overshadow adjacent properties outside of the activity centre between the hours of 11am and 2pm on 22 September. The adjacent properties to the south-west (1, 3, 5 and 7 Hepburn Road) are located outside of the activity centre. The shadow diagrams demonstrate that the development would not overshadow these properties at any time of the day during the control period.

Boulevard Character

- 8.31 Within the areas where a minimum 5 metre podium setback is provided (with the exception of within the vicinity of the chapel), a 3.6 metre wide paved promenade across the site frontage will replace the existing footpath and a landscaped boulevard to Doncaster Road will be provided, as required by policy. The boulevard treatment has the potential to be interrupted further by the relocated crossover to Doncaster Road, which will only be used for weddings and funerals. Therefore, a condition will require the boulevard pavement treatment to be continued over the crossover and driveway to reinforce pedestrian priority. The development will contribute positively to the local urban character and enhances the public realm by providing an active frontage and creating a boulevard along Doncaster Road.

Landscape Design

- 8.32 The ground and upper level landscape areas appear to be commensurate with other high density developments within Doncaster Hill. There are few opportunities for screen planting given the location of the basement along the eastern boundary, however a row of street trees is proposed along the western interface with Short Street and the southern interface with Hepburn Road. The pedestrian plaza incorporates some landscaping, however details are limited. Conditions will require full details of landscape treatments within the plaza, including the landscape areas within the building on Doncaster Road level.

Access and Mobility

- 8.33 A condition will require the submission of a Disability Access Plan that implements the recommendations of a Disability Access Audit (prepared by a suitably qualified person) that demonstrates compliance with the relevant Australian Standards for vehicle and pedestrian access into the building, to the satisfaction of the Responsible Authority. Disabled ramps are not provided to all entries, however it is considered that any further external changes to the building recommended by the Plan and Audit can be designed appropriately so as not to have any unreasonable impact on the public realm.

Wind

- 8.34 A wind assessment was submitted with the application and considered wind tunnelling and wind generated by the building to pedestrians across all levels. The report makes several recommendations for the provision of screens and use of densely planted vegetation to ameliorate wind effects. A condition will require plan notations be included to demonstrate compliance with the recommendations of the wind assessment, to the satisfaction of the Responsible Authority.

Heritage

- 8.35 The church known as the Doncaster Church of Christ at 674 Doncaster Road comprises two church buildings; one built in 1889 and another built beside it in 1956. The two were linked by an addition constructed in 1957. Further alterations were made through the 1960's, 1970's and 1990's. The portico of the 1889 church was removed in the 1960's. Schedule 46 to the Heritage Overlay (HO46) classifies both church buildings of local significance, which are spoiled by alterations, and is part of a group with the former Shire Hall and the Doncaster School.
- 8.36 The proposal involves three forms of heritage consideration; demolition of the 1956 church, reconstruction of the portico of the 1889 church building, and new works comprising the 13-storey mixed-use building to the rear.

Demolition

- 8.37 Whilst the whole site is covered by the HO46, the 1956 church building and its 1960's, 1970's and 1990's extensions are of limited significance. A comparative analysis, including further investigations found that architect Joseph Smith was not a noted architect, with his work largely being in conjunction with other more highly acclaimed practitioners. The design of the 1956 church building has limited architectural interest on its own, and is an example of a style that, at the time of construction, was becoming outdated. The additions are not identified as being of heritage significance according to the citation for the site, and therefore do not contribute to the significance of the place.
- 8.38 The statement of significance states that the church has aesthetic, historic and social value. The aesthetic and historic values will be maintained through the retention of the 1889 building, which is considered of primary significance on the site. The social significance of the site will be retained as the church continues to serve the community. Notwithstanding this, the historic significance of the site is being diminished by the demolition of the 1956 church building. It is therefore important that an interpretive strategy be undertaken as an integral part of the development of the site.
- 8.39 Significant elements from the 1956 church building fabric and material from the Church of Christ's extensive archive will be incorporated into the public spaces, including the foyer space running through the centre of the Doncaster Road level, linking the 1889 church building to the auditorium and hall. Conditions will require that the existing interpretative signage that notes the churches links to the former Shire Hall and the Doncaster School be maintained, including their location within the development. Further details how this existing signage will be protected during construction is required.
- 8.40 A number of the windows and doors to the 1956 church building appear to be original. Some windows were replaced in 1974 by a series of stained-glass windows by Alan Sumner. While not original, they were purpose-designed as a series for the Church and therefore their importance relates to their existing context. These windows will be retained for reuse within the development, including the foundation stones, which needs to be clearly depicted on the plans by condition. A further condition will require a schedule to itemise which elements are being retained (including photographs) and how and where they are to be stored and reinstated.
- 8.41 Demolition of these features is therefore not considered to impact upon the heritage significance of the site.

Reconstruction

- 8.42 Reconstruction of the 1889 church building, including the portico, is supported as there is sufficient evidence of the original state of the fabric through photographs for this reconstructive work to be completed. It will be necessary for conditions to require this work to be carried out by suitably qualified heritage specialists or a builder or tradesperson with relevant expertise in this form of work and for a photographic record to be kept of the existing condition of the church building, to be incorporated into the interpretative strategy.

New Works

- 8.43 The development of the 13-storey mixed-use building is supported, subject to conditions to ensure that the 1889 church building to be retained is not overwhelmed by the development. A condition will require the deletion of the aforementioned section of the pale bronze vertical Colorbond cladded screen to the balconies of apartments on Levels 6 and 7. This will reduce the effect of the building overwhelming the chapel on the western approach along Doncaster Road. A new brick wall behind the 1889 church building is proposed to “blend” with the existing brick of the church. Council's heritage advisor raised concern with this matching wall, coupled with the scale of the building behind, as it will cause the church building to blend into the development. A condition will therefore require that the brick wall colour be changed to a pale colour, to potentially match the original lighter coloured brick used for detailing in the 1889 church building. This will assist to clearly delineate the original church from the proposed new works.
- 8.44 The 1889 church building is integrated with the new building via the provision of a glazed link corridor that assists to visually separate the new from the old. The integration of the 1889 church building with the proposal ensures that the heritage building will be utilised in the future. The location, scale, form and appearance of the new building is well considered having regard to the heritage significance of the site.

Apartment developments

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

Objective	Objective Met/Not Met
<p>58.02-1 – Urban context</p> <ul style="list-style-type: none"> • To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area. • To ensure that development responds to the features of the site and the surrounding area. 	<p>Satisfied</p> <p>The proposed apartment development positively responds to the existing urban context or the preferred future development of the area. The development appropriately scales and transitions to the south, including having regard to the topography of the area, where the land falls to the south.</p>
<p>58.02-2 – Residential policy</p> <ul style="list-style-type: none"> • To ensure that residential development is provided in 	<p>Satisfied</p> <p>The application was accompanied by a written statement demonstrating how the</p>

Objective	Objective Met/Not Met
<p>accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</p> <ul style="list-style-type: none"> To support higher density residential development where development can take advantage of public and community infrastructure and services. 	<p>development is in accordance with Municipal Planning Strategy and the Planning Policy Framework.</p> <p>The site can support higher density residential development to take advantage of public and community infrastructure and services.</p>
<p>58.02-3 – Dwelling diversity</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	<p>Satisfied</p> <p>The proposal includes a mix of one, two, three and four bedroom dwellings with a range of floor areas to provide diversity. The proposal also includes 6 affordable housing units.</p>
<p>58.02-4 – Infrastructure</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Satisfied</p> <p>The site has access to all services.</p> <p>Conditions will require an on-site stormwater detention system to alleviate pressure on the drainage system.</p>
<p>58.02-5 – Integration with the street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<p>Satisfied</p> <p>Several pedestrian entry points are provided to the development to integrate the development with each road frontage.</p>
<p>58.03-1 – Energy efficiency</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. To ensure dwellings achieve adequate thermal efficiency. 	<p>Satisfied</p> <p>Given the orientation of the site, the proposal makes a reasonable attempt to limit the energy efficiency impacts to southern apartments.</p>
<p>58.03-2 – Communal open space</p> <ul style="list-style-type: none"> To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development. 	<p>Satisfied</p> <p>Ample communal open space areas are provided at Level 8, significantly exceeding the requirement of 250m². Approximately 290m² of external communal open space is provided along with other facilities internally within the building adjacent to this area such as a theatre room, gym, dining area, library and amenities area.</p>
<p>58.03-3 – Solar access to communal outdoor open space</p> <ul style="list-style-type: none"> To allow solar access into communal outdoor open space. 	<p>Satisfied</p> <p>The communal open space area has direct northern solar access. At least 125m² will receive two hours of sunlight on 21 June.</p>

Objective	Objective Met/Not Met
<p>58.03-4 – Safety</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	<p>Satisfied</p> <p>Multiple pedestrian entries are available to access the apartments, providing safe and secure entry to the building.</p>
<p>58.03-5 – Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect. 	<p>Satisfied</p> <p>Landscaping across the site is considered acceptable, subject to conditions previously discussed. Sufficient deep soil is provided for canopy tree planting within the frontage to be integrated with the plaza. Conditions will require detailed planting measures around the perimeter of the building.</p>
<p>58.03-6 – Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the urban context. 	<p>Satisfied</p> <p>A total of four crossovers are proposed; one for infrequent use on Doncaster Road, two main accessways on Short Street and a delivery entrance on Hepburn Road. The proposal results in a net reduction in the number of crossovers across the site.</p>
<p>58.03-7 – Parking location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To protect residents from vehicle noise within developments. 	<p>Satisfied</p> <p>Numerous lift shafts provide equitable access for residents and visitors from all car parking spaces within the basement and upper car parking levels. Residents are generally protected from vehicle noise within the development.</p>
<p>58.03-8 – Integrated water and stormwater management</p> <ul style="list-style-type: none"> To encourage the use of alternative water sources such as rainwater, stormwater and recycled water. To facilitate stormwater collection, utilisation and infiltration within the development. To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge 	<p>Satisfied</p> <p>Two large rainwater tanks are located under the basement. A condition will require details of the capacity of the rainwater tanks.</p> <p>The applicant is required to provide an on-site stormwater detention system to alleviate pressure on the drainage system.</p>

Objective	Objective Met/Not Met
from the site.	
<p>58.04-1 – Building setback</p> <ul style="list-style-type: none"> • To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. • To allow adequate daylight into dwellings. • To limit views into habitable room windows and private open space of new and existing dwellings. • To provide a reasonable outlook from new dwellings. • To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents. 	<p>Satisfied</p> <p>Side and rear setbacks respond appropriately to the existing urban context to the south-east and west, as well as the preferred future development anticipated to the north-east.</p> <p>A full analysis of the proposed setbacks is undertaken in the design and built form section of this report.</p> <p>The setbacks are considered reasonable as they provide a suitable level of separation to the adjoining residential properties, including meeting the ACZ1's preferred 4.5m setback to adjoining properties.</p> <p>There are two adjoining properties; 682-686 Doncaster Road and 8-10 Hepburn Road. A minimum 9m setback is provided from balconies/windows to the balconies and windows of the approved development at 682-686 Doncaster Road, which will allow adequate daylight into and provide a reasonable outlook from new dwellings as well as limit views into habitable room windows and private open space areas.</p> <p>A minimum 9m setback is provided to windows of the development at 8-10 Hepburn Road, however balconies of the development are within 9m. This will allow adequate daylight into and provide a reasonable outlook from new dwellings, however a condition will require that views are satisfactorily limited to private open space areas of this development.</p>
<p>58.04-2 – Internal views</p> <ul style="list-style-type: none"> • To limit views into the private open space and habitable room windows of dwellings within a development. 	<p>Satisfied</p> <p>A condition will require details of barrier heights and materials between balconies, which limit internal views.</p>
<p>58.04-3 – Noise impacts</p> <ul style="list-style-type: none"> • To contain noise sources in developments that may affect existing dwellings. • To protect residents from external and internal noise sources. 	<p>Satisfied</p> <p>A condition will require a revised acoustic report to assess the impacts of the child care centre and place of assembly on residents both within and external to the development.</p> <p>The submitted acoustic report demonstrates that residents are protected from external noise sources, such as traffic noise and nearby commercial uses.</p>

Objective	Objective Met/Not Met
<p>58.05-1 – Accessibility</p> <ul style="list-style-type: none"> To ensure the design of dwellings meets the needs of people with limited mobility. 	<p>Satisfied</p> <p>The proposal meets the accessibility requirements for at least 50% of the dwellings (71 out of 136 = 52%) relating to appropriate door opening widths, entrance paths and access to an adaptable bathroom.</p>
<p>58.05-2 – Building entry and circulation</p> <ul style="list-style-type: none"> To provide each dwelling and building with its own sense of identity. To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. To ensure internal communal areas provide adequate access to daylight and natural ventilation. 	<p>Satisfied</p> <p>Building entrances are well covered and easily identifiable.</p> <p>Lifts and stairwells are well located to provide equitable access given the proliferation of apartments throughout the building.</p> <p>Not all communal corridors have a source of natural light or natural ventilation, however clear sight lines are maintained.</p>
<p>58.05-3 – Private open space</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Satisfied</p> <p>All ground level dwellings meet the private open space requirements.</p> <p>All balconies meet the minimum area required, however some fall marginally short of the minimum dimension requirements, i.e. providing 1.995m instead of 2m. This can be conditioned accordingly.</p>
<p>58.05-4 – Storage</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>Satisfied</p> <p>Conditions will require that each dwelling meet the minimum internal and external storage volume requirements and that external storage areas be allocated to each dwelling, and be co-located near corresponding allocated car parking spaces.</p>
<p>58.06-1 – Common property</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	<p>Satisfied</p> <p>The communal car parking areas, paths, landscape areas, internal lobby and corridors are practically designed. There are no apparent difficulties associated with the future management of these areas.</p>
<p>58.06-2 – Site Services</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	<p>Satisfied</p> <p>Appropriate site services will be provided. Mail rooms are provided within the lobbies on Level 1 and Level 4. A condition will require that individual letter boxes be provided to each townhouse.</p> <p>Utility cabinets are generally well integrated to complement the design of the development, including height, design,</p>

Objective	Objective Met/Not Met
	materials and finishes. A condition will require the fire booster assembly cabinet must be better integrated into the plaza, with full dimension and materials detailed.
58.06-3 – Waste and recycling <ul style="list-style-type: none"> • To ensure dwellings are designed to encourage waste recycling. • To ensure that waste and recycling facilities are accessible, adequate and attractive. • To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm. 	Satisfied The submitted waste management plan details that waste will be appropriately managed and collected on site.
58.07-1 – Functional layout <ul style="list-style-type: none"> • To ensure dwellings provide functional areas that meet the needs of residents. 	Satisfied All bedrooms and living areas meet the minimum dimensions and areas required.
58.07-2 – Room depth <ul style="list-style-type: none"> • To allow adequate daylight into single aspect habitable rooms. 	Satisfied All apartments meet the maximum 9m room depth, providing appropriate floor to ceiling heights, with some exceptions. The dwellings that exceed this requirement are considered appropriate as the room width exceeds the functional layout standard, which helps to maximise daylight.
58.07-3 – Windows <ul style="list-style-type: none"> • To allow adequate daylight into new habitable room windows. 	Satisfied All habitable room windows are provided with at least one window in an external wall of the building. A number of bedrooms contain a window from a smaller secondary area within the bedroom, which complies with the minimum width and depth dimensions.
58.07-4 – Natural ventilation <ul style="list-style-type: none"> • To encourage natural ventilation of dwellings. • To allow occupants to effectively manage natural ventilation of dwellings. 	Satisfied At least 40% of dwellings will provide effective cross ventilation.

Car parking, access, traffic, Land Adjacent to a Road Zone Category 1 and bicycle facilities

Car parking and access

8.47 The Scheme requires a total of 473 car parking spaces for the proposal. 400 car parking spaces are proposed, resulting in a 73 space shortfall. A permit is therefore being sought to reduce the car parking requirement. The car parking requirement and number of spaces provided is summarised as follows:

Purpose	Scheme car parking requirement	Car parking provided
Dwelling	184 spaces	185 spaces
Dwelling visitors	13 spaces	13 spaces
Place of assembly	195 spaces	202 shared spaces
Food and drink	10 spaces	
Office	45 spaces	
Child care	26 spaces	
Total	473 spaces	400 spaces

- 8.48 The development incorporates two car parks separating resident and visitor car parking for the dwellings from non-residential uses, each provided with two car park levels, accessed from two separate driveways. The car park for residents and visitors exceeds the car parking requirements by one car space. To provide convenient visitor access, a condition will require visitor car parking spaces to be located towards the entrance of the residential car park, with appropriate signage provided.
- 8.49 The non-residential car park layout adopts a shared approach to the provision of parking for all non-residential uses, including the place of assembly (which incorporates the auditorium, hall and chapel), child care centre, offices and food and drink premises. These four uses have car parking areas allocated across the two levels. A combined 202 car parking spaces are provided for these non-residential uses, which falls short of the required 276 spaces by 74 spaces. The submitted traffic report identifies that the uses will not operate at capacity during any one time. The rationale for shared car parking for the non-residential uses provided in the submitted traffic report is summarised as:
- The place of assembly could have a total capacity of 1,200 patrons across all of its functions, however not all functions will operate concurrently and this use should be capped at 650 patrons at any given time;
 - The place of assembly is anticipated to operate at a lower capacity during business hours on weekdays and can be further reduced to 430 patrons during these times;
 - The offices and child care centre will operate during the day on weekdays only, which is outside the anticipated peak times of the place of assembly;
 - The food and drink premises are anticipated to operate at peak capacity at lunch time on Fridays and Saturdays, with a low capacity in the evenings.
- 8.50 The peak demand on the non-residential car park is during the day on weekdays. During these times, all uses would operate concurrently, with the offices, child care centre and food and drink premises all operating at full capacity, while the place of assembly would operate at its lowest capacity. To alleviate car parking demand in the non-residential car park during these times, the submitted traffic report recommends placing a limitation on the place of assembly to no more than 430 patrons.

- 8.51 By lowering the maximum number of place of assembly patrons to 430, the total anticipated non-residential car parking demand during this peak time is 210 spaces. However, the non-residential car park has a capacity of 202 spaces, which would still result a shortfall of eight spaces. To meet the car parking demand, a condition will require the recommended limit of 430 patrons for the place of assembly be further lowered by 26 patrons to 404 patrons. This in turn lowers the rate of car parking generated associated with the use from 129 spaces to 121 spaces. Accordingly, the 202 spaces provided would meet the total anticipated non-residential car parking demand of 202 spaces.
- 8.52 During the night on weekdays and during the day on weekends, the place of assembly and food and drink premises are anticipated to reach a peak car parking demand of 205 spaces, resulting in a shortfall of 3 car parking spaces from the available 202 car parking spaces. Other non-residential uses will be dormant at this time. It is considered that a car parking reduction of three spaces is acceptable in the context of the site’s proximity to public transport services and the likelihood that some of the customers of the food and drink premises may include multi-trip users who are also attending the place of assembly.
- 8.53 By placing limitations on the days and hours of operation of other uses, including that the office and child care would not operate on weekends, at all other times of the week, the provision of 202 spaces within the non-residential car park will meet the total anticipated car parking demand.
- 8.54 As spaces within the non-residential car park are demarcated by use, a condition will require a car parking management plan to detail how spaces will be allocated, signage and management practices to ensure that when a use is dormant (i.e. the office and child care centre during weekends), unused car parking spaces will be available for overflow parking for the uses that are operating.
- 8.55 Subject to the above additional limitations, the non-residential car park will provide an appropriate number of spaces across the four uses that will accommodate the anticipated demand. This rationale is not unusual for mixed-use buildings within the municipality and is supported by Council’s Infrastructure Services Unit.
- 8.56 An assessment against the car parking design standards at Clause 52.06-9 is provided in the table below:

Design Standard	Assessment
1 – Accessways	<ul style="list-style-type: none"> • The accessways to the basement car parks meet the minimum width and height clearance requirements. • Minimum 6.1m by 7m passing areas are provided within the site frontages. • All vehicles are able to exit the site in a forwards direction. • An adequate visibility splay area is provided along the exit lane of each driveway. • Within the car parking levels, a 4m internal radius is provided at changes of direction.
2 – Car Parking Spaces	<ul style="list-style-type: none"> • Car parking spaces are provided in accordance with the dimensions and clearance areas required.

Design Standard	Assessment
3 – Gradients	<ul style="list-style-type: none"> • Driveway gradients have been assessed as compliant with the standard, subject to the commercial car park driveway entrance being modified to no steeper than 1:10.
4 – Mechanical Parking	<ul style="list-style-type: none"> • No mechanical parking is proposed.
5 – Urban Design	<ul style="list-style-type: none"> • The driveways do not dominate public space. • The development limits the projection of basement areas above natural ground level through the incorporation of dwellings around the curtilage of the car park areas, to activate the development with the street.
6 – Safety	<ul style="list-style-type: none"> • The car parking areas are secured by security gates. • Pedestrian access is clearly separated from the roadways.
7 – Landscaping	<ul style="list-style-type: none"> • Landscaping is well-placed along the driveways.

Traffic

8.57 The submitted traffic report identifies that the proposed development is expected to generate 173 vehicle movements per AM peak hour and 254 vehicle movements per PM peak hour. It concludes that the volume of traffic generated by the development can be comfortably accommodated by the nearby road network.

8.58 The number of vehicle movements is not anticipated to have a discernible impact on the surrounding road network once distributed to the arterial road network, due to the number of routes available for drivers to use. It concludes that there is adequate traffic gap capacity in westbound through traffic on Doncaster Road to accommodate the additional left-turn out movements from Short Street that will be generated by the development during the peak hours.

8.59 Council's Infrastructure Services Unit has not raised concern in relation to the expected volume of traffic generated by the proposed development as assessed in the submitted traffic report.

Land Adjacent to a Road Zone Category 1

8.60 A permit is required under Clause 52.29 of the Manningham Planning Scheme as the proposal involves the removal of existing crossovers and creation of a new crossover to Doncaster Road, which is zoned Road Zone Category 1.

8.61 VicRoads has provided conditional consent to the proposal, therefore the access arrangement is considered appropriate.

Bicycle Facilities

8.62 Clause 52.34 (Bicycle facilities) requires a total of 56 bicycle spaces; 36 for residents/employees and 20 for visitors/patrons. 36 resident spaces are located in a compound within the Level 1 basement with convenient access from the driveway entrance and to the lift lobby. 15 staff spaces are located along the

northern basement wall of Level 3 with convenient access from the driveway and to the commercial lift. A combined shower and change room is provided for the staff spaces, located directly adjacent to these spaces. A further 20 visitor/patron spaces are conveniently located within the plaza at Doncaster Road level.

- 8.63 The proposal for a total of 71 bicycle spaces exceeds the requirements of the Scheme by 15 spaces. The provision of the combined shower and change room meets the requirements of the Scheme. To ensure the three bicycle space locations comply with the requirements of this clause, a condition will require greater details and plan notations, including having regard to the spacing of the bicycle spaces within the plaza and their proximity to the Doncaster Road crossover.

Affordable housing

- 8.64 Council's Affordable Housing Strategy and Action Plan 2010-2020 has set an aspirational target that by 2020, 10% of housing units within Doncaster Hill will be affordable housing units.
- 8.65 The proposal includes six dwellings as affordable housing units, which is less than the 10% target (13 dwellings). However, this is considered reasonable given the inclusion of other community facilities in the development and the lack of any requirements under the Manningham Planning Scheme.
- 8.66 A permit condition will require the owner of the land to enter into an agreement with Council under Section 173 of the Planning and Environment Act 1987 for the provision of at least six dwellings as affordable housing.

Objector concerns

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

Traffic and congestion, inadequate on-street and off-street car parking, crossover location, pedestrian safety, traffic noise and public transport availability

- 8.68 The potential traffic impacts have been assessed by the permit applicant's traffic consultant and Council's Infrastructure Services Unit who both conclude that, when considering the proposal in the context of traffic and the surrounding street network, the proposal can be accommodated on the adjacent road network without creating any adverse traffic, safety or capacity problems.
- 8.69 The number of provided on-site car parking spaces meets the requirement for residents and visitors but falls short for non-residential uses. The number of non-residential car parking spaces provided, including having regard to the limited on-street parking available, is satisfactorily contained on site. The proposal provides a reasonable rationalisation of shared non-residential uses that is anticipated to meet the level of demand throughout the week.
- 8.70 Limitations will be placed on the uses to ensure that the demand for non-residential use car spaces do not conflict. Limitations include that the offices and child care centre will not operate on weekday evenings or weekends and that the number of patrons permitted in the place of assembly be capped, with greater restrictions applicable during the day on weekdays.

- 8.71 Existing parking problems in the area cannot be addressed through the current application, nor should the burden of relieving these existing problems be imposed on the developer of the site.
- 8.72 Pursuant to the Manningham Parking Permit Policy 2019, owners and occupiers of dwellings approved in this development will not be eligible to obtain residential parking permits in restricted parking areas. Future residents will therefore not place a burden on the availability of on-street car parking where parking permit restrictions apply.
- 8.73 It is considered that the location of the residential crossover opposite the sole crossover to Magnolia apartments at 20 Hepburn Road would not create safety concerns as vehicles are not expected to cross Short Street to enter the opposite site, but instead turn to/from Short Street. Council's Infrastructure Services Unit have no objection to the crossover location.
- 8.74 Pedestrian safety is anticipated to be managed using the existing footpath network, by separating pedestrian access from vehicle movements and by encouraging access to non-residential uses through the main entry to the building via Doncaster Road.
- 8.75 Traffic noise is not considered unreasonable in the context of the site's proximity to an arterial road.
- 8.76 Public Transport Victoria have not raised concern with the proposal, having regard to impacts on existing infrastructure or bus services.

Overdevelopment

- 8.77 The *Doncaster Hill Activity Centre Strategy October 2002*, the policy framework for the implementation of the Activity Centre Zone within the Scheme plans for the provision of more than 5,000 new apartments over the next 20 years within the municipality's only Principal Activity Centre. As such, the proposal is not considered an overdevelopment or an oversupply of accommodation.

Off-site amenity impacts (loss of daylight, litter, noise and view loss)

- 8.78 Given that the tower of the development generally satisfies the 4.5 metre setback requirements, it is considered that the level of daylight afforded to adjoining properties will not be unreasonably reduced.
- 8.79 The proposal is not anticipated to generate any additional litter in the area. All uses are required to store and collect waste on-site.
- 8.80 The development has been designed to separate residential and non-residential uses. It is unlikely that any unreasonable noise or safety concerns will arise given that the design encourages a strong link with the public realm. A condition will require plan notations be included to implement the recommendations from the submitted acoustic report.
- 8.81 There are no specific controls within the Scheme that protects a resident's right to a view, particularly any existing views maintained over the site. In the context of anticipated development within Doncaster Hill, views cannot be expected to be maintained in perpetuity.

Lack of implementation of Hepburn Reserve public open space area, need for upgrade of Walker Reserve

8.82 The *Doncaster Hill Activity Centre Strategy October 2002* has considered the required area for public open space for development within Doncaster Hill. The proposed Hepburn Reserve forms part of this strategy. Three of the four parcels have been acquired at this stage. The draft Council budget is currently being advertised, proposing just over \$2 million over four years for the Hepburn Reserve development. Community consultation and preliminary design works will also need to be undertaken before works can commence on the upgrade. There are no current plans to upgrade Walker Reserve, however this may form part of a future capital works program.

Construction impacts (noise, dust, hours, traffic, parking and time span)

8.83 A detailed construction management plan is required as a condition of permit, which sets out matters relating to noise, dust, dirt and mud control, hours of construction and the location of parking and site facilities for construction workers. The management plan would be enforced, where necessary, by Council's Approvals and Compliance Unit.

8.84 A development of this scale is typically allowed to commence within four years and is permitted to be completed within eight years. Written approval to extend these times can be given if adequate justification is provided.

9. CONCLUSION

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

10. DECLARATION OF CONFLICT OF INTEREST

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