

**Planning Application PL15/025773 65, 67 & 69 Turana Street, Doncaster - Construction of 17 three-storey dwellings and 2 two-storey dwellings Construction of seventeen (17) three-storey dwellings and two (2) two-storey dwellings**

Responsible Director: Director Planning & Environment

File No. PL15/025773

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

**Land:** Lot 27 LP77091 Vol 8722 Fol 217  
Lot 28 LP77091 Vol 8722 Fol 218  
Lot 29 LP77091 Vol 8722 Fol 219

**Zone** General Residential Zone Schedule 2  
Design and Development Overlay Schedule 8

**Applicant:** Bayland Properties Group

**Ward:** Koonung

**Melway Reference:** 33 F12

**Time to consider:** 20 May 2016

**SUMMARY**

*It is proposed to develop three residential lots known as 65, 67 and 69 Turana Street, Doncaster (total area of 2616.5m<sup>2</sup>) with seventeen three-storey and two, two-storey dwellings. Vehicle access will be via a 5.0m crossover and driveway from Turana Street.*

*The application was advertised and two (2) objections were received. Grounds mainly relate to traffic capacity of the common driveway, traffic capacity of Turana Street, overlooking, inadequate on-site car parking, loss of on-street parking and appropriateness of tandem car parking.*

*The report concludes that the proposal generally complies with the Manningham Planning Scheme, including Clause 55 and the provisions of Schedule 8 of the Design and Development Overlay and Clause 21.05 of the Municipal Strategic Statement. These provisions recognise that there will be substantial level of change in dwelling yields and built form on the site.*

*The proposed development provides for nineteen dwellings, with appropriate design details and articulation that respects the neighbourhood character and ensure the amenity impact of the adjoining properties is minimised.*

*It is recommended that the application be supported subject to a number of conditions.*

## 1 BACKGROUND

- 1.1 The site comprises of three separate parcels of land, namely Nos. 65, 67 and 69 Turana Street.
- 1.2 The property at No. 65 Turana Street is located on the south-eastern curvature of the court bowl and contains a single-storey, brick dwelling with a flat roof and an attached carport located adjacent to the eastern boundary. The dwelling has a front setback of 16.92m. Vehicle access is via a concrete driveway and crossover located adjacent to the eastern boundary. A swimming pool is located adjacent to the south-western corner of the property. The property is irregular in shape with a frontage of 13.47m and a depth of 54.23m, with an area of 907m<sup>2</sup>. The site is legally referred to as Lot 29 LP77091, Volume 8722, Folio 219.
- 1.3 The property at No. 67 Turana Street is located on the southern side of Turana Street and contains a two-storey, brick dwelling with a pitched roof, setback 13.57m from the street. A double garage is located in front of the dwelling. Vehicle access is via concrete driveway and crossover located adjacent to the eastern boundary. The property is irregular in shape, with a frontage of 12.75m and a depth of 50.43m, with an area of 862m<sup>2</sup>. The site is legally referred to as Lot 28 LP77091, Volume 8722, Folio 219.
- 1.4 The property at No. 69 Turana Street is located on the southern side of Turana Street and contains a single-storey, rendered finish dwelling with a flat roof, setback 10.63m. A double garage is located adjacent to the western boundary. Vehicle access is via a concrete driveway and crossover located adjacent to the western boundary. The property is regular in shape with a frontage of 16.81m, a depth of 50.23m and an area of 846m<sup>2</sup>. The site is legally referred to as Lot 27 LP77091, Volume 8722, Folio 219.
- 1.5 The site has a combined area of 2616m<sup>2</sup>. A 2.44m wide sewerage and drainage easement traverses the rear southern boundary on the three properties.
- 1.6 The site has abutments with three properties. Surrounding development is described as follows:

Direction	Address	Description
East	63 Turana Street	The property contains a single-storey, brick dwelling with a hipped, tiled roof with a front setback of 18.33m and a side setback of 1.96m from the common boundary. One habitable room window is orientated to the common boundary. A single carport is attached to the eastern side of the dwelling. Vehicle access is via a crossover and driveway located adjacent to the eastern boundary. Secluded private open space is located to the rear. Three large pine trees are located adjacent to the rear

Direction	Address	Description
		southern boundary fence.
West	71 Turana Street	The property contains a single-storey, brick dwelling with a pitched, tiled roof. The dwelling has a front setback of 9.0m and a side setback of 1.99m from the common boundary. Vehicle access is via a crossover and driveway located adjacent to the western boundary. A swimming pool is located to the rear. A pedestrian pathway, which links the Council Car Park is located to the western side of the property.
South	699 Doncaster Road	Immediately to the rear of the site is Council Car Park on Hummell Way and the Council Health Club building located to the north-western side of the property. A pedestrian pathway is located on the northern side, which traverses to Council Street to the north-west and a separate pathway to Turana Street to the north.
South-East	Doncaster Bowling Club	The Doncaster Bowling Club does not immediately abut the site. It adjoins No. 63 Turana Street. The club building is located to the south of the property with 34 designated car spaces located to the eastern side of the site on JJ Tully Drive.

- 1.7 The character of the area is in transition. While single detached brick dwellings are still common on many properties, an increasing number of lots are being developed with two or more dwellings townhouse style dwellings.
- 1.8 Turana Street is a local street within Council's jurisdiction. There is a 2-hour time limit on-street parking on the western side of Turana Street. The eastern side of Turana Street is a Permit Zone from 8am – 6pm Monday to Sunday (including Public Holidays). There is no parking on either side of the section of JJ Tully Drive, which intersects with Turana Street.
- 1.9 The site is well located to a range of services, with Schramms Reserve located 166m to the north-east, Council library, maternal and child health, child care centre and MC<sup>2</sup> located 631m on Doncaster Road and Westfield Doncaster Shopping Centre located 384m west of the site. A range of bus services are available along the sections of Doncaster Road and from Westfield Doncaster Shopping Centre. Doncaster Road is a major arterial

road with three lanes of traffic in each direction. Doncaster Road is a bus priority road, with designated bus lanes.

## 2 PROPOSAL

- 2.1 It is proposed to remove the existing buildings and to construct 17 three-storey townhouses (TH) and two two-storey townhouses.
- 2.2 Separate vehicle access is provided for TH1. Communal vehicle access will be provided for all remaining dwellings via a 5.0m wide crossover located adjacent to the eastern boundary.
- 2.3 TH1 and TH19 are the only two-storey dwellings and the remaining dwellings are all three-storeys in nature.
- 2.4 The development is broken into three separate built forms. TH1 – TH4 are located adjacent to the western boundary. TH5 – TH9 are located across the front of the site. TH10 – TH19 are located adjacent to the rear southern boundary. A tandem garage is provided for TH5 – TH19. A single garage is provided for TH1 – TH4.
- 2.5 With the exception of TH1 and TH19, the ground floor generally comprise of garages. The first floor comprise of open plan living areas with direct access to a balcony and the second floor comprise of bedrooms.
- 2.6 TH2 – TH4 contains two-bedrooms and TH1, TH5 – TH19 contain three-bedrooms.
- 2.7 Three visitor car spaces are provided and a bin collection area is provided adjacent to the eastern boundary.
- 2.8 The development has a site coverage of 47.7% and provides a density of one dwelling per 137.7m<sup>2</sup>.
- 2.9 The dwellings range in height between 5.24m (TH29 two-storey) – 9.89m (TH8 three-storey).
- 2.10 The development has the following setbacks to site boundaries:
  - Front Setbacks TH1, TH5 – TH9
    - Ground Floor – 6.2m – 7.1m
    - First Floor – 5.3m (to balcony) – 12.2m
    - Second Floor – 8.41m
  - Western Boundary TH1 – TH4
    - Ground Floor – 1.0m
    - First Floor – 2.3m
    - Second Floor – 3.0m
  - TH10- TH19
    - Ground Floor – 2.53m
    - First Floor – 2.60m
    - Second Floor – 2.62m
  - Eastern Boundary TH5 – TH9

- Ground Floor – 1.71m
  - First Floor – 1.71m
  - Second Floor – 3.58m
  - TH10 – TH19
    - Ground Floor – 1.02m
    - First Floor – 4.06m
    - Second Floor – 16.95m
  - Southern Boundary TH10 – TH19
    - Ground Floor – 2.62m
    - First Floor – 2.51m
    - Second Floor – 4.36m
- 2.11 The proposed development has a modern architectural design, which includes flat roofs and articulated facade presentation on all sides. The facades consist of a mix of face brick, render and timber cladding and architectural feature cladding, which consists of a mosaic of green shades in Weathertext.
- 2.12 The western wall on the Second Floor of TH2 –TH4 will entail a raked roof form. The balconies of all dwellings are provided with a projecting rendered portal frame in either a white or dark grey colour. TH7- 9 & TH16 – TH19 are located on No. 65 Turana Street, are constructed of brick, as required by the restrictive covenant.
- 2.13 No trees on site are proposed to be retained. A Southern Blue Gum (Tree 44) located within the Council land, adjacent to the pedestrian pathway will be protected in accordance with arborist report, prepared by Blue Gum, dated 7 October 2015. Trees 42 and 43 located at 71 Turana Street will be provided with tree protection measures in accordance with the Arborist Report.
- 2.14 A new 1.8m high timber paling fence is proposed on the eastern, western and southern boundary.
- 2.15 Documentation supporting the application included an Arborist Report, Traffic Impact Assessment, Waste Management Plan and a Landscape Plan.

### **3 PRIORITY/TIMING**

- 3.1 The proposal was not presented to Sustainable Design Taskforce meeting, due to its townhouse style form.
- 3.2 The statutory time for considering a planning application is 60 days. Allowing for the time taken to advertise the application, the statutory time lapsed on 20 May 2016.
- 3.3 The Planning and Environment Act 1987 is the relevant legislation governing planning in Victoria. The Act identifies subordinate legislation in the form of Planning Schemes to guide future land use and development.

- 3.4 Section 60 of the Act outlines what matters a Responsible Authority must consider in the determination of an application. The Responsible Authority is required to consider:
- the relevant planning scheme; and
  - the objectives of planning in Victoria; and
  - all objections and other submissions which it has received and which have not been withdrawn; and
  - any decision and comments of a referral authority which it has received; and
  - any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.
- 3.5 Section 61(4) of the Act makes specific reference to covenants. The subject site at 65 Turana Street is subject to a restrictive covenant, which requires any dwelling or dwellings to be enclosed by walls of brick or brick veneer. The affected dwellings at No. 65 Turana Street will be enclosed by brick walls.
- 3.6 It is further noted that the subject land is also not encumbered by any Section 173 Agreements.

#### **4 MANNINGHAM PLANNING SCHEME**

- 4.1 The site is included in the Residential Growth Zone, Schedule 2 under the provisions of the Manningham Planning Scheme.
- 4.2 A planning permit is required to construct two or more dwellings on a lot in the Residential Growth Zone.
- 4.3 The purpose of the Residential Growth Zone relates primarily to providing housing at increased densities, encouraging diversity of housing types and encouraging a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.
- 4.4 An assessment for buildings and works for two or more dwellings is required under the provisions of Clause 55 of the Manningham Planning Scheme.
- 4.5 The purpose of Clause 55 is generally to provide well designed dwellings with considered regard to internal amenity, while at the same time, maintaining the amenity and character of the locality, with particular emphasis on the amenity of adjoining residents.
- 4.6 The site is affected by the Design and Development Overlay Schedule 8 (DDO8) of the Manningham Planning Scheme
- 4.7 The Design Objectives of the DD08 are:
- *To increase residential densities and provide a range of housing types around activity centres and along main roads.*
  - *To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.*

- *To support three storey, 'apartment style', developments within the Main Road subprecinct and in sub-precinct A, where the minimum land size can be achieved.*
  - *To support two storey townhouse style dwellings with a higher yield within subprecinct B and sub-precinct A, where the minimum land size cannot be achieved.*
  - *To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive, taking into account the preferred neighbourhood character.*
  - *To encourage spacing between developments to minimise a continuous building line when viewed from a street.*
  - *To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties.*
  - *To ensure developments of two or more storeys are sufficiently stepped down at the perimeter of the Main Road sub-precinct to provide an appropriate and attractive interface to subprecinct A or B, or other adjoining zone.*
  - *Higher developments on the perimeter of sub-precinct A must be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct B or other adjoining zone.*
  - *To ensure overlooking into adjoining properties is minimised.*
  - *To ensure the design of carports and garages complement the design of the building.*
  - *To ensure the design of basement and undercroft car parks complement the design of the building, eliminates unsightly projections of basement walls above natural ground level and are sited to allow for effective screen planting.*
  - *To create a boulevard effect along Doncaster Road and Manningham Road by planting trees within the front setback that are consistent with the street trees.*
  - *To encourage landscaping around buildings to enhance separation between buildings and soften built form.*
- 4.8 Planning permission is required for buildings and works which must comply with the requirements set out in either Table 1 or Table 2 of the Schedule.
- 4.9 Being located within the Sub-Precinct A, the maximum allowable height for land more than 1800 square metres in area is 11 metres. A permit cannot be granted to vary the maximum building height.
- 4.10 There is a range of policy requirements outlined in this control under the headings of building height and setbacks, form, car parking and access, landscaping and fencing.

**State Planning Policy Framework**

- 4.11 Clause 15.01-1 (Urban Design) seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. Strategies towards achieving this are identified as follows:
- *Promote good urban design to make the environment more liveable and attractive.*
  - *Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability*
  - *Require development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate.*
  - *Ensure transport corridors integrate land use planning, urban design and transport planning and are developed and managed with particular attention to urban design aspects*
  - *Encourage retention of existing vegetation or revegetation as part of subdivision and development proposals.*
- 4.12 Clause 15.01-4 (Design for Safety) seeks to improve community safety and encourage neighbourhood design that makes people feel safe. The strategy identified to achieve this objective is to ensure the design of buildings, public spaces and the mix of activities contribute to safety and perceptions of safety.
- 4.13 Clause 15.01-5 (Cultural Identity and Neighbourhood Character) seeks to recognise and protect cultural identity, neighbourhood character and sense of place. The clause emphasises the importance of neighbourhood character and the identity of neighbourhoods and their sense of place. Strategies towards achieving this are identified as follows:
- Ensure development responds and contributes to existing sense of place and cultural identity.
  - Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.
  - Ensure development responds to its context and reinforces special characteristics of local environment and place.
- 4.14 Clause 15.02-1 (Energy and Resource Efficiency) seeks to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.
- 4.15 Clause 16.01-1 (Integrated Housing) seeks to promote a housing market that meets community needs. Strategies towards achieving this are identified as follows:
- *Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations.*



- *Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.*
- 4.16 Clause 16.01-2 (Location of Residential Development) seeks to locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport. Strategies towards achieving this are identified as follows:
- *Increase the proportion of housing in Metropolitan Melbourne to be developed within the established urban area, particularly at activity centres, employment corridors and at other strategic sites, and reduce the share of new dwellings in greenfield and dispersed development areas.*
  - *In Metropolitan Melbourne, locate more intense housing development in and around Activity centres, in areas close to train stations and on large redevelopment sites.*
  - *Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.*
  - *Facilitate residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water efficient design principles and encourages public transport use.*
- 4.17 Clause 16.01-4 (Housing Diversity) seeks to provide for a range of housing types to meet increasingly diverse needs. Strategies towards achieving this are identified as follows:
- *Ensure housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.*
  - *Encourage the development of well-designed medium-density housing which respects the neighbourhood character.*
  - *Improves housing choice.*
  - *Makes better use of existing infrastructure.*
  - *Improves energy efficiency of housing.*
  - *Support opportunities for a wide range of income groups to choose housing in well serviced locations.*
- 4.18 Clause 16.01-5 (Housing affordability) seeks to deliver more affordable housing closer to jobs, transport and services.

### **Local Planning Policy Framework (LPPF)**

#### **Municipal Strategic Statement**

- 4.19 Clause 21.03 (Key Influences) identifies that future housing need and residential amenity are critical land-use issues. The MSS acknowledges that there is a general trend towards smaller household size as a result of an aging population and smaller family structure which will lead to an imbalance between the housing needs of the population and the actual housing stock that is available.

- 4.20 This increasing pressure for re-development raises issues about how these changes affect the character and amenity of our local neighbourhoods. In meeting future housing needs, the challenge is to provide for residential redevelopment in appropriate locations, to reduce pressure for development in more sensitive areas, and in a manner that respects the residential character and amenity valued by existing residents.
- 4.21 Clause 21.05 (Residential) outlines the division of Manningham into four Residential Character Precincts. The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available. In areas which are removed from these facilities a lower intensity of development is encouraged. A low residential density is also encouraged in areas that have identified environmental or landscape features.
- 4.22 The site is within "Precinct 2 – Residential Areas Surrounding Activity Centres and Along Main Roads".
- 4.23 This area is aimed at providing a focus for higher density development and a substantial level of change is anticipated. Future development in this precinct is encouraged to:
- *Provide for contemporary architecture and achieve high design standards*
  - *Provide visual interest and make a positive contribution to the streetscape*
  - *Provide a graduated building line from side and rear boundaries*
  - *Minimise adverse amenity impacts on adjoining properties*
  - *Use varied and durable building materials*
  - *Incorporate a landscape treatment that enhances the overall*
- 4.24 Within this precinct, there are three sub-precincts which each stipulate different height, scale and built form outcomes to provide a transition between each sub-precinct and adjoining properties, primarily those in Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads.
- 4.25 The three sub-precincts within Precinct 2 consist of:
- Sub-precinct – Main Road (DDO8-1)** is an area where three storey (11 metres) 'apartment style' developments are encouraged on land with a minimum area of 1,800m<sup>2</sup>. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side same sub-precinct. All development in the Main Road sub-precinct should have a maximum site coverage of 60 percent.

Higher developments on the perimeter of the Main Road sub-precinct should be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct A or B, or other adjoining zone.

**Sub-precinct A (DDO8-2)** is an area where two storey units (9 metres) and three storey (11 metres) 'apartment style' developments are encouraged. Three storey, contemporary developments should only occur on land with a

minimum area of 1800m<sup>2</sup>. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage. The area of 1800m<sup>2</sup> must all be in the same sub-precinct. In this sub-precinct, if a lot has an area less than 1800m<sup>2</sup>, a townhouse style development proposal only will be considered, but development should be a maximum of two storeys. All development in Sub-precinct A should have a maximum site coverage of 60 percent.

Higher developments on the perimeter of sub-precinct A should be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct B, or other adjoining zone.

**Sub-precinct B (DDO8-3)** is an area where single storey and two storey dwellings only will be considered and development should have a maximum site coverage of 60 percent. There is no minimum land area for such developments.

4.26 The site is located within Sub-Precinct – A (DDO8-2).

4.27 Clause 21.05-2 Housing contains the following objectives:

- *To accommodate Manningham's projected population growth through urban consolidation, infill developments and Key Redevelopment Sites.*
- *To ensure that housing choice, quality and diversity will be increased to better meet the needs of the local community and reflect demographic changes.*
- *To ensure that higher density housing is located close to activity centres and along main roads in accordance with relevant strategies.*
- *To promote affordable and accessible housing to enable residents with changing needs to stay within their local neighbourhood or the municipality.*
- *To encourage development of key Redevelopment Sites to support a diverse residential community that offers a range of dwelling densities and lifestyle opportunities.*
- *To encourage high quality and integrated environmentally sustainable development.*

4.28 The strategies to achieve these objectives include:

- *Ensure that the provision of housing stock responds to the needs of the municipality's population.*
- *Promote the consolidation of lots to provide for a diversity of housing types and design options.*
- *Ensure higher density residential development occurs around the prescribed activity centres and along main roads identified as Precinct 2 on the Residential Framework Plan 1 and Map 1 to this clause.*

- *Encourage development to be designed to respond to the needs of people with limited mobility, which may for example, incorporate lifts into three storey developments*
- 4.29 Clause 21.05-4 (Built form and neighbourhood character) seeks to ensure that residential development enhances the existing or preferred neighbourhood character of the residential character precincts as shown on Map 1 to this Clause.
- 4.30 The strategies to achieve this objective include:
- *Require residential development to be designed and landscaped to make a positive contribution to the streetscape and the character of the local area.*
  - *Ensure that where development is constructed on steeply sloping sites that any development is encouraged to adopt suitable architectural techniques that minimise earthworks and building bulk.*
  - *Ensure that development is designed to provide a high level of internal amenity for residents.*
  - *Require residential development to include stepped heights, articulation and sufficient setbacks to avoid detrimental impacts to the area's character and amenity.*
- 4.31 Clause 21.10 (Ecologically Sustainable Development) highlights Council's commitment to ESD and outlines a number of ESD principles to which regard must be given. These are:
- Building energy management
  - Water sensitive design
  - External environmental amenity
  - Waste management
  - Quality of public and private realm
  - Transport

#### **Local Planning Policy**

- 4.32 Clause 22.08 (Safety through urban design) applies to all land in Manningham. It endeavours to provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham. The policy seeks attractive, vibrant and walkable public spaces where crime, graffiti and vandalism is minimised.
- 4.33 Clause 22.09 (Access for disabled people) also applies to all land in Manningham. It seeks to ensure that people with a disability have the same level of access to buildings, services and facilities as any other person. The policy requires the needs of people with a disability to be taken into account in the design of all proposed developments.

#### **Particular Provisions**

- 4.34 Clause 52.06 (Car Parking) is relevant to this application. Pursuant to Clause 52.06-5, car parking is required to be provided at the following rate:

- 1 space for 1 and 2 bedroom dwellings
  - 2 spaces for 3 or more bedroom dwellings
  - 1 visitor space to every 5 dwellings for developments of 5 or more dwellings
- 4.35 Clause 52.06-8 outlines various design standards for parking areas that should be achieved.
- 4.36 Clause 52.34 (Bicycle Facilities) seeks to encourage cycling as a mode of transport and provide secure, accessible and convenient bicycle parking spaces.
- 4.37 Clause 55 (Two or More Dwellings on a Lot) applies to all applications for two or more dwellings on a lot. Consideration of this clause is outlined in the Assessment section of this report.

#### **General Provisions**

- 4.38 Clause 65 (Decision Guidelines) outlines that before deciding on an application, the responsible authority must consider, as appropriate:
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
  - The purpose of the zone, overlay or other provision.
  - The orderly planning of the area.
  - The effect on the amenity of the area.

## **5 ASSESSMENT**

- 5.1 Council has, through its policy statements throughout the Planning Scheme and in particular by its adoption of Schedule 8 to the Design and Development Overlay over part of this neighbourhood, created a planning mechanism that has and will, in time, alter the existing neighbourhood character.
- 5.2 Council's planning preference is for higher density, multi-unit developments which can include apartment style developments on larger lots. This higher density housing thereby provides for the "preferred neighbourhood character" which is guided by the design elements contained within the Schedule 8 to the Design and Development Overlay, in conjunction with an assessment against Clause 21.05 and Clause 55 – Rescode. The resultant built form is contemplated to have a more intense and less suburban outcome.
- 5.3 A townhouse development across the site comprising of three separate built form is generally consistent with the broad objectives of Council's planning policy outlined at Clause 21.05 of the Manningham Planning Scheme. The policy encourages urban consolidation and diversity in built form in this specific location due to its capacity to support change given the close proximity of the Principal Activity Centre, and to public transport. The policy anticipates a substantial level of change from the existing character of primarily single dwellings.
- 5.4 The consolidation of three lots with a combined area of 2616m<sup>2</sup> also provides opportunities for increased development as the larger area allows for

increased setbacks to compensate for its larger scale in comparison to traditional medium density housing. Given the site area, the proposal is permitted an 11 metre maximum building height under the Design and Development Overlay Schedule 8.

5.5 An assessment of the proposal will be made based on the following clauses:

- Local Planning Policy Framework
- Schedule 8 to the Design and Development Overlay (DDO8)
- Clause 52.06 Car Parking
- Clause 55 Two or More Dwellings on a Lot
- Clause 65 Decision Guidelines

### **Local Planning Policy Assessment**

#### **Clause 21.05 Residential**

5.6 The development site is situated within Precinct 2 – Residential Areas Surrounding Activity Centres and Along Main Roads, where higher density is encouraged. Given the site is a consolidated lot with an area of 2616m<sup>2</sup>, a maximum building height of 11 metres is applicable. A maximum site coverage of 60% is also sought by this policy. The development has a site coverage of 47.7%, which is well within the maximum specified in the DDO8 and the dwellings have maximum building heights ranging from 5.24m – 9.89m, all well within the maximum 11.0m.

5.7 The proposal provides adequate setbacks to all boundaries, thereby providing spacing and separation to adjoining properties. The development is arranged in three, separate built forms, providing visual break and separation to the continuous built forms. Strong perimeter landscaping can be provided, in particular to sensitive interfaces to the eastern and western sides.

5.8 Dwellings TH1 and TH19 are the only two-storey dwellings for the development. The two-storey nature of these dwellings are intended to provide a transition to the two existing detached dwellings located at 63 and 71 Turana Street, which are located to the eastern and western side, respectively. The dwellings with the highest building height are located towards the front of the site, namely TH5 – TH9.

5.9 In addition to the modest building heights and site coverage, the design response on all elevations is considered reasonable, displaying architectural coherence, including the highlight feature being balconies provided with a projecting portal frame, rendered with either white or a dark grey. The external walls will be in brick, timber, a mosaic feature wall with flat roofs. Articulation is offered via a combination of stepping, graduation and the incorporation of balconies and varied materials, textures and finishes.

5.10 Overall, the design response is considered to be consistent with Council's policy expectations at Clause 21.05 Residential.

#### **Clause 21.10 Ecologically Sustainable Development**

5.11 Council's MSS outlines ESD requirements to be incorporated into larger developments within the municipality. It is considered that by the preparation of a Sustainability Management Plan and that minimal issues have arisen as

a result of its assessment by Council's Strategic Sustainability Planner, the proposal offers a number of positive ESD measures.

#### **Clause 22.08 Safety through Urban design**

- 5.12 Council's Local Planning policy at Clause 22.08 applies to all land in the municipality and therefore has a broad range of objectives and policy requirements in relation to the design of buildings, street layout/access, lighting and car parks.
- 5.13 While a number of items are not relevant to the application, a number of the requirements in relation to building design area, including *"Buildings be orientated to maximise surveillance of entrances and exits from streets"*, *"Public spaces are adequately illuminated and are subject to surveillance from overlooking windows"* and *"The location of building entrances and windows maximise opportunities for passive surveillance of streets and other public spaces"*
- 5.14 It is considered that the design response is consistent with the requirements of this clause with a concerted effort made to ensure that passive surveillance is provided to the pedestrian pathway to the rear of the site and that public and private realms interact.

#### **Clause 22.09 Access for Disabled People**

- 5.15 The Access for Disable People Policy is based on the Disability Discrimination Act and requires that persons with a disability have the same level of access to buildings, services and facilities as any other person. It requires that the design of new building account for the needs of persons of limited mobility.
- 5.16 The dwellings provide at grade access or minimal steps from Turana Street to the respective front entry. Stair lifts could be installed internally within the individual dwellings to assist people with limited mobility.

#### **Schedule 8 to the Design and Development Overlay**

- 5.17 In the tables below, Officers have used the term 'Met' where an objective and performance standard or policy requirement is achieved and 'Met subject to conditions' where the objective or performance standard or policy requirement has not been met and modifications are required.
- 5.18 The assessment is against the design requirements of the DDO8:

Design Element	Level of Compliance
<p><b>DDO8-1 (Sub-Precinct A)</b></p> <ul style="list-style-type: none"> <li>The minimum lot size is 1800 square metres, which must be all the same sub-precinct. Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage</li> <li>11 metres provided the condition regarding minimum land size is met.</li> </ul>	<p><b>Met</b></p> <p>The site comprises of three consolidated lots, all within the Sub-Precinct A, with a total site area of 2616m<sup>2</sup>. Therefore, the maximum building height allowed is 11 metres.</p> <p>The dwellings have building heights ranging from 5.24m – 9.89m, all well within the maximum 11.0m.</p>

<p>If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.</p>	
<ul style="list-style-type: none"> <li>Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser.</li> </ul>	<p><b>Met</b> TH1 will have a minimum front setback of 6.0m and TH9 will have a minimum front setback of 6.02m.</p>
<p><b>Form</b></p> <ul style="list-style-type: none"> <li>Ensure that the site area covered by buildings does not exceed 60 percent.</li> </ul>	<p><b>Met</b> The development will have a site coverage of 47.7%.</p>
<ul style="list-style-type: none"> <li>Provide visual interest through articulation, glazing and variation in materials and textures.</li> </ul>	<p><b>Met</b> The walls will entail brick, weatherboard, a feature wall with mosaic using Weathertext, rendered finish and balcony balustrades in aluminium and grey glass panels. The materials will be in a range of light and dark colours and the mosaic feature wall will be in different shades of green with light grey.</p>
<ul style="list-style-type: none"> <li>Minimise buildings on boundaries to create spacing between developments.</li> </ul>	<p><b>Met</b> No part of the dwellings will be located on the boundary.</p>
<ul style="list-style-type: none"> <li>Where appropriate ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area.</li> </ul>	<p><b>Met</b> TH1 and TH9 are two-storey dwellings, so that they provide a transition to the single-storey, detached dwellings located at 63 and 71 Turana Street.</p>
<ul style="list-style-type: none"> <li>Where appropriate, ensure that buildings are designed to step with the slope of the land.</li> </ul>	<p><b>Met</b> TH1 and TH10 -19 are benched into the land to respond to the slope of the land.</p>
<ul style="list-style-type: none"> <li>Avoid reliance on below ground light courts for any habitable rooms.</li> </ul>	<p><b>Met</b> No below ground light courts are proposed for habitable rooms.</p>
<ul style="list-style-type: none"> <li>Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation.</li> </ul>	<p><b>Met</b> The first floor level of TH1 and TH19 are adequately recessed from the respective ground floor area to avoid sheer walls.</p>



<ul style="list-style-type: none"> <li>Ensure that the upper level of a three storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation.</li> </ul>	<p><b>Met</b> TH2, TH3 &amp; TH4 have upper floors that comprise 84.6%, 87.5% and 87.9% of the ground floor area. It is considered that these dwellings are provided with adequate architectural interest to alleviate visual bulk and sheer wall presentation. The dwellings are provided with projecting portal frames to provide shade to the balconies and add depth. The raked roof on the western facades, in addition to the range of materials, adds visual interest and provides sufficient articulation. All remaining dwellings have upper floors that are well below 75% of the respective ground floors.</p>
<ul style="list-style-type: none"> <li>Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos.</li> </ul>	<p><b>Met</b> No imposing design features incorporated.</p>
<ul style="list-style-type: none"> <li>Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation.</li> </ul>	<p><b>Met</b> A 1.2m high masonry retaining wall is integrated with the southern ground floor wall of TH10 -19 and extends to the rear yard of TH19. The dwellings TH10 -19 are benched into the ground on the southern side to minimise the height of the finished floor levels.</p>
<ul style="list-style-type: none"> <li>Be designed to minimise overlooking and avoid the excessive application of screen devices.</li> </ul>	<p><b>Met</b> The dwellings have been designed and orientated to avoid excessive application of screening devices.</p>
<ul style="list-style-type: none"> <li>Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities.</li> </ul>	<p><b>Met</b> Dwelling entries are provided with minimal steps and the stairs can be fitted with stair lift for people with limited mobility.</p>
<ul style="list-style-type: none"> <li>Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties.</li> </ul>	<p><b>Met</b> The garages are located at ground level.</p>
<ul style="list-style-type: none"> <li>Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site.</li> </ul>	<p><b>N/A</b></p>

<ul style="list-style-type: none"> <li>Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking.</li> </ul>	<p><b>Met</b> The garages are located directly below the respective dwelling. The garages are well integrated with the dwellings, by utilising similar materials to complement the respective dwelling.</p>
<ul style="list-style-type: none"> <li>Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established.</li> </ul>	<p><b>N/A</b></p>
<ul style="list-style-type: none"> <li>Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces.</li> </ul>	<p><b>Met – subject to conditions</b> The walls of the dwellings are setback from the boundaries, to enable perimeter landscaping. The clotheslines for TH2 – 4 and TH10 -19 will need to be relocated to the internal fence, so that these areas can accommodate screen planting. A condition will be added to this effect. <b>(Condition 1.10)</b></p>
<ul style="list-style-type: none"> <li>Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces.</li> </ul>	<p><b>Met – subject to conditions</b> An air-conditioning condenser is proposed to be erected on the rooftop of each dwelling. A condition will require screening for the condenser to be erected in a complementary material. <b>(Condition 1.11)</b></p>
<p><b><u>Car Parking and Access</u></b></p> <ul style="list-style-type: none"> <li>Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback.</li> </ul>	<p><b>Met</b> Separate vehicle access for TH1 will be via the existing crossover located adjacent to the western boundary. A new 5.0m wide crossover and driveway will provide vehicle access for the remaining 18 dwellings. The new crossover is located between two street trees. It will be 2.5m from the tree on the western side and 3.0m from the tree on the eastern side.</p>

<ul style="list-style-type: none"> <li>Ensure that when the basement car park extends beyond the built form of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling.</li> </ul>	<b>Met with conditions</b> The garage of TH1 is flush with the front wall. The garage should be setback a minimum of 1.0m from the front wall. A condition will be to this effect. <b>(Condition 1.7)</b> .
<ul style="list-style-type: none"> <li>Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements.</li> </ul>	N/A
<p><b><u>Landscaping</u></b></p> <ul style="list-style-type: none"> <li>On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity.</li> <li>On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity.</li> </ul>	<b>Met</b> The frontage of the site can accommodate three canopy trees with a spreading crown and a mature height of 8.0m.
<ul style="list-style-type: none"> <li>Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form.</li> </ul>	<b>Met with conditions</b> The clotheslines of TH2 – 4 and TH10 – 19 will need to be relocated to the internal fences so that screen plantings can be accommodated along the perimeter of the site. Provision should also be made for a 500mm wide landscape strip adjacent to the eastern wall of TH1 with associated relocation of the common driveway and crossover 500mm to the east. <b>(Conditions 1.9 &amp; 1.10)</b> .

<p><b>Fencing</b></p> <ul style="list-style-type: none"> <li>• A front fence must be at least 50 per cent transparent.</li> <li>• On sites that front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn and Mitcham Roads, a fence must:             <ul style="list-style-type: none"> <li>• not exceed a maximum height of 1.8m</li> <li>• be setback a minimum of 1.0m from the front title boundary</li> </ul> </li> </ul> <p>and a continuous landscaping treatment within the 1.0m setback must be provided.</p>	<p><b>N/A</b></p> <p>No front fence proposed.</p>
---	---

5.19 Having regard to the above assessment against the requirements of Schedule 8 to the Design and Development Overlay, it is considered that the proposed design respects the preferred neighbourhood character and responds to the features of the site.

5.20 Compliance is achieved in respect of the layout, built form, design, car parking, front fencing and opportunities for landscaping as articulated in the DD08.

**Clause 52.06 Car Parking**

5.21 Prior to a new use commencing or a new building being occupied, Clause 52.06-2 requires that the number of car parking spaces outlined at Clause 52.06-6 to be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the Responsible Authority.

5.22 This clause requires resident car parking at a rate of one space for each dwelling with one or two bedrooms and two spaces for each dwelling with three or more bedrooms. Visitor car parking is required at a rate of one car parking space for every five (5) dwellings.

5.23 The proposal requires 35 car spaces for residents and three (3) visitor car spaces. This number is provided.

5.24 The following table provides an assessment of the proposal against the seven (7) design standards of Clause 52.06-8:

Design Standard	Met/Not Met
1 – Accessways	<p><b>Met</b></p> <p>The new 5.0m wide crossover and driveway provides for a passing area with dimensions 5.0m by 7.0m. The passing area will enable two-way vehicle access. The driveway has been designed so that all vehicles for the development area able to exit the site in a forward direction. Clear sight lines are provided for the common driveway and for the driveway of TH1.</p>

2 – Car Parking Spaces	<p><b>Met</b></p> <p>Car parking spaces are provided in accordance with the design standard. Single garages have dimensions of 3.5m by 6.0m and tandem garages are 3.5m by 11.3m.</p> <p>The tandem car space of TH1 and the visitor car spaces are provided in accordance with the design standard.</p>
3 – Gradients	<p><b>Met</b></p> <p>The common driveway will have a grade of 1:10 for 7.0m and a grade of 1:8 and then to a grade of 1:16. The driveway grades are satisfactory and provided in accordance with the design standard.</p>
4 – Mechanical Parking	<b>N/A</b>
5 – Urban Design	<p><b>Met with condition</b></p> <p>The common driveway is located to the western side of the site. It will not dominate the streetscape. There is an existing street tree on either side of the driveway. There are adequate pervious surfaces on either side of the frontage to accommodate landscaping. The passing area and the letterboxes should be relocated 500mm to the east, so that a continuous landscape strip can be provided to the eastern side of TH1. A condition will be to this effect. <b>(Condition 1.9)</b></p>
6 – Safety	<p><b>Met</b></p> <p>There are lighting bollards proposed along the various length of the driveway, so that the area is clearly lit. There are numerous windows orientated to the driveway for passive surveillance.</p>
7 – Landscaping	<p><b>Met – with condition</b></p> <p>There are landscape pockets adjacent to garages between TH5 – 9 and TH10 – 19. It is considered that these curvilinear landscape pockets can be increased to allow for more substantial landscaping, to soften the appearance of the paved surfaces. TH 5 &amp; TH6 should also be moved forward, so that it is staggered from TH7 – 9, allowing for a larger curvilinear landscape pocket to the rear. <b>(Conditions 1.8 &amp; 1.12).</b></p>

### Clause 55 Two or More Dwellings on a Lot

- 5.25 This Clause sets out a range of objectives which must be met. Each objective is supported by standards which should be met. If an alternative design solution to the relevant standard meets the objective, the alternative may be considered.

**Clause 55 Assessment – Two or more dwellings on a lot**

<b>OBJECTIVE</b>	<b>OBJECTIVE MET/NOT MET</b>
<p><b>55.02-1 Neighbourhood Character</b> To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>To ensure that development responds to the features of the site and the surrounding area.</p>	<p><b>Met</b> As outlined in the assessment of the proposal against the policy requirements of the Schedule 8 to the Design and Development Overlay (DD08), it is considered that the proposed apartment development responds positively to the preferred neighbourhood character, and respects the natural features of the site and its surrounds.</p>
<p><b>55.02-2 Residential Policy</b> To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</p> <p>To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</p>	<p><b>Met</b> The application was accompanied by a written statement that has demonstrated how the development is consistent with State, Local and Council policy.</p>
<p><b>55.02-3 Dwelling Diversity</b> To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p><b>Met</b> The proposed development provides three, two-bedroom townhouses with single garages and 16 three-bedroom townhouses with tandem garages. There is variety in the overall dwelling size, orientation and the size and provision of private open spaces.</p>
<p><b>55.02-4 Infrastructure</b> To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>	<p><b>Met subject to condition</b> The site has access to all services. The applicant will be required to provide an on-site stormwater detention system to alleviate pressure on the drainage system. <b>(Condition 12).</b></p>
<p><b>55.02-5 Integration with street</b> To integrate the layout of development with the street.</p>	<p><b>Met</b> The development is orientated to the site frontage. Direct pedestrian entry is provided from Turana Street to TH1, 5, 6, 7 &amp; 8. A pedestrian pathway is provided from the letterboxes to the common driveway.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<p><b>55.03-1 Street Setback</b> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p><b>Met subject to conditions</b> Pursuant to the DDO8 provision, the minimum front setback is 6.0m. TH1 has a minimum front setback of 6.0m and TH9 is 6.2m.</p>
<p><b>55.03-2 Building Height</b> To ensure that the height of buildings respects the existing or preferred neighbourhood character.</p>	<p>Pursuant to the DDO8 provision, the maximum building height is 11.0m. All of the dwellings are below the maximum building height. The maximum building height is 9.89m for Dwelling TH8.</p>
<p><b>55.03-3 Site Coverage</b> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p><b>Met</b> The development will have a site coverage of 47.7%.</p>
<p><b>55.03-4 Permeability</b> To reduce the impact of increased stormwater run-off on the drainage system.  To facilitate on-site stormwater infiltration.</p>	<p><b>Met</b> The development will have a permeability of 27.76%.</p>
<p><b>55.03-5 Energy Efficiency</b> To achieve and protect energy efficient dwellings.  To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	<p><b>Met</b> With the exception of TH2 – 4, all dwellings will predominately have living areas with direct access to a shaded balcony to the north.</p>
<p><b>55.03-6 Open Space</b> To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</p>	<p><b>N/A</b> No communal open space provided.</p>
<p><b>55.03-7 Safety</b> To ensure the layout of development provides for the safety and security of residents and property.</p>	<p><b>Met</b> Dwelling entries for TH1 – 9 are visible from the street to provide passive surveillance. The ground floor secluded private open spaces are designed so that it cannot be accessed by the public. Garages are secure and are conveniently located to the respective dwellings.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<p><b>55.03-8 Landscaping</b> To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>	<p><b>Met with conditions</b> Trees identified as Trees 42 and 43 located on 71 Turana Street and Tree 44 located on Council land in the Applicant's arborist report will require tree protection measures consistent with the recommendations in arborist report (prepared by Bluegum, dated 7 October 2015). <b>(Condition 1.13)</b></p> <p>The clotheslines located within the rear yards of TH2- 4, TH10 -19 should be relocated to the internal dividing fence, so that a continuous landscape buffer can be established along the western and southern boundaries. <b>(Condition 1.10).</b></p> <p>The curvilinear landscape pockets between TH5 – 9 and TH10 -19 can be increased, so that substantial landscaping can be established in these pockets to soften the hard paved surface of the common driveway. Conditions will be to this effect. <b>(Conditions 1.8 and 1.12).</b></p> <p>It is considered that there are adequate pervious surfaces on site to accommodate canopy trees within the front yard and for perimeter landscaping. A condition will require the submission of a landscape plan and a landscape bond.</p>
<p><b>55.03-9 Access</b> To ensure vehicle access to and from a development is safe, manageable and convenient</p> <p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>	<p><b>Met</b> The provision for two crossovers over three properties is considered appropriate. The crossovers will occupy 18.6% of the frontage and will not result in the loss of on-street car parking spaces.</p>
<p><b>55.03-10 Parking Location</b> To provide convenient parking for resident and visitor vehicles.</p> <p>To avoid parking and traffic difficulties in the development and the neighbourhood.</p> <p>To protect residents from vehicular noise within developments.</p>	<p><b>Met</b> The garages are conveniently located to the respective dwellings. Stairs are provided within each garage for direct access to the main living areas above.</p> <p>There is unlikely to be any noise transfer from the use of the garages, as the individual dwellings will be appropriately constructed for domestic noise attenuation measures.</p>



OBJECTIVE	OBJECTIVE MET/NOT MET																																								
<p><b>55.04-1 Side and Rear Setbacks</b> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p><b>Met</b> The development does not exceed the required setbacks.</p> <table border="1" data-bbox="815 456 1396 949"> <thead> <tr> <th>Dwelling No.</th> <th>Minimum Setback</th> <th>Setback Proposed</th> <th>Comply ✓*</th> </tr> </thead> <tbody> <tr> <td>Western Boundary</td> <td></td> <td></td> <td></td> </tr> <tr> <td>TH1</td> <td>2.2m</td> <td>2.46m</td> <td>✓</td> </tr> <tr> <td>TH2 -4</td> <td>1.9m</td> <td>3.0m</td> <td>✓</td> </tr> <tr> <td>TH10</td> <td>2.3m</td> <td>2.62m</td> <td>✓</td> </tr> <tr> <td>Eastern Boundary</td> <td></td> <td></td> <td></td> </tr> <tr> <td>TH9</td> <td>3.3m</td> <td>3.5m</td> <td>✓</td> </tr> <tr> <td>TH19</td> <td>1.57m</td> <td>16.9m</td> <td>✓</td> </tr> <tr> <td>Southern Boundary</td> <td></td> <td></td> <td></td> </tr> <tr> <td>TH10-19</td> <td>2.5m – 2.8m</td> <td>4.36m – 4.84m</td> <td>✓</td> </tr> </tbody> </table>	Dwelling No.	Minimum Setback	Setback Proposed	Comply ✓*	Western Boundary				TH1	2.2m	2.46m	✓	TH2 -4	1.9m	3.0m	✓	TH10	2.3m	2.62m	✓	Eastern Boundary				TH9	3.3m	3.5m	✓	TH19	1.57m	16.9m	✓	Southern Boundary				TH10-19	2.5m – 2.8m	4.36m – 4.84m	✓
Dwelling No.	Minimum Setback	Setback Proposed	Comply ✓*																																						
Western Boundary																																									
TH1	2.2m	2.46m	✓																																						
TH2 -4	1.9m	3.0m	✓																																						
TH10	2.3m	2.62m	✓																																						
Eastern Boundary																																									
TH9	3.3m	3.5m	✓																																						
TH19	1.57m	16.9m	✓																																						
Southern Boundary																																									
TH10-19	2.5m – 2.8m	4.36m – 4.84m	✓																																						
<p><b>55.04-2 Walls on Boundaries</b> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p><b>Not applicable</b> No walls on boundaries are proposed.</p>																																								
<p><b>55.04-3 Daylight to Existing Windows</b> To allow adequate daylight into existing habitable room windows.</p>	<p><b>Met</b> The western wall of TH3 and 4 is required to be located 2.2m from the edge of the two windows at 71 Turana Street. The western wall of TH3 and 4 complies with the standard.</p>																																								
<p><b>55.04-4 North Facing Windows</b> To allow adequate solar access to existing north-facing habitable room windows.</p>	<p><b>Met</b> There are no adjoining north-facing windows located within close proximity to the development.</p>																																								
<p><b>55.04-5 Overshadowing Open Space</b> To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p><b>Met</b> As demonstrated by the shadow diagrams submitted, there will be no additional overshadowing impact to adjoining secluded private open spaces at Nos. 63 and 71 Turana Street. At 9am, during the control period, there will be additional overshadowing to the eastern side of the dwelling at 71 Turana Street but this is a small pathway area. The adjoining secluded private open spaces will receive unencumbered sunlight during the equinox.</p>																																								

OBJECTIVE	OBJECTIVE MET/NOT MET
<p><b>55.04-6 Overlooking</b> To limit views into existing secluded private open space and habitable room windows.</p>	<p><b>Met subject to condition</b> The first floor west-facing windows of TH2-4 will be highlight windows and the second floor west-facing windows will be windows located within the raked roof. Therefore, the windows are orientated clear to the sky, with no downward views.</p> <p>The first floor east-facing windows of TH9 will be highlight windows, whereas the east-facing second floor windows of T19 have low sill heights and will have overlooking into the swimming pool and private open space at No. 63 Turana Street.</p> <p>A condition will require that the east-facing, first floor windows of TH19 be screened in accordance with the standard. <b>(Condition 1.5)</b></p>
<p><b>55.04-7 Internal Views</b> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</p>	<p><b>Met</b> There is no internal overlooking between adjoining habitable room windows and secluded private open spaces.</p>
<p><b>55.04-8 Noise Impacts</b> To contain noise sources in developments that may affect existing dwellings.</p> <p>To protect residents from external noise.</p>	<p><b>Met</b> There are no external noise sources that may impact unreasonably on future residents.</p>
<p><b>55.05-1 Accessibility</b> To encourage the consideration of the needs of people with limited mobility in the design of developments.</p>	<p><b>Met</b> There is a limited number of steps to the dwellings' entries. The stairs within the dwellings can be installed with a stair lift to assist people with limited mobility.</p>
<p><b>55.05-2 Dwelling Entry</b> To provide each dwelling or residential building with its own sense of identity.</p>	<p><b>Met</b> A balcony overhangs each dwelling entry, acting as a porch for the entry. The entry design is appropriate and is well identified. The balconies above the entries provide a shelter and protection from the elements.</p>
<p><b>55.05-3 Daylight to New Windows</b> To allow adequate daylight into new habitable room windows.</p>	<p><b>Met</b> All habitable room windows and living areas are provided with a window clear to the sky.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<p><b>55.05-4 Private Open Space</b> To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p><b>Met</b> The dwellings for the development are provided with a combination of balconies and ground floor service areas. The development is provided with the following private open spaces:</p> <ul style="list-style-type: none"> <li>• TH1 – a balcony with 8m<sup>2</sup> and a dimension 1.7m</li> <li>• TH2 – TH4 – a balcony with 8m<sup>2</sup> and a dimension 1.8m, in addition to a service yard with an area between 10.6m<sup>2</sup> - 11m<sup>2</sup></li> <li>• TH5 -TH 9 – a balcony with 8m<sup>2</sup> and a dimension of 2.3m</li> <li>• TH10 – TH19 – a balcony with 8m<sup>2</sup> and a dimension between 1.85m – 2.1m, and a service yard area between 12m<sup>2</sup> – 17m<sup>2</sup>.</li> <li>• TH9, TH10 and TH19 are provided with a larger service yard as these dwellings are located at the perimeter of the site.</li> </ul> <p>All balconies have direct access from the living area, in addition to the size and dimensions provided meet the minimum requirements of the standard. The provision of 2.3m wide balconies for many of the larger townhouses is particularly positive.</p> <p>It is considered that the private open spaces provided will meet the recreational and service needs of the residents.</p>
<p><b>55.05-5 Solar Access to Open Space</b> To allow solar access into the secluded private open space of new dwellings and residential buildings.</p>	<p><b>Met</b> All balconies have a northern or eastern orientation.</p>
<p><b>55.05-6 Storage</b> To provide adequate storage facilities for each dwelling.</p>	<p><b>Met subject to conditions</b> All storages are provided within the garages. A condition will require a sectional diagram of the type of storage, including dimensions and storage capacity for each dwelling to be confirmed. <b>(Condition 1.16)</b>.</p>
<p><b>55.06-1 Design Detail</b> To encourage design detail that respects the existing or preferred neighbourhood character.</p>	<p><b>Met subject to conditions</b> The proposed architectural design is of a reasonable standard and offers a contemporary statement that responds</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>positively to the preferred neighbourhood character.</p> <p>The varied materials palette, in addition to the articulated facades and the projecting portal frames for the balconies adds visual interest. The different textures and colours provides contrast and variety, whilst the mosaic architectural feature wall in Weathertex enhances the architectural presentation of the dwellings. Sufficient variety to window proportions and design detail is provided.</p> <p>The upper floor levels are adequately stepped from the ground floor walls to alleviate visual bulk. The development is provided with a high level of architectural coherence.</p> <p>A condition will require a schedule of materials and finishes with colour samples to be provided. <b>(Condition 1.15).</b></p>
<p><b>55.06-2 Front Fence</b> To encourage front fence design that respects the existing or preferred neighbourhood character.</p>	<p><b>N/A</b> No front fence is proposed.</p>
<p><b>55.06-3 Common Property</b> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>To avoid future management difficulties in areas of common ownership.</p>	<p><b>Met</b> The driveway, letterboxes, visitor car spaces and bin collection area will be maintained by an Owners' Corporation. There are no apparent difficulties associated with future management of these areas.</p>
<p><b>55.06-4 Site Services</b> To ensure that site services can be installed and easily maintained.</p> <p>To ensure that site facilities are accessible, adequate and attractive.</p>	<p><b>Met subject to conditions</b> The site has access to all relevant services. Waste removal will be via a private contractor and a Waste Management Plan will be required. <b>(Condition 5).</b></p>

## 6 REFERRALS

- 6.1 The application was not required to be referred to any statutory referral authorities.
- 6.2 The application was referred to a number of Service Units within Council, the following table summarises their responses:

Service Unit	Comments
Engineering & Technical Services Unit (Drainage)	<ul style="list-style-type: none"> <li>• There is adequate point of discharge for the site. All runoff is to be directed to the point of discharge <b>(Condition 14)</b>.</li> <li>• Provide an on-site stormwater detention system. <b>(Condition 12)</b>.</li> <li>• Nos. 67 &amp; 69 are within the proposed SB03 overlay and a 200mm high sleeper or concrete retaining wall barrier is required for the southern boundary, commencing from the furthest south-east corner to a minimum length of 22m towards the east to avoid surface flow entering into the property. The barrier is required to be located on the ground, with the boundary fence located directly above it. <b>(Condition 1.1)</b></li> </ul>
Engineering & Technical Services Unit (Vehicle Crossing)	<ul style="list-style-type: none"> <li>• An existing pit is located within the crossover. The pit is required to be modified to a heavy duty pit lid or alternatively relocated to the satisfaction of the Responsible Authority. <b>(Condition 1.2)</b></li> </ul>
Engineering & Technical Services Unit (Access and Driveway)	<ul style="list-style-type: none"> <li>• The garages of Dwellings TH3 and TH4 have a level difference of 230mm side-by-side. The garages' level differences are required to be reduced to facilitate practical entry. <b>(Condition 1.3)</b>.</li> <li>• The common driveway is required to be modified so that it also accommodates the swept path diagrams of a waste truck, as shown on the diagrams prepared by Onemilegrid. <b>(Condition 1.4)</b>.</li> </ul>
Engineering & Technical Services Unit (Traffic and Car Parking)	<ul style="list-style-type: none"> <li>• No objection.</li> </ul>
Engineering & Technical Services Unit (Car Parking Layout)	<ul style="list-style-type: none"> <li>• No objection.</li> </ul>
Engineering & Technical Services Unit (Construction Management)	<ul style="list-style-type: none"> <li>• Submission of a Construction Management Plan. <b>(Condition 4)</b>.</li> </ul>
Engineering & Technical Services Unit (Waste)	<ul style="list-style-type: none"> <li>• Submission of a Waste Management Plan that is generally in accordance with the draft plan prepared by Leigh Design, dated 8 February 2016. <b>(Condition 5)</b>.</li> <li>• Private waste collection will be required.</li> <li>• No private waste contractor bin can be left outside the development boundary or on any street frontage for any reason.</li> </ul>

Service Unit	Comments
Strategic Projects Unit (Sustainability)	<ul style="list-style-type: none"> <li>• Submission of a Sustainability Management Plan that includes the following:               <ul style="list-style-type: none"> <li><u>Indoor Environment Quality and Energy Efficiency</u> <ul style="list-style-type: none"> <li>○ Provide external adjustable shading to east and west facades to control summer glare while allowing winter solar gains to bedrooms in TH2, TH3 &amp; TH4;</li> <li>○ Provide external adjustable shading to east facade to bedrooms in TH19;</li> <li>○ Provide overhangs to north facade to control summer glare while allowing winter solar gains to TH1 and TH5-TH19.</li> </ul> </li> <li><u>Energy Efficiency</u> <ul style="list-style-type: none"> <li>○ Provide warm white LED fittings throughout due to cost parity to fluorescents (including T5s) which are becoming obsolete from higher OMR costs, reduced performance in low external temperatures and contain mercury.</li> </ul> </li> <li><u>Stormwater Management</u> <ul style="list-style-type: none"> <li>○ Ensure minimum roof catchment area of 50m<sup>2</sup> for each rainwater tank in accordance with the VBA Technical Solution Sheet 5.09 and Plumbing Regulations 2008. <b>(Condition 3)</b>.</li> </ul> </li> </ul> </li> </ul>
Economic and Environmental Planning Unit (Urban Design)	<ul style="list-style-type: none"> <li>• Adequate variety is provided in materials and colour palette.</li> <li>• Provisions for three new street trees. One to be in front of TH9.</li> <li>• Greater landscaping areas to be provided adjacent to front entries and garages, to enable small trees, by staggering the front setbacks of TH5 and 6. <b>(Condition 1.8)</b>.</li> <li>• Consideration to providing gates along the southern boundary to enable residents to access the adjoining pedestrian pathway on Council land.</li> <li>• Air conditioning condensers located on the rooftop of the dwellings located adjacent to the southern boundary will be visible when viewed from nearby buildings. Greater effort should be made to screen the visibility of these units. <b>(Condition 1.11)</b>.</li> <li>• Street numbers on the letterbox should not be plastic. <b>(Condition 1.18)</b>.</li> </ul>

- 6.3 As appropriate, the requirements of internal departments and external authorities will be added in the form of planning permit conditions or notes.

## 7 CONSULTATION

- 7.1 The planning application was placed on public notice for a three (3) week period which concluded on 23 March 2016. The public was notified by the sending of letters to nearby properties and by the display of three (3) signs at the site frontage.
- 7.2 Council has received two (2) objections from the following property:

Address
56 Turana Street, DONCASTER VIC 3108 (opposite of 69 Turana Street)
63 Turana Street, DONCASTER VIC 3108 (eastern adjoining property)

- 7.3 The following is a summary of the grounds upon which the above properties have objected to the proposal:

- Increased traffic
- Traffic safety
- Inadequate on-street parking
- Overlooking into dwelling at rear yard at 63 Turana Street
- Close proximity of bin enclosure to common boundary of 63 Turana Street
- Practicality of tandem garages
- Inadequate on-site visitor car spaces
- Provision for two-way vehicle movement within common driveway

- 7.4 A response to the above grounds is provided in the paragraphs below:

### **Increased traffic**

- 7.5 A Traffic Impact Assessment, prepared by Onemilegrid, date 2 November 2015. The report indicates that the development will generate 6 vehicle movements per day, per dwelling, with 10% occurring during the peak hours. Therefore, the development will generate 114 movements per days, including 11 vehicle movements during the morning and afternoon peak hours. This level of traffic is considered very low and is not expected to have an impact on the surrounding road network.

### **Traffic safety**

- 7.6 Council's Traffic Engineers and the Traffic Impact Assessment, provided by Onemilegrid, are of the view that the proposed development will not have any unreasonable safety impact to traffic on Turana Street.

### **Inadequate on-street parking**

- 7.7 The proposed development will not result in an increased demand for on-street parking, as adequate parking is provided for residents and visitors on site. The south side of Turana Street is a resident permit zone. The north side is time restricted.

**Overlooking into dwelling at rear yard at 63 Turana Street**

- 7.8 The ground floor east-facing windows of Dwelling T19 will be adequately screened by the new 1.8m high timber paling fence. The first floor, east-facing windows of T19 for the stairs and Southern Bedroom 2 are shown to be awning windows with obscure glazing. The overlooking diagram shows that these windows will have overlooking potential over the boundary fence. Therefore, a condition will be placed to require screening of the two, first floor east-facing windows of T19. **(Condition 1.5)**.

**Close proximity of bin enclosure to common boundary of 63 Turana Street**

- 7.9 Council's Waste Management Unit will require the submission of a Waste Management Plan, which will detail of waste collection methodology, including measures that minimise odour. Additionally, bin storage is provided in garages. The bin enclosure is a temporary holding area on collection day.

**Practicality of tandem garages**

- 7.10 Whilst not ideal for all situations, tandem car parking is an acceptable form of car parking and in Clause 52.06 of the Manningham Planning Scheme, provided it is designed appropriately. In this instance, the tandem car parking spaces are an appropriate size to provide future residents reasonable use of the garage and associated laundry and storage. Further the driveway is spacious and of sufficient width to provide easy turning and manoeuvring on site.

**Inadequate on-site visitor car spaces**

- 7.11 Pursuant to Clause 52.06, a minimum of 3 visitor car spaces is required. Clause 52.06-5 states that if the result in calculating car spaces is not a whole number, the required number is to be rounded down to the nearest whole number. Therefore, a minimum of 3 visitor car spaces is required (from 3.8).
- 7.12 The three common visitor car spaces are spaced out throughout the site to accommodate visitors visiting the site. One visitor space is located adjacent to the western wall of TH5, one to the southern wall of TH4 and one the eastern side of bin enclosure.

**Provision for two-way vehicle movement within common driveway**

- 7.13 Pursuant to Design Standard 1 of Clause 52.06, a passing area at the entrance is required. Two-way vehicle movement throughout the common driveway is not required by Clause 52.06 of the Manningham Planning Scheme. There is adequate space throughout the various lengths of the driveway to accommodate vehicle manoeuvres.

**8 CONCLUSION**

- 8.1 It is considered appropriate to support the application, subject to some minor design changes and the inclusion of suitable management plan conditions.
- 8.2 The construction of a well designed and visually interesting nineteen dwellings is consistent with the vision of the Manningham Planning Scheme, in particular Clause 21.05 Residential, Schedule 8 to the Design and Development Overlay (DDO8) and Clause 52.06 (ResCode). It will allow an



- increase in housing density and diversity in a location that has good access to services.
- 8.3 The proposal has also achieved an acceptable balance between considering the amenity of nearby properties and its attention to internal amenity of future occupants.
- 8.4 It is therefore considered appropriate to support the planning application, subject to changes to be required by conditions.

### **RECOMMENDATION**

**That having considered all objections A NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application No. PL15/025773 for the development and use of Nos. 65, 67 & 69 Turana Street, Doncaster (Lots 27, 28 & 29 LP77091 Vol 8722 Fol 217, 218 & 219) for the purpose of construction of seventeen (17) three-storey dwellings and two (2), two-storey dwellings and for no other purpose in accordance with the endorsed plan and subject to the following conditions:**

- 1. Before the development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application (prepared by Bayland Property Group, dated 11 February 2016) but modified to show:**  
**Built Form**
  - 1.1. Provision for a 200mm high sleeper or concrete retaining wall as a form of barricade for the southern boundary of TH10, extending for a length of 22.0m, terminating at the end of TH13, to avoid surface flow entering into the property. The barricade is to be located on the ground, with the boundary fence located directly above it to the satisfaction of the Responsible Authority;**
  - 1.2. Modification of existing pit to a heavy duty pit lid or alternatively, relocated to the satisfaction of the Responsible Authority;**
  - 1.3. The level difference between the garages of TH3 and TH4 is reduced to allow proper functioning to the satisfaction of the Responsible Authority;**
  - 1.4. Modification of the common driveway to reflect the swept path diagrams of the a waste truck, as shown on the diagrams prepared by Onemilegrid (report dated 2 November 2015);**
  - 1.5. Screening to the first-floor, east-facing windows of TH9 and first floor-floor east facing windows of TH19 in accordance with Clause 55.04-6 – Overlooking of the Manningham Planning Scheme;**
  - 1.6. Provision for windows to the rear of garages for TH10 – 19, to provide passive surveillance to the service yards;**
  - 1.7. The garage of TH1 setback a minimum of 1.0m from the front wall of the townhouse, to the satisfaction of the Responsible Authority;**
  - 1.8. TH 5 & TH6 with a minimum front setback of 6.0m, so that it is staggered from TH7 – 9, to allow for a larger curvilinear landscape**

pockets to the rear, to the satisfaction of the Responsible Authority;

- 1.9. Provision for a 500mm wide landscape strip adjacent to the eastern wall of TH1, and associated relocation of letterboxes, common driveway and crossover 500mm to the east, to the satisfaction of the Responsible Authority;
- 1.10. Relocation of clotheslines for TH2- 4, TH10 -19 to the internal dividing fence, so that the rear service yards can provide for a continuous landscape treatment;
- 1.11. Screening for the air-conditioning condensers on the rooftop of all dwellings in a complementary material, to the satisfaction of the Responsible Authority;
- 1.12. Increase to the curvilinear landscape pockets adjacent to entries and garages, to accommodate a variety of plants, including small trees, to the satisfaction of the Responsible Authority;
- 1.13. Plan notations to show tree protection measures for Trees 42, 43 and 44 in accordance with recommendations in arborist report prepared by Bluegum, dated 7 October 2015;
- 1.14. Visitor car spaces must be lined-marked and delineated in a different materials and/or finish;
- 1.15. A schedule of materials and finishes with colour samples of all external walls, roofs, fascias, window frames, paving (including terraces, balconies,, stairs), fencing, privacy screens, roof top plant screens, retaining walls and driveway surfacing;

#### Site services

- 1.16. A sectional diagram detailing, the dimensions, type of storage and capacity for each dwelling, in accordance with Clause 55.05-6 – Storage of the Manningham Planning Scheme;
- 1.17. The material of the street number on the mailboxes must be of a suitable and durable material (and not plastic);

#### Endorsed Plans

2. The development as shown on the approved plans must not be modified for any reason, without the written consent of the Responsible Authority.

#### Sustainability Management Plan

3. Before the development starts or the issue of a building permit for the development, whichever is the sooner, two copies of an amended Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. When approved the Plan will form part of the permit. The recommendations of the Plan must be incorporated into the design and layout of the development and must be implemented to the satisfaction of the Responsible Authority before the occupation of any dwelling. The Plan must be generally in accordance with the plan prepared by Sustainable Development Consultants, dated October 2015 but modified to show the following:
  - 3.1. Indoor Environment Quality and Energy Efficiency

- 3.1.1. Provide external adjustable shading to east and west facades to control summer glare while allowing winter solar gains to bedrooms in TH2, TH3 and TH4;
  - 3.1.2. Provide external adjustable shading to east facade to bedrooms in TH9;
  - 3.1.3. Provide overhangs to north facade to control summer glare while allowing winter solar gains to TH1 and TH19.
- 3.2. Energy Efficiency
- 3.2.1. Provide warm white LED fittings throughout.
- 3.3. Stormwater Management
- 3.3.1. Ensure minimum roof catchment area of 50m<sup>2</sup> for each rainwater tank in accordance with the VBA Technical Solution Sheet 5.09 and Plumbing Regulations 2008.

#### **Construction Management Plan**

- 4. Before the development starts, two copies of a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved the plan will form part of the permit. The plan must address, but not be limited to, the following:
  - 4.1. A liaison officer for contact by residents and the responsible authority in the event of relevant queries or problems experienced;
  - 4.2. Hours of construction;
  - 4.3. Delivery and unloading points and expected frequency;
  - 4.4. On-site facilities for vehicle washing;
  - 4.5. Parking facilities/locations for construction workers;
  - 4.6. Other measures to minimise the impact of construction vehicles arriving at and departing from the land;
  - 4.7. Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;
  - 4.8. The measures for prevention of the unintended movement of building waste and other hazardous materials and pollutants on or off the site, whether by air, water or other means;
  - 4.9. An outline of requests to occupy public footpaths, road reserves, verges, or roads, and anticipated disruptions to local services;
  - 4.10. The measures to minimise the amount of waste construction materials;
  - 4.11. Measures to minimise impact to existing boundary and front fencing on adjoining properties;
  - 4.12. The measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours; and
  - 4.13. Adequate environmental awareness training for all on-site contractors and sub-contractors.

**Waste Management Plan**

5. Before the development starts, or the issue of a building permit for the development, whichever is the sooner, an amended Waste Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit. The Plan must generally be in accordance with the plan prepared by Leigh Design, dated 8 February 2016 but modified to provide for:
  - 5.1. A private waste contractor to undertake waste collection from within the site.
  - 5.2. No private waste contractor bins can be left outside the development boundary or left unattended at any time on any street frontage for any reason.
  - 5.3. Measures to control odour from bin enclosure.

**Management Plan Compliance**

6. The Management Plans approved under Conditions 3, 4 and 5 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.
7. Prior to the occupation of each dwelling, written confirmation from the author of the approved Sustainability Management Plan, or a similarly qualified person or company, must be submitted to the Responsible Authority. The report must confirm that the sustainable design features/initiatives specified in the Sustainability Management Plan have been satisfactorily implemented in accordance with the approved plans.

**Landscaping**

8. Before the development starts, a detailed Landscape Plan must be prepared by a landscape architect showing species, locations, approximate height and spread of proposed planting, and must be submitted to the Responsible Authority for approval. Such plan must be generally in accordance with the approved plan, and must show:
  - 8.1. Any details as relevant or directed by any other condition of this Permit;
  - 8.2. A planting schedule detailing species, numbers of plants, approximate height, spread of proposed planting and planting/pot size;
  - 8.3. Location, species and number of proposed plantings;
  - 8.4. Surface treatments;
  - 8.5. Details of site and soil preparation, mulching and maintenance;
  - 8.6. A minimum of three (3) canopy trees, capable of reaching a minimum mature height of 8.0 metres, within the front setback of the site. The trees must be a minimum height of 1.5 metres at the time of planting;
  - 8.7. Screen planting adjacent to the eastern and western boundary, capable of reaching a mature height of 3.0 metres. The trees must be a minimum height of 1.5 metres at the time of planting;

- 8.8. Shallow-rooted, screen planting adjacent to the southern boundary, capable of reaching a mature height of 3.0 metres. The trees must be a minimum height of 1.5 metres at the time of planting;**

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

- 9. Before the release of the approved plans under Condition 1, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.**
- 10. Before the occupation of the dwellings, landscaping works as shown on the approved plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.**

#### **Street Tree**

- 11. Except with the prior consent of the Responsible Authority, the existing street trees must not be removed or lopped.**

#### **Stormwater — On-Site Detention System**

- 12. The owner must provide onsite stormwater detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:**
- 12.1. Be designed for a 1 in 5 year storm; and**
- 12.2. Storage must be designed for 1 in 10 year storm.**
- 13. Before the development starts, a construction plan for the system required by Condition No. 12 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.**

#### **Drainage**

- 14. 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.**
- 15. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.**

**Site Services**

16. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
17. All upper level service pipes (excluding stormwater downpipes) must be concealed and screened respectively to the satisfaction of the Responsible Authority.
18. Communal lighting must be connected to reticulated mains electricity and be operated by a time switch, movement sensors or a daylight sensor to the satisfaction of the Responsible Authority.
19. In the event of gas being supplied to the approved dwellings, the owner must liaise with the relevant service authority to determine an appropriately discrete location for the placement of gas meters to the satisfaction of the Responsible Authority. Where no such placement is possible, meters must be “banked” and provided with a neatly designed, durable screen surround (in stained timber, or dark coloured, perforated metal sheeting, for instance) to the satisfaction of the Responsible Authority.
20. Any air-conditioning unit erected on the walls, roofs or balconies of the approved dwellings must be so located, as to not adversely affect the amenity of the area by way of appearance/visual prominence to the satisfaction of the Responsible Authority. Where the Responsible Authority identifies a concern about visual appearance, appropriately designed/finished screening must be installed and maintained to the satisfaction of the Responsible Authority.
21. All plant and equipment that is not installed within the building must otherwise be installed in the area of plant and equipment on the roof of the building, unless otherwise agreed in writing with the Responsible Authority.
22. Unless depicted on a Roof Plan approved under Condition 1 of this permit, no roof plant (includes air conditioning units, basement exhaust ducts, solar panels or hot water systems) which is visible to immediate neighbours or from the street may be placed on the roof of the approved buildings, without details in the form of an amending plan being submitted to and approved by the Responsible Authority.
23. Letterboxes must be designed and located to satisfy the requirements of Australia Post and to the satisfaction of the Responsible Authority.

**Access**

24. Prior to occupation of the approved dwellings, any new or modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
25. Driveway gradients and transitions as shown on the plan approved under Condition 1 of this permit must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.

26. Redundant crossovers must be removed and the footpath and kerb and channel reinstated to the satisfaction of the Responsible Authority.

#### Car Parking

27. Visitor parking spaces must not be used for any other purpose to the satisfaction of the Responsible Authority.

#### Earthworks

28. The extent and depth of cut and fill must not exceed that shown on the plans endorsed under Condition 1 of this permit without the written consent of the Responsible Authority.
29. All retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority.

#### Fencing

30. Prior to the occupation of the approved dwellings, all fencing must be erected in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.

#### Maintenance

31. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.
32. Privacy screens, obscure glazing, replacement boundary fencing as shown on the approved plans must be installed prior to occupation of the dwellings to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of the obscure film fixed to transparent windows is not considered to be obscured glazing of an appropriate response to screen overlooking.

#### Time Limit

33. This permit will expire if one of the following circumstances apply:
  - 33.1. The development and use are not started within two (2) years of the date of the issue of this permit; and
  - 33.2. The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend these 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 and Environment Act 1987*.

“Refer Attachments”

\* \* \* \* \*