

Application PLA18/0095 (to Amend Planning Permit PL12/022747) at 659 Doncaster Road, Doncaster, to include a Residential Hotel within Stage 1 of the proposed development and make alterations to the apartment buildings in Stage 2

File Number:	IN18/576
Responsible Director:	Director City Planning and Community
Applicant:	SJB, on behalf of Bunnings Group Limited
Planning Controls:	Activity Centre Zone (Schedule 1 – Doncaster Hill), Parking Overlay (Schedule 1 – Doncaster Hill), Development Contributions Overlay (Schedule 1 – Doncaster Hill)
Ward:	Koonung
Attachments:	1 Planning Permit PL12/022747 (issued 11 October 2016) 2 Legislative Requirements 3 Decision Plans (extract)

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of an Amended Planning Permit Application submitted for the Bunnings site - permit (PL12/022747) at 659 Doncaster Road, Doncaster. The report recommends approval of the amended proposal, subject to plan changes required by permit conditions.

Proposal

2. The primary purpose of the Amended Planning Permit Application is to facilitate the construction of a 190 room residential hotel (Mercure) within Stage 1 above the proposed Bunnings store (where previously 99 apartments were approved in a tower complex), modifications to car parking layout and new/revised signage.
3. Design modifications to the plans are also proposed to the apartment building in Stage 2. Stage 2 apartments have been further refined to provide for improved internal amenity, resulting in a reduction of a further 5 apartments from 165 to 160. The design also incorporates modified setbacks and improvements to the architectural expression of the building.

Advertising

4. Notice of the application was given over a three week period which concluded on 19 December 2018.
5. To date, five objections have been received to the proposal. The objections include issues relating to car parking, traffic, built form and potential anti-social behaviour.

Key issues in considering the application

6. The key issues for Council in considering the proposal relate to the Activity Centre Zone – Schedule 1, which implements The Doncaster Hill Activity Centre Structure Plan. There are some secondary planning scheme considerations including car parking and the display of signage.

Conclusion

7. The proposal aligns with the vision for Doncaster Hill to achieve a sustainable and vibrant mixed-use activity centre with a strong sense of place and civic identity. In particular, the residential hotel will strengthen the economic, cultural and tourism elements of the centre, advancing Doncaster Hill as a destination in Melbourne's East.
8. The amended plans improve the overall design outcome for the site with more innovative, stylish and contemporary built form that activates and contributes to the Doncaster Road streetscape.
9. It is recommended that the amended permit application be supported, subject to conditions (as indicated in the recommendation below) to the existing planning permit PL12/022747.

1. RECOMMENDATION

That Council:

- A. Issue an Notice of Decision to Grant an Amended Planning Permit (PL12/022747) in relation to Planning Application PLA18/0095 at 659 Doncaster Road, Doncaster for:**

Preamble Amended (new/modified additions underlined)

- The use of land for a residential hotel, trade supplies and restricted retail premise, and retail premises.
- The construction of three multi-storey buildings (in three stages) comprising apartments and the above uses with associated basement car parking.
- Alterations to a Road Zone 1 including new access.
- The display of business identification signage.

Subject to the following conditions (new/modified additions underlined) –

Amended Plans

1. Before the development of each stage starts, two copies of amended plans for that stage 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 (Drawn by CHC Architects, dated 22 February 2019 Revision Z) but modified to show where relevant for that stage:
 - 1.1. Deleted
 - 1.2. Chain wire fencing (or similar) added to prevent unauthorized access to the landscape buffer area at the rear of the site.
 - 1.3. Deleted

- 1.4. An additional plan added to the Functional (Roadworks) Layout Plan showing the widening of Tower Street for the short term bus parking in front of the Hotel's secondary lobby.
- 1.5. Deleted
- 1.6. A plan notation that a safety barrier is to be erected on the eastern side of Council Street in the vicinity of the existing pedestrian entry of the primary school to prevent inadvertent access onto Council Street following its widening.
- 1.7. End of trip bicycle facilities for the residential hotel and trade supplies and restricted retail premise staff as per the requirements of Clause 52.34 of the Manningham Planning Scheme.
- 1.8. Deleted
- 1.9. The extent of shadow caused by the buildings over the south side of Doncaster Road. The extent of shade should generally comply with the requirement of Clause 4.4 of the Schedule 1 to the Activity Centre Zone (ACZ1).
- 1.10. The clearance above finished floor level of the above bonnet storage cages provided to apartments in Stage 2.
- 1.11. Deleted
- 1.12. Deleted
- 1.13. The material and design of gates that restrict access to the site including the entry to the car parking area in Stage 1 from Doncaster Road.
- 1.14. A plan notation that a clear sight distance of pedestrians for exiting vehicles as per Clause 3.2.4 of AS 2890.1 will be provided at all exits.
- 1.15. The height of the wall on the northern side of access ramp into the site from Council Street. The wall is to be a minimum of 2.6m high to protect adjacent residents to the north from the noise associated with vehicles accessing the development.
- 1.16. Fixtures such as seating and/or public artwork that is to be installed in front of the building.
- 1.17. A notation that is consistent with the VicRoads requirements indicating that the footpath and nature strip in front of the development is to be vested in the Roads Corporation.
- 1.18. Details of the bus shelter that will be erected at the relocated bus stop.
- 1.19. Minimum sustainability features applicable to the development from the approved Sustainability Management Plan including the servicing of the site by the YVW third pipe recycled water scheme, the location and capacity of rainwater tanks, the uses for captured rainwater, and the solar hot water systems on the roof plans including notes for the solar fraction of the system and boosting types.
- 1.20. Deleted
- 1.21. A plan notation that a communal notice board will be erected within or nearby the lobby for use by residents of the building.
- 1.22. A plan notation that the development will include the noise attenuation measures outlined in Acoustic Logic Report dated 19/12/2017.
- 1.23. Deleted
- 1.24. Deleted
- 1.25. Deleted
- 1.26. Deleted
- 1.27. Deleted
- 1.28. Deleted
- 1.29. Deleted
- 1.30. Deleted
- 1.31. Deleted
- 1.32. Deleted

- 1.33. Deleted
- 1.34. Retractable clotheslines to all ground level open spaces and balconies to limit their visibility to public and private realms.
- 1.35. Deleted
- 1.36. Deleted
- 1.37. Deleted
- 1.38. The allocation of 1 visitor car parking space per 10 apartments in Stage 2. Currently, only 15 spaces rather than 16 spaces are allocated.
- 1.39. Deleted
- 1.40. Any relevant changes as a result of changes required by VicRoads Conditions 55 to 63 of this permit.
- 1.41. Deleted
- 1.42. A statement/report by a qualified services engineering considering any impacts to future or existing residents from noise or fumes from the carpark and timber exhaust air outlet. The outlet sits adjacent to the northern end of the building in Stage 1 and immediately opposite bedrooms and a balcony of apartments in Stage 2. Should the outlet unreasonably impact future or existing residents, it is to be relocated.
- 1.43. The section of wall meeting at right angle at the corner of Doncaster Road and Tower Street for two levels immediately above the hotel foyer (containing white fins and the Bunnings hammer logo) removed and replaced with bronze glazing at the curvature to match the feature treatment of the hotel façade on the levels above (and the lobby at ground level below).
As part of this change, the fins and hammer logo may be relocated to the satisfaction of the Responsible Authority. A smaller hammer logo would be appropriate on the west-facing return of the Bunnings podium.
- 1.44. A “half seagull” or similar treatment be installed at the central road access road to ensure that vehicle do not undertake a right turn towards Doncaster Road (conflict with oncoming traffic).
- 1.45. An analysis of pedestrian sightlines from vehicles exiting onto Tower Street to ensure appropriate visual awareness is provided given sight triangles and gradient of driveways.
- 1.46. A diagram and cross-section showing dimensions and specifications of the fins on the exterior of the building, and details of the material behind.
- 1.47. A diagram showing dimensions and specifications of the Bunnings Hammer Logo. The Bunnings Hammer Logo is to be constructed in a contemporary manner and incorporated into the design of the fins, rather than simply a lightbox attached to the exterior of the building.
- 1.48. The two material schedules consolidated so that abbreviations for materials are not doubled up. In addition, a further note added to materials schedule to reference the Reflectivity Assessment report required by condition of permit.
- 1.49. Plan SK120v updated to show that the mandatory maximum building height of 29m is achieved in accordance with the Activity Centre Zone. Currently, a parapet on Building 2B is above this height.
- 1.50. A west elevation of Buildings 2A and 2B.
- 1.51. The removal of the allocation of space (125sqm) for rain gardens within the rear setback of the development, with canopy trees extending across the full extent of the rear setback.

Endorsed Plan

2. The layout of the site, the size of buildings and works, the approved signs, the staging and the description of the uses on the approved plans must not be

modified for any reason without the written consent of the Responsible Authority.

Sustainability Management Plan

- 3. Before each stage of the development commences, an SMP that outlines proposed sustainable design initiatives for that stage of modified proposal must be submitted to and approved by the Responsible Authority. Upon approval the SMP for that stage it will be endorsed as part of the planning permit and the relevant stage of the development must incorporate the sustainable design initiatives outlined in the endorsed SMP to the satisfaction of the Responsible Authority. The SMP for each stage must be generally in accordance with the SMP prepared by Sustainable Development Consultants Pty Ltd Version 8 dated April 2018 and must include connection of buildings to the YVW mandatory third pipe recycled water scheme.**
- 4. Prior to the occupation of any stage of the building approved under this permit, a report from the author of the relevant stage SMP report, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the satisfaction of the Responsible Authority. The report must confirm that all measures specified in the relevant stage SMP have been implemented in accordance with the approved Plan.**

Construction Management Plan

- 5. Before each stage of 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:**
 - 5.1. Hours of demolition and construction to be to the satisfaction of the Responsible Authority;**
 - 5.2. Adequate parking facilities for the anticipated number and type of construction workers to be detailed in plan form to the satisfaction of the Responsible Authority. The location of parking must be compliant with any applicable Council parking restrictions or with any relevant permissions granted by any private land owner (in the event of the use of private land);**
 - 5.3. Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;**
 - 5.4. On site facilities for vehicle washing;**
 - 5.5. Delivery and unloading points and expected frequency;**
 - 5.6. A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;**
 - 5.7. The movement of construction vehicles to and from the site must be regulated to ensure that no traffic hazards are created in and around the site;**
 - 5.8. Measures to minimize the impact of construction vehicles arriving at and departing from the land;**
 - 5.9. An outline of requests to occupy public footpaths or roads, and anticipated disruptions to local services;**
 - 5.10. The processes to be adopted for the separation, re-use and recycling of demolition materials;**
 - 5.11. The measures to minimise the amount of waste construction materials; the provision for the recycling of demolition and waste materials; and**

- the return of waste materials to the supplier (where the supplier has a program of reuse or recycling);
- 5.12. The measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;
 - 5.13. The provision of adequate environmental awareness training for all on-site contractors and sub contractors;
 - 5.14. Evidence of a pre-condition dilapidation survey has been carried out in relation to properties along the northern boundary of the site.
 - 5.15. An agreed schedule of compliance inspections; and
 - 5.16. Land in Stage 2 used to minimise the construction impact of Stage 1 to adjoining and nearby properties.
6. All works including earthworks, demolition and construction activity associated with the approved development is to be limited to the following hours, unless with the prior written consent of the Responsible Authority:
- 6.1. Monday to Friday: 7:00am to 7:00pm
 - 6.2. Saturday: 9:00am to 5:00pm
 - 6.3. Sunday and Public Holidays: No construction
7. No trucks or heavy construction vehicles associated with earthworks, demolition or construction works are permitted to use Council Street north of the application site to the satisfaction of the Responsible Authority.

Waste Management Plan

8. Before each stage of the development starts, two copies of an amended Waste Management Plan (WMP) must be submitted and approved to the satisfaction of the Responsible Authority. When approved the plan will form part of the permit. The plan for each stage must detail how best practice standards are achieved based on the Manningham City Council – Waste Collection for Residential Developments in Manningham – Guidelines for Developers, and be consistent with the submitted plan but amended to detail:
- 8.1. A Private Contractor to undertake waste collection from within the development. No bins can be collected from any of the street frontages.
 - 8.2. Specific waste management practices pertaining to relevant collection area in the stage, including waste generation rates, collection services, equipment and systems used, swept path diagrams, turning circles, relevant height clearances, user access information, collection arrangements, and other issues relating to amenity and facility design;
 - 8.3. Details on how the collection contractors will enter and exit the site in a forward direction, access the waste facilities including plans showing turning facilities, swept path diagrams, turning circles and relevant height clearances;
 - 8.4. Chutes, carousels, drop-off areas and compaction facilities;
 - 8.5. Hard waste collection;
 - 8.6. Collection locations and routines including times and frequency;
 - 8.7. The methods used to educate residents of waste collection system including the recycling component and hard waste; and

Management Plans

9. The Management Plans approved under Conditions 3, 5 and 8 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.

Development Contributions

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

Landscaping

11. Before the each stage of the development starts, a landscaping plan for that stage must be prepared by a suitably qualified landscape architect showing species, locations, approximate height and spread of proposed planting, and must be submitted to the Responsible Authority for approval. The plan for each stage must be generally in accordance with the concept landscape plan prepared by John Patrick, Revision E dated 21/3/2019, but amended to show:

- 11.1. The removal of the 125sqm of rain gardens in the landscaping strip at the rear of the site following the specific design outlined in insert D3. The landscape strip is to contain a passive water sensitive design and filtration treatment incorporating an open swale, canopy tree planting along the full length of the strip (a minimum of two different species) and a range of understorey planting. A sand filtration treatment similar to the insert design at D3 may need to be constructed to the end of the swale accessible to Council Street should it be required.

- 11.2. Show fixtures and street furniture within the Boulevard Treatment and the other frontages.

12. Before the release of the approved plans for each stage of the development, a \$20,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas for that stage and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all landscaping works, provided the landscaped areas for that stage are being maintained to the satisfaction of the Responsible Authority.

13. Before the occupation of any building in each stage, landscaping works (including interim landscaping) 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.

Drainage

14. For each stage the owner must provide on site 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:

- 14.1. Be designed for a 1 in 5 year storm; and

14.2. Storage must be designed for 1 in 10 year storm.

15. Before the development of each stage starts, a construction plan for the system required by Condition No. 14 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.
16. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor.

Vehicle Crossovers

17. Any new crossover or modifications to an existing vehicle crossover must be constructed in accordance with Council's standard details. No such works are permitted to commence unless a 'Vehicle Crossing Permit' is first obtained from the Responsible Authority.
18. Before the completion of Stage 1, the developer must remove all disused or redundant vehicle crossovers in Doncaster Road and Council Street and re-instate kerb, channel and naturestrip in the affected areas to the satisfaction of the Responsible Authority.

Car Parking

19. Before the occupation of the buildings in each stage, all basement parking spaces must be properly formed, line-marked, numbered and signposted to provide allocation to the commercial uses and/or each dwelling and visitors to the satisfaction of the Responsible Authority.
20. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose and may only be used by occupants of or visitors to the buildings to the satisfaction of the Responsible Authority.
21. Access to the car parking area in Stage 1 outside of the operating hours of the trade supplies and restricted retail premises is to be limited to pass holders of the residential hotel only from the internal driveway at the rear of the site. The gate at the Doncaster Road entry is to close.

Roadworks

22. All road works in Council Street and Doncaster Road shown on the Interim Functional Layout Plan and Ultimate Functional Layout Plan (as defined at Condition 49) must be completed to the satisfaction of the Responsible Authority, at the cost of the owner, and as follows:
 - 22.1. The works shown on the Interim Functional Layout Plan in Council Street and Doncaster Road must be completed prior to the occupation of Stage 1, generally in accordance with the plan and including the erection of security barriers where necessary.
 - 22.2. The works shown on the Ultimate Functional Layout Plan in Council

Street and Doncaster Road must be completed generally in accordance with the plan:

- 22.2.1. Before the occupation of Stage 2B; or
 - 22.2.2. Within two years after the convenience store used by 7-Eleven ceases; or
 - 22.2.3. Before 30 June 2024,
- whichever is the earlier.

These works include the construction of a third departure lane within Council Street, the extension of the left turn lane on Doncaster Road from the crossover to be constructed as part of Stage 1 to Council Street, and the modification of the Doncaster Road crossover from a left-in/left-out arrangement to be left-in only arrangement.

If the land forming Stage 2B of the development is in separate ownership to the land accommodating the proposed Bunnings Store, these works must be undertaken at the cost of the owner of the land proposed to contain the Bunnings Store.

- 22.3. Despite Condition 22.1 and 22.2, if the use of the convenience store by 7-Eleven ceases prior to the occupation of Stage 1, the works shown on the Interim Functional Layout Plan and as modified by the Ultimate Functional Layout Plan must be completed before the occupation of Stage 1.

For the purpose of this condition, the convenience store use will have ceased if it is no longer operated as a 7-Eleven store and is open to the public.

23. If the works shown in the Interim Functional Layout Plan and Ultimate Layout Plan are not completed in accordance with Condition 22 and Condition 49 of this permit, the use of the Bunnings land for trade supplies and/or restricted retail premises must cease immediately.
24. All new or replacement street fixtures including street lighting, bollards and bicycle racks are to be constructed using the approved themed infrastructure for Doncaster Hill to the satisfaction of the Responsible Authority.
25. Before any works on public land commence including roadworks or works to lower footpath levels adjacent to the site, detailed construction plans must be submitted to and approved by the Responsible Authority. When approved, the plans will then form part of the permit. All works constructed or carried out must be in accordance with the approved plans. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must include:
- 25.1. fully sealed pavement with kerb and channel and vehicular crossings where appropriate;
 - 25.2. footpaths and/or pedestrian/bicycle paths;
 - 25.3. surface and underground drains;
 - 25.4. underground conduits for water, gas, electricity and telephone;
 - 25.5. appropriate intersection and traffic measures;
 - 25.6. appropriate street lighting and signage;
 - 25.7. high stability permanent survey marks;
 - 25.8. vehicle crossings;

26. Before any public works associated with the development commence, a plan-checking fee equal to 0.75% of the cost of construction of the development works, and a supervision fee equal to 2.5% of the cost of construction of the development works must be paid to the Responsible Authority.
27. Before the occupation of any building in Stage 1 of the development, a maintenance deposit equal to 5% of the cost of construction of the development roadworks must be lodged with the Responsible Authority and retained thereafter for a minimum of three months.

Completion

28. All privacy screens and obscure glazing as shown in accordance with the approved plans must be installed prior to occupation of each stage of the development to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority.
29. 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.
30. No air-conditioning units are to be installed on any balcony or façade so that they are visible from outside the site.
31. Any clothes-drying rack or line system located on a balcony must be lower than the balustrade of the balcony and must not be visible from off the site to the satisfaction of the Responsible Authority.
32. An intercom and an automatic basement door opening system (connected to each dwelling) must be installed, so as to facilitate convenient 24 hour access to the basement car park by visitors, to the satisfaction of the Responsible Authority.
33. A centralised TV antenna system must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority. No individual dish antennas may be installed on balconies, terraces or walls to the satisfaction of the Responsible Authority.
34. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
35. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.
36. The shop front and glass facades of the retail tenancies on ground level facing Doncaster Road including the glazing through to the travelator and atrium of the trade supplies and restricted retail premises, are not to be covered by posters, film or signage that reduces the transparency of the interface to the satisfaction of the responsible authority.

Loading and Unloading Operations

37. All commercial deliveries to the site may only be carried out between the hours of 7:00am to 9:00pm and by using heavy ridged vehicles (maximum

size) to the satisfaction of the Responsible Authority.

38. Delivery access to the loading area of the Trade Supplies and Restricted Retail Premises is restricted during school pickup and collection times between 8.45am - 9.15am and 3.15pm - 3.45pm to the satisfaction of the Responsible Authority.
39. All unloading or loading activities (including by retail customers) must be carried out wholly within the land to the satisfaction of the Responsible Authority.

Amenity of Area

40. The use and development be managed so that the amenity of the area is not detrimentally affected, to the satisfaction of the Responsible Authority, through the:
 - 40.1. Transport of materials, goods or commodities to or from the land;
 - 40.2. Storage of goods and wastes;
 - 40.3. Appearance of any building, works or materials;
 - 40.4. Emission of noise, light, vibration, odour & dust.
41. No external sound amplification equipment or loudspeakers are to be used for the purpose of announcement, broadcast, playing of music or similar purpose to the satisfaction of the Responsible Authority.
42. All noise emanating from commercial premises within the building must comply with the State Environment Protection Policy N-1 (Noise from commerce industry and trade) must comply with the State Environment Protection Policy N-1 and in the event of the Responsible Authority receiving justifiable complaints regarding noise from such sources, the onus will be on the owner of the development site to prove compliance with the relevant policy to the satisfaction of the Responsible Authority.
43. Noise levels emanating from the premises must not exceed those required to be met under the State Environment Protection Policy (Control of Music Noise from Public Premises, No. N-2) and in the event of the Responsible Authority receiving justifiable complaints regarding noise from such sources, the onus will be on the owner of the development site to prove compliance with the relevant policy to the satisfaction of the Responsible Authority.
44. External lighting must be designed so to limit loss of amenity to residents of adjoining properties to the satisfaction of the Responsible Authority. Any 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.
45. All security alarms or similar devices installed on the land must be of a silent type and be connected to a registered security service.
46. The operators of the residential hotel must ensure that all on-site activities are conducted in an orderly manner and must endeavour to ensure that patrons / customers who depart the premises late at night, do so in a manner which is unlikely to cause noise disturbances to nearby residents and residents in the building, and in accordance with any approved car parking operation (should they be parked within the basement car parks) approved under another

condition of this permit.

47. The exhaust system to any restaurant / café including those associated with the Residential hotel must be fitted with filter devices capable of minimizing the external emission of odours and airborne fat particles and be maintained to the satisfaction of the Responsible Authority.
48. Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view. All waste collection and recycling collection to be undertaken in accordance with Council requirements and the approved waste management plan.
49. Except with the prior written consent of the Responsible Authority, the outdoor 'Function Terrace' associated with the residential hotel may only be open to customers/patrons between 7.00am and 11pm, Monday to Sunday.

Business Identification Signs

50. The location, size, structure and details of the signs shown on the approved plans, must not be altered without the written consent of the Responsible Authority.
51. The approved signs must be constructed and maintained in good condition to the satisfaction of the Responsible Authority.
52. The approved signs must not contain flashing or intermittent light.
53. The permission under the permit relating to the display of signs expires fifteen years after its issue date.
54. The intensity of the light in the approved sign / signs must be limited so as not to cause glare or distraction to motorists, or loss of amenity in the surrounding area, to the satisfaction of the Responsible Authority.

VICROADS CONDITIONS

55. Prior to the submission of plans for endorsement, functional layout plans must be submitted to and approved by VicRoads (and the Responsible Authority in so far as the plans relate to works in Council Street). The plans must be generally in accordance with the Interim Works (Prepared by TraffixGroup, Drawing No G13420-03, Issue B, dated 1 September 2015) and the Ultimate Works (Prepared by Traffix Group, Drawing No G13420-04, Issue C, dated 21 March 2016).

The Interim Functional Layout Plan must include:

- 55.1. A lengthening of the right-turn lane of the eastern approach from Doncaster Road into Council Street to 170 metres, inclusive of taper,
- 55.2. Lengthening of the approach lanes on Council Street, and
- 55.3. Widening of Doncaster Road (to the north) of provide for a left-turn deceleration lane to the Doncaster Road access.

The Ultimate Functional Layout Plan must also include the following further works:

- 55.4. Extension of the left-turn deceleration lane on Doncaster Road from the Doncaster Road access to Council Street,

- 55.5. Widening of Council Street to facilitate the inclusion of a third departure lane,
- 55.6. Revised landscaping along the Doncaster Road reserve as shown on the VicRoads approved landscaping plan,
- 55.7. Relocated locations of street lighting poles and signal pedestals, and
- 55.8. Relocated location of the existing bus stop.
56. Prior to the submission of plans for endorsement, a revised landscape plan must be submitted to and approved by VicRoads (and the Responsible Authority in so far as the plans relate to Condition 11 of this Permit). The landscape plans must show the following:
- 56.1. Any new tree along Doncaster Road will have adequate safety clearance to the edge of the through traffic lane and the edge of the left-turn deceleration lane,
- 56.2. Adequate approach sight distance shall be maintained between a driver's line of sight for vehicles within the deceleration lane and a pedestrian at the Bunnings' Doncaster Road driveway access, and
- 56.3. Planting in the vicinity of the intersection of Doncaster Road and Council Street will not obstruct driver and pedestrian sight lines.
57. Before the development starts, amended plans must be submitted to and approved by VicRoads (and the Responsible Authority in so far as the plans relate to works in Council Street). When approved by VicRoads (and the Responsible Authority), the plans must be endorsed by the Responsible Authority and will then form part of the permit. The plans must be generally in accordance with Bunnings Ground Floor Plan (Sheet No A112, Project No 14.1053.17, Revision 30, dated 31 May 2016) and Basement B1 Carpark Floor Plan (Sheet No A111, Project No 14.1053.17, Revision 26, dated 31 May 2016), but modified to show:
- 57.1. All roadworks as shown on the approved Ultimate Functional Layout Plans, for the upgrade of the Doncaster Road and Council Street intersection,
- 57.2. Landscaping along Doncaster Road reserve as shown in the approved Landscape Plan,
- 57.3. The road reserve boundary revised such that the proposed kerbline is offset no less than 3 metres from the road reserve boundary, based on the approved Ultimate Functional Layout Plans, and
- 57.4. No part of the building (including basement levels) extending or projecting into the revised road reserve.
58. Provision must be made for a new controller and associated hardware for the intersection of Doncaster Road and Council Street, prior to the occupation of Stage 2B, to allow for the inclusion of bonus left turn movements to and from Council Street and potentially a bus priority signal phase (subject to Public Transport Victoria's approval), to the satisfaction of VicRoads. The Doncaster Road access must remain open during the operating hours of the trade supplies and restricted retail premises.
59. Where the proposed roadworks, including footpath and nature strip, lie within the subject land, a widening of the road reserve will be required. The developer must engage a licensed surveyor to prepare Plans of Subdivision, for Stage 1 and Stage 2B, showing the affected land labelled "ROAD", which is to be vested in the Roads Corporation upon certification of the Plan of Subdivision, without any encumbrances. Subsequent to the registration of the

plan, the subdivider must ensure that the original Certificates of Title that issues in the name of the Roads Corporation, are posted to: VicRoads - Property Services Department, 60 Denmark Street KEW, 3101.

59.1. Prior to the start of any buildings and works for Stage 1, the land abutting Doncaster Road that will be required must be vested.

59.2. Prior to the start of any buildings and works for Stage 2B, the land abutting Council Street that will be required must be vested.

60. Prior to the commencement of any works or prior to a statement of compliance being issued for the subdivision of any stage of the subdivision, where the proposed roadworks, including footpath and nature strip, lie within the subject land the applicant must enter into an agreement with the Responsible Authority and VicRoads, under Section 173 of the Planning and Environment Act 1987, to provide for the permit holder to reimburse all costs incurred by VicRoads and the Responsible Authority associated with the declaration of the land as arterial road pursuant to the provisions of the Road Management Act 2004 and the rezoning of the land to RDZ1 pursuant to the provisions of the Planning and Environment Act 1987.
61. Prior to the commencement of use and/or the occupation of the buildings in Stage 1, all roadworks shown on the approved Interim Functional Layout Plans must be completed to the satisfaction of and at no cost to VicRoads.
62. All roadworks shown on the approved Ultimate Functional Layout Plans must be completed to the satisfaction of and at no cost to VicRoads, within the following timeframes:
- 62.1. before the occupation of Stage 2B,
- 62.2. within two years after the convenience store used by 7-Eleven ceases;
or
- 62.3. Before 30 June 2024,
whichever is the earliest.
63. No work must be commenced in, on or over the road reserve without having first obtaining all necessary approvals under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant Act or regulations created under those Acts.

PTV CONDITIONS

64. Before the development starts, or other time agreed in writing with the Responsible Authority, amended plans to the satisfaction of the responsible authority and Public Transport Victoria 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 drawn to scale with dimensions and three copies must be provided. The plans for the ultimate development must be generally in accordance with the plans submitted with the application but modified to show:
- 64.1. Details of the relocated bus stop on Doncaster Road including bus shelter, line marking and all associated infrastructure Discrimination Act (DDA) compliant to the satisfaction of Public Transport Victoria.
- 64.2. Access path and paved surfaces in line with the entrance and exit points of the bus with a minimum width of 1.2 metres; and
- 64.3. Provision of a bus queue jump facility in the left turn slip lane including a "B" signal priority light at the intersection of Council Street with

Doncaster Road.

65. The permit holder must take all reasonable steps to ensure that disruption to bus operations along Doncaster Road is kept to a minimum during the construction of the development. The permit holder must notify PTV a minimum of 8 weeks prior to any bus stop relocation / or temporary relocation works approved under this permit. The permit holder must notify PTV by either calling 1800 800 007 or email customer service@ptv.vic.gov.au.
66. Before the occupation of the development the bus stop, shelter relocation, associated infrastructure and bus queue jump “B” light as shown on the endorsed plans, must be constructed at a cost born by the permit holder to the satisfaction of Public Transport Victoria and deemed compliant with the Disability Discrimination Act – Disability Standards for Accessible Public Transport 2002. The permit holder must provide GPS co-ordinates and high-resolution photos (300dpi) capturing the arrival and departure side of the site and include the pole, flag, timetable case and braille ID case to the satisfaction of PTV.
67. Foreseen disruptions to bus operations and mitigation measures must be communicated to Public Transport Victoria fourteen days (14) prior.

Commencement of use

68. Use of the trade supplies and restricted retail premises in Stage 1 may commence prior to the completion of the Stage 1 residential hotel tower provided the responsible authority is satisfied that the trade supplies and restricted retail premises will operate in conjunction with accommodation.

Glazing reflectivity assessment

69. Prior to the commencement of the development, a Reflectivity Assessment of external glazing and any other visibly reflective material must be submitted to the Responsible Authority. The assessment must ensure that materials, including glazing, used on external walls must be of a type that do not reflect more than 15% of visible light when measured at an angle of 90 degrees to the surface. The Assessment must be to the satisfaction of the Responsible Authority and when approved will form part of this permit.

Expiry

70. This permit will expire if any one of the following circumstances apply:
- 70.1. The development associated with Stage 1 is not started within two (2) years of the date of the issue of this permit;
 - 70.2. The development associated with Stage 1 is not completed within four (4) years of the date of this permit;
 - 70.3. The use associated with Stage 1 is not commenced within four (4) years of the date of this permit;
 - 70.4. The development associated with Stages 2A or B is not started within six (6) years of the date of the permit.
 - 70.5. The development associated with Stages 2 is not completed within eight (8) years of the date of the permit.

The Responsible Authority may extend these times if a request is made in

writing before the permit expires or within three months afterwards.

This permit has been amended as follows:

Amend. No.	Brief description of amendment	Date of issue of amendment.
1	Amendment to the permit and plans to facilitate a different layout and staging of buildings and works	15 September 2016
2	Corrected Permit was issued pursuant to Section 71 of the <i>Planning and Environment Act 1987</i> . Update various conditions to recognise the approval of the development in stages as shown on decision plans approved 15 September 2016.	11 October 2016
3	Amended planning permit preamble, conditions and plans to facilitate the construction of a residential hotel and modifications to the overall design of buildings (PLA18/0095).	

2. BACKGROUND

2.1 Planning Permit PL12/022747 was issued on 31 October 2013, at the direction of VCAT following a successful mediation between the Permit Applicant (Bunnings), the objector (Westfield) and Council. This followed a decision by Council at its meeting on 28 May 2013, to support the development and issue a Notice of Decision to Grant a Planning Permit.

2.2 The Permit allowed:-

- *The use of land for a trade supplies and restricted retail premise, and retail premises (a Bunnings and some specialty shops at ground level).*
- *The construction of three multi-storey buildings (in three stages) comprising apartments (and the above uses) with associated basement car parking.*
- *Alterations to a Road Zone 1 including new access.*
- *The display of business identification signage.*

2.3 The Permit was subject to 62 conditions, including Condition 1 requirements that required 32 modifications to the decision plans. These related to matters such as vehicle and pedestrian access, boulevard treatment and design.

2.4 The development proposal was outlined in plans prepared by Hayball Architects, and the following summary is an extract from the Officers Report to Council at the time:-

It is proposed to develop land at 659-669 Doncaster Road, including all land west of Council Street, east of Tower Street and north of the properties on southern side of Berkeley Street (total area of 11700sqm) in three stages with a Bunnings store and apartment tower comprising stage 1, and two residential apartment towers with retail at ground level in stages 2 and 3.

Stage 1 will comprise a multi-level Bunnings store positioned front and centre along Doncaster Road with a floor area of 10,532sqm. Above the store in a residential apartments tower rising 6 levels are 124 dwellings. Three levels of basement car parking will provide a total of 538 spaces for the development.

Stages 2 and 3 occur on either side of the Bunnings store with buildings aligned to Tower Street (in Stage 2) and Council Street (in Stage 3). Stage 2 provides a further 1266sqm of retail space at ground level and 127 apartments in a building rising 8 levels. 190 basement car parking spaces are provided in the stage also. Stage 3 provides a further 332sqm of retail space at ground level and 134 apartments in a building rising 9 levels. 159 basement car parking spaces are also provided.

Roadworks proposed as part of stage 1 include the widening of Council Street with an additional exit lane at Doncaster Road, and additional deceleration and turning lanes on Doncaster Road.

- 2.5 An Amended Planning Permit (PL12/022747) was issued on 15 September 2016, following a decision by Council at its meeting on 26 July 2016, to support a revised development and issue a Notice of Decision to Grant a Planning Permit.
- 2.6 The main changes related to a new architectural approach by a new project architect; Thompson Adsett. The following summary is an extract from the Council report at the time:-

The Amendment seeks to undertake some substantial changes to the layout and built form associated with the approved land uses. In particular, it is proposed to relocate the Bunnings development from a central position on the subject site to its proposed location at the western end of the site (corner with Tower Street) and in closer proximity to Westfield Doncaster. Consequently, the two residential towers are now proposed at the eastern end of the site thereby presenting to Council Street. Significant changes to access arrangements are also proposed.

- 2.7 The Amended Permit maintained 62 conditions. However, ten new condition 1 requirements were included in the permit. These changes mostly related to access arrangements (interim solution) where Bunnings was provided with direct access to/from Doncaster Road for a temporary period of time, before the end solution for access was constructed consistent with the original approval.
- 2.8 The Permit has also been extended several times. The latest extension (issued on 22 September 2017) provides an expiry date of 31 October 2019, should the development not commence.

3. THE SITE AND SURROUNDS

- 3.1 The site has not changed significantly since the original application was considered, except for the closure of the 7/11 store on the corner of Doncaster Road and Council Street.
- 3.2 In summary, the site is located on the northern side of Doncaster Road (115m frontage) and comprises all of the land bounded by Council Street (100m frontage), Tower Street (100m frontage) and the rear of properties on the southern side of Berkeley Street. The land is approximately rectangular in shape and 1.17ha (11,700sqm) in area.



Map of Site and Surrounds

- 3.3 There is a modest fall towards the western side of the site and a steeper fall (of approximately 7 metres) to the northern boundary.
- 3.4 The site has direct abutments with five properties within the Doncaster Hill Activity Centre, as follows:

Direction	Address	Description
North (from east to west)	7 Council Street	The side boundary of one two-storey unit forming part of a dual occupancy.
	3 and 5 Berkeley Street	The rear yard of two original residential homes constructed in Berkeley Street.
	7-11 Berkeley Street	Canvas Apartments - A five storey building, including apartments with a southern outlook over the subject site.
	8 Tower Street	The rear yard of an unoccupied original residential home. This land holds a permit to construct a four-storey office and apartment complex.

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- 3.5 East of the site on the opposite side of Council Street is the Doncaster Primary School and former Shire Hall (a heritage building housing the Doncaster Templestowe Artists' Society). The primary school has its administration centre and some classrooms immediately opposite the site.
- 3.6 West of the site on the opposite side of Tower Street is Westfield Doncaster and a three-storey office building at 651 Doncaster Road.
- 3.7 On the opposite side of Doncaster Road is The Nest Apartments (a 12 storey building) and a two-storey office development.
- 3.8 Doncaster Road is dual carriageway in front of the site with three lanes in either direction. No parking is allowed. The road is zoned Road Zone Category 1 (RDZ1). A peak hour bus lane commences operation on the inside lane east of the intersection of Doncaster Road and Council Street.
- 3.9 Council Street is a collector road with a trafficable lane in either direction. It meets Doncaster Road at a signalised intersection. Council Street has angled kerbside parking, predominately for the primary school use on its eastern side. A children's crossing and speed hump has recently been relocated north, and away from the subject site.
- 3.10 Tower Street (comprising part Road and part carriageway easement) is essentially the entry and exit to Westfield Doncaster. Immediately adjacent to the application site is a two way service road that links back to the main entry/exit function of Tower Street. Tower Street features two lanes in and the exit features three right hand turning lanes and two left hand turning lanes onto Doncaster Road. A flyover lane from an upper level car park forms part of the exit arrangements approximately 50m setback from Doncaster Road.

4. THE PROPOSAL

4.1 The amended application involves the following:-

- Amendment to the permit preamble to include a new use - "residential hotel". The hotel replaces 99 apartments contained within a tower arrangement shown on the plans in the previous approval.
- Amendment to conditions as a result of proposed plan changes from the inclusion of a new use.
- Plan changes, outlined below.

These following "before and after" perspectives provide some description of the external changes in built form.



Before



After



PLAN CHANGES

4.2 The following provides a general summary of the broader changes included in the new plans prepared by *CHC Architects*:-

- The tower containing 99 apartments deleted from Levels 3 – 6, and replaced with a residential hotel containing 190 hotel rooms, lobby, bar/lounge, restaurant/dining area, 3 function rooms, a health and fitness studio, pool, back of house facilities and outdoor rooftop garden.

The hotel suites generally range in size between 23-25 square metres, along with a number of larger 'suites' varying in size from 34-49 square metres.

The hotel has its main pedestrian entrance to Doncaster Road in the south west corner of the site along with a small lobby area provided in the basement (B1) car park.

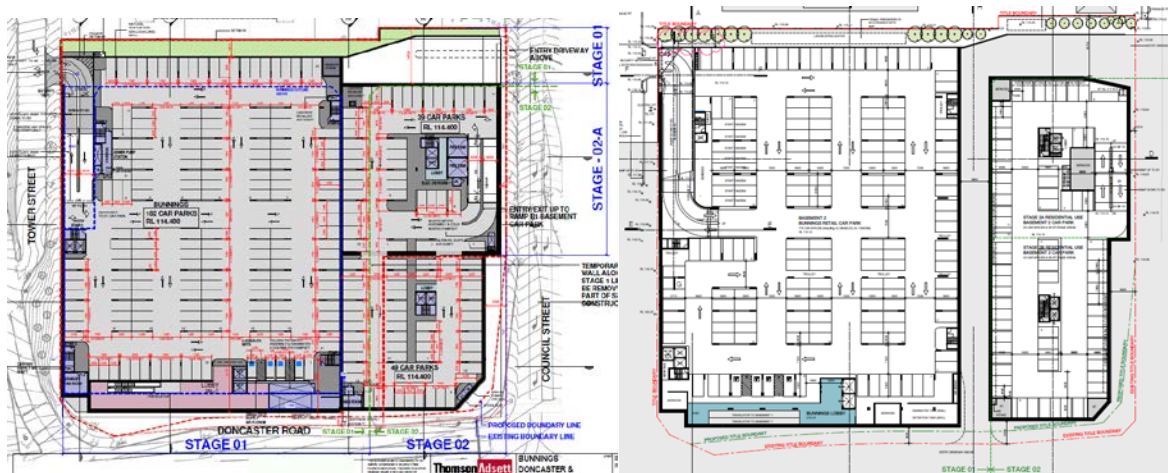
- The introduction of the hotel to the plans has resulted in some internal layout changes to the Bunnings store, however the overall building size and setbacks remain relatively similar to the previous approval.

Changes to the design and layout of basement car parking to improve vehicular circulation and provide for separation of uses. It should be noted that there no significant changes to the external road access points. There is also no change to the agreed road works to be undertaken to Doncaster Road and Council Street, although the approved 'interim arrangement' is now no longer necessary (due to the closure of the 7/11 store).

Bunnings maintains exclusive access to two levels of basement parking with access from Doncaster Road and Council Street. The hotel is provided one level of basement car parking with access from Tower Street only. The Stage 2 parking arrangements for the residential apartments are now no longer included as part of the overall basement plan.

Basement 2 Before

Basement 2 After



Changes have also been made to waste facilities, service areas and storage cages. A lobby has been added to the basement hotel entry.

- The amended application provides 651 car spaces, comprising of 356 retail car spaces, 113 hotel car spaces and 182 residential car spaces.
- Changes to the styling and appearance of the presentation of the building, principally associated with the residential hotel façade, including a simplified palette of materials, colours and finishes including a curved bronze glass curtain façade wall.
- Changes to the external treatment of Bunnings are modest, and includes revised signs and a modest cutback to the façade where the hotel has a presence to Doncaster Road (on the corner of Tower Street). The grey steel fins have been modified to a white colour.
- New hotel signage is proposed, providing a sense of identity and street address to Doncaster Road.
- Some additional road widening is proposed in Tower Street (less than 500mm) to create a hotel drop-off zone. The applicant has requested a 'P10 minute' parking restriction for the drop off area to ensure the zone is regularly turned over (acknowledging this is not a town planning issue per say).
- A reduction in the number of apartments from 165 to 160 and minor internal changes to the design and layout in Stages 2A and 2B.

It would appear that the main driver for this reduction in apartment yield results from minor internal layout changes and independent car parking provision within the buildings own basement.

There have been some subtle design changes to the external appearance of the apartments such as greater use of transparent material in the façade and new planter boxes.

- 4.3 At the request of Officers, the Applicant has given considerable thought to how the Boulevard Treatment can be provided in front of the site. This had previously been a Condition 1 requirement and left unknown. The applicant has now provided a detailed landscape plan with the amendment (prepared by John Patrick Landscape Architects) showing planting areas and a planting regime that is complimentary to the Boulevard Treatment required under the Zone and the Doncaster Hill Strategy.

- 4.4 Submitted with the application is a range of reports including an acoustic report, sustainable management plan, waste management plan and engineering traffic report.
- 4.5 On 23 March 2019, a revised design concept was provided to officers pursuant to Section 57A of the Act. The changes related to the residential hotel presentation on Doncaster Road, which officers had requested design improvements through the course of the application. The Bunnings façade was further modified to give greater presence to the hotel facade. The hotel was subject to some other minor revisions to the function area, basement and secondary access onto Tower Street.

Further Application to Amend the Permit

- 4.6 PLA19/0018, a further Amended Permit Application was lodged with Council on 1 March 2019. This amendment proposes to remove all reference from the permit to the interim traffic solution offered in the last approval and through permit conditions.
- 4.7 The interim solution is now no longer required given that the 7/11 store has since closed. The end traffic solution, as negotiated in the original approval in 2013, will now occur prior to the opening of Bunnings and the hotel. It includes the construction of additional lanes on Doncaster Road and Council Street, and priority bus signals at the Doncaster Road/Council Street intersection.
- 4.8 Council's Engineers and VicRoads have already indicated support for this amendment, and have approved a single Functional (Roadworks) Layout Plan under the Permit. The amendment will be finalised following a decision on this application.

5. LEGISLATIVE REQUIREMENTS

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

6. REFERRALS

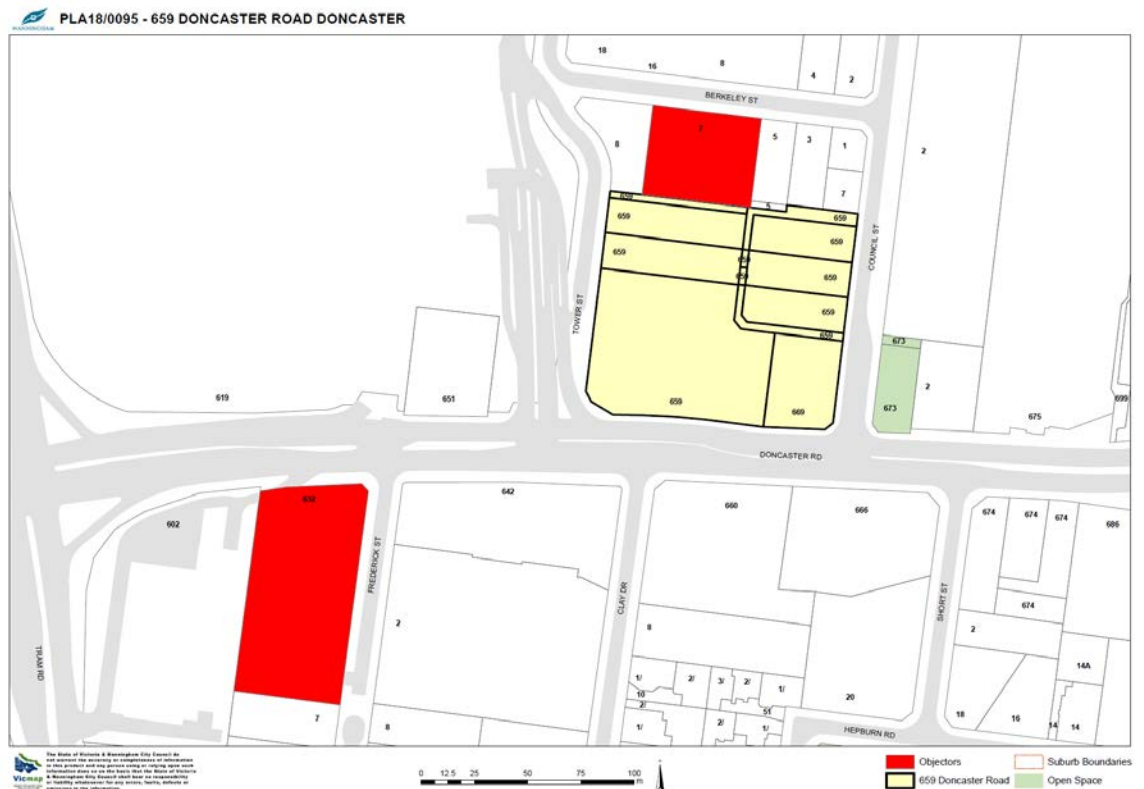
- 6.1 VicRoads correspondence dated 9 October 2018, indicated no objection to this application, subject to the conditions on the existing permit being retained. VicRoads are currently working through a new set of conditions that will be implemented through PLA19/0018, where reference to interim traffic arrangements will be removed from the permit.
- 6.2 Public Transport Victoria correspondence dated 8 October 2018, notes the interim traffic arrangements are no longer necessary and therefore outlines changes to their conditions. The changes are sufficiently independent of the VicRoads conditions relating to the interim arrangement's and should be facilitated now. They will ensure all PTV requirements are undertaken before the opening of Bunnings and the Hotel, including the bus priority signalling at the intersection of Doncaster Road and Council Street.
- 6.3 Council Engineers raised no concern with the car parking rate provided to the new residential hotel component of the development. No issues were raised with access as it remains consistent with the existing approval, however the

appropriateness of sightlines in Tower Street were raised again given the gradient of some ramps. No issues were raised with the minor widening to the Tower Street service lane to facilitate the bus drop off for the hotel provided the works are undertaken subject to Council's supervision (which is an existing condition). The internal layout of car parking was considered satisfactory subject to 'half seagull' treatment provided at the central internal roadway at the Bunnings car park level to prevent vehicles undertaking a right hand turn towards Doncaster Road (which is an egress only). The concerns are addressed via amended conditions.

- 6.4 Council Waste Engineers requested minor changes to the current waste condition included on the Permit, to ensure all waste is collected on-site via appropriate means.
- 6.5 Council's Sustainability Officer noted the ESD report submitted with the application did not recognise the mandatory third pipe requirements and raised some minor concern with apartment designs in Stage 2. The Sustainability Management Plan condition will be updated to specifically reference the mandatory third pipe requirements.
- 6.6 Council's Strategic Water Engineer provided comment on the inclusion of rain gardens in the development. They favoured the inclusion of more passive solutions to provide for the filtration, cleaning and absorption of rainwater, and without the maintenance associated with dedicated purpose built rain gardens. The maintenance in this instance is difficult given limited access to the landscape strip at the rear of the site. This requirement is reflected in an amended landscape plan condition.
- 6.7 Council's Business, Culture and Venues Unit have offered support for the residential hotel indicating hotel development is supported within Council's Economic Development Strategy, Strategic Direction "Enhancing Manningham Tourism", Manningham Tourism Action Priorities and Melbourne East Destination Management and Visitor Plan.

7. CONSULTATION / NOTIFICATION

- 7.1 Notice of the application was advertised over a three-week period which concluded on 19 December 2018, by sending letters to nearby properties and displaying a large sign on each of the sites frontage.
- 7.2 Seven objections have been received.
 - 7 Outlook Drive, Doncaster
 - Unit 202 / 7 Berkeley Street (Canvass Apartments)
 - Unit 204 / 7 Berkeley Street (Canvass Apartments)
 - Unit 206 / 7 Berkeley Street (Canvass Apartments)
 - Unit 213 / 7 Berkeley Street (Canvass Apartments)
 - Unit 409 / 7 Berkeley Street (Canvass Apartments)
 - Unit 612 / 632 Doncaster Road (Pinnacle Apartments)



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

- Insufficient parking, including no disabled space.
- Site contamination and no EPA documents.
- Safety associated with collection and drop off areas at the Primary School.
- Private functions and parties to be held at the hotel impacting amenity.
- Increase in anti-social behaviour associated with the sale of liquor.
- Further congestion of the Westfield car parking areas and access.
- Increased signage and therefore increased light spill and impact to residential properties.
- Additional traffic due to the hotel.

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

7.5 One submission has also been received in support of the amendment from a resident of 7 Berkeley Street.

8. ASSESSMENT

8.1 This is an Amended Permit application, and therefore the assessment needs to concentrate and consider only the changes that are proposed to the already approved development.

8.2 The main consideration for the appropriateness of this Amended Permit Application are:

- The objectives and requirements of the Activity Centre Zone;

- Clause 52.06 (Car Parking), in relation to car parking changes;
- Council's signage policy at Clause 22.07 in relation to the signs;
- Council's ESD policy at Clause 22.12; and,
- the State's urban design framework.

The appropriateness of the Residential Hotel

- 8.3 A residential hotel is a "permit required" land use under the Activity Centre Zone.
- 8.4 The objectives of the Activity Centre Zone clearly support the use of the land as a residential hotel by adding 'vibrancy' to the area, contributing to a mix of land use activities undertaken within the precinct whilst supporting the strategic role of Doncaster Hill as a Principal Activity Centre within metropolitan Melbourne.
- 8.5 A quality residential hotel within the precinct will help drive economic investments associated with tourism, business ventures, community services and retail. The residential hotel will provide additional facilities to existing residents of the Hill and wider area.

Stage 1 Building (Bunnings and Hotel)

- 8.6 Whilst the building retains similarities to its predecessor (predominately through its overall height, 'L' shaped tower and setbacks), there has been considerable change to the exterior appearance of the Bunnings and residential hotel building in Stage 1. The overall changes are considered positive.
- 8.7 Officers have assessed the setbacks, height, podium height, podium setbacks of the building in the table below:-

Requirement	Required Measure	Outcome
Building Height (Mandatory)	29m	Complies The previous approval had a height of between 28m and 29m. The current proposal varies between 27m and 29m.
Front Setback – Podium Element (Mandatory)	5m	Complies The proposed setback is between 8.5m and 11m.
Front Setback - Tower Element (Mandatory)	15m	Complies The proposed setback varies between 15m from the corner splay to 21m and 24m.
Podium Height (Discretionary)	A podium of at least 12m	Complies The proposed podium height is approximately 14m.
Tower Street Setback (Discretionary)	4.5m	Justification Required Variation to side street setbacks previously approved. Tower Street has a commercial interface with Westfield, and is not a traditional residential street. A variation is

		desirable to activate this space.
Rear Setback (Discretionary)	4.5m	Complies A minimum setback of 4.5m is provided. The tower element of the residential hotel is setback 9.7m.

Residential Hotel Tower Setback

- 8.8 The setback of the residential hotel tower element that sits behind the Bunnings façade facing Doncaster Road complies with the mandatory setback requirements of the zone. The setback also offer improvements in design and a reduction of shading on the southern side of Doncaster Road.
- 8.9 The design in this mid-section of site is recessed to allow more building prominence on the corner of Doncaster Road and Tower Street consistent with the urban design principal of having stronger corner design elements. The bronze glass curtain wall of the residential hotel provides a distinct curved element.

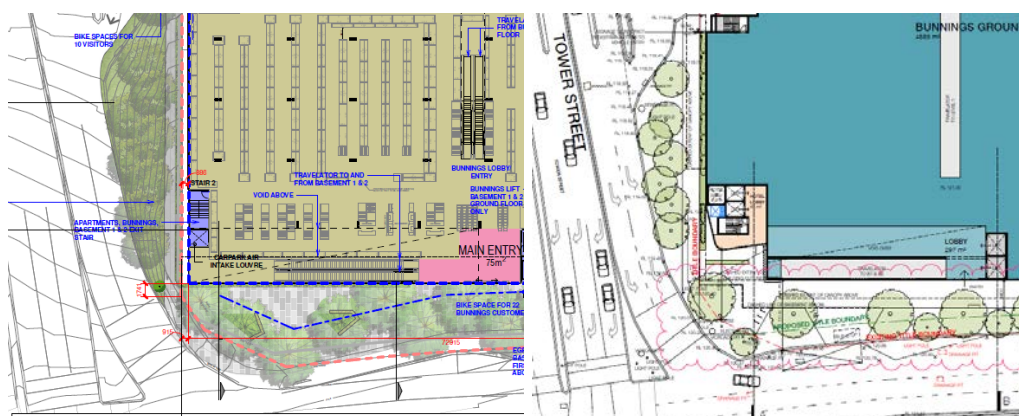
A requirement of the Activity Centre Zone is that buildings on the north side of Doncaster Road do not generate shadows that extend beyond 1.2m of the back of kerb on the southern side of Doncaster Road. A condition of the Permit requires the applicant to provide evidence that the development clearly achieves this requirement (shadow diagrams from previous designs were not conclusive).

Setback to Tower Street

- 8.10 The previous permit allowed for a reduction in the building setback from Tower Street (4.5m discretionary side boundary setback). The previous approval provided for an 800mm ground and first floor setback for Bunnings, and a 3.7m setback for the residential tower element above.
- 8.11 Increased setbacks are proposed in the south west corner of the site to Bunnings building to allow for the inclusion of the new hotel lobby however within this area additional height is proposed.

Before

After



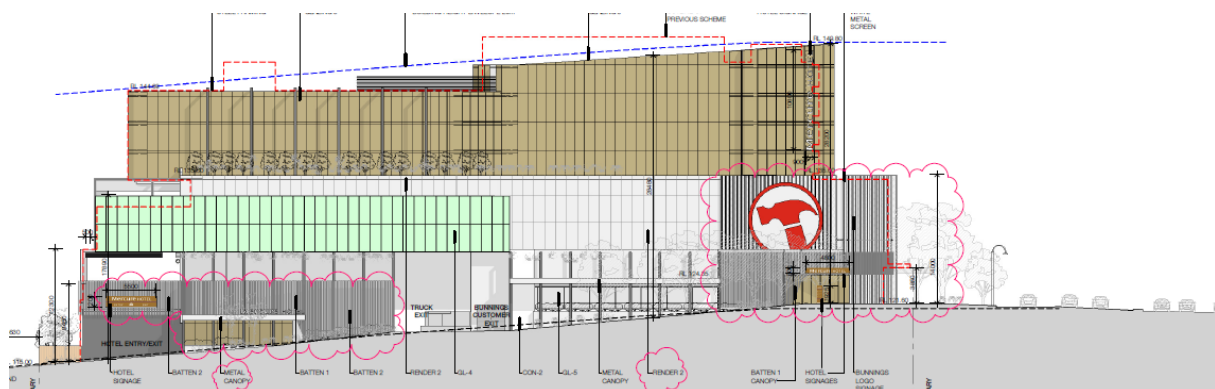
- 8.12 The amended plans are setback between 0m, 1m, 1.84m and 6.4m along Tower Street. The minimal setback to Tower Street is associated with the feature corner treatment of the building and a stronger architectural expression. Furthermore, whilst the building provides for reduced setbacks to certain sections of Tower

Street, this will not impact on the amenity of the area. The building further to the north of the site then steps back to 6.475m, which is greater than the previous approval therefore exceeding the preferred setback outlined in the Activity Centre Zone.

- 8.13 A permit may be granted to vary the preferred 4.5m minimum side setbacks specified for Precinct 3C in Clause 5.3-3 of the Zone Schedule. Overall this is a distinctive building element and of sufficient design quality to support a reduced setback.

Residential hotel presentation to Doncaster Road

- 8.14 The façade and design of the Hotel foyer at ground level on Doncaster Road is of high quality, with (subject to some further changes) a curved bronzed glass façade extending down to street level from the tower element above. The curvature is replicated in a distinctive awning above the footpath level providing the hotel with a strong and independent sense of address from the Bunnings's podium.
- 8.15 Above the awning, the residential hotel includes a feature glazed tower element that sits slightly forward of the 'L' component of the building. The presence of the distinctive glazed and curved residential hotel façade on the corner in comparison to the previous apartment design present a much improved design outcome to the public realm.
- 8.16 There is one issue that continues to plague the appropriateness of the corner treatment. This is false wall constructed at right angles for two levels above the curved awning and prevents the feature bronze curved façade of the hotel from continuing to the footpath level to help 'ground' the building.
- 8.17 The wall is essentially used as an advertising billboard for Bunnings featuring the white fins and a large Bunnings hammer logo serving no other purpose as the space behind is not utilised. This wall detracts from the robustness of the curved feature element of the hotel when being appreciated from the public realm. Further, it is considered that the hammer logo is far too large and overwhelms the boulevard treatment (shown on Plan SK806z). It is also located too deep into the site to be easily seen from Doncaster Road, to serve as a genuine advertising or business identification purpose.



- 8.18 A new Condition 1 requirement will require this section of the Bunnings wall treatment be removed, and the curved bronzed glazing of the hotel continued to street level. Bunnings has some options available to locate a smaller Bunnings hammer logo on the west-facing return wall of the podium (east of the hotel

lobby), or continue the fin treatment with signage designed within it north of the hotel's feature corner treatment in the location of the white rendered wall currently shown on plan.

- 8.19 The design qualities incorporated into the Bunnings podium treatment that generated sufficient visual interest for it to be supported in previous proposals are retained through the amended plans, including the vertical fins (although now white), glazed transparent elements and distinctive signs that distinguishes it from the traditional and recognisable 'green box' facades of other Bunnings.

Other exterior changes

- 8.20 In regards to other changes to the Stage 1 building, a secondary residential hotel entry and lobby has been provided in Tower Street, the rooftop garden area has been redesigned to cater for hotel guests, and some subtle material changes have occurred.
- 8.21 The secondary residential hotel lobby on Tower Street serves a proposed bus parking area. Guests access this area through the basement levels. The bus parking area requires a slight widening of the road pavement of Tower Street (approximately 500mm), and has the preliminary consent of Council's Traffic Engineers subject to detailed construction plans.
- 8.22 The new lobby activates and provides surveillance over a space that was previously service cabinets, and is considered a strong improvement. A canopy is provided above the lobby to ensure guests are protected from the sun and rain when moving between the lobby and vehicles. The Mercure branding around the lobby and vehicle entrance also provides a much improved interface with high quality materials and a level of activation that was not shown in the previous approval.
- 8.23 The changes to the rooftop garden above Bunnings has no significant impact on the public realm as this area is private. A single storey building is incorporated on the rooftop housing a swimming pool and fitness centre. This building will not be visible from the public realm.
- 8.24 In terms of materials, the Bunnings façade is lighter in colour. The fins are now shown on the plans as white, rather than aluminium grey (a light grey). Sections of the façade in Tower Street, previously painted grey, are now white render with expressed joints. The white contrasts with the bronze of the hotel, but continues to respect other developments in the Hill which use a similar tone.
- 8.25 The presentation to Tower Street is further improved through bronze fins around the secondary hotel lobby and the hotel vehicle entrance (replacing service cabinets in the previous approval) and offering an improved sense of address for guest arriving for the first time. Landscaping in planter boxes cascading over the podium and steel framing on the hotel façade provide appropriate visual interest at the upper levels.
- 8.26 A condition is required to consolidate the two material schedules currently included in the set of decision plans, as the same colour notations relate to different products on each plan in some instances. Both Bunnings "red glass" (used on the front façade) and "green glass" (used to enclose the nursery at the rear of the building) has the same notation.

The redesign of Apartments in Stage 2

- 8.27 The applicant is not obligated through the planning scheme to redesign or achieve compliance with the new apartment guidelines at Clause 58 of the Manningham Planning Scheme (otherwise known as Better Apartment Design Standards). The original Permit was approved prior to the introduction of these controls and are not applicable to the assessment of this application. However, any improvement in amenity for future residents should be applauded, particularly as it has not changed the apartment yield significantly (a reduction of only 5).
- 8.28 Similar to Stage 1, the Stage 2 buildings retain similarities to its predecessor (predominately height, setbacks, entry locations, apartments around a central lift and services core and exterior design), however there are new rebates in walls and varied balconies from time to time where apartments have been redesigned to improve internal amenity.
- 8.29 Stage 2 continues to provide two retail tenancies at ground level presenting to Doncaster Road, a main pedestrian entry from Council Street into a landscape courtyard between the two buildings, courtyards and balconies to Council Street at the pavement level and a 4.5m setback from Council Street above. These are all positive outcomes consistent with the Activity Centre Zone.
- 8.30 The most significant changes are greater separation from the Stage 1 building (now 7.4m to the building edge and 9m to balconies, previously only 1.2m), and an increased northern boundary setback (now 15.2m, previously 10.4m). The former buildings projected over the internal roadways through the site. This has been removed to ensure they remain fully within the Stage 2 title boundary.
- 8.31 Officers have assessed the setbacks, height, podium height, podium setbacks of the building in the table below:-

Requirement	Required Measure	Outcome
Building Height (Mandatory)	29m	Condition Required The roof and various parapets are generally between 27m and 29m. The roof has actually been lowered by around 200mm in comparison to the existing approval, but the inclusion of 3 additional apartments on the top level pushes the height of the parapet in one corner of Building 2B to 29.06m which is 60mm above the maximum building height.
Front Setback – Podium Element (Mandatory)	5m	Complies The setback is between 5.2m and 8m. The excess space (above the minimum) provides for wider footpaths and additional landscaping as part of the Boulevard treatment which will benefit this active frontage.
Front Setback - Tower Element (Mandatory)	15m	Complies The minimum setback is 15.2m.
Podium Height (Discretionary)	A podium of at least 12m	Justification Required The podium height is 11m.

Council Street Setback (Discretionary)	4.5m	Complies The buildings remain setback 4.5m from the boundary.
Rear Setback (Discretionary)	4.5m	Complies A minimum setback of 15.2m is provided. This increases from 10.4m in the existing approval which cantilevered over the internal driveway along the rear boundary of the site.

- 8.32 The external architectural quality of the buildings appear to have improved generally through subtle changes to the façade such as balcony screening and planter boxes, as well as more delicate curves, where previously the building and balconies met at hard right angled corners. The introduction of the curved treatments will help transition the buildings into, and from, the curved hotel façade.
- 8.33 Internally, the apartment designs have been improved so that many of the new apartment guidelines standards at Clause 58, particularly those relating to internal amenity, are achieved. The Applicant has provided a schedule (see below) detailing the standards that are achieved, but is silent on which standards were not met under the previous approval. The previous approval provided pleasant, safe and accessible apartments and building entries, large balconies and reasonable light sources, adequate cross ventilation for corner apartments that are all maintained through the proposed amended design.
- 8.34 Given that compliance with Clause 58 standards and objectives is not a statutory requirement, officers have concentrated on considering the changes in the context of whether they improve or deteriorate amenity. To the most part, they improve amenity. The following improvements are noted:
- The maximum living area room depth and minimum living room area standards in Clause 58 (functional layout) have now been achieved for all apartments (demonstrated by Plan SK121z). There appears to have been a small number of apartments in the previous design where these standards would not have achieved.
 - Bedroom sizes have been increased, particularly the master bedroom. All bedrooms will now achieve the standard in Clause 58 demonstrated by Plan SK121z. The second bedrooms that rely on a saddle back design for light access now include wider and shorter light corridors and larger windows to the exterior light source than in the previous approval. This too will achieve Clause 58 standards, where the previous design did not always.
 - According to Plan SK121z, 53% of the proposed apartments meet the accessibility standard of Clause 58 including wider bathroom doors and increased circulation areas (the benchmark is 50% minimum). The previous approval never demonstrated compliance in this regard.
 - According to Plan SK121z, 40% of apartments will achieve the natural cross-ventilation standard of Clause 58 (the benchmark is 40% minimum). The previous approval never demonstrated compliance in this regard.

- Daylight is provided to internal corridors, reducing the need for electric lighting and providing a more welcoming and spacious environment within the corridors.

- 8.35 Where the development fails to provide an improvement in amenity is in relation to storage. The applicant indicates that the storage standards in Clause 58 are achieved through the redesign, which they are. However, the number of full height floor to ceiling external storage rooms and cages has been reduced from 124 spaces to 52 spaces. The remainder of the 160 apartments (108 apartments) rely on a small above car bonnet cages for external storage. To compensate for the reduction in external storage, the applicant has demonstrated generous internal storage for each apartment. Overall, all apartments are provided with a minimum of either 10 or 14 cubic meters of storage depending on whether they contain one or two bedrooms.
- 8.36 The overall design of apartments in the amended proposal is considered to be an improvement on the previous permit introducing improved overall general amenity for the new dwellings.

Changes to Car Parking Design and Allocation

- 8.37 The carpark is relatively similar to its approved predecessor. Maintained is the independence of the Bunnings car park, hotel car park (formal residential car park in Stage 1) and residential parking in Stage 2, the entry/exit locations of each carpark, the internal driveways and the general layout of car parking areas.
- 8.38 Changes to the carpark include the removal of car parking spaces from under the future common internal driveway that traverses through the site, meaning car parking can now be constructed in stages consistent with the building construction (previously some of the car parking for Stage 2 would have needed to be constructed in Stage 1).
- 8.39 A more efficient layout of aisles and car spaces have been introduced, along with a review of internal ramps locations and gradients. The location of the ramps provide improved traffic flows and sightlines to exits.
- 8.40 In Stage 1, Bunnings is provided 337 spaces. This far exceeds the statutory requirement of 170 spaces required pursuant to Clause 52.06 of the Manningham Planning Scheme.
- 8.41 The aisle and car parking space dimensions continue to exceed the minimum requirements of Clause 52.06 (a Bunnings preference). Council's Engineers have raised no issues with the design of the Bunnings car park except to add a splitter island (a half seagull treatment) to help direct traffic at one of the exits.
- 8.42 The loading area for Bunnings remains in an enclosed driveway that sits behind the ground floor of the store and below the nursery on Level 1. This is also the trade entrance. Delivery and trade traffic continues to be separated from the everyday users who will park in the Bunnings basement car park. The enclosed design of the driveway ensures minimal noise detriment to those residents who live north of the site in Berkeley Street.
- 8.43 The lowest basement in Stage 1 (Basement 3) is reserved for the residential hotel (and was previously allocated to the apartment tower above Bunnings). It has 113 spaces, as well as a drop off area, concierge, staff quarters and the hotel

loading and waste rooms. The aisle widths and space dimensions match the generous proportions used in the Bunnings car park on the level above (due to column alignments). Council's Engineers have raised no issues with the design of this car park or the ability to load and service the hotel.

- 8.44 There is no statutory requirement for car parking associated with a residential hotel. This proposal equates to 0.595 spaces per room, and it has been suggested that this is 'ample' according to the traffic engineering report submitted with the application.
- 8.45 The number of car parking spaces per room appears generous compared to other suburban hotels. The 104 room hotel approved recently at VCAT for 810 Elgar Road provided 26 car parking spaces at a rate of 0.25 spaces per room. The expert reports prepared for the Elgar Road application suggest that a rate of 0.25 spaces is more common, although it does vary dependent on the style and type of accommodation. Based on the above, Council's Engineers have not raised concerns with the proposed car parking numbers.
- 8.46 The 160 (one and two bedroom) apartments (in Stage 2) generate a statutory requirement of 160 resident spaces and 16 visitor spaces pursuant to Clause 52.06 of the Manningham Planning Scheme and the Parking Overlay (Schedule 1). The two small retail tenancies at ground level (547sqm) generate a statutory requirement of 19 spaces (irrespective of whether they are used for a shop, restaurant or café). This generates a total requirement for 195 spaces.
- 8.47 The basement provides for 203 spaces, which exceeds the statutory minimum by 8 spaces. There is one issue with the number of car parking spaces allocated to residential visitors, which is 15 spaces on the current plans, and not 16 spaces. This can be corrected by a Condition 1 requirement.
- 8.48 The basements of Stage 2 provide for the required storage space, as well as waste rooms, bicycle parking and service rooms in accordance with the requirements of the planning scheme and the various referral advice.

Signs

- 8.49 The Permit authorises the display of advertising signs. There is new signage on the plans associated with the residential hotel, and updated signage associated with Bunnings (although in similar locations).
- 8.50 Council's Outdoor Advertising Policy (Clause 22.07) promotes signs that are confined within the architectural elements of the building, and fewer signs that are more effective and ensure consideration of adjacent land use and existing signs to protect against visual clutter. The Activity Centre Zone (Schedule 1) promotes signs on the podium levels, that complement the building and that incorporate limited details other than is necessary to identify the building name and key tenants.
- 8.51 Bunnings continues to have one traditional light box naming sign facing Doncaster Road, which is tucked in behind the fins within the rectangular transparent component of the façade. At 4m x 12m, it appears slightly smaller than the previous approval. Other Bunnings identifiers are two red hammers at either end of the Bunnings podium that are shown generally consistent with previous approvals, although they appear larger in size. The inclusion of the hammer logo at the western end of the building in the manner and size proposed

is problematic as it prevents the distinctive hotel façade from contributing appropriately to the public realm. The size of the sign overwhelms the street, detracts from the hotel facade and is poorly located deep into the site. There appears to be opportunities to relocate this logo on the podium return, albeit a smaller logo. A new Condition 1 requirement will address this.

- 8.52 The size of the hammer logo at the eastern end of the building is less concerning given it appears mid-site in the context of high buildings. It is less exposed.
- 8.53 The plans show little detail in relation to how the hammers are constructed, displayed and viewed. The original plans appeared to suggest that the shape was generated by the fins ending in a specific pattern allowing red colouring and light in the background to be viewed. These decision plans are a little less clear, particularly the west-facing hammer where fins are removed for the whole extent of the hammer. A condition is required to ensure the signs are constructed in a contemporary manner and incorporated into the design of the fins, rather than simply a light box attached to the exterior.
- 8.54 The residential hotel is provided a 'Mercure Hotel' illuminated sign with 900mm typeface atop the feature entry on the top level facing Doncaster Road. The proposed sign is modest, discrete and compliments the design of the building by being typeface only. The sign is reasonable given it is associated with a commercial building.
- 8.55 The Mercure Hotel sign is unlikely to cause detriment to properties in The Nest apartments opposite due to the 70m separation between the buildings. That said, a new condition will seek to control and limit light spill if detriment is caused.
- 8.56 The residential hotel has a second 'Mercure Hotel' sign in 900mm typeface facing Tower Street that is aligned vertically on the feature tower element (between level 4 and 6). Architecturally, the sign is appropriate being integrated with the curved glass façade. The sign is opposite (and above the height of) an office building on the opposite side of the Tower Street intersection).
- 8.57 The residential hotel is provided additional signs that are much smaller on the curved awning at the Doncaster Road entry, and above the vehicle entry facing the service lane of Tower Street. These signs are modest in size and sits within the bronze fins that provide the hotel a sense of address to Tower Street. These signs are acceptable.

Landscaping Treatments including The Boulevard Treatment on Doncaster Road

- 8.58 The previous approvals committed to the construction of The Boulevard Treatment that is required through the Activity Centre Zone Schedule 1 and the Doncaster Hill Strategy (2002) along Doncaster Road via a Condition of Permit, rather than showing any details on plans.
- 8.59 The applicant has worked closely with Council Officers and their landscape architect (John Patrick) to advance the amended plans to show more details in this application. The details are particularly important as the basement of the buildings encroach under some of The Boulevard space, and the proposed lane widening on Doncaster Road also further cramps this area. Plan SK123z and SK124z has been added to the decision plans showing public realm treatments in front of the site on Doncaster Road. These plans are supported by a new Landscape Plan prepared by John Patrick Landscape Architect.

- 8.60 The new plans show a high quality interpretation of the standard Boulevard Treatment outlined in the Strategy, which includes sufficient space for pedestrians and cyclists, street furniture and landscaping. Due to the commercial nature of the frontage, the pedestrian space has been moved adjacent to the front wall of Bunnings and the retail space in Stage 2. The pedestrian space is generally 4m which exceeds the desired minimum of 3.6m in width. A wide landscape treatment then separates this pedestrian space from the additional lane constructed on Doncaster Road. The treatment varies in widths and is cut back at the bus stop, but it is generally between 3m and 7m wide which is sufficient for the planting of the pear and plane trees required. The treatment is similar to the treatment in front of MC2.
- 8.61 The requirement of Condition 1 (at Condition 1.3) requiring details of the Boulevard Treatment can now be deleted. It is appropriately shown on the amended plans.
- 8.62 The Landscape Plan is generally acceptable and shows the necessary planting and pavement treatments. New revised conditions are required to show changes along the rear northern boundary where low level planting in rain gardens has been introduced into the 4.5m building setback. Previously canopy trees were shown across the entire northern boundary interface, which is a preferred solution given the trees are required to help soften the views towards the development from more sensitive residential land to the north (in Berkeley Street).
- 8.63 Council's Water Engineer has also expressed concerns with the design of the rain gardens as they require continual maintenance that will become increasingly difficult as other plants grow along the rear boundary and restrict access. The Engineer expressed a preference that the rain gardens as they are designed be removed, and the whole strip of land be designed to achieve water sensitive urban design principles in a passive manner such as the introduction of a shallow swale drain with low level planting additional to the canopy trees. The landscape plan condition will be amended accordingly.

Permit Conditions

- 8.64 The applicant has requested modifications to the permit conditions as a result of the amended proposal.
- 8.65 Officers have indicated to the applicant that a full review of conditions is necessary given the extent of changes to the plans and the additional information that has been provided. From Council's perspective, the conditions on the Permit should be relevant to the amended set of plans, and not relate to previous sets of plans where requirements may or may not have been achieved.
- 8.66 The following table considers the appropriateness of the existing Conditions of the Permit:

Cond.	Previous Requirement of Permit	Relevance
1.1	An additional plan detailing the materials used in the façade of the buildings fronting Doncaster Road and the dimensions of all proposed business identification signs.	<i>Delete</i> The information has been provided in the current set of plans, however there are two specific requirements that stem from this which will become new condition 1 requirements.

		<p>The first is details, dimensions and specifications of the fins and what sits behind them. This should be shown on an elevation and cross-section diagram.</p> <p>The second is the details, dimensions and specifications of the Bunnings Hammer Logo within the fin presentation. This will be conditioned accordingly.</p>
1.2	Chain wire fencing (or similar) added to prevent unauthorized access to the landscape buffer area at the rear of the site.	<p><i>Retain</i></p> <p>This is not clearly shown on the amended plans.</p>
1.3	Demonstration that the boulevard treatment is to be provided in accordance with Part D of Council's Doncaster Hill Strategy (2002) in front of the site and adjacent to Doncaster Road, where possible.	<p><i>Delete</i></p> <p>Plan SK123z and SK124z and the amended landscape plans satisfactorily show this detail.</p>
1.4	An additional plan showing the extent of proposed roadworks on Council Street and Doncaster Road in accordance with the recommendations outlined in the conclusions of the Traffic Group Traffic Engineering Assessment (dated 5 March 2013 and updated in June 2015) and VicRoads conditions of this permit.	<p><i>Revise</i></p> <p>A Functional Layout Plan showing proposed roadworks has been provided and referenced in other conditions of this Permit. However, the Functional Layout Plan does not show the new and modest road widening in Tower Street Service Road associated with the short term bus parking in front of the residential hotel's secondary lobby. A condition will require the Functional Layout Plan be amended to show this work.</p>
1.5	A plan notation that the existing speed hump and school pedestrian crossing in Council Street is to be relocated north of the application site at the developers cost prior to development commencing on site (to avoid conflicts with construction vehicles); and with no net loss in the availability of car parking to the primary school or other solution to the benefit of the primary school to the satisfaction of the responsible authority.	<p><i>Delete</i></p> <p>The speed hump and pedestrian crossing has already been relocated. It has been constructed further south, near the corner of Council Street and Berkeley Street.</p>
1.6	A plan notation that a safety barrier is to be erected on the eastern side of Council Street in the vicinity of the existing pedestrian entry of the primary school to prevent inadvertent access onto Council Street following its widening.	<p><i>Retain</i></p> <p>This is shown on the Functional (Roadworks) Layout Plan, but is not shown on the current plan.</p>
1.7	Shower and change room facilities for the trade supplies and restricted retail premise staff as per the requirements of Clause 52.34 of the Manningham Planning Scheme.	<p><i>Revise</i></p> <p>The plans do not show this detail. Include additional wording 'end of trip facilities' and 'residential hotel'</p>
1.8	The residential pedestrian entry to the apartments in Stage 1 redesigned to include a functional bicycle storage room.	<p><i>Delete</i></p> <p>As per the applicant's request. The residential apartments have been removed from the proposal.</p>
1.9	The extent of shadow caused by the buildings to not exceed the Overshadowing requirement of Clause 4.4 of the Schedule 1 to the Activity Centre Zone (ACZ1).	<p><i>Revise</i></p> <p>The amended plans broadly show the extent of shadow, but not to the level of detail required for a thorough assessment. The word 'generally' should be added to the condition to allow Officers some discretion to approve some level of non-compliance where it does not impact the</p>

		public realm (such as over road, and not footpath).
1.10	The number of storage areas to cater to one per apartment. Should above bonnet cages be used specifications of size of the cages and the clearance above ground is to be shown.	<i>Revise</i> The number of storage spaces exceed the number of apartments in Stage 2 (182 spaces, 160 apartments). The dimension of storage areas is shown on the plans. What is not shown on the plans is the clearance above ground floor to allow vehicle parking beneath.
1.11	Specifications of the typical storage cupboards in the basement including their internal capacity.	<i>Delete</i> Dimension and additional details are shown on the amended plans.
1.12	Details of basement ventilation, including the location and design treatment of any mechanical intake or outlet required.	<i>Delete</i> The location of intake and outtake vents associated with the basement ventilation are shown on the plans. The intakes will not impact on the public realm. The outlet for Stage 1 is on the hotel rooftop garden above Bunnings and is well separated from apartments in Stage 2. The outlet for the apartments in Stage 2 is on the roof of respective building.
1.13	A gate or barrier that allows the entry to the car parking area in Stage 1 from Doncaster Road to close.	<i>Revise</i> The location of security gates are shown on plan and on elevation. However, the material and design of the gates is not clear.
1.14	A plan notation that a clear sight distance of pedestrians for exiting vehicles as per Clause 3.2.4 of AS 2890.1 will be provided at all exits.	<i>Retain</i>
1.15	A plan notation outlining interim measures as part of Stage 1 that protect adjacent residents to the north from the noise associated with vehicles accessing the development whilst sections of the internal driveway remain open. A 2.6m high solid paling fence along the sections of the internal driveway in Stages 2 would satisfy this requirement.	<i>Revise</i> A wall is shown on the south side of the internal driveway where the driveway is not enclosed, however the height of the wall is not dimensioned.
1.16	Fixtures such as seating and/or public artwork that is to be installed in front of the building.	<i>Retain</i>
1.17	A notation that is consistent with the VicRoads requirements indicating that the footpath and nature strip in front of the development is to be vested in the Roads Corporation.	<i>Retain</i>
1.18	Details of the bus shelter that will be erected at the relocated bus stop.	<i>Retain</i>
1.19	Minimum sustainability features applicable to the development from the approved Sustainability Management Plan including the location and capacity of rainwater tanks, the uses for captured rainwater, and the solar hot water systems on the roof plans including notes for the solar fraction of the system and boosting types.	<i>Revise</i> The amended plans show additional details, however the location of rainwater tanks for Stage 2 for example appear to be missing. Also missing is the requirement to connect to the third pipe recycled water scheme.
1.20	A plan notation to indicate that all fire service and electrical cabinets (including substations) will be integrated into the architectural design, so as not to present as visually dominating elements.	<i>Delete</i> Notation included on the amended plans.

1.21	A plan notation that a communal notice board will be erected within or nearby the lobby for use by residents of the building.	<i>Retain</i>
1.22	A report from a qualified person investigating whether specific acoustic measures are required in apartments adjacent to Doncaster Road to combat noise from traffic and the apartments adjacent to the trade supplies and restricted retail premise nursery area. The report is to use Australian Standards as benchmarks. Any recommended measures are to be incorporated into the plans.	<i>Revise</i> A report has been provided considering the noise impacts from operations and nearby road traffic. The report concludes that Bunnings operations, including traffic generation should not unreasonably impact residential properties to the north. However, it concludes that noise attenuating glazing should be included within the development to guard against unreasonable impacts for future residents and hotel guests. A notation should be included on the plans to reference construction in accordance with the report.
1.23	The eastern elevations of the trade supplies and restricted retail premises in Stage 1 amended to include temporary architectural treatments (such as the horizontal timber battens) to provide additional visual interest.	<i>Delete</i> SK141z shows this detail.
1.24	A plan notation that signage will be erected at the vehicle entry and exit of the internal driveway, and at the vehicle entry from Doncaster Road, that restricts pedestrian access to these areas.	<i>Delete</i> Shown on SK112z
1.25	The 29 metre building envelope line across the northern elevation demonstrating that the maximum building height of the development accords with Clause 4.4 of Schedule 1 to the Activity Centre Zone.	<i>Delete</i> The amended plans proposed the roof of all building below the maximum building height along the north elevation and additional information is shown on the roof plan (SK120z) showing the maximum height of all elements, including parapets above natural ground level.
1.26	The enclosure of the vehicle accessway and provision of a 4.5 metre wide landscape buffer along the north boundary adjacent to 7 Council Street and 3 and 5 Berkeley Street for construction in Stage 1 and in accordance with the approved development (Hayball development plans) with any consequential adjustment to the vehicle accessway and Stage 2A building to be to the satisfaction of the Responsible Authority;	<i>Delete</i> The amended plans, consistent with the current approval, show the Bunnings loading, unloading and trade entrance within an enclosed driveway at the rear of the store as required. The plans also show a dedicated 4.5m wide landscaped area along the rear of the site.
1.27	Building setbacks to the northern boundary no less than 4.5 metres where above ground.	<i>Delete</i> Previous plans were inconclusive as the basement levels previously projected within this setback and may have been above natural ground level. The amended plans show a clear 4.5m setback for all basement levels and above ground levels.
1.28	The northern elevation to accurately depict the levels associated with the accessway along this boundary.	<i>Delete</i> The internal driveway is accurately shown on the northern elevation.
1.29	Demonstration that entry into the Stage 1 and 2 buildings complies with Australian Standard AS1428 Part 2 per Clause 4.4 of Schedule 1 to the Activity	<i>Delete</i> The additional information on the amended plans show this. A gradient of 1:20 is achieved across the proposed Boulevard

	Centre Zone. The provision of a 1:20 grade should be provided, unless it can be demonstrated by a suitably qualified professional that an alternative outcome is suitable.	Treatment at the greatest incline near the Doncaster Road and Tower Street intersection. Bunnings is provided step free access and the retail in Stage 2 is provided a pedestrian ramp at 1:20. The residential entry in Stage 2 is provided a ramp with a gradient of 1:14 which complies with the residential benchmark.
1.30	Existing and finished surface levels adjacent to and around all building entries. The access on the western elevation for Stage 1 is well below existing ground level and therefore the footpath and nature strip needs to be modified extensively.	<i>Delete</i> The additional information on the amended plans show step free access to the hotel lobbies and Bunnings will be achieved without modifying the height of the pedestrian footpath on Tower Street.
1.31	Existing and finished surface levels adjacent to and around all vehicle entry/exit points. All vehicle access must be designed in accordance with Clause 52.06 Car Parking of the Manningham Planning Scheme and the relevant Australian Standards.	<i>Delete</i> The additional information on the amended plans show this. Council's Engineers have raised no issues in relation to levels and access.
1.32	The provision of stepping of the Stage 2A building, as viewed from the eastern elevation via increased setbacks at the two uppermost levels to the satisfaction of the Responsible Authority.	<i>Delete</i> This requirement was specific to the previous approval and the condition should have referenced "northern elevation". The proposed northern elevation is now further setback from the northern boundary than its predecessor, and incorporates stepping at the top level. Its interface to the northern boundary is considered articulated and appropriate.
1.33	The accurate depiction of protruding balconies associated with the Stage 2A building along the northern and eastern elevations.	<i>Delete</i> The additional information on the amended plans show this.
1.34	Retractable clotheslines to all ground level open spaces and balconies to limit their visibility to public and private realms.	<i>Retain</i>
1.35	Details of paving and surface finishes of all common areas at ground and elevated levels clearly labelled.	<i>Delete</i> The additional information on the amended plans show the treatment used to the front of the retail in Stage 2 consistent with the Boulevard Treatment. This is the only publically accessible common area within the development. The remainder of the communal areas, at the entry of the apartments in Stage 2 is allocated 'feature paving' which is sufficient information at this time.
1.36	The reduction in bicycle parking spaces along the Doncaster Road frontage by half.	<i>Delete</i> This requirement was specific to the previous approved plans which showed 22 bicycle parking spaces in front of Bunnings which crowded the public realm and Boulevard Treatment. The amended plans show 12 bicycle parking spaces shown in front of the Bunnings and further 2 spaces shown in front of the retail in Stage 2. The bicycle parking is appropriately located where it should not impact the pedestrian thoroughfare.
1.37	The allocation of car parking spaces for residential or retail use.	<i>Delete</i> The allocation of car parking is clearly shown on the amended plans. A revised condition (see Condition 1.38) is required

		to ensure visitor car parking for the apartments in Stage 2 is provided in accordance with the scheme requirements.
1.38	Visitor car parking clearly labelled.	<i>Revise</i> The allocation of visitor car parking in Stage 2 is clearly shown on the amended plans. However, there is only 15 spaces, one fewer than the statutory requirement. The condition will be amended to ensure the correct number of visitor car parking space is provided.
1.39	The TraffixDesign Interim Roadworks Plan and Ultimate Roadworks Plan (dated June 2015) updated to remove the southernmost access on Council Street and to include the direction of traffic flow at each access point.	<i>Delete</i> The additional information on the amended plans show this. The Function (Roadworks) Layout Plan also shows this.
1.40	Any relevant changes as a result of changes required by VicRoads Conditions 48 to 56 of this permit.	<i>Revise</i> Retain condition, but update Condition numbers in amended permit.
1.41	A notation that the 'MSB RM' along the northern wall of Basement Level B1 (Stage 1) is not to be converted for a electrical substation or ventilated to the external north-facing wall (i.e. it is to remain enclosed).	<i>Delete</i> This service area has been removed in the amended plans.
1.42	A statement/report by a qualified services engineering considering any impacts to future or existing residents from noise or fumes from the carpark and timber exhaust air outlet. The outlet sits adjacent to the northern end of the building in Stage 1 and immediately opposite bedrooms and a balcony of apartments in Stage 2. Should the outlet unreasonably impact future or existing residents, it is to be relocated.	<i>Retain</i> It is noted the outlet is now much further away from windows and balconies of apartments in Stage 2 due to an increased separation shown in the amended plans.
1.43		<i>New Requirement</i> This new requirement is required to visually improve the corner of the hotel façade on Doncaster Road and Tower Street as discussed in detail in this report
1.44		<i>New Requirement</i> This new requirement relates to the Engineer's request for an improved car parking treatment.
1.45		<i>New Requirement</i> This new requirement relates to the Engineer's request for greater details in relation to sight-lines.
1.46		<i>New Requirement</i> This new requirement relates to additional information in relation to the design of the fins on the building.
1.47		<i>New Requirement</i> This new requirement relates to additional information in relation to the Bunnings hammer logos on the building.
1.48		<i>New Requirement</i> This new requirement relates to consolidating the materials schedules currently used on the amended plans.
1.49		<i>New Requirement</i> This new requirement relates to ensuring

		the maximum building height of 29m as outlined in the Zone is achieved by the development. Currently, a parapet on Building 2B is marginally above the mandatory building height.
1.50		<i>New Requirement</i> This new requirement relates to an internal elevation that is missing from the set of proposed plans.
1.51		<i>New Requirement</i> This new requirement relates to the deletion of specifically designed rain gardens from the rear of the site that prevent a continuous row of canopy trees being planted within the rear setback. The Landscape Plan (Condition 11) will ensure that passive water sensitive urban design treatments occur within the rear setback to compensate for the deletion of dedicated rain gardens.
Con. 3	Sustainable Management Plan	<i>Revise</i> An updated SMP plan has been provided with the amended application. It needs amending to reflect the YVW third pipe recycled water scheme in accordance with referral advice.
Con. 8	Waste Management Plan	<i>Revise</i> An updated WMP plan has been provided with the application. Revise condition to address updated referral advice.
Con. 11	Landscape Plan	<i>Revise</i> An updated Landscape Plan has been provided with the application. Reference to the new landscape plan in the condition needs updating. The plan requires an amendment to the show fixtures and street furniture within the Boulevard Treatment along Doncaster Road. The plan requires an amendment to remove reference to the rain gardens as they are currently included in the plans.
Con 21		<i>Revise</i> Condition 21 has been updated to reflect the residential hotel, rather than apartments in Stage 1 of the proposed development.
Con 42.	Limiting noise to SEPP N.1	<i>Revise</i> This condition has been broadened to refer to commercial premises which would include the residential hotel.
Con. 43.	Limiting noise to SEPP N.2	<i>New Condition</i> This is a new condition relating to the noise from music noise from the residential hotel and its function space.
Con. 46	General amenity condition for the hotel	<i>New Condition</i> This is a new condition relating to the potential for noise and anti-social behaviour (although unlikely) from patrons leaving the restaurant and function space of the residential hotel
Con. 47	Managing the exhaust of cooking fumes	<i>New Condition</i> This is a new condition relating to the potential for odours associated with the residential hotel restaurant.

Con. 48	Storage of rubbish	<i>New Condition</i> This is a new condition relating to the storage of waste on site.
Con. 49	Limit time for outdoor function terrace associated with residential hotel.	<i>New Condition</i> This is a new condition relating to the potential for unreasonable noise from this outdoor space.
Con. 54	Control light intensity of signs	<i>New Condition</i> This is a new condition to control unreasonable light spill associated with signs (including the new hotel signs).
Con. 65 & 66		<i>Revised</i> As per PTV referral advice

Objector concerns

- Insufficient parking, including no disabled space.
- Site contamination and no EPA documents.
- Children's safety, at collection and drop off due to increased vehicles in Council Street
- Private functions and parties held at the hotel.
- Increase in anti-social behaviour, including associated with the sale of liquor.
- Further congest Westfield car parking and access.
- Increased signage and therefore increase light spill and impact of residential properties.
- Additional traffic due to the hotel.

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

Traffic and Parking

8.68 The amended development provides slightly less on-site parking and should generate slightly fewer vehicle movements than its approved predecessor. Further, vehicle movements are unlikely to impact the objectors directly. It is noted Westfield has not objected to the application.

8.69 A range of roadworks including additional traffic and turning lanes are proposed in Doncaster Road and Council Street to facilitate the project and ameliorate unreasonable traffic impacts. These have been approved by Council and VicRoads under the original approval.

Hotel and anti-social behaviour

8.70 Conference and function areas are provided in the majority of modern residential hotels, and would generally be considered ancillary. They are managed by the Hotel, who are largely in the business of providing a peaceful environment for guest to sleep, meaning noisy, anti-social and rowdy behaviour is rarely tolerated.

8.71 In this particular instance, the function space is limited in area, accessible via the hotel restaurant only (via Doncaster Road) and is positioned immediately below hotel rooms. The space is provided a modest outdoor terrace, which is also immediately below hotel rooms. The booking of the function space is likely to accompany room bookings, either at the time or at a future time by guests.

8.72 The outdoor terrace of the function area is 18m from the rear northern boundary of the site, but is elevated above the height of the neighbouring Canvas Apartments in Berekely Street. Standard conditions will be included on the Permit to limit it hours of operation until 11pm.

8.73 Conditions 40-49 have been amended or introduced to provide improved amenity protection to surrounding residents.

Other concerns raised

8.74 An Environmental Audit was undertaken in 2009 when the site was sold by the former Service Station operator. The Audit indicates that the site is suitable for residential and commercial uses.

9. CONCLUSION

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

10. DECLARATION OF CONFLICT OF INTEREST

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