

0.0 Planning Application PL17/027627 29 & 31 Manningham Road, Bulleen for construction of eight, three-storey dwellings over a basement car park and alteration of access to a road in a Road Zone, Category 1

File Number: IN18/23
Responsible Director: Executive Manager People and Governance
Applicant: T Yang, C/- Mecone
Planning Controls: Residential Growth Zone, Schedule 2 and Design and Development Overlay, Schedule 8
Ward: Heide
Attachments: 1 Legislative Requirements

EXECUTIVE SUMMARY**Purpose**

1. This report provides Council with an assessment of the planning permit application submitted for the land at 29 & 31 Manningham Road, Bulleen and recommends approval of the submitted proposal. The application is being reported to Council given that it is a Major Application (an estimated development cost of more than \$5 million).

Proposal

2. The proposal is for the development eight (8), three-storey townhouse style dwellings over a shared, basement level car park across the two (2) lots of 29 and 31 Manningham Road, Bulleen. The two (2) lots combined make up a total site area of 1,239 square metres. The development is comprised of five (5), three (3) bedroom dwellings and three (3), four (4) bedroom dwellings. A total of seventeen (17) on-site car parking spaces are provided within the basement level of the development. The building has a maximum height of 9.75 metres and a site coverage of 39 percent.

Key issues in consideration of the application

3. The key issues for Council in considering the proposal relate to:
 - (a) State planning policy;
 - (b) Local planning policy;
 - (c) Design, built form and landscaping;
 - (d) Car parking, access, traffic and bicycle parking;
 - (e) Amenity impacts; and
 - (f) Objector concerns.

Objector Concerns

4. One objection has been received in relation to the application, raising issues which are summarised as follows:
 - (a) Overlooking;
 - (b) Loss of daylight/solar access;
 - (c) Noise impacts;

- (d) Loss of property value;
- (e) Construction impacts;
- (f) Increase to traffic;
- (g) Drainage; and
- (h) Population increase.

Assessment

5. The development of the land for a three-storey, townhouse style residential development is consistent with the relevant objectives of state and local planning policies of the Manningham Planning Scheme (the Scheme), including the requirements of the local planning policy relating to residential areas surrounding activity centres and main roads.
6. The proposed development features a contemporary design and presents a scale and design that is considered to be acceptable for a main road area, complementing other high density developments that have been approved along main roads throughout Manningham.
7. The development will result in limited off-site amenity impacts to surrounding properties and provides for reasonable levels of internal amenity for future residents.

Conclusion

8. The report concludes that the proposal complies with the relevant planning policy in the Scheme and should be supported, subject to conditions requiring some minor changes to the proposal and the submission of various plans for Council's approval.

1. RECOMMENDATION

That Council:

Having considered the proposal and the objection, issues a NOTICE OF DECISION TO GRANT A PERMIT in relation to Planning Application PL17/027627 at 29 & 31 Manningham Road, Bulleen, for the development of the land for the construction of eight dwellings over a basement car park and alteration of access to a road in a Road Zone, Category 1, subject to the following conditions:

Amended Plans

1. **Before the development starts, amended plans drawn to scale and dimensioned, must be submitted via email and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the decision plans (prepared by *Bayley Ward*, project number 1491, revision A, dated 23 November 2017), but modified to show:**
 - 1.1 **Location and details (materials and height) of all required retaining walls.**
 - 1.2 **The north-western orientated habitable room windows/sliding doors at the first and second floor levels of Dwellings 6-8 provided with shading measures to provide appropriate solar**

- protection.
- 1.3 Details (height and materials) of all internal fencing.
 - 1.4 Details of any required mechanical ventilation to the basement level.
 - 1.5 The south-western side of the second floor balcony of Dwelling 8 screened to limit internal views to the secluded private open space area of Dwelling 7 in accordance with Standard B23 of Clause 55.04-7 Internal Views of the Manningham Planning Scheme.
 - 1.6 The north-eastern side of the first floor terraces of Dwelling 1 and Dwelling 2 screened to limit internal views to the secluded private open space area of Dwelling 6 in accordance with Standard B23 of Clause 55.04-7 Internal Views of the Manningham Planning Scheme.
 - 1.7 Details of the canopies above the primary entries of Dwellings 6 to 8, designed to provide sufficient shelter to the entry space.
 - 1.8 Elevation plans of the electrical meter cupboards, designed to blend with the development.
 - 1.9 Retractable or foldable clotheslines within the secluded private open space areas of all dwellings.
 - 1.10 Plan notations to indicate the raingarden location and size, along with the area being directed to the raingarden, to reflect the sustainable design assessment report required by Condition 4 of this permit.
 - 1.11 Any other design changes or plan notations required by the sustainable design assessment report required by Condition 4 of the permit.
 - 1.12 A notation to indicate that the development must be constructed in accordance with the sustainable design assessment report approved under Condition 4 of this permit.
 - 1.13 The existing drainage pit within the new crossover to be relocated or modified to be trafficable to the satisfaction of the Responsible Authority.
 - 1.14 The existing power pole adjacent to the new crossover to be relocated to the satisfaction of the relevant authority.
 - 1.15 Any changes required by VicRoads (conditions 24 to 27 of this permit).

Endorsed Plan

2. The layout of the site and the size of buildings and works, including driveway gradients and transitions, shown on the approved plans must not be modified for any reason, without the written consent of the Responsible Authority.

Construction Management Plan

3. Before the development starts, a Construction Management Plan (CMP) must be submitted via email and approved by the Responsible Authority. When approved the plan will form part of the permit. The Construction Management Plan is to be prepared in accordance with the template within Council's Construction Management Plan Guidelines. The CMP must address:

- 3.1. Element A1: Public Safety, Amenity and Site Security;

- 3.2. Element A2: Operating Hours, Noise and Vibration Controls;
- 3.3. Element A3: Air Quality and Dust Management;
- 3.4. Element A4: Stormwater and Sediment Control and Tree Protection (also as per the specific requirements of this permit);
- 3.5. Element A5: Waste Minimisation and Litter Prevention; and
- 3.6. Element A6: Traffic and Parking Management.

Council's Works Code of Practice (June 2016) and Construction Management Plan Guideline (June 2016) are available on Council's website.

Sustainable Design Assessment

4. Before the development starts or the issue of a building permit for the development, whichever is the sooner, a modified version of the sustainable design assessment report must be submitted to and endorsed by the Responsible Authority. The modified sustainable design assessment report must be generally in accordance with the report submitted with the application (*GIW Environmental Solutions*, dated November 2017), but must be modified in the following manner:
 - 4.1. Water 1.1 – Washing machines amended to 'default/unrated' in the BESS assessment, or a commitment, through a notation of the Condition 1 plans, that washing machines will be provided by the developer as part of the building fit-out.
 - 4.2. Energy 3.4 – Clothes dryers amended to '1-star' in the BESS assessment, or demonstration, through section and plan drawings on the Condition 1 plans, that the laundry areas have been designed to restrict the installation of clothes dryers.
 - 4.3. Energy 3.4 – The addition of outdoor clotheslines for all dwellings in the BESS assessment, as required by Condition 1.8 of the permit.
 - 4.4. Waste 2.1 – Further details regarding facilities provided for on-site management of food waste, with any required or proposed facilities to be demonstrated on the Condition 1 plans.
 - 4.5. Any other changes required to ensure that the development continues to meet the minimum 50 percent overall score and minimum 50 percent passable scores in the Energy, Water, IEQ and Stormwater categories of the BESS assessment.

When approved, the sustainable design assessment will form part of the permit. The recommendations of the plan must be incorporated into the design and layout of the development and must be implemented to the satisfaction of the Responsible Authority before the occupation of any dwelling.

Management Plan Compliance

5. The Management Plans approved under Condition 3 and 4 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.

6. Prior to the occupation of each building, written confirmation from the author of the approved Sustainable Design Assessment, or a similarly qualified person or company, must be submitted to the Responsible Authority. The report must confirm that the sustainable design features/initiatives specified in the Sustainable Design Assessment have been satisfactorily implemented in accordance with the approved plans.

Landscape Plan

7. Before the development starts, a landscaping plan prepared by a landscape architect or person of approved competence must be submitted via email to the Responsible Authority for approval. Such plan must be generally in accordance with the landscape plan submitted with the application (*John Patrick*, dated November 2017) but must be modified to include any changes required by Condition 1 of this permit as relevant to the landscaping design.

Landscape Bond

8. Before the review of development plans under Condition 1 of this permit, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.
Completion
9. Before the occupation of the approved dwellings, landscaped areas must be fully planted and mulched or grassed generally in accordance with the approved plan and to the satisfaction of the Responsible Authority. The use of synthetic grass as a substitute for open lawn area within secluded private open space or a front setback will not be supported. Synthetic turf may be used in place of approved paving decking and/or other hardstand surfaces.

Completion

10. Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film or spray fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.

Maintenance

11. Buildings, paved areas, fencing, external lighting, sight screens, drainage and landscaping (including planting within integrated balcony planters) must be maintained to the satisfaction of the Responsible Authority.

Vegetation

12. The owner must ensure that contractors/tradespersons who install services or work near the vegetation to be retained are made aware of the need to preserve the vegetation and to minimise impacts through appropriate work practices.

Stormwater – On-site detention (OSD)

13. The owner must provide on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:

- 13.1. Be designed for a 1 in 5 year storm; and
- 13.2. Storage must be designed for 1 in 10 year storm.

Construction Plan (OSD)

14. Before the development starts, a construction plan for the system required by Condition 13 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.

Drainage

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

Driveway and Car Parking Areas

17. Before the occupation of any of the approved dwellings, all associated basement parking spaces must be line-marked, numbered and signposted to provide allocation to each dwelling and visitors to the satisfaction of the Responsible Authority.
18. Visitor parking spaces must not be used for any other purpose to the satisfaction of the Responsible Authority.
19. Automatic basement door opening systems must be installed and maintained, so as to facilitate secure access to the allocated parking

areas by residents and visitors, to the satisfaction of the Responsible Authority.

VicRoads Conditions (Conditions 20 to 23)

20. Prior to the commencement of use or occupation, a sealed access crossover as at least 6.1 metres wide at the property boundary with the edges of the crossover angled at 60 degrees to the edge of the road, with 3.0 metres radial turnouts must be constructed to the satisfaction the Responsible Authority (RA) and at no cost to VicRoads or the RA.

The construction of the crossover will require the relocation, alteration or protection of existing utility assets to the satisfaction of the relevant utility provider and the drainage pit to the satisfaction of VicRoads.

21. Prior to the commencement of the use or occupation of the development, all disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads or the RA.
22. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access crossover and associated works must be provided and available for use.
23. Vehicles must enter and exit the land in a forward direction at all times.

General Services

24. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
25. All service pipes must be concealed and screened respectively to the satisfaction of the Responsible Authority.
26. 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.
27. Any reverse cycle air-conditioning unit, hot water boosters or other service plant erected on the walls of the approved building must be appropriately designed and finished with screening if necessary to minimise general visual impacts from off the site to the satisfaction of the Responsible Authority.

Rooftop Service Equipment

28. All roof-top plant and services (including any hot water systems, but excluding solar panels) must be installed in appropriately screened areas or located away from the outer edges of the roof sections so as to minimise their visual impacts, unless otherwise agreed in

writing with the Responsible Authority.

Services on Balconies and Terraces

29. Any air-conditioning unit installed on a balcony or terrace must stand at floor level and be positioned to minimise general visual impacts from off the site, and unless otherwise agreed in writing with the Responsible Authority, no air-conditioning unit may be erected on an external wall to the satisfaction of the Responsible Authority.
30. Any clothes-drying rack or line system located on a balcony or terrace must be lower than the balustrade of the balcony or terrace to minimise general visual impact from off the site to the satisfaction of the Responsible Authority.

Metering and Service Cabinets

31. All building services and metering located in the front setback, including fire services, gas, water and electricity, must be installed in accordance with the approved plans and must be positioned in discrete manner and be screened using cabinets etc that integrated with the overall building design to the satisfaction of the Responsible Authority.

Fencing

32. Prior to the occupation of the approved dwellings, all fencing (whether new or retained) must be erected in good condition and be fit for screening purpose in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.

Permit Expiry

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

The Responsible Authority may extend these times if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the Planning and Environment Act 1987.

2. BACKGROUND

- 2.1 A pre-application meeting was held at the Council Offices on 30 May 2017, where the applicant was presented with feedback by Council Officers over initial concept plans.
- 2.2 The application was received by Council on 24 August 2017.

- 2.3 A request for further information letter was sent on 20 September 2017. This letter included preliminary concerns relating to the development layout, built form, development functionality and internal amenity.
- 2.4 The proposal was presented at the Sustainable Design Taskforce meeting on 26 October 2017, at which the predominant discussions related to potential refinements and improvements to the built form and layout.
- 2.5 All further information was received by Council on 24 November 2017 and included a number of refinements to the proposal.
- 2.6 The applicant was advised in an email dated 5 December 2018 that several of the preliminary concerns raised in the request for further information letter and Sustainable Design Taskforce meeting, predominantly relating to design detail and built form, remain unresolved.
- 2.7 Notice of the application was given over a four-week period, concluding on 10 January 2018.
- 2.8 The statutory time for consideration of a planning application is sixty (60) days, which lapsed on 23 February 2018.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site comprises two (2) lots on the northern side of Manningham Road and western side of Robert Street, consisting of 29 Manningham Road (western lot), and 31 Manningham Road (eastern lot).
- 3.2 Together, the lots form an irregular shaped site, with an angled frontage to Manningham Road (south-western boundary), angled side boundary to Robert Street (eastern boundary) and adjoining residential properties to the north-east and north-west.
- 3.3 The site has a frontage to Manningham Road of 42.48 metres, a maximum depth of 43.19 metres on the eastern boundary and an area of approximately 1,239 square metres.
- 3.4 The site slopes up from the frontage (south to north), by 1.06 metres along the north-western boundary and 1.35 metres along the eastern boundary. Along the frontage (south-western boundary), the site falls 1.37 metres from east to west, while the north-eastern boundary has a fall of 2.07 metres from east to west.
- 3.5 A 1.83 metre wide sewerage easement is located along the north-eastern boundary of 31 Manningham Road.
- 3.6 Both lots are currently developed with single-storey brick dwellings, with large private open space areas at the rear of the respective lots. Both lots are provided with vehicle access from single crossovers on Manningham Road and have low front fences of brick or render.
- 3.7 Neither land title is constrained by any registered restrictive covenants or Section 173 Agreements.

The Surrounds

3.8 The immediate neighbourhood is characterised by traditional single-dwellings of brick and pitched and tiled roof forms on larger lots, with minimal medium or high density development having occurred along this section of Manningham Road.

3.9 Surrounding properties along Manningham Road have been the subject of a number of permit applications for medium/high density development over recent years. These include:

- 33 and 35 Manningham Road, Bulleen – Planning Permit PL16/026852, issued on 19 December 2017 for the *development of a four-storey building plus associated basement car parking for use as a child care centre, display of business identification signage, variation of easements and alteration of access to a road in a Road Zone, Category 1.*
- 38, 40 and 42 Manningham Road, Bulleen – Planning Permit PL15/025878, issued on 5 December 2016 for the *construction of thirteen (13), three-storey dwellings and two (2), two-storey dwellings with associated basement car parking and alteration of access to a Road in a Road Zone, Category 1.*
- 28 Manningham Road, Bulleen – Notice of Decision to Refuse to Grant a Permit (PL16/026611) issued on 21 November 2017, for the *construction of five (5) dwellings (four, three-storey dwellings and one, two-storey dwelling), reduction in the associated car parking requirements for one (1) visitor space pursuant to Clause 52.06-3 of the Manningham Planning Scheme and alteration of access to a road in a Road Zone, Category 1.* A review hearing is scheduled for 11 May 2018 at the Victorian Civil and Administrative Tribunal.

3.10 A number of more recent multi-unit developments can also be found in the surrounding side streets, predominantly consisting of two-unit developments. This includes the properties at 4 and 14 Robert Street, to the east and north-east of the site respectively.

3.11 The site directly abuts two (2) properties as follows:

Direction	Address	Description
North-east	1 Robert Street, Bulleen	<p>A single residential allotment, developed with a single-storey brick dwelling set back 8 metres from the Robert Street frontage. From the common boundary, the dwelling is set back approximately 4.4 metres and has one non-habitable room window facing the site.</p> <p>Vehicle access to the site is via a crossover to Robert Street on the northern side of the frontage.</p> <p>Secluded private open space is located on the southern side of the site, adjoining the site and enclosed by a 2 metre high fence</p>

		from Robert Street. The secluded private open space features a large canopy tree that overhangs the site.
North-west	27 Manningham Road, Bulleen	<p>A single residential allotment, developed with a single-storey brick dwelling set back 7.35 metres from the Manningham Road frontage. From the common boundary, the dwelling is set back 1.35 metres and has three habitable room windows facing the site.</p> <p>Vehicle access is gained via a crossover to Manningham Road on the north-western side of the frontage. The frontage features a 0.8 metre high brick fence.</p> <p>Secluded private open space is provided within the large rear yard, abutting the site.</p>

3.12 The site is located approximately 600 metres north-west of the *Bulleen Plaza* neighbourhood activity centre and 4 kilometres from the *Doncaster Hill* principal activity centre. A number of commercial and industrial sites are also located to the immediate west of the site, along Manningham Road.

3.13 Manningham Road is under the jurisdiction of VicRoads, functioning as a primary arterial road through Bulleen and Templestowe. This particular section of Manningham Road contains three-lanes in each direction along with a north-west bound turning lane into Robert Street. The nearest bus stops are located on Manningham Road, approximately 100 meters from the site.

4. THE PROPOSAL

4.1 It is proposed to demolish the existing dwellings and remove all vegetation on the site (no planning permit required) and construct eight attached, town-house style dwellings over shared, basement level car parking.

Submitted Plans and Documents

4.2 The proposal is outlined on the plans prepared by *Bayley Ward*, project number 1491, revision A, dated 23 November 2017 (received by Council on 24 November 2017). Refer to attachment 1.

4.3 The following reports and plans were also submitted with the application:

- Town Planning Report (*Mecone*, dated November 2017);
- Traffic Report (*TraffixGroup*, dated October 2017);
- Sustainable Design Assessment Report (*GIW Environmental Solutions*, dated November 2017);
- Traffic Noise Intrusion Assessment Report (*Acoustic Logic*, dated November 2017).

- Landscape Plan (*John Patrick*, dated November 2017)

Development Summary

4.4 A summary of the development is provided as follows:

Land Size:	1,239m ²	Maximum Building Height:	9.75m
Site Coverage:	39%	Street setback to Manningham Road (south-west)	Basement – 3.86m Ground floor – 5.69m First floor – 5.61m Second floor – 8.87m
Permeability:	23%	Setback to Robert Street (eastern)	Basement 1 – 3.70m Ground floor – 2.0m First floor – 2.1m Second floor – 2.1m
Garden Area	N/A (does not apply to Residential Growth Zone)	Setback to north-western boundary	Basement – 1.59m Ground floor – 5.55m First floor – 3.81m Second floor – 5.67m
Number of Dwellings:	8	Setback to north-eastern boundary	Basement – 7.58m Ground floor – 3.5m First floor – 3.5m Second floor – 5.12m
• 1-2 bedroom:	0	Resident spaces:	16
• 3 bedrooms:	5	Visitor spaces:	1
• 4 bedrooms:	3	Density:	One dwelling per 154.88m ²

Development Layout

- 4.5 The development consists of two rows of three-storey townhouses, with Dwellings 1 to 5 facing Manningham Road and Dwellings 6 to 8 facing Robert Street. The two rows of dwellings are separated by an internal pathway for a separation of 1.5 metres.
- 4.6 Dwellings 1 to 5 are designed to have a 'reverse-living' arrangement, with the living, dining and kitchen areas located at the first floor level, accompanied by secluded private open space balconies on the south-western side of the dwellings (facing Manningham Road). At the ground floor level, the dwellings contain two bedrooms, a study space and a bathroom.
- 4.7 Dwellings 6 to 8 are designed with a more traditional layout, with the living, dining and kitchen areas located at the ground floor level accompanied by ground level secluded private open space courtyards located on the western side of the dwellings. At the first floor level, the dwellings contain two bedrooms and two bathrooms, along with a small terrace courtyard on the western side.

- 4.8 The second floor level of all dwellings is contains a master bedroom suite, featuring separate bedroom, walk-in-robe and ensuite spaces. Each dwelling has an additional balcony at the second floor level, south-west facing for Dwellings 1 to 5 and west-facing for Dwellings 6 to 8.
- 4.9 With the exception of Dwelling 7, the primary living area of all dwellings have multi-aspect orientations. No bedrooms within the development rely on 'borrowed light' and only two bedrooms (Dwellings 7 and 8) rely on light from internal terrace court-yards.
- 4.10 A communal barbeque area is proposed adjacent to the north-western boundary, over the basement accessway ramp, accessible from the internal pathway.

Vehicle and Pedestrian Access

- 4.11 The two existing crossovers to Manningham, Road are proposed to be removed with the footpath, nature strip and kerbing to be reinstated. A new 6.1 metre wide crossover is proposed on the north-western side of the Manningham Road frontage, leading to an accessway ramp along the north-western boundary to the basement level car parking.
- 4.12 The basement includes seventeen (17) car parking spaces in a single level, including sixteen (16) spaces for residents and one (1) space for visitors. All car parking spaces are independently accessible with no tandem spaces proposed. Four (4) bicycle spaces are also provided within the basement, with an additional bicycle space provided at the ground floor level. The basement is accessible by pedestrians via a central stairwell from the internal pathway at the ground floor level.
- 4.13 The primary entry to each dwelling is located at the ground floor level and is accessible via an individual entry pathway from the respective front boundary. Each dwelling also features a secondary entry at the rear, accessible via the internal pathway from Robert Street.

Earthworks

- 4.14 The basement level requires earthworks with a maximum cut depth of approximately 4 metres.
- 4.15 Besides excavation for the basement, minimal additional earthworks are required, with the dwellings sited to follow the slope of natural ground level. Some nominal batter slopes and retaining walls appear to be required on the north-eastern and north-western sides of Dwellings 6-8.

Landscaping

- 4.16 No existing trees will be retained within the site.
- 4.17 New canopy trees are proposed within the street setback of each dwelling and all ground level secluded private open space areas. Screen planting is generally proposed along the north-eastern and north-western boundaries.
- 4.18 Landscaping strips are provided between the front fences and title boundary in most locations. Some additional landscaping is also shown on the balcony/terraces and the first and second floor levels.

Design Detail and Site Services

- 4.19 The proposed development features a contemporary architectural design, incorporating a flat roof form and a range of contemporary building materials and finishes, including brick, render and aluminium cladding. The dwelling facades feature prominent horizontal and vertical elements, including a variety of window type and proportions. The overall presentation is defined by a significant variance in geometrical forms and angles, with a range of chamfered walls to provide articulation and definition.
- 4.20 A maximum 1.6 metre high front fence is proposed along the Manningham Road frontage and a maximum 1.5 metre high front fence is proposed along the Robert Street frontage. The fences will be constructed of aluminium blades and achieve a transparency of 60 percent. All front fencing is setback one metre from the front boundary. Dwelling 5 features a maximum 1.5 metre high side fence, consisting of solid render on the Robert Street boundary.
- 4.21 Eight (8) individual wire mesh storage cages of 6 cubic metres or greater are provided with the basement level. Each dwelling is provided with an individual mailbox and screened waste storage area located within the front setback of the respective dwellings.

5. LEGISLATIVE REQUIREMENTS

- 5.1 Refer to Attachment 2.
- 5.2 A permit is required under the following clauses of the Manningham Planning Scheme:
- Clause 32.07-5 (**Residential Growth Zone**), a permit is required to construct two or more dwellings on a lot.
 - Clause 43.02-2 (**Design and Development Overlay**), a permit is required to construct or carry out works.
 - Clause 43.02-2 (**Design and Development Overlay**), a permit is required to construct a front fence within 3 metres of a street if the fence is associated with 2 more dwellings on a lot or a residential building.
 - Clause 52.29 (**Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road**), a permit is required to create or alter access to a road in a Road Zone, Category 1.

6. REFERRALS

External

- 6.1 Given the proposal includes altering vehicular access to Manningham Road, it is a statutory requirement to refer the application to VicRoads, as a determining referral authority.
- 6.2 VicRoads has not objection to the proposal, subject to a number of conditions as outlined in the response letter dated 26 September 2017. These include:

- *Prior to the commencement of use or occupation, a sealed access crossover as at least 6.1 metres wide at the property boundary with the edges of the crossover angled at 60 degrees to the edge of the road, with 3.0 metres radial turnouts must be constructed to the satisfaction the Responsible Authority (RA) and at no cost to VicRoads or the RA.*
- *Prior to the commencement of the use or occupation of the development, all disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads or the RA.*
- *Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access crossover and associated works must be provided and available for use.*
- *Vehicles must enter and exit the land in a forward direction at all times.*

Internal

6.3 The application was referred to a number of service units within Council. The following table summarises the responses:

Service Unit	Comments
City Strategy – Urban Design	<ul style="list-style-type: none"> • The development proposes a high quality material palette, including brick, tinted glazing and muted-green aluminium cladding; • Elevations are suitably articulated to provide visual interest and reduce visual bulk; • Basement design and building footprint provide opportunity for deep root planting on the perimeter of the site, and for the protection of the root zones of trees in a neighbouring property to the north; • The combination of brick pillar and semi-transparent paling fencing combined with the feature landscaping opportunities will create an open and attractive frontage to both Manningham Road and Robert Street; • The proposed deletion / removal of two vehicle crossovers on the Manningham Road frontage of the development will provide opportunity for two additional street trees to be planted; • A communal BBQ area is provided which will encourage social interaction between tenants; • I note that the development does not provide for wheelchair and pram access and would suggest that space be provided for lifts to be retro-fitted in some of the townhouses in the

Service Unit	Comments
	<p>future;</p> <ul style="list-style-type: none"> This development will be a positive addition to the Main Road precinct and may set a new benchmark for townhouse-style development in Manningham.
City Strategy – Sustainability	<ul style="list-style-type: none"> The application almost meets Council’s current expectations for Environmentally Sustainable Design (ESD) standards for a development of this type and scale in its current form. Alterations to the report and application drawings need to be undertaken before the application can be deemed to meet Council’s ESD standards. Items to be addressed are outlined below: <ul style="list-style-type: none"> <u>BESS Assessment</u> <ul style="list-style-type: none"> Given a number of the BESS categories need to be updated it is important to note that the project still needs to meet the minimum 50% overall score and minimums in Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories in BESS. In areas falling short of the aforementioned targets adjustments will need to be made to demonstrate that the project meets the BESS minimums. <u>Water 1.1 Water Efficient Fixtures</u> <ul style="list-style-type: none"> The developer needs to commit to providing washing machines as part of the building fit-out if they are to be included within the BESS assessment. If this is not the case then amend them to default/unrated in BESS. <u>Energy 3.4 Clothes Drying</u> <ul style="list-style-type: none"> “No clothes dryer” has been entered in BESS, provide a detail showing how the all the laundry areas are designed with no space for a dryer. If this is not the case then amend them to 1-star in BESS. Foldable outdoor clotheslines can be provided the private open space of each townhouse. <u>Stormwater</u> <ul style="list-style-type: none"> Additional notes on plans that indicate the raingarden location and size and area of impervious area being directed to the

Service Unit	Comments
	<p>raingarden (as what is proposed in report).</p> <p><u>IEQ 3.2 Thermal Comfort - External Shading</u></p> <ul style="list-style-type: none"> • Upper level of the units have insufficient shading to North, East and West facing glazing. Provide operable external shading, this could be in the form of external operable louvers, awnings, sliding shutters, venetian or roller blinds. <p><u>Waste 2.1 Food & Garden Waste</u></p> <ul style="list-style-type: none"> • Provide further information on the drawings and in the report which shows facilities provided for on-site management of food waste. <p>Conditions required</p>
<p>Engineering & Technical Services Unit – Accessways</p>	<ul style="list-style-type: none"> • The driveway is at least 3m wide and complies with Design Standard 1: Accessways of Clause 52.06-9 and are satisfactory. • The internal radius of the driveway at the change of direction allows sufficient room for vehicles to turn and exit the site in a forward direction and complies with Design Standard 1: Accessways of Clause 52.06-9 and is satisfactory. • A minimum 2.1m of headroom clearance beneath overhead obstructions is provided which complies with Design Standard 1: Accessways of Clause 52.06-9 and is satisfactory. • Accessway sightlines at the site's frontage comply with Design Standard 1 of Clause 52.06-9 and are satisfactory. • Driveway gradients comply with Design Standard 3: Gradients of Clause 52.06-9 and are satisfactory.
<p>Engineering & Technical Services Unit – Footpath and Crossovers</p>	<ul style="list-style-type: none"> • The vehicle crossover is satisfactorily located. • Redundant crossovers are to be removed and the nature strip, kerb and footpath in front of the site reinstated. • A kerb and channel and footpath is to be provided and to connect to the existing in front

Service Unit	Comments
	of 31 Serpells Road.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> • A <i>Construction Management Plan</i> is required
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> • A point of discharge is available for the site • An on-site storm water detention system is required.
Engineering & Technical Services Unit – Flooding	<ul style="list-style-type: none"> • The property is not subject to inundation.
Engineering & Technical Services Unit – Easement	<ul style="list-style-type: none"> • An easement burdens the site. <i>Build Over Easement</i> approval is not required as no buildings or works are proposed within the easements.
Engineering & Technical Services Unit – Parking Provisions and Traffic Impacts	<ul style="list-style-type: none"> • The number of car parking spaces is provided in accordance with Clause 52.06-5 and are satisfactory. • The dimensions of the garages, carport and uncovered parking spaces comply with Design Standard 2 in Clause 52.06-9 and are satisfactory. • The car park layout is satisfactory.
Engineering & Technical Services Unit – Waste Management	<ul style="list-style-type: none"> • Waste collection can be undertaken by Council. No condition required.

7. CONSULTATION / NOTIFICATION

7.1 Notice of the application was given over a four-week period, concluding on 10 January 2018, by sending letters to the owners and occupiers of adjoining and nearby properties and by displaying a sign on each frontage (three (3) signs total), in accordance with the requirements of the Act.

7.2 To date, one (1) objection has been received from the following property:

- 27 Manningham Road, Bulleen.

7.3 The grounds of the objection can be summarised as follows:

- Overlooking;
- Loss of daylight/solar access;

- Noise impacts;
- Loss of property value;
- Construction impacts;
- Increase to traffic;
- Drainage;
- Population increase.

7.4 A response to the grounds of the objection are included in the assessment, from section 8.29 of this report.

8. ASSESSMENT

State and Local Planning Policy

- 8.1 Key objectives of the State Planning Policy Framework (SPPF) seek to identify appropriate areas for housing growth, including a focus on increasing housing densities in areas surrounding existing services, jobs, public transport and infrastructure in order to accommodate Melbourne's future population growth in a sustainable manner.
- 8.2 For the most part, the proposal responds positively to the broader housing and residential development policies contained within the SPPF, including Clause 15 Built Environment and Heritage and Clause 16 Housing.
- 8.3 These objectives are further developed at a local level through the Local Planning Policy Framework. Clause 21.05 Residential recognises the need to reduce developmental pressure on areas of established environmental or rural values through infill residential development and consolidation. This notion is implemented through the separation of Manningham's residential land into four residential character precincts that seek to channel increased housing densities around activity centres and main roads where facilities and services are available.
- 8.4 The subject site and all surrounding properties with frontages to Manningham Road fall within Residential Character Precinct 2 – *Residential Areas Surrounding Activity Centres and Along Main Roads*. This precinct anticipates a *substantial level of change* with these areas being a focus for higher density developments. The adjoining properties to the north and east, with frontages to the local streets only, are located within Residential Character Precinct 1 – *Residential Areas Removed from Activity Centres and Main Roads*, where a more *incremental level of change* is anticipated.
- 8.5 The higher density outcomes for Precinct 2 are controlled through the implementation of the Design and Development Overlay, Schedule 8 (DDO8), which establishes preferred neighbourhood character outcomes and further separates Precinct 2 into three sub-precincts. The sub-precincts of the DDO8 features differing density objectives that anticipate and encourage different built form outcomes. The intent of these sub-precincts is to accommodate for the anticipated increases to density in a manner that provides for a transition between each of sub-precincts and the adjoining residential areas, to create a

graduated built form and minimise amenity impacts to existing developments. Effectively, it is anticipated that, through practical application of the DDO8, the existing neighbourhood character of areas surrounding activity centres and main roads will be significantly altered over time.

- 8.6 The subject site and the surrounding properties along Manningham Road are located within the *Main Road Sub-Precinct* of the DDO8. The *Main Road Sub-Precinct* allows for the highest density of development out of the three sub-precincts, with the least restrictive height, scale and built form controls. The *Main Road Sub-Precinct* encourages 'three-storey apartment style' development where the minimum land size (1,800 square metres) can be achieved. Conversely, the DDO8 is largely silent on the preferred form of development within the *Main Road Sub-Precinct* where the minimum land size is not achieved, as is the case for this application. Consequently, the appropriateness of the proposed three-storey townhouse development form is at the discretion of Council with regard to the development context and applicable planning controls and policies.
- 8.7 To inform this consideration, an understanding of the encouraged form of development under *Sub-Precinct A*, which allows for the next level down in density, is considered to be of use. Although it has not been utilised as such in this instance, *Sub-Precinct A* typically serves to provide a built form transition between the higher density of the *Main Road Sub-Precinct* and the lesser density of any adjoining sub-precinct or zone and encourages 'two storey townhouse style dwellings with a higher yield' where the minimum land size cannot be achieved.
- 8.8 With regard to the policy context either side of this proposal, where 'three-storey apartment style' development is encouraged within the *Main Road Sub-Precinct* where the minimum land size can be achieved and 'two storey townhouse style dwellings with a higher yield' is encouraged within *Sub-Precinct A* where the minimum land size cannot be achieved, the proposed three-storey townhouse style development is considered to be an appropriate design response. The three-storey townhouse form of development is considered to essentially be the middle ground between the higher density of the three-storey apartment style development and the lesser density of the two-storey townhouse style development and is therefore deemed to be appropriate in this policy context.
- 8.9 Moreover, at a greater level, there is a high level of strategic and policy justification for three-storey development on the land. The failure to achieve the minimum land size should not discount the site for three-storey development due to the overriding emphasis on urban consolidation and the capacity of the area to support change on account of the availability and proximity of services, as has been identified through the application of the DDO8. Subsequently, at a broad level, the proposal to develop the land for three-storey townhouses is acceptable and complies with the relevant state and local planning policies.

Design, Built Form and Landscaping

- 8.10 The DDO8 provides a range of design objectives and specific form, car parking and access, landscaping and fencing policies that further refine the high level policies of the LPPF, establishing the preferred neighbourhood character outcomes for Residential Precinct 2 and providing specific guidance for the anticipated increases in density.
- 8.11 An assessment against the requirements of DDO8 is provided as follows:

Design Element	Met/Not Met
<p>Maximum building height</p> <ul style="list-style-type: none"> • 11 metres provided the condition regarding minimum land size is met. If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres. <p>For the purposes of this Schedule, the Maximum Building Height does not include building services, lift over-runs and roof mounted equipment, including screening devices.</p>	<p>Met.</p> <p>The site does not achieve the minimum land size of 1,800 square metres, but does exceed a slope of 2.5 degrees at a cross section of wider than 8 metres, resulting in an applicable maximum building height of 10 metres.</p> <p>The building, not including any roof mounted building services, has a maximum height of 9.75 metres.</p>
<p>Street setback</p> <ul style="list-style-type: none"> • For two or more dwellings on a lot or a residential building: <ul style="list-style-type: none"> ○ Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. ○ Minimum side street setback is the distance specified in Clause 55.03-1. <p>For the purposes of this Schedule, balconies, terraces, and verandahs may encroach within the Street Setback by a maximum of 2.0m, but must not extend along the width of the building.</p>	<p>Considered met.</p> <p>For the purpose of this assessment, Manningham Road is the 'front street' and Robert Street is the 'side street'.</p> <p>The development proposes a varied street setback to Manningham Road by utilising angled front building walls at all three levels, with a minimum setback of 5.69 metres at the ground floor level, found on the south-eastern side of the frontage at the Manningham Road/Robert Street corner. The remainder of the street setback exceeds 6 metres.</p> <p>The proposed minimum street setback, with a non-compliance of 0.31 metres, will have minimal visual impact to the streetscape and fits within the overall design presentation of the development to Manningham Road, with sufficient visual interest and articulation across the entire frontage. In addition, there is ample opportunity for landscaping around this setback to further soften the built form. Subsequently, the setback non-compliance is acceptable in this instance.</p> <p>At both the ground and first floor level, the balconies do not exceed a 2 metre encroachment within the street setback and are provided with sufficient physical breaks as to not dominate the design presentation.</p> <p>The proposed street setbacks to Robert</p>

Design Element	Met/Not Met
	Street achieve full compliance with Clause 55.03-1, with a 2 metre setback for the side wall of Dwelling 5 and 3 metre setbacks for the front walls of Dwellings 6-8.
<p>Form</p> <ul style="list-style-type: none"> Ensure that the site area covered by buildings does not exceed 60 percent. 	<p>Met.</p> <p>A site coverage of 39 percent is proposed for above ground building elements and 55 percent for the basement level.</p>
<ul style="list-style-type: none"> Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Met.</p> <p>The development utilises a range of different measures to provide visual interest, including differing geometric forms, a variety of glazing proportions and a variety of materials to provide both horizontal and vertical articulation.</p> <p>Of particular note is the utilisation of walls at contrasting angles as a key feature of the design response, providing a more subtle form of articulation to the street facades. This allows for a simple design response that can utilise a more minimalist design without the need for obvious, 'token' articulation, which can complicate the façade presentations.</p> <p>Holistically, appropriate articulation has been integrated into the design response to ensure all elevations provide a suitable level of visual interest.</p>
<ul style="list-style-type: none"> Minimise buildings on boundaries to create spacing between developments. 	<p>Met.</p> <p>No building walls are proposed on boundaries.</p>
<ul style="list-style-type: none"> Where appropriate ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area. 	<p>Met.</p> <p>For the purpose of this assessment, the rear of the site is considered to be the north-eastern side, where the adjoining property is located within the General Residential Zone, Schedule 1.</p> <p>The development provides an appropriate transition to this interface, with a 3.5 metre setback at the ground and first floor level and 5 metre setback at the second floor level providing sufficient separation from the adjoining property to the north-east. In addition, the width of the built form on the north-eastern elevation is relatively nominal, with the 10.5 metre building width ensuring</p>

Design Element	Met/Not Met
	that minimal building bulk presents to this interface.
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Met. The development utilises different finished floor levels between the dwellings to reflect the natural slope of the land, reduce the building scale and provide additional articulation to the built form.</p>
<ul style="list-style-type: none"> Avoid reliance on below ground light courts for any habitable rooms. 	<p>Met. The development does not rely on any below ground light courts for habitable rooms, with all habitable room windows located above ground level.</p>
<ul style="list-style-type: none"> Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Not applicable. Three-storey built form proposed.</p>
<ul style="list-style-type: none"> Ensure that the upper level of a three storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation. 	<p>Met. The area of the upper level of each townhouse respectively is between 65 percent and 48 percent of the area of the first floor level below.</p> <p>The upper floor level is suitably recessed and utilises muted finishes to minimise its presence within the streetscape of both Manningham Road and Robert Street. Whilst sheer walls are utilised within the design, they have been integrated within the overall design response and do not appear as visually bulky.</p>
<ul style="list-style-type: none"> Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos. 	<p>Met. All design features and sufficiently integrated within the overall design of the development with no examples of imposing design features.</p> <p>The first and second floor balconies on the Manningham Road elevation are appropriately designed to add articulation to the development without presenting excessive levels of bulk. In particular, the proportionate scale of the balconies and the utilisation of transparent balustrades where possible minimises visual bulk impacts.</p>

Design Element	Met/Not Met
<ul style="list-style-type: none"> Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation. 	<p>Met subject to condition. The development appropriately responds to the slope constraints of the site by locating the basement entry ramp at the lowest point of the site, resulting in a basement level that is entirely beneath natural ground level.</p> <p>The finished floor levels of the dwellings are appropriately sited to reflect natural ground level, with minimal additional earthworks required. However, some earthworks appear to be required along the north-eastern and north-western boundary. A permit condition will require details of all retaining walls be shown on the plans.</p> <p>Condition required.</p>
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Met. The development has been appropriately designed to minimise the need for screening treatments, with habitable room windows and balconies orientated to face Manningham Road or Robert Street where practical. Balconies and habitable room windows have also been sited in excess of 9 metres from adjoining properties where possible to avoid the need for unnecessary screening devices and maintain good levels of internal amenity.</p>
<ul style="list-style-type: none"> Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all motilities. 	<p>Met. The entries of all dwellings are located at the ground floor level and directly accessible from the street.</p>
<ul style="list-style-type: none"> Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	<p>Met. The basement level is sited entirely below natural ground level, allowing the ground floor levels to be sited to generally reflect natural ground level.</p>
<ul style="list-style-type: none"> Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site. 	<p>Met. The basement level is sited entirely below natural ground level and will not be visible from the street.</p>
<ul style="list-style-type: none"> Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car 	<p>Met. The development utilises basement level car parking, appropriately designed to respond to the land constraints with entry from the lowest point of the land to minimise any basement projection above natural ground</p>

Design Element	Met/Not Met
park and half basement parking.	level.
<ul style="list-style-type: none"> Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established. 	<p>Considered met.</p> <p>A minimum basement setback of 3.86 metres is proposed to the Manningham Road (south-western) boundary, encroaching within the street setback at the ground floor level.</p> <p>The proposed encroachment within the street setback on the Manningham Road side is acceptable as the basement level is entirely submerged beneath natural ground level and will not be a visible aspect of the façade presentation of the development. In addition, sufficient space remains within the front setback for deep root planting regardless of the proposed basement encroachment.</p> <p>On the Robert Street (eastern) boundary, the basement footprint fits beneath the ground floor footprint, whilst a setback in excess to the requirement is provided to the rear (north-eastern) boundary.</p>
<ul style="list-style-type: none"> Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces. 	<p>Met.</p> <p>All building walls are sited a sufficient distance from the side (north-western) and rear (north-eastern) boundaries to allow for screen planting along the majority of these boundaries.</p> <p>The development layout includes the several opportunities for canopy tree planting, including within the ground level secluded private open space areas and within the rear setback.</p>
<ul style="list-style-type: none"> Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces. 	<p>Met.</p> <p>Section drawings submitted with the application demonstrate that all roof mounted service equipment has been sited in a manner which will not be visible from the street or surrounding properties.</p>
<p>Car Parking and Access</p> <ul style="list-style-type: none"> Include only one vehicular crossover, wherever possible, to maximise availability of on street 	<p>Met.</p> <p>The development includes one double-width vehicle crossover only, providing access to the basement level car parking shared by all</p>

Design Element	Met/Not Met
<p>parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback.</p>	<p>dwelling and a visitor space.</p> <p>The double-width crossover will replace the two existing single-width crossovers, resulting in no net loss to on-street car parking or additional disruption to pedestrian movement.</p> <p>No street trees are required to be removed to site the crossover.</p>
<ul style="list-style-type: none"> Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary. 	<p>Met.</p> <p>Paving/decking is provided where the basement extends beyond the built form at the ground floor level within the front setback.</p> <p>No screening is necessary as unsightly basement projections have been avoided.</p>
<ul style="list-style-type: none"> Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling. 	<p>Not applicable.</p> <p>All car parking is provided within the basement level.</p>
<ul style="list-style-type: none"> Ensure that access gradients of basement carparks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	<p>Met.</p> <p>The driveway has been designed with gradients that comply with Design Standard 3 of Clause 52.06-9.</p>
<p>Landscaping</p> <ul style="list-style-type: none"> On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity. 	<p>Met.</p> <p>Sufficient permeable space is provided within the front setback to accommodate three (3) canopy trees with a spreading crown.</p> <p>The landscape plan submitted with the application demonstrates that canopy trees can be planted within the front yard areas of all dwellings, with a total of nine (9) canopy trees depicted within the front setbacks.</p>
<ul style="list-style-type: none"> On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity. 	<p>Not applicable.</p> <p>Three-storey built form proposed.</p>
<ul style="list-style-type: none"> Provide opportunities for planting 	<p>Met.</p>

Design Element	Met/Not Met
<p>alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form.</p>	<p>As discussed, all building walls have been sited a sufficient distance from side and rear boundaries to allow for effective screen planting.</p> <p>The landscape plan submitted with the application demonstrates screen planting along both side and rear boundaries.</p>
<p>Fencing</p> <ul style="list-style-type: none"> • A front fence must be at least 50 per cent transparent. 	<p>Met.</p> <p>The proposed front fencing along the Manningham Road and Robert Street boundaries has a transparency of 60 percent.</p> <p>This is not applicable to the render fencing adjacent to Dwelling 5 on the Robert Street Boundary as this is considered to be 'side fencing'. At any rate, the render fence is considered to fit within the overall design response and complement the built form.</p>
<ul style="list-style-type: none"> • On sites that front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn and Mitcham Roads, a fence must: <ul style="list-style-type: none"> ○ not exceed a maximum height of 1.8m ○ be setback a minimum of 1.0m from the front title boundary and a continuous landscaping treatment within the 1.0m setback must be provided. 	<p>Met.</p> <p>The front fence on the Manningham Road boundary is setback 1 metre from the title boundary, providing space for a continuous landscaping treatment.</p> <p>The front fence on the Manningham Road boundary has a maximum height of 1.6 metres.</p>

Car Parking, Access, Traffic and Bicycle Parking

Clause 52.06 Car Parking

- 8.12 Clause 52.06 Car Parking applies to a new use or an increase in the floor or site area of an existing use, establishing the minimum required rate of car parking for land uses and criteria for the layout of on-site car parking and accessways.
- 8.13 Prior to a new use commencing or the increase to the floor area or site area of an existing use, Clause 52.06-2 of the Scheme requires that the number of car parking spaces outlined at Clause 52.06-5 be provided on the land or as approved under Clause 52.06-3, to the satisfaction of the Responsible Authority.
- 8.14 Clause 52.06-5 requires resident car parking be provided at a rate of one (1) space for each dwelling with one or two bedrooms and two (2) spaces for each dwelling with three or more bedrooms. Clause 52.06-5 also requires visitor car parking be provided at a rate of one (1) space for every five (5) dwellings.

- 8.15 In accordance with Clause 52.06-5, the proposed development is required to provide sixteen (16) car parking spaces for residents and one (1) car parking space for visitors.
- 8.16 The proposal includes the required sixteen (16) resident car parking spaces and one (1) visitor car parking space within the basement level, for a total of seventeen (17) on-site car parking spaces. The proposed development therefore satisfactorily caters for additional car parking demand on-site, demonstrating full compliance with the minimum car parking requirements.
- 8.17 An assessment against the car parking design standards at Clause 52.06-9 of the Scheme is provided in the table below:

Design Standard	Met/Not Met
1 – Accessways	<p>Met.</p> <p>The accessway is at least 3 metres wide.</p> <p>An internal radius of at least 4 metres or with a width of 4.2 metres is provided at all changes of direction.</p> <p>Minimum headroom of at least 2.1 metres is provided beneath all overhead obstructions.</p> <p>The accessway and car parking layout has been designed to allow for forward entry and exit to the site for all spaces.</p> <p>A passing area of 6.1 metres wide by 7 metres long has been provided on the accessway ramp.</p> <p>A corner splay (sight triangle) has been provided on the internal side of the driveway, with the front fence splayed to allow for pedestrian visibility.</p>
2 – Car Parking Spaces	<p>Met.</p> <p>All car parking spaces achieve the minimum dimension requirements established by Table 2 <i>Minimum dimensions of car parking spaces and accessways</i> and the clearance required by Diagram 1 <i>Clearance to car parking spaces</i>.</p>
3 – Gradients	<p>Met.</p> <p>The driveway gradients have been designed in accordance with Design Standard 3, including compliance with the maximum gradient requirement and the implementation of suitable transition sections for all sag and summit changes.</p>
4 – Mechanical Parking	<p>Not applicable.</p> <p>No mechanical parking proposed.</p>
5 – Urban Design	<p>Met.</p> <p>The basement entry is appropriately recessed from the frontage presentation of the development and will not visually dominate public space.</p>

Design Standard	Met/Not Met
6 – Safety	<p>Met. Whilst no details are provided on the submitted plans, the basement level will presumably be provided with suitable lighting and signage to delineate each car parking space. A convex mirror has been provided within the basement to increase safe vehicle movement and visibility.</p> <p>The basement level will be secured by a remote controlled door and intercom system.</p> <p>Pedestrian access to the basement level can be gained from Robert Street through the internal pathway and central stairwell.</p>
7 – Landscaping	<p>Met Suitable landscaping opportunities are provided within the front setback to soften the appearance of the driveway and basement.</p>

Traffic Impacts

- 8.18 It is not anticipated that the volume of traffic that is likely to be generated by the development will have a material impact on the capacity and operation of Manningham Road or the surrounding road network and intersections.
- 8.19 Council's Engineering Services Unit raises no concern in relation to the expected traffic generated by the proposed development.
- 8.20 The Traffic Engineering Assessment report submitted with the application (*TraffixGroup*, October 2017) anticipates that the development will generate five additional vehicle movements to or from the site during peak hour periods. The assessment considers that this peak traffic demand generated by the development will have a negligible effect on Manningham Road and the surrounding road network.
- 8.21 Pursuant to Clause 52.29 Land Adjacent to a Road Zone, Category 1 or a Public Acquisition Overlay for a Category 1 Road of the Manningham Planning Scheme, a permit is required to create or alter access to a road in a Road Zone, Category 1. Manningham Road is located within a Road Zone, Category 1.
- 8.22 In accordance with the requirements of Clause 66 of the Manningham Planning Scheme, the application was referred to *VicRoads* as a determining referral authority. *VicRoads* have no objection to the application subject to the conditions contained in the letter dated 26 September 2017. These conditions will be included on any permit issued. **Conditions required.**
- 8.23 *VicRoads'* support of the application, subject to these conditions, demonstrates that the application achieves compliance with the purpose of Clause 52.29 of ensuring appropriate access to identified roads. In addition, it is not anticipated that the development will have an adverse effect on the operation of the road or public safety as the proposal includes consolidation of two single-width crossovers into one double-width crossover.

Clause 52.34 Bicycle Facilities

- 8.24 Clause 52.34 Bicycle Facilities does not apply to dwelling developments of less than four storeys. Therefore, there is no statutory obligation to provide bicycle spaces.
- 8.25 Nevertheless, the development includes five (5) bicycle spaces, including four (4) within the basement level and one (1) adjacent to the entry of the internal pathway.

On-Site and Off-Site Amenity Impacts

- 8.26 Clause 55 Two or More Dwellings on a Lot and Residential Buildings applies to an application to construct two or more dwellings on a lot, establishing the planning controls for on-site and off-site amenity through the application of objectives and standards.
- 8.27 Clause 55 specifies that a development must meet all of the objectives and should meet all of the standards of this clause. The standards contain *requirements to meet the objectives* and compliance with these requirements is widely accepted as satisfying the relevant objective.
- 8.28 An assessment against the objectives and standards of Clause 55 is provided in the table below:

Objective	Objective Met/Not Met
<p>55.02-1 – Neighbourhood Character</p> <ul style="list-style-type: none"> To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area. 	<p>Standard met.</p> <p>As outlined in the assessment of the proposal against the DDO8 (Design, Built Form and Landscaping Assessment) and the referral response from Council's Urban Design Officer, the development satisfactorily contributes towards the preferred neighbourhood character.</p> <p>As outlined in the assessment of the proposal against the DDO8 (Design, Built Form and Landscaping Assessment), the development satisfactorily respond to the features of the site and surrounding area.</p>
<p>55.02-2 – Residential Policy</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. To support medium densities in areas where development can take advantage of public transport 	<p>Standard met</p> <p>The application was accompanied by a suitable written statement that demonstrated how the applicant considers the development to be consistent with State, Local and Council policy.</p>

Objective	Objective Met/Not Met
and community infrastructure and services.	
55.02-3 – Dwelling Diversity <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	Not applicable. The development consists of less than ten (10) dwellings.
55.02-4 – Infrastructure <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	Standard met. The development can be connected to reticulated services, including sewerage, drainage, electricity and gas. The development will not unreasonably exceed the capacity of utility services and infrastructure. The development can provide for upgraded drainage from the site to mitigate impacts to existing drainage infrastructure through an on-site storm water detention system to limit permissible discharge. Condition required.
55.02-5 – Integration With the Street <ul style="list-style-type: none"> To integrate the layout of development with the street. 	Standard met. The development provides adequate vehicle and pedestrian links from Manningham Road and adequate pedestrian links from Robert Street, with each dwelling provided with an individual entry pathway for access. The development has been orientated to ensure that each townhouse has an individual road frontage, with Dwellings 1-5 facing Manningham Road and Dwellings 6-8 facing Robert Street. Both the Manningham Road and Robert Street elevations feature sufficient glazing at the ground and first floor levels to further enhance street level integration. High front fencing in front of the dwellings has been avoided. As outlined in the assessment of the proposal against the DDO8 (Design, Built Form and Landscaping Assessment), the proposed front fencing complies with the preferred neighbourhood character outcomes. There is no existing public open space adjacent to the site.
55.03-1 – Street Setback	Objective Met.

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	<p>Standard B6 requires a street setback of 7.19 metres based on the setback of the adjoining property to the north-west (27 Manningham Road).</p> <p>The development provides for a minimum street setback of 5.69 metres.</p> <p>In accordance with the relevant decision guidelines, Council must consider <i>any relevant neighbourhood character objective, policy or statement set out in this scheme</i>. It is noted that the DDO8 establishes a preferred street setback of 6 metres.</p> <p>As outlined in the assessment of the proposal against the DDO8 (Design, Built Form and Landscaping Assessment), the proposed street setback will have minimal visual impact to the streetscape, noting that majority of the street setback is compliant with the 6 metre requirement.</p> <p>Overall, there is sufficient visual interest and articulation across the entire frontage presentation and adequate landscaping space within the front setback to ensure that any potential impacts of the small instance of the non-compliant street setback are suitably mitigated. Subsequently, the proposed street setback is deemed to be acceptable.</p> <p>Considering the above, the proposed street setback respects the preferred neighbourhood character and the objective of Clause 55.03-1 has been met.</p>
<p>55.03-2 – Building Height</p> <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	<p>Standard met.</p> <p>The maximum building height does not exceed the applicable maximum building height listed under the DDO8 of 10 metres, with a proposed maximum height of 9.75 metres.</p>
<p>55.03-3 – Site Coverage</p> <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	<p>Standard met.</p> <p>The site area covered by buildings does not exceed 60 percent, with a proposed site coverage of 39 percent for the above ground building elements and 55 percent for the basement level.</p>
<p>55.03-4 – Permeability</p>	<p>Standard met.</p>

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. 	<p>The site area covered by pervious surfaces is at least 20 percent of the site, with a proposed pervious surface coverage of 23 percent.</p>
<p>55.03-5 – Energy Efficiency</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	<p>Standard met, subject to conditions.</p> <p>The dwellings have been generally well orientated and designed to make appropriate use of solar energy. All habitable rooms are provided with windows that open to the outside with no habitable rooms relying on ‘borrowed light’.</p> <p>Despite the lack of eaves, the majority of the habitable room windows are provided with sufficient shading due to the orientation of other building elements, with excessive, unshaded north-facing windows avoided. Conversely, Dwellings 6-8 contain north-western orientated habitable room windows/sliding doors at the first and second floor level that are not provided with sufficient shading and will receive excessive solar access during warmer periods. A permit condition will require these windows/doors be provided with shading measures to ensure appropriate solar penetration. Condition required.</p> <p>The orientation of the site, with no directly adjoining properties to the southern side, will ensure no unreasonable reduction to the energy efficiency of any existing dwellings.</p> <p>The orientation of the lot constrains the ability to practically provide north-facing living areas and private open space. Dwellings 6-8 are provided with living areas and secluded private open space with a north-westerly orientation, whilst Dwellings 1-5 offset the lack of primary northern orientation through the use of dual aspect open plan living areas.</p>
<p>55.03-6 – Open Space</p> <ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>Not applicable.</p> <p>A communal barbeque area is provided adjacent to the central pathway. The barbeque area is located in an accessible manner with outlook from a number of dwellings to provide for passive surveillance.</p>
<p>55.03-7 – Safety</p>	<p>Standard met, subject to condition.</p>

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	<p>The primary entries to all dwellings are not obscured or isolated from the streetscape, readily visible from the street and delineated by individual pedestrian entry pathways from footpath.</p> <p>Planting which creates unsafe spaces along streets and accessways has been avoided.</p> <p>The basement level will be secured by an electric door, controlled by remote and intercom to ensure secure car parking within the basement.</p> <p>The internal pathway is provided with low level wall lighting and communal lighting bollards to ensure good illumination.</p> <p>Internal facing windows within the development will ensure a perception of passive surveillance for the internal pathway, basement stairwell and communal barbecue area.</p> <p>All ground level private spaces within the development are adequately protected from inappropriate use as a public thoroughfare by internal fencing. A permit condition will require details of all internal fencing. Condition required.</p>
<p>55.03-8 – Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. 	<p>Standard met, subject to condition.</p> <p>The landscape plan submitted with the application demonstrates that the development layout can accommodate for a landscaping design that is appropriate for the site. A condition of the permit will require the landscape plan be updated to reflect changes required by Condition 1 of the permit. Condition required.</p> <p>No vegetation on the land is of a significant species and should be considered for retention.</p>
<p>55.03-9 – Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Objective met.</p> <p>The accessway does not exceed 33 percent of the street frontage, occupying 14.36 percent of the Manningham Road frontage.</p> <p>One double width crossover has been provided, which is suitable for a development</p>

Objective	Objective Met/Not Met
	<p>of this nature.</p> <p>As the proposal involves removal of two existing crossovers, the development will not result in any net loss to on-street car parking.</p> <p>Whilst the development does have the opportunity to provide access from Robert Street, thus minimising access points to a road in a Road Zone (Manningham Road), the provision of access from Manningham Road has been deemed to be appropriate by VicRoads as the relevant roads corporation. Moreover, the provision of access from Manningham Road results in a more efficient design response as the access can be located at the lowest point of the land.</p> <p>It is considered unlikely that service, emergency and delivery vehicles will need to enter the basement level, noting that on-site waste collection is not required. Service, emergency and delivery vehicles can utilise the Robert Street frontage as necessary.</p>
<p>55.03-10 – Parking Location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. 	<p>Standard Met, subject to condition.</p> <p>Car parking facilities have been located in a convenient and secure manner, located within the basement level that is secured via the electric door and accessed via the internal stairwell and central pathway which leads to the secondary entries of the dwellings.</p> <p>Ventilation to the basement level can be provided via mechanical means and will be required via permit condition. Condition required.</p> <p>There are no habitable room windows located within close proximity to the accessway that would experience adverse noise impacts from the use of the accessway. Dwelling 1 contains several habitable room windows above the accessway ramp, however, these are sited a sufficient distance above the ramp to ensure minimal vehicular noise impacts.</p>
<p>55.04-1 – Side And Rear Setbacks</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or 	<p>Standard met.</p> <p>All building walls within the the development are setback in accordance with Standard B17, with the setbacks to the north-eastern</p>

Objective	Objective Met/Not Met
<p>preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p>and north-western boundary significantly exceeding that required by the Standard.</p> <p>By way of an example, Dwelling 8's, 8.82 metre high north-western and north-eastern wall requires a 3.99 metre setback from both the north-western and north-eastern boundaries, providing:</p> <ul style="list-style-type: none"> • A 5.57 metre setback to the north-western boundary, exceeding the requirement by 1.58 metres; and • A 5.43 metre setback to the north-eastern boundary, exceeding the requirement by 1.44 metres.
<p>55.04-2 – Walls On Boundaries</p> <ul style="list-style-type: none"> • To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Not applicable.</p> <p>The development includes no walls built to boundaries.</p>
<p>55.04-3 – Daylight To Existing Windows</p> <ul style="list-style-type: none"> • To allow adequate daylight into existing habitable room windows. 	<p>Standard met.</p> <p>All existing habitable room windows are provided with sufficient clear to the sky space in accordance with the standard.</p>
<p>55.04-4 – North Facing Windows</p> <ul style="list-style-type: none"> • To allow adequate solar access to existing north-facing habitable room windows. 	<p>Not applicable.</p> <p>There are no north-facing habitable room windows of existing dwellings within 3 metres of the subject sites southern boundary.</p>
<p>55.04-5 – Overshadowing Open Space</p> <ul style="list-style-type: none"> • To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Standard met.</p> <p>Based on the submitted existing shadow diagrams, at least 75 percent of the all adjoining secluded private open space areas with continue to receive at least 5 hours of sunlight between 9am and 3pm on 22 September (the 'control period').</p> <p>The shadow diagrams indicate that additional shadowing to adjoining properties during the control period will be limited to the adjoining property to the north-west (27 Manningham Road) during 9am only. The extent of shadowing cast beyond that of the existing boundary fence will be minimal at any rate.</p>
<p>55.04-6 – Overlooking</p> <ul style="list-style-type: none"> • To limit views into existing secluded private open space and 	<p>Standard met.</p> <p>All habitable room windows and balconies have been located or designed to avoid direct</p>

Objective	Objective Met/Not Met
<p>habitable room windows.</p>	<p>views into the SPOS areas of existing dwellings within a horizontal distance of 9 metres (measured at ground level), with the application of obscure glazing or privacy screens to 1.7 metres above finished floor level to direct views away from the SPOS areas.</p> <p>The habitable room windows of Dwelling 1 that are within 9 metres of existing habitable room windows on the adjoining property to the west are provided with fixed, obscure glazing to 1.7 metres above finished floor level to suitably limit overlooking in accordance with the standard.</p> <p>No other habitable room windows or balconies have been sited within a horizontal distance of 9 metres from any existing habitable room windows on adjoining properties and therefore no further screening to limit overlooking is required in accordance with the standard.</p>
<p>55.04-7 – Internal Views</p> <ul style="list-style-type: none"> • To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Standard met, subject to condition.</p> <p>The dwellings have been reasonably well designed to ensure that no unreasonable overlooking to the ground level secluded private open space areas. However, there are two areas of concern, where direct views into ground level SPOS areas appears to be possible:</p> <ul style="list-style-type: none"> • The south-western side of Dwelling 8's second floor level balcony to the SPOS of Dwelling 7; and • The north-eastern side of Dwelling 1 and Dwelling 2's second floor terrace to the SPOS of Dwelling 6. <p>Permit conditions will require screening devices to ensure the aforementioned scenarios comply with the relevant standard.</p> <p>Condition required.</p>
<p>55.04-8 – Noise Impacts</p> <ul style="list-style-type: none"> • To contain noise sources in developments that may affect existing dwellings. • To protect residents from external noise. 	<p>Standard met.</p> <p>Service infrastructure is proposed on the roof of the dwellings.</p> <p>All windows facing Manningham Road have been provided with 10.38mm laminate as recommended by the submitted acoustic assessment report to protect from noise</p>

Objective	Objective Met/Not Met
	<p>impacts from Manningham Road.</p> <p>Besides Manningham Road, there are no unusual noise impacts anticipated from adjoining properties that would necessitate consideration of noise impacts in the siting of noise sensitive rooms within the development.</p>
<p>55.05-1 – Accessibility</p> <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Standard met.</p> <p>The dwellings have been designed to be accessible for people with limited mobility, with the primary entries of all dwellings located at the ground floor level. The entries are directly accessible, at grade, from the street via individual pathways, with minimal stairs required.</p>
<p>55.05-2 – Dwelling Entry</p> <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	<p>Standard met, subject to conditions.</p> <p>The main entries to each dwelling are located on the streetscape elevation, visible and easily identifiable from the respective street frontage. The individual front yard areas of each dwelling further assist in delineating the individual entry spaces, creating a transitional space and a personal sense of address for each dwelling.</p> <p>The primary entries to Dwellings 1-5 are offered shelter by the cantilevered balconies above.</p> <p>The primary entries to Dwellings 6-8 appear to be provided with modest canopies above the entries to provide shelter. However, no details of these canopies are provided on the plans. A permit condition will require details of the canopies, to be designed to provide sufficient shelter to the entry space.</p> <p>Condition required.</p>
<p>55.05-3 – Daylight To New Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	<p>Standard met.</p> <p>All habitable room windows within the development are located to face either an outdoor space clear to the sky or a verandah that is open for at least a third of its perimeter.</p>
<p>55.05-4 – Private Open Space</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of 	<p>Standard met.</p> <p>All dwellings are provided with private open space with convenient access from a living room, consisting of either:</p>

Objective	Objective Met/Not Met
residents.	<ul style="list-style-type: none"> • For Dwellings 1-5; a balcony of an area of at least 8 square metres with a minimum dimension of at least 1.6 metres; or • For Dwellings 6-8; at least 40 square metres of ground level private open space, which includes an area with a minimum dimension of 3 metres of at least 25 square metres of secluded private open space.
<p>55.05-5 – Solar Access To Open Space</p> <ul style="list-style-type: none"> • To allow solar access into the secluded private open space of new dwellings and residential buildings. 	<p>Standard met.</p> <p>The proposal has reasonably provided for north-facing secluded private open space areas where practicable and appropriate with consideration to the development form and site orientation.</p> <p>The secluded private open space areas of Dwellings 1-5 are located on the south-western side of the dwellings and will receive limited solar access. Given the design typology and typical use of a balcony area, the level of solar access is anticipated to have minimal impact on the usability of the spaces. Subsequently, the south-facing balconies are acceptable.</p> <p>The secluded private open space areas of Dwellings 6-8 feature an open northern aspect and will receive good solar access.</p>
<p>55.05-6 – Storage</p> <ul style="list-style-type: none"> • To provide adequate storage facilities for each dwelling. 	<p>Standard met.</p> <p>Individual storage spaces of at least 6 cubic metres for each dwelling are shown within the basement level, within wire mesh storage cages.</p>
<p>55.06-1 – Design Detail</p> <ul style="list-style-type: none"> • To encourage design detail that respects the existing or preferred neighbourhood character. 	<p>Standard met.</p> <p>Accounting for the application of the DDO8, the development should respect the preferred neighbourhood character.</p> <p>The design objectives of the DDO8 encourage <i>development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.</i></p> <p>In broad terms, the contemporary design of the development complies with this preferred</p>

Objective	Objective Met/Not Met
	<p>character, incorporating a range of visually interesting building materials and façade treatments.</p> <p>The design detail, relative to the more specific policies contained within the DDO8, is discussed in greater detail under the Design, Built Form and Landscaping Assessment and is found to adequately contribute towards the preferred character.</p>
<p>55.06-2 – Front Fence</p> <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	<p>Standard met.</p> <p>The proposed front fence on the Manningham Road boundary does not exceed the applicable maximum front fence height for 'streets in a Road Zone, Category 1' of 2 metres.</p> <p>The proposed front fence on the Robert Street boundary does not exceed the applicable maximum front fence height for 'other streets' of 1.5 metres.</p> <p>As outlined in the assessment of the proposal against the DDO8 (Design, Built Form and Landscaping Assessment), the proposed front fencing meets the preferred neighbourhood character and complements the design of the development.</p>
<p>55.06-3 – Common Property</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	<p>Standard met.</p> <p>The development provides sufficient delineation of public, communal and private areas via the use of internal fencing and building walls throughout the site.</p> <p>The basement level, which will be predominantly common property, is designed in a functional manner and capable of efficient management.</p>
<p>55.06-4 – Site Services</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	<p>Standard met.</p> <p>The design of the building has afforded sufficient space for facilities and services, with rooftop service areas and a dedicated service area within the basement level. Meter cupboards are shown to be housed within enclosures within the front setback of each dwelling.</p> <p>Bin and recycling enclosures are located within the front setback of each dwelling,</p>

Objective	Objective Met/Not Met
	<p>enclosed by screening devices as to mitigate any visual impact to the street. The individual bin and recycling storage areas can be conveniently accessed by residents and are readily transferable to the kerb on collection day.</p> <p>Mailboxes have been suitably located adjacent to the entry paths of the respective dwellings, integrated within the front fence/landscaping design.</p>

Objector Concerns

8.29 The objector's property is located at 27 Manningham Road, adjoining the site on the north-western side. A response to the grounds of objection is provided in the following paragraphs:

Overlooking and loss of daylight/solar access

8.30 As outlined within the On-Site and Off-Site Amenity Impacts assessment section of this report (Sections 8.26 to 8.28), the development achieves compliance with the amenity impact objectives and standards of the Manningham Planning Scheme. These include side and rear setbacks (Clause 55.04-1), daylight to existing windows (Clause 55.04-3), overshadowing open space (Clause 55.04-5) and overlooking (Clause 55.04-6).

8.31 More specifically, all first and second floor level habitable room windows and balconies have been located and designed to avoid direct views into existing private open space areas or habitable room windows, either through window placement or the utilisation of specific screening treatments. In light of this, offsite amenity impacts have been suitably limited as required under the relevant town planning regulations. The development will therefore not result in an unreasonable impact to the off-site amenity with specific regard to these factors.

Noise impacts

8.32 The subject land is located within the Residential Growth Zone, land that has been specifically zoned for residential use. Within this zone, the residential use of the land (regardless of the number of dwellings) does not require planning approval. Subsequently, noise impacts from the future residential use of the land or occupation of these dwellings cannot be considered in assessment of this application.

Construction impacts

8.33 Impacts from the construction of a development, including dust and noise, is not a consideration of the planning application process. Amenity impacts from construction of developments is regulated by the *Environmental Protection Agency* (EPA) through guidelines and legislation, including the *Environmental Protection Act 1970*. At any rate, a condition of the planning permit will include the requirement to submit a construction management plan (CMP) which would

provide Council with details of the construction works that would be in accordance with the EPA guidelines.

Loss of property values

- 8.34 The impact on property prices is not a consideration of the planning permit application process. The Victorian Civil and Administrative Tribunal and its predecessors have generally found subjective claims that a proposal will reduce property values are difficult, if not impossible to gauge and of no assistance to the determination of a planning permit application. It is considered the impacts of a proposal are best assessed through an assessment of the amenity implications rather than any impacts upon property values, as provided under Section 8 of this report.

Increase in traffic

- 8.35 Council's Engineering and Technical Services Unit and VicRoads, which hold jurisdiction over Manningham Road, have assessed the application and have raised no concerns regarding the impact of the proposal on the surrounding traffic network. The increased traffic movement associated with the development can be readily accommodated in the surrounding street network, including both Manningham Road and Robert Street.

Drainage/Water runoff

- 8.36 The application has been considered by Council's Engineering and Technical Services Unit Officers. It has been determined that a suitable point of discharge is available to Council managed drainage assets. In addition, an on-site stormwater detention system (OSD) will be required to be installed as a condition of the permit to limit permissible discharge from the site, whilst a further condition will require the entirety of the land be managed as to prevent runoff to any adjoining property. These conditions will ensure minimal net impact to existing drainage and no additional runoff to adjoining properties.

Population Increase

- 8.37 Residential Precinct 2 delineates areas within Manningham that are a *focus for higher density developments*, where a *substantial level of change is anticipated*. Essentially, Residential Precinct 2 has been applied, through the relevant planning controls, to areas that have been identified as having the capacity to accommodate major change and, subsequently, population increases. This forms part of wider state objectives that broadly seek to increase housing densities in areas surrounding existing services, jobs, public transport and infrastructure in order to accommodate Melbourne's anticipated population growth in a sustainable manner. At a local level, infill residential development and consolidation in established urban areas reduces development pressure on areas with established environmental or rural values. Subsequently, increases to the population areas, such as along Manningham Road, is considered to be a good planning outcome.

9. DECLARATION OF CONFLICT OF INTEREST

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

