

PLANNING AND ENVIRONMENT ACT 1987
 MANNINGHAM PLANNING SCHEME
ADVERTISED PLANS
 Planning Application Number: PLN190598
 Date: 18 July 2019
 Sheet 3 of 12
 This document is made available for the sole purpose of enabling its consideration and review, as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any Copyright.

AREA SCHEDULE

UNIT 1	
OVERALL	150m²
TOWNHOUSE	100m²
PARK	50m²
PERFORM	0m²
TOTAL AREA	150m²
COVERAGE	10%

UNIT 2	
OVERALL	150m²
TOWNHOUSE	100m²
PARK	50m²
PERFORM	0m²
TOTAL AREA	150m²
COVERAGE	10%

UNIT 3	
OVERALL	150m²
TOWNHOUSE	100m²
PARK	50m²
PERFORM	0m²
TOTAL AREA	150m²
COVERAGE	10%

UNIT 4-5	
OVERALL	150m²
TOWNHOUSE	100m²
PARK	50m²
PERFORM	0m²
TOTAL AREA	150m²
COVERAGE	10%

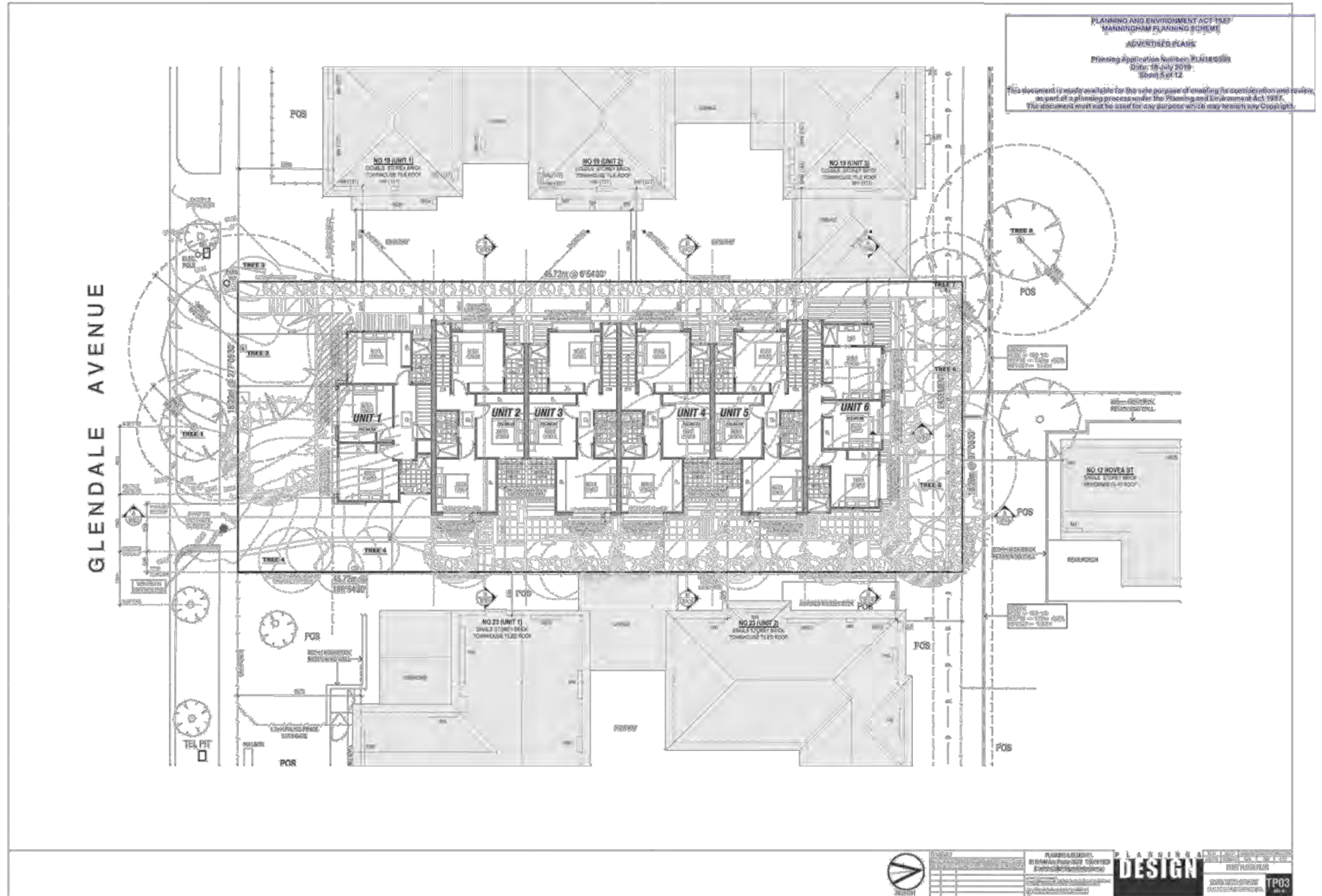
UNIT 6	
OVERALL	150m²
TOWNHOUSE	100m²
PARK	50m²
PERFORM	0m²
TOTAL AREA	150m²
COVERAGE	10%

SITE	
OVERALL	1500m²
TOWNHOUSE	1000m²
PARK	500m²
PERFORM	0m²
TOTAL AREA	1500m²
COVERAGE	10%

OVERALL BUILDING AREAS	
OVERALL	900m²
TOWNHOUSE	600m²
PARK	300m²
PERFORM	0m²
TOTAL AREA	900m²
COVERAGE	10%

- NOTES:**
- AN ELECTRIC CAR CHARGING POINT TO BE PROVIDED FOR EACH DWELLING (6 TOTAL)
 - 12,000 LITRES (TOTAL) OF RAINWATER STORAGE CONNECTED TO ALL TOILETS AS PER SMP

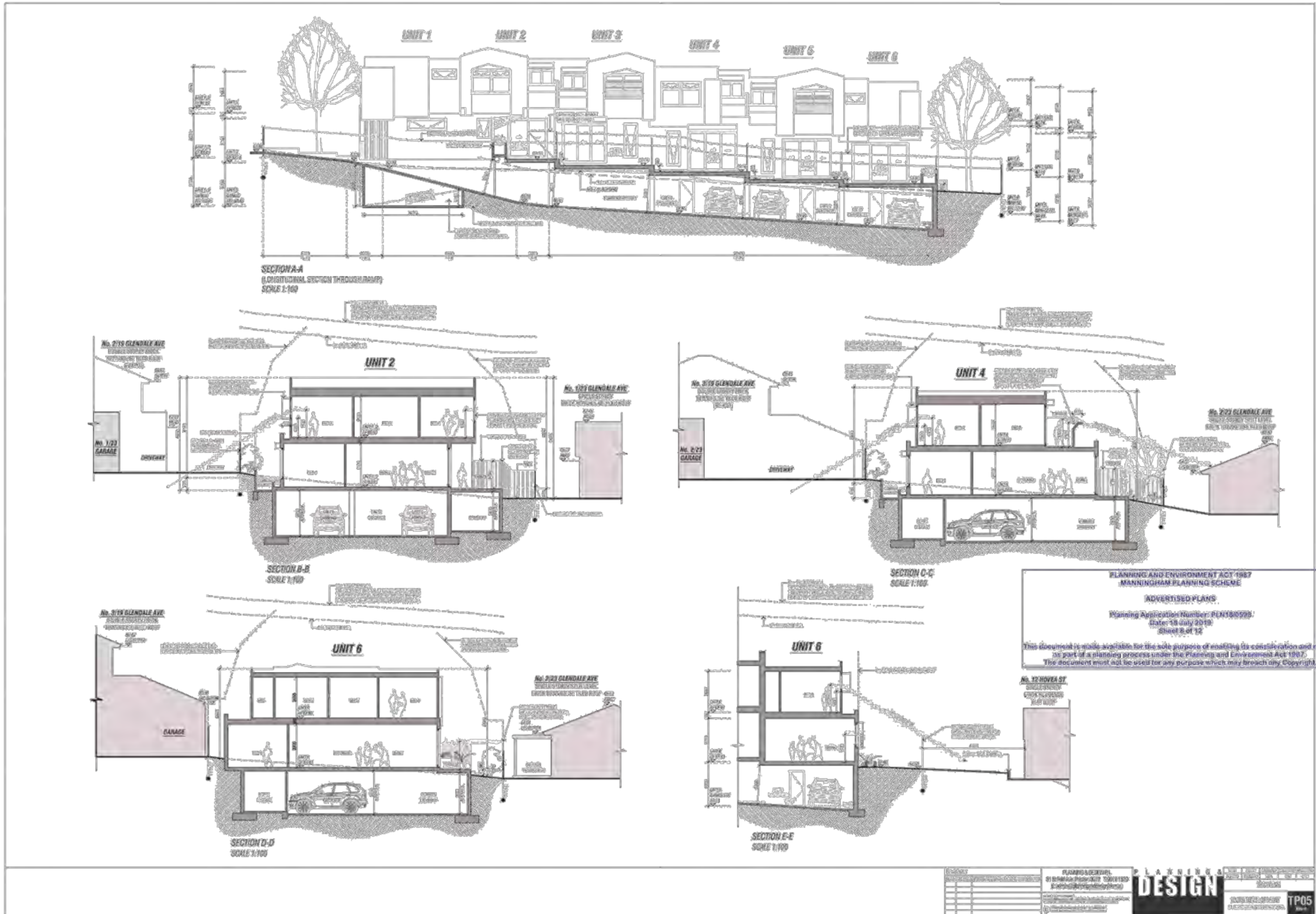
PLANNING AND ENVIRONMENT ACT 1987
 MANNINGHAM PLANNING SCHEME
DESIGN
 TP01

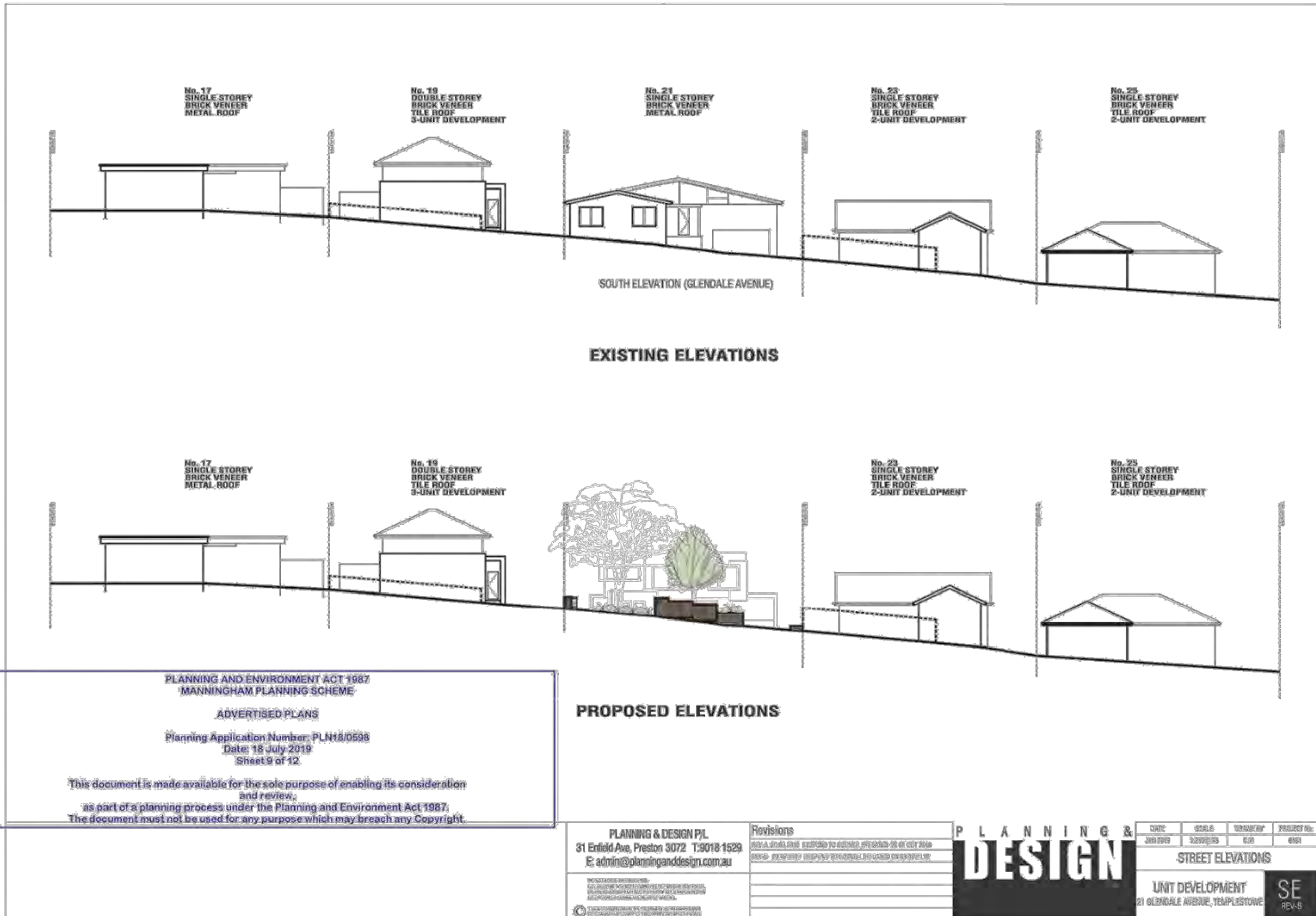


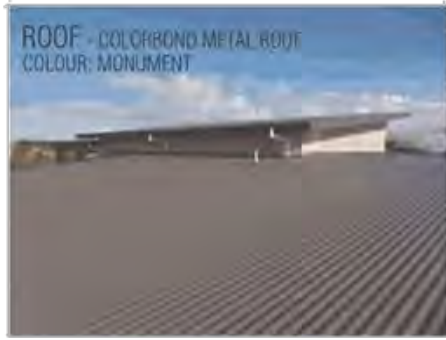
PLANNING AND ENVIRONMENT ACT 1987
 MANNINGHAM PLANNING SCHEME
 ADVERTISED PLANS
 Planning Application Number: PL18/0059
 Date: 18 July 2019
 Sheet 5 of 12
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	PLANNING AND ENVIRONMENT ACT 1987 MANNINGHAM PLANNING SCHEME ADVERTISED PLANS Planning Application Number: PL18/0059 Date: 18 July 2019 Sheet 5 of 12	DESIGN BEST PRACTICE TP03
	PROJECT INFORMATION PROJECT NAME: [REDACTED] PROJECT ADDRESS: [REDACTED] PROJECT REFERENCE: [REDACTED] PROJECT CONTACT: [REDACTED]	









ROOF - COLORBOND METAL ROOF
COLOUR: MONUMENT



TERRACE PAVING
TWO-COLOURED GREY TILES OR SIMILAR



DRIVEWAY/ WALKWAY
CONCRETE COLOUR FINISH OR SIMILAR



GARAGE DOOR - ALUMINIUM BAR PANEL
COLOUR: BLACK OR SIMILAR



WINDOWS
ALUMINIUM BLACK FRAME WITH CLEAR/ OBS GLASS OR SIMILAR



TS1
SELECTED TIMBER SCREEN



TS2
TIMBER SCREENING VERTICAL



BW - SELECTED BLOCK RETAINING WALL
COLOUR: CHARCOAL



SSC
SELECTED STEAM CLADDING (MIXED WIDTH)
COLOUR: DULUX SURFBYST

COLOUR AND MATERIAL SCHEDULE:

- SR1 - RENDER WITH CONCRETE FINISH
COLOUR: DULUX TIMELESS GREY GR23
- SR2 - SMOOTH RENDER FINISH
COLOUR: DULUX MOORLAND A251
- SR3 - SMOOTH RENDER FINISH
COLOUR: DULUX TERRACE WHITE 9W
- SSC - SELECTED STEAM CLADDING
COLOUR: DULUX SURFBYST
- TP - 1.8m HIGH TIMBER PAILING FENCE
- TS - SELECTED TIMBER SCREEN (MAX. 1.7m HIGH ABOVE FFL WITH NO MORE THAN 25% TRANSPARENT IN ACCORDANCE WITH STANDARD B22 OF RESCODE)
- RHS - RECTANGULAR ALUMINIUM HOLLOW SECTION
COLOUR: TIMBER COLOUR FINISH
- BW - SELECTED BLOCK RETAINING WALL
COLOUR: CHARCOAL
- ALUMINIUM WINDOWS THROUGH-CUT
- COLORBOND GUTTERS, FABRICS AND DOWNPIPES



IC - HORIZONTAL CLADDING
COLOUR: AMERICAN OAK OR SIMILAR

PLANNING AND ENVIRONMENT ACT 1987
MANNINGHAM PLANNING SCHEME

ADVERTISED PLANS

Planning Application Number: PLN18/0598
Date: 18 July 2019
Sheet 10 of 12

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PLANNING & DESIGN P/L		Revisions	
31 Enfield Ave Preston 3072 E: admin@planninganddesign.com.au	T: 9018 1529	REV A	REVISED TO MATCH PLANNING AND DESIGN
		REV B	REVISED TO REFLECT TO COUNCIL, PER COUNCIL (2019/04/20)

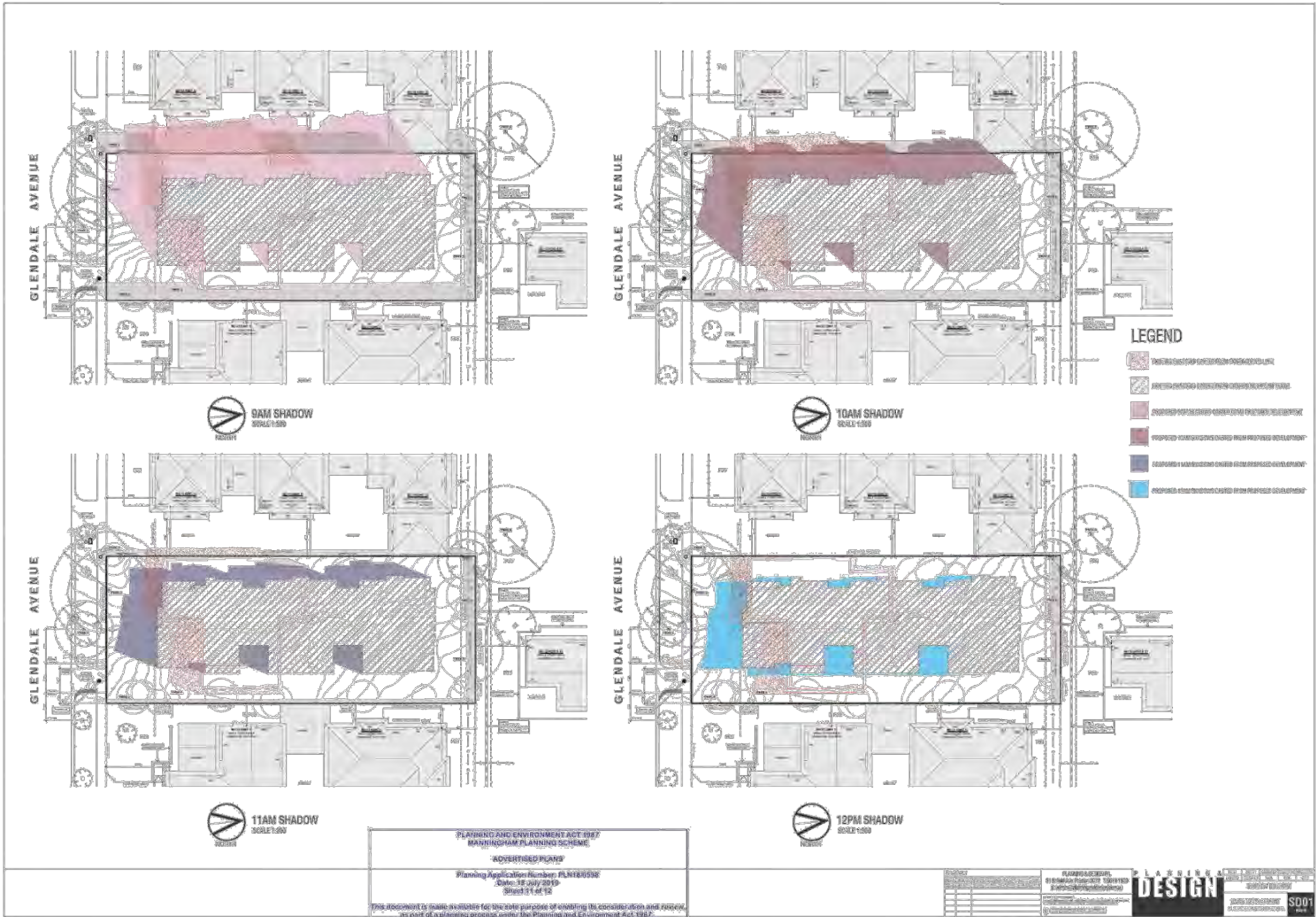
PLANNING & DESIGN

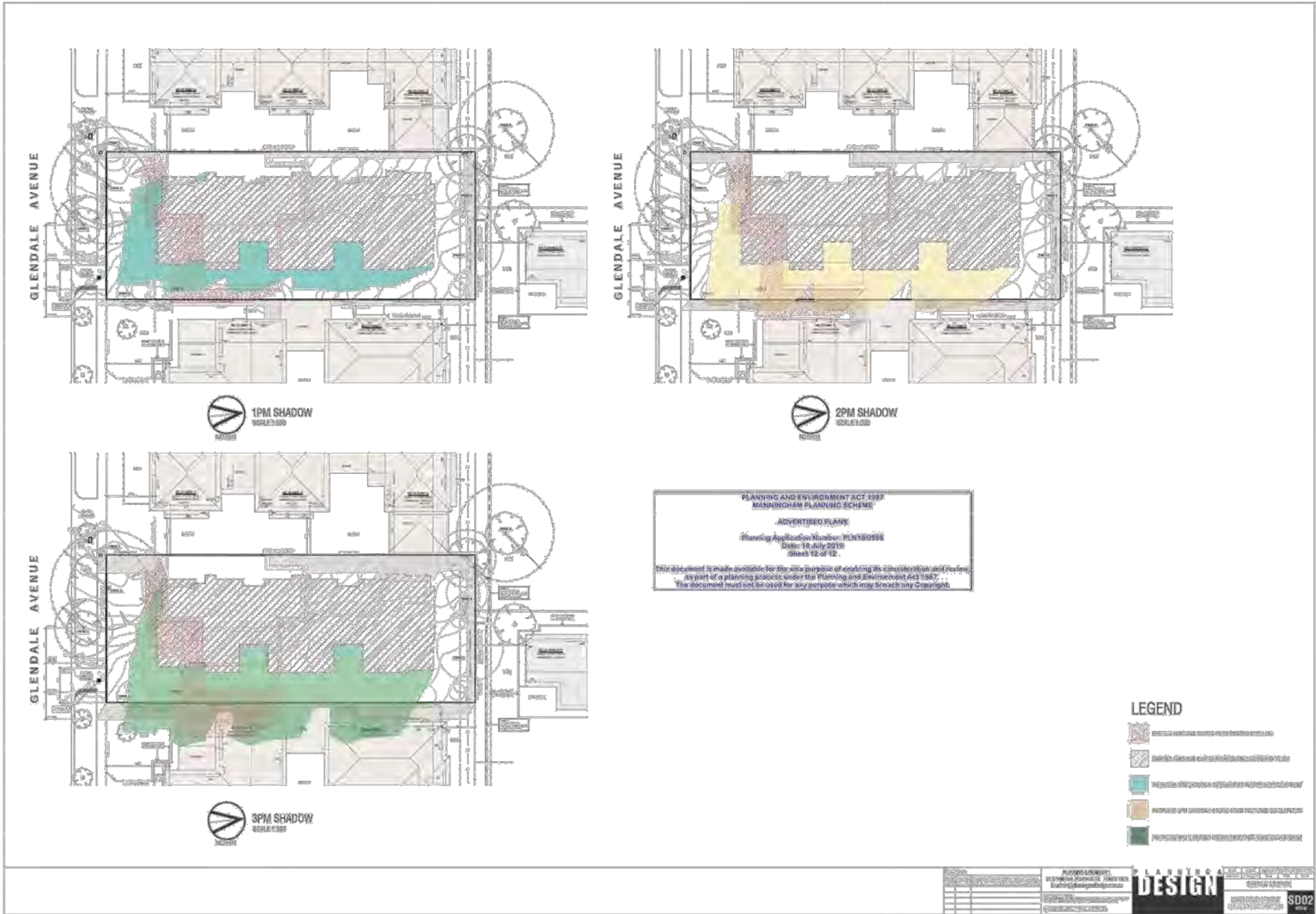
DATE	SCALE	DRAWN BY	CHECKED BY	PROJECT NO.
04/08/2019	1:100 (A3)	WJ	GD	1802

COLOUR AND MATERIAL SCHEDULE

UNIT DEVELOPMENT
31 ROSEVILLE AVE, DONCASTER

CS
REV-9





Manningham Council
Delegation Report



Application No.	PLN18/0598
Application Received	7 September 2018
Amendment Received	18 July 2019
60 Day Statutory Time Frame	7 October 2019
Officer	Julie Mikkelsen / Christine Daly
Delegate	Jeff Gower

Applicant	Kamber Invest Pty Ltd
Owner	Kamber Invest Pty Ltd

Address	21 Glendale Avenue TEMPLESTOWE
Proposal	Construction of six, two-storey dwellings and associated basement garage
Ward	HEIDE

Zone	General Residential Zone Schedule 2 (GRZ2)
Overlay	Design and Development Overlay Schedule 8-3 (DDO8-3) & PPTN
Permit Triggers	Clause 32.08-6 Construction of two or more dwellings on a lot Clause 43.02 Schedule 8 – Residential areas surrounding activity centres and along main roads. Clause 52.06 Car parking Clause 55 Two or more dwellings on a lot and residential buildings
Potential Overland Flow?	N/A

Advertised?	Yes
Number of Objections and Submissions	92
Referral Authority's Decision	N/A
Officer Recommendation	Refuse to Grant a Permit

<p>The Site</p>	 <p>Figure 1: Aerial view of subject site (January 2019).</p> <p>The subject land slopes down from the street frontage to the rear of the site. A canopy tree within the front setback is proposed to be retained.</p>
<p>The Surrounds</p>	 <p>Figure 2: Aerial view of the surrounding neighbourhood (January 2019).</p>
<p>Proposal</p>	<p>The proposal is outlined on the following plans (prepared by Planning and Design, job number 6181, revision B, dated 3 July 2019) D19/102283:</p> <ul style="list-style-type: none"> • Basement floor plan: TP01 • Ground floor plan: TP02 • First floor plan: TP03 • Elevations: TP04 • Sections: TP05 • Street elevations: TP06

	<ul style="list-style-type: none"> Schedule of colours and materials: <p>The following reports were submitted with the application:</p> <ul style="list-style-type: none"> Planning report (prepared by Planning and Design, dated July 2019) D19/102281 Sustainability Management Plan (prepared by SBE, dated 10 July 2019) D19/102279 Traffic and Parking Assessment (prepared by O'Brien Traffic, dated 10 July 2019) D19/102277 Waste Management Plan (prepared by SBE, dated 10 July 2019) D19/102276
Previous planning permits	N/A
Application history	<p>The application was amended under Section 50 of the <i>Planning and Environment Act 1987</i> on 18 July 2019.</p> <p>The amendment changed the designer who completely redesigned the proposal from an apartment to townhouse development.</p>
Registered restrictive covenant	N/A
Section 173 agreement	N/A
Aboriginal Cultural Heritage	The site is not within an area of Cultural Heritage sensitivity.
Planning policies	<p>Planning Policy Framework</p> <ul style="list-style-type: none"> Clause 15 Built Environment and Heritage Clause 16 Housing <p>Local Planning Policy Framework</p> <ul style="list-style-type: none"> Clause 21.05 Residential Clause 21.10 Environmentally Sustainable Development Clause 22.12 Environmentally Sustainable Development
Zone	General Residential Zone Schedule 2 (GRZ2)
Overlays	Design and Development Overlay Schedule 8-3 (DDO8-3)
Particular provisions	<p>Clause 52.06 Car Parking</p> <p>Clause 55 Two or more dwellings on a lot and residential buildings</p>
General provisions	Clause 65 Decision Guidelines
Permit triggers	<p>Under the zone, a permit is required to construct two or more dwellings on a lot.</p> <p>Under the Design and Development Overlay, a permit is required to construct a building or construct or carry out works.</p>

Notification	<p>Notice of the application was given in accordance with Section 52 of the Act by:</p> <ul style="list-style-type: none"> • Letters to the owners and occupiers of nearby properties, including all adjoining properties • One sign on the site frontage
Objection and submission properties	<p>92 submissions were received, the majority of which are as one of three pro-forma submissions. The general location of submitters is shown in Appendix 4.</p> <p>The grounds of objection and their responses are included in a later section of this report.</p>
Statutory referral authorities	N/A
Internal referrals	<p>Infrastructure Services Unit</p> <p>Engineering advice was received on 15 August 2019, as follows:</p> <ul style="list-style-type: none"> • The accessway servicing Unit 6 is to be designed to enable vehicles to exit the site in a forward direction using no more than three manoeuvres to comply with Design Standard 1: Accessways of Clause 52.06-9 Car Parking of the Manningham Planning Scheme. The plans currently show more than three manoeuvres to exit / enter or else they need to reverse past four parking spaces which is not acceptable. • The number of on-site car parking spaces for the development satisfies Clause 52.06-5. However, the findings of the Traffic Report prepared by O'Brien Traffic is not supported, particularly in relation to visitor parking. The development is likely to generate additional visitor on street parking requirements which is likely to create congestion within the surrounding road network. Glendale Street is identified as a street with known parking issues (likely due to the existing number of units in the street) and it is considered that the development proposal would worsen the parking situation. It is suggested that one visitor space be provided on-site to ensure that the existing parking issues in the surrounding streets are not further exacerbated.
Planning assessment	<p>Planning policy frameworks</p> <p>The proposal is generally consistent with the relevant state planning policies. However, it is not consistent with the objectives of Precinct 2 built form and neighbourhood character design requirements in Clause 21.05 Residential, and the objectives of Clause 43.02 Schedule 8 for the following reasons.</p> <p>The proposed development comprises six attached two-storey townhouses with a common property basement garage. It is of contemporary flat-roofed design constructed of render at ground floor with a combination of render and two types of cladding at first floor. It is noted that the elevations do not have the correct colour and material schedule details, although the colours are accurate [TP04 & CS].</p> <p>The proposal fails to positively respond to the following relevant design objectives of Schedule 8 to Clause 43.02 Design and Development Overlay</p> <ul style="list-style-type: none"> • <i>To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments</i>

- *To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive, taking into account the preferred neighbourhood character.*

The proposed shape and form does not contribute to, or respond to the prevailing streetscape and neighbourhood character, which is typically one and two storey buildings with pitched roofs. Whilst there are some established dwellings with flat roofs, new dwellings typically have pitched roofs.

The cantilevered first floor over both the pedestrian path and driveway and the first floor front window shrouds creates a dominant upper level built form that almost overwhelms ground floor, which is sunk below footpath level behind retaining walls.

The proposal lacks articulation at both ground and first floor levels, resulting in excessive bulk and massing, which will adversely impact on the amenity of adjoining properties.

Further, the built form does not meet the following Buildings and works – form requirements:

- *Provide visual interest through articulation, glazing and variation in materials and textures.*

Whilst there is variation in the materials and textures of the building, there are other architectural features [particularly the first floor window shrouds] that overwhelm the built form.

- *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.*

Whilst the building steps down the site from footpath level maintaining a relatively constant building height, there is a lack of physical breaks within the building mass at the upper level to minimise the continuous, elongated built form, and sheer wall presentation as viewed from the adjoining properties to the east and west. The lack of physical breaks at upper level is in contrast to the surrounding built form in the street, notably the unit developments at Nos. 19 & 23 Glendale Avenue, and further afield such as Nos. 5, 21, and 41 Glendale Avenue.

The continuous upper level built form, and limited recessing of the upper level from the lower level built form of each dwelling, creates an unacceptable adverse impact on the amenity of these properties. Further, any articulation of first floor level walls is essentially lost through the provision of 1.7m high screening along the first floor balconies.

- *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.*

The slope of the land from the south-west corner to the north-east corner requires significant cut in the south-west corner of the site. This has resulted in retaining walls within the front setback and along the western side of the common property pedestrian path. Whilst the majority of these works are acceptable in the context of the slope constraints, the height and location of retaining walls within the front setback compromises the health of the existing canopy tree to be retained, and will also result in a poor amenity /outlook from living/dining/kitchen of Unit 1 given the limited setback of the retaining wall from the front building line.

- *Be designed to minimise overlooking and avoid the excessive application of screen devices.*

Overlooking from the proposed development's habitable room windows and secluded private open space has been addressed using a variety of screening techniques, although further screening would be required for some windows and terraces if the proposal was to be supported. In most instances these are appropriate. However, the need for screening of first floor east-facing balconies of Units 2, 3, 4 & 5 significantly reduces any articulation that the building wall recesses could have provided. The added value of these first floor balconies for the sole use of one bedroom is also questionable.

- *Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities.*

Given the slope of the land, equitable access to all or any dwelling cannot be achieved without lifts. This is a design feature that would facilitate access for both future residents and visitors, but it cannot be required through the planning permit process. Accordingly, the current design solution is considered acceptable.

- *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.*

Service equipment and building services are proposed within the front setback along the footpath. This is an unacceptable design outcome due to the location, height and lack of integration with the overall building design and layout. These proposed structures create visual barriers between the public realm and the building and reduce landscaping opportunities within the front setback. Service cupboards, fire hydrants, etc. could be readily provided perpendicular to the footpath along the pedestrian path or driveway, integrated with retaining walls.

It is also noted that the clothesline of Unit 1 may be visible from both the footpath and the common property driveway. This is an undesirable outcome, which cannot be justified.

The Sustainability Management Plan submitted with the application demonstrates how the proposal complies with Clause 22.12 Environmentally Sustainable Development.

Zone

The proposal achieves compliance with the purpose and decision guidelines of the zone.

Site area (m ²)	Garden area % required	Garden area % provided	Compliance
836.2m ²	35% [292.7m ²]	36.3% [303.8m ²]	Yes

The proposal does not exceed the maximum height requirement of 10 metres.

The proposal does not exceed the maximum requirement of 3 storeys.

Overlays

An assessment against the requirements of Design and Development Overlay, Schedule 8 is included in the appendix of this report.

Clause 52.06 Car Parking

The site is located within the Principal Public Transport Network area.

Parking provision	Spaces required	Spaces provided	Compliance
Residents	2 per dwelling	2 per dwelling	Yes
Visitors	0	0	N/A

The proposal achieves compliance with the Design Standards of Clause 52.06-9, except for the following:

Design Standard 1 – Accessways

- It is proposed to construct a 1.0m high planter box within the 2.0m x 2.5m high splay; this structure should only be a maximum height of 900mm.
- The submitted Traffic Engineer's report recommends that the bike rack at the end of the northern-most car space be deleted to facilitate entry and existing. Council's Engineers do not consider that this adequately addresses their concerns.

Design Standard 2 – Car parking spaces

- For car spaces at 90°, the width of the accessway should be 6.4m, whereas only 6.3m is proposed adjacent to the car spaces of Units 1, 2 & 3. Swept paths demonstrate that there is satisfactory entry and exiting manoeuvres to and from these car spaces.

Non-compliance with Design Standard 1 – Accessways will form the basis for a ground of refusal.

Clause 53.18 Stormwater management in urban development

This clause does not apply as the application was lodged before the approval date of Amendment VC154, which was 26 October 2018.

However, a Stormwater Management Report has been submitted as part of the Sustainability Design Assessment, and demonstrates that the proposal achieves a STORM rating of 100% or higher to comply with the objectives of this clause.

Clause 55 Two or more dwellings on a lot and residential buildings

An assessment against this clause is included in the Appendix 2 of this report.

The following comments are made where there is considered non-compliance or poor performance in relation to the objectives and standards.

Clause 55.03-1 – Street Setback

The front setback of 19 Glendale Avenue is 5.98m and the front setback of 23 Glendale Avenue is 7.805m, with the average being 6.89m. The proposal transitions across the site from 6.0m to 7.8m, as demonstrated in the diagram below, which is an appropriate design response.



Clause 55.03-5 – Energy Efficiency

Unit 1 only has a highlight east-facing living/dining room window adjacent to the common property driveway. The majority of windows adjoin the covered south-facing terrace. This arrangement compromises the availability of solar and daylight access to this room. Non-compliance with the Standard will form the basis for a ground of refusal.

Clause 55.04-1 Side and rear setback

Location	Wall height (m)	Setback required (m)	Setback provided (m)	Compliance
Ground floor – east Unit 6	3.85m	1.075m	3.90m	Yes
Ground floor – north	3.795m	1.058m	4.0m	Yes
Ground floor – west Unit 6 Units 2-5	3.005m 2.825m	1.0m 1.0m	1.0m 2.5m	Yes Yes
First floor – east	6.69m	1.927m	3.7m	Yes
First floor – north	6.565m	1.89m	5.0m	Yes
First floor - west	5.7m 5.97m	1.63m 1.711m	2.4m 3.1m	Yes Yes

The above table indicates that the side and rear setbacks of the proposed development comply with the standard.

Clause 55.04-6 – Overlooking

There is potential overlooking from Unit 2 terrace at ground level to west-facing habitable room windows of Unit 1, 23 Glendale Avenue, as the proposed 1.7m high screen along the eastern side of the terrace is not fully enclosed due to the steps down to ground level.

In addition, there is the potential for overlooking from Unit 6 ground and first floor windows to the north. At ground floor level, it is proposed to provide a 1.7m high external screen to the north-facing living room with 600mm trellis above the existing 1.5m fence to prevent overlooking from the dining room

window. A more practical outcome would be to either add an external screen to the dining room window, consistent with the screening of the adjoining living room window or alternatively, construct a new 2.4m high boundary fence [as suggested by the owners of 12 Hovea Street]. A higher new boundary fence would also assist in preventing overlooking from the first floor Bed 3 window [Section E-E]. Additional sections demonstrating that there is no potential overlooking from Bed 2 would be required if the application was to be supported.

The non-compliance with this Standard will form the basis for a ground of refusal.

Clause 55.04-7 – Internal Views

There is no overlooking between SPOS of dwelling as a 1.7m high timber paling fences is proposed. Further, there is no opportunity for overlooking from 1st floor windows and balconies.

However, it is proposed to have glazed entry doors along the common property pedestrian path. This design element will compromise privacy of residents in each dwelling. The non-compliance with this Standard will form the basis for a ground of refusal.

Clause 55.05-2 – Dwelling Entry

It appears that there is little or no weather protection at the entry of Units 2, 3, 4, 5 & 6 from the common property pedestrian path, which is also uncovered. The non-compliance with this Standard will form the basis for a ground of refusal.

Clause 55.05-4 – Private Open Space

Unit 1 – a front, south-facing terrace 9.9m² [1.8m x 5.5m] with 1.1m wide adjoining garden is proposed for this 3-bedroom unit. It has poor utility and limited if any privacy, overshadowed throughout the day. It fails to satisfy the objective of the Standard to provide adequate private open space for the reasonable recreation and service needs of future residents. It also fails to meet the minimum dimension and area requirements of the Standard. The non-compliance with this Standard will form the basis for a ground of refusal.

Unit 2 – adequate secluded private open space is provided for this 4-bedroom dwelling.

Unit 3, 4 & 5 – All of these 4-bedroom dwellings have only 22.8m² of secluded private open, less than 25m² required by this Standard. It is considered that as an absolute minimum, the Standard should be met, particularly as each dwelling provides 4-bedroom accommodation. The non-compliance with this Standard will form the basis for a ground of refusal.

Unit 6 – adequate secluded private open space is provided for this 4-bedroom dwelling.

It is noted that the failure to meet the private open space Standard reflects overdevelopment of the site.




Clause 55.05-5 Solar access to open space

Location	Wall height (m)	Setback required (m)	Setback provided (m)	Compliance

	Unit 1, bed 3 first floor south-facing wall.	6.465m	7.8m	6.3m	No														
Objections and submissions	<p>The south-facing terrace of Unit 1 is covered by 1st floor. The uncovered area is in shade throughout much of the day, with the level of amenity further deteriorated by the height and proximity of the retaining walls within 2.9m of the living/dining room southern wall. Non-compliance with this standard and the overall poor amenity and useability of Unit 1 SPOS will form the basis for a ground of refusal.</p> <p><u>Clause 55.05-6 – Storage</u></p> <p>Units 4, 5 & 6 have 6m³ of storage within the laundry at basement level in accordance with the requirements of this Standard. The storage of Unit 1 is provided under the stairs that lead up from the basement to the common property pedestrian path.</p> <p>However, the storage associated with Units 2 and 3 is narrow and somewhat impractical with limited function or utility. The storage area for Unit 3 appears to be somehow incorporated into the structural wall of the basement. The lack of useable storage for Units 2 & 3 will form the basis for a ground of refusal.</p>																		
	<p>The grounds of objection and their response are as follows: - 4 individual submissions, 3 different pro-forma submissions</p>																		
	<table border="1"> <thead> <tr> <th data-bbox="558 918 941 985">Ground of objection / submission</th> <th data-bbox="941 918 1386 985">Response</th> </tr> </thead> <tbody> <tr> <td data-bbox="558 985 941 1142"><u>Application does not comply with DDO8 rules sub-precinct – an area where two-storey units [9 metres] are allowed.</u></td> <td data-bbox="941 985 1386 1142">The proposal is consistent with the design objectives of DDO8 sub-precinct B, which support two-storey townhouse style developments.</td> </tr> <tr> <td data-bbox="558 1142 941 1232"><u>Overdevelopment of the site</u></td> <td data-bbox="941 1142 1386 1232">Agreed. The proposal has unacceptable bulk and massing.</td> </tr> <tr> <td data-bbox="558 1232 941 1388"><u>Significant excavation to meet 9 metre height limit</u></td> <td data-bbox="941 1232 1386 1388">The significant cut into the site to create a basement and lower the overall height of the building is considered acceptable.</td> </tr> <tr> <td data-bbox="558 1388 941 1534"><u>Development not located on a main road</u></td> <td data-bbox="941 1388 1386 1534">The townhouse typology is considered acceptable in this location. However, the bulk and mass is not appropriate in this area of transition.</td> </tr> <tr> <td data-bbox="558 1534 941 1657"><u>Large mass and bulky building is not in character with surrounding area</u></td> <td data-bbox="941 1534 1386 1657">Agreed. These concerns will form the basis for grounds of refusal.</td> </tr> <tr> <td data-bbox="558 1657 941 1821"><u>The proposed flat roof warehouse style of development does not respect the street or established neighbourhood character</u></td> <td data-bbox="941 1657 1386 1821">Agreed. The built form does not respect or respond to the existing streetscape and neighbourhood character.</td> </tr> </tbody> </table>					Ground of objection / submission	Response	<u>Application does not comply with DDO8 rules sub-precinct – an area where two-storey units [9 metres] are allowed.</u>	The proposal is consistent with the design objectives of DDO8 sub-precinct B, which support two-storey townhouse style developments.	<u>Overdevelopment of the site</u>	Agreed. The proposal has unacceptable bulk and massing.	<u>Significant excavation to meet 9 metre height limit</u>	The significant cut into the site to create a basement and lower the overall height of the building is considered acceptable.	<u>Development not located on a main road</u>	The townhouse typology is considered acceptable in this location. However, the bulk and mass is not appropriate in this area of transition.	<u>Large mass and bulky building is not in character with surrounding area</u>	Agreed. These concerns will form the basis for grounds of refusal.	<u>The proposed flat roof warehouse style of development does not respect the street or established neighbourhood character</u>	Agreed. The built form does not respect or respond to the existing streetscape and neighbourhood character.
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<u>The proposed flat roof warehouse style of development does not respect the street or established neighbourhood character</u>	Agreed. The built form does not respect or respond to the existing streetscape and neighbourhood character.																		

	<p><u>Height and shadow issues</u></p>	<p>The maximum building height is in accordance with both the zone and overlay provisions of the Manningham Planning Scheme. An assessment of shadowing diagrams submitted with the application demonstrate that the relevant ResCode Standard is met. It is noted that the SPOS of Unit 1, 23 Glendale Avenue is located within the front setback, and the SPOS of Unit 2, 23 Glendale Avenue is located along the northern boundary of the site [unaffected by the proposal] as well as a covered deck along the western boundary.</p>
	<p><u>The building does not sufficiently step down the site to complement the scale and form of neighbouring homes.</u></p>	<p>The proposed development steps down the site from street frontage to achieve a relatively uniform building height. However, there is unacceptable bulk and massing with little articulation at either ground or first floor level, which is inconsistent with the scale and form of development in proximity of the subject land.</p>
	<p><u>There is overlooking into the back yards of neighbouring homes.</u></p>	<p>Agree. There is a likelihood of overlooking from the ground floor terrace of Unit 2 to Unit 1, 23 Glendale Avenue and from north-facing windows of Unit 6 to 10 & 12 Hovea Street.</p>
	<p><u>Tandem car parking does not provide for convenient and efficient vehicle movement, cumbersome and impractical.</u></p>	<p>Council's engineering department have not raised any concerns with the provision of tandem car spaces, and the Traffic Engineer's report and swept path analysis submitted with the application demonstrates that access from these tandem car spaces is acceptable.</p>
	<p><u>There is no visitor parking, which is a real concern in Glendale Avenue where traffic congestion and on-site parking issues already exists.</u></p>	<p>Council's engineering department have raised this concern. However, as the subject land is the Principal Public Transport Network area, no visitor car spaces are required in accordance with the requirements of the Manningham Planning Scheme.</p>
	<p><u>Lack of opportunities for the planting of large trees within the front setback to reflect existing neighbourhood character.</u></p>	<p>It is proposed to retain the existing canopy tree within the front 6m setback. However, there are concerns that the health of this tree may be compromised by the construction of the basement, retaining walls and pedestrian path.</p>

		However, if the tree is removed, there is sufficient space to plant at least 1 canopy tree within the front setback.
	<u>Overlooking to the north from all windows, with Trellis 600mm above existing fence not suitable; need new 2.4m high fence along northern boundary</u>	Agreed. The proposed use of trellis and external screens may not be adequate to prevent overlooking from ground north-facing windows of Unit 6 to the two properties at 10 & 12 Hovea Street, with the possibility of overlooking from Bed 2 & Bed 3 windows at first floor level. This concern will form that basis for a ground of refusal.
	<u>Lack of SPOS</u>	Agreed. All 4-bedroom units should have the minimum required under the provisions of the Manningham Planning Scheme.
	<u>Limited landscaping and high proportion of paving, particularly within setback areas</u>	Agreed. The location of services and retaining wall within the front setback does limit landscaping opportunities, to the detriment of the streetscape and neighbourhood character. This concern will form the basis for a ground of refusal.
	<u>Proposal does not provide for efficient or practical vehicle movements</u>	Agreed. There are concerns with vehicles exiting from Unit 6 car spaces, and the practical use of tandem car spaces within a basement.
Miscellaneous permit conditions	N/A	
Conclusion	It is recommended that a Notice of Decision to Refuse a Permit be issued subject to grounds of refusal discussed in this report	
Delegate's decision	That a Notice of Decision to Refuse a Permit be issued for the Construction of six, two-storey dwellings and associated basement garage at 21 Glendale Avenue TEMPLESTOWE, subject to grounds of refusal recommended in this report.	
Declaration of conflict of interest	No officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.	

Officer's Signature:	Coordinator's Signature:	Delegate's Signature:
	 Date: 2/9/2019	
Date: 2 September 2019		Date: 3 Sept 2019

Appendix 1 – Clause 43.02 Schedule 8 to the Design and Development Overlay

Design Element	Compliance
Building Height and Setbacks DDO8-3 (Sub-precinct B)	Met <ul style="list-style-type: none"> Building height is less than 9.0m. A 6.0m front setback is achieved.
Form	Met - site coverage is below 60%. <ul style="list-style-type: none"> There are no building on boundaries Not met: <ul style="list-style-type: none"> Upper levels walls are not articulated <ul style="list-style-type: none"> Units 1 & 2 have 1st floor larger than ground floor with cantilevering above driveway along eastern boundary. Units 3 & 4 have articulation between ground and first floor levels of 86.9%. Unit 5 has 87.2% articulation Unit 6 has 71.2%
Car Parking and Access	Met <ul style="list-style-type: none"> The existing crossover provides access to the common property basement garage.
Landscaping	Met <ul style="list-style-type: none"> It is proposed to retain the existing canopy tree within the front setback. However, it is noted that it is proposed to construct both retaining walls and pedestrian step access within the tree protection zone of this tree, which may compromise its health. If the existing canopy tree is removed, there is opportunity for a new canopy tree within the frontage. There is opportunity for screen planting along the side and rear boundaries.
Fencing	Met <ul style="list-style-type: none"> No front fence is proposed. However, it is proposed to construct service cabinets along the frontage, having dimensions 4.7m x 0.7m x 1.6m [max. height]. These structures are not integrated into the overall built form of the proposal and will significantly impact on the streetscape. The siting and design of these cabinets will form the basis for a ground of refusal.

Appendix 2 – Clause 55 Two or more dwellings on a lot

Objective	Compliance
55.02-1 – Neighbourhood Character	Not met. Refer to policy assessment in Planning Assessment.
55.02-2 – Residential Policy	Not met. Refer to policy assessment in Planning Assessment.
55.02-3 – Dwelling Diversity	N/A. Less than 10 dwellings proposed.
55.02-4 – Infrastructure	Met subject to a condition requiring an on-site storm water detention system.
55.02-5 – Integration With Street	Met. The development is oriented to Glendale Avenue.
55.03-1 – Street Setback	Not met. Refer to Planning Assessment.
55.03-2 – Building Height	Met. The maximum building height is 7.455m; up to 10 metres permitted
55.03-3 – Site Coverage	Met. Site coverage is 57.8%, maximum permitted 60%.
55.03-4 – Permeability and Stormwater Management	Met. Permeability is 35.6%; 20% minimum required.
55.03-5 – Energy Efficiency	Met for Units 2, 3, 4, 5 & 6, which have east facing living rooms accessing SPOS.

Objective	Compliance
	Not met for Unit 1. Refer to planning assessment.
55.03-6 – Open Space	N/A. The site does not adjoin public open space.
55.03-7 – Safety	Met. All dwelling are accessible from the common pedestrian path.
55.03-8 – Landscaping	Met subject to a condition requiring a landscaping plan and standard tree protection measures.
55.03-9 – Access	Met. The existing crossover will be retained to provide access to the common property driveway to the basement garage.
55.03-10 – Parking Location	Met. The basement car parking of Units 1, 2 & 3 will be accessed via a staircase to the common pedestrian path. Units 4, 5 & 6 will have direct internal access via the laundry to each dwelling.
55.04-1 – Side And Rear Setbacks	Met. Refer to Planning Assessment.
55.04-2 – Walls On Boundaries	N/A. There are no walls along any boundaries.
55.04-3 – Daylight To Existing Windows	Met. Windows in the neighbouring dwelling are provided the necessary light court and setbacks from the development.
55.04-4 – North Facing Windows	Met. There are no habitable room window setback <u>within</u> 3 m of the subject land.
55.04-5 – Overshadowing Open Space	Met. The SPOS of Unit 1, 23 Glendale Avenue will receive at least 5 hours of sunlight to 40m ² of within the front setback. Neither the western side covered deck/patio of Unit 2, 23 Glendale Avenue [max. approx. 3m wide] nor the open rear northern area of SPOS [min. 3.6m wide] will not be affected by the proposal. It is considered that the relevant Standard has been met.
55.04-6 – Overlooking	Not met. Refer to Planning Assessment.
55.04-7 – Internal Views	Not met. Refer to Planning Assessment.
55.04-8 – Noise Impacts	Met.
55.05-1 – Accessibility	Met. Due to the slope of the land down from street level, there are numerous steps required to access each dwelling, as well as from within the building. This is not an ideal situation for residents and visitors to the property, but is acceptable in this circumstance.
55.05-2 – Dwelling Entry	Not met. Refer to Planning Assessment.
55.05-3 – Daylight To New Windows	Met.
55.05-4 – Private Open Space	Not met. Refer to Planning Assessment.
55.05-5 – Solar Access To Open Space	Not met. Refer to Planning Assessment.
55.05-6 – Storage	Not met. Refer to Planning Assessment.
55.06-1 – Design Detail	Not met. Refer to policy assessment in Planning Assessment.
55.06-2 – Front Fence	Met. No front fence proposed.
55.06-3 – Common Property	Met. Common property is proposed along the pedestrian path, driveway and within the basement.
55.06-4 – Site Services	Met.

Appendix 3 – site photos January 2019



Subject land, including canopy tree to be retained within the front setback



Existing crossover [to be retained] and driveway to under croft car parking



Unit 1, 23 Glendale Avenue, immediately to the east of the subject land



The front of the 3-unit development at 19 Glendale Avenue, immediately to the west of the subject land.



Common property driveway at 19 Glendale Avenue,
abutting western boundary of subject land



Side-by-side dual occupancy at 22 Glendale Avenue

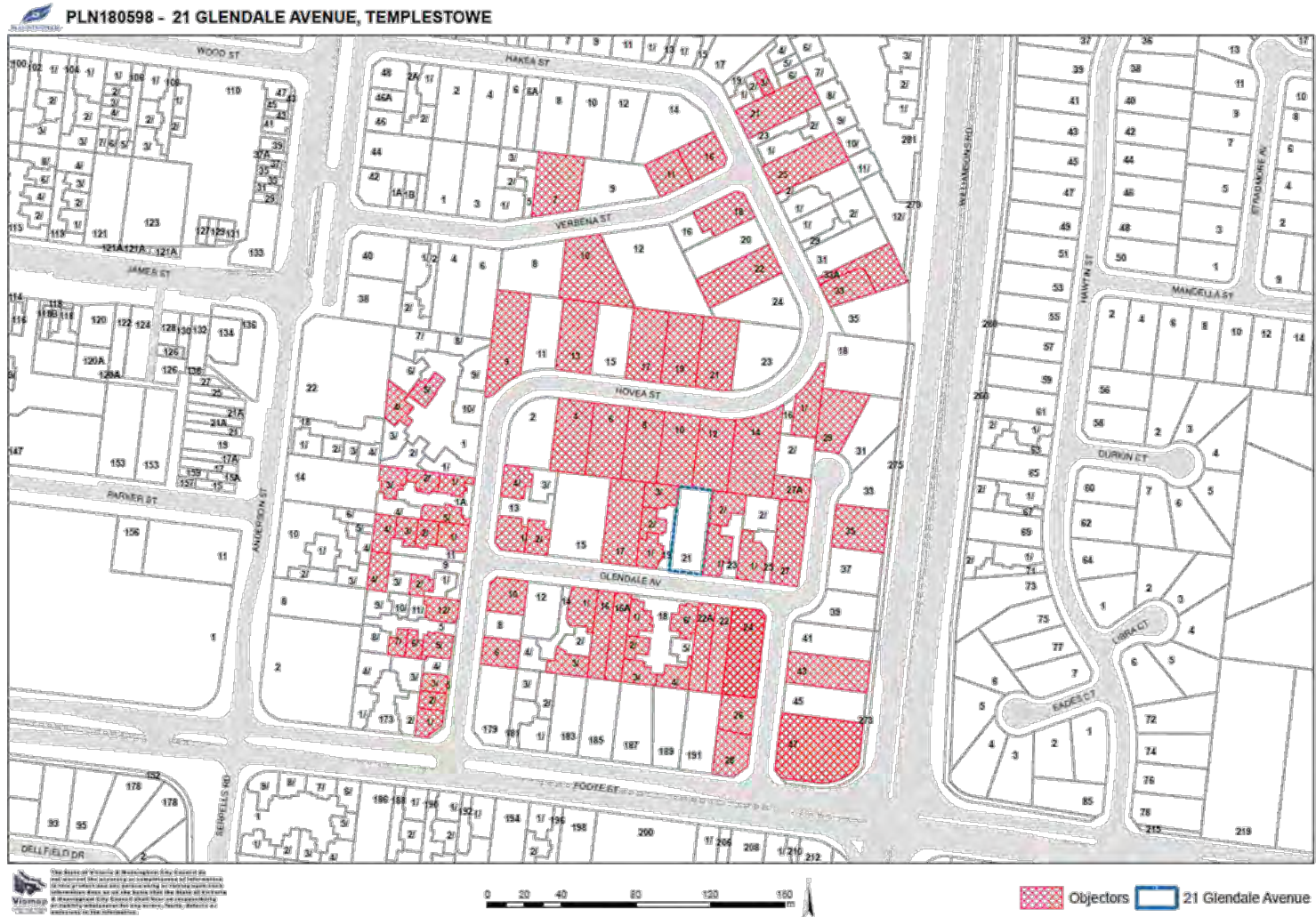


Multi-unit development at 18-20 Glendale Avenue, immediately opposite subject land.



Side-by-side dual occupancy at 16 Glendale Avenue

Appendix 4 – location of objectors



Manningham City Council (Responsible Authority)
Manningham Planning Scheme



NOTICE OF DECISION TO REFUSE TO GRANT A PERMIT PLN18/0598

Address of the land: 21 Glendale Avenue TEMPLESTOWE

Lot 25 LP 24836 Vol 8253 Fol 504

What has been refused? Construction of six, two-storey dwellings and associated basement garage

Grounds of refusal:

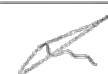
1. The development fails to comply with the preferred neighbourhood character outcomes of Clause 21.05 (Residential Precinct 2) and Design and Development Overlay Schedule 8-3 (DDO8-3), contrary to the objectives of Clause 55.02-1 Neighbourhood Character of the Manningham Planning Scheme.
2. The proposal is an overdevelopment of the site, resulting in unreasonable bulk and massing, contrary to policy in Clause 21.05 (Residential Precinct 2) and design objectives of Schedule 8 to Clause 43.02 Design and Development Overlay of the Manningham Planning Scheme.
3. The location of service equipment along the frontage of the site the retaining walls within the frontage compromises landscaping opportunities contrary to design objectives of Design and Development Overlay Schedule 8-3 (DDO8-3).
4. The lack of windows that maximum daylight and solar energy to the ground floor living/dining area of Unit 1 is contrary to the objectives of Clause 55.03-5 (Energy efficiency) of the Manningham Planning Scheme.
5. The development will have unreasonable amenity impacts to the existing properties to the north with regard to potential overlooking from Unit 6 ground and first floor north-facing windows, contrary to the objectives and standard of Clause 55.04-6 (Overlooking) of the Manningham Planning Scheme.
6. The development will have unreasonable amenity impacts to the existing property to the east with regard to potential overlooking from Unit 2 ground terrace, contrary to the objectives and standard of Clause 55.04-6 (Overlooking) of the Manningham Planning Scheme.
7. The proposed glazed entry doors along the common property pedestrian path compromises the privacy of adjoining residents, contrary to the objective of Clause 55.04-7 (Internal Views) of the Manningham Planning Scheme.
8. The lack of visible and easily identifiable weather protection entry to Units 2, 3, 4, 5 and 6 is contrary to the objective of Clause 55.05-2 (Dwelling entry) of the Manningham Planning Scheme.
9. The secluded private open space of Units 1, 3, 4 and 5 does not satisfy the objective and standard of Clause 55.05-4 (Private open space) of the Manningham Planning Scheme.

Notice of decision to refuse to grant a permit PLN18/0598
Date of notice: 3 September 2019

Signature for the Responsible Authority

10. The secluded private open space of Unit 1 does not satisfy the objective and standard of Clause 55.05-5 (Solar access to open space) of the Manningham Planning Scheme.
11. The storage of Units 2 and 3 does not satisfy the objective and standard of Clause 55.05-6 (Storage) of the Manningham Planning Scheme.
12. The north-most car space of Unit 6 does not satisfy the requirements of Design standard 1 of Clause 52.06-9 (Car Parking) of the Manningham Planning Scheme.

Notice of decision to refuse to grant a permit PLN18/0598
Date of notice: 3 September 2019



Signature for the Responsible Authority

IMPORTANT INFORMATION ABOUT THIS NOTICE

WHAT HAS BEEN DECIDED?

- The Responsible Authority has decided to refuse to grant a permit.
(Note: This is not a refusal under Division 5 of part 4 of the **Planning and Environment Act 1987**.)
 - This notice sets out the grounds on which the application has been refused.
 - The grounds on which the application has been refused are those of the responsible authority unless otherwise stated.
-

WHAT ABOUT REVIEWS?

For the applicant –

- The person who applied for the permit may apply for a review of the refusal.
- The application for review must be lodged within 60 days of the giving of this notice.
- An application for review is lodged with the Victorian Civil and Administrative Tribunal.
- An application for review must be made on the relevant form which can be obtained from the Victorian Civil and Administrative Tribunal and be accompanied by the applicable fee.
- An application for review must state the grounds upon which it is based.
- A copy of an application for review must be served on the responsible authority, each other party and each other person entitled to notice of the application for review under the **Planning and Environment Act 1987** and the **Victorian Civil and Administrative Tribunal Act 1998** within 7 days after lodging the application with the Victorian Civil and Administrative Tribunal.
- Details about applications for review and the fees payable can be obtained from the Victorian Civil and Administrative Tribunal.


For a recommending referral authority –

- If the applicant applies for a review of this decision, the applicant must give notice to any recommending referral authority that objected to the grant of the permit after an application for review is lodged.

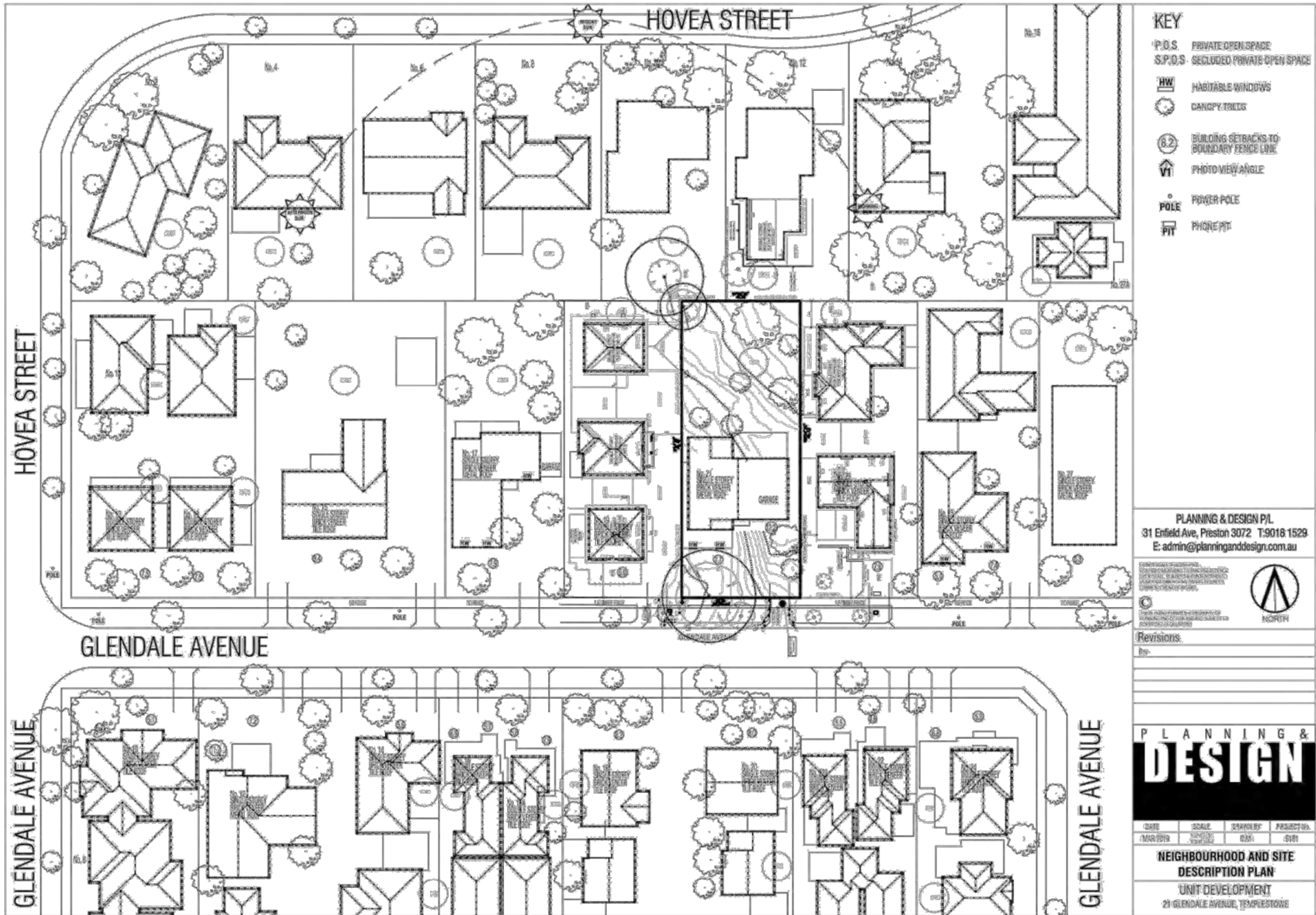
For an objector –

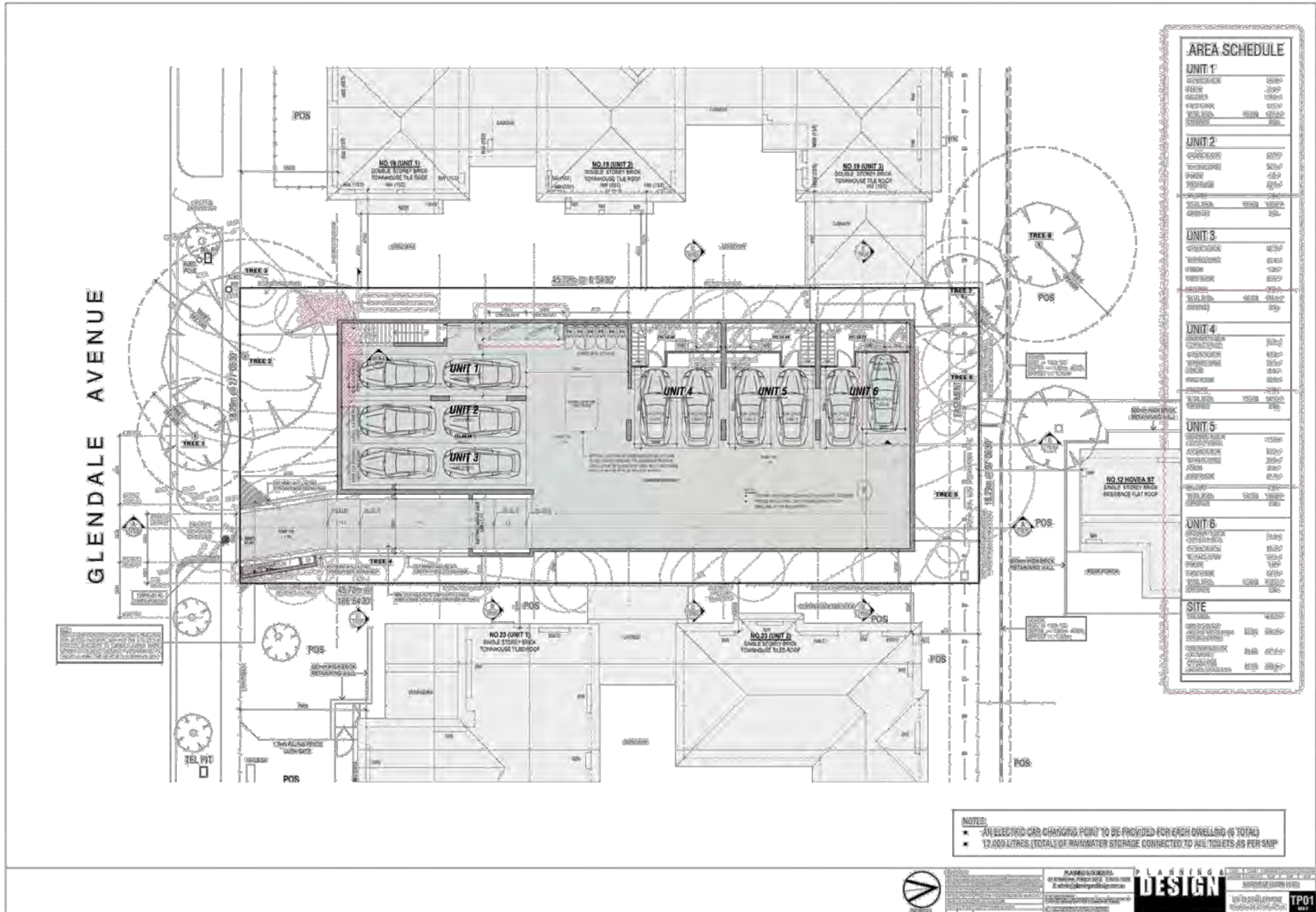
- If the applicant applies for a review of this decision, the applicant must give notice to objectors in accordance with the requirements of the **Planning and Environment Act 1987** and the **Victorian Civil and Administrative Tribunal Act 1998**.

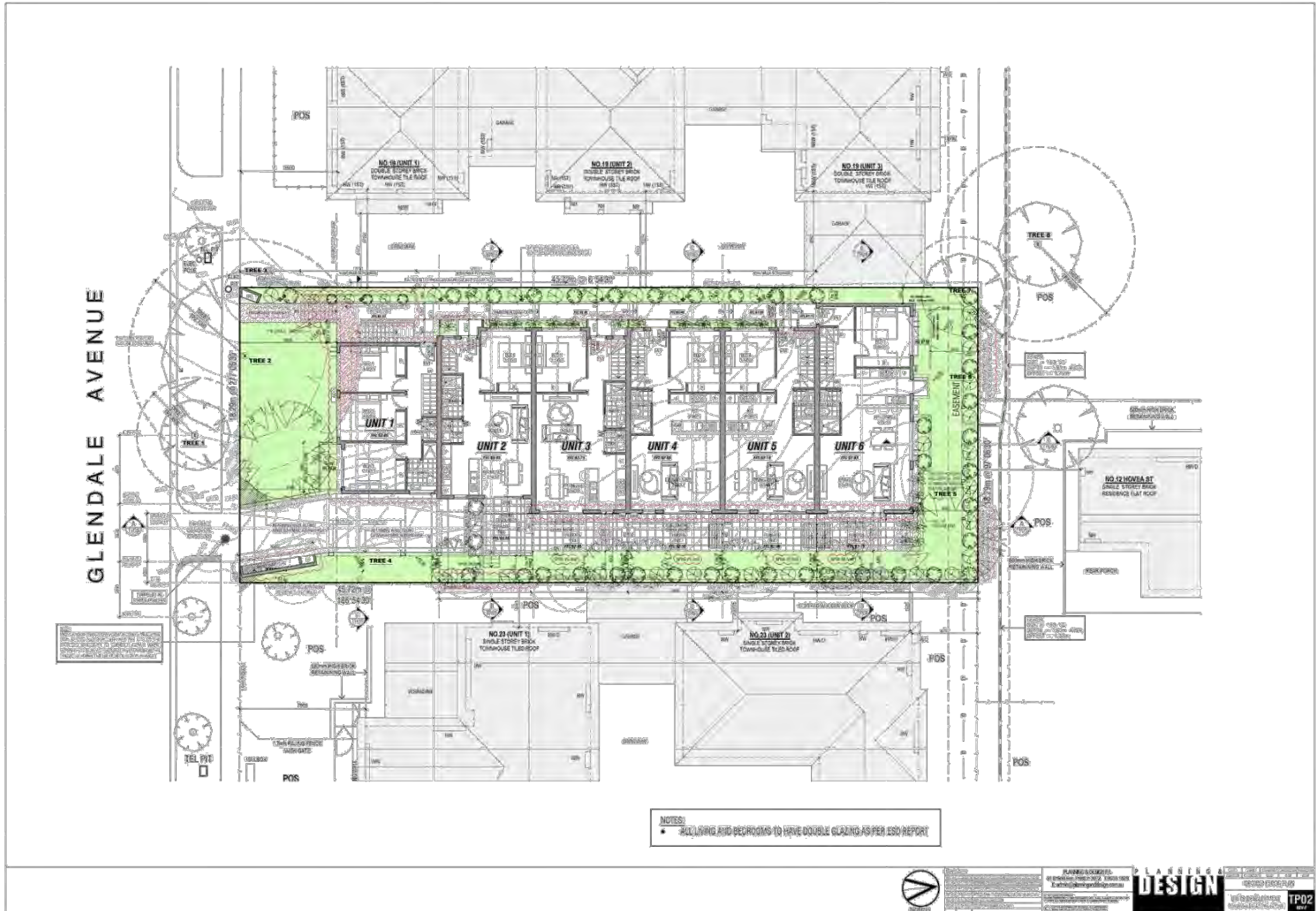
Notice of decision to refuse to grant a permit PLN18/0598
Date of notice: 3 September 2019

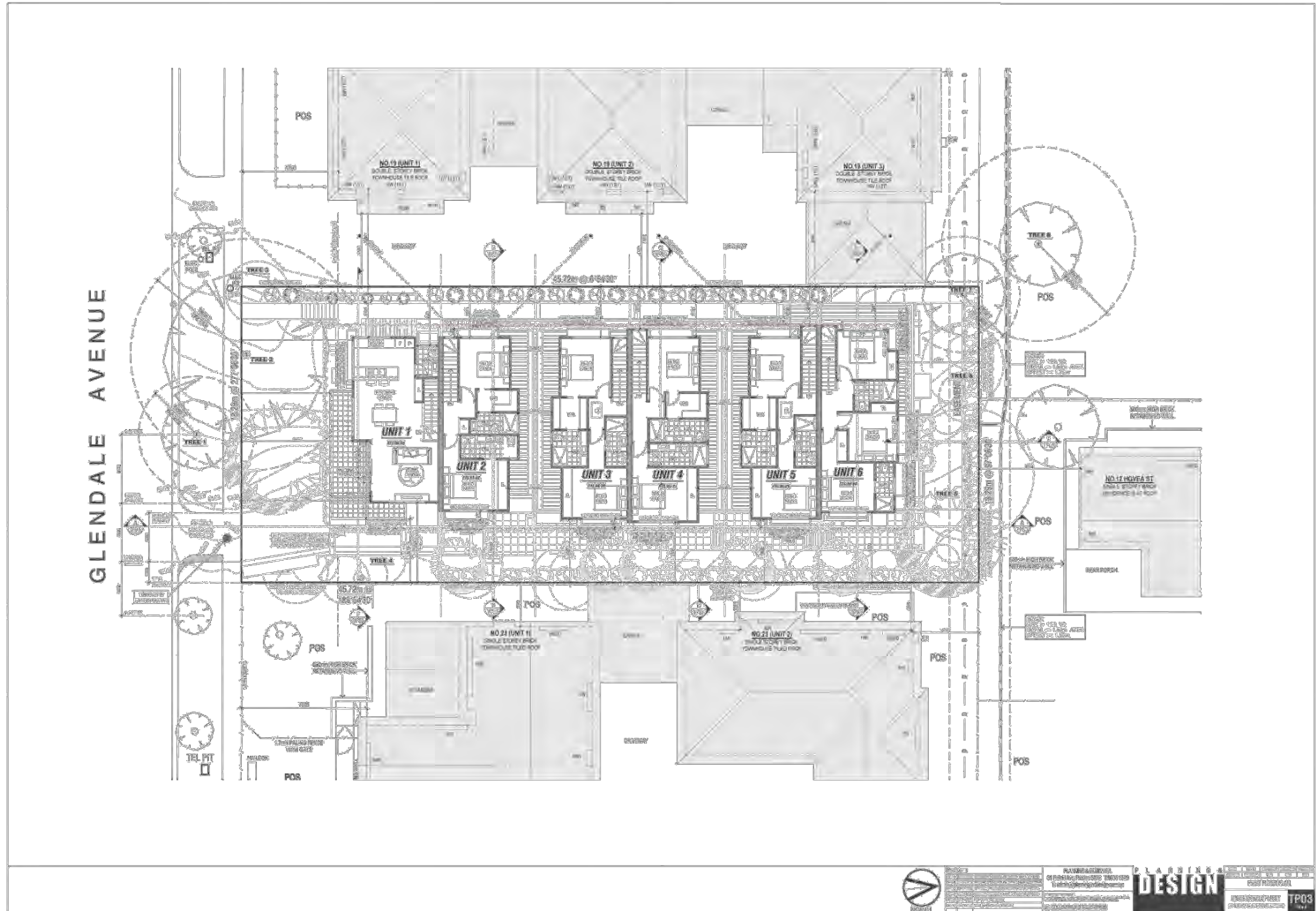


Signature for the Responsible Authority



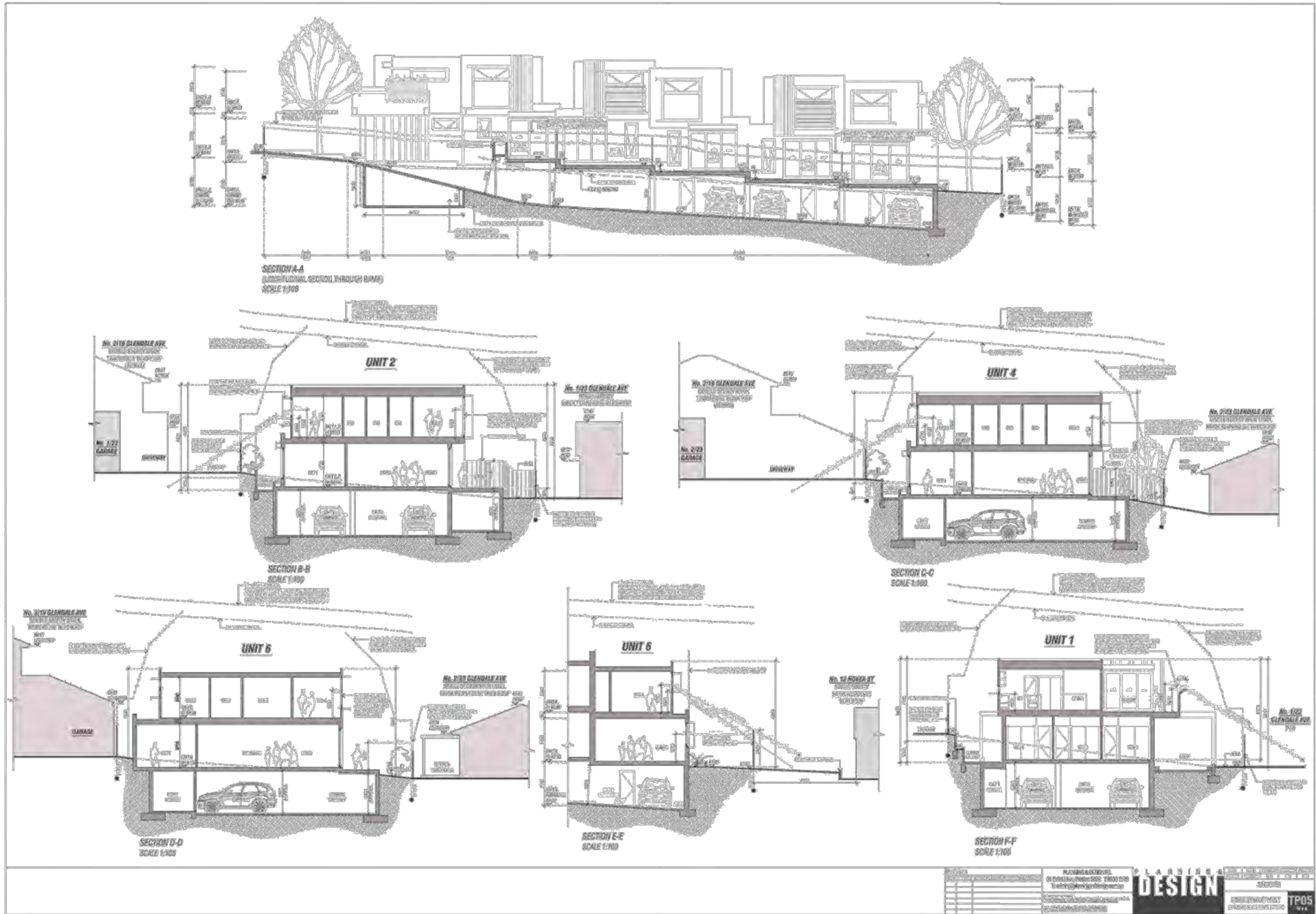




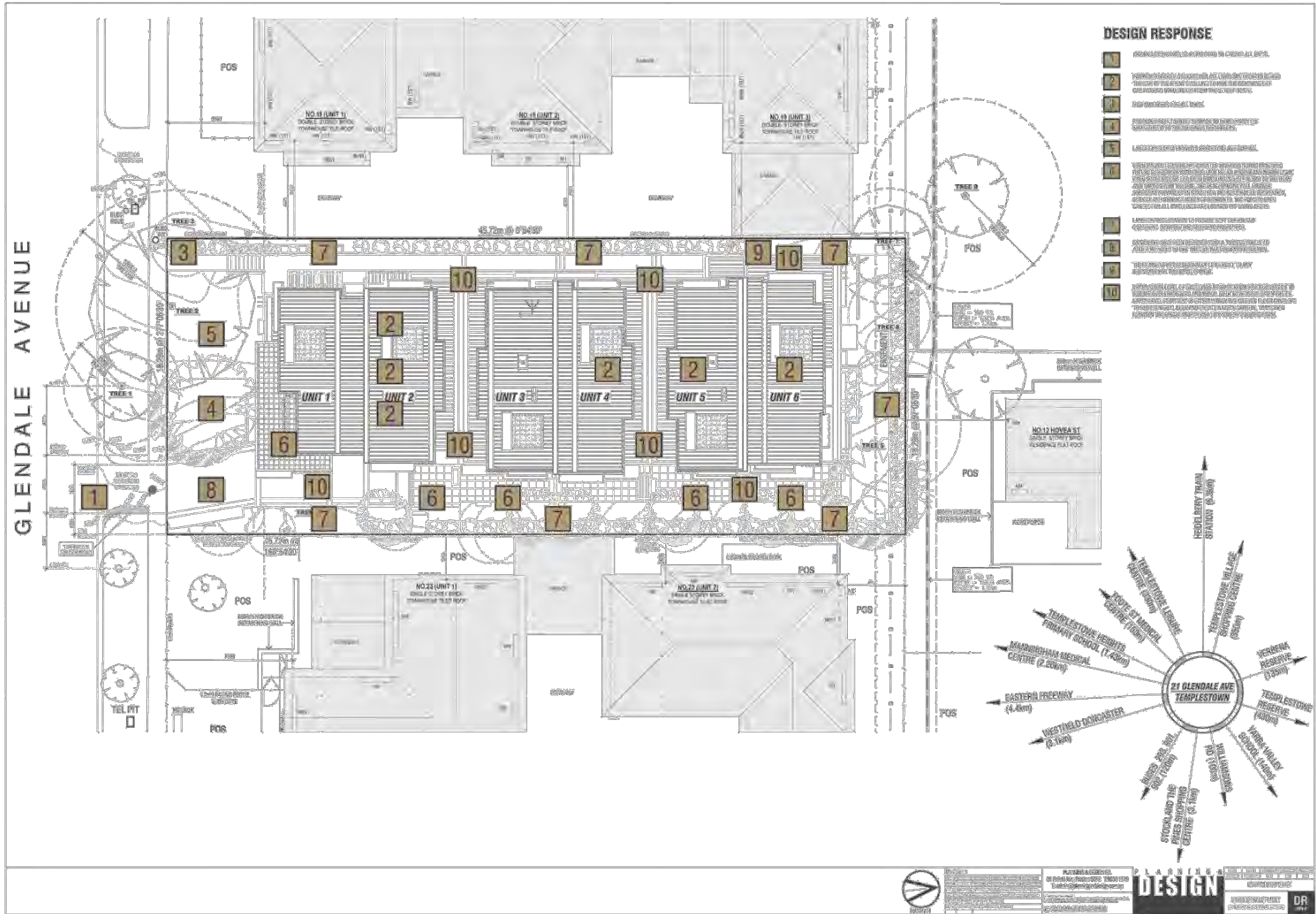


PLAN
DATE: 25 FEB 2020
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: 1:1000
PROJECT: [Project Name]
SHEET: TP03

PLANNING DESIGN

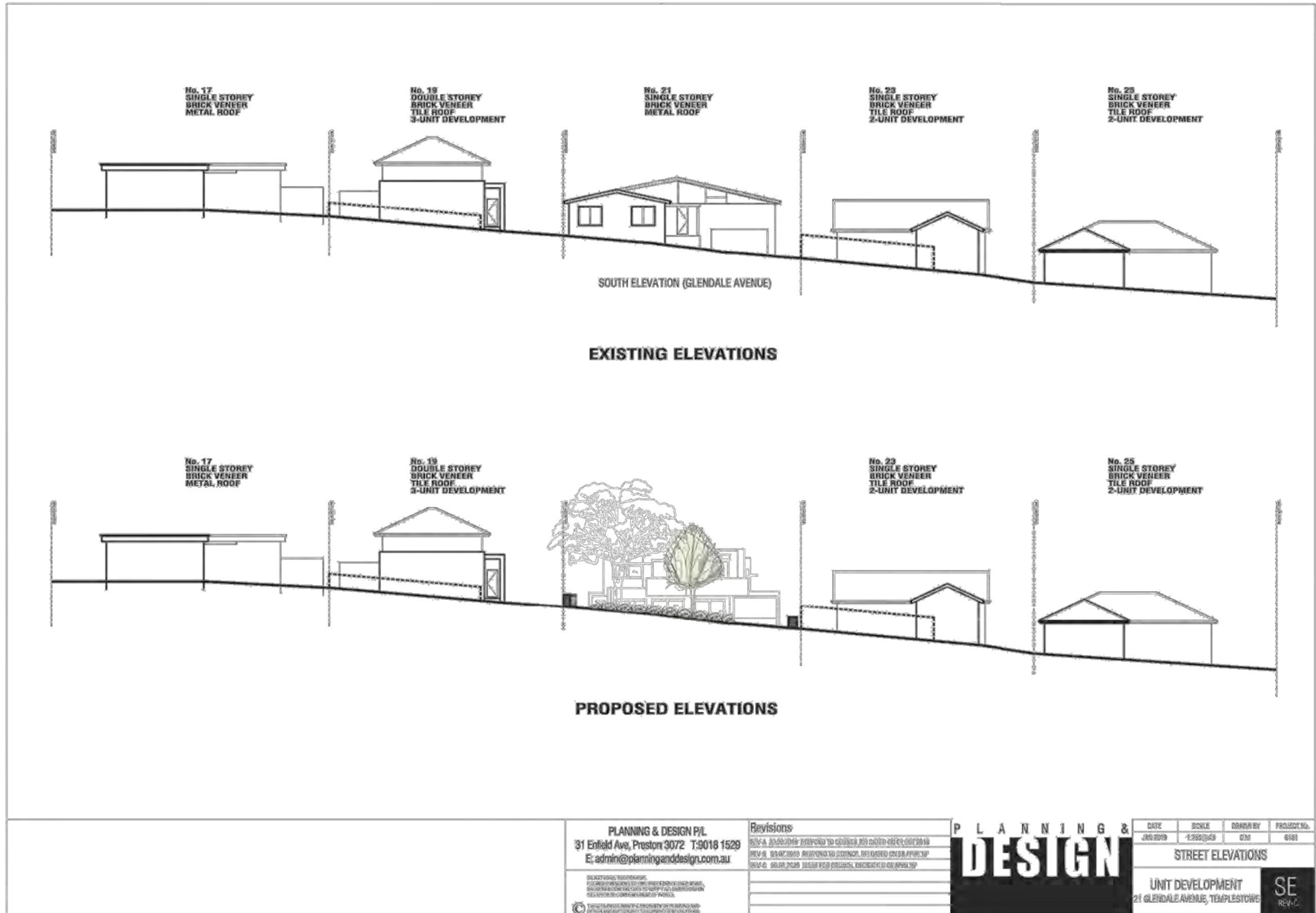














ROOF - COLORBOND METAL ROOF
COLOUR: MONUMENT



WINDOWS
ALUMINIUM BLACK FRAME WITH CLEAR/GBS GLASS OR SIMILAR



TERRACE PAVING
TWO-COLOURED GREY TILES OR SIMILAR



TS1
SELECTED TIMBER SCREEN



TS2
TIMBER SCREENING VERTICAL



BW - SELECTED BLOCK RETAINING WALL
COLOUR: CHARCOAL



SSC
SELECTED STEAM CLADDING (MIXED WIDTH)
COLOUR: MONUMENT



IC - INWOOD CLADDING
COLOUR: AMERICAN OAK OR SIMILAR



SR1
RENDER WITH CONCRETE FINISH
COLOUR: DULUX TIMELESS GREY GR23 OR SIMILAR

SR2
SMOOTH RENDER FINISH
COLOUR: DULUX MOORLAND A251

SR3
SMOOTH RENDER FINISH
COLOUR: DULUX TERRACE WHITE 9W

COLOUR AND MATERIAL SCHEDULE:

- SR1 - RENDER WITH CONCRETE FINISH
COLOUR: DULUX TIMELESS GREY GR23
- SR2 - SMOOTH RENDER FINISH
COLOUR: DULUX MOORLAND A251
- SR3 - SMOOTH RENDER FINISH
COLOUR: DULUX TERRACE WHITE 9W
- SSC - SELECTED STANDING SEAM CLADDING
COLOUR: MONUMENT
- TP - 1.2m HIGH TIMBER PALING FENCE
- TS - SELECTED TIMBER SCREEN MAX. 1.2m HIGH ABOVE FFL WITH NO MORE THAN 25% TRANSPARENT IN ACCORDANCE WITH STANDARD B22 OF RESCODE
- RHS - RECTANGULAR ALUMINIUM HOLLOW SECTION
COLOUR: TIMBER COLOUR FINISH
- BW - SELECTED BLOCK RETAINING WALL
COLOUR: CHARCOAL

ALUMINIUM WINDOWS THROUGH-OUT
COLORBOND GUTTERS, FASCIAS AND DOWNPIPES

PLANNING & DESIGN P/L
31 Enfield Ave Preston 3072 T:9016 1529
E: admin@planninganddesign.com.au

Revisions

REV.	DATE	DESCRIPTION
REV-A	02.05.2019	TECHNICAL DRAWING
REV-B	03.07.2019	RESPOND TO COUNCIL EN DATED 01.06.2019
REV-C	19.01.2020	ISSUE FOR COUNCIL DECISION

PLANNING & DESIGN

DATE	CODE	DESIGNED BY	CHECKED BY	PROJECT No.
JUNE 2019	14002541	WJS	ON	6870

COLOUR AND MATERIAL SCHEDULE

UNIT DEVELOPMENT
31 ROSSVILLE AVE, DONCASTER.

CS
REV-C

5. LEGISLATIVE REQUIREMENTS

5.1 PLANNING AND ENVIRONMENT ACT 1987 (THE ACT)

The *Planning and Environment Act 1987* is the relevant legislation governing planning in Victoria. The Act identifies subordinate legislation in the form of Planning Schemes to guide future land use and development.

Section 60 of The *Planning and Environment Act*, requires the Responsible Authority to consider the following before deciding on an application:

- *The relevant planning scheme;*
- *The objectives of planning in Victoria;*
- *All objections and other submissions which it has received;*
- *Any decision and comments of a referral authority which it has received; and*
- *Any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.*

Section 61(4) of the Act makes specific reference to covenants. Under Section 61(4) of the *Planning & Environment Act 1987* the Responsible Authority must not issue a planning permit that would result in a breach of a registered restrictive covenant.

5.2 MANNINGHAM PLANNING SCHEME

Clauses of the Manningham Planning Scheme the Responsible Authority must consider:

- Planning Policy Framework
- Local Planning Policy Framework
- Clause 32.08 General Residential Zone, Schedule 2
- Clause 43.02 Design and Development Overlay, Schedule 8
- Clause 52.06 Car Parking
- Clause 55 Two or more dwellings on a lot and Residential Buildings
- Clause 65 Decision Guidelines

Zone

Clause 32.08 General Residential Zone, Schedule 2

The purpose of the General Residential Zone is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage development that respects the neighbourhood character of the area.*
- *To encourage a diversity of housing types and housing growth in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

A Planning Permit is required to construct two or more dwellings on a lot.

The construction and extension of two or more dwellings on a lot must meet the requirements of Clause 55.

An application to construct or extend a dwelling or residential building on a lot must provide a minimum garden area of 35% for lots above 650 square metres.

This does not apply to an application to alter or extend an existing building that did not comply with the minimum garden area requirement of Clause 32.08-4 on the approval date of Amendment VC110.

A building must not be constructed for use as a dwelling or a residential building that:

- *exceeds the maximum building height specified in a schedule to this zone; or*
- *contains more than the maximum number of storeys specified in a schedule to this zone.*

If no maximum building height or maximum number of storeys is specified in a schedule to this zone:

- *the building height must not exceed 11 metres; and*
- *the building must contain no more than 3 storeys at any point.*

Schedule 2 to the General Residential Zone does not specify a maximum building height requirement for a dwelling or residential building.

A basement is not a storey for the purposes of calculating the number of storeys contained in a building.

Overlays

Clause 43.02 Schedule 8 to the Design and Development Overlay

The design objectives are as follows:

- *To increase residential densities and provide a range of housing types around activity centres and along main roads.*
- *To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.*
- *To support three storey, 'apartment style', developments within the Main Road sub-precinct and in sub-precinct A, where the minimum land size can be achieved.*
- *To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive, taking into account the preferred neighbourhood character.*
- *To encourage spacing between developments to minimise a continuous building line when viewed from a street.*
- *To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties.*
- *To ensure developments of two or more storeys are sufficiently stepped down at the perimeter of the Main Road sub-precinct to provide an appropriate and attractive interface to sub-precinct A or B, or other adjoining zone.*
- *To ensure overlooking into adjoining properties is minimised.*
- *To ensure the design of carports and garages complement the design of the building.*
- *To ensure the design of basement and undercroft car parks complement the design of the building, eliminates unsightly projections of basement walls above natural ground level and are sited to allow for effective screen planting.*
- *To encourage landscaping around buildings to enhance separation between buildings and soften built form.*

Permit Requirement

- *A permit is required to construct or carry out works.*
- *A permit is required to construct or extend a front fence within 3 metres of a street, if the fence is associated with 2 or more dwellings on a lot or a residential building.*

Building Height & Setbacks

- Any building or works must comply with the requirements set out in Table 1 and 2 of this Schedule.
- 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.
- 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.

Table 1

Sub-Precinct	Maximum Building Height	Condition regarding minimum land size	Street setback
DDO8-3 (Sub-Precinct B)	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.		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

Planning Policy Framework

The relevant sections of the state planning policy framework are as follows:

Clause 15.01-1 (Urban Design) seeks to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

Strategies towards achieving this are identified as follows:

- *Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.*
- *Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.*
- *Ensure the interface between the private and public realm protects and enhances personal safety.*
- *Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.*
- *Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.*

- *Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.*
- *Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.*
- *Promote good urban design along and abutting transport corridors.*

Clause 15.01-2 (Building Design) policy objective is:

- *To achieve building design outcomes that contribute positively to the local context and enhance the public realm.*

The strategies to achieve this requires a comprehensive site analysis prior to the design process, requires developments to respond to strategic and cultural context of its locations, minimise detrimental impact on neighbouring properties and encourages landscaping that enhances the built form and create safe attractive spaces.

Clause 15.01-4 (Healthy Neighbourhoods) policy objective is:

- *To achieve neighbourhoods that foster healthy and active living and community wellbeing.*

Strategies to achieve the objective include designing neighbourhoods that foster community interaction and making it easy for people of all ages to live healthy lifestyles by providing connected, safe and attractive walking and cycling networks, conveniently locating public spaces for active recreation, providing accessibly located public transport stops and streets with direct, safe and convenient access to destinations.

Clause 15.01-5 (Neighbourhood Character) policy objective is:

- *To recognise, support and protect neighbourhood character, cultural identity and sense place.*

The clause includes several strategies to achieve this objective, including to:

- *Ensure development responds to cultural identity and contributes to existing or preferred neighbourhood character.*
- *Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by emphasising the:*
 - *Pattern of local urban structure and subdivision*
 - *Underlying natural landscape character and significant vegetation.*
 - *Heritage values and built form that reflect community identity.*

Clause 15.02-1 Sustainable Development: Energy and resource efficiency

The policy objective is:

- *To encourage land use and development that is energy and resources efficient, supports a cooler environment and minimises greenhouse gas emissions.*

The clause has the following strategies:

- *Improve the energy, water and waste performance of buildings and subdivisions through environmentally sustainable development.*
- *Promote consolidation of urban development and integration of land use and transport. Improve efficiency in energy use through greater use of renewable energy technologies and other energy efficiency upgrades.*
- *Support low energy forms of transport such as walking and cycling.*
- *Reduce the urban heat island effect by greening urban areas, buildings, transport corridors and open spaces with vegetation.*

- *Encourage retention of existing vegetation and planting of new vegetation as part of development and subdivision proposals.*

Clause 16.01-1 Residential development: Integrated housing

The policy objective is:

- *To promote a housing market that meets community needs.*

The clause has the following strategies:

- *Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.*
- *Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.*
- *Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.*
- *Facilitate the delivery of high quality social housing.*

Clause 16.01-2 Residential development: Location of residential development

The policy objective is:

- *To locate new housing in designated locations that offer good access to jobs, services and transport.*

The clause includes several strategies to achieve this objective, they include:

- *Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.*
- *Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.*
- *Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.*
- *Facilitate residential development that is cost effective in infrastructure provision and use, energy efficient, water efficient and encourages public transport use.*
- *Identify opportunities for increased residential densities to help consolidate urban areas.*

Clause 16.01-3 Housing diversity

The policy objective is:

- *To provide for a range of housing types to meet diverse needs.*

The several strategies to achieve this objective include the following:

- *Ensure housing stock matches changing demand by widening housing choice.*
- *Facilitate diverse housing that offers choice and meets changing household needs through:*
 - *A mix of housing types.*
 - *Adaptable internal dwelling design.*
 - *Universal design.*
- *Encourage the development of well-designed medium-density housing that:*
 - *Respects the neighbourhood character.*
 - *Improves housing choice.*
 - *Makes better use of existing infrastructure.*
 - *Improves energy efficiency of housing.*
- *Support opportunities for a range of income groups to choose housing in well-serviced locations.*

- *Ensure planning for growth areas provides for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.*

Clause 16.01-4 Housing affordability

The policy objective is:

- *To deliver more affordable housing closer to jobs, transport and services.*

Clause 18.01-1 Integrated Transport: Land use and transport planning

The policy objective is:

- *To create a safe and sustainable transport system by integrating land-use and transport.*

Clause 18.02-1 Movement networks: Sustainable personal transport

The policy objective is:

- *To promote the use of sustainable personal transport.*

Local Planning Policy Framework (LPPF)

Municipal Strategic Statement

Clause 21.03 Key Influences

This clause identifies that future housing need and residential amenity are critical land-use issues that will challenge Manningham's future growth and sustainable development. The MSS acknowledges that there is a general trend towards smaller household size as a result of an aging population and smaller family structure which will lead to an imbalance between the housing needs of the population and the actual housing stock that is available.

This increasing pressure for re-development raises issues about how these changes affect the character and amenity of our local neighbourhoods. In meeting future housing needs, the challenge is to provide for residential re-development in appropriate locations, to reduce pressure for development in more sensitive areas, and in a manner that respects the residential character and amenity valued by existing residents.

Clause 21.05 Residential

This policy outlines the division of Manningham into four Residential Character Precincts. The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available. In areas which are removed from these facilities a lower intensity of development is encouraged. A low residential density is also encouraged in areas that have identified environmental or landscape features.

The site is within Precinct 2 – Residential Areas Surrounding Activity Centres and Along Main Roads.

A substantial level of change is anticipated in Precinct 2. Whilst this area will be a focus for higher density developments, there are three sub-precincts which each stipulate different height, scale and built form outcomes to provide a transition between each sub-precinct and adjoining properties, primarily in Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads.

The site is located within **Sub-Precinct B**.

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

Development in Precinct 2 should:

- *Provide for contemporary architecture*
- *Achieve high design standards*
- *Provide visual interest and make a positive contribution to the streetscape*
- *Provide a graduated building line from side and rear boundaries*
- *Minimise adverse amenity impacts on adjoining properties*
- *Use varied and durable building materials*
- *Incorporate a landscape treatment that enhances the overall appearance of the development.*
- *Integrate car parking requirements into the design of buildings and landform.*

Clause 21.10 Ecologically Sustainable Development

This policy highlights Council's commitment to ESD and outlines a number of ESD principles to which regard must be given. These include building energy management, water sensitive design, external environmental amenity, waste management, quality of public and private realm and transport.

Local Planning Policy

Clause 22.08 Safety through urban design

This policy applies to all land in Manningham. It endeavours to provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham. The policy seeks attractive, vibrant and walkable public spaces where crime, graffiti and vandalism is minimised.

Clause 22.09 Access for disabled people

This policy also applies to all land in Manningham. It seeks to ensure that people with a disability have the same level of access to buildings, services and facilities as any other person. The policy requires the needs of people with a disability to be taken into account in the design of all proposed developments.

Clause 22.12 Environmentally Sustainable Development

This policy applies throughout Manningham to residential and non-residential development that requires a planning permit in accordance with the thresholds in Table 1 of this Policy (except for land affected by the Activity Centre Zone (Schedule 1) that applies to Doncaster Hill). The policy contains an overarching objective that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

Particular Provisions

Clause 52.06 Car Parking

Pursuant to Clause 52.06-5, car parking is required to be provided at the following rates:

- *1 space for 1 and 2 bedroom dwellings.*
- *2 spaces for 3 or more bedroom dwellings.*

No residential visitor car parking spaces are required for any part of the land identified as being within the Principal Public Transport Network Area.

Clause 52.06-9 outlines various design standards for parking areas that should be achieved.

Clause 55 Two or more dwellings on a lot and Residential Buildings

A development:

- Must meet all of the objectives of this clause
- Should meet all of the standards of this clause.

A zone or a schedule to a zone, or a schedule to an overlay may specify a requirement different from a requirement of a standard set out in Clause 55.

General Provisions

Clause 65 Decision Guidelines

This clause outlines that before deciding on an application, the responsible authority must consider, as appropriate:

- *The Municipal Planning Strategy and the Planning Policy Framework.*
- *The purpose of the zone, overlay or other provision.*
- *Any matter required to be considered in the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*
- *Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.*
- *The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.*