

0.0 Planning Application PLN20/0146 at 530-532 Doncaster Road Doncaster, for the use and development of the land for a five-storey mixed use building comprising 22 dwellings, a medical centre and the creation and alteration of access to a road in a Road Zone, Category 1.

File Number:	IN20/597
Responsible Director:	Director City Planning and Community
Applicant:	532 Doncaster Road Unit Trust
Planning Controls:	Residential Growth Zone – Schedule 2 (RGZ2), Design & Development Overlay –Schedule 8 (DD08-1), Principal Public Transport Network (PPTN area)
Ward:	Tullamore
Attachments:	1 Legislative Requirements 2 Decision Plans 3 Locality Map 4 Objector Map

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 530 & 532 Doncaster Road, Doncaster and recommends approval of the submitted proposal, subject to conditions.
2. The application is being reported to Council given it is a Major Application (land outside the demarcated Activity Centre Zone with more than 20 dwellings).

Proposal

3. This application is for the construction of a five-storey mixed use building comprising 22 dwellings, a medical centre, two basement car parking levels and the creation and alteration of access to a road in a Road Zone, Category 1.
4. The building is sited over two lots known as 530 & 532 Doncaster Road, Doncaster, with an area totalling 1533 square metres.
5. The medical centre component is located on the ground floor, comprising of three suites up to ten practitioners. The proposed hours of operation are 8:00am to 7:00pm Monday to Friday, and 8:00am to 1:00pm Saturday.
6. The dwellings are located across all five levels of the building, including three double-storey apartments at the rear of the building that are located on both the ground and first floors.
7. Car parking is provided over two basement levels and includes a total of 48 spaces, including 28 spaces for residents, 17 spaces for the medical centre and 3 visitor spaces. The medical centre spaces will also be available for residents and visitors outside the hours of operation.

8. The proposed maximum height of the building is 16.66 metres (18.99 metres when including rooftop structures), site coverage is 60% and site permeability 30%.

Notification

9. The application was advertised from 18 August 2020 to 2 September 2020. Letters were sent to nearby properties within a 120 metre radius of the site. However, signs were not placed on the site due to Victoria's State of Disaster restrictions.
10. Three objections have been received to the proposal. The objections relate to overlooking, overshadowing, noise pollution, loss of amenity, visual bulk and the impact of the approved development on the adjoining property. Objectors also believe the proposal to be inconsistent with planning policy.

Key issues in considering the application

The key issues for Council in considering the proposal relate to:

- Planning Policy Frameworks;
- Medical Centre Use;
- Built Form, Design and Landscaping;
- Clause 58 Apartment Developments;
- Car Parking, Access and Bicycle Facilities and
- Objector concerns.

Assessment

11. The development of the land for a higher density mixed use building, is consistent with the relevant objectives of State and Local planning policies of the Manningham Planning Scheme (the Scheme), including the requirements of the Residential Growth Zone, Schedule 2 (RGZ2), Design and Development Overlay, Schedule 8 (DDO8) and policy at Clause 22.05 (Non-Residential Uses within Residential Areas).
12. The location of the medical centre is appropriate by virtue of the site's location on a main road and its immediate abuttal to the Doncaster Hill Activity Centre. Clause 22.05 also specifically encourages the integration of non-residential uses as part of higher density development within the Residential Growth Zone (RGZ).
13. The building has a height of 16.66 metres to the roof of the top level (18.99 metres when including rooftop structures). Although this exceeds the discretionary maximum heights of 10 metres under DDO8-1 and 14.5 metres under the RGZ, the proposal presents a responsive built form that is suitable to the site's abuttal to the Doncaster Hill Activity Centre. Its stepped built form and setbacks also provide appropriate presentations to adjoining interfaces, particularly the lower scale built form to the south and west.
14. Whilst being mixed use in nature, the built form retains a largely residential appearance. The design detail and architectural expression of the building provide suitable visual interest that will make a positive contribution to the emerging and future character of the area. Suitable spacing is also provided to all boundaries to allow for a generous landscape treatment that will assist in screening and softening the built form.

15. The provision of car parking for all aspects of the proposal complies with the statutory requirement of the Manningham Planning Scheme, exceeding the requirement by four spaces. Car parking is appropriately provided within the basement levels. Spaces provided for the medical centre will also be of benefit to the residents, as they can be made available for the residents and visitors outside of the operating hours of the medical centre.

Conclusion

16. The relevant planning controls seek a high density development for consolidated sites within the Main Road Sub-Precinct of the DDO8. The proposed development generally complies with the various requirements under the RGZ2, DDO8 and the relevant provisions of Clause 58 (Apartment Developments). Furthermore, the non-residential component offers a high degree of compliance with Clause 22.05, meeting the essential locational criteria and offering a use that serves the community.
17. The proposal has been assessed against the merits of policy and planning scheme requirements and is supported for the reasons outlined in the detailed assessment, subject to conditions requiring modest design changes and the implementation of operational and management plans.
18. It is recommended that the application be supported, subject to conditions.

1. RECOMMENDATION

That Council:

- A. **Having considered the objections received, issues a Notice Of Decision To Grant A Permit in relation to Planning Application PLN20/0146 at 530-532 Doncaster Road, Doncaster, for the use and development of the land for a five-storey mixed use building comprising of dwellings and medical centre and the creation and alteration of access to a road in a Road Zone, Category 1, subject to the following conditions –**

Amended Plans

1. **Before the use and 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 Stoll Architecture, Project No. 191171, Revision 4, dated 7 August 2020), but modified to show the following:**
 - 1.1 **The height of the rooftop access staircase enclosure reduced in height to a maximum of 2.1 metres or as much as practicable to the satisfaction of the Responsible Authority;**
 - 1.2 **The northern section of the balcony for Apartment 204 increased to a width of 2.4 metres;**
 - 1.3 **The northern section of the balcony for Apartment 107 increased to a width of 2.4 metres to align with the northern edge of the balcony for Apartment 204;**

- 1.4 The west-facing bedroom windows of Apartments 104, 105 and 106 screened or fixed obscure glazed at least up to 1.7 metres above finished floor level;
- 1.5 The provision of a horizontal louvre screen to be provided to the west facing balcony at Level 3 to prevent downward views;
- 1.6 The location and type of all screens to prevent overlooking clearly marked on all site plans;
- 1.7 The boundary treatment (fencing) adjacent to the terrace to the west of the medical suite consistent between the ground floor plan and the western elevation;
- 1.8 An updated schedule of materials and finishes of the following to the satisfaction of the Responsible Authority:
 - 1.8.1 Details of retaining walls, driveway surfacing and all hard stand surfaces within the front setback;
 - 1.8.2 A lighter coloured render finish to the western wall of Level 3 and northern wall of Apartment 303 to the satisfaction of the Responsible Authority;
- 1.9 The layouts of Apartments 101, 109, 201, 206 and 305 fully compliant with Standard D17 of Clause 58.05-1 (Accessibility) of the Manningham Planning Scheme;

Access

- 1.10 A notation and sections to demonstrate headroom clearances within the basement and accessway are at least 2.1 metres (including service pipes and utility conduits) or as otherwise required for the safe and convenient passage of waste collection vehicles in accordance with the Waste Management Plan approved under this permit, to the satisfaction of the Responsible Authority;

Noise Attenuation

- 1.11 Details of noise attenuating glazing to the windows and doors of all north facing apartments along Doncaster Road and above the accessway, to the satisfaction of the Responsible Authority;

Sustainable Design

- 1.12 A schedule listing all sustainability features / commitments applicable to the approved development, in accordance with the Sustainability Management Plan approved under the relevant conditions of this permit;
- 1.13 A notation that the rooftop Solar Photovoltaic panels have a maximum 15° tilt, in accordance with the Sustainability

Management Plan approved under the relevant condition of this permit;

- 1.14 A plan notation that 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;
- 1.15 The electric vehicle charging points either removed or relocated to a more accessible location to the satisfaction of the Responsible Authority;
- 1.16 A notation to indicate that the development must be constructed in accordance with the Sustainable Design Assessment approved under the this permit;

General

- 1.17 A plan notation to indicate that the development must be carried out in accordance with the Tree Protection and Management Plan approved under this permit;
- 1.18 All requirements and design changes as required by a Management Plan or any other report approved under conditions of this permit;
- 1.19 All changes as required by the Department of Transport conditions of this permit.

Endorsed Plans

2. The use and development as shown on the approved plans must not be altered without the written consent of the Responsible Authority.

Construction Management Plan

3. Not less than three months before the development starts, a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. The Construction Management Plan must be prepared using Council's CMP Template to address the following elements referenced in Council's Construction Management Plan Guidelines:
 - 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 CMP Template forms part of the Guidelines. When approved the plan will form part of the permit.

Sustainability Management Plan

- 4. Before the review of plans required under Condition 1 of this permit, an amended Sustainability Management Plan (SMP) must be submitted to and approved by the Responsible Authority. When approved the Plan will form part of the permit. The recommendations of the Plan must be incorporated into the design and layout of the development and must be implemented, to the satisfaction of the Responsible Authority before the occupation of any dwelling.**

The plan must be generally in accordance with the Sustainable Management Plan prepared by Ark Resources dated 5 August 2020, but be modified as follows:

- 4.1 Include a detailed statement of commitment in the report that reflects the Green Star Credit requirements with regard to:
 - 4.1.1 MAN 2.0 Environmental Performance Targets**
 - 4.1.2 MAN 2.1 Service and Maintainability Review**
 - 4.1.3 MAN 2.2 Building Commissioning**
 - 4.1.4 MAN 2.3 Building Systems Tuning**
 - 4.1.5 MAN 3.0 Implementation of a Climate Adaptation Plan**
 - 4.1.6 TRA 17B.3 Low Emission Vehicle Infrastructure**
 - 4.1.7 EMI 27.1 Light Pollution to Night Sky****
- 4.2 IEQ 13.1 Paints, Adhesives, Sealants and Carpets, and 13.2 Engineered Wood Products – specific VOC levels or formaldehyde limits required for the credit referenced in report;**
- 4.3 ENE 15.B1 Consistent star rating of heating between GHG Emissions calculator and report;**
- 4.4 ENE 15 Non-residential energy modelling (JV3) undertaken to complete the calculator;**
- 4.5 TRA 17B.3 Credit deleted unless facilities are appropriately located on Condition 1 plans.**

Green Travel Plan

- 5. The development must be constructed in accordance with the Green Travel Plan prepared by Traffix Group and dated June 2020, and all of its requirements must be implemented and complied with at all times to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.**

Waste Management Plan

6. Not less than three months before the development starts, a Waste Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit. The plan must be generally in accordance with the endorsed development plans and the Waste Management Plan submitted with the application (prepared by Leigh Design and dated 28 May 2020) to the satisfaction of the Responsible Authority.

Tree Protection Management Plan

7. Before the review of plans required under Condition 1 of this permit, a Tree Protection and Management Plan (TPMP) prepared by a suitable qualified Arborist, setting out how the trees to be retained will be protected during construction, and which generally follows the layout of Section 5 of AS4970 'Protection of trees on development sites', must be submitted for approval by the Responsible Authority. When approved the TPMP will be endorsed and form part of the permit. The TPMP must include:

- 7.1 A plan showing the Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) for all trees to be retained along with the location of protective fencing and/or areas where ground protection systems will be used;
- 7.2 Details of any proposed works within the TPZ and arborist supervision where this is proposed;
- 7.3 A statement that unless Trees 14, 16, 30, 31 and 32 are removed prior to development commencing, they must be considered as retained and protected accordingly;
- 7.4 A statement advising any removal or pruning of Council owned trees must be undertaken by Council approved contractors;
- 7.5 A statement that Council will be notified within 24 hours of any breach of the TPMP or where damage has occurred to a tree to be retained.

Car Parking and Practice Management Plan

8. Before the completion of the development or commencement of the approved use, whichever comes first, a Car Parking and Practice Management Plan must be submitted to and approved by the Responsible Authority. When approved, the plan will then form part of the permit and all measures must be implemented to the satisfaction of the Responsible Authority. The plan must detail the following:
 - 8.1 The details of the Practice Management Plan submitted with the application and dated as advertised 18 August 2020;
 - 8.2 Restrictions to ensure that the two lifts from the basement (servicing the medical centre and residential levels) will be

designated for separate use between the medical centre and residential users, during the operation hours of the medical centre;

- 8.3 The upper level basement to remain open and accessible during the medical centre operating hours free of charge, to the satisfaction of the Responsible Authority;
- 8.4 The automatic basement door opening systems to facilitate secure access to the allocated parking areas for residents, visitors and rubbish collection contractors outside of the medical centre operating hours;
- 8.5 Restrictions to ensure that access to the lower basement level (Basement Level 2) is restricted to residents by way of security doors or signage, to the satisfaction of the Responsible Authority;
- 8.6 The details of the medical centre operators, including general staffing arrangements;
- 8.7 The allocation and management of medical centre car parking spaces for residential visitors outside of the operating hours of the medical centre;
- 8.8 Details of how basement access will be provided for the medical centre car parking spaces;
- 8.9 Signage to identify:
 - 8.9.1 Basement level identification;
 - 8.9.2 Medical centre staff and visitor car parking signage to each medical centre space on wall and floor;
 - 8.9.3 Visitor car parking signage to each visitor space on wall and floor;
 - 8.9.4 Direction signage at the driveway that is visible from the frontage, that directs visitors to basement car parking;
 - 8.9.5 Signage to the lower basement to restrict visitors from seeking access to the lower basement level;
 - 8.9.6 Bicycle parking signage at bicycle parking locations at basement and ground level;
 - 8.9.7 Directional signage for the bicycle spaces at ground level, at the entrance to the medical centre;
 - 8.9.8 Any required signposting to accord with the recommendations above.

Management Plan Compliance

9. The Management Plans approved under conditions 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.

10. Before the occupancy of the development, a report from the author of the Sustainability Management Plan approved pursuant to a condition of this permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must confirm that all measures / commitments in the Sustainability Management Plan approved under a condition of this permit have been implemented, to the satisfaction of the Responsible Authority.

Landscape Plan

11. Before the development starts, a landscaping plan must be submitted to the Responsible Authority for approval. The plan must be generally in accordance with the approved site layout plan and the landscape concept plan prepared by John Patrick Landscape Architects Pty Ltd (dated 7 August 2020), but modified to show:

- 11.1 Any changes as required by Condition 1 or any other condition;
- 11.2 Species, locations, quantities, approximate height and spread of proposed planting;
- 11.3 All three canopy trees within the front setback to be species capable of reaching a minimum of 8 metres at maturity.

Landscape Bond

12. Before the release of the approved Condition 1 plan for the development, 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.

Medical centre use

13. Except with the prior written consent of the Responsible Authority and except in the case of an emergency, the medical centre must only operate between the hours of 8.00am to 7.00pm from Mondays to Fridays and 8.00am to 1.00pm on Saturdays.
14. Except with the prior written consent of the Responsible Authority, not more than 10 persons providing health services may work at the medical centre at any one time, and in the event of a roster system being applied, such roster must ensure that no overlap of consultation periods occurs.
15. Any infectious or potentially infectious wastes (as defined by the EPA) must be disposed of in accordance with Environmental Protection Authority (EPA) requirements, to the satisfaction of the Responsible Authority.

Completion and Maintenance

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

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

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

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

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

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

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

20. Driveway gradients and transitions as shown on the plan approved under Condition 1 of this permit must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.

Tree Protection

21. No vegetation, apart from that shown on the approved plan as vegetation to be removed may be felled, destroyed or lopped without the written consent of the Responsible Authority.

22. 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.

23. All Tree Protection Fencing must be maintained in good condition until the completion of the construction works on the site to the satisfaction of the Responsible Authority.

Stormwater – On-site detention (OSD)

24. The owner must provide onsite storm water detention system to the satisfaction of Council's Infrastructure Services Department, which limits the Site Discharge 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 OSD system must meet the following requirements:

24.1 Discharge must be designed for a 20 % AEP (1 in 5 year storm); and

24.2 Storage must be designed for 10% AEP (1 in 10 year storm).

Construction Plan (OSD)

25. Before the development starts, (after the approval of the endorsed plans) a certified construction plan for the system required by the above condition of this permit must be submitted to and approved by Council's Infrastructure Services Unit. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of Council's Infrastructure Services Unit.

Drainage

26. Stormwater must not be discharged from the site other than by means of drainage to the 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 Connection to Council Drain Permit is first obtained from the Responsible Authority.

27. 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.

Car parking and Bicycle parking

28. Any shared or unallocated car parking spaces must be provided in common property to the satisfaction of the Responsible Authority.

29. Visitor car parking spaces must be made available for the parking of vehicles of visitors free of charge at all times and must not be used for any other purpose to the satisfaction of the Responsible Authority.

30. Before the approved use or occupation of the approved development commences, all basement parking spaces must be line-marked, numbered and marked to provide allocation to each dwelling and visitors to the satisfaction of the Responsible Authority.

31. All bicycle parking must be maintained and not be used for any other purpose, to the satisfaction of the Responsible Authority.

32. Prior to occupation of the approved dwellings, any new or modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.

33. Redundant vehicle crossovers must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.

34. The loading and unloading of goods from vehicles must only be carried out on the land to the satisfaction of the Responsible Authority.

Amenity

35. All security alarms or similar devices installed on the land must be of a silent type to the satisfaction of the Responsible Authority.

36. The development must be provided with external lighting capable of illuminating the accessway to the basement, pedestrian walkway, building entry and bicycle spaces. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.

37. All noise emanating from any mechanical plant (air conditioners, refrigeration plant, etc.) must comply with the State Environment Protection Policy N-1 and in the event of the Responsible Authority receiving justifiable complaints regarding noise from such sources, the onus will be on the owner of the development site to prove compliance with the relevant policy to the satisfaction of the responsible authority.

General Services

38. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.

39. All service pipes must be concealed and screened respectively to the satisfaction of the Responsible Authority.

40. A centralised TV antenna must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.

41. No individual dish antennae may be installed on the overall building to the satisfaction of the Responsible Authority.

42. 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.

43. Any external site services visible from the street must be enclosed or screened to complement the overall development to the satisfaction of the Responsible Authority. In the event that the services cannot be enclosed, they must be located, finished and landscaped to minimise visual impacts to the frontage to the satisfaction of the Responsible Authority.

44. 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.
45. All roof-top plant and services (including any hot water systems, but excluding solar panels) must be installed in appropriately screened areas (away from the outer edges of the roof section upon which they are installed) unless otherwise agreed in writing with the Responsible Authority.
46. 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.
47. 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.

Retaining Walls

48. All retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority.

Department of Transport

49. Prior to the commencement of use or occupation, a sealed access crossover as at least 6.3 metres wide at the property boundary with the edges of the crossover angled at 60 degrees to the edge of the road, at least for the first 3.0 metres with 3.0 metres radial turnouts must be constructed to the satisfaction the Responsible Authority (RA) and at no cost to Head, Transport for Victoria or the RA.
50. 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 Head, Transport for Victoria or the RA.
51. 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.
52. Vehicles must enter and exit the land in a forward direction at all times.
53. The level of the footpaths must not be lowered or altered in any way to facilitate access to the site.

54. Any security boom, barrier, gate or similar device controlling vehicular access to the premises must be located a minimum of 6.00 metres inside the property to allow vehicles to store clear of the (specify road) pavement and footpath.

Permit Expiry

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

55.1 The development is not started within two years of the date of this permit; and

55.2 The development is not completed within four years of the date of this permit; and

55.3 The use is not commenced within two years of the completion of the development.

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

1. BACKGROUND

- 1.1 The application was submitted to Council on 14 April 2020.
- 1.2 A request for further information was sent on 12 May 2020, raising a number of concerns with the application.
- 1.3 Further information was received by Council on 20 July 2020.
- 1.4 A second further information request was sent on 30 July 2020 as the information submitted did not provide all of the information originally requested by the assessing officer.
- 1.5 All outstanding information was received by Council on 13 August 2020, along with an amendment to the application as a result of the changes to the proposal. The changes were generally in response to recommendations and concerns raised by Planning Officers and included:
 - Modifications to the residential entry to ensure its suitable visibility to the streetscape;
 - Modifications to the eastern elevation and north-eastern corner of the building, to provide improved stepping and articulation;
 - Internal modifications to the building to provide solar access to corridors and improved internal amenity to apartments;
 - Surplus car spaces allocated as residential visitor spaces;
 - The inclusion of a detailed Practice Management Plan;

- Amendments in response to the Sustainability Management Plan;
- Reduction of the hardscape and increased landscaping within the front setback.

1.6 The application was advertised from 18 August 2020 to 2 September 2020.

1.7 Previously, restrictive covenants (private legal restrictions registered on title by previous owners of the land) restricted development on each property to no more than one private dwelling house of brick or brick veneer with roof of tiles with outhouses and garage. Planning Permits have been issued for their removal, as follows:

- Planning Permit PLN18/0729 was issued on 28 March 2019, for the removal of the Restrictive Covenant on 530 Doncaster Road, Doncaster.
- Planning Permit PLN20/0014 was issued on 13 March 2020, for the removal of the Restrictive Covenant on 532 Doncaster Road, Doncaster.

1.8 Titles were submitted on 10 September 2020, to confirm the restrictive covenants no longer apply to these properties. This enables Council to legally consider an application on the land for more than one dwelling.

2. THE SITE AND SURROUNDS

2.1 The site is located on the southern side of Doncaster Road, approximately 100 metres east of Carawatha Road.

2.2 The site is comprised of two properties, 530 & 532 Doncaster Road, Doncaster (Refer to Figure 1).



Figure 1 – Site and Surrounds Aerial Photo (16 March 2020)

2.3 The site has an overall frontage (northern boundary) of 33.53 metres to Doncaster Road, 45.72 metres along the eastern and western boundaries and

33.53 metres along the rear southern boundary. The total site area is 1533 square metres.

- 2.4 A 1.83 metre wide drainage and sewerage easement burdens the site, located along the southern boundary. The easement contains Council drainage infrastructure.



Figure 2 – Site Aerial Photo (16 March 2020)

- 2.5 No. 530 Doncaster Road (western lot) is developed with a single storey brick dwelling with a tiled hipped roof and a low brick front fence. Access is provided via a single-width crossover at the western edge of the frontage and a driveway that runs along the western boundary. The secluded private open space is located to the south (rear) of the dwelling, comprising of a shed in the south-western corner and some vegetation in the south-eastern corner. A line of trees behind the front fence also obscure views of the dwelling from the street.
- 2.6 No. 532 (eastern lot) is developed with a single storey rendered building that is presently used as a specialist medical centre. The rear of the property is concreted and used as a car park, accessed via a double-width crossover and driveway along the western boundary. Vegetation is present along the western and southern boundaries.
- 2.7 The land falls in a general south-west direction, with a 2.66 metre difference between levels in the north-eastern and south-western corners.
- 2.8 The site has abutments with the following five properties:

Direction	Address	Description
East	534-540 Doncaster Road, Doncaster	<p>This property is located within Doncaster Hill, being covered by the Activity Centre Zone Schedule 1 (ACZ1) and the Development Contributions Plan Overlay Schedule 1.</p> <p>This property is developed with a single-storey commercial building located in the north-western corner of the site. The remainder of the property consists of car parking spaces interspersed with vegetation. Planning Permit PLN20/0216 granted approval to use the existing building as a supermarket and associated restaurant.</p> <p>Planning Permit PL17/027636 was also granted for the redevelopment of this property to a eight-storey building that comprises of a residential aged care facility, retirement village, retail premises and food and drink premises. The approved development includes the 6 metre wide, vehicle accessway ramp down to the basement, immediate adjoining the extent of the common boundary.</p> <p>The height restriction under the ACZ is 18 metres with an additional 3.6 metres above maximum height for a design element (therefore up to 21.6 metres overall).</p>
South	21 and 23 Carawatha Road, Doncaster	<p>These properties are located within the General Residential Zone, Schedule 2 (GRZ2) and the Design and Development Overlay, Schedule 8 (DDO8-2).</p> <p>21 Carawatha Road is occupied by a single-storey brick dwelling with a hipped tiled roof, sited towards the front of the property and approximately 17 metres from the rear boundary. It is separated from the subject site by its secluded private open space and vegetation along the boundary.</p> <p>23 Carawatha Road is currently being developed with a three-storey apartment building approved under Planning Permit PL12/023246. The building has a minimum setback of 4.025 metres to the rear boundary.</p> <p>The height restriction is defined by the DDO8-2 which allows for a maximum height of 9 metres or 10 metres (dependent on slope of land). This is a mandatory height that cannot be varied by a permit.</p>

South-west	2/19 Carawatha Road, Doncaster	<p>This property is located within the General Residential Zone, Schedule 2 (GRZ2) and the Design and Development Overlay, Schedule 8 (DDO8-2).</p> <p>The property is part of a two unit development, with unit 2 being located at the rear of the site. 2/19 Carawatha Road is developed with a double storey brick dwelling with a hipped tiled roof. Its secluded private open space is located in the north-west corner, away from the subject site.</p> <p>The height restriction is defined by the DDO8-2 which allows for a maximum height of 9 metres or 10 metres (dependent on slope of land). This is a mandatory height that cannot be varied by a permit.</p>
West	528 Doncaster Road, Doncaster	<p>This property is in the Residential Growth Zone Schedule 2 (RGZ2) and the Design and Development Overlay Schedule 8-1 (DDO8-1).</p> <p>It is developed with a single-storey brick building presently used as a medical centre (dental clinic). The rear part of the property is used as a car park, accessed via a double-width crossover and driveway along the western boundary.</p> <p>Planning Permit PL16/026314 granted approval for the construction of a three storey apartment building comprising 11 dwellings with basement car parking and alteration of access to a Road Zone 1.</p> <p>The height restrictions on this property are the same as the subject site, being within the same RGZ2 and DDO8-1, where the RGZ2 allows a height of up to 13.5 metres or 14.5 metres (dependent on slope of land), and where the DDO8-1 allows a height of up to 9 metres or 10 metres (dependent on slope of land). These maximum heights are able to be considered for variation to the height, by a permit.</p>

- 2.9 The character of the broader area is mixed, with commercial uses to the east and north-east along Doncaster Road (within Doncaster Hill), and residential to the west and south. The latter is a combination of single detached dwellings and newer multi-dwelling developments including the Tullamore Estate.
- 2.10 Diagonally opposite the site to the north-west is the Tullamore estate, with large scale apartment buildings facing onto Doncaster Road.

- 2.11 The subject site is located directly adjacent to the Doncaster Hill Activity Centre. It is approximately 650 metres west of the Westfield Doncaster Shopping Centre and the Doncaster Road, Williamsons Road, Tram Road intersection. In addition to having access to the numerous retail, restaurant and entertainment venues within the Shopping Centre, the site is well serviced by other community and local facilities including Carawatha Reserve, parkland within Tullamore Estate, MC Square, Doncaster Primary School and Doncaster Secondary College.
- 2.12 Doncaster Road is a major arterial road running in an east-west alignment with three lanes of traffic in each direction. Bus lanes extend along Doncaster Road in either direction, restricting car parking on weekdays from 7:00am to 9:00am and also 4:00pm to 7:00pm. A central median is provided, with right turn / U-turn openings to the east and west.
- 2.13 In terms of public transport several bus routes run along Doncaster Road, connecting to activity centres and residential areas within Manningham as well as Melbourne's Central Business District. Further bus routes are accessible from the bus interchange at Westfield. The Doncaster Park and Ride is also located approximately 1.2 kilometres to the west.

3. THE PROPOSAL

- 3.1 The proposal is outlined on the plans prepared by Stoll Architecture, Project No. 191171, Revision 4, dated 7 August 2020 and a landscape plan prepared by John Patrick Landscape Architects, Revision B, dated 7 August 2020. Refer to Attachment.
- 3.2 The following plans / reports are also provided in support of the application:
- Survey Plan prepared by Goodison Surveying, dated 9 April 2020;
 - Town Planning Report prepared by Ratio Consultants, dated August 2020;
 - Sustainable Management Plan & Water Sensitive Urban Design Response prepared by Ark Resources, dated 5 August 2020;
 - Traffic Engineering Assessment prepared by Traffix Group, dated 11 August 2020;
 - Waste Management Plan prepared by Leigh Design, dated 28 May 2020;
 - Green Travel Plan prepared by Traffix Group, dated 9 June 2020;
 - Arboricultural Report prepared by John Patrick Landscape Architects, dated April 2020.
 - Practice Management Plan, undated.

Development Summary

- 3.3 A summary of the development is provided as follows:

Element	Details
---------	---------

Building Details	<ul style="list-style-type: none"> • Total Site Area (2 lots) – 1533sqm • Site coverage 60% • Hard surface area 70% • Site Permeability 30%
Medical Centre	<ul style="list-style-type: none"> • 492sqm across 3 separate areas
Dwellings	<ul style="list-style-type: none"> • A total of 22 dwellings are proposed with mix of apartment sizes including: <ul style="list-style-type: none"> ○ 2 x one-bedroom apartments; ○ 15 x two-bedroom apartments; ○ 5 x three-bedroom apartments.
Building Height	<ul style="list-style-type: none"> • 16.66m to top of fourth floor roof parapet (roof form) • 17.8m to the top of the rooftop services screen • 18.99m to top of rooftop access staircase
Basements	<ul style="list-style-type: none"> • Basement level 1: <ul style="list-style-type: none"> ○ Total of 20 car parking spaces, inclusive of : <ul style="list-style-type: none"> - 17 medical centre car parking spaces, including one disable car space; and - 3 visitor car parking spaces. ○ 9 bicycle parking spaces; ○ 2 electric vehicle charging points; ○ Waste storage room ○ Internal stair access; ○ Internal lift access & lift lobby (2 lifts); • Basement level 2: <ul style="list-style-type: none"> ○ Total of 28 residential car parking spaces; ○ 22 storage cages; ○ 2 underground rainwater tanks, with a total volume 28,000L; ○ Internal stair access; ○ Internal lift access & lift lobby (2 lifts)
Car Parking	<ul style="list-style-type: none"> • Residential requirement: <ul style="list-style-type: none"> ○ 2 x one-bedroom apartments – 2 car spaces required ○ 15 x two-bedroom apartments – 15 car spaces required ○ 5 x three-bedroom apartments – 10 car spaces required

	<ul style="list-style-type: none"> ○ Overall required – 27 car spaces ○ Overall provided – 28 car spaces ● Medical centre – 3.5 spaces to each 100sqm of leasable floor area <ul style="list-style-type: none"> ○ Required for 492sqm leasable floor area – 17 car spaces ○ Provided – 17 car spaces ● Total: <ul style="list-style-type: none"> ○ Required – 44 car spaces ○ Provided – 48 car spaces ○ Surplus of 4 car spaces
Visitor Spaces	<ul style="list-style-type: none"> ● 3 allocated visitor car spaces ● As the site is located within the Principal Public Transport Network (PPTN) Area, it is not required to provide any visitor car spaces.
Setbacks (minimum)	<ul style="list-style-type: none"> ● Doncaster Road (Northern boundary): <ul style="list-style-type: none"> ○ Basements– 6m ○ Ground floor – 6.0m ○ Level 1 – 6.0m (balcony 5.45m) ○ Level 2 – 6.0m (balcony 5.45m) ○ Level 3 – 6.0m (balcony 5.28m) ○ Level 4 – 9.72m (balcony 6.43m) ● Southern boundary: <ul style="list-style-type: none"> ○ Basements – 4m ○ Ground floor – 4m ○ Level 1 – 3.915m ○ Level 2– 7.29m (balcony 5.45m) ○ Level 3– 9.47m+ (balcony 9.47m) ○ Level 4 – 15.16m (balcony 11.54m) ● Eastern boundary: <ul style="list-style-type: none"> ○ Basements – 3.565m ○ Ground floor – 3.565m ○ Level 1 – 3.51m+ (balcony 3.51m) ○ Level 2– 3.51m (balcony 3.98m) ○ Level 3– 4.314m (balcony 3.715m) ○ Level 4 – 6.38m ● Western boundary:

	<ul style="list-style-type: none"> ○ Basements – 0.405m for the front portion & 3.565m ○ Ground floor – 3.565m ○ Level 1 – 3.56m ○ Level 2– 5.595m (balcony 3.512m) ○ Level 3– 8.92m (balcony 7.24m) ○ Level 4 – 12.185m (balcony 9.63m)
--	--

Use

- 3.4 The medical centre comprises three suites on the ground level. It will operate from 8:00am to 7:00pm Monday to Friday and 8:00am to 1:00pm Saturday, with up to 10 practitioners.

Height

- 3.5 The maximum height of the building to the roof of is 16.66 metres, located towards the south-western corner of building.
- 3.6 Rooftop services are provided such as an access staircase enclosure, lift overrun and plant equipment. These features are centrally sited in the development and significantly setback from all boundaries. Plant equipment will be screened by a 1.8 metre high metal slat screen.

Building Design Layout and Access

- 3.7 The proposed building has a relatively rectangular footprint reflecting the alignment of the site. The northern and eastern walls maintain similar side setbacks across all levels, with a tiered approach adopted across the southern and western walls.
- 3.8 The medical centre suites cover the majority of the ground level and are located towards the front. The lower level of three double-storey apartments are located at the rear, but they are not accessible from ground level.
- 3.9 The eastern end of the ground level will be cut into the site by a maximum of 1.2 metres. Retaining walls are setback 2.6 metres from the frontage to facilitate tree planting on natural ground level and reduce impacts to the existing trees within the adjoining property to the east.
- 3.10 Two separate pedestrian building entries are provided. The entry to the medical centre is located centrally facing Doncaster Road whilst the residential entry is located along the eastern side of the building. Both entries are accessible to people with limited mobility via gently ramped walkways. The entries lead to separate foyers that both have access to the same lifts.
- 3.11 Freestanding signage with a height of 1.2 metres is proposed adjacent to both walkways at the frontage to identify the entries.
- 3.12 Two bicycle hoops providing four bicycle spaces are located to the eastern side of the building, at the end of the walkway that leads to the residential entry to the building.

- 3.13 Nine apartments are provided at the first floor, including the three aforementioned double-storey apartments. Besides a single one-bedroom apartment, all other apartments consist of two bedrooms.
- 3.14 Six apartments with a mix of one, two or three bedrooms are provided on the second level. Five, two-bedroom apartments are provided on the third level and two, three-bedroom apartments on the fourth level.
- 3.15 The existing single width crossover at the western end of the frontage at 530 Doncaster Road will be increased to a width of 8.23 metres. This provides access to a 6.6 metre wide ramped accessway leading down to the basement car park.

Landscaping

- 3.16 All existing vegetation on site will be removed. The Concept Landscape Plan proposes planting including 21 canopy trees, screening vegetation and shrubs.
- 3.17 The front setback includes low level planting as well as three canopy trees with mature heights of between 7 and 12 metres. The retaining wall at the eastern section of the front setback is setback 2.6 metres from the frontage to facilitate planting on natural ground level.
- 3.18 A combination of canopy trees and screen planting are proposed along the side and rear boundaries, interspersed with smaller shrubs. Planter boxes are proposed to the western side of the driveway and between the terrace and the western boundary atop the basement.

Design Detail

- 3.19 The building features a modern contemporary architectural design. The two uses are well integrated and present a cohesive overall form and appearance to the streetscape. Visual interest is achieved through the use of articulation, glazing, varied materials and finishes, and architectural elements including the blade feature to the north-eastern corner of the first, second and third levels.
- 3.20 Both the residential and non-residential entries are visible and identifiable from the street. The former is emphasised via a canopy that extends forward of the bottom of the blade feature. The latter employs a canopy with decorative green acrylic panels.
- 3.21 External walls incorporate a mixture of materials and finishes, including face brickwork, metal cladding and render in generally grey tones, charcoal, brown, beige and off-white.
- 3.22 Windows are generally aluminium with clear or obscure glazing. Balcony balustrades are either clear or opaque glass with vertical or horizontal louvered screens. The roof form is flat with parapets to the wall edge.

4. LEGISLATIVE REQUIREMENTS

- 4.1 Refer to Attachment.
- 4.2 A permit is required under the following Clauses of the Manningham Planning Scheme:

Clause 32.07 Residential Growth Zone, Schedule 2 (RGZ2):

- Clause 32.07-2 to use the land as a medical centre (where the leasable floor area (LFA) exceeds 250sqm);
- Clause 32.07-5 to construct two or more dwellings on a lot;
- Clause 32.07-8 to construct a building or construct or carry out works for a use in Section 2.

Clause 43.02 Design and Development Overlay, Schedule 8 (DDO8):

- To construct a building or construct or carry out works, including a front fence.

Clause 52.29 Land Adjacent to a Road Zone Category 1 or a Public Acquisition Overlay for a Category 1 Road:

- To create or alter access to a road in a Road Zone, Category 1.

5. REFERRALS

External

- 5.1 Given the proposal involves the alteration of access to Doncaster Road, it is a statutory requirement to refer the application to the Department of Transport (formally known as VicRoads) as a determining referral authority.
- 5.2 The Department of Transport have no objection to the proposal, subject to conditions being included on any permit issued.

Internal

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

Service Unit	Comments
Infrastructure Services Unit – Drainage	<ul style="list-style-type: none"> • No objection subject to conditions for the provision of an on-site storm water detention system.
Infrastructure Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> • No objection subject to conditions requiring the removal of the redundant crossover and the reinstatement of the footpath, nature strip and kerbing.
Infrastructure Services Unit – Access	<ul style="list-style-type: none"> • No objection subject to the provision of appropriate signage to designate the uses of the basement car parking spaces, including the availability of the medical centre car parking spaces for visitors outside of the operating hours.
Infrastructure Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> • No objection.

Service Unit	Comments
Infrastructure Services Unit – Construction Management	<ul style="list-style-type: none"> No objection subject to a requirement for the provision of a Construction Management Plan.
Waste Management	<ul style="list-style-type: none"> No objection subject to the approval of the submitted Waste Management Plan.
Infrastructure Services Unit – Easements	<ul style="list-style-type: none"> No objection.
Infrastructure Services Unit – Overland Flow	<ul style="list-style-type: none"> No objection.
Environmentally Sustainable Design	<ul style="list-style-type: none"> No objection subject to an amendment to the Sustainability Management Plan to achieve the 4 star Green Star Design & As Built rating.
Planning Arborist	<ul style="list-style-type: none"> No objection subject to the provision of a Tree Protection and Management Plan (TPMP) and standard conditions.
Health	<ul style="list-style-type: none"> No objection.

6. CONSULTATION / NOTIFICATIONS

- 6.1 The application was advertised by mail to nearby properties.
- 6.2 Signs were not placed on the site due to Victoria’s State of Disaster restrictions. Instead, letters were sent to nearby properties within a 120 metre radius of the site, as per the map below.

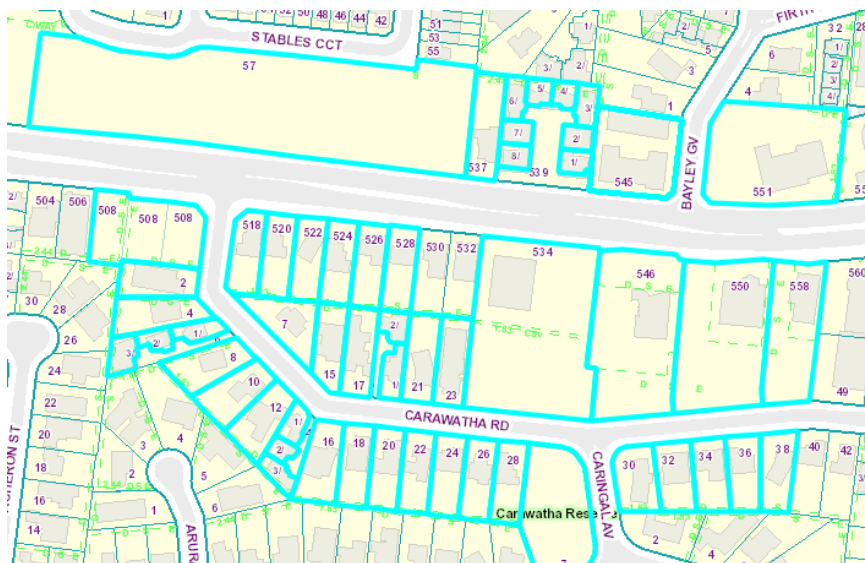


Figure 3: Properties notified by mail

6.3 To date, objections have been received from 3 properties as follows:

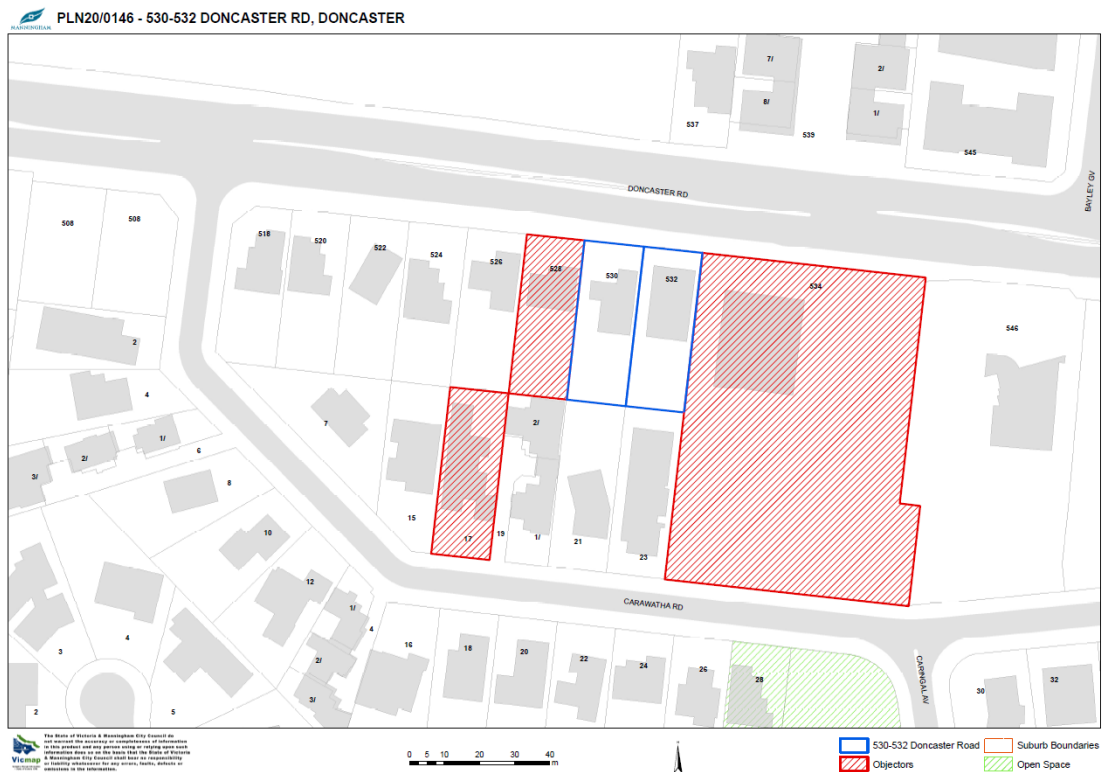


Figure 4: Objector Properties (red marker) and subject site (blue)

6.4 The main grounds of objections can be summarised as follows:-

- The building height exceeds the maximum building height requirements under the DDO8-1 and RGZ2;
- The building would diminish the entry into the activity centre, by virtue of obscuring views of the approved development at 534-540 Doncaster Road from the west;
- Overshadowing;
- Overlooking;
- Noise pollution;
- Loss of amenity;
- Visual bulk and architectural design;

7. ASSESSMENT

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

7.2 The following assessment is made under the headings:

- Planning Policy Frameworks;
- Medical Centre Use;
- Built Form, Design and Landscaping;
- Clause 58 Apartment Developments;
- Car Parking, Access and Bicycle Facilities; and
- Objector concerns.

Planning Policy Frameworks

- 7.3 At both State and Local levels, policy emphasises the need for a mix of developments that are well designed with higher densities particularly encouraged in and around activity centres and along main roads. There is therefore strategic support for the redevelopment of the site, given its location along a main road, its current zoning as a Residential Growth Zone and its proximity to the Doncaster Hill Activity Centre.

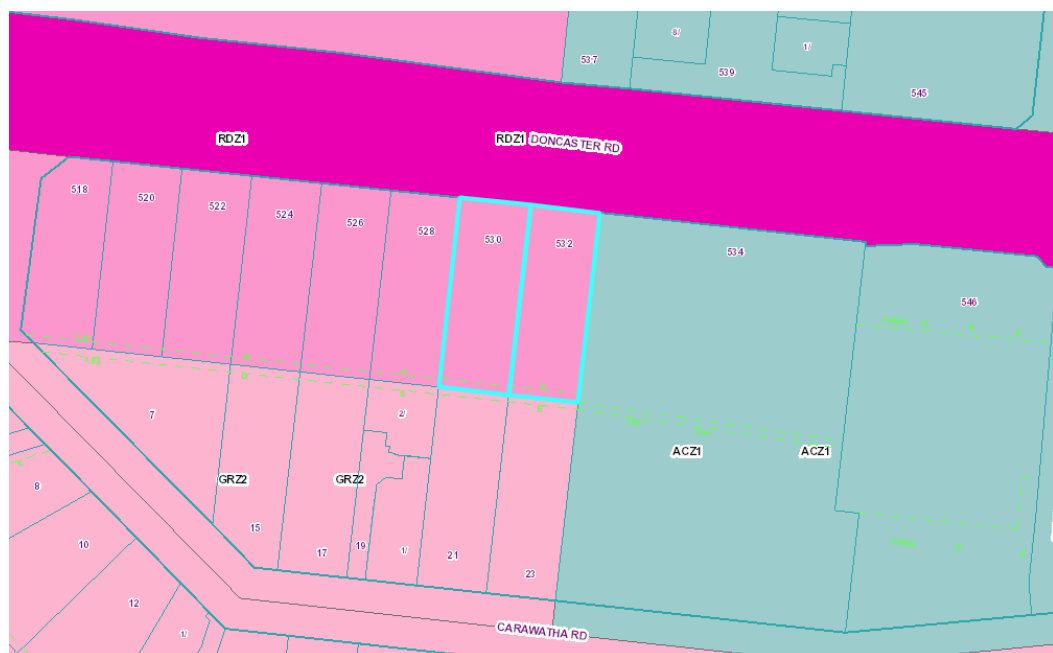


Figure 5: Zoning Map of the site and surrounding properties

- 7.4 Various policy statements recognise that the original neighbourhood character along Doncaster Road will undergo significant change. This preferred change is envisioned to be substantial, whereby a higher built form and density will replace the typically suburban single dwelling character.
- 7.5 Clause 21.05 (Residential) designates the site as Precinct 2, where higher density development is encouraged and a substantial level of change is anticipated. Apartment style developments are encouraged along main roads and near activity centres, which allow for proximity to services and public transport. The consolidation of two lots to provide a larger multi-storey building therefore provides an appropriate scale of built form that complies responds to policy.
- 7.6 In addition to providing for increased housing, the incorporated medical centre use also provides a facility to serve local community needs in accordance with one of the purposes of the Residential Growth Zone. Local policy at Clause 22.05 (Non-Residential Uses in Residential Areas) also encourages the integration of non-residential uses as part of higher density developments.

Medical Centre Use

- 7.7 The location of the medical centre is consistent with the policies in Clause 22.05 (Non-Residential Uses in Residential Areas) as follows:
- The site is located immediately adjacent to the south-western edge of the Doncaster Hill Activity Centre;
 - The site has direct access to Doncaster Road, which is a main arterial road within the Road Zone, Category 1;
 - There are numerous bus routes servicing Doncaster Road which provide connections to other Major Activity Centres and the CBD;
 - Footpaths along Doncaster Road provide convenient access on foot.
- 7.8 The provision of non-residential uses at ground level with residential uses above is also encouraged by Clause 22.05. The dedicated medical centre entry is provided with direct access to the frontage to delineate this use from the residential component. The two lifts also provide direct access from the basement levels and whilst they are shared between the uses, access to the residential areas will be restricted.
- 7.9 The proposed operating hours for the medical centre are between the hours of 8:00am to 7:00pm Monday to Friday and 8:00am to 1:00pm Saturday. These are considered reasonable given the location on a main road and adjacent to existing commercial uses within Doncaster Hill.
- 7.10 Although there are other medical centres in the general vicinity, the proposal replaces and offers a potential opportunity to upgrade the existing specialist centre at 532 Doncaster Road. It is also anticipated that the type of health or medical service provided would complement other existing services within the immediate surrounds based on the demand of the community.
- 7.11 The intensity of the use will be managed to have regard to its residential setting. Permit conditions will require not more than 10 practitioners be permitted at any one time, and that they see patients on an “appointment based” basis to manage the number of patients present on site (to avoid a “walk-in” style bulk-billing clinic). This would also assist with the management of car parking.

Built Form, Design and Landscaping

Height

- 7.12 Under DDO8, a development with a land size of less than 1800 square metres can have a maximum building height of 9 metres, or 10 metres if the land is on a slope (of 2.5 degrees or more for more than 8 metres). This requirement excludes building services, lift over-runs and roof mounted equipment, including screening devices. This is not a mandatory height requirement given the site is within the Main Road Sub-Precinct (DDO8-1) allowing greater heights to be approved.
- 7.13 The DDO8 also seeks to support three-storey, apartment style developments within the Main Road Sub-Precinct.
- 7.14 The Residential Growth Zone (RGZ) requires that a building should not exceed 13.5 metres, or 14.5 metres if the land is on a slope (of 2.5 degrees or more for more than 8 metres). There is no maximum requirement on the number of storeys.

- 7.15 The maximum height of the building is 16.66 not including rooftop services (the height to the rooftop services is 18.99 metres).

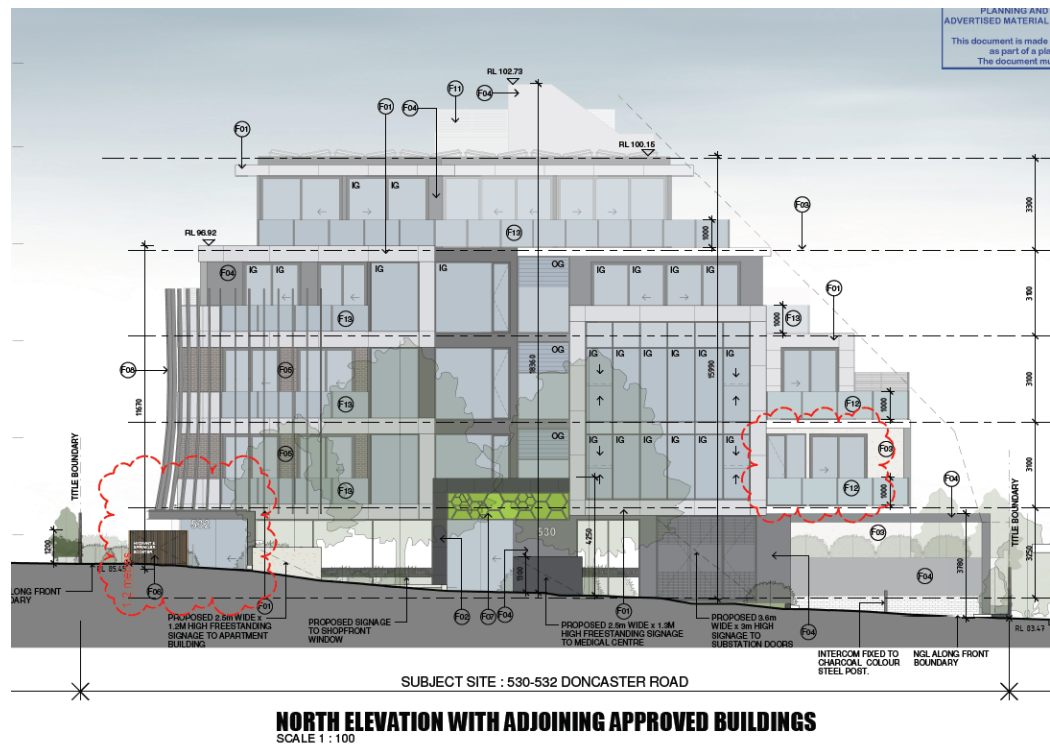


Figure 6: North elevation (Doncaster Road elevation)

- 7.16 The proposal therefore seeks dispensation for its 16.66 metre height under the DDO8 (10 metre requirement) and the RGZ (14.5 metre requirement).
- 7.17 The maximum building height requirements are not mandatory and therefore can be varied with planning permission. This discretion provides flexibility to achieve design excellence to the built form and to appropriately respond to the site context within the Main Road Sub-Precinct, where additional height could be considered acceptable.
- 7.18 The site is located immediately outside the Doncaster Hill Activity Centre and the Activity Centre Zone, Schedule 1 (ACZ1). The adjoining property to the east at 534-540 Doncaster Road is identified as a gateway entry to Doncaster Hill with a maximum building height requirement of 18 metres (with a 3.6 metre high design element above).
- 7.19 The context of the built form of approved Planning Permits for apartment developments either side of the site, is also relevant:
- To the east, an eight-storey mixed use building has been approved for the adjoining property at 534-540 Doncaster Road under Planning Permit PL17/027636. The approved development has a maximum building height of 18 metres and a maximum overall height of 21.6 metres (to the design element and rooftop services).
 - To the west, the adjoining property within same planning controls as the subject site and has approval for a three-storey apartment building on a

single lot under Planning Permit PL16/026314. The approved development has a maximum building height of 9.998 metres.

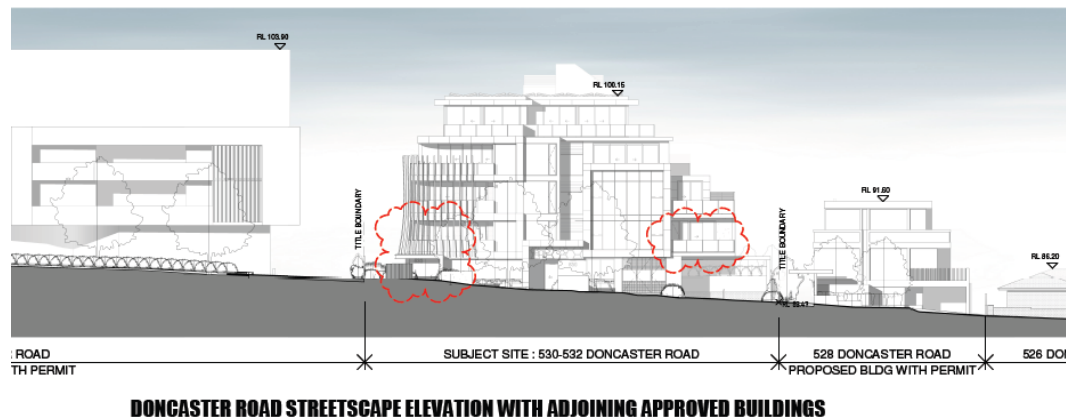


Figure 7: Streetscape elevation of approved buildings adjacent to the proposal

- 7.20 Within this context, the proposed five-storey built form will sit comfortably within this specific section of the streetscape, as it provides a transition between the more intensive eight-storey built form within the ACZ to the east and the medium density three-storey scale to the west.
- 7.21 Its additional height is also appropriate in a broader sense. The eastern part of the site sits directly opposite the ACZ (537 Doncaster Road) which allows a maximum height of 18 metres with a 3.6 metre high design element above. The western part of the site sits opposite the Tullamore Estate, where apartment buildings of up to six storeys have been constructed or are being proposed.
- 7.22 Furthermore, the top level (Level 4) has a generally recessed form from the more sensitive interfaces to the west and south where a lower scale of built form is permitted. Balconies and other design features also provide visual breaks to the built form and provide an attractive building presentation.

Form

- 7.23 The preferred neighbourhood character for this site is specified by the policy requirements of the DDO8, which encourages contemporary design with an articulated built form and a range of visually interesting building materials and façade treatments.
- 7.24 Overall, the architectural presentation of the building is considered to be of a high quality. Articulation and visual interest is achieved through the placement of balconies, the use of glazing and the application of varying materials to all levels, while suitable stepping and increased articulation are provided to the second and third levels. The upper level is significantly reduced in size and provides generous setbacks to all elevations and greater setbacks to the more sensitive interfaces (to the west and south).



Figure 8: perspective of north-east corner of proposed building

- 7.25 The design detail to the front elevation includes a curved architectural blade feature at the north-east corner, stretching from the first floor to the balcony balustrade at Level 3. A framing feature is also provided to the western portion of the front façade on the first and second levels, which visually highlights the windows. These elements create architectural interest to the front façade.



Figure 9: perspective of north-west corner of proposed building

- 7.26 Greater articulation and recession between levels is provided on the southern and western elevations, where the site abuts properties in the Residential Growth Zone (west) and the General Residential Zone (south). On these elevations a tiered approach is adopted with setbacks increasing with height.
- 7.27 Given the site adjoins the Doncaster Hill Activity Centre to the east (Activity Centre Zone, Schedule 1), there is less recession on the eastern side of the building and the upper levels are situated closer to the eastern than the western

boundary (Refer to Figures 2 and 5). The building still provides appropriate setbacks to the eastern boundary and sufficient articulation in the form of balconies and a variation in the materials and finishes.



Figure 10: Western elevation (demonstrating stepping from the south)

- 7.28 Across the remaining elevations the design generally makes use of a variety of materials and finishes. However, most of the top two levels will have a dark grey rendered finish (Resene ‘Ironsand’) which will not provide sufficient visual interest on this elevation. A permit condition will therefore require a lighter coloured render finish on the western wall of Level 3 and the northern wall of Apartment 303, in order to provide a variation to finishes and visual interest on this prominent elevation visible from Doncaster Road.
- 7.29 Permit conditions will also require an updated materials schedule to include details of the retaining walls, driveway surfacing and all hardstand surfaces within the front setback.
- 7.30 The table below provides a detailed assessment of the policy requirements of DDO8:

Design Element	Compliance
DDO8-1 (Main Road Sub-Precinct)	
<ul style="list-style-type: none"> • Height - 11 metres provided the condition regarding minimum land size is met. <p>If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the site of the building is 2.5 degrees or more, in which case the</p>	<p>Met</p> <p>The proposed building height is considered appropriate for reasons detailed in the above assessment section of this report.</p>

Design Element	Compliance
<p>maximum height must not exceed 10 metres.</p>	
<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. 	<p>Met</p> <p>The ground and upper floor walls of the building all meet or exceed the minimum street setback of 6m.</p> <p>Balconies, terraces and verandahs are allowed to encroach within the street setback to Doncaster Road by a maximum of 2 metres, provided they don't extend along the entire length of the building. The balconies comply with this requirement.</p> <p>It is further noted that conditions in relation to minimum private open space requirements, will require the dimensions of balconies adjacent to the north-east corner to be increased by 300-400mm. The proposal will still comply with the front setback requirements.</p>
Form	
<ul style="list-style-type: none"> Ensure that the site area covered by buildings does not exceed 60 percent. 	<p>Met</p> <p>The building has a site coverage of 60%.</p>
<ul style="list-style-type: none"> Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Met</p> <p>The building design offers a high level of visual interest through architectural features, strategic balcony designs, glazing and variation in materials and colours.</p>
<ul style="list-style-type: none"> Minimise buildings on boundaries to create spacing between developments. 	<p>Met</p> <p>Excluding a portion of the basement, the proposal is setback from all boundaries providing spacing between the common boundary and other buildings.</p> <p>The basement ramp and entry is constructed 400mm from the western boundary, protruding minimally above the natural ground level (maximum 700mm) with landscaping to be provided within planter boxes above.</p> <p>Given it is only a small section of the basement, with minimal protrusion above</p>

Design Element	Compliance
	ground level, the boundary construction is considered acceptable.
<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>The building progressively steps back from the rear boundary across the second, third and fourth levels. Level 3 & 4 has been provided with significant setbacks provided from the western and southern boundaries of the site.</p>
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Met</p> <p>The building design appropriately responds to the slope of the land, as the eastern section of the site is partially excavated for the development to bench into the slope.</p>
<ul style="list-style-type: none"> Avoid reliance on below ground light courts for any habitable rooms. 	<p>Met</p> <p>There are no below ground light courts for habitable room windows.</p> <p>At the ground floor (to the rear), Apartment 102 and part of Apartment 103 are located below natural ground level. Retaining walls between 450mm and 1.35m in height are provided within the secluded private open spaces. The retaining walls are suitably setback from windows to ensure sufficient light courts are provided and good internal amenity is provided for future residents.</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</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>Not applicable</p> <p>This requirement is not applicable given the building is five storeys. However, the building is stepped-in from the lower levels, particularly from the sensitive interfaces to the south and west. The upper level (Level 4) covers 55.3% of Level 3, and Level 3 covers 78.3% of Level 2.</p>
<ul style="list-style-type: none"> Integrate porticos and other design features with the overall design of the building and not 	<p>Met</p>

Design Element	Compliance
include imposing design features such as double storey porticos.	<p>There are no double storey porticos or unreasonable imposing design features.</p> <p>The architectural blade feature in the north-eastern corner and the framing feature to Levels 2 and 3 are suitable and proportionate design features to the building and are not considered to be visually imposing.</p>
<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</p> <p>The basement is suitably excavated into the slope of the land. Given the slope down towards the south-west, there is a minor projection of up to 700mm on the western side of the building.</p>
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Met</p> <p>Ground floor screening is limited to a 600mm high trellis along the southern section of the western boundary fence and the western section of the southern boundary fence.</p> <p>At the first and second floors, screening is limited to the south and west facing windows and balconies.</p> <p>Screening devices are suitably excluded from windows and balconies where adequate setbacks are provided, or generally do not result in overlooking of existing secluded private open space or habitable room windows.</p> <p>The application of screening devices is not considered excessive.</p> <p>Overlooking is further discussed in the assessment against Clause 58.04-1 in a later section of this report.</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 mobility. 	<p>Met</p> <p>Both building entries can be accessed via ramps that have a maximum gradient of 1:20.</p> <p>Two lifts are provided with access to all levels.</p>

Design Element	Compliance
<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</p> <p>The basement projects a maximum of 700mm above natural ground level on the western elevation. This basement projection is not considered to be unreasonable nor result in excessive building height as viewed from adjoining properties.</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</p> <p>The entry to the basement car park is not visually obtrusive when viewed from the street, especially as it is set back further from the frontage than the building.</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 park and half basement parking. 	<p>Met</p> <p>All car parking spaces are provided within the basements.</p>
<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>Met</p> <p>The basement is setback 6 metres from the front boundary, consistent with the ground floor setback.</p> <p>The basement is setback 4 metres from the rear boundary which will allow for effective landscaping to be established.</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>The development provides suitable opportunities for the planting of vegetation including canopy trees as a result of suitable setbacks from the common boundaries.</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>The lift overrun, access staircase, rooftop plant and associated screening are centrally located and setback considerably from boundaries so as not to unreasonably impact on the amenity of surrounding properties.</p>
<p>Car Parking and Access</p>	

Design Element	Compliance
<ul style="list-style-type: none"> • Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback. 	<p>Met</p> <p>One double width vehicle crossover is proposed to Doncaster Road and it has been located to avoid street trees.</p> <p>This component of this application was also referred to the Department of Transport who raised no concerns with the proposed access arrangements subject to standard conditions.</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>Not applicable</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>
<ul style="list-style-type: none"> • Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	<p>Met</p> <p>Gradients of the driveway have been assessed by Council's Infrastructure Services Unit and are considered to comply with Design Standard 3 in Clause 52.06-9 of the Manningham Planning Scheme.</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 subject to condition</p> <p>Although the submitted concept landscape plan shows three canopy trees within the front setback, one of them is an <i>Eucalyptus leucoxylon</i> that is capable of reaching 7 metres at maturity.</p> <p>A permit condition will therefore require all three trees within the front setback to have a minimum mature height of 8 metres.</p>
<ul style="list-style-type: none"> • Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form. 	<p>Met</p> <p>As demonstrated by the concept landscape plan, plentiful opportunities are provided along the side and rear boundaries for</p>

Design Element	Compliance
	plantings that will assist in softening the appearance of the built form.
Fencing	
<ul style="list-style-type: none"> • A front fence must be at least 50 per cent transparent. • 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 <p>and a continuous landscaping treatment within the 1.0m setback must be provided.</p>	Not applicable

Clause 58 Apartment Developments

7.31 Pursuant to Clause 58 (Apartment Developments), the development must meet all of the objectives of this clause and should meet all of the standards.

7.32 An detailed assessment against the objectives of Clause 58 is provided in the table below, demonstrating that the development generally satisfies all objectives of relevance to the application:

Objective	Objective Met/Not Met
<p>58.02-1 – Urban context</p> <ul style="list-style-type: none"> • To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area. • To ensure that development responds to the features of the site and the surrounding area. 	<p>Met</p> <p>The proposed development responds positively to the existing urban context and the preferred future development of the area. In particular, it is appropriately designed to respond to its location being adjacent to the Doncaster Hill Activity Centre.</p>

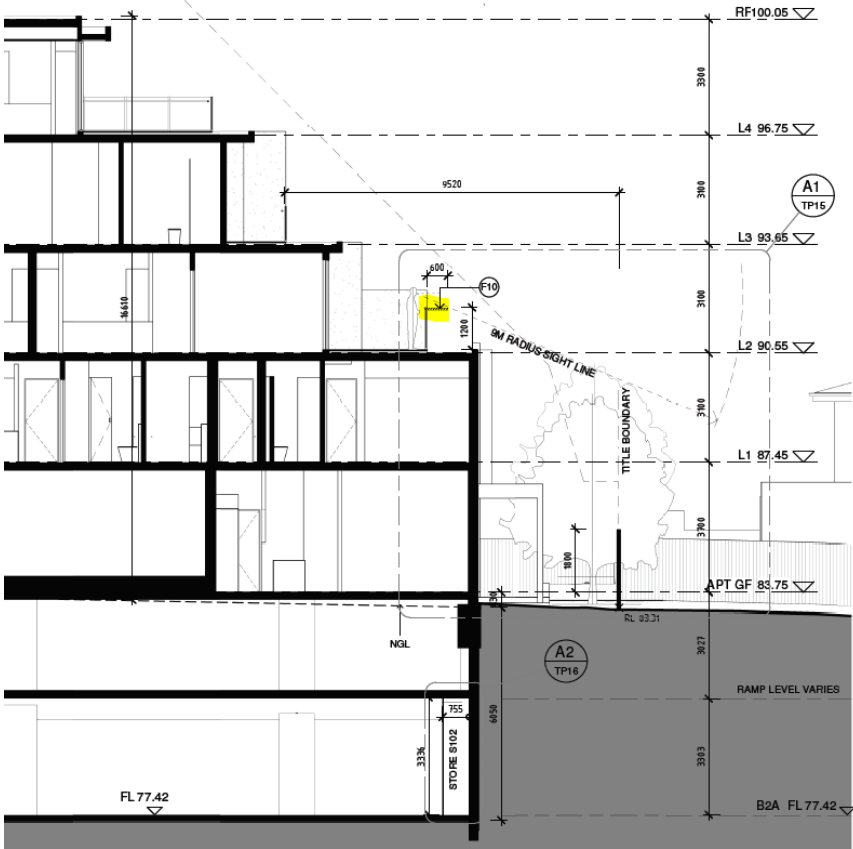
Objective	Objective Met/Not Met
<p>58.02-2 – Residential policy</p> <ul style="list-style-type: none"> • To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework. • To support higher density residential development where development can take advantage of public and community infrastructure and services. 	<p>Met</p> <p>The application was accompanied by a written statement demonstrating how the development is in accordance with Municipal Planning Strategy and the Planning Policy Framework.</p> <p>As discussed in the report, it is considered that the proposal is in accordance with the relevant State and Local planning policies.</p> <p>The site can support higher density residential development which takes advantage of public and community infrastructure and services.</p>
<p>58.02-3 – Dwelling diversity</p> <ul style="list-style-type: none"> • To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	<p>Met</p> <p>The proposal includes a mix of apartment sizes including:</p> <ul style="list-style-type: none"> • 2 one-bedroom apartments; • 15 two-bedroom apartments; • 5 three-bedroom apartments.
<p>58.02-4 – Infrastructure</p> <ul style="list-style-type: none"> • To ensure development is provided with appropriate utility services and infrastructure. • To ensure development does not unreasonably overload the 	<p>Met subject to condition</p> <p>The site has access to all services and the proposal is not anticipated to unreasonably overload the capability of utility services or infrastructure. A permit condition will require the provision of an on-site storm water detention system.</p>

Objective	Objective Met/Not Met
<p>capacity of utility services and infrastructure.</p>	
<p>58.02-5 – Integration with the street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<p>Met</p> <p>The building entries to the medical centre use and apartments are both located at the front and are considered to be clearly identifiable from the street.</p> <p>Vehicle access is appropriately provided at the western end of the street frontage.</p>
<p>58.03-1 – Energy efficiency</p> <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings and buildings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. To ensure dwellings achieve adequate thermal efficiency. 	<p>Met</p> <p>Given the orientation of the site, the proposal provides a reasonable response to maximise the energy efficiency of the dwellings, noting that there is only one single aspect south-facing apartment (Apartment 103).</p> <p>The location of balconies has been strategically considered locating balconies with consideration to apartments below to maximise solar/light access to habitable rooms.</p> <p>The development would be constructed to achieve an average NatHERS star rating of 6.5 stars, and all apartments would have a NatHERS maximum cooling load of no more than 21.</p>
<p>58.03-2 – Communal open space</p> <ul style="list-style-type: none"> To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development. 	<p>Not Applicable</p> <p>The development comprises less than 40 dwellings, and no communal open space is required to be provided for the development.</p>

Objective	Objective Met/Not Met
<p>58.03-3 – Solar access to communal outdoor open space</p> <ul style="list-style-type: none"> To allow solar access into communal outdoor open space. 	<p>Not Applicable</p>
<p>58.03-4 – Safety</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	<p>Met subject to condition</p> <p>Separate entries are provided between the residents and visitors of the apartments and the users of the medical centre.</p> <p>Access to the residential foyer and to the residential levels from the lifts and stairs will be controlled via the use of access fobs as per the Practice Management Plan so that only residents are able to access these spaces.</p> <p>A condition will require the two lifts to be separated between the residential and medical centre uses during the operating hours of the medical centre.</p> <p>The basement car park has a security roller door at its entry. Access to the car park during the medical centre operating hours will be required for practitioners and customers. Outside of these times the car park will facilitate secure access only for residents, visitors, and rubbish collection contractors, as necessary. This will be required by way of a permit condition.</p> <p>A second roller door is also provided on the ramp between the two basement levels, to further restrict access to the car parking spaces for residents at Basement Level 2.</p>
<p>58.03-5 – Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. 	<p>Considered Met subject to conditions</p> <p>The proposed layout does not provide 10% of the site with a minimum dimension of 6 metres for deep soil plantings, as required under the standard.</p> <p>However, the building is generally setback 3.6 metres from the side boundaries and 4 metres from the rear boundary, which is considered suitable for the provision of landscaping, including the planting of screen landscaping and suitably sized canopy trees along the boundaries.</p> <p>The concept landscape plan also demonstrates the ability to provide 21 canopy trees on the site, consisting of 8 different species, ranging in mature height from 7 metres to 12 metres.</p> <p>Overall, the landscaping across the site is considered acceptable and responsive to the landscaping outcome sought.</p>

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To provide appropriate landscaping. To encourage the retention of mature vegetation on the site. To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect. 	
<p>58.03-6 – Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the urban context. 	<p>Met</p> <p>One 8.23 metre wide vehicle crossover is proposed for the development to Doncaster Road. It does not exceed 33% of the site frontage and its design and location is considered satisfactory. The crossover was also referred to the Department of Transport who have no objection to the proposal.</p>
<p>58.03-7 – Parking location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To protect residents from vehicle noise within developments. 	<p>Met</p> <p>Parking is provided within the basement car park, with internal lifts and stairs providing access to the dwellings.</p> <p>The driveway is limited to the north-west section of the site and will not result in unreasonable vehicle noise impacts to residents.</p>
<p>58.03-8 – Integrated water and stormwater management</p> <ul style="list-style-type: none"> To encourage the use of alternative water sources such as rainwater, 	<p>Met subject to condition</p> <p>2 rainwater tanks totalling 28,000 litres are located under the basement.</p> <p>The submitted Sustainability Management Plan demonstrates a STORM rating of 100%.</p> <p>The applicant is required to provide an on-site stormwater detention system to alleviate pressure on the drainage system.</p>

Objective	Objective Met/Not Met
<p>stormwater and recycled water.</p> <ul style="list-style-type: none"> • To facilitate stormwater collection, utilisation and infiltration within the development. • To encourage development that reduces the impact of stormwater run-off on the drainage system and filters sediment and waste from stormwater prior to discharge from the site. 	
<p>58.04-1 – Building setback</p> <ul style="list-style-type: none"> • To ensure the setback of a building from a boundary appropriately responds to the existing urban context or contributes to the preferred future development of the area. • To allow adequate daylight into new dwellings. • To limit views into habitable room windows and private open space of new and existing dwellings. • To provide a reasonable 	<p>Met – Subject to conditions</p> <p>Minimum building setbacks of 3.6 metres and 4 metres are provided to the side and rear boundaries, respectively. Increased setbacks from the southern and western boundaries are adopted on the upper levels, producing a tiered built form outcome to the south and west.</p> <p>To the east, the setbacks are more consistent across the ground through second levels, with increased setbacks at the third and fourth levels.</p> <p>This approach reflects the policy context of the surrounding properties, recognising the more intense outcome sought (and approved) for the adjoining property to the east and the lower intensity of built form for adjoining properties to the west and south.</p> <p><u>Overlooking</u></p> <p>No overlooking measures have been applied to east-facing windows and balconies given the adjoining property to the east currently operates as a supermarket and restaurant. Furthermore, they will be set back more than 9 metres from the windows and balconies of the west-facing aged care suites approved under Planning Permit PL17/027636. There will also be space for suitable screen planting within the side setback areas between both developments.</p>

Objective	Objective Met/Not Met
<p>outlook from new dwellings.</p> <ul style="list-style-type: none"> To ensure the building setbacks provide appropriate internal amenity to meet the needs of residents. 	<p>Measures to limit overlooking have been applied to the south and west.</p> <p>To the south, overlooking from the ground level is limited by boundary fencing and by the addition of a 0.6 metre high trellis along the western section of the boundary. First level windows are provided with fixed obscure glazing up to 1.7 metres above finished floor level. Overlooking from the second level balconies is limited by a 1.2 metre high obscured glass balustrade and a horizontal louvered screen that projects 0.6 metres outwards from the balustrade.</p>  <p>Figure 11: Section A-A Plan</p> <p>To the west, boundary fencing and a trellis will similarly limit overlooking from the ground floor. Several first and second level windows are also provided with fixed obscure glazing up to 1.7 metres above finished floor level. Balconies on these levels are screened by one metre high obscured glass balustrades with 0.7 metre high louvre screen atop.</p> <p>Although balconies and windows on Levels 3 and 4 are not screened, it is not considered that they will result in unreasonable overlooking given their height above ground, length of the sightlines and views that will be partially obscured by screens and roof form of the lower levels. However a horizontal louvre screen</p>

Objective	Objective Met/Not Met
	<p>can be conditioned to the west facing balcony at Level 3 to prevent downward views as the balcony is setback 7.24 metres from the common boundary.</p> <p>It is noted that several west-facing windows on the first level are within 5 metres from the boundary but are not screened. These include:</p> <ul style="list-style-type: none"> • Apartment 104 Bed 1 and Bed 2; • Apartment 105 Bed 1; and • Apartment 106 southern Bed 2. <p>Although the adjoining property to the west at 528 Doncaster Road is currently used as a medical centre, it is considered that overlooking to this property still needs to be limited given the property can be used for residential purposes. DDO8 also requires consideration of future development opportunities and amenity on adjoining properties, and to minimise overlooking into adjoining properties.</p> <p>A permit condition will therefore require these windows to be screened or fixed obscure glazed at least up to 1.7 metres above finished floor level.</p>
<p>58.04-2 – Internal views</p> <ul style="list-style-type: none"> • To limit views into the private open space and habitable room windows of dwellings within a development. 	<p>Met</p> <p>The balconies are designed to limit internal views either by being located away from other balconies or through the use of screening devices between adjacent balconies.</p>
<p>58.04-3 – Noise impacts</p> <ul style="list-style-type: none"> • To contain noise sources in developments that may affect existing dwellings. • To protect residents from external and internal noise sources. 	<p>Met</p> <p>There are no unusual noise sources within the development that may affect existing dwellings. However, given the site fronts Doncaster Road, a permit condition will require noise attenuating glazing to the windows and doors of north facing apartments and apartments over the accessway.</p> <p>Plant services are located on the roof and will meet EPA Guidelines.</p>
<p>58.05-1 – Accessibility</p>	<p>Met subject to condition</p>

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To ensure the design of dwellings meets the needs of people with limited mobility. 	<p>As required under the standard, 50 per cent (11) of the apartments have been nominated as meeting the accessibility requirements for door opening widths, entrance paths and access to an adaptable bathroom.</p> <p>Some apartments will require modification to the toilet location as required by the standard. Apartment 401 also does not provide a bathroom circulation area with dimensions of 1.2 metres by 1.2 metres that is clear of the door swing as required by the standard.</p> <p>A permit condition will require modifications to achieve full compliance with the standard.</p>
<p>58.05-2 – Building entry and circulation</p> <ul style="list-style-type: none"> To provide each dwelling and building with its own sense of identity. To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents. To ensure internal communal areas provide adequate access to daylight and natural ventilation. 	<p>Met</p> <p>The residential entry into the building is easily identifiable and visible from the street. Signage adjacent to the street frontage will assist in clearly distinguishing the between the residential and medical centre entries.</p> <p>The ground floor residential foyer will receive natural light via the entry door and via windows along the eastern wall.</p> <p>A window is located at the northern end of the corridor on the first, second and third levels to provide natural daylight to these communal spaces.</p>
<p>58.05-3 – Private open space</p> <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	<p>Met subject to condition</p> <p>The three double-storey apartments (Apartments 102, 103 and 104) are provided with more than 25 square metres of ground level secluded private open space. These apartments comply with the standard.</p> <p>All remaining apartments are provided with balconies that meet the minimum area and dimension requirements of the standard, except for Apartment 204.</p> <p>Apartment 204 does not meet the minimum dimension requirement of 2.4 metres for a 3 bedroom dwelling. Instead it proposes a L-shaped balcony on the north-west corner with a minimum</p>

Objective	Objective Met/Not Met
	<p>dimension of 2.1 metres on the northern section and 2 metres on the western section.</p> <p>It is considered that the northern section of this balcony can be increased in width by 300mm to achieve a minimum dimension of 2.4 metres, without detrimentally impacting the presentation of the façade or encroach beyond the front setback allowed under DDO8. This will therefore be required by a permit condition. The balcony on Level 1 below for Apartment 107 will also be required to be increased accordingly to align with this balcony.</p>
<p>58.05-4 – Storage</p> <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	<p>Met</p> <p>Each apartment is provided with a minimum 6 cubic metres of storage within the basement generally in immediate proximity to their allocated car parking space.</p> <p>Additional storage is provided within each dwelling, satisfying the requirements of the standard.</p>
<p>58.06-1 – Common property</p> <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	<p>Met</p> <p>The communal areas including the car parking areas, paths, landscape areas, internal lobby and corridors are practically designed and can be suitably managed by a future Owners' Corporation.</p> <p>There is an appropriate distinction between the residential and non-residential foyers and car parking spaces.</p>
<p>58.06-2 – Site Services</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	<p>Met</p> <p>Appropriate site services are provided:</p> <ul style="list-style-type: none"> A mail room is provided at the southern end of the residential foyer. A substation is located within the western side of the front elevation, accessible to the street. Fire booster, gas and water services are located in close proximity to the frontage and suitable details of their height, design and appearance have been provided on the elevation plans.

Objective	Objective Met/Not Met
<p>58.06-3 – Waste and recycling</p> <ul style="list-style-type: none"> • To ensure dwellings are designed to encourage waste recycling. • To ensure that waste and recycling facilities are accessible, adequate and attractive. • To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm. 	<p>Met</p> <p>The submitted Waste Management Plan details that waste will be appropriately managed and collected on site.</p> <p>A permit condition will require this plan to be endorsed and form part of the permit.</p>
<p>58.07-1 – Functional layout</p> <ul style="list-style-type: none"> • To ensure dwellings provide functional areas that meet the needs of residents. 	<p>Met</p> <p>All bedrooms and living areas meet the minimum dimensions and areas requirements.</p>
<p>58.07-2 – Room depth</p> <ul style="list-style-type: none"> • To allow adequate daylight into single aspect habitable rooms. 	<p>Met</p> <p>All apartments provide adequate daylight into single aspect habitable rooms, including meeting the requirements for single aspect rooms with a maximum depth of 9 metres.</p>
<p>58.07-3 – Windows</p> <ul style="list-style-type: none"> • To allow adequate daylight into new habitable room windows. 	<p>Met</p> <p>All habitable room windows are provided with at least one window in an external wall of the building.</p> <p>Three apartments (105, 106 and 204) have windows with daylight provided to a bedroom via a secondary area. These apartments</p>

Objective	Objective Met/Not Met
	exceed the minimum width of 1.2 metres and a maximum depth of no more than 1.5 times the width, complying with the requirements of the standard.
58.07-4 – Natural ventilation <ul style="list-style-type: none"> To encourage natural ventilation of dwellings. To allow occupants to effectively manage natural ventilation of dwellings. 	Met 64% of dwellings provide effective cross ventilation, exceeding the requirement of 40%.

Car Parking, Access and Bicycle Facilities

7.33 The below table compares the statutory car parking requirements in Clause 52.06 of the Manningham Planning Scheme (based on the site being within the Principal Public Transport Network area) and the car parking spaces proposed.

Use	Scheme Requirement	Proposed
Residents	27 spaces	28 spaces
Visitors (Residential)	0 spaces	3 spaces
Medical Centre	17 spaces	17 spaces
Total	44 spaces	48 spaces

7.34 The provision of 48 spaces exceeds the statutory requirement by 4 spaces. This includes an additional space within Basement Level 2 that has been allocated as a second, additional space to Apartment 302 (a two bedroom dwelling). This is considered appropriate given the space is located on the basement level that is solely used by residents.

7.35 The remaining 3 surplus spaces are located on Basement Level 1 and will be designated as visitor spaces. This is considered a positive outcome given there is no requirement for any visitor car parking spaces to be provided within the development under the Manningham Planning Scheme.

7.36 Furthermore, the 17 spaces allocated to the medical centre will be available for visitors to the dwellings outside the operating hours of the medical centre. This results in a total of 20 spaces for visitors after 7pm on weekdays, after 1pm on Saturdays, and all day Sundays. A permit condition will require a Car Parking Management Plan that will detail how the spaces will be managed, so as to

maximise their usage, including how the timing of the various uses is be communicated such as by displaying signage within the car park.

7.37 An assessment against Clause 52.06-9 (Design Standards for Car Parking) of the Manningham Planning Scheme is provided in the table below:

Design Standard	Assessment
1 – Accessways	<ul style="list-style-type: none"> • Visibility splay areas are provided on both sides of the accessway at the frontage. The Department of Transport has no objection to the proposal subject to standard conditions. • The driveway provides a passing area that is at least 6.1m in width, for a length of at least 7.0m from the site frontage. • A minimum 2.1m of headroom clearance beneath overhead obstructions is provided. However, a condition will require a notation to ensure this minimum headroom is provided, including service pipes and utility conduits etc., are to be a minimum height to allow for the safe and convenient passage of vehicles and garbage trucks. • The car park is designed to allow vehicles to both enter and exit the site in a forward direction.
2 – Car Parking Spaces	<ul style="list-style-type: none"> • Car parking spaces are provided in accordance with the required dimensions and clearance area requirements.
3 – Gradients	<ul style="list-style-type: none"> • The driveway gradients and transitions comply the standard.
4 – Mechanical Parking	<ul style="list-style-type: none"> • No mechanical parking is proposed.
5 – Urban Design	<ul style="list-style-type: none"> • The entrance to the basement is suitably designed and will not be a dominant element given it is recessed significantly from the frontage.
6 – Safety	<ul style="list-style-type: none"> • Access to the basement residential car parking is secured by an automatic gate and an intercom will be required by condition. • There is separate pedestrian access to the building from the frontage, at a considerable distance from the accessway.
7 – Landscaping	<ul style="list-style-type: none"> • There is landscaping along both sides of the accessway.

7.38 Council's Engineering and Technical Services Unit have assessed the proposal and have raised no concerns in relation to the expected volume of traffic generated by the proposed development.

Access

7.39 A permit is required under Clause 52.29 (Land Adjacent to a Road Zone, Category 1) of the Manningham Planning Scheme, as the proposal involves the widening of an existing crossover and the removal of one existing redundant crossover on Doncaster Road, which is zoned Road Zone, Category 1.

7.40 The Department of Transport (VicRoads) has provided conditional consent to the proposal, therefore the proposed access arrangement is considered appropriate.

Bicycle Facilities

7.41 Clause 52.34 (Bicycle Facilities) of the Manningham Planning Scheme applies to dwellings within developments of four or more storeys and to medical centres with at least four practitioners. A total of 9 bicycle spaces are required for this proposal, as follows:

- 4 resident bicycle spaces (residential);
- 2 visitor bicycle spaces (residential);
- 1 employee space (medical centre);
- 2 customer spaces (medical centre).

7.42 The proposal provides a total of 13 bicycle spaces on site, exceeding the requirement for 9 spaces. 9 spaces are provided within a secure bicycle storage area in Basement Level 1 for residents and employees and an additional 4 spaces are provided on the ground level for visitors and customers.

7.43 Given the ground level bicycle spaces are to the east of the residential entry, a permit condition will require a sign at the medical centre entry to direct users to the bicycle parking spaces.

Objector Issues / Concerns

Overlooking / Loss of Privacy

7.44 Overlooking from the ground, first and second levels to the south and west have been appropriately addressed, as outlined in the Assessment section of this report and subject to conditions requiring the further screening of first level west-facing windows.

7.45 There will not be unreasonable overlooking from the third and fourth levels as views are suitably limited by setbacks to the side and rear boundaries. In particular, it is not considered that there will be unreasonable overlooking from the balconies on Level 3, given their height above ground, distance of the sightlines and views that will be partially obscured by screening and roof form of the lower levels.

7.46 Given overlooking to the adjoining properties to the south and west have been addressed, it is not considered that the proposal will result in unreasonable overlooking to properties located further in these directions.

Excessive Building Height Contrary to Policy

7.47 It is acknowledged that the proposed building exceeds the maximum building height requirements of both DDO8 and RGZ. However, as discussed in the Assessment section of this report, these are discretionary requirements and a permit can be granted for development that exceeds the nominated height or number of storeys. This differs from the height controls of the ACZ, which have

mandatory building heights and for which a permit cannot be granted to exceed any height specified.

- 7.48 Given the location of the site adjacent to the Doncaster Hill activity centre, it is considered appropriate to allow discretion for an increased height which can provide an appropriate in transition in built form. The design of the building has appropriately responded to the varying policy contexts of adjoining properties, by providing more building bulk to the eastern side and thereby allowing the built form to appropriately transition down to the west and the south.

Diminishing the entry into the Doncaster Hill Activity Centre

- 7.49 The front setback of the proposed development accords with the requirement under DDO8. Although this will sit forward of the building approved at 534-540 Doncaster Road, this is the result of different planning controls between the subject site and the adjoining property to the east.
- 7.50 The proposal is not considered to diminish the ‘gateway’ status of the adjoining property. Both the land size of the site and the scale of the proposed building will be markedly smaller than the adjoining property to the east. Furthermore, the land slopes up eastwards towards Doncaster Hill, which will further emphasis the prominence of development on the adjoining property to the east and further developments up Doncaster Hill.

Overshadowing and loss of daylight

- 7.51 The proposal will inevitably cast shadows into the adjoining properties at different times during the day, including to the approved aged care facility within the adjoining property to the east.
- 7.52 To the south and west, the stepped built form and increased setbacks of the development will minimise the extent of overshadowing to the adjoining properties.

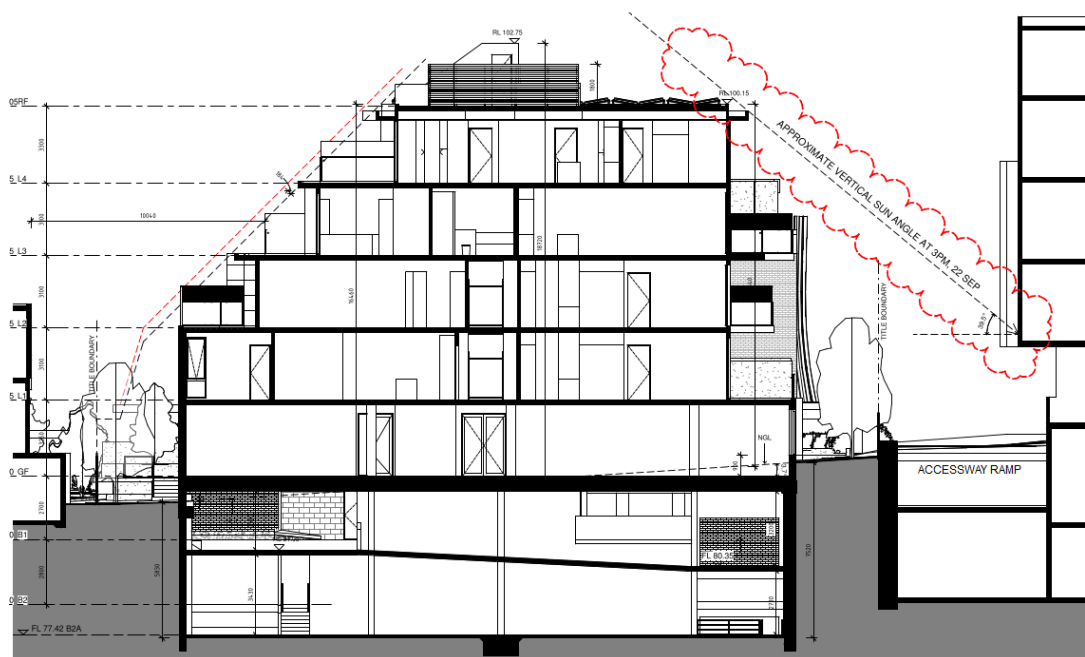


Figure 12: Vertical shadow diagram (Section C-C)

- 7.53 To the east, the existing building is set back between 3.5 and 6.3 metres to the boundary. The approved development at 534-530 Doncaster Road has minimum setbacks of 6 metres to the western boundary, where the main vehicle accessway ramp to the basement, is proposed adjacent to extent of the common boundary to the subject site. This provides a separation of 9.5 to 12.3 metres between the developments, which is considered acceptable having regard to the amenity and equitable development opportunities of both properties. The Vertical shadow diagram above (Figure 12), the shadow at 3pm will only impact the vehicle accessway ramp to the basement and the ground level retail area/component of the building.
- 7.54 There is no specific objective or Standard within Clause 58 (Apartment Developments) relating to overshadowing or shadows cast.

Noise Pollution

- 7.55 It is unclear whether this concern relates to the construction or the use. Noise during the construction phase is inevitable but the developer will be required to meet relevant Local Law and EPA regulations. A permit condition will also require the submission of a Construction Management Plan that will be approved and be required to be complied with at all times.
- 7.56 With regards to the use of the building it is noted that the residential use does not require a permit and therefore any noise arising from the use of the apartments is not a planning matter.
- 7.57 In terms of noise associated with the medical centre use, permit conditions will control the hours of operation which are considered reasonable, particularly given the location of the site along a main road.

Loss of Amenity

- 7.58 No further details have been provided by the objections as to how in particular amenity will be compromised. As discussed in the Assessment section of this report, it is considered that the proposal will provide an appropriate response to off-site amenity including overlooking, overshadowing and visual impacts.

Building Bulk to Street and Architectural Design

- 7.59 As discussed in the Assessment section of this report, the proposal presents a high quality, contemporary architectural form. The overall design and in particular its streetscape presentation is consistent with the preferred character as outlined under DDO8 and will appropriately contribute to the emerging streetscape along Doncaster Road.

8. DECLARATION OF CONFLICT OF INTEREST

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