

**MANNINGHAM**

## **Special Meeting of the Council**

# **MINUTES**

<b>Date:</b>	<b>Tuesday, 12 February 2019</b>
<b>Time:</b>	<b>6:30pm</b>
<b>Location:</b>	<b>Council Chamber, Civic Centre 699 Doncaster Road, Doncaster</b>

INDEX

1 OPENING PRAYER AND STATEMENTS OF ACKNOWLEDGEMENT .....2

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE .....2

3 PRIOR NOTIFICATION OF CONFLICT OF INTEREST.....2

4 PUBLIC QUESTION TIME.....3

    4.1 Ms J Hartsias, South Yarra .....3

    4.2 Mr V Giuliano, Doncaster .....3

5 PLANNING PERMIT APPLICATIONS.....4

    5.1 Application for Review P2044/2018 of Planning Application PL17/027801 for  
        14 & 16 Clay Drive, Doncaster (Amended Plans for VCAT) .....4

**MANNINGHAM CITY COUNCIL  
MINUTES OF THE SPECIAL MEETING OF THE COUNCIL  
HELD ON 12 FEBRUARY 2019 AT 6:30PM  
IN COUNCIL CHAMBER, CIVIC CENTRE  
699 DONCASTER ROAD, DONCASTER**

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The meeting commenced at 6:32pm.

**PRESENT:** Councillor Paula Piccinini (Mayor)  
Councillor Anna Chen (Deputy Mayor)  
Councillor Sophy Galbally  
Councillor Geoff Gough  
Councillor Dot Haynes  
Councillor Michelle Kleinert  
Councillor Paul McLeish  
Councillor Mike Zafiroopoulos

**OFFICERS PRESENT:** Chief Executive Officer, Mr Andrew Day  
Director City Services, Mr Leigh Harrison  
Director City Planning & Community, Mr Angelo Kourambas  
Acting Group Manager Legal, Governance and Risk,  
Mr Andrew McMaster  
Group Manager Approvals and Compliance, Niall Sheehy

**1 OPENING PRAYER AND STATEMENTS OF  
ACKNOWLEDGEMENT**

The Mayor read the Opening Prayer & Statements of Acknowledgement.

**2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE**

An apology was received from Cr Andrew Conlon.

**3 PRIOR NOTIFICATION OF CONFLICT OF INTEREST**

The Chairman asked if there were any written disclosures of a conflict of interest submitted prior to the meeting and invited Councillors to disclose any conflict of interest in any item listed on the Council Agenda.

There were no disclosures made.

## **4. PUBLIC QUESTION TIME**

### **4.1 Ms J Hartsias, South Yarra**

- Q1 Has Council adequately considered the southern five storey interface, in terms of visual bulk and mass, adjacent to a double storey building?

*The Director of City Planning and Community, Mr Angelo Kourambas responded that officers had considered the southern interface as detailed in the report. He also noted that there had been significant design improvements in the amended plans when compared with the plans originally submitted.*

- Q2 In terms of overshadowing how has the amended plans resolved these issues particularly to the adjacent development to the south?

*Mr Angelo Kourambas responded that overshadowing and other planning requirements had been considered in accordance with the planning scheme.*







### **4.2 Mr Vince Giuliano, Doncaster**

- Q1 Why would Council support such a proposal when residents clearly are not in favour?

*The Group Manager of Approvals and Compliance, Mr Niall Sheehy responded that officers are obliged to make recommendations to Council on the basis of the planning scheme. He further advised that subsequent to conversations at VCAT and the significant changes proposed in the amended plans, officers are now supportive of the amended application.*

## 5 PLANNING PERMIT APPLICATIONS

### 5.1 Application for Review P2044/2018 of Planning Application PL17/027801 for 14 & 16 Clay Drive, Doncaster (Amended Plans for VCAT)

File Number:	IN19/82
Responsible Director:	Director City Planning and Community
Applicant:	Arnwell Pty Ltd
Planning Controls:	Activity Centre Zone, Schedule 1 (ACZ1), Development Contributions Plan Overlay, Schedule 1 (DCP01), Parking Overlay, Schedule 1 (PO1)
Ward:	Koonung
Attachments:	<ol style="list-style-type: none"><li>1 Substituted, Amended Plans <a href="#">↓</a> </li><li>2 Original Decision Plans <a href="#">↓</a> </li><li>3 Side-By-Side Comparison of Plans <a href="#">↓</a> </li><li>4 Detailed List of Changes to Plans <a href="#">↓</a> </li><li>5 Legislative Requirements <a href="#">↓</a> </li><li>6 Previous Council Report <a href="#">↓</a> </li></ol>

#### EXECUTIVE SUMMARY

1. This report provides Council with an assessment of the formally substituted amended plans submitted through the Victorian Civil and Administrative Tribunal (VCAT) proceeding P2044/2018 for the land at 14 and 16 Clay Drive, Doncaster. The substituted plans have been circulated to all parties, including all originally notified properties and objectors. The application is currently before the Tribunal subsequent to Council's refusal of the application at its meeting on 25 September 2018. The VCAT hearing is scheduled to commence on 25 February 2019.
2. The application was originally reported to Council as it is classified as a Major Application (with a development cost of more than \$5 million). This report (Attachment 6) provides details of the amended plans/proposal in response to Council's Grounds of Refusal.
3. This report recommends that Council advise the Tribunal that it supports the amended proposal for the reasons outlined within the report subject to "without prejudice" conditions.

#### Proposal

4. The proposal is for the construction of a five-storey apartment building containing twenty-two dwellings over basement car parking at 14 and 16 Clay Drive, Doncaster.
5. The aspects that have been amended from the original proposal generally relate to a repositioning and redesign of the development relative to the surrounding site context (including the future road interface to the north of the subject land), a redesign of the architectural presentation and internal reconfiguration of the apartments. The fundamental details of the proposal, including number of storeys, number of dwellings and car parking provision, remain consistent with the original proposal.

**Advertising, Objections and Plan Circulation**

6. Notice of the original planning permit application received a total of 14 objections.
7. Prior to the substitution of plans, there were no other parties to the VCAT proceeding (noting 1 statement of grounds was submitted outside of the statutory time frame and was not accepted by VCAT).
8. Notice of the amended application was given by the Applicant for Review on 24 January 2019 in accordance with VCAT Practice Note PNPE9 – *Amendment of Plans and Applications*. All notified persons have until the 18 February 2019 to lodge a statement of grounds with VCAT.

**Key Issues in Consideration of the Amended Proposal**

9. The key issue for Council in considering the proposal relates to whether it now adequately addresses the grounds of refusal. The original assessment considered the following:
  - a. Planning Policy Frameworks
  - b. Design and built form;
  - c. Off-site and on-site amenity; and
  - d. Car parking, access and circulation.

**Assessment**

10. The proposal now provides an appropriate scale, architectural presentation and interfaces to adjoining properties and roads, with appropriate landscaping opportunities and adequate on-site and internal amenity. The amended design is also consistent with the objectives of relevant policy and the overall vision identified for the Doncaster Hill Activity Centre. It is considered plan changes now adequately address the grounds of refusal of the original application.

**Conclusion**

11. The report concludes that the proposal, as shown on the substituted plans, now achieves compliance with the land use and development objectives of the Doncaster Hill Framework Plan and supporting policy. It is therefore recommend that Council alter its refusal position to now support the application subject to conditions.

**COUNCIL RESOLUTION**

**MOVED:** CR PAUL MCLEISH  
**SECONDED:** CR MIKE ZAFIROPOULOS

**That Council:**

- A.** Having considered the proposed amendments, advise the Tribunal and all other parties to the proceeding that it no longer wishes to pursue its grounds of refusal in relation to Application for Review P2044/2018 (Planning Application PL17/027801) at 14 and 16 Clay Drive, Doncaster for the *development of a five-storey apartment building containing twenty-two dwellings over basement car parking*, and is now supportive of the amended proposal shown in the substituted plans (prepared by Metaxas Architects, project number 15.046, Revision Bi, dated 24 January 2019), subject to the following planning permit conditions:

**Endorsed Plan**

- 1.** The layout of the site and the size of buildings and works shown on the approved plans must not be modified for any reason, without the written consent of the Responsible Authority.

**Sustainability Management Plan**

- 2.** Not less than 2 months before the commencement of the development, an electronic copy of the Sustainability Management Plan (SMP), prepared by a suitably qualified environmental engineer or equivalent must be submitted via email and approved by the Responsible Authority. The plan must demonstrate best practice in environmentally sustainable development from the design stage through to construction and operation using industry assessment tools. The plan must generally accord with the submitted SMP prepared by *Urban Digestor* (and dated 19 April 2018), but modified to reflect the updated development as shown on the plans and to include:-

- 2.1.** Utilisation of the 'third pipe' to supply recycled water to toilet, laundry and irrigation with connection to be made when available.

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.

- 3.** Prior to the occupation of each dwelling, written confirmation from the author of the approved Sustainability Management Plan, or a similarly qualified person or company, must be submitted to the Responsible Authority. The report must confirm that the sustainable design features/initiatives specified in the Sustainability Management Plan have been satisfactorily implemented in accordance with the approved plans.

**Waste Management Plan**

4. Not less than 2 months before the commencement of the development, a Waste Management Plan must be submitted via email and approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit. Private waste collection must occur on site and no private waste contractor bins can be left outside the development boundary at any time on any street. The plan must be generally in accordance with the submitted Waste Management Plans (WMP) prepared by *Waste Tech Services Pty Ltd* (dated 20 April 2018), but modified to reflect the updated development as shown on the plans submitted under Condition 1 of the permit.
5. The developer must ensure that the private waste contractor can access the development and the private waste contractor bins. No private waste contractor bins can be left outside the development boundary at any time on any street frontage for any reason.

**Construction Management Plan**

6. Not less than 2 months before the commencement of the development, a Construction Management Plan (CMP) must be submitted via email and approved by the Responsible Authority. When approved the plan will form part of the permit. The Construction Management Plan is to be prepared in accordance with the template within Council's Construction Management Plan Guidelines. The CMP must address:
  - 6.1. Element A1: Public Safety, Amenity and Site Security;
  - 6.2. Element A2: Operating Hours, Noise and Vibration Controls;
  - 6.3. Element A3: Air Quality and Dust Management;
  - 6.4. Element A4: Stormwater and Sediment Control and Tree Protection (also as per the specific requirements of this permit);
  - 6.5. Element A5: Waste Minimisation and Litter Prevention; and
  - 6.6. Element A6: Traffic and Parking Management to ensure that the traffic conditions and amenity of the area will not be adversely affected, including (but not limited to) the parking of trade persons' vehicles.

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

**Management Plan Compliance**

7. The Management Plans approved under Condition Nos. 4 and 6 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.



**Development Contribution**

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

**Landscape Plan**

9. Before the development starts, an amended landscape plan prepared by a landscape architect or person of approved competence must be submitted via email to the Responsible Authority for approval. Such plan must be generally in accordance with the decision landscape plan (prepared by *John Patrick Landscape Architects*, job number 17-0384, revision C, dated March 2018), but modified to show the updated development layout and street tree replacement planting.

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

**Landscape Bond**

10. A \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

**Completion**

11. Before the occupation of the approved dwellings, landscaped areas must be fully planted and mulched or grassed generally in accordance with the approved plan and to the satisfaction of the Responsible Authority.
12. Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film or spray fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.
13. 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.

**Maintenance**

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

**Vegetation Retention**

15. Prior to the commencement of buildings and works, a revised Arboricultural Report must be submitted via email to the Responsible Authority. The report must be generally in accordance with the report submitted with the application (prepared by Arboricultural Report by *Arbor Survey*, dated 12 October 2017) but include an assessment of the potential impact of the updated development on existing vegetation within the adjoining properties and outline specific tree protection measures required for their protection to the satisfaction of the Responsible Authority.
16. All development at the site must be undertaken in accordance with the recommendations of the Arboricultural Report required by Condition 15 of this permit.
17. The owner must ensure that contractors/tradespersons who install services or work near the vegetation to be retained are made aware of the need to preserve the vegetation and to minimise impacts through appropriate work practices.

**Stormwater – On-site detention (OSD)**

18. The owner must provide on-site storm water detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:
  - 18.1. Be designed for a 1 in 5 year storm; and
  - 18.2. Storage must be designed for 1 in 10 year storm.

**Construction Plan (OSD)**

19. Before the development starts, a construction plan for the system required by Condition 18 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.

**Drainage**

20. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor.

A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.

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

#### **Driveway and Car Parking Areas**

22. Before the occupation of any of the approved dwellings, all associated basement parking spaces must be line-marked, numbered and signposted to provide allocation to each dwelling and visitors to the satisfaction of the Responsible Authority.
23. Visitor parking spaces must not be used for any other purpose to the satisfaction of the Responsible Authority.
24. Automatic basement door opening systems must be installed and maintained, so as to facilitate secure access to the allocated parking areas by residents, visitors and a rubbish collection contractor, to the satisfaction of the Responsible Authority.

#### **Vehicle Crossings and Accessways**

25. 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.
26. Redundant vehicle crossovers must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.

#### **General Services**

27. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
28. All service pipes must be concealed and screened respectively to the satisfaction of the Responsible Authority.
29. 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.
30. A centralised TV antenna system must be installed to each building and connections made to each dwelling to the satisfaction of the Responsible Authority. No individual dish antennas may be installed on balconies, terraces, roofs or walls to the satisfaction of the Responsible Authority.

31. Any reverse cycle air-conditioning unit, hot water boosters or other service plant erected on the walls of the approved building must be appropriately designed and finished with screening if necessary to minimise general visual impacts from off the site to the satisfaction of the Responsible Authority.

#### **Rooftop Plant**

32. All roof-top plant and services (including any hot water systems, but excluding solar panels) must be installed in appropriately screened areas, unless otherwise agreed in writing with the Responsible Authority.
33. Unless sufficiently screened by roof parapets, all solar panels and any associated safety railings must be located away from the outer edges of the roof section upon which they are installed, so as to minimise general visual impacts from off the site to the satisfaction of the Responsible Authority.

#### **Services on Balconies and Terraces**

34. 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.
35. Any clothes-drying rack or line system located on a balcony or terrace must be lower than the balustrade of the balcony or terrace to minimise general visual impact from off the site to the satisfaction of the Responsible Authority.

#### **Metering and Service Cabinets**

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

#### **Fencing/Retaining Walls**

37. Prior to the occupation of the approved dwellings, all fencing (whether new or retained) must be erected in good condition and be fit for screening purpose in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
38. 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.

**Construction Management**

39. The owner must use appropriate site management practices to prevent the transfer of mud, dust, sand or slurry from the site into drains or onto nearby roads. In the event that a road or drain is affected, the owner must upon direction of the Responsible Authority take the necessary steps to clean the affected portion of road or drain to the satisfaction of the Responsible Authority.

**Hepburn Road Extension**

40. This permit has no force or effect until such time that one of the following occurs to the satisfaction of the Responsible Authority:-
- 40.1. The additional land to the north of the site, as generally shown on the decision plans and as identified as surplus land to the new road requirements by the Responsible Authority is purchased by the permit holder; and
- 40.2. Amended plans (development and landscaping plans) are submitted to and approved by the Responsible Authority, clearly showing landscaping and fencing treatments within the surplus land area; or
- 40.3. Amended plans (development and landscaping plans) are submitted to and approved by the Responsible Authority, that modify the proposal by increasing the setbacks to the existing northern boundary (without reducing any other setbacks) to achieve compliance with side setback requirements of Sub-Precinct 2F of Schedule 1 to the Activity Centre Zone.
41. In the instance where the additional land to the north of the site is purchased in accordance with Conditions 40.1 and 40.2 of this permit, the purchased land must be consolidated prior to the commencement of any buildings and works approved under this permit, unless with the prior written consent of the Responsible Authority.

**Expiry**

42. This permit will expire if one of the following circumstances applies:
- 42.1. The development is not started within four (4) years of the date of the issue of this permit; and
- 42.2. The development is not completed within eight (8) years of the date of this permit.

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

**CARRIED**

## 2. BACKGROUND

### Application background

- 2.1 The original permit application was made to Council on 26 October 2017.
- 2.2 Initial officer advice provided at the sustainable design taskforce and following a preliminary assessment indicated a number of substantial concerns with the proposal.
- 2.3 The application was put on public notification for a three-week period, concluding on 8 August 2018, with a total of 14 objections received.
- 2.4 There were no applicable determining or recommending referral authorities.
- 2.5 Following notification, Officers undertook an assessment of the proposal, as depicted on the Decision Plans (Revision A) and all supporting documents and recommended refusal of the application.
- 2.6 The Officer recommendation to refuse the application was upheld by Council on 25 September 2018. Subsequently, a Notice of Decision to Refuse to Grant a Permit was issued by Council on 3 October 2018, relying on the following grounds:-
  - *The proposal does not provide an appropriate transition in scale, form and height to the adjoining properties to the south located in the General Residential Zone, which is contrary to Schedule 1 to the Activity Centre Zone and the objective of Clause 58.02-1 (Urban context) of the Manningham Planning Scheme.*
  - *The proposal will result in unreasonable streetscape and off-site amenity impacts to adjoining properties through unsympathetic built form, excessive bulk and massing, blank wall presentation, verticality, the removal of vegetation, the lack of boundary landscaping, inadequately overlooking treatments and overshadowing impacts, which is contrary to Schedule 1 to the Activity Centre Zone of the Manningham Planning Scheme.*
  - *The proposal does not provide adequate landscaping opportunities within the front setback and along the northern and southern boundaries, due to the location of the basement, driveway and hard stand areas, which is contrary to Clause 52.06-9 (Car parking design standard 7), 58.03-5 (Landscaping) objectives and Schedule 1 to the Activity Centre Zone of the Manningham Planning Scheme.*
  - *The proposal will result in unreasonable on-site amenity impacts to future residents, by failing to meet minimum balcony requirements, which is contrary to Clause 58.05-3 (Private open space), or maximum room depth dimensions, which is contrary to Clause 58.07-2 (Room depth), or providing any daylight to many habitable room windows, which is contrary to Clause 58.07-3 (Windows) objectives of the Manningham Planning Scheme.*
  - *The proposal does not provide adequate facilities and detailed design through poorly integrated building entry, which is contrary to 58.05-2 (Building entry and circulation), and inappropriately located mailboxes and service cabinets that are poorly integrated with the development, which is contrary to Clause 58.06-2 (Site Services) objectives of the Manningham Planning Scheme.*

- *The proposal does not provide adequately detailed visibility splay requirements along the exit lane at the site frontage and has not fully considered crossover width or location impacts on street trees, which is contrary to Design Standard 1 (Accessways) at Clause 52.06-9 (Car Parking) of the Manningham Planning Scheme.*

### Appeal Background

- 2.7 On 17 October 2018, VCAT received an application under the Major Cases List for review under Section 77 of the Planning and Environment Act 1987 of Council's refusal to grant a permit.
- 2.8 In accordance with the Order issued by VCAT on 24 October 2018, the following dates were established:
- Practice Day Hearing: 30 November 2018
  - Compulsory Conference: 18 January 2019
  - Hearing: 25 & 26 February 2019
- 2.9 Following lodgement of the Application for Review, the Applicant met with Council Officers to discuss the grounds of refusal. The Applicant confirmed their intent to put forward a revised concept seeking to address these grounds and achieve the support of Council.
- 2.10 Following these initial discussions, the Applicant submitted 'without prejudice discussion plans' (Revision B) to Council on 6 December 2018. The intent of these plans was to commence discussions prior to the Compulsory Conference.
- 2.11 Following Officer review and advice that concerns remained outstanding with the proposal, a second set of 'without prejudice discussion plans' (also labelled as Revision B) were submitted to Council on 10 January 2019. The intent of these plans was to inform discussions at the Compulsory Conference.
- 2.12 The subsequent discussion plans (Revision B) were assessed by Council Officers and deemed to go some of the way towards addressing the grounds of refusal.
- 2.13 At the Compulsory Conference on 18 January 2018, the Applicant's representatives and Council Officers discussed the plans (Revision B) and the remaining outstanding concerns. Through these negotiations, 'in-principal' officer agreements were reached for further changes to the proposal.
- 2.14 Amended Plans (Revision Bi) were subsequently formally substituted and circulated to Council in accordance with VCAT Practice Note PNPE9 – *Amendment of Plans and Applications* on 24 January 2019. In accordance with PNPE9, notice of the amendment to the application was served on all persons who were notified of the original application and objectors to the original application.
- 2.15 At the compulsory conference, the Tribunal was informed that the proposal was required to be reported back to a meeting of Council to enable Council to form a position on the amended proposal.

- 2.16 All notified persons have until the 18 February 2019, to lodge a statement of grounds with the tribunal and become a 'party' to the review proceedings with the ability to participate in the upcoming hearing.
- 2.17 Should Council resolve to support the amended application and no statement of grounds are received from objectors, Council and the Permit Applicant have the opportunity to achieve an outcome 'via consent', avoiding the need to go to a hearing on the 25 and 26 February 2019. If statement of grounds are received from notified parties and become party to the appeal, the matter will proceed to a full hearing commencing on 25 February 2019.
- 2.18 Conversely, should Council resolve to maintain its initial determination to refuse the application, the matter will proceed to hearing as scheduled and Council representatives will make submissions as to why the proposal should not be supported.

### 3. THE SITE AND SURROUNDS

#### The Site

- 3.1 The site is situated on the eastern side of Clay Drive, Doncaster, approximately 125 metres south of the "T" intersection with Doncaster Road.
- 3.2 The rectangular shaped site (2 lots) has a frontage of 35.36m, northern and southern boundaries of 37.8m and an eastern (rear) boundary of 35.36m. Site area is 1,337 square metres.
- 3.3 The site is affected by a 3.0m wide drainage and sewerage easement located along the eastern boundary.
- 3.4 No. 14 Clay Drive (northern lot) is vacant, open and grassed (except for a vegetable garden) with a paling fence to the current frontage and paling fences to the northern and eastern boundaries. This land is unfenced to 16 Clay Drive.
- 3.5 No. 16 Clay Drive is developed with a large brick dwelling which is two-storey to the front and three-storey to the rear. There is a brick and steel rail fence to the frontage (positioned forward of the actual title boundary in the Clay Drive road reserve).
- 3.6 There is a large conifer within the front yard and a single crossover at the southern end of the frontage. A large multi-stemmed Weeping Lilly Pilly is located just to the rear of the front brick fence in the south-western corner of the site (this tree appears to be in the road reserve).
- 3.7 A medium sized street tree is approximately 1.5m north of the crossover.
- 3.8 The land has a significant crossfall of approximately 7.0m from the north-western corner to the south-eastern corner and side/rear boundaries are defined by paling fences.
- 3.9 The rear of No.16 Clay Drive has been filled to create a relatively level yard at the fenceline. The fill is retained hard up to a paling fence which is constructed on the lower ground level of No. 45 Walker Street to the east. As a result the paling fence as viewed from the west is quite low. Trees within No. 45 Walker Street assist in maintaining privacy.



## The Surrounds

3.10 The site has direct abutments with five properties, as follows:

Direction	Address	Description
North	1/12 and 2/12 Clay Drive, Doncaster	<p>This property is in the Activity Centre Zone.</p> <p>This property is developed with two, two storey dwellings positioned one behind the other. There are two crossovers serving the dwellings.</p> <p>Council owns this land and there is a future proposal to construct a roadway on this site connecting through to Hepburn Road to the east. (Council also owns the property to the east of 12 Clay Drive, being 1 and 2, 49 Walker Street.)</p> <p>A row of medium sized trees is along the common boundary.</p>
East	<p>47 Walker Street, Doncaster</p> <p>45 Walker Street, Doncaster</p>	<p>These properties are in the Activity Centre Zone.</p> <p>This property is developed with a large two-storey brick dwelling which is setback approximately 7.5m from the common boundary. The dwelling presents as single storey to the site. Various habitable room windows and a terrace face the site. The main private open space is at the rear of the dwelling.</p> <p>This property is developed with an "L" shaped single storey brick dwelling setback approximately 10.0m from the common boundary. The dwelling is positioned lower than the site due to slope/terracing.</p> <p>The main private open space is to the rear and there are several screen trees across the yard.</p>
South	18 Clay Drive Doncaster	<p>This property is in the General Residential Zone and subject to Design and Development Overlay Schedule 8-2.</p> <p>The property is developed with a two/three storey brick dwelling of similar scale and style to the dwelling at 16 Clay Drive. As the brick front fence of this property lines up with the front fence at No.16 Clay Drive, this suggests that it too is not constructed to the Title boundary.</p> <p>The dwelling is setback approximately 2.5m from the common boundary and presents a sheer two/three storey wall to the site with various habitable room windows (at both main levels), a small upper balcony and a raised landing (above fence height) facing the site.</p>

- 3.11 There are two large two-storey brick dwellings opposite the site on the western side of Clay Drive (within the Activity Centre Zone).
- 3.12 Clay Drive is a local street (concrete footpaths on either side) which extends downhill from Doncaster Road to Frederick Street/Tram Road. While being essentially a residential street containing predominantly single houses on each lot, the northern part of the street is characterised by a large apartment building ("The Nest") at 642 Doncaster Road (side presentation to the west side Clay Drive) and a large office building and open car park to the south. Opposite "The Nest" is an office building at 660 Doncaster Road (side presentation to Clay Drive) and the South Point apartment building (7 storeys) at 8 Clay Drive to the south.
- 3.13 At the Doncaster Road intersection, all traffic leaving Clay Drive must turn left.
- 3.14 Residential abutments in Clay Drive are subject to Resident Parking Permits. In front of the site there is also a 2 hour parking limitation between 8.00am and 6.00pm Saturday and Sunday. On-street parking is common at the northern end of the street, especially during week-days.
- 3.15 The site is at the southern edge of the Doncaster Hill Principal Activity Centre. The Activity Centre spans along the main arterial roads (Doncaster Road, Tram, Elgar and Williamsons Road corridors) and forms a central hub of residential, commercial, retail and recreational facilities. It is apparent that the area is changing in line with Council's vision, evidenced by the construction of various residential apartment towers within the precinct and the approval of a range of development permits for the same.
- 3.16 In terms of public transport, the site is well serviced by bus routes operating along Tram and Doncaster Roads, connecting activity centres and residential areas within the municipality to Melbourne's Central Activity District. A major bus interchange is situated within the Westfield Doncaster complex which is approximately 280 metres walk from the site. The site is within the Principal Public Transport Network designation area as introduced by Amendment VC148.
- 3.17 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.
- 3.18 The southern boundary of the site and the southern boundary of 11 Clay Drive on the opposite side of the road represent the southern edge of the Activity Centre Zone, with properties to the south being within the General Residential Zone Schedule 2 and covered by Design and Development Overlay Schedule 8-2.
- 3.19 As has been indicated, Council has acquired land (1/2, 12 Clay Drive and 1/2, 49 Walker Street) with a view to extending Hepburn Road westward, so as to connect with Clay Drive. The purpose of this future road connection is to improve local access to arterial roads and assist with pedestrian connectivity within the Doncaster Hill Activity Centre.
- 3.20 The road construction will involve demolition of the four dwellings on the properties, with civil works being "earmarked" for this year's capital works programme. Current estimates are for completion of the road construction in June 2019.

- 3.21 It is noted that, through the design of the road, a surplus of land has been identified adjacent to the subject sites northern boundary. The Applicant has previously expressed an interest in acquiring this land and incorporating it into the development layout. However, the statutory process for the sale of the land is yet to commence.

#### 4. THE PROPOSAL

- 4.1 A copy of the original Decision Plans is provided as Attachment 2 to this report. The report that provides an assessment of the Decision Plans can be viewed in the minutes of the Council Meeting from 25 September 2018 at <https://www.manningham.vic.gov.au/council-meeting-25-september-2018>.
- 4.2 The amended plans are provided as Attachment 1. A side-by-side comparison of the Decision Plans and Amended Plans (Attachment 3) and a detailed list of the changes to the proposal (Attachment 4) are also included as an attachment to this report.
- 4.3 The Amended Plans provide changes from the Decision Plans in aspects that generally relate to a repositioning/redesign of the development relative to the surrounding site context and site interfaces (including the future road extension to the north), a redesign of the architectural presentation of the building and an internal reconfiguration of the apartments. In summary, the changes include:
- Repositioning of the building including the basement, further north on the site and identification of the upcoming Hepburn Road extension to the north;
  - Increase in exposure, aspect and surveillance of the northern elevation as to interface with the upcoming Hepburn Road extension, including additional balconies and glazing;
  - Increase in the stepping of the development to the southern boundary, including reduction in terraces and built form to provide for increased setbacks and increased glazing for added visual interest;
  - Conversion to a flat roof form in part, primarily towards the southern interface of the site;
  - Reduction in the footprint of the basement levels and relocation of the basement entry ramp to provide an additional landscape setback to the southern boundary;
  - Reconfiguration of the primary building entry to increase visibility;
  - Changes to the façade including alteration of design elements, introduction of additional design features and increase to glazing sizes and colour;
  - Reconfiguration of the front setback to increase landscaping opportunities;
  - Internal reconfigurations of apartments, including increases to room sizes and deletion of study areas.
- 4.4 It should be noted that the fundamental details of the proposal with regard to number of storeys, number of apartments and number of car parking spaces remains consistent with that of the original decision plans. However, the size and composition of the individual apartments has been altered as follows:

Apartment:	Decision Plans:	Amended Plans:
LG01	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 119sqm</li> <li>• Terraces: 69sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 120sqm</li> <li>• Terraces: 69sqm</li> </ul>
LG02	<ul style="list-style-type: none"> <li>• Beds: 2</li> <li>• Size: 102sqm</li> <li>• Terraces: 23sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 2</li> <li>• Size: 102sqm</li> <li>• Terraces: 23sqm</li> </ul>
G01	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 133sqm</li> <li>• Terraces: 25sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 136sqm</li> <li>• Terraces: 22sqm</li> </ul>
G02	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 127sqm</li> <li>• Terraces: 84sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 142sqm</li> <li>• Terraces: 71sqm</li> </ul>
G03	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 124sqm</li> <li>• Terraces: 97sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 2</li> <li>• Size: 126sqm</li> <li>• Terraces: 21sqm</li> </ul>
G04	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 124sqm</li> <li>• Terraces: 31sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 148sqm</li> <li>• Terraces: 115sqm</li> </ul>
101	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 115sqm</li> <li>• Terraces: 18sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 154sqm</li> <li>• Terraces: 36sqm</li> </ul>
102	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 115</li> <li>• Terraces: 18</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 125sqm</li> <li>• Terraces: 18sqm</li> </ul>
103	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 126sqm</li> <li>• Terraces: 29sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 125sqm</li> <li>• Terraces: 29sqm</li> </ul>
104	<ul style="list-style-type: none"> <li>• Beds: 2</li> <li>• Size: 111sqm</li> <li>• Terraces: 17sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 2</li> <li>• Size: 111sqm</li> <li>• Terraces: 17sqm</li> </ul>
105 (replaced by G05)	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 132sqm</li> <li>• Terraces: 30sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 112sqm</li> <li>• Terraces: 31sqm</li> </ul>
201	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 115sqm</li> <li>• Terraces: 18sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 154sqm</li> <li>• Terraces: 36sqm</li> </ul>
202	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 115sqm</li> <li>• Terraces: 18sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 115sqm</li> <li>• Terraces: 18sqm</li> </ul>
203	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 127sqm</li> <li>• Terraces: 29sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 125sqm</li> <li>• Terraces: 30sqm</li> </ul>
204	<ul style="list-style-type: none"> <li>• Beds: 2</li> <li>• Size: 109sqm</li> <li>• Terraces: 11sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 2</li> <li>• Size: 109sqm</li> <li>• Terraces: 11sqm</li> </ul>
205	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 132sqm</li> <li>• Terraces: 29sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 145sqm</li> <li>• Terraces: 36sqm</li> </ul>

301	<ul style="list-style-type: none"> <li>• Beds: 2</li> <li>• Size: 96sqm</li> <li>• Terraces: 16sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 136sqm</li> <li>• Terraces: 33sqm</li> </ul>
302	<ul style="list-style-type: none"> <li>• Beds: 2</li> <li>• Size: 103sqm</li> <li>• Terraces: 49sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 2</li> <li>• Size: 103sqm</li> <li>• Terraces: 16sqm</li> </ul>
303	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 126sqm</li> <li>• Terraces: 29sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 106sqm</li> <li>• Terraces: 26sqm</li> </ul>
304	<ul style="list-style-type: none"> <li>• Beds: 2</li> <li>• Size: 111sqm</li> <li>• Terraces: 12sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 2</li> <li>• Size: 111sqm</li> <li>• Terraces: 12sqm</li> </ul>
305	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 132sqm</li> <li>• Terraces: 30sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 145sqm</li> <li>• Terraces: 36sqm</li> </ul>
401	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 136sqm</li> <li>• Terraces: 71sqm</li> </ul>	<ul style="list-style-type: none"> <li>• Beds: 3</li> <li>• Size: 166sqm</li> <li>• Terraces: 81sqm</li> </ul>

4.5 The more detailed aspects of the proposal are discussed within the assessment section, as relevant.

## 5. LEGISLATIVE REQUIREMENTS

5.1 Refer to Attachment 5.

5.2 A permit is required pursuant to Clause 37.08-5 of the Activity Centre Zone to construct a building or construct or carry out works.

## 6. REFERRALS

### External

6.1 There are no applicable determining or recommending referral authorities.

### Internal

6.2 No additional referrals were required to be undertaken as a result of the changes.

## 7. CONSULTATION / NOTIFICATION

7.1 Notice of the original planning permit application was given over a three-week period which concluded on 8 August 2018. A total of 14 objections were received. Concerns primarily related to pattern of development/streetscape, neighbourhood character/architectural presentation, overdevelopment, poor design response/lack of stepping to adjoining property/zone to the south, amenity impacts, including overlooking and shadowing impact, traffic/on-street parking impacts, noise, construction impacts, internal amenity, landscaping and plan detailing.

- 7.2 Following lodgement of the appeal by the permit applicant, one statement of grounds was submitted. The grounds were submitted late and the tribunal advised the objector that the statement was out of time and they were not allowed to become a party to the proceeding.
- 7.3 Subsequently, notice of the amended application was given by the Applicant for Review on 24 January 2019, in accordance with VCAT Practice Note PNPE9 – Amendment of Plans and Applications.
- 7.4 In accordance with PNPE9, the Applicant is also required to serve notice on any referral authorities, all persons who were notified of the original application and any objectors to the original application.
- 7.5 All notified persons now have until the 18 February 2019, to lodge a statement of grounds with VCAT and become a 'party' to the review proceedings with the ability to participate in the upcoming hearing.
- 7.6 VCAT are responsible for the consideration of any further statement of grounds that are received.

## 8. ASSESSMENT

- 8.1 Council Officer's assessment of the original application acknowledged policy support for a development of this nature. The reasons for refusal of the application related to specific aspects of the proposal that did not meet the relevant Scheme requirements and policies rather than the fundamental overall concept of the proposal.
- 8.2 Given this specific nature of the grounds of refusal and the general policy support, there was sufficient scope for negotiations to occur between Council Officers and the Applicant with the intent of achieving Council support through the VCAT review process. These negotiations hinged on the Applicant's willingness to engage in discussions and undertake amendments to the proposal.
- 8.3 The amended plans have evolved in their current form following Council's refusal of the application and more detailed design discussions held at and after the Compulsory Conference.
- 8.4 Council Officers note that, in these discussions, the Applicant has been prepared to adopt a proactive approach to addressing Council's concerns and subsequently amend the proposal to respond to concerns. Many positive outcomes have occurred as a result of the progressive discussion process and a number of Officer recommendations have been taken on-board and adopted into the design in a successful manner.
- 8.5 An assessment of the amended plans has been undertaken in the context of each relevant ground of refusal.

### Ground of Refusal 1

*The proposal does not provide an appropriate transition in scale, form and height to the adjoining properties to the south located in the General Residential Zone, which is contrary to Schedule 1 to the Activity Centre Zone and the objective of Clause 58.02-1 (Urban context) of the Manningham Planning Scheme.*

- 8.6 The southern boundary of the subject land serves as the southern edge of the Doncaster Hill Activity Centre and subsequently serves as the end of the application of the Activity Centre Zone. The adjoining land to the south falls within Residential Precinct 2 (Within Sub-Precinct A of Schedule 8 to the Design and Development Overlay).
- 8.7 As a result of this, the development has a greater 'burden' to respect and create a transition to the southern boundary. Assessment of the interface to the southern boundary is two-fold in its considerations. Regard must be given to both the amenity impacts to the existing dwelling to the south and to the transition in scale to a development that could be approved within the context of the planning controls that apply (noting that a mandatory height limit of 10 metres applies under Sub-Precinct A of the DDO8)
- 8.8 The original proposal provided an insufficient transition to the southern side in both appearance to the streetscape and amenity impacts to the adjoining property to the south. A number of factors contributed to this issue, including a consistent roof line, sheer, multi-storey walls and building lines, a lack of visual interest and inadequate landscaping opportunities along the southern boundary.
- 8.9 The Amended Plans provide a number of changes to address these concerns.
- 8.10 Commencing at the basement and ground floor level, a 1.46 metres to 1.58 metre setback has been provided to the basement entry ramp where no setback was previously provided. This allows for deep rooted planting to provide a vegetated buffer of the built form to the benefit of both the adjoining property to the south and the streetscape.
- 8.11 Further, retaining walls that were previously shown to be built to the boundary within Apartment LG01's private open space have now been relocated to provide for a setback to the southern boundary of at least 1.5 metres, allowing for at-grade landscaping.
- 8.12 At the third floor level, Apartment 303 has been reconfigured to allow for increased setbacks to the southern and western boundaries.
- 8.13 The setback to the living area (south-western corner) has been increased from 4.39 metres to 5.5 metres to the southern boundary and from 6.7 metres to 7.5 metres to the western boundary. Further, the west-facing terrace has been decreased in length by 2.81 metres on the southern side, increasing the southern boundary setback from 4.39 metres to 7.2 metres.
- 8.14 The prevailing southern boundary setback to Apartment 303 (central section) has also been increased from 4.8 metres to 5.96 metres, with the setback to the south-facing terrace increased from 3.58 metres to 4.73 metres.
- 8.15 The roof form at the southern side of the building has been modified to a flat roof form, where one continuous roof pitch was previously provided across the entirety of the building. This has allowed a reduction in the design element that frames Apartment 303's western terrace and a subsequent decrease to the building height on the southern elevation (by between 0.84 metres and 1.68 metres) resulting in a building height at the southern end of 12.4 metres (from the previous 14.04 metres). The following images provide a demonstration of the stepping introduced to the amended proposal:

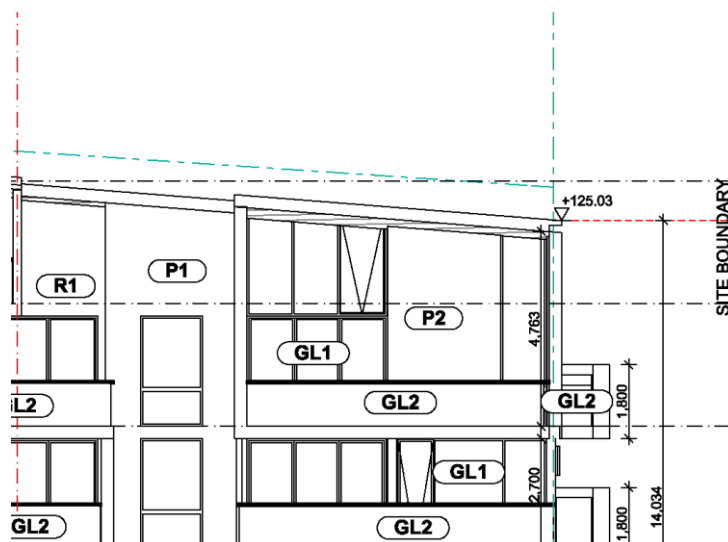


Figure 01: Advertised Plans

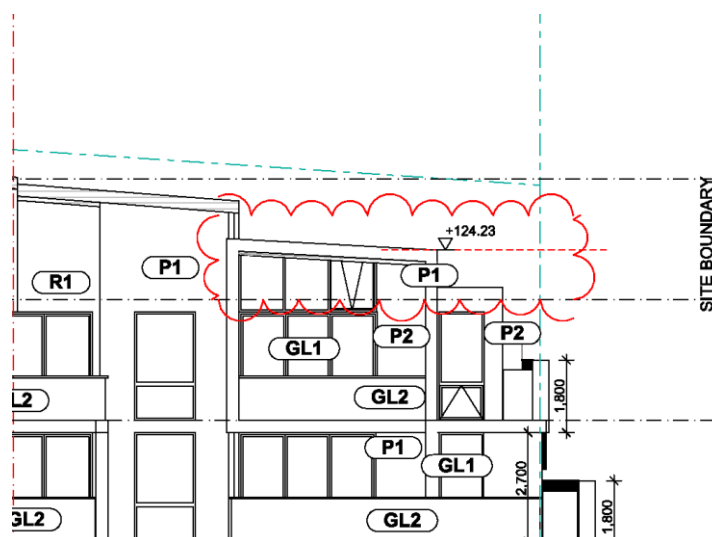


Figure 02: Amended Plans

- 8.16 The increase to setbacks to the third floor level walls and terraces at both the southern and western elevations creates a recessing from the levels below where previously a sheer wall presentation was observed. This results in a notable reduction in visual bulk and evident transition in building form to the southern elevation when viewed from both the streetscape and the adjoining property to the south.
- 8.17 Importantly, the resulting built form on the southern elevation is of a scale and design that would provide a suitable built form transition to the form of development anticipated within Sub-Precinct A of the DDO8.
- 8.18 On the eastern side of the southern elevation, further design changes have been provided to reduce the appearance of bulk to the south. These include the increase in width of the highlight windows at the ground, first and second floor levels and the deletion of the terrace associated with Apartment 302. In combination with the existing setbacks, the level of bulk that will present to the open space of the adjoining dwelling to the south is now considered to be acceptable.



**Ground of Refusal 2**

*The proposal will result in unreasonable streetscape and off-site amenity impacts to adjoining properties through unsympathetic built form, excessive bulk and massing, blank wall presentation, verticality, the removal of vegetation, the lack of boundary landscaping, inadequately overlooking treatments and overshadowing impacts, which is contrary to Schedule 1 to the Activity Centre Zone of the Manningham Planning Scheme.*

- 8.19 The original design contained a number of building elements that resulted in a bulky presentation, with the primary contributing factors being sheer walls, a lack of articulation and repetitive building elements. Sheer walls lacking in articulation were most evident along the northern and southern elevations, whilst the western (streetscape) elevation provided a repetitive balcony and framing treatment.
- 8.20 As discussed under Ground of Refusal 1, a number of changes have occurred to the southern elevation to reduce the sheer verticality of the elevation and increase visual interest.
- 8.21 The northern elevation has undergone a complete redesign in response to the changing context of the northern abuttal. The development has now been designed to integrate with the imminent road extension to the northern side, whereby it had previously been designed to have regard to the existing dwellings to the north.
- 8.22 The amended plans no longer depict the dwellings to the northern side that are to be demolished as part of the road extension. The plans now depict the road context and identify surplus of approximately 2.5 metres that Council's Engineers have identified is not required for the road.
- 8.23 The redesign of the northern elevation provides an increase in north facing living areas. This redesign provides a significant increase in the number of north facing terraces and windows. The majority of the north facing elevation is now dominated by glazing and terraces, improving internal amenity. Further, the introduction of framing elements around balconies provides added visual interest, particularly when viewed at street level.
- 8.24 The amended plans no longer depict the dwellings to the northern side that are to be demolished as part of the road extension. The plans now depict the road context and identify a surplus of approximately 2.5 metres that Council's Engineers have identified as not being required for the road.
- 8.25 The redesign to maximise north-facing dwellings has resulted in a loss of west-facing terraces to Clay Drive and a subsequent reduction to the repetitive terrace projections. Despite the loss of terraces, the western elevation maintains sufficient visual interest through a variation in the pre-cast finishing, the use of projected moulding and glazing.
- 8.26 The south-west corner of the building reduces straight line elements through the aforementioned changes to the southern elevation, with the most notable change being the alleviation of the bulk of the upper level from the previous framing feature and subsequent stepping of the building.

- 8.27 In addition to the built form alterations, the development now utilises a dark grey glazing for balustrading to match the 'spandrel glass' feature. This provides a sharp, contrasting finish to the building which previously featured a somewhat monotonous colour palette.
- 8.28 At the ground level the external layout has been altered to provide additional landscaping opportunities that will allow a greater vegetated buffer to the development. These changes are discussed in detail under grounds of refusal one.
- 8.29 With regard to overshadowing, the applicable considerations are established under the ACZ1, noting that there are no overshadowing controls under Clause 58 Apartment Developments of the Scheme. The ACZ1 states that development *should be designed to avoid casting shadows on adjacent properties (including public open space areas) outside of the activity centre between 11:00am and 2:00pm on 22 September.*
- 8.30 Whilst the control specifies that overshadowing *should* be avoided to properties outside of the activity centre, some overshadowing is considered to be, on balance, reasonable when considering the location of the subject site at the southern edge of the activity centre and the applicable density objectives. The ability to provide a building that both satisfies the policy objectives for urban consolidation and avoids additional overshadowing to the south would be near impossible.
- 8.31 The original development caused additional overshadowing at all periods between 11am and 2pm, with approximately half of the adjoining secluded private open space area to the south overshadowed by 2pm.
- 8.32 The amended development notably reduces the amount of overshadowing from the previous plans, with 2pm overshadowing reduced by 18 square metres. Subsequently, the adjoining open space area will benefit from at least 78 square metres of unshaded open space during the relevant control period. This is considered to be reasonable for the amenity of the adjoining dwelling to the south.
- 8.33 Overlooking is called into consideration for an apartment development through Clause 58.04-1 Building Setbacks of the Scheme. The original proposal included a range of screening treatments to combat overlooking. The plans however lacked sufficient detail to determine whether these treatments were adequate.
- 8.34 The amended plans include a mix of vertical and horizontal screening measures. Sight diagrams, which rely on new levels ascertained from a re-surveying of the site, demonstrate that the screening treatments adequately limit overlooking to adjoining properties (south and east) when applying Standard B22.
- 8.35 The amended plans do not provide screening treatments to the existing dwellings to the northern side. Given the imminent road extension and the fact that the properties have been vacated (as confirmed with Council's Property Services), consideration of overlooking to this interface is considered to be unnecessary.
- 8.36 Subsequently, overlooking has been adequately addressed in the amended proposal.

### Ground of Refusal 3

*The proposal does not provide adequate landscaping opportunities within the front setback and along the northern and southern boundaries, due to the location of the basement, driveway and hard stand areas, which is contrary to Clause 52.06-9 (Car parking design standard 7), 58.03-5 (Landscaping) objectives and Schedule 1 to the Activity Centre Zone of the Manningham Planning Scheme.*

- 8.37 The treatments to the southern boundary to increase landscaping opportunities to the south of the building have been discussed under Ground of Refusal 1, with adequate space now provided for landscaping in accordance with the relevant policies.
- 8.38 To the northern side of the development, the accommodation of landscaping within the current development layout is less critical given the new road interface to the northern side. The current road design (in accordance with concepts provided by Council's Roads Engineer) will see wide nature strips that can be heavily vegetated.
- 8.39 As discussed, the proposed development will rely on utilisation of the surplus land to the northern boundary to satisfy landscape requirements. Utilisation of this surplus land will ensure that the development achieves the setback requirements of the ACZ1 and that adequate landscaping opportunities are provided to the north of the building. Given this reliance, permit conditions will require the permit holder to acquire this land and to submit amended plans showing landscaping and fencing treatments prior to the commencement of any buildings and works.
- 8.40 The following analysis is provided of the setbacks relative to the requirements of the relevant Sub-Precinct 2F of the ACZ1.

Interface	Interface Type	ACZ1 Requirement	Minimum Proposed	Compliance?
West	Front boundary	5 metres	5.02 metres	Yes
North	Side boundary	4.5 metres	Without surplus land: 3.32 metres With surplus land: 5.82 metres	Without surplus land: No With surplus land: Yes
South	Side boundary	4.5 metres	4.53 metres	Yes
East	Rear boundary	4.5 metres	4.5 metres	Yes

- 8.41 The front setback to Clay Drive has seen a number of layout changes to provide larger landscaping spaces. These include relocation of the disabled access ramp, replacement of battered slopes with retaining walls and reduction in the hard-stand terrace of Apartment G02.

- 8.42 These changes allow for adequate landscaping opportunities within the front setback. At any rate, an updated landscaping plan will be required to be submitted as part of any approval to ensure adequate planting provision.

#### Ground of Refusal 4

*The proposal will result in unreasonable on-site amenity impacts to future residents, by failing to meet minimum balcony requirements, which is contrary to Clause 58.05-3 (Private open space), or maximum room depth dimensions, which is contrary to Clause 58.07-2 (Room depth), or providing any daylight to many habitable room windows, which is contrary to Clause 58.07-3 (Windows) objectives of the Manningham Planning Scheme.*

- 8.43 A number of dwellings failed to demonstrate compliance with the minimum on-site/internal amenity requirements of Clause 58 Apartment Developments of the Manningham Planning Scheme. The non-compliances and the manner in which they have been addressed in the amended proposal are itemised as follows:

Control	Requirement	Apartment	Original Proposal	Compliance?	Amended Proposal	Compliance?
Clause 58.05-3 Private Open Space	3 or more bedroom dwelling: 12 square metres with a minimum dimension of 2.5sqm	103	8.26sqm	No	12sqm	Yes
		105 Replaced by G02	8.19sqm	No	71sqm (at ground level)	Yes
		203	8.26sqm	No	12sqm	Yes
		204	10.18sqm	No	11sqm	No – falls short by 1sqm
		205	8.19sqm	No	31sqm	Yes
		303	8.26sqm	No	12sqm	Yes
		305	8.19sqm	No	31sqm	Yes

- 8.44 In addition to the above, Apartments G01 and G03 do not comply with ResCode open space requirements at ground level by 3 square metres and 4 square metres respectively. Apartment G01 abuts land to the north which will be acquired at a later date by the owner of this site. The purchase of this land will ensure compliance with the open space requirements of ResCode. The non-compliance for Apartment GO3 is considered to be minimal and upon balance is appropriate in this context.

- 8.45 All dwellings meet the open space and room depth requirements of Clause 58.05-3 and Clause 58.07-2 with the exception of Apartment 302 which has a depth of 9.45 metres. The dwelling falls short of the 9m room depth requirement by 0.45 metres however is considered to be a minor variation for a dwelling which has an overall high level of internal amenity.

- 8.46 It is further noted that windowless studies have been removed from all apartments with the exception of apartments 103 and 203. Previously 10 dwellings contained windowless studies in the original proposal. On balance, despite the aforementioned four instances of non-compliances with the applicable standard, the development provides for suitable on-site and internal amenity for future residents. Where non-compliances are observed, they are nominal and/or offset by other amenities (such as additional, secondary open space terraces or larger window openings).

#### **Ground of Refusal 5**

*The proposal does not provide adequate facilities and detailed design through poorly integrated building entry, which is contrary to 58.05-2 (Building entry and circulation), and inappropriately located mailboxes and service cabinets that are poorly integrated with the development, which is contrary to Clause 58.06-2 (Site Services) objectives of the Manningham Planning Scheme.*

- 8.47 The original proposal included a primary building entry that was not easily identifiable, with the entry space located beneath the footpath level, partially obscured by front fencing and lacking any identifying features.
- 8.48 The amended proposal widens the entry path to reduce the obscuring of the entry door, whilst also utilising a clear glazed finish for the entirety of the entry lobby, making the entry space more evident to the streetscape.
- 8.49 These changes, when combined with the differing finish of the overhanging terrace above, provide sufficient identification of the primary building entry.
- 8.50 Further, the original proposal included a bulky, obscure service cabinet along the frontage that served as the front fence for nearly half of the development.
- 8.51 The amended proposal separates the service cabinets, with the water metre relocated further to the north-west corner of the site and enveloped by fencing, significantly reducing the visual blight that resulted from all services being located together.
- 8.52 The resulting integration of services into the front fence results in a satisfactory streetscape treatment.

#### **Ground of Refusal 6**

*The proposal does not provide adequately detailed visibility splay requirements along the exit lane at the site frontage and has not fully considered crossover width or location impacts on street trees, which is contrary to Design Standard 1 (Accessways) at Clause 52.06-9 (Car Parking) of the Manningham Planning Scheme.*

- 8.53 The proposal originally failed to detail visibility splays on the ground floor plan to demonstrate adequate site lines when exiting the basement. The amended plans adequately detail visibility splays in accordance with Design Standard 1 of Clause 52.06 Car Parking of the Scheme.

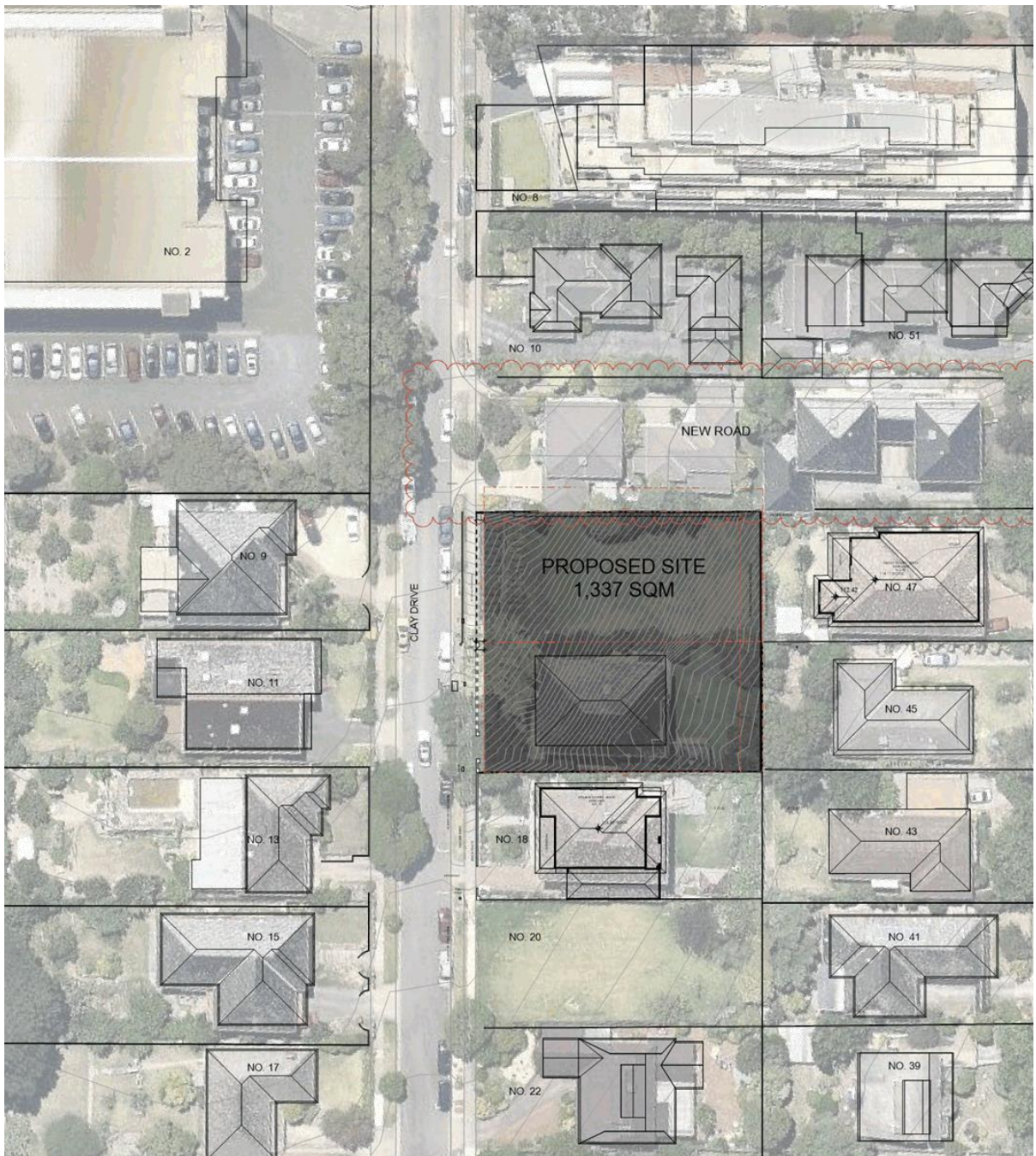
- 8.54 It is noted that the location of the crossover has not changed and will require removal of a mature street tree. Considering the topography of the land, the crossover has been sited in the most logical location for basement access, at the lowest point of the land. On balance, removal of a street tree to accommodate a development of this nature is an acceptable outcome subject to replacement planting.

#### **Conclusion**

- 8.55 It is considered that the changes to the plans now address Council's grounds of refusal for the reasons outlined within this report.
- 8.56 It is recommended that Council indicate its support of the amended proposal for the reasons outlined within the report subject to "without prejudice" conditions.

### **9. DECLARATION OF CONFLICT OF INTEREST**

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

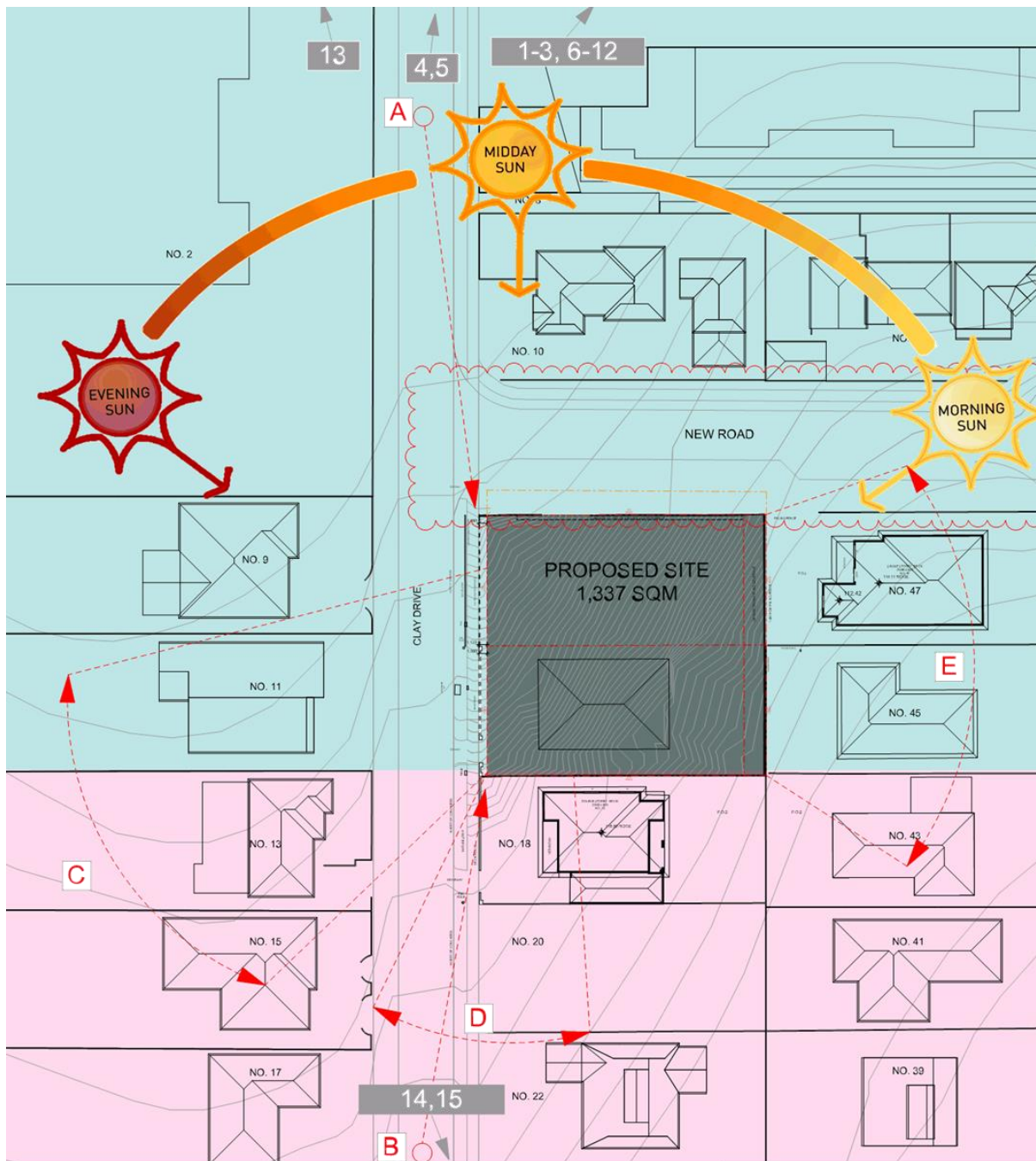


METAXAS ARCHITECTS PTY LTD ABN 183 791 7826 114 CARDIGAN STREET, CARLTON VIC 3053 AUSTRALIA



Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title <b>SITE CONTEXT PLAN</b>	
Scale: 1:500	© All Rights Reserved: 24 JAN 2019
Status: TOWN PLANNING	Checked By:
Project No:	Drawing No.: TP01.1
15.046	Rev: Bi



- ACTIVITY CENTRE ZONE 1
- RESIDENTIAL ZONE 1
- A** DOWNWARD VIEW TO SITE AS ROADWAY DESCENDS DOWN HILL
- B** UPWARD VIEW OF SITE FROM ROADWAY BELOW
- C** POTENTIAL UPPER LEVEL CITY VIEWS POSSIBLY OBSCURED BY EXISTING BUILDINGS
- D** DISTANT VIEW TO BOX HILL
- E** DISTANT MOUNTAIN VIEWS LIKELY TO BE OBSCURED BY FUTURE DEVELOPMENT

- LEGEND**
1. 210m TO NEAREST BUS STOP AT DONCASTER ROAD
  2. 350m TO DONCASTER CHURCH OF CHRIST
  3. 300m TO DONCASTER PRIMARY SCHOOL
  4. 400m TO WESTFIELD DONCASTER
  5. 700m TO COLES SUPERMARKET
  6. 400m TO MANNINGHAM ART GALLERY, CITY SQUARE, & DONCASTER LIBRARY
  7. 550m TO MANNINGHAM CIVIC CENTRE
  8. 750m TO DONCASTER KINDERGARTEN ASSOC. INC.
  9. 800m TO DONCASTER BOWLING CLUB
  10. 900m TO FITZROY DONCASTER CRICKET CLUB
  11. 900m TO SCHRAMMS RESERVE
  12. 1.2km TO DONCASTER SECONDARY COLLEGE
  13. 1.5km TO EASTERN GOLF CLUB
  14. 2.4km TO KOONJUNG CREEK LINEAR PARK
  15. 4.5 km TO EASTERN FREEWAY



MAX ARCHITECTS PTY LTD ABN 190 731 7869 114 GARDIGAN STREET, CARLTON VIC 3052 AUSTRALIA

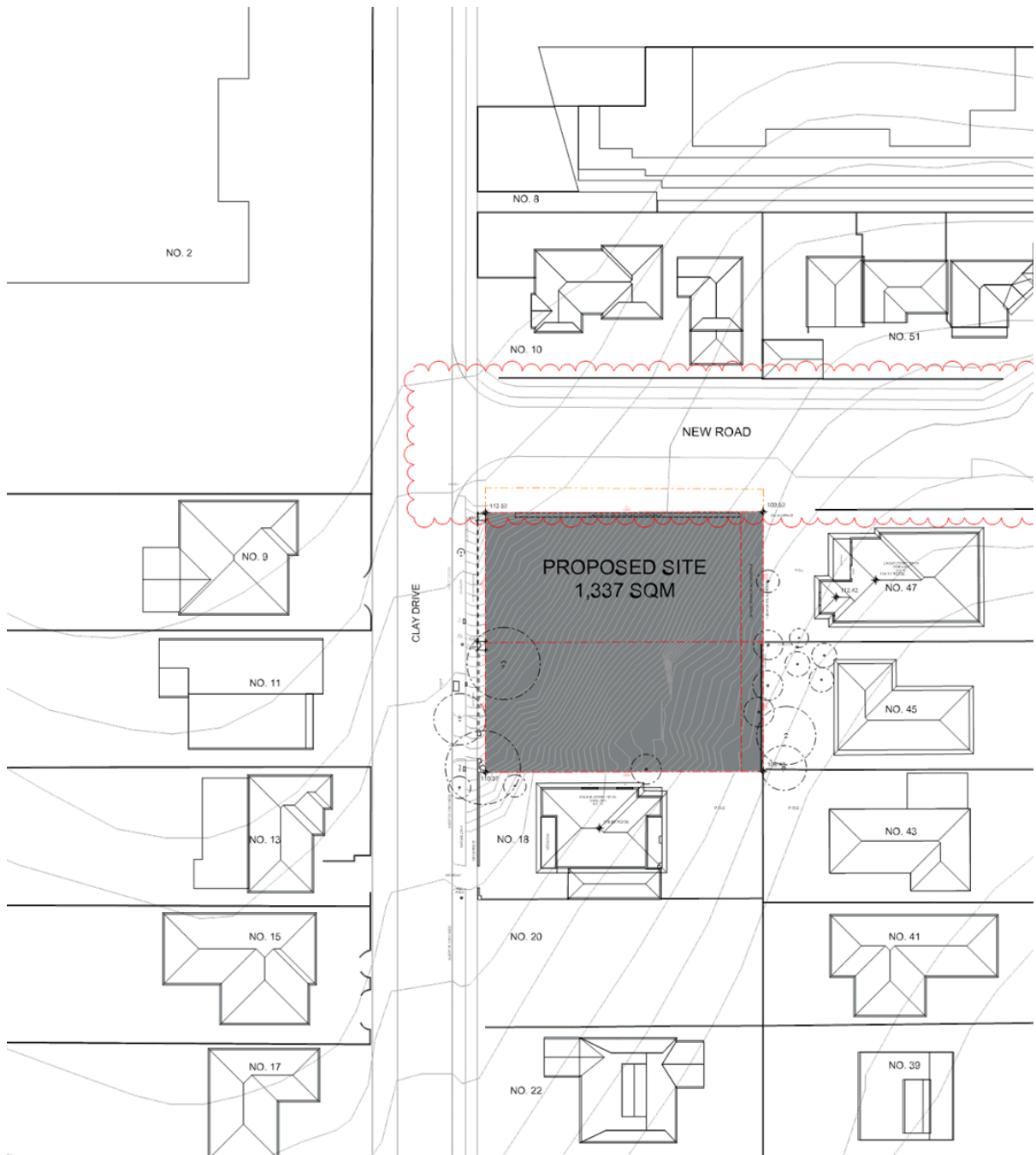


Client  
**ARADENA DONCASTER PTY LTD**

Project Name  
**APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER**

Drawing Title		
<b>SITE &amp; NEIGHBOURHOOD CONTEXT</b>		
Drawn: 1509	By: [initials]	Date: 24 JAN 2019
Title: TOWN PLANNING Checked By:		
Project No:	Drawing No:	Rev:
15.046	TP01.2	Bi



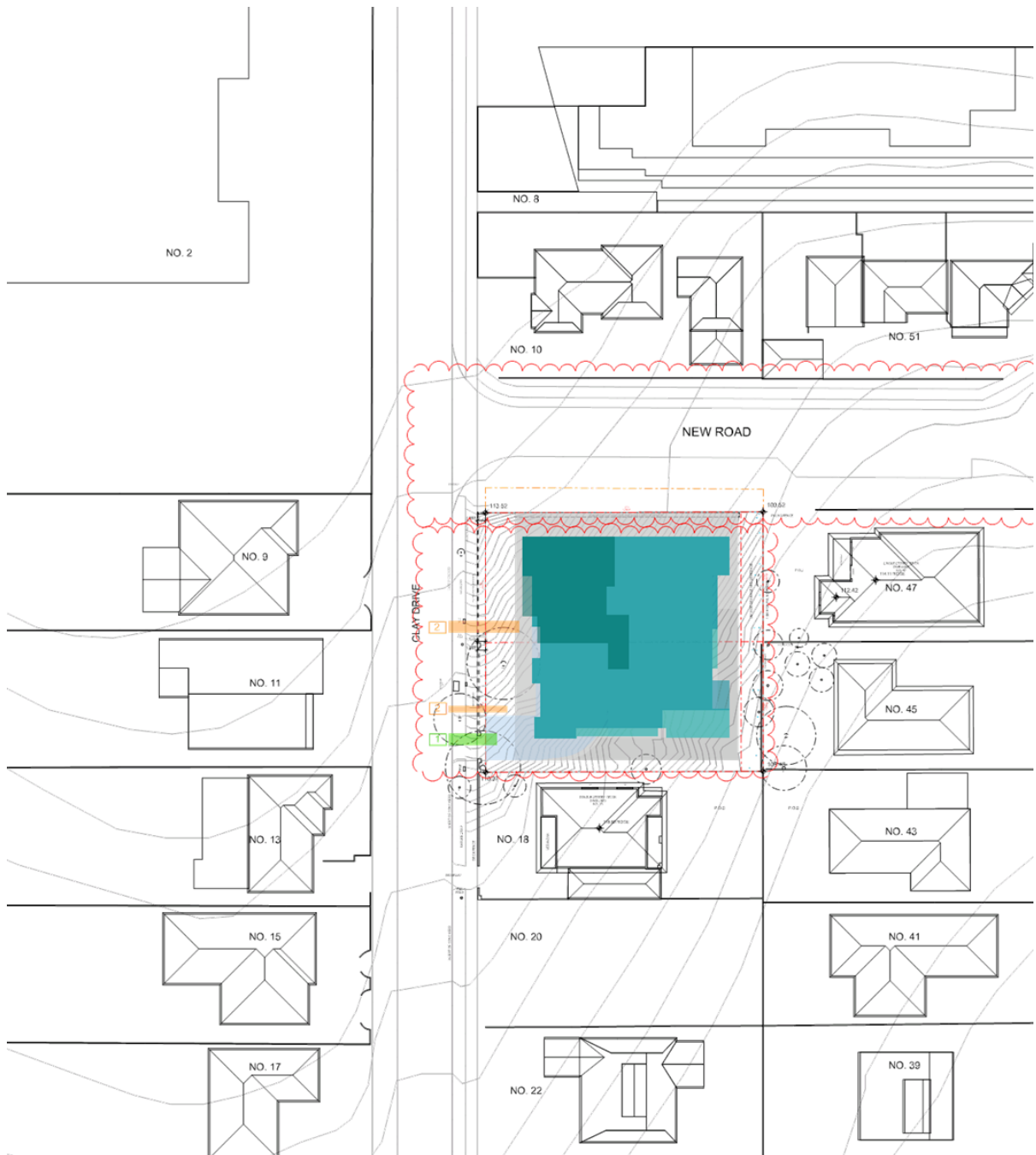


METAXAS ARCHITECTS PTY LTD ABN 180 731 7863 114 GARDIGAN STREET CARLTON VIC 3061 AUSTRALIA



Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title <b>SITE PLAN</b>		
Scale: 1:500	Drawn: 24 JAN 2019	Checked By:
DWG: TOWN PLANNING		
Project No:	Drawing No:	Rev:
15.046	TP01.3	Bi



**LEGEND**

B LG G L1-L2 L3 L4 PROPOSED BUILDING MASSING

1 PROPOSED VEHICULAR ACCESS

2 PROPOSED PEDESTRIAN ACCESS



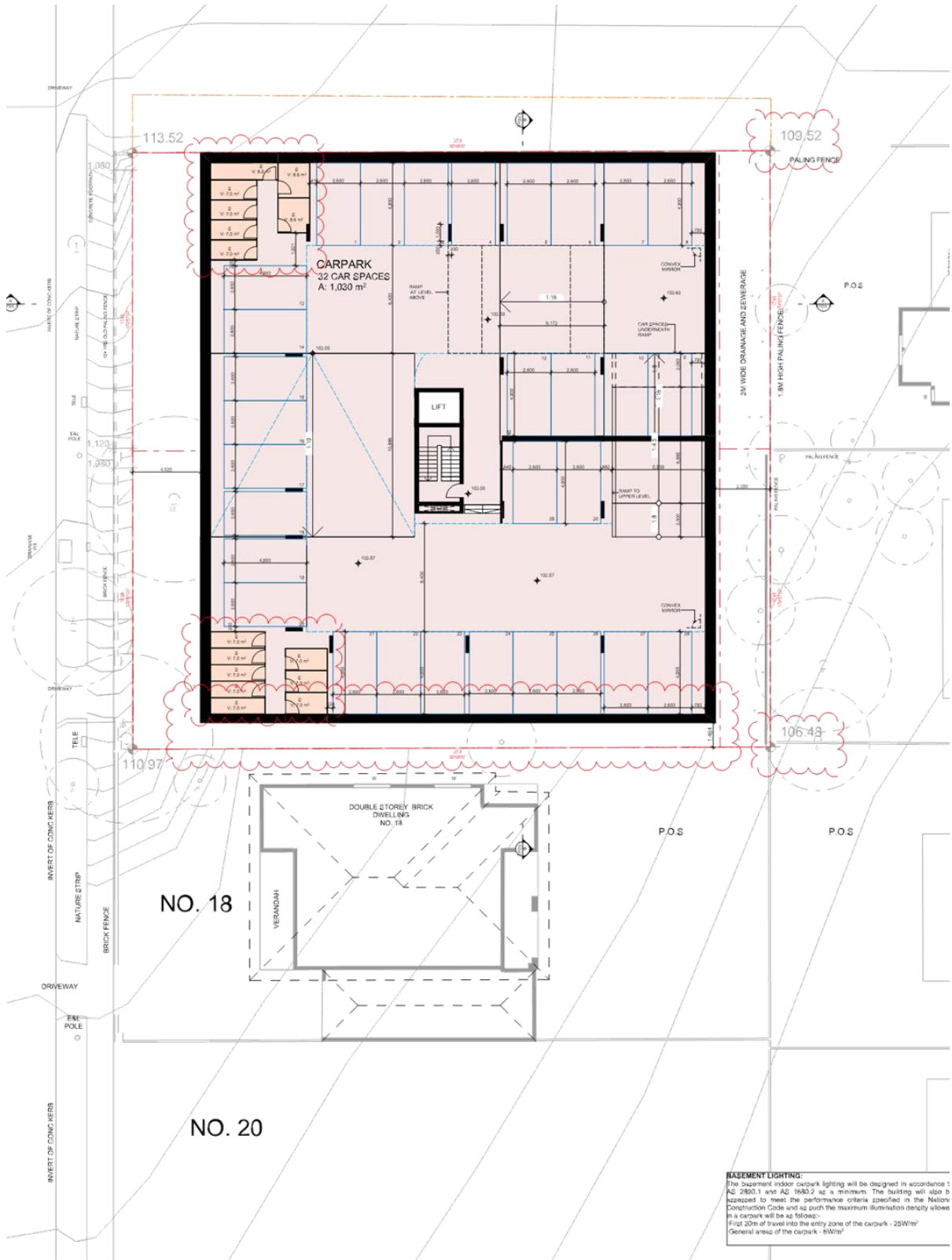
META ARCHITECTS PTY LTD ABN 180 731 7868 114 GARDIGAN STREET, CARLTON VIC 3061 AUSTRALIA



Client  
ARADENA DONCASTER PTY LTD

Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title <b>DESIGN RESPONSE</b>	
Scale: 1:500	Date: 24 JAN 2019
Disc: TOWN PLANNING	Checked By:
Project No:	Drawing No: Rev:
15.046	TP01.4 Bi



AAA ARCHITECTS PTY LTD ABN 180 731 7863 114 GARDIGAN STREET, CARLTON VIC 3052 AUSTRALIA

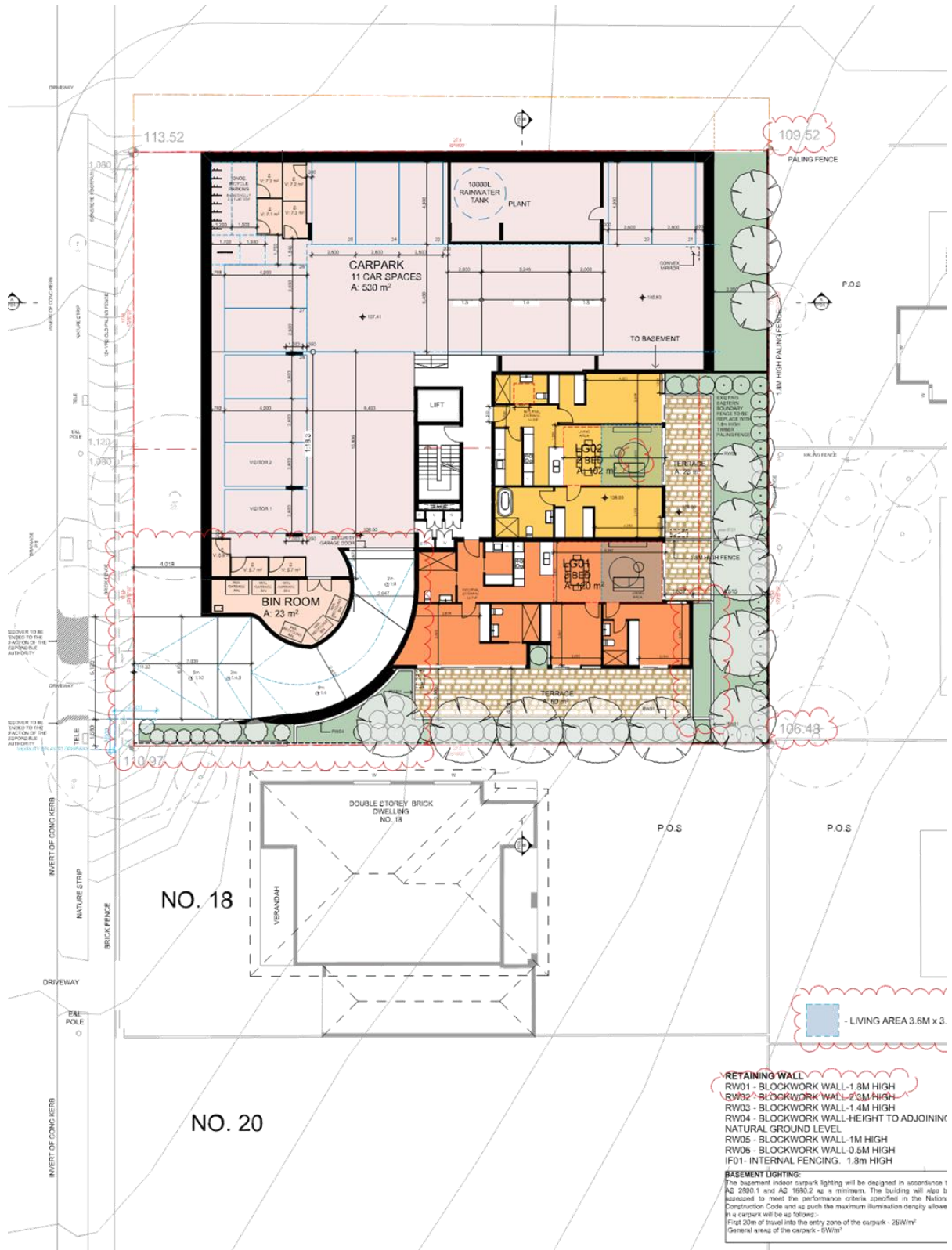
NOTE: CAR PARK TO USE CO MONITORING SYSTEM



Client  
**ARADENA DONCASTER PTY LTD**

Project Name  
**APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER**

Drawing Title <b>BASEMENT PLAN</b>	
Draw: 1200	Rev: 24 JAN 2019
Disc: TOWN PLANNING	Checked By:
Project No:	Drawing No:
15.046	TP02.1
	Bi



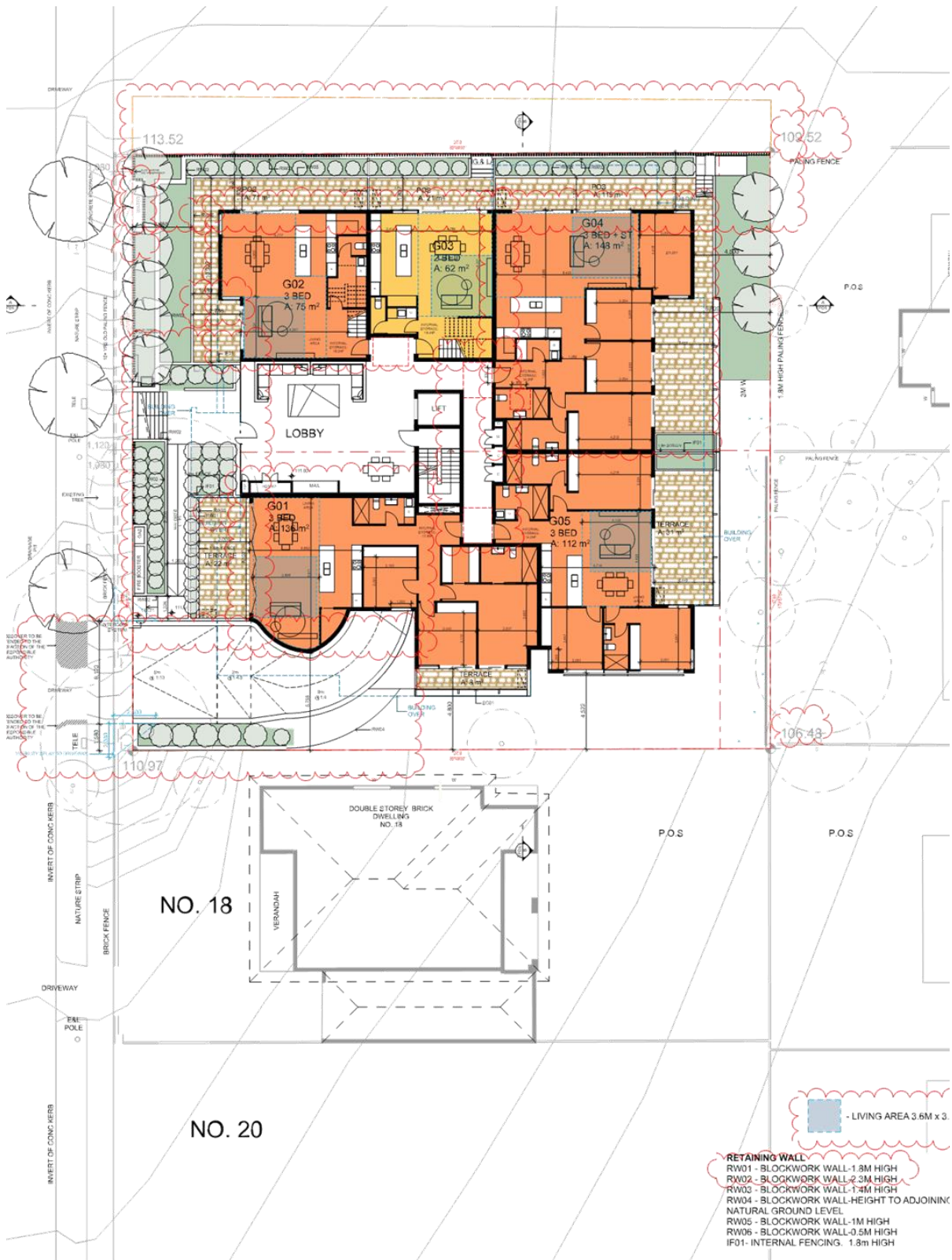
**METAXAS**

ARAS ARCHITECTS PTY LTD ABN 180 731 7869 114 GARDINER STREET, CARLTON VIC 3052 AUSTRALIA

STANDARD D17 - DESIGN OPTION A - CIRCULATION AREA - 1200mm x 1200mm  
 STANDARD D17 - DESIGN OPTION B - CIRCULATION AREA - 1000mm x 700mm  
 NOTE: REFER TO SUSTAINABLE MANAGEMENT PLAN FOR DETAILS OF STANDARDS THAT THIS DEVELOPMENT WILL ADHERE TO

Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT 14-16 CLAY DRIVE DONCASTER

Drawing Title: LOWER GROUND FLOOR PLAN  
 Drawn: 1209  
 Date: 24 JAN 2019  
 Project No: 15.046  
 Drawing No: TP02.2  
 Rev: Bi



**METAXAS**

14/14 ARCHITECTS PTY LTD ABN 180 731 7869 114 GARDIGAN STREET, CARLTON VIC 3052 AUSTRALIA

STANDARD D17 - DESIGN OPTION A - CIRCULATION AREA - 1200mm x 1200mm

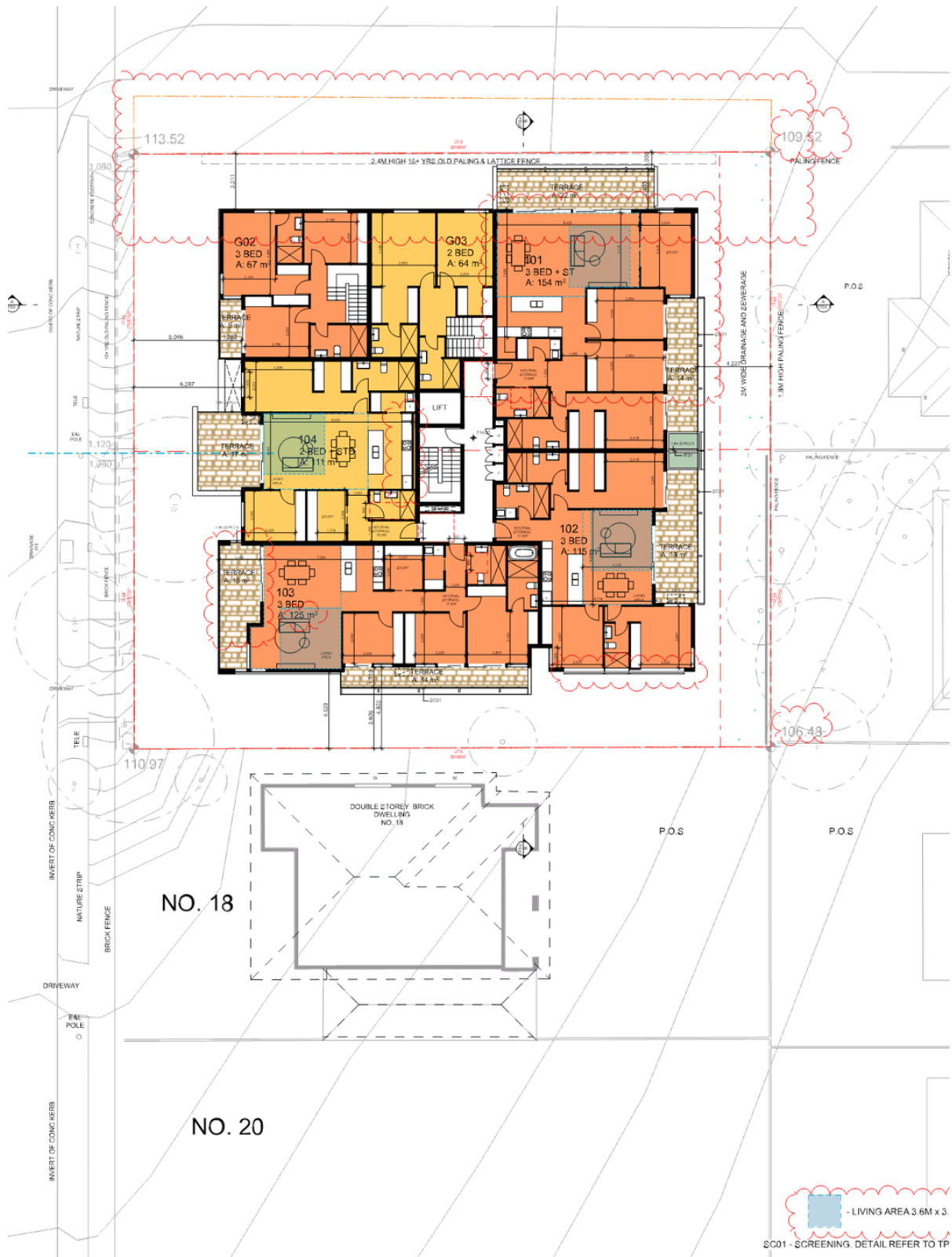
STANDARD D17 - DESIGN OPTION B - CIRCULATION AREA - 1000mm x 2700mm

NOTE: REFER TO SUSTAINABLE MANAGEMENT PLAN FOR DETAILS OF STANDARDS THAT THIS

Client  
**ARADENA DONCASTER PTY LTD**

Project Name  
**APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER**

Drawing Title <b>GROUND FLOOR PLAN</b>		
Drawn: 1209	Checked: 1210	Date: 24 JAN 2019
Drawn: TOWN PLANNING		Checked By:
Project No:	Drawing No:	Rev:
15.046	TP02.3	Bi



SC01 - SCREENING. DETAIL REFER TO TP

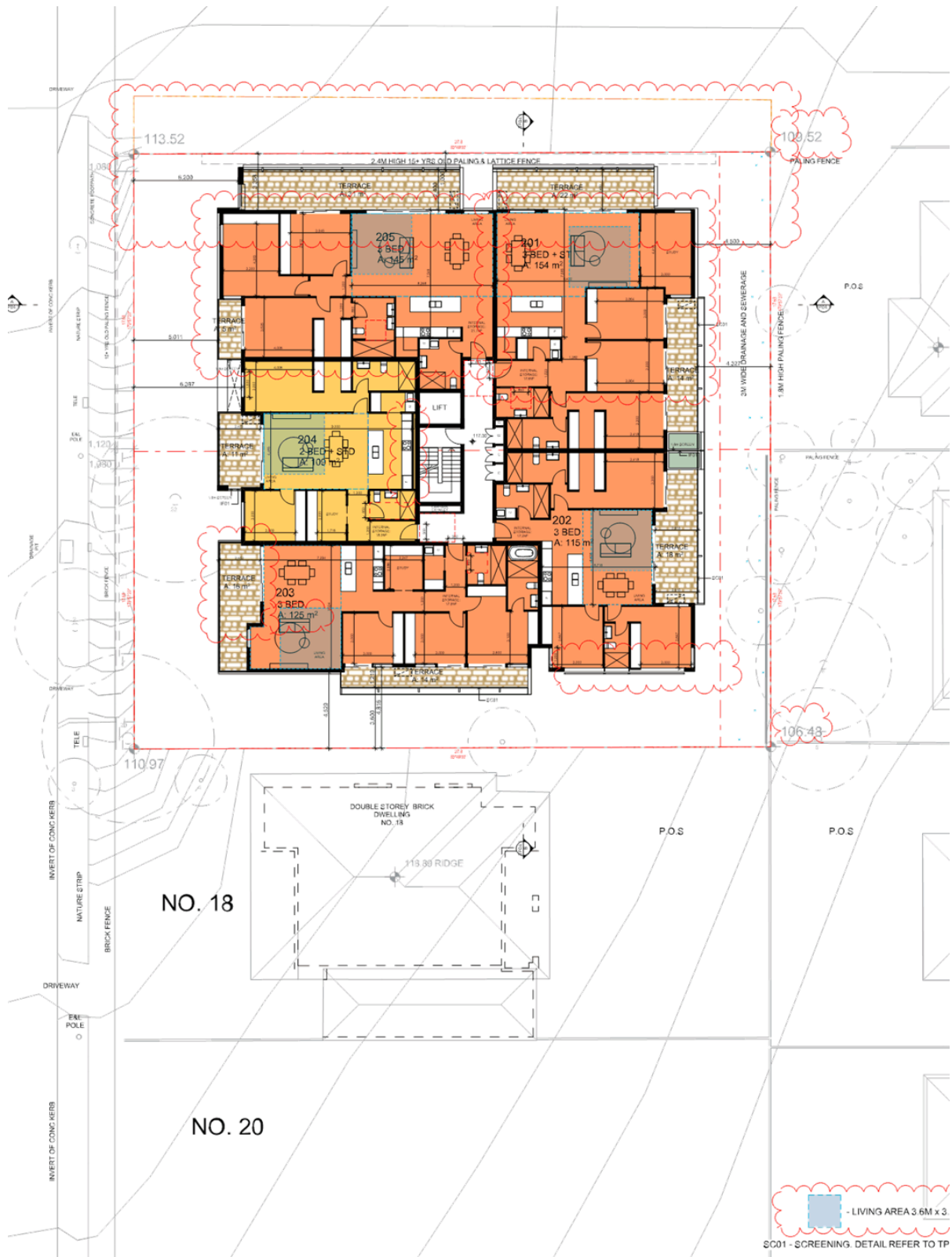


AVAS ARCHITECTS PTY LTD ABN 180 731 7826 114 GARDIGAN STREET, CARLTON VIC 3052 AUSTRALIA

STANDARD D17 - DESIGN OPTION A - CIRCULATION AREA - 1200mm x 1200mm  
 STANDARD D17 - DESIGN OPTION B - CIRCULATION AREA - 1000mm x 2700mm  
 NOTE: REFER TO SUSTAINABLE MANAGEMENT PLAN FOR DETAILS OF STANDARDS THAT THIS

Client  
**ARADENA DONCASTER PTY LTD**  
 Project Name  
**APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER**

Drawing Title <b>FIRST FLOOR PLAN</b>	
Date: 1209	Date: 24 JAN 2019
Drawn: TOWN PLANNING	Checked By:
Project No: 15.046	Drawing No: TP02.4
	Rev: Bi



SC01 - SCREENING. DETAIL REFER TO TP



AVAG ARCHITECTS PTY LTD ABN 180 731 7863 114 GARDIGAN STREET, CARLTON VIC 3052 AUSTRALIA

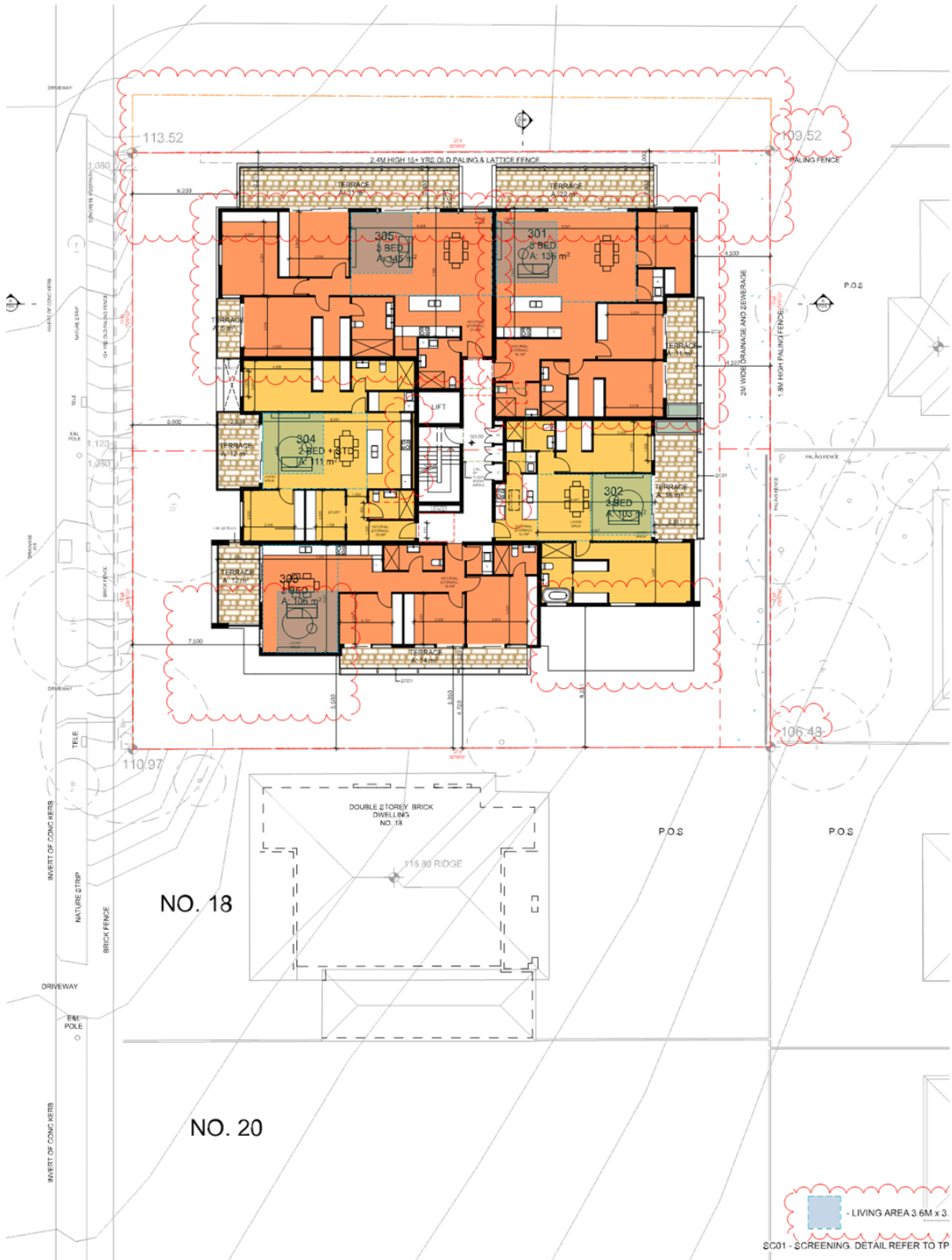
STANDARD D17 - DESIGN OPTION A - CIRCULATION AREA - 1200mmX1200mm  
 STANDARD D17 - DESIGN OPTION B - CIRCULATION AREA - 1000mmX2700mm

NOTE: REFER TO SUSTAINABLE MANAGEMENT PLAN FOR DETAILS OF STANDARDS THAT THIS



Client  
**ARADENA DONCASTER PTY LTD**  
 Project Name  
**APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER**

Drawing Title	
<b>SECOND FLOOR PLAN</b>	
Draw: 1200	Date: 24 JAN 2019
Drawn: TOWN PLANNING	Checked By:
Project No:	Drawing No:
15.046	TP02.5
	Rev: Bi



SC01 - SCREENING. DETAIL REFER TO TP



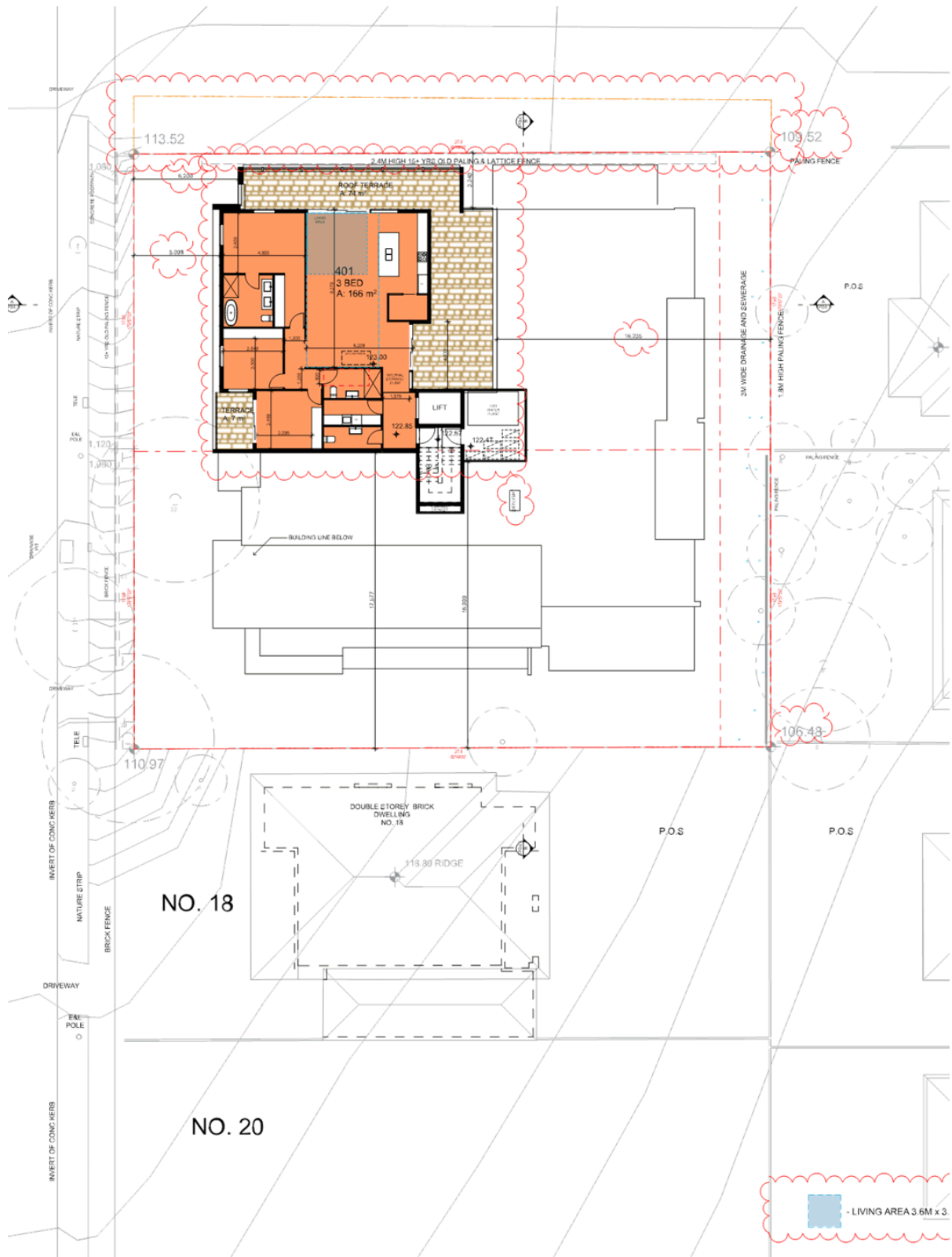
AVAS ARCHITECTS PTY LTD ABN 180 731 7865 114 GARDIGAN STREET, CARLTON VIC 3053 AUSTRALIA

STANDARD D17 - DESIGN OPTION A - CIRCULATION AREA - 1200mm x 1200mm  
 STANDARD D17 - DESIGN OPTION B - CIRCULATION AREA - 1000mm x 2700mm  
 NOTE: REFER TO SUSTAINABLE MANAGEMENT PLAN FOR DETAILS OF STANDARDS THAT THIS

Client  
**ARADENA DONCASTER PTY LTD**  
 Project Name  
**APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER**

Drawing Title	
<b>THIRD FLOOR PLAN</b>	
Scale: 1:200	Date: 24 JAN 2019
Drawn: TOWN PLANNING	Checked By:
Project No:	Drawing No:
15.046	<b>TP02.6</b>
	Rev: <b>Bi</b>





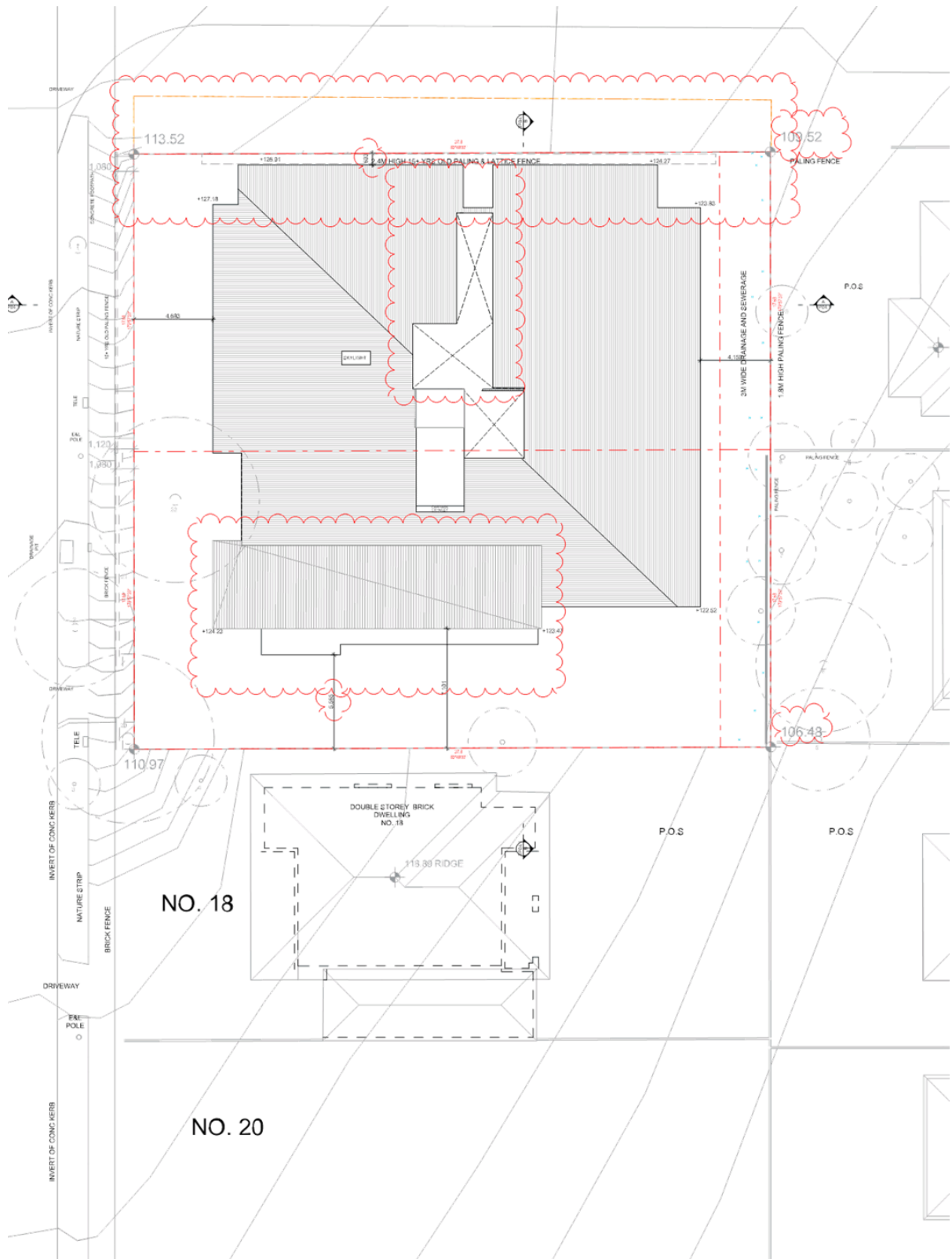
NOTE: REFER TO SUSTAINABLE MANAGEMENT PLAN FOR DETAILS OF STANDARDS THAT THIS DEVELOPMENT WILL ADHERE TO



Client  
**ARADENA DONCASTER PTY LTD**  
 Project Name  
**APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER**

Drawing Title	
<b>FOURTH FLOOR PLAN</b>	
Drawn: 1200	Drawn: 24 JAN 2019
Checked: TOWN PLANNING	Checked By:
Project No:	Drawing No: Rev:
15.046	TP02.7 Bi

3AA&G ARCHITECTS PTY LTD ABN 180 731 78638 114 GARDIGAN STREET, CARLTON VIC 3053 AUSTRALIA

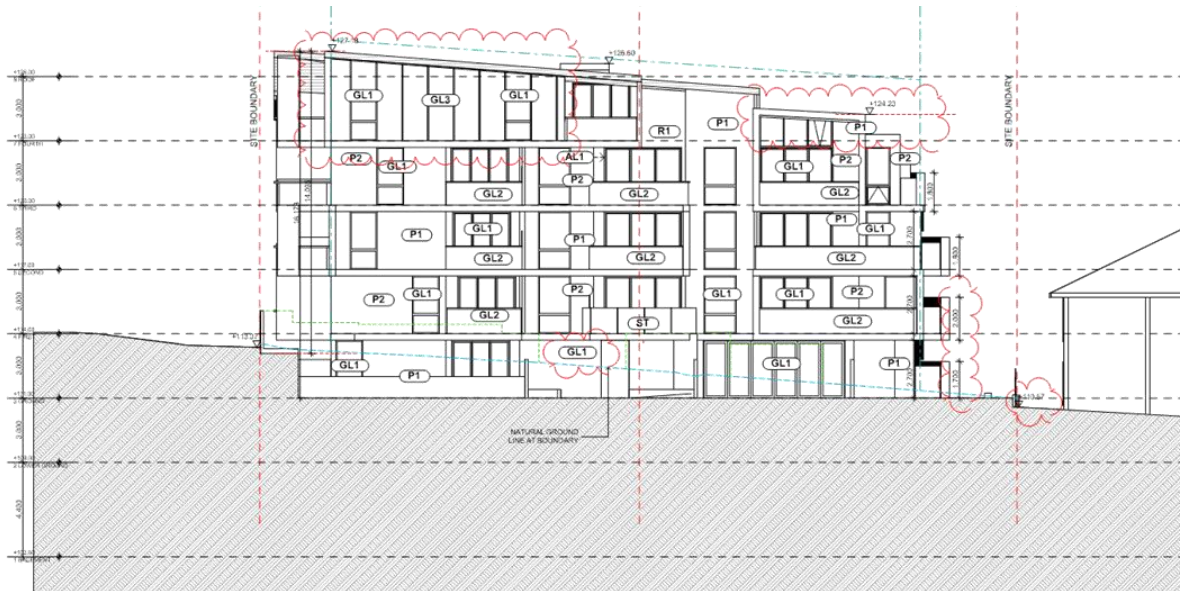


NOTE: REFER TO SUSTAINABLE MANAGEMENT PLAN FOR DETAILS OF STANDARDS THAT THIS DEVELOPMENT WILL ADHERE TO  
 NOTE: RUNOFF FROM ROOF AREAS TO BE DISCHARGED TO RAINWATER TANK

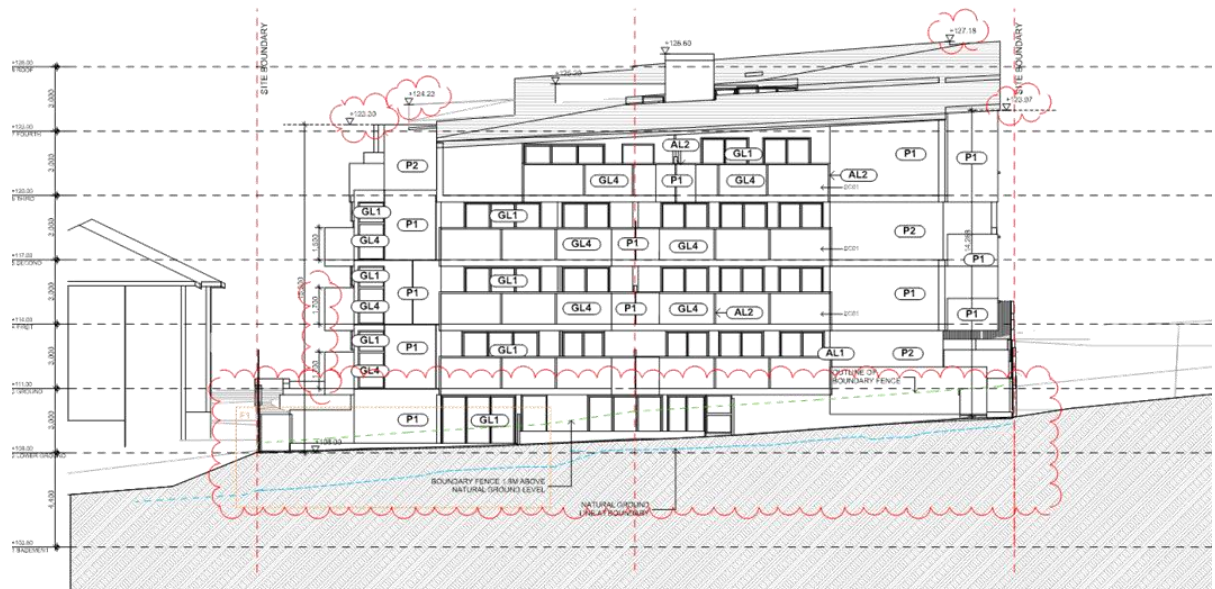
Client  
**ARADENA DONCASTER PTY LTD**  
 Project Name  
**APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER**

Drawing Title	
<b>ROOF PLAN</b>	
Scale: 1:200	Date: 24 JAN 2019
Drawn: TOWN PLANNING	Checked By:
Project No:	Drawing No: <b>TP02.8</b>
15.046	Rev: <b>Bi</b>

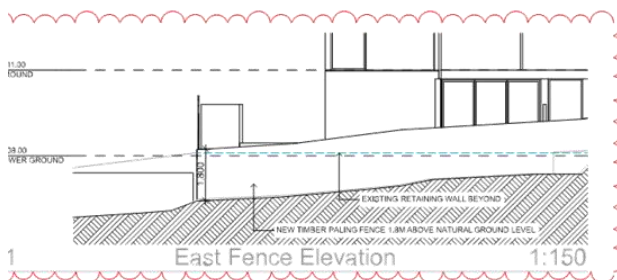
AXAQ ARCHITECTS PTY LTD ABN 180 731 7863 114 GARDIGAN STREET, CARLTON VIC 3053 AUSTRALIA



West Elevation (Clay Dr)



East Elevation



East Fence Elevation

**FINISHES LEGEND:**

- AL1 POWDER COATED ALUMINIUM WINDOW FRAME - COLOUR: DARK GR
  - AL2 POWDER COATED ALUMINIUM SCREEN FRAME - COLOUR: GREY
  - GL1 GLASS - CLEAR
  - GL2 GLASS - DARK GREY
  - GL3 GLASS - DARK GREY SPANDREL
  - GL4 GLASS - GREY OBSCURE
  - R1 PRECAST WALL - SILVER TINT
  - P2 PRECAST WALL - MEDIUM GREY OXIDE
  - R1 RENDERED WALL - SILVER TWILIGHT
  - ST STONE - ELBA
- SC01 - SCREENING. DETAIL REFER TO TP

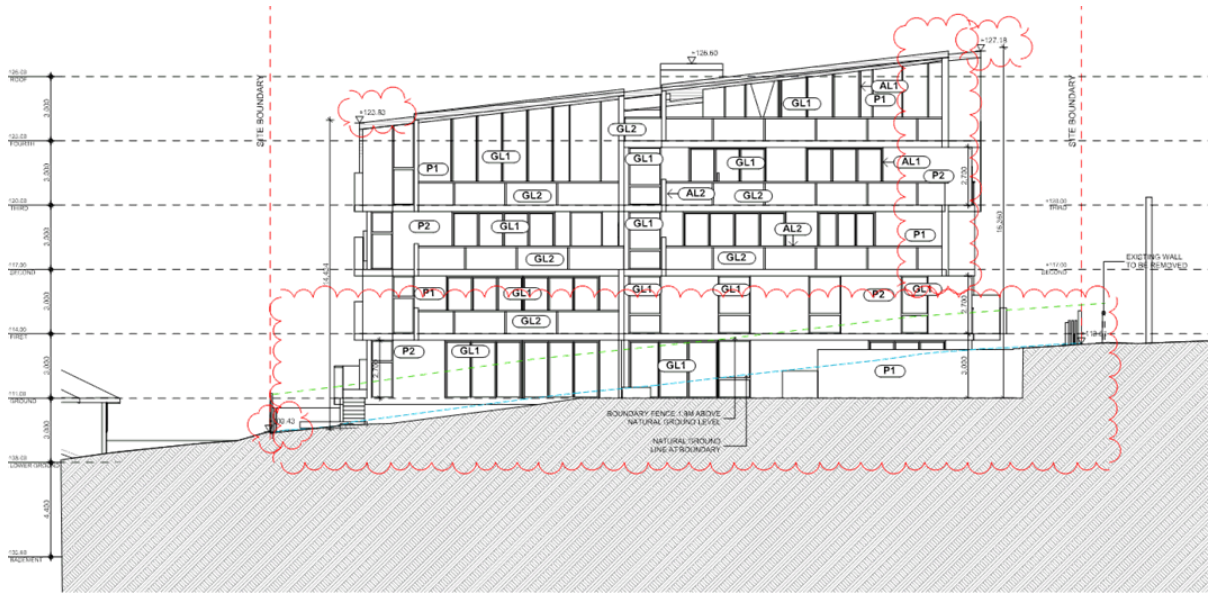


AXAS ARCHITECTS PTY LTD ABN 180 731 7826 114 GARDISAN STREET, CARLTON VIC 3052 AUSTRALIA

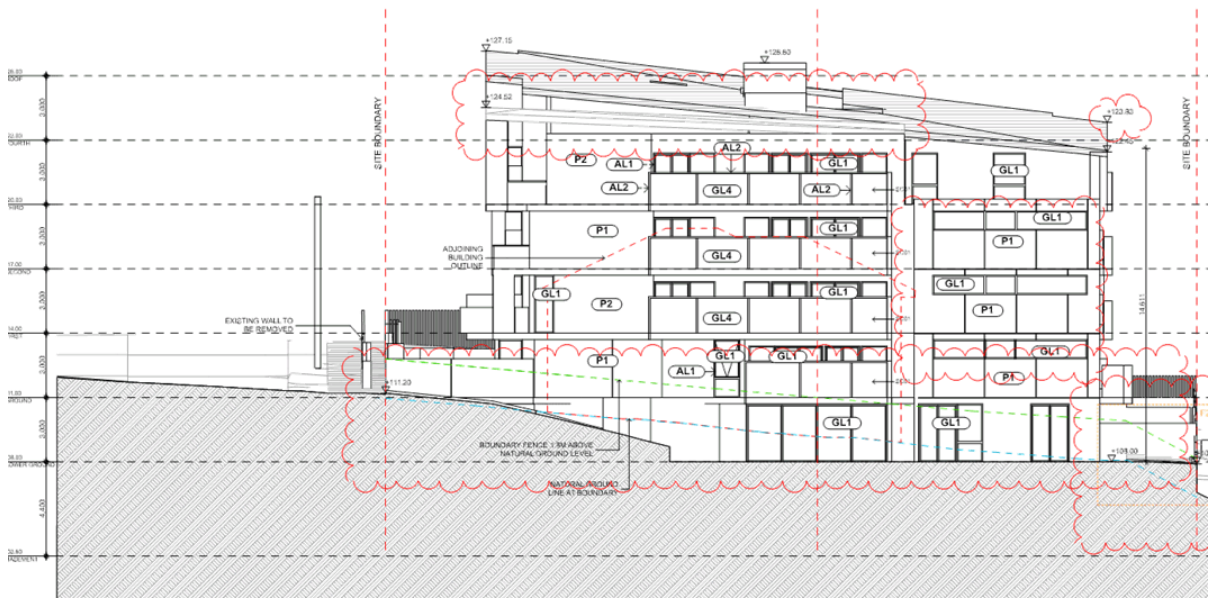


Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

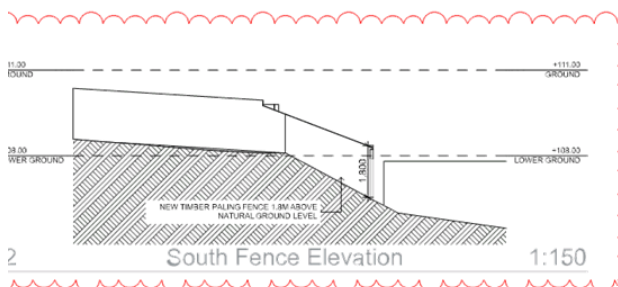
Drawing Title  
**ELEVATIONS**  
Draw: 1200, 1:150 (A) Date: 24 JAN 2019  
Drawn: TOWN PLANNING Checked By:  
Project No: Drawing No: Rev:  
15.046 TP03.1 Bi



North Elevation



South Elevation



FINISHES LEGEND:	
AL1	POWDER COATED ALUMINIUM WINDOW FRAME - COLOUR: DARK GR
AL2	POWDER COATED ALUMINIUM SCREEN FRAME - COLOUR: GREY
GL1	GLASS - CLEAR
GL2	GLASS - DARK GREY
GL3	GLASS - DARK GREY SPANDREL
GL4	GLASS - GREY OBSCURE
P1	PRECAST WALL - BRIGHTONITE
P2	PRECAST WALL - MEDIUM GREY OXIDE
RT	RENDERED WALL - SILVER TWILIGHT
ST	STONE - ELBA
SC01 - SCREENING. DETAIL REFER TO TF	



3A94 ARCHITECTS PTY LTD ABN 180 731 78638 114 GARDIGAN STREET, CARLTON VIC 3061 AUSTRALIA



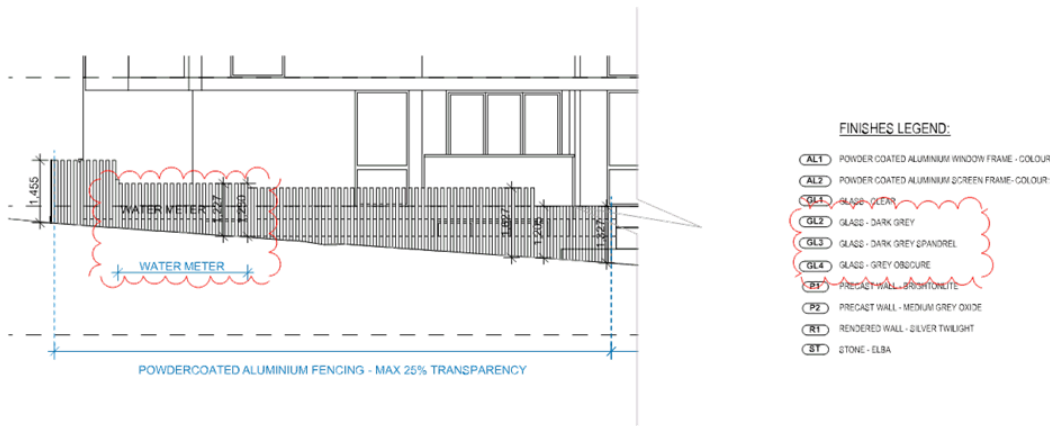
Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title  
**ELEVATIONS**  
Date: 12/02, 11/15/19, 03/19 Date: 24 JAN 2019  
Encl: TOWN PLANNING Checked By:  
Project No: Drawing No: Rev:  
15.046 TP03.2 Bi



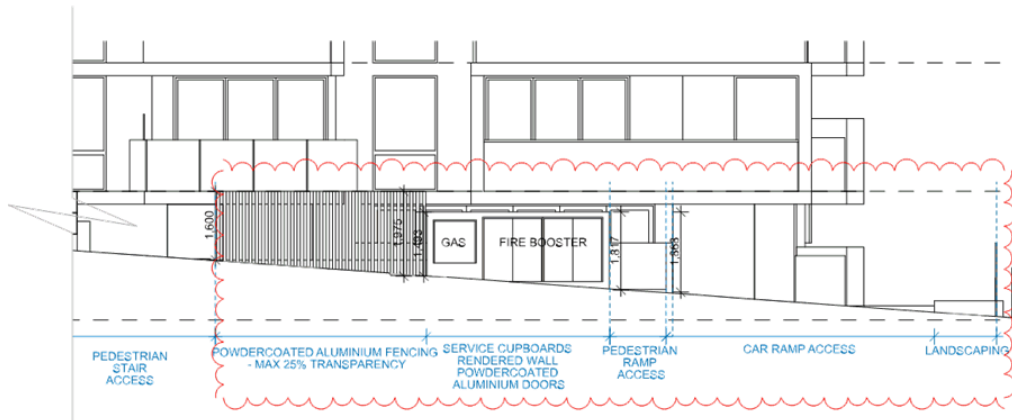
West Elevation (Clay Dr) Streetscape

1:20



West Elevation (Clay Dr) Streetscape

1:100



West Elevation (Clay Dr) Streetscape

1:100

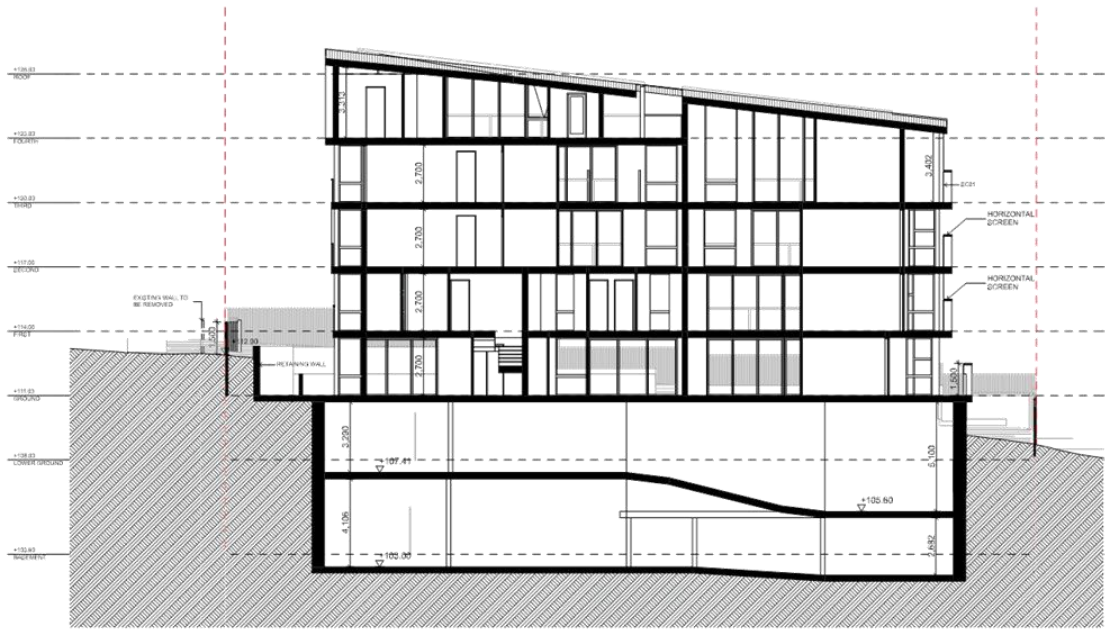


META ARCHITECTS PTY LTD ABN 180 731 7863 114 GARDIGAN STREET CARLTON VIC 3061 AUSTRALIA

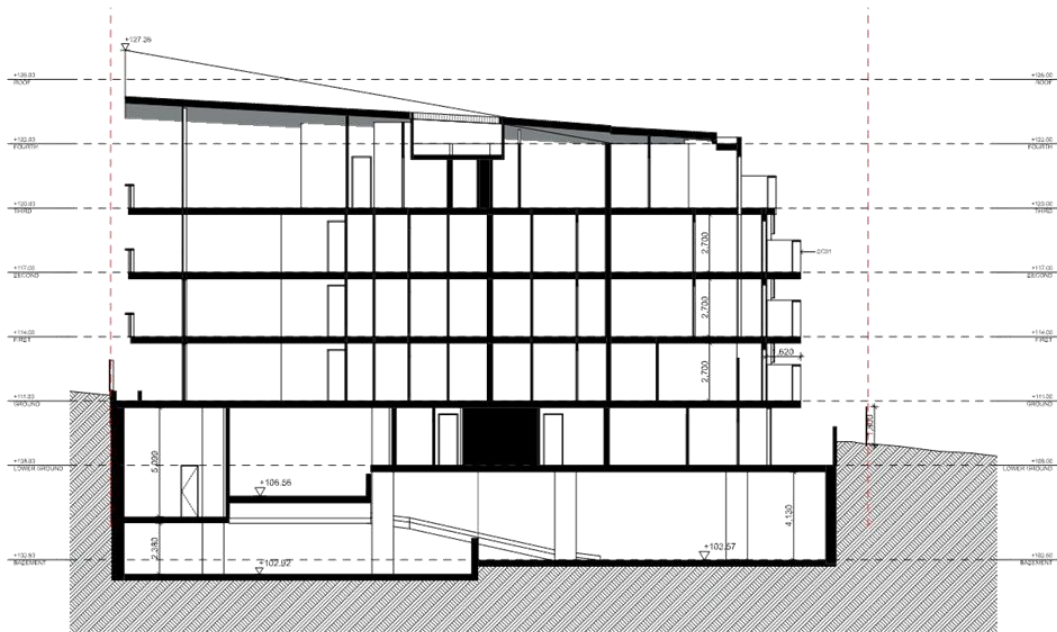


Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title	
ELEVATIONS STREETSCAPE	
Scale: 1:200, 1:100 (A)	Date: 24 JAN 2019
Disc: TOWN PLANNING	Checked By:
Project No:	Drawing No: Rev:
15.046	TP03.3 Bi



Section AA



Section BB



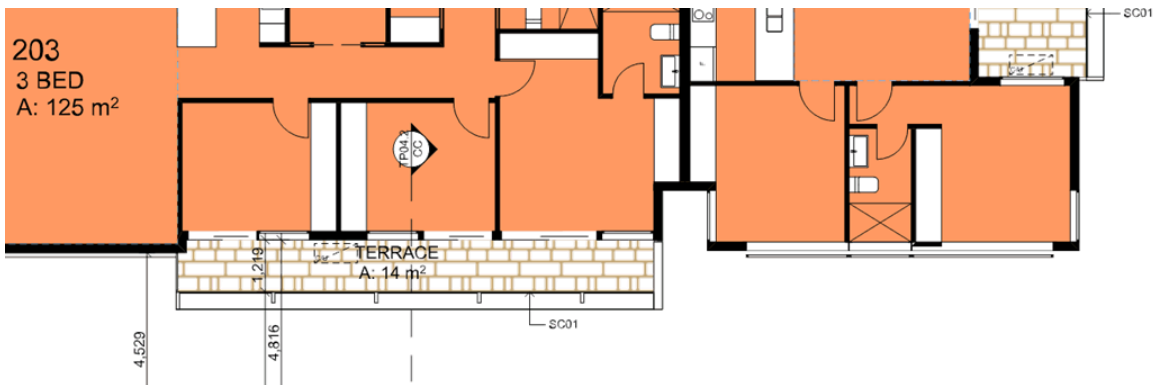
METAXAS ARCHITECTS PTY LTD ABN 190 731 7863 114 GARDIGAN STREET, CARLTON VIC 3052 AUSTRALIA



Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

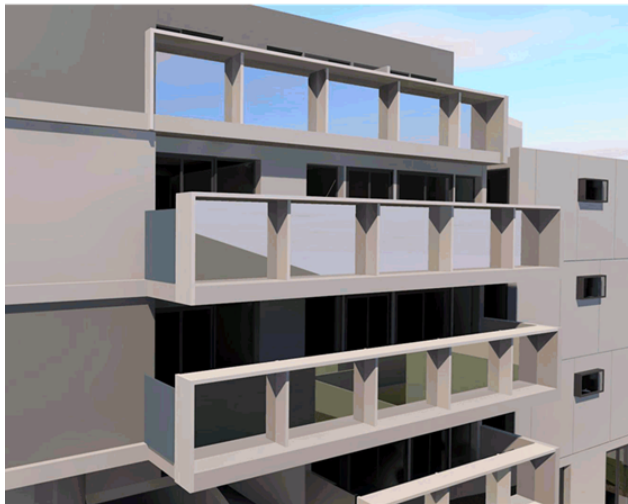
Drawing Title  
SECTIONS

Draw: 1200	Rev: 24 JAN 2019
Drawn: TOWN PLANNING	Checked By:
Project No:	Drawing No: TP04.1
15.046	Rev:

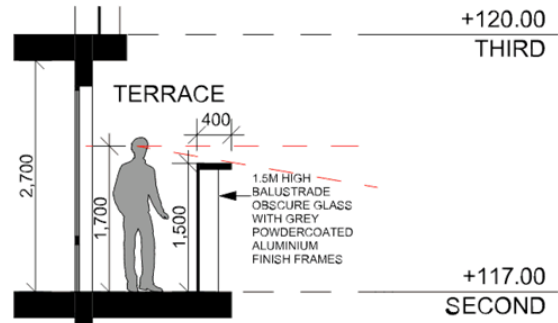


SECOND FLOOR PLAN

SCALE 1:100



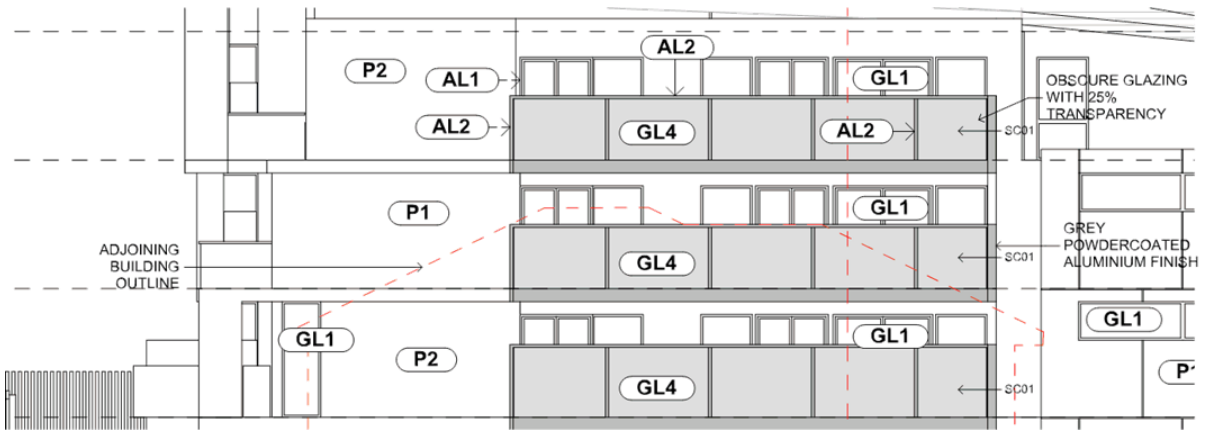
VIEW OF SCREENS



SECTION CC

SCALE 1:50

NOTE: HEIGHT OF BALUSTRADE IS INCREASED TO 1.7m TO THE SOUTHERN TERRACES OF G01 & 103



SOUTH ELEVATION

SCALE 1:100

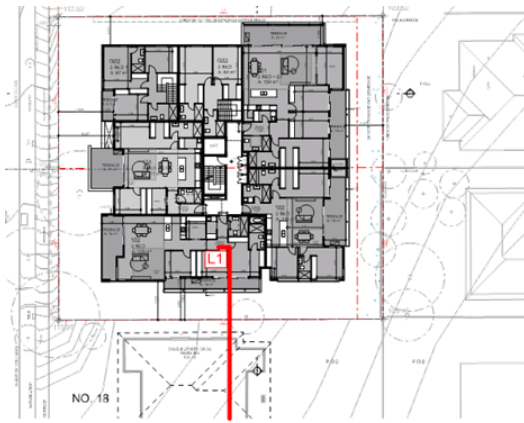


META ARCHITECTS PTY LTD ABN 180 731 7863 114 GARDIGAN STREET, CARLTON VIC 3053 AUSTRALIA



Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title SCREEN DETAIL - SC01	
Scale: 1:100, 1:50 & A3	Date: 24 JAN 2019
Disc: TOWN PLANNING	Checked By:
Project No:	Drawing No:
15.046	TP04.2 Bi



KEY PLAN



Overlooking to the south



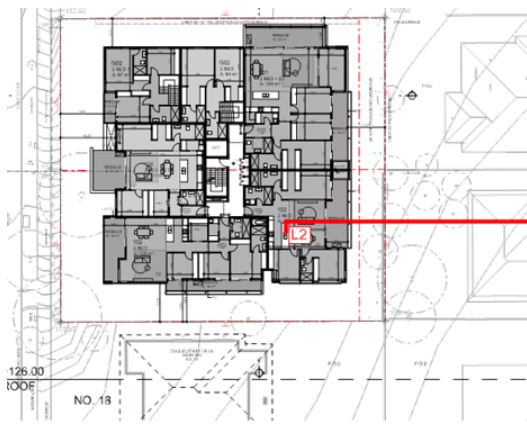
14/14 ARCHITECTS PTY LTD ABN 130 731 7826 114 GARDIGAN STREET CARLTON VIC 3053 AUSTRALIA



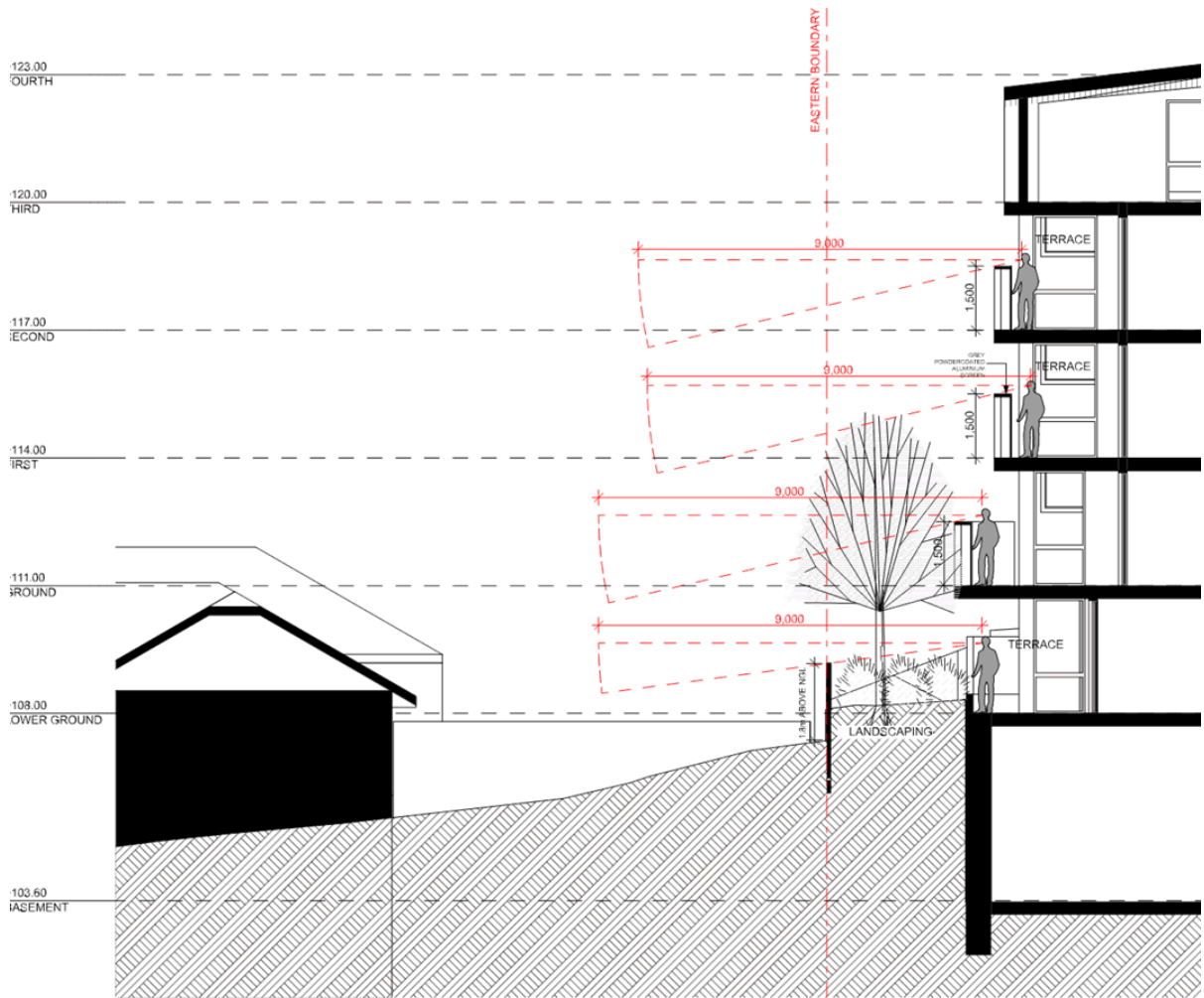
Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title <b>SCREENING OVERLOOKING</b>	
Scale: 1:100	Date: 24 JAN 2019
Disc: TOWN PLANNING	Checked By:
Project No:	Drawing No:
15.046	TP4.3
	Rev: Bi





KEY PLAN



Overlooking to the East

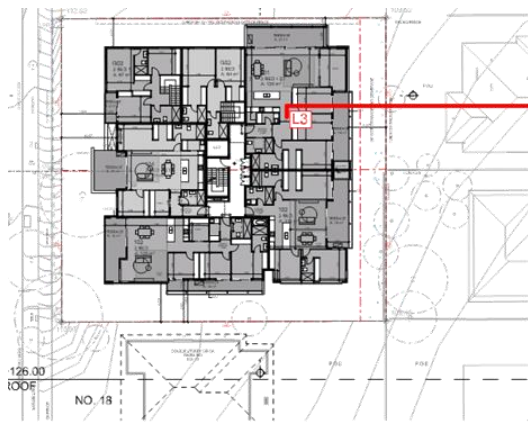


METAXAS ARCHITECTS PTY LTD ABN 180 731 7863 114 GARDIGAN STREET CARLTON VIC 3062 AUSTRALIA

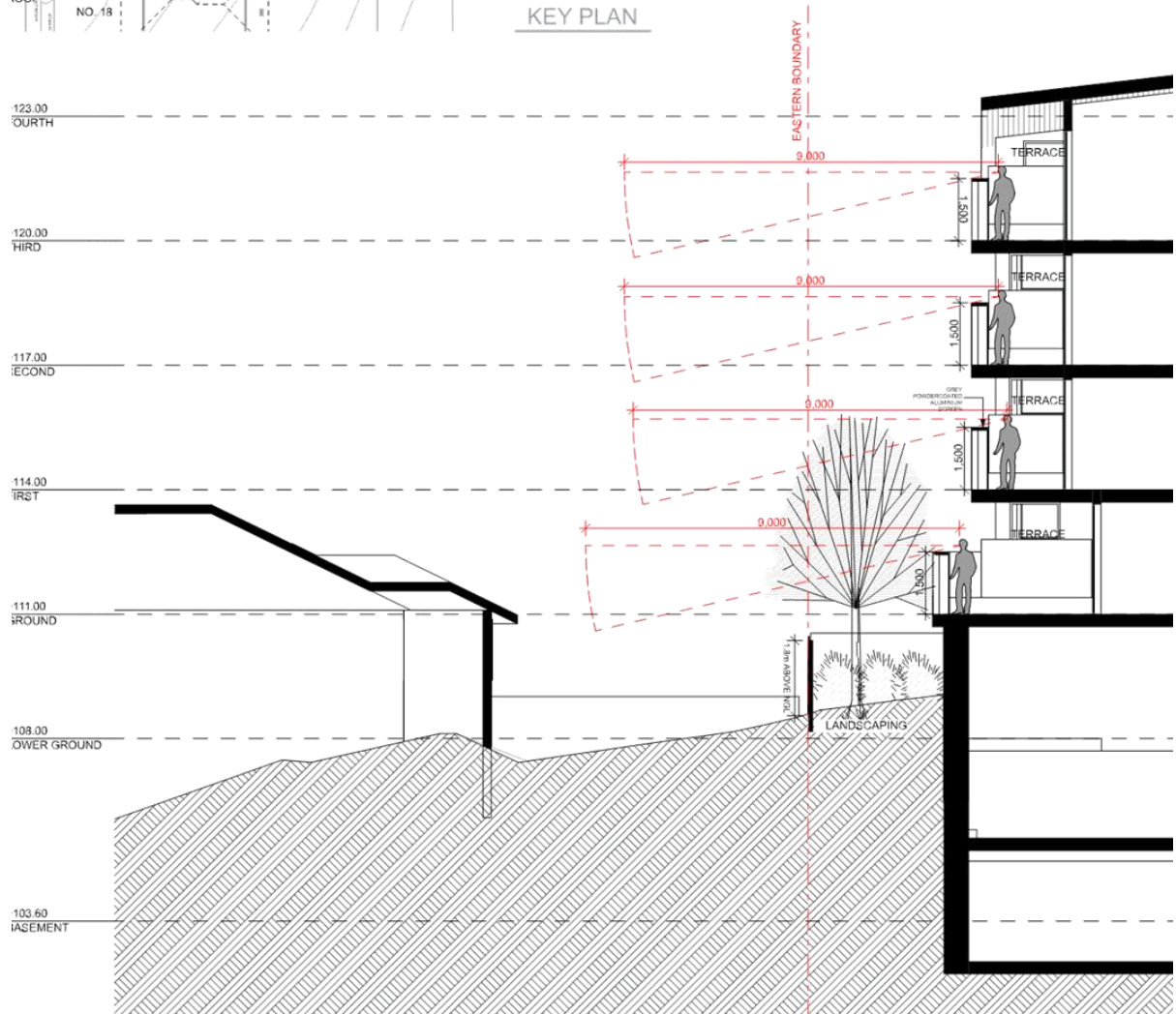


Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title	
SCREENING OVERLOOKING	
Scale: 1:100	Date: 24 JAN 2019
Disc: TOWN PLANNING	Checked By:
Project No:	Drawing No:
15.046	TP4.4
	Rev: Bi



KEY PLAN



Overlooking to the East

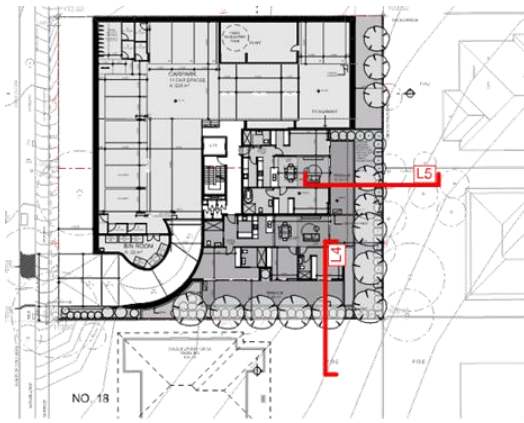


METAXAS ARCHITECTS PTY LTD ABN 190 731 7826 114 GARDISIAN STREET, CARLTON VIC 3052 AUSTRALIA

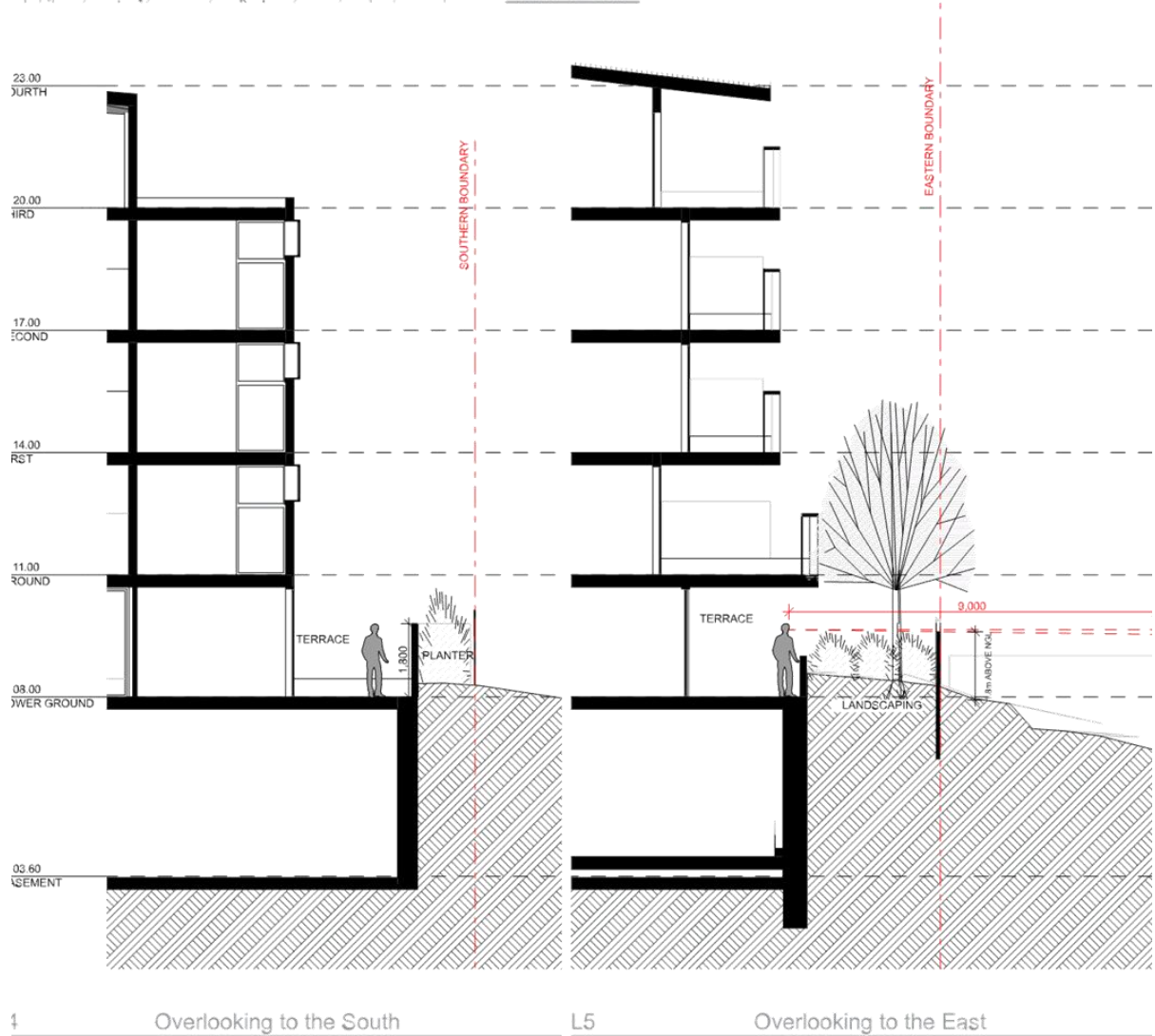


Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title <b>SCREENING OVERLOOKING</b>	
Scale: 1:100	Date: 24 JAN 2019
Disc: TOWN PLANNING	Checked By:
Project No:	Drawing No: TP4.5
15.046	Rev: Bi



KEY PLAN

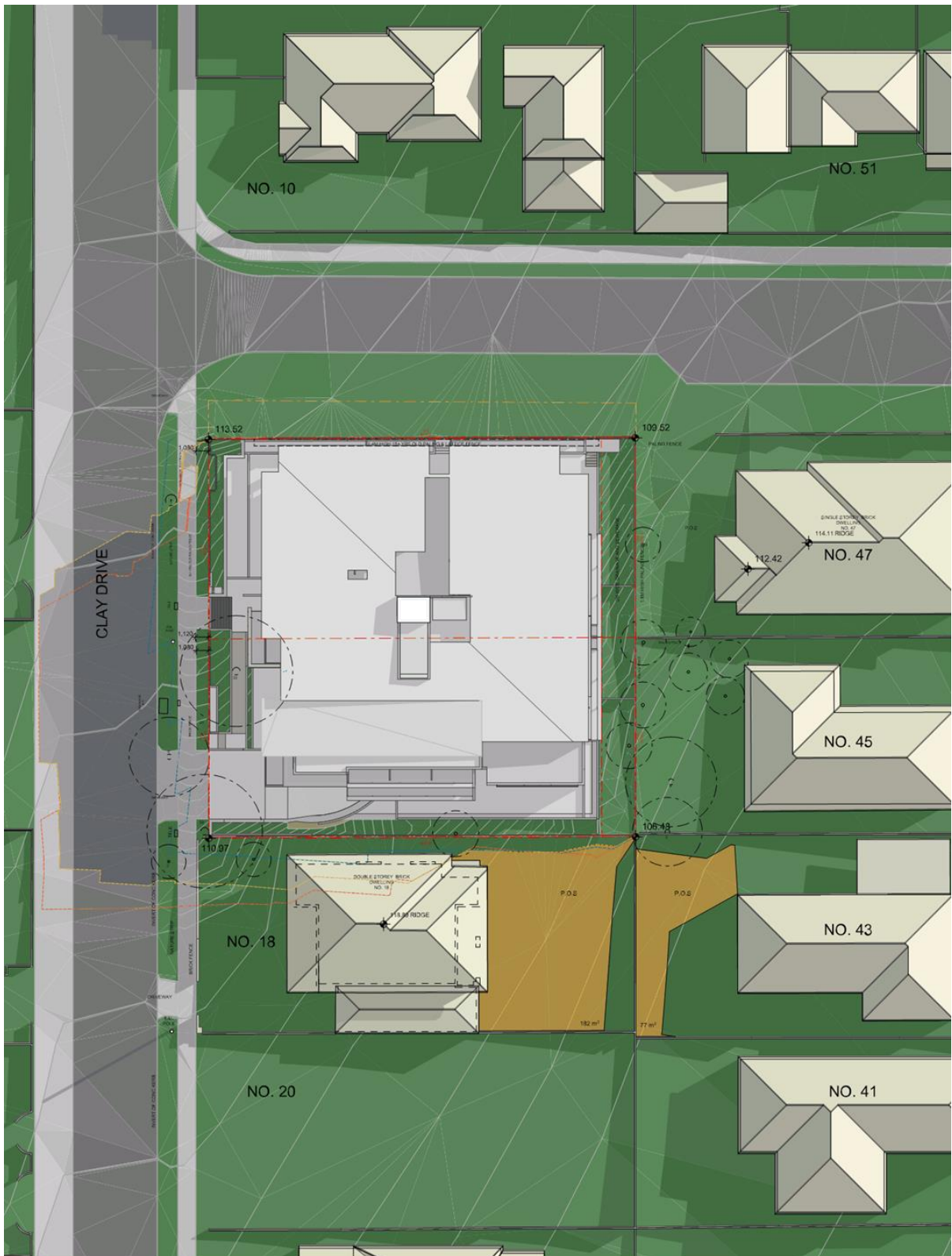


METAXAS ARCHITECTS PTY LTD ABN 190 731 7863 114 GARDISAN STREET, CARLTON VIC 3052 AUSTRALIA



Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title <b>SCREENING OVERLOOKING</b>		
Scale: 1:100	Date: 24 JAN 2019	
Drawing: TOWN PLANNING		
Project No:	Drawing No:	Rev:
15.046	TP4.6	Bi



AXAS ARCHITECTS PTY LTD ABN 180 731 7826 114 GARDIGAN STREET, CARLTON VIC 3052 AUSTRALIA

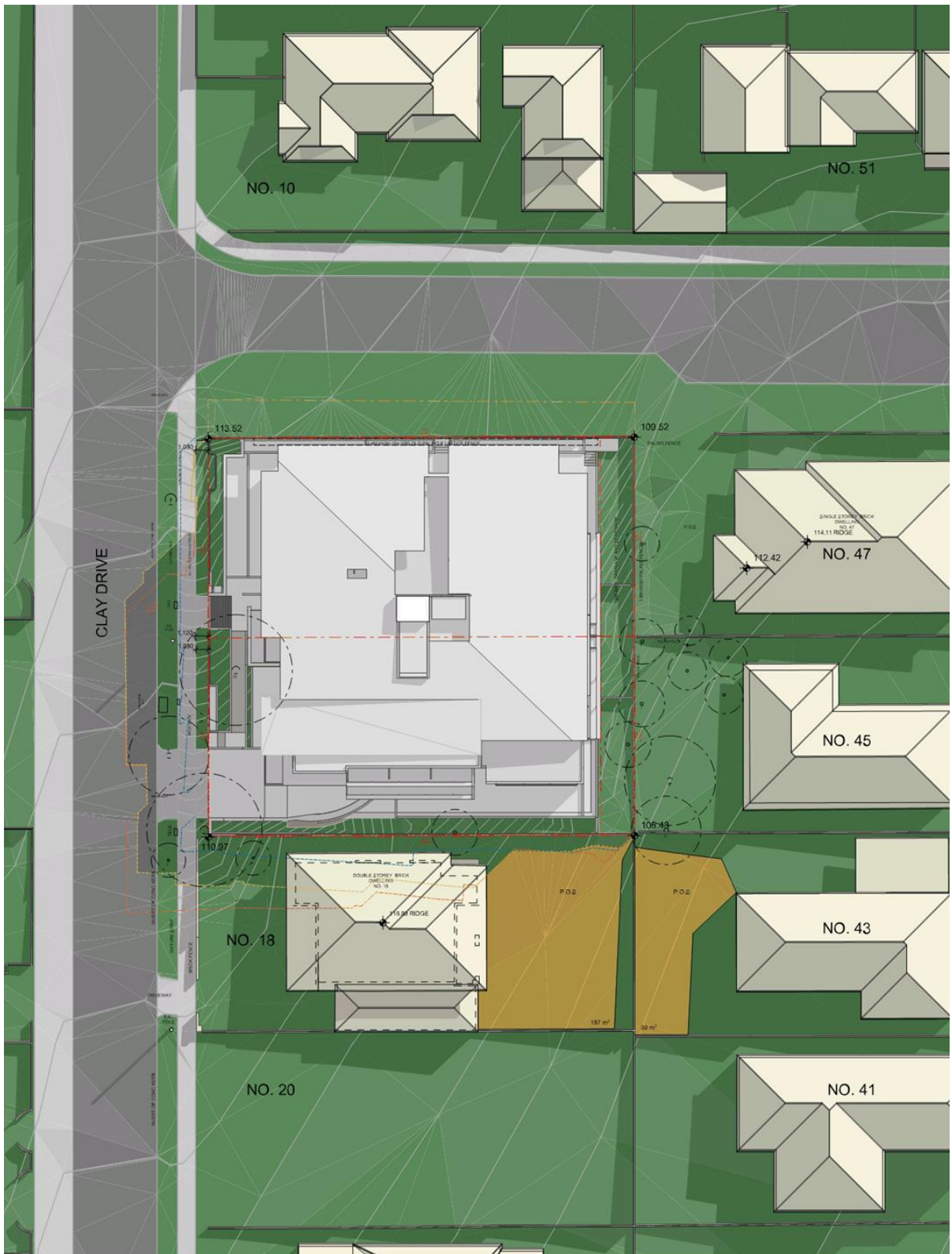
- - - EXISTING SHADOW ON THE GROUND
  - - - PREVIOUS SCHEME SHADOW ON THE GROUND
  - - - PROPOSED SHADOW ON THE GROUND
  - UNSHADOWED AREA
- NOTE: SHADOW DIAGRAM ON 22 SEPTEMBER



Client  
**ARADENA DONCASTER PTY LTD**

Project Name  
**APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER**

Drawing Title <b>SHADOW DIAGRAM (9AM)</b>		
Draw: 1200	Rev: 03	Date: 24 JAN 2019
Drawn: TOWN PLANNING		
Project No:	Drawing No:	Rev:
15.046	TP05.1	Bi



METAXAS ARCHITECTS PTY LTD ABN 180 731 17626 114 GARDIGAN STREET CARLTON VIC 3052 AUSTRALIA

- - - EXISTING SHADOW ON THE GROUND
  - - - PREVIOUS SCHEME SHADOW ON THE GROUND
  - - - PROPOSED SHADOW ON THE GROUND
  - UNSHADOWED AREA
- NOTE: SHADOW DIAGRAM ON 22 SEPTEMBER

Client  
ARADENA DONCASTER PTY LTD

Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title <b>SHADOW DIAGRAM (10AM)</b>		
Draw: 1200	Drawn: 24 JAN 2019	Rev:
Drawn: TOWN PLANNING	Checked By:	
Project No:	Drawing No:	Rev:
15.046	TP05.2	Bi



METAXAS ARCHITECTS PTY LTD ABN 180 731 17826 114 GARDIGAN STREET, CARLTON VIC 3052 AUSTRALIA

- EXISTING SHADOW ON THE GROUND
- PREVIOUS SCHEME SHADOW ON THE GROUND
- PROPOSED SHADOW ON THE GROUND
- UNSHADOWED AREA

Client  
ARADENA DONCASTER PTY LTD

Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title <b>SHADOW DIAGRAM (11AM)</b>		
Draw: 1200	Drawn: 24 JAN 2019	Checked By:
Title: TOWN PLANNING		
Project No:	Drawing No:	Rev:
15.046	TP05.3	Bi



MAAS ARCHITECTS PTY LTD ABN 180 731 7868 114 GARDIGAN STREET CARLTON VIC 3052 AUSTRALIA

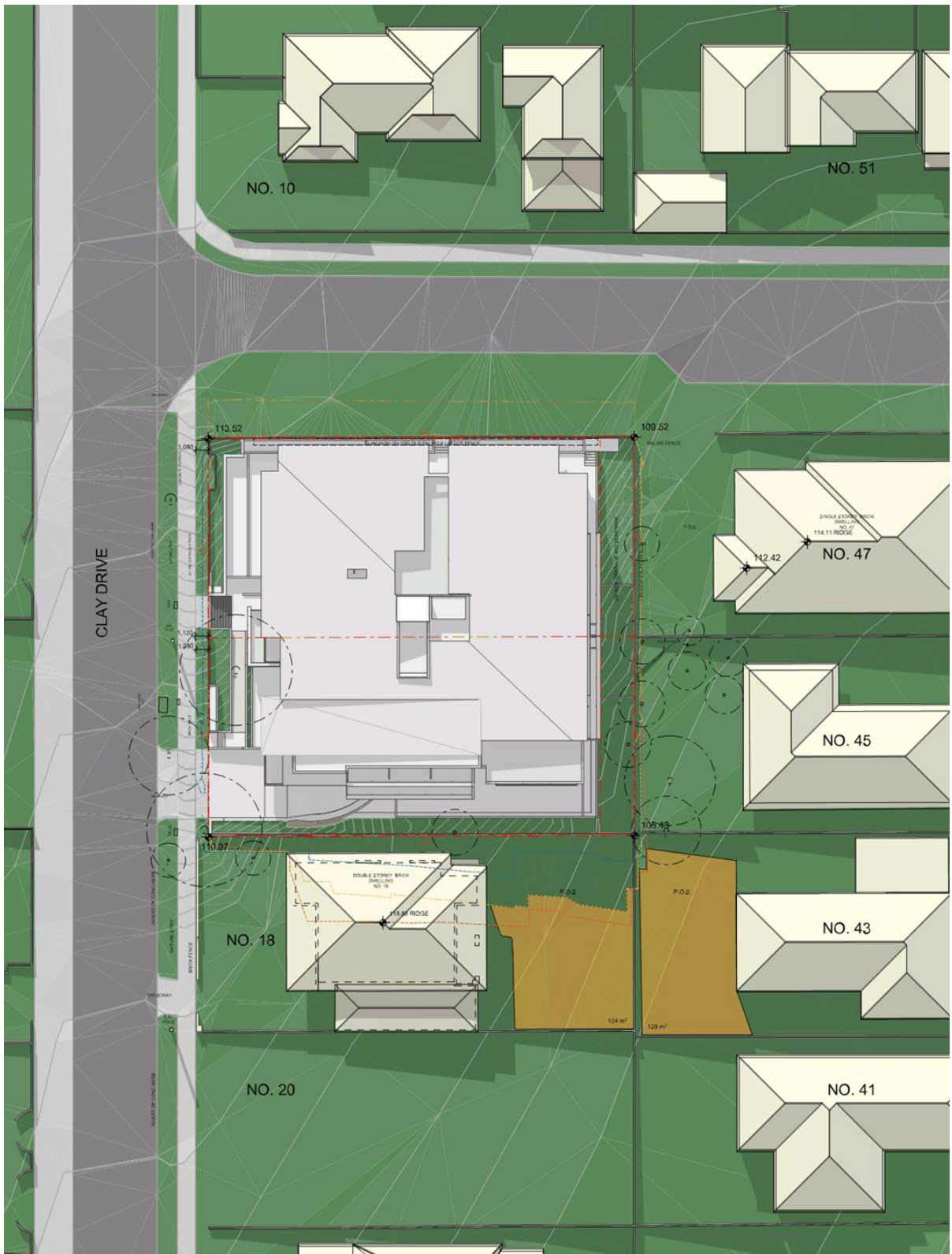
- EXISTING SHADOW ON THE GROUND
  - PREVIOUS SCHEME SHADOW ON THE GROUND
  - PROPOSED SHADOW ON THE GROUND
  - UNSHADOWED AREA
- NOTE: SHADOW DIAGRAM ON 22 SEPTEMBER



Client  
**ARADENA DONCASTER PTY LTD**

Project Name  
**APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER**

Drawing Title <b>SHADOW DIAGRAM (12PM)</b>		
Draw: 1200	Drawn: 24 JAN 2019	Checked By:
Drawn: TOWN PLANNING	Checked By:	Rev:
Project No:	Drawing No:	Rev:
15.046	TP05.4	Bi



AKAS ARCHITECTS PTY LTD ABN 180 731 17626 114 GARDIGAN STREET, CARLTON VIC 3052 AUSTRALIA

- EXISTING SHADOW ON THE GROUND
  - PREVIOUS SCHEME SHADOW ON THE GROUND
  - PROPOSED SHADOW ON THE GROUND
  - UNSHADOWED AREA
- NOTE: SHADOW DIAGRAM ON 22 SEPTEMBER

Client  
ARADENA DONCASTER PTY LTD

Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title <b>SHADOW DIAGRAM (1PM)</b>		
Draw: 1200	Drawn: 24 JAN 2019	Checked By:
Drawn: TOWN PLANNING	Checked By:	
Project No:	Drawing No:	Rev:
15.046	TP05.5	Bi





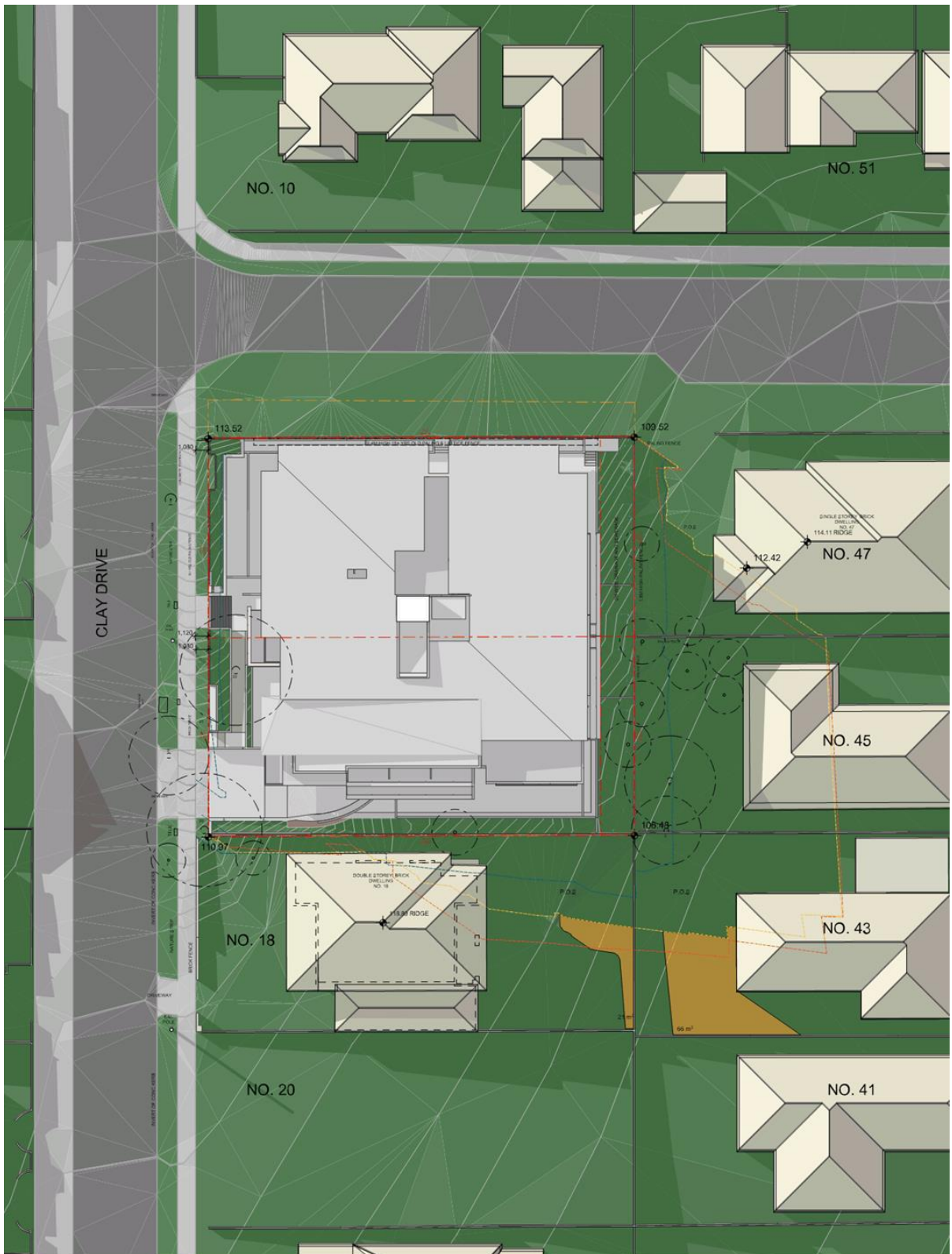
MAAS ARCHITECTS PTY LTD ABN 180 731 17628 114 GARDIGAN STREET, CARLTON VIC 3052 AUSTRALIA

- EXISTING SHADOW ON THE GROUND
  - PREVIOUS SCHEME SHADOW ON THE GROUND
  - PROPOSED SHADOW ON THE GROUND
  - UNSHADOWED AREA
- NOTE: SHADOW DIAGRAM ON 22 SEPTEMBER



Client  
**ARADENA DONCASTER PTY LTD**  
 Project Name  
**APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER**

Drawing Title <b>SHADOW DIAGRAM (2PM)</b>			
Drawn: 1208	By: AJ	Date: 24 JAN 2019	
Title: TOWN PLANNING Checked By:			
Project No:	Drawing No:	Rev:	
15.046	TP05.6	Bi	



MAX ARCHITECTS PTY LTD ABN 190 731 7865 114 GARDIGAN STREET CARLTON VIC 3052 AUSTRALIA

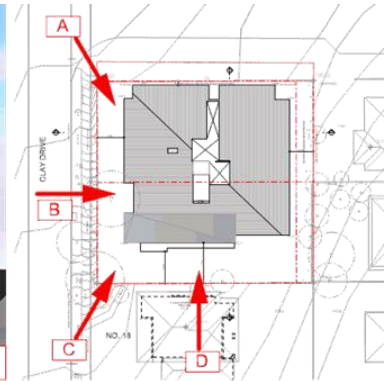
- - - EXISTING SHADOW ON THE GROUND
  - - - PREVIOUS SCHEME SHADOW ON THE GROUND
  - - - PROPOSED SHADOW ON THE GROUND
  - UNSHADOWED AREA
- NOTE: SHADOW DIAGRAM ON 22 SEPTEMBER



Client  
ARADENA DONCASTER PTY LTD

Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title <b>SHADOW DIAGRAM (3PM)</b>	
Drawn: 1200	Drawn: 24 JAN 2019
Checked: TOWN PLANNING	Checked By:
Project No:	Drawing No:
15.046	TP05.7

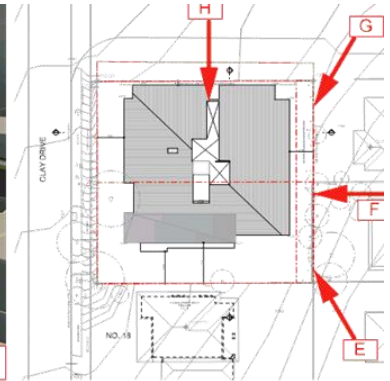


MAAS ARCHITECTS PTY LTD ABN 180 731 17626 114 GARDISAN STREET, CARLTON VIC 3053 AUSTRALIA



Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title <b>VIEWS</b>	
Date: 24 JAN 2019	Drawn By: [Signature]
Checked By:	Checked By:
Project No:	Drawing No: TP06.1
15.046	Rev: Bi



MAAS ARCHITECTS PTY LTD ABN 180 731 7826 114 GARDIGAN STREET, CARLTON VIC 3052 AUSTRALIA



Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title <b>IEWS</b>	
Date: 24 JAN 2019	Drawn By: [Signature]
Checked By:	Checked By:
Project No: 15.046	Drawing No: TP06.2
Rev:	Bi

AREA	FLOOR AREA (sqm)									
	UNIT	OTHERS	RESIDENTIAL	TERRACE (sqm)	TOTAL (sqm)	INT. STORAGE (sqm)	EXT. STORAGE (sqm)	2 BED	3 BEDS	NO.UNITS
BASEMENT	CAR PARKING	1030			1030					
<b>subtotals</b>		<b>1030</b>	<b>0</b>	<b>0</b>	<b>1030</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
LG	CAR PARKING	530			530					
	LG01		120	69	189	13.7	7		1	1
	LG02		102	23	125	14.2	5.6	1		1
<b>subtotals</b>		<b>530</b>	<b>222</b>	<b>92</b>	<b>844</b>	<b>27.9</b>	<b>12.6</b>	<b>1</b>	<b>1</b>	<b>2</b>
GROUND	G01		136	22	158	17.8	7		1	1
	G02 (2 storey)		142	71	213	18.3	7		1	1
	G03(2 storey)		126	21	147	18.4	5.7	1		1
	G04		148	115	263	14.3	7		1	1
	G05		112	31	143	14	7		1	1
<b>subtotals</b>		<b>0</b>	<b>664</b>	<b>260</b>	<b>924</b>	<b>82.8</b>	<b>33.7</b>	<b>1</b>	<b>4</b>	<b>5</b>
FIRST	101		154	36	190	17.6	7		1	1
	102		115	18	133	17.2	7		1	1
	103		125	29	154	17.9	7		1	1
	104		111	17	128	18	5.7	1		1
<b>subtotals</b>		<b>0</b>	<b>505</b>	<b>100</b>	<b>605</b>	<b>70.7</b>	<b>26.7</b>	<b>1</b>	<b>3</b>	<b>4</b>
SECOND	201		154	36	190	17.6	7.1		1	1
	202		115	18	133	17.2	7.2		1	1
	203		125	30	155	17.9	7.2		1	1
	204		109	11	120	18	7	1		1
	205		145	36	181	21.1	7		1	1
<b>subtotals</b>		<b>0</b>	<b>648</b>	<b>131</b>	<b>779</b>	<b>91.8</b>	<b>35.5</b>	<b>1</b>	<b>4</b>	<b>5</b>
THIRD	301		136	33	169	16.1	8.6		1	1
	302		103	16	119	13.7	7	1		1
	303		106	26	132	19.4	8.6		1	1
	304		111	12	123	18	7	1		1
	305		145	36	181	21.6	7.2		1	1
<b>subtotals</b>		<b>0</b>	<b>601</b>	<b>123</b>	<b>724</b>	<b>88.8</b>	<b>38.4</b>	<b>2</b>	<b>3</b>	<b>5</b>
FOURTH	401		166	81	247	21.8	8.9		1	1
<b>subtotals</b>		<b>0</b>	<b>166</b>	<b>81</b>	<b>247</b>	<b>21.8</b>	<b>8.9</b>	<b>0</b>	<b>1</b>	<b>1</b>
<b>TOTALS</b>		<b>1560</b>	<b>2806</b>	<b>787</b>	<b>5153</b>	<b>383.8</b>	<b>155.8</b>	<b>6</b>	<b>16</b>	<b>22</b>

	NO. OF UNITS	REQUIRED NO OF CAR
2 BED	6	6
3 BED	16	32
<b>TOTAL</b>	<b>22</b>	<b>38</b>

REQUIRED NO. OF CAR FOR VISITORS:	2
<b>TOTAL REQUIRED NO. OF CARPARK LOT</b>	<b>40</b>

TOTAL SITE AREA (sqm)	1337
TOTAL PERVIOUS AREA (sqm)	274
TOTAL IMPERVIOUS AREA (sqm)	1063



META ARCHITECTS PTY LTD ABN 180 731 7863 114 GARDIGAN STREET CARLTON VIC 3061 AUSTRALIA



Client  
ARADENA DONCASTER PTY LTD  
Project Name  
APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

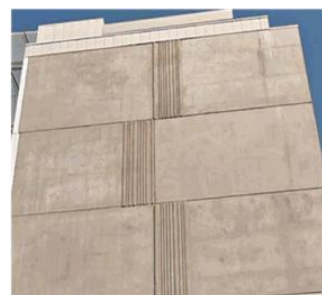
Drawing Title		
<b>DEVELOPMENT SUMMARY</b>		
Date:	24 JAN 2019	Rev:
Drawn:	TOWN PLANNING	Checked By:
Project No:	15.046	Drawing No:
		Rev:
		<b>TP07.1</b>
		<b>Bi</b>

FINISHES SCHEDULE

	AL1	POWDER COATED ALUMINIUM WINDOW FRAME - COLOUR: DARK GREY
	AL2	POWDER COATED ALUMINIUM HORIZONTAL SCREEN - COLOUR: GREY
	GL1	GLASS-CLEAR
	GL2	GLASS- DARK GREY
	GL3	GLASS-DARK GREY SPANDREL
	GL4	GLASS- OBSCURE GREY
	P1	PRECAST WALL - BRIGHTONLITE
	P2	PRECAST WALL - MEDIUM GREY OXIDE
	R1	RENDERED WALL - SILVER TWILIGHT
	ST	STONE-ELBA



Example of use of P1-Brightonlite on a facade of a building



Example of use of P2- Precast Medium Grey oxide on a facade of a building



METAXAS ARCHITECTS PTY LTD ABN 182 791 7826 114 CARDIGAN STREET, CARLTON VIC 3053 AUSTRALIA

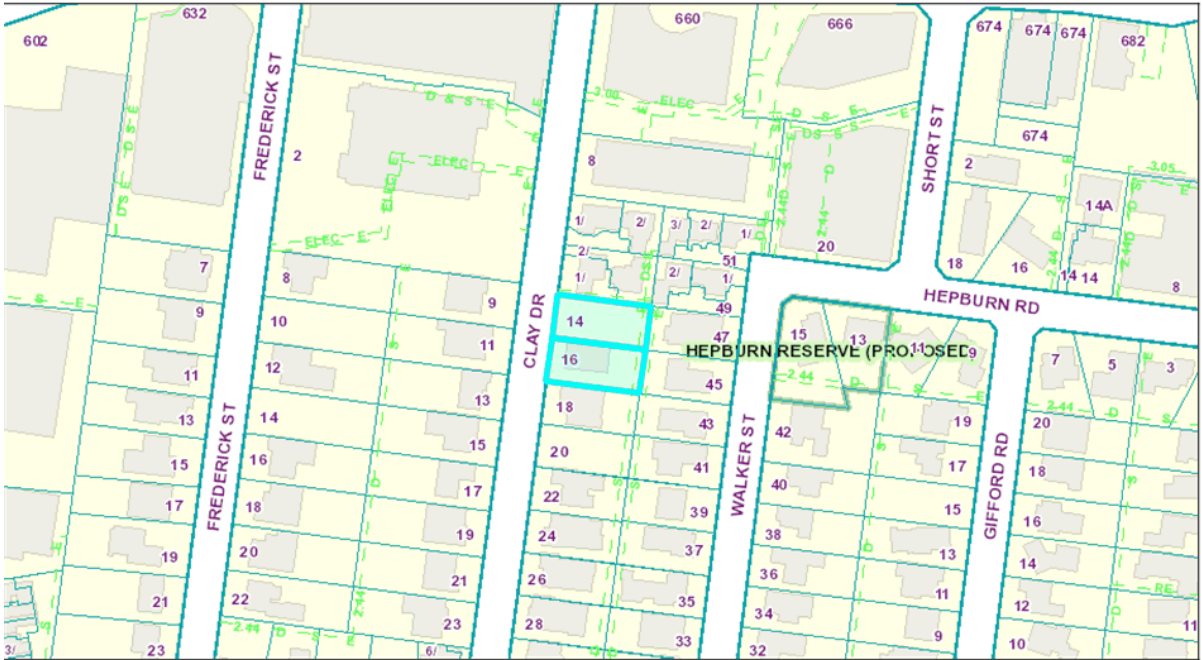


Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER

Drawing Title: FINISHES SCHEDULE	
Scale: @ A3	Date: 24 JAN 2019
Status: TOWN PLANNING	Checked By:
Project No:	Drawing No.: TP07.2
15.046	Rev: Bi

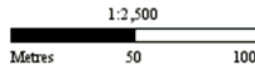


# Maps of Manningham



 **Subject Land**      **Address:** 14 Clay Drive DONCASTER VIC, 3108

Whilst all care has been taken in the preparation of this cadastral base map, Manningham and the State of Victoria accepts no responsibility for the accuracy of any information shown. Users should rely on their own enquiries in order to validate information shown on this map. This information is for Demonstration only.



11/09/2018 9:59 am

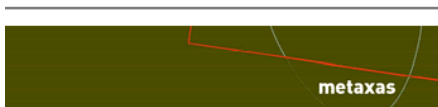
Produced by **Manningham GIS**

AREA	FLOOR AREA (sqm)									
	UNIT	OTHERS	RESIDENTIAL	TERRACE (sqm)	TOTAL (sqm)	INT. STORAGE (sqm)	EXT. STORAGE (sqm)	2 BED	3 BEDS	NO. UNITS
BASEMENT	CAR PARKING	1621			1621					
<b>subtotals</b>		<b>1621</b>	<b>0</b>	<b>0</b>	<b>1621</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
LG	LG01		119	69	188	13.1	8.6		1	1
	LG02		102	23	125	12.6	7.1	1		1
<b>subtotals</b>		<b>0</b>	<b>221</b>	<b>92</b>	<b>313</b>	<b>25.7</b>	<b>15.7</b>	<b>1</b>	<b>1</b>	<b>2</b>
GROUND	G01		133	25	158	20.7	8.6		1	1
	G02		127	84	211	21.3	8.6		1	1
	G03		124	97	221	18.4	8.6		1	1
	G04		124	31	155	18.6	8.6		1	1
<b>subtotals</b>		<b>0</b>	<b>508</b>	<b>237</b>	<b>745</b>	<b>79</b>	<b>34.4</b>	<b>0</b>	<b>4</b>	<b>4</b>
FIRST	101		115	18	133	14.9	8.6		1	1
	102		115	18	133	14.1	8.6		1	1
	103		126	29	155	17.6	8.6		1	1
	104		111	17	128	15.6	7.1	1		1
	105		132	30	162	24.2	8.6		1	1
<b>subtotals</b>		<b>0</b>	<b>599</b>	<b>112</b>	<b>711</b>	<b>86.4</b>	<b>41.5</b>	<b>1</b>	<b>4</b>	<b>5</b>
SECOND	201		115	18	14.9	14.9	8.6		1	1
	202		115	18	14.1	14.1	8.6		1	1
	203		127	29	17.6	17.6	8.6		1	1
	204		109	11	15.6	15.6	7.2	1		1
	205		132	28	24.2	24.2	8.6		1	1
<b>subtotals</b>		<b>0</b>	<b>598</b>	<b>104</b>	<b>86.4</b>	<b>86.4</b>	<b>41.6</b>	<b>1</b>	<b>4</b>	<b>5</b>
THIRD	301		96	16	112	12.9	7.2	1		1
	302		103	49	152	13.3	7.2	1		1
	303		126	29	155	17.6	8.6		1	1
	304		111	12	123	15.6	7.2	1		1
	305		132	30	162	24.2	8.6		1	1
<b>subtotals</b>		<b>0</b>	<b>568</b>	<b>136</b>	<b>704</b>	<b>83.6</b>	<b>38.8</b>	<b>3</b>	<b>2</b>	<b>5</b>
FOURTH	401		136	71	207	16.5	8.6		1	1
<b>subtotals</b>		<b>0</b>	<b>136</b>	<b>71</b>	<b>207</b>	<b>16.5</b>	<b>8.6</b>	<b>0</b>	<b>1</b>	<b>1</b>
<b>TOTALS</b>		<b>1621</b>	<b>2630</b>	<b>752</b>	<b>4387.4</b>	<b>377.6</b>	<b>180.6</b>	<b>6</b>	<b>16</b>	<b>22</b>

	NO. OF UNITS	REQUIRED NO OF CAR
2 BED	6	6
3 BED	16	32
<b>TOTAL</b>	<b>22</b>	<b>38</b>

REQUIRED NO. OF CAR FOR VISITORS:	2
<b>TOTAL REQUIRED NO. OF CARPARK LOT</b>	<b>40</b>

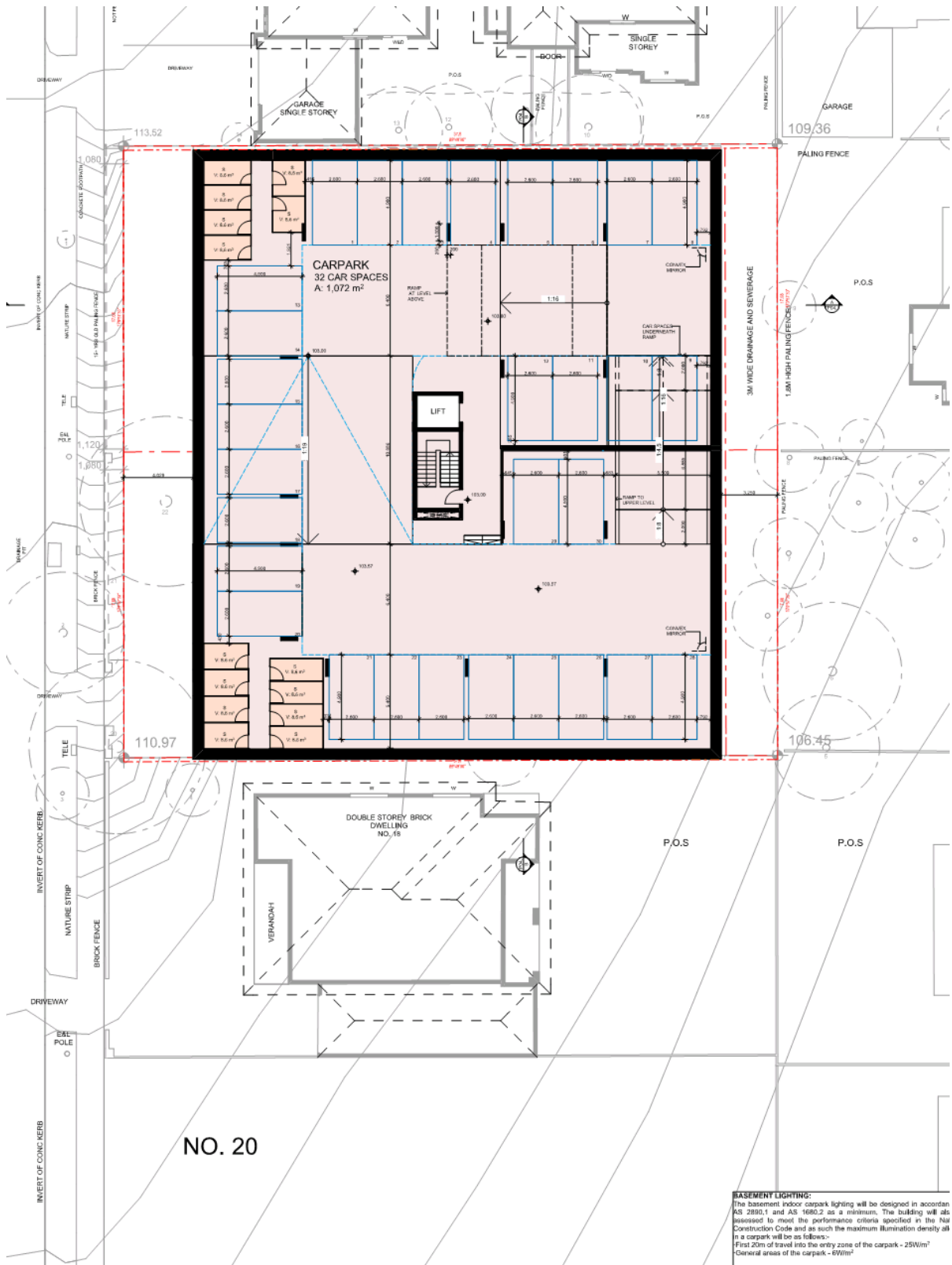
TOTAL SITE AREA (sqm)	1337
TOTAL PERVIOUS AREA (sqm)	228
TOTAL IMPERVIOUS AREA (sqm)	1109



Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER

Drawing Title:	
<b>DEVELOPMENT SUMMAR</b>	
Scale:	@ A3 Date: 20 APRIL 2019
Status:	TOWN PLANNING Checked By:
Project No:	Drawing No.:

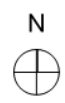




**BASEMENT LIGHTING:**  
 The basement indoor carpark lighting will be designed in accordance with AS 2399.1 and AS 1680.2 as a minimum. The building will also be assessed to meet the performance criteria specified in the Nat Construction Code and as such the maximum illumination density allowed in a carpark will be as follows:-  
 -First 20m of travel into the entry zone of the carpark - 25W/m²  
 -General areas of the carpark - 6W/m²

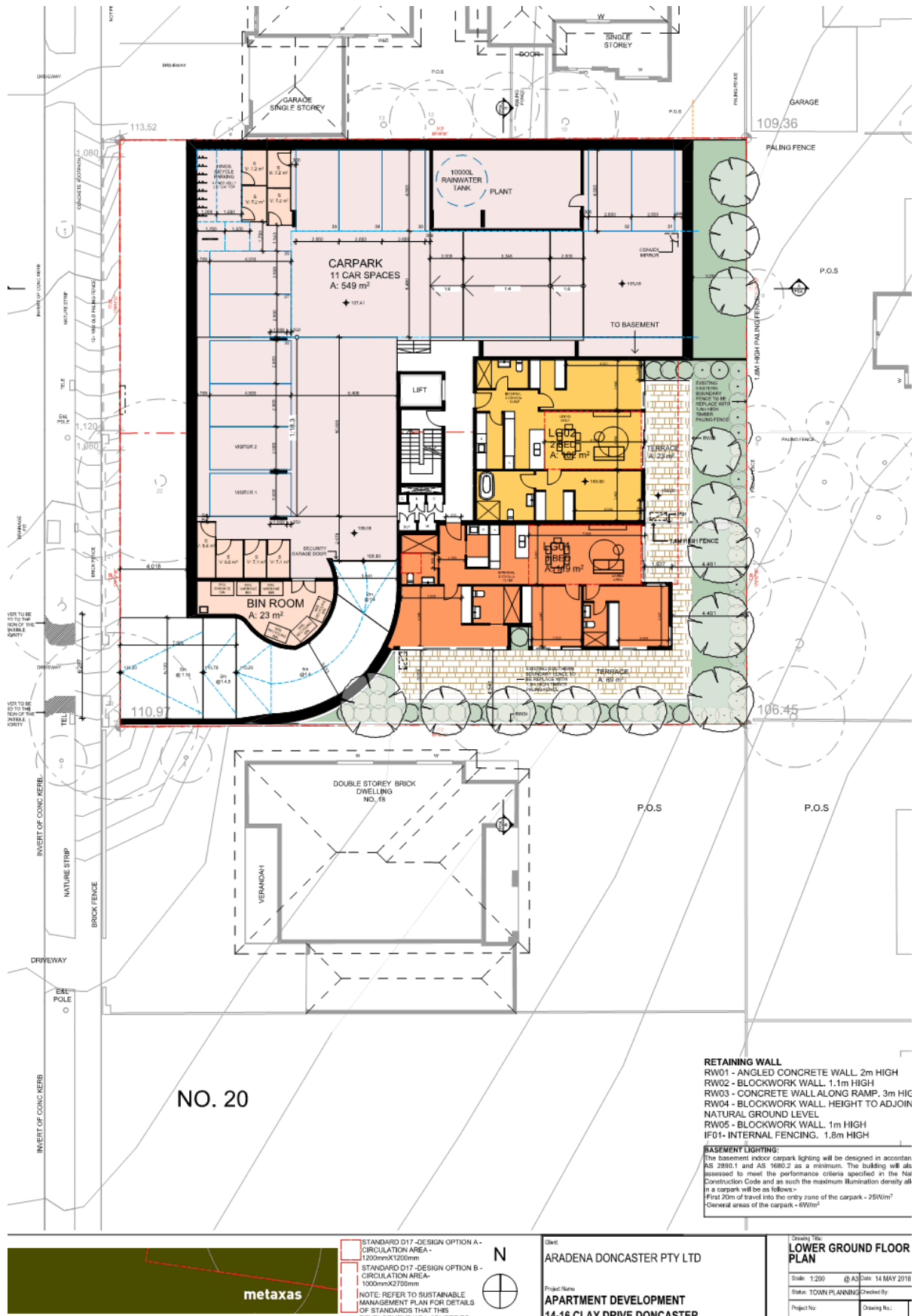


NOTE: CAR PARK TO USE CO MONITORING SYSTEM



Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER

Drawing Title: <b>BASEMENT PLAN</b>	
Scale: 1:200	@ A3 Date: 20 APRIL 2019
Status: TOWN PLANNING	Checked By:
Project No:	Drawing No.:



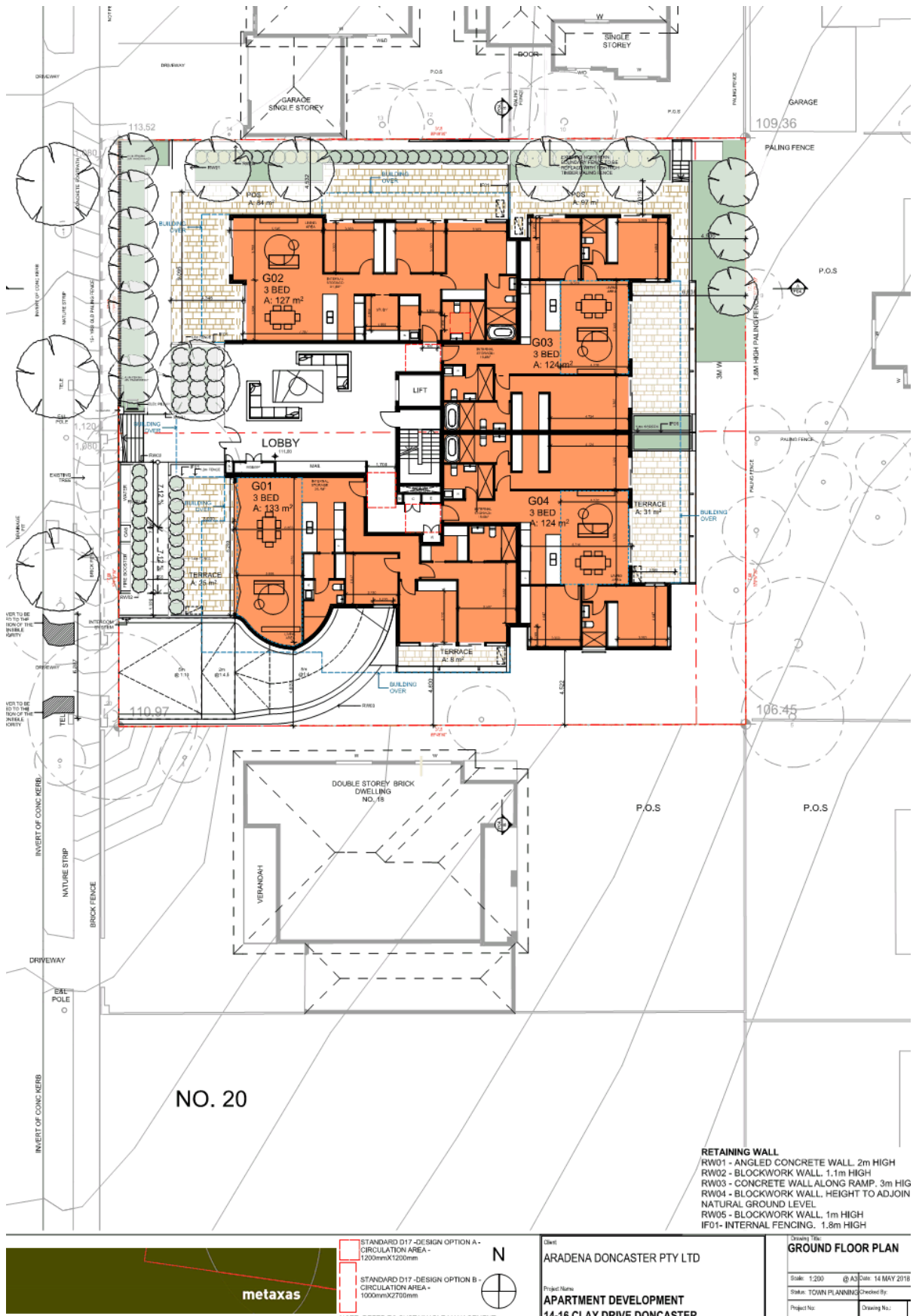
**RETAINING WALL**  
 RW01 - ANGLED CONCRETE WALL, 2m HIGH  
 RW02 - BLOCKWORK WALL, 1.1m HIGH  
 RW03 - CONCRETE WALL ALONG RAMP, 3m HIGH  
 RW04 - BLOCKWORK WALL, HEIGHT TO ADJOIN NATURAL GROUND LEVEL  
 RW05 - BLOCKWORK WALL, 1m HIGH  
 IF01 - INTERNAL FENCING, 1.8m HIGH

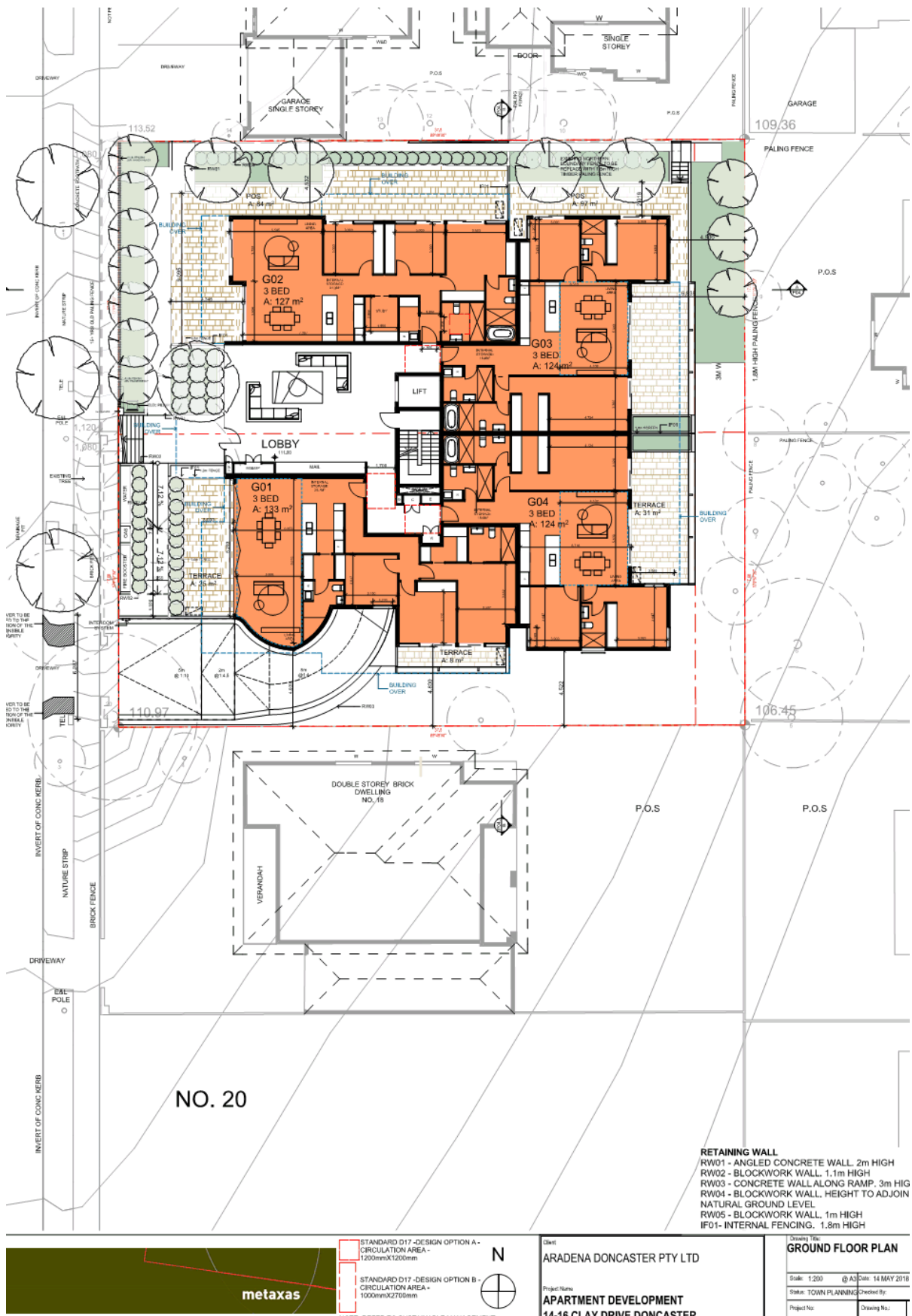
**BASEMENT LIGHTING:**  
 The basement indoor carpark lighting will be designed in accordance AS 2890.1 and AS 1680.2 as a minimum. The building will also be assessed to meet the performance criteria specified in the Nat Construction Code and as such the maximum illumination density allowed in a carpark will be as follows:-  
 - First 20m of travel into the entry zone of the carpark - 25W/m²  
 - General areas of the carpark - 6W/m²

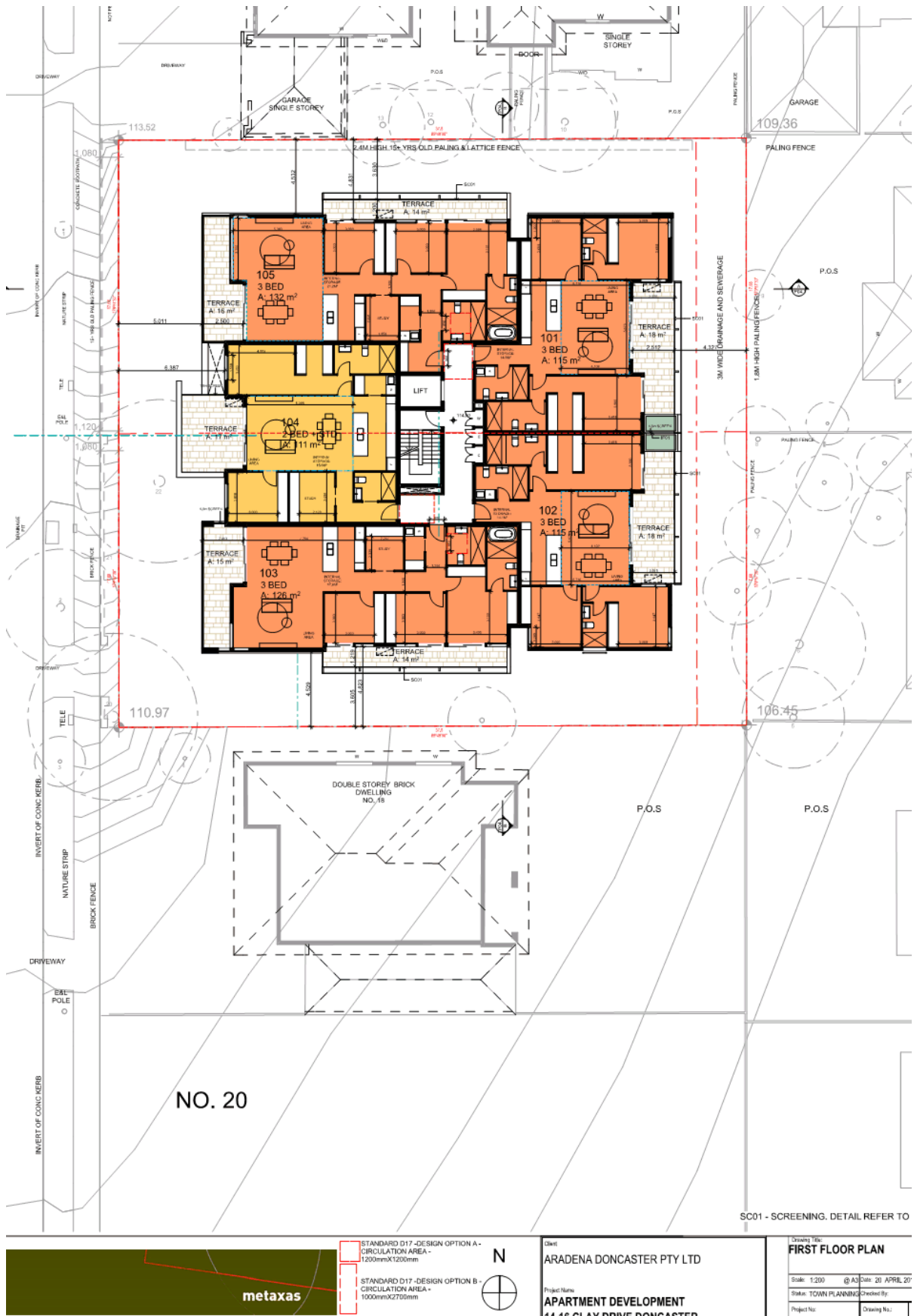
STANDARD D17-DESIGN OPTION A - CIRCULATION AREA - 1200mmX1200mm  
 STANDARD D17-DESIGN OPTION B - CIRCULATION AREA - 1000mmX700mm  
 NOTE: REFER TO SUSTAINABLE MANAGEMENT PLAN FOR DETAILS OF STANDARDS THAT THIS

Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT  
 14.16 CLAY DRIVE DONCASTER

Drawing Title: LOWER GROUND FLOOR PLAN  
 Scale: 1:200 @ A3 Date: 14 MAY 2018  
 Status: TOWN PLANNING Checked By:  
 Project No: Drawing No.:







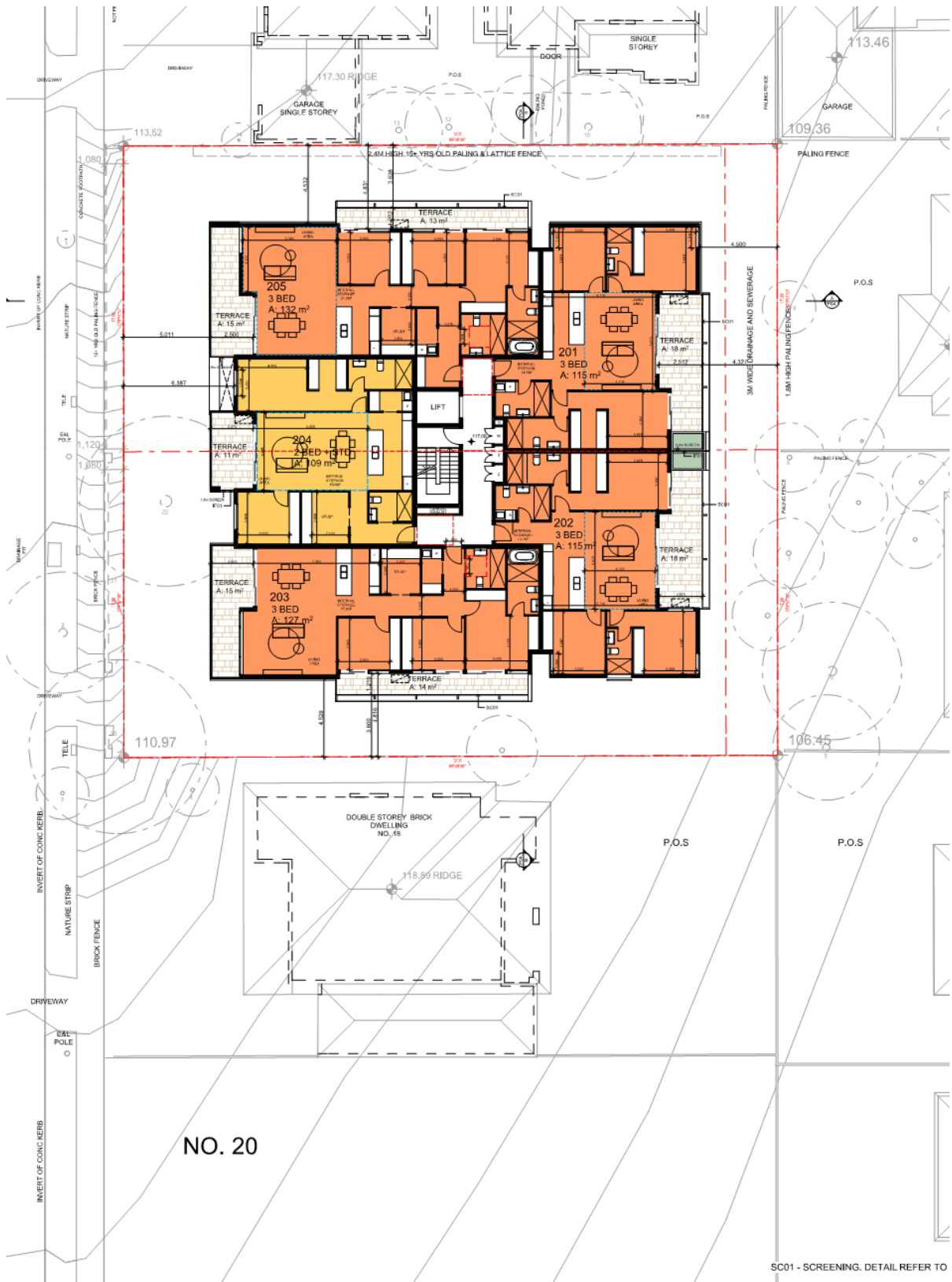
STANDARD D17 - DESIGN OPTION A -  
CIRCULATION AREA -  
11200mm X 12000mm

STANDARD D17 - DESIGN OPTION B -  
CIRCULATION AREA -  
10000mm X 27000mm

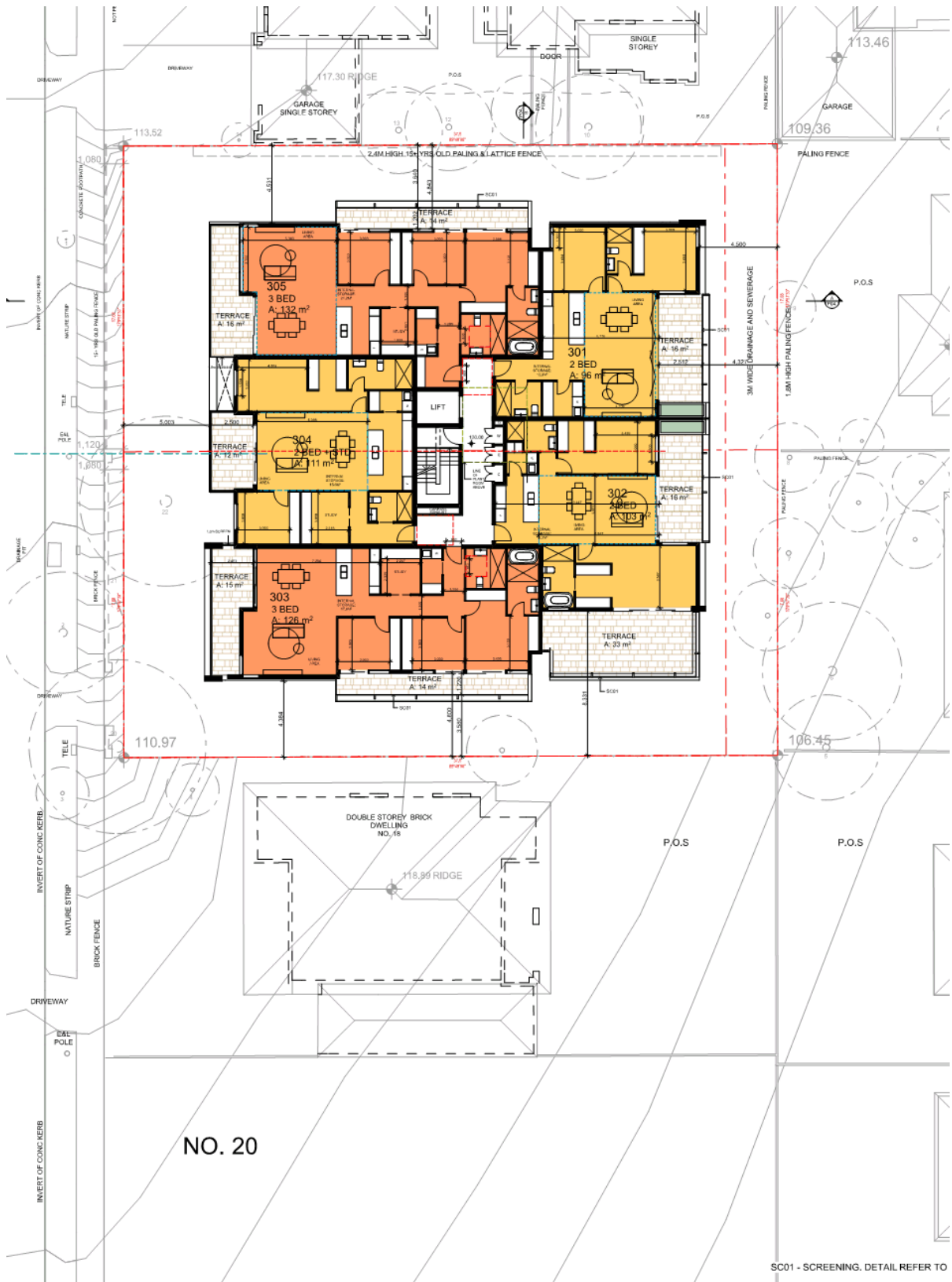
Client:  
**ARADENA DONCASTER PTY LTD**

Project Name:  
**APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER**

Drawing Title: <b>FIRST FLOOR PLAN</b>	
Scale: 1:200	@ A3 Date: 20 APRIL 2019
Status: TOWN PLANNING	Checked By:
Project No:	Drawing No.:



	STANDARD D17 - DESIGN OPTION A - CIRCULATION AREA - 11200mm X 12000mm	Client: <b>ARADENA DONCASTER PTY LTD</b>  Project Name: <b>APARTMENT DEVELOPMENT</b> <b>14.16 CLAY DRIVE DONCASTER</b>	Drawing Title: <b>SECOND FLOOR PLAN</b>
	STANDARD D17 - DESIGN OPTION B - CIRCULATION AREA - 10000mm X 27000mm		Scale: 1:200 @ A3 Date: 20 APRIL 2019 Status: TOWN PLANNING Checked By: Project No: Drawing No:



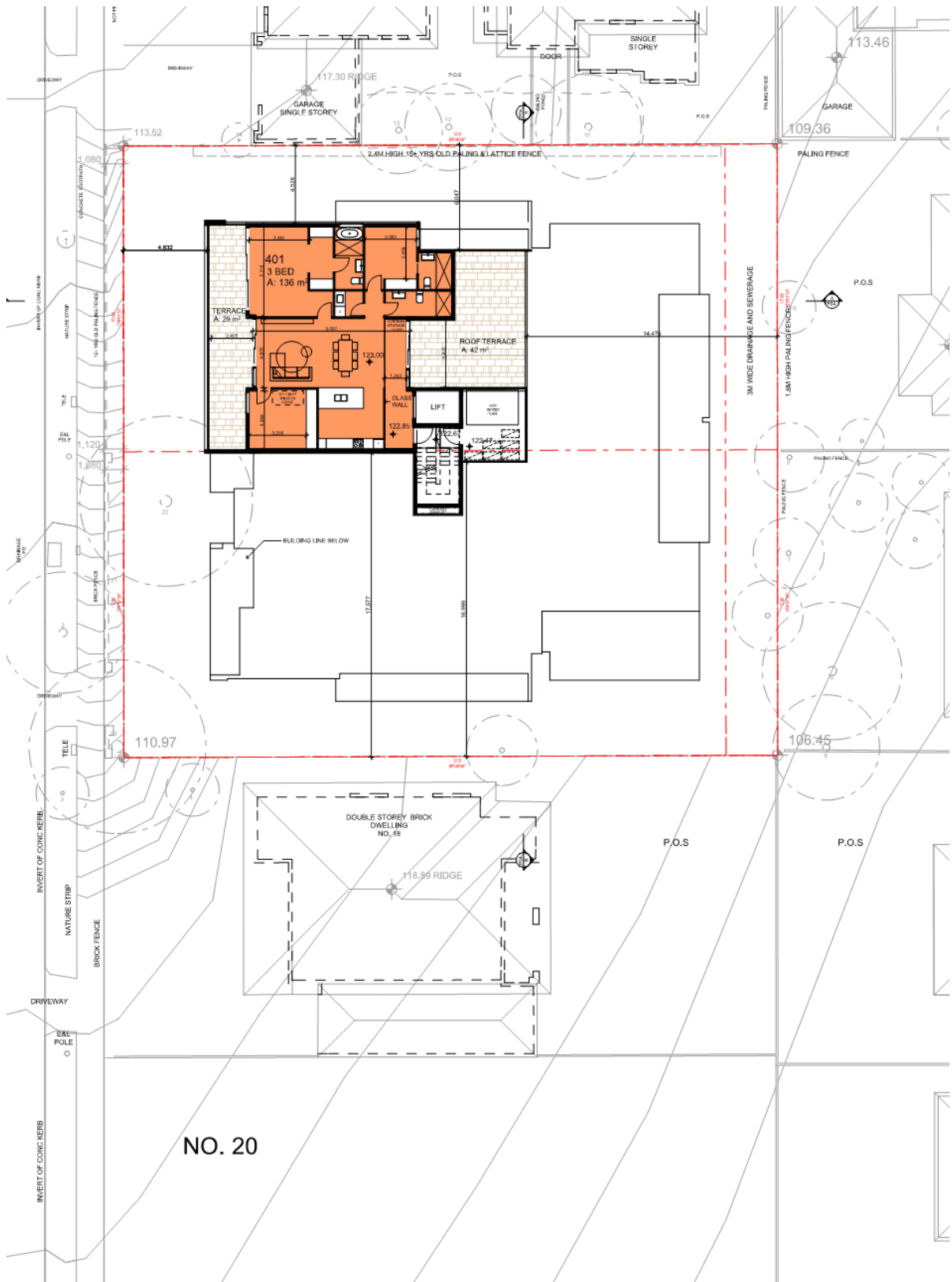
SC01 - SCREENING. DETAIL REFER TO



- STANDARD D17 - DESIGN OPTION A - CIRCULATION AREA - 11200mm X 12000mm
- STANDARD D17 - DESIGN OPTION B - CIRCULATION AREA - 10000mm X 27000mm

Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER

Drawing Title: <b>THIRD FLOOR PLAN</b>	
Scale: 1:200 @ A3	Date: 20 APRIL 2019
Status: TOWN PLANNING	Checked By:
Project No:	Drawing No.:



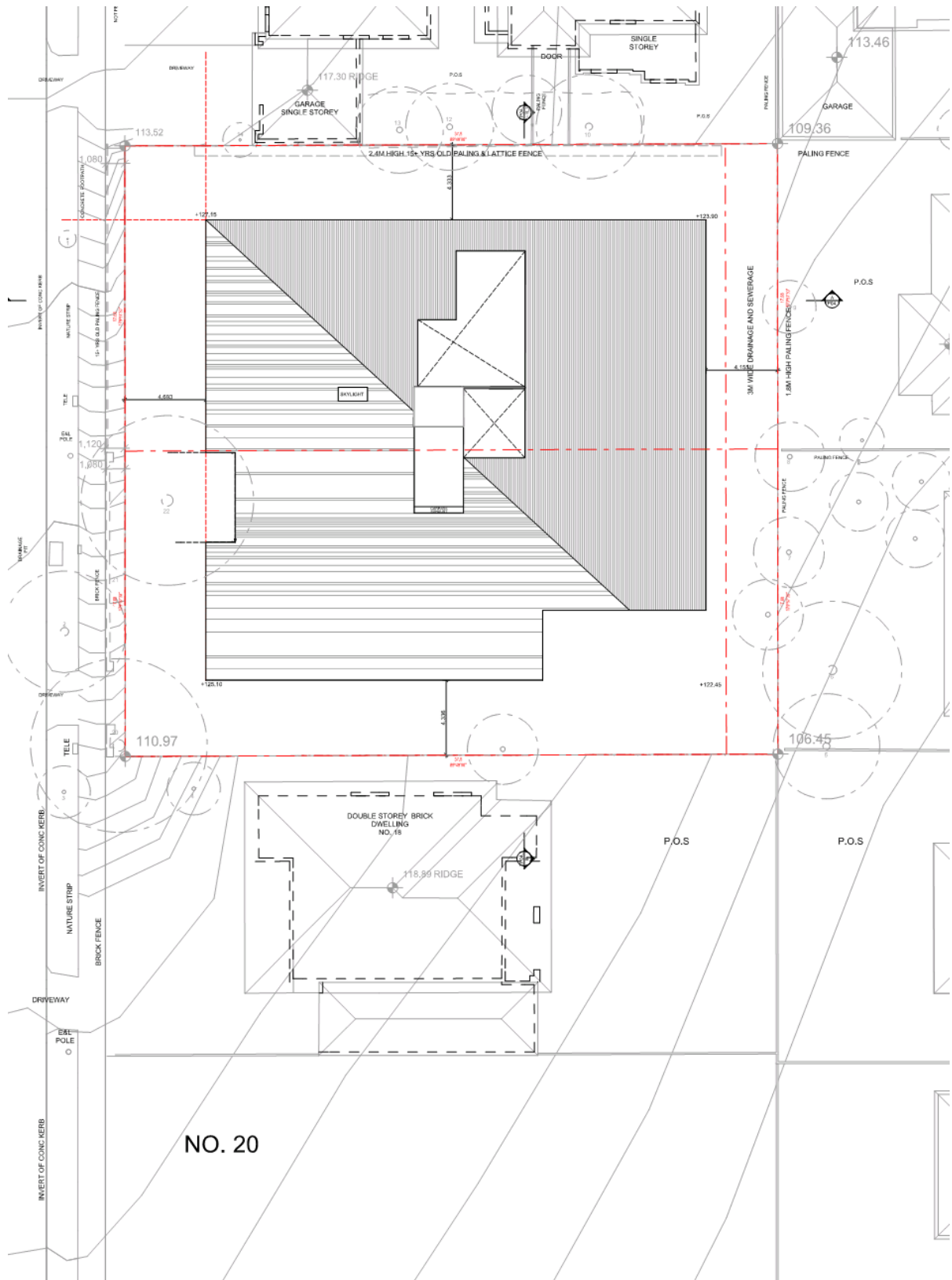
NOTE: REFER TO SUSTAINABLE MANAGEMENT PLAN FOR DETAILS OF STANDARDS THAT THIS DEVELOPMENT WILL ADHERE TO



Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT  
 14.16 CLAY DRIVE DONCASTER

Drawing Title: <b>FOURTH FLOOR PLAN</b>	
Scale: 1:200	@ A3 Date: 20 APRIL 2019
Status: TOWN PLANNING	Checked By:
Project No:	Drawing No.:



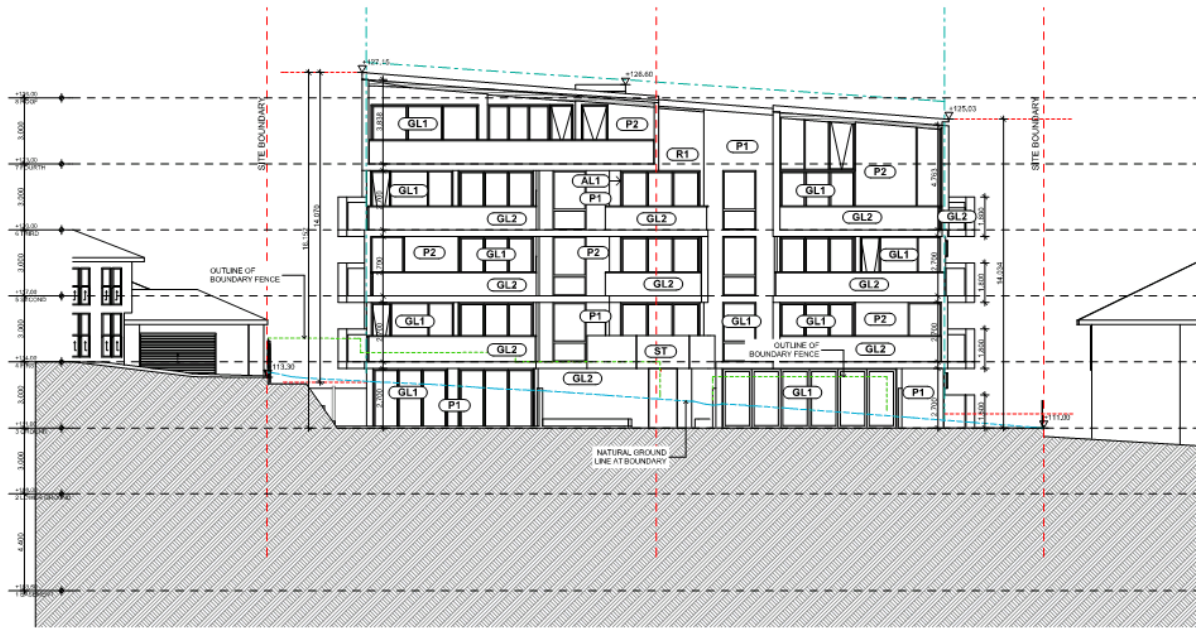


NOTE: REFER TO SUSTAINABLE MANAGEMENT PLAN FOR DETAILS OF STANDARDS THAT THIS DEVELOPMENT WILL ADHERE TO  
 NOTE: RUNOFF FROM ROOF AREAS TO BE DISCHARGED TO RAINWATER TANK

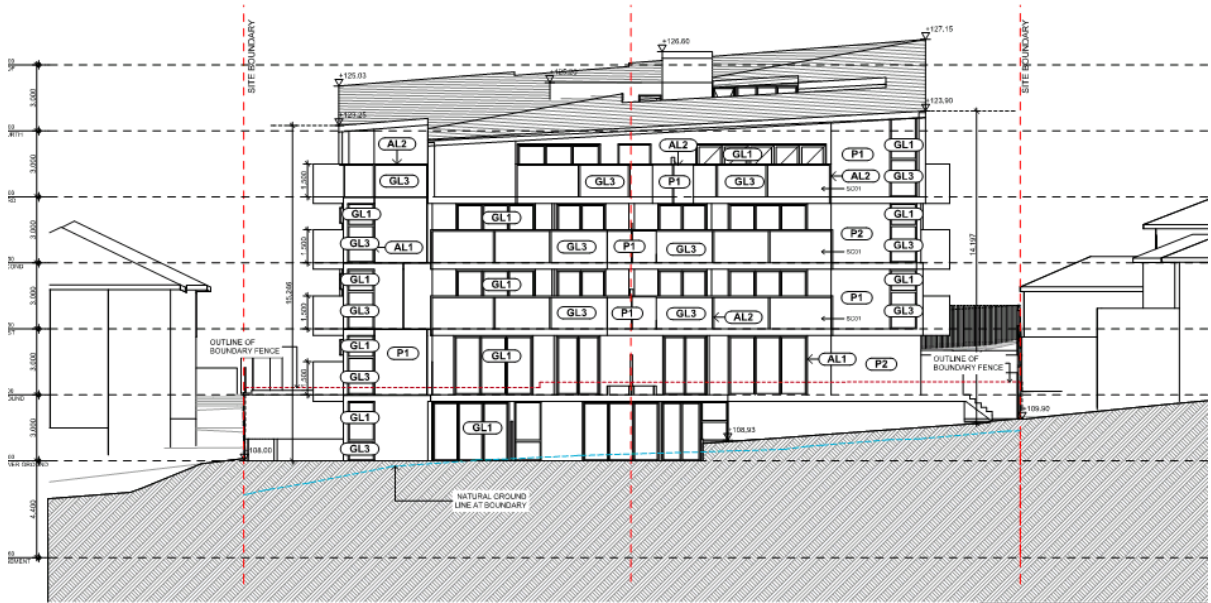


Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT  
 14.16 CLAY DRIVE DONCASTER

Drawing Title: <b>ROOF PLAN</b>	
Scale: 1:200 @ A3	Date: 20 APRIL 2019
Status: TOWN PLANNING	Checked By:
Project No:	Drawing No.:



West Elevation (Clay Dr)



East Elevation

**FINISHES LEGEND:**

- AL1** POWDER COATED ALUMINUM WINDOW FRAME - COLOUR: DARK GREY
- AL2** POWDER COATED ALUMINUM SCREEN FRAME - GREY
- GL1** GLASS - CLEAR
- GL2** GLASS - BLUE TINTED
- GL3** GLASS - GREY OBSCURE
- P1** PRECAST WALL - BRIGHTONLITE
- P2** PRECAST WALL - MEDIUM GREY OXIDE
- R1** RENDERED WALL - SILVER TWILIGHT
- ST** STONE - ELBA
- SC01** - SCREENING. DETAIL REFER TO



Client:  
ARADENA DONCASTER PTY LTD

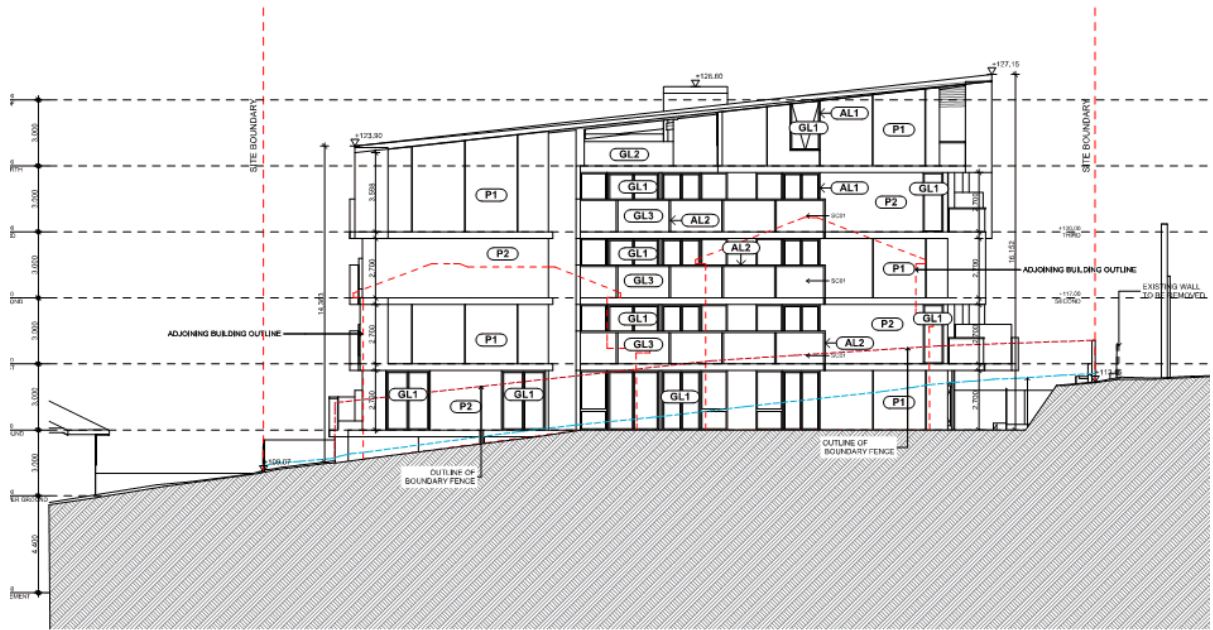
Project Name:  
**APARTMENT DEVELOPMENT**  
14-16 CLAY DRIVE DONCASTER

Drawing Title:  
**ELEVATIONS**

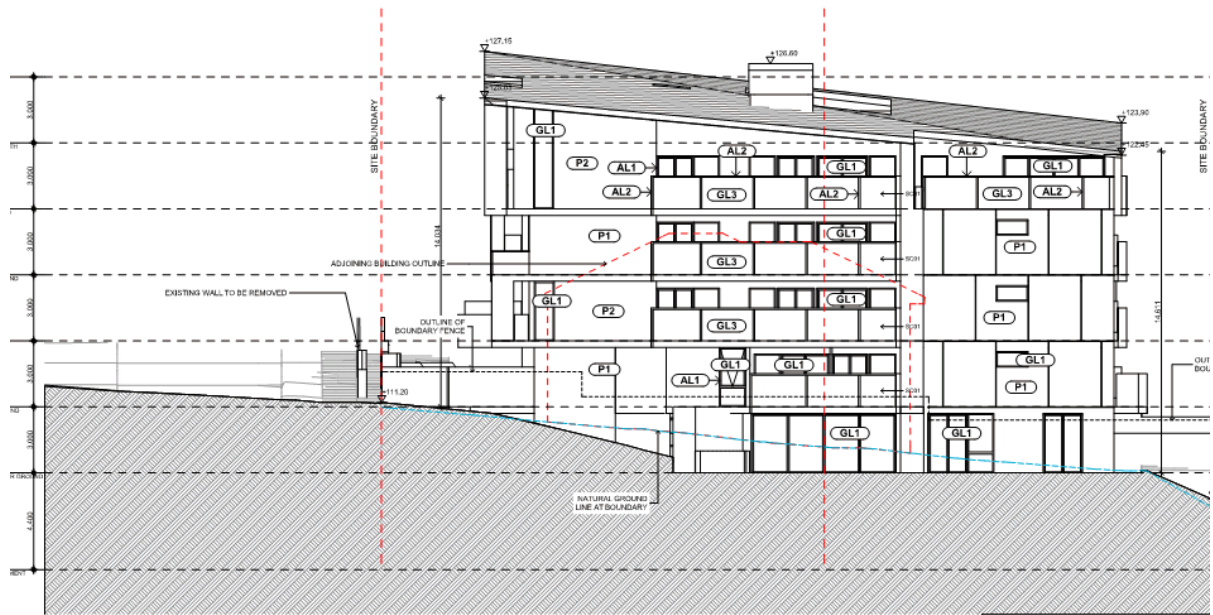
Scale: 1:200 @ A3 Date: 14 MAY 2018

Status: TOWN PLANNING Checked By:

Project No: Drawing No:



North Elevation



South Elevation

FINISHES LEGEND:

- AL1 POWDER COATED ALUMINIUM WINDOW FRAME - COLOUR: DARK GREY
- AL2 POWDER COATED ALUMINIUM SCREEN FRAME - GREY
- GL1 GLASS - CLEAR
- GL2 GLASS - BLUE TINTED
- GL3 GLASS - GREY OBSCURE
- P1 PRECAST WALL - BRIGHTON LITE
- P2 PRECAST WALL - MEDIUM GREY OXIDE
- R1 RENDERED WALL - SILVER TWILIGHT
- ST STONE - ELBA
- SC01 - SCREENING. DETAIL REFER TO



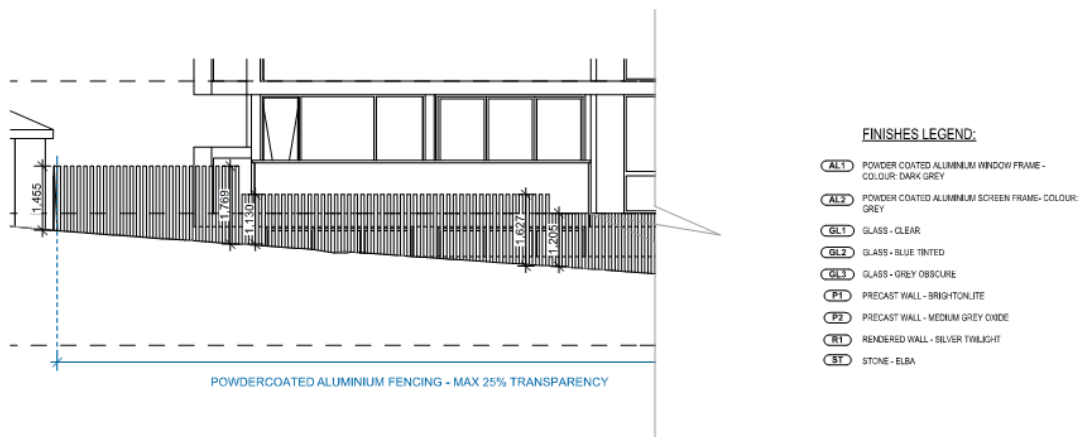
Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT  
 14-16 CAY DRIVE DONCASTER

Drawing Title: ELEVATIONS  
 Scale: 1:200 @ A3 Date: 14 MAY 2018  
 Status: TOWN PLANNING Checked By:  
 Project No: Drawing No.:

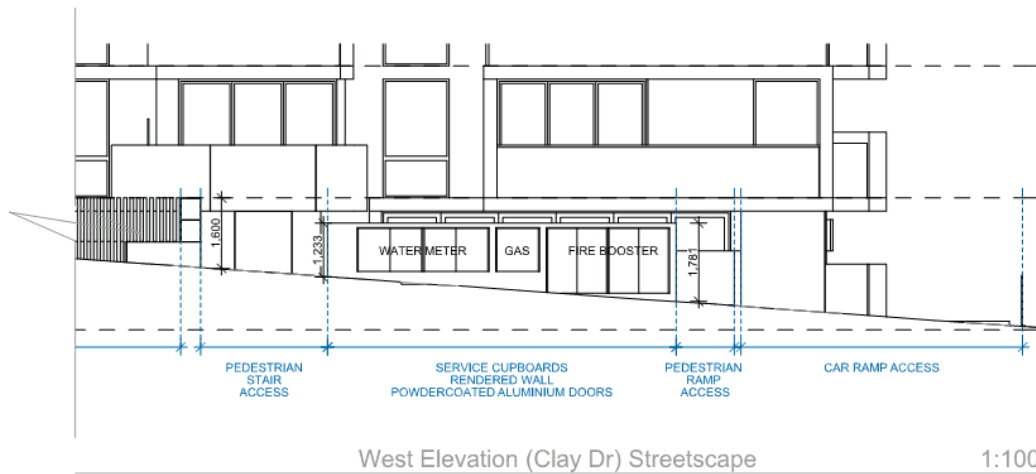


West Elevation (Clay Dr) Streetscape

1:1



West Elevation (Clay Dr) Streetscape 1:100



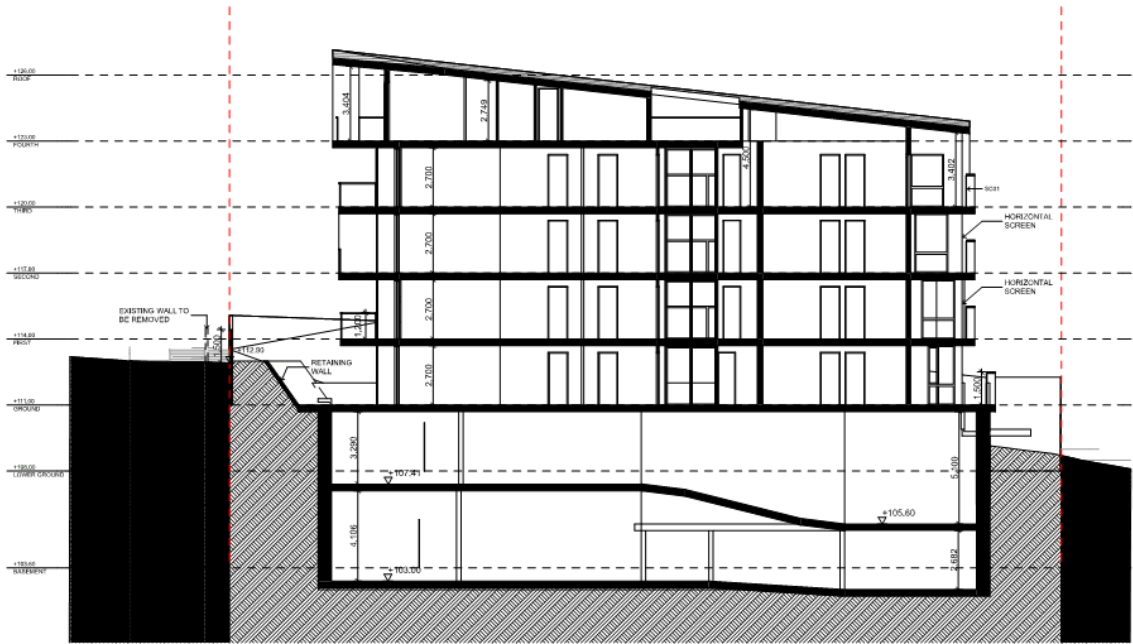
West Elevation (Clay Dr) Streetscape

1:100

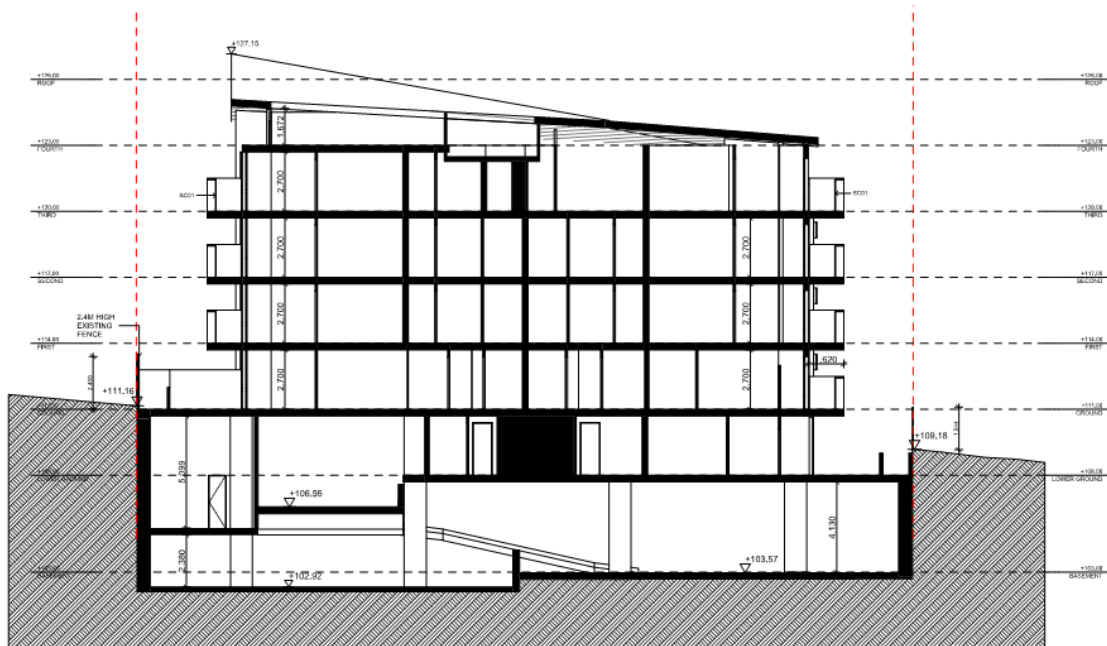


Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER

Drawing Title: ELEVATIONS STREETSCAPE	
Scale: 1:200, 1:100 @ A3	Date: 20 APRIL 2019
Status: TOWN PLANNING	Checked By:
Project No:	Drawing No.:



Section AA

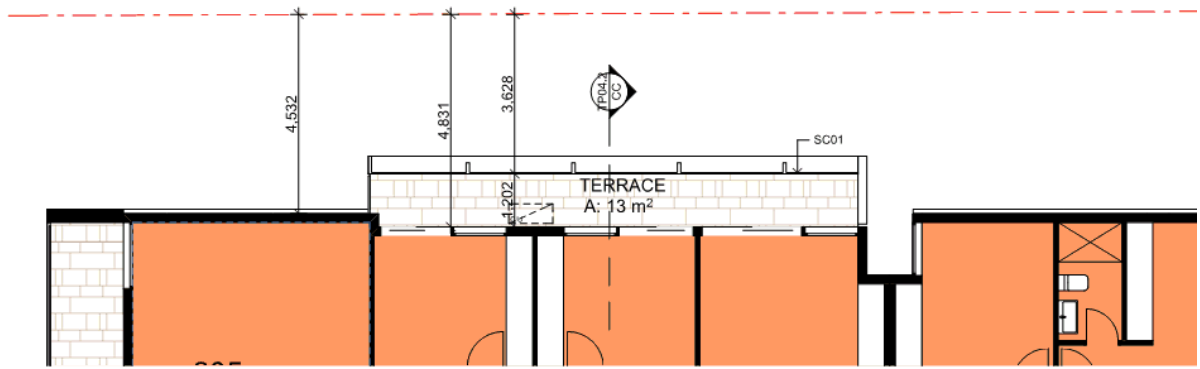


Section BB



Client: ARADENA DONCASTER PTY LTD  
Project Name: APARTMENT DEVELOPMENT  
14-16 CLAY DRIVE DONCASTER

Drawing Title: SECTIONS	
Scale: 1:200 @ A3	Date: 20 APRIL 2019
Status: TOWN PLANNING	Checked By:
Project No:	Drawing No.:

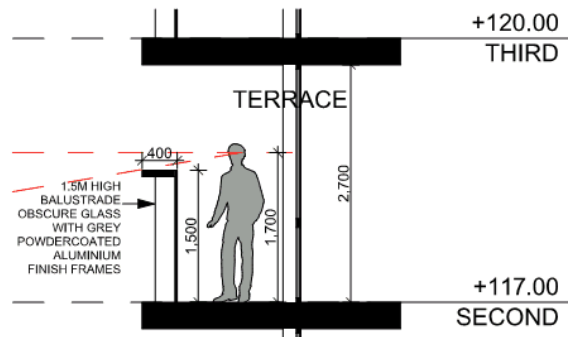


SECOND FLOOR PLAN

SCALE 1:100

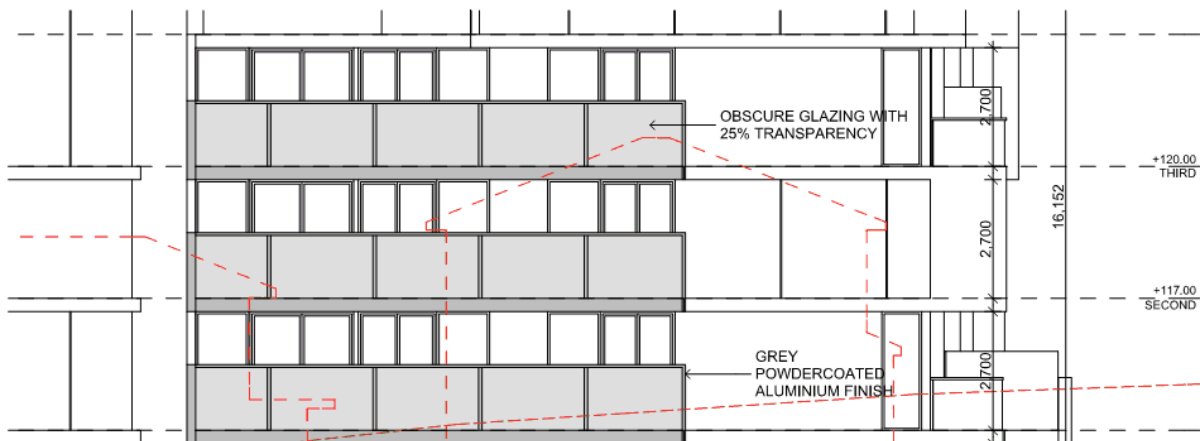


VIEW OF SCREENS



SECTION CC

SCALE 1:50



NORTH ELEVATION

SCALE 1:100



Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER

Drawing Title: SCREEN DETAIL - SC01	
Scale: 1:100, 1:50 @ A3	Date: 20 APRIL 2019
Status: TOWN PLANNING	Checked By:
Project No:	Drawing No.:



- EXISTING SHADOW ON THE GROUND
- PROPOSED SHADOW ON THE GROUND
- UNSHADOWED AREA



Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT  
 14.16 CLAY DRIVE DONCASTER

Drawing Title: SHADOW DIAGRAM (11A)	
Scale: 1:300 @ A3	Date: 20 APRIL 2019
Status: TOWN PLANNING	Checked By:
Project No:	Drawing No.:

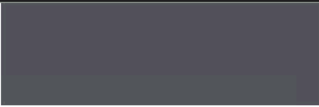








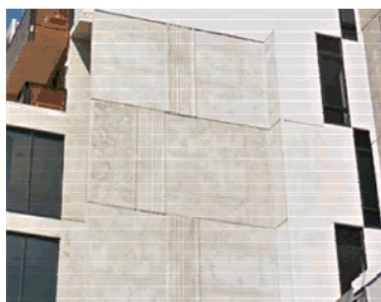






**FINISHES SCHEDULE**

	AL1	POWDER COATED ALUMINIUM WINDOW FRAME - COLOUR: DARK GREY
	AL2	POWDER COATED ALUMINIUM HORIZONTAL SCREEN - COLOUR: GREY
	GL1	GLASS-CLEAR
	GL2	GLASS-BLUE TINTED
	GL	GLASS-OBSCURE GREY
	P1	PRECAST WALL - BRIGHTONLITE
	P2	PRECAST WALL - MEDIUM GREY OXIDE
	R1	RENDERED WALL - SILVER TWILIGHT
	ST	STONE-ELBA



Example of use of P1-Brightonlite on a facade of a building

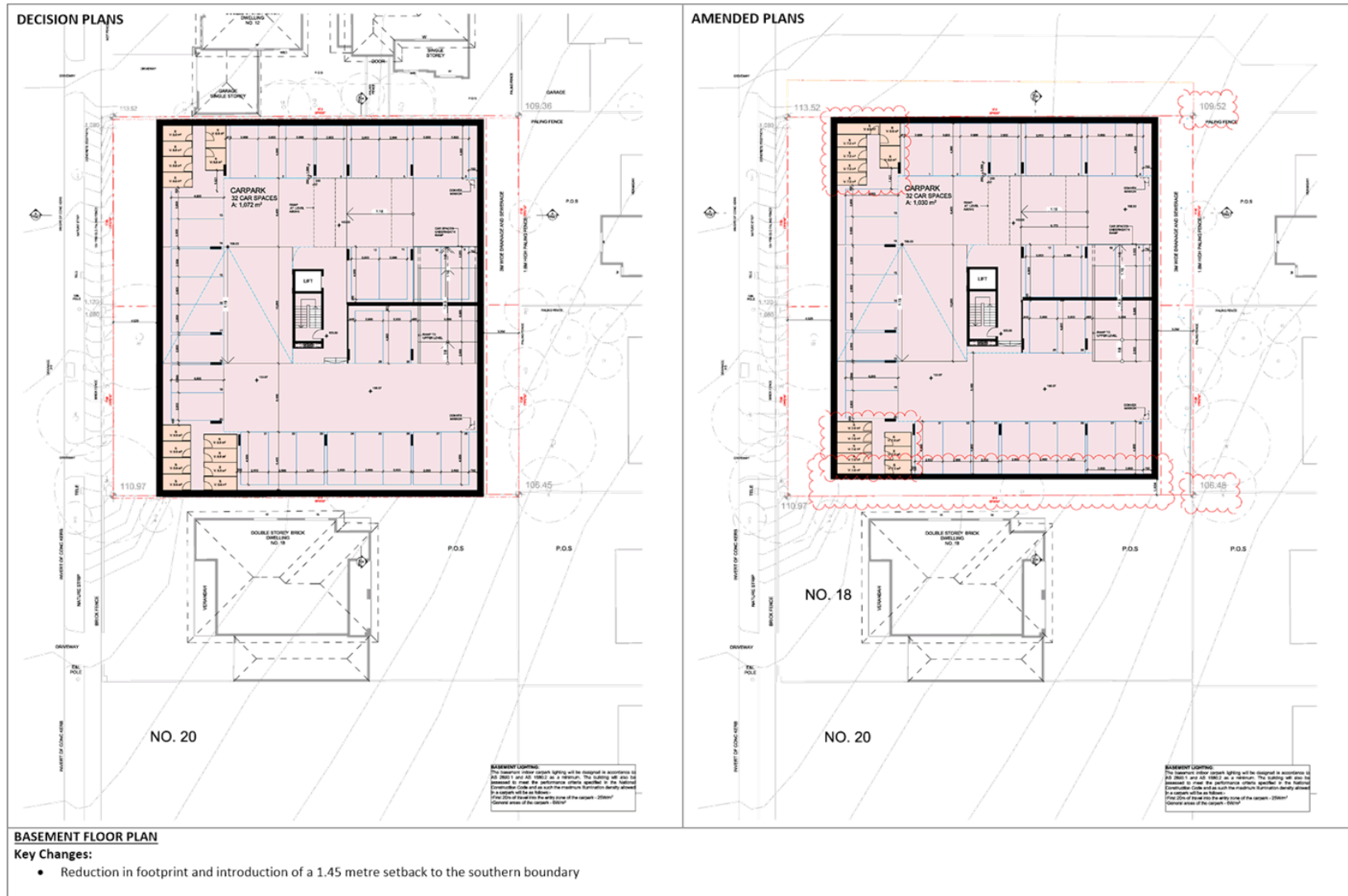


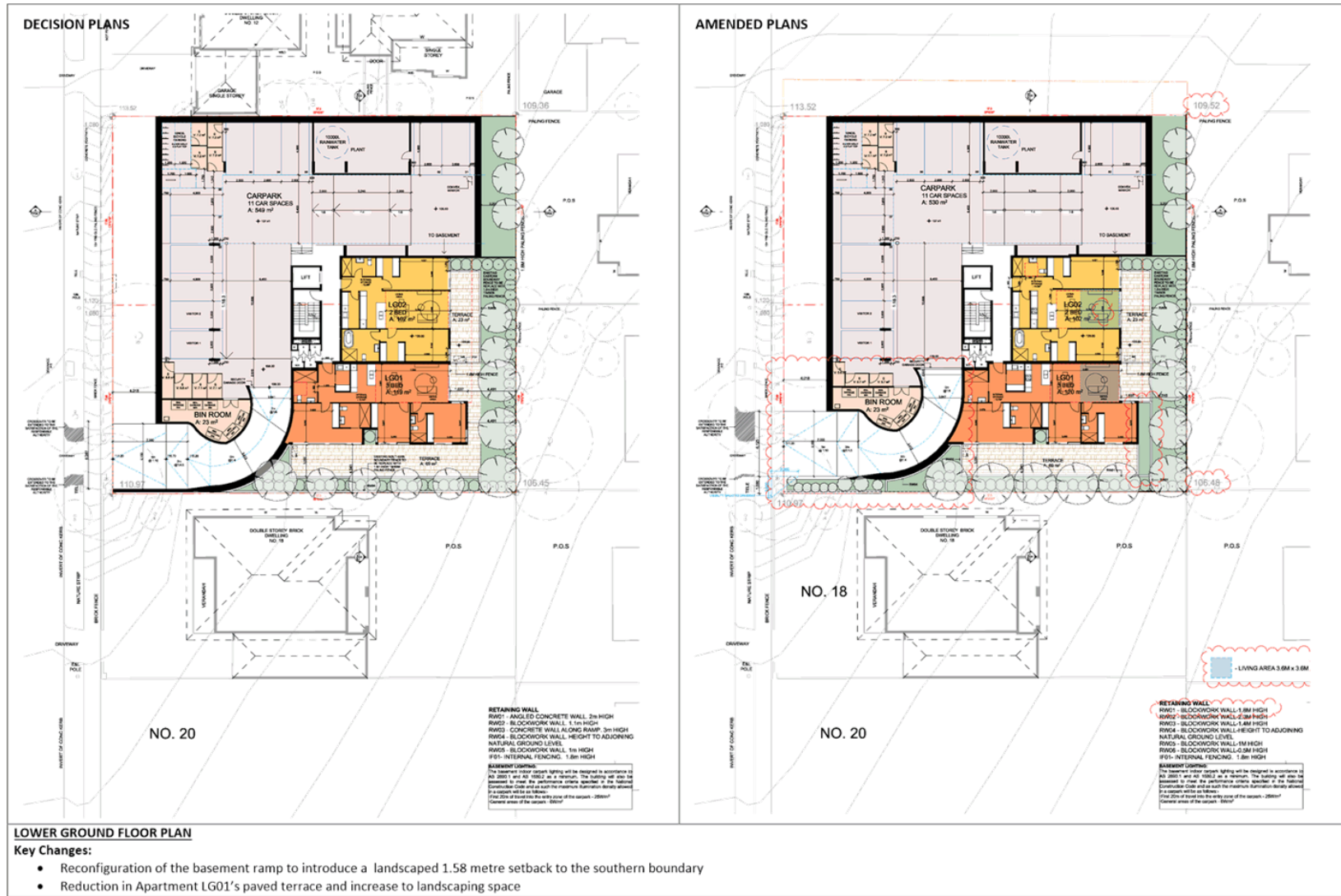
Example of use of P2- Precast Medium Grey oxide on a facade of a building

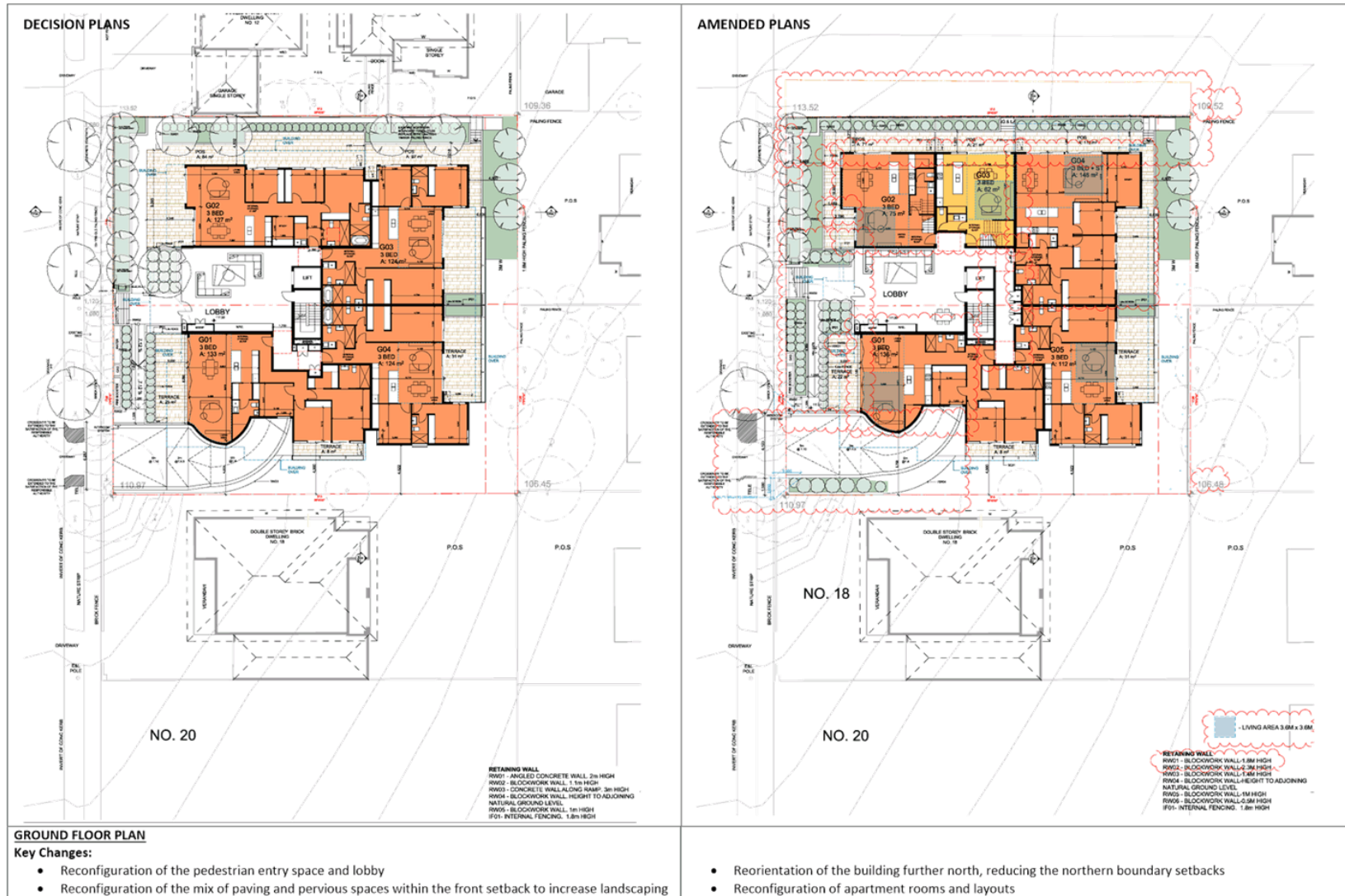


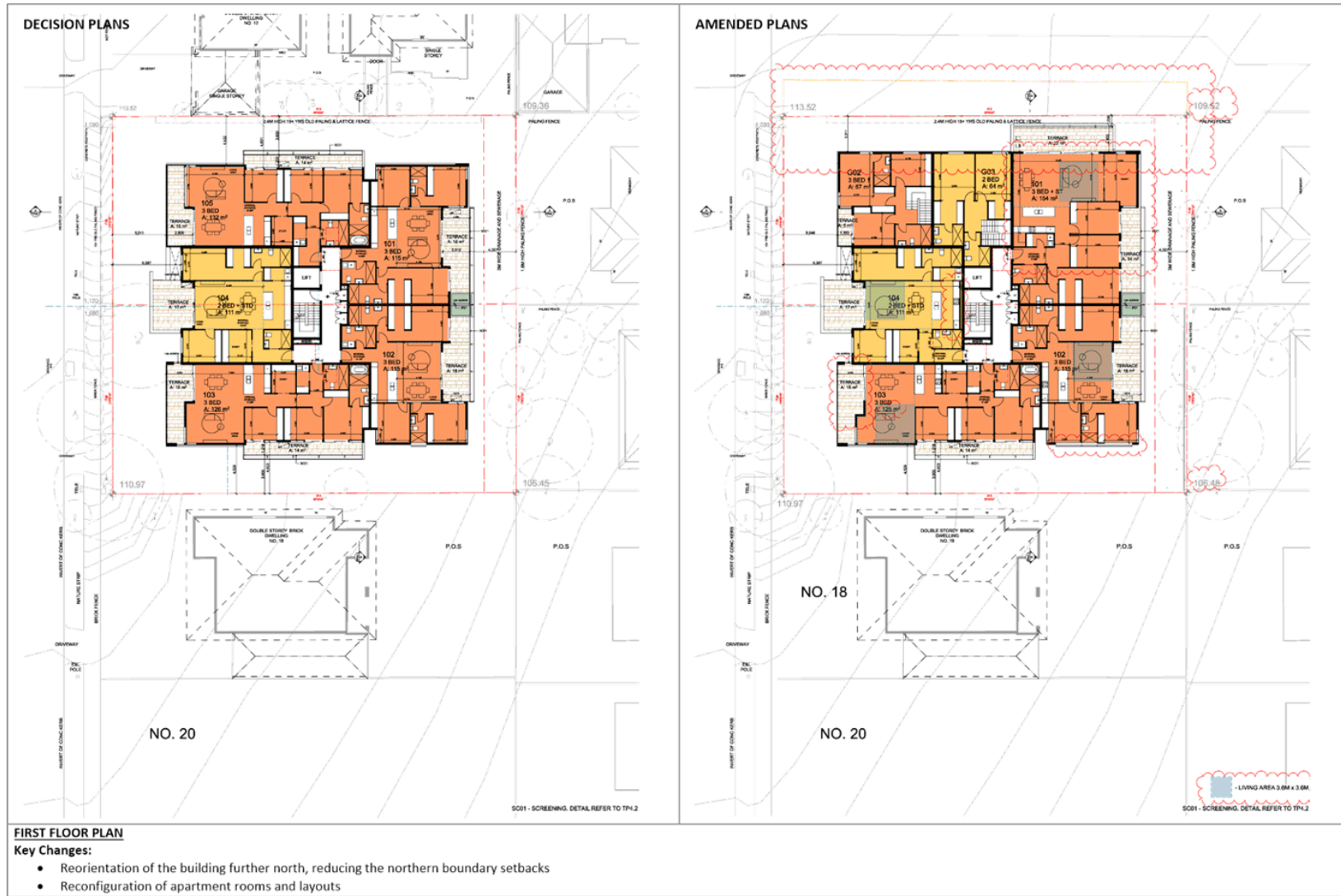
Client: ARADENA DONCASTER PTY LTD  
 Project Name: APARTMENT DEVELOPMENT  
 14-16 CLAY DRIVE DONCASTER

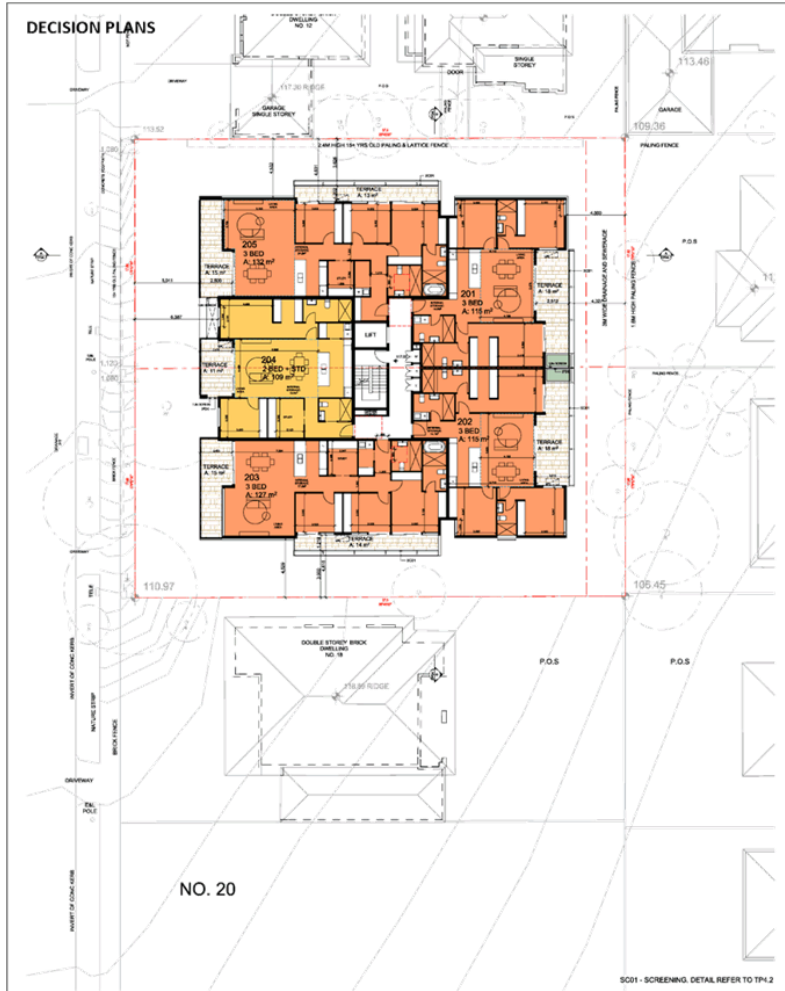
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Scale: @ A3	Date: 20 APRIL 2019
State: TOWN PLANNING	Checked by:
Project No:	Drawing No.:







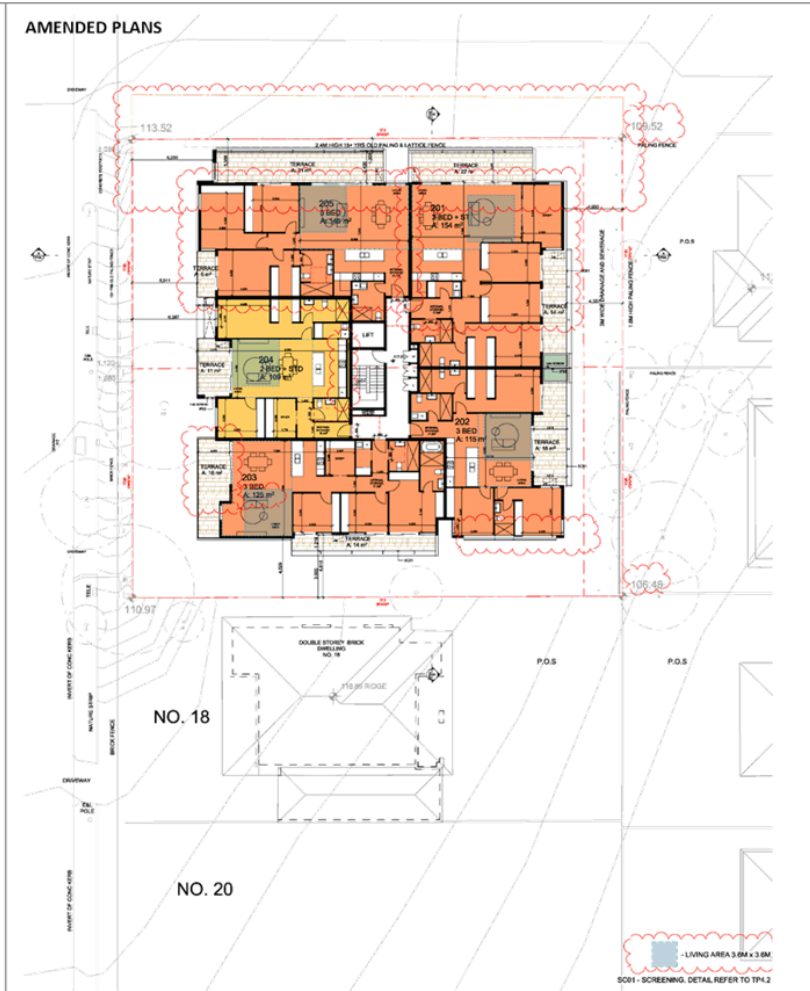




**SECOND FLOOR PLAN**

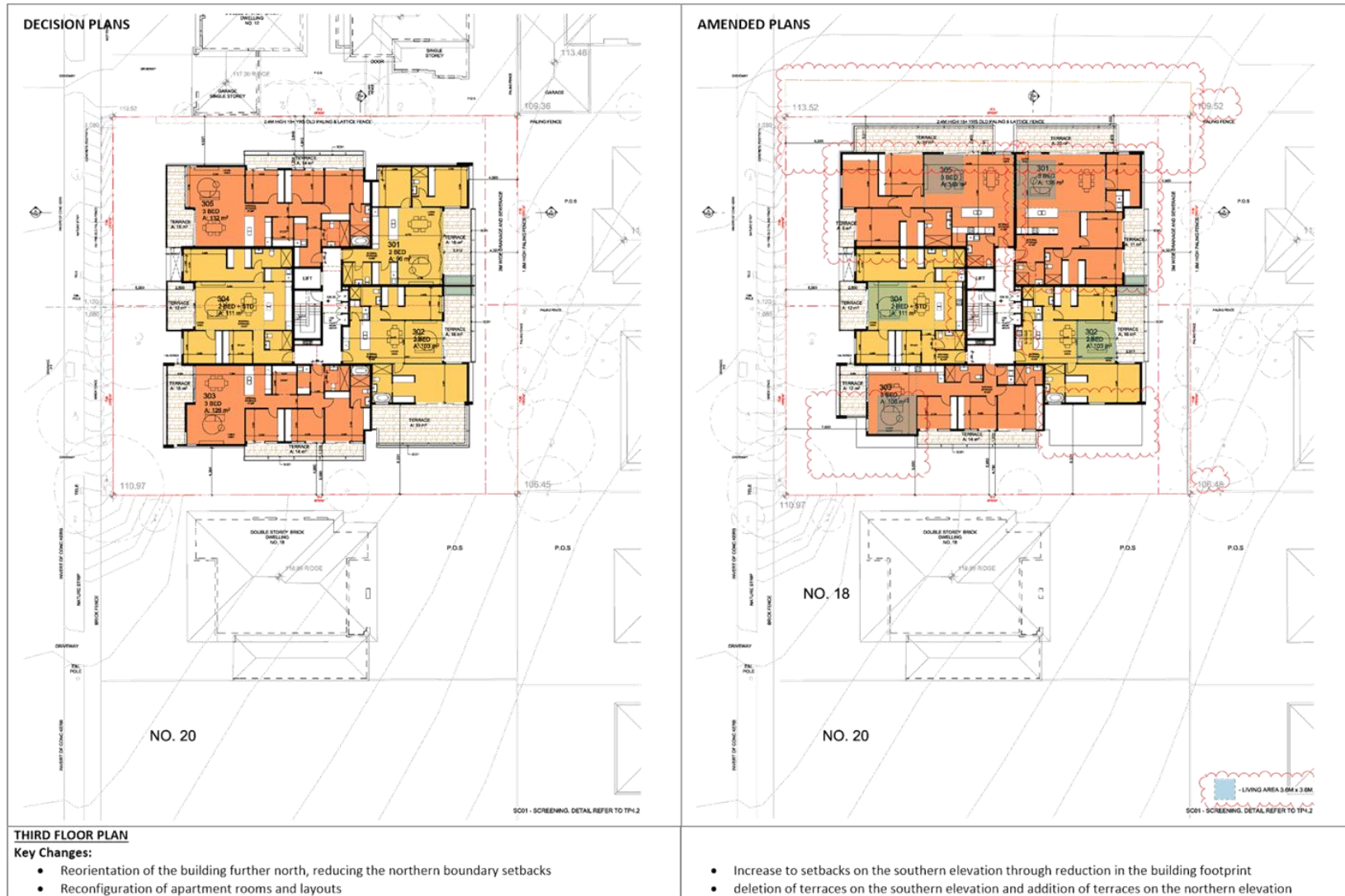
**Key Changes:**

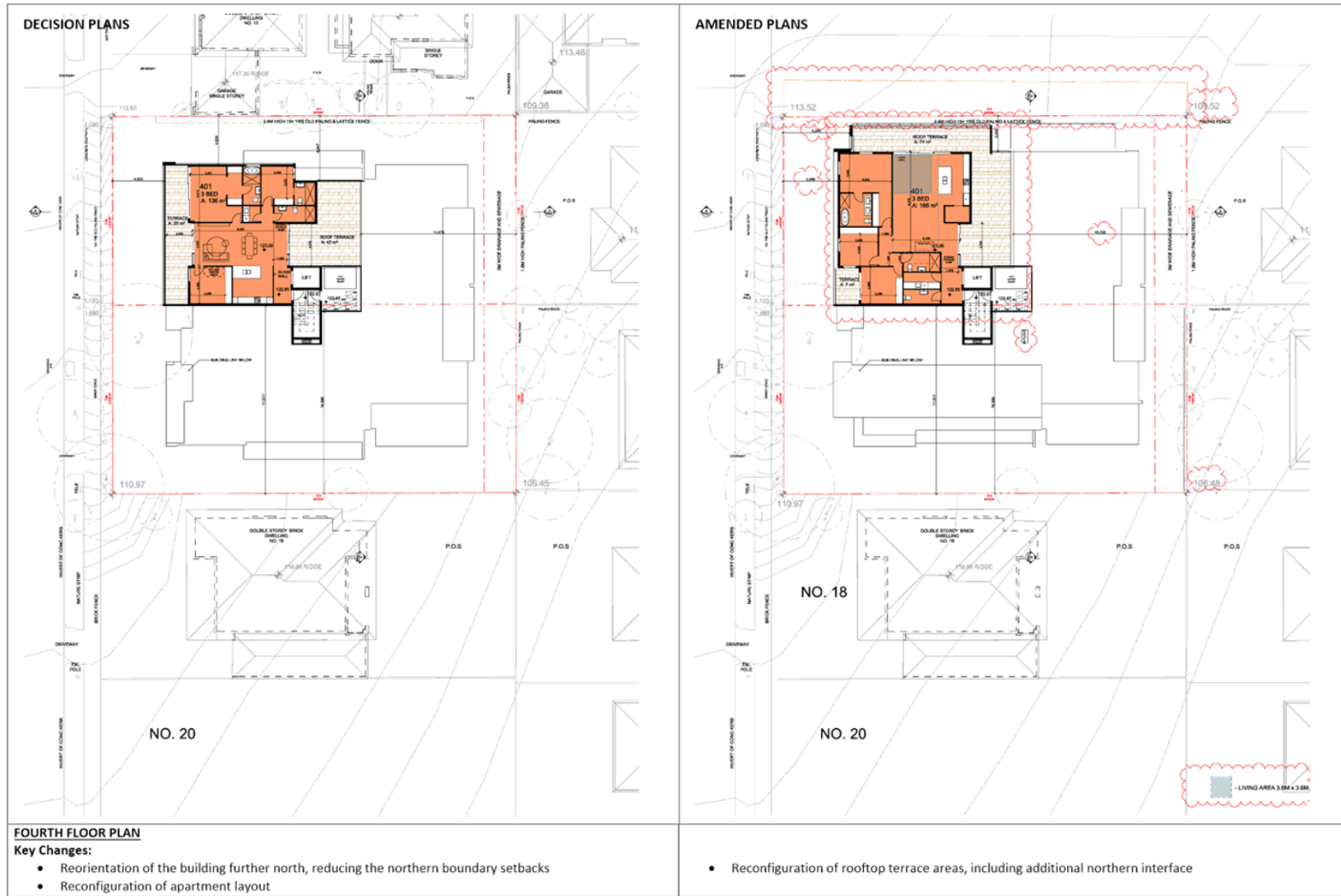
- Reorientation of the building further north, reducing the northern boundary setbacks
- Reconfiguration of apartment rooms and layouts



- Addition of terraces to the northern side of the building







### DECISION PLANS

West Elevation (Clay Dr)

East Elevation

FINISHES LEGEND:	
(AL1)	POWDER COATED ALUMINUM WINDOW FRAME - COLOUR DARK GREY
(AL2)	POWDER COATED ALUMINUM SCREEN FRAME COLOUR GREY
(CL1)	GLASS - CLEAR
(CL2)	GLASS - BLUE TINTED
(CL3)	GLASS - ONE WAY MIRROR
(PT1)	PREDSET WALL - MEDIUM GREY
(PT2)	PREDSET WALL - MEDIUM GREY OXIDE
(PT3)	PREDSET WALL - SILVER TINTED
(ST1)	STONE - FLAT
(ST2)	SCREENING - DETAIL REFER TO TP42

### AMENDED PLANS

West Elevation (Clay Dr)

East Elevation

FINISHES LEGEND:	
(AL1)	POWDER COATED ALUMINUM WINDOW FRAME - COLOUR DARK GREY
(AL2)	POWDER COATED ALUMINUM SCREEN FRAME COLOUR GREY
(CL1)	GLASS - CLEAR
(CL2)	GLASS - DARK GREY TINTED
(CL3)	GLASS - ONE WAY MIRROR
(PT1)	PREDSET WALL - MEDIUM GREY
(PT2)	PREDSET WALL - MEDIUM GREY OXIDE
(PT3)	PREDSET WALL - SILVER TINTED
(ST1)	STONE - FLAT
(ST2)	SCREENING - DETAIL REFER TO TP42

East Fence Elevation 1:150

### ELEVATION PLANS

**Key Changes:**

- Reconfiguration of the roof form and feature design elements
- Alteration of terrace and window locations

### DECISION PLANS

North Elevation

South Elevation

FINISHES LEGEND	
(CXC)	POWDER COATED ALUMINUM WINDOW FRAME - COLOUR DARK GREY
(CAX)	POWDER COATED ALUMINUM SCREEN FRAME COLOUR GREY
(CBL)	GLASS - CLEAR
(CBE)	GLASS - SILVER TINTED
(CBG)	GLASS - GREY FROSTED
(CBI)	FRAGILE WALL - MEDIUM GREY
(CBJ)	FRAGILE WALL - MEDIUM GREY CODE
(CBK)	FRAGILE WALL - SILVER TINTED
(CBM)	SPINE - SLIP
(CBN)	SCREENING - DETAIL REFER TO TP42

### AMENDED PLANS

North Elevation

South Elevation

South Fence Elevation 1:150

FINISHES LEGEND	
(CAX)	POWDER COATED ALUMINUM WINDOW FRAME - COLOUR DARK GREY
(CAX)	POWDER COATED ALUMINUM SCREEN FRAME COLOUR GREY
(CBL)	GLASS - CLEAR
(CBE)	GLASS - SILVER TINTED
(CBG)	GLASS - GREY FROSTED
(CBI)	FRAGILE WALL - MEDIUM GREY
(CBJ)	FRAGILE WALL - MEDIUM GREY CODE
(CBK)	FRAGILE WALL - SILVER TINTED
(CBM)	SPINE - SLIP
(CBN)	SCREENING - DETAIL REFER TO TP42

### ELEVATION PLANS

**Key Changes:**

- Alteration of terrace and window locations
- Additional highlight windows on the southern elevation

<p><b>DECISION PLANS</b></p>	<p><b>AMENDED PLANS</b></p>
<p><b>ELEVATION PLANS</b>  <b>Key Changes:</b></p> <ul style="list-style-type: none"> <li>• Increased transition to the southern boundary</li> <li>• Reconfiguration of the roof form and feature design elements</li> </ul>	<ul style="list-style-type: none"> <li>• Introduction of a contrasting glazing element</li> <li>• Maximisation of the northern aspect (future road) to include additional windows, terraces and elements</li> </ul>

<p><b>DECISION PLANS</b></p> 	<p><b>AMENDED PLANS</b></p> 
<p><b>ELEVATION PLANS</b></p> <p><b>Key Changes:</b></p> <ul style="list-style-type: none"> <li>• Increased transition to the southern boundary</li> <li>• Reconfiguration of the roof form and feature design elements</li> </ul>	<ul style="list-style-type: none"> <li>• Introduction of a contrasting glazing element</li> <li>• Maximisation of the northern aspect (future road) to include additional windows, terraces and elements</li> </ul>



**LIST OF PROPOSED DETAILED CHANGES TO PLANS****ALL PLANS**

- Updates site context to the north of the site, including removal of the existing dwellings on the adjoining property to the north and depiction of the planned future road extension.
- Confirmation that minimum living area dimensions are provided in accordance with the Better Apartment Design standards.
- Eastern boundary surface levels adjusted based on an updated survey of the site.

**BASEMENT PLAN**

- Reduction in the basement footprint from 1,072 square metres to 1,030 square metres to introduce a 1.45 metre setback along the southern boundary with associated internal reconfiguration of the basement including:
  - Removal of the empty space behind the car spaces along the southern wall;
  - Reconfiguration of storage cages to the south and north;

**LOWER GROUND FLOOR PLAN**

- Introduction of a 1.58m landscaped setback adjacent to the basement entry ramp along the southern boundary, achieved through the following reconfigurations:
  - Increase to the length of the entry ramp (internally);
  - Relocation of one storage cage from the southern corner to the northern corner;
- Living room of LG02 increased in width from 3.49m to 3.6m;
- Modifications to Apartment LG01 to address overlooking issues by:
  - Deletion of the east-facing window of the easternmost bedroom;
  - Deletion of a section of the paved terrace;
- Change in the retaining wall from an angled 2m angled wall to 1.8m blockwork wall to allow for additional landscaping;

**GROUND FLOOR PLAN**

- Setback to northern boundary reduced from 4.53 metres to 3.31 metres;
- Reconfiguration of apartments G02 and G03 to two-storey apartments;
- Increase to landscaping within the front setback through the:
  - Reduction in the paved terraces of apartments G02 and G01;
  - Relocation of the disabled entry ramp;
  - Use of retaining walls in lieu of battered slopes;
- Maximisation of the future road interface to the northern boundary through the:
  - Provision of street entrances for apartments G03 and G04
  - Reconfiguration of Apartment G04 to provide a north-facing living area;
- Reconfiguration of the entry and lobby to provide for a centrally located entry path, glazed entry wall and a central corridor;
- Increase in the length of the highlight window on the southern wall of apartment G05 to extend the full length of the wall;
- Internal reconfiguration of apartment G01, including the increase in the dwelling size from 133 square metres to 136 square metres and a decrease in the terrace size from 25 square metres to 22 square metres;
- Relocation of the water meter to the northern end of the front fence along Clay Drive.



**FIRST FLOOR PLAN**

- Setback to the northern boundary reduced from 4.53 metres to 3.31 metres
- Reconfiguration of apartments G02 and G03 to two-storey apartments;
- Maximisation of the future road interface to the northern boundary through;
  - Reconfiguration of Apartment 101 to provide a north-facing living area;
  - Addition of a northern terrace to Apartment 101, resulting in an overall terrace size increase from 18 square metres to 36 square metres;
- Increase in the length of the highlight window on the southern wall of apartment 102 to extend the full length of the wall;
- Alterations to ensure compliance with the Better Apartment Design standards, including:
  - Increase to the terrace of Apartment 103 to achieve minimum area of 12 square metres;
  - Westerly shift of the kitchen to Apartment 104 to achieve maximum depth of 9 metres.

**SECOND FLOOR PLAN**

- Setback to the northern boundary reduced from 4.53 metres to 3.31 metres;
- Maximisation of the future road interface to the northern boundary through;
  - Reconfiguration of Apartment 201 to provide a north-facing living area;
  - Addition of a northern terrace to Apartment 201, resulting in an overall terrace size increase from 18 square metres to 36 square metres;
  - Reconfiguration of Apartment 205 to provide a north-facing living area, with an increase in area from 132 square metres to 145 square metres;
  - Modification of the northern terrace to Apartment 205, resulting in an overall terrace size increase from 28 square metres to 36 square metres;
- Increase in the length of the highlight window on the southern wall of apartment 102 to extend the full length of the wall;
- Alterations to ensure compliance with the Better Apartment Design standards, including:
  - Increase to the terrace of Apartment 203 to achieve minimum area of 12 square metres;
  - Westerly shift of the kitchen to Apartment 204 to achieve maximum depth of 9 metres.

**THIRD FLOOR PLAN**

- Setback to the northern boundary reduced from 4.53 metres to 3.31 metres;
- Maximisation of the future road interface to the northern side through:
  - Reconfiguration of Apartment 301 to provide for a north-facing living area and subsequent conversion to three bedroom apartment, with an increase in area from 96 square metres to 136 square metres;
  - Addition of a northern terrace to Apartment 301, resulting in an overall terrace size increase from 16 square metres to 33 square metres;
  - Reconfiguration of Apartment 305 to provide a north-facing living area, with an increase in area from 132 square metres to 145 square metres;
  - Modification of the northern terrace to Apartment 205, resulting in an overall terrace size increase from 28 square metres to 36 square metres;

- Deletion of the southern terrace to Apartment 302, resulting in an overall terrace size decrease from 49 square metres to 16 square metres;
- Addition of a skylight to the kitchen of Apartment 302;
- Modifications to provide for a stepping in the built form to the southern side of the building, primarily achieved through a reduction in the size of Apartment 303 from 126 square metres to 106 square metres and a terrace decrease from 29 square metres to 26 square metres, including:
  - Western boundary setback to the living area increased from 6.7 metres to 7.5 metres;
  - Reduction in the size of the western terrace from 15 square metres to 12 square metres;
  - Southern boundary setback to the living area increased from 4.39 metres to 5.5 metres;
  - Southern boundary setback to the bedrooms increased from 4.8 metres to 5.96 metres;
  - Southern boundary setback to southern terrace increased from 3.58 metres to 4.73 metres
- Alterations to ensure compliance with the Better Apartment Design standards, including:
  - Westerly shift of the kitchen to Apartment 304 to achieve maximum depth of 9 metres.

#### **FOURTH FLOOR PLAN**

- Increase in the setback to the western boundary from 4.83 metres to 5.1 metres;
- Increase in the setback to the eastern boundary from 14.48 metres to 16.24 metres
- Maximisation of the future road interface to the northern side through:
  - Reconfiguration of Apartment 401 to provide for a north-facing living area, with an increase in area from 136 square metres to 166 square metres;
  - Addition of a northern terrace to Apartment 401 and subsequent reduction in terraces located on the eastern and western walls, resulting in an overall terrace size increase from 71 square metres to 81 square metres.

#### **EAST AND WEST ELEVATION PLANS**

- Western elevation design modifications including:
  - Alteration to roof form to provide for a stepping on the southern side;
  - Overall height on the southern side reduced by 0.84 metres at the protruding element and 1.68 metres at the southern wall;
  - Modification to the location of terraces;
  - Addition of a spandrel glass infill feature on the upper level;
  - Modification in the terrace glazing to a dark finish to match the spandrel glazing and provide a contrasting presentation;
  - Primary entrance façade modified to clear glazing;
- Eastern elevation design modifications including:
  - Natural ground line and boundary fence line amended based on an updated survey of the site.

#### **NORTH AND SOUTH ELEVATION PLANS**

- Northern elevation design modifications including:

- Additional terraces and glazing;
- Addition of protruding design elements to frame the roof and terraces;
- Height increase of 0.24 metres at the western corner due to the additional design element;
- Modification in the terrace glazing to a dark finish to provide a contrasting presentation;
- Southern elevation design modifications including:
  - Increase to the length of highlight windows along the easternmost wall;
  - Deletion of the terrace above the easternmost wall;
  - Provision of a flat roof form.

## 5. LEGISLATIVE REQUIREMENTS

### 5.1 PLANNING AND ENVIRONMENT ACT 1987 (THE ACT)

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

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

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

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

### 5.2 MANNINGHAM PLANNING SCHEME

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

- Planning Policy Framework
- Local Planning Policy Framework
- Clause 37.08 Activity Centre Zone, Schedule 1
- Clause 45.06 Development Contributions Plan Overlay, Schedule 1
- Clause 45.09 Parking Overlay, Schedule 1
- Clause 52.06 Car Parking
- Clause 52.34 Bicycle Facilities
- Clause 58 Apartment Developments
- Clause 65 Decision Guidelines

#### **Zone**

##### Clause 37.08 Activity Centre Zone, Schedule 1

The purpose of the Activity Centre Zone is:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To encourage a mixture of uses and the intensive development of the activity centre:*
  - *As a focus for business, shopping, working, housing, leisure, transport and community facilities.*
  - *To support sustainable urban outcomes that maximise the use of infrastructure and public transport.*
- *To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.*
- *To create through good urban design an attractive, pleasant, walkable, safe and stimulating environment.*
- *To facilitate use and development of land in accordance with the Development Framework for the activity centre.*

A permit is required to construct a building or construct or carry out works unless the schedule to this zone specifies otherwise.

An apartment development must meet the requirements of Clause 58.

Schedule 1, relevant to Doncaster Hill Principal Activity Centre outlines the following objectives:

*Land use and development objectives to be achieved*

- *To advance Doncaster Hill as a sustainable and vibrant mixed-use activity centre with a strong sense of place and civic identity.*
- *To develop the centre as a focus for contemporary high density residential development incorporating a mix of complementary retail, social, commercial and entertainment uses.*
- *To ensure the activity centre enhances the social, environmental, economic and cultural elements of the municipality and region, advancing Doncaster Hill as a destination in Melbourne's East.*

*Land use*

- *To provide for a vibrant range of mixed uses that support the strategic role of the Doncaster Hill Principal Activity Centre.*
- *To provide for a high level of activity that attracts people, provides a focal point for the community, creates an attractive and safe urban environment, increasing opportunities for social interaction.*
- *To ensure mixed use development comprises flexible floor spaces for a range of uses.*
- *To substantially increase the provision, intensity and diversity of housing (especially affordable housing), that allows for all sectors of the community to live in the centre.*
- *To provide for high-density residential development on individual sites in conjunction with a diversity of other uses including a mix of retail, commercial, social, community and entertainment uses.*
- *To encourage commercial and small-scale retail uses at the lower level of buildings, with high-density style residential development on upper levels.*

*Built form*

- *To create treed boulevards framed by podiums, consistent front setbacks and a high quality landscape along Doncaster, Williamsons and Tram Roads.*
- *To encourage innovative, contemporary architecture that provides a distinctive sense of identity for the Doncaster Hill Principal Activity Centre.*
- *To emphasise the existing dramatic landform of Doncaster Hill through built form that steps down the hill.*
- *To ensure an appropriate transition in height both within the activity centre and to surrounding neighbourhoods.*
- *To encourage built form that capitalises on key views and vistas including to the middle-ground and distant features including Dandenongs, the Kinglake Ranges and the central Melbourne skyline.*
- *To encourage the provision of urban art within built form or in adjacent public areas.*
- *To encourage the built form at gateway locations identified in the Framework Plan to be designed to act as markers with distinguishing architectural or urban design treatments*

*Environmental sustainability*

- *To ensure Australian Best Practice environmentally sustainable design is met in relation to building energy management, water sensitive urban design, construction materials, indoor environment quality, waste management and transport.*

*Public realm*

- To encourage active street frontages and pedestrian generating activities to be located along main roads.
- To ensure public spaces are minimally impacted by overshadowing, including preserving solar access in mid-winter to the key boulevards of Doncaster Road and Williamsons Road.
- To facilitate the enjoyment of public urban spaces/plazas, streetscapes, pedestrian and bicycle paths by ensuring that these areas are not excessively overshadowed or affected by wind tunnelling.
- To encourage artwork in suitable locations to contribute to creating a distinctive sense of identity.

*Open space and landscaping*

- To achieve development that provides accessible, safe, attractive and functional private and public open space opportunities, which are well connected and integrated within a permeable urban environment.
- To create a healthy and consistently landscaped environment that is dominated by native and indigenous planting.
- To maximise opportunities for landscaping in the public and private realm.
- To ensure each precinct has ready access to well designed public open space.

*Transport and access*

- To achieve development of circulation networks that focus on providing strong linkages within the Doncaster Hill Principal Activity Centre, and enhance public transport, pedestrian and bicycle users' amenity.
- To provide for well-defined vehicular, bicycle and pedestrian access both within and external to all precincts, with strong pedestrian crossing points to be established between the north and south sides of Doncaster Road.
- To encourage the integration of car parking areas into buildings and the unique sloping landform, including providing under-croft and basement as opposed to open-lot parking.

Under the ACZ1, the subject site is located in **Precinct 2F**. The objectives for Precinct 2F (clause 5.2-2) are as follows:

- To encourage an appropriate mix of residential and commercial uses in the precinct.
- To encourage the greatest area of high-density development to locate along the Doncaster Road ridgeline.
- To encourage the provision of cafes, restaurants and outdoor eating within the precinct.
- To retain and enhance the historic elements within the precinct and develop a link with the historic and arts enclave in Precinct 1.
- To support and connect with the pedestrian link proposed for the Doncaster Road, Williamsons and Tram Roads intersection at the western end of the precinct.
- To create a landmark gateway building at the eastern and western ends of the precinct.
- To create a public urban space/plaza with good solar access abutting the south side of Doncaster Road, with convenient access to the north side.
- To develop an area of open space as a passive green park, with urban play opportunities, and located in an area convenient to the precinct with well defined pedestrian links.

Table 5.2-3 of the Scheme sets out the following precinct requirements:

Maximum height	Design Element Height:	Setbacks

(excluding basement)		
14.5m	None specified	5m from front boundary 4.5m from side boundaries 4.5m from rear boundary

### Overlays

#### Clause 45.06 Development Contributions Plan Overlay

*A permit must not be granted to subdivide land, construct a building or construct or carry out works until a development contributions plan has been incorporated into this scheme.*

*This does not apply to the construction of a building, the construction or carrying out of works or a subdivision specifically excluded by a schedule to this overlay.*

*A permit granted must:*

- *Be consistent with the provisions of the relevant development contributions plan.*
- *Include any conditions required to give effect to any contributions or levies imposed, conditions or requirements set out in the relevant schedule to this overlay.*

#### Clause 45.09 Parking Overlay

*This overlay operates in conjunction with Clause 52.06. A schedule to this overlay may:*

- *Vary the requirements of Clause 52.06 as allowed by this overlay.*
- *Specify additional requirements to the requirements of Clause 52.06 as allowed by this overlay.*
- *Specify requirements for the provision of a financial contribution as a way of meeting the car parking requirements of Clause 52.06 or this overlay.*

### Planning Policy Framework

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

Clause 11.01-1 (Activity Centres) includes the objective to build up activity centres as a focus for high-quality development, activity and living for the whole community by developing a network of activity centres.

Clause 11.01-2 (Activity Centre Planning) includes the objective to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community.

Clause 15.01-1 (Urban Design) seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. Strategies towards achieving this are identified as follows:

- *Promote good urban design to make the environment more liveable and attractive.*
- *Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.*
- *Require development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate.*

- *Ensure transport corridors integrate land use planning, urban design and transport planning and are developed and managed with particular attention to urban design aspects.*
- *Encourage retention of existing vegetation or revegetation as part of subdivision and development proposals.*

Clause 15.01-2 (Urban Design Principle) policy objective is:

- *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

The strategy to achieve this is to apply the listed strategies to development proposals for non-residential development or residential development not covered by Clause 54, Clause 55 or Clause 56.

Responsible Authorities are also required to have regard to the State's *Design Guidelines for Higher Density Housing*, which is referenced at Clause 15.01 of the Scheme.

The strategies include the application of design principles to the proposed development relating to context, public realm, safety, pedestrian spaces, energy and resource efficiency, architectural quality and landscape quality.

Clause 15.01-4 (Design for Safety) policy objective is:

- *To improve community safety and encourage neighbourhood design that makes people feel safe.*

The policy seeks to improve community safety and encourage neighbourhood design that makes people feel safe. The strategy identified to achieve this objective is to ensure the design of buildings, public spaces and the mix of activities contribute to safety and perceptions of safety.

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

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

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

- *Ensure development responds and contributes to existing sense of place and cultural identity.*
- *Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.*
- *Ensure development responds to its context and reinforces special characteristics of local environment and place by emphasising:*
- *The underlying natural landscape character.*
- *The heritage values and built form that reflect community identity.*
- *The values, needs and aspirations of the community.*

Clause 15.02-1 Sustainable development: Energy and resource efficiency

The policy objective is:

- *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

The clause has the following strategies:

- *Ensure that buildings and subdivision design improves efficiency in energy use.*
- *Promote consolidation of urban development and integration of land use and transport.*
- *Improve efficiency in energy use through greater use of renewable energy.*



- *Support low energy forms of transport such as walking and cycling.*

Clause 16.01-1 Residential development: Integrated housing

The policy objective is:

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

The clause has the following strategies:

- *Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.*
- *Ensure that the planning system supports the appropriate quantity, quality and type of housing, including the provision of aged care facilities.*
- *Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.*
- *Encourage housing that is both water efficient and energy efficient.*

Clause 16.01-2 Residential development: Location of residential development

The policy objective is:

- *To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.*

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

- *Increase the proportion of housing in Metropolitan Melbourne to be developed within the established urban area, particularly at activity centres, employment corridors and at other strategic sites, and reduce the share of new dwellings in greenfield and dispersed development areas.*
- *Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.*
- *Ensure an adequate supply of redevelopment opportunities within the established urban area to reduce the pressure for fringe development.*
- *Facilitate residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water efficient design principles and encourages public transport use.*
- *Identify opportunities for increased residential densities to help consolidate urban areas.*

Clause 16.01-3 Strategic redevelopment sites

The policy objective is:

- *To identify strategic redevelopment sites for large residential development in Metropolitan Melbourne.*

Specific reference is made at clause 16.01-3 to "strategic redevelopment sites" which are described as:

- *in and around Central Activity Centres;*
- *in or within easy walking distance of Principal or Major Activity Centres;*
- *in or beside Neighbourhood Activity Centres that are well served by public transport;*
- *on or abutting tram, train, light rail and bus routes that are part of the Principal Public Transport Network and close to employment corridors, Central Activities Districts, Principal or Major Activity Centres;*
- *in or near major modal public transport interchanges that are not in Principal or Major Activity Centres;*
- *able to provide ten or more dwellings, close to activity centres and well served by public transport.*

Clause 16.01-4 Housing diversity

The policy objective is:

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

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

The policy objective is:

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

Clause 18.02-1 Movement networks: Sustainable personal transport

The policy objective is:

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

Clause 18.02-2 Cycling

The policy objective is:

- *To integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.*

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

Require the provision of adequate bicycle parking and related facilities to meet demand at education, recreation, shopping and community facilities and other major attractions when issuing planning approvals.

Clause 18.02-4 Management of the road system

The policy objective is:

- *To manage the road system to achieve integration, choice and balance by developing and efficient and safe network and making the most of existing infrastructure.*

Clause 18.02-5 Car parking

The policy objective is:

- *To ensure an adequate supply of car parking that is appropriately designed and located.*

The policy is relevant to the proposal because the application seeks a reduction in the standard car parking requirement of the Scheme. The objective is to ensure an adequate supply of car parking that is appropriately designed and located. It is also required to allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking. Proposals are also encouraged to facilitate the use of public transport.

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

#### **Municipal Strategic Statement**

##### Clause 21.03 Key Influences

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

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

Clause 21.09 (Activity Centre and Commercial Areas) outlines that *principal, major and identified neighbourhood activity centres will be the focus of increased residential growth and development*. In particular, Doncaster Hill Principal Activity Centre will:

- *Challenges mainstream community planning and building design to achieve desired environmental outcomes.*
- *Provides more local jobs to reduce journey to work trips.*
- *Provides housing where residents may walk to facilities and services.*
- *Encourages reduced levels of car ownership and increased public transport usage.*

The vision for Doncaster Hill Principal Activity Centre is outlined in Council's *Doncaster Hill Strategy (2002)* and includes:

- *To implement the objectives of Melbourne 2030 in respect of Principal Activity Centres as a focus for retail, social, commercial, entertainment, civic and residential uses.*
- *To integrate ecologically sustainable development principles and techniques into every facet of the design, construction and operation/occupancy stages of new development to raise the aspirations of all users, appropriate for a city looking towards a long-term, responsible and sustainable future.*
- *To ensure that built form outcomes demonstrate the use of contemporary architecture combined with innovative urban design and building techniques that incorporate ecologically sustainable design principles.*
- *To emphasise the existing dramatic landform of Doncaster Hill through built form that steps down the hill.*
- *To encourage high density, high rise residential development.*
- *To provide a greater diversity of dwelling types.*
- *To alleviate pressure for more intense residential development in established urban areas.*
- *To reduce travel demand and change travel behaviour.*
- *To promote the development of sustainable transport options.*
- *To meet the future infrastructure requirements of Doncaster Hill in a comprehensive, timely and equitable way.*
- *To develop an integrated mixed-use precinct for Doncaster Hill Activity Centre which provides for an appropriate mix of uses and functions on a location specific level, including the provision of:*
  - *mixed uses within buildings, particularly along boulevard locations*
  - *small scale retail opportunities at ground floor level in conjunction with other mixed use developments*
  - *additional commercial/office floor space*
  - *flexible floor spaces within buildings to ensure life cycle adaptability.*

Within Doncaster Hill Principal Activity Centre there are various precincts delineated in accordance with their topographic orientation and aspect on Doncaster Hill, their relationship to main roads, and their present and future uses.

Clause 21.10 (Ecologically Sustainable Development) highlights Council's commitment to ESD and outlines a number of ESD principles to which regard must be given. These include building energy management, water sensitive design, external environmental amenity, waste management, quality of public and private realm and transport.

In relation to sustainability, the ACZ1 requires applicants to submit a Sustainability Management Plan that *demonstrates the application of Australian best practice rating tools and design principles, use of emerging technology, and a commitment to 'beyond compliance' throughout the construction period and subsequent operation of the development.*

### Local Planning Policy

#### Clause 22.08 Safety through urban design

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

#### Clause 22.09 Access for disabled people

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

### Particular Provisions

#### Clause 52.06 Car Parking

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

- 1 space for 1 and 2 bedroom dwellings.
- 2 spaces for 3 or more bedroom dwellings.
- 1 visitor space to every 10 dwellings (as required by the Parking Overlay, Schedule 1).

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

#### Clause 52.34 Bicycle Facilities

Pursuant to Clause 52.34-3, the following number of bicycle spaces are required in development of four or more storeys:

- 1 space for every 5 dwellings for residents.
- 1 space for every 10 dwellings for visitors.

### General Provisions

#### Clause 65 Decision Guidelines

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

- *The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *The purpose of the zone, overlay or other provision.*
- *The orderly planning of the area.*
- *The effect on the amenity of the area.*

## COUNCIL MEETING

25 SEPTEMBER 2018

**0.0 Planning Application PL17/027801 at 14 and 16 Clay Drive, Doncaster for the development of a five-storey apartment building containing twenty-two dwellings over basement car parking**

File Number:	IN18/382
Responsible Director:	Director City Planning and Community
Applicant:	Arnwell Pty Ltd C/- Planning and Property Partners
Planning Controls:	Activity Centre Zone, Schedule 1 (ACZ1); Development Contributions Plan Overlay, Schedule 1 (DCPO1); Parking Overlay, Schedule 1 (PO1)
Ward:	Koonung
Attachments:	1 Decision Plans 2 Legislative Requirements

**EXECUTIVE SUMMARY****Purpose**

1. This report provides Council with an assessment of the planning permit application submitted for land at 14 and 16 Clay Drive, Doncaster and recommends refusal of the submitted proposal. The application is being reported to Council given that it is a Major Application (with more than 15 dwellings and a development cost of more than \$5 million).

**Proposal**

2. The proposal is for the use and development of land at 14 and 16 Clay Drive, Doncaster for a five storey apartment building comprising 22 dwellings, with a full basement level of car parking and a partial level of parking above in a Lower Ground Floor.
3. The land has a total area of 1,337 square metres. The building provides for 22 apartments has a site coverage of 63%, a site permeability of 17.05% and a maximum building height of 14.5 metres. A total of 41 car spaces is provided, with 30 spaces being within the main basement and 11 spaces being above in the Lower Ground Floor. Two of the Lower Ground Floor spaces are allocated to visitors. Ten bicycle spaces are provided.

**Advertising**

4. Notice of the application was given over a three week period which concluded on 8 August 2018.
5. To date 14 objections have been received. The objections include issues relating to the pattern of development/streetscape, neighbourhood character/architectural presentation, overdevelopment, poor design response/lack of stepping to adjoining property/zone to the south, overlooking, shadowing impact, traffic/on-street parking impacts, noise, construction impact, internal amenity, landscaping and plan detailing.

**Key issues in considering the application**

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

## COUNCIL MEETING

25 SEPTEMBER 2018

- Planning Policy Frameworks;
- Design and built form;
- Apartment developments;
- Car parking, access, traffic and bicycle facilities; and
- Objector concerns.

**Assessment**

7. The development of the land with a high density residential apartment 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 Activity Centre Zone 1 (ACZ1) and supporting policy relating to the Doncaster Hill Principal Activity Centre.
8. While the proposal complies with requirements of the ACZ1 relating to siting, height and setbacks, it fails to meet requirements relating to overshadowing, landscape design and building presentation. The development does not transition appropriately to surrounding development, including to the adjoining property to the south, which is within the General Residential Zone (Design and Development Overlay Schedule 8-2). The proposal also fails to provide adequate internal amenity, as it relates to building entry, private open space, room depth and daylight to windows.

**Conclusion**

9. This report concludes that the proposal does not comply with the relevant planning policy in the Scheme and should be refused.
10. It is recommended that the application be refused.

**1. RECOMMENDATION****That Council:**

- A. Having considered all objections, issue a **NOTICE OF REFUSAL** in relation to Planning Application PL17/027801 at 14 and 16 Clay Drive, Doncaster for the development of a five-storey apartment building containing twenty-two dwellings over basement car parking, for the following reasons –

1. The proposal does not provide an appropriate transition in scale, form and height to the adjoining properties to the south located in the General Residential Zone, which is contrary to Schedule 1 to the Activity Centre Zone and the objective of Clause 58.02-1 (Urban context) of the Manningham Planning Scheme.
2. The proposal will result in unreasonable streetscape and off-site amenity impacts to adjoining properties through unsympathetic built form, excessive bulk and massing, blank wall presentation, verticality, the removal of vegetation, the lack of boundary landscaping, inadequately overlooking treatments and overshadowing impacts, which is contrary to Schedule 1 to the Activity Centre Zone of the Manningham Planning Scheme.
3. The proposal does not provide adequate landscaping opportunities

within the front setback and along the northern and southern boundaries, due to the location of the basement, driveway and hard stand areas, which is contrary to Clause 52.06-9 (Car parking design standard 7), 58.03-5 (Landscaping) objectives and Schedule 1 to the Activity Centre Zone of the Manningham Planning Scheme.

4. The proposal will result in unreasonable on-site amenity impacts to future residents, by failing to meet minimum balcony requirements, which is contrary to Clause 58.05-3 (Private open space), or maximum room depth dimensions, which is contrary to Clause 58.07-2 (Room depth), or providing any daylight to many habitable room windows, which is contrary to Clause 58.07-3 (Windows) objectives of the Manningham Planning Scheme.
5. The proposal does not provide adequate facilities and detailed design through poorly integrated building entry, which is contrary to 58.05-2 (Building entry and circulation), and inappropriately located mailboxes and service cabinets that are poorly integrated with the development, which is contrary to Clause 58.06-2 (Site Services) objectives of the Manningham Planning Scheme.
6. The proposal does not provide adequately detailed visibility splay requirements along the exit lane at the site frontage and has not fully considered crossover width or location impacts on street trees, which is contrary to Design Standard 1 (Accessways) at Clause 52.06-9 (Car Parking) of the Manningham Planning Scheme.

## 2. BACKGROUND

- 2.1 The application was submitted to Council on 26 October 2017.
- 2.2 A request for further information was sent on 21 November 2017. The letter also raised a number of concerns with the proposal including those now forming refusal grounds.
- 2.3 The application proposal was presented to the Sustainable Design Taskforce meeting on 23 November 2017.
- 2.4 All requested further information was received by Council on 26 April 2018.
- 2.5 The application was not advertised immediately at the request of the applicant who sought to investigate the status of the land to the north of the site which is developed by two units and owned by Council. The land is proposed to form a road between Clay Drive and Hepburn Road under the Doncaster Hill Activity Centre Structure Plan.
- 2.6 It is understood that the whole width of the Council owned property is not required for the roadway, meaning some of the land could be offered for sale. However, there is no firm design or timeframe associated with the road construction, and the applicant request Council continue processing the application.
- 2.7 Notice of the application was given over a minimum three-week period which concluded on 8 August 2018.

## COUNCIL MEETING

25 SEPTEMBER 2018

2.8 The statutory time for considering a planning application is 60 days, which lapsed on 25 June 2018.

2.9 The land titles are not affected by any covenants or restrictions.

### 3. THE SITE AND SURROUNDS

#### The Site

3.1 The site is situated on the eastern side of Clay Drive, Doncaster, approximately 125 metres south of the "T" intersection with Doncaster Road.

3.2 The rectangular shaped site (2 lots) has a frontage of 35.36m, northern and southern boundaries of 37.8m and an eastern (rear) boundary of 35.36m. Site area is 1,337 square metres.

3.3 The site is affected by a 3.0m wide drainage and sewerage easement located along the eastern boundary.

3.4 No. 14 Clay Drive (northern lot) is vacant, open and grassed (except for a vegetable garden) with a paling fence to the current frontage and paling fences to the northern and eastern boundaries. This land is unfenced to 16 Clay Drive.

3.5 No. 16 Clay Drive is developed with a large brick dwelling which is two-storey to the front and three-storey to the rear. There is a brick and steel rail fence to the frontage (positioned forward of the actual title boundary in the Clay Drive road reserve).

3.6 There is a large conifer within the front yard and a single crossover at the southern end of the frontage. A large multi-stemmed Weeping Lilly Pilly is located just to the rear of the front brick fence in the south-western corner of the site (this tree appears to be in the road reserve).

3.7 A medium sized street tree is approximately 1.5m north of the crossover.

3.8 The land has a significant crossfall of approximately 7.0m from the north-western corner to the south-eastern corner and side/rear boundaries are defined by paling fences.

3.9 The rear of No.16 Clay Drive has been filled to create a relatively level yard at the fenceline. The fill is retained hard up to a paling fence which is constructed on the lower ground level of No. 45 Walker Street to the east. As a result the paling fence as viewed from the west is quite low. Trees within No. 45 Walker Street assist in maintaining privacy.

#### The Surrounds

3.10 The site has direct abutments with five properties, as follows:

Direction	Address	Description
North	1 and 2, 12 Clay Drive, Doncaster	This property is in the Activity Centre Zone.  This property is developed with two, two storey dwellings positioned one behind the other.



## COUNCIL MEETING

25 SEPTEMBER 2018

		<p>There are two crossovers serving the dwellings.</p> <p>Council owns this land and there is a future proposal to construct a roadway on this site connecting through to Hepburn Road to the east. (Council also owns the property to the east of 12 Clay Drive, being 1 and 2, 49 Walker Street.)</p> <p>A row of medium sized trees is along the common boundary.</p>
East	<p>47 Walker Street, Doncaster</p> <p>45 Walker Street, Doncaster</p>	<p>These properties are in the Activity Centre Zone.</p> <p>This property is developed with a large two-storey brick dwelling which is setback approximately 7.5m from the common boundary. The dwelling presents as single storey to the site. Various habitable room windows and a terrace face the site. The main private open space is at the rear of the dwelling.</p> <p>This property is developed with an "L" shaped single storey brick dwelling setback approximately 10.0m from the common boundary. The dwelling is positioned lower than the site due to slope/terracing.</p> <p>The main private open space is to the rear and there are several screen trees across the yard.</p>
South	18 Clay Drive Doncaster	<p>This property is in the General Residential Zone and subject to Design and Development Overlay Schedule 8-2.</p> <p>The property is developed with a two/three storey brick dwelling of similar scale and style to the dwelling at 16 Clay Drive. As the brick front fence of this property lines up with the front fence at No.16 Clay Drive, this suggests that it too is not constructed to the Title boundary.</p> <p>The dwelling is setback approximately 2.5m from the common boundary and presents a sheer two/three storey wall to the site with various habitable room windows (at both main levels), a small upper balcony and a raised landing (above fence height) facing the site.</p>

- 3.11 There are two large two-storey brick dwellings opposite the site on the western side of Clay Drive (within the Activity Centre Zone).
- 3.12 Clay Drive is a local street (concrete footpaths on either side) which extends downhill from Doncaster Road to Frederick Street/Tram Road. While being

## COUNCIL MEETING

25 SEPTEMBER 2018

essentially a residential street containing predominantly single houses on each lot, the northern part of the street is characterised by a large apartment building ("The Nest") at 642 Doncaster Road (side presentation to the west side Clay Drive) and a large office building and open car park to the south. Opposite "The Nest" is an office building at 660 Doncaster Road (side presentation to Clay Drive) and the South Point apartment building (7 storeys) at 8 Clay Drive to the south.

- 3.13 At the Doncaster Road intersection, all traffic leaving Clay Drive must turn left.
- 3.14 Residential abutments in Clay Drive are subject to Resident Parking Permits. In front of the site there is also a 2 hour parking limitation between 8.00am and 6.00pm Saturday and Sunday. On-street parking is common at the northern end of the street, especially during week-days.
- 3.15 The site is at the southern edge of the Doncaster Hill Principal Activity Centre. The Activity Centre spans along the main arterial roads (Doncaster Road, Tram, Elgar and Williamsons Road corridors) and forms a central hub of residential, commercial, retail and recreational facilities. It is apparent that the area is changing in line with Council's vision, evidenced by the construction of various residential apartment towers within the precinct and the approval of a range of development permits for the same.
- 3.16 In terms of public transport, the site is well serviced by bus routes operating along Tram and Doncaster Roads, connecting activity centres and residential areas within the municipality to Melbourne's Central Activity District. A major bus interchange is situated within the Westfield Doncaster complex which is approximately 280 metres walk from the site. The site is within the Principal Public Transport Network designation area as introduced by Amendment VC148.
- 3.17 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.
- 3.18 The southern boundary of the site and the southern boundary of 11 Clay Drive on the opposite side of the road represent the southern edge of the Activity Centre Zone, with properties to the south being within the General Residential Zone Schedule 2 and covered by Design and Development Overlay Schedule 8-2.
- 3.19 As has been indicated, Council has acquired land (1/2, 12 Clay Drive and 1/2, 49 Walker Street) with a view to extending Hepburn Road westward, so as to connect with Clay Drive. The purpose of this future road connection is to improve local access to arterial roads and assist with pedestrian connectivity within the Doncaster Hill Activity Centre.
- 3.20 The road construction will involve demolition of the four dwellings on the properties, with civil works being "earmarked" for this year's capital works programme.

#### 4. THE PROPOSAL

- 4.1 The proposal is outlined on the plans prepared by Metaxas Architects Pty Ltd, Project No. 15.046 Revisions A and Ai of April and May 2018 and a landscape plan prepared by John Patrick Landscape Architects Pty Ltd, Job No. 17-0384 dated March 2018. Refer to Attachment 1.

## COUNCIL MEETING

25 SEPTEMBER 2018

4.2 The following reports were provided in support of the application:

- Town Planning report and Clause 58 Assessment prepared by Planning and Property Partners (originally dated October 2017 and referring to an earlier building layout);
- Waste Management Plan prepared by Waste Tech Services Pty Ltd dated 20 April 2018;
- Traffic Impact Assessment prepared by One Mile Grid Pty Ltd dated 19 April 2018;
- Sustainable Management Plan prepared by Urban Digester dated 19 April 2018;
- Green Travel Plan prepared by Urban Digester dated 16 May 2018;
- Arboricultural Assessment (includes assessment of development impacts) prepared by Arbour Survey Pty Ltd dated 12 October 2017; and
- Compressed Air Excavation Tree Root Report by Greenwood Consulting dated 17 May 2018 (assessing likely impact of basement excavation on a row of trees immediately to the north of the site).

#### Development summary

4.3 A summary of the development is provided as follows:

Land Size:	1337m <sup>2</sup>	Maximum Building Height:	14.3m (In relation to NGL)
Site Coverage:	63%	Design Element Height:	N/A
Permeability:	17.05%	Min. wall setback to Clay Drive (west)	Basement – 4.03m Lwr. Ground – 4.02m Ground – 6.425m (est.) Levels 1-3 – 6.387m Level 4 – 7.0m (est.)
Number of Dwellings:	22 • 2 bedrooms: • 6 • 3 bedrooms: • 16	Min. wall setback to northern boundary	Basement – 0.0m Lwr. Ground – 0.0m Ground – 4.53m Levels 1-3 – 4.53m Level 4 – 4.52m
Dwelling Density:	One per 60.77m <sup>2</sup>  Floor areas ranging from 96m <sup>2</sup> to 136m <sup>2</sup>	Min. wall setback to eastern (rear) boundary	Basement – 3.25m Lwr. Ground – 3.25m Ground – 4.5m Levels 1-3 – 4.5m Level 4 – 18.3m (to lift)
Total car parking spaces:	41 • Residents: • 39 • Visitors: • 2	Min. wall setback to southern boundary	Basement – 0.0m Lwr. Ground – 4.54m Ground floor – 4.52m Level 1-3 – 4.53m Level 4 – 4.38m

## COUNCIL MEETING

25 SEPTEMBER 2018

**Design layout**

- 4.4 The proposed building has a relatively square footprint and is characterised by a roofline that slopes down to the south (as a result of the northern wall being higher than the southern wall). The building is to be constructed in pre-cast concrete and will have terraces on each wall presentation, with these generally being partially recessed into the main footprint.
- 4.5 Lift and stair access is provided to every level of the building.
- 4.6 The Basement is below natural ground level and is dedicated to resident parking and storage facilities. There is wide ramp access to the level above. The Basement extends to both the northern and southern boundaries and up to the rear easement.
- 4.7 The Lower Ground Floor is predominantly taken up with an "L" shaped parking area which is below ground on the northern side. This area also contains a large plant room with a 10,000 litre water tank, a bin room, storage for residents and bicycle parking. There are also 2 dwellings at this level which open to terracing on the eastern and southern sides. These dwellings have internal access to the central lift/stair facilities and the parking area.
- 4.8 The parking component of the Lower Ground Floor extends to the northern boundary and the rear easement. At the south-eastern corner of the building, the terrace of Dwelling LG01 will be approximately 1.25m higher than the south-eastern corner of the site.
- 4.9 The Ground Floor plan consists of the lobby and 4 dwellings, each with large terraces. Viewed from the street, the northern end of this floor will be cut into the ground by up to 2.2m, with retaining walls being setback from the frontage to facilitate tree planting at NGL. A stepped, powder coated aluminium coated vertical slat fence (maximum height of 1.769m) is proposed to the frontage, north of the pedestrian path/stair entry.
- 4.10 Service cabinets for fire booster, gas and water are to be set into a wall on the southern side of the pedestrian path/stair entry.
- 4.11 The First, Second and Third Floor plans are the same, consisting of 5 dwellings, each with a terrace from living areas. Two dwellings also have side terraces to bedrooms.
- 4.12 The Fourth Floor plan contains single dwelling, positioned at the north-western corner. This dwelling has a large front terrace and a roof terrace to the east. Screened services are adjacent.
- 4.13 The dwellings are all two and three bedroom units with a floor area range of 96m<sup>2</sup> to 136 m<sup>2</sup>.
- 4.14 Where there are above ground terraces facing to the north, east and south, Plans notate a special balustrade design ("SC01") which is demonstrated in Section CC as 1.5m high obscure glass balustrade with a horizontal shelf atop (400mm wide) designed to reduce overlooking impacts in the vicinity of the building.

## COUNCIL MEETING

25 SEPTEMBER 2018

**Pedestrian and vehicular access and layout**

- 4.15 Pedestrian access will be from a central point of the Clay Drive frontage, with the option of stairs or a ramp. A wide path will serve a spacious communal lobby.
- 4.16 The building will have ramped vehicular access at the south-western corner of the lot, with a 2 way entry/exit point and a curved alignment past this point.
- 4.17 The Basement level will contain 32 car spaces, with no tandem or stacker parking. Fourteen storage lock-ups (8.6m<sup>2</sup>) are provided.
- 4.18 The Lower ground Floor will contain 11 car spaces, 2 of which are for visitors. Eight storage lock-ups (min. area of 7.1m<sup>2</sup>) are provided. Waste services in the form of an enclosed bin room are provided near the base of the access ramp.

**Landscaping**

- 4.19 No existing trees are to be retained. A row of trees is proposed along the frontage, north of the path entry. These will be into deep earth. Another tree within a raised planter (over slab) is proposed in front of the lobby.
- 4.20 Four trees and smaller plantings are proposed along the northern boundary within raised planters (over slab).
- 4.21 A row of nine trees is also proposed along the eastern boundary (in deep earth, but over an easement) with smaller plantings below.
- 4.22 A row of five trees with smaller plantings below is proposed along the southern boundary, east of the vehicular ramp. These trees will be within a raised planter (over slab).
- 4.23 As the vehicular ramp will be constructed adjacent to the southern boundary for a length of approximately 11.0m, there will be no planting at this point.

**Design Detail**

- 4.24 The proposed building features a contemporary architectural style which exhibits a relatively "solid" vertical form with a mildly angled roof line and shallow roofing element. The front elevation to Clay Drive is heavily articulated through a series of terraces which project forward of the main walls. These include framing elements which create bold feature statements, especially as the upper floor terraces are roofed. The front entry is however, relatively recessive and non-descript.
- 4.25 On the Clay Drive elevation, terraces and their side blade walls project well forward of the wall setbacks, effectively bringing the building forward in terms of its perceived presentation. This can be observed on Views "A, B and C" on TP06.1 Rev. A.
- 4.26 Side walls to the north and south display some articulation through terrace projection, but both offer high wall sections to the front with some mild edge projections and colour changes to assist in "breaking up" the rather robust presentation. There are numerous sections of wall that are predominantly blank, relying on precast concrete incorporating textured sections to provide articulation.

## COUNCIL MEETING

25 SEPTEMBER 2018

4.27 The rear wall to the east incorporates a heavy use of terraces projecting forward of the building line, with minimal articulation to the outer edges provided through fenestration and precast concrete.

## 5. LEGISLATIVE REQUIREMENTS

5.1 Refer to Attachment 2.

5.2 A permit is required under Clause 37.08-6 (Activity Centre Zone, Schedule 1) of the Manningham Planning Scheme, to construct a building or construct or carry out works.

## 6. REFERRALS

### External

6.1 There are no applicable determining or recommending referral authorities.

### Internal

6.2 The application was referred to a number of service units within Council. Reference to conditions would apply if a permit were to be issued. The following table summarises the responses:

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> <li>No objection subject to conditions for the provision of onsite storm water detention.</li> </ul>
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> <li>No objection subject to conditions providing for the widening of the crossover to 5.5 metres and addressing street tree conflict.</li> </ul>
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> <li>No objection subject to conditions demonstrating adequate sight lines are available from the exit lane.</li> </ul>
Engineering & Technical Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> <li>No objection as the number of car parking spaces provided is satisfactory and there are no traffic issues in the context of the traffic and the surrounding street network.</li> </ul>
Engineering & Technical Services Unit – Car Parking	<ul style="list-style-type: none"> <li>No objection.</li> </ul>

Service Unit	Comments
Layout	
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> <li>No objection subject to a requirement for the provision of a construction management plan.</li> </ul>
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> <li>No objection subject to conditions for private waste collection.</li> </ul>
Engineering & Technical Services Unit – Easements	<ul style="list-style-type: none"> <li>No objection subject to build over easement approval being granted.</li> </ul>
Engineering & Technical Services Unit – Flooding	<ul style="list-style-type: none"> <li>No objection as the site is not subject to inundation.</li> </ul>
City Strategy Unit – Urban Design	<ul style="list-style-type: none"> <li>Given the future interface with a new road and shared path to the north, this development should be designed to respect the existing residential interface to the north in the short term, and a future extended Hepburn Road that will run along the property's northern boundary. Substantial changes would be required to achieve this.</li> <li>The building has a square footprint which extends vertically to the roofline on all sides, and features large sections of blank wall on the northern and southern elevations, resulting in excessive building bulk.</li> <li>The basement carpark extends to the northern boundary which limits boundary landscaping to two raised planters.</li> <li>The pedestrian entrance to the building is relatively concealed.</li> </ul>

## 7. CONSULTATION / NOTIFICATION

- 7.1 Notice of the application was given over a three week period, concluding on 8 August 2018, by sending letters to the owners and occupiers of adjoining and nearby properties and by displaying a sign on the site frontage, in accordance with the requirements of the Act.
- 7.2 To date, 14 objections has been received from the following properties:
- 13, 15, 17, 18, 19, 20, 22, 24, 26, 30, 1/32 and 39 Clay Drive, Doncaster.
- 7.3 The main grounds of the objection can be summarised into the following categories:

## COUNCIL MEETING

25 SEPTEMBER 2018

- Inappropriate built form (bulk, architecture, lack of graduated stepping to the General Residential 2 Zone to the south);
- Out of character with existing streetscape;
- Does not properly respond to relevant planning provisions;
- Off-site amenity impacts (loss of sunlight, loss of privacy through overlooking and noise);
- On-site amenity (poor unit layout at the lower ground floor);
- On-street parking impacts and increased traffic;
- Loss of property value;
- Likely construction impacts; and
- Inadequate plan detailing.

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

**8. ASSESSMENT**

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

8.2 The following assessment is made under the headings:

- Planning Policy Frameworks;
- Design and built form;
- Apartment developments;
- Car parking, access, traffic and bicycle facilities; and
- Objector concerns.

**Planning Policy Frameworks**

8.3 Key objectives of the PPF and LPPF seek to intensify activity centres as a focus for high-quality development and encourage increased activity and density as a way to achieve broader urban consolidation objectives.

8.4 At both the PPF and LPPF levels, policy emphasises the need for mixed use development with a focus on high density residential development in the Doncaster Hill Activity Centre, in which the site is located. The use of the site for the purpose of a residential apartment building is appropriate within the zoning of the land and the strategic context of the site. The site's location places it within very good proximity to access to public transport and existing services.

8.5 Council has, through its policy statements throughout the Planning Scheme, sought to implement this policy as it relates to Doncaster Hill at Clause 21.09 through Schedule 1 to the Activity Centre Zone.

8.6 Within the Doncaster Hill Principal Activity Centre there are various precincts delineated in accordance with their topographic orientation and aspect on Doncaster Hill, their relationship to main roads, and their present and future uses. The site, together with all land within the ACZ on the south side of Doncaster Road east of Tram Road, is within Precinct 2.



## COUNCIL MEETING

25 SEPTEMBER 2018

- 8.7 Under the ACZ1, the subject site is located in Precinct 2: South East Doncaster Boulevard. Further to this, the site is within Sub Precinct 2F.
- 8.8 The most relevant objective for Precinct 2 (Clause 5.2-2) is to *encourage an appropriate mix of residential and commercial uses in the precinct.*
- 8.9 Within Sub-Precinct 2F the maximum allowable building height (excluding basement) is 14.5m (mandatory). The following building setback requirements apply:
- Front – 5.0m
  - Side and rear – 4.5m.
- 8.10 Balconies may be constructed within the setback areas specified in the precinct provisions at Clause 5 of this Schedule provided they are designed and located to the satisfaction of the responsible authority.
- 8.11 A Precinct Guideline indicates that built form should achieve a general stepping of the building in a southerly direction from the ridgeline, down Tram Road, and towards the residential area to the east.
- 8.12 Design and Development guidelines at Clause 4.4 include the following:
- *Development should be designed to avoid casting shadows on adjacent properties (including public open space areas) outside the activity centre between 11:00am and 2:00pm on 22 September.*
  - *Incorporate screen planting and landscape buffers of 1.5 metre minimum width as an interface to adjoining sites;*
  - *Provide canopy trees and native indigenous plantings.*
- 8.13 The land use for dwellings is a use that is supported under the ACZ1 that does not require a planning permit. The Doncaster Hill Principal Activity Centre supports mixed-use and higher density residential development within the activity centre. The proposal provides an appropriate use for the location.
- 8.14 The building is in a local street that is highly accessible to and from Doncaster Road and Westfield Doncaster and the proposal is consistent with the land use vision for the Doncaster Hill area. In particular, it supports the key vision objectives, which encourage high density, high-rise development and innovative contemporary design.

**Design and Built Form**

- 8.15 The ACZ1 sets a number of mandatory and preferred maximums/minimums for buildings within the Activity Centre. These mainly relate to the scale of the development, such as height and setback distances. The requirements establish a three dimensional building envelope for each site.
- 8.16 The following assessment identifies and considers these mandatory and preferred requirements from the ACZ1, as outlined at Clause 4.4 (Design and Development), as well as the decision guidelines at Clause 8.0.

Building Height

- 8.17 The maximum building height is a mandatory requirement. The maximum building height permitted for this site under the ACZ1 is 14.5 metres with no allowance for any additional design element feature.

## COUNCIL MEETING

25 SEPTEMBER 2018

- 8.18 Acknowledging the slope of the site, the proposed building reaches a height of 14.5 metres. Due to some lack of clarity on plan, if a permit were to issue, a condition would require dimensions to clearly demonstrate compliance with the mandatory maximum building height requirement.
- 8.19 A car park exhaust vent and lift overrun are shown exceeding the maximum building height. The ACZ1 makes allowances for plant rooms, plant, screens and lift-overruns above the maximum building height if certain criteria are met, which they are in this instance.
- 8.20 While the proposal meets the mandatory maximum height requirement, the footprint and form of the development appears to adopt this height limit, together with minimum setback requirements, forgoing regard to other objectives, requirements or the orderly planning of the area.
- 8.21 The proposed apartment development fails to respond positively to the existing urban context or the preferred future development of the area, having regard to its southern interface (which is within the General Residential Zone 2 and Design and Development Overlay 8-2). The development does not appropriately scale or transition to the south, including having regard to the topography of the area, which also falls to the south.

Front Setback

- 8.22 The building exceeds the preferred 5 metre front setback requirement, with a minimum 6.387 metres being achieved. The ACZ allows for minor buildings and works within the setbacks (such as verandahs, architectural features, balconies, sunshades, screens, artworks and street furniture setbacks) provided they are designed and located appropriately. Terraces set forward of the front façade are generally compliant with the 5 metre building setback, with two exceptions.
- 8.23 The first floor central terrace is setback 3.5 metres from the site frontage. Given this terraces spans only 5 metres, is predominantly located over the pedestrian entry path below, it is considered an acceptable variation across the 35.36 metre wide frontage. The fourth floor terrace is setback 4.832 metres from the site frontage. This terrace spans 13.5 metres across the site frontage, on the northern side of the building. It is likely that this negligible setback variance will be imperceptible from the street. Front terraces are therefore considered to be designed and located appropriately.
- 8.24 While the proposal generally meets the front setback requirements, the development presents to the street with repetitious balconies, with bulk, massing and verticality that is unsympathetic with existing development in the street and future development encourage under the Activity Centre Zone and Design and Development Overlay Schedule 8-2.

Side and Rear Building Setbacks

- 8.25 Policy includes preferred minimum requirements relating to side and rear setbacks (i.e. they can be varied by a permit). The minimum setback from a side or rear boundary is 4.5 metres. Setbacks to the building above natural ground level are compliant from all boundaries at all levels. Terraces are set forward of the 4.5 metre building setbacks on all sides on the first, second and third floors. The minimum terrace setback provided from a side or rear boundary is 3.58 metres. All projecting terraces are screened to limit overlooking and provide some much needed building articulation, therefore the extent of the projection of

## COUNCIL MEETING

25 SEPTEMBER 2018

terraces is considered acceptable. No side or rear setback encroachment is made at the fourth floor.

- 8.26 While the proposal generally meets the side and rear setback requirements, the development presents to adjoining properties with bulk, massing and verticality, as well as large areas of blank walls. To the north, the development has not been designed to take into account the future road, and to the south the development fails to provide adequate transition in scale, form or building height.
- 8.27 These issues are exacerbated by inadequate landscaping opportunities to the northern and southern boundaries, to be discussed.

Overshadowing

- 8.28 The site is located on the southern edge of the activity centre. Develop should avoid casting shadows outside the activity centre between 11:00am and 2:00pm. The development has not avoided casting shadows on adjacent properties outside the activity centre. The sheer southern walls of the building makes little attempt to reduce overshadowing into the adjoining property to the south at 18 Clay Drive, causing unreasonably off-site amenity impacts.

Landscape Design

- 8.29 Landscaping is required to provide screen planting and minimum 1.5 metre wide landscape buffers as an interface to adjoining sites. Landscaping along the side boundaries is significantly limited by basement walls that extend across a significant proportion of the northern and southern boundaries. The location of these walls prevent any deep soil planting. Planter boxes are presumed to be used but are inadequately detailed, particularly as the site falls to the rear. While the depth of the planter boxes is unknown and variable across the length of the site, the width of these planting areas is also generally inadequate.
- 8.30 Along the northern boundary, sections of landscape achieve a width of 1.9 metres, however a central 11.2 metre long section provides a width of only 0.8 metres. Along the southern boundary, the first 13 metres from the site frontage will remain unplanted due to the location of the driveway. The following 21 metres of the site is provided with a 1.2 metre wide landscape strip. The submitted landscape plan appears to depict shrubs in these locations with a height at maturity of up to only 1.5 metres. Trees ranging between 8 and 11 metres in height are relied upon for screening. Notably, the south-western corner of the building will not be screened due to the position of the driveway adjacent to the southern boundary.
- 8.31 The development requires the removal of several off-site trees. Tree 20 is an 8 metre high Weeping Lilly Pilly located within the road reserve, to the immediate south-west of the subject site. It is within the direct path of the proposed crossover and driveway. The submitted arborist report incorrectly assesses the tree as located within the subject site, thereby not giving the assessment the weight that is normally afforded to off-site vegetation. It is considered to have a short useful life expectancy with a poor structure due to poor pruning, likely due to its location adjacent to the existing driveway. Tree 2 is an 8 metre high Queensland brush box located within the road reserve on the other side of the proposed crossover. The proposed crossover alignment is unclear, and therefore impacts to this tree are also unclear.

## COUNCIL MEETING

25 SEPTEMBER 2018

- 8.32 Trees 10 to 14 range between 6 and 8 metres in height, and are located in a row along the northern property boundary within 12 Clay Drive. Detailed root investigation by the arborist has determined that Trees 10 to 13 would be compromised by the proposed basement location. It concludes that a 1 metre basement setback would make retention viable. While 12 Clay Drive is earmarked for a future roadway, current plans provide for a 5 metre buffer between the common boundary and the roadway. Opportunities have been overlooked to retain this vegetation to contribute towards the integration of the development with the future roadway.
- 8.33 Sufficient landscaping opportunities have been provided for canopy tree planting within the rear setback. However, limited opportunities for canopy tree planting have been provided within the site frontage due to the extent of retaining walls and hardstand areas. A 1.4 metre wide landscape strip is provided along the northern side of the site frontage and space for a larger canopy tree is provided adjacent to the pedestrian entry. This leaves much of the southern side of the site frontage under planted.

Access and Mobility

- 8.34 A pedestrian ramp provides suitable access to the building entry. Should a permit issue, a condition would require the submission of a Disability Access Plan that implements the recommendations of a Disability Access Audit (prepared by a suitably qualified person) that demonstrates compliance with the relevant Australian Standards for vehicle and pedestrian access into the building, to the satisfaction of the Responsible Authority.

**Apartment Developments**

- 8.35 Pursuant to Clause 58 (Apartment Developments), a development must meet all of the objectives of this clause and should meet all of the standards.
- 8.36 An assessment against the objectives of Clause 58 is provided in the table below:

Objective	Objective Met/Not Met
<b>58.02-1 – Urban context</b> <ul style="list-style-type: none"> <li>To ensure that the design responds to the existing urban context or contributes to the preferred future development of the area.</li> <li>To ensure that development responds to the features of the site and the surrounding area.</li> </ul>	<b>Not Met</b> The proposed apartment development does not respond positively to the existing urban context or the preferred future development of the area, having regard to its southern interface (which is within the General Residential Zone 2 and Design and Development Overlay 8-2). The development does not appropriately scale or transition to the south, including having regard to the topography of the area, where the land falls to the south.
<b>58.02-2 – Residential policy</b> <ul style="list-style-type: none"> <li>To ensure that residential development is provided in accordance with any policy for housing in the Municipal Planning Strategy and the Planning Policy Framework.</li> </ul>	<b>Met</b> The application was accompanied by a written statement demonstrating how the development is in accordance with Municipal Planning Strategy and the Planning Policy Framework. The site can support higher density

## COUNCIL MEETING

25 SEPTEMBER 2018

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> <li>To support higher density residential development where development can take advantage of public and community infrastructure and services.</li> </ul>	residential development to take advantage of public and community infrastructure and services.
<p><b>58.02-3 – Dwelling diversity</b></p> <ul style="list-style-type: none"> <li>To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</li> </ul>	<p><b>Met</b></p> <p>The proposal includes a mix of two and three bedroom dwellings with a range of floor areas to provide diversity. The applicant should be commended for the proportion of large three bedroom apartments.</p>
<p><b>58.02-4 – Infrastructure</b></p> <ul style="list-style-type: none"> <li>To ensure development is provided with appropriate utility services and infrastructure.</li> <li>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</li> </ul>	<p><b>Met</b></p> <p>The site has access to all services.</p>
<p><b>58.02-5 – Integration with the street</b></p> <ul style="list-style-type: none"> <li>To integrate the layout of development with the street.</li> </ul>	<p><b>Met</b></p> <p>The front entry of the development is oriented to the site frontage to integrate the development with the street.</p>
<p><b>58.03-1 – Energy efficiency</b></p> <ul style="list-style-type: none"> <li>To achieve and protect energy efficient dwellings and buildings.</li> <li>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</li> <li>To ensure dwellings achieve adequate thermal efficiency.</li> </ul>	<p><b>Met</b></p> <p>Given the orientation of the site, the proposal makes a reasonable attempt to limit the energy efficiency impacts to southern apartments. All southern apartments incorporate eastern or western interfaces, with north facing open space areas.</p> <p>The submitted Sustainability Management Plan demonstrates a 6.6 Star average rating. The average cooling load across the development is 19.8 MJ/sqm, which meets the NatHERS maximum cooling load for the Melbourne climate zone.</p>
<p><b>58.03-2 – Communal open space</b></p> <ul style="list-style-type: none"> <li>To ensure that communal open space is accessible, practical, attractive, easily maintained and integrated with the layout of the development.</li> </ul>	<p><b>Not applicable</b></p> <p>The development comprises less than 40 dwellings, and therefore is not required to provide communal open space.</p>
<p><b>58.03-3 – Solar access to communal outdoor open space</b></p> <ul style="list-style-type: none"> <li>To allow solar access into communal outdoor open space.</li> </ul>	<p><b>Not applicable</b></p> <p>As above.</p>
<p><b>58.03-4 – Safety</b></p> <ul style="list-style-type: none"> <li>To ensure the layout of development provides for the safety and security of residents</li> </ul>	<p><b>Met</b></p> <p>The central pathway is visible from the site frontage and access to the basement is restricted by a security garage door that is</p>

Objective	Objective Met/Not Met
and property.	operated by an intercom system.
<p><b>58.03-5 – Landscaping</b></p> <ul style="list-style-type: none"> <li>• To encourage development that respects the landscape character of the neighbourhood.</li> <li>• To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</li> <li>• To provide appropriate landscaping.</li> <li>• To encourage the retention of mature vegetation on the site.</li> <li>• To promote climate responsive landscape design and water management in developments that support thermal comfort and reduces the urban heat island effect.</li> </ul>	<p><b>Not Met</b></p> <p>The development does not provide appropriate landscaping in the context of a five storey building within the ACZ1. Landscape strips along the northern and southern boundaries are inadequate for the provision of suitable opportunities for planting to soften the overall built form and screen specific elements.</p> <p>The development has not sought to maximise deep soil areas for the planting of canopy trees due to the location and extent of basement and driveway areas to the northern and southern boundaries. Landscaping within the front setback is also limited due to the extent of retaining walls and hardstand areas.</p> <p>The location and extent of the driveway and basement also impacts off-site vegetation, within the road reserve and the adjoining property to the north at 12 Clay Drive.</p>
<p><b>58.03-6 – Access</b></p> <ul style="list-style-type: none"> <li>• To ensure the number and design of vehicle crossovers respects the urban context.</li> </ul>	<p><b>Not Met</b></p> <p>One vehicle crossover is proposed for the development, however it is located immediately adjacent to the southern property boundary, preventing any planting along the boundary and compelling the removal of two trees within the road reserve.</p>
<p><b>58.03-7 – Parking location</b></p> <ul style="list-style-type: none"> <li>• To provide convenient parking for resident and visitor vehicles.</li> <li>• To protect residents from vehicle noise within developments.</li> </ul>	<p><b>Met</b></p> <p>The central lift shaft provides equitable access for residents and visitors from all car parking spaces within the basement levels. Residents are generally protected from vehicle noise within the development, with the exception of the ground floor south-facing bedroom of apartment G01, which is located directly above the driveway ramp. Given this is the only bedroom directly affected in this way, and the apartment has two other bedrooms, this is considered acceptable.</p>
<p><b>58.03-8 – Integrated water and stormwater management</b></p> <ul style="list-style-type: none"> <li>• To encourage the use of alternative water sources such as rainwater, stormwater and recycled water.</li> <li>• To facilitate stormwater collection, utilisation and infiltration within the development.</li> </ul>	<p><b>Would be met subject to a condition</b></p> <p>A 10,000 litre rainwater tank is located within the lower basement plant area.</p> <p>The submitted Sustainability Management Plan demonstrates a STORM rating of 100%. If a permit were to issue, the applicant would be required to provide an on-site stormwater detention system to alleviate pressure on the drainage system.</p>

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> <li>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.</li> </ul>	
<p><b>58.04-1 – Building setback</b></p> <ul style="list-style-type: none"> <li>To ensure that the height of buildings respects the existing or preferred neighbourhood character.</li> </ul>	<p><b>Not applicable</b> Pursuant to Clause 58, the land is included in a zone where the scheduled to the zone (ACZ1) specifies a building setback requirement different from a requirement set out in Clause 58.04-1, therefore the requirement in the schedule to the zone applies.</p>
<p><b>58.04-2 – Internal views</b></p> <ul style="list-style-type: none"> <li>To limit views into the private open space and habitable room windows of dwellings within a development.</li> </ul>	<p><b>Met</b> 1.8 metre high screens between balconies will adequately limit internal views at the same level. Views of the private open space of a lower-level dwelling directly below will also be limited by 1.5 metre high balustrades.</p>
<p><b>58.04-3 – Noise impacts</b></p> <ul style="list-style-type: none"> <li>To contain noise sources in developments that may affect existing dwellings.</li> <li>To protect residents from external and internal noise sources.</li> </ul>	<p><b>Met</b> There are no unusual noise sources within the development that may affect existing dwellings.  The site's location within a residential street ensures residents are protected from external noise sources, such as excessive traffic noise.</p>
<p><b>58.05-1 – Accessibility</b></p> <ul style="list-style-type: none"> <li>To ensure the design of dwellings meets the needs of people with limited mobility.</li> </ul>	<p><b>Met</b> At least 50% of the dwellings meet the accessibility requirements for door opening widths, entrance paths and access to an adaptable bathroom.</p>
<p><b>58.05-2 – Building entry and circulation</b></p> <ul style="list-style-type: none"> <li>To provide each dwelling and building with its own sense of identity.</li> <li>To ensure the internal layout of buildings provide for the safe, functional and efficient movement of residents.</li> <li>To ensure internal communal areas provide adequate access to daylight and natural ventilation.</li> </ul>	<p><b>Not Met</b> Concern is expressed that visibility of the entry to the building is problematic as it is considerably lower than the site frontage and is therefore lost visually.  The building entrance is well covered by the terrace above.  The lift and stairs are well located within an open and spacious lobby.</p>
<p><b>58.05-3 – Private open space</b></p> <ul style="list-style-type: none"> <li>To provide adequate private open space for the reasonable recreation and service needs of residents.</li> </ul>	<p><b>Not Met</b> Many three-bedroom dwellings do not provide the minimum 12 square metres with minimum dimensions of 2.4 metres, including Apartments 103, 105, 203, 204 (2 bedrooms</p>

Objective	Objective Met/Not Met
	<p>with study), 205, 303 and 305. Each of these examples provide the minimum dimension to only part of the balcony, with the balance of the minimum area met through narrower balcony sections.</p> <p>Two-bedroom dwellings provide the minimum respective balcony areas and dimensions. Dwellings with ground floor private open space are provided with a minimum area of 25 square metres with minimum 3 metre dimensions of usable space.</p>
<p><b>58.05-4 – Storage</b></p> <ul style="list-style-type: none"> <li>To provide adequate storage facilities for each dwelling.</li> </ul>	<p><b>Met</b></p> <p>Each dwelling is provided with a minimum 7.1 cubic metres of storage within the basement. These storage areas are unallocated. Storage within the dwellings meet the minimum storage volumes.</p>
<p><b>58.06-1 – Common property</b></p> <ul style="list-style-type: none"> <li>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</li> <li>To avoid future management difficulties in areas of common ownership.</li> </ul>	<p><b>Met</b></p> <p>The communal basement, paths, front landscape areas (within the front setback) and internal lobby and corridors are practically designed. There are no apparent difficulties associated with the future management of these areas.</p>
<p><b>58.06-2 – Site Services</b></p> <ul style="list-style-type: none"> <li>To ensure that site services can be installed and easily maintained.</li> <li>To ensure that site facilities are accessible, adequate and attractive.</li> </ul>	<p><b>Not met</b></p> <p>Appropriate site services are provided. The letterboxes are provided within the internal lobby. It is unclear whether this arrangement will provide convenient access for Australia Post.</p> <p>Other site services are provided to the site frontage. Insufficient details have been provided to verify the cabinets at the frontage are appropriately integrated to complement the design of the development, including height, design, materials and finishes.</p>
<p><b>58.06-3 – Waste and recycling</b></p> <ul style="list-style-type: none"> <li>To ensure dwellings are designed to encourage waste recycling.</li> <li>To ensure that waste and recycling facilities are accessible, adequate and attractive.</li> <li>To ensure that waste and recycling facilities are designed and managed to minimise impacts on residential amenity, health and the public realm.</li> </ul>	<p><b>Met</b></p> <p>The submitted waste management plan details that garbage and recycling will be appropriately managed and collected on site. Garden waste will not be collected and will be managed by the building manager via contractors.</p>
<p><b>58.07-1 – Functional layout</b></p> <ul style="list-style-type: none"> <li>To ensure dwellings provide</li> </ul>	<p><b>Met</b></p> <p>All bedrooms and living areas meet the</p>



Objective	Objective Met/Not Met
functional areas that meet the needs of residents.	minimum dimensions and areas required.
<b>58.07-2 – Room depth</b> <ul style="list-style-type: none"> <li>To allow adequate daylight into single aspect habitable rooms.</li> </ul>	<b>Not Met</b> There are multiple single aspect habitable rooms (combined living, dining and kitchens) that exceed a room depth of 9 metres, including Apartments 104, 204, 302 and 304.
<b>58.07-3 – Windows</b> <ul style="list-style-type: none"> <li>To allow adequate daylight into new habitable room windows.</li> </ul>	<b>Not Met</b> All habitable room windows are provided with at least one window in an external wall of the building, with the exception of the study to many dwellings, including Apartments G02, 103, 104, 105, 203, 204, 205, 303, 304 and 305. No windows are provided to these rooms.
<b>58.07-4 – Natural ventilation</b> <ul style="list-style-type: none"> <li>To encourage natural ventilation of dwellings.</li> <li>To allow occupants to effectively manage natural ventilation of dwellings.</li> </ul>	<b>Met</b> At least 40% of dwellings should provide effective cross ventilation.

#### Car parking, access, traffic and bicycle facilities

##### Car parking and access

- 8.37 Prior to a new use commencing or a new building being occupied, Clause 52.06-2 requires that the number of car parking spaces outlined in Table 1 at Clause 52.06-5 to be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the Responsible Authority.
- 8.38 For the ACZ1, resident car parking is required at a rate of one space for each dwelling with one or two bedrooms and two spaces for each dwelling with three or more bedrooms. The development comprises six, two-bedroom apartments and 16, three-bedroom apartments. The Scheme requires a 38 car parking spaces for residents. Visitor car parking is required at a rate of one car parking space for every ten dwellings. For 22 dwellings, this equates to the requirement for 2 visitor spaces. Therefore, a total of 40 car parking spaces are required for the proposed development. A total of 41 car parking spaces are proposed over the two basement levels, which exceeds this requirement by 1 space.
- 8.39 An assessment against the relevant car parking design standards at Clause 52.06-9 of the Scheme is provided in the table below:

Design Standard	Assessment
1 – Accessways	<b>Not Met</b> <ul style="list-style-type: none"> <li>A minimum 6.1 metre by 7 metre passing area is provided within the site frontage, however the width of the crossover is unclear.</li> <li>The development has not demonstrated if an adequate visibility splay area is provided along the exit lane.</li> </ul>

Design Standard	Assessment
	<ul style="list-style-type: none"> <li>The accessway to the basement car park meets the minimum width and height clearance requirements.</li> <li>All vehicles are able to exit the site in a forwards direction.</li> <li>Within the basement, a 4 metre internal radius is provided at changes of direction.</li> </ul>
2 – Car Parking Spaces	<p><b>Met</b></p> <ul style="list-style-type: none"> <li>Car parking spaces are provided in accordance with dimension requirements.</li> </ul>
3 – Gradients	<p><b>Met</b></p> <ul style="list-style-type: none"> <li>Driveway gradients are compliant with the standard.</li> </ul>
5 – Urban Design	<p><b>Met</b></p> <ul style="list-style-type: none"> <li>The development utilises existing access road infrastructure, which will not dominate the landscape.</li> <li>Parking areas are all incorporated into the basement levels and will not be visible from the street.</li> </ul>
6 – Safety	<p><b>Met</b></p> <ul style="list-style-type: none"> <li>A security gate and associated intercom system are provided to the basement entry.</li> <li>Pedestrian access from the site frontage is clearly separated from the roadway.</li> </ul>
7 – Landscaping	<p><b>Not Met</b></p> <ul style="list-style-type: none"> <li>Inadequate landscaping is provided around the entrance to the basement. No landscaping is provided on the southern side, along the boundary.</li> </ul>

#### Traffic

- 8.40 The submitted traffic report identifies that the proposed development is expected to generate 110 vehicle movements per day. This would equate to less than one movement every 6 minutes during peak hours, and is therefore not expected to have an impact on the operation of the surrounding road network.
- 8.41 The curvilinear design of the driveway provides single direction traffic, limiting oncoming traffic visibility beyond the passing area provided. This warrants an assessment of potential vehicle conflicts. The submitted traffic report concludes that there is a very low probability of vehicles entering and exiting the site simultaneously (0.01% chance).
- 8.42 Council's Engineering and Technical Services unit have not raised concern with traffic impacts off-site or vehicles conflicts on-site.
- 8.43 Overall, the traffic generated as a result of the proposed development is considered to be generally compliant with the broader policy objectives of encouraging sustainable transport modes.

## COUNCIL MEETING

25 SEPTEMBER 2018

Bicycle Facilities

- 8.44 In developments for a residential building of four or more storeys, the Scheme requires 1 resident bicycle parking space to be provided for every 5 dwellings and 1 visitor space for every 10 dwellings. For the proposal, this equates to 4 resident bicycle spaces and 2 visitor spaces, or a total 6 spaces. The proposal provides 10 bicycle spaces, which exceeds the requirements of the Scheme.

**Objector concerns**

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

Inappropriate built form (bulk, architecture, lack of graduated stepping to the General Residential 2 Zone to the south)

- 8.46 The development fails to provide an adequate transition to the south and presents to adjoining properties and the street with a high level of bulk, massing and verticality. Officers share these concerns.

Out of character with existing streetscape

- 8.47 The ACZ1 seeks to implement a preferred character. However, to achieve this on the periphery of the ACZ1, where the site transitions to the General Residential Zone, requires the development to provide an appropriate transition in height, and to step down with the topography, which also falls to the south. As above, officers share these concerns.

Does not properly respond to relevant planning provisions

- 8.48 The proposal demonstrates an appropriate response to some planning provisions, including maximum building height and building setbacks, but has not demonstrated an appropriate response to landscape design, building presentation and the aforementioned building transition.

Off-site amenity impacts (loss of sunlight, loss of privacy through overlooking and noise)

- 8.49 The development will cause unreasonable overshadowing to the adjoining property to the south, which is located outside of the ACZ1. This warrants refusal of the application.
- 8.50 Overlooking measures to the terraces are capable of complying with overlooking requirements, however the detail provided on plan is inadequate to demonstrate compliance.
- 8.51 It is not considered that the development will introduce unreasonable noise impacts.

On-site amenity (poor unit layout at the lower ground floor)

- 8.52 There are several concerns with the internal amenity of the apartments, including relating to building entry, private open space, room depth and daylight to windows. These grounds warrant refusal of the application.

## COUNCIL MEETING

25 SEPTEMBER 2018

On-street parking impacts and increased traffic

- 8.53 The potential traffic impacts have been assessed in the submitted traffic report and Council's Engineering and Technical Services Unit who both concluded that, on considering the proposal in the context of the traffic and the surrounding street network, the proposal can be accommodated within the road network without creating any adverse traffic safety or capacity problems.
- 8.54 The number of on-site car parking spaces provided meets the requirement for a residential development of this capacity, including the provision for two visitor spaces. Therefore, it is not anticipated that there will be any adverse impacts on parking within the street.

Loss of property value

- 8.55 Any possible impact to the value of an objector's property is considered a subjective claim and not a ground which should be given any relevancy in the consideration of the planning permit application.

Likely construction impacts

- 8.56 Should a permit issue, a detailed construction management plan would be required to be provided, which sets out matters relating to hours of construction, dust, dirt and mud control and the location of parking and site facilities for construction workers. The management plan would be enforced, where necessary, by Council's Compliance Unit.
- 8.57 Any potential damage to the adjoining property from construction is a civil matter that needs to be addressed by the building surveyor responsible for the development.

Inadequate plan detailing

- 8.58 There are numerous instances where plan detailing is considered inadequate, as noted within this assessment.

**9. CONCLUSION**

- 9.1 It is recommended that the application be refused.

**10. DECLARATION OF CONFLICT OF INTEREST**

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

The meeting concluded at 7:04pm

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Chairperson  
CONFIRMED THIS 26 FEBRUARY 2019