EXECUTIVE SUMMARY:

This report assesses and considers an amended development plan proposal for the former Clayton West Primary School site at 10 Alvina Street in Oakleigh South. This application was refused by Council in September 2015 and the applicant subsequently appealed to VCAT.

The amended development plan proposal has been circulated as part of the VCAT proceedings. VCAT will consider the amended development plan (the subject of this report) proposal at a merits hearing commencing on 4 September 2017 (4 day hearing).

A second development plan application for the site that proposed 88 dwellings was refused by Council in January 2017. The applicant did not appeal Council’s decision in this application and this proposal will not proceed.

All owners and occupiers of properties within a 1 kilometre radius of the site, as well as any person who had made previous submissions to the application were notified by mail of the amended development plan proposal. A total of 447 submissions to the proposal have been received, of which 209 are anonymous.

Key issues to be considered relate to the appropriateness of the built form and scale of the proposal, tree removal, car parking provision and traffic impact.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state and local planning policy framework, the provisions of Development Plan Overlay 5 (DPO5) and issues raised within the submission received.

The Amended Development Plan does not adequately satisfy the requirements of DPO5 and should not be supported.

RESPONSIBLE DIRECTOR: Peter Panagakos
RESPONSIBLE MANAGER: Angela Hughes
RESPONSIBLE PLANNERS: Sue Monagle
WARD: Oakleigh
PROPERTY ADDRESS: 10 Alvina Street, Oakleigh South
PRE-APPLICATION MEETING: Subject of Compulsory Conference at VCAT
<table>
<thead>
<tr>
<th>NUMBER OF SUBMISSIONS TO AMENDED PROPOSAL:</th>
<th>447  (209 are anonymous)</th>
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<tbody>
<tr>
<td>ZONING:</td>
<td>General Residential Zone (Schedule 1)</td>
</tr>
<tr>
<td>EXISTING LAND USE:</td>
<td>Vacant</td>
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<tr>
<td>OVERLAY:</td>
<td>Development Plan Overlay (Schedule 5)</td>
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<tr>
<td>RELEVANT CLAUSES:</td>
<td></td>
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<tr>
<td>State Planning Policy Framework</td>
<td>Local Planning Policy Framework</td>
</tr>
<tr>
<td>Clause 11 (Settlement)</td>
<td>Clause 21 (Municipal Strategic Statement)</td>
</tr>
<tr>
<td>Clause 11.02 (Urban growth)</td>
<td>Clause 21.04 (Residential Development)</td>
</tr>
<tr>
<td>Clause 11.04 (Metropolitan Melbourne)</td>
<td>Clause 21.08 (Transport and Traffic)</td>
</tr>
<tr>
<td>Clause 15 (Built Environment &amp; Heritage)</td>
<td>Clause 22.01 (Residential Development and Character Policy)</td>
</tr>
<tr>
<td>Clause 16 (Housing)</td>
<td>Clause 22.04 (Stormwater Management Policy)</td>
</tr>
<tr>
<td>Clause 16.01-1 (Integrated Housing)</td>
<td>Clause 22.05 (Tree Conservation)</td>
</tr>
<tr>
<td>Clause 16.01-2 (Location of Residential Development)</td>
<td>Particular Provisions</td>
</tr>
<tr>
<td>16.01-3 (Strategic Redevelopment Sites)</td>
<td>Clause 52.06 (Car Parking)</td>
</tr>
<tr>
<td>Clause 16.01-4 (Housing Diversity)</td>
<td>Clause 52.34 (Bicycle facilities)</td>
</tr>
<tr>
<td>Clause 18 (Transport)</td>
<td>General Provisions</td>
</tr>
<tr>
<td>Clause 19 (Infrastructure)</td>
<td>Clause 65.01 (Decision Guidelines)</td>
</tr>
</tbody>
</table>
10 Alvina Street, Oakleigh South - Amended Development Plan Proposal (TP426)
RECOMMENDATION:

That Council resolves to not approve the submitted Development Plan (Rothe Lowman July 2017) for 10 Alvina Street, Oakleigh South based on the following grounds:

1. The submitted development plan does not satisfy the requirements and decision guidelines of Schedule 5 to the Development Plan overlay.

2. The development plan poorly integrates with the neighbourhood character of the surrounding area.

3. The scale and density of the submitted development plan is excessive.

4. The development plan does not provide for appropriate inclusion and retention of existing vegetation and places significant vegetation on private lots.

5. The development plan is inconsistent with Council’s Residential Development and Character Policy.

BACKGROUND:

The Clayton West Primary School operated from this site, opening in May 1962 and closing in December 2006. In 2014, the former State Government rezoned the former school site to General Residential Zone 1 (GRZ1) and included the site within a Development Plan Overlay (DPO5) (Amendment GC05). Former school buildings have been demolished and the land is currently vacant, albeit with a number of established trees remaining on site.

Council at its meeting of 29 September 2015 considered a proposed development plan on the land for 108 townhouses comprising a mix of 2 and 3 storey scale. The development plan proposal was refused by Council and an appeal subsequently lodged at VCAT.

A preliminary VCAT hearing determined that the tree retention requirements of DPO5 required mandatory retention and inclusion of all vegetation rated as ‘moderate’ or ‘high’ in the 2013 Tree Logic arboriculture assessment. The applicant subsequently initiated proceedings with the Supreme Court in relation to the interpretation of the requirement to retain trees rated as having high or moderate retention value on the site. On 21 December 2016, the Supreme Court of Victoria handed down its decision in this matter, determining that not all
‘moderate’ and ‘high’ value trees are required to be shown as retained on the Development Plan. In other words, any proposal to remove these trees will now be the subject of a merits assessment as it is not a mandatory requirement that they be retained.

The VCAT merits hearing was adjourned until the Supreme Court matter was decided upon and will now proceed on the 4 September 2017.

As part of the VCAT review process the applicant for review has chosen to substitute plans (the subject of this report). The amended proposal has been advertised to all owner/occupiers within a 1 km radius of the site, as well as all persons who made submissions to the original application.

Site Context

The Site
Alvina Street is a local residential street ending in a ‘No Through Road’ at its southern end. The subject site is located on the eastern side of Alvina Street at its southern end. It is a large rectangular lot with a combined site area of approximately 2.04 hectares. A section of the site’s western boundary has a direct street frontage to Alvina Street of approximately 86 metres with the remainder of the western boundary directly abutting the former Huntingdale quarry site (south west corner of site). Apart from a 3.4 metre wide pedestrian path extending east to Scotsburn Avenue, the site is essentially landlocked by existing low scale residential development along the entirety of its north, south and east boundaries. The only opportunity for vehicle access to the site is via Alvina Street.

The site has been cleared of all buildings. A number of established trees remain on the site, primarily located around its perimeter, with smaller numbers of trees scattered throughout the centre of the site. The site falls gently from the north east to the south west by approximately 3 metres.

Surrounding Residential Neighbourhood.
Alvina Street and Sinclair Street form part of an established post war, residential neighbourhood characterised by double fronted, regular shaped housing lots, generally ranging between 600 to 950 square metres in area. Single storey, detached brick dwellings, capped with hipped tiled roofs prevail throughout the neighbourhood. Medium density housing developments, generally in the form of town house style developments are scattered throughout the neighbourhood, but in smaller numbers. Housing lots are all provided with on site car parking. Front gardens are generally visible from the street, set back behind low front fences, and containing established vegetation reflecting the general age of the neighbourhood.

Alvina Street itself is characterised by a narrow road reserve, medium sized nature strips and a mix of small to medium size street trees of various species. It is a quiet residential street containing a total of 13 residential frontages/side
ages. No kerb side parking restrictions apply along the length of the street, and its ‘No Through Road’ status means that it is used predominantly by local residents only. Having said this, the property at 16 Sinclair Street (corner of Alvina Street opposite the subject site) is used as a Church (Place of Assembly).

Sinclair Street is a short, local residential street characterised by its consistent street tree planting and quiet nature. Like Alvina Street, it is also a local road servicing local residents.

Features of adjoining land are as follows:

**North:** Residential properties fronting Alvina Street and Coombs Avenue directly abut the northern boundary of the lot. Abutting dwellings are all single storey in scale, and all are located fairly close to the common boundary of the subject site. A large greenhouse (non-residential in use) is located at the rear of 9 Coombs Avenue, setback approximately 3 metres from the common boundary to the lot.

**South:** The back gardens of 7 residential properties in Ashbrook Court adjoin the southern boundary of the lot. Established trees located on the subject site currently obscure views to the site to some degree.

**East:** The back gardens of 10 residential properties fronting Scotsburn Avenue adjoin the eastern boundary of the subject site. Dwellings on these lots are generally setback around 20 metres from the common boundary of the lot.

**West:** Alvina Street and Sinclair Street residential neighbourhoods interface with the site along the northern part of the site’s western boundary. The old Huntingdale Quarry site abuts the remainder of the western boundary.

**Broader Neighbourhood Context**
The site is located in an established urban area with access to a range of established community facilities and public transport options.

The site is located approximately 2.2 kilometres west (driving distance) of the Clayton Shopping Centre which is identified as a Major Activity Centre under the Monash Planning Scheme and approximately 2 kilometres from the Huntingdale Road local shopping strip (to the north).

Good public open space options exist in the surrounding neighbourhood, including Davies Reserve Athletics Track (200 metres east of site), Talbot Park (800 metres south of subject site on Centre Road), Clayton Reserve (1.1 kilometres to east). A range of private golf courses, and sporting clubs such as lawn bowls, tennis, swimming centres are also located within close proximity to the site.
The site is located within walking distance of existing public transport infrastructure. Bus Routes 703 (Middle Brighton to Blackburn South) and 733 (Oakleigh Station to Box Hill Central) are available along Centre Road approximately 600 metres south of the site. Bus Route 704 (East Clayton to Oakleigh) runs along Scotsburn Avenue. Huntingdale Railway Station located approximately 2 kilometres to the north of the site.

An aerial photograph of the subject site and surrounding land can be found attached to this report (Attachment 2).

**PROPOSAL:**

The application seeks approval of a Development Plan as required by Clause 43.04 (Development Plan Overlay – Schedule 5) of the Monash Planning Scheme.

The substituted development plan will supersede the previous submitted proposal.

The table below provides a summary of the amended development plan proposal and comparison with the previously considered development plan.

<table>
<thead>
<tr>
<th>10 ALVINA STREET DEVELOPMENT PLAN (PLANNING PROPERTY GROUP JANUARY 2015) REFUSED BY COUNCIL</th>
<th>10 ALVINA STREET AMENDED DEVELOPMENT PLAN (ROTHE LOWMAN JULY 2017) ATTACHMENT 1</th>
</tr>
</thead>
</table>
| **Total number of dwellings proposed - 108**  
- 62 x three storey attached dwellings  
- 46 x two storey attached dwellings | **Total number of dwellings proposed - 96**  
(overall reduction of 12 dwellings)  
- Lot size ranging from 88m2- 303.9 m2 and an average lot size of 145 m2.  
- 54 x three storey attached dwellings  
- 42 x two storey attached dwellings |
| **Bedroom numbers**  
- 108 x 3 bedroom dwellings | **Bedroom numbers**  
- 18 x 4 bedroom dwellings  
- 76 x 3 bedroom dwellings  
- 2 x 2 bedroom dwellings |
| **Housing product**  
15 dwellings originally fronting Alvina Street south of site entrance road. | **Minor change to facade articulation of originally proposed two storey dwellings fronting the southern part of Alvina Street frontage.**  
Net reduction of 1 dwelling fronting Alvina Street south of site entrance road. (3 x Type E2 houses along the western boundary replaced with 2 x Type P and 1 x Type N house). |
|  | Refer to Lot numbers 4,10,14 |
### Table: Development Plan Proposal

<table>
<thead>
<tr>
<th>Description</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Three x 3 storey dwelling and 1 x 2 storey dwelling at intersection of South and East Lane</td>
<td>These dwellings have been replaced with 3 x two storey (Type L) , north–south orientated houses. Refer to Lot numbers 21,22,23. This is proposed to produce a more articulated and varied streetscape presentation to North Lane.</td>
</tr>
<tr>
<td>Each of the rows of houses (Type E) on original proposal were three storey. Each row contained three storey dwellings. (Type E) on original proposal.</td>
<td>(1) Type E houses located on south side of North Lane and north side of South Lane modified in design and replaced with proposed Type C houses (All remain three storey).&lt;br&gt;(2) A new two storey house (Type H) has been introduced to address the corners of North Lane and South Lane where they intersect with Centre Lane. One dwelling has been deleted from each of these rows of houses to accommodate changes resulting in each row containing 8 dwellings comprising 7 x three storey dwellings and 1 x 2 storey dwelling. Refer to Lot numbers 57 -64 and 72 -79.</td>
</tr>
<tr>
<td>A total of 20 x 2 storey dwellings proposed adjacent to eastern boundary of lot.</td>
<td>A total of 3 dwellings along the eastern boundary have been removed and new house types added. A total of 17 dwellings now adjoin the eastern boundary. Lots 24-40.</td>
</tr>
<tr>
<td>A total of 4 trees retained on site (each rated as having high retention value)</td>
<td>Retention of one additional tree on site (rated moderate retention value). The tree is located in the rear yard of Lot 50. A total of 5 trees will be retained on site</td>
</tr>
<tr>
<td>Two separated crossovers to lots 1 an 2 and Lot 3 access crossover via Alvina Street.</td>
<td>Crossover to Lots 1, 2 and 3 reconfigures. Lot 3 will now be accessed from the internal road (West Lane) and crossovers to Lots 1 and 2 (from Alvina Street) combined.</td>
</tr>
<tr>
<td>Tandem car space length proposed - 4.8/5 metres.</td>
<td>Tandem car parking spaces for House Type C revised to a minimum length of 5.4 metres.</td>
</tr>
<tr>
<td>Garage type</td>
<td>Eight additional homes are now provided with double garages. 25 x double garage 69 x single garage plus tandem space 2 x single garage</td>
</tr>
</tbody>
</table>
| 5 x double garages 46 x single garage plus tandem 30 x tandem garage 27 x single garages | 25 x double garage 69 x single garage plus tandem space 2 x single garage
Type D houses had south facing living areas and were all 6 metre wide (attached row houses).

Type D homes on southern side of South Lane had been replaced with Type L homes on Lots 15,16,17,19,20,21,23. North facing living rooms and terrace introduced.

A single house Type G (Lot 18) has also been introduced with a net reduction of 1 house in the terrace previously proposed as Type D and C houses.

Proposed housing product changes will result in a larger housing types of greater width (6.5 metres).

Attachment 1 details plans forming part of the application.

**DEVELOPMENT PLAN REQUIREMENT:**

The land is subject to Development Plan Overlay Schedule 5 (DPOS).

A Development Plan is required to be approved by the responsible authority for the land prior to issue of a permit allowing further development and subdivision. The provisions of the Development Plan Overlay exempt future permit applications from public notification and review.

Key requirements of the development plan specify:

- Where residential uses are proposed, provide a range of dwelling types to cater for a variety of housing needs.
- Where non-residential uses are proposed, details of the nature of the proposed use, including hours of operation, stall and visitor numbers, and traffic and parking management plan.
- Incorporate sustainable design features to address water and waste management, solar access and energy saving initiatives, to deliver lower living costs for future residents.
- Create a composition of varied building forms and heights across the site.
- Provide for a high quality of internal amenity for future residents.
- Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing single storey residential development.
- Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.
- Apply appropriate buffer treatments at the interface with any non-residential uses on adjoining properties.
- Create opportunities for improved local permeability through provision of new pedestrian/cycle pathways or new local street networks where appropriate.
- *Incorporate any significant native vegetation into the design of the development.*

Attachment 3 details the zoning and overlays applicable to the subject site and surrounding land.

**CONSULTATION:**

**Display of the Amended Development Plan**
Council undertook extensive consultation of the amended development plan proposal.

The owners and occupants of residential properties within a 1.0 kilometre radius of the subject land were notified of the proposal. All persons/parties whom had made a previous consultation submission to the proposal were also notified of the proposal.

The formal consultation period ran from 31 July 2017 to 16 August 2017. Under the provisions of the DPO5, no third party appeal rights are available to objectors.

A copy of documentation forming part of the development proposal was made available to view on Council’s website and at the Glen Waverley Civic Centre and Clayton Community Centre throughout the consultation period.

**Community Submissions**
A total of 447 written submissions to the proposal were received following the conclusion of the consultation period. Of these, 209 are anonymous.

The majority of written submissions objected to the proposal. Key issues raised within the submissions can be summarised:
- Loss of established vegetation
- Intensity of development
- Interface to abutting residential properties
- Streetscape issues

Attachment 4 details the location of properties which have made a submission to the proposal within the nearby surrounding area.

**Referrals**
**Internal Referral**
The amended application was referred to Council’s Traffic, and Drainage Engineers for comment. Relevant comments form part of the assessment of the application.
External
There is no requirement to refer the amended development plan application to external referral authorities.

DISCUSSION:

State and Local Planning Policy Framework
Plan Melbourne is the Metropolitan Strategy that planning authorities must consider when assessing applications for planning permits. The key directions that are of particular relevance to the proposal are:

“Understand and plan for expected housing needs.”

“Reduce the cost of living by increasing housing supply near services and public transport.”

“Facilitate the supply of affordable housing.”

Initiatives seek to locate a substantial proportion of new housing in or close to locations that offer good access to services and transport and employment areas.

The raft of State Planning Policy relevant to the current proposal all promote the:

• provision of a diversity of housing types that meets community needs (Clause 16.01-4);
• encouragement of housing types at higher densities in and around activity centres (Clause 11.01-2);
• location of new housing in or close to activity centres, employment corridors and areas that offer good access to services and transport (Clause 16.01-2 and clause 11.04-2);
• provision of housing that recognises and protects neighbourhood character and achieves architectural and urban design outcomes that contribute positively to local urban character (Clause 15).

The Local Planning Policy Framework seeks to expand on these broader state objectives and in doing so, identifies the ‘Garden City Character’ as a core value held by the community and Council. Garden City Character policy objectives are significant and important considerations in all land use and development decisions throughout the municipality.

Clause 21.04 (Residential Development Policy); seeks to balance residential development within the city by providing a variety of housing styles whilst remaining sympathetic to existing neighbourhood character.

Council’s Residential Development and Character Policy (Clause 22.01) aims to ensure that new development is successfully integrated into existing residential environments with minimal streetscape or amenity impact and to achieve outcomes that enhance the Garden City Character of the area.
Council’s Tree Conservation Policy (Clause 22.05) also contains objectives designed to maintain, enhance and extend the Garden City Character throughout the municipality.

It is acknowledged that increased residential density and dwelling diversity is sought by state and local policies, however the proposed development is considered inconsistent with the local planning policy framework in respect of its impact on neighbourhood character and housing diversity objectives. The development plan should be designed to better respond to the context of the surrounding area. The subject land is not located in close proximity to an activity centre and while the site is in close proximity to the bus service that runs along Scotsburn Avenue, the site is about 2 kilometres from the nearest train station.

Given this, there is little local strategic policy justification for a development of this intensity. The density and design response of the proposal is at odds with the established built form of the surrounding area and poorly responds to residential policy objectives relating to neighbourhood character and built form outcomes. Whilst the site does provide an opportunity for infill medium density development and increased density, the design response needs to have better regard for the surrounding context and applicable residential development policy.

**Assessment against Development Plan Overlay Schedule 5 (DP05)**

**Housing Diversity**
DPO5 specifically requires the development plan to provide for a range of dwelling types to cater for varied housing needs.

The amended development plan proposes a total of 96 dwellings made up of 18 x 4 bedroom dwellings, 76 x 3 bedroom dwellings and 2 x 2 bedroom dwellings, and comprising fourteen (14) different housing layouts. A reasonable level of housing diversity is provided within the development, however the lack of single storey homes which may suit the ageing population or those with limited mobility would improve diversity.

**Neighbourhood Character and Built form and Scale**
The amended development plan, although somewhat improved by the reduction in overall dwelling numbers and refining of facade detailing, still maintains its dominant three storey, continuous built form along the Alvina Street frontage, thus failing to respond to Council’s original concerns with this element of the proposal.

In assessing this aspect of the proposal it is important to note the recent gazettal of amendment VC110, which introduced a mandatory height limit of 3 storeys (or 11 metres) across all General Residential Zones. Although not technically applicable to this amended development plan application (because the development plan was lodged prior to the introduction of VC110), it is worth...
noting that the three storey scale and continuous bulk of the current proposal, especially in relation to the Alvina Street frontage, is still considered unacceptable and out of character with immediate and broader neighbourhood character and would impact negatively on the streetscape. In other words, scale and bulk proposed across the Alvina Street frontage of the site remains unacceptable. It is also noted that if the development plan was approved by VCAT, the subsequent planning permit application for the development would need to meet the mandatory height limit requirement of 3 storeys (11 metres) set for the General Residential Zone.

The site has essentially been designed so that the higher 3 storey built form is concentrated through the centre of the site and at the interface to Alvina Street. The three storey attached form proposed along the Alvina Street frontage is continuous in its mass and does not respond to the low scale single storey built form that prevails along both Alvina Street and Sinclair Street. It is out of character with the streetscape and broader neighbourhood and will dominate what is essentially a residential backstreet.

This level of development at the street interface, as proposed by the original plan and maintained in the amended development plan would not be considered appropriate in any other typical local residential street with similar characteristics to Alvina Street, and should not be given a ‘free kick’ in this instance just because it forms part of a larger ‘infill site’ where a more intense level of development is envisaged. This is supported by the DPO5 which requires that, - ‘Any taller building across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.’ In this instance, the three storey scale and mass proposed along Alvina Street is not considered a sympathetic response to the low scale character of the immediate and broader neighbourhood.

It is considered that the scale and mass of buildings proposed along the Alvina Street frontage in both the original and amended development plans represents too great a change and the proposed built form needs to be lowered in height to two storeys, and be designed to respect the double fronted detached nature of dwellings which prevail along Alvina Street and throughout the broader neighbourhood.

**Built Form**

In terms of built form, the provisions of DPO5 provide built form parameters to guide the future development of the site in a way that responds sympathetically to its surrounding neighbourhood context. These include;

- ‘Provide a composition of varied building forms across the site.
- Respecting the amenity of adjoining interfaces by providing for a maximum of 2 storey built form adjacent to or opposite any existing single storey residential development.'
- Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.
- Apply appropriate buffer treatments at the interface with any non-residential uses on adjoining properties.’

Under the amended development plan, all dwellings around the north, south and east title boundaries (side and rear boundaries) remain 2 storey in scale and setback 4.5 metres from the title boundaries. The double storey scale is consistent with the built form parameters of DPO5, however the continuous length of building form, coupled with a relatively small setback of 4.5 metres to abutting residential properties remains a concern. Increased side and rear setbacks, coupled with articulated building setbacks and breaks in built form should be further explored.

In relation to the internal streetscape design, it is noted that garages and car parking still dominate the ground floor levels of most dwellings and internal streetscapes under the amended development plan. The fairly narrow width of dwellings results in minimal habitable rooms aspect at ground level, with the streetscape dominated by garages, access ways and parking areas. The extent to which ground floor garages and car parking will dominate internal streetscapes is considered inappropriate.

It is considered that a design response for the site should better integrate new residential development with greater regard for the existing and preferred character of the surrounding area. The design response should be of a less intensive scale, provide for greater elements of meaningful building separation, less intensive building massing and reduced building density,

**Built form and scale**

Built form and scale requirements of DPO5 seek to:

"Create a composition of varied building forms and heights across the site.

Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing single storey residential development.

Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.

The overall objective for the land to achieve an integrated medium density residential development offering a choice and diversity of housing opportunities and types, appropriate to its setting and achieving a high quality of amenity and urban design".
The amended proposal will result in five of the previously proposed three storey townhouses, reduced to two storeys (coupled with the overall reduction in dwelling numbers). Both the original application and the amended proposal do not include overall height dimensions for dwellings (this will be required at planning permit application stage if the matter proceeds to that stage. It is also noted that the applicant was asked to provide the height of buildings during the original application but advised that they would not do so and that the three storey notation was sufficient). The reduced scale is proposed within the site at the intersections of North and South Lanes with Centre Lane (lots 64 and 79), and along the southern boundary (Lots 21, 22 and 23).

The amended proposal does not respond to Council’s previously stated concerns in relation to the scale and bulk of buildings, especially in relation to those fronting Alvina Street as discussed in detail above. The changes proposed to overall building scale are minimal and although any reduction in building scale is welcomed, the proposed amendments in this instance, do not go far enough to appease officers’ concerns.

Street Setback
Both the amended and original proposal show a total of 11 townhouses having direct interface to Alvina Street with another eight dwellings interfacing with the former Huntingdale Quarry site (south west corner).

Proposed front setbacks remain the same as the original application. Proposed townhouses Type K remain setback generally in line with number 8 Alvina Street (lots 30 and 31), and Lots 52 to 56 (three storey Type M/M2 dwellings) remain setback at 10.5 metres.

Dwellings south of the entrance road (Lots 1-14) remain setback at 4.5 metres.

Proposed front setbacks to townhouses are considered reasonable, however the three storey scale of buildings proposed is not supported, especially when coupled with a small 4.5 metre setback along the Alvina Street frontage.

Car Parking, Access and Traffic Impact

The original proposal was for 108 x 3 bedroom dwellings. The amended proposal seeks to improve diversity in dwelling type proposing;

- 18 x 4 bedroom dwellings
- 76 x 3 bedroom dwellings
- 2 x 2 bedroom dwellings
The amended proposal provides for the requisite number of resident and visitor car parking spaces pursuant to Clause 52.06 as detailed in the following table:

<table>
<thead>
<tr>
<th>No. of dwellings</th>
<th>Clause 52.06 requirement</th>
<th>Car spaces required</th>
<th>Car spaces provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 bedroom dwellings</td>
<td>1 space per dwelling</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>3 bedroom dwellings</td>
<td>2 spaces per dwelling</td>
<td>152</td>
<td>152</td>
</tr>
<tr>
<td>4 bedroom dwellings</td>
<td>2 spaces per dwelling</td>
<td>36</td>
<td>36</td>
</tr>
<tr>
<td>Visitor parking</td>
<td>1 space per 5 dwellings</td>
<td>19</td>
<td>22</td>
</tr>
</tbody>
</table>

| Total provided | 96 | 209 | 212 |

Sole access to the site from Alvina Street remains as originally proposed, via 6 metre wide crossover. Under the original proposal 6 dwellings were provided with crossover access to Alvina Street, however this has been reduced to 4 dwellings under the amended development plan proposal. The remaining 2 will now have rear garage access from the internal road network. Any reduction in hard surface area along Alvina Street is welcomed.

A total of 22, kerbside visitor car spaces are proposed throughout the internal road network within the site. Under the amended development plan, a total of seven car spaces will be able to be accommodated along the Alvina Street frontage to the site (post development) representing a loss of 5 spaces (existing condition).

The statutory car parking requirement for the amended development plan is 209 car spaces, including 190 spaces for residents and 19 spaces for residential visitors. The proposed car parking provision for 212 car spaces satisfies statutory requirements, and provides an additional three visitor spaces above the statutory requirement of 19.

One of the pleasing amendments to the plan has been the increase in the number of homes now provided with a double garage, increasing from 5 in the original proposal to a total of 25 in the amended proposal. All tandem garages have also been deleted in favour of single garage and tandem car space arrangement. This is also considered an improvement as tandem garages are often used for part storage/part parking reducing on site car parking to one space and placing pressure on kerbside parking throughout the internal road network.

The amended Traffic Engineering Analysis prepared by Traffix Group (July 2017) was referred to Council’s Traffic Engineering Department and the following comments have been made (summarised):
• A total of 22 visitor parking spaces are provided for the 96 townhouses which meets the Planning Scheme requirement.

• It is recommended that the indented area on the east side of the T intersection with the entry road and West land be removed and returned to nature strip to ensure it is not used as a pseudo parking space.

• Vehicle crossings should be converted to double crossings where the crossings are within 1.5 metres of each other. Both Alvina Street crossings appear to be affected.

• The lot 1 crossing south of the entry road cannot be approved as it is too close to the tangent point of the entry road. (Vehicle crossings are required to be located a minimum of 6 metres from the tangent point of an intersection, in accordance with ASD2890.1)

• The minimum radius at each roadway change of direction is required to be 8 m to enable larger vehicles such as construction and removalist trucks to negotiate the development site. This will also allow for future Council waste-collection, which often arises following occupation.

• The footpaths are required to be a minimum of 1.4 m in width. The main east west path from Alvina Street to Scotsburn Avenue is preferred to be a minimum of 3.0 m in width.

• The predicted traffic generation of 621 vehicle trip-ends/day will be a significant increase to the existing traffic volume of 261 vehicles/day in Alvina Street and is likely to be noticeable to nearby residents. However, the existing road network has sufficient capacity to cater for the expected traffic volumes and in general, there is expected to be minimal impact on the local traffic network.

Although it appears that the existing local road network will be able to cater for the expected increase in traffic volumes, the amount of additional traffic that will be funnelled through Alvina Street and Sinclair Street and the level of change imposed on the local residents who have, for a number of years, been used to a quiet residential street, remains a concern. Having said this, it is acknowledged that the site was used as a primary school and would have generated high volumes of traffic during drop off and pick up times, as well as generating a demand for kerb side parking along both Alvina Street and Sinclair Street.

Vegetation Retention
The vegetation retention requirement under the provisions of DPO5 was tested at VCAT and subsequent Supreme Court proceedings determined that the vegetation retention requirement in DPO5 was not mandatory. This essentially means that the development plan (as amended) must include a landscape plan which incorporates any significant vegetation including trees ranked as ‘moderate’ or ‘high’ in the ‘2013 Tree Logic Assessment’. However, the retention of these ‘moderate’ and ‘high’ rated trees is not mandatory, but subject to a merits based assessment.

The amended development plan proposes to retain one additional tree ranked as having ‘moderate’ retention value (located in rear yard of proposed lot 50).
total, five trees are proposed to be retained under the amended development plan, comprising four rated as having a ‘high’ retention value and one tree rated as having a ‘medium’ retention value. Two of these trees are located within the backyards of private lots (lot 18 and lot 51), and given the established scale of these trees, will have a dominant presence within these spaces. In the case of lot 18, the overshadowing and impact of the tree will probably mean that residents of that dwelling will seek its removal, which will require further amendment and approval through Council. A better outcome would be to ensure that trees retained on site were located within the public realm of the development.

Putting aside the issue of compliance with DPO5 for the moment, there appears to be no justification to remove all these trees other than to maximise on site yield. It is considered that at the very least, further consideration should be given to revising the design to support the retention of more of the existing vegetation on the site. The importance of trees, and their retention was clearly signalled in the relevant planning controls and should have been obvious to any purchaser of the site. Similarly at a more general level the importance to retain vegetation should have been considered at the time of purchase.

The submitted development plan includes an "indicative" landscape concept plan for the site. The landscape scheme for the site includes a mix of native and exotic planting across the site. The plan proposes a pleasant, sophisticated planting theme for the development however there will be a lack of landscaping opportunity along ‘Centre Lane’.

The minimal building setbacks proposed along much of the Alvina Street frontage and internal road network, coupled with the closely located vehicle crossovers, results in limited opportunity for meaningful landscaping and canopy tree provision throughout the site. One of the main concerns with the original and amended proposal remains the lack of soft landscaping opportunities available throughout the site due to the high yield of dwellings proposed. It is considered that the amended development plan should incorporate increased landscaping areas throughout the site and greater retention of existing vegetation to better complement and integrate the site with the surrounding area.

The amended development plan does not propose any significant increase in the retention of trees and officer’s initial concerns remain.

Council’s Tree Conservation Policy at Clause 22.05 seeks to maintain, enhance and extend the Garden City Character throughout Monash by ensuring that new development and redevelopment is consistent with and contributes to the Garden City Character as set out in the Municipal Strategic Statement. The amended development plan remains inconsistent with the objectives and policy guidelines of this clause 22.05.

Pedestrian Links and Permeability
The pedestrian path leading to Scotsburn Avenue will be retained and upgraded as originally proposed. This path will provide convenient access to the bus service along that street, as well as providing convenient access to Centre Road to the south.

Risk assessment given proximity to a nearby landfill

The DPO5 requires the Applicant to undertake and submit to Council a risk assessment detailing the risk of landfill gas migration from nearby landfills. The risk assessment must be conducted by a suitably qualified professional, having regard to the relevant EPA Publication to the satisfaction of the responsible authority.

Golder and Associates have prepared a Landfill and Gas Risk Assessment for the site (dated 17 May 2016) and this forms part of the supporting documentation for the amended development plan application. The report concludes that the risk of landfill gas migration occurring and causing an unacceptable human health or environmental impact on the proposed residential development is low and that no further landfill gas investigation or assessment is warranted.

A copy of the report has been re-lodged with the amended development plan, satisfying the requirements of DPO5.

CONCLUSION:

The amended development plan proposal still represents a significant change to the neighbourhood in terms of housing density and building mass and scale. Although it is envisaged that sites such as this will ultimately accommodate more intense development than the surrounding neighbourhood, the scale and mass of buildings, and the density of dwellings proposed on this site is considered inappropriate. Although the site is located within an established residential neighbourhood, it is not in close walking distance to railway stations or major activity centres.

The scale and mass of the proposed built form is very different to its immediate neighbourhood, proposing large building masses which, even with some articulation at upper floor levels will read as one large building when viewed from adjacent streets. While it is considered that the site can accommodate a built form up to three storeys in height, the current proposal is considered to be an overdevelopment of the site.

In light of the above assessment, the amended development plan is not supported.
LIST OF ATTACHMENTS:

Attachment 1 – Proposed Development Plans.
Attachment 2 – Aerial
Attachment 3 – Zoning and Overlays Map.
Attachment 4 – Submission Properties Location Map.