

**1.3 29 BROWNS ROAD, CLAYTON
BUILDINGS AND WORKS FOR MULTI-LEVEL RESIDENTIAL DEVELOPMENT AND
REDUCTION IN CAR PARKING REQUIREMENTS FOR VISITORS
(TPA/47261)**

EXECUTIVE SUMMARY:

This application proposes the development of 221 dwellings comprising 74 townhouses and 147 apartments contained within four apartment buildings generally in accordance with the Development Plan previously approved by Council.

The application is exempt from public notification because it is generally in accordance with the approved Development Plan.

Key issues to be considered relate to compliance with the approved Development Plan, built form, design details, internal amenity, vegetation removal and landscape provision.

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), Clause 55, and Amendment VC110.

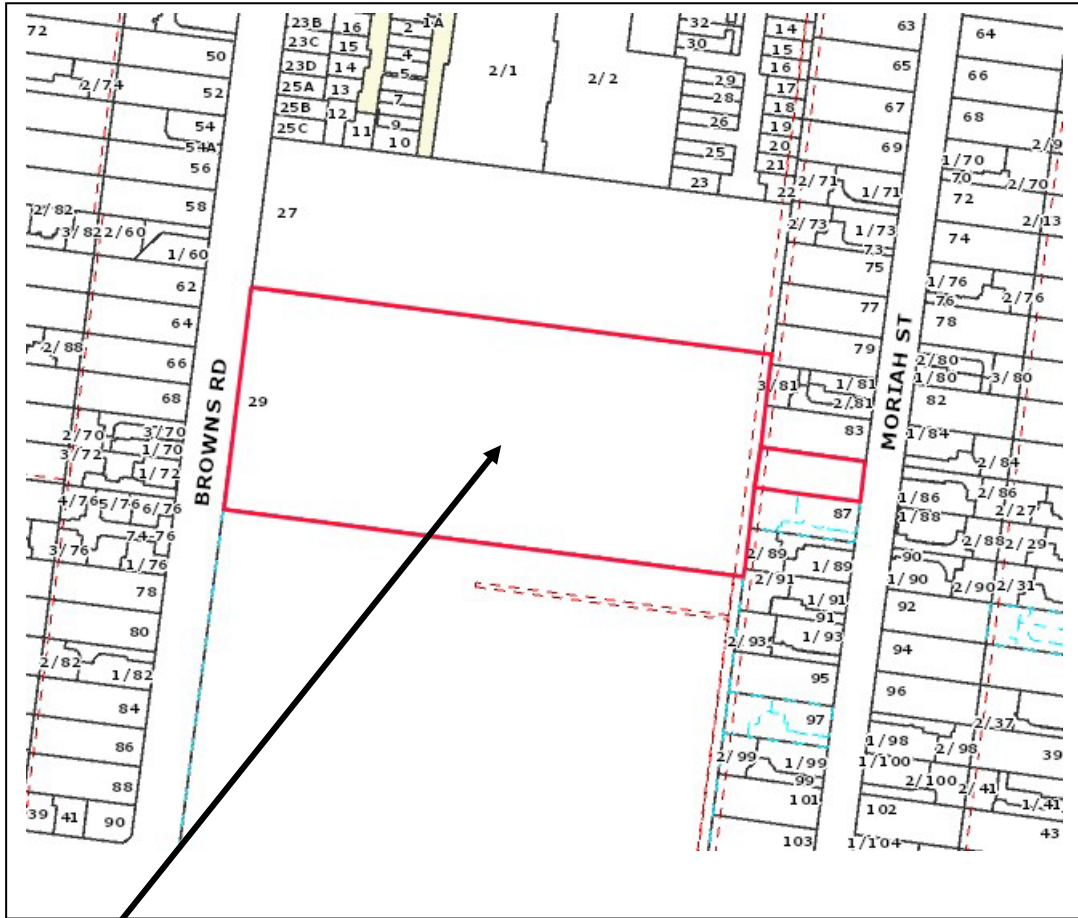
The reason for presenting this report to Council is the proposed development cost of \$65 million.

The proposal is considered appropriate having regard to the relevant provisions of the Monash Planning Scheme. It is recommended that Council issue a Planning Permit subject to conditions.

RESPONSIBLE DIRECTOR:	Peter Panagakos
RESPONSIBLE MANAGER:	Angela Hughes
RESPONSIBLE PLANNER:	Jeanny Lui
WARD:	Oakleigh
PROPERTY ADDRESS:	29 Browns Road, Clayton
PRE-APPLICATION MEETING:	Yes
NUMBER OF OBJECTIONS:	N/A
ZONING:	General Residential Zone (GRZ1)
EXISTING LAND USE:	Vacant- former Clayton Primary School

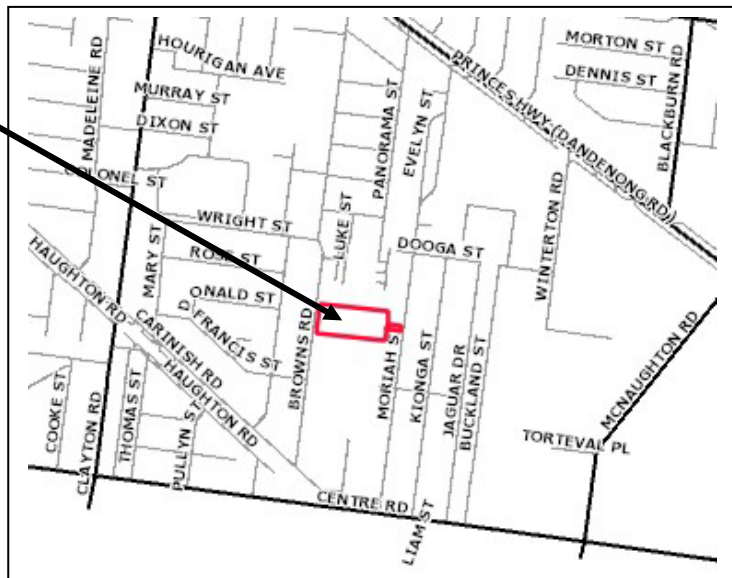
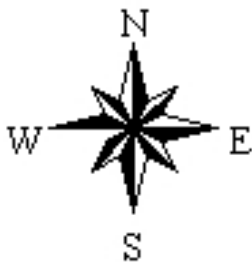
OVERLAY:	Development Plan Overlay (DPO5)
RELEVANT CLAUSES: <u>State Planning Policy Framework</u> Clause 10.01 (Purpose) Clause 10.02 (Goal) Clause 10.04 (Integrated Decision Making) Clause 11 (Settlement) Clause 11.04 (Metropolitan Melbourne) Clause 14.02-1 (Catchment Planning and Management) Clause 15 (Built Environment and Heritage) Clause 16 (Housing) Clause 16.01-2 (Location of Residential Development) Clause 16.01-3 (Strategic Redevelopment Sites) Clause 16.01-4 (Housing Diversity)	<u>Local Planning Policy Framework</u> Clause 21 (Municipal Strategic Statement) Clause 21.04 (Residential Development) Clause 21.08 (Transport and Traffic) Clause 22.01 (Residential Development and Character Policy) Clause 22.04 (Stormwater Management Policy) <u>Particular Provisions</u> Clause 52.06 (Car Parking) Clause 52.34 (Bicycle facilities) Clause 52.36 (Integrated Transport Planning) Clause 55 (Rescode) <u>General Provisions</u> Clause 65.01 (Decision Guidelines)
STATUTORY PROCESSING DATE:	9 October 2017
DEVELOPMENT COST:	\$65,000,000

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



29 Browns Road, Clayton - Buildings And Works For Multi-Level Residential Development And Reduction In Car Parking Requirements For Visitors, Generally In Accordance With The Approved Development Plan For Former Clayton Primary School

RECOMMENDATION:

That Council resolves to **Grant a Planning Permit (TPA/47261)** for the buildings and works for a multi-level residential development and reduction in car parking requirements for visitors, at 29 Browns Road, Clayton subject to the following conditions:

1. Before the development starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. The submitted plans must clearly delineate and highlight any changes. When approved the plans will be endorsed and will then form part of the permit.

The plans must be generally in accordance with the plans submitted with the application, but modified to show:

- a) Provision of 7 additional visitor car spaces to the apartments.
- b) The Study of the two bedroom townhouse (Dwelling 20) reconfigured to provide more open plan layout with no internal walls or doors and provision of a fixed desk space.
- c) Plans amended to reflect all design recommendations as per Section 5.8 and Appendix B of the Ratio traffic report.
- d) The 1:5 grade between the 1:10 and 1:4 change in grade flattered with a minimum 1:5.7 grade (in accordance with AS2890.1:2004), without significant change to the finished floor levels for the building, to the satisfaction of the Responsible Authority.
- e) Notation to read 'the existing redundant pram crossings on both sides of the Browns Road road hump are to be removed and replaced with kerb and channel'.
- f) Internal footpaths to be a minimum of 1.4 metres in width.
- g) More prominent pedestraian entrance to the development provided towards the Browns Road frontage.
- h) The location and design of any required fire services, electricity supply, gas and water meter boxes discreetly located and/or screened to compliment the development.
- i) Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) both sides of the Moriah Street vehicle crossing and from the edge of the exit lane of the Browns Road vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage

road.

- j) Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) the edge of the exit lane of the basement car park access to provide a clear view of pedestrians on the footpath of the main development access road.
 - k) Full details of all proposed materials and finishes.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
 3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
 4. Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site by private contractor. The Waste Management Plan shall provide for:
 - a) The method of collection of garbage and recyclables for uses.
 - b) Designation of methods of collection by private services.
 - c) Appropriate areas of bin storage on site and areas for bin storage on collection days.
 - d) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas.
 - e) Litter management.

A copy of this plan must be submitted to and approved by the Responsible Authority. Once approved the Waste Management Plan will be endorsed to form part of the permit.
 5. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.
 6. No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.
 7. No equipment, services, architectural features or structures of any kind, including telecommunication facilities, other than those shown on the endorsed plans shall be permitted above the roof level of the building unless otherwise agreed to in writing by the Responsible Authority.

8. Before the development starts, a Construction Management Plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:
 - a) Measures to control noise, dust and water runoff.
 - b) Prevention of silt or other pollutants from entering into the council's underground drainage system or road network.
 - c) The location of where building materials are to be kept during construction.
 - d) Site security.
 - e) Traffic management plan providing for safe movements of vehicles to and from the site during the construction phase.
 - f) On-site parking of vehicles associated with construction of the development.
 - g) Wash down areas for trucks and vehicles associated with construction activities.
 - h) Cleaning and maintaining surrounding road surfaces.
 - i) A requirement that construction works must only be carried out during the following hours:
 - Monday to Friday (inclusive) – 7.00am to 6.00pm;
 - Saturday – 9.00am to 1.00pm;
 - Saturday – 1.00pm to 5.00pm (only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery).
9. A landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-
 - a) The location of all existing trees and other vegetation to be retained or removed on site.
 - b) Provision of 134 canopy trees with spreading crowns located throughout the site including the major open space areas of the development, or as otherwise agreed to the satisfaction of the Responsible Authority.
 - c) Planting to soften the appearance of hard surface areas such as driveways and other paved areas.
 - d) A schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered

by grass, lawn, mulch or other surface material.

- e) The location and details of all fencing.
- f) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.
- g) Details of all proposed hard surface materials including pathways, patio or decked areas.

When approved the plan will be endorsed and will then form part of the permit.

10. Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.
11. Prior to the commencement of any works that are permitted by this permit, all trees that are to be retained, or are located within or adjacent to any works area, shall be marked and provided with a protective barricade and verified by an authorised officer of the Responsible Authority.
12. All work within the dripline of any tree to be retained shall be supervised by a qualified landscape architect or horticulturist who shall ensure that the works are done in a manner which protects and minimises any damage to those trees.
13. No building material, demolition material or earthworks shall be stored or stockpiled under the canopy line of any tree to be retained during the construction period of the development hereby permitted.
14. No vehicle shall park under the canopy line of any tree to be retained.
15. The lopping of vegetation permitted shall be done in such a way that the health, appearance or significance of the vegetation is not affected.
16. Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.

The plans must show a drainage scheme providing for the collection of stormwater within the site and for the conveying of the stormwater to the nominated point of discharge.

The nominated point of discharge is the south-east corner of the property where the entire site's stormwater must be collected and free drained via a pipe to the 900 mm Council drain in the rear easement via a 900 mm x

600 mm junction pit to be constructed to Council Standards.

If the point of discharge cannot be located then notify Council's Engineering Division immediately.

17. Stormwater discharge is to be detained on-site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required from Council prior to works commencing. Please refer to the notes section of this permit for additional details.
18. Before the development permitted is completed, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
 - (a) constructed to the satisfaction of the Responsible Authority;
 - (b) properly formed to such levels that they can be used in accordance with the plans;
 - (c) surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;
 - (d) drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;
 - (e) line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times.

19. The car parking layout and vehicle access to the development shall generally follow the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme to the satisfaction of the Responsible Authority.
20. No less than 1 car space must be provided on the land for each one and two bedroom dwelling. No less than 2 car spaces must be provided on the land for each dwelling with three or more bedrooms. Any future subdivision of the development must provide allocation of car parking on Title in accordance with this requirement including all visitor car parking located within common property.
21. The existing redundant crossings are to be removed and replaced with kerb and channel. The footpath and naturestrip are to be reinstated to the satisfaction of Council.
22. On-site visitor parking spaces are required to be clearly marked.
23. A minimum of 44 bicycle spaces to be provided within the site. Bicycle parking facilities shall generally follow the design and signage

requirements set out in Clause 52.34 of the Monash Planning Scheme.

24. This permit will expire in accordance with section 68 of the *Planning and Environment Act 1987*, if one of the following circumstances applies:

- The development is not started before 3 years from the date of issue.
- The development is not completed before 6 years from the date of issue.

In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

NOTES-

1. Building approval must be obtained prior to the commencement of the above approved works.
2. Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.
3. In the event that any parking restrictions are introduced in the surrounding area, occupants of this development will not be granted parking permits.
4. Approval of each proposed crossing, and a permit for installation or modification of any vehicle crossing is required from Council's Engineering Department. The proposed crossings are to be constructed in accordance with the City of Monash standards.
5. Any new drainage work into a Council easement drain requires the approval of the Council's Engineering Division prior to the works commencing. Please refer to the notes section of this permit for additional details.
6. Engineering permits must be obtained for new or altered vehicle crossings and for connections to Councils drains and these works are to be inspected by Council (tel. 9518 3690).
7. A drainage contribution will not be accepted in lieu of a detention system.
8. Stormwater detention requirements may be obtained from the City of

Monash prior to the design of any stormwater detention system.

9. Detention system requirements for the property are as follows:
 - Minimum storage = 235.05 cubic metres
 - Maximum discharge rate = 138.16 litres per second
10. An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement car park. The detention system for the basement is to be separated from the detention system for the property, which is to be at ground level and discharge by gravity.
11. A Licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the approved plans. The certifier's registration number must be included on the certificate.
12. Tree planting should be kept clear of the drainage easement.
13. All new crossings are to be no closer than 1.0 metre measured at the kerb to the edge of any power pole, drainage or service pit, or other services. Approval from affected service authorities is required as part of the vehicle crossing application process.

BACKGROUND:

History

The subject land is the former Clayton Primary School located between Browns Road and Moriah Street in Clayton. The school occupied the land from the late 1950's until the end of 2010. The site is currently vacant and fenced as the former school buildings have been demolished.

The land formed part of Amendment GC05 to the Monash Planning Scheme. The land was rezoned by the Minister for Planning from Public Use Zone 2 (Education) to General Residential Zone (Schedule 1) with a Development Plan Overlay (Schedule 5). The land was sold by the State Government in 2014.

Council at its meeting of 13 December 2016 resolved to approve the Development Plan for this site. Prior to approval, the submitted Development Plan was subject to community consultation and attracted twenty-four community submissions. The approved Development Plan provided for a mix of two and three storey townhouses, four apartment buildings up to four storeys, associated landscaping and car parking subject to the following changes to the Development Plan:

- Alternate townhouse pairs along the Browns Road frontage modified to provide the recessive/inverted massing break on the outer edge of the townhouses.
- The main accessway/road reserve widened to a minimum width of 9.81m between Browns Road and the first intersecting street to provide for increased landscaping and footpath width at the main entrance to the development.
- Vehicle priority established at each of the T-intersections with the main circulating road.
- Measures to discourage vehicles parking in the dead-end section of laneways.
- The main vehicle crossover/access point to Browns Road is designed as a driveway crossing.
- Footpaths within the site having a minimum typical width of 1.4m.
- The basement access ramp to be a minimum width of 6.0m to facilitate two-way access.

Amended Development Plans showing the required changes were approved by officers on 27 June 2017.

The Site and Surrounds

The subject land is located between Browns Road (to the west) and Moriah Street (to the east) in Clayton and is approximately 920 metres south of the intersection of Browns Road and Dandenong Road. The land is located approximately 500 metres from the Clayton Activity Centre to the west, 330 metres to Monash Medical Centre to the north-west and 1.0 kilometre from Monash University to the north.

The subject land has an overall area of approximately 19,994 square metres, having a frontage of 90.71 metres to Browns Road (western boundary), a 16.6 metres frontage to Moriah Street, and a length along the northern and southern boundary of 212.26 metres. The property has a gradual fall of 5.13 metres from north-west to south-east. A total of 34 trees of varying health and significance are located within the site, the majority of which are located around the site's perimeter. Three street trees are located along the Browns Road nature strip. Original school buildings occupied the site before demolition.

Land to the immediate north and south is located within an Industrial 1 Zone. The property to the immediate north is occupied by a secure staff car park associated with the Monash Medical Centre. Further to the north is the Monash Green residential development constructed circa early 2000's and comprises approximately 236 dwellings. Land to the immediate south is occupied by PMP Printing, who have utilised the site for significant commercial printing operations since the late 1950's. Buildings on the site include large scale factory, warehouse and office premises. An at grade car parking is located along the common boundary.

Beyond the adjoining industrial land, the site is located within an established residential area originally developed in the 1950's. The built form of the surrounding area is distinctly characterised by modest detached dwellings typical of the era in which the neighbourhood was originally developed. Characteristics which contribute to the character of the area include dwellings with generous and well articulated building setbacks to the street, dwellings typically setback from the side and rear boundaries, a predominant single storey built form, brick and weatherboard dwellings with pitched roofs and well landscaped front yards. More recent development includes replacement of the original housing stock with new large dwellings and some multi-dwelling unit development.

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

PROPOSAL:

The application proposes the development of townhouses and apartments generally in accordance with the approved Development Plan for the site.

While the Development Plan approved the construction of 250 dwellings, the endorsed Development Plan shows the construction of 246 dwellings after the changes required by Council for the approval of the Development Plan were made. This application proposes the construction of 221 dwellings.

Key details of the proposal can be summarised as:

- 74 townhouses (24 x two storey and 50 x three storey) adjacent to the northern, eastern and western boundaries. The townhouse dwelling mix will comprise of:
 - 33 x 2 bedroom dwellings with single vehicle garage;
 - 1 x 2 bedroom plus study dwelling with single garage;
 - 32 x 4 and 5 bedroom dwellings with double garage;
 - 8 x 4 bedroom dwellings with tandem vehicle garage.
- 14 visitor car spaces adjacent to the townhouses.
- Four apartment buildings each up to 4 storeys in height with 147 apartments comprising of:
 - 40 x 1 bedroom apartments;
 - 107 x 2 bedroom apartments;
- Basement car park providing 147 resident car spaces (1 car space per apartment) and 22 dedicated visitor car spaces.

In order to satisfy conditions of approval (for the Development Plan), and to address issues which arise through the general construction documentation, the proposed number of apartments is reduced by 25 in this application.

Details of the proposed number of dwellings are as follows:

Development Plan for approval subject to conditions (Council meeting December 2016)	Endorsed Development Plan (changes made to satisfy conditions of approval) in June 2017	Planning application
1-2 bedroom apartments: 172	1-2 bedroom apartments: 172	1-2 bedroom apartments: 147
2, 3 and 4 bedroom townhouses: 78	2, 3 and 4 bedroom townhouses: 74	2, 4 and 5 bedroom townhouses: 74
Total number of dwellings: 250	Total number of dwellings: 246	Total number of dwellings: 221

As a result of the revised apartment numbers, the total number of car parking spaces is also reduced from the approved Development Plan. Having said that, each 2 bedroom townhouse is still provided with one car parking space, and each 4-5 bedroom townhouse is provided with two car parking spaces. The provision of 14 visitor car spaces for the townhouse component also meets the statutory requirements in Clause 52.06 of the Monash Planning Scheme. All car parking spaces for the townhouses are provided at-grade.

In regards to the apartment component each 1-2 bedroom apartment is provided with one car parking spaces and 22 visitor car spaces are provided for the apartments (the proposal does not contain any 3 bedroom apartments). All resident and visitor spaces are provided at basement level.

This application seeks to reduce 7 visitor car spaces for the apartment component of the proposal. Previous approval did not propose reduced provision.

Attachment 1 details plans forming part of the application.

PERMIT TRIGGERS:

Zoning

The subject site is located within a General Residential Zone (Schedule 1) under the provisions of the Monash Planning Scheme.

No permit is required for use of a dwelling within the zone.

Pursuant to the requirements of Clause 32.07-4 a permit is required to construct two or more dwellings.

Development Plan Overlay

The land is subject to Development Plan Overlay Schedule 5 (DPO5).

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

Particular Provisions

Clause 52.06-3: Car Parking

A permit is required to reduce the number of car parking spaces required under Clause 52.06-5.

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

CONSULTATION:

Exemption from notice and review

Pursuant to the provisions of Clause 43.04-2 an application under any provision of this scheme which is generally in accordance with the Development Plan is exempt from the notice requirements and third party appeal provisions.

The submitted proposal is considered to be generally in accordance with the approved Development Plan and satisfies the notice exemption provisions of Clause 43.04-2.

Public Transport Victoria Referral

Pursuant to the provisions of Clause 52.36-1 the application was referred to Public Transport Victoria.

The proposal is considered satisfactory.

Internal Referral

The application was referred to Council's Traffic and Drainage Engineers for comment. Relevant comments form part of the assessment of the application.

DISCUSSION:

Consistency with State and Local Planning Policies

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."

The subject land is located within the Monash National Employment Cluster study area identified by Plan Melbourne. Relevant objectives seek to provide for employment and housing growth within established areas.

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

Relevant housing objectives and strategies of activity centres policy found at Clause 11.01 seek:

“Provide different types of housing, including forms of higher density housing.”

“Encourage a diversity of housing types at higher densities in and around activity centres.”

The Monash Technology Precinct is identified as a Specialised Activity Centre to provide for employment, research and development facilities, synergies between industry, Monash University, Australian Synchrotron and Monash Medical Centre. The provision of housing complimentary to the precinct is identified by the Monash Housing Strategy 2014.

Housing policy at Clause 16.01 seeks to:

“Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.”

“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.”

“Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.”

Increased residential density and dwelling diversity is sought by state and local policies. The proposed development is considered consistent with the local planning policy framework in respect of its impact on neighbourhood character, increased housing density and providing for housing diversity. The subject land is located within close proximity of both Monash University and the Monash Technology Precinct which are identified as key regional assets. The surrounding area sees strong demand for increased housing provision and alternate housing forms. New development should be designed to appropriately compliment the established built form of the surrounding area whilst also providing for increased density.

The Municipal Strategic Statement at Clause 21 identifies the Garden City Character of the municipality as a core value held by the community and Council. Garden City Character principles are overarching policy objectives being significant and important consideration in all land use and development

decisions. The submitted Development Plan provides for substantial landscaping elements within the design response including open and landscaped street setbacks.

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.

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

Council's Tree Conservation Policy (Clause 22.05) also contains objectives designed to maintain, enhance and extend the Garden City Character throughout the municipality.

Monash Housing Strategy 2014

The Monash Housing Strategy was developed to review Council's current housing strategies based on an assessment of key State and Local Strategies and research from all tiers of Government and other research bodies.

The housing strategy identifies that a key issue for Monash will continue to be the management of household growth and change while at the same time preserving valued neighbourhood character and enhancing sustainability.

The need for the City of Monash to adopt a proactive role to address housing issues has been imperative and the Monash Housing Strategy forms part of that role. Opportunities for residential growth within the City of Monash are increasingly limited within established residential areas. The Monash Housing Strategy has identified the lack of greenfield land supply within the municipality and opportunities for increased residential density and alternate housing forms on brownfield land including vacant former school sites.

The subject land is identified as being on the edge of residential land within the Monash National Employment Cluster within an established Garden City suburb. Future residential development outcomes generally seek conventional townhouse developments within these localities whilst also recognising the potential for lower to medium scale apartment developments subject to careful design and the provision of substantial landscape setbacks. The land is located within close proximity of Monash University (approximately 1km to the north, Monash Medical Centre (280m to the north-west), industrial and commercial employment precincts (300m to the east) and the Clayton Major Activity Centre (600m to the west).

More intensive medium density forms (2-3 storey scale) are evident in the area surrounding the subject site including two and three storey apartment development to the north beyond the adjoining car park. A significant number of properties within the immediate surrounding area have been developed with medium density townhouse development replacing the original housing stock.

Consistency with approved Development Plan

The land is subject to Development Plan Overlay 5 which requires approval of Development Plan to inform future land use and development of land and provides exemption from public notification and third party appeal.

A Development Plan applicable to the land was approved by Council at its meeting of 13 December 2016 subject to conditions. A Development Plan was subsequently endorsed by Council Officers on 27 June 2017, in accordance with these conditions.

The table below details a comparison of the approved Development Plan and the proposed development under this application TPA/47261:

APPROVED DEVELOPMENT PLAN (TPA/45209)	PROPOSED DEVELOPMENT APPLICATION TPA/47261	VARIATION
No. of Townhouses: 74 (2 bedrooms: 34; 3 bedrooms or more: 40) No. of Apartments: 172 Total: 244 dwellings	No. of Townhouses: 74 (2 bedrooms: 34; 3 bedrooms or more: 40) No. of Apartments: 147 (1 bedroom: 40; 2 bedrooms: 107) Total: 221 dwellings	No of townhouses: No change Reduced 25 apartments Total: reduced 23 dwellings
Townhouse car parking: 114 resident car spaces Apartment car parking: 172 resident car spaces 54 visitor car spaces Total: 340 car spaces Statutory requirement: 334 car spaces Surplus: 6 car spaces	Townhouse car parking: 114 resident car spaces Apartment car parking: 147 resident car spaces 36 visitor car spaces Total: 297 car spaces Statutory requirement: 304 car spaces Shortfall: 7	Reduced in 25 residential car spaces as a result in the reduction of apartments which satisfies the requirement of Clause 52.06 of the Monash Planning Scheme. Reduced in 18 visitor car space partially result in a reduction of dwellings, however the current proposal shortfall of 7 visitor car space for the apartments.
Browns Road Setbacks Ground: 7.6m First Floor: 8.21m Second Floor: 34.75m Third Floor: over 80m	Browns Road Setbacks Ground: 7.6m First Floor: 8.23m Second Floor: 34.71m Third Floor: over 80m	No change Increase: 0.02m Reduced: 0.04m No Change Overall marginal and inconsequential variation.

APPROVED DEVELOPMENT PLAN (TPA/45209)	PROPOSED DEVELOPMENT APPLICATION TPA/47261	VARIATION
Moriah Street Setbacks Ground: 7.61m First Floor: 8.79m Second Floor: 29.68m Third Floor: approximately 31m	Moriah Street Setbacks Ground: 7.66m First Floor: 7.735m Second Floor: 29.575m Third Floor: 31m	Increased: 0.05m Reduced: 1.055m Reduced: 0.105m No change Overall marginal and inconsequential variation.
Overall height Townhouses up to 3 storeys (up to 9 metres in height) Apartments up to 4 storeys (up to 13.5 metres in height)	Overall height Townhouses up to 3 storeys (up to 8.67 metres in height) Apartments up to 4 storeys (up to 13.86 metres in height)	No change in storeys Overall marginal and inconsequential variation.
Tree Retention Medium retention value trees: 17	Tree Retention High retention value trees: 3 Medium retention value trees: 8	Removal of 6 trees which were identified as low retention value in the Arborist Report prepared by DB Horticultural dated May 2017. Overall inconsequential variation due to changes of trees health/ structure since year 2015 when the last Arborist report was prepared.
Landscaping Provision of 134 canopy trees and associated complimentary planting throughout the site	Landscaping Provision of 88 additional canopy trees and associated complimentary planting throughout the site	Reduced planting of 46 canopy trees. Proposed 88 additional trees will provide significant canopy throughout the development however this is not deemed to be 'consistent with the Development Plan'.

As detailed above, the proposed development intensity and scale is generally consistent with the approved Development Plan with few exceptions.

Whilst the number of dwellings has reduced, the overall building footprint is the same as the building envelopes shown on the Development Plan. The building envelopes are generally consistent with the approved Development Plan, with the exception that this application seeks variation of the car parking provision.

As demonstrated above, the Development Plan approved the provision of 134 canopy trees on the site, whereas this application seeks only to provide 46 canopy trees on site. Most existing trees and vegetation on the site are located along the perimeter of the site, and some could potentially be retained as part of this proposal. Given this, it is recommended that a condition (Condition 9b) be imposed on any planning permit that may issue requiring 134 canopy trees to be

provided on the site. This number may comprise existing trees and trees to be planted, to our satisfaction.

Neighbourhood Character and Design Response

The submitted proposal is consistent in scale with the approved Development Plan. The design response provides for appropriate transition in built form and scale from the surrounding residential areas. The surrounding established single and double storey form dwellings is respected by providing for a predominant two storey built form to Browns Road and Moriah Street with upper levels further recessed from the streetscape facade.

The development provides for a composition of varied building forms and heights across the site with lower building forms towards the edges of the site, with upper levels recessive from the ground levels. The design response provides for appropriate separation of massing elements within the site and incorporates generous communal open space and landscaped areas.

The streetscape realm is enhanced by generous landscaped setbacks with minimal built form encroachments. The landscape plan submitted with the application provides for retention of existing significant vegetation within the street setback and along property boundaries and additional canopy tree provision.

The streetscape integration of the development is complemented through the contemporary architectural design of the townhouses and use of different materials. However, the provision of a more prominent pedestrian entry to the development will further improve the aspect of the development to Browns Road and provide for an improved sense of address to the development. The pedestrian entries to the two townhouses from Moriah Street are satisfactory.

Streetscape Setback & Interface

The proposed street setbacks of 7.6 metres will allow for substantial landscaping elements to be provided consistent with the overarching Garden City Character Policy. Townhouses along the Browns Road and Moriah Street frontages are of a semi-detached form to provide for building massing commensurate to development opposite and cohesion with the established surrounding residential area.

The design response is appropriate in that it responds to the established context and it is consistent with the approved Development Plan for the site.

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 proposed height and varied built form of the proposal is consistent with the provisions of the General Residential Zone which seeks to facilitate and encourage development of increased density up to four storeys in height, housing diversity and transition in built form and scale with adjoining residential areas. The design response appropriately incorporates the provision of townhouses along the residential edge of the site, rising to a recessive four storey apartment form within the centre of the site.

The development provides for townhouses adjacent to the adjoining established residential areas with recessed two storey elements. The apartment building within the centre of the site will have minimal presentation to the Browns Road and Moriah Street frontages given the excessive setback of the apartment building to the eastern and western boundaries. The proposed townhouse and apartment forms have been appropriately modulated and articulated to mitigate building massing to the sensitive interfaces. The massing of the development has appropriate consideration of the surrounding context and comfortably integrates with the streetscape and provides for transition in scale and form from the established residential areas, and the proposed development is generally in accordance with the approved Development Plan.

Architectural Quality and Design Detail

The development is of a contemporary design whilst also being reflective of the surrounding built form. The townhouses and apartment building have been designed with a mixture of external finishes and colours such as render and timber cladding with flat roofs providing an appropriate degree of visual interest whilst also providing elements of articulation which minimise the perception of bulk and provide a level of visual interest to the front facades. The incorporation of natural materials and neutral colour tones assists in blending the development with the surrounding area.

The façade treatment provides an appropriate degree of visual interest through use of varied materials and finishes, along with vertical and horizontal articulation elements to minimise the perception of visual bulk.

Internal Amenity

The proposed development provides good internal amenity outcomes for residents. Building forms have been orientated on an east-west axis to maximise potential for north-facing townhouse and apartment floor plans, as well as opportunity for visual connection through the site between Browns Road and Moriah Street. Buildings have been separated by at least 9 metres to avoid screening of windows and balconies within the development and therefore provide outlook and improved amenity for proposed residents.

Each townhouse and apartment is functional in layout and generous in size with large open plan living areas. All habitable rooms are provided with direct access to daylight and ventilation, having no reliance on borrowed light. The proposed saddleback/snorkel light corridors are sufficient to provide for solar access.

The development provides for ground level private open space of 15 metres square to 67 metres square for the townhouses on the eastern and western end of the development and balcony areas of typically 8 metres square to 15 metres square immediately adjacent to internal living areas to the remaining townhouses and apartments. Ground level space between the buildings is predominantly common landscaped space for the enjoyment of all residents. Substantial landscaping areas and communal spaces are provided throughout the development providing for pleasant and inviting environments.

Car Parking, Access & Traffic Impact

The proposal provides for car parking generally in accordance with the requirements of the approved Development Plan with the exception of the reduction of 7 on-site visitor car parking spaces.

Car parking for the development is provided as follows:

DWELLING TYPE	NUMBER OF DWELLINGS	CLAUSE 52.06 REQUIREMENT	CAR SPACES REQUIRED	CAR SPACES PROVIDED
2 bedroom townhouses	34	1 space per dwelling	34	34
4 & 5 bedroom townhouses	40	2 spaces per dwelling	80	80
1 & 2 bedroom apartments	147	1 space per dwelling	147	147
Visitor Parking	74 townhouses	1 space per 5 dwellings	14	22 (basement)
	147 apartments		29	
TOTAL REQUIRED			304	
TOTAL PROVIDED				297

The proposal provides 7 visitor car spaces less than required by the Planning Scheme.

Parking surveys submitted with the application (Ratio Consultants, May 2017) indicate that the on-street parking along Browns Road, Francis Street, Moriah Street, and within the surrounding local road network experiences low demands throughout the day. The surveys indicated there are more than 195 vacant spaces at all times surveyed and it is unlikely that the apartment visitor parking demands exceed the supply. They conclude that the overflow demands could be comfortably accommodated on the surrounding streets.

The proposed garages and at grade car spaces have been designed satisfactorily and are adequately accessible. In regards to bicycle parking, the statutory requirement is 44 bicycle spaces for the proposed 4 storey apartment buildings, and the proposed development provides 46 bicycle spaces. The proposed bicycle parking provision is in accordance with the statutory requirements, and has been designed adequately.

The development represents a reduction in the overall dwelling yield contemplated by the Development Plan. With regard to the traffic analysis undertaken in the Development Plan Traffic Impact Assessment, it is considered that the traffic associated with the proposed development can be suitably accommodated by the surrounding road network.

However, in terms of surrounding neighbour expectations, the approved Development Plan showed a surplus of 6 car spaces, and it is considered that the proposal should at least meet the statutory requirement of the Monash Planning Scheme.

In addition, Council's Traffic Engineer advised that:

- There is a shortfall of 7 visitor spaces for the apartment visitor parking requirements. A "1/2P 8am-6pm" restriction operates along most of the Browns Road frontage of the site which is unlikely to be a sufficient length of time to cater for apartment visitors. It is considered that visitors to the apartment will expect to be able to park within the development rather than on street. A reduction to the visitor parking requirement for the apartments is not supported.
- The traffic report identifies a number of design deficiencies with proposed recommendations in Section 5.8 and Appendix B of the report. It is recommended that all design recommendations be adopted and required to be shown on amended plans.
- The 1:5 grade between the 1:10 and 1:4 change in grade is too steep as a transitional grade and should be flatter with a minimum 1:5.7 grade (in accordance with AS2890.1:2004).

- Clearance to car parking spaces to be in accordance with Diagram 1 in relation to the placement of a wall, fence, column, tree, tree guard or any other structure that abuts a car space. Basement spaces V16 and 29 do not comply.

Permit conditions should require the provision of the additional 7 visitor spaces for the apartments, and the proposal to be amended in accordance with the recommendations in the traffic report. The ramp grade will also be amended as per Council's Traffic Engineer's recommendation, subject to minimal changes to the finished floor levels for the building. Other standard conditions will also form part of the planning permit.

In addition, a two bedroom townhouse with one car space contains a study room that could potentially be used as a bedroom. The townhouse should be reconfigured to include a more open study nook space not capable of being used as a third bedroom to comply with the parking provided.

Vegetation Retention & Landscaping

The submitted proposal provides for retention of 3 high retention value tree and 8 medium retention value trees identified within the approved Development Plan and provisions of DPO5. Vegetation to be retained is located around the perimeter of the site and has been incorporated into the overall design response and landscaping scheme for the site.

An Arborist report prepared by Tree Logic dated 15 July 2017 discussed that the 11 trees with high and medium retention value are in good condition and provide high amenity value. They will be protected in accordance with the Tree Protection/ Management section of the Arborist report. Whilst the Development Plan approved to retain 17 moderate retention value trees, 6 of them are now rated low retention value and are proposed for removal.

The application seeks to remove 23 trees with low retention value (including the 6 trees with moderate retention value in the approved Development Plan). The updated Arborist report rated these trees as low retention value and assessed these trees as being generally dead, in decline, in poor condition or weed species. The report suggested that they are not worthy of retention and should be removed.

The submitted landscape plan proposes extensive planting throughout the site of 88 native trees including within the front setback and communal open space areas. The Development Plan shows planting of 134 trees which is 46 trees more than this proposal. If Council is of a mind to support the proposal conditions would require submission of amended landscape plan to show planting of 134 new trees or otherwise to the satisfaction of Council.

The surrounding neighbourhood has a mixed landscape setting of both exotic and native vegetation. The proposed landscaping will screen and soften the development. Species proposed include large Eucalyptus trees, with broad open canopies including *Eucalyptus leucoxylon* and *Eucalyptus polyanthemos* which are supplemented by smaller growing specimens such as the *Eucalyptus leucoxylon* Euky Dwarf and *Acacia implexa*.

Each townhouse has a small courtyard able to contain a small canopy tree. The apartments are surrounded by large communal areas that are to be significantly landscaped. Landscape area has been provided throughout the development and along the perimeter of the site.

The landscape plan appropriately compliments the design response, suitably integrates the Development Plan with the surrounding neighbourhood, and provides for adequate vegetation retention and substantial additional planting.

CONCLUSION:

The proposed development responds to the strategic policy aspirations for housing, contributing to housing choice and incremental change close to transport and facilities. The subject land is located within a General Residential Zone and within the Development Plan Overlay Schedule 5, the purpose of which is to promote housing diversities and increased housing densities. The proposed development will provide an appropriate mix of housing including townhouse and apartment building forms. The proposed development is generally in accordance with the approved Development Plan for the land. The design response is generally consistent with the objectives and applicable requirements of state and local policies. It is recommended that the proposed development be approved subject to conditions including minor modification.

LIST OF ATTACHMENTS:

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (December 2016).

Attachment 3 – Zoning and Overlays Map.