

Victorian Civil and Administrative Tribunal  
Application for Review No. P2171/2015.

**10 ALVINA STREET, OAKLEIGH SOUTH**

PREPARED FOR SPIRE GROUP PTY LTD  
INSTRUCTED BY MINTER ELLISON  
SITE INSPECTION 6TH JULY 2017

PREPARED BY  
**John Patrick**  
John Patrick Landscape Architects Pty Ltd

**August 2017**



LANDSCAPE ARCHITECTS  
ENVIRONMENTAL HORTICULTURISTS  
LANDSCAPE HERITAGE CONSULTANTS  
CONSULTANT ARBORISTS

**JOHN PATRICK LANDSCAPE ARCHITECTS PTY LTD**

324 Victoria Street, Richmond, VIC 3121, Australia  
T +61 3 9429 4855 E admin@johnpatrick.com.au  
F +61 3 9429 8211 W www.johnpatrick.com.au

## 1 NAME AND ADDRESS OF THE EXPERT

- 1.1 John William Patrick  
324 Victoria Street  
Richmond Victoria 3121

## 2 QUALIFICATIONS AND EXPERIENCE

- 2.1 M.Sc. Ecology (University of Durham).
- 2.2 M.Sc. Landscape Ecology, Design and Management (Wye College, University of London).
- 2.3 Associate Member of the Australian Institute of Landscape Architects.
- 2.4 John Patrick has worked in the discipline of Landscape Design since 1976. He established his practice in Australia in 1980 becoming full-time in 1988. From 1980-1988 he was Senior Lecturer in Amenity Horticulture at VCAH-Burnley.
- 2.5 In his practice John Patrick has undertaken an extended range of Landscape Architectural projects including:
- studies of Old Parliament House and Government House, Canberra;
  - studies of Fitzroy, Flagstaff, Treasury, Alexandra and Carlton Gardens, Melbourne;
  - provision of Landscape Architectural services to hospitals, schools, residential sub-divisions, private residences and parks etc;
  - design services for the City of Sydney 'Living Colour' Committee including street design for the Olympic and Paralympic Games 2000, and;
  - heritage studies and conservation management plans for numerous sites including Government House, Melbourne, The Domain, Eureka Stockade Parklands and Central Park, Caulfield.
- 2.6 He is a past presenter of Burke's Backyard and ABC's Gardening Australia, a past Board Member of the Royal Botanic Gardens, Melbourne, the Garden State Advisory Committee and Parks Victoria Dandenong Gardens Advisory Board and has written or contributed to 11 books.

## 3 AREA OF EXPERTISE

- 3.1 John Patrick has experience in Landscape Architecture, Landscape Heritage and Landscape Horticulture.

## 4 EXPERTISE TO PREPARE THIS REPORT

- 4.1 John Patrick is regularly involved with the preparation of Landscape Architectural schemes for residential and commercial developments and has provided expert evidence to the Tribunal's Planning Division on many occasions.

## 5 INSTRUCTIONS THAT DEFINE THE SCOPE OF THIS REPORT

- 5.1 This report has been prepared following verbal instruction from Minter Ellison. I have no business or private relationship with the permit applicant or Minter Ellison other than being instructed to prepare this statement.

## 6 THE FACTS, MATTERS AND ASSUMPTIONS ON WHICH THE REPORT PROCEEDS

- 6.1 The report assumes that the levels, dimensions and drawings provided by Rothelowman are correct as these have been used as the basis for this report and associated plans.

## 7 DOCUMENTS VIEWED IN PREPARING THIS REPORT

- 7.1 In the preparation of this report I have viewed and reviewed the following items:

- Statement of Grounds, various dates and authors.
- Arboricultural Report prepared by Galbraith & Associates dated 21<sup>st</sup> November 2014 and 21<sup>st</sup> July 2017.
- Advisory Committee Report – DEECD Surplus Land Rezoning Project Standing Advisory Committee, dated 22<sup>nd</sup> November 2013.
- Councillor Briefing Note prepared by Property & Planning Partners dated 3<sup>rd</sup> June 2015.
- Council Meeting Report dated 29<sup>th</sup> September 2015.
- Landscape Master Plan prepared by Tract dated 15<sup>th</sup> June 2016.
- Architectural Plans prepared by Rothelowman dated 29<sup>th</sup> November 2016, Revision A, including;
  - SK1.10, SK1.11, TP8.BB-01, SK8.CC-01, SK8.DD-01A, SK8.EE-01, SK8.FF-01, SK8.FF-02, SK8.GG-01, SK8.HH-01, TP8G.01, SK8.KK-01, TP8.LL.01, SK8.MM-01, SK8.PP-01, SK8.PP-01, SK8.RR-01, SK8.RR-02, SK8.SS-01, SK8.TT-01, SK8.W-01
- Architectural Plans prepared by Rothelowman dated July 2017, including;
  - TP1.10 Masterplan, TP1.11 Proposed Site Plan Ground Level

## 8 IDENTITY OF THE PERSON WHO PREPARED THIS REPORT

- 8.1 The author of this report, John Patrick, has visited the site and has undertaken a visual assessment of the site and reviewed the plans prepared by Rothelowman.

## 9 A SUMMARY OF THE OPINIONS OF THE EXPERT

### The site

- 9.1 The subject site is located at the south-east corner of Alvina Street, Oakleigh South at the junction of Alvina and Sinclair Streets. Alvina Street is a cul-de-sac and terminates to the site's western boundary at a large parcel of open land located to the south-west of the subject site and extending through to Talbot Avenue to the west. This empty land forms the south-west boundary to the subject site.
- 9.2 The double storey dwelling at 16 Sinclair Street is to the north of this open space. Its rear garden is open to views from the site, its front garden too since it has no front fence. Its landscape setting is open and there are massed shrub plantings.
- 9.3 Across Sinclair Street from this property is the single storey orange brick dwelling at 13 Sinclair Street. Its front garden is enclosed by a low brick and metal fence and this gives way to a high timber paling fence to the rear garden.
- 9.4 The majority of dwellings along the northern site boundary has an address in Coombs Avenue and this includes a single storey unit development at 7 Coombs Avenue that extends to very close to the common boundary leaving no space on that site for screening planting, and a nursery with glasshouses and areas of associated open space at 9 Coombs Avenue, however to the western end of this boundary is the single storey dwelling at 8 Alvina Street with a front garden of modestly scaled trees and shrubs and an open rear garden. It shares a side boundary with the subject site.
- 9.5 Further to the east along Coombs Avenue, at 9A is the final element of the subject site's northern boundary with single storey units constructed along the eastern boundary of the nursery and extending for a short distance parallel with the common boundary.
- 9.6 To the east the site has a boundary with the rear gardens of properties located in Scotsburn Avenue and at about the midpoint of this boundary there is a pedestrian link between that street and the subject site.
- 9.7 Generally, though not exclusively, this interface comprises single storey dwellings set forward on large blocks of land with associated outbuildings including garages and garden sheds and some modest tree cover, notably home garden fruit trees. At 19 Scotsburn Street there is a double storey component of the dwelling and at 23 Scotsburn an especially large site with a number of outbuildings that could well be a future development site. I understand that a permit has issued for the re-development of this site.
- 9.8 Properties in Ashbrook Court form the site's southern boundary and once again this comprises single storey dwellings on large garden lots a number with garages or sheds to the rear boundary. There is a number of trees on the subject site that contribute to the interface between these properties.
- 9.9 An Arboricultural Report was prepared for the site by Rob Galbraith. He observes that of trees native to Victoria on the site the most numerous are the weedy Sweet Pittosporum (*Pittosporum undulatum*) and Sallow Wattle (*Acacia longifolia*). There is a number of trees of good quality notably Tree 1, a Brush Cherry (*Syzygium paniculatum*), Trees 2 and 8, Smooth Bark Apples (*Angophora costata*) and Tree 8, an English Oak (*Quercus robur*). Several trees are over-mature and starting to decline and their removal allows recruitment of the next generation of trees and many others which would contribute if the opportunity allowed for their retention but could be removed if replacement planting could be provided.
- 9.10 A number of trees in adjacent properties will require appropriate protection though for so large a site these are relatively few in number and include Tree 6, a Sydney Blue Gum (*Eucalyptus saligna*), Trees 9, 34 and 35, Desert Ashes (*Fraxinus angustifolia*), Trees 21 and 22, Manna Gums (*Eucalyptus viminalis*), Tree 23, a Coast Manna Gum (*E.pryoriana*), Tree 25, a Bracelet Honey Myrtle (*Melaleuca armillaris*) and Tree 45, a Peach (*Prunus persica*).

- 9.11 The site is well located in relation to many facilities and for access. Centre Road is 3.5 metres to the south, Huntingdale Road 2.2 metres to the west though Warrigal Road 3 metres to the west offers access to Chadstone Shopping Centre and the South-eastern Freeway with access to the City and the south-eastern suburbs.
- 9.12 Monash University is 3.7 metres to the north-east of the site and the Huntingdale and Metropolitan Golf Courses to the west. Public Transport is available at either Clayton Station to the east or Huntingdale Station to the north-east.
- 9.13 Additionally, there are public reserves around at Davies Reserve to the west, Talbot Park to the south and Robinson Street Reserve.
- 9.14 The site is large, 147.65 metres from north to south and approximately 137 metres wide giving a total site area of 2.039 hectares.
- 9.15 Falls across the site are quite modest and consistent. The high point to the north-east is at a level of 65.78 metres, the low point, to the south-west at 61.88 metres, a fall across the site of 3.9 metres.

## Landscape proposal

- 9.16 The Architectural Design for the site has been prepared by Rothe Lowman Architects. Their scheme proposes two and three storey residential dwellings within a sub-division accessed by way of a road from Alvina Street.
- 9.17 Within the site a road comprising West, East, North and South Lanes extending around the sites four sides but located well into the site is supplemented by Centre Lane extending on a north/south axis through the middle of the site. Additionally, the footpath that extends to the site from Scotsburn Avenue to the east extends through the site and is linked to Alvina Street to the west.
- 9.18 A number of trees are proposed to be retained on the site namely Tree 1, a Brush Cherry, Trees 2 and 8, Smooth Bark Apples, Tree 11, the English Oak and Tree 71, a Queensland Brush Box (*Lophostemon confertus*). Other vegetation is proposed to be removed. Adequate protection can be provided for trees on adjacent properties.
- 9.19 A Landscape Architectural plan for the site has been prepared within this practice and under my direction. A copy is attached to this Statement of Evidence. This plan indicates areas of hard and soft landscape but does no more than provide a likely palette for shrubs, ground-covers and climbing plants. It does, however, offer full detail of proposed tree planting including the species selected and their planting location so that the general character proposed for the site can be ascertained.
- 9.20 Access to the site from Alvina Street provides a generous space where Fantasy Crepe Myrtle (*Lagerstroemia x faureri* 'Fantasy') creates an avenue impact. This softens the presentation of proposed buildings to north and south while also focussing the view on a Smooth Bark Apple located as the focus to a view into the site. This tree is perfect for this role with its broad open canopy and attractive trunk.
- 9.21 Fantasy Crepe Myrtle is a signature tree for the site extending along the inner side of the peripheral road so that it separates parking spaces, driveway cross-overs and provides a consistent sense of scale throughout the project. Importantly it will act as a unifying element within the design throughout the year, a unity created by its scale, its summer flowering, autumn foliage display and year-round bark quality.
- 9.22 Its use additionally extends into the north and south of the Centre Lane and where space allows on the outer side of the peripheral road, for example, adjacent to the proposed car parking area to the north-east of the site.
- 9.23 I have mentioned the use of Smooth Bark Apple as a focus to the entry axis from Alvina Street. I have nominated this species additionally as a focus to several of the axes though the site. Thus it is proposed to the north and south ends of East and West Lanes contributing to a sense of continuity and structure for the site.

- 9.24 A key feature of the site is the provision of an extensive, approximately 930 square metre, parkland at the west centre of the site. Paths cross it to allow access from different portions of the site but generally areas of grass are left uninterrupted for child's play or for groups to gather. A single barbecue and dining area is proposed to the north-east of the site and Yellow Bloodwood (*Corymbia eximia*) is planted throughout to create enclosure and a modest overhead canopy.
- 9.25 Generally, gardens throughout the site are provided with a tree. There are some instances where the overhead canopy from a tree on an adjacent property inhibits the capacity to recruit vegetation to the subject site.
- 9.26 This along the site's northern boundary a combination of Water Gum (*Tristaniopsis laurina*) with Wallangarra White Gum (*Eucalyptus scoparia*) provides cover. It is proposed to be augmented by shrubs and ground-covers to offer a complete garden scheme for each property with paved terraces able to enjoy direct solar access.
- 9.27 This strategy dominates boundary inter-face treatments and is appropriate because of its modest scale; sufficient to create some degree of separation between adjacent properties without overwhelming them.
- 9.28 Front gardens within the development also provide space for tree planting. Water Gum is used on occasion though more widely used, because of confined planting opportunity, is the attractive small tree Red Pokers (*Hakea bucculenta*) has been nominated in many front garden spaces.
- 9.29 Open space for some dwellings is provided in the form of upper floor terraces but where it is provided at ground level it is, with the exception of nine dwellings along the south boundary and five on North Lane which open onto the park, exposed to solar access, with paved terraces facing east, north or west.
- 9.30 The pedestrian path entering from Scotsburn Avenue occupies a wide reserve between dwellings through the site. Generally in the order of 1.5 metres wide, the path alignment also carries trees in the form of Wallangarra White Gums which soften the built form located to the north side of the path and provide a more pedestrian scale. Its alignment issues into the park and thence through to Alvina Street.
- 9.31 There is an area with a different character that provides the Alvina Street frontage. In part this is a product of the protection zone provided for Trees 1 and 2 in the Alvina Street setback but it also offers the townhouses addressing Alvina Street a generous landscape setting and opportunity for the planting of Yellow Bloodwoods as an addition to the existing trees.
- 9.32 The opportunity exists on this site to direct surface water from paths and roads into planting areas to capture site water for irrigation. On that basis I would not propose to irrigate general communal space though drip irrigation will be provided to private gardens and to the communal park and access road from Alvina Street.
- 9.33 Standard horticultural practices will be in place to secure appropriate plant establishment and this will include the use of organic mulches to reduce weed growth, secure an attractive finish and minimise water loss.

## Conclusion

- 9.34 A Landscape Architectural plan has been prepared for a proposed 96 townhouse development at 10 Alvina Street, Oakleigh South. A copy of the plan is attached indicating that the scheme will retain five of the site's better existing trees and recruit 180 new trees to the site, 5 being considered large canopy trees, 62 medium canopy trees and 113 smaller canopy trees. In addition a vocabulary of appropriate shrubs, ground-covers and climbing plants is proposed to provide a complete landscape scheme for the project.
- 9.35 The site is located in a General Residential Zone with an ability to take three storey development in part of the site. This is the strategy that has been followed on this project with two and three storey development augmented and softened by a significant landscape contribution. Two storey development is proposed to the a part of the western boundary, the southern and eastern site boundaries.
- 9.36 Landscape is provided to the site periphery that helps soften the site's presentation to neighbouring properties and offers a degree of privacy.

- 9.37 The landscape plant palette proposed utilises both exotic and native vegetation, deciduous and evergreen, requires little additional water for successful growth and is therefore a sustainable landscape solution.
- 9.38 Having reviewed the site and its context, the Planning Scheme as it applies to the site and the plans prepared by Rothe Lowman with the Landscape Architectural plans, I do not believe a permit should be withheld from this project on the basis of landscape.

## 10 PROVISIONAL OPINIONS.

- 10.1 None.

## 11 INACCURACIES AND ADDITIONAL MATTERS.

- 11.1 To my knowledge, there are no inaccuracies in this report or matters related to landscape assessment and design which fall outside my expertise.
- 11.2 I have made all the enquiries that I believe are desirable and appropriate and no matters of significance, which I regard as relevant, have to my knowledge been withheld from the Tribunal.



John Patrick  
**John Patrick Landscape Architects Pty Ltd**