

**1.7 445-467 BLACKBURN ROAD, MOUNT WAVERLEY
CONSTRUCTION OF A 10 STOREY BUILDING COMPRISING HOTEL, RETIREMENT VILLAGE, CHILD CARE CENTRE, MEDICAL CENTRE AND FOOD AND DRINK PREMISES
(TPA/47337)**

EXECUTIVE SUMMARY:

This application proposes the construction of a mixed use development comprising of hotel, serviced apartments, retirement village, childcare centre, medical centre with a multi-level building up to 10 stories in height. The application also seeks a substantial reduction in the applicable car parking requirement.

The application was subject to public notification. Twenty-three (23) objections to the proposal have been received.

Key issues to be considered relate to the strategic justification of the proposal, appropriateness of the building scale, increased traffic and vehicle access, adequacy of car parking provision and adverse amenity impacts of the proposed land uses.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state and local planning policy framework, applicable policy and issues raised by objectors

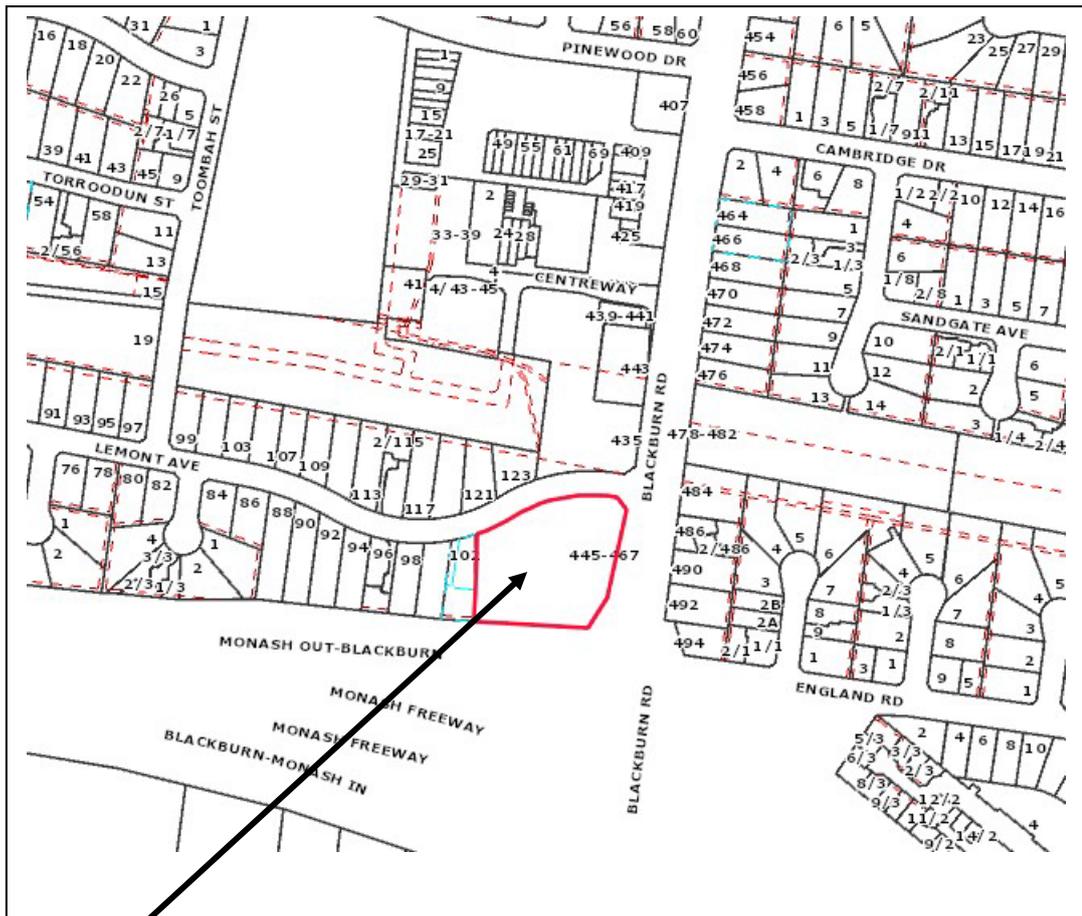
The reason for presenting this report to Council is the proposed development cost of \$71.5 million.

The proposal is considered inconsistent with the relevant provisions of the Monash Planning Scheme and it is recommended that the application be refused.

RESPONSIBLE DIRECTOR:	Peter Panagakos
RESPONSIBLE MANAGER:	Angela Hughes
RESPONSIBLE PLANNER:	James Heitmann
WARD:	Mount Waverley
PROPERTY ADDRESS:	445-467 Blackburn Road, Mount Waverley
PRE-APPLICATION MEETING:	Yes
NUMBER OF OBJECTIONS:	Twenty-three (23)
ZONING:	General Residential – Schedule 2
EXISTING LAND USE:	Motel and restaurant
OVERLAY:	Vegetation Protection – Schedule 1
AMENDMENT C125 (adopted)	General Residential – Schedule 3
RELEVANT CLAUSES: State Planning Policy Framework Clause 10.01 (Purpose) Clause 10.02 (Goal) Clause 10.04 (Integrated Decision Making) Clause 11 (Settlement)	Local Planning Policy Framework Clause 21 (Municipal Strategic Statement) Clause 21.04 (Residential Development) Clause 21.08 (Transport and Traffic) Clause 22.01 (Residential Development and Character Policy)

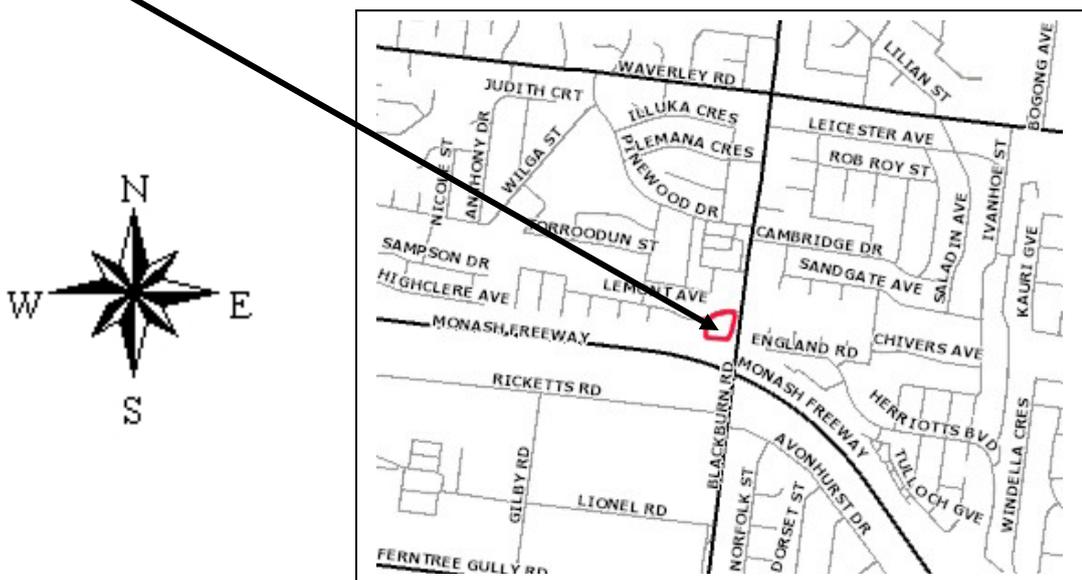
<p> Clause 11.04 (Metropolitan Melbourne) Clause 14.02-1 (Catchment Planning and Management) Clause 15 (Built Environment and Heritage) Clause 16 (Housing) Clause 16.01-2 (Location of Residential Development) Clause 16.01-4 (Housing Diversity) </p>	<p> Clause 22.04 (Stormwater Management Policy) Clause 22.09 (Non-Residential Use and Development Within Residential Areas Policy) Clause 22.13 (Environmental Sustainable Development Policy) </p> <p> <u>Particular Provisions</u> Clause 52.06 (Car Parking) Clause 52.07 (Loading Facilities) Clause 52.29 (Land adjacent to a Road Zone) Clause 52.34 (Bike Facilities) Clause 52.36 (Integrated Transport Planning) </p> <p> <u>General Provisions</u> Clause 65 (Decision Guidelines) </p>
STATUTORY PROCESSING DATE:	21 November 2017
DEVELOPMENT COST:	\$71.5 million

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



RECOMMENDATION:

- A.** That Council resolves to issue a **Notice of Decision to Refuse to Grant a Planning Permit (TPA/47337)** for the construction of a multi-level building (up to 10 storeys in height) for multiple dwellings and accommodation; use of land for a residential hotel, retirement village, child care centre, medical centre, convenience shop and food and drink premises; reduction in the car parking requirement of Clause 52.06; reduction in the loading and unloading requirements of Clause 52.07; reduction in the bicycle facilities requirements of Clause 52.34 at 445-467 Blackburn Road, Mount Waverley subject to the following grounds:
1. The proposal is inconsistent with the Residential Development Policy and Residential Development and Character Policy at Clauses 21.04 and 22.01 of the Monash Planning Scheme.
 2. The proposal is not consistent with the objectives, strategies and urban design principles of Clause 15.01 of the Monash Planning Scheme.
 3. The proposal is out of character with the existing development in the surrounding area.
 4. The proposed scale and form of the development is excessive and unjustified.
 5. The proposal would have a poor level of internal amenity for future residents.
 6. The proposal would have a detrimental impact on the amenity of surrounding land.
 7. The proposal is considered an overdevelopment of the land.
 8. The application does not provide for sufficient car parking.
 9. The application does not provide for sufficient bicycle facilities.
 10. The proposed land use is inadequately justified and inappropriate having regard to the proper and orderly planning of the area.
 11. The proposal does not satisfy the requirements of Vic Roads.

BACKGROUND:**The Site and Surrounds**

The subject land is located on the south-west corner of Blackburn Road and Lemont Avenue in Mount Waverley. The land is irregular in shape, has a slight fall of 0.5m from north to south and an overall area of 6347.16m². No easements encumber the land. The land was developed with a motel and associated restaurant in the early 1980's and is commonly known as the Bruce County Motor Inn. Three attached single and double storey buildings occupy the site along with associated car parking, landscaping and a guest swimming pool. Clancy's Restaurant occupies the front of the site and operates ancillary to the motel on the land.

The land is located approximately 80 metres south of the Pinewood Shopping Centre. Land opposite the site to the immediate north forms part of the electricity high transmission power line easement and includes an at grade car park servicing the office building within the centre.

Land to the west and north-west is an established residential area developed with detached single and double storey dwellings constructed from the 1960's to 1980's along with some newer unit and townhouse development. The built form of the area typically comprises of brick dwellings with pitched tiled roofs.

Land to the east across Blackburn Road is an established residential area comprising of single and double storey detached buildings. Numerous buildings along Blackburn Road are used for commercial purposes including childcare, medical centres and a nursery.

The Monash Freeway is located to the immediate south of the subject land. The freeway off ramp spans the southern and eastern boundary of the land. To the further south is land within the Monash Technology Precinct. Development includes a mix of office and warehouse premises up to 4 storeys in height with large landscaping setbacks provided to Blackburn Road.

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

PROPOSAL:

The application proposes construction of a mixed use building up to ten storeys in height. Details of the proposal can be summarised as:

- 120 hotel rooms.
- 10 townhouses.
- 47 residential apartments.
- 8 serviced apartments.
- Child care centre with maximum 140 children.
- Medical centre with 12 practitioners.
- 60 independent living units (retirement village).
- Restaurant (food and drink premises).
- Convenience shop.
- 135 car parking spaces within basement car parking.
- Various shared facilities including gymnasiums, swimming pool for communal use by occupants.
- Vehicle access to the new development via Lemont Avenue.
- Pedestrian access from Lemont Avenue.

The proposed building has an overall maximum height of ten storeys along the Blackburn Road frontage graduating to a five storey form adjacent to the western boundary.

The building is sited around a central communal courtyard space.

The application seeks a reduction in the applicable car parking and bicycle requirements and waiver of the loading facilities requirement.

Attachment 1 details plans forming part of the application.

PERMIT TRIGGERS:**Zoning**

The subject site is located within a General Residential Zone (Schedule 2) under the provisions of the Monash Planning Scheme.

Pursuant to the requirements of Clause 32.08-2 a permit is required for a use of land for a residential hotel, serviced apartments, retirement village, medical centre, childcare centre, convenience shop and restaurant within the zone.

Pursuant to the requirements of Clause 32.08-4 a permit is required to construct two or more dwellings.

Pursuant to the requirements of Clause 32.08-8 a permit is required to construct a building or construct or carry out works associated with use of land for a residential hotel, serviced apartments, retirement village, medical centre, childcare centre, convenience shop and restaurant within the zone.

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

Particular Provisions

Pursuant to Clause 52.06, a permit is required to reduce the number of car parking spaces required under Clause 52.06-5; Clause 52.07 to reduce the loading requirement; and Clause 52.34 to reduce the number of bicycle requirement.

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

CONSULTATION:

Further information was requested of the Permit Applicant on 20 April 2017. In this letter, officers also raised the following preliminary concerns:

- The density, height and scale of the proposed development are excessive having regard to its interface with established residential areas surrounding vicinity and the scale of development within the Pinewood Neighbourhood Activity Centre. The height and intensity of the proposal should be reduced to achieve a built form outcome which appropriately integrates the site with development and land use in the surrounding area and provides for building scale appropriate to the surrounding context.
- The proposed reduction in car parking requirement is unlikely to be supported. New development should be designed to provide for car parking in accordance with the applicable requirements of Clause 52.06.

Officers advised the Applicant in writing that should these concerns not be addressed, that this application was unlikely to be supported and would be refused.

The Permit Applicant responded to this letter on 21 August 2017 and 7 September 2017 by providing the requested information and further supporting information.

In relation to the preliminary concerns, the Applicant advised:

- *The implications of amendments VC110 and VC136 are not relevant to the consideration of this planning permit application. As mentioned above, both of these amendments were gazetted following the submission of the planning permit application to Council.*
- *Our vision is for a development which facilitates interaction between people, health & wellness and which is coupled with resource sharing to drive affordability.*
- *Quality, service, convenience and affordability are ongoing challenges in the 21 Century. This development addresses these in a number of ways.*
- *The corporate traveller wants service, location and facilities - the flexibility to turn a stressful trip into a time to relax after day long meetings or conferences.*
- *Baby Boomers are active, style conscious and want to live in a vibrant environment with multi age interaction, in familiar surroundings and close to families & friends.*
- *Young families want all encompassing and readily available local day care and primary schooling. They want innovative learning approaches and educational philosophies that fits the needs of the individual child.*
- *Proximity to walkable amenity is an additional and significant advantage.*
- *This development responds to these expectations and is enhanced by its focus on public offerings, and resource sharing by internal and external communities.*
- *The height, scale and density of the proposed development was derived from a detailed analysis of the subject site and the context of the surrounding area. The proposed development provides varied heights and setbacks at different levels to address each street interface appropriately. The tallest built form is located in the southeast corner of the site and is well removed from the sensitive interfaces to the west and northwest. The stepping down of the building to the west boundary and a section of the north boundary is a direct response to the existing residential development to the west and on the opposite side of Lemont Avenue. The mixed-use nature of the proposal complements and supports the economic function of the Pinewood Neighbourhood Activity Centre and will not overwhelm the scale of development within this centre. This mix of uses is considered appropriate adjacent to Blackburn Road, with the commercial uses isolated from residential properties further west.*
- *The proposed reduction in car parking is discussed in the Transport Impact Assessment prepared by One Mile Grid and submitted with this response. This report recommends that an additional 102 car parking spaces be provided on-site to accommodate the anticipated demand. That is a recommendation that could be accommodated within the development and imposed by permit condition in the event that Council resolves to support the proposal.*

The application (as originally submitted) benefits from transitional provisions of Clause 32.08-14 which provide for an exemption from garden area and mandatory maximum building height requirements for applications lodged prior to the approval date of Amendment VC110.

As a consequence of Planning Scheme Amendment VC110 the Applicant is not prepared to make any changes to the proposal, as to formally submit amended plans would result in Amendment V110 applying to the site and imposing a 3-storey height limit on the proposed develop.

Following completion of the public notification period, the applicant requested Council officers defer determination of the application to the January 2018 Council meeting to allow the applicant to further respond to design concerns.

The applicant met with Council officers on 12 January 2018 to discuss modification to the proposal. While some changes to the proposal were discussed, no amended plans were lodged with Council and no commitment to any meaningful changes was made. The changes discussed do not go far enough in addressing officers concerns.

The Applicant was verbally advised on 12 January 2018 that this application was coming to the 30 January 2018 Council meeting. In addition to a letter that was sent to the Applicant formally informing them of the details of the Council meeting. The Applicant has been verbally advised that this application is recommended for refusal.

Public Notice

Notice of the application was given pursuant to the requirements of Section 52 of the *Planning and Environment Act 1987*. Three (3) large signs were displayed on the site during the notification period. A notice was published in the Monash Leader newspaper on 3 October 2017.

A letter summarising details of the proposal was sent with the advertising notice material.

Twenty three (23) objections to the proposal have been received.

Objections received for the applications included the following:

- Scale, built form and building massing.
- Traffic and vehicle access.
- Adequacy of car parking.
- Appropriateness of land use mix.
- Loss of vegetation.
- Loss of residential amenity.

Public information session

A public information session was held on 10 October 2017 at the Monash Civic Centre between 6pm and 8pm. Approximately 40 residents attended the session. Council Officers and representatives for the permit applicant were in attendance to answer any questions from the community.

Attachment 4 details the location of objector properties.

Referrals

Public Transport Victoria

The application was referred to Public Transport Victoria pursuant to the requirements of Clause 52.36. Public Transport Victoria have no objection to the proposal subject to conditions

VicRoads

The application was referred to VicRoads for comment. VicRoads have requested additional information from the permit applicant. These requirements have not yet been satisfied.

AusNet

The application was referred to AusNet pursuant to the requirements of Clause 6.02-4. AusNet have no objection to the proposal.

DISCUSSION:**Monash Housing Strategy 2014 and Amendment C125**

The Monash Housing Strategy 2014 (MHS) was developed to review Council's current housing and residential policy. The MHS was based on an assessment of key State and Local Strategies including research from all tiers of Government and other research bodies. The MHS provides an update to existing residential policy and urban character statements along with clear residential development policy framework to inform further strategic planning policy work and planning scheme amendments such as C125 (Monash Housing Strategy Stage 1 – New Residential Zones).

Amendment C125 is currently with the Minister for Planning for approval. Amendment C125 recommends applying the General Residential Zone (Schedule 3) to the site.

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 subject land is located within a "Garden City Suburb" and "Accessible Areas" precinct where housing objectives seek:

"Moderate housing change and diversification serving as a transition between commercial and residential areas.

Development will be respectful of neighbourhood character and amenity, with greater emphasis placed on these objectives in proportion to the distance from commercial zones and transport nodes.

Provision of opportunities for modest housing growth and diversification with emphasis on preserving and enhancing Monash's Garden City Character."

The subject land is identified as a "Garden City" suburb setting and not earmarked for substantial change in terms of on-going policy development which would encourage more intensive development outcomes on this site. Whilst the land is located within an "Accessible" area within the residential development framework, further policy work and structure planning is yet to be done for these areas which will guide the future scale and form of development within these localities.

The future character of "Garden City" precincts envisages low scale residential development comprising of single and double storey detached dwellings, units and townhouses with generous setbacks, landscaping provision and architectural styling complementary to the surrounding area. Intensive apartment, hotel, aged care and commercial development where appropriate within residential localities should be in the form of lower to medium scale (3-4storeys in height), and carefully designed having regard to the surrounding context and including substantial landscaping setbacks.

The Monash Housing Strategy amongst other items has identified the lack of greenfield land supply within the municipality. While the proposal would result in a modest addition to the housing supply, the overall building mass of the development is not appropriate in its context. The housing strategy does not provide any policy justification for 5-10 storey scale within this locality which is typified by modest, detached, single and double storey dwellings.

The design response has little regard for the surrounding context in terms of built form outcomes, design objectives of the housing strategy and neighbourhood character. The Housing Strategy envisages development of a much lesser scale. The ten storey scale of the proposed development and lack of integrated landscaping will be visually dominant on the neighbourhood and landscape character of the surrounding area. The scale and massing impact of the development will be visually imposing on adjoining properties including adjoining public open space and car park areas to the south.

Whilst the precinct is identified for some increased density and more intensive development, the design response must appropriately integrate with surrounding development in scale and form and provide for better transition with surrounding residential areas. The ten storey scale and commercial architectural styling of the proposal does not achieve these objectives. The preparation of a structure plan for the Pinewood Activity Centre remains some years away. In the intervening time new development should have proper regard for the surrounding context and applicable policy objectives.

The submitted proposal is at odds with the objectives of the adopted housing strategy. The subject land and surrounding area has not been identified for increased residential density and built form outcomes of the scale proposed. The design response pays poor regard for the surrounding context in terms of built form outcomes, design objectives of the housing strategy and neighbourhood character.

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.

Development should be appropriately located and minimise its impact on the residential amenity of established residential areas. Development of the scale proposed is considered to be more appropriate in a major activity centre.

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.”

New development should respond to its context in terms of urban character. Built environment and heritage policy seeks to facilitate high quality urban design and architectural planning outcomes that make a positive contribution to the sense of place and established urban character. The proposed development poorly responds to the surrounding context, does not provide for any significant architectural or strategic merit warranting a development of the scale proposed.

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. Whilst the proposal satisfies increased density and housing diversity objectives, the design response fails to provide for built form outcomes having regard to the surrounding context and applicable residential development policy.

Residential development strategies of Clause 21.04 and policy of Clause 22.01-1 seek to:

“Direct high rise residential developments towards the Glen Waverley Principal and Oakleigh Major Activity Centres.”

“Direct medium rise development towards the Brandon Park, Clayton and Mount Waverley Major Activity Centres.”

“Ensure that new residential development achieves high quality architectural and urban design outcomes that positively contribute to neighbourhood character.”

The subject land is not located within a precinct identified for development of the scale proposed. The design response is not of any exemplary architectural merit which warrants or justifies the 10 storey scale proposed.

The close proximity of the Pinewood Neighbourhood Activity Centre and limited sensitive interface given its main road location might provide some modest opportunity for increased scale and density, however the detail, form and scale of the proposal must be appropriate to the context and respond to applicable residential development policy.

Clause 15.01 Built Environment and Heritage

The objective of Clause 15.01-1 is:

“To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.”

This Clause requires that development achieves architectural and urban design outcomes that contribute positively to a local urban character and enhance the public realm and minimise detrimental impacts on neighbouring properties. Recognition should be given to the setting in which buildings are designed and the integrating role of landscape architecture.

Relevant strategies seek to:

“Promote good urban design to make the environment more liveable and attractive.

Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.

Require development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate.”

Any redevelopment of the site needs to better respond to the context of the area with a built form that sits comfortably within the streetscape and surrounding neighbourhood. Development within the commercial precinct of the Pinewood Activity Centre typically has a maximum two storey maximum height with few exceptions such as the four storey office building constructed in the early 1990’s. The 10 storey height of proposed development would substantially dwarf all other development within the activity centre. Given the location of the land on the outer periphery of the Pinewood Activity Centre and residential zoning of the site, greater emphasis should be provided on transition and integration within the built form of residential areas to the west. This should include reduced building scale to the street, provision of a landscaping setback to the development and a lesser overall building scale.

Housing policy at Clause 16.01 of the State Planning Policy Framework seeks to:

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

“To facilitate the timely development of residential aged care facilities to meet existing and future needs.”

“Encourage planning for housing that:

- *Delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities.*
- *Enables older people to live in appropriate housing in their local community.”*

Increased residential density and dwelling diversity is sought by state and local policies in appropriate locations. Whilst the proposed development satisfies housing diversity and increased density objectives, the design and scale of the proposal fails to appropriately respond to the surrounding context and applicable policy guidance which envisages residential development of a more modest scale.

Urban Design

Council has engaged Hansen Partnership to provide urban design advice and independent assessment of the proposal, as part of Council’s consideration of the proposal.

The following extracts of this advice (Hansen Partnership, November 2017) is relevant to Council’s consideration of the proposal:

“We consider that the site is somewhat an abnormality and island site in the host context. Whilst there is a neighbourhood Activity Centre and commercial precinct to the north of the site, the subject site is physically separated from this area by high voltage transmission and the Monash Freeway to the south, there is a distinct moderate grain residential area to the east and west of the site. Accordingly, we consider that a balance must be achieved in relation to this complex host environment.

Having regard to the proposed development, we consider that the subject site does lend itself to some form of higher density development, however, we consider that the proposed built form response is unacceptable in its current form primarily due to the site planning and overall height of the proposal. We therefore consider that the built form response requires substantial modification and reduction in scale to create an acceptable outcome. The reasons for our position is discussed further as follows:

We are aware that since the application was lodged with Council (23 March 2017) there has been a change in State Planning Policy Amendment VC110 applies to the site. In our view consideration must be given to what level of development is likely to occur adjacent to the subject site given these new mandatory controls. Given that any new development in the immediate surrounding area will be limited to 3 storeys, it is our view that the proposal must be tempered to better respond to this change in condition and its host environment.

We consider that given the surrounding context of the site and the hierarchy of Activity Centres the scale and intensity of development is inconsistent and presents as an overdevelopment of the site.

Height

Whilst some increases in height above the now mandatory 3 storey form could be accommodated on the site, it should be carefully sited away from the sensitive residential interfaces.

There is nothing similar in height within this section of Blackburn Road, further reinforcing the ‘isolation’ of this site and the dominance of the proposal. The site and the proposal will be seen out of context given the ‘peninsula’ nature of this site. Furthermore, the proposal has little architectural merit that warrants such a substantial form on the site.

Site planning

Whilst we support a mix of uses and the creation of a diverse mixed community on the site, we feel that multiple uses and the location within the built form has been poorly resolved and is confusing.

- *There is a poor ‘sense of address’ for the apartments and townhouses, especially along the western boundary. None of the residential uses have a street presence, rather, they are located deep within the site, further eroding the ‘sense of address’.*
- *The mix of uses is confusing, without significant wayfinding methods, navigating through the site to find a service or a dwelling will be difficult for visitors, even at the basement level. Access and movement through the site is unclear.*
- *Given the proximity to the shopping centre to the north, the proposal appears to have little consideration as to how the proposed uses (other than residential) could relate to this adjoining and established centre.*
- *The southern townhouses have a poor outlook across the Monash Freeway, regard should be given to locating the hotel or serviced apartments in this location. In addition, we note that many of the apartments have poor internal arrangements and amenity combined with poor outlooks or overlooking potential.*
- *The proposed central courtyard space providing shared vehicle and pedestrian access is not clear or inviting. There is potential for vehicle/pedestrian conflicts.*

- *Without a detailed landscape plan, it is unclear how trees growing up through the basement is viable.*
- *The proposal does not offer any meaningful transition to the sensitive residential interfaces to the north or west. In addition, due to the alignment of Lemont Avenue (a moderate grain residential street), movement and associated views to the east along the residential street will be terminated by the mass of the proposal.*
- *The arrangement of the basement is also confusing, with no clear indication of who parks where and for what use.*
- *The 3D architectural impressions are confusing. For example, landscaping is shown where hard surfaces are proposed, and café furniture shown within the shared drop off areas.*

Architectural expression and massing

Given the extent of built form proposed on the subject site and siting on a highly visible site, it is disappointing to see that more regard has not been given to the architectural merit of the proposal and the positive contribution it could make to the site and wider context. In our view:

- *The architectural expression is ‘bland’. Whilst articulated with window and balcony fenestration, the sheer mass and breadth of the proposal creates visually bland elevations both to the site’s frontages and internal spaces.*
- *The mass of the proposal is poorly resolved. For example, the serviced apartments above the childcare centre sit heavily on the site and does not provide any sense of transition to the low scale residential form, and subdivision pattern along Lemont Avenue.*
- *The screening between townhouses does not assist with providing a residential rhythm to the Lemont Avenue streetscape, rather it adds visual bulk and mass to the elevation.*
- *Whilst we acknowledge the incorporation of some green wall elements, however, without a detailed Landscape Plan, we are unsure as to how viable a green wall on the northern elevation will be, especially in summer.*

In our view, the proposal represents a significant over development of the site and its location, for reasons outlined in this memo. However, in summary we consider:

- *That given the surrounding context of the site and the hierarchy of Activity Centres within Monash, the scale and intensity of development is inconsistent with the strategic intent for the area;*
- *That given the emerging heights in the immediate area and the intent of the revised GRZ (3 storeys) we consider that the proposal requires a significant tempering in the proposal’s height;*
- *The site planning is poorly resolved and confusing, with navigation through the site and all the proposed uses confusing;*
- *The number of uses proposed requires further justification and better resolution having regard to the site planning of the site; and*
- *The overall architectural expression of the proposal is poorly resolved and does not make a positive contribution to its host environment.”*

As is evident throughout the Hansen assessment, the proposal is ill conceived and inadequately justified having regard to context and applicable policy.

In assessing residential development of the scale proposed, Council must have consideration of the development's appropriateness having regard to context, public realm, safety, views and vistas, pedestrian spaces, empty sites, light and shade, energy and resource efficiency, architectural quality and landscape architecture outcomes.

Council's goal is for residential development in the City to be balanced in providing a variety of housing styles whilst remaining sympathetic to existing neighbourhood character. 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 as a significant and important consideration in all land use and development decisions.

The Residential Development and Character Policy at Clause 22.01 seeks to ensure that new development is successfully integrated into existing residential environments, with minimal streetscape or amenity impact, and designed to achieve outcomes that enhance the Garden City Character of the area. The submitted proposal is inconsistent with this policy guidance which seeks a more modest design response.

The design response must be appropriate to the neighbourhood and the site, and must respect the existing or preferred neighbourhood character and respond to the features of the site. The height and setback of buildings must also respect the existing or preferred neighbourhood character and limit the impact on the amenity of existing dwellings.

Development needs to have careful consideration of the interface with existing adjoining properties and how the development fits within the neighbourhood. The proposed 10 storey form of the proposal is inconsistent with the vision of the desired future character statement and Monash Housing Strategy. Any development of the subject land needs to suitably integrate with the established and emerging built form of the surrounds. The large land area of the subject property does not merely justify a built form outcome of the scale proposed. Whilst the Blackburn Road frontage of the site could potentially accommodate a building of scale, the proposed 10 storey form is considered grossly excessive.

The substantial building scale, commercial architectural styling and form of the proposal are at odds with the surrounding built form and is considered inappropriate. The design of the proposal poorly integrates with the built form in the surrounding area with regard to streetscape, adjoining open space areas and adjacent properties including large sections of sheer building massing and dense conglomeration of building massing components.

The architectural styling and proposed façade detailing of the proposal is not of any demonstrated architectural merit to justify development of the scale proposed. Building elements adjacent to established residential areas poorly integrate within the surrounding neighborhood, and should be substantially tempered.

A more appropriate design response for the site would better integrate new residential development having regard to the existing and preferred character of the area. Development of the land should be less visually dominant, more modest in scale and massing, provide for appropriate interface with adjoining properties and the streetscape. Architectural styling and design detail should be more sympathetic to the surrounding context.

The proposed 3.0m setback of the development along the Blackburn Road frontage is considered inadequate given the scale of the proposal

Building Scale

The size and scale of the proposal is an inappropriate design response having regard to the surrounding context.

The scale and form of the development should be substantially reduced and provide for suitable built form transition from the activity centre to established residential areas. Given the locality and context an apartment building form might be foreseeable on the site. The scale of an apartment form should be in the order of 3-4 storeys proportionate to existing development within the Pinewood Activity Centre.

The façade treatments lack adequate visual interest and further exacerbate the bulk of the development. Development of scale should include quality architectural detail which is complementary to the established form or residential development in the surrounding area. Architectural detailing should be refined to provide for substantial facade articulation, massing relief and improved integration with surrounding residential areas. The submitted design response pays minimal regard to the residential zoning of the land and policy objectives seeking a softer and better integrated built form outcome

Car Parking, traffic and access

Car parking associated with the development is provided for within the basement.

The table below details car parking requirements and provision having regard to the requirements of Clause 52.06-5:

Use	Clause 52.06-5 Requirement	Floor Area (m ²) /No. of dwellings/ practitioners	Car parking requirement generated	Car parking provision proposed
Convenience shop	10 car spaces to each premises	238m ²	10 car spaces	Car spaces unallocated/ location of car parking not detailed within application submission
Medical Centre	5 spaces for the first practitioner and 3 spaces for every additional practitioner	12 practitioners	38 car spaces	
Child care centre	0.22 car spaces to each child	140 children	30 car spaces	
Retirement Village (dwellings)	1 space per dwelling	60 dwellings	60 car spaces	
Retirement Village (visitor)	1 space per 5 dwellings	60 dwellings	12 car spaces	
Dwellings (1 & 2 bedrooms)	1 space per dwelling	51 dwellings	51 car spaces	
Dwellings (3 bedrooms)	2 spaces per dwelling	6 dwellings	12 car spaces	

Residential visitor	1 space per 5 dwellings	57 dwellings	11 car spaces	
Residential Hotel	Unspecified - to the satisfaction of the responsible authority Previous similar approval has provided for a requirement of d of 0.8 spaces hotel room	120 hotel rooms	96 car spaces	
TOTAL REQUIRED			320 car spaces	
TOTAL PROVIDED				135 car spaces

The development has a statutory parking requirement of 320 spaces. The development proposes to provide 135 car spaces and seeks a reduction of 185 car spaces.

The car parking and traffic assessment submitted with the proposal (One Mile Grid, June 2017) suggests that the proposed development generates anticipated demand for up to 237 on site car spaces based on empirical assessment of similar development and land use. Peak parking demand is projected to occur during the day when all uses are generating a car parking demand for 237 spaces comprising 30 child care spaces, 63 resident spaces, 6 visitor spaces, 60 retirement village resident spaces, 38 medical centre spaces, 38 hotel spaces and 2 convenience store spaces.

By the applicants own submission, the submitted proposal provides for inadequate car parking and suggest that the development provide for an additional 102 car spaces on-site (resulting in a total of 237 parking spaces on site). While this would result in more parking spaces being provided on site, it would still fall short of the Planning Scheme requirement of 320 spaces.

It is not considered that the residential, residential visitor, medical centre and the childcare centre should be reduced below the Planning Scheme requirements. In relation to the senior living component, there is concern that no consideration of staff requirements has been identified. It appears that there are ancillary uses associated with the development which are likely to require additional staff or attract additional visitors including massage, hydrotherapy, pilates/yoga, gymnasium, art studio and live entertainment/dance floor/cinema. These may be associated with either the senior living or the hotel components at various times. In addition, the traffic report acknowledges that public transport is limited to bus services and consequently it is likely that occupants of the independent living units may own one or more vehicles. It is considered that a retirement village of the scale and form proposed is provided with the additional allocation of staff car parking.

The statutory requirement for a convenience shop is 10 spaces. As this is an ancillary use to the overall development and is not likely to attract outside customers, it is considered that 2-3 staff spaces are likely to be sufficient.

The traffic report indicates the anticipated hotel demand at 0.3 spaces/room and assumes 100% occupancy. There is concern that overflow of parking associated with this component would detrimentally impact on Lemont Avenue and the adjacent Pinewood shopping centre where parking demands are high. It is considered that this is considerably lower than what would be expected to be generated given the hotel is located well away from rail transport. Based on a recent residential hotel application, a rate of 0.8 spaces/unit was used which was inclusive of hotel staff requirements. This is considered to be similar to the Planning Scheme rate of 0.4 spaces/patron with most hotel rooms catering for 2 people. This would require a total of 96 spaces for the Hotel component.

There is concern with regard to the location of the car park access opposite the driveway at 123 Lemont Avenue where it could cause headlight glare and the expected volume could create disturbance to neighbours. It is suggested that access to the car park access could be relocated internal to the site with a single point of access at the east end of the site to reduce the impact of this significant development on neighbouring properties.

The traffic report indicates that parking spaces are dimensioned at 2.5m wide, 4.9m long and minimum 6.0m wide access aisles. It should be noted that a number of aisles scale at 5.6-5.8m which is of concern. It is recommended that all spaces be designed in accordance with the Table 2 of Clause 52.06-9 of the Monash Planning Scheme.

The submitted plans do not show existing details on the naturestrip such as trees, power poles and street furniture. The western crossing appears to impact on an existing naturestrip tree. The proposed crossings should provide clearance to affected nature strip trees of at least 2.5m.

The application proposes vehicle access to the site via two new access points along Lemont Avenue. Peak traffic generation for the development is anticipated to be 133 vehicle movements in the AM peak and 174 in the PM peak. According to Council surveys, Lemont Avenue carries around 1000 vehicles/day and consequently this would increase traffic volumes at the eastern end of the street by around 17%. Given the mix of uses and lack of off-street parking proposed, it is unclear the extent to which this aspect of the proposal would impact upon residents of Lemont Avenue and residents/users of the surrounding area.

The referral response from VicRoads requested additional information including additional traffic impact analysis. This requirement has not yet been satisfied. Comments from VicRoads are required in relation to the impact of additional traffic generation on the intersection of Lemont Avenue/Blackburn Road, particularly in view of its location adjacent to a Monash Freeway interchange.

Bicycle Parking

Bicycle parking is provided in accordance with the requirement specified by Clause 52.34-3 of the Monash Planning Scheme. The table below details the number of bicycle parking spaces required:

Use	Clause 52.06-5 Requirement	Floor Area (m ²)/No. of dwellings/ practitioners	Bike parking requirement generated
Medical Centre	Employee: 1 to each 8 practitioners Visitor: 1 to each 4 practitioners	12 practitioners	2 bike spaces (employee) 3 bike spaces (visitor)
Dwellings (including retirement village and serviced apartments)	Residents: 1 to each 5 dwellings Visitor: 1 to each 10 dwellings	125 dwellings	25 bike spaces (resident) 13 bike spaces (visitor)
Residential hotel	Residents: 1 to each 10 lodging rooms Visitor: 1 to each 10 lodging rooms	120	12 bike spaces (resident) 12 bike spaces (visitor)
TOTAL REQUIRED			67 bike spaces
TOTAL PROVIDED			44 bike spaces

The application seeks a reduction in the applicable bicycle facilities requirement. This is not supported and if a permit was to issue for the proposal, a condition of the permit would require bicycle spaces to be provided on-site in compliance with the Planning Scheme.

Internal Amenity

The proposal raises some further concern having regard to internal amenity.

The internal living areas of numerous apartments and townhouses are small and do not provide reasonable space for both living and dining areas.

Some kitchen and bedrooms have extremely poor solar amenity dependant on long snorkel light corridors or room depth in excess of 15m from windows.

Townhouses at ground level are provided with small courtyard spaces immediately adjacent to common property areas.

A large number of apartments have an entirely southerly aspect orientated to the Monash Freeway resulting in this spaces being both dark and noisy.

Land Use

The purpose and scope of the General Residential Zone seeks to allow a limited range of other non-residential uses to serve local community needs, whether the use or development is compatible with residential use, whether the use generally serves local community needs, and the appropriateness of the scale and intensity of the use and development.

Given the close proximity of the land to the Pinewood Activity Centre and historic use of the land for commercial purposes, the potential for an element of non-residential land use is not unreasonable. What needs to be better conceived is the composition and intensity of commercial uses along with how commercial uses might fit on the site and integrate with the surrounding area, including the established shopping centre.

It would appear that the scheme has been overly ambitious with respect of these uses including a large childcare centre with insufficient outdoor play space, inadequate car parking and loading areas for commercial uses. Operational requirements of the various uses proposed has not been thoroughly detailed.

Conditions on any permit issued should include provision to protect residential amenity including noise protection from commercial uses and appropriate hours of operation for commercial uses.

Waste Management

The application proposes relatively small communal bin collection area within the basement of the development. Given the scale of the proposal and diverse number of land uses proposed a better conceived waste management system should have been developed. A mechanical bin chute system, providing easy and convenient access to all occupants of the development should be developed.

CONCLUSION:

Whilst the proposal would support the broad increased density objectives of the Monash Planning Scheme, it is considered it would do so at the expense of the competing neighbourhood character policy within the Scheme.

The design response displays inadequate regard for the surrounding context having insufficient consideration of neighbourhood character, established and emerging built form, building height and scale, height transition, design detail, street setback, landscaping, open space provision and future amenity outcomes for residents. The proposal does not provide for sufficient on-site car parking for visitors or commercial land uses proposed. The proposal has not addressed the additional information requirements of Vic Roads.

Substantial land size and proximity to a nearby activity centre is not mere justification for development of increased density and scale of the extent proposed. Whilst these attributes might provide for some opportunity, the excessive form and scale of the proposal is inappropriate. The proposal is inappropriate in its built form given the locality, does not demonstrate site responsive design and constitutes an overdevelopment of the subject land.

It is recommended that the application not be supported.

LIST OF ATTACHMENTS:

- Attachment 1 – Proposed Development Plans.
- Attachment 2 – Aerial Photograph (December 2016).
- Attachment 3 – Zoning and Overlays Map.
- Attachment 4 – Objector Properties Location Map.