

**1.3 636-638 BLACKBURN ROAD & 27 FINCH STREET, NOTTING HILL
CONSTRUCTION OF 19 TOWNHOUSES (UP TO THREE STOREYS IN HEIGHT)
(TPA/48238)**

EXECUTIVE SUMMARY:

This application proposes the construction of 19 three storey townhouses with basement car parking.

The application was subject to public notification. Four (4) objections to the proposal have been received.

Key issues to be considered relate to building scale, design detail and adequacy of car parking.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state and local planning policy framework, Clause 55 (ResCode multi-dwelling requirements), consideration against adopted Amendment C125 and issues raised by objectors.

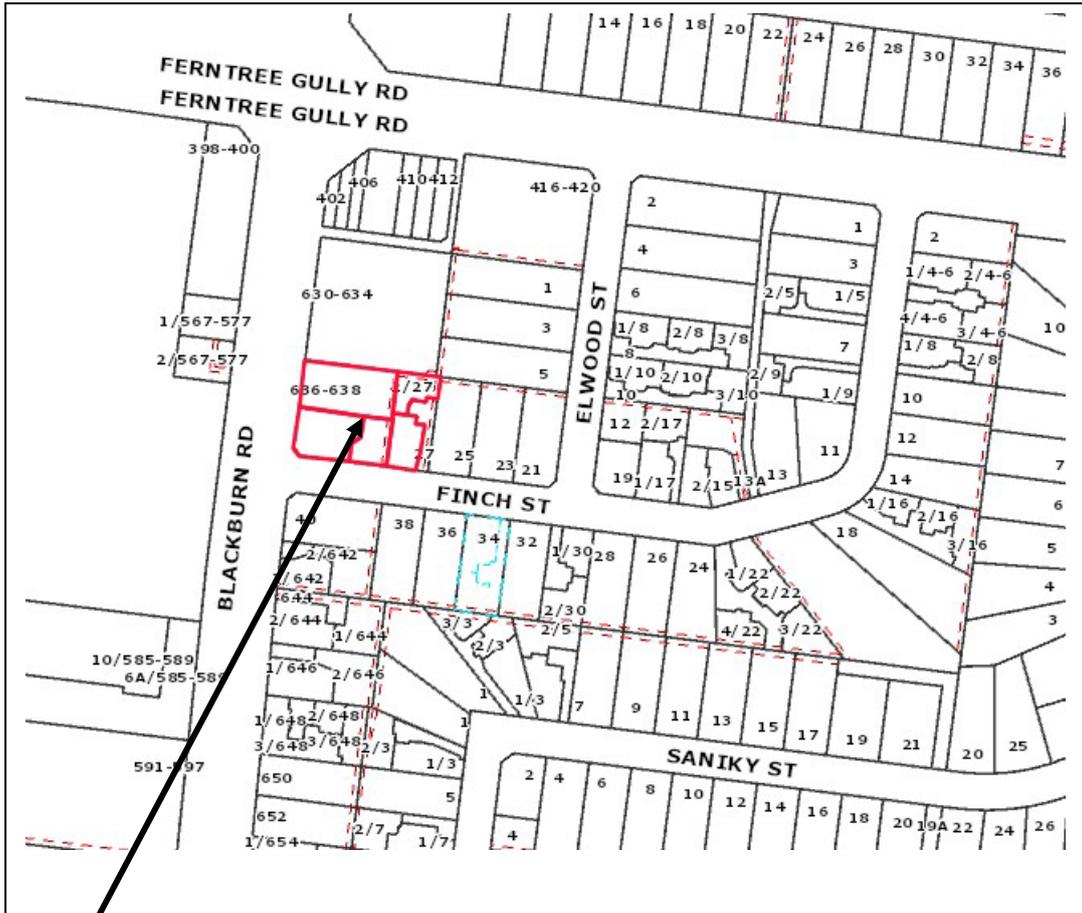
The reason for presenting this report to Council is the proposed development cost of \$5.4 million.

The proposed development is considered appropriate having regard to the relevant provisions of the Monash Planning Scheme. It is recommended that Council resolve to issue a Notice of Decision to Grant a Planning Permit, subject to conditions.

RESPONSIBLE DIRECTOR:	Peter Panagakos
RESPONSIBLE MANAGER:	Natasha Swan
RESPONSIBLE PLANNER:	James Heitmann
WARD:	Oakleigh
PROPERTY ADDRESS:	636-638 Blackburn Road & 27 Finch Street, Notting Hill
EXISTING LAND USE:	Vacant (636-638 Blackburn Road) Two single storey units (27 Finch Street)
PRE-APPLICATION MEETING:	Yes
NUMBER OF OBJECTIONS:	Four (4)
ZONING:	General Residential (Schedule 2)

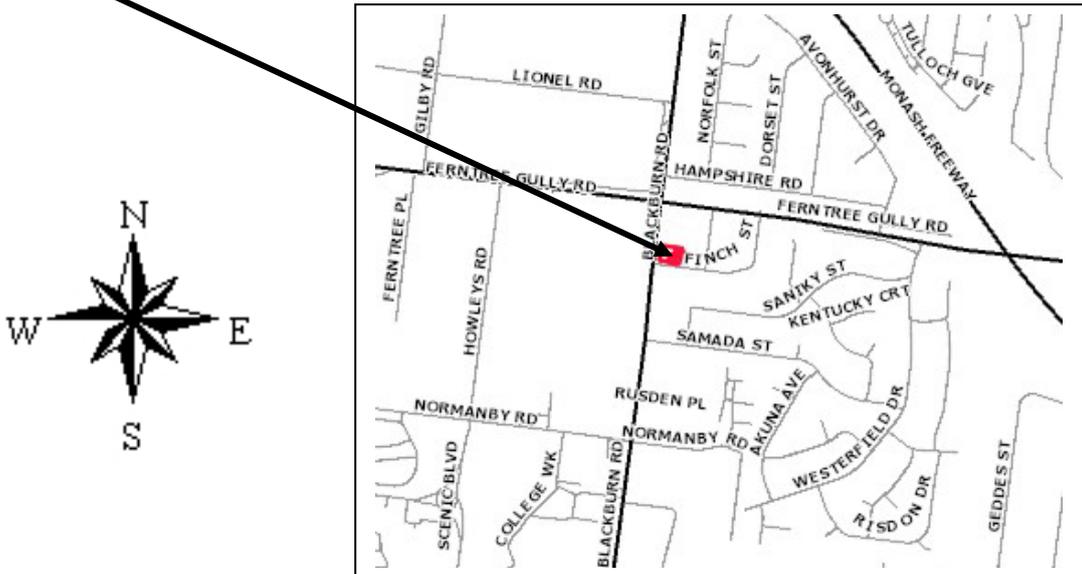
OVERLAY:	No Overlays
AMENDMENT C125 (adopted)	General Residential (Schedule 6)
RELEVANT CLAUSES: <u>State Planning Policy Framework</u> Clause 10.01 (Purpose) Clause 10.02 (Goal) Clause 10.04 (Integrated Decision Making) Clause 11 (Settlement) Clause 11.04 (Metropolitan Melbourne) Clause 14.02-1 (Catchment 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 52.29 (Land Adjacent to a Road Zone, Category 1) <u>ResCode</u> Clause 55 <u>General Provisions</u> Clause 65.01 (Decision Guidelines)
STATUTORY PROCESSING DATE:	27 February 2018
DEVELOPMENT COST:	\$5.4 million

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



636-638 Blackburn Road & 27 Finch Street, Notting Hill - Construction Of Multiple Dwellings (19 Townhouses Up To Three Storeys In Height), Reduction In The Visitor Car Parking Requirement And Alteration Of Access To A Road In A Road Zone Category 1

RECOMMENDATION:

That Council resolves to issue a **Notice of Decision to Grant a Planning Permit (TPA/48238)** for the construction of multiple dwellings (19 townhouses up to three storeys in height), reduction in the visitor car parking requirement and alteration of access to a road in a Road Zone Category 1, at 636-638 Blackburn Road & 27 Finch Street, Notting Hill 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. 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) The development setback a minimum of 4.0 metres to Finch Street.
- b) Level 2 balconies along the Finch Street southern elevation recessed a minimum of 1.6 metres from the level 1 façade edge.
- c) Façade modifications and plan changes as detailed within plans provided to Council on 1 May 2018 providing for:
 - i. Additional articulation/variation in materiality of the Finch Street façade to provide for perceived massing breaks.
 - ii. Two storey façade presentation, additional timber elements and vertical garden feature to the western elevation.
 - iii. Two storey façade presentation, additional timber elements to the eastern elevation of dwelling 1.
- d) The angled dividing/part walls of upper level balconies straightened and incorporated into a veranda/weather protection structure.
- e) The level 2 eastern façade of dwelling 1 recessed by a minimum of 1.0 metre and the dwelling internally reconfigured accordingly.
- f) The level 2 western façade recessed by a minimum of 1.0m.
- g) Provision of additional fenestration to the upper level habitable rooms along the western façade of the development.
- h) Provision of double glazing and/or acoustic protection to windows of the western façade of the development.
- i) Provision of a pedestrian entrance orientated to Blackburn Road to dwelling 9 and dwelling 10.
- j) Secluded private open space areas dimensioned to provide for 35m² of secluded private open space with a minimum dimension of 5m.

- k) Provision of screening to prevent overlooking from level 1 north facing bedroom windows of dwelling 19.
- l) Heating, cooling and hot water units adequately screened to ensure that they are not visible from outside the property.
- m) Heating, cooling and hot water units located outside the easement along the eastern boundary of 27 Finch Street.
- n) A detailed schedule of all materials and finishes including coloured elevations and perspectives.
- o) The location and design of any required fire services, electricity supply, gas and water meter boxes discreetly integrated, located and/or screened to compliment the development.
- p) Increasing the number of tandem car spaces within the basement (to be allocated as pairs to dwellings) and provide no less than 37 resident and 3 visitor car spaces on-site. Car parking provided on-site in accordance with the requirements of Clause 52.06-5 Table 1.
- q) The vehicle crossing, driveway and basement ramp designed to provide safe two way access to the satisfaction of the responsible authority.
- r) Car spaces 3, 33 and 37 widened to 3.0m.

All to the satisfaction of the responsible authority.

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. 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.
5. Adequate provision shall be made for the storage and collection of garbage and other solid wastes and these facilities are to be located on the site to the satisfaction of the Responsible Authority.
6. 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. The Waste Management Plan shall provide for:
 - a) The method of collection of garbage and recyclables for uses;
 - b) Designation of methods of utilizing a private waste collection service;

- 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 Council for approval. Once approved the Waste Management Plan will be endorsed to form part of this permit.

7. 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) maintenance of 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.)

Once approved the plan will be endorsed to form part of this permit.

8. 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.
9. Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access

must be constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1

10. 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 on site;
 - b) provision of canopy trees at approximately 5.0m intervals along each street frontage with a minimum mature height equal to the height of the roof of the proposed building to frame and soften the building;
 - c) planter boxes within the courtyard mews area to provide for planting of vegetation with a mature height of not less than 6.0m, irrigation and any required supporting measures;
 - d) detail of any planter boxes including growing medium and drainage;
 - e) provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development;
 - f) planting to soften the appearance of hard surface areas such as driveways and other paved areas;
 - g) 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;
 - h) the location and details of all fencing;
 - i) the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site;
 - j) 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.

11. 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.
12. Concurrent with the endorsement of any plans, a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must incorporate the

sustainable design initiatives outlined in the SMP to the satisfaction of the Responsible Authority. The report must include, but is not limited to, the following:

- a) Demonstration of how 'best practice' sustainability measures have been addressed, having regard to the relevant aspects of Clause 21.13 of the Planning Scheme.
- b) Identify relevant statutory obligations, strategic or other documented sustainability targets or performance standards.
- c) Document the means by which the appropriate target or performance is to be achieved.
- d) Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring.
- e) Demonstrate that the design elements, technologies and operational practices that comprise the SMP can be maintained over time.
- f) Any relevant requirements of the Condition 1 sub-clauses hereof.

All works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority. No alterations to the endorsed Sustainable Management Plan may occur without written consent of the Responsible Authority and (to the extent material and necessary) any relevant flow-on changes to the design response must be also incorporated into the endorsed architectural plans.

13. Prior to the occupation any of the dwellings approved under this permit, a report from the author of the endorsed Sustainable Management Plan (or similarly qualified person or company) must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that (in relation to those relevant completed dwellings ready for occupation) all measures specified in the Sustainable Management Plan have been implemented in accordance with the approved plan.
14. 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.

15. On-site visitor parking spaces are required to be clearly marked.
16. The car park layout of the development shall generally follow the Design Standards for car parking set out in Clause 52.06-8 of the Monash Planning Scheme to the satisfaction of the Responsible Authority.
17. Stormwater drainage must be provided to the site to the satisfaction of the responsible authority. Approval of City of Monash Engineering Department is required prior to any works commencing.
18. The existing redundant crossings are to be removed and replaced with kerb and channel to the satisfaction of the responsible authority.

Vic Roads condition (ref: 24277/18)

19. Prior to the commencement of the use or occupation of the development, redundant vehicle crossing at Blackburn Road must be removed and the area reinstated to the satisfaction of the Responsible Authority (RA) and at no cost to VicRoads or the RA.
20. Expiry of permit:
In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:
 - The development is not started before 2 years from the date of issue.
 - The development is not completed before 4 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 three months afterwards.

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. The lot/unit numbers on the “Endorsed Plan” are not to be used as the official street address of the property. Street numbering is allocated in accordance with Australian/New Zealand Standards 4819:2001- Rural and Urban Addressing. Any street addressing enquiries should be directed to Council’s Valuation Team on 9518 3615 or 9518 3210.
4. Consultation should take place with Council respect of the removal of the vehicular crossing and reinstatement works.
5. All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.
6. The private on-site drainage system must prevent stormwater discharge from the/each driveway over the footpath and into the road reserve. The internal drainage system may include either:
 - a trench grate (minimum internal width of 150 mm) located within the property boundary and not the back of footpath; and/or
 - shaping the internal driveway so that stormwater is collected in grated pits within the property; and or
 - another Council approved equivalent.

All stormwater collected on the site is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council’s Engineering Department prior to drainage works commencing.
7. The nominated point of stormwater connection for the site is to the south-east corner of the property where the entire site’s stormwater drainage must be collected and free drained via a pipe to the Council pit in the nature strip of No 27 Finch Street to be constructed to Council Standards. A new pit is to be constructed to Council Standards if a pit does not exist, is in poor condition or is not a Council standard pit. If the point of connection cannot be located then notify Council’s Engineering Department immediately.
8. Any works within the road reserve must ensure the footpath and naturestrip are to be reinstated to Council standards.
9. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council pits and these works are to be inspected by Council’s Engineering Department. A refundable security deposit of \$1,000 is to be paid prior to the drainage works commencing.
10. Detention system requirements for above property are as follows:-
 - Minimum storage = 21.16 m³

- Maximum discharge rate = 14.14 l/s
 - Minimum orifice diameter if using orifice pit = 65mm, otherwise install a Phillips multi cell or similar to control outflow.
11. One copy of the plans for the drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.
 12. An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. 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.
 13. 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.
 14. A formal request to be forwarded to Council and Yarra Valley Water for removal of rear easement of No 636 and No 638, Blackburn Road.
 15. The developer is liable for rectification of damages to the 900 x 600mm Council easement pits located in north eastern side of No 27 Finch Street.
 16. The 225 mm Council drain in the easements is to be CCTV and sent in for our review. The asset may be required to be reconstructed.
 17. "Building Over Easement" approval is required for pedestrian walk way over the easement along eastern boundary of No 27 Finch Street. Approval should be given subject to:
 - Council approval being obtained;
 - A construction joint being made along the easement line.
 18. Tree planting should be kept clear of the drainage easement.
 19. Residents of the approved development will not be entitled to car parking permits for on street car parking.

BACKGROUND:**History**

Planning Permit No. TPA/35971 was issued on 1 July 2008 allowing use and development of a three storey building for use as a residential hotel, in order to facilitate an extension to the existing residential hotel building, together with the removal of easements (part of E-1 on LP19050 in accordance with easement removal plan dated Feb 08, Ref 0655/D). The approved development allowed for a serviced apartment complex associated with the adjoining motel to the north.

The permit was never acted upon and has subsequently expired.

Planning Permit No. TPA/38834 was issued on 24 February 2011 allowing the development of a 4 storey apartment building with semi-basement car park comprising of 34 apartments, reduction in the car parking requirement of clause 52.06, variation (removal) of existing access to a Road Zone, removal of easement E1 (drainage and sewerage) from 636 Blackburn Road (Lot 13 on PS019050) and 2/29 Finch Street (Unit 2 on SP028171N).

The approved development has not yet commenced. The permit has been extended on 3 occasions (8 March 2013, 3 June 2015 and 3 November 2017) and remains valid. The current permit expiry dates require commencement of works by 30 October 2018 and completion of the development by 30 October 2020.

Demolition of the former dwellings occupying 636 Blackburn Road, 638 Blackburn Road and 29 Finch Street took place in October 2012. Dwellings at 1/27 and 2/27 Finch Street remain and are currently occupied.

The Site and Surrounds

The subject land is located on the north-east corner of the intersection of Blackburn Road and Finch Street in Notting Hill, approximately 120 metres south of the intersection between Blackburn Road and Ferntree Gully Road. The consolidated site comprises five individual land parcels having an overall area of 2,276 square metres with a 37 metre wide frontage to Blackburn Road, 53 metre frontage to Finch Street and 4.3m metre wide splay to the south-west corner of the property. The land has a slight fall of 2.5 metres from the north-west to the south-east.

The five lots were previously developed with five single storey brick dwellings with associated outbuildings, car parking and landscaping. The dwellings at 1/27 and 2/27 Finch Street remain and are currently occupied. Dwellings previously occupying 636 Blackburn Road, 638 Blackburn Road and 29 Finch Street have been demolished and the land remains vacant.

Surrounding land to the north-east, south and east is residential in use and development comprising of a mix of single and double storey, brick and

weatherboard dwellings. The immediate abutting residential property to the east has a driveway, associated garages and outbuildings located along the common boundary. Land to the north of the subject site is developed with the double storey “Gateway on Monash” motel/hotel with the reception and accessway orientated along the common boundary. Land opposite to the west is commercial and industrial in use and development including various automotive services along with the Monash Operations Centre.

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

PROPOSAL:

The application proposes the construction of 19 townhouses in a three storey attached form built over a basement car park.

Details of the proposal can be surmised as follows:

- 18 x 3 bedroom + 2.5 bathroom three storey townhouses with 2 car spaces.
- 1 x 2 bedroom + 2 bathroom double townhouse with 1 car space.
- Basement car park providing for 38 car spaces (37 resident car spaces and 1 visitor car spaces).
- Ground floor secluded private open space area of 35m² to each dwelling. Total private open space areas of 47.5m²-106.6m² to dwellings.
- Removal of two existing vehicle crossovers along the Finch Street frontage providing for re-instatement of on street car parking.
- Removal of the existing Blackburn Road vehicle crossover.
- Façade setback of 4.0m to Blackburn Road and 3.0m to Finch Street.
- Orientation of southern row townhouses (dwellings 1-9) pedestrian entrances to Finch Street.
- Orientation of northern row townhouses (dwellings 10-19) pedestrian entrances to a central mews space from both streets.
- Materials and finishes palette including treated cement sheet cladding, timber cladding, metal cladding, vertical garden features and flat roof form.

Attachment 1 details plans forming part of the application.

PERMIT TRIGGERS:

Zoning

The land is zoned General Residential (Schedule 2) under the provisions of the Monash Planning Scheme. Pursuant to the provisions of Clause 32.08-6 a permit is required to construct two or more dwellings on a lot.

No permit is required for use of land as a dwelling with the General Residential Zone.

The maximum building height permissible within the zone is 11 metres and not in excess of 3 storeys.

The minimum garden area requirement for the zone is 35% of the site area.

Particular Provisions

Clause 52.29: Land adjacent to a Road Zone, Category 1.

A permit is required to create or alter access to a road in a Road Zone, Category 1.

Clause 52.06-3: Car Parking

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

Amendment C125 (Part B)

The land is proposed to be re-zoned General Residential (Schedule 6).

The land is identified as being within the Monash National Employment and Innovation Cluster and Clayton Activity Centre housing diversity area.

The proposed Schedule 6 to the General Residential Zone (GRZ6) nominates the following variations to Clause 55 applicable to the site:

- Minimum front street setback – 4 metres.
- Minimum side street setback – 3 metres
- Landscaping - Retention or provision of at least one canopy tree per 5 metres of site width with a mature height equal to the height of the proposed development.
- Side and rear setbacks – A minimum 4.0m rear setback.
- Private open space - A dwelling or residential building should have private open space consisting of an area of 50 square metres, with one part of the private open space to consist of secluded private open space at the side or the rear of the dwelling or residential building with a minimum area of 35 square metres, a minimum dimension of 5 metres, convenient access from a living room and clear of all structures and services;
- Front fence height – A front fence within 3.0m of a street should not exceed 0.9m in height.

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 1 November 2017. In this letter, officers also raised the following preliminary concerns:

- Sheer massing elements of the proposed development poorly relate to the surrounding context. Increased recession of the upper level of the development should be provided to provide some relief in building massing. The design response should provide for appropriate height graduation with the adjoining properties.
- The dwelling types shown on the site present a continuous and somewhat repetitious built form. Greater emphasis should be paid to breaking up the built form, streetscape presentation, landscaping provision and encroachments into the street setback.
- Lack of dwelling diversity. Development of 10 or more dwellings should include a variety of dwelling types.
- Insufficient provision of open space to each dwelling.
- Insufficient setback to the street.
- The proposed reduction in car parking requirement is unlikely to be supported.

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

The Permit Applicant responded to this letter on 14 December 2017 and 29 December 2017 by providing the requested information. In relation to the preliminary concerns, the Applicant advised:

That they had amended the plans to address all concerns with the key changes being that they had amended the plans to address some of the concerns raised, but that they do not agree with all of the preliminary concerns.

Following public notification of the application, the permit applicant has met with Council officers to further discuss design concerns. Plans for discussion were produced for comment on 1 May 2018 in response to these discussions including further refinement of façade detailing and development presentation. A copy of these plans can be found at Attachment 1a.

The Applicant was verbally advised on 17 May 2018 that this application was coming to the 26 June 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 advised that this application is recommended for approval subject to conditions.

Public Notice

Notice of the application was given pursuant to the requirements of Section 52 of the *Planning and Environment Act 1987*. Two (2) large signs were displayed on the site during the notification period.

Four (4) 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.
- Overshadowing.
- Overlooking.
- Noise.
- Construction impact.

Attachment 4 details the location of objector properties.

Referrals

VicRoads

The application was referred to VicRoads pursuant to the requirements of Clause 52.29 (Land adjacent to a Road Zone, Category 1). The authority has no objection to the grant of a planning permit for the proposed development subject to conditions.

Engineering Referral

The application has been referred to Council's Traffic and Drainage Engineers for comment. The proposed development is considered satisfactory from a drainage and traffic engineering requirements, subject to conditions including minor modification to plans.

DISCUSSION:

Consistency with State and Local Planning Policies

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

"Understand and plan for expected housing needs."

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

"Facilitate the supply of affordable housing."

Initiatives seek to locate a substantial proportion of new housing in or close to locations that offer good access to services and transport and employment areas. The subject land is located in close proximity to Monash University and the National Employment Cluster where demand for additional housing and increased housing density is considered desirable.

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.”

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 increased density and housing diversity objectives.

In the Municipal Strategic Statement at Clause 21, the Garden City Character of the municipality is identified as a core value held by the community and Council as a significant and important consideration in all land use and development decisions.

Monash Housing Strategy 2014

The Monash Housing Strategy has been 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.

Proposed Amendment C125 – General Residential Zone (Schedule 6) Provisions

The subject land is proposed to be re-zoned General Residential Zone (Schedule 6) by Amendment C125 (Part B) to the Monash Planning Scheme.

Proposed adopted neighbourhood character objectives seek:

- *“To ensure development is consistent with the desired future character statement for the area as set out in Clause 22.01-4.*

- *To facilitate housing diversity in the form of units, townhouses and apartments developments of high quality design and finish.*
- *To provide an interface between the Clayton Activity Centre, the Monash Employment and Innovation Cluster, the housing growth area and the lower scale surrounding garden city suburban areas.*
- *To ensure developments are constructed within an open garden setting through the retention and planting of vegetation, including canopy trees.*
- *To ensure that the height, scale and form of development respects any sensitive residential interfaces and minimises the appearance of visual bulk.”*

PROPOSED GRZ6 REQUIRMENT	RESPONSE
<p><i>Minimum front street setback</i> 4 metres</p> <p><i>Minimum side street setback</i> 3 metres</p>	<p>The development provides for a setback of 4.0 metres to Blackburn Road and 3.0 metres to Finch Street.</p> <p>Given the orientation of 9 dwellings to Finch Street and side aspect of the development to Blackburn Road it is considered appropriate to require a setback of 4.0 metres to Finch Street.</p>
<p><i>Landscaping</i> Retention or provision of at least one canopy tree per 5 metres of site width with a mature height equal to the height of the proposed development.</p>	<p>The landscape plan submitted with the application details provision of 5 canopy trees along the Blackburn Road frontage and provision of an additional 5 canopy trees along the northern edge of the development within secluded private open space areas.</p>
<p><i>Side and rear setbacks</i> A minimum 4.0m rear setback</p>	<p>The development provides for a setback of 5.0m to the northern boundary and 2.0m-6.19m to the eastern boundary.</p>
<p><i>Private open space</i> A dwelling or residential building should have private open space consisting of an area of 50 square metres, with one part of the private open space to consist of secluded</p>	<p>Dwellings are provided with 35m² secluded private open space areas with a minimum width of 5 metres. The dimensions of secluded private</p>

private open space at the side or the rear of the dwelling or residential building with a minimum area of 35 square metres, a minimum dimension of 5 metres, convenient access from a living room and clear of all structures and services	open space areas should be clearly dimensioned on plans for clarity Dwellings are provided with total private open space areas in excess of 50m ² when taking into account front and side setback areas and upper level balcony areas.
<i>Front fence height</i> A front fence within 3.0m of a street should not exceed 0.9m in height.	No front fencing provided along the Finch Street (southern boundary) of the development. Dividing walls between dwellings do not exceed a height of 0.9m within the Finch Street frontage.

The submitted application is generally compliant with the proposed requirements of the General Residential Zone Schedule 6.

Provision of increased setback to Finch Street will better integrate the proposed development with surrounding development to the south-east and allow greater opportunity for canopy tree provision and increased landscaping within the Finch Street setback consistent with Garden City character objectives. The additional setback can be achieved through a reduction in the length of dwellings and/or reduction in width of the central mews space whilst being mindful of the 9.0m separation provided between the northern and southern row of dwellings.

Neighbourhood Character

At Clause 21.04 (Residential Development Policy) 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 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 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.

Council must also consider neighbourhood character policy in respect of integration with the street and front fences.

The land is located within Residential Character Type 'C' having regard to the Monash Urban Character Study. Elements that contribute to character are the variety of architectural styles including double storey dwellings, consistent building setbacks, well-planted front gardens with large trees and shrubs within lots, and low fences, walls or open soft frontages.

The Desired Future Character Statement for the 'C' Character area envisages:

"The neighbourhood character of this area will develop within a pleasant leafy framework of well-planted front gardens and large canopy trees.

Architecture, including new buildings and extensions, will, in the majority of cases, be secondary in visual significance to the landscape of the Character Type from the street. However, in neighbourhoods that currently have a large proportion of two storey houses, the architecture will gradually become more dominant, although it will always be buffered from the street by a well planted front garden that will ensure the soft leafy nature of the street will be perpetuated.

Setbacks will be generous and consistent within individual streets.

Building heights will vary between neighbourhoods. Those neighbourhoods where the diverse topography and well developed mature tree canopy provide a framework within which redevelopment can occur will have a larger proportion of two storey houses. In the lower, less wooded areas, buildings will be mainly low rise unless existing vegetation or a gradation in height softens the scale contrasts between buildings.

The built-form will be visually unified by well-planted front gardens that contain large trees and shrubs and street tree planting. Neighbourhoods that are influenced by the naturalistic landscape of the creek valleys or on highpoints and ridges will have a predominance of native trees in both the public and private realm. Trees within lots to be redeveloped will be retained wherever possible in order to maintain the established leafy character.

Streets which have a majority of gardens currently lacking fences will continue to do so. Walls and fences in other streets will be low to allow plants in the front garden to be visible from the street. Colours and materials will be sympathetic to the architecture of the house.

The soft quality of streets derived from the nature strips will be protected by ensuring that each lot frontage has only one single crossover. Landscape

elements such as remnant indigenous vegetation and the large old coniferous wind-rows will be retained until horticulturally unstable.

The character of existing public open spaces within the Character Type, particularly those naturalistic corridors such as Damper Creek and Valley Reserve, will be protected by ensuring that buildings directly adjacent to such areas are set back and buffered with planting that complements that within the public open space.”

The residential development framework of the Monash Housing Strategy 2014 provides the following future character and residential outcomes for the residential land within and surrounding the National Employment Cluster:

“Development within the Cluster will respect the changing built form within the commercial areas. The scale of new residential development will generally comprise larger footprint apartment development of a high quality design and finish. Some infill development, town house and unit development, will also occur.

Improved building density and quality will be encouraged, to maximise the comfort for future residents (and neighbours) as well as minimising running and maintenance costs.

The Cluster will develop to create a ‘campus feel’, through developments set in open garden settings, as well as less intense development that presents a uniform presentation to the street (often attached).

Provision of more affordable accommodation will be important, and a diversity of dwelling sizes will be encouraged, especially within the vicinity of the university or public transport.

Landscaping treatment to the streetscape will be important, as the native canopy tree setting is a major element of the attractiveness of the area.

Higher density apartment development at the interface with the technology precinct.

Lower density unit and townhouse style development at the interface with surrounding residential areas.

Potential for lower to medium density apartment development in predominantly residential streets subject to careful design

On larger sites, in suitable locations, increased density may be appropriate, subject to careful design and the provision of appropriate landscaped setbacks.”

The proposed submitted design response is generally consistent with the vision of the desired future character statement and development outcomes sought by the Monash Housing Strategy. The design response provides for a built form outcome within a garden setting and provides opportunity for landscaping and canopy tree provision along the edge of the development. Each dwelling is provided with a large ground level courtyard space including integrated landscaping and canopy tree provision within secluded private open space areas.

Built Form

New development must be designed to ensure that the design response respects existing neighbourhood character, contributes to the preferred future character and responds 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.

The development abuts existing and long established commercial use along the northern boundary, opposite the land to the west and wider north-west. Given the context, main road locality and significant size of the subject land a more intense development outcome is considered acceptable. The proposed three storey height of the development is less than the previously approved four storey development (under Planning Permit No. TPA/38834) and complies with the 11.0m maximum height limit applicable to the General Residential Zone.

The siting and design of the proposal provides for a suitable transition site from commercial use and development along Blackburn Road to the north and west, and established residential precincts to the east and south. Outcomes sought by the Monash Housing Strategy and Amendment C125 seek a more intensive development for the site though reduced setback and secluded private open space requirements. The proposed design response achieves increased residential density objectives whilst adopting a complimentary built form outcome having regard to surrounding existing development and applicable policy objectives. The proposal development responds to the features of the site and surrounding area by appropriate building setbacks, landscaping elements along the perimeter of the site and use of a diverse materials and finishes palate to break up building massing. The building design is a contemporary response to the context.

The fully submerged design of basement parking for the development results in the overall development sitting at natural ground level, devoid of any substantial protruding elements exacerbating the height of the development.

The proposed development is an acceptable response to the character of the surrounding area in that it facilitates suitable transition in scale and form from the established traditional residential areas to the south and east. The north-east corner of the development is stepped down to a two storey form adjacent to adjoining established residential areas to the east. The proposed development is setback from the adjoining residential boundary to the east which results in very

minimal immediate massing. The design response typically presents to the street as a two storey building with a recessive third storey. Further recession of third level balconies along the Finch Street and eastern interface will further improve the developments streetscape presentation.

The Finch Street façade generally provide for appropriate visual breaks in built form long sections of the façade through variation in façade detailing and vertical dwelling framing elements to break up the massing impact of the development on the streetscape. Whilst a three storey form is considered appropriate for the site, this can be further improved through a more recessive upper level achieved along the southern and south-eastern edge of the development.

The proposed development has a somewhat austere in its presentation to Blackburn Road incorporating a sheer three storey form and minimal façade articulation. Whilst the primary street aspect of the development is to Finch Street, the development should provide for an improved presentation to Blackburn Road. Provision of additional articulation utilising additional upper level fenestration and pedestrian dwelling entrances along the Blackburn Road will improve the appearance of the development to Blackburn Road.

The proposed development is generally well setback from boundaries and this results in appropriate massing impact on the adjoining existing residential properties. Proposed conditions include increased setbacks of the development to lessen the immediate massing impact of the development on the adjoining property and streetscape whilst also providing increased opportunity for landscaping along the Finch Street interface.

Design Detail

The building has been designed with the intention of providing high quality modern architecture, along with an attractive range of contemporary materials, and finishes. The proposed materials include rendered walls, decorative screening, timber features and vertical garden elements. The façade treatment provides for 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. The materials include traditional and modern materials used in a contemporary and complimentary manner.

Dwellings provide for defined framing elements with clear façade articulation and a use of varied materials and finishes to break up the massing of the development. The building is well articulated along all elevations to break up the building into a number of distinct components. The building incorporates substantial facade articulation, recessed elements, substantial fenestration, architectural screens and awnings to define individual dwellings. The proposed dwelling adjacent to adjoining residential interface to the north-east provides for a double storey form providing for suitable height transition with surrounding development. The building is also broken into components both horizontally and vertically to avoid

unreasonable building bulk. Proposed conditions require full detail of materials and finishes to be provided.

Landscaping

The development incorporates a comprehensive landscaping plan integral to the overall design response. Proposed conditions will require provision of trees within the street setback areas and substantial planting along the perimeter of the site adjacent to adjoining residential properties. The planting of trees and shrubs around the perimeter of the site to contribute to the 'greenness' of the neighbourhood. Provision of planter boxes within the central mews area will provide for landscaped areas within common areas and courtyards spaces including the provision of small trees.

The provision of a landscape buffers along all edges of the development softens the massing of the development adjacent to adjoining secluded private open space areas and the streetscape interface. Landscaping requirements will include planting of large canopy trees along the street frontages of the development where additional complementary planting can be achieved.

Car Parking, traffic and access

The proposal provides for the requisite number of resident dwelling car parking spaces pursuant to Clause 52.06 as detailed in the following table:

	No. of dwellings	Clause 52.06 requirement	Car spaces required	Car spaces provided
One and two bedroom dwellings	1	1 space per dwelling	1	1
Three bedroom dwellings	18	2 spaces per dwelling	36	36
Visitor parking	19	1 space per 5 dwellings	3	1
Total required			40	
Total provided				38

The development is deficient by two visitor car parking spaces. The permit applicant submits that the proposed development which will result in removal of redundant vehicle crossovers along Finch Street which will result in a gain of one on-street space along the site frontage. Parking surveys detail within the Traffic and Transport Assessment (Impact Consultants, September 2017) submitted with the application found:

“There are at least 18 publicly available spaces in the locality, including at least 11 spaces on Finch Street”

Surveys were undertaken within 200 metres of the subject site on Friday 1 September 2017 from 12 Noon-8:00pm; and Saturday 2 September 2017 from 10:00am-8:00pm.

Recent changes to parking restrictions in February 2018 (which are more recent than the September 2017 traffic report) have been required in the area due to external demands from Monash University students and increasing demand from overflow parking from developments in the area. Consequently, the reduction in visitor parking provision is not supported. The basement should be modified to provide the required visitor car parking provision. Compliance with the applicable car parking requirement can be achieved through increasing the number of tandem car spaces (to be allocated as pairs to dwellings) and providing the required 3 visitor car spaces.

The predicted traffic generation is low and is expected to have a negligible impact on the local traffic network.

Council Traffic Engineer has advised the following amendments to the plans are required:

- *The access ramp into the basement carpark must be designed to provide safe two way access. The permit applicant should consider a traffic signal system to manage traffic conflict along the access ramp and into the basement to the satisfaction of Council.*
- *Space 3 and 33/37 are accessed via the 5.2m aisle where turning is restricted. To facilitate turning movements, these spaces are to be widened to 3.0m.*

Overlooking

The planning scheme requires that habitable room windows and balcony spaces are located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony from a height of 1.7 metres above floor level.

The proposed development generally complies with the overlooking requirements of Clause 55.04-6. Some additional screening is required to the north-east corner of the development to comply with overlooking requirements.

Overshadowing

Shadow diagrams submitted with the application indicate that the shadow cast by the development will be predominantly contained on site at the September equinox having a negligible impact on adjoining properties. The development will result in some increased overshadowing to adjacent properties to the east impacting driveway and roofed areas of the adjoining dwelling at 25 Finch Street. The overshadowing impact of the development is considered acceptable and compliant with the applicable requirements of Clause 55.

Internal Amenity

The proposed development demonstrates good internal amenity outcomes for residents. All habitable rooms are provided with direct access to daylight and ventilation, having no reliance on borrowed light, light corridors or light wells. Each dwelling is provided with large living areas, generous bedroom size and northerly orientated courtyard spaces. The layout of dwellings is functional with limited corridor space resulting in larger habitable room sizes and generally well-proportioned.

Waste Management

A waste management plan has been provided. Given the scale of the development and the number of bins required for on street Council waste collection, a requirement should be placed on any permit to require private collection of waste within the property. Adequate space is provided within the basement and service areas for waste storage and collection.

CONCLUSION:

The design response has been developed with regard to the built form of the surrounding context and responds to the objectives and design outcomes identified by Council in an acceptable manner.

The proposed development is considered generally appropriate given the locality and relevant objectives of state and local policies relating to housing, residential development and increased residential density in appropriate locations.

The proposed development will provide an appropriate mix of housing diversity and additional housing making a meaningful contribution to urban consolidation. The proposal development is appropriate subject to conditions.

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.