

1.2 10 ALVINA STREET OAKLEIGH SOUTH CONSTRUCTION OF 96 DWELLINGS AND ASSOCIATED SUBDIVISION (TPA/49091)

EXECUTIVE SUMMARY:

This application proposes the development of 96 x 2 and 3 storey townhouses on the land generally in accordance with the Development Plan previously approved at the direction of VCAT.

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

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

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant Planning Policy Framework (PPF), including the provisions of Development Plan Overlay 5 (DPO5), Clause 55 (Rescode), and Clause 56 (Subdivision).

The reason for presenting this report to Council is the proposed development cost of \$17 million.

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

RESPONSIBLE DIRECTOR:	Peter Panagakos
RESPONSIBLE MANAGER:	Natasha Swan
RESPONSIBLE PLANNER:	Sue Monagle
WARD:	Oakleigh
PROPERTY ADDRESS:	10 Alvina Street, Oakleigh South
PRE-APPLICATION MEETING:	Yes
NUMBER OF OBJECTIONS:	N/A
ZONING:	General Residential Zone (GRZ1)
EXISTING LAND USE:	Vacant- former Clayton West Primary School
OVERLAY:	Development Plan Overlay (DPO5)
RELEVANT CLAUSES: <u>State Planning Policy Framework</u> Clause 10. Planning Policy Framework	<u>Local Planning Policy Framework</u> Clause 20 Local Planning Policy Framework

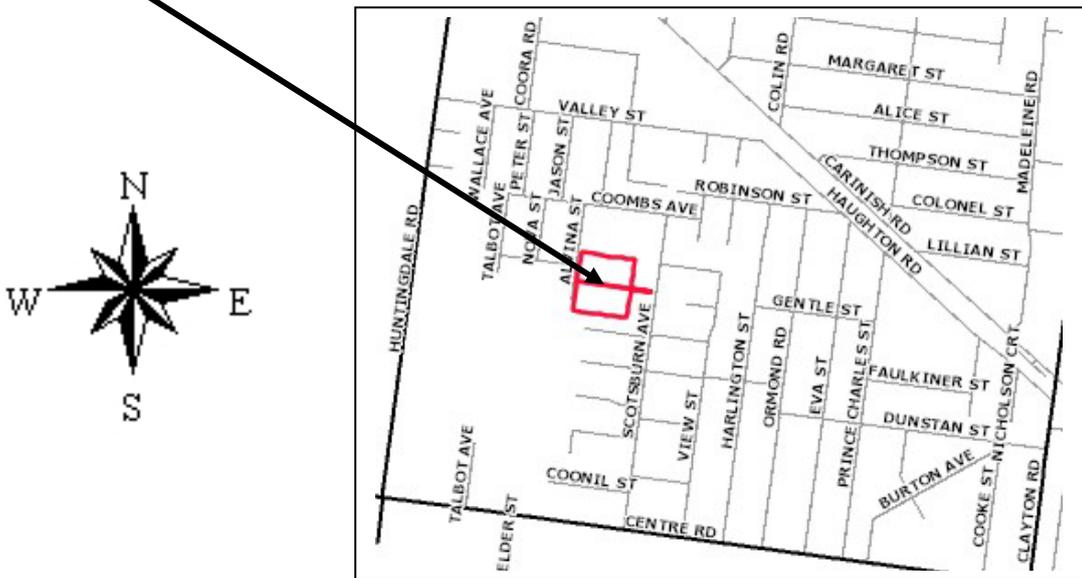
<p> Clause 11 01-1S -Settlement) Clause 11.01-1R1 (Metropolitan Melbourne) Clause 15 (Built Environment and Heritage) 15.01-3S – Subdivision Design 15.01-4S – Healthy neighbourhoods 15.01-5S – Neighbourhood Character 15.02 – Sustainable Development Clause 16 (Housing) Clause 16.01-2S (Location of Residential Development) Clause 16.01-2R (Housing opportunity areas metropolitan Melbourne Clause 16.01-3S (Housing Diversity) Clause 16.01-4S – Housing affordability </p>	<p> 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 22.03 (Environmentally Sustainable Development Policy) Clause 22.04 (Stormwater Management Policy) </p> <p> <u>Particular Provisions</u> Clause 52.06 (Car Parking) Clause 52.34 (Bicycle facilities) Clause 52.36 (Integrated Transport Planning) </p> <p> Clause 55 (Rescode) </p> <p> <u>General Provisions</u> Clause 65.01 (Decision Guidelines) </p>
STATUTORY PROCESSING DATE:	7 August 2018
DEVELOPMENT COST:	\$17,000,000

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



RECOMMENDATION:

That Council resolves to **Grant a Planning Permit (TPA/49091)** for the construction of 96 dwellings and subdivision of land at 10 Alvina Street, Oakleigh South subject to the following conditions:

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

The plans must be generally in accordance with the development plans prepared by Rothelowman dated 24/04/18 and the subdivision layout prepared by Veris dated 11 April 2018 submitted with the application, but modified to show:

- a) Added articulation to the northern façade of townhouse type P (Lot 40), the southern façade of townhouse type P (Lot 24) and the southern façade of townhouse type P2 (Lot 14) to the satisfaction of the responsible authority. Articulation should be generally consistent with that endorsed under the approved development plan for each of these lots.
- b) Added articulation to the southern (rear) upper floor elevation of Townhouse Type L (Lots 15,16,17,19,20,21,22 and 23) to the satisfaction of the responsible authority. Articulation should be generally consistent with that endorsed under the approved development plan for each of these lots.
- c) Deletion of upper floor outline (broken lines) above the ground floor Private open space of Townhouse Type H adjacent to ground floor living room window.
- d) Screening of upper floor west facing bedroom 3 window of Townhouse Type D1 (Lots 25,26,27,31,35,36,38,45,47 and 49) in accordance with standard B22 requirements of Clause 55.04-6
- e) Front facades of Townhouse Type A redesigned to achieve better outlook from the ground floor bedroom window, and a more translucent balcony edge to improve natural sunlight access into the dwelling.
- f) Plans for Townhouse Type E3 (Lot 1) reversed in accordance with plan TP8.E3-01A dated 1.06.18.
- g) The location and design of any required fire services, electricity supply, gas and water meter boxes discreetly located and/or screened to compliment the development.

- h) Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) both sides of Lot 1, 2, 50 and 51 Alvina Street vehicle crossings to provide a clear view of pedestrians on the footpath of the frontage road.
 - i) Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres deep (within the property) from the edge of the exit lane of the main access road to the development to provide a clear view of pedestrians on the footpath of the frontage road.
 - j) Vehicle crossings to Lots 50 and 51 (Alvina Street) converted to one double crossing.
 - k) Vehicle crossing to Lots 1 and 2 (Alvina Street) constructed as a double industrial crossing to City of Monash standards (150 mm thick concrete reinforced with SL82 mesh) with a 60 degree splay at either end or to the satisfaction of the Responsible Authority.
 - l) All new single vehicle width crossings a minimum of 3.0 metres in width.
2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
 3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.
 4. Prior to the endorsement of plans, the owner of the land must enter into an agreement with the responsible authority under section 173 of the Planning and Environment Act 1987 which provides for the following:
 - All existing trees identified for retention on the development site (total of 5) must not be removed or lopped without the written consent of the responsible authority.
- The agreement must also provide for the owner to pay Council's costs of preparation or review, registering and then upon its ending, deregistering the agreement.
- Waste Management**
5. Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and

recyclables for all uses on the site by private contractor. The Waste Management Plan shall provide for:

- a) The method of collection of garbage and recyclables for uses.
- b) Designation of methods of collection by private services.
- c) Appropriate areas of bin storage on site and areas for bin storage on collection days.
- d) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas.
- e) Litter management.

Once approved the Waste Management Plan will be endorsed to form part of the permit.

6. No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.

Construction Management Plan

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) Traffic management plan providing for safe movements of vehicles to and from the site during the construction phase.
- f) On-site parking of vehicles associated with construction of the development.
- g) Wash down areas for trucks and vehicles associated with construction activities.
- h) Cleaning and maintaining surrounding road surfaces.
- i) A requirement that construction works must only be carried out during the following hours:
 - Monday to Friday (inclusive) – 7.00am to 6.00pm;
 - Saturday – 9.00am to 1.00pm;
 - Saturday – 1.00pm to 5.00pm (only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery).

Landscaping

8. A landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-
- a) The location of all existing trees and other vegetation to be retained or removed on site.
 - b) Provision of a minimum of 181 canopy trees with spreading crowns located throughout the site including the major open space areas of the development, or as otherwise agreed to the satisfaction of the Responsible Authority.
 - c) Planting to soften the appearance of hard surface areas such as driveways and other paved areas.
 - d) A schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material.
 - e) The location and details of all fencing.
 - f) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.
 - g) Details of all proposed hard surface materials including pathways, patio or decked areas.

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

9. 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.

Tree Protection

10. Prior to the commencement of any works that are permitted by this permit, all trees that are to be retained, or are located within or adjacent to any works area, shall be marked and provided with a protective barricade and verified by an authorised officer of the Responsible Authority.
11. All work within the dripline of any tree to be retained shall be supervised by a qualified landscape architect or horticulturist who shall ensure that the works are done in a manner which protects and minimises any damage to those trees.

12. No building material, demolition material or earthworks shall be stored or stockpiled under the canopy line of any tree to be retained during the construction period of the development hereby permitted.

13. No vehicle shall park under the canopy line of any tree to be retained.

Drainage

14. The development must be drained to the satisfaction of the Responsible Authority.

15. A CCTV video of the drain running along the western boundary of No. 3 Ashbrook Court and the drain in Alvina Street is to be provided to the Council at the developers/owners cost prior to any drainage works taking place to ensure it is in suitable condition (if not in a suitable condition, the drain may need to be replaced).

16. Alvina Street south of Sinclair Street is to be constructed with road pavement, kerbs, drains, street trees, naturestrips and footpaths to the satisfaction of Council.

Car parking /Access ways

17. 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.

18. The car parking layout and vehicle access to the development shall generally follow the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme as detailed below to the satisfaction of the Responsible Authority.

- Driveway to provide at least 2.1 metre headroom beneath overhead obstructions.
- Minimum requirements for car park dimensions to be in accordance with Table 2.

19. No less than 1 car space must be provided on the land for each one and two bedroom dwelling. No less than 2 car spaces must be provided on the land for each dwelling with three or more bedrooms. Future subdivision of the development must provide allocation of car parking on Title in accordance with this requirement including all visitor car parking located within common property.
20. The existing redundant crossings are to be removed and replaced with kerb and channel. The footpath and nature strip are to be reinstated to the satisfaction of Council.
21. All new vehicle crossings are to be no closer than 1.0 metres, measured a the kerb, to the edge of any power pole, drainage or service pit, or other services. Approval from affected service authorities is required as part of the vehicle crossing application process.

SUBDIVISION

22. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
23. The applicant or owner pursuant to Clause 52.01 of the Monash Planning Scheme must pay to the Council a sum equivalent to **5 per cent (5%)** of the site value of all the land in the subdivision being a contribution for Public Open Space. This payment must be made before a statement of compliance is issued.
24. Prior to the issue of a Statement of Compliance for subdivision, the development including landscaping and storm water drainage works, must be completed in accordance with this planning permit.
25. This permit will expire in accordance with section 68 of the *Planning and Environment Act 1987*, if one of the following circumstances applies:
 - The subdivision is not started before 2 years from permit issue.
 - The subdivision is not completed within five years of the date of starting.

In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months afterwards.

South East Water

26. Potable water
The owner of the subject land must enter into an agreement with South East Water for the provision of potable water supply and fulfil all requirements to its satisfaction.

Sewer

The owner of the subject land must enter into an agreement with South East Water for the provision of sewerage and fulfil all requirements to its satisfaction.

General conditions

The Plan of Subdivision must be accompanied by an Owners Corporation Schedule. All lots shown on the Plan of Subdivision must be included in the Owners Corporation Schedule.

or

The owner of the subject land can enter into an agreement with South East Water for the provision of separate services to each individual lot. Prior to certification, the Plan of Subdivision must be referred to South East Water, in accordance with Section 8 of the Subdivision Act 1988.

The certified Plan of Subdivision will need to show sewerage supply easements over all existing and/or proposed South East Water sewer mains located within the land, to be in favour of South East Water Corporation pursuant to Section 12(1) of the Subdivision Act.

United Energy

27. The applicant must enter into an agreement with United Energy for an extension, upgrade and/or rearrangement of the current electricity supply to lots on the land which may also require:

- a. establishing easement(s) internally or externally to the site; and/or
- b. providing site(s) to locate substations; and

The applicant must make a payment to UE to cover the cost of preparing such documentation and work.

The plan of subdivision submitted for certification must be referred to United Energy Pty Ltd in accordance with Section 8 of the subdivision Act 1988.

Melbourne Water

28. Prior to the issue of a Statement of Compliance, the Owner shall enter into and comply with an agreement with Melbourne Water Corporation for the acceptance of surface and storm water from the subject land directly or indirectly into Melbourne Water's drainage systems and waterways, the provision of drainage works and other matters in accordance with the statutory powers of Melbourne Water Corporation.
29. Prior to Certification, a stormwater management and drainage strategy must be submitted and approved by Melbourne Water. The Stormwater Management Plan should include:

- A design response to the drainage and stormwater management requirements of the subdivision incorporating the principles of Water-Sensitive Urban Design;
 - Provision for retention of stormwater on site for reuse for landscaping and other non-potable purposes; and
 - Provision for limiting increased flows discharged from the site into the existing drainage system and potentially limiting flows to pre-development peak storm flows.
30. Any future development must incorporate water sensitive urban design principles into the layout of the development. Stormwater runoff from the development must achieve State Environment Protection Policy (Waters of Victoria) objectives for environmental management of stormwater as set out in the 'Urban Stormwater Best Practice Environmental Management Guidelines (CSIRO) 1999'.
31. All new lots must achieve appropriate freeboard in relation to local overland flow paths to Council's satisfaction.
32. Engineering and drainage plans of the development (in electronic format) must be submitted to Melbourne Water for our records.
33. This permit will expire in accordance with section 68 of the *Planning and Environment Act 1987*, if one of the following circumstances applies:
- The development is not started before 2 years from the date of issue.
 - The development is not completed within 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 six months of the permit expiry date, where the development allowed by the permit has not yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

NOTES-

1. Building approval must be obtained prior to the commencement of the above approved works.
2. Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.

3. Fire hydrants and services must be provided to the satisfaction of the Metropolitan Fire Brigade.
4. In the event that any parking restrictions are introduced in the surrounding area, occupants of this development will not be granted parking permits.
5. Approval of each proposed crossing, and a permit for installation or modification of any vehicle crossing is required from Council's Engineering Department. The proposed crossings are to be constructed in accordance with the City of Monash standards.
6. Engineering permits must be obtained for new or altered vehicle crossings and for connections to Council's drains and these works are to be inspected by Council (tel. 9518 3690).
7. Storm water discharge is to be detained on-site to the predevelopment level of peak storm water discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to drainage works commencing.
8. Direct the northern section of the site's stormwater drainage to the west of the property where it must be collected and free drained via a pipe to the Council pit in the western easement to Council Standards.
9. Direct the southern section of the site's stormwater drainage to the south-west corner of the property where it must be collected and free drained via a pipe to the Council pit in the corner of the western easement to Council Standards.
10. 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.
11. A drainage contribution **will not** be accepted in lieu of a detention system. Two separate detention systems are to be provided for the northern and southern section of the site. Detention system requirements for above property are as follows:-
 - North**
 - Minimum storage = 125.48 cubic metres
 - Maximum discharge rate = 35 litres per second
 - Minimum orifice diameter if using orifice pit = 65mm, otherwise install a Phillips multi cell or similar to control outflow.
 - South**
 - Minimum storage = 107.29 cubic metres

- Maximum discharge rate = 45 litres per second
 - Minimum orifice diameter if using orifice pit = 65mm, otherwise install a Phillips multi cell or similar to control outflow.
12. 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.
 13. Stormwater detention requirements may be obtained from the City of Monash prior to the design of any stormwater detention system.
 14. 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.
 15. Building over easement approval is required. Approval will be given subject to:
 - South East Water approval being obtained;
 - The registration of a Section 173 Agreement on Title between the owners and Council, protecting Council's future drainage maintenance rights.
 - A construction joint being made along the easement line.
 16. The drainage contribution is not accepted in lieu of detention system as our calculations indicate that the site coverage is in excess of 65.0%.
 17. Underground drainage is available for the site that slopes to the south-west.
 18. Note:- If the point of discharge cannot be located then notify Council's Engineering Division immediately.
 19. Note:- If the point of discharge cannot be located then notify Council's Engineering Division immediately.

BACKGROUND:

There have been two separate Development Plan applications for this site. This application accords with the first application for 108 dwellings which was refused by Council in September 2015 and subsequently appealed by the applicant to

VCAT. The application was also the subject of Supreme Court proceedings in relation to the interpretation of tree retention requirements of the DPO5 which determined that it was not a mandatory requirement to retain all 'moderate' and 'high' value trees on the site. When the matter returned to VCAT (following Supreme Court determination) the application was formally amended, reducing dwelling numbers from 108 to 96. On 20 December 2017, VCAT determined to approve the Development Plan. The Development Plan was endorsed on 6 March 2018.

The second Development Plan application (88 dwellings) was also refused by Council in January 2017 however the applicant did not appeal the decision. This file is now closed.

History

The Clayton West Primary School operated from this site, opening in May 1962 and closing in December 2006. In 2014, the State Government rezoned the former school site to General Residential Zone 1 (GRZ1) and included the site within a Development Plan Overlay (DPO5) (Amendment GC05).

No previous planning applications or planning permits apply to the site.

Title Details

The site is described in two separate Certificates of titles, each encumbered by covenant restrictions. Details are as follows.

1. Certificate of Title Volume 08271 Folio 519 being Lot 1 on TP 232530M (Southern half of site). Covenant 1003639 is registered on title and prevents quarrying and noxious trade on site. The current proposal does not contravene the covenant. A small section of the title is encumbered by a drainage easement which extends across the entrance to the pedestrian pathway to Scotsburn Avenue.
2. Certificate of Title Volume 08271 Folio 535 being Lot 1 on TP 232531K (northern half of site). Covenant 0980547 is registered on title and prevents quarrying and noxious trade on site. The current proposal does not contravene the covenant. A 1.8 metre wide drainage easement extends along the southern and eastern edge of the title boundary.

Site Context

The Site

Alvina Street is a local residential street ending in a '*No Through Road*' at its southern end. The subject site is located on the eastern side of Alvina Street at its southern end. It is a large rectangular lot with a combined site area of approximately 2.04 hectares. A section of the site's western boundary has a direct street frontage to Alvina Street of approximately 86 metres with the remainder of the western boundary directly abutting the former Talbot quarry site (south west

corner of site). Amendment C129 which proposes to rezone the former quarry to Comprehensive Development Zone Schedule 2 was exhibited by Council in 2017 . An independent planning panel was subsequently appointed by the Minister of Planning and a number of hearings held through the second half of 2017 with a further and final hearing heard in June 2018. Council is currently awaiting the report and recommendations of the Panel which will then be reported to Council.

Apart from a 3.4 metre wide pedestrian path extending east to Scotsburn Avenue, the site is essentially landlocked by existing low scale residential development along the entirety of its north, south and east boundaries. The only opportunity for vehicle access to the site is via Alvina Street.

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

Surrounding Residential Neighbourhood.

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

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

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

Features of adjoining land are as follows:

North: Residential properties fronting Alvina Street and Coombs Avenue directly abut the northern boundary of the lot. Number 8 Alvina Street is currently being redeveloped with a double storey, side by side dual

occupancy. Number 7 and 9 Coombs Avenue are both large medium density housing sites both, comprising single storey dwellings. A large Greenhouse (non-residential in use) is located at the rear of 9 Coombs Avenue, setback approximately 3 metres from the common boundary to the lot.

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

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

West: Alvina Street and Sinclair Street residential neighbourhoods interface with the site along the northern part of the site's western boundary. The former Talbot Quarry site abuts the remainder of the western boundary.

Broader Neighbourhood Context

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

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

Good public open space options exist in the surrounding neighbourhood, including Davies Reserve Athletics Track (200 metres east of site), Talbot Park (800 metres south of subject site on Centre Road), Clayton Reserve (1.1 kilometres to east). A range of private golf courses, and sporting clubs such as lawn bowls, tennis, swimming centres are also located within close proximity to the site.

The site is located within walking distance of existing public transport infrastructure. Bus Routes 703 (Middle Brighton to Blackburn South) and 733 (Oakleigh Station to Box Hill Central) are available along Centre Road approximately 600 metres south of the site. Bus Route 704 (East Clayton to Oakleigh) runs along Scotsburn Avenue. Huntingdale Railway Station located approximately 2 kilometres to the north of the site.

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

PROPOSAL:

The application proposes the development of 96 townhouses on the site generally in accordance with the approved Development Plan for the site.

The mix of dwellings comprises

- Two (2) x 2 bedroom dwellings
- Sixty two (62) x 3 bedroom town houses
- Thirty two (32) x 4 bedroom townhouses

This is consistent with the endorsed Development Plan.

Dwellings are two or three storeys in height and will front either Alvina Street or the internal ring road. All dwellings proposed around the perimeter of the site adjacent to existing residential development will be double storey in scale.

All trees identified in the 2013 Tree Logic Assessment as having a 'moderate' or 'high' retention value are proposed to be retained in accordance with the endorsed development plan. These trees are located in front setback areas to Alvina Street, rear yards of proposed dwellings and within the public realm of the development.

Other key elements of the proposed development plan include:

- Each dwelling is provided with onsite car parking in the form of a lock up garage and/or tandem space. Two bedroom dwellings are provided with a single car space and all 3 and 4 bedroom dwellings are provided with two car spaces in either a double garage, tandem garage or single garage with tandem space.
- Lot sizes range between 88 square metres and 330 square metres to accord with the differing housing product and/or accommodate valued trees on the site. Lot frontage widths include a mix of single fronted and double fronted widths, ranging between 4.4 metres and 15.37 metres.
- All vehicles will enter the site from Alvina Street via a new access road located opposite number 16 Sinclair Street. Access to each dwelling within the development will be from an internal loop road. Only four dwellings are proposed to have direct vehicle access from Alvina Street.
- The existing pedestrian path extending through to Scotsburn Avenue will be retained and upgraded (i.e. with landscaping and security lighting). This pathway forms part of the title to the land and is not a public walkway.
- Three pockets of communal open space are provided within the development, located along the northern and southern boundaries of the site, and in a central location opposite the main vehicle entry to the development.

- Varied front setbacks are proposed for dwellings fronting Alvina Street ranging from approximately 5 metres to the larger 11 metre setback to protect MM to enable established trees (with moderate or high retention value) to be retained as required by DPO5 provisions.
- A total of 22 kerb side visitor car parking spaces are available throughout the development. An additional 7 kerb side spaces can be accommodated along the Alvina Street frontage post development.

Attachment 1 details plans forming part of the application.

PERMIT TRIGGERS:

Zoning

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

Pursuant to the requirements of Clause 32.08-6 a planning permit is required to construct two or more dwellings. A development must meet the requirements of Clause 55.

Pursuant to clause 32.08-3, a permit is required to subdivide land. In accordance with clause provision the application is exempt from garden area requirements because the lot(s) will be created in accordance with an approved development plan. An application to subdivide land which does not contain an existing dwelling or car parking space must meet the requirements of Clause 56.

In accordance with clause 32.08-4, the minimum garden area requirement for an application to construct two or more dwellings on a lot does not apply to an application where the lot is designated as a medium density housing site in an approved development plan (equivalent strategic plan).

In accordance with clause 32.08-9 the maximum building height must not exceed 11 metres and the building must contain no more than 3 storeys at any point. There is no transitional arrangements exempting the current application from this provision.

Clause 32.08-12 sets out the decision guidelines for the General Residential Zone to be considered where appropriate.

Development Plan Overlay- Schedule 5

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

In accordance with clause 43.04-2 of the Planning Scheme, an application which is generally in accordance with the development plan is exempt from notice and review

The development plan for the site was endorsed on 6 March 2018 at the direction of VCAT. The application plans are generally in accordance with the endorsed development plan for the site and therefore the application is not required to be advertised.

In its decision, VCAT also stated the following.

Particular Provisions

- Clause 52.06-3: Car Parking
The development satisfies the statutory car parking requirement.
- Clause 55- Two or more dwellings on a lot.
- Clause 56- Residential Subdivision
- Clause 52.01 – Public Open Space Contribution and Subdivision
A person who proposes to subdivide land must make a contribution to the council for public open space in an amount specified in the schedule to this clause. The schedule to the one requires that for subdivision of 6 or more lots, a 5% public open space contribution must be paid to Council.

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

CONSULTATION:

Exemption from notice and review

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

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

Clause 66.01 Referral of Subdivision /dwelling development

- Melbourne Water- No objection subject to conditions.
- United Energy - No objection subject to conditions.
- South East Water – No objection subject to conditions.
- Multinet Gas - No objection
- Transport for Victoria – No objection

Internal Referral

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

DISCUSSION:**Consistency with State and Local Planning Policies****State and Local Planning Policy Framework****Plan Melbourne**

Plan Melbourne 2017-2050: Metropolitan Planning Strategy is the Metropolitan Strategy that Council must consider when assessing applications for planning permits. The key directions that are of particular relevance to the proposal are:

- Delivering more housing closer to jobs and public transport.
- Facilitating an increased percentage of new housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.
- Increasing the supply of social and affordable housing.
- Providing greater choice and diversity of housing by facilitating housing that offers choice and meets changing household needs.

The subject land is located within the Monash National Employment and Innovation Cluster, identified by Plan Melbourne as a place of national significance, the purpose of which is *'to improve the growth and clustering of business activity of national significance, particularly in knowledge base industries.'*

State Planning Policy relevant to the current proposal all promote the:

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

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

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

Council's Residential Development and Character Policy (Clause 22.01) aims to ensure that new development is successfully integrated into existing residential

environments with minimal streetscape or amenity impact and to achieve outcomes that enhance the Garden City Character of the area.

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

The Environmentally Sustainable Development Policy (Clause 22.13) applies to all residential and non-residential developments that require a planning permit. The main objective is to encourage environmentally sustainable development from design stage through to construction and operation.

Consistency with approved Development Plan

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

A Development Plan for the site was land was approved by Order of VCAT on 17 December 2017. The Development Plan was subsequently endorsed on 6 March 2018.

The table below details a comparison of the approved Development Plan and the proposed development under this application TPA/49091:

APPROVED DEVELOPMENT PLAN (TP426)	PROPOSED DEVELOPMENT APPLICATION TPA/49091	VARIATION
No. of Townhouses: 96 Comprising 32 x 4 bedroom 62 x 3 bedroom 2 x 2 bedroom	No. of Townhouses: 96 32 x 4 bedroom 62 x 3 bedroom 2 x 2 bedroom	No change
Townhouse car parking: Total of 190 residential car spaces (1 per 2 bed and 2 per 3 and 4 bed) Total of 22 visitor spaces (1 per 19 dwellings) Total: 212 car spaces Statutory requirement: 209 Surplus - +3	Townhouse car parking: Total of 190 residential car spaces (1 per 2 bed and 2 per 3 and 4 bed) Total of 22 visitor spaces (1 per 19 dwellings) Total: 212 car spaces Statutory requirement: 209 Surplus - +3	No change.
Setbacks <u>Alvina Street</u> -	Setbacks <u>Alvina Street</u> -	No change

<p>Lot 51,52 – 7.3 metres Lots 52-56 – 10.5 metres Lot 1-4 – 4.5 metres</p> <p><u>Northern boundary</u> Lots 40 -49 - 4.5 metres</p> <p><u>Eastern boundary</u> Lots 24-40 – 4.5 metres</p> <p><u>Southern boundary</u> Lots 14-24 – 4.5 metres</p>	<p>Lot 51,52 – 7.3 metres Lots 52-56 – 10.5 metres Lot 1-4 – 4.5 metres</p> <p><u>Northern boundary</u> Lots 40 -49 - 4.5 metres</p> <p><u>Eastern boundary</u> Lots 24-40 – 4.5 metres</p> <p><u>Southern boundary</u> Lots 14-24 – 4.5 metres</p>	
<p>Building height</p> <p>54 x 3 storey 42 x 2 storey.</p>	<p>Building height</p> <p>54 x 3 storey 42 x 2 storey</p> <p>All building height located in same location.</p>	<p>No change to dwelling breakdown (storeys).</p> <p>No change to location of 2 and 3 storey dwellings across the lot.</p>
<p>Dwelling Layout</p>	<p>Dwelling layout</p>	<p>Minor changes to dwellings including</p> <ul style="list-style-type: none"> • minor Internal layout changes • architectural features • articulation of dwelling facades altered on lots 24 and 40 <p>Variations are minor and considered to be generally in accordance with approved development plan.</p>
<p>Tree Retention</p> <p>Retention of 4 high retention value trees and one medium retention value tree</p>	<p>Tree Retention</p> <p>Retention of 4 high retention value trees and one medium retention value tree</p>	<p>No change.</p>
<p>Landscaping</p> <p>Provision of 62 canopy trees and associated complimentary planting throughout the site</p>	<p>Landscaping</p> <p>Provision of 62 additional canopy trees and associated complimentary planting throughout the site</p>	<p>No change</p>

As detailed above, the current application plans are generally consistent with the approved development plan, albeit for minor changes to dwelling layouts and façade detailing/articulation. The number of dwellings, bedrooms, and car parking spaces on site remains the same. The scale of dwellings (2 and 3 storey) and siting within the development, tree retention, and future landscaping of the development is also consistent with the endorsed development plan.

There are no changes which would trigger public notice of the application.

Assessment of Development

Although the level of development proposed for this site and the extent of tree removal proposed has been vigorously contested by Council at both VCAT and through Supreme Court proceedings, the development plan has now been approved by VCAT and subsequently endorsed.

Following on from this, it is acknowledged that many of the elements of the assessment of this application have already been considered through the assessment and approval of the Development Plan itself. It is also noted that the development plan considered by VCAT included a high degree of detail in terms of dwelling type and internal layout.

In particular, it has been determined by VCAT that (summarised);

Strategic considerations

- The development provides for housing diversity, proposing a mix of 2, 3 and 4 bedroom dwellings.
- Although the medium density residential development which will result from the approved development plan will be of a different style, scale and character to the low scale post war residential neighbourhood surrounding the site, it is an outcome which is intended by the DPO5.
- The proposed development will result in a high quality contemporary infill residential development that will be extremely well located having regard to recreation facilities, Monash University and Monash Medical Centre.
- The site is strategically well suited and well located to be developed in a different, more intensive way than the immediately surrounding neighbourhood.
- All of the requirements for the development plans set out in clause 3.0 of the DPO5 have been met.
- The development plan meets all relevant strategic considerations arising under State and Local Policy and embodied in DPO5.
- That the development plan satisfies the relevant provisions of the Residential Development and Character Policy (Clause 22.01. Importantly, the proposed development will not be high rise or high density. It will be an integrated medium density residential development. The mix of two and three storey dwelling types are all below the mandatory height limit of 11 metres and three storeys in a General Residential Zone.

Development layout and scale

- The broad layout is carefully conceived having regard to the surrounding development. It is characterised by having only two storey dwellings adjacent to the north, east and south perimeters of the site abutting existing residential development and confining the three storey dwellings to the central area and in certain locations along the Alvina Street frontage where they are interspersed with two storey dwellings.

- The groupings of dwellings around the perimeters has been carefully modulated by providing breaks between groups of dwellings to accommodate the retention of existing trees and the provision of additional landscaping. This has been reinforced by the articulation and set backs at first floor level of the dwelling types and the mix of dwelling types, which will provided physical separations between the built form of dwellings at the second storey level. This will avoid any unrelieved bulk adjacent to these boundaries.
- The proposal overall meets the standards and objectives for clause 55 with the ability to modify any details at permit application stage. Consideration of the fine detail of clause 55 will ensure that the amenity of adjoining residential properties is appropriately protected.

Alvina Street interface

- The grouping of three storey dwellings at the north west corner of the site will be setback back behind retained mature vegetation. The retained trees and new vegetation will provide a screen to the buildings when viewed from this section of Alvina Street and the three storey scale is considered appropriate.
- South of the entrance access road, and further to the south along Alvina Street, the primary dwelling types are three storey interspersed with 3 two storey dwellings. The three storey scale is considered appropriate at this location having regard to the abuttal of the majority of this section of the site to the Huntingdale Quarry site, which is earmarked as a future mixed use development site and the redevelopment potential, as well as the existing condition and redevelopment potential of the dwelling at the south west corner of Alvina Street and Sinclair Street (opposite site).

Landscaping and tree retention

- There are four large mature trees identified in the 2013 Tree Logic assessment as being of high value that will be retained and incorporated into appropriate landscaped communal open space areas within the development. A further tree identified as of medium value will also be retained on a private lot. The retention of these trees will contribute to maintaining the Garden City Character of Monash. The character will be further enhanced by the proposed landscape plan which will see numerous additional trees planted across the site. In the medium and longer term these trees will make a significant contribution to the garden City Character of this particular development and, more broadly within the neighbourhood.

Open Space and Public Realm

- The communal open space is located at the corner of West Lane and North Lane surrounded on only two sides by dwellings and will be open to two street frontages and is accessible to all residents.
- In an integrated residential development such as this where there is communal open space provided as well as private open space, the adequacy

of open space and landscaping should be considered from a holistic perspective. The open space provision will be additional to and separate from a public open space cash contribution of 5% at subdivision stage. Overall the amount of public and communal open space that will be provided as a result of this development will be generous.

Car parking and Traffic

- Car parking provision will meet the requirements of clause 52.06.
- The width of all streets are adequate to accommodate emergency service vehicles, waste collection vehicles, furniture removalists and other trade related vehicles.
- The number of visitor spaces, at 22, exceeds the planning scheme requirement of 19 spaces. Importantly, the visitor spaces are distributed evenly around the internal road system.

Clause 55 assessment

In its decision, VCAT was satisfied, that, for the purpose of approving the development plan, the applicant had successfully demonstrated that the proposal overall meets the standards and objectives of clause 55, noting that consideration of the fine detail of clause 55 is best left to the planning permit application stage. This essentially refers to potential matters of mitigating overlooking, location of mail boxes, façade detailing etc. The broader issues of development layout, dwelling diversity, scale and intensity have also been *'ticked off'* as been satisfactory as part of the assessment and approval of the development plan (masterplan) application.

No additional schedule variations apply in the General Residential Zone 1 (GRZ1) and the standard rescode requirements apply.

A detailed assessment against the standards of clause 55 has been undertaken, and on balance the proposal shows a high degree of compliance with the more detailed design standards, in particular;

Infrastructure

The development is able to utilise existing infrastructure and can connect to reticulated services, including reticulated sewerage, drainage, electricity and gas.

Council's Drainage Engineers have reviewed the application and provided a raft of standard permit conditions.

Street setback/ Integration with street

Adequate vehicle and pedestrian links are provided. The existing pedestrian link through to Scotsburn Avenue will be retained and enhanced providing convenient access to bus services along Scotsburn Avenue.

All dwellings within the development have direct street frontage and their entrances are easily identifiable.

- Dwellings fronting Alvina Street comprise a mix of double storey and three storey dwellings with varying setbacks, generally consistent with the approved development plan. The northern most dwellings on Lot 50 and 51 adjoin number 8 Alvina Street which is currently developed with a single storey double fronted dwelling setback 7.6 metres from Alvina Street. This site also has a current planning permit for a double storey, side by side dual occupancy, also setback 7.6 metres (not yet commenced). Both proposed dwellings for Lot 50 and 51 have articulated front facades setback a minimum of 7.3 metres from Alvina Street, providing a gentle transition to the development site.

The group of three storey dwellings at Lots 52-56 are setback 12 metres from the Alvina Street frontage, behind retained mature vegetation which will provide a green screen to the buildings when viewed from this section of Alvina Street. The larger setback also provides also allows the main entry road to development to be more prominent.

An additional four dwellings located south of the main entry road directly front Alvina Street (i.e. Lots 1 -4), however only lots 1 and 2 have their vehicle and pedestrian entry from Alvina Street. Each of the four dwellings is setback a minimum of 4.5 metres from Alvina Street but sit comfortably at the southern end of Alvina Street, away from existing residential frontages, and, as a result, having a benign impact on the general character of the street.

- Within the development itself, front setbacks to the main ring road are varied, however opportunity for street planting and some landscaping across dwelling frontages is available. This coupled with articulated dwelling facades which provide variation to the combined street façade will create a pleasant street amenity for the high density of development proposed.

The proposed landscape plan is consistent with the plan approved by VCAT.

Building height and massing

Buildings range between 2- 3 storeys in height and all are within the 11 metre mandatory height limit required by the provisions of the GRZ1 Zone (clause 32.08-9).

The siting and layout of dwellings is generally in accordance with the approved development plan, however changes have been made to Townhouse Type L (southern side of South Lane) and Townhouse Type P which increase bulk and reduce articulation. A condition of permit will require that these dwellings revert back to a similar level of articulation approved under the development plan. These dwellings are all located adjacent to site boundaries and the proposed changes will increase scale and bulk as viewed from adjacent residential properties to an unacceptable level.

In addition, the following design matters are considered satisfactory.

- All dwellings are setback from side and rear boundaries to comply with the requirements of standard B17
- No boundary walls are proposed (standard B18)
- All existing habitable room windows on adjoining properties will maintain a minimum light court of at least 3 square metres (standard B19)
- Where proposed dwellings are located opposite existing habitable room windows of existing dwellings, each for the dwellings is setback in excess of 50 percent of the height of the new wall. Proposed double storey dwellings on Lots 44 to 49 and Lot 50 are located to the south of dwellings which are sited close to the common boundary, however all are able to comfortably satisfy the setback requirement of B19. No north facing habitable room windows are located within 3 metres of the common boundary.

Overshadowing

The project architect has prepared shadow plans for 9.00 am, 12 midday and 3.00pm at Equinox. Minimal additional shadow will be cast across southern, and eastern boundaries and, for the most part, will be contained within the existing fence line shadow.

Overlooking

The overlooking objective seeks *'to limit views into existing secluded private open space and habitable room windows.'* In this instance, it is important that the opportunity for direct overlooking across boundaries and within the development itself is mitigated effectively.

An assessment of the various facades/window placement and view lines has been undertaken and conditions drafted where necessary. Direct views are effectively mitigated.

On site amenity.

Each dwelling is provided with direct street frontage and dwelling entrances are easily identifiable and accessible. Dwellings are designed to receive a good level of natural light and located to support effective cross ventilation.

Each of the garages can be accessed from internal spaces of dwellings.

Internal amenity

A diverse range of housing layouts are proposed, each with open plan living with directly accessible outdoor balcony space. Main living areas are located on the central level of the three storey dwellings, easily accessible from bedrooms at ground and third floor levels. Balconies are generally enclosed along their sides to mitigate views into adjoining balconies.

All habitable rooms are provided with direct access to daylight and ventilation, having no reliance on borrowed light.

Public spaces throughout the development will be enhanced with canopy tree planting and formally landscaped communal spaces for the enjoyment of residents. Generous street tree planting, will provide a green filter across the front of building facades.

Private Open Space

Schedule 1 of the General Residential Zone does not vary standard B28 of ResCode in relation to the provision of private open space. The current proposal provides open space to each dwelling through either ground level provision or by balcony or a combination of both.

Dwellings located around the perimeter boundaries of the site are all provided with ground level private open space at the rear of the dwellings and directly accessed from main living areas.

Type A and Type C dwellings located centrally within the development will rely on an upper floor balcony accessed from the main living areas. All balcony sizes satisfy ResCode requirements.

Of the 96 dwellings proposed, 24 are provided with a total open space provision of between 25-30 square metres. Although this is less than the standard ResCode requirement of 40 square metres (including 25 square metres of secluded open space with a minimum dimension of 3 metres), each of these spaces has a minimum dimension of 4.5 metres, is directly accessed from the main living area of the dwelling. Sunlight access to the private open space for the southern line of dwellings (South Lane) is adequate and secondary northern facing upper floor balcony provides an alternative outdoor space on the northern side of the dwelling (with the exception of Type G.)

In addition to the secluded open space provision, each resident has the benefit of additional open space through the 800 square metre park and additional pocket parks scattered throughout the development. These spaces can be used by both residents and visitors and provide alternative play spaces for children to play as well as incorporating seating, playground, shelter and barbeque facilities.

For the above reasons, it is considered that the objective of Clause 55.05-4 is satisfied in this instance.

Architectural Quality and Design Detail

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

as stone and neutral colour tones assists in blending the development with the surrounding area.

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

Car Parking, Access & Traffic Impact

The proposal provides for car parking generally in accordance with the requirements of the approved Development Plan.

Car parking for the development is provided as follows:

DWELLING TYPE	NUMBER OF DWELLINGS	CLAUSE 52.06 REQUIREMENT	CAR SPACES REQUIRED	CAR SPACES PROVIDED	Shortfall/surplus
2 bedroom townhouses	2	1 space per dwelling	2	2	0
3 bedroom townhouses	62	2 spaces per dwelling	124	124	0
4 bedroom apartments	32	2 space per dwelling	64	64	0
Visitor Parking	96 townhouses	1 space per 5 dwellings	19	22	+3
TOTAL REQUIRED			209		
TOTAL PROVIDED				212	

The proposal provides 3 additional visitor car spaces in excess of that required by the Planning Scheme.

The application was referred to Council's Traffic and Transport Engineers for further comment on the provision and layout of car parking and detailed design of access ways. A small number of conditions common to most permits have been recommended if a permit were to issue, along with the following requirements for amendments to the plan

- **Lot 50 & 51 Alvina Street** - vehicle crossings are within 1.50 metres of an adjoining crossing and are required to be converted to a double crossing.
- **Lot 1 & 2 Alvina Street**- vehicle crossing area will be required to accommodate the waste vehicle turnaround and is to be constructed as a double industrial crossing to City of Monash standards (150mm thick concrete reinforced with SL82 mesh) with a 60 degree splay at either end, or to the satisfaction of the Responsible Authority.

Condition 1 requirements will ensure these amendments are addressed prior to the endorsement of plans.

The provision of car parking and the layout of access ways is generally in accordance with the endorsed development plan and is considered satisfactory.

Vegetation Retention & Landscaping

The submitted proposal provides for retention of four (4) high retention value trees and one (1) medium retention value tree consistent with those identified and subsequently endorsed under the approved Development Plan.

Vegetation to be retained is located around the perimeter of the site and has been incorporated into the overall design response and landscaping scheme for the site.

Four of the five trees proposed to be retained are located within common areas of the development. The fifth tree is located in the rear yard of lot 50. This is a smaller medium value retention tree. In order to provide maximum protection of these trees, a permit condition will require the applicant to enter into a 173 agreement with Council which will provide that none of trees are removed without the further written consent from Council.

The submitted landscape plan proposes extensive planting throughout the site including 181 canopy trees plus a range of shrubs, grasses and climbers. Smaller trees and shrubs are generally located within the front setbacks and rear yards of dwellings with larger canopy tree planting proposed to line internal streetscapes and within the public parks. The landscape plan submitted with the application is in accordance with the approved development plan and is considered satisfactory.

Subdivision

The application also seeks approval for the subdivision of lots to accord with the development layout. This was foreshadowed in the Development Plan application and accords with the approved development plan.

The subdivision layout is consistent with the approved development plan, creating 96 private titles to accord with the endorsed layout of townhouses with associated common property (roadways) and parkland (open space areas). The open space will be maintained by the owner's corporation and is not public open space to be maintained by Council. Essentially, it is open space within a private residential development.

The applicant has prepared a detailed assessment of the proposal against clause 56 provisions which demonstrates that the development satisfies the objectives and shows a high degree of compliance with the Clause 56 standards, in particular;

- The site is located close to the Clayton Activity Centre and connecting bus routes.

- The intensity of the subdivision is consistent with the layout of the approved Development Plan for the site and facilitates increased housing choice in an established residential neighbourhood.
- Lot sizes range between 88 and 303 square metres and will accommodate 16 differing housing typologies to cater for a variety of household types.
- Where possible, lots have been designed to achieve maximum solar access, noting that the subdivision accords with the approved development plan.
- Internal parkland, streetscape network and landscaping of these public areas will all be under the ownership and management of the owner's corporation.
- A detailed landscape plan for the site indicates that the majority of new plants proposed are to be native. It also proposes an additional 181 new trees in private and public areas and provides details regarding the future maintenance and irrigation treatments. Landscaping and water sensitive urban design treatments are also proposed to achieve sustainable development of the site and provide sustainable options for stormwater run-off and harvesting of rain water. Rainwater will be harvested from roof areas which can be recycled and reused for toilet flushing and irrigation.
- The internal road network within the subdivision has been designed as low-speed shared zoned for vehicles, cyclists and pedestrians. The existing pedestrian walkway to Scotsburn Avenue is retained and upgraded to integrate the development with the surrounding neighbourhood and provide valued connectivity to bus routes and walking routes towards Clayton Activity Centre.
- The design of the internal roads is considered satisfactory in terms of layout, width and lot access.

The proposed subdivision layout does not facilitate any changes to the proposed layout, use of built form outcome approved under the development plan.

CONCLUSION:

The proposed development and subdivision of the former school site accords with the approved development plan (masterplan), supporting urban consolidation and contributing to increased housing choice in an established residential neighbourhood close to the Clayton Activity Centre and with access to public transport options.

The proposal satisfies the objectives of clause 55 and 56 of the Monash Planning Scheme and will be complemented by a pleasant landscaping theme which includes generous canopy tree planting and the retention of 4 existing valued trees on the site.

It is recommended that the proposed development be approved subject to conditions including minor modification.

LIST OF ATTACHMENTS:

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (December 2016).

Attachment 3 – Zoning and Overlays Map.