

**1.5 17-19 MARGOT STREET, CHADSTONE
ALTERATIONS AND ADDITIONS TO THE EXISTING CHURCH AND CONSTRUCTION
OF THREE (3) DOUBLE STOREY DWELLINGS
(TPA/49597)**

EXECUTIVE SUMMARY:

This application proposes the extension and alterations to the existing Encounter Baptist Church fronting Margot Street and the construction of three (3) double storey dwellings to the rear of the church, fronting Vision Street, in Chadstone.

The application was subject to public notification. No objections to the proposal have been received.

Key issues to be considered relate to neighbourhood character, building form, design detail, vehicle access and car parking, removal of vegetation and landscaping, private open space provision and amenity impacts.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state and local planning policy framework and consideration against adopted Amendment C125 to the Monash Planning Scheme.

The reason for presenting this report to Council is the proposed development cost of \$4.2 Million.

The proposed development is considered satisfactory 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:	Eliza Connop
WARD:	Mount Waverley
PROPERTY ADDRESS:	17-19 Margot Street, Chadstone
EXISTING LAND USE:	Place of Worship
PRE-APPLICATION MEETING:	No
NUMBER OF OBJECTIONS:	Nil
ZONING:	General Residential Zone 2 (GR22)
OVERLAY:	Nil
AMENDMENT C125 (adopted):	General Residential Zone 3 (GR23)

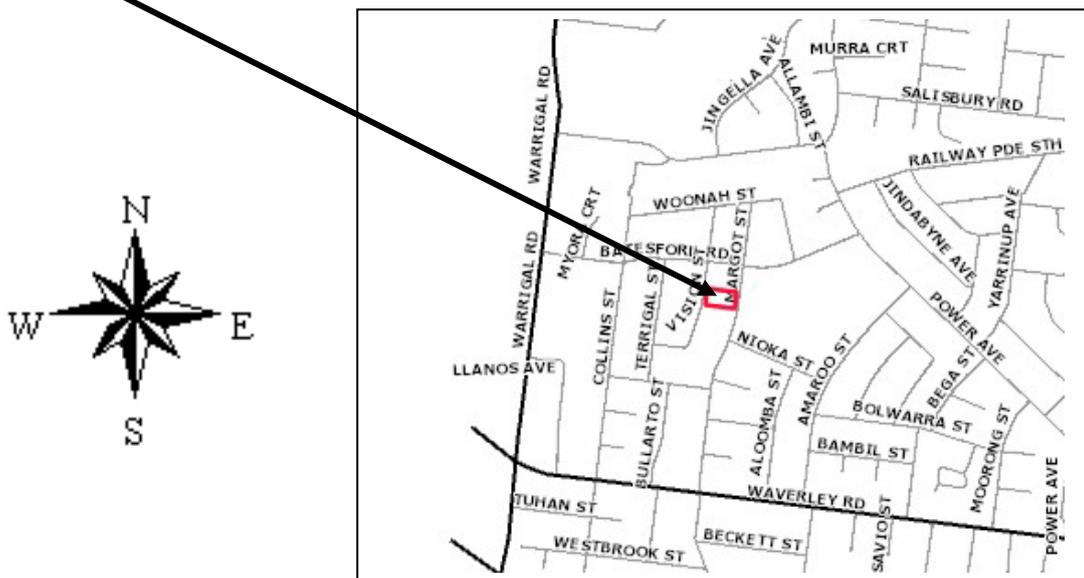
<p>RELEVANT CLAUSES:</p> <p><u>Planning Policy Framework</u> Clause 10 (Planning Policy Framework) Clause 11.01-1S (Settlement) Clause 11.01-1R1 (Metropolitan Melbourne) Clause 15 (Built Environment and Heritage) Clause 16 (Housing) Clause 18 (Transport) Clause 19 (Infrastructure)</p>	<p><u>Local Planning Policy Framework</u> Clause 20 (Local Planning Policy Framework) Clause 21 (Municipal Strategic Statement) Clause 21.04 (Residential Development) Clause 21.08 (Transport and Traffic) Clause 21.13 (Sustainability and Environment) Clause 22.01 (Residential Development and Character Policy) Clause 22.04 (Stormwater Management Policy) Clause 22.05 (Tree Conservation Policy) Clause 22.09 (Non-Residential Use and Development in Residential Areas) Clause 22.13 (Environmentally Sustainable Development Policy)</p> <p><u>Particular Provisions</u> Clause 52.06 (Car Parking) Clause 55 (Two or More Dwellings on a Lot)</p> <p><u>General Provisions</u> Clause 63 (Existing Uses) Clause 65.01 (Decision Guidelines)</p>
<p>STATUTORY PROCESSING DATE:</p>	<p>11 March 2019</p>
<p>DEVELOPMENT COST:</p>	<p>\$4.2 Million</p>

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



17-19 Margot Street, Chadstone – Alterations And Additions To The Existing Church And Construction Of Three (3) Double Storey Dwellings

RECOMMENDATION:

That Council resolves to **Grant a Planning Permit (TPA/49597)** to construct alterations and additions to the existing Place of Worship and construction of three (3) double storey dwellings, at 17-19 Margot Street Chadstone 3148, subject to the following conditions:

Amended Plans

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

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

- a) Notation that the three street trees (*Tristanopsis laurina*) on Vision Street must be protected by temporary rectangular wire fencing as per Australian Standards (AS 4970), erected prior to commencement of works until completion. Fence must extend out to at least 2.2 metres.
- b) Notation that tree protection measures be implemented in accordance with the recommendations (as relevant) contained in the Arboricultural Report prepared by Sherrin Bishop, dated 1 November 2018.
- c) Internal elevations between the dwellings; details of internal habitable room windows of all dwellings to avoid internal overlooking to the satisfaction of Responsible Authority.
- d) The Family room window of Dwelling 1 on the northern elevation.
- e) Sill heights from finished floor level to all habitable room windows of the dwellings.
- f) A notation that the existing redundant northern crossing in Margot Street is to be removed and replaced with kerb and channel. The footpath and naturestrip are to be reinstated to the satisfaction of Council.
- g) Vehicle turning manoeuvres within the main church car park to have:
 - Provision of a minimum 5.8m access aisle width along the entire length of the car park.
 - Parking spaces along the southern access aisle line marked at a length of 4.25 metres.

- Low vegetation proposed in the landscaping area along the southern boundary adjacent to the parking spaces for 600mm behind the back of kerb to allow for vehicle overhang.
- h) Car spaces 1 and 2 to be widened to a minimum of 2.8 metres to the satisfaction of the Responsible Authority.
 - i) The accessible parking space to be designed in accordance with the Australian Standard for *Off-Street Parking for people with disabilities, AS/NZS 2890.6*.
 - j) Bicycle parking facilities to follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme.
 - k) Dwellings 1 and 3 vehicle crossings to be reduced to 3 metres in width.
 - l) 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.

No Alteration or Changes

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

Common Boundary Fences

3. All common boundary fences are to be a minimum of 1.8 metres above the finished ground level to the satisfaction of the Responsible Authority. The fence heights must be measured above the highest point on the subject or adjoining site, within 3 metres of the fence line.

Landscaping

4. Before the commencement of buildings and works, 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:-
 - the location of all existing trees and other vegetation to be retained on site
 - provision of canopy trees with spreading crowns located throughout the site including the major open space areas of the development

- planting to soften the appearance of hard surface areas such as driveways and other paved areas
- 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
- the location and details of all fencing
- the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site
- 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.

Landscaping Prior to Occupation

5. Before the occupation of the buildings allowed by this permit, landscaping works associated with each stage of the development 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

6. Tree protection measures must be carried out in accordance with the recommendations (as relevant) contained in the Arboricultural Report prepared by Sherrin Bishop, dated 1 November 2018.
7. 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.

Management Plans

8. 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 22.13 of the Monash 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.

9. Prior to the occupation any of the buildings 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 the relevant completed stage of the building ready for occupation) all measures specified in the Sustainable Management Plan have been implemented in accordance with the approved plan.
10. 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 Church 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.

- f) 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.

A copy of this plan must be submitted to and approved by the Responsible Authority. Once approved the Waste Management Plan will be endorsed to form part of the permit.

11. 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.)

Place of Worship

12. A maximum of 150 patrons attending the Place of Worship at any one time.
13. A minimum of 25 car spaces including one accessible parking space provided for the Place of Worship.

Development

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. 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.

Drainage

16. All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties.
17. Stormwater is to be detained on-site to the predevelopment flow of peak stormwater discharge. Approval of any detention system is required from Council prior to works commencing. Please refer to notes section of this permit for additional details.
18. Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.

The plans must show a drainage scheme providing for the collection of stormwater within the site and for the conveying of the stormwater to the nominated point of discharge. The nominated point of discharge is to be obtained from Council's Engineering Division.

Completion of Buildings and Works

19. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Permit Expiry

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

- (a) The development has not started before two (2) years from the date of issue.
- (b) The development is not completed before four (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. One copy of the drainage and civil works must be submitted to and approved by the Engineering Department prior to the works commencing. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.
4. Engineering permits must be obtained for new or altered vehicle crossings and for connections to Councils drains / Council pits / kerb & channel and these works are to be inspected by Council (telephone 9518 3555).
5. "Use of Easement" approval may be required for any structure proposed to be constructed over an easement. Separate approval is required from Council's Drainage Engineers and/or the relevant Authority.
6. Unless no permit is required under the scheme signs must not be constructed or displayed without a further permit.
7. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.

8. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.
9. The lot/dwelling 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.

BACKGROUND:

History

The Place of Worship as of right use and dwelling fronting Vision Street were constructed in the early 1960’s. There were previous applications for signage at the subject site.

Title Details

The land originally comprised four lots on separate Titles, which were consolidated into one lot on 1972.

The land is affected by four restrictive covenants, namely:

- Covenant 1374299
- Covenant 1494831
- Covenant 1867420
- Covenant 2138070

The four covenants are similar and prohibit the excavation, digging, carrying away or removal of earth, clay, stone, gravel or sand other than for the purpose of excavation for any building to be erected, and prohibit the use of the land for the manufacturing of bricks, tiles or pottery.

The Site and Surrounds

The subject site is located on the western side of Margot Street, in Chadstone, between Nioka Street to the south and Batesford Road to the north. The land extends through to Vision Street to the rear.

The land is generally rectangular in shape with frontages to Margot Street and Vision Street of 39.62 metres, northern side boundary of 75.3 metres and southern side boundary of 75.59 metres. The site has an overall site area of 2,992 square metres.

The land has an overall fall of approximately 3.0 metres towards Vision Street and there is a 3.05 metre wide drainage and sewerage easement that runs centrally through the site from north to south.

The land is occupied by a single storey brick church building, church hall, outbuildings and carparking fronting Margot Street, while a church tennis court and single storey detached dwelling front Vision Street.

There are two crossings on the Margot Street frontage and two crossings on Vision Street. There are three street trees in the naturestrips of both street frontages.

The surrounding land use is residential and was once dominated by original single storey detached concrete sheet ex-Ministry of Housing dwellings and other modest dwellings dating from the 1950's. Many of these original dwellings are being replaced by new dwellings, with double story dwellings and multi-unit developments becoming increasingly evident in the surrounding area.

Features of adjacent land are as follows:

North: A single storey brick dwelling at No.15 Margot Street and a single storey cement sheet dwelling at No.18 Vision Street.

South: Two single storey brick dwellings at No.21 Margot Street and a single storey brick dwelling at No.26 Vision Street.

East: Single storey cement sheet dwellings opposite the site in Margot Street.

West: Single and double storey, brick and cement sheet, dwellings and units opposite the site in Vision Street.

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

PROPOSAL:

The proposal can be described in two parts, namely:

1. Construct alterations and additions of the existing brick church building fronting Margot Street to provide additional space and facilities for the growing community.
2. Construction of three new double storey dwellings on the land fronting Vision Street, to replace the tennis court and existing dwelling.

Attachment 2 details plans forming part of the application.

Church Alterations and Additions

The existing church hall to the north of the existing brick church building and rear outbuildings are proposed to be demolished, while the existing brick church building is to be retained, extended and altered. It is proposed to undertake the work in two stages, as follows:

Stage 1

- New main auditorium at ground level to the north of the retained church building with expanded seating capacity, from 110 to 150
- Foyer
- Crèche
- Kitchen and servery
- Meeting rooms, including one at ground level and three on the lower level
- Store room, toilets and amenities
- Extended car parking area, increasing the number of spaces from 13 to 27 spaces, with no change to vehicle access arrangements on Margot Street
- 1.1 metre high wire mesh front fencing

Stage 2

- A first floor level containing a meeting room and void over auditorium
- An enlarged ground floor kitchen including servery and outdoor tables and chairs in the Margot Street setback
- Enlarged front canopy
- Children's play area at the rear of the buildings
- Replacement of existing signage on the front elevation, with 'like for like' signage
- Relocation of bicycle racks (4No.)

Other aspects of the proposal are described as follows:

Built Form and Design

- The building works would result in minimum setbacks of 6.94 metres from Margot Street, 12.86 metres from the southern side boundary, 3.84-4.69 metres from the north side boundary and 18.4 metres from the proposed rear boundary that separates the church development from the proposed dwelling development.
- The existing church has a floor area of 448 square metres and the proposed additions would result in a total floor area of 654 square metres.
- The proposed works will maintain a maximum overall building height of approximately 9.0 metres.
- A contemporary design is proposed for the extension to complement the existing brick church building, including a variety of materials such as various brickwork finishes in reds and greys, cement sheet in light and dark greys, metal deck roofing, feature green louvers, and metal screening and fencing.
- Landscaping, including canopy trees within boundary setbacks.

Operation

- Typical operations will continue to include, regular church services on Sundays, special event services, community events, morning mid-week

prayer meetings, weekly playgroups, weekly youth group, weekly music rehearsals, monthly training, international student meals and administration.

- Hours of operation would be contained within the current operating hours of 8.00am – 10.00pm, Monday to Sunday.
- Current average maximum attendance is approximately 110 people for special events. This is expected to increase to 150 people with the proposed works.

Dwellings

The existing dwelling fronting Vision Street and the adjacent tennis court is to be demolished. The Liquid Amber tree is also to be removed. Three (3) new double storey dwellings are to be constructed with the following key features:

- All dwellings to front Vision Street in a town house style, side-by-side configuration, with approximately 3.0 metre separation provided between the dwellings.
- Each dwelling would have an attached single garage and tandem car space, with vehicle access for Units 1 and 3 via the existing crossing locations and a third crossing proposed for Unit 2.
- Each dwelling would contain a living room, family room, dining area, kitchen, laundry and master suite at ground level, with three further bedrooms and amenities on the first floor.
- All dwellings would be set back a minimum of 7.6 metres from the Vision Street frontage.
- Private open space of 106 square metres is proposed for each dwelling with secluded private open space in excess of 35 square metres to be located at the rear of the dwellings.
- A contemporary design is proposed with pitched and flat roof forms, and mixed finishes including brickwork and weatherboard cladding, in reds and greys to complement the church buildings.
- No front fencing along Vision Street is proposed.

Attachment 1 details plans forming part of the application.

MONASH PLANNING SCHEME

Zoning

The subject site is located within a General Residential Zone - Schedule 2 (GRZ2) under the provisions of the Monash Planning Scheme.

Under Clause 32.08-4 of the scheme a minimum garden area of 35% of the site area is required for dwellings as the site is over 650 square metres in area.

The maximum building height permissible in the zone is 11 metres and not in excess of 3 storeys, under Clause 32.08-9 of the scheme.

Permit Triggers

Planning permission is required as follows:

- Pursuant to the requirements of Clause 32.08-6 a permit is required to construct two or more dwellings on the land in this zone.
- Pursuant to the requirements of Clause 32.08-8 a permit is required to construct or carry out buildings or works for an existing Section 2 use ('Place of Worship') in this zone.

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

Particular Provisions

Applicable particular provisions of the scheme are Clause 52.06 (Car Parking), Clause 52.34 (Bicycle Facilities) and Clause 55 (Two or More Dwellings on a Lot - ResCode).

General provisions

Under Clause 63.05 (Existing Uses - Section 2 and 3 Uses) of the Monash Planning Scheme an existing Section 2 use may only continue where any restrictions (including implied restrictions) to the extent of activities continue to be met.

Amendment C125 to the Monash Planning Scheme

Amendment C125 to the Monash Planning Scheme was adopted by Council on 28 February 2017. The amendment proposes to include the site within the General Residential Zone, Schedule 3. The proposed zone would include specific changes to several Clause 55 (ResCode) standards. These include:

- Decreasing the maximum building site coverage from 60% to 50%.
- Increasing onsite permeability from 20% to 30%.
- Requiring the planting of a minimum of 1 canopy tree plus 1 canopy tree for every 5m of site width in new multi unit development.
- Requiring that secluded private open space of 35m² be clear of all structures and services.
- Requiring a minimum 5 metre rear building setback.
- Requiring garages/carports to be set back behind the front wall of the dwelling.

CONSULTATION

Consultation with Applicant

The application for alterations and additions to the existing Church, and the construction of three (3) double storey dwellings, was received by Council on 13 September 2018.

Further information was requested of the Permit Applicant on 10 October 2018 in relation to the originally submitted application. In this letter a number of concerns

were raised regarding dwelling differentiation, solar protection, landscape buffers, canopy tree provision, internal overlooking, private open space provision and impact on the street trees in Vision Street.

The Permit Applicant responded to this letter on 17 December 2018 by providing the requested information and submitting amended plans pursuant to Section 50 of the Planning and Environment Act 1987.

The Applicant was verbally advised in March that this application was coming to the April Council meeting. The Applicant has been verbally advised that this application is recommended for approval subject to conditions.

Public Notice

The application was advertised in accordance with Section 52 of the *Planning and Environment Act 1987* by way of notices sent to the surrounding property owners/occupiers, and a sign displayed on each street frontage.

There were no objections associated with the application.

Internal Referrals

Traffic Engineers

The application was referred to Council's Traffic Engineers who have no concerns about the proposal provided conditions are placed on any permit issued in relation to vehicle crossings, turning manoeuvres, accessible parking space and car parking dimensions associated with the Church.

Drainage Engineers

The application was referred to Council's Drainage Engineers who have no concerns about the proposal subject to conditions being placed on any permit issued.

Horticulture

The application was referred to Council's Horticultural Services. Minimum setback requirements of 2.2 metres from the street trees in Vision Street have been provided along with applicable tree protection measures which should be addressed by condition.

DISCUSSION

The proposal has been assessed in two parts to deal with the different developments proposed on the subject site, namely:

1. The alterations and additions to the church fronting Margot Street; and
2. The construction of the three (3) dwellings fronting Vision Street.

CHURCH EXTENSION AND ALTERATIONS

Planning Policy Framework

The objectives under Clause 15.01 - Urban Environment, include:

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

Under Clause 15.01-2S - Building Design, the objectives seek:

“To achieve building design outcomes that contribute positively to the local context and enhance the public realm.”

The proposed expanded church design is considered to be consistent with these objectives in terms of responding to the existing urban environment. As discussed in detail below the development is of an appropriate scale and built form within the urban context and with respect to the public realm.

Local Policy Framework

The objectives under Clause 22.09 – Non-residential Use and Development in Residential Areas, are:

- *“To ensure that development is appropriate having regard to the residential environment of the surrounds and that the amenity of the neighbourhood is not adversely affected by a business conducted in a residential area.*
- *To ensure that all built form in residential areas is respectful of residential character.*
- *To ensure that adequate and well-located vehicle parking is provided for all new developments.”*

Whilst the site has already been established as being appropriate for a ‘Place of Worship’ (i.e. currently operating from the site), the current proposal to extend the building must be assessed against the objectives and design guidelines and the performance and locational criteria for a non-residential use and development in a residential area such as a Place of Worship. In summary:

- *Locational criteria:* Whilst Margot Street is not a higher order street the church is pre-existing and has operated successfully at the location over several decades. This proposal will, in fact, allow the portion of the land fronting Vision Street to be returned to residential use, thereby reducing the exposure of the Church activity.
- *Urban Design Criteria:* The church currently contributes to the existing neighbourhood character. The proposed alteration and additions are considered to be compatible with the urban context in terms of scale and articulation in the streetscape and with landscaped setbacks providing a buffer to residential use, as discussed in detail below.
- *Car-parking Criteria:* Car parking has been provided in accordance with Planning Scheme requirements as set out in Clause 52.06, and has been designed to minimise impact on adjacent residential properties, as discussed in detail below.

- *Landscaping Criteria:* Landscaped setbacks are proposed and opportunities exist for the planting of canopy trees, as discussed in detail below.

Neighbourhood Character and Built Form

The main church building is existing and the proposed extension represents a modest increase in size that is considered to be compatible in scale with the church building to be retained and with surrounding residential land use. In particular:

- The new church extension maintains a similar frontage setback as the existing church hall to be demolished, while the retained church building has a setback of 8.7 metres from the frontage. The retention of these setbacks is considered consistent with the on-going use of the Church facilities and compatible with the prevailing setbacks along Margot Street.
- The church extension front façade height of 4.5 metres is lower than the existing church hall to be removed and appropriate to the retained church front façade height of 6.33 metres, thereby minimising the impact on the streetscape in terms of built form.
- At the northern residential interface the maximum building height of the proposed extension would be 9.0 metres, which is acceptable in a residential setting, particularly having regard to the graduation of height provided and the landscaped setback of 3.9 metres from the north side boundary that would be maintained.
- There would be virtually no change to the southern residential interface in terms of building works, with the retention of the brick church building and the 12.86 metre setback from this boundary. The proposed refurbishment and landscaping of the car parking area located within this setback will improve this interface when viewed from the adjoining residential property.
- At the western interface a building setback of 18.4 metres is proposed from the rear of the dwelling development proposed along Vision Street. Landscaping is proposed for the carpark and children's play area located within this setback, and a 1.8 metre high paling fence is proposed to separate the two development areas.
- In addition to the considerable setback provided to the dwelling development in Vision Street, consideration has been given to the western façade of the proposed church development with articulation provided using a range of building materials and architectural details to minimise the visual impact of the maximum western façade height of 8.56 metres.
- The 1.1 metre high wire mesh front fence is considered to be of an appropriate height and style in the residential streetscape and allows transparency.

Vegetation and Landscaping

The proposal will result in a minimal amount of vegetation being lost from the site and provides the opportunity for new planting across the site, including within the proposed car parking area.

In particular, the proposal provides the opportunity to introduce planting around the entire perimeter of the church site and make a positive contribution to both the adjacent streetscapes, backyards and respecting the site's location in an area of the municipality where vegetation is considered a significant feature of the neighbourhood.

An Arborist report (01/12/2018) prepared by Sherrin Bishop has been provided and includes tree protection measures for remaining trees and trees on neighbouring properties. This can be referred to in Permit conditions.

In relation to the affected trees on the neighbouring property at No.24 Vision Street, an agreement has been reached with the owners of the site (Department of Human Services) for their removal and replacement.

Amenity

From the broader strategic perspective, the site is considered a suitable location for the continuation of a non-residential use in a residential area, providing issues of neighbourhood amenity continue to be satisfied.

The alterations and additions of the church on the subject site is considered reasonable as the built form is respectful of its residential interfaces in terms of visual impact, overlooking and overshadowing.

It is proposed that the church will continue to operate 7 days a week, 8.00 am to 10.00pm, and at varied intensities. The different components of the use are all considered typical to a church operation. There is no change proposed to the hours or days of operation, only the increased number of attendees from 110 to 150. Accordingly there are no expectant resultant adverse amenity impacts in relation to the church operation.

The church buildings would not result in overshadowing outside the subject site and of the few windows none would result in unreasonable overlooking of surrounding residential properties and the proposed residential development.

Car Parking, Traffic and Access

Car parking is required to be provided under Clause 52.06 of the Monash Planning Scheme. The existing church use has a maximum of 110 parishioners (patrons) with 13 car spaces on site. The proposal will increase the number of parishioners to 150 with additional car spaces provided. Details of the car parking provision are as follows:

Use	Clause 52.06 Requirement	Car spaces existing	Car spaces required	Car spaces provided
Place of assembly (Worship) - 40 additional parishioners	0.3 space/additional patron	13	25	27

As the above table shows, a total of 27 spaces are proposed, which is in excess of the number of spaces required to be provided.

Council's Traffic Engineers advise that the vehicle access and parking layout requires minor changes including to the accessible parking space to satisfy the requirements of Clause 52.06 for car parking. These changes will be included as conditions on any approval granted.

The proposal is not expected to produce traffic volumes that would exceed the capacity of local streets.

Bicycle Facilities

Under Clause 52.34 – bicycle parking, requirements must be applied to increases in existing uses. The following rates apply to the proposed increase in church floor area:

- Place of assembly (place of worship): 1 space per 1,500 square metres of net floor area for employees and 2 spaces plus one space per 1,500 square metres for visitors.

The existing place of worship has a floor area of 448 square metres and the proposed alterations would result in a total of 654 square metres. Therefore, no bicycle spaces are required. However 4 existing bicycle spaces will be relocated at the rear of the Church building as part of Stage 2. The bicycle parking facilities should follow the requirements set out Clause 52.34 of the Monash Planning Scheme which should be addressed by condition.

DWELLINGS

Planning Policy Framework

Clause 11.01-1R – Settlement - Metropolitan Melbourne, of the Monash Planning Scheme is clear about the strategies for settlement in Metropolitan Melbourne as identified under Plan Melbourne 2017-2050: Metropolitan Planning Strategy, and with respect to urban development, strategies include to:

“Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts, that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.”

Clause 15.01-2S – Building Design, states the objective as being:

“To achieve building design outcomes that contribute positively to the local context and enhance the public realm.”

And the objective of Clause 15.0-5S - Neighbourhood Character is:

“To recognise, support and protect neighbourhood character, cultural identity, and sense of place.”

Clause 16.01 – Residential Development includes policies specific to residential development, where integrated housing, housing diversity and housing affordability are supported.

Increased residential density and dwelling diversity are clearly sought by the relevant planning policies. The proposed development, will return the majority of Vision Street frontage from a bitumen hard surface to residential dwellings. This is consistent with the overall planning policy framework in respect of contributing to urban consolidation and providing diversity of housing in an established, well serviced, urban area.

Local Planning Policy

With respect to the Local Planning Policy Framework, the Municipal Strategic Statement at Clause 21 of the Scheme, identifies the Garden City Character of the municipality as a core value held by the community and Council that is a significant and important consideration in all land use and development decisions.

At Clause 21.04 - Residential Development, Council's goal is for residential development in the City to be balanced by providing a variety of housing styles whilst remaining sympathetic to existing neighbourhood character.

Clause 22.01 - Residential Development and Character, 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.

More specifically under Clause 22.01 - Residential Development and Character, the subject site is located within the Residential Character Type 'D' area under the Monash Urban Character Study. Elements that contribute to this character include:

- *Undulating topography sloping to the west.*
- *Spacious curvilinear subdivision pattern.*
- *Ministry of Housing concrete sheet houses.*
- *Generous front setback greater than 7 metres.*
- *Views towards the City.*
- *Some well planted front gardens.*
- *Low timber fences or no fences.*
- *Varied and intermittent mature street trees.*

- *2 metre wide nature strips.*
- *Overhead services.*

The desired future character statement for this area includes:

- *Building setbacks will be generous.*
- *Architecture will integrate sympathetically with the landform and its scale and form respecting and enhancing the spacious curvilinear urban form.*
- *New buildings that are energy efficient, reflect sustainable principles and are of contemporary excellence will be encouraged.*
- *The built-form will be unified by planting.*

The neighbourhood character of this area in particular is influenced by the predominance of aging ex-Ministry of Housing concrete sheet dwellings and it is evident that they are being replaced with double storey dwellings and multi-unit developments.

It is considered that the proposed double storey development responds appropriately to the opportunities this generously sized site in an area undergoing transition has to offer. It contributes to providing diversity of housing within a landscaped setting, including generous setbacks that are consistent with the existing and preferred neighbourhood character. It also returns the residential rhythm to the east side of the street that the tennis court currently interrupts.

Under Clause 22.13 – Environmentally Sustainable Development, a Sustainable Design Assessment is required for the proposed development. A Sustainable Design Assessment has been prepared by F2 Design and submitted with the application which shows an overall BESS score of 50% (best practice) for the development as a whole.

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. Under this strategy the site falls within Category 8 - 'Garden City Suburbs' where the residential outcome is for:

“Predominantly conventional detached houses, units and townhouses reflecting the existing scale and neighbourhood character. On larger lots, in suitable locations, lower to medium scale apartment developments may be

appropriate, subject to careful design and the provision of substantial landscaped setbacks.”

The proposal is considered to be consistent with the objectives of the strategy as it respects the preferred residential outcome in terms of the style of development, the double storey scale and the provision of generous landscaped boundary setbacks appropriate to the surrounding residential area, and the adjacent ‘church’ land use.

Amendment C125 to the Monash Planning Scheme

Under proposed Amendment C125 (Part 2) to the Monash Planning Scheme the land would be zoned General Residential Zone - Schedule 3 (GRZ3). The objectives of the proposed zone include:

- *To ensure development is consistent with the desired future character statement for the area as set out in Clause 22.01-4.*
- *To ensure that development enhances the existing garden city character.*
- *To ensure development has generous and consistent setbacks and respects the height, scale and massing of existing dwellings in the neighbourhood.*

The new zone would also include specific changes to several Clause 55 standards. These include a reduction in the building site coverage from 60% to 50%, an increase in permeable area from 20% to 30%, a rear setback of 5 metres and canopy tree planting.

The proposal meets the requirements of the proposed zone, with the exception of the rear setback that is 1.4 – 5 metres at ground floor level. However, the siting of the dwellings is considered to be responsive to the orientation of the site where the rear boundary abuts the adjoining church car park and accordingly there is no residential amenity to protect at this interface. In the reverse, a row of trees is proposed to aid the amenity of the private open space from the car park of the church.

Overall, as detailed above, the proposal is considered to be consistent with the objectives for the new zoning in terms of the desired future character of the area, enhancing the garden city character and respecting the neighbourhood.

Clause 55 Assessment

An assessment of the proposal has been undertaken against the zoning, the overlay controls and particular provisions, including Clause 55 (ResCode) and Clause 52.06 (Car Parking), contained in the Monash Planning Scheme. The following issues warrant detailed discussion.

Neighbourhood Character

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

As noted above, it is considered that the proposed development is consistent with the Neighbourhood Character Type 'D' under Clause 22.01 (Residential Development and Character Policy). In particular:

- The 'town house' style of the dwellings is compatible with the aging concrete sheet dwellings and consistent with the upgrading of housing stock in the area. The articulated double storey built form with separation of building form and pitched roof form, is considered to be appropriate to the relatively modest scale of dwellings in Vision Street and sets an appropriate standard for redevelopment in the neighbourhood.
- The design of the dwellings is also consistent with the architectural style of the Church to the rear of the dwellings creating a harmonious urban connection.
- The presentation of three separated dwellings fronting the street with one single vehicle access per dwelling, is compatible with the pattern of residential development along Vision Street.
- No front fencing is proposed which is appropriate to existing conditions in the streetscape and to the design of the buildings.

Site Layout and Built Form

The siting, building bulk and massing of the proposed dwelling development is considered to be sympathetic to the existing and preferred neighbourhood character of the area. In particular:

- The proposed 7.6 metres front setback is consistent with dwelling setbacks along Vision Street, and the single garages are recessed 1 metre from the front façades, reducing their impact in the streetscape.
- The maximum 7 metre height of the dwellings is in keeping with the double storey forms of the area, and is not considered visually obtrusive. There is sufficient separation between the dwellings, and first floor walls are sufficiently articulated and recessed.
- Side and rear setbacks to boundaries are sufficient to mitigate visual bulk to adjoining lots. There are no walls on boundaries proposed, and ground floor setbacks provide sufficient landscaping breaks at all interfaces with adjoining properties, including the church to the east.
- The setbacks from boundaries allow an opportunity for the provision of additional meaningful landscaping including the planting of canopy trees. The resulting site coverage of 39% of the portion of site devoted to dwellings, is considered modest.
- The contemporary building design, including external materials of face brickwork and vertical cladding in muted tones, along with mixture of flat and pitched powder coated metal roof forms would make a positive contribution to the emerging character of the area.
- The buildings are provided with clear façade articulation through the use of the varied materials and finishes, recessed elements and protruding frames,

allowing considerable visual interest throughout the development. Window and door proportions are of an appropriate residential scale.

Overall the development has been designed with the intention of providing a high level of modern architecture that would make a positive contribution to the future character of the area.

Amenity

It is considered that the amenity of adjoining properties is not unreasonably affected by the proposal. In particular:

- There are no walls on boundaries, and the proposed setbacks from side and rear boundaries provide an opportunity for screen planting around the periphery of the site to minimise visual impact.
- The proposed development will not significantly or unreasonably overshadow existing areas of private open space more than the existing conditions.
- Visual bulk is mitigated by the high level of articulation which includes recessing of the upper floors.
- Potential overlooking has been addressed by the use of highlight windows where required.

The proposed dwellings will have a satisfactory level of internal amenity. In particular:

- The floor areas of the town houses and the proposed room dimensions are considered satisfactory.
- There is good connectivity between ground level living areas and secluded private open spaces (see below).
- All habitable rooms have direct access to natural light.
- Dwelling entries are easily identifiable from Vision Street and shelter has been provided.
- Internal overlooking is reduced through careful window placement. However, to ensure compliance details of internal habitable room windows of all dwellings should be provided which can be addressed by condition.
- Sufficient external storage has been suitably provided for each dwelling.
- Environmental sustainability has been considered in the design of the dwellings and a Sustainable Design Assessment has been submitted that includes a BESS score of 50% (best practice for the development as a whole).

Private Open Space

The proposed provision of private open space is shown below:

Dwelling	Clause 55 (varied) Requirement	Amount provided - Secluded	Amount provided - Total
1	75 sq.m	36 sq.m	106 sq.m
2	75 sq.m	36 sq.m	106 sq.m
3	75 sq.m	36 sq.m	106 sq.m

The provision of private open space exceeds requirements, with in excess of 75 square metres per dwelling, including secluded areas in excess of 35 square metres. The secluded areas of private open space include an area with a minimum width of 5 metres.

All areas of private open space are orientated to receive sufficient solar access throughout the course of the day, with secluded areas of open space orientated towards the north east with convenient access from living areas.

Vegetation Removal and Landscaping

One (1) tree (Liquid amber) is required to be removed for the construction of Dwelling 3. However, the proposed dwelling layout allows ample room for landscaping and canopy tree planting over the three dwelling lots within the generous setbacks provided. Importantly the existing street trees in Vision Street can be retained.

Overall, it is considered that the submitted landscape plan appropriately compliments the design response, suitably integrates the proposed development with the surrounding neighbourhood, and provides for adequate vegetation retention and substantial additional planting.

A garden area of 37% is provided in accordance with the requirement of the scheme.

Car Parking, Traffic and Access

The car parking spaces required under Clause 52.06 of the Monash Planning Scheme are shown in the following table:

Use	Number of Dwellings	Clause 52.06 Requirement	Car spaces provided
Four bedroom dwellings	3	6 (2 spaces/ three + bedrooms)	6 (3 x single garages each with tandem space)
Total		6	6

The proposal meets the requirements in relation to the number of car parking spaces provided.

Separate vehicle access is suitably provided for each dwelling, with the two existing crossing locations utilised along with an additional crossing, taking up a total of 29% of the frontage. Street trees along Vision Street can be retained with appropriate protection measures and corner splays have been provided.

Council's Traffic Engineers advise that Dwellings 1 and 3 vehicle crossings are to be reduced to 3 metres in width which should be addressed by condition.

The proposal would not produce traffic volumes that would exceed the capacity of local streets.

CONCLUSION

The proposed development responds to the strategic policy aspirations for housing in Metropolitan Melbourne and with respect to non-residential development in residential areas. Both the proposed church extension and alteration fronting Margot Street and the proposed 'town house' style of development fronting Vision Street are respectful of the existing and preferred neighbourhood character of this area in the Garden City Suburbs. The design response is generally consistent with the objectives and applicable requirements of state and local policies, and existing and proposed zoning requirements. It is recommended that the proposed development be approved subject to conditions.

LIST OF ATTACHMENTS:

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (December 2016).

Attachment 3 – Zoning and Overlays Map.