

## PLANNING PERMIT TPA/46581

### **REFERRALS:**

#### **Transport for Victoria**

Pursuant to the provisions of Clause 66.02-11 the application was referred to Public Transport Victoria.

The proposal is considered satisfactory.

#### **Vic Roads**

The application was referred to VicRoads pursuant to the requirements of Clause 52.29. The authority has no objection to the grant of a planning permit for the proposed development subject to conditions.

Vic Roads final comments pending. These can be provided through the amendment process.

#### **Internal Referral**

The application has been referred to Council's Traffic and Drainage Engineers for comment. Relevant requirements have been incorporated into draft conditions.

### **DISCUSSION:**

#### **RELEVANT PLANNING POLICY**

##### State Planning Policy Framework

Clause 10.01 (Purpose)

Clause 10.02 (Goal)

Clause 10.04 (Integrated Decision Making)

Clause 11 (Settlement)

Clause 11.04 (Metropolitan Melbourne)

Clause 14.02-1 (Catchment Planning and Management)

Clause 15 (Built Environment and Heritage)

Clause 16 (Housing)

Clause 16.01-2 (Location of Residential Development)

Clause 16.01-4 (Housing Diversity)

##### Local Planning Policy Framework

Clause 21 (Municipal Strategic Statement)

Clause 21.04 (Residential Development)

Clause 21.08 (Transport and Traffic)

Clause 22.01 (Residential Development and Character Policy)

Clause 22.04 (Stormwater Management)

Clause 22.13 (Environmentally Sustainable Development)

##### Particular Provisions

Clause 52.06 (Car Parking)

Clause 52.29 (Land Adjacent to a Road Zone, Category 1)

Clause 52.36 (Integrated Transport Planning)

##### ResCode

Clause 55

##### Decision Guidelines

Clause 65

**Consistency with State and Local Planning Policies**

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

*“Understand and plan for expected housing needs.”*

*“Reduce the cost of living by increasing housing supply near services and public transport.”*

*“Facilitate the supply of affordable housing.”*

Initiatives seek to locate a substantial proportion of new housing in or close locations that offer good access to services and transport and employment areas.

Relevant housing objectives and strategies of activity centres policy found at Clause 11.01 seek:

*“Provide different types of housing, including forms of higher density housing.”*

*“Encourage a diversity of housing types at higher densities in and around activity centres.”*

Housing policy at Clause 16.01 seeks to:

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

*“Locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.”*

*“Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.”*

Increased residential density and dwelling diversity is sought by state and local policies. The proposed development is considered consistent with the local planning policy framework in respect of its impact on neighbourhood character, increased density and housing diversity objectives.

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

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

The Residential Development and Character Policy at Clause 22.01 seeks to ensure that new development is successfully integrated into existing residential environments, with minimal streetscape or amenity impact, and designed to achieve outcomes that enhance the Garden City Character of the area.

Objectives of the Tree Conservation Policy at Clause 22.05 is to maintain, enhance and extend the Garden City Character throughout Monash by ensuring that new development and redevelopment is consistent with and contributes to the Garden City Character as set out in the Municipal Strategic Statement.

The subject land is well located with respect of jobs, services and transport, being on approximately 115 metres north of the Huntingdale Activity Centre commercial precinct, 500 metres walking distance from Huntingdale Railway Station and within the Monash National Employment and Innovation Cluster. Given the site main road location and proximity to jobs and services, the subject land is considered an appropriate locality for more intensive development.

### Neighbourhood Character and Built Form

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

The subject land acts as a transition site between the commercial and industrial precincts along Huntingdale Road and adjoining residential areas to the east. The proposal responds to the features of the site and surrounding area by appropriate building setbacks, landscaping elements along the perimeter of the site and use of high quality materials and finishes. The building design is a contemporary response to the context.

The design response provides for a street setback of 7.6m-8.2m along the Huntingdale Road frontage consistent with the provisions of the General Residential Zone Schedule 2 applicable to the surrounding area. Setbacks of 2.5m-7.3m are provided along the Berkeley Street and Ross Street interfaces. The proposed street setbacks provide for suitable built form transition with the surrounding residential area to the east, including landscaped areas within the street frontages. The development scheme will provide for an improved built form outcome with the surrounding established residential area incorporating increased street setbacks and additional landscaping opportunities consistent with Garden City character policy objectives.

The three to four storey height of the proposed development is marginally taller than existing development on the land (to be demolished) and existing two storey apartment development on surrounding land to the north and south. The fourth storey of the proposed development has been recessed along all streetscape interfaces to minimise the perception of visual bulk and provide a capping element to the development. The rear of the building along the eastern elevation is stepped down to a two storey form adjacent to adjoining established residential areas to the east.

The semi-basement design of the car parking for the development results in the overall development sitting somewhat elevated along the southern elevation. Fencing and retaining wall elements along Huntingdale Road could be further setback to provide for a more generous landscaping edge to the development.

The building is well articulated along all elevations both vertically and horizontally to avoid unreasonable building bulk. The elevations of the development are articulated by careful selection and variation of materials and finishes along with protruding balconies and architectural features. The eastern facade is setback gradually stepped back from the boundary to provide for suitable height transition from the adjoining single storey development to the east.

The development complies with side and rear facade setbacks of in accordance with ResCode. The development provides for a generous facade setbacks and height graduation along Ross Street and Berkeley Street.

The provision of a landscape buffers along the perimeter of the site further softens the massing of the proposed development.

The proposed building design adopts a contemporary architectural response to the site's context. The built form and massing has been carefully designed to minimise off-site amenity impacts by maintaining a predominant 3 storey appearance, with a recessive third storey and landscaped front and side setbacks generally in accordance with ResCode. The streetscape façade provides for a defined visual break in built form within the center of the proposed development to break up the massing impact of the development on the streetscape.

The proposed development is respectful of the character of the surrounding area in that it facilitates suitable transition in scale and form from the established traditional residential areas to the south and east. The proposed development is generally well setback from boundaries results in very minimal immediate impact on the adjoining existing residential properties.

### Design Detail

The building has been designed with the intention of providing high quality architecture, along with an attractive range of contemporary materials, and finishes. The proposed materials include blockwork, feature tiling to the streetscape facade, decorative screening, treated cladding and stonework. The façade treatment provides for appropriate degree of visual interest through use of varied materials and finishes, along with vertical and horizontal articulation elements to minimize the perception of visual bulk. The materials are generally traditional but used in a contemporary way.

The architectural form of the proposal is contemporary. The proposed development utilises various materials and finishes including face brickwork, rendered elements, feature cladding, and a flat roof form.

### Urban Design

Council has engaged MGS Architects to provide urban design advice and independent assessment of the proposal, as part of Council's consideration of the proposal.

The following extracts of this advice (MGS, March 2018) is relevant to Council's consideration of the proposal:

*“.....Background*

*3. My comments are made with regard to the resolution of the proposal in relation to:*

- a) Appropriateness of the design treatment and scale of the proposed building*
- b) Building height, bulk, massing and material detailing and their impact on abutting streets*
- c) Whether the proposal achieves high quality architectural and urban design outcomes for both residents and the wider community...*

*Site Context*

*...8. Directly opposite the subject site on Huntingdale Road are large industrial and office buildings with substantial off-street car parking. Directly opposite the subject site on Berkley Street are residential buildings; a double-storey brick apartment block on the corner fronting Huntingdale Road and two one and two-storey detached dwellings along the street. Directly opposite the subject site on Ross Street are two double-storey brick apartment blocks on the corner and two single-storey flats along the street.*

*9. Berkley and Ross Streets are predominately characterised single-storey detached brick and/or weatherboard dwellings.*

*10. The subject site is well located with regard to public transport with Huntingdale Station located approximately 600 metres from the site (30 minutes to Flinders Street Station by train). In addition, the site is well-serviced by bus routes 630, 704 and 900 (SmartBus) which provide direct access to Monash University (Clayton campus).*

*11. The subject site is within a short walking distance to the Huntingdale Neighbourhood Centre (200 metres) and approximately 15 minutes by public transport to the Oakleigh Major Activity Centre (approximately 10 minutes by bicycle)..*

*....Merits of the Proposal*

*40. I agree with the Applicant that the proposed change of use to residential and consequent rezoning is justified for this site. The site is surrounded on three sides by residential uses and Huntingdale Road forms a logical edge to the non-residential uses on the opposite side. The change of use of this particular site should not compromise the operation of the wider employment cluster due to its relatively small size and peripheral location within the economic cluster.*

*41. Increased residential densities in this location is consistent with the logic of Plan Melbourne, which encourages the provision of housing in areas well served by services and transport, and in close proximity to jobs within the economic cluster. The location of the site is reasonably close to public transport, retail and services within the Huntingdale activity centre. The focus on residential uses will not detract from the focus of local activities further south towards the train station.*

*42. The overall scale of the development, providing four residential storeys towards Huntingdale Road and stepping down the two storeys at the eastern interface to adjoining residences is in general an appropriate response to its immediate context.*

43. *The 4 storey built form towards Huntingdale Road is acceptable in this streetscape setting, though I note it will be noticeably higher than any of the nearby residential buildings in the area. This portion of the street is able to accommodate a modest level of additional height without compromising its urban character. The fact that the site that occupies an entire block means that the interfaces to the highest built form are mediated by the width of the adjoining street reserves. The prominence of the building due to its height will require careful consideration of its built form expression and the landscape opportunities that will help to mitigate the increase in scale.*

44. *It is positive that the design of the uppermost floor is intentionally different to that of the lower three storeys, with increased setbacks from the street interfaces and darker colours in the materials. This will provide a recessive visual treatment that emphasises a three storey form towards the street.*

45. *Towards the east, the transition down in height from four storeys to two is appropriate. This transition helps to reduce the vertical jump in height at the interface to the existing single storey residential along Berkeley and Ross Streets, noting that the rising land along Berkeley Street will further reduce the apparent height of the development from the north. The proposed height is not considerably different from the existing two storey factory building in this location.*

46. *The provision of multiple entrances for a development of this size is positive. The integration of brick design elements and signage within the façade treatment will emphasise the entrances and aid legibility.*

47. *The location of the vehicle crossover on Ross Street is logical given the local topography, since this locates the entry at a natural low point of the site and at an adequate setback from the intersection. However this will potentially have a negative impact on adjoining dwellings since this places a greater vehicle load on a residential street.*

48. *The provision of a reasonably large communal open space at the core of the site is positive. This open space is connected to the shared lounge and appears accessible to all (though only limited detail of the design of this space is provided at this point). A full landscape plan would assist with understanding the intended uses here...*

*...Recommendations*

50. *The massing of the frontages to Ross Street and Berkeley Street are quite different to Huntingdale Road. The proposal includes strong horizontal lines that have the unfortunate effect of emphasising the width of the proposed development and suggests a built form that is very different to the character and rhythm of the residential street. The decision guidelines within DDO16 and GRZ7 both refer to the need to avoid "large block like structures dominating the streetscape".*

51. *The strong horizontal lines are emphasised by the change in material and recessive line of the brick finish walls. The overall composition tends to emphasise the lack of roof expression at the eastern edge of the site, immediately adjacent to the pitched roof of the neighbouring property. In total, this is a jarring compositional effect that would be mitigated by articulation that emphasised vertical divisions in the façade, for example as seen in the western elevation towards Huntingdale Road.*

**Recommendation 1: Remove horizontal lines on side street elevations to better address local character. Replace with a massing expression that responds to the rhythm and proportions of neighbouring detached dwellings, through vertical lines that break up the width of the interface.**

52. The address to the street and degree of street engagement is limited by the number of entrances at ground level. The development has been configured with three main entries and all ground level apartments are accessed primarily from the internal corridor. This is a poor outcome both for the street and for the apartments, which have been provided with very small balcony space immediately adjacent to a larger semi-public open space area.

53. It is important to clarify the intention for all open space areas within this proposal – whether these should be public, semi-public or private? While it is clear that the central courtyard is intended to be a shared open space for all residents the remainder of the open space is less clear.

54. The terraced area between the western façade and Huntingdale Road is separated from the street and with appropriate fencing could add amenity to the adjoining apartments.

55. The landscaped areas in front of apartments G.01-G.04 and G.11-G.14 should be more clearly treated as front yards for each of these units. Separate the access to the G.24 store room and relocate the bicycle hoops to distinguish between access to this shared facility from the landscape area for apartment G.14

**Recommendation 2: Increase the number of entrances onto the street on the ground floor, providing direct access from the street to apartments G.01-G.14. Clarify the treatment of landscape areas to better distinguish public landscape from private space.**

56. Corridors: the staggered arrangement of apartments in the northern and southern wings of the development will create the perception of a narrower corridor and will make it more difficult to manoeuvre furniture particularly to the far ends of the development. It would be preferable that the corridor has straight parallel walls, with entries offset from the corridor to allow for larger furniture to be delivered into each apartment.

57. At ground and first floor the length of the north and south wing corridors and lack of natural light and ventilation detracts from the quality of the internal environment. The corridor parallel to Huntingdale Road for these floors is improved by the light provided at both south and northern ends of the corridor.

58. The third floor corridor is entirely enclosed with no openings to the exterior. This will significantly detract from the quality of this space.

**Recommendation 3: Provide light and ventilation to all corridors, noting that the staggered arrangement will likely further reduce opportunities for light, may reduce visibility along the corridor and may limit manoeuvrability of furniture.**

59. The range of dwelling types in the proposal is adequate rather than good. The project makes only a modest contribution towards increasing housing diversity, particularly of larger apartments that could appeal to families.

60. The position of the larger apartments (3 bed and 2 bath) within the development and their design should take into consideration how these dwellings make a genuine contribution to housing diversity. Currently their location in the overall development appears arbitrary and no additional private open space or storage has been provided to make these units more useful for other family types.

61. For example, Apartment G.01 and G23 should be provided with a more extensive private open space area to make these dwellings more appealing to families. Apartment 1.01 and 1.25 have inadequate open space and would be better located on the ground level to allow for courtyard private open space.

**Recommendation 4: Design the larger apartments to support the needs of likely residents for these dwellings, for example by providing greater amounts of private open space for 3 bedroom units and locating all larger apartments on the ground floor.**

62. Considering noise impacts and privacy issues, all bedrooms should be located away from corridors and entrances. This is particularly an issue for Apartments G.04 and G.11, which have a bedroom window directly looking out over the entrance. Each equivalent apartment on the levels above will also potentially have noise issues from the corridor circulation and proximity of the window to the northern and southern external entrances.

63. The proximity to a working industrial facility may require noise abatement for some apartments. Analysis from a suitable expert should be provided.

**Recommendation 5: Apartment G.04 and G.11, 1.04 and 1.11, 2.04 and 2.11 – mirror the plan layout to place the balcony next to the entry and give privacy for the bedrooms**

64. The draft Schedule 7 to the General Residential Zone (GRZ7) requires a minimum of 10 square metres of private open space for all dwellings. The following apartments do not meet this minimum amount: > G.02, G.07, G.08, G.13, G.17, and G.22

> 1.02, 1.13, 1.15, 1.16, 1.18, 1.24

> 2.01, 2.02, 2.13, 2.16, 2.22 and 2.23.

65. Further, GRZ schedule 7 requires a minimum dimension of 2m to ensure that all balconies are useable. Full dimensions are not provided for each balcony in the plans, but a measured estimate using a scaled rule suggests that many of the apartments in addition to the list above have balconies with substandard internal dimensions. If the areas that are narrower than 2m area removed from the calculation of balcony area then many more apartments would fall short of the minimum 10m required by the zone.

66. With respect to the requirements of Clause 55.07-9 The following apartment types do not appear to meet the minimum dimension requirement for balcony size due to narrow sections and subsequently do not meet the minimum area requirements as outlined by Standard B43. > G.03, G.12, G.16, G.18-G.21

> 1.03, 1.05, 1.06, 1.07, 1.08, 1.09, 1.10, 1.12, 1.14, 1.17, 1.19-1.23

> 2.03, 2.06, 2.07, 2.08, 2.09, 2.12, 2.14, 2.15, 2.17, 2.18, 2.19, 2.20, 2.21

> 3.02, 3.07, 3.09, 3.10, 3.11

67. In addition to above, the following apartment types do not meet the minimum area requirements as outlined by Standard B43. > G.01, G.17, G.22, G.23

> 1.01, 1.02, 1.13, 1.15, 1.16, 1.18, 1.24, 1.25

> 2.02, 2.13, 2.16, 2.22

68. It is notable that air conditioning units have not been indicated in the plans provided. If these are floor mounted individual condenser units for each apartment then the shortfall in area will be more significant, since an allowance of 1.5sqm needs to be made for these units.

69. In summary, there are multiple shortcomings with respect to private open space for the overall development proposal. Conceptually this is partially offset by the relatively large amount of communal open space provided for the development, however the design of this communal space does not maximise access from all dwellings. This limits the extent to which the communal space can be seen as a meaningful exchange for the limited balcony spaces provided.

70. Many parts of the communal open space (particularly the areas interfacing with each of the street frontages) are poorly accessible from the adjoining ground floor apartments. Direct access should be provided to these landscape spaces from adjoining apartments.

71. Apartments at upper levels are even more remote from the shared open space due to the length of the corridors and distance from the lift cores to the shared facilities at ground level (and doorway to the central courtyard). The applicant should consider relocating the ground floor lounge to be closer to the lift cores to allow for direct access from the vertical circulation core to the outdoor area. Additionally, the staggered series of setbacks at upper floors provide extensive roof deck opportunities that could provide amenity for upper floor apartments (either as extended private open space for the nearest apartments or as a shared resource for residents).

72. A more detailed landscape design should be provided to demonstrate how the space will be used and to show how the privacy of ground floor units will be protected. The location of the planter boxes appears to provide an appropriate delineation between the central courtyard open space and semi-private space adjoining each apartment but more details are needed.

73. It is unclear how successful the landscape above the car park will be. Substantial trees are shown but it is unclear how these will be provided with sufficient soil to allow them to grow to the size indicated in the drawings. No planting lists are provided to confirm the proposed species. Much greater detail is required to confirm the landscape design approach here.

**Recommendation 6: Significantly improve the provision of outdoor space for all apartments, either through meeting the relevant planning scheme requirements or demonstrating how the communal open space can become a genuine resource for all residents of this development.**

74. The supplied architectural drawings do not provide detailed dimensions for bedrooms and living spaces. Clearly dimensioned plan drawings of apartment types should be provided showing width and depth of each room to verify compliance to Standard B46.

75. Apartment layouts do not indicate adequate amounts of internal storage. While it is possible in most cases to provide storage this will significantly reduce the amount of internal space for each room. In the absence of this clarification it is hard to assess if rooms are of a useable size, particularly for the one bedroom and smaller two bedroom units.

76. Generally, the provided architectural plans do not illustrate how bedrooms provide an area in addition to the minimum internal room dimensions to accommodate a wardrobe as per Standard B46.

77. The supplied architectural drawings do not provide detailed dimensions for bedrooms and living spaces. Clearly dimensioned plan drawings of apartment types should be provided showing ceiling height, width and depth of each room to verify compliance with Standard B47.

78. However, measurements made with a scale ruler indicate that the development is generally compliant with Standard B47; however, some windows providing natural light at the elbow bedrooms appear to be inadequate given the general lack of natural light access due to its orientation and position at lower levels, i.e. G.20, G, 21, 1.22, and 1.23.

79. No details have been provided of how cross-ventilation will be facilitated across the development. It appears that few apartments have been provided with adequate ventilation to the level set out in Standard B49.

**Recommendation 7: Provide more details to substantiate how the development would meet the requirements of Clause 55.07, and make changes to the design to facilitate this where there are shortcomings.**

#### *Conclusion*

80. Overall, the proposed rezoning is supported as an appropriate response to the immediate context and the wider strategic planning aims of the Monash NEIC.

81. The general scale and intensity of residential development is supported. The proposed height and setbacks from existing residences are generally appropriate.

82. However the proposal falls short of demonstrating “excellence in architectural and building design”, when considered either on its merits or through using the requirements of the Apartment Design Guidelines. The design has positive aspects, however I have noted a series of recommendations for changes that would significantly improve the design of the project.

83. With the amendments to the issues above, my view is that there is potential to support this design proposal on urban design grounds.

Recommended amendments have been incorporated with draft conditions forming part of his report.

#### Landscaping

The development incorporates a comprehensive landscaping integral to the overall design response. This application proposes the provision of trees within the front setback and substantial planting along the perimeter of the site adjacent to adjoining residential properties. The planting of trees and shrubs around the perimeter of the site to contribute to the ‘greenness’ of the neighbourhood.

Car Parking, traffic and access

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

	No. of dwellings	Clause 52.06 requirement	Car spaces required	Car spaces provided
<b>One and two bedroom dwellings</b>	78	1 space per dwelling	78	110
<b>Three bedroom dwellings</b>	4	2 spaces per dwelling	8	8
<b>Visitor parking</b>	82	1 space per 5 dwellings	16	17
<b>Total required</b>			<b>102</b>	
<b>Total provided</b>				<b>135</b>

The development provides for sufficient on-site car parking provision including surplus parking in excess of the statutory requirement.

Overlooking

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

The proposed development generally complies with the overlooking requirements of Clause 55.04-6. Appropriate screening and provision of obscure glazing has been provided to respond to overlooking of the adjoining property to the south for habitable room windows within 9 metres of the boundary.

Overshadowing

Shadow diagrams submitted with the application indicate that the shadow cast by the development will be predominantly contained on site at the September equinox having a negligible impact on adjoining properties achieved through the substantial setbacks to the southern boundary. The development will result in some increased overshadowing to adjacent properties to the east during the afternoon. It is considered that the overshadowing impact of the development is considered acceptable.

Internal Amenity

The proposed development demonstrates good internal amenity outcomes for residents. All habitable rooms are provided with direct access to daylight and ventilation, having no reliance on borrowed light, light corridors or light wells. Each apartment is 45.3m<sup>2</sup>-89.m<sup>2</sup>, along with balconies of 8m<sup>2</sup>-16m<sup>2</sup>. The layout of the apartments is functional with limited corridor space resulting in larger habitable room sizes and generally well-proportioned apartments. Conditions proposed include requirements for demonstrated compliance with requirements of the provisions of Clause 55.07 (apartment design standards of ResCode).

Recommended internal amenity modifications from MGS urban design advice have been incorporated into permit conditions. Modifications may result in modified internal apartment layout, increased balcony room areas, larger bedroom and living rooms and improved solar access to habitable room windows.

Given the proximity of the subject land opposite industry and on main road, acoustic glazing is proposed along the Huntingdale Road interface.

#### Waste Management

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

#### **CONCLUSION:**

The design response has been developed having appropriate regard to the proposed residential zone, design and development overlay. The design response has been developed with suitable regard to the diverse built form of the surrounding context and suitably responds to the objectives and design outcomes identified by Council.

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

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