

**1.3 418-424 HAUGHTON ROAD, CLAYTON
CONSTRUCTION OF A FOUR STOREY BUILDING WITH BASEMENT COMPRISING
21 APARTMENTS AND REDUCTION OF ON SITE CAR PARKING
(TPA/51529/A)**

EXECUTIVE SUMMARY:

Planning Permit TPA/51529 was issued on 4 March 2021 for the development of a four storey residential building with basement. The development included 21 car parking spaces within the basement with 14 spaces in a car stacker arrangement.

The proposed amendment seeks to remove all the car stackers within the basement thereby reducing the overall car parking by 10 spaces. The amended development will provide 11 spaces within the basement. All of these are for residents as no visitor car parking spaces is required and provided in the development.

The amended application was subject to public notification. Three (3) objections have been received.

Key issues to be considered relate to adequacy of car parking provision and impacts on on-street parking.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state and local planning policy framework, Clause 52.06 and issues raised by objectors.

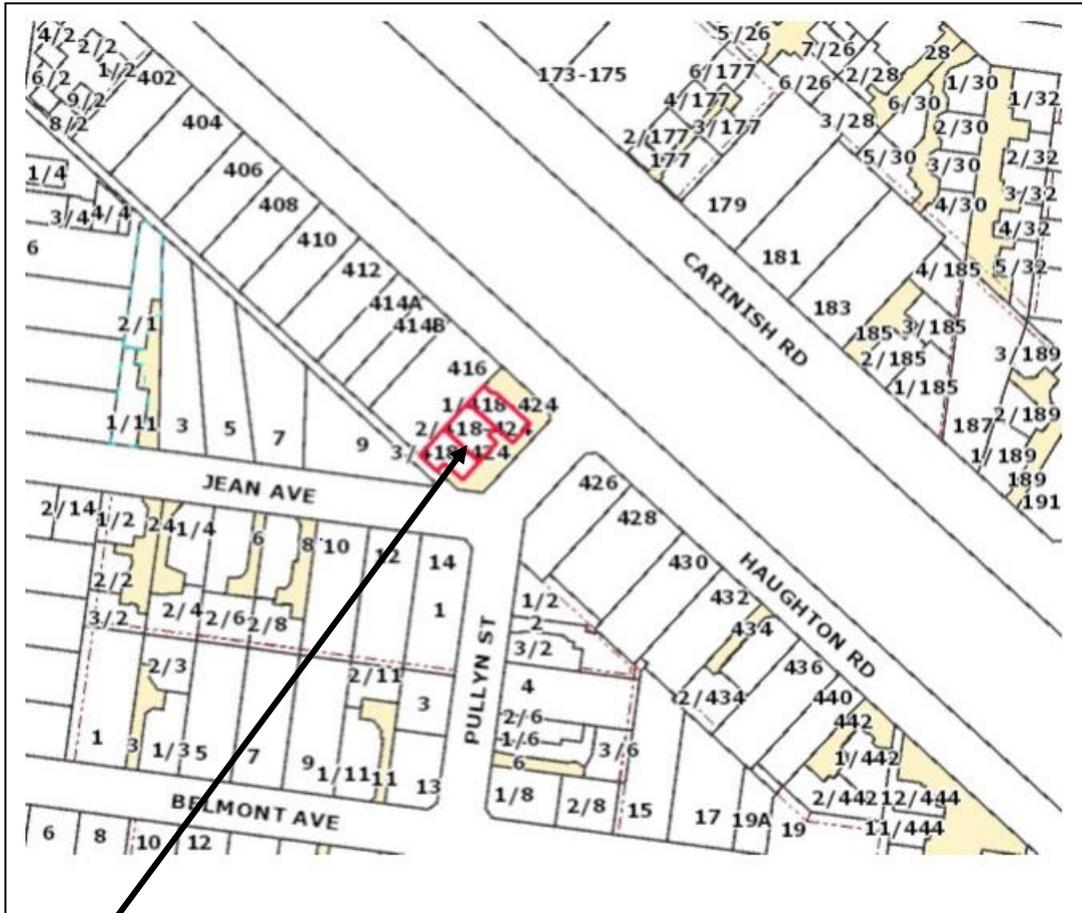
The reason for presenting this report to Council is as the initial application was decided by Council.

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

RESPONSIBLE DIRECTOR:	Peter Panagakos
RESPONSIBLE MANAGER:	Natasha Swan
RESPONSIBLE PLANNER:	Jeanny Lui
WARD:	Oakleigh
PROPERTY ADDRESS:	418-424 Haughton Road, Clayton
EXISTING LAND USE:	Three single storey dwellings
PRE-APPLICATION MEETING:	No
NUMBER OF OBJECTIONS:	Three (3)

ZONING:	Residential Growth Zone, Schedule 3
OVERLAY:	Nil
RELEVANT CLAUSES: <u>Planning Policy Framework</u> Clause 11.01-1R- Settlement – Metropolitan Melbourne Clause 11.02-1S- Supply of Urban Land Clause 13.07-1S- Land Use Compatibility Clause 15.01-1S&R- Urban Design Clause 15.01-2S- Building Design Clause 15.01-4S & R- Healthy Neighbourhoods Clause 15.01-5S- Neighbourhood Character Clause 15.02-1S- Energy and Resource Efficiency Clause 16.01-1S &R- Housing supply Clause 16.01-2S- Housing affordability Clause 17.01-1S&R- Diversified Economy Clause 17.02-1S- Business Clause 18.01-1S- Land Use and Transport Planning Clause 18.02-1S & R- Sustainable Personal Transport Clause 18.02-2R– Principal Public Transport Network Clause 18.02-4S- Car Parking Clause 19.03-3S- Integrated Water Management	<u>Local Planning Policy Framework</u> Clause 21- Municipal Strategic Statement Clause 21.04- Residential Development Clause 21.06 – Major Activity and Neighbourhood Centres 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 22.13- Environmentally Sustainable Development Policy <u>Particular Provisions</u> Clause 52.06- Car Parking Clause 52.34 – Bicycle Facilities Clause 53.18- Stormwater Management in Urban Development Clause 55- Two or more dwellings on a lot and residential buildings Clause 65 – Decision Guidelines
STATUTORY PROCESSING DATE:	19 June 2021
DEVELOPMENT COST:	\$5.7 Million

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



RECOMMENDATION:

That Council resolves to issue a **Notice of Decision to Refuse to Grant an Amendment to a Permit (TPA/51529/A)** which seeks to reduce the on-site car parking provision within the basement associated with the construction of a four storey building with basement at 418-424 Haughton Road, Clayton on the following grounds:

1. The proposal fails to satisfy the requirements of Clause 52.06 in relation to onsite car parking provision.
2. The proposal will have a detrimental impact on the amenity of the adjoining residential properties as a result of the inadequate on site car parking provision.

BACKGROUND:**History**

At Council's meeting of 27 January 2021 it was resolved to issue a Notice of Decision to Grant a Planning Permit for a four storey residential building comprising 21 residential dwellings and 21 car parking spaces within the basement. Among the 21 car spaces, 16 spaces are provided in form of car stackers. No appeals were lodged and Planning Permit TPA/51529 was issued on 4 March 2021.

The Site and Surrounds

The subject land is located on the south-west corner of Haughton Road and Pullyn Street in Clayton. The site has a frontage of 20.04 metres to Haughton Road and 31.01 metres to Pullyn Street with a 3.45 metre angled splay to the south-east corner. A 2.8 metre wide laneway owned by Melbourne Water spans the southern boundary. The land is currently developed with three single storey brick units constructed in the 1970's and currently comprises three parcels of land.

The site is generally rectangular in shape with a total area of 842.2 square metres. The land has a slope of approximately 1.6 metres from the northern corner to the southern corner of the site. Across Haughton Road is the recently constructed 'sky rail'.

The adjoining properties to the east and west are occupied by single storey dwellings; a 2.8 metres wide laneway owned by Melbourne Water is located at the south of the land. Opposite side of the laneway contains a single storey dwelling.

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

PROPOSAL:

The application for an amendment to the Permit was received by Council on 22 March 2021. The amendment proposes to:

- remove the car stacker component for all on site car parking spaces within the basement;
- reduce the number of on site car parking spaces from 21 to 11;
- make minor changes to the ramp grade and finished floor level, and internal layout of the basement .

Attachment 1 details plans forming part of the application.

PERMIT TRIGGERS:

Zone

The site is located within the Residential Growth Zone Schedule 3 (RGZ3).

Pursuant to Clause 32.07-2 (Residential Growth Zone), the use of the land for a dwelling does not require planning approval, however a permit is required to construct two or more dwellings on a lot.

Overlay

The site is not subject to any Overlays.

Particular and General Provisions

Clause 52.06- Car Parking

Pursuant to Clause 52.06-3 (Car Parking), a permit is required to reduce the number of car parking spaces required under Clause 52.06-5.

This proposal seeks to reduce the number of on site car parking provision by a total of 10 spaces.

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

CONSULTATION:

Public Notice

The amended application was advertised in accordance with section 52 of the *Planning and Environment Act 1987* by sending notices to the surrounding property owners/occupiers, including residents who objected to the original

application. In addition, three (3) large signs were displayed on each frontage of the site.

Three (3) objections were received. Grounds of objections relate to traffic and amenity impacts cause by the proposed car parking reduction.

Attachment 4 details the location of objector properties.

Referrals

External Referral

There are no external referral authorities.

Internal Referral

Traffic Engineer

Council's Traffic Engineer advised that the proposed reduction of on-site car parking provision is not supported and a minimum of 21 car parking spaces should be provided for the proposed development. Further details will be provided within the Discussion section.

DISCUSSION:

Consistency with State and Local Planning Policies

State Planning Policy Framework (PPF)

Clause 18.02-4S requires an adequate supply of car parking that is appropriately designed and located to be provided with development. This provision requires development to protect the amenity of resident precincts from the effects of road congestion created by on-street parking.

Local Planning Policy Framework (LPPF)

Clause 21.06 (Major Activity and Neighbourhood Centres) identifies Clayton Activity Centre as a Major Centre. Strategic directions for the centre include (as relevant) encouraging medium rise residential development within the centre, and to ensure parking is provided to meet the needs of the centre.

The proposal to substantially reduce the provision of on site car parking spaces is not considered an adequate response to the relevant State and local planning policies. This will be further discussed in the report.

DISCUSSION

Car Parking, traffic and access

The subject site is located within the Principal Public Transport Network (PPTN) and no visitor car parking spaces are required according to Clause 52.06 of the Monash Planning Scheme.

The requisite car parking spaces required under Clause 52.06 would be provided as shown in the following table:

Use	Number of Dwellings	Clause 52.06 Requirement	Car spaces required	Car spaces provided
One & two bedroom apartments	21	1 space/two bedroom)	21	11
Shortfall				10

The application seeks a reduction of 10 car parking spaces for the residents. A traffic report was provided with the application which discussed that based on the Census data from 2016, one-bedroom apartments in Clayton have a car ownership rate of 0.45 cars per dwelling; and two bedroom apartments have a car ownership rate of 0.73 cars per dwelling; concluding that the development requires a total of 11 car parking spaces based on likely demand.

Reliance on census data from 2016 is a simplistic method to justify such low parking provision. In order to assess the likely demand it would be more helpful to understand parking demand and usage rates for this sort of development type. The census does not differentiate between housing for villa units, apartments, student accommodation or other forms of shared housing. The census data considered Clayton as a whole and developments in different parts of Clayton are likely to have varied parking occupancy, depending on their age, proximity to key activities and access to public transport.

As the traffic assessment is not based on an actual demand assessment supported by survey work from similar types of development in similar locations it is inadequate to support such a significant reduction.

The report does indicate that the site has excellent public transport access as well as convenient access for pedestrians and bicycles. It is acknowledged that the site has good access to public transport and therefore already benefits from reduced parking rates being located in the PPTN, with no requirement for on-site car parking for visitors.

Council's Traffic Engineer also shares concerns with the reduced parking provision. They advised:

- Residential parking should always be provided in accordance with the Planning Scheme requirements. It is noted that the site is located within the PPTN area which already takes into account that the site has good access to

Public Transport and still requires a rate of 1 space per 1 and 2 bedroom dwelling.

- The traffic report also sets out that there are available parking spaces in the area to accommodate any overspill of parking. This is not considered appropriate as residents would not be eligible for parking permits to exempt them from the short term restrictions and so would likely be parking within the unrestricted commuter parking spaces. This would result in fewer spaces available for commuters and therefore possibly discourage the use of public transport for other users.
- Based on the above, it is considered that a minimum of 21 on-site parking spaces are to be provided for the proposed development.

The proposed amendment will result in inadequate provision of on site car parking spaces and is likely to increase the demand of on street parking caused by the overspill of parking. This will have an adverse effect on road congestion and adversely affect the amenity of nearby residents.

External Amenity Impacts

The finished floor level of the basement is increased by 650mm as a result of the proposed changes in ramp grades to access the basement. However as the finished floor levels above the basement and the overall building height of the building will remain unchanged from the original approval, there are no detrimental external amenity impacts.

The proposed changes to the internal layout of the bin room no consequential as the overall footprint of the basement and setbacks of the basement are unchanged.

However as discussed previously, the proposed reduction in on site car parking provision will likely to result in an increase demand for on street parking or the nearby unrestricted commuter parking, and will adversely affect the amenity of the nearby residents.

CONCLUSION:

In summary, it is considered that the proposed amendment fails to meet the car parking requirement of the Monash Planning Scheme which will adversely affect the amenity of the nearby residents. The impacts on the vicinity are considered unreasonable and the application in its current form is not supported.

LIST OF ATTACHMENTS:

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (February 2020).

Attachment 3 – Zoning and Overlays Map.

Attachment 4 – Objector Properties Location Map.