# 1.3 186-192 CLAYTON ROAD, CLAYTON - USE AND DEVELOPMENT OF A FIVE STOREY BUILDING FOR THE USE OF A MEDICAL CENTRE, FOOD AND DRINK PREMISES AND SHOP IN THE SPECIFIC CONTROL OVERLAY (SCO15), REDUCTION IN THE STANDARD CAR PARKING REQUIREMENT AND ALTERATION OF ACCESS TO A ROAD IN A TRANSPORT ZONE 2

(TPA/53513)

Responsible Director: Peter Panagakos

#### **EXECUTIVE SUMMARY:**

This application proposes the use and development of a five-storey medical centre with pharmacy (shop) and café (commercial food and drink premises). Car parking is provided within the basement, ground level and on the first floor. Vehicle access to the site is proposed via Whitburn Street. The subject land is located within the residential periphery of the Clayton Major Activity Centre, in a location designated for residential growth.

The application was subject to public notification. Fourteen (14) objections to the proposal have been received.

Key issues to be considered relate to the height and scale of the building, landscaping, commercial use, carparking and impact on the character and amenity of adjoining residential properties.

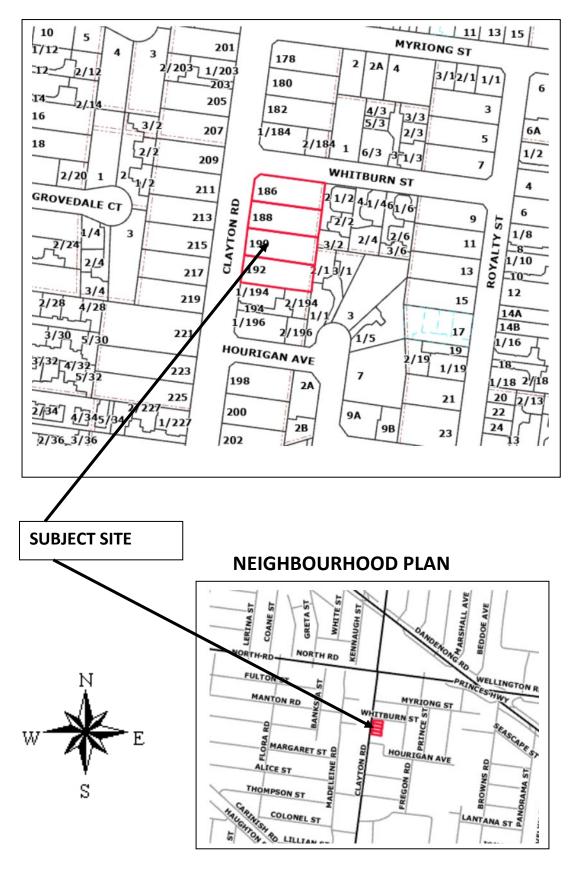
This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state, regional and local planning policy framework and issues raised by objectors.

The reason for presenting this report to Council is the proposed development cost of \$20 Million.

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

RESPONSIBLE DIRECTOR:	Peter Panagakos
RESPONSIBLE MANAGER:	Catherine Sherwin
RESPONSIBLE PLANNER:	Anne Maree Roberts
WARD:	Oakleigh
PROPERTY ADDRESS:	186-192 Clayton Road, Clayton
EXISTING LAND USE:	Four detached residential dwellings

PRE-APPLICATION MEETING:	Yes
NUMBER OF OBJECTIONS:	Fourteen (14)
ZONING:	Residential Growth Zone, Schedule 3
OVERLAY:	Specific Control Overlay, Schedule 14
	Specific Control Overlay, Schedule 15
RELEVANT CLAUSES:	
Planning Policy Framework	Local Planning Policy Framework
Clause 11.01-1R- Settlement –	Clause 21- Municipal Strategic Statement)
Metropolitan Melbourne	Clause 21.06 – Major Activity and
Clause 11.03-1S & R Activity Centres	Neighbourhood Centres
Metropolitan Melbourne.	Clause 21.08- Transport and Traffic
Clause 23.07-1S – Land Use	Clause 21.09 – Key regional assets
Compatibility	Clause 21.13- Sustainability and Environment
Clause 15.01-1S&R- Urban Design	Clause 22.01- Residential Development and
Clause 15.01-2S- Building Design	Character Policy
Clause 15.01-4S & R- Healthy	Clause 22.04- Stormwater Management Policy
Neighbourhoods	Clause 22.05 – Tree Conservation Policy
Clause 15.01-5S- Neighbourhood	Clause 22.09- Non-Residential Use and
Character	Development in Residential Areas
Clause 17.01 – Diversified Economy	Clause 22.13- Environmentally Sustainable
Clause 17.02-1S - Business	Development Policy.
Clause 18.01-1S- Land Use and	
Transport Planning	Particular Provisions
Clause 18.02-1S & R- Sustainable	Clause 52.06- Car Parking
Personal Transport	Clause 52.29 – Land adjacent to the Principal
Clause 18.02-2R- Principal Public	Road Network
Transport Network	Clause 52.34- Bicycle Facilities
Clause 18.02-4S- Car Parking	Clause 53.18- Stormwater Management in
Clause 19.02-1S - Health Facilities	Urban Development
Clause 19.02-1R - Health Precincts-	Clause 65 – Decision Guidelines
Metropolitan Melbourne	
Clause 19.03-35 – Integrated Water	
Management	
STATUTORY PROCESSING DATE:	23 May 2023
DEVELOPMENT COST:	\$20 Million



# LOCALITY PLAN

# **RECOMMENDATION:**

That Council resolves to issue a **Notice of Decision to Grant a Planning Permit (TPA/53513)** for the use and development of a five-storey building for the use of a medical centre, food and drink premises and shop in the Special Control Overlay (SCO15), reduction in the standard car parking requirement and alteration of access to a road in a Transport Zone 2 at 186-192 Clayton Road, Clayton subject to the following conditions:

# Amended Plans Required

- 1. Before the development starts, three copies of plans drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the Permit. The plans must be generally in accordance with the plans prepared by Hatz Architects dated March 2023 – Revision I and Landscape Plans prepared by 3 Acres Landscape Architects dated February 2023 – Revision F, but modified to show:
  - a) Location and mechanism of carparking ventilation system.
  - b) Details of the material of construction of the 1.7metre high privacy screen to the first-floor open carpark to provide a maximum of 25% transparency and provided with acoustic specifications to minimise noise.
  - c) A notation on the eastern elevation showing the brick and aluminium panels with a minimum dimension of 1.7metres from first floor level as shown on the floor plan.
  - d) Level 2 and 3 eastern facing windows with an outlook into the secluded private open space of 2 Whitburn Street and 2 Hourigan Avenue to be screened (maximum 25% transparency) to a minimum height of 1.7 metres above floor level.
  - e) Level 4 eastern facing windows with an outlook to the secluded private open space of 2 Whitburn Street and 2 Hourigan Avenue to be provided with a horizontal fin or equivalent to prevent downward viewing into adjoining SPOS.
  - *f)* Level 2, 3 and 4 south facing windows with an outlook to the secluded open space of 196 Clayton Road to be provided with a horizontal fin or equivalent to prevent downward viewing.
  - g) Any required fire services, electricity supply, gas and water meter boxes to be discreetly located and/or screened to complement the development. Any required services must be clearly detailed.
  - h) Trees to be retained numbered, and protective fencing shown surrounding all Council street-trees adjacent to the development and trees on adjoining properties within 3 metres of the boundary to be protected during the development in accordance with the Tree Management Plan required by Condition 9 of this Permit.
  - *i)* Retention of two lilly pillys along the southern boundary.
  - *j)* All car parking spaces adjacent to walls to be provided with a minimum 300mm clearance.

- *k)* Car parking spaces numbered on the plans.
- *I)* Details of all ramp grades to be shown.
- *m)* Floor, elevation and section plans to provide finished floor levels.
- n) Location of the vehicle security panel door to the carpark to be shown on the ground floor plan with a notation stating that the premises door is only to be closed out of operating hours on the ground floor and elevation plans.
- *o)* Location of any plant equipment proposed and to be provided within a sound attenuation enclosure.
- *p)* Location of easement on the landscaping plan.
- q) A notation on the site plan requiring that all disused or redundant vehicle crossovers must be removed; and the area reinstated as required by the Department of Transport and Planning.
- *r)* All excavation and footing details in accordance with the Engineering Report required by SRLA Condition 36.
- s) A Landscape Plan in accordance with Condition 3 of the permit.
- t) A Sustainable Management Plan in accordance with Condition 4 of the permit.
- *u)* Any notations or revisions as required by the recommendations of the Acoustic report prepared in accordance with Condition 5 of the permit.
- v) A Car Parking Management Plan in accordance with Condition 6 of the permit.
- *w)* A Green Travel Plan in accordance with Condition 7 of the permit.
- *x)* A Waste Management Plan in accordance with Condition 8 of the Permit.
- *y)* A Tree Management Plan in accordance with Condition 9 of the permit.

All to the satisfaction of the Responsible Authority.

# No Alteration or Changes

2. The development and use and the description of the use(s) as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.

# Landscape Plan

- 3. 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. When approved, the plan will be endorsed and will then form part of the Permit. The plan must be generally in accordance with the Landscape Plan prepared by 3 Acres, Rev (f) dated 1 February 2023 however amended to show:
  - a) location of easement along the eastern boundary;
  - b) all trees to be planted outside of easement;
  - c) details of changes required by Condition 1 of this Permit including retention of two lilly pillys along the southern boundary; and

*d)* a revised plant schedule to provide the inclusion of native species in the street frontages of the site.

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

# Sustainable Design Assessment

4. Concurrent with the endorsement of plans requested pursuant to Condition 1, a Sustainable Management Plan must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the Sustainability Management Plan prepared by Ecoresults Dated March 2023, except that the plan must be modified to show any changes required by Condition 1 of this planning permit.

Upon approval the Sustainable Design Assessment will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the Sustainable Design Assessment to the satisfaction of the Responsible Authority.

# Acoustic Report

- 5. Concurrent with the endorsement of plans pursuant to Condition 1, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Acoustic Engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The acoustic report must:
  - a) make recommendations to limit noise levels to and from the development to not exceed those required to be met under the Environment Protection Regulations 2021 and EPA Publication 1826.4 noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, or any other equivalent or applicable State or relevant policy.
  - *b)* show all details of changes required by Condition 1 of this Permit.

The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

### Car Park Management Plan Required

- 6. Before the development commences, a Car Park Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Car Park Management Plan will be endorsed and will form part of this permit. The Car Park Management Plan must address, but not be limited to the following:
  - a) The number and location of car parking spaces allocated to each tenancy;
  - b) Any tandem spaces allocated to a single tenancy and for staff parking.

- c) Allocation of at grade spaces to the pharmacy and café and visitors for short term parking.
- d) The management of car parking spaces and security arrangements for occupants of the development, including details on how visitors are to access car parking;
- e) The Car Parking Management Plan must specify a requirement of no paid parking arrangement within public parking areas;
- f) Details of wayfinding, cleaning and security of end of trip bicycle facilities;
- g) A schedule of all proposed signage including directional arrows and signage, informative signs indicating location of disabled bays and bicycle parking, exits, restrictions, pay parking system etc;
- h) The collection of waste and garbage including the separate collection of organic waste and recyclables, which must be in accordance with the Waste Management Plan required by this Permit; and,
- *i)* Details regarding the management of loading and unloading of goods and materials.

The provisions, recommendations and requirements of the endorsed Car Park Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

# Green Travel Plan

- 7. Before the development commences, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel plan will be endorsed and will form part of this permit. The Green Travel Plan must include, but not be limited to the following:
  - a) A description of the location in the context of alternative modes of transport;
  - b) Details of end of trip facilities provided;
  - c) Education and awareness initiatives and incentives for employees and customers to encourage more sustainable modes of travel to/from the site;
  - *d)* Management practices identifying sustainable transport alternatives;
  - e) Consider the provision of electric vehicle charging facilities;
  - *f)* Lobby areas of building to include real time information of train, tram and bus services;
  - g) Details of bicycle spaces for staff;
  - h) Employee packs (ie, myki cards for new workers);
  - *i)* An obligation to update the plan not less than every 5 years;
  - *j)* Details of when and how this travel plan will be available for new staff; and
  - *k)* Any other relevant matters.

The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

# Waste Management Plan

- 8. Concurrent with the endorsement of plans, a Waste Management Plan must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will then form part of the Permit. The Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Ratio dated April 2022 but modified to show:
  - a) Amended hours of collection to be consistent with operating hours of the medical centre as required by Condition 14.

The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

# Tree Management Plan

9. Concurrent with the submission of amended plans required by Condition 1 and prior to any demolition or site works, a Tree Management Plan (TMP) must be submitted to and approved by the Responsible Authority. The TMP must be prepared by a suitably qualified and experienced Arborist and must set out recommendations and requirements in relation to the management and maintenance of Trees on the adjoining property at 196 Clayton Road and the Council street-tree in Whitburn Street.

The TMP must be approved by the Responsible Authority prior to the commencement of any works, including demolition and/or levelling of the site. The TMP must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following to the satisfaction of the Responsible Authority ensuring the trees to be retained remain healthy and viable during construction:

- a) A Tree Protection Plan drawn to scale that shows:
  - *i.* Tree protection zones and structural root zones of all trees to be retained;
  - *ii.* All tree protection fenced off areas and areas where ground protection systems will be used;
  - *iii.* The type of footings within any tree protection zones;
  - *iv.* Any services to be located within the tree protection zone and a notation stating all services will either be located outside of the tree protection zone, bored under the tree protection zone, or installed using hydro excavation under the supervision of the Project Arborist; and
  - v. A notation to refer to the Tree Management Plan for specific detail on what actions are required within the tree protection zones.

- b) Details of how the root system of any tree to be retained will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the Project Arborist.
- c) Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the responsible authority; and
- d) Any remedial pruning works required to be performed on tree canopies located within subject site. The pruning comments must reference Australian Standards 4373:2007, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur.

The recommendations contained in the approved tree management plan must be implemented to the satisfaction of the Responsible Authority.

# **Construction Management Plan**

- 10. Prior to the commencement of any site works (including demolition) a Construction Management Plan (CMP) must be submitted and approved by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:
  - a) Appropriate measures to control noise, dust and water and sediment laden runoff;
  - b) Appropriate measures for the prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
  - c) Appropriate measures relating to removal of hazardous or dangerous material from the site, where applicable;
  - d) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site so as to prevent material leaving the site and being deposited on Council's road network;
  - e) A program for the cleaning and maintaining surrounding road surfaces;
  - f) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council's road reserves;
  - g) Measures to provide for public Safety and site security;
  - A plan showing the location of parking areas for construction and subcontractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;
  - *i)* A Traffic Management Plan showing truck routes to and from the site;
  - *j)* A swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;

- *k)* Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;
- *I)* The provision of contact details of key construction site staff; and
- m) Include a requirement that except with the prior written consent of the Responsible Authority, a requirement that demolition, excavation or construction works must only be carried out during the following hours:
  - Monday to Friday (inclusive) 7am to 6pm;
  - Saturday 9am to 1pm;
  - Saturday 1pm to 5pm (Only activities associated with the erection of buildings that does not exceed the EPA guidelines)
  - No works are permitted on Sundays or Public Holidays.

The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with by all contractors to the satisfaction of the Responsible Authority.

# Landscaping prior to occupation

11. Before the occupation of the buildings allowed by this permit, landscaping works as shown on the endorsed plans must be completed to the satisfaction of the Responsible Authority and then maintained, to the satisfaction of the Responsible Authority.

# No material near Council street-trees

12. No building material, demolition material, excavation or earthworks shall be stored or stockpiled within the Council street-trees to be retained during the construction period of the development hereby permitted without the prior written consent of the Responsible Authority.

# Privacy screens

13. Prior to the occupancy of the development, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained ongoing to the satisfaction of the Responsible Authority. The use of obscure film fixed to transparent glass or windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.

### Hours of Operation

- 14. The medical centre allowed under this permit may operate only during the following hours, except with the prior written consent of the Responsible Authority:
  - Monday to Friday 8am to 7pm
  - Saturday 8am to 5pm.
- 15. The food and drink premises (café) and shop (pharmacy) allowed by this permit may operate only during the following hours, except with the prior written consent of the Responsible Authority:

- Monday to Friday –8am to 7pm
- Saturday and Sunday 8am to 5pm.

# **Delivery Hours**

- 16. All deliveries must be conducted so as not to cause any unreasonable disturbance to nearby residential properties and may only take place during the following times:
  - Monday to Friday 8.00am -7.00pm
  - Saturday: 8:00am to 1:00pm
  - Sunday: No deliveries permitted,

to the satisfaction of the Responsible Authority.

# Loading and Unloading

17. All loading and unloading of vehicles must be carried out and be conducted in a manner that does not cause any interference with the circulation and parking of vehicles on the land, to the satisfaction of the Responsible Authority.

# Amenity of Area

- 18. The amenity of the area must not be detrimentally affected by the use or development, through the:
  - transport of materials, goods or commodities to or from the land;
  - appearance of any building, works or materials;
  - emission of noise; and
  - storage of prescribed waste,

To the satisfaction of the Responsible Authority.

# **Ongoing Management of Noise Levels**

19. Noise levels to and from the development must not exceed those required to be met under the Environment Protection Regulations 2021 and EPA Publication 1826.4 noise limit and assessment protocol for the control of noise from commercial, industrial and trade premises and entertainment venues, or any other equivalent or applicable State or relevant policy.

### Infectious Wastes

20. Any prescribed waste (as defined by the EPA) which leaves the premises of generation must be disposed of in accordance with Environmental Protection Authority (EPA) requirements.

### Car Parking and Driveways to be Constructed

- 21. Before the use starts or any building is occupied, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
  - constructed to the satisfaction of the Responsible Authority;
  - properly formed to such levels that they can be used in accordance with the plans;
  - surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;

- drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;
  - 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.

# Use of car parking spaces and driveways

- 22. The areas set aside for car parking shown on the endorsed plans must be made available for use free of charge to employees and visitors at all times and must not be used for any other purpose.
- 23. Car spaces, access lanes and driveways shown on the endorsed plans must not be used for any other purpose, to the satisfaction of the Responsible Authority.
- 24. Parking areas and access lanes must be kept available at all times to the satisfaction of the Responsible Authority.

# Lighting of carparks and accessways

25. Low intensity / baffled lighting must be provided to ensure that car park areas and pedestrian accessways are adequately illuminated without any unreasonable loss of amenity to the surrounding area, to the satisfaction of the Responsible Authority.

# **Ongoing Architect Involvement**

- 26. As part of the ongoing consultant team, Katz Architects or an architectural firm which is acknowledged to have comparable skill and expertise to the satisfaction of the Responsible Authority must be engaged to:
  - *i.* oversee design and construction of the development; and
  - *ii.* ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

### Plant / Equipment or features on roof

- 27. 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.
- 28. Motors for equipment and air-conditioning/heating units to be located to limit noise nuisance created to neighbours or insulated/sound proofed in accordance with any applicable EPA legislation.

### Drainage and Stormwater

29. All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.

30. All stormwater collected on the site is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to drainage works commencing. Further information regarding the design of the on-site detention system is provided in the notes section of this Permit.

# Vehicle Crossovers

31. All new vehicle crossings are to be no closer than 1.0 metre, measured at the kerb, to the edge of any power pole, drainage or service pit, or other services. Approval from affected service authorities is required as part of the vehicle crossing application process.

# Department of Transport and Planning (PPR-38890/22)

- 32. Prior to the occupation of the development, all disused or redundant vehicle crossings must be removed, and the area reinstated to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.
- 33. Prior to occupation of the development, the proposed crossover and driveway are to be constructed to the satisfaction of the Responsible Authority and at no cost to the Head, Transport for Victoria.
- 34. Vehicles must enter and exit the site in a forward direction at all times.

# Suburban Rail Loop Conditions (SCO15/2023/03)

- 35. Unless otherwise agreed in writing with Suburban Rail Look Authority, before the development starts (including demolition), detailed design drawings must be submitted to the satisfaction of Suburban Rail Loop Authority. When approved, the plans will be endorsed by the Responsible Authority and will then form part of the permit. The plans must be drawn to scale with dimensions, be generally in accordance with the plans by HATZ Architects date stamped 09 March 2023 with the cover sheet Revision P noted as Issued to Consultants but modified to show:
  - a) all excavation and footing details in accordance with the Engineering Report required by Condition 36 (Engineering Report) below
  - b) excavation depths for all buildings, structures and retaining walls (including excavation required for services and utilities) to be shown at Australian Height Datum (AHD) on floor plans and elevations;
  - c) foundations and footing designs of all buildings, structures and retaining walls, (including pile designs and associated loadings if applicable).
- 36. Unless otherwise agreed in writing with Suburban Rail Loop Authority, before the development starts (including demolition and excavation) and before the submission of plans under Condition 35 (Amended Plans), an Engineering Report from a suitably qualified engineer must be submitted to and approved by the Suburban Rail Loop Authority. The report must outline the design, management and construction techniques to be implemented prior, during and following construction to prevent

any impact on Suburban Rail Loop East and associated infrastructure. Once approved, the Engineering Report will form part of the planning permit. All relevant structural and geotechnical issues must be considered and the report must demonstrate the following:

- a) that the building footings will not compromise the structural integrity of, or damage or displace Suburban Rail Loop East and associated infrastructure. In this case, the following would be considered to satisfy this requirement:
  - i. demonstrating that the increase in unfactored loading from the footings of the development at a level of RL 50 m AHD beneath the south-eastern corner of the building does not exceed 50 kPa would be considered to satisfy this requirement (unloading from basement excavations should not be included in this assessment);
  - *ii.* that the development and construction methods will appropriately manage and mitigate any impacts from construction vibration on Suburban Rail Loop East and associated infrastructure.
  - iii. that the development will be designed to accommodate the anticipated settlements up to 15 mm at the estimated footing level from tunnel excavation of Suburban Rail Loop East and associated infrastructure. These peak values are expected immediately above the tunnel alignment.
- 37. All design, excavation and construction must be undertaken in accordance with the Engineering Report approved under Condition 36 (Engineering Report) unless alterations or modifications are approved in writing by Suburban Rail Loop Authority.
- 38. Where any alterations or modifications to the plans endorsed under Condition 35 (Amended Plans) are not consistent with the Engineering Report prepared in accordance with Condition 36 (Engineering Report) (above), the prior written consent of Suburban Rail Loop Authority must be obtained.
- 39. Unless otherwise agreed in writing with Suburban Rail Loop Authority, before development starts (including demolition and bulk excavation), a Demolition and Construction Management Plan must be submitted to the satisfaction of Suburban Rail Loop Authority. The Demolition and Construction Management Plan must include details of (but not be limited to) management proposals to minimise impacts to Suburban Rail Loop East and associated infrastructure during demolition and construction, and must set out objectives and performance and monitoring requirements for:
  - a) the demolition and construction program;
  - b) any demolition, excavation or construction mitigation measures identified in the Engineering Report in accordance with Condition SC2 (Engineering Report).
  - c) preferred arrangement for trucks delivering to the land, including delivery and unloading and expected duration and frequency;

- *d)* protection of infrastructure to ensure Suburban Rail Loop East and associated infrastructure is not damaged during demolition or construction;
- e) an outline of requests to occupy public footpaths or roads, Suburban Rail Loop Authority area land or anticipated disruptions to local services;
- f) management of drainage, effluent, material stockpiles, fencing and hoardings to ensure Suburban Rail Loop Authority area land or Suburban Rail Loop East and associated infrastructure is not used for, or impacted by these activities;
- g) measures to ensure that all works on the land will be carried out in accordance with the Demolition and Construction Management Plan.
- 40. All demolition and construction works must be carried out in accordance with the approved Demolition and Construction Management Plan. The Demolition and Construction Management Plan must be implemented at no cost to Suburban Rail Loop Authority.
- 41. Unless otherwise agreed in writing with Suburban Rail Loop Authority, the permit holder must ensure that no Suburban Rail Loop East infrastructure, assets or services are damaged or altered as a result of the development. Any damage must be rectified to the satisfaction of the Suburban Rail Loop Authority, at the full cost of the permit holder.
- 42. Any boreholes, geotechnical investigations or intrusive ground investigations must be first approved in writing by Suburban Rail Loop Authority. Any submission to Suburban Rail Loop Authority for approval must include, to the satisfaction of Suburban Rail Loop Authority, details of their location and depth, and the methods and management processes that will be adopted to avoid impacts to the Suburban Rail Loop structures.
- 43. All boreholes must be backfilled to the satisfaction of Suburban Rail Loop Authority using a grout bentonite mix (3% bentonite) or satisfactory equivalent and in accordance with Southern Rural Water (SRW) licence conditions.
- 44. Unless otherwise agreed in writing, the permit holder must give Suburban Rail Loop Authority at least 10 business days' notice of the expected date of commencement.

# Completion of Buildings and Works

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

# Permit Expiry

- 46. 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.
  - c) The use is not started before 4 years of this permit.

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:

- (i) within six (6) months afterwards if the development has not commenced; or
- (ii) within twelve (12) months afterwards if the development has not been completed.

*Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.* 

#### NOTES

- A. This is not a Building Permit. Building approval must be obtained prior to the commencement of the above approved works.
- B. One copy of the plans for the drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the Permit.
- C. The nominated point of stormwater connection for the site is to the south-west corner of the property where the entire site's stormwater must be collected and drained to the Council pit.
- D. Any works within the road reserve must ensure the footpath and nature strip are to be reinstated to Council standards.
- E. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.
- *F.* Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.
- *G.* Prior to removal of the street tree, Council's Horticultural Department must be contacted.

### Department of Transport Note

H. The proposed development requires works within the road reserve. Separate approval under the Road Management Act 2004 for this activity may be required from the Head, Transport for Victoria. Please contact DoT (Roads) prior to commencing any works.

### Suburban Rail loop Authority Notes

I. Please contact Suburban Rail Loop Authority on 1800 105 105 or infrastructure.protection@srla.vic.gov.au.au when 'as-constructed' details of the building's footings (and if piled, the piling records) are available, to ensure they are considered as part of the detailed design of SRL East. J. Should the development be constructed at the same time as SRL East (in this area), communication between the permit holder and Suburban Rail Loop Authority is critical to coordinate the logistics of both projects. Please contact Suburban Rail Loop Authority on 1800 105 105 or infrastructure.protection@srla.vic.gov.au

#### BACKGROUND:

#### **History**

There are no previous planning applications relating to the properties.

#### **The Site and Surrounds**

The subject site is located on the south-east corner of Clayton Road and Whitburn Street, in Clayton.

The site is located within the Clayton Major Activity Centre and is located approximately 195 metres south of North Road, and 820 metres north of Clayton Train Station. Monash hospital is located approximately 295 metres south of the site.

The land comprises four separate titles with a total land area of approximately 2898 square metres and a combined frontage to Clayton Road of 64.1 metres and depth of 40 metres. The site is rectangular with a splay to the north-western corner at the Clayton Road and Whitburn Street intersection and slopes from the east, falling approximately 1.5m across the site toward the Clayton Road frontage. There is a 1.83-metre-wide sewerage and drainage easement along the eastern boundary. The site not affected by any other restrictions on title.

Four single storey dwellings and associated outbuildings currently occupy the land. Three properties have an existing vehicle crossover to Clayton Road with the crossing to No 186 Clayton Road located in Whitburn Street. A low-level front fence is provided to three of the properties along Clayton Road, with a height of approximately 1 metre. Fencing styles vary from brick with wrought iron infill to timber. The low-level brick fence to No 186 Clayton Road continues along Whitburn Street and increases in height to 1.7 metres and is constructed of solid brick. The properties support moderate and differing levels of vegetation, with some canopy trees in the frontages.

Along the Whitburn Street frontage there are two Council Street trees, two power poles (one supporting a sign advising of restricted parking) and other infrastructure including pits.

The established built form and land use of the surrounding area is diverse. Residential development includes a mix of the original post war single storey detached dwellings and more recent single and double storey multi dwelling developments. A small group of commercial shops is located approximately 90 metres north of the site on Clayton Road. The commercial buildings are predominantly single storey with two of the eight properties supporting double storey buildings. There are also established medical uses along both sides of Clayton Road in proximity of the site.

The built form of the immediate surrounding area can be described as follows:

### North

To the north of the subject site and opposite Whitburn Street is 1/184 and 2/184 Clayton Road. The property at No. 1/184 Clayton Road supports two recently constructed double storey dwellings each with a double garage to Whitburn Street. No 2/184 Clayton Road supports a double storey dwelling and garage to Whitburn Street.

# East

There are two adjoining properties along the eastern boundary.

To the site's immediate east, this property is developed with three single storey dwellings with a shared accessway alongside the western boundary adjoining the subject site. The open space is located to the south and east for each of the dwellings.

The southern section of the subject site adjoins No 1 Hourigan Avenue which is developed with three single storey dwellings. Nos. 1/1 and 2/1 Hourigan Avenue adjoin the site with the secluded open space of both properties located to the north of the respective dwelling with an interface with the site.

# South

To the immediate south of the subject site, this property is developed with two single storey dwellings in a tandem arrangement. The secluded open space of each of the dwellings and a garage accommodation is positioned alongside the boundary with the subject site.

### West

Clayton Road spans the western boundary featuring a dual carriageway within a 20-metrewide reserve and is identified within the Transport Zone, Schedule 2. The western side of Clayton Road, opposite the subject site, currently features a row of original single storey post war dwellings.

Recent approvals along the western side of Clayton Road provide for more intense development:

- 209-211 Clayton Road Permit TPA/48258/A (approved 31 August 2021) allows the construction of a four-storey building for student accommodation with basement car park. The permit is valid and requires commencement before 4 October 2024.
- 205-207 Clayton Road Permit TPA/49996 (approved 8 August 2019) allows the construction of a five-storey building comprising 36 dwellings and basement carpark. This permit is valid and requires commencement before 31 July 2025.

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

#### PROPOSAL:

The application is to construct a five-storey medical centre with pharmacy and food and drink premises (café).

The architectural design response provides a brick podium level with glazing for the two levels above. Vertical breaks have been included in the Clayton Road façade which serve to break the building form in four distinct parts.

The proposal can be summarised in detail as follows:

Maximum height	Building Height of 18.6 metres and maximum overall height (to top
	of lift overrun) 20.4 metres
Number of storeys	5 storeys above a basement.
Uses and floor areas	<ul> <li>Ground floor two medical suites (418m2) café (109m2) &amp; pharmacy (93m2)</li> </ul>
	First Floor carparking
	• Second floor medical suites (1339m2)
	• Third floor medical suites (1269m2)
	• Fourth floor medical suites (957m2).
Total leasable floor area	4,185m2
Hours of operation	Medical Centre:
	Mondays to Fridays – 8am to 7pm and Saturdays – 8am to 1pm.
	Commercial tenancies (Pharmacy and café):
	Mondays to Fridays - 8am to 7pm; Saturdays - 8am to 5pm; and
	Sundays - 8am to 5pm.
Site coverage	74%
Permeability	26%
Access	New vehicle crossing in Whitburn Street to provide access to site. Existing crossing in Whitburn Street and 3 crossings in Clayton Road to be removed and reinstated with kerb and channel.
Car parking	141 spaces
	Basement – 66 spaces
	Ground level - 17 spaces
	First Floor -58 spaces
Bicycle & motorcycle spaces	28 bicycle spaces
	5 motorcycle spaces
Materials	Light grey brick, tinted and clear glazing, cladding, steel mesh and steel window louvres.
Signage	No signage proposed as part of application.
Landscaping	Removal of all existing vegetation and planting of 43 trees.

The minimum building setbacks are detailed as follows:

	Front Clayton	East	North	South
	Road frontage	Rear	Whitburn Street	Side
Basement	4.0 metres	5.2 metres	3.6 metres	3.0 metres
Ground level	4.0 metres	3.0 -5.2 metres	4.0 metres	3.0 metres
Level 1	4.0 metres	3.3- 5.2 metres	4.0 metres	3.0 metres
Level 2	4.0 metres	6.6-12 metres	4.0-7.0 metres	11.3 metres
Level 3	7.0 metres	6.6-12*metres	7.0 metres	15.1 metres
Level 4	7.0 metres	10.3-12*metres	7.0 metres	15.1 metres

#### \*scaled dimension – no dimension provided on the plans



(3D Image above- View from Clayton Road.)



(3D Image above- View form Whitburn Street)

Attachment 1 details plans forming part of the application.

### PERMIT TRIGGERS:

### <u>Zoning</u>

The subject site and surrounding land are located within the Residential Growth Zone, Schedule 3 (RGZ3) under the provisions of the Monash Planning Scheme.

Pursuant to the provisions of the zone (Clause 32.07-2), a planning permit is required to use the land for:

- A medical centre (as the gross floor area of all buildings exceeds 250 square metres).
- Food and drink premises
- A shop (pharmacy).

A planning permit is also required for buildings and works associated with a section 2 use pursuant to Clause 32.07-8.

The maximum building height (13.5 metres) prescribed within Clause 32.07-9 is not applicable to this application as it is not a dwelling or residential building.

# <u>Overlay</u>

# Specific Controls Overlay

The site is affected by Specific Controls Overlay Schedules 14 and 15 (SCO14 and SCO15). The incorporated documents establish controls to facilitate the delivery of the rail and associated infrastructure components of the Suburban Rail Loop East.

Pursuant to Schedule 15, a Planning Permit is required for the construction of a new building (whether temporary or permanent) if it is:

- i. more than three storeys or has a building height exceeding 11 metres; or
- ii. with a basement that has a finished floor level greater than 3.5 metres below surface level; or
- iii. with a footing founded more than four metres below Surface Level; or
- iv. a building (except Accommodation or Office) that applies a weight above the Surface Level equivalent to an average of greater than 45kpa.

SCO14 seeks to exempt specific works from requiring a permit (works associated with the construction of the suburban rail loop). Therefore, there is no permit trigger under the SCO14.

### Particular & General Provisions

#### Clause 52.06-3 – Car parking

Before a new use commences the number of car parking spaces required under Clause 52.06-5 must be provided to the satisfaction of the responsible authority. A Permit is required to reduce the number of car parking spaces required under Clause 52.06-5. The development is required to provide 145 car parking spaces with a total of 141 provided.

### Clause 52.29 – Land Adjacent to a Transport Zone 2.

A planning permit is required to create or alter access to a road in a Transport Zone 2. Clayton Road is within a Transport Zone, Schedule 2 and therefore a planning permit is triggered.

### Clause 52.34-1 – Bicycle Facilities

The development is required to provide 24 spaces (8 for staff plus 16 for visitors). The requirements of Clause 52.34 have been satisfied as 28 spaces have been provided.

# **Closed Landfill Buffer**

The site is not within the identified buffer of a post closure landfill.

# **Cultural Heritage Management**

The site is not located within an identified area of Aboriginal Cultural Heritage.

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

# **CONSULTATION**:

Further information was requested of the Permit Applicant on 9 February 2022. In this letter, officers also raised the following preliminary concerns:

- Additional overshadowing analysis is required to assess the impact of existing and proposed overshadowing to the secluded open space of the adjoining properties to the south and east and demonstrate compliance with Clause 55.04-5.
- The submitted landscaping response is not satisfactory. A revised landscaping design is required to reduce the unnecessary hard surfaces, pathways, and bicycle parking spaces along the two street frontages and the pathways though the site adjacent to the adjoining properties. The hard surfaces, including the pedestrian paths running the length of the southern and eastern boundary need to be replaced with a comprehensive landscaping program including screen and layered planting to minimise visual impact on neighbours.
- The proposed pergola adjoining the Whitburn Street boundary is not supported and should be deleted from the plans or setback from the boundary in accordance with the schedule to the zone.

<sup>186-192</sup> Clayton Road, Clayton - Use and Development of a Five Storey building for the use of a Medical Centre, Food and Drinks Premises and Shop in the Specific Control Overlay (SCO15), Reduction in the Standard Car Parking Requirement and Alteration of Access to a Road in a Transport Zone 2

The Permit Applicant responded to this letter on 8 April 2022 by providing the requested information. In relation to the preliminary concerns, the Applicant advised that they had amended the plans to address some of the concerns raised, but that they do not agree with all the preliminary concerns.

The application proceeded to notice and after completion of the notice period Officers advised that the application would be recommended for refusal as the development failed to respond the objectives and design guidelines of the Schedule 3 to the Residential Growth Zone. Primary concern related to the scale and presentation of the building, interface with adjoining residential properties and poor landscaping response.

The applicant demonstrated a willingness to address the concerns and entered ongoing discussion and negotiations with Planning Officers to resolve the matters. On 12 March 2023 the applicant formally amended the application pursuant to Section 57A of the *Planning and Environment Act*.

The Section 57A amended plans have been designed in consultation with the applicant engaging an urban designer to respond to concerns raised regarding the scale and presentation of the original building and impacts to residential properties. The original design provided for flat three storey walls to both street frontages with a checkerboard pattern of materials to every façade alternating in tinted glass with light grey, brick, and woven steel mesh to the carparking areas at Levels 1 and 2. The original proposal lacked variation in setbacks to all elevations and with the nominated materials, failed to address the visual bulk on all sides of the development. This provided an unacceptable outcome to both street frontages and the adjoining residential properties to the east and south.

The amended Landscape Plan has addressed the main areas of concern with the original design which had proposed excessive paving along both street frontages, bicycle parking and four pedestrian entries along both street frontages.

The revised design concept provides an architectural response with improved variation, increased setbacks with reduced visual bulk, and increased landscaping opportunities.

The revised plans also delete proposed hard paving along the southern boundary of the site, ensuring that there is no unreasonable impacts to trees on the adjoining property to the south.

These Section 57A amended plans form the basis of the officers' recommendation.

The Applicant has been advised that this application is coming to the June Council meeting and a letter has been sent advising of the details of the Council meeting.

The Applicant has been advised that this application is recommended for approval subject to conditions, and an outline of the conditions and the ramifications of the conditions on the proposal has been explained.

# Public Notice

The application was advertised in accordance with section 52 of the *Planning and Environment Act 1987* by way of letters sent to the surrounding property owners/occupiers, 4 signs displayed along the Clayton Road frontages and one sign on the Whitburn Street frontage of the site.

Nine (9) objections were received. Issues of objection included the following concerns:

- Inconsistency with the Clayton Activity Centre Precinct Plan.
- No community need for a medical centre of proposed scale.
- Overdevelopment of the site.
- Visual bulk and building too large for the site.
- Height is not consistent with the zoning to provide buildings up to four storeys.
- Height is above other medical centres and hospitals in the area including the Monash Medical Centre.
- A five-storey building with commercial floor to ceiling heights is the equivalent of a seven-storey apartment building surrounded by single storey dwellings.
- Insufficient setbacks and encroachment on privacy of secluded open space and windows of adjoining.
- All east facing windows should be obscured. A site with two street frontages should not need to rely on rear aspects for outlook.
- Overshadowing and impact on daylight.
- Insufficient landscaping and existing tress to be removed.
- No arborist report was provided with the application.
- Noise from tyres on sealed accessways and car fumes to permeate to residential properties.
- Vehicle access should be from Clayton Road.
- Insufficient car parking and impacts on existing street parking.
- Proposal does not clarify that the parking will be free to users and staff. Any boom gates or charges would encourage visitors to park in the street.
- Development will result in changes to on street parking with visitors wanting to avoid parking fees.
- Tandem car spaces will not be used.
- Commercial uses café and pharmacy are not consistent with the residential zoning.
- Widths of ramps have not been provided and dimensions of all accessways are not clear.
- Finished floor levels have not been provided for the ramp grades and accessways.
- Insufficient information has been provided for a thorough assessment.

Following the receipt of Section 57A amended Plans, notification of the amended plans was undertaken in April 2023. A total of fourteen (14) objections were received to the amended application. The objections principally raise the same concerns with several objections stating that the revised plans did not address the previous issues. Of these objections, nine (9) all had already provided an objection and were providing additional comments to their submission.

Attachment 4 details the location of objector properties.

#### **Referrals**

#### **External Referrals**

#### Department of Transport and Planning (Reference PPR 38890/22)

The application was referred to the Department of Transport and Planning (DTP) as a determining referral authority pursuant to Clause 52.29 to create or alter access to a road within a Transport Zone. The Department has no objection subject to conditions.

### Suburban Rail Loop Authority (Reference - SCO15/2023/03)

The application was referred to the SRLA as a determining referral authority due to the site's location within the Specific Control Overlay (SCO15). The Authority has advised no objection subject to conditions requiring engineering details of excavations and footings of the basement.

### **Internal Referral**

### Strategic Planning

The proposed use of the site for a medical centre with associated commercial uses at ground floor fronting Clayton Road is consistent with the broad direction of the Clayton Precinct Plan and the specific strategies and objectives of the Health and Medical precinct (Precinct 2).

The proposed mix of uses on the ground floor comprising of a food and drinks premise, medical suites, and pharmacy are all appropriate uses for this location, being within the 100-metre distance from other commercially zoned land to the north.

The heights and setbacks of the Residential Growth Zone Schedule 3 reflect the aspirations of the Clayton Precinct Plan and for residential development. Although this application is proposing a commercial building, it is appropriate that the built form expectations are respected.

### Traffic Engineer

Council's Traffic Engineers are satisfied with the proposed parking provision and the sought reduction in the spaces required under Clause 52.06. Vehicle movements have been assessed as satisfactory, with permit conditions recommended including the requirement for a Car Parking Management Plan.

### Drainage Engineer

There are no concerns subject to standard conditions being included in a permit.

### Horticultural Services

Council's Horticultural Services team have advised of no objection to the removal of a street tree (Prunus) to accommodate the new vehicle crossing in Whitburn Street. The tree is in

fair to poor condition and may be removed as part of Council's tree management cycle at no cost to developer.

It has been recommended that there is to be no excavation within 3.3 metres of tree base of the street tree (Melaleuca) on Whitburn Street which is located closer to the eastern boundary as this tree has been assessed as is in good condition. The encroachment within the tree protection zone for the Council street-tree has decreased with an increase in the setback of the basement and ground floor of the building to 4.03m (a further 600mm).

Council's horticulture department also reviewed trees on the site to be removed. Most trees on the site are exotic or weed species. The tree with the highest contribution on the site is a White Cedar (Melia azedarach) which is a native tree and has significant canopy coverage located within the north-west corner of the site. The tree cannot be retained with the proposal, however if retained it would also require significant trimming of the canopy of the tree. The tree is also identified as having poor structure as is on a lean towards the existing dwelling.

# Waste Services

Council's Waste Services advised that the Waste Management Plan prepared by Ratio dated 7 April 2022 satisfies Council's requirements.

# **DISCUSSION**:

# <u>Consistency with State, Regional and Local Planning Policies</u> Planning Policy Framework (PPF)

The use of land for a medical centre is supported in the settlement Policy of the PPF, with planning required to respond to the needs of the community through the provision of land for community facilities. However, these need to have a high standard of environmental sustainability, urban design, and amenity.

Clause 17 (Economic Development) encourages development that meets the community's needs for retail, entertainment, office, and other commercial services. Strategies include ensuring commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure.

Clause 19.02-1S and 1R (Health Facilities) identifies that hospitals and other large health facilities should be located within designated health precincts and areas highly accessible to public and private transport. Whilst it also notes that general practitioners, community health facilities and allied health services should be provided at the neighbourhood level.

Clause 11.03-1R (Activity Centres – Metropolitan Melbourne) seeks to support the development and growth of Metropolitan Activity Centres by ensuring they:

- Are able to accommodate significant growth for a broad range of land uses.
- Are supported with appropriate infrastructure.
- Are hubs for public transport services.
- Offer good connectivity for a regional catchment.

• Provide high levels of amenity.

The site is within 250 metres of the Monash Medical Centre and other associated medical uses on Clayton Road. The site is located within the Clayton Major Activity Centre (CMAC) and approximately 900m north of the Clayton Train Station. The location of a medical centre in this location provided with established facilities and services with access to good public transport is consistent with policy.

# Local Planning Policy Framework (LPPF)

The local planning policy framework seeks to ensure new development has regard for overarching Garden City Character principles consistent with Council policy. The provision of appropriate landscaping elements in new development being fundamental in implementing these policies.

Clause 21.06 (Major Activity and Neighbourhood Centres) identifies Clayton Activity Centre as a Major Centre. Strategic directions for the centre include encouraging medium rise residential development within the centre, encouraging redevelopment and concentration of activity as well as maintaining the existing historical / cultural resources of the centre and to ensure parking is provided to meet the needs of the centre.

Clause 22.01 (Residential Development and Character Policy) applies to all residential land and 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 site is identified within Character Area "*Housing Growth Area- Clayton Activity Centre and Monash National Employment Cluster.* The policy identifies that the scale of new residential development will generally comprise larger footprint apartment developments of a high-quality design and finish. On larger sites developments will be multi-level and provided with reduced setbacks from other parts of Monash with an expectation of providing opportunities for landscaping.

Clause 22.04 – (Stormwater Management Policy) requires all designs have consideration of increases in hard surface areas and consequential impacts on the drainage system and water quality. It is policy that developments are designed and managed to minimise the impact of urban stormwater runoff on waterways. This is considered to be achieved as Council's Drainage Engineers have no concerns with proposed stormwater management.

Clause 22.05 – (Tree Conservation Policy) applies to all land in Monash with key objectives in maintaining and enhancing the Garden City Character of Monash and ensuring new development provides for new canopy trees with spreading crowns. It is policy that:

- Existing semi-mature and mature canopy trees be retained wherever possible to ensure maintenance of the tree canopy.
- Existing street trees be retained and protected.
- Semi-mature canopy trees with spreading crowns be planted as part of any new development, in open space areas, along boundaries adjacent to neighbouring open space and in front setback areas to reinforce the Garden City Character of the area.

Clause 22.09 (*Non-Residential Use and Development in Residential Areas Policy*) provides performance and locational criteria to ensure any non-residential use minimises impact on residential amenity. Of critical importance is the ability for development of increased scale to appropriately integrate with the built form and character of the surrounding area. The objectives of the policy 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.

To determine achievement with the objectives, performance and locational criteria are specified within Clause 22.09. An assessment of the proposal against these are as follows:

Locational Criteria	Assessment		
Uses to locate adjacent to existing activity	Complies –		
centres and on higher order and busier streets	The proposal is consistent, utilising a corner site, on a		
and roads, particularly on corner sites.	main road, within the Clayton Activity Centre.		
Lower order residential streets should be	Complies –		
avoided	The location on a main road is consistent with the		
	Policy.		
Avoid a concentration of non-residential uses in	Complies –		
any particular area where the cumulative	The development is orientated away from the		
impact on residential amenity is unacceptable.	residential areas to the south and east by providing the		
	main entrance and sense of address in the center of		
	the building to the Clayton Road frontage.		
	Whilst there are other non-residential uses in the area,		
	there are no other non residential uses adjacent to or		
	opposite the site. The proposal will not result in an		
	unreasonable cluster of non-residential uses.		
Provide appropriate buffers and interface	Complies -		
between commercial, residential, and industrial	The building has been provided with recession with		
land uses.	varied setbacks to provide for landscaping and a buffer		
from the residential properties.			
Urban Design Criteria	Assessment		
Apply creative design solutions that enhance	Complies-		
the quality of all residential areas, particularly in	The amended design has provided reduced massing		
relation to streetscape issues, scale of buildings,	and increased setbacks with substantial breaks in the		
provision of open space and setbacks to ensure	façade to reduce the bulk amenity impacts to adjoining		
adequate landscaping.	properties. The scale of the building reduces toward		
Consider the metamod fotors in t	the residential interfaces. Complies -		
Consider the preferred future character			
statement for the applicable residential			
statement for the applicable residential	The development provides a multi-level building with		
statement for the applicable residential character type identified in Clause 22.01-4.	The development provides a multi-level building with a high-quality finish on a large consolidated site with		
character type identified in Clause 22.01-4.	The development provides a multi-level building with a high-quality finish on a large consolidated site with setbacks as required under the Schedule.		
character type identified in Clause 22.01-4. Maintain and enhance the established canopy	The development provides a multi-level building with a high-quality finish on a large consolidated site with setbacks as required under the Schedule. Complies –		
character type identified in Clause 22.01-4. Maintain and enhance the established canopy treed environment throughout the	The development provides a multi-level building with a high-quality finish on a large consolidated site with setbacks as required under the Schedule. Complies – Setback areas are adequate to provide for canopy tree		
character type identified in Clause 22.01-4. Maintain and enhance the established canopy treed environment throughout the municipality, continuing its significance in	The development provides a multi-level building with a high-quality finish on a large consolidated site with setbacks as required under the Schedule. Complies – Setback areas are adequate to provide for canopy tree planting. Whilst no trees on site are to be retained the		
character type identified in Clause 22.01-4. Maintain and enhance the established canopy treed environment throughout the	The development provides a multi-level building with a high-quality finish on a large consolidated site with setbacks as required under the Schedule. Complies – Setback areas are adequate to provide for canopy tree		

	will therefore contribute to enhancing the treed environment of the municipality.
Car parking Criteria	Assessment
Car parking provision must meet the Scheme requirements, and minimise disruption and nuisance to adjacent residential properties and the residential neighbourhood	Does not comply – The application proposes 141 spaces and is seeking the reduction of 4 car spaces from the required number of 145. This is considered appropriate given the complementary uses of the pharmacy and café which are expected to be used by visitors to the medical centre.
Landscaping Criteria	Assessment
The retention of canopy trees is encouraged, and new landscaping should be consistent with the garden character of the neighbourhood.	Satisfactory- The landscaping plan proposes removal of all existing vegetation with substantial planting along all boundaries to accommodate 43 new trees. This will be an improvement on existing landscaping.
Car parks should be buffered by planting	Complies – Car parking areas will be provided within the basement and ground and level 1 of the building. Planting is provided along the side and rear boundaries to provide a buffer.

The proposed Sustainable Management Plan (SMP) meets the requirements Clause 22.13 (Environmentally Sustainable Development). The submitted SMP prepared by Ecoresults Pty Ltd included a BESS and STORM analysis of the design and Green Travel Plan. The report concludes that the proposal achieves best practice. The design provides for a 25,000 litre rainwater tank located at ground floor in the carpark and will be connected to all toilets in Ground and Level 3 for flushing and for the garden irrigation system. The SMP concludes that the development achieves 87% for a BESS Transport Score due to the provision of bicycle parking, end of trip facilities and charging for electric vehicles. Accessibility to established public transport facilities provides a Transit Score of 67%.

### **Residential Growth Zone – Schedule 3**

The relevant objectives of the Residential Growth Zone, Schedule 3, while primarily are to provide for residential development at increased scale and density, allow for a limited range of non-residential uses to serve local community needs in appropriate locations.

For non-residential use and development, the following decision guidelines are applicable:

- Whether the use or development is compatible with residential use.
- Whether the use generally serves local community needs.
- The scale and intensity of the use and development.
- The design, height, setback, and appearance of the proposed buildings and works.
- The proposed landscaping.
- The provision of car and bicycle parking and associated accessways.
- Any proposed loading and refuse collection facilities.
- The safety, efficiency, and amenity effects of traffic to be generated by the proposal.

It is considered the use as a medical centre is compatible with residential use and will serve local community needs. The scale and intensity of the use and development on a larger consolidated site is appropriate in an area identified for intensified growth as envisaged by the following design objectives of the zone:

- To ensure developments are constructed within an open garden setting through the retention and planting of vegetation, including canopy trees.
- To ensure that the height, scale, and form of development respects any sensitive residential interfaces and minimises the appearance of visual bulk.

Transition of the land fronting Clayton Road to a more intensive built form is encouraged through the application of the RGZ3 and the inclusion with the Housing Growth Areas - Clayton Activity Centre and Monash National Employment Cluster preferred neighbourhood character area.

The Zone and Schedule provides specific residential development requirements that do not apply to non-residential development; however, these do provide a reasonable guide for assessment.

Requirement	Residential development	Proposed Development	Complies?
Building Height	Should not exceed 13.5 m	Building height of 18.6 metres with maximum height 20.3 metres to lift overrun	No
Number of storeys	Up to four storeys	Five storeys	No
Minimum Street setbacks	Front setback 4 metres Side street 3 metres	4 metres - Clayton Road 4 metres - Whitburn Street	Yes
Site Coverage (Clause 55)	The site area covered by buildings should not exceed 60 per cent.	74%	No
Permeability (Clause 55)	The site area covered by pervious surfaces should be at least 20 per cent.	26%	Yes
Side setbacks	Side setbacks – 1 metre, plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.	3 metres for first 2 levels. Increasing to 11.3 metres at level 3 and 4 and 15.1 metres for fifth	Yes
Rear setbacks	Rear setback – 3 metres for the first 2 storeys plus 2 metres for the third storey.	3.13 metre setback for first two levels. Increasing to 6.68m for levels 3 and 4 and 10.3 metres for fifth level	Yes
Walls on boundaries (Rescode)	Should not exceed a length of 10m plus 25% of the remaining length of the boundary of an adjoining lot	No walls on boundaries	N/A
Front fence height	Must not exceed 0.9 metres in height within 3 metres of street	No front fence	N/A
Landscaping	Retain or provide at least one canopy tree with a minimum	19 trees above a height of 10 metres	Yes

mature height equal to the		
height of the roof of the		
proposed building or 10		
metres, whichever is greater.		

The proposed development exceeds the preferred height and number of storeys and provides a higher site coverage than identified in the Schedule. However, the proposal provides compliant setbacks to address amenity to adjoining properties and provide areas for landscaping. The provision of canopy planting exceeds the minimum requirement.

# Draft Clayton Activity Centre Precinct Plan

The Clayton Activity Centre Precinct Plan 2019 was adopted by Council on 28 January 2020 to provide a long-term framework to guide development in and around the Clayton Activity Centre. The Precinct Plan aims to locate taller buildings to locations within the commercial core of Clayton, on larger development sites and in prominent locations to contribute to creating a stronger entrance to Clayton. However, as the Plan has not been incorporated into the Planning Scheme, it has limited status.

The subject site is identified as being within Precinct 2 Health and Medical, which seeks to encourage medical uses in the northern section of the activity centre fronting Clayton Road.

One of the recommendations of the structure plan is to facilitate the rezoning of land within the precinct to support the establishment of medical uses while allowing for mixed-use development including residential. The structure plan introduces revised built form direction for the activity centre. For the subject site and adjoining land fronting Clayton Road, preferred maximum building height of 6 storeys (19m-22m) is nominated.



The height, scale and intensity of the development is in accordance with the longer-term vision for the Clayton Activity Centre and along Clayton Road in accommodating development up to 6 storeys or ranging from 19m -22m in height. The development proposes a 5-storey building with a height of 20.4 metres to the lift overrun and 18.6 metres to the top of the parapet. The use as medical centre is consistent with the proposed land use mix identified in the precinct plan.

### <u>Use</u>

It is considered the use as a medical centre is compatible with residential use and will serve local community needs. The food and drink premises (café) and shop (pharmacy) satisfy the locational criteria for consideration within a residential zone and are complementary services to the medical centre. The proportion of the combined commercial floor area of the two tenancies is 202 square metres and equates to approximately 5% of the overall floor area. The proposed uses are Section 2 uses are allowed, subject to planning approval to operate in the RGZ3. Their location facing a main road and central to the site are considered appropriate in the context of the residential area.

# **Built Form**

# Height and Scale

The proposed building height and scale is considered appropriate in the context of the residential growth zone, the draft Clayton Activity Precinct Plan vision of 6 storeys and consolidation of four lots which provides for ample room to provide appropriate setbacks, transition of height and landscaping to minimise impact on adjoining properties and fit within the streetscape.

Architecturally the proposed building provides for a brick podium level with glazing for the two levels above. Vertical breaks have been included in the Clayton Road façade serve to break the building form in four distinct parts and reflect the original subdivision pattern. The massing of the building presents as 3 storey podium profile to the corner and then gradually transitions to provide two storeys along the main frontage to then single storey at the southern end adjoining the residential property at No 196 Clayton Road. The revised response creates a positive street presentation and meets the future vision of the residential growth zone along Clayton Road. The breaking up of the built form, as illustrated in snapshot from the applicant's urban design response, demonstrates nod to the prevailing streetscape rhythm and original subdivision grain. This also achieves articulation and better streetscape interface at the pedestrian scale along Clayton Road.

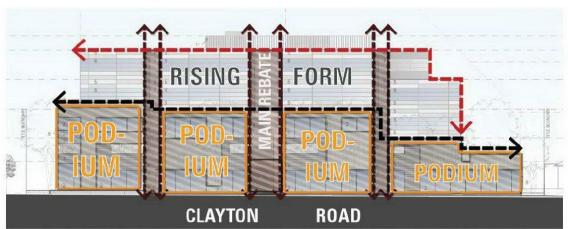


Diagram based on West Elevation, highlighting proposed streetscape rhythm, unified rebates and transition down to south

(Image above from urban design assessment prepared by applicant)

Similarly, the architectural form with respect to design, height, setback and building mass is commensurate with the residential setting of Whitburn Street. The building will sit appropriately to this residential interface as it is a narrower frontage reducing the length of the built form and provides for a setback of 4.295metres from Clayton Road and 5.235 metres from the eastern boundary to allow for landscaping and spacing on either side of the built form. The design of the building and setbacks at both the ground and upper levels to this interface allow for a transition in height, in addition to the architectural expression by reducing the use of heavy materials to the lower two levels.



(Image Above – Whitburn Street Frontage)

The main entrance to the building is located along the centre of the Clayton Road frontage and provides a clear sense of address for the building's upper tenancies with two smaller entries to the ground floor tenancies. The building materials have been varied in application and height for added interest and articulation and comprise of light grey brick, tinted and clear glazing, cladding, steel mesh and steel window louvers. The glazing to the

ground floor provides good activation to the street and the car park at Level 1 has been treated with a combination of materials to disguise and integrate the car park into the building design. The proposed building setbacks are generous and responsive to the sensitive residential interface to the rear (east) and south. These setbacks ensure that there is no unreasonable visual bulk and that ample space for landscaping to soften the built form and contribute to the Garden City character can be provided. The setbacks also provide for appropriate separation and equitable development should adjoining properties, that are also in the RGZ be redeveloped in the future.

The development provides for a 4-metre setback to both Clayton Road and Whitburn Street. This satisfies the schedule to the zone that requires a 4metre front setback from Clayton Road and 3metre setback from Whitburn Street as the side street. Both street frontages provide for landscaping as required under the design objectives to the Schedule.

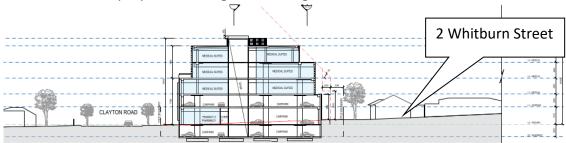
Overall, the proposed development provides for a multi storey building of high-quality finish that meets the decision guidelines and objectives of the RGZ and vision of the Clayton Activity Centre Precinct Plan. The height and scale are appropriate for a large consolidated corner-site located on main road and is consistent with the expectation and outcome of the zone while providing a transition to the lower scale residential area as required.

# **External Amenity Impacts**

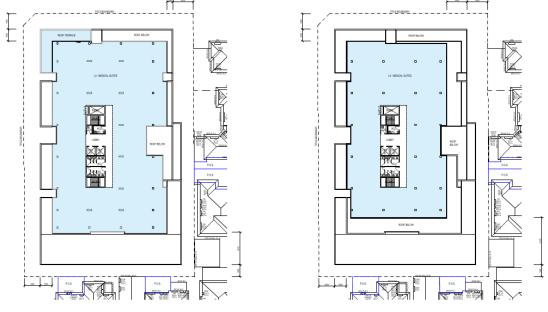
### Visual Bulk

The residential properties to the east, 1-3/2 Whitburn Street, and 1-3/1 Hourigan Avenue, are each developed with three single-storey villa units. The interface with the Whitburn Street property is alongside a driveway with the secluded open space of No 3/2 Whitburn facing the site. Further south along the eastern boundary, the site adjoins the secluded open space of No 2/1 Hourigan Avenue.

The proposed building adopts a 3.13-metre setback for the first two floors, stepping to minimum of 6.68 metres at the two levels above, and a minimum of 10.328 metres for Level 4. At the upper Levels 2 - 4 the setback varies and provides a substantial central break with a setback of 12.45 metres and a second break setback 7.7m for levels 2 and 3. The setbacks and positioning of the central break provides for transition to the lower scale development of the adjoining properties and has been positioned to reduce overshadowing the SPOS of both properties facing the building.



(Image above – west to east sectional diagram and adjoining property at 2 Whitburn Street

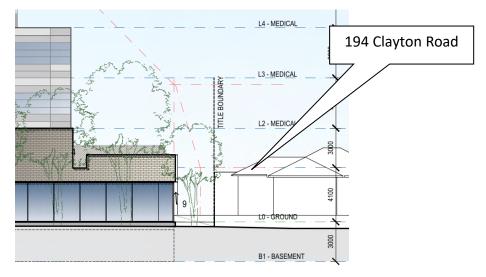


(Image above fourth and fifth floors)

The property to the south at No. 194 Clayton Road is developed with two single-storey villa units which have secluded open space for each dwelling positioned to the north alongside the shared boundary facing the subject site. The treatment of the building at the southern interface has been resolved with a minimum setback of 3 metres and stepping back of the upper levels to ensure no unreasonable overshadowing or visual bulk. The stepping of the upper levels is such that the building will present as 1.5 storeys at the southern interface. Along the southern boundary the carparking at Level 1 is open and located behind a brick wall and a 1.7-metre-high privacy screen. This provides a combined height for ground and first floors of 5.8 metres. The plan provides for setbacks of 11.8 metres for Levels 2 and 3 and a setback of 15.1 metres level 4 to mitigate visual impacts.



(Image above -north to south sectional diagram and adjoining property at 196 Clayton Road)



(Image above – southern interface)

The combination of generous setbacks that allow for planting of canopy trees, articulation fenestration and building materials will ensure that there is no unreasonable visual bulk.

Furthermore, the elevation snapshots above also show a dotted red line which is indicative of the side setback requirements if this were a residential development. In each case setbacks comply with the residential setback standard.

# **Overshadowing**

The revised plans and stepped form of the development address the impact of overshadowing to the secluded private open space (SPOS) of adjoining properties. Whilst the adjoining properties are also within the Residential Growth Zone, the properties should be afforded continued residential amenity with the consideration of more intensive development. Although not applicable to a non-residential development, the overshadowing criteria of Standard B21 of Clause 55.04-5 that require maintaining five hours of solar access between 9am and 3pm on 22 September can be a guide for assessment.

The property to the south at 194 Clayton Road has the SPOS of both dwellings facing the site. The shadow diagrams demonstrate that the SPOS of both properties are affected by the existing boundary fence but will maintain the provision of at least 5 hours of sunlight to the private open spaces at 1/194 and 2/194 Clayton Road. The development will cast an area of 3.44m2 additional shadow in the morning at 9.00am to the SPOS of No /1/194 Clayton Road with no additional shadows cast to 2/194 Clayton Road. This is satisfactory and would meet the Rescode requirement.

The open space to the properties to the east are not adversely affected between 9.am and 2pm due to the setbacks of the building with recessed levels and the increased central recessed section of the upper levels discussed above. The shadow diagrams demonstrate that the proposal will cast minor additional shadows past the shadows cast by the existing

eastern boundary fence, maintaining provision of at least 5 hours of sunlight to the private open spaces at 3/2 Whitburn Street and 2/1 Hourigan Avenue. Most of the additional shadow will fall across the common property driveway area of 2 Whitburn Street and the buildings at 1 Hourigan Avenue at 2.00pm. An increase in shadows will be cast to the SPOS of No 2/1 Hourigan Avenue after 3.00pm, however this space is not affected before 3.00pm.

The proposal complies with the Clause 55 standard, and it is considered that the development will not cause an unreasonable overshadowing impact.

### **Overlooking**

Whilst the planning scheme does not specify measures for overlooking for a non-residential development, the standards of Clauses 55 can be used as a guide for assessment ensuring developments do not adversely impact the privacy of the secluded open space and habitable room windows of adjoining properties and allay the concerns raised by objectors. The development proposes the following to address overlooking to adjoining properties to the east and south of the site:

Eastern elevation:

- The brick podium on the lower two floors provides for limited openings for windows to the car park on Level 1. A section of solid wall is proposed opposite the windows of No 2/1 Hourigan Avenue with openings located toward the northern end of the building (toward Whitburn Street) and mid-way along the building opposite the SPOS of adjoining. The openings toward the front of the building will not impact SPOS and do not require screening. The openings mid-way along the building are opposite the SPOS of adjoining with a notation on the floor plan that the openings are to be provided with a combination of perforated aluminium panels and brickwork to 1700mm, but this is not shown on the elevation plan. This should be clarified as a permit condition.
- Overlooking diagrams show outlook with screening to 1700mm from the floor levels 2 and 3 of but this has not been shown on the elevation plans as the plans nominate a combination of clear and spandrel (opaque) glazing panels to the windows along the eastern elevation. The elevation plans do not nominate the opaque glazing with a sill height of 1700mm and appear more of an architectural response than for screening. Opaque glazing with sill heights to 1700mm will need to need to be shown for the windows opposite the SPOS areas but is not required for the windows over the driveway.
- The windows to Level 4 are setback a minimum of 10 metres from the boundary and if assessed as a residential development would not require screening under Rescode. As discussed above the plans nominate a combination of clear and spandrel (opaque) glazing panels to the windows along the eastern elevation and adjacent to the SPOS. As this is a commercial development it would seem reasonable to require screening to prevent any direct or perceived overlooking into SPOS. This could be addressed

<sup>186-192</sup> Clayton Road, Clayton - Use and Development of a Five Storey building for the use of a Medical Centre, Food and Drinks Premises and Shop in the Specific Control Overlay (SCO15), Reduction in the Standard Car Parking Requirement and Alteration of Access to a Road in a Transport Zone 2

by a permit condition requiring the provision of a horizontal fin or equivalent screening measure to prevent downward views over the adjoining SPOS.

Southern elevation:

- Screening to 1.7 metres is proposed to the open section of the first-floor car park to the south, east and west.
- Overlooking potential for floors above this level is restricted by the building being setback a minimum of 11.3 metres from the boundary with windows treated as for the eastern elevation with a combination of clear and opaque glazing. However, the same requirement as discussed for the eastern elevation is recommended to be applied to the south facing windows to protect the amenity to the SPOS of 196 Clayton Road.

### <u>Noise</u>

The proposed hours of operation for the medical centre which are Monday to Friday, 8am-7pm, and Saturday 8am-1pm are considered reasonable for a medical centre and consistent with other established facilities.

The commercial tenancies propose the same hours during the week but are to extend beyond the operating hours of the medical centre to open from 8am -5pm on both Saturday and Sunday.

This is considered acceptable as will not result in any operation during evening hours. The location of the café and pharmacy which will be open on a Sunday is facing the main road, central to the consolidated site and not adjacent to any dwellings which will minimise any impact the residential properties.

Concerns have been raised by objectors concerning noise associated with development including vehicle movement in the carpark and impact on residential properties.

To ensure compliance with EPA noise guidelines, an Acoustic Report will be required to be prepared by the applicant as a condition of any Permit issued.

However, it is considered that the impact of noise associated with the development has been minimised as follows:

- Access to the basement car park is approximately 10 metres from the boundary of No 2 Whitburn Street.
- The Waste Management Plan (WMP) provides the bin and recycling space and collection by the waste truck within the enclosed ground floor car park. Hours of collection have been nominated in the WMP to be undertaken outside of peak AM and PM periods to minimise disruption to traffic entering and exiting the site (between 10.00am and 3.00pm). Nominated hours are between 7.00am – 8.00pm Monday to Friday and between 9.00am and 8.00pm Weekends and Public Holidays.

<sup>186-192</sup> Clayton Road, Clayton - Use and Development of a Five Storey building for the use of a Medical Centre, Food and Drinks Premises and Shop in the Specific Control Overlay (SCO15), Reduction in the Standard Car Parking Requirement and Alteration of Access to a Road in a Transport Zone 2

It is considered the hours should be amended to be consistent with operating hours of the medical centre and this will be a condition on permit.

- Any potential noise associated with the screeching of vehicle tyres will be suppressed by enclosing the majority of the carpark within brick walls and providing limited openings. However, the acoustic report will confirm if any further treatment is required to these openings and ensure compliance with EPA noise guidelines.
- There is to be no plant or machinery located along the landscaped setback areas with the plant room provided at roof top. The plant room is located centrally on the roof with a minimum setback of 20 metres from both the eastern and southern boundary and is to be enclosed within steel louvres and can be acoustically treated by way of condition.

### **Landscaping**

The proposed Landscaping Plan provides appropriate landscaping around the medical centre building to soften the built form and contribute to the Garden City character objectives. The Landscape Plan includes:

- The 4-metre setback along Clayton Road will provide one main entrance and two smaller entries providing planting between the entries to accommodate a total 11 trees with a mature height of between 11 and 13 metres.
- The 4-metre setback to Whitburn Street provides for 5 canopy trees with a height of between 11 and 13 metres with one pedestrian entrance provided.
- The entrance to the basement is approximately 10 metres from the eastern boundary with an area of approximately 40m2 provided in the front setback that can accommodate two new trees and ensure clearance from the existing street tree. An additional area is provided the western side of the vehicle entrance and the pedestrian entrance to accommodate one tree. These areas soften the presentation and minimise the appearance of hard surfacing.
- The development provides a landscaped buffer from the adjoining residential properties as follows:
  - The setback to the eastern boundary (rear) varies from 5.2m to 3m and provides for the planting of 4 native canopy trees with a mature height of 10 metres and a further 10 trees with mature height of between 7 metres. The larger, native trees have been planted toward the front of the building in the wider setback to be clear of the easement and provide higher canopy coverage toward Whitburn Street. A condition will be required to ensure that all trees planted are clear of the easement.
  - The 3-metre setback to the southern boundary (side) provides for 9 trees with a mature height of 7 metres. These trees will provide for landscape screening for the building that has a reduced height along this interface.

The development proposes the removal of existing vegetation on all four allotments. Although the removal of vegetation does not trigger a permit as the site is not within a VPO, the retention of existing vegetation is encouraged in the schedule to the zone and Council's Garden City Objectives.

A total of 72 trees are located across the four lots. The majority of the trees on the site have been identified as of low arboricultural value (many of weed species) by Council's Arborist as discussed in the referral section of this report. It is considered that two trees (lilly pillys) located within the south-west corner of the site (adjacent to 1/194 Clayton Road) could be retained within the proposed setbacks.

There are no unreasonable encroachments proposed within the Tree Protection Zones of trees within adjoining properties. It is noted that hard paving initially proposed along the southern boundary of the site has been deleted to ensure impacts are minimised on trees in adjoining properties in accordance with Australia Standards. A Tree Management Plan condition will be required to be provided as a condition of the Permit ensuring that trees on adjoining properties and Council's street-trees are protected during construction.

Overall, the proposed Landscape Plan will provide a garden character to both streetscapes and soften views towards the lower levels of the building. The setbacks from the side and rear boundaries of a minimum of 3 metres are sufficient space for perimeter deep soil planting to the site's more sensitive residential interfaces. Whilst all trees are proposed to be removed from the site, it is considered that the replacement planting of 43 trees will be an improvement on existing landscape conditions as a large number of existing trees on site have a low arboricultural value, as determined by Council's Arborist. The proposed 43 trees will be a positive contribution to the desired garden city character. A condition will also require the retention of two of the trees (lilly pillys) adjacent to the southern boundary and tree protection measures for trees on adjoining properties and street trees. These two trees have been identified as medium retention value by Council's Arborist. The generous planting schedule assists in whilst balancing the objectives of high-density development in the residential growth zone and vision of the Clayton Precinct Plan with the garden character objectives.

Subject to the Landscape Plan being updated and the planting schedule being revised to incorporate more native species along the two street setbacks, the retention of two trees and the trees proposed along the eastern boundary (to be clear of the easement), the proposed landscaping will satisfy the garden city character objectives and the schedule to the zone.

### Car Parking, traffic, and access

The site is located within the Principal Public Transport Network (PPTN). The requisite car parking spaces required under Clause 52.06 are shown in the following table with the proposal having a shortfall of 4 spaces:

186-192 Clayton Road, Clayton - Use and Development of a Five Storey building for the use of a Medical Centre, Food and Drinks Premises and Shop in the Specific Control Overlay (SCO15), Reduction in the Standard Car Parking Requirement and Alteration of Access to a Road in a Transport Zone 2

Use	Floor Area	Clause 52.06 Requirement	Car spaces required	Car spaces provided	Shortfall
Medical Centre	3,983 sqm	3.5 spaces to each 100 sqm of leasable floor area 1	139 spaces	139 spaces	Zero
Shop/Pharmacy	93 sqm	3.5 spaces to each 100 sqm of leasable floor area (2 spaces/ three bedroom	3 spaces	1 space	2 spaces
Café (Food and Drink premises)	109 sqm	3.5 spaces to each 100 sqm of leasable floor area	3 spaces	1 space	2 spaces
Total			144 Spaces	141 spaces	4 spaces

The application provides the requisite number of spaces for the medical use and is seeking a reduction in the number of spaces associated with the cafe and pharmacy. In support of the request the applicant's Traffic Impact Assessment has found:

- There is a high likelihood of multipurpose trips given the sites' location within the Clayton Activity Centre Precinct and an expected increase in the number of medical and commercial developments.
- There is likely to be shared trips within the development, with visitors to the medical centre also utilising the pharmacy and café.
- Long-stay car parking is typically generated by staff, with staff parking for the pharmacy and café accommodated for on-site.
- The site is located within the PPTN and has good access to a range of public transport services with bus services operating from Clayton Station near the site. The development is within a 13-minute walk from the Clayton Railway Station and within a 100-metre walk from several bus lines, including the 631 Southland SC, Waverly Gardens SC bus line and the 733 Box Hill Oakleigh bus line.
- The development satisfies the requirements of the Planning Scheme for bicycle provision and end of trip facilities.

The development is expected to generate up to 262 vehicle movements to/from the site during the AM and PM peak hour period.

The development will provide for one central vehicle crossing to Whitburn Street and the removal of three vehicle crossings on Clayton Road with the Department of Transport and Planning advising of no objection.

The applicant's Traffic assessment anticipates that most of the traffic generated by the site will gain access via the intersection of Clayton Road and Whitburn Street rather than local streets and expects that most drivers will not attempt a right turn onto Clayton Road from Whitburn Street. The intersection has been assessed with capacity to cater for proposed traffic movements.

186-192 Clayton Road, Clayton - Use and Development of a Five Storey building for the use of a Medical Centre, Food and Drinks Premises and Shop in the Specific Control Overlay (SCO15), Reduction in the Standard Car Parking Requirement and Alteration of Access to a Road in a Transport Zone 2 Council's Traffic Engineers have no concerns with the proposed reduction of 4 spaces and the carparking layout. Permit conditions have been recommended including the need for a car parking management plan and ensuring that the at grade spaces are reserved for visitors and short-term parking. A further condition is required to provide for 300mm clearance for parking spaces located adjacent to wall to satisfy the design standards of Clause 52.06.

Loading activity associated with the café and pharmacy is anticipated to be carried out within the on-street carparking spaces on Whitburn Street, outside of peak times. Deliveries carried out by smaller vehicles, such as vans, may be undertaken within the ground level car park outside of peak times, subject car parking space availability.

### **Objections not Previously Addressed**

### Finished floor levels not provided for the ramp grades and accessways.

The Traffic Impact Report provided with the application has been assessed by Council's Traffic Engineers with permit conditions recommended to provide compliance with the design standards of Clause 52.06. Although the floor levels were not provided on the plans, the traffic report provided detailed SWEPT path analysis and the plans provided, internal floor to ceiling heights, overall heights and one sectional plan with ramp grades for assessment. A condition will be required to detail the ramp grades and finished floor levels on the elevation, floor plans and all relevant sections.

### Carpark Management

Objectors have raised that the plans and Traffic Impact Assessment have not clarified whether fees will be charged for the carpark with the concern that visitors will avoid the fees and park in local streets. As mentioned, a Car Parking Management Plan will be required as a condition on permit that will require that no fees are to be charged for visitors. The applicant has confirmed that the car park is to be secured at night and there is no intention of charging. The elevation plan nominates a panel door to the car park that has not been shown on the floor plan. A permit condition will require that the ground floor plan provides a panel door with a notation that the car park is to be locked after hours.

### Insufficient information for assessment of impact on adjoining properties.

Sufficient information has been provided with the application to determine impact on adjoining properties. For example, the advertised documents include a shadow analysis to demonstrate compliance with Rescode, elevations demonstrate compliance with Rescode side setback requirements. Furthermore, adequate information is provided on floor plans, cross sections and elevations to assess overlooking. The information provided allows for a full analysis of the proposal with permit conditions to address any areas of concern.

### Removal of trees from the site. No arborist report was provided with the application.

An Arborist report was provided by the applicant, however this was following notification of the application. The Arborist Report referred to original development plans which have since been amended. Council's Arborist attended the site and reviewed trees on the property worthy of retention which has been discussed in this report. A Tree Management Plan will be required to be provided as a condition of the Permit to ensure that trees identified to be retained on the site and within adjoining properties including Council's street-trees will be protected.

### Tandem car spaces will not be used.

There are 4 tandem spaces provided in the basement that will be required to be allocated to a single tenancy and for staff parking in the Car Parking Management Plan as a permit condition to ensure the spaces are utilised.

### Impact of car fumes to residential properties

The applicant has advised that any vehicle fumes would be managed by mechanical ventilation controlled by a Carbon Monoxide monitor located in the basement in accordance with the relevant Australian Standard. The monitor could be applied in parts of the ground and first floor car parks where the car parks are enclosed and would provide alternate ventilation rather than through the open areas of the car park. A condition on permit will require the location and mechanism of the venting system as this detail has not been provided.

### **CONCLUSION**:

The proposed use and development across a series of consolidated lots is consistent with increased density and height objectives and non-residential uses as envisaged by relevant provisions of the State, Regional and Local Planning Policy Framework.

The proposal provides a suitable response to the desired future character of the area. The height and scale of the development is in keeping with the objectives and strategies as outlined in the Residential Growth Zone Schedule 3 (RGZ3). The proposal meets the aspiration of the Clayton Activity Centre Precinct Plan in an area nominated as a medical precinct identified for more intensive development.

The contemporary architecture of the building achieves a good quality architectural outcome with suitable areas available for landscaping. Impact to existing residential properties has been managed with a transition of building height and massing to reduce to the most sensitive interfaces.

Car parking provision for the proposal is adequate and vehicular access and egress to the site are also satisfactory.

Overall, the proposal is considered appropriate; and it is recommended that a Notice of Decision to Grant a Permit be issued subject to conditions.

### LIST OF ATTACHMENTS:

Attachment 1 – Proposed Development Plans.

- Attachment 2 Aerial Photograph (February 2022).
- Attachment 3 Zoning and Overlays Map.
- Attachment 4 Objector Properties Location Map.

Attachment 1: 186-192 Clayton Road, Clayton



NORTH-EAST VIEW NOT TO SCALE



NORTH VIEW NOT TO SCALE



SOUTH WEST VIEW NOT TO SCALE

No. Date Revision By Chk 21.05.21 SKETCH DESIGN ISSUE SL SH 29.07.21 ISSUE TO CONSULTANTS SL SH 04.08.21 ISSUE TO CONSULTANTS SL SH 23.09.21 5 LEVEL SCHEME ISSUE SI SH

15.03.22 ISSUED FOR COUNCIL RFI 1 SL SH

30.09.21 CARPARKING AND SHOPS

17.12.21 ISSUED FOR PLANNING

12.11.21 ISSUED FOR ESD 19.11.21 ISSUED TO CONSULTANTS





NOT TO SCALE

SL SH

SH SH

SL SH



## CLAYTON ROAD ENTRY VIEW

## NORTH-WEST VIEW

				·
FLOOR	APPROX. GROSS FLOOR AREA	APPROX. NET LEASABLE FLOOR AREA	CAR PARK RATES	CAR PARK PROVIDED
	Total floor area of a building which includes all roofed areas	The total floor area of all floors of all buildings on a site. It does not include the area of stairs, accessways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.		
BASEMENT	2038 M <sup>2</sup>			66 CARS
GROUND FLOOR	2073 M <sup>2</sup>	TENANCY 1 - 164 M <sup>2</sup> TENANCY 2 - 93 M <sup>2</sup> TENANCY 3 - 109 M <sup>2</sup> TENANCY 4 - 254 M <sup>2</sup>	TENANCY 1 @ 3.5/100M <sup>2</sup> = 6 TENANCY 2 @ 1/100M <sup>2</sup> = 1 TENANCY 3 @ 1/100M <sup>2</sup> = 1 TENANCY 4 @ 3.5/100M <sup>2</sup> = 9	17 CARS 8 EV STATIONS 28 BICYCLES TOTAL 9 VERTICAL STAFF 2 HORIZONTAL STAFF 9 VERTICAL VISITOR 8 HORIZONTAL VISITOR 2 MOTORBIKE
LEVEL 1 - CAR PARK	2041 M <sup>2</sup>			58 CARS 3 MOTORBIKES
LEVEL 2	1518 M <sup>2</sup>	1339 M <sup>2</sup>	1339 @ 3.5/100M <sup>2</sup> = 47	-
LEVEL 3	1447 M <sup>2</sup>	1269 M <sup>2</sup>	1269 @ 3.5/100M <sup>2</sup> = 44	-
LEVEL 4	1126 M <sup>2</sup>	957 M <sup>2</sup>	957 @ 3.5/100M <sup>2</sup> = 33	-
LEVEL 5 - ROOF/PLANT	-	-		-
TOTAL	10243 M <sup>2</sup>	4185 M <sup>2</sup>	141 CARS	141 CARS

No.	Date	Revision	Ву	Chk	Pr
J	20.07.22	PLANNING REVISION 1	SL	SH	
K	26.08.22	PLANNING REVISION 2 - DRAFT	SL	SH	— N
L	07.09.22	PLANNING REVISION 2 - DRAFT 2	SL	SH	— IV
М	22.12.22	URBAN DESIGN UPDATE 1	SL	SH	_ 1
Ν	20.01.23	URBAN DESIGN UPDATE 2B	SH	SH	
0	16.02.23	ISSUED TO CONSULTANTS	SH	SH	_
Р	09.03.23	ISSUED TO CONSULTANTS	SL	SH	
				-	

Project **MEDICAL HUB** MEDICAL CENTRE 186-192 CLAYTON ROAD CLAYTON

Drawing TITLE PAGE & KEY PERSPECTIVES

Date Created

Drawing Scale

13.05.2021

1:500

## MEDICAL CENTRE 186-192 CLAYTON ROAD, CLAYTON

## DRAWING REGISTER

SHEET NO.	DRAWING NAME
ADD-000	TITLE PAGE AND KEY PERSPECTIVES
ADD-001	SITE ANALYSIS & PHOTOGRAPHS
ADD-100	EXISTING & PROPOSE SITE PLAN
ADD-120	PROPOSED L0 BASEMENT AND L0 GROUND PLAN
ADD-121	PROPOSED L1 AND L2 PLAN
ADD-122	PROPOSED L3 AND L4 PLAN
ADD-123	PROPOSED L5 PLANT ROOM AND ROOF PLAN
ADD-220	PROPOSED ELEVATIONS
ADD-320	PROPOSED SECTIONS - SHEET 1
ADD-321	PROPOSED SECTIONS - SHEET 2
ADD-900	SHADOW PLANS 9AM - 11AM
ADD-901	SHADOW PLANS 12PM - 3PM
ADD-902	SHADOW PLANS 9AM
ADD-903	SHADOW PLANS 10AM
ADD-904	SHADOW PLANS 11AM
ADD-905	SHADOW PLANS 12PM
ADD-906	SHADOW PLANS 1PM
ADD-907	SHADOW PLANS 2PM
ADD-908	SHADOW PLANS 3PM

## **DESIGN RESPONSE**

## PREMIUM MEDICAL SUITES

With an ever-increasing need in Melbourne for accommodation for high quality medical providers, we have designed a building type that will suit future medical providers' needs into the twenty first century. The proposal has been designed to provide premium tenancy space for medical and associated usages. The building is a five-storey structure above ground with an additional basement level below ground. 141 car spaces have been provided on site, housed within the lower three floors. The top three floors are allocated to medical suites and the floors are open plan to allow for flexible future usage. Half of the ground floor, facing Clayton Road, has been allocated to tenancies that have a medical or allied usage.

## PRECINCT PLAN

Allocation of space to medical suites, carparking and allied services have been fine turned to optimise a proposal that not only meets Council's stated planning requirements but furthermore, provides a response to Council's desire to allow taller medical buildings in the Clayton Road precinct.

## LOCATION

Situated on the East side of Clayton Road, the proposal has a relevant proximity to the Monash Hospital precinct located 300m to the South.

## SITE

The project incorporates four housing lots into one larger site of 2898m2 that allows for a responce to Council's Precinct plan that recommends specialised health and medical usage adjacent to the Monash Hospital. Being in close proximity to the Monash Hospital precinct, this large site lends itself to the proposed allied medical usage.

## USAGE

We have allocated four tenancies facing Clayton Road to assist in activating the street. The ground floor tenancy will offer a mixture of medical and allied usages, such as a café and pharmacy. Carparking access for both staff and visitors is situated from Whitburn Street to reduce traffic congestion on Clayton Road.

## ESD

Consideration has been provided for electric vehicle charging stations on site, as well as bike parking spaces. An End-of-trip facility with secure vertical and horizontal bike parking is provided for staff. Vertical and horizontal bike parking is also provided for visitors, they are located adjacent to the staff bike room, at the entry to the staff bike room and at the main building entry.

## LANDSCAPING

The design will benefit from the four metres front setbacks with an abundance of garden beds that allow for mature canopy trees to both Clayton Road and Whitburn Street. The site has a multitude of trees that will reach a height of 10 meters at maturity. The proposal also includes two new trees on the public nature strip on Whitburn Street.

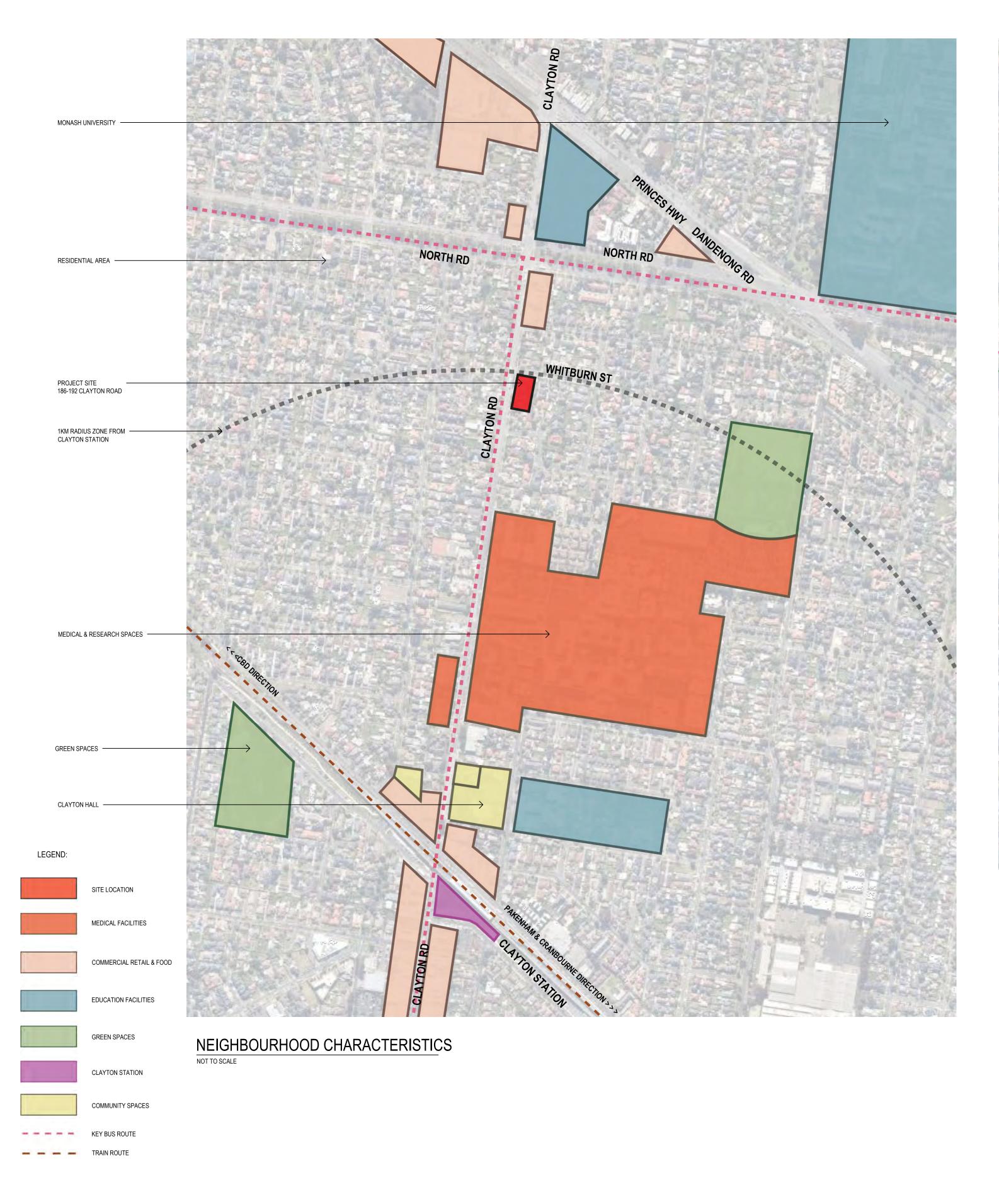
## CONTEXT AND MATERIALS

The surrounding neighbourhood was built post WW2 and is characterised by housing constructed with pale yellow bricks and large windows. We have used these two signifying elements for the lower brick podium to provide a modern building that is sympathetic to the surrounding neighbour in terms of materiality. The upper floors use glass to reflect the colours from the sky, and to appear recessive.

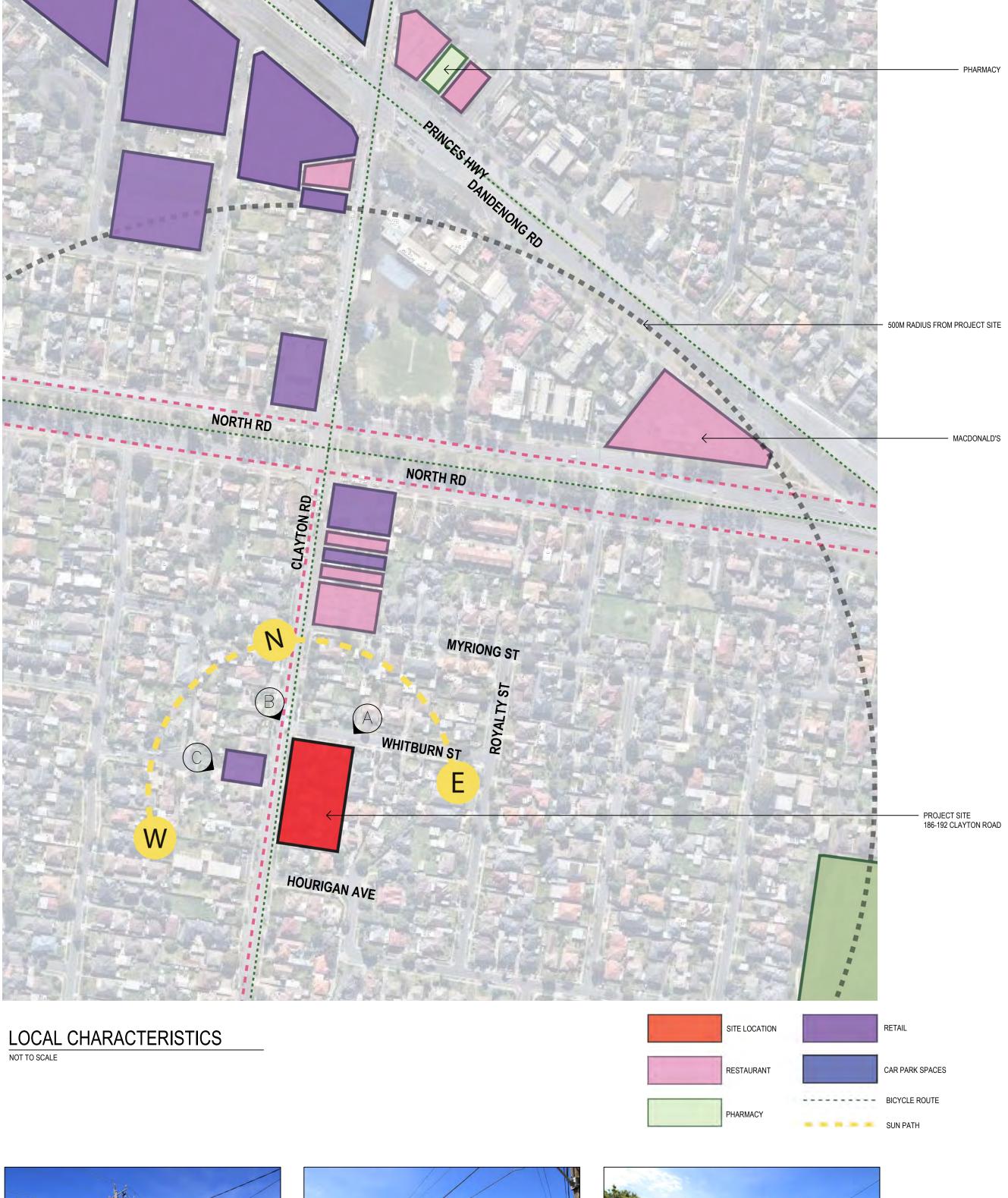
## OVER SHADOWING AND OVERLOOKING

The building has been stepped to reduce its impact on the neighbouring residential allotments. Setbacks recommended by Council's Precinct plan have been adhered to and further setbacks have been increased to reduce shadows cast onto the neighbours' windows and private open space. The building acknowledges the existing residential neighbours to the east and south with privacy being provided with the use of screening to ameliorate overlooking issues.

rawn SL/LL	Checked SH	Reg no. –	HATZ PTY. LTD ACN: 068 707 308 202 / 9-11 Claremont Street South Yarra VIC 3141 Australia T +61 3 9867 3444			T itects
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				Architecture	Urban Design	Interiors



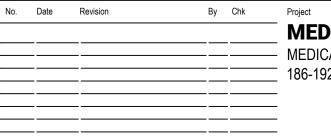
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	В	17.12.21	ISSUED FOR PLANNING	SL	SH		
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MEDICAL HUB — MEDICAL CENTRE 186-192 CLAYTON ROAD CLAYTON



Drawing Scale

Drawing SITE ANALYSIS PHOTOGRAPHS Date Created Scale 15.11.2021 -

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L.	SH	-	ACN: 068 707 308
			202 / 9-11 Claremont Street
			South Yarra VIC 3141
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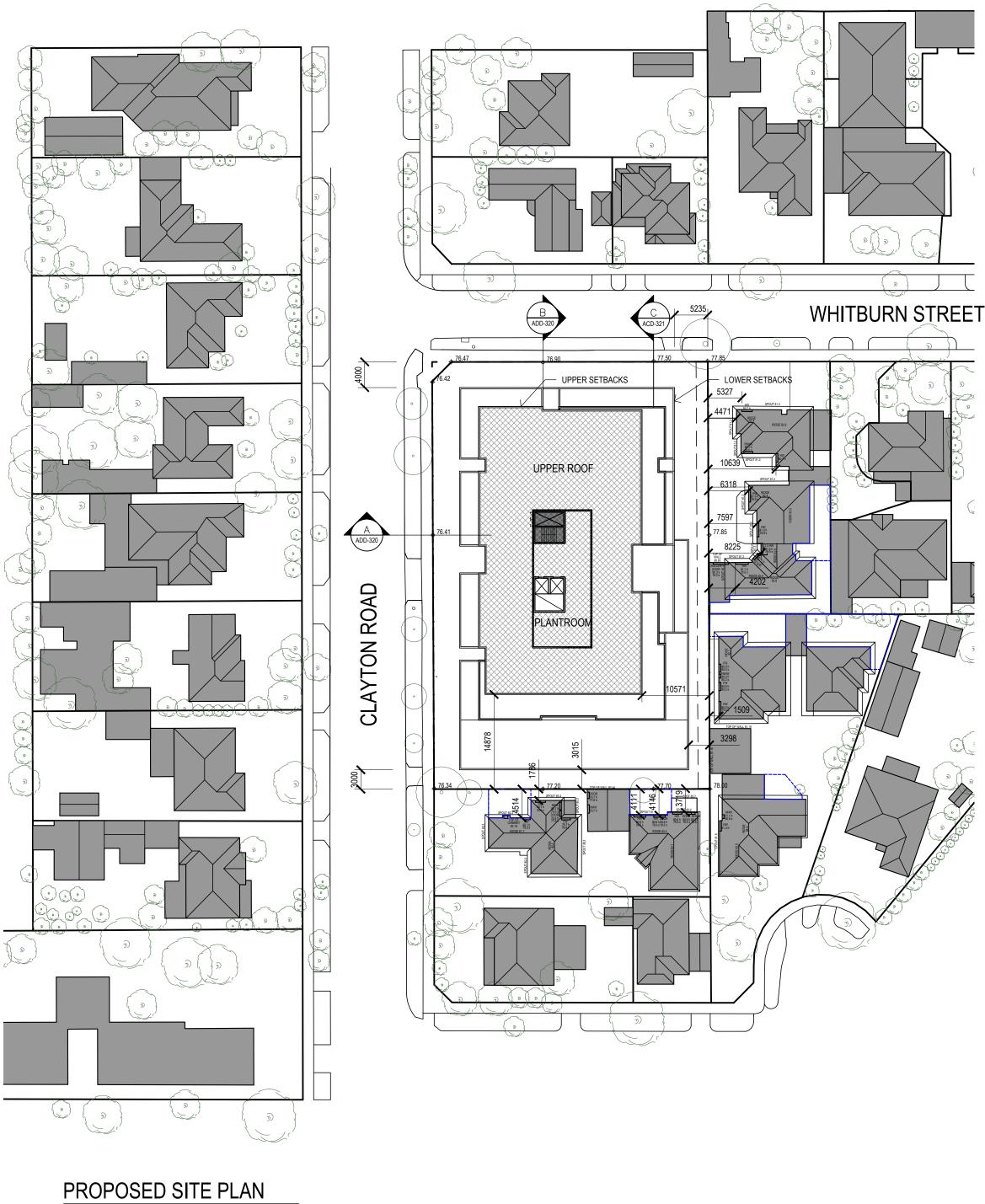


Architecture Urban Design Interiors





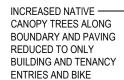
			. Dat	e Revision	Ву	Chk	No.	Date
LEGEND		А	21.	5.21 SKETCH DESIGN ISSUE	SL	SH	J	22.12.22
		В	29.	7.21 ISSUE TO CONSULTANTS	SL	SH	K	16.02.23
HW	HABITABLE WINDOW	С	12.	1.21 ISSUED FOR ESD	SH	SH		
NHW	NON HABITABLE WINDOW	D	19.	1.21 ISSUED TO CONSULTANTS	LL	SH		
FW	FROSTED WINDOW	E	17.	2.21 ISSUED FOR PLANNING	SL	SH		
FNHW	FROSTED NON HABITABLE WINDOW	F	15.	3.22 ISSUED FOR COUNCIL RFI 1	SL	SH		
		G	20.	7.22 PLANNING REVISION 1	SL	SH		
		н	25.	8.22 PLANNING REVISION 2 - DRAFT	SL	SH		
		1	07.	9.22 PLANNING REVISION 2 - DRAFT 2	SL	SH		

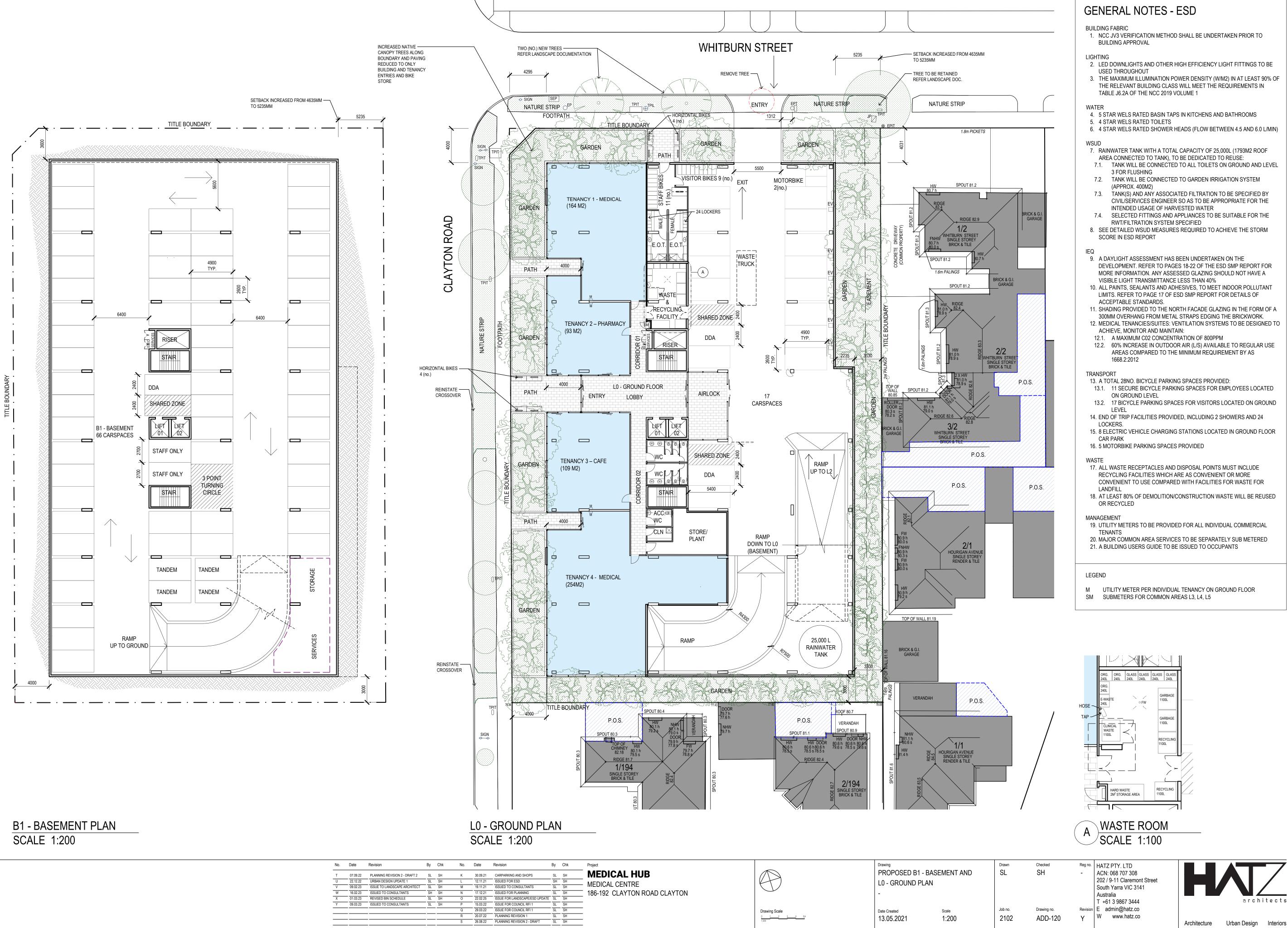


SCALE 1:500

No.	Date	Revision	By Chł	Project		Drawing
J	22.12.22	URBAN DESIGN UPDATE 1	SL SH	MEDICAL HUB		EXISTING & PROPOSED SITE PLAN
K	16.02.23	ISSUED TO CONSULTANTS	SH SH	—— MEDICAL CENTRE	(FT)	
				186-192 CLAYTON ROAD CLAYTON		-
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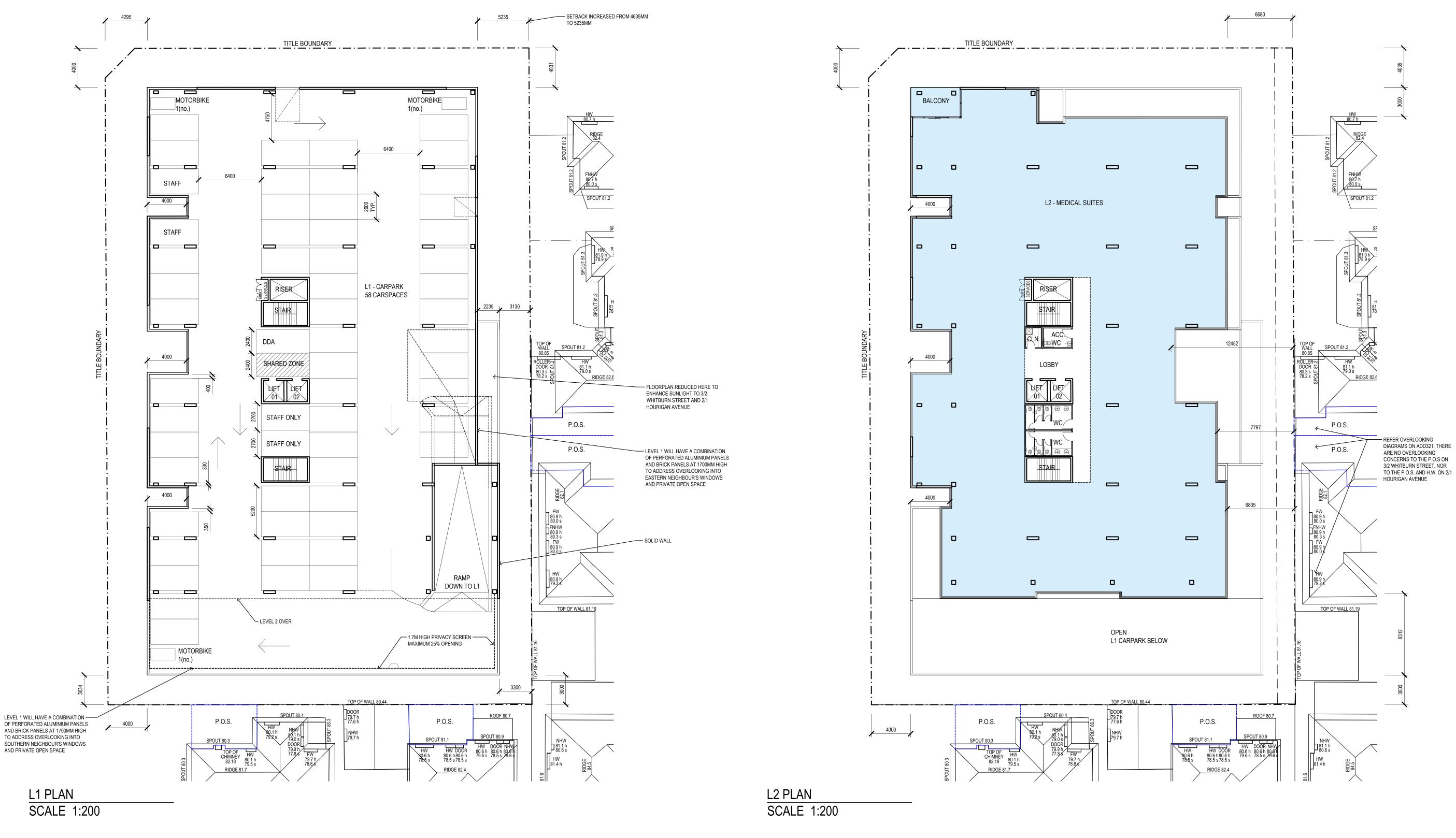
Drawn SL	Checked SH	Reg no. -	HATZ PTY. LTD ACN: 068 707 308 202 / 9-11 Claremont Street South Yarra VIC 3141 Australia T +61 3 9867 3444	H	archi	tects
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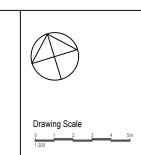


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т	07.09.22	PLANNING REVISION 2 - DRAFT 2	SL	SH
U	22.12.22	URBAN DESIGN UPDATE 1	SL	SH
V	09.02.23	ISSUE TO LANDSCAPE ARCHITECT	SL	SH
W	16.02.23	ISSUED TO CONSULTANTS	SH	SH
Х	01.03.23	REVISED BIN SCHEDULE	SL	SH
Y	09.03.23	ISSUED TO CONSULTANTS	SL	SH
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13.05.2021	

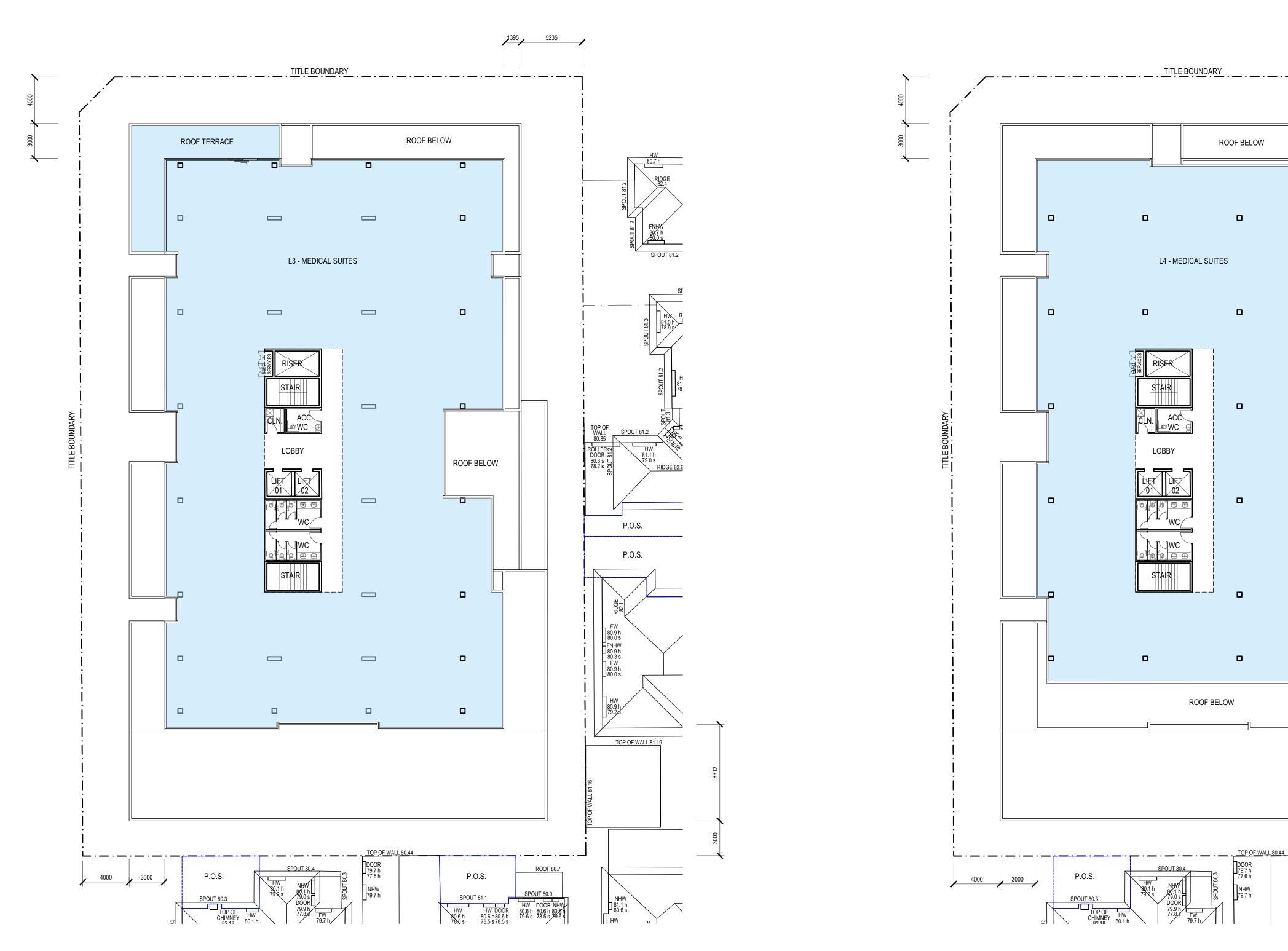


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В	07.06.21	RAMP UPDATE	SL	SH	K	17.12.21	ISSUED FOR PLANNING	SL	SH	
С	02.07.21	RAMP UPDATE	SH	SH	L	15.03.22	ISSUED FOR COUNCIL RFI 1	SL	SH	— MEDICAL CENTRE
D	09.07.21	RAMP UPDATE	SL	SH	М	20.07.22	PLANNING REVISION 1	SL	SH	186-192 CLAYTON ROAD CLAYTON
E	29.07.21	ISSUE TO CONSULTANTS	SL	SH	Ν	26.08.22	PLANNING REVISION 2 - DRAFT	SL	SH	
F	04.08.21	ISSUE TO CONSULTANTS	SL	SH	0	07.09.22	PLANNING REVISION 2 - DRAFT 2	SL	SH	
G	23.09.21	5 LEVEL SCHEME ISSUE	SL	SH	Р	22.12.22	URBAN DESIGN UPDATE 1	SL	SH	
Н	30.09.21	CARPARKING AND SHOPS	SL	SH	Q	16.02.23	ISSUED TO CONSULTANTS	SH	SH	
Ι	12.11.21	ISSUED FOR ESD	SH	SH	R	09.03.23	ISSUED TO CONSULTANTS	SL	SH	



Drawing PROPOSED L1	AND L2 PLAN	Dr
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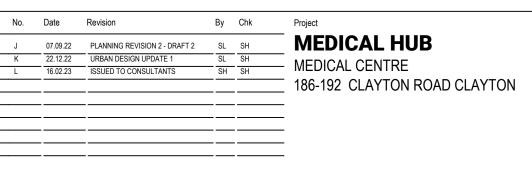


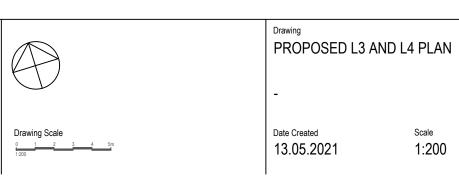


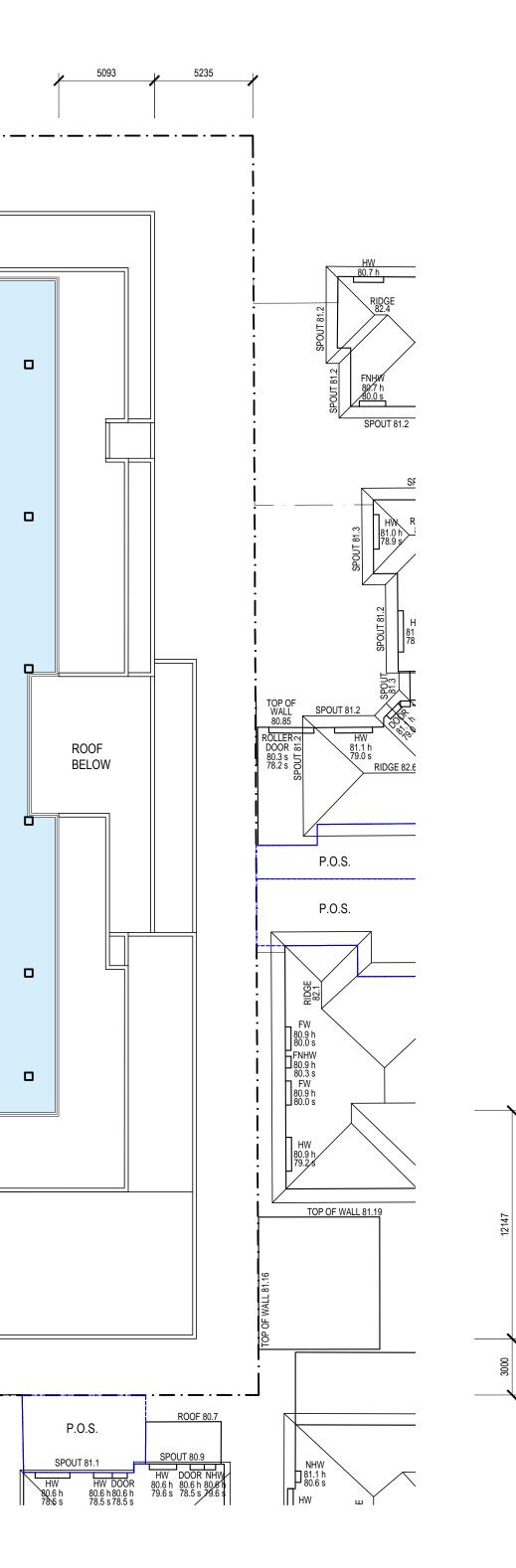
L3 PLAN SCALE 1:200

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В	29.07.21	ISSUE TO CONSULTANTS	SL	SH	
С	23.09.21	5 LEVEL SCHEME ISSUE	SL	SH	
D	12.11.21	ISSUED FOR ESD	SH	SH	
Е	19.11.21	ISSUED TO CONSULTANTS	SL	SH	
F	17.12.21	ISSUED FOR PLANNING	SL	SH	
G	15.03.22	ISSUED FOR COUNCIL RFI 1	SL	SH	
Н	20.07.22	PLANNING REVISION 1	SL	SH	
1	26.08.22	PLANNING REVISION 2 - DRAFT	SL	SH	

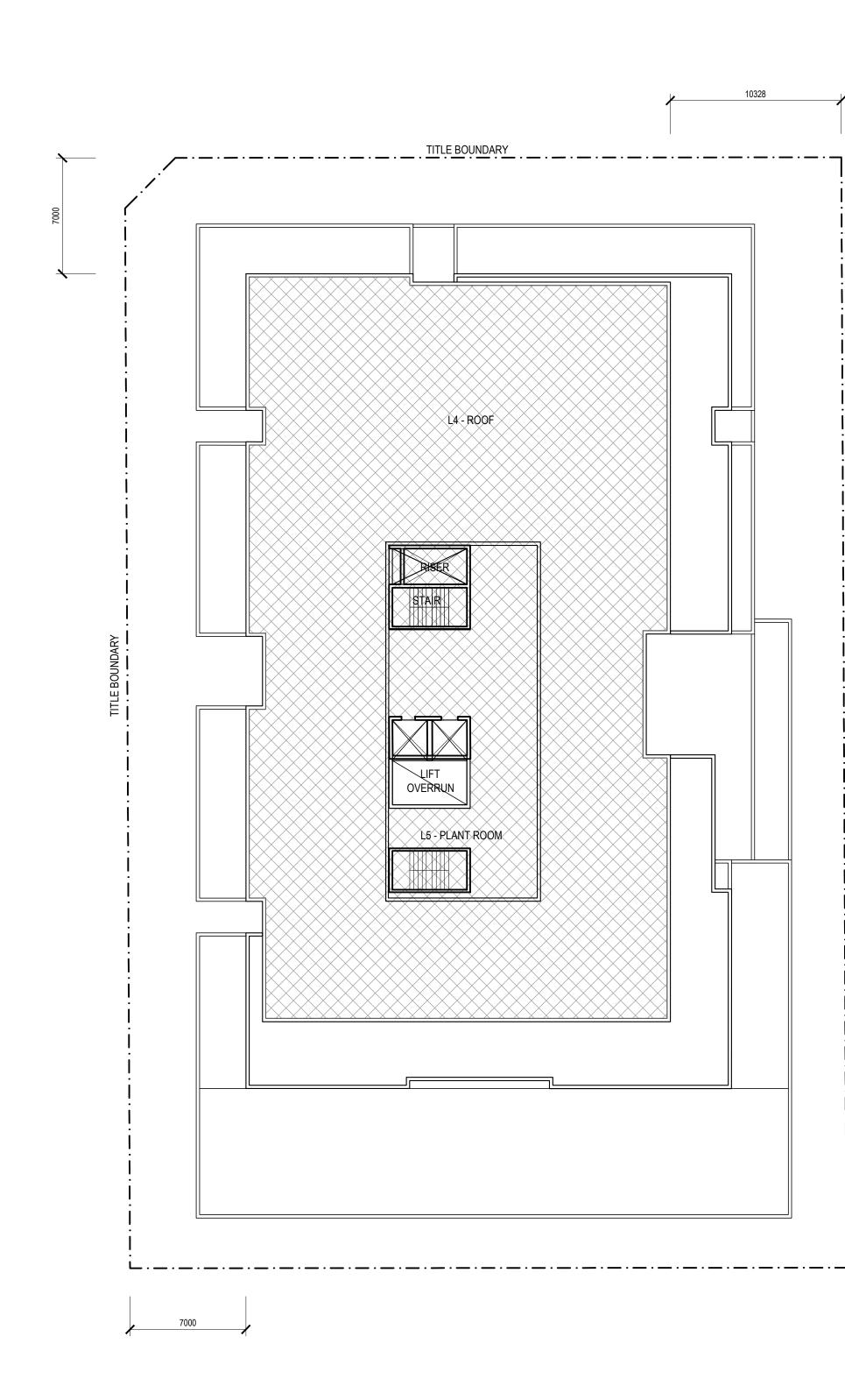






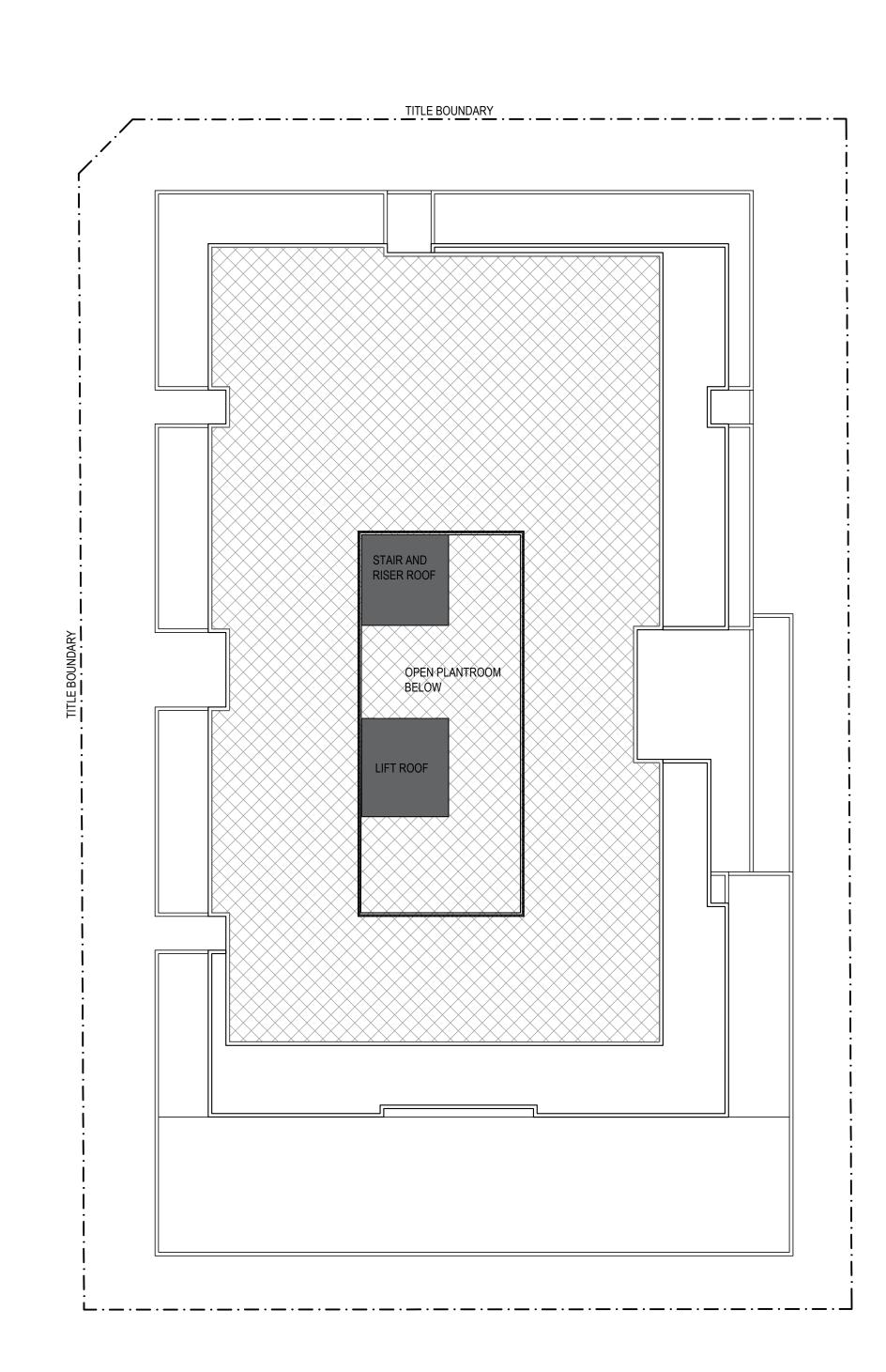






## L5 - PLANT ROOM PLAN SCALE 1:200

No.	Date	Revision	Ву	Chk
А	21.05.21	SKETCH DESIGN ISSUE	SL	SH
В	29.07.21	ISSUE TO CONSULTANTS	SL	SH
С	12.11.21	ISSUED FOR ESD	SH	SH
D	19.11.21	ISSUED TO CONSULTANTS	LL	SH
E	17.12.21	ISSUED FOR PLANNING	SL	SH
F	15.03.22	ISSUED FOR COUNCIL RFI 1	SL	SH
G	20.07.22	PLANNING REVISION 1	SL	SH
Н	26.08.22	PLANNING REVISION 2 - DRAFT	SL	SH
Ι	07.09.22	PLANNING REVISION 2 - DRAFT 2	SL	SH
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ROOF PLAN SCALE 1:200

).	Date	Revision	Ву	Chk	Project
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MEDICAL HUB
MEDICAL CENTRE
186-192 CLAYTON ROAD CLAYTON

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Drawing Scale

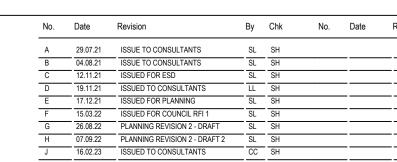
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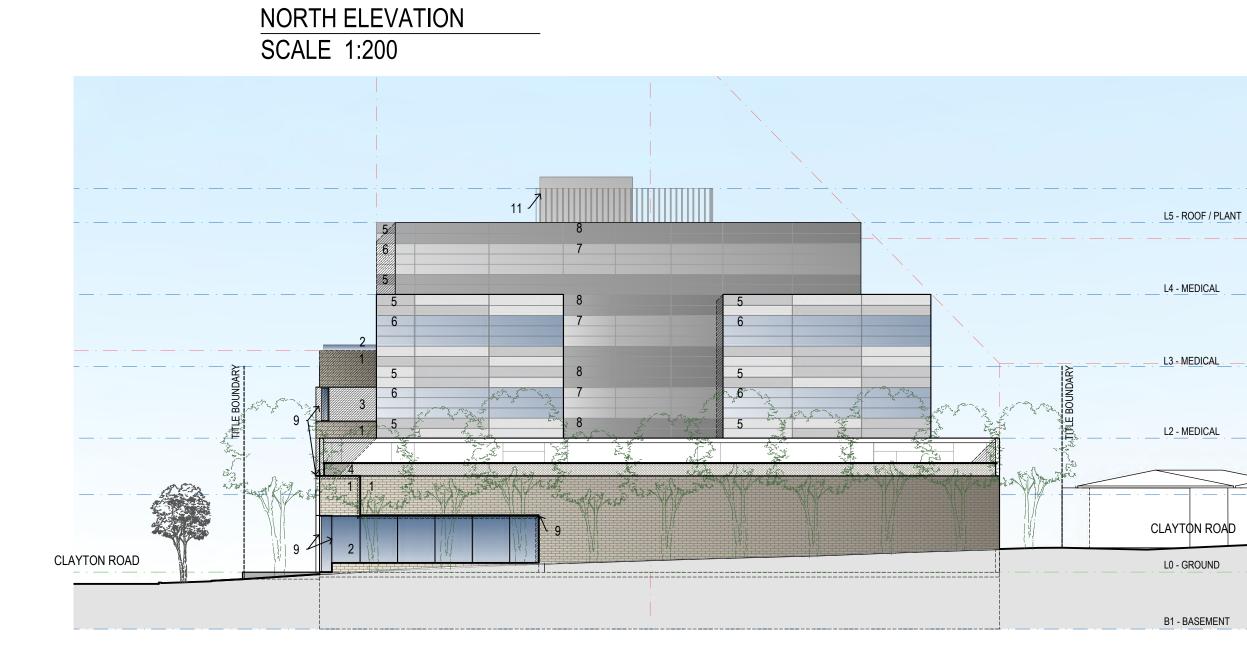
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ROOF PLAN	
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13.05.2021	1:200
	PROPOSED L5 - PLAN ROOF PLAN - Date Created

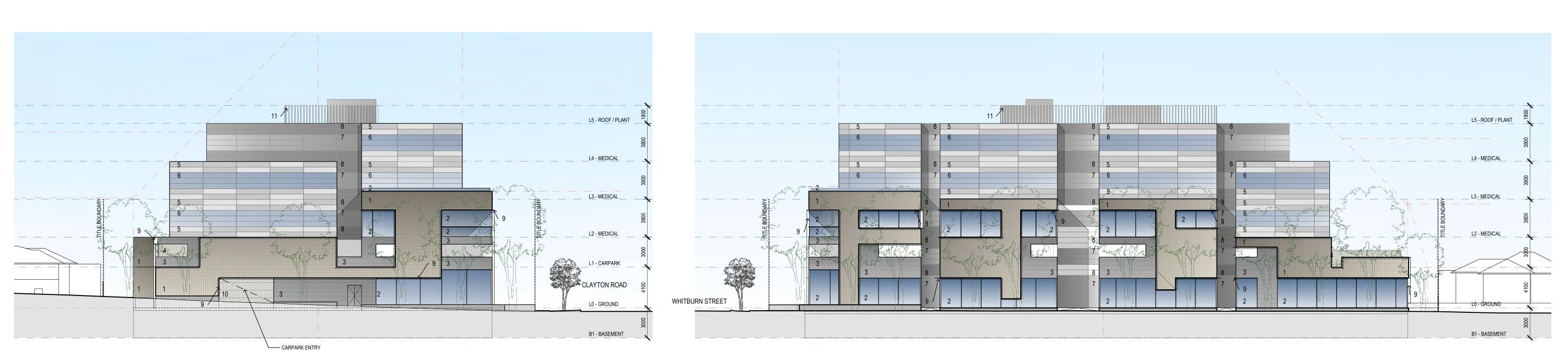


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SOUTH ELEVATION
SCALE 1:200



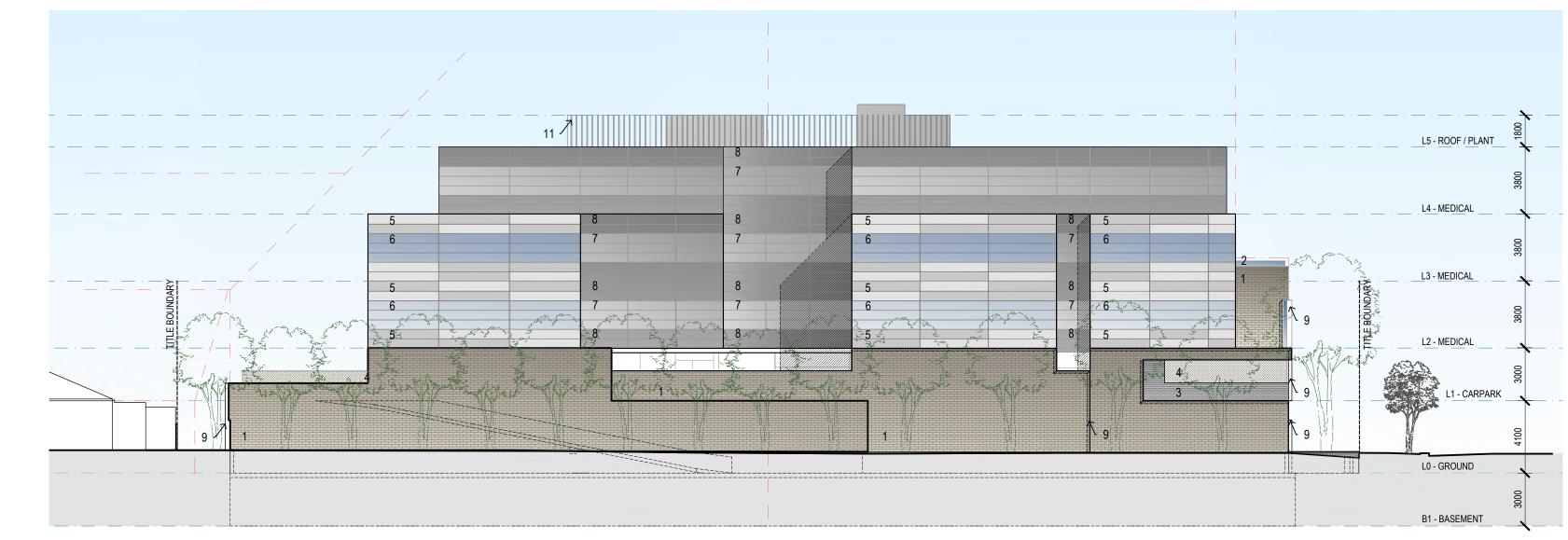






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## WEST ELEVATION SCALE 1:200

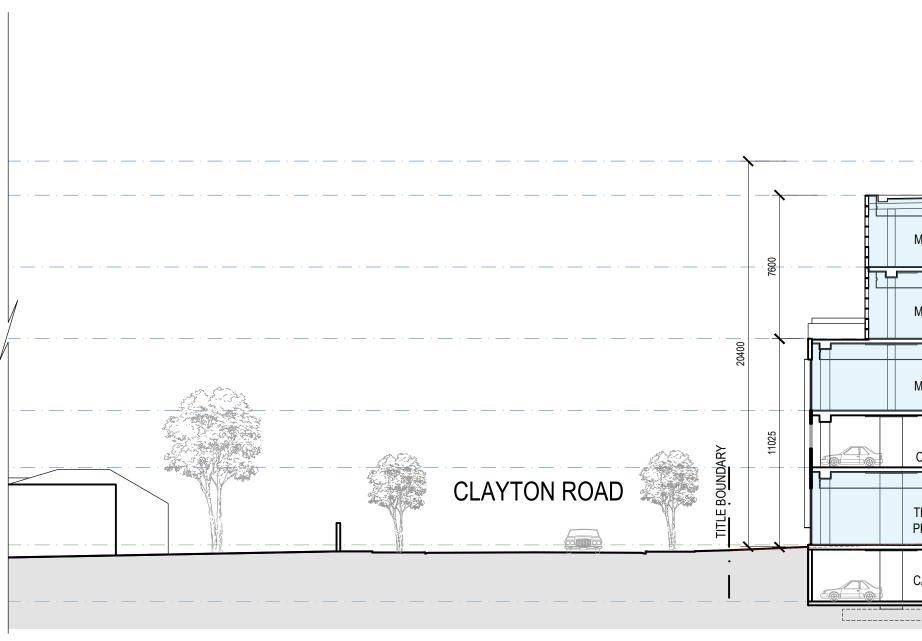


# EAST ELEVATION SCALE 1:200

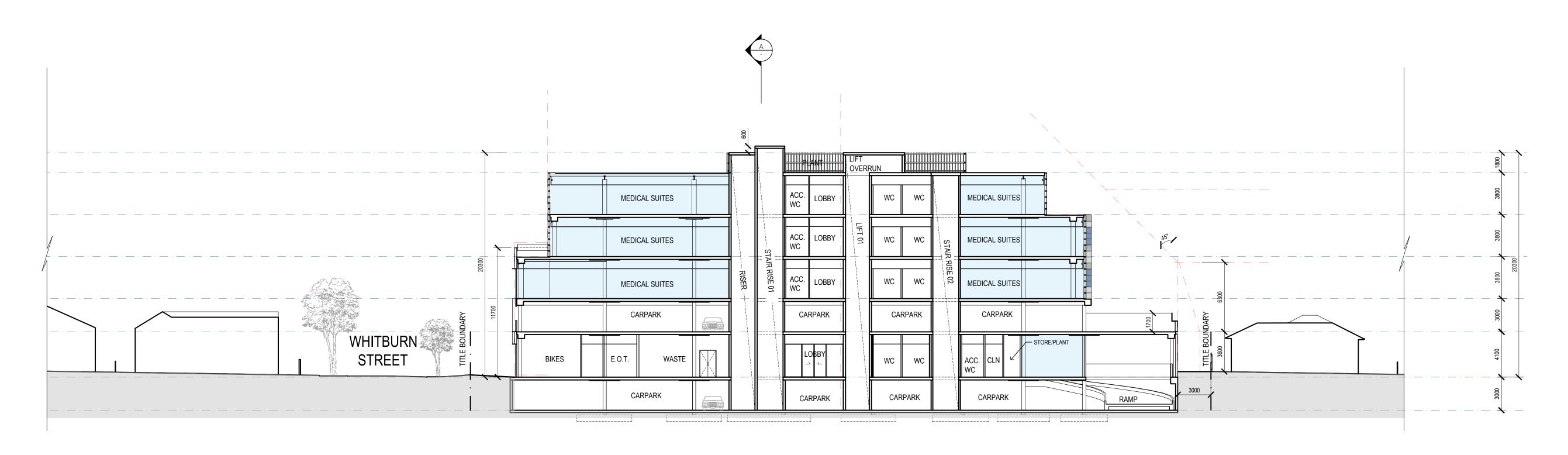
Revision	By Chk	Project
		MEDICAL HUB
		— MEDICAL CENTRE
		186-192 CLAYTON ROAD CLAYTON

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2102	ADD-220	J	W www.hatz.co	Architecture	Urban Design	Interiors



SECTION A-A SCALE 1:200



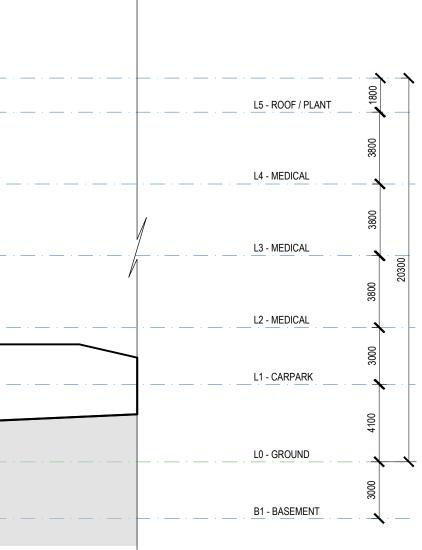
SECTION B-B SCALE 1:200

No.	Date	Revision	Ву	Chk
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В	29.07.21	ISSUE TO CONSULTANTS	SL	SH
С	23.09.21	5 LEVEL SCHEME ISSUE	SL	SH
D	12.11.21	ISSUED FOR ESD	SH	SH
E	19.11.21	ISSUED TO CONSULTANTS	LL	SH
F	17.12.21	ISSUED FOR PLANNING	SL	SH
G	15.03.22	ISSUED FOR COUNCIL RFI 1	SL	SH
Н	26.08.22	PLANNING REVISION 2 - DRAFT	SL	SH
1	07.09.22	PLANNING REVISION 2 - DRAFT 2	SL	SH

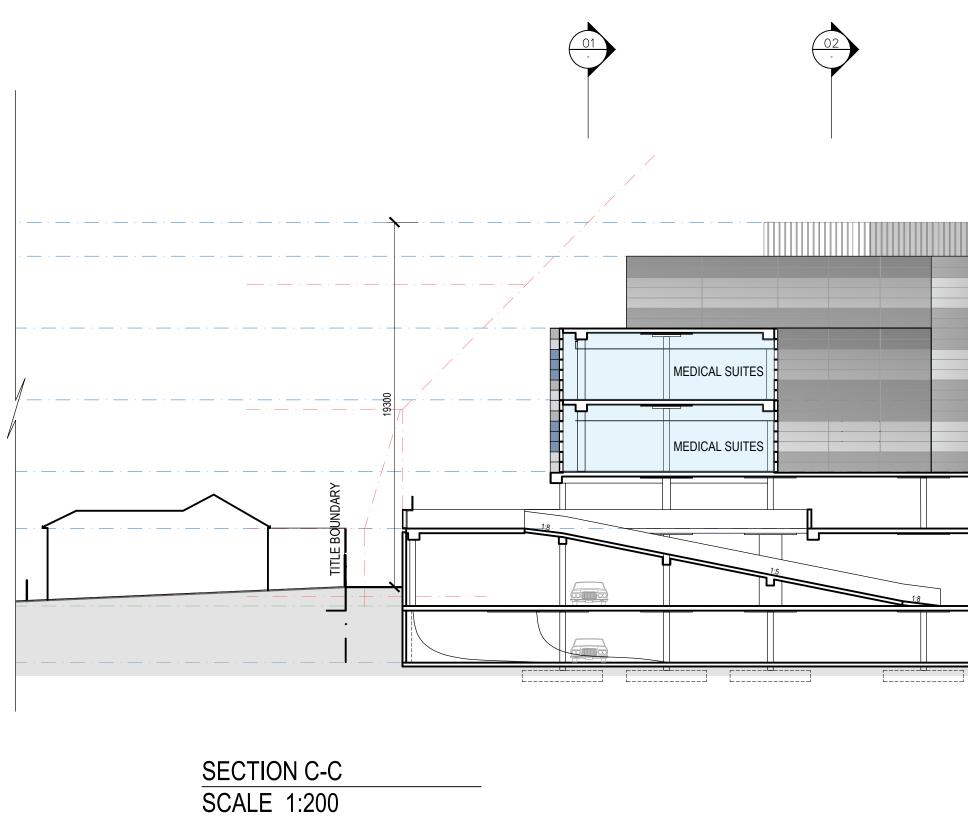
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CARPARK		CARPARK		
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CARPARK		CARPARK		

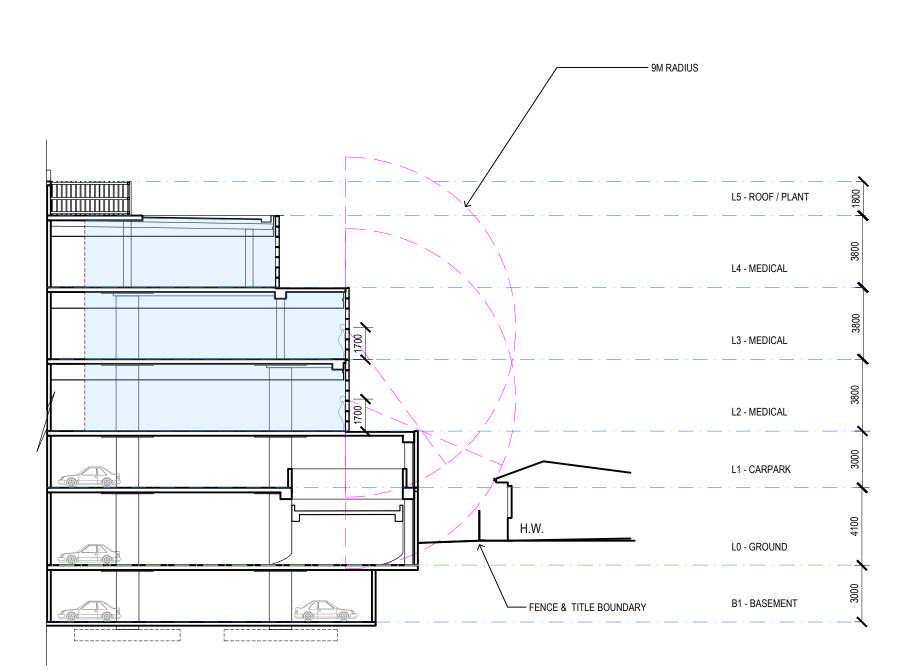
	Ву	Chk	No.	Date	Revision	Ву	Chk	Project	
	SL	SH	J	20.02.23	ISSUED TO CONSULTANTS	SL	SH	MEDICAL HUB	
S	SL	SH							
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	SH	SH						- 186-192 CLAYTON ROAD CLAYTON	
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2102	ADD-320	J	W www.hatz.co	Architecture	Urban Design	Interiors

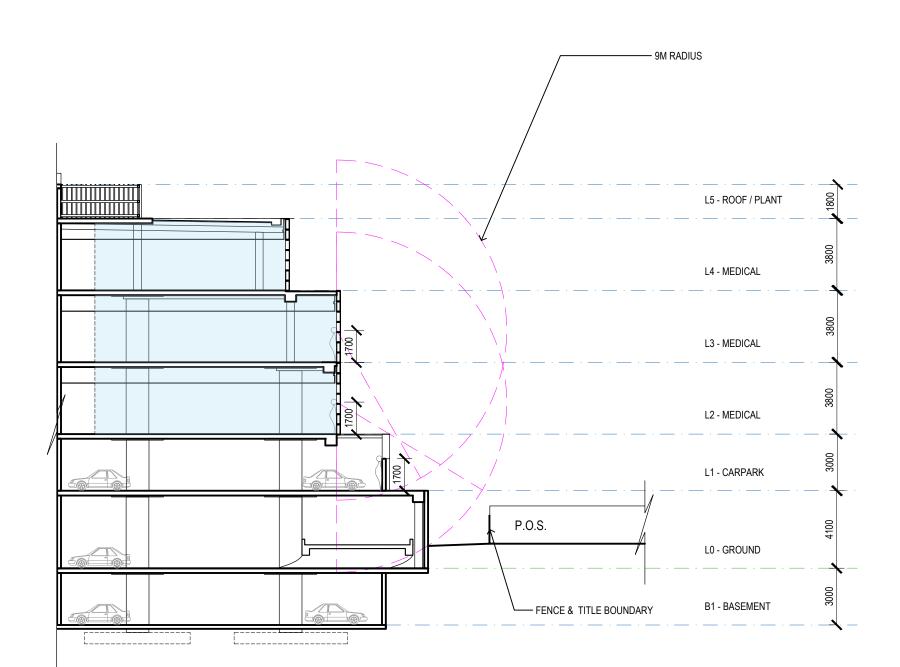




# $01 \quad \frac{\text{LEVEL 3 & 4 OVERLOOKING STUDY INTO H.W.}{\text{SCALE 1:200}}$

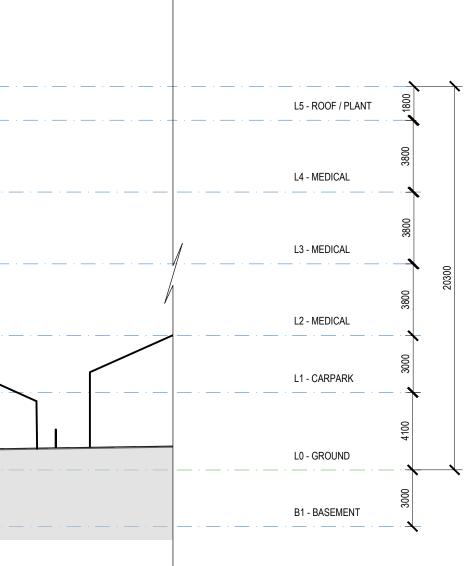
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D	17.12.21	ISSUED FOR PLANNING	SL	SH		
E	15.03.22	ISSUED FOR COUNCIL RFI 1	SL	SH		
F	26.08.22	PLANNING REVISION 2 - DRAFT	SL	SH		_
G	07.09.22	PLANNING REVISION 2 - DRAFT 2	SL	SH		
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	1:10	WHITBURN STREET		

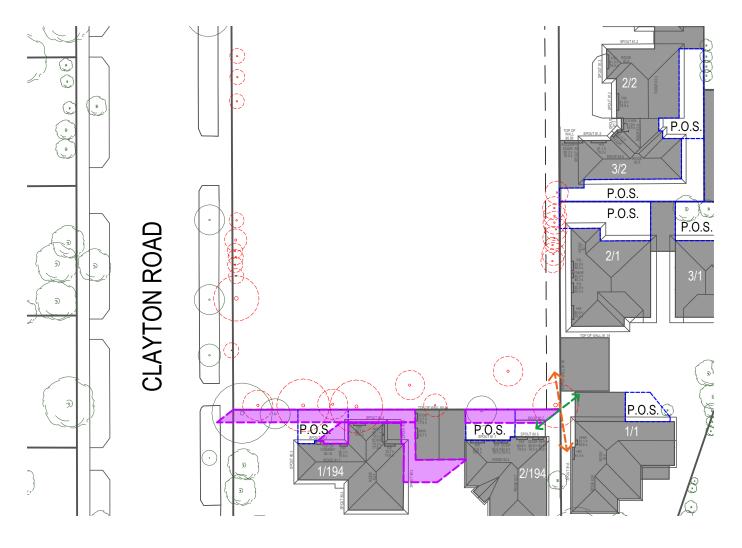


 $02 \quad \frac{\text{LEVEL 3 & 4 OVERLOOKING STUDY INTO P.O.S. (3/2 WHITBURN STREET AND 2/1 HOURIGAN AVENUE)}{\text{SCALE 1:200}}$ 

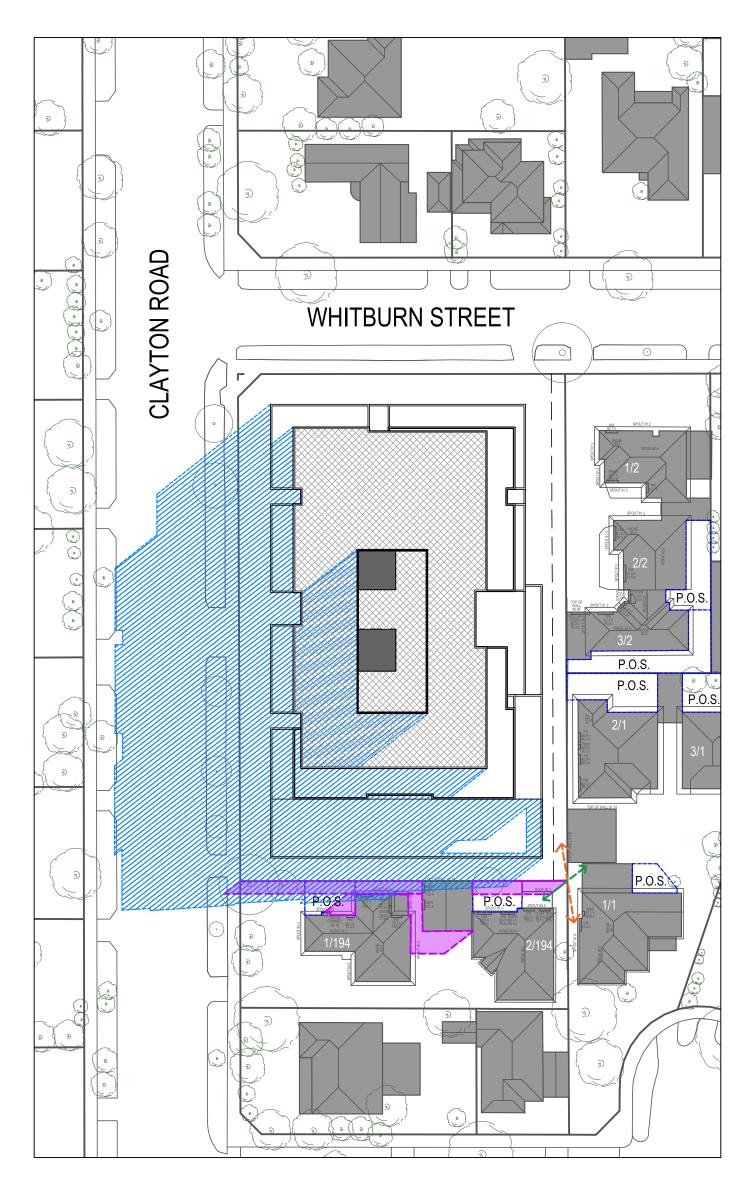
No.	Date	Revision	By Chk	Project MEDICAL HUB		Drawing PROPOSED SECTIONS		
				- MEDICAL CENTRE 186-192 CLAYTON ROAD CLAYTON		SHEET 2		
				-	Drawing Scale	Date Created	Scale	Job
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## EXISTING FENCE SHADOW ON SOUTH NEIGHBOURS 9AM, 22 SEPT SCALE 1:500



## PROPOSED SHADOW PLAN - 9AM, 22 SEPT SCALE 1:500

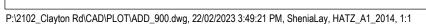
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	NORTH AXIS	А	11.06.21	PRELIMINARY ISSUE	SL	SH
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		С	17.12.21	ISSUED FOR PLANNING	SL	SH
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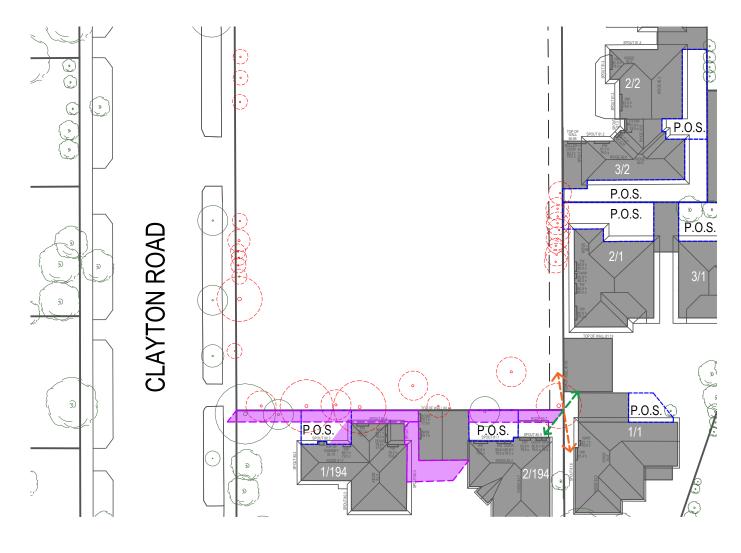
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NEIGHBOUR P.O.S.

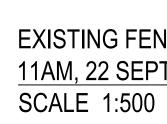
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ļ	NEIGHBOUR PROPERTY ON	/
	NEIGHBOUR P.O.S.	┙_/_

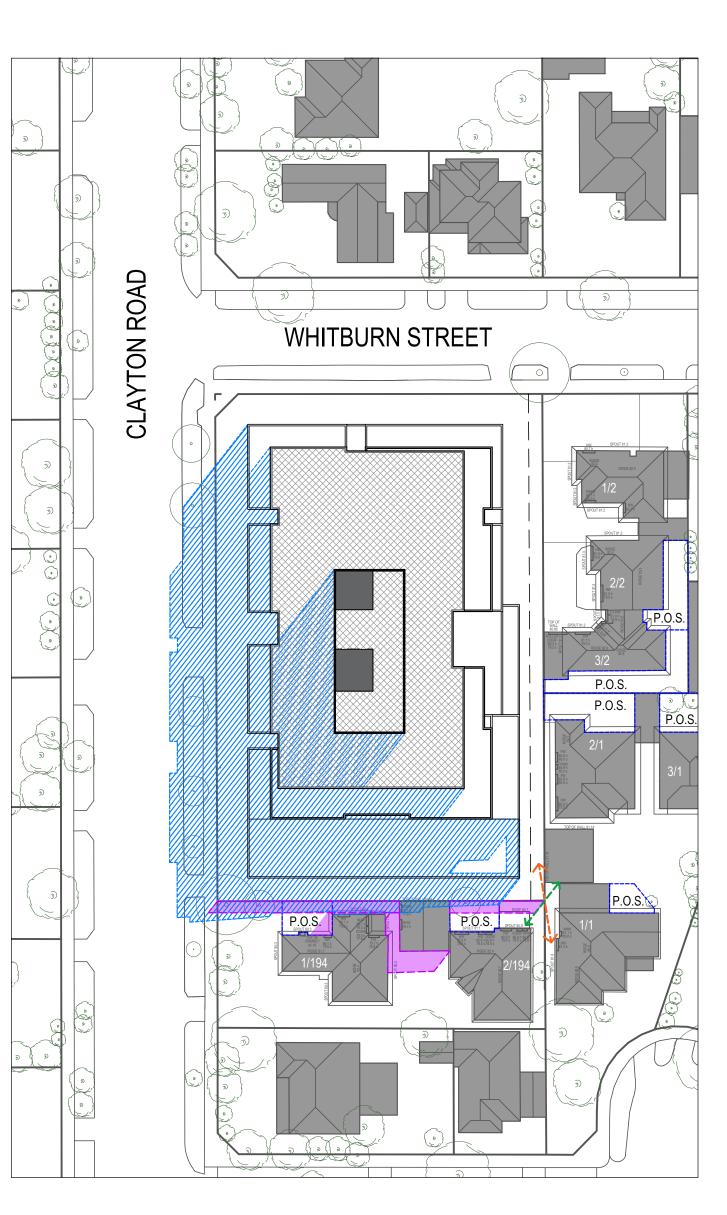
PROPOSED SHADOWS CAST FROM SUBJECT SITE





## EXISTING FENCE SHADOW ON SOUTH NEIGHBOURS 10AM, 22 SEPT SCALE 1:500





## PROPOSED SHADOW PLAN - 10AM, 22 SEPT SCALE 1:500

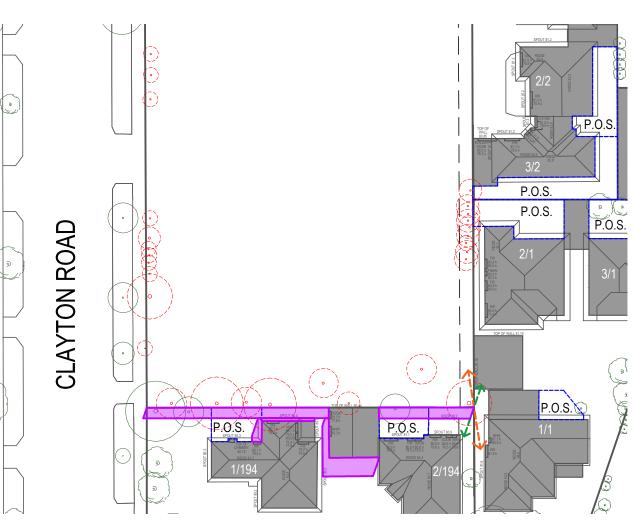
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### Drawing SHADOW PLANS Dra SL 9AM - 11AM Date Created Scale 09.06.2021 1:500 21

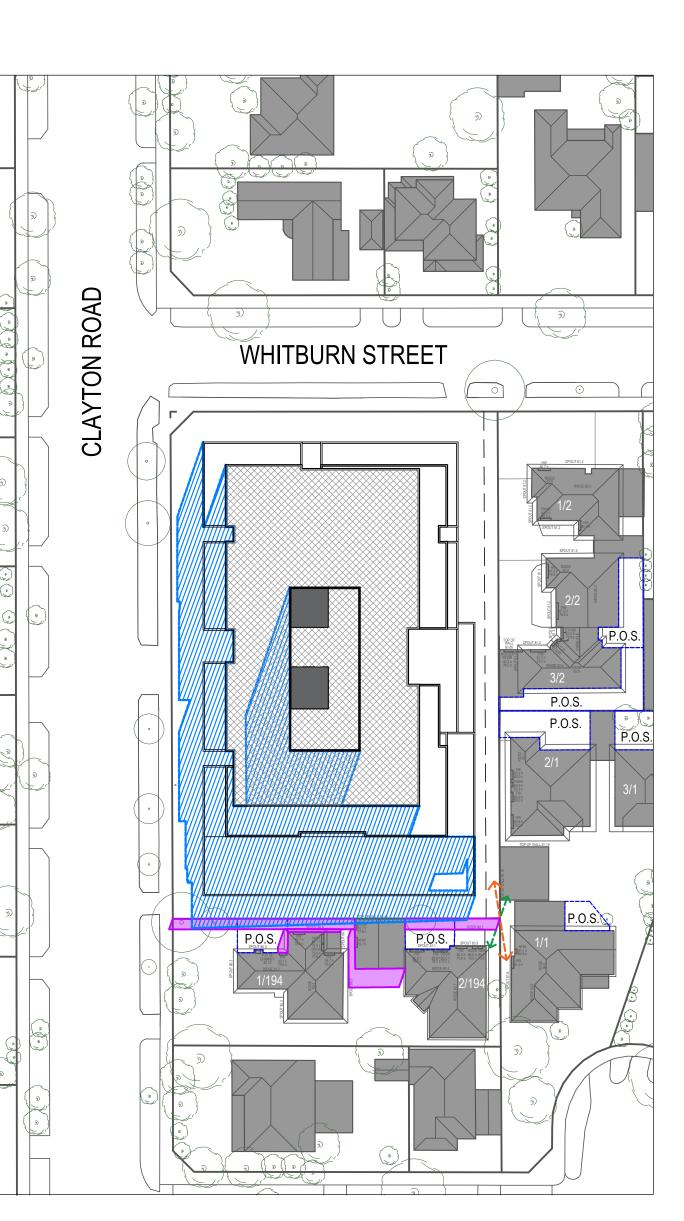
### No. Date Revision By Chk Project Μ — ME 186 \_\_\_\_ \_\_\_\_ \_\_\_\_\_ \_\_\_\_ \_\_\_\_\_ \_\_\_\_

EDICAL HUB
DICAL CENTRE
5-192 CLAYTON ROAD CLAYTON

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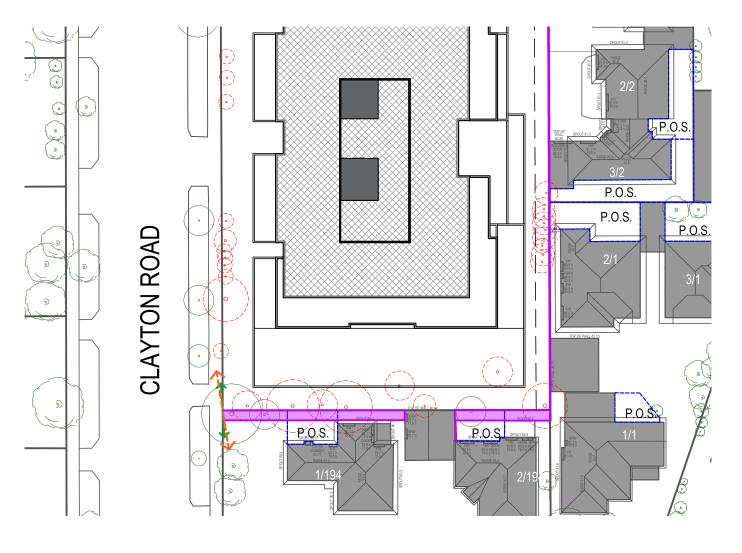


## EXISTING FENCE SHADOW ON SOUTH NEIGHBOURS 11AM, 22 SEPT

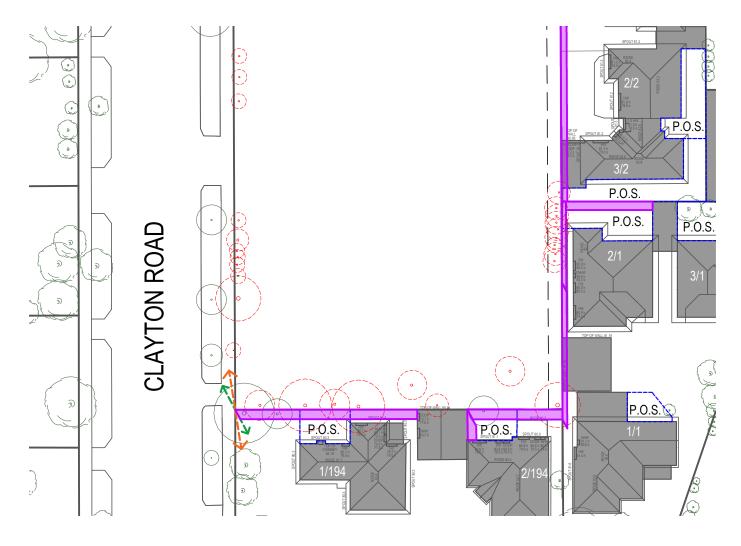


## POSED SHADOW PLAN - 11AM, 22 SEPT E 1:500

<sup>Drawn</sup> SL	Checked SH	Reg no. -	HATZ PTY. LTD ACN: 068 707 308 202 / 9-11 Claremont Street South Yarra VIC 3141 Australia T +61 3 9867 3444		archi	Itects
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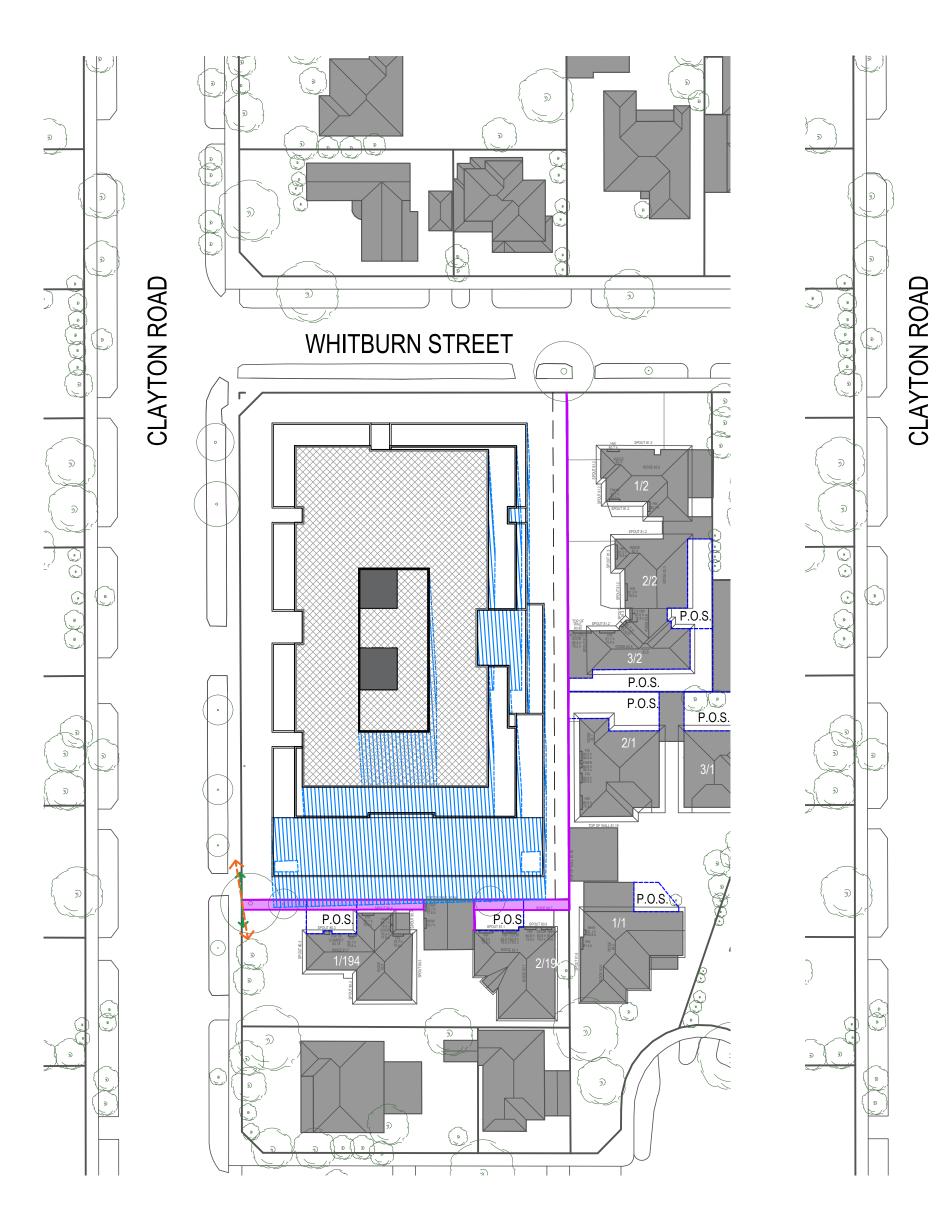


EXISTING FENCE SHADOW ON SOUTH NEIGHBOURS 12PM, 22 SEPT SCALE 1:500

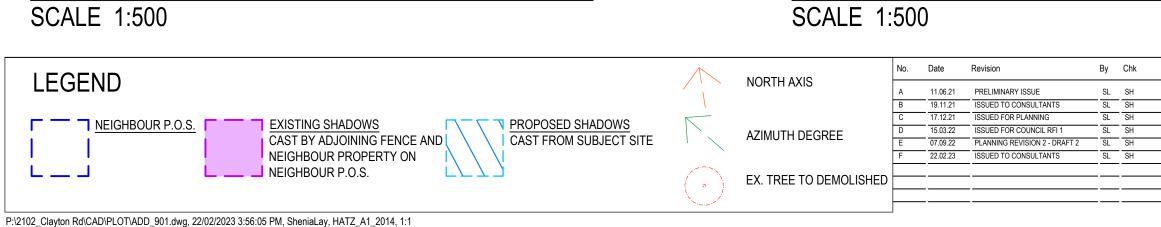


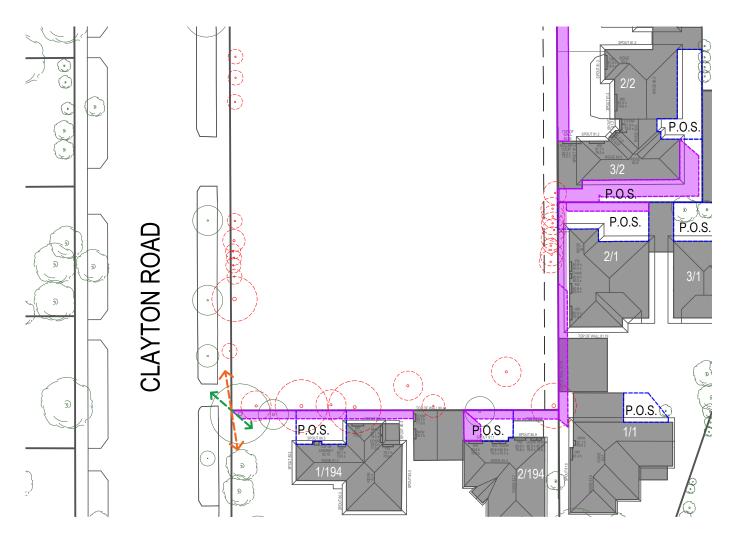
EXISTING FENCE SHADOW ON SOUTH NEIGHBOURS 1PM, 22 SEPT SCALE 1:500

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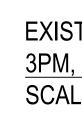


## PROPOSED SHADOW PLAN - 12PM, 22 SEPT SCALE 1:500



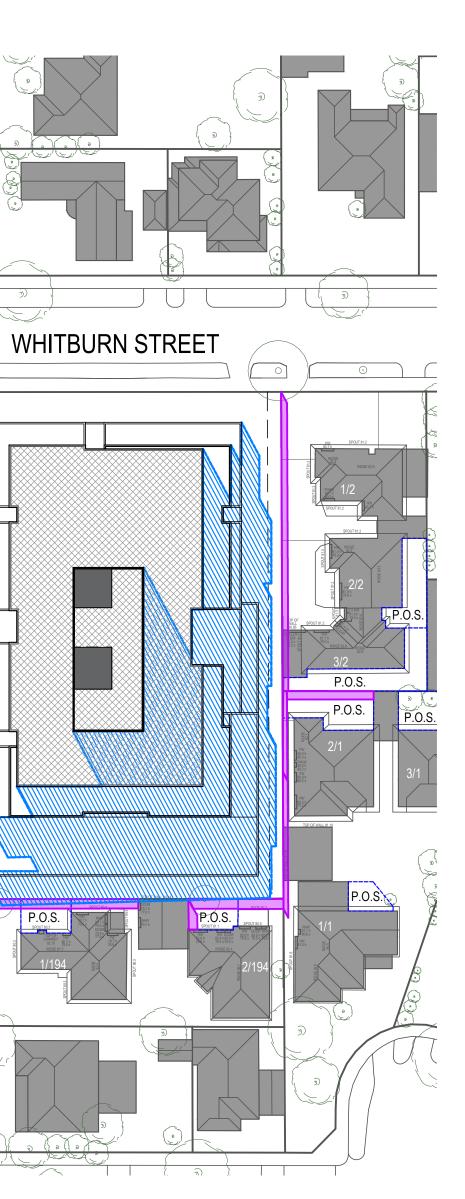


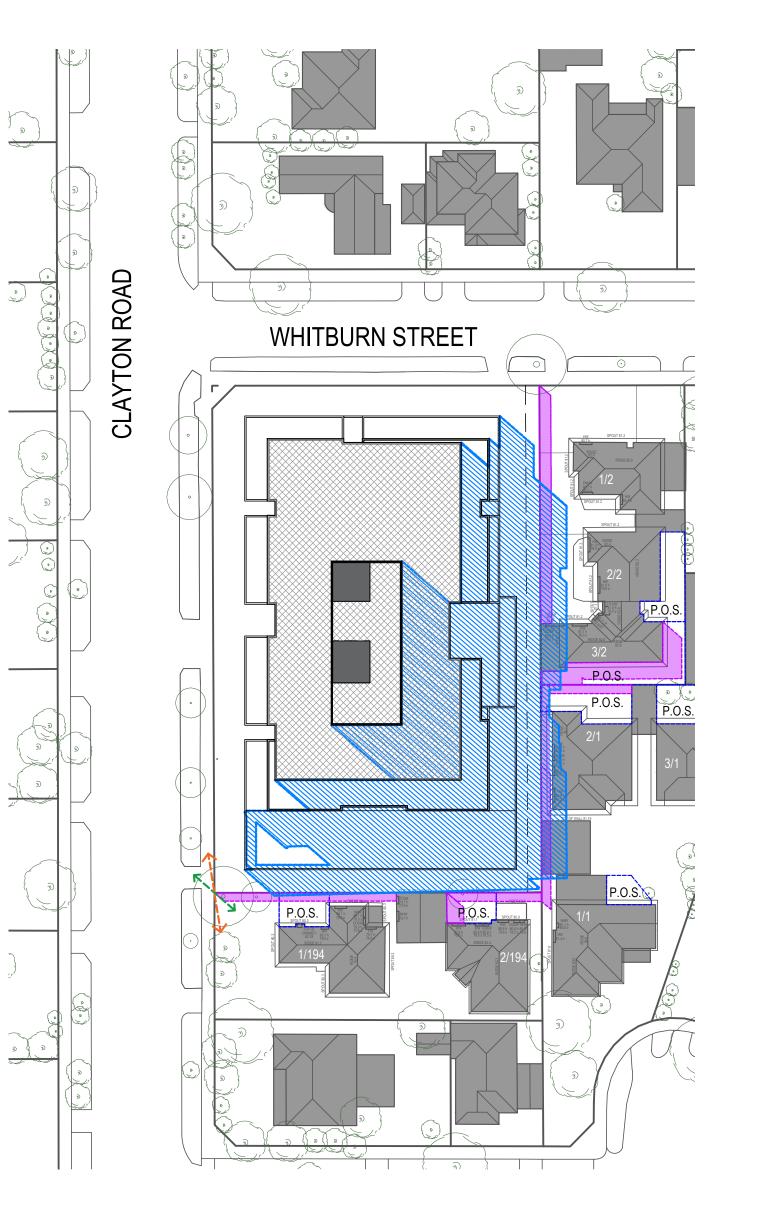
## EXISTING FENCE SHADOW ON SOUTH NEIGHBOURS 2PM, 22 SEPT SCALE 1:500



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## PROPOSED SHADOW PLAN - 2PM, 22 SEPT SCALE 1:500

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SCALE

2 

Project <b>MEDICAL HUB</b> MEDICAL CENTRE 186-192 CLAYTON ROAD CLAYTON	$\bigcirc$	<sup>Drawing</sup> SHADOW PLANS 12PM - 3PM -	
	Drawing Scale 0 10 20m 1 500	Date Created 09.06.2021	Scale 1:500

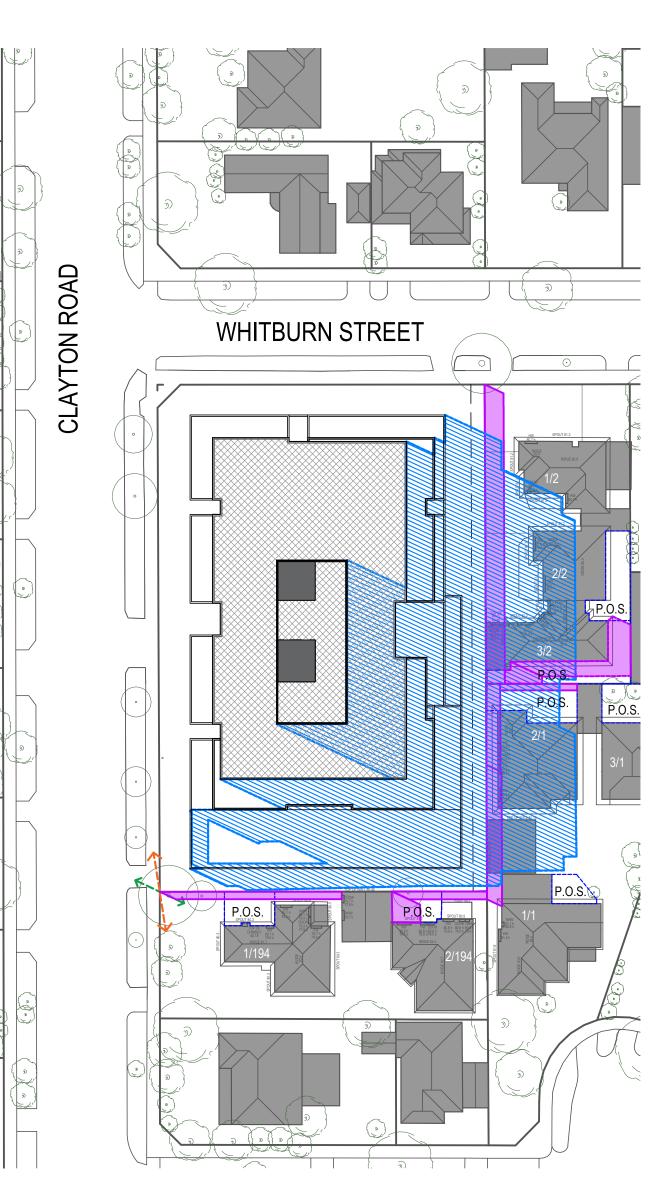
## PROPOSED SHADOW PLAN - 1PM, 22 SEPT

No.	Date	Revision	Ву	Chk	Project
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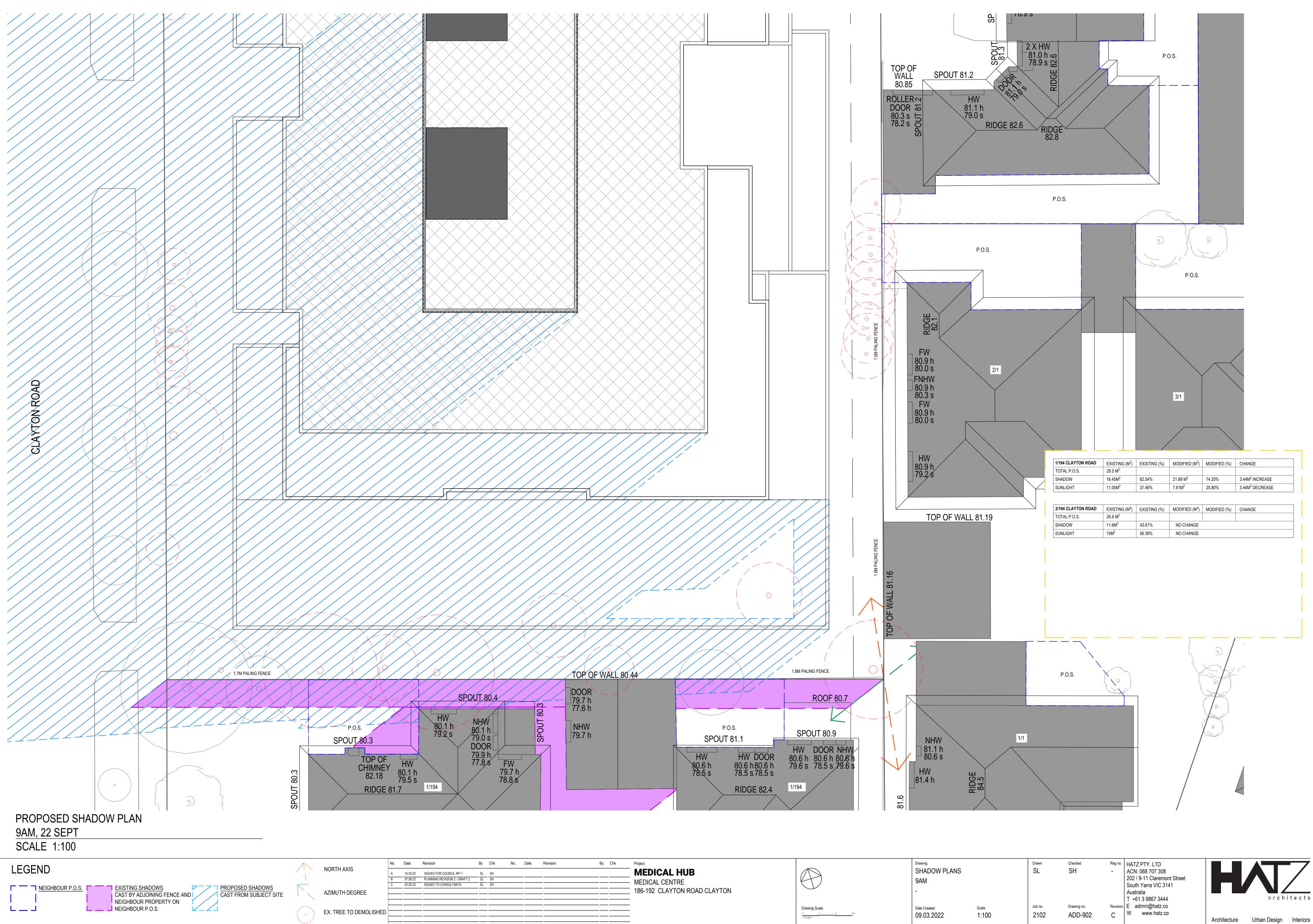
## EXISTING FENCE SHADOW ON SOUTH NEIGHBOURS 3PM, 22 SEPT

SCALE 1:500

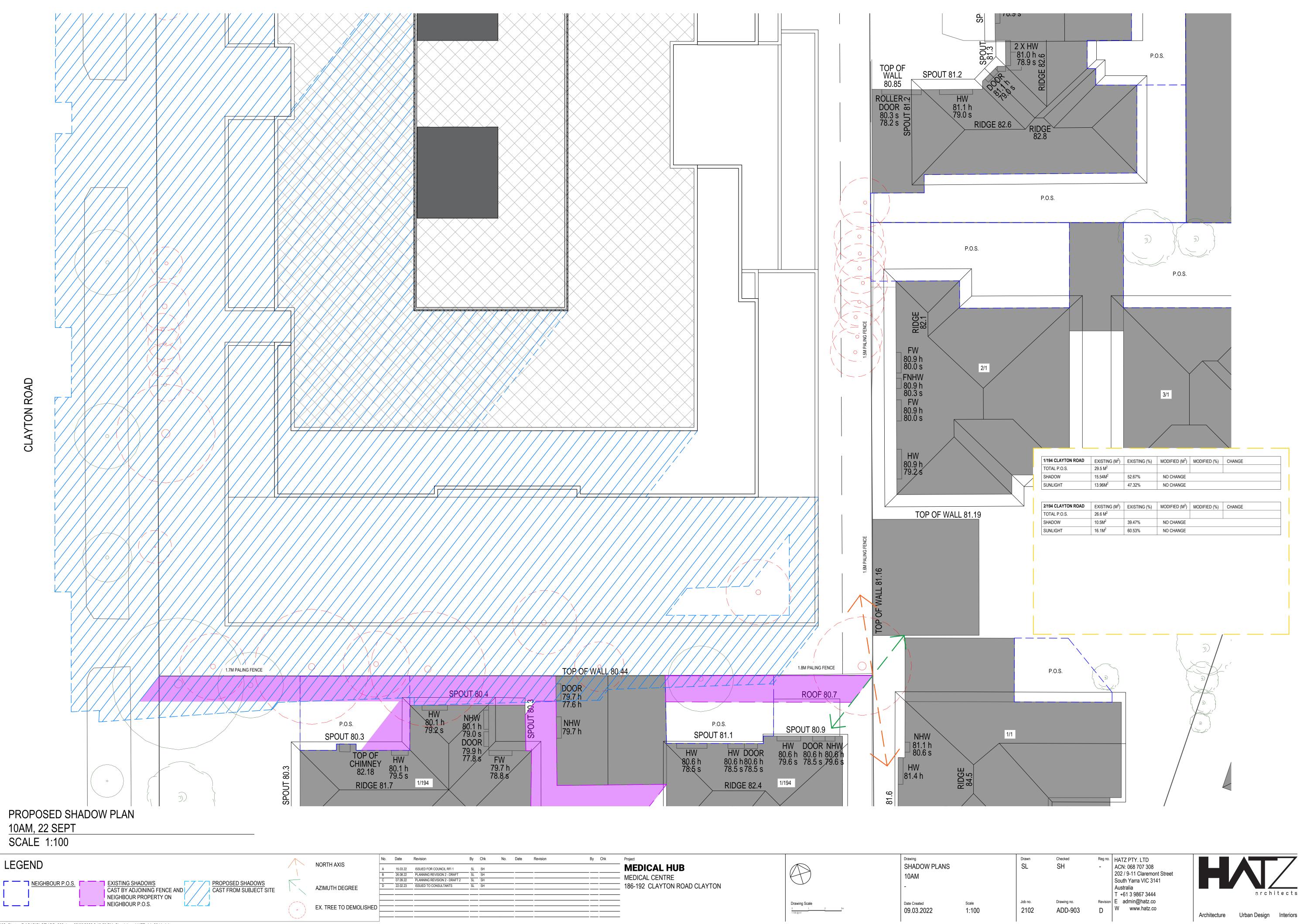


## POSED SHADOW PLAN - 3PM, 22 SEPT E 1:500

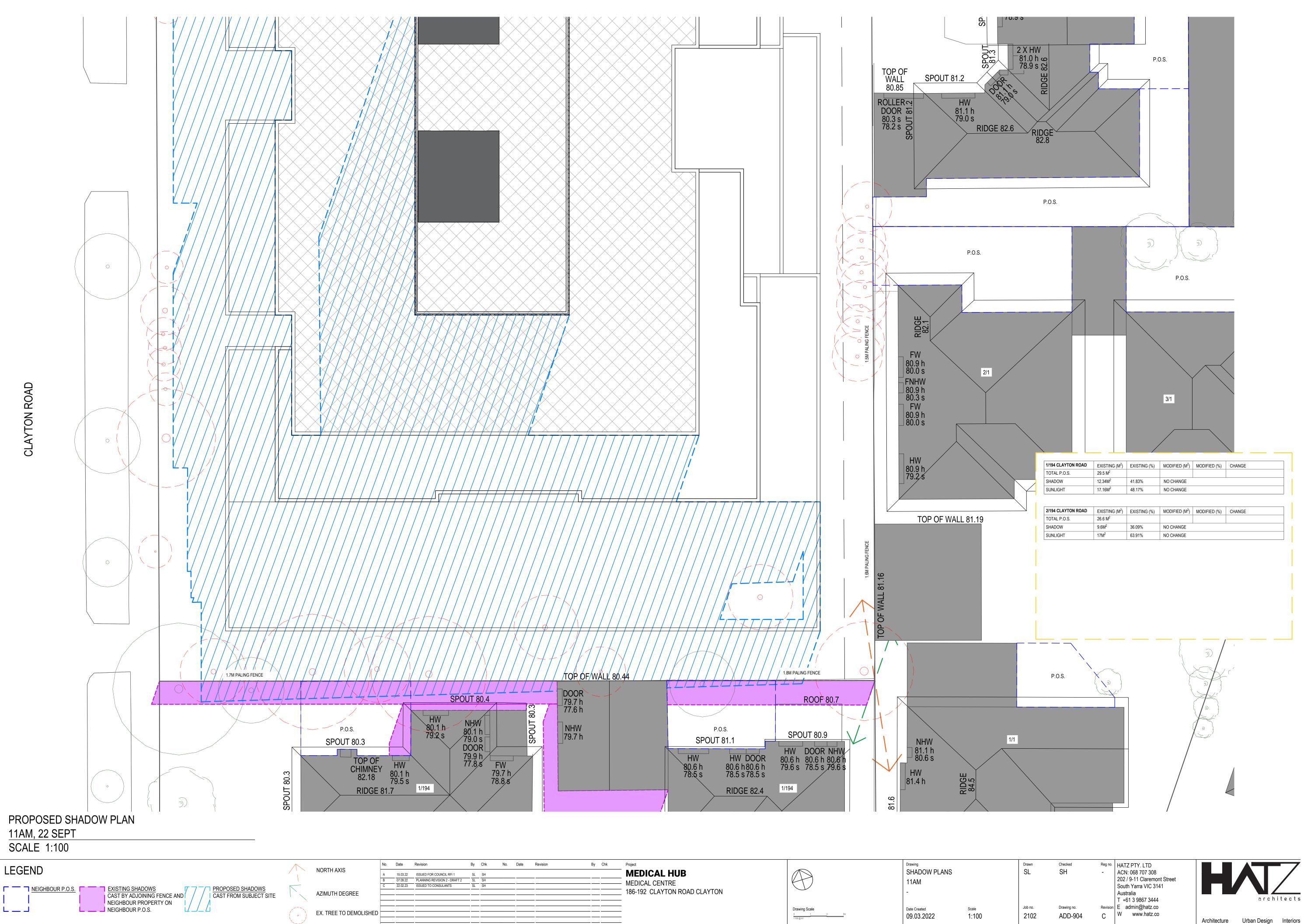
Drawn SL Job no.	Checked SH Drawing no.	Reg no. - Revision			arch	Itects
2102	ADD-901	F	W www.hatz.co	Architecture	Urban Design	Interiors



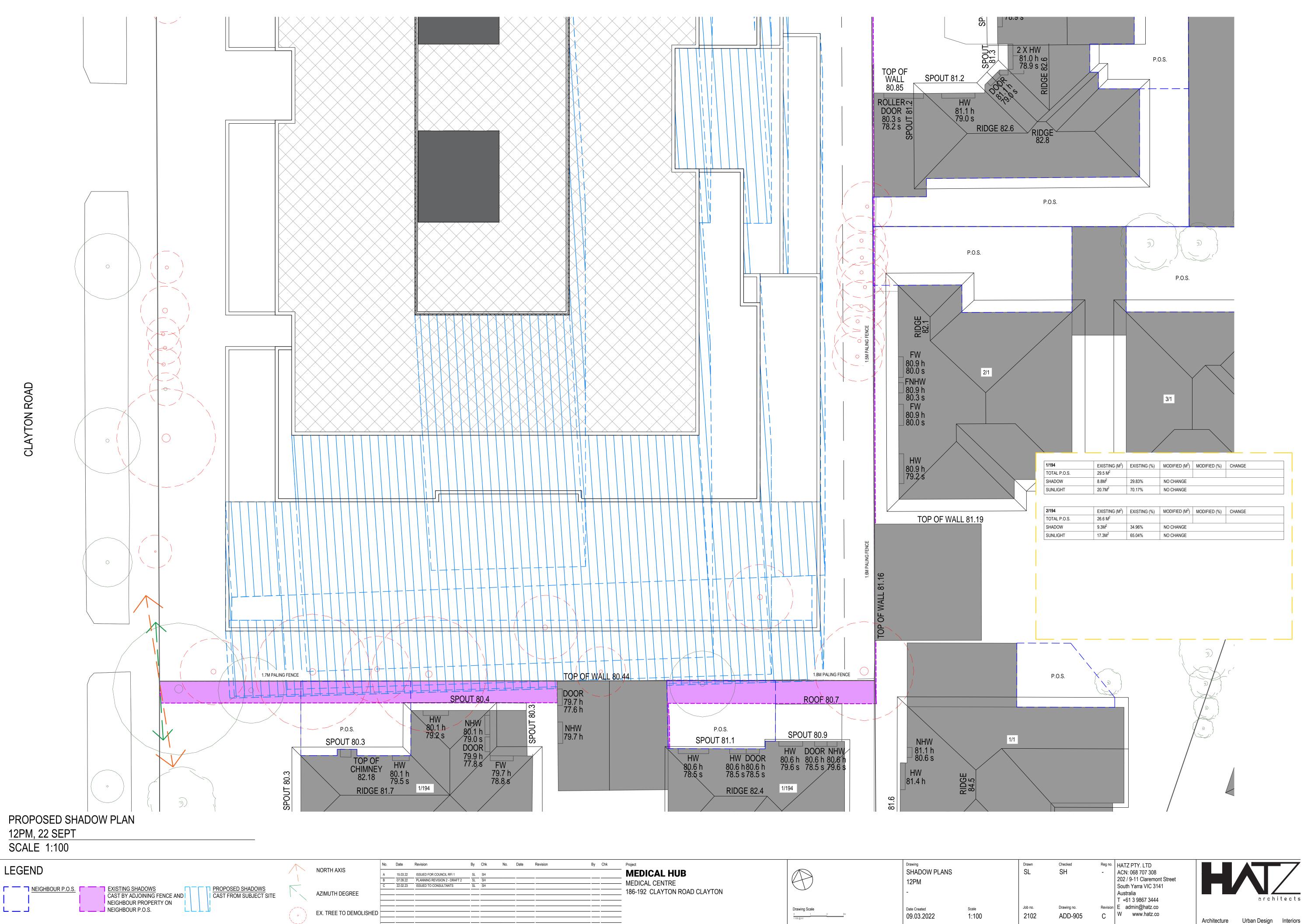
o. Dat	Revision	By Chk	<ul> <li>Project</li> <li>MEDICAL HUB</li> <li>MEDICAL CENTRE</li> <li>186-192 CLAYTON ROAD CLAYTON</li> </ul>		Drawing SHADOW PLANS 9AM -	
			- - - -	Drawing Scale	Date CreatedScale09.03.20221:100	



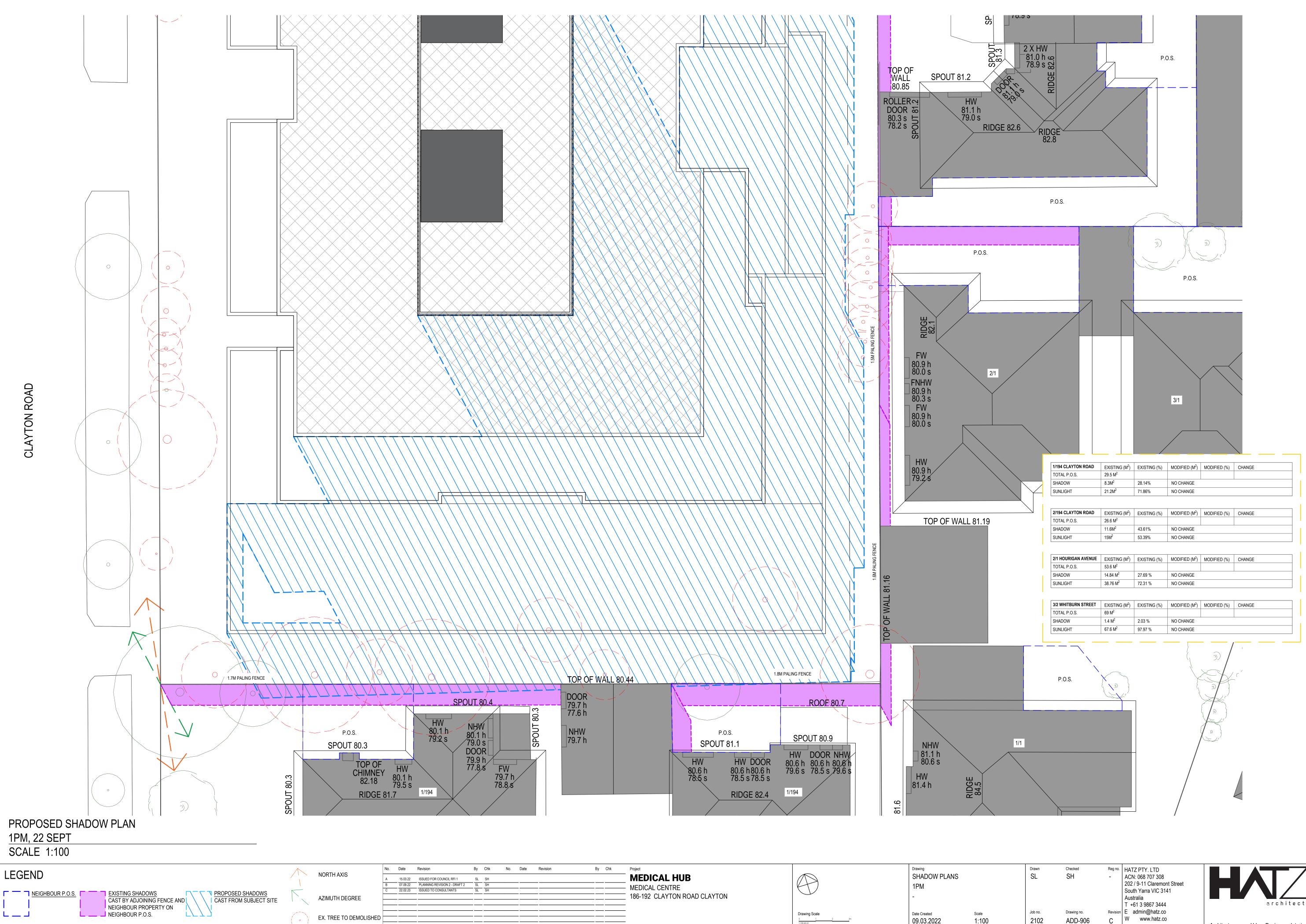
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. Date	Revision	By Chk	Project <b>MEDICAL HUB</b> MEDICAL CENTRE 186-192 CLAYTON ROAD CLAYTON		SHADOW PLANS 11AM -	
			-	Drawing Scale 0 1 2 3m 1:100 @ A1	Date CreatedScale09.03.20221:100	,



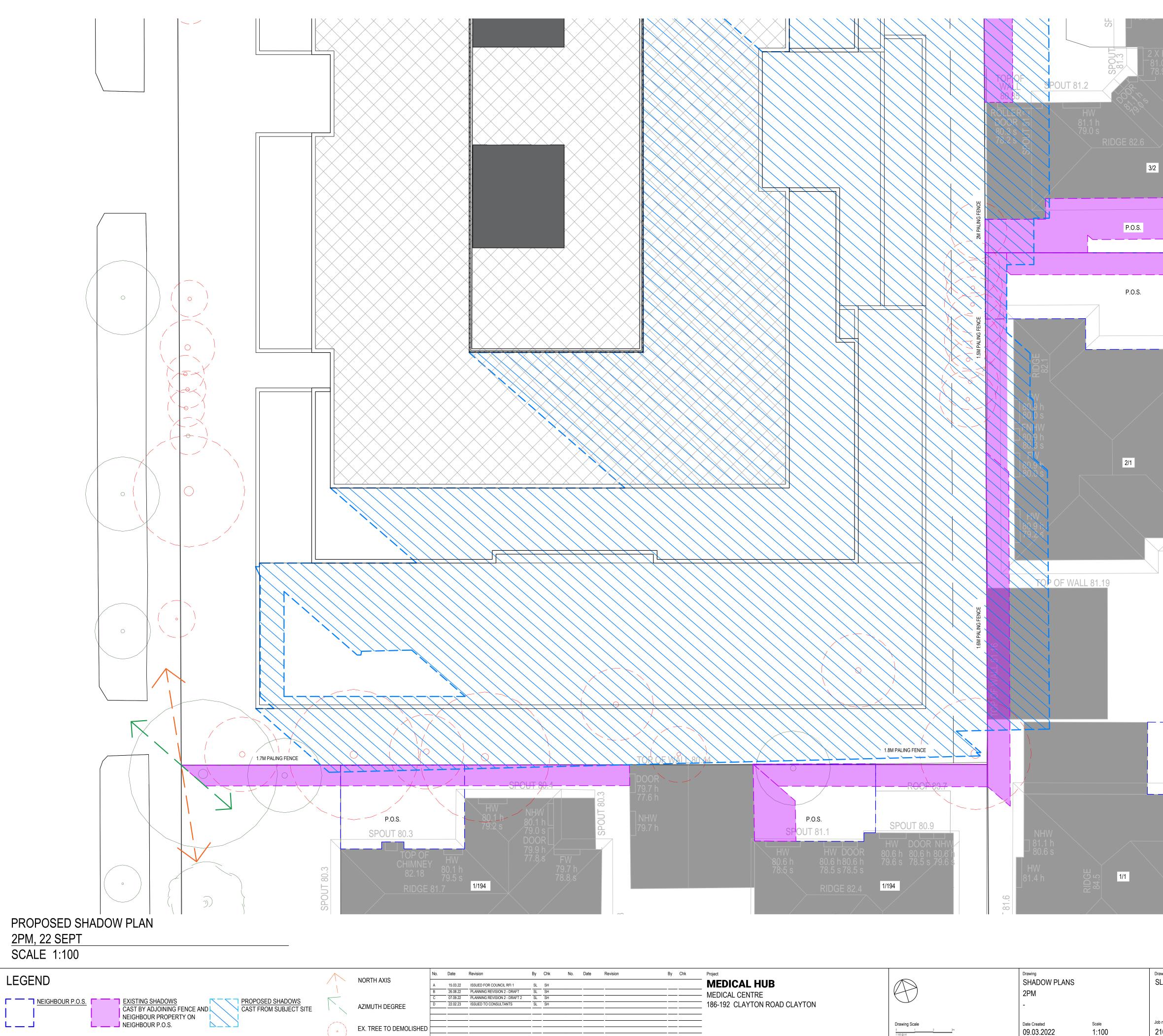
Date	Revision	By Chk	MEDICAL HUB MEDICAL CENTRE 186-192 CLAYTON ROAD CLAYTON	$\bigcirc$	SHADOW PLANS 12PM -	
				Drawing Scale	Date CreatedScale09.03.20221:100	



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Date	Revision	By Chk	MEDICAL HUB MEDICAL CENTRE 186-192 CLAYTON ROAD CLAYTON		Drawing SHADOW PLANS 1PM -	
				Drawing Scale <sup>0</sup> 1 2 3m 1:100 @ A1	Date CreatedScale09.03.20221:100	J

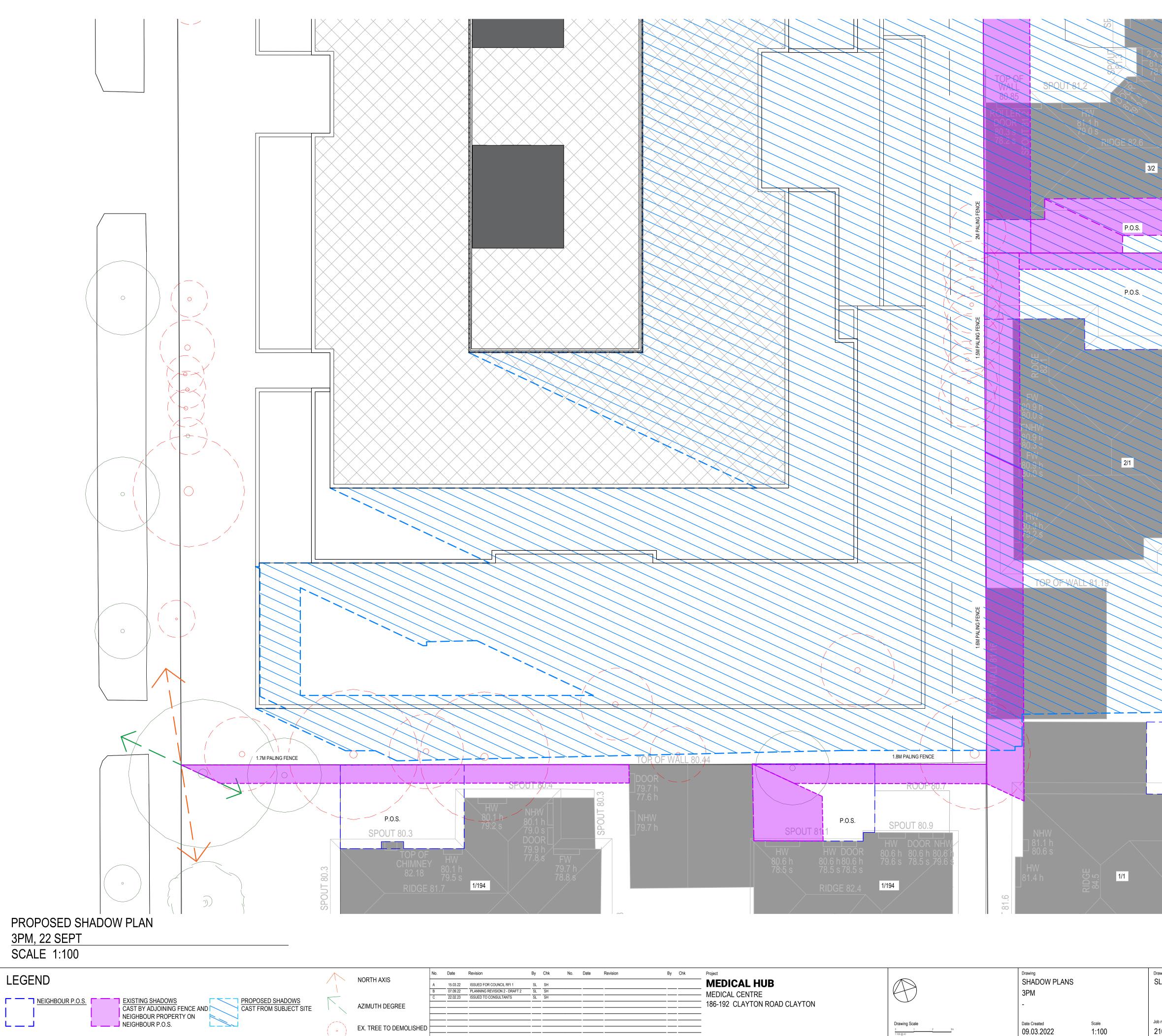
<sup>brawn</sup> SL	Checked SH	Reg no.	HATZ PTY. LTD ACN: 068 707 308 202 / 9-11 Claremont Street South Yarra VIC 3141 Australia T +61 3 9867 3444		archi	tects
ob no. 2102	Drawing no. ADD-906	Revision C	E admin@hatz.co W www.hatz.co	Architecture	Urban Design	Interiors



Date	Revision	By Chk	Project MEDICAL HUB MEDICAL CENTRE 186-192 CLAYTON ROAD CLAYTON		Drawing SHADOW PLANS 2PM -	
			- - - -	Drawing Scale	Date Created         Scale           09.03.2022         1:100	

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			3)	(P.O.S.
				3/1
	1/194 CLAYTON ROAD	EXISTING (M <sup>2</sup> )	EXISTING (%)	MODIFIED (M <sup>2</sup> ) MODIFIED (%) CHANGE
_	TOTAL P.O.S. SHADOW SUNLIGHT	29.5 M <sup>2</sup> 7.36M <sup>2</sup> 22.14M <sup>2</sup>	24.95% 75.05%	NO CHANGE NO CHANGE
ï	2/194 CLAYTON ROAD			
	TOTAL P.O.S. SHADOW	EXISTING (M <sup>2</sup> ) 26.6 M <sup>2</sup> 13.83M <sup>2</sup>	EXISTING (%) 51.99%	MODIFIED (M <sup>2</sup> ) MODIFIED (%) CHANGE
	SUNLIGHT	12.77M <sup>2</sup>	48.01%	NO CHANGE
	2/1 HOURIGAN AVENUE	EXISTING (M <sup>2</sup> )	EXISTING (%)	MODIFIED (M <sup>2</sup> ) MODIFIED (%) CHANGE
ï	TOTAL P.O.S. SHADOW	53.6 M <sup>2</sup> 16.86 M <sup>2</sup> 38.69 M <sup>2</sup>	27.82 %	NO CHANGE
	SUNLIGHT	1	72.18 %	NO CHANGE
	3/2 WHITBURN STREET TOTAL P.O.S.	EXISTING (M <sup>2</sup> ) 69 M <sup>2</sup>	EXISTING (%)	MODIFIED (M <sup>2</sup> ) MODIFIED (%) CHANGE
	SHADOW SUNLIGHT	52 M <sup>2</sup> 17 M <sup>2</sup>	75.36 % 24.64 %	NO CHANGE NO CHANGE
	P.O.S.			

<sup>Irawn</sup> SL	Checked SH	Reg no. –	HATZ PTY. LTD ACN: 068 707 308 202 / 9-11 Claremont Street South Yarra VIC 3141 Australia T +61 3 9867 3444		archi	Itects
ob no. 2102	Drawing no. ADD-907	Revision D	E admin@hatz.co W www.hatz.co	Architecture	Urban Design	Interiors



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No.	Date	Revision	By Chk	Project <b>MEDICAL HUB</b> MEDICAL CENTRE 186-192 CLAYTON ROAD CLAYTON		Drawing SHADOW PLANS 3PM -	
					Drawing Scale	Date Created 09.03.2022	<sup>Scale</sup> 1:100

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	1/194 CLAYTON ROAD	D EXISTING (M <sup>2</sup> ) 29.5 M <sup>2</sup>	EXISTING (%)	MODIFIED (M <sup>2</sup> )	MODIFIED (%)	CHANGE	
$\geq$	SHADOW SUNLIGHT	6.54M <sup>2</sup> 22.96M <sup>2</sup>	22.17% 77.83%	NO CHANGE NO CHANGE			
	2/194 CLAYTON ROAI	D EXISTING (M <sup>2</sup> )	EXISTING (%)	MODIFIED (M <sup>2</sup> )	MODIFIED (%)	CHANGE	
	TOTAL P.O.S. SHADOW	26.6 M <sup>2</sup> 17.7M <sup>2</sup>	66.54%	NO CHANGE			
	SUNLIGHT	8.9M <sup>2</sup>	33.46%	NO CHANGE			
	2/1 HOURIGAN AVEN TOTAL P.O.S.	53.6 M <sup>2</sup>	EXISTING (%)	MODIFIED (M <sup>2</sup> )	MODIFIED (%)	CHANGE	
	SHADOW SUNLIGHT	15.6 M <sup>2</sup> 38 M <sup>2</sup>	29.10 % 70.89 %	43.8 M <sup>2</sup> 9.8 M <sup>2</sup>	81.71 % 18.29 %	28.2 M <sup>2</sup> INCREASE 28.2 M <sup>2</sup> DECREASE	
	3/2 WHITBURN STREE	( )	EXISTING (%)	MODIFIED (M <sup>2</sup> )	MODIFIED (%)	CHANGE	
	TOTAL P.O.S. SHADOW SUNLIGHT	69 M <sup>2</sup> 57 M <sup>2</sup> 12 M <sup>2</sup>	82.60 % 17.40 %	60 M <sup>2</sup> 9 M <sup>2</sup>	87 % 13 %	3 M <sup>2</sup> INCREASE	
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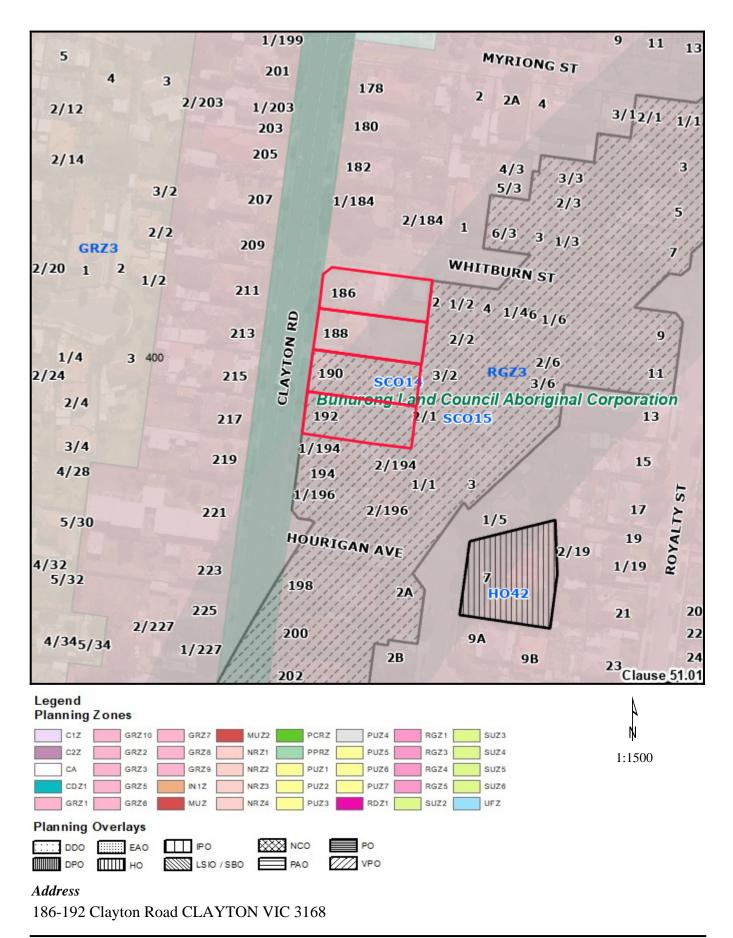
<sup>rrawn</sup> SL	Checked SH	Reg no.	HATZ PTY. LTD ACN: 068 707 308 202 / 9-11 Claremont Street South Yarra VIC 3141 Australia T +61 3 9867 3444		archi	tects
ob no. 2102	Drawing no. ADD-908	Revision C	E admin@hatz.co W www.hatz.co	Architecture	Urban Design	Interiors



Attachment 3: 186-192 Clayton Road, Clayton

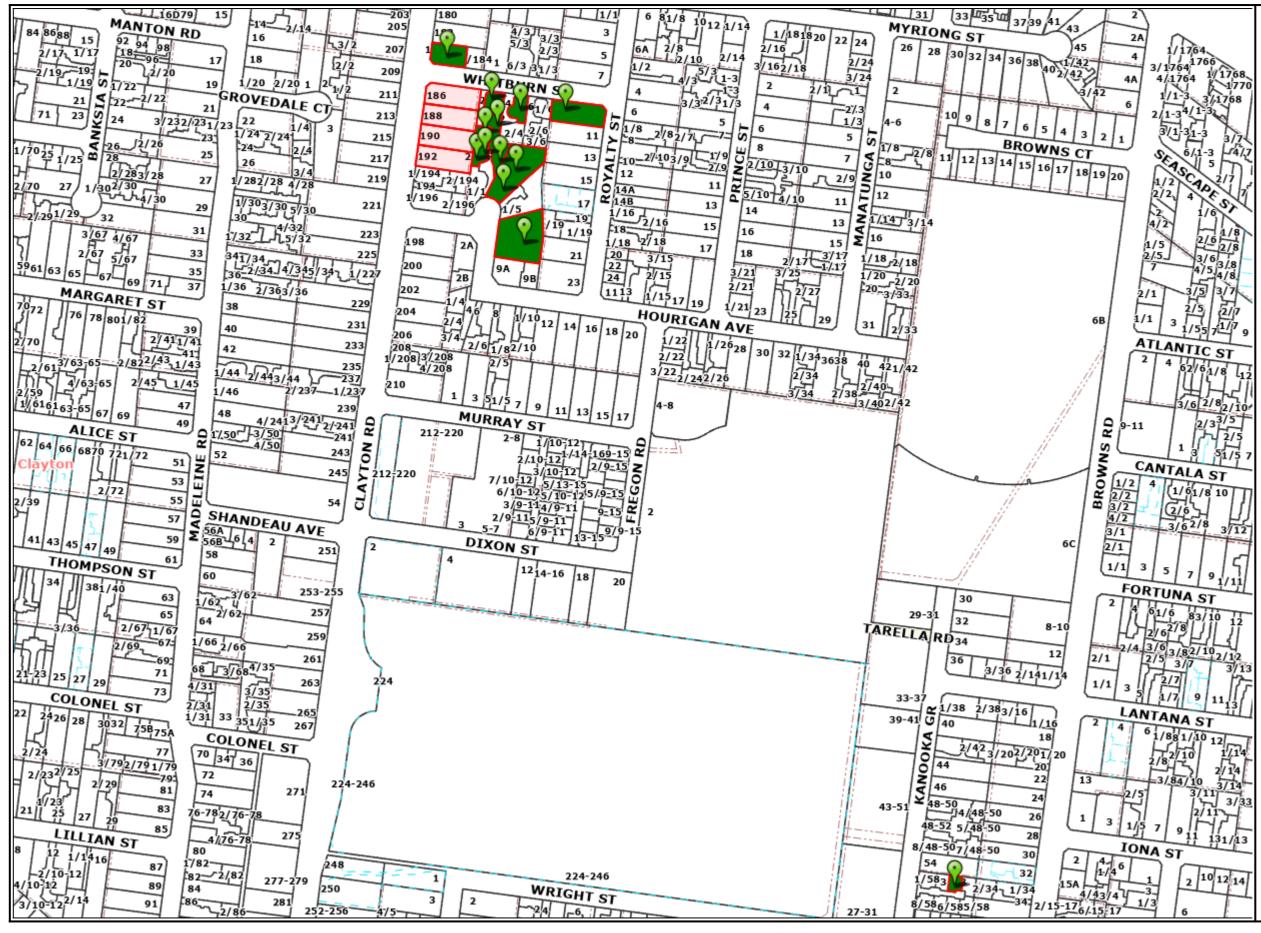


## Planning Overlays and Zones



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### Attachment 4: 186-192 Clayton Road, Clayton



## **Objector Map**

Subject land shaded light red. Objector properties shaded dark green and pinpointed. (Not all objector properties shown).

### Legend

	Property
	Proposed Property
	Common Property
	Easements
	Raillines
	Reserves
Open	Space Public Access
	Accessway/trail
	Conservation
	Memorial Park
	Play
	Relaxation/ contemplation
	Social/ family recreation
	Sport
	Utility/buffer/enviro constra
	Visual amenity

Water based recreation





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