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TOWN PLANNING REPORT

Brandon Park Shopping Centre
Mixed Use Development

Prepared for
NEWMARK CAPITAL
October 2021

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INTRODUCTION

This report has been prepared by Urbis Pty Ltd on behalf of Newmark Capital Pty Ltd (“the applicant”) in support of a Planning Permit Application which seeks approval to use and develop a portion of the Brandon Park Shopping Centre site along the Brandon Park Drive interface for the purpose of a seven (7) storey mixed-use development, comprising medical centre tenancies, commercial office space and a residential hotel (serviced apartments), together with associated provision of on-site car parking and landscaping.

The proposal seeks to deliver a high-quality built form outcome for the site, which will inject significant activation into Brandon Park Drive, whilst also providing a range of uses to benefit and support both the local community and businesses within the area.

Pursuant to the Monash Planning Scheme, the subject site is located within the Commercial 1 Zone and is affected by the Design and Development Overlay – Schedule 8 (DDO8). Furthermore, local policy identifies the site as being located within the Brandon Park Major Activity Centre (Precinct 1), within which reinvigoration of the retail and service offerings of existing centres is strongly encouraged.

The relevant planning permit triggers in this instance include:

- **Clause 34.01-4 (Commercial 1 Zone)** – to use land for a residential hotel with a ground floor entry exceeding 2 metres.
- **Clause 34.01-4 (Commercial 1 Zone)** – to construct a building or construct or carry out works.
- **Clause 43.02-2 (Design and Development Overlay)** – to construct a building or construct or carry out works.

This report summarises the details of the proposal, undertakes an assessment of the suitability of the proposed land use and development within its context, and assesses the merits of the proposal based on the applicable planning controls and policies. It determines that:

- The introduction of medical centre tenancies will contribute to the local health service offering, whilst office and serviced apartment uses will support local and regional businesses, particularly those within the nearby Monash National Employment and Innovation Cluster (NEIC).
- The land uses are entirely consistent with the purposes of the Commercial 1 Zone and local policy guidance for this major activity centre.
- Brandon Park Shopping Centre is a Major Activity Centre and is therefore ideally placed to accommodate development of this nature, particularly given the contribution that the development will make to the vitality of Brandon Park Drive.
- In the context of the existing shopping centre scale, the proposed scale of built form is expected to sit comfortably within the site’s context and is considered to represent a suitable response to both the C1Z and built form guidelines under the DDO8.
- The on-site car parking provision and allocation associated with this development will comply with the statutory requirement and the anticipated parking demands, as set out in the GTA TIA Report.
- Additional traffic generation, when considered in the context of existing traffic volumes in the vicinity of the Centre, is not expected to compromise the safety or function of the surrounding road network.
- The proposed loading and waste management arrangements represent an appropriate outcome from an operational and safety perspective and aligning with the requirements of the proposed uses.

The following supporting documentation is to be read in conjunction with this report:

- Architectural Plans, prepared by Leffler Simes Architects (Rev. A – Aug 2021)
- Landscape Plans, prepared by SLS (dated 14.9.21)
- Feature & Level Survey Plan, prepared by AAM
- Urban Context Report prepared by Urbis Pty Ltd (dated 1.10.21)
- Urban Design Statement, prepared by Urbis (dated 6.10.21)

- Traffic Impact Assessment, prepared by GTA Consultants (dated 5.10.21)
- Waste Management Plan, prepared by WSP (dated Sept 2021)
- Sustainable Design Assessment, prepared by NDY (dated 26.7.21)
- Arborist Report, prepared by Tree Logic (dated 3.3.21)
- Desktop Wind Assessment, prepared by WindTech (dated 24.8.21)

1. SUBJECT SITE & SURROUNDS

1.1. SUBJECT SITE

The subject site, identified on title as Land in Plan of Consolidation 366608D, comprises one lot and is irregular in shape, with a total area of approximately 5.18 hectares and a crossfall from north to south. The site is located at the south-eastern corner of the intersection of Ferntree Gully and Springvale Roads in Wheelers Hill, and therefore enjoys four street frontages, to Springvale Road (west), Ferntree Gully Road (north), Brandon Park Drive (east) and Magid Avenue (south).

A Section 173 Agreement exists on title, however, is of no consequence to this application.

The site is currently occupied by the Brandon Park Shopping Centre, which comprises:

- Approximately 22,743 square metres of net leasable retail space, including major retailers, speciality stores and a restaurant / food court offering.
- A total of 1,361 car parking spaces (i.e. overall rate of 6 spaces per 100sqm of NLA), provided within dedicated hardstand car parking areas at-grade surrounding the periphery of the buildings, as well as within undercroft / rooftop car parking areas.

Existing vehicle access / egress points for the site include:

- **Springvale Road** – two vehicle ingress points and one egress point
- **Ferntree Gully Road** – whilst one vehicle ingress point
- **Brandon Park Drive** – three vehicle access/egress points
- **Magid Avenue** – one vehicle access/egress point

Landscaping is interspersed throughout the site, with most of the landscaping and tree planting existing along the street frontages, with some tree planting and low-level landscaping integrated within the car parking areas within the Springvale Road setback. The existing mature tree at the north-eastern corner of the site (corner of Ferntree Gully Road and Brandon Park Drive) is worthy of retention and will be retained.



Figure 1 – Existing on-site conditions (view from within Brandon Park Drive looking north)



Figure 2 – Existing on-site conditions (view from within Brandon Park Drive looking south)



BRANDON PARK SHOPPING CENTRE SITE LOCATION

Figure 3 – Aerial photograph of Brandon Park Shopping Centre

1.2. SITE INTERFACES

Land surrounding the subject site is used for retail, commercial or residential purposes. The site has the following immediate interfaces:

1.2.1. Northern Interface

Ferntree Gully Road bounds the site to the north. Land north of Ferntree Gully Road comprises a mix of low scale commercial uses including a service station on the corner and a three-storey commercial office building slightly north-west of the service station.



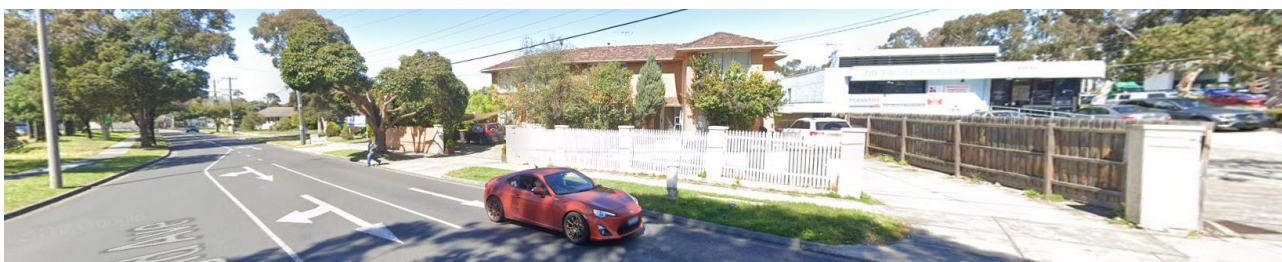
1.2.2. Eastern Interface

Brandon Park Drive bounds the site to the east. Land east of Brandon Park Drive comprises commercial office buildings fronting onto Ferntree Gully Road, whilst the land to the south of those commercial buildings is occupied by a former school site which is currently being redeveloped as a five-storey residential aged care development.



1.2.3. Southern Interface

Magid Avenue bounds the site to the south. Land south of Magid Avenue is occupied by a number of single storey detached dwellings, several of which have been repurposed and operate as dental / medical clinics.



1.2.4. Western Interface

Springvale Road bounds the site to the west. Land west of Springvale Road is used for a mixture of low scale commercial uses, including several car dealerships, The Village Green Hotel and a BWS bottle shop.



1.3. URBAN CONTEXT

The Brandon Park Major Activity Centre, within which the shopping centre is located, is one of four major activity centres in the City of Monash. Key features of the surrounding context include:

1.3.1. Built Form & Character

The locality comprises built form which ranges from single storey to five-storeys in scale, which facilitate a diverse range of land uses, including residential, commercial, office, aged care and entertainment. Such diversity in built form and character is a consequence of the site's location within a designated Activity Centre, which has and will continue to grow as a mixed-use precinct within the City of Monash.

The diversity of land uses and building typologies within the surrounding locality results in an absence of any consistent or notable built form characteristics, therefore allowing a degree of flexibility when considering new development outcomes. Evidently, the area can significantly benefit from high-quality and contemporary development, which can ultimately contribute to the vitality and general aesthetic of the area.

1.3.2. Movement & Access

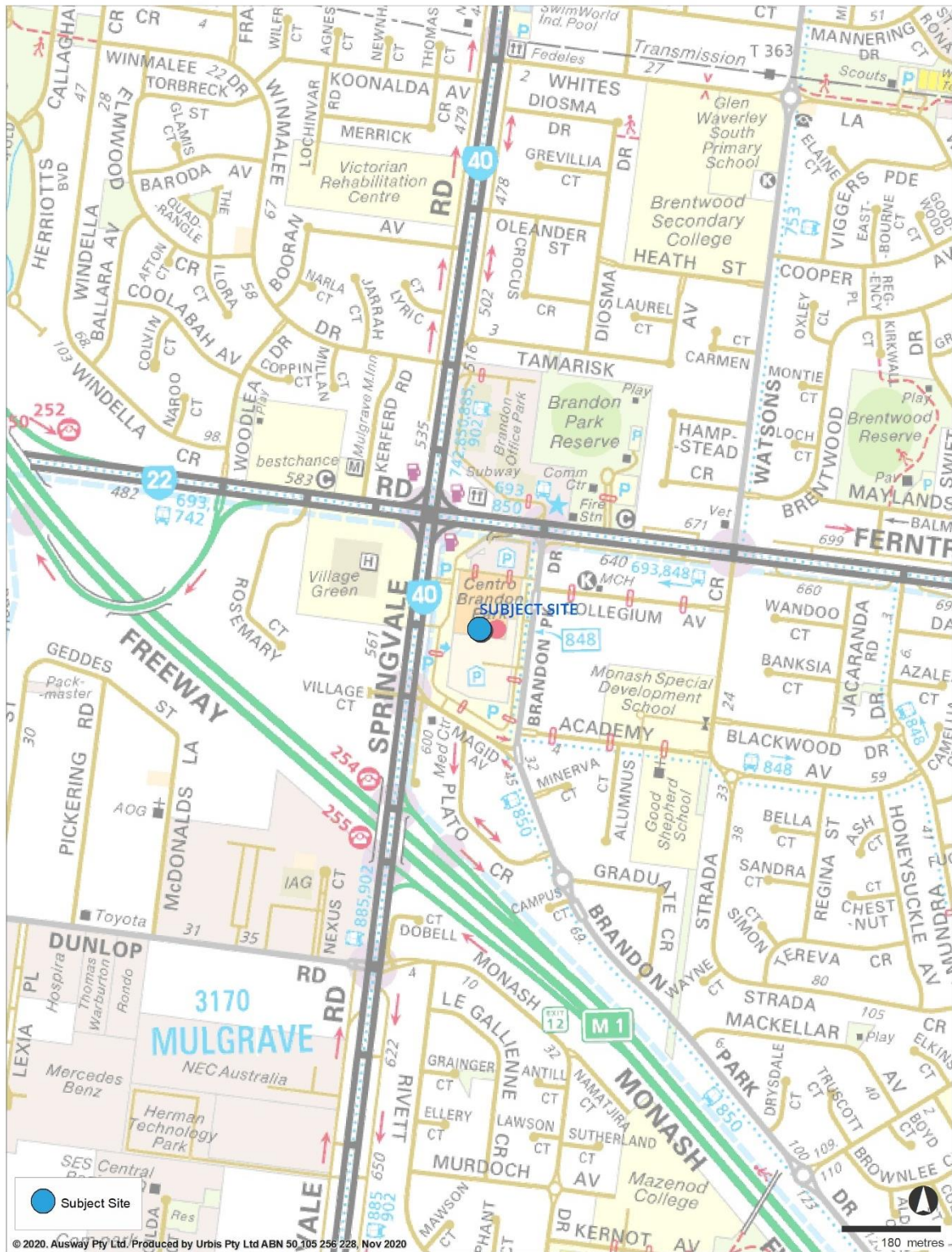
The existing centre and surrounding locality enjoy a well-connected pedestrian network, by way of dedicated pedestrian paths with street lighting along both sides of all immediately surrounding roads, together with signalised pedestrian crossings at each of the signalised intersections.

1.3.3. Public Transport

The centre is serviced by various bus routes, which provide access both to key destinations in the local area (e.g. shopping areas), as well as an interchange to other modes of transport enabling travel to the Melbourne CBD and other destinations. Bus routes relevant to the site include: 693, 742, 753, 848, 850, 885, 902 and 969.

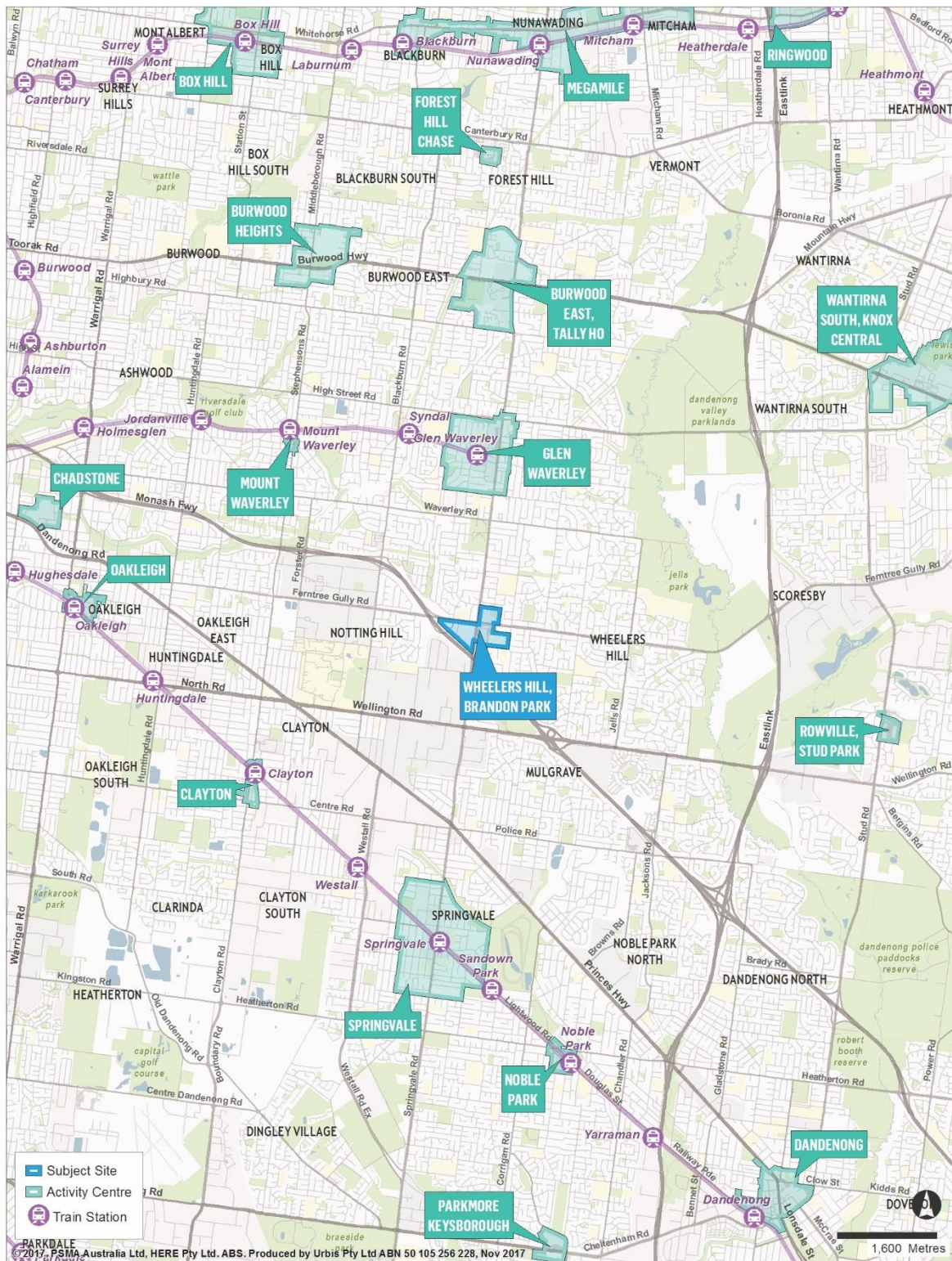
Figure 4 below depicts the Brandon Park Major Activity Centre within the context of a maximum 1500m radius, with bus stop locations within the vicinity of the centre identified. Figure 5 provides a broader snapshot of the Brandon Park Major Activity Centre, within the context of all nearby activity centres and railway stations identified on the map. It is noted that Glen Waverley, Huntingdale and Springvale stations are located nearby.

For more detail on public transport access for the site, please refer to the Transport Impact Assessment, prepared by GTA Consultants.



BRANDON PARK SHOPPING CENTRE SITE LOCATION

Figure 4 – Melways Location Map



BRANDON PARK SHOPPING CENTRE ACTIVITY CENTRES & PUBLIC TRANSPORT

Figure 5 – Monash Activity Centre Location Map

2. PLANNING POLICY & CONTROLS

The following planning policies and controls within the Melbourne Planning Scheme are of relevance to the consideration and determination of the proposal:

Planning Policy Framework (PPF)

- Clause 11 – Settlement
- Clause 15 – Built Environment and Heritage
- Clause 17 – Economic Development
- Clause 18 – Transport

Local Planning Policy Framework (LPPF)

- Clause 21.01 – Municipal Profile
- Clause 21.05 – Economic Development
- Clause 21.06 – Major Activity and Neighbourhood Centres
- Clause 21.08 – Transport and Traffic
- Clause 21.13 – Sustainability and Environment
- Clause 21.17 – Brandon Park Major Activity Centre Structure Plan
- Clause 22.03 – Industry & Business Development & Character Policy
- Clause 22.04 – Stormwater Management Policy
- Clause 22.13 – Environmentally Sustainable Development Policy

Zone

- Commercial 1 Zone (C1Z)

Overlays

- Design & Development Overlay – Schedule 8 (DDO8)

Particular Provisions

- Clause 52.06 – Car Parking
- Clause 52.34 – Bicycle Facilities

Strategic Documents

The following strategic documents are of relevance:

- Brandon Park Major Activity Centre Structure Plan (October 2013)

Please refer to **Appendix B** for a detailed summary of the relevant planning policies and controls.

3. PROPOSAL

The proposal comprises the construction of a seven (7) storey mixed-use building on a portion of the existing shopping centre site which interfaces with Brandon Park Drive, comprising medical tenancies, commercial office space and serviced apartments, together with provision of car parking and new landscaping.

3.1. DEVELOPMENT SUMMARY

Storeys / Building Height	7 storeys / 24.90m (excluding rooftop services)
Minimum Street Setback	10m (GF–L3) 13.36m – 24.01m (L4–L6)
Land Uses	
	Quantity
Medical Centre Tenancies	677m ²
Office	5,132m ² (excluding lobby)
Serviced Apartments (Residential Hotel)	102 serviced apartments (51 x Studio, 45 x 1-bed, 6 x 2-bed)
Car Parking Provision	237 spaces
Bicycle Parking Provision	45 spaces

3.2. LAND USE

The proposal will accommodate two medical centre tenancies at Ground Floor, commercial office spaces at Levels 2 – 3 and serviced apartments (residential hotel) on Levels 4 – 6.

Pursuant to the C1Z, the medical centre and office tenancies are as of right uses not requiring a permit, whereas the residential hotel triggers a planning permit under the C1Z given the frontage at ground floor level exceeds 2 metres.

Key details of the proposed land uses are as follows:

Serviced Apartments (Residential Hotel) – Permit Required

- Total of 102 serviced apartments.
- Intended to be occupied by a highly regarded serviced apartment operator (TBC).
- Porte cochere and dedicated Ground Floor lobby / reception area provides a sense of arrival for the apartments.
- Central outdoor terraces provided at Levels 2 and 4 as a communal space for guests.
- Conference room and gym facilities provided at Level 4 for use by hotel guests.

Medical Centre – No Permit Required

- Total medical centre NLA of 677m².
- The exact nature of the proposed medical practices is currently unknown, hence exact number of practitioners is yet to be determined.

Office – No Permit Required

- Total office NLA of 5,160m².
- The office floorplates adopt an open layout, ensuring it is suitably flexible, adaptable and appealing to a range of prospective tenants.

3.3. BUILDINGS & WORKS

To facilitate the proposed development, it is required to partially demolish a portion of the eastern section of the existing shopping centre building (no permit required) – refer to proposed demolition plan.

The proposed seven-storey building is contemporary in its architectural expression, which is complemented using a range of external materials and finishes, including extensive double glazing (silver colour), black painted steel window frames, textured concrete cladding, powdercoated louvred screening and painted concrete planters, all of which contribute to the articulation and visual interest of the building.



Figure 6 – perspective render within Brandon Park Drive looking north

The composition of the proposed building is as follows:

Ground Floor

- Porte Cochere, facilitating visitor drop-off / pick-up and spatial allowance for three short-term car spaces for vehicles to prop and wait, with generous provision for landscaping between porte cochere lane and street frontage.
- 2 x medical centre tenancies (315sqm + 362sqm).
- Commercial office lobby, accessed direct from the porte cochere, comprising two lifts, together with back of house amenities including end-of-trip facilities and stair core.
- Serviced apartment lobby, accessed direct from the porte cochere, comprising two patron lifts, together with back of house facilities including a manager's office, luggage room, general storage space, communications rooms, dedicated services lift and access to waste store and loading bay.
- Dedicated entry points to the various uses, including individual medical tenancy entries direct from porte cochere, a central commercial office lobby accessed direct from porte cochere and a dedicated serviced apartment lobby accessed direct from porte cochere.

- New loading dock area servicing the mixed-use development.
- Back of house services, including substation and main switch room at north-western corner of ground floor footprint.

Level 1

- Car parking for the development, comprising 137 car parking spaces, with new car park accessway connections to the existing retail Level 1 rooftop deck car park to the south, as well as a connection to the new car parking associated with the proposed residential development to the north, both of which also comprises parking spaces for use by this development.

Level 2

- Office tenancy (2,570sqm) and associated lift / stair core and office amenities.
- Central communal outdoor terrace space between the two wings of the building.

Levels 3

- Office tenancy (2,562sqm) and associated lift / stair core and office amenities.

Level 4

- 37 x serviced apartments, most with individual balconies.
- Conference room and gym facilities for use by hotel guests.
- Central courtyard terrace provided at Level 4 as a communal space for guests.

Level 5

- 36 x serviced apartments, most with individual balconies.

Level 6

- 28 x serviced apartments, most with individual balconies.

Roof

- Fire stair roof access enclosure, rooftop plant areas, and solar panel spatial allocation.

3.4. PARKING & LOADING

3.4.1. Car Parking

A total of 237 car parking spaces are proposed to be allocated to this mixed-use development, comprising 125 spaces within the mixed-use development itself, together with 112 spaces allocated within the shopping centre car park (refer to Figure 6.1 in GTA report for allocated car space locations).

The car parking demand assessment for the development is as follows:

Land Uses	Size	Statutory Car Parking Rates	Statutory Requirement	Proposed Provision
Office	5,132sqm	3.0 spaces per 100sqm	153 spaces	237 spaces
Medical Centre	677sqm	3.5 spaces per 100sqm	23 spaces	
Serviced Apartments	102 apartments	0.6 spaces per room	61 spaces	
Sub Total			237 spaces	

Table 1 – Car Parking Demand Assessment (Source: GTA Report)

For comprehensive detail regarding car parking provision, location and design, refer to GTA Transport Impact Assessment.

3.4.2. Bicycle Parking / End-of-Trip

A total of 39 bicycle parking spaces will be provided throughout the site, together with end-of-trip facilities, as follows:

- 16 visitor spaces provided within the future ground floor public realm (in the form of 8 hoops).
- 23 long-term employee spaces provided within the dedicated end-of-trip area behind the commercial lobby and co-located with showers and changeroom facilities.

3.4.3. Loading

A loading dock for this development is proposed to be provided at the southern end of the proposed ground floor envelope, accessible via Brandon Park Drive. Access to the loading bay is in the same zone as loading access for the retail uses, consolidating the commercial vehicle zone away from other public areas.

The loading dock (3.5m by 8.8m) has been designed to be accessed by an 8.8m Medium Rigid Vehicle.

3.5. LANDSCAPING

The proposal seeks to enhance the landscape setting of Brandon Park Drive by way of:

- Retention of existing mature trees along the street frontage.
- Planting of two new Bloodwood trees within the front setback, located in between the existing tree plantings, to create a generous tree canopy treatment along the site frontage, with understorey landscaping proposed throughout the generous landscape bed beneath the trees.
- Provision of new planter beds in front of service areas as the southern end of the site frontage to soften this inactive portion of the site, together with a small planter bed at the northern end of the building.
- High-quality feature paving treatment applied to the porte cochere lane, the building entry foreground and portions of the pedestrian footpaths immediately outside the title boundary along the site frontage.
- Provision of planter boxes integrated into the elevated central terrace designs at Levels 2 and 4 of the building, which will be visible from the Brandon Park Drive public realm.

4. PLANNING CONSIDERATIONS

Based on the applicable planning controls and the site's urban context, the key considerations relevant to this proposal are:

- Consistency with the Planning Framework
- Land use, built form and landscaping response
- Car parking, traffic, access, loading and waste arrangements
- Management of off-site amenity impacts
- Environmentally sustainable development (ESD) outcomes

Each of these matters will be discussed in the following sections of this report.

4.1. CONSISTENCY WITH THE PLANNING FRAMEWORK

The proposal is considered to generally align with the relevant strategic directions contained within the PPF, as follows:

- The proposed mix of land uses aligns with Clauses 11 and 17, which encourage activity centres to accommodate significant growth and a broad range of land uses that are highly accessible to the community and meet community needs for office and commercial and health services.
- The proposed built form and landscaping response represent a high-quality development outcome that will contribute positively to the Brandon Park Major Activity Centre and more specifically, to the Brandon Park Drive streetscape, which aligns with the intent of Clause 15 to ensure new development enhances the local context and specifically improves the function and amenity of the public realm.
- The proposed car parking allocation for the development will adequately accommodate the anticipated parking demand and provision of porte cochere will allow for safe and efficient pick-up / drop-off for visitors to the development, all of which align with the policy intent of Clause 18.

4.2. LAND USE, BUILT FORM & LANDSCAPING RESPONSE

4.2.1. Land Use

The mixed-use nature of the proposal is considered entirely suitable within this Major Activity Centre context, in that the uses will facilitate increased activity within the centre, and importantly, will revitalise the Brandon Park Drive streetscape, which is currently quite poorly presented. The introduction of medical centre tenancies will contribute significantly to the local health service offering, whilst the commercial office and serviced apartment uses will support local and regional businesses, particularly those within the nearby Monash National Employment and Innovation Cluster (NEIC).

The proposed land uses are responsive to the Local Planning Policy Framework (LPPF), as follows:

- Clause 21.05 identifies the importance of ensuring activity centres such as Brandon Park to continue improving and revitalising to attract local business to provide employment opportunities and investment within Monash, which can be achieved by facilitating appropriate mixed-use development such as that proposed in this application.
- Policy direction at Table 1 of Clause 21.06 identifies primary focus for the Brandon Park Activity Centre, making specific references to the facilitation of development that includes offices, hotels and community facilities within a medium rise scale of development. The proposal is considered to align directly with the policy intent, adding to the overall vibrancy of the centre through built form, landscaping and generation of activity within Brandon Park Drive.
- Clause 21.17 of the Planning Scheme relates specifically to Brandon Park Shopping Centre, identifying it within Precinct 1 of the Brandon Park Major Activity Centre, stating:

'Update the free-standing shopping centre so that it consolidates its function as the retail core of the Activity Centre. Inclusion of other services including medical centre facilities is appropriate'.

Importantly, the proposed land uses are directly aligned with the land use objectives of the Commercial 1 Zone, with two of the three uses being as of right within the zone and all of them supporting and contributing to the commercial vitality of the Brandon Park Major Activity Centre.

4.2.2. Built Form

Key objectives for Brandon Park Shopping Centre at Clauses 21.06, 21.17 and 22.03 are to:

- *Encourage redevelopment and concentration of activity as well as maintain the existing historical/cultural resources of the centre.*
- *Update the free-standing shopping centre so that it consolidates its function as the retail core of the Activity Centre. Inclusion of other services including medical centre facilities is appropriate.*
- *To ensure that new development is successfully integrated into existing business or industrial areas to enhance the streetscape character and amenity.*
- *To ensure that the scale and character of future development creates or enhances a high amenity built form environment and attractive landscape setting.*

The proposal aligns with these aspirations, in that it:

- Seeks to introduce increased activity in a portion of the shopping centre site that is currently inactive.
- Introduces new land uses such as medical, office and serviced apartments, all of which complement the existing shopping centre function, and will contribute to the vision of the centre becoming a multi-trip destination.
- Enhances the aesthetic appeal of the centre by way of high-quality, contemporary, and articulated built form, with supplementary landscaping to improve the public realm.
- Introduces a scale of built form that is responsive to the Major Activity Centre context and the site's immediate physical context, which is devoid of any direct sensitive interfaces.

4.2.2.1. DDO8 Considerations

When considering the appropriateness of the proposed works for which a permit is required in this instance, the objectives and policy contained within Schedule 8 of the DDO are pertinent. Whilst the proposed development exceeds the discretionary DDO8 height limit of 17 metres (4 storeys), it is considered to still provide a suitable response to the overarching design objectives of the DDO8, as follows:

- At Ground Floor Level, the building adopts a 12.51 metre setback from Brandon Park Drive to ensure generous landscaping provision can be accommodated within the street setback and existing trees can be retained along this frontage, which will enhance and soften the presentation of the building at a pedestrian level, maintaining and contributing to the streetscape quality and overall Garden City Character.
- The proposed 7-storey building is considered to represent a suitable scale of built form within this context, because the Shopping Centre is a focal point within the broader Brandon Park Major Activity Centre area and is therefore capable of accommodating robust development outcomes, particularly given the portion of the site being developed lacks any direct sensitive interfaces.
- The proposed building has been thoughtfully designed to respond to the prevailing scale of the area, by adopting a 4-storey podium form, which is generously setback from the Brandon Park Drive frontage and is the principal portion of built form that is experienced from within the streetscape. Levels above the podium adopt a U-shaped form with a central void facing the street to effectively break up the breadth of the form, with setbacks progressively increasing at each level to achieve a highly recessive and well-articulated presentation to the streetscape, which appropriately mitigates visual bulk to the public realm.

- The car parking provision and parking access will be integrated with the shopping centre car park, whilst the new porte cochere to Brandon Park Drive will facilitate safe and efficient drop-off / pick-up for the development, whilst also introducing activation and a sense of address to Brandon Park Drive.

DDO8 Buildings & Works Guidance

Component	Response
Building Height	The proposal adopts a 7-storey building height, exceeding the 4-storey discretionary limit. As mentioned earlier in this report, the robust site context, and the lack of direct sensitive interfaces to the portion of the site being developed means the capability of this site to be developed to this scale is heightened.
Setbacks	<p>At Ground Floor level, the nearest portion of the building façade is setback 12.51m from Brandon Park Drive, with the serviced apartment lobby adopting a greater street setback of 15.56m and building services and loading facilities setback even further at 22.41m, providing an appropriately staggered street setback alignment at a pedestrian level.</p> <p>Levels 1 – 3 above, which form the ‘podium’ of the building, are setback 10m from the street, which is in alignment with the desired setback under the DDO8 and allows for provision of a landscape buffer along the site frontage ranging between 4.55m – 6.85m wide between the porte cochere lane and the Brandon Park Drive boundary, which accommodates retention of existing tree plantings and will facilitate additional landscaping to soften the street interface, ultimately contributing positively to the Garden City Character of the streetscape.</p> <p>Each level above the podium (i.e. Levels 4 – 6) progressively staggers away from the street, creating a highly recessive built form presentation, with the upper most level setback 24.01m from Brandon Park Drive to mitigate perceived bulk upon the streetscape.</p>
Landscaping	<p>As mentioned above, the generous building setback allows for provision of a generous landscaped area along the site frontage, which will enable retention of existing street tree plantings and provide opportunities for new tree planting and vegetation along the site frontage.</p> <p>The proposed landscaping scheme will represent a notable contribution and enhancement to the existing streetscape conditions along the western edge of Brandon Park Drive, which is currently quite sparsely planted and is lacking quality or consistency of landscaping treatments.</p> <p>Refer to landscape concept plan for details of proposed planting species and locations.</p>
Building Form & Design	<p>The proposal represents a high-quality, contemporary built form outcome that is well-articulated through the implementation of a defined podium form with recessed levels above which adopt a U-shaped form with a substantial central void facing the street to effectively break-up the breadth of the overall built form.</p> <p>The extensively glazed façade treatment complements the contemporary architectural expression, as do the use of concrete cladding, black framing</p>

Component	Response
	<p>features and the use of metal louvres to clad the less active components of the building.</p> <p>The curvilinear design of the canopy above the ground floor entry points to the building contributes to the overall interest of the building, particularly at a pedestrian level, and will provide appropriate weather protection to the entries and porte cochere access lane. The building entry and porte cochere area will be appropriately illuminated to create a safe, attractive and inviting environment at a pedestrian level, contributing to the quality of the public realm.</p>
Services	<p>Some building services are proposed at ground floor level, however, are suitably removed from the primary building façade. The proposed substation and switch room are located at the north-western corner of the building envelope so as to not be visible from the public realm, whilst other service cupboards, communication room and loading facilities will be located at the southern end of the building façade, however generously setback (22.41m) from the street so as to not be prominent features of the building presentation.</p> <p>Mechanical plant equipment is proposed to be located within designated rooftop plant areas, contained within screened enclosures.</p> <p>Waste storage will occur within a designated waste room not visible from the public realm, with waste collection to occur from the designated loading bay in accordance with the enclosed Waste Management Plan, prepared by WSP.</p>

4.2.3. Landscaping

The nature of the development is such that the proposed landscaping scheme is focused on the interface with Brandon Park Drive in order to facilitate retention of the existing mature vegetation and provide a new landscape buffer between the proposed building and the streetscape.

To complement the existing tree retention along the site frontage, the landscape plan proposed two additional medium sized canopy trees (Bloodwood) within the street setback to Brandon Park Drive, which together with new understorey landscaping and shrub planting beneath the tree canopies, will create a robust landscape buffer and contribute to the streetscape quality and pedestrian experience within this section of Brandon Park Drive.

Additional landscape beds are provided adjacent to the building footprint, particularly adjacent to the medical tenancy and services areas, which combined with the proposed feature paving, will contribute to the overall quality of the ground floor façade and entry experience, enhancing sense of address. The proposed extension of the feature paving slightly beyond the title boundary is intended to create a seamless transition to the public realm beyond the site, and is considered to represent a quality urban design outcome and a welcomed refinement to the existing public realm.

Landscaping within the central communal terrace areas at Levels 2 and 4 will be relatively low scale plantings within raised planters, creating enjoyable outdoor spaces for office staff and serviced apartment guests, whilst also introducing a element of greenery within the central void of the building.

Please refer to the enclosed landscape plans for more detail regarding indicative species selection and tree planting locations.

4.3. CAR PARKING, TRAFFIC, ACCESS, LOADING & WASTE ARRANGEMENTS

4.3.1. Car Parking

The car parking strategy for the mixed-use development is to provide 125 car spaces as part of the mixed-use development itself, with the balance of required car parking spaces (115) provided within the shopping centre car parking areas – refer to car parking allocation map at Figure 6.1 of GTA Report.

The total provision of 237 spaces notably exceeds the base statutory requirement of 176 spaces (i.e. requirement generated by office and medical uses, for which rates are nominated in the Scheme), however when considering the parking demand associated with the serviced apartments (for which there is no rate in the Scheme), the proposal aligns directly with the overall anticipated parking demand, as detailed in the table below (*source: GTA Report*):

Land Uses	Size	Statutory Car Parking Rates	Statutory Requirement	Proposed Provision
Office	5,132sqm	3.0 spaces per 100sqm	153 spaces	237 spaces
Medical Centre	677sqm	3.5 spaces per 100sqm	23 spaces	
Serviced Apartments	102 apartments	0.6 spaces per room	61 spaces	
Sub Total			237 spaces	

In summary, the proposed car parking provision and location are suitable to accommodate the forecast peak parking demands likely to be generated by the mixed-use application.

Accordingly, the proposal is considered to align with policy direction at Clauses 21.06 and 22.03, which encourage car parking be provided on-site to meet the needs of the centre, whilst also facilitating safe and efficient vehicle movements.

For a comprehensive assessment of the adequacy of proposed car parking provision, please refer to Section 6 of the GTA Transport Impact Assessment.

4.3.2. Traffic & Access

The proposal relies upon Brandon Park Drive as the primary access point to the site, both for car parking and for drop-off / pick-up via the proposed porte cochere lane.

The traffic generation analysis at Section 6.3 of the GTA Report indicates that the proposed mixed-use development could be expected to generate in the order of 130 vehicle movements during each road network peak hour. Overall, the proposed cumulative development could be expected to generate in the order of 180 vehicle movements during each road network peak hour.

The provision of a porte cochere utilises existing vehicle crossings to the site and will accommodate the pick-up / drop-off demands of the development, allowing passenger vehicles to conveniently turn into and exit the site via Brandon Park Drive.

Ultimately, the proposed cumulative traffic generation of this application and the residential application will result in a minor increase in traffic to the site. This is not expected to have a detrimental impact on the surrounding road network, and minor works (updated signal phasing) have been proposed to accommodate this increase in demand.

For a comprehensive assessment of traffic implications, please refer to Section 6.3 of the GTA Transport Impact Assessment.

4.3.3. Loading & Waste

To ensure commercial vehicle loading operations remain separate from public areas, the proposed loading bay has been located and designed to ensure it utilises the same loading access zone as the retail loading. For a detailed assessment of loading bay arrangements and truck movements, please refer to Section 5 of the GTA Transport Impact Assessment.

In relation to waste storage and collection, a detailed review of the development has been undertaken by WSP and their recommendations have been incorporated into the design. Waste collection will be undertaken by a private contractor in accordance with the Waste Management Plan.

For a detailed assessment of waste storage and collection arrangements, please refer to the Waste Management Plan, prepared by WSP.

4.4. MANAGEMENT OF OFF-SITE AMENITY IMPACTS

The portion of the site being developed in this instance benefits from a lack of any direct sensitive interfaces, meaning off-site amenity impacts are negligible, for the following reasons:

- The built form is located within an already robust shopping centre site and will be setback a minimum of 10 metres from Brandon Park Drive (with exception of the cantilevered entry canopy which encroaches into the setback), with upper levels progressively and generously setback further from the street ensuring visual bulk upon the streetscape and immediate public realm is suitably mitigated.
- The enclosed shadow diagrams, based between 9am and 3pm on the 22 June equinox, indicate that the proposed building will cast shadows entirely within the shopping centre site within the morning hours (i.e. 9am – 12 noon), with new shadows cast over the public realm limited to afternoon hours only, with the opposite side of Brandon Park Drive only affected at 3pm. Such degree of overshadowing is considered entirely acceptable within a designated major activity centre such as this, where robust development is encouraged.
- The eastern side of Brandon Park Drive comprises commercial buildings and a 5-storey residential aged care facility (under construction) that is setback generously from the street. It is therefore considered the proposal is not expected to impose unreasonable bulk or mass to the eastern interface, particularly given the setback and material articulation in the eastern building façade.
- The proposal provides a compliant number of on-site car parks, therefore eliminating any reliance on parking within surrounding streets.
- The anticipated traffic generation from this development is such that it can be easily accommodated without any perceivable impact upon the surrounding road network.

Accordingly, we see minimal scope for any unreasonable off-site amenity impacts associated with the proposal.

4.5. ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT (ESD) OUTCOMES

Please refer to Sustainable Design Assessment, prepared by NDY (dated 26.07.2021), which provides detail of the sustainability initiatives to be implemented as part of this development, in alignment with the key sustainability criteria at Clause 22.13.

Note, a detailed Sustainability Management Plan can be provided by way of condition, should Council deem it necessary.

5. CONCLUSION

We conclude that the proposal to redevelop this portion of the existing Brandon Park Shopping Centre for a mixed-use development is entirely consistent with both State and Local policy direction and that the proposal itself represents an outcome that will contribute to the ongoing success and vitality of this Major Activity Centre as an attractive mixed-use destination for the locality and broader municipality.

The proposed built form, coupled with a refreshed landscaping scheme along Brandon Park Drive, will contribute to the architectural interest of the centre and to the Garden City Character, whilst provision of car parking will be entirely sufficient to accommodate peak parking demands.

For the reasons discussed above, we consider the proposal represents an appropriate planning and design outcome for the sites and the surrounding area and should therefore be supported.

DISCLAIMER

This report is dated October 2021 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Newmark Capital (**Instructing Party**) for the purpose of Town Planning Application (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

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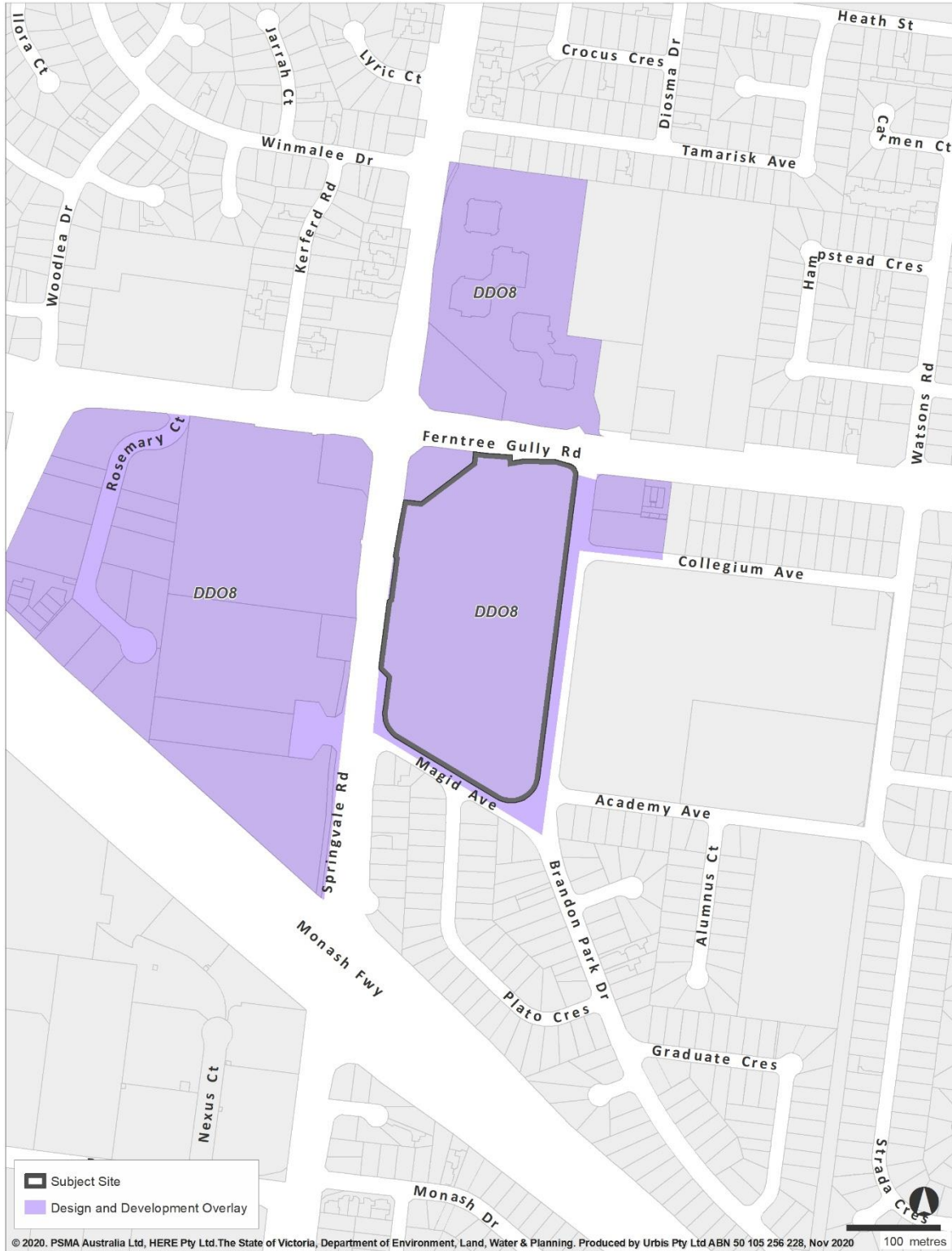
This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A

ZONING & OVERLAY MAPS



BRANDON PARK SHOPPING CENTRE PLANNING ZONES



BRANDON PARK SHOPPING CENTRE DESIGN AND DEVELOPMENT OVERLAY (DDO8)

APPENDIX B

PLANNING CONTROLS & POLICIES

PLANNING POLICY FRAMEWORK

The Planning Policy Framework seeks to develop the objectives for planning in Victoria (as set out in the *Planning and Environment Act 1987*) to foster appropriate land-use and development planning and policies and practices that encompass relevant environmental, social and economic factors.

The sections of the Planning Policy Framework, which are particularly relevant to this matter include:

- Clause 11 – Settlement
- Clause 15 – Built Environment and Heritage
- Clause 17 – Economic Development
- Clause 18 – Transport

The key points of these policies as they relate to this application are summarised below:

- Clause 11.03-1S seeks to *encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.*
- Clause 11.03-1R encourages:
 - *Development and growth of Metropolitan Activity Centres by ensuring they are able to accommodate significant growth for a broad range of land uses; and*
 - *Locate significant new education, justice, community, administrative and health facilities that attract users from large geographic areas in or on the edge of Metropolitan Activity Centres or Major Activity Centres with good public transport.*
- Clause 15.01-2S seeks to:
 - *Achieve building design outcomes that contribute positively to the local context and enhance the public realm.*
 - *Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*
 - *Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.*
 - *Ensure development provides safe access and egress for pedestrians, cyclists and vehicles.*
 - *Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.*
- Clause 17.02-1S seeks to:
 - *Encourage development that meets the community's needs for retail, entertainment, office and other commercial services.*
 - *Provide new convenience shopping facilities to provide for the needs of the local population in new residential areas and within, or immediately adjacent to, existing commercial centres.*
 - *Provide small scale shopping opportunities that meet the needs of local residents and workers in convenient locations.*
- Clause 18.02-4S seeks to:
 - *Ensure an adequate supply of car parking that is appropriately designed and located.*
 - *Design and locate local car parking to:*
 - *Protect the role and function of nearby roads.*
 - *Enable easy and efficient use.*

- *Enable the movement and delivery of goods.*
- *Achieve a high standard of urban design and protect the amenity of the locality, including the amenity of pedestrians and other road users.*
- *Create a safe environment, particularly at night.*
- *Facilitate the use of public transport.*
- *Make adequate provision for taxi ranks as part of activity centres, transport interchanges and major commercial, retail and community facilities.*

LOCAL PLANNING POLICY FRAMEWORK

Municipal Strategic Statement

The following provisions of Council’s MSS are applicable to the application:

- Clause 21.01 – Municipal Profile
- Clause 21.05 – Economic Development
- Clause 21.06 – Major Activity and Neighbourhood Centres
- Clause 21.08 – Transport and Traffic
- Clause 21.13 – Sustainability and Environment
- Clause 21.17 – Brandon Park Major Activity Centre Structure Plan

Key directions set out in the above are as follows:

Clause 21.01 – Introduction

The MSS recognises that Monash is one Melbourne’s most populous municipalities with over 10 per cent of the land within the municipality zoned for business purposes. It identifies the critical role activity centres such as Brandon Park play in accommodating retail, commercial, future housing and civic services which cater for the diverse community needs. It recognises that no new retail centres are required within the municipality, and therefore acknowledges opportunities for existing centres to refurbish or reposition to remain competitive.

It also identifies the importance of the ‘Garden City Character’ and the influence this character has on attracting investment within the municipality.

The Strategic Framework Plan identifies major strategic directions for the municipality, of which the following are particularly relevant:

- *Identifying activity centres and promoting development and expansion of retail, entertainment, community, and related facilities appropriate to the centre’s role.*
- *To direct residential growth to neighbourhood and activity centres, the Monash National Employment and Innovation Cluster and the boulevards (Springvale Road and Princes Highway).*
- *Maintaining and enhancing the established garden city character of Monash on both private and public land including along main roads.*

Clause 21.05 – Economic Development

This policy identifies that activity centres in Monash need to continue to positively attract and retain local business to provide employment opportunities and investment.

Objectives include:

- *To create an environment which is attractive to investors and fosters business growth.*

- To increase the number and range of viable local employment opportunities.
- To facilitate the revitalisation of key areas and ensure that new development is of a high standard that adds to the attractiveness of business and industrial areas and enhances Garden City Character.
- To encourage appropriate mixed-use development while ensuring that the amenity of neighbourhoods is not adversely affected.

Clause 21.06 – Major Activity and Neighbourhood Centres

This policy identifies Brandon Park as a major activity centre and identifies the importance of such centres to local communities, also acknowledging the need to ensure they remain vibrant and attract local business.

Objectives include:

- To develop vibrant major activity and neighbourhood centres with a broad mix of uses appropriate to the type of centre and needs of the target population, that have improved access for walking, cycling and levels of public transport services, and that provide a focal point for the community, fostering social and cultural development.
- To promote and facilitate the hierarchy of activity and neighbourhood centres as the most efficient and equitable framework to provide the range of civic, retail, recreational, residential, entertainment, health, educational, restaurant and other service requirements of the community.
- To promote and enhance the unique characteristics of each shopping centre to ensure a strong sense of identity and character, including appropriate signage.

Table 1: Hierarchy of Activity Centres in Monash

Hierarchy	Primary Focus	Strategic Directions
Clayton	<ul style="list-style-type: none"> Major focus for: 	<ul style="list-style-type: none"> Encourage redevelopment and concentration of activity as well as maintain the existing historical/cultural resources of the Centre.
Brandon Park	<ul style="list-style-type: none"> higher order goods 	
Mt Waverley	<ul style="list-style-type: none"> specialty retailing entertainment mixed commercial uses offices apartments hotels community facilities public transport 	<ul style="list-style-type: none"> Encourage a wide range of arts, cultural and entertainment facilities. Encourage restaurant uses. Encourage office uses where contiguous retail frontage is not compromised. Encourage medium rise residential development within the Centre. Ensure pedestrian and cycling linkages are enhanced. Encourage greater public transport linkages and service. Ensure parking is provided to meet the needs of the Centre.

Clause 21.08 – Transport and Traffic

Key objectives of this policy include:

- *To facilitate and provide safe, efficient and effective access which minimises travel times throughout the City.*
- *To improve local area traffic management, safety and amenity and promote appropriate traffic speeds in local residential areas.*
- *To ensure that adequate vehicle parking is provided for all new uses and developments and that the cost is shared on an equitable basis.*

Clause 21.13 – Sustainability and Environment

Key objectives of this policy include:

- *To achieve building design which incorporates accessibility considerations and reduces the need to modify or alter structures in response to future changing needs and/or uses.*
- *To encourage best practice waste management techniques and recycling, particularly during demolition and construction of buildings, and by the community and industry.*
- *To ensure that appropriate infrastructure is provided to meet changing community needs.*
- *To ensure that there is incorporation of environmentally sustainable design principles when a new building is being designed.*

Clause 21.17 – Brandon Park Major Activity Centre Structure Plan

The vision for the Brandon Park Major Activity Centre is:

- *The Brandon Park Major Activity Centre will be an attractive, safe and highly accessible place where people can access shops and services to meet most of their daily and weekly needs.*
- *The centre will provide a range of employment opportunities in enterprises that provide a diverse range of services to the community.*
- *The centre shall include elegantly designed medium scale residential buildings to enable a greater choice of housing for the community.*
- *The Brandon Park Major Activity Centre consists of eight precincts, surrounded by an interface area which is mainly used for residential purposes.*

Precinct 1 – Brandon Park Shopping Centre is relevant to this application, with the key objective being:

- *Update the free-standing shopping centre so that it consolidates its function as the retail core of the Activity Centre. Inclusion of other services including medical centre facilities is appropriate.*

Objectives

The Brandon Park Major Activity Centre will:

Public Realm

- *Provide attractive and safe civic spaces to enhance community interaction, health and connectedness.*
- *Ensure that public spaces in the Brandon Park Major Activity Centre are well designed and enhance community safety through informal surveillance, lighting and appropriate landscaping.*
- *Encourage public spaces within the Brandon Park Major Activity Centre to become preferred meeting places and a resource for community learning and interaction.*

Accessibility

- *Provide vibrant, attractive pedestrian environments that are safe and accessible for people with all levels of mobility.*
- *Be highly accessible by all travel modes.*
- *Encourage people to the catchment area to walk and cycle to the various facilities within the Major Activity Centre.*
- *Create opportunities for improved local permeability through provision of new pedestrian/cycle pathways or new local street networks.*
- *Be conveniently linked to major public open space and other recreation facilities in the region.*
- *Be conveniently linked by public transport to other Activity Centres in the region.*

Land Configuration and Ownership

- *Encourage the configuration and consolidation of land where necessary to create viable development sites and optimal development of the centre.*
- *Avoid the fragmentation of land through subdivision that does not achieve the outcomes of the Development Framework.*

Local Policies

Local Planning Policies seek to further the objectives of planning in Victoria to the extent they are applicable to Melbourne, with the Local Planning Policy Framework (LPPF) of the Melbourne Planning Scheme providing a strategic framework for land use and development within the municipality.

The following provisions of Council's Local Policies are applicable to the application:

- Clause 22.03 – Industry & Business Development & Character Policy
- Clause 22.04 – Stormwater Management Policy
- Clause 22.13 – Environmentally Sustainable Development Policy

Key directions set out in the above are as follows:

Clause 22.03 – Industry & Business Development & Character Policy

Key objectives of relevance include:

- *To ensure that new development is successfully integrated into existing business or industrial areas to enhance the streetscape character and amenity.*
- *To assist the sustainable and complementary development and operation of industrial, office and high technology land uses that provide a variety of employment centres of high amenity, quality and enduring local image.*
- *To ensure that the scale and character of future development creates or enhances a high amenity built form environment and attractive landscape setting.*
- *To ensure that development contributes to the maintenance and development of a high-quality urban environment within the industrial and business areas and their environs, including the enhancement of the image of industrial and business areas when viewed from any road.*
- *To provide greater certainty in terms of development outcomes and enhance existing private sector investment by encouraging well designed development.*

Policy

It is policy that:

General

- *Development complements the current character statement and contributory elements and satisfies the intent of the desired future character statement for the applicable industry or business Character Type identified in Clause 22.03-4.*
- *The Garden City Character of industrial and business areas be developed and enhanced.*

Building Setbacks

- *Buildings be setback from street frontages in context with the surrounding environment and to create open and spacious streetscapes.*
- *Development be setback from street frontages to visually unify diverse types of buildings and to enhance the quality of industrial and business areas.*
- *The Garden City Character be maintained and enhanced by providing space in setback areas for appropriate landscaping including the planting of semi mature canopy trees with spreading crowns.*

Building Heights

- *Development complements and does not visually overwhelm surrounding buildings, roads or spaces in terms of building scale, height and bulk.*
- *Development conforms with the scale and high-quality design suitable for the locality.*
- *Medium rise development should be encouraged in the Brandon Park, Clayton and Mount Waverley Major Activity Centres, except where an adopted Structure Plan, or some other mechanism, has identified an appropriate height limit.*

Car Parking & Vehicle Access

- *Sufficient on-site car parking, designed for safe and efficient vehicle movement, which does not visually impinge on front landscape setbacks or detract from the Garden City Character be provided.*
- *Car parking be designed to minimise parking, traffic and pedestrian impacts on front landscape setback areas.*
- *Substantive landscape areas be incorporated throughout the site to frame, screen or buffer buildings and car park areas.*
- *The extent of continuous pavement and car park areas be minimised.*
- *Car parking be located behind the front landscape setback and screened from the street with planting and low mounding or located at the side or rear of properties.*

Landscaping & Existing Trees

- *The visual and landscaping image of industrial and business areas, gateways and transport routes be enhanced.*
- *The standard of landscaping along road frontages, with particular emphasis abutting the major road network and at gateways throughout Monash, be improved.*
- *Adequate areas of landscaping, including the planting of canopy trees, and other treatments that reduce the visual impact of large paved areas be provided.*
- *Existing mature trees be retained in landscape setback areas.*
- *Landscape treatments be provided within the front and side setbacks that positively contribute to the visual qualities of the neighbourhood.*

Engineering Design

- *Proposed streetscape and engineering details integrate with the existing streetscape and engineering details.*

Business Character Type 3 (BUS3)

This policy identifies Brandon Park Shopping Centre within 'Business Character Type 3 (BUS3) – Precinct 3B.

'Brandon Park, also situated on Springvale Road at the intersection of Ferntree Gully Road, is split into two precincts by Springvale Road. On the western side of the road are a number of retail and commercial outlets such as Freedom Furniture and Carpet Call and car dealers. These are well set back from the road but due to the requirement for prominent exposure to the road, there is little planting. This lack of planting tends to emphasise the scale of the intersection.

On the east side of Springvale Road is the Brandon Park Shopping Centre. This is set in a car-dominated parking area with a number of large and mature trees. The building is architecturally non-descript of 2-3 storeys in height. It does not visually relate to its surroundings in any way and is surrounded by a sea of car parking which dominates the pedestrian experience of approaching the building. The building is orientated towards the internal spaces.'

Desired Future Character Statement

New development within this Character Type will respect the scale and form of development of the relevant Activity Centre, while providing for appropriate change.

Development in the Brandon Park Major Activity Centre and the Waverley Gardens and Wheelers Hill Neighbourhood Centres should generally be compatible with the strategic directions detailed in table 1 of Clause 21.06-3, except where an adopted Structure Plan, or some other mechanism, has identified an alternate direction.

In determining appropriate design parameters, reference should be made to all relevant studies, reports and any structure plan adopted for the Activity Centres.

Relevant studies, reports and structure plans are listed as reference documents to this clause.

Clause 22.04 – Stormwater Management Policy

This clause outlines objectives and strategies for applications for new buildings to ensure natural waterways are protected through suitable stormwater drainage management and water sensitive urban design (WSUD) measures.

Key objectives:

- *To minimise the risk to personal injury and property from stormwater flows.*
- *To protect waterways, floodplains, wetlands and receiving bodies from the impacts of inappropriate development and a consequent decline in their water quality.*
- *To minimise the introduction of polluted stormwater to the drainage and waterway system.*
- *To promote and enhance the contribution the drainage system can make to environmental, social and economic benefits to the region.*
- *To ensure that development of land which is the subject of any overland flow is subject to floodplain management requirements.*
- *To manage nuisance flows from urban redevelopment.*
- *To encourage the provision of on-site retention systems so that stormwater discharge is maintained at pre-development levels.*

Clause 22.13 – Environmentally Sustainable Development Policy

This policy enables the provision of information and provides decision guidelines which will assist in the assessment of whether development meets environmentally sustainable development objectives.

Key objectives:

The development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

In the context of this policy best practice is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life of the build.

It is a policy objective to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings.

This policy requires permit applications be accompanied by either a Sustainable Design Assessment (SDA) or a Sustainability Management Plan (SMP).

COMMERCIAL 1 ZONE (C1Z)

The site is located within the Commercial 1 Zone (C1Z). A zoning map is provided below.

The purpose of the C1Z is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To create vibrant mixed-use commercial centres for retail, office, business, entertainment and community uses.*

To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Land Use

Pursuant to Clause 34.01-1, a permit is required to use land for serviced apartments (residential hotel) if the entry at ground floor level exceeds 2 metres.

Use of the land for office and a medical centre are both Section 1 uses, therefore no permit trigger exists for these uses.

Buildings & Works

Pursuant to Clause 34.01-4, a permit is required to construct a building or construct or carry out works.

Note, the Commercial 1 Zone does not stipulate any restrictions with respect to maximum floor areas for shops or offices.

DESIGN & DEVELOPMENT OVERLAY – SCHEDULE 8 (DDO8)

The subject site is affected by a Design and Development Overlay – Schedule 8 (DDO8). An overlay map is provided below.

The purpose of the DDO is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas which are affected by specific requirements relating to the design and built form of new development.*

Buildings & Works

Pursuant to Clause 43.02-2, a permit is required to construct a building or construct or carry out works.

Schedule 8

Schedule 8 relates specifically to Brandon Park Major Activity Centre and sets out the following design objectives:

- *To ensure that development, including setbacks and landscape treatment, is in keeping with and contributes to the Garden City Character.*
- *To ensure that the building scale and form is compatible with the character of the Brandon Park Major Activity Centre and has minimal impact on the amenity of adjacent and nearby residential areas.*
- *To ensure that any new buildings located at the interface of any residentially zoned land are sensitively designed, with an appropriate scale and form.*
- *To ensure that car parking, vehicle access and service areas do not visually impinge on setbacks, adversely affect streetscapes or detrimentally impact on the amenity of adjacent residential properties.*

Specifically, Clause 2.0 of this schedule identifies the subject site as being within Precinct 1 and sets out guidelines relating to buildings and works, as follows:

Building Height

- *Heights for all buildings and works should not exceed 17 metres (4 storeys).*

(Note, for the purposes of this schedule, a 'storey' does not include a basement and building height does not include architectural elements, including parapets and roof forms, that enhances the articulation of the built form and improve the appearance of the building.)

Setbacks

- *Buildings and car park areas should be set back from the front boundary of a site at least 10 metres to all street interfaces for this site.*

Landscaping

- *Development should be framed and softened by vegetation when viewed from any point in the public realm.*
- *Landscaping materials within the activity centre should be consistent with the existing vegetation of Wheelers Hill.*
- *Brandon Park Shopping Centre site should provide a minimum 3 metre landscape area to all street boundaries.*

Building Form & Design

- *Architecture of contemporary excellence that is energy efficient and sustainable is encouraged.*
- *Building design should minimise the number of blank walls that are visible from outside the site.*
- *The visual mass of buildings must be minimised by articulation in both the horizontal and vertical planes so that long or high walls in a single plane are eliminated.*
- *Development should feature articulation of facades, rooflines, variable colours and materials. Highly reflective building materials should not be used.*
- *Streetscape elements should create an identity with the use of design elements including lighting and art works.*
- *Development should maintain the "Boulevard" character of Ferntree Gully and Springvale Roads.*

Services

- *Mechanical plant and/or equipment should be screened from view from the front street frontages and abutting properties.*
- *All services, including electricity and telecommunication facilities, should be located underground.*
- *Rubbish enclosures and service areas should be screened and located to the rear of buildings.*
- *Rubbish bins, enclosures and loading docks should not be visible from a street.*

New Streets & Accessways

- *Established engineering treatments must be used where new streets or accessways, including kerb radii, kerb and channel materials, nature strips and road surface details, meet existing streets.*
- *New accessways and streets should be designed so that they fit in with existing streetscape details. In particular:*
 - *The accessway or street should be no wider than other accessways or streets within the neighbourhood that perform a similar function.*
 - *Kerb details and corner radii of accessways and streets should be consistent with those in similar locations in the street.*

Decision Guidelines

- *Whether the location, appearance, scale, bulk, design, form, layout, and proportion and scale of any proposed buildings and works will:*
 - *Be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.*
 - *Have minimal impact on the amenity of adjacent residential properties in terms of visual bulk, height, overlooking and over shadowing.*
- *Whether any proposed landscaping will be in keeping with the Garden City Character objectives within the Local Policy and the appearance of adjacent buildings, the streetscape or the area.*
- *The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking.*
- *Whether any existing vegetation that contributes to neighbourhood character will be removed by the development.*
- *Whether any large native or exotic trees have been proposed for inclusion or removal that will contribute to neighbourhood character.*
- *Whether the development has any adverse visual impact on adjacent areas of public open space.*
- *Whether the development provides an appropriate buffer treatment at the interface with any non-residential use on adjoining properties.*
- *Whether any steps have been taken to minimise visual clutter caused by overhead services.*
- *Whether any reduction in setback along Ferntree Gully Road or Springvale Road is consistent with the context of surrounding development and will not compromise the Garden City Character and boulevard character for these main roads.*

A detailed assessment against the specific requirements contained within Schedule 8 of the DDO is provided at Section 4.2.2.1 of this report.

PARTICULAR PROVISIONS & GENERAL PROVISIONS

Clause 52.06 Car parking

Purpose of Clause 52.06 (Car Parking) is the following:

- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.*

Pursuant to Clause 52.06-3 a planning permit is required to reduce (including reduce to zero) the number of car parking spaces required under Clause 52.06-5.

The proposal remains entirely compliant with the statutory parking requirement, hence no trigger exists under the above clause.

The provisions of Clause 52.06-8 (Car Park Design) apply to this application and are assessed in the GTA report.

Clause 52.29 – Land Adjacent to a Road Zone, Category 1

Clause 52.29 applies to all applications to create or alter access to a Road Zone, Category 1 for land adjacent to a Road Zone, Category 1.

The requirements of Clause 52.29 therefore do not apply to this application given the existing vehicle crossovers to Springvale Road will remain unaltered by this proposal.

Clause 52.34 – Bicycle Facilities

Purpose of Clause 52.34 (Bicycle Facilities) is the following:

- *To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities*

The requirements of Clause 52.34 are applicable to this proposal.

Clause 53.18 – Stormwater Management in Urban Developments

Purpose of Clause 53.18 is to ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.

Clause 65 – Decision Guidelines

The responsible authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of Clause 65.

