

**1.3 1-9 ALLEN STREET & 777-781 WARRIGAL ROAD, OAKLEIGH
CONSTRUCTION OF A RESIDENTIAL AGED CARE FACILITY
(TPA/48803)**

EXECUTIVE SUMMARY:

This application proposes the construction of a residential aged care facility comprising of 136 residential aged care beds/rooms, associated services, amenities in a two storey building and 60 on-site car spaces within a basement car park area.

The application was subject to public notification. Eight (8) objections to the proposal have been received.

Key issues to be considered relate to traffic impact, adequacy of car parking, built form, neighbourhood character, construction impact and residential amenity.

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

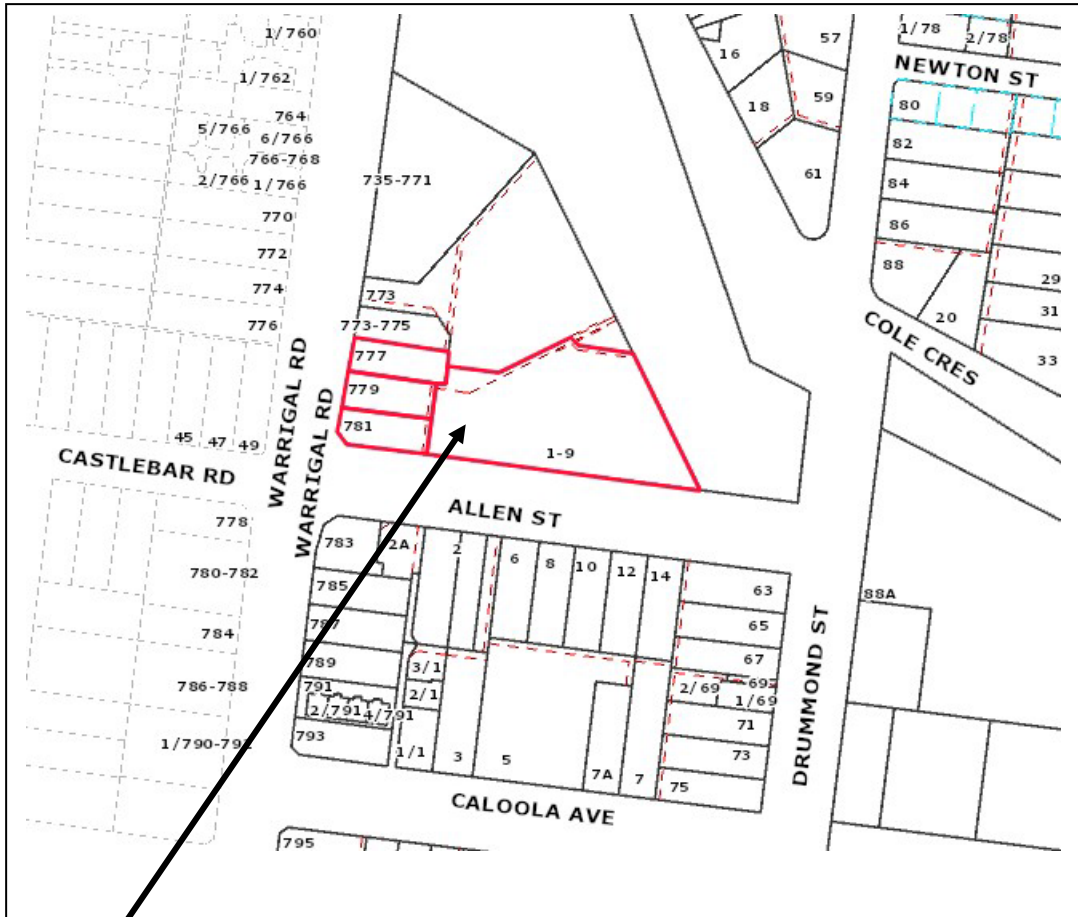
The reason for presenting this report to Council is the proposed development cost of \$14.5 million.

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

RESPONSIBLE DIRECTOR:	Peter Panagakos
RESPONSIBLE MANAGER:	Natasha Swan
RESPONSIBLE PLANNER:	James Heitmann
WARD:	Oakleigh
PROPERTY ADDRESS:	1-9 Allen Street & 777-781 Warrigal Road, Oakleigh
EXISTING LAND USE:	Dwellings and former community care and accommodation facility
PRE-APPLICATION MEETING:	No
NUMBER OF OBJECTIONS:	Eight (8)
ZONING:	Neighbourhood Residential 2

	(1-9 Allen Street) Neighbourhood Residential 3 (777-781 Warrigal Road)
OVERLAY:	No Overlays
RELEVANT CLAUSES: <u>State Planning Policy Framework</u> Clause 00.01 (Purpose) Clause 11 (Settlement) Clause 11.01-1R1 (Metropolitan Melbourne) Clause 14.02-1S (Catchment Planning and Management) Clause 15.01 (Built Environment) Clause 15.02 (Sustainable Development) Clause 16 (Housing) Clause 16.01 (Residential Development) Clause 19.02-1S (Health Facilities)	<u>Local Planning Policy Framework</u> Clause 21 – Municipal Strategic Statement Clause 21.04 – Residential Development Clause 21.05 – Economic Development Clause 22 – Local Planning Policies Clause 22.01 – Residential Development and Character Policy Clause 22.13 – Environmental Sustainable Development Particular Provisions Clause 52.06 – Car Parking Clause 52.29 – Land adjacent to a Road Zone, Category 1 Clause 52.34 – Bicycle facilities Clause 65 – Decision Guidelines
STATUTORY PROCESSING DATE:	10 October 2018
DEVELOPMENT COST:	\$14.5 million

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



1-9 Allen Street & 777-781 Warrigal Road, Oakleigh - Construction Of A Residential Aged Care Facility Comprising Of A Two Storey Building With Basement Car Parking And Alteration (Removal) Of Access To A Road Zone, Category 1

RECOMMENDATION:

That Council resolves to issue a **Notice of Decision to Grant a Planning Permit (TPA/48803)** for the construction of a Residential Aged Care Facility comprising of a two storey building with basement car parking and alteration (removal) of access to a Road Zone, Category 1, at 1-9 Allen Street & 777-781 Warrigal Road Oakleigh subject to the following conditions:

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

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

- a) The lower ground level of the development setback a minimum of 7 metres from the eastern boundary along with any associated reconfiguration to the internal layout of the development without modification to the advertised building envelope or window locations.
- b) The ground level of the development setback a minimum of 8.5 metres from the eastern boundary along with any associated reconfiguration to the internal layout of the development without modification to the advertised building envelope or window locations.
- c) Details of any required retaining walls adjacent to the northern boundary.
- d) Windows and balconies of rooms located within the western wing of the development orientated to the north-east screened to prevent overlooking of adjacent to 775 Warrigal Road secluded private open space in accordance with the requirements of Clause 55.04-6.
- e) Details of all mechanical ventilation (including heating and cooling units) located outside the building or on the rooftop with appropriate screening incorporated into the architectural design of the building. Heating and cooling units must not be located on the balconies, facade of the building or visible from outside the property.
- f) The proposed vehicle crossovers to provide clearance to the adjacent nature strip trees in accordance with the requirements of Council's Horticulture Department.

- g) The location and dimension of all services and any required electricity substations, fire services, gas and water meters, suitable painted, screened and landscaped to the satisfaction of the Responsible Authority to minimize their visual prominence.
- h) The porte-cochere vehicle crossings perpendicular to the road and the porte-cochere area modified accordingly.
- i) A 1.0m blind aisle extension to the northern end of both vehicle access aisles within the basement car park.
- j) A minimum headroom clearance of 3.5m to be provided to accommodate loading & waste vehicle access within the lower ground loading area.
- k) Provision of a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres) extending at least 2.0 metres long x 2.5 metres deep (within the property) from the edge of the exit lane of each vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road.

All to the satisfaction of the responsible authority.

2. The development as shown on the endorsed plans must not be altered without the written consent of the Responsible Authority.
3. Once the development has commenced it must be continued and completed to the satisfaction of the Responsible Authority.
4. The amenity of the area must not be detrimentally affected by the use or development, through the:
 - a) transport of materials, goods or commodities to or from the land;
 - b) appearance of any building, works or materials;
 - c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
 - d) presence of vermin;
5. Concurrent with the endorsement of any plans, a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the SMP to the satisfaction of the Responsible Authority. The report must include, but is not limited to, the following:
 - a) Demonstration of how 'best practice' sustainability measures have been addressed, having regard to the relevant aspects of Clause 21.13 of the Planning Scheme.

- b) Identify relevant statutory obligations, strategic or other documented sustainability targets or performance standards.
- c) Document the means by which the appropriate target or performance is to be achieved.
- d) Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring.
- e) Demonstrate that the design elements, technologies and operational practices that comprise the SMP can be maintained over time.
- f) Any relevant requirements of the Condition 1 sub-clauses hereof.

All works must be undertaken in accordance with the endorsed Sustainability Management Plan to the satisfaction of the Responsible Authority. No alterations to the endorsed Sustainable Management Plan may occur without written consent of the Responsible Authority and (to the extent material and necessary) any relevant flow-on changes to the design response must be also incorporated into the endorsed architectural plans.

6. Prior to the occupation any of the building approved under this permit, a report from the author of the endorsed Sustainable Management Plan (or similarly qualified person or company) must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that (in relation to the relevant completed stage of the building ready for occupation) all measures specified in the Sustainable Management Plan have been implemented in accordance with the approved plan.
7. All existing vegetation shown on the endorsed plans must be suitably marked before any development starts on the site and that vegetation must not be removed, destroyed or lopped without the written consent of the Responsible Authority.
8. Prior to the commencement of any works that are permitted by this permit, all trees that are to be retained, or are located within or adjacent to any works area, shall be marked and provided with a protective barricade and verified by an authorised officer of the Responsible Authority.
9. No form of public address or alarm system may be installed so as to be audible from outside the site.
10. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.
11. No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.

12. Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site by private contractor. The Waste Management Plan shall provide for:
- a) The method of collection of garbage and recyclables for uses;
 - b) Designation of methods of collection including the need to provide for private services;
 - c) Appropriate areas of bin storage on site and areas for bin storage on collection days;
 - d) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;
 - e) Litter management.

A copy of this plan must be submitted to and approved by Council. Once approved the plan will be endorsed to form part of this permit.

13. 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.
14. Before the development starts, a Construction Management Plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:
- a) measures to control noise, dust and water runoff;
 - b) prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
 - c) the location of where building materials are to be kept during construction;
 - d) site security;
 - e) maintenance of safe movements of vehicles to and from the site during the construction phase;
 - f) on-site parking of vehicles associated with construction of the development;
 - g) wash down areas for trucks and vehicles associated with construction activities;
 - h) cleaning and maintaining surrounding road surfaces;
 - i) a requirement that construction works must only be carried out during the following hours:

- Monday to Friday (inclusive) – 7.00am to 6.00pm;
- Saturday – 9.00am to 1.00pm;
- Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery).

15. Before the development permitted is completed, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
- a) constructed to the satisfaction of the Responsible Authority;
 - b) properly formed to such levels that they can be used in accordance with the plans;
 - c) surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;
 - d) drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;
 - e) line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.

Parking areas and access lanes must be kept available for these purposes at all times.

16. The car parking layout of the development shall generally follow the Design Standards for car parking set out in Clause 52.06-8 of the Monash Planning Scheme to the satisfaction of the Responsible Authority.
17. A landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the Responsible Authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-
- a) The location of all existing trees and other vegetation to be retained on site.
 - b) Provision of canopy trees with spreading crowns located throughout the site including the courtyard spaces within the development.
 - c) Planting to soften the appearance of hard surface areas such as driveways and other paved areas.
 - d) A schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material
 - e) The location and details of all fencing.

- f) The extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site.
- g) Details of all proposed hard surface materials including pathways, patio or decked areas.
- h) Landscape treatment of the mounding within the Highbury Road frontage.

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

18. 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.
19. The occupier of the premises must ensure that any noise emanating from the premises, during and post construction, must not exceed the standards of the State Environment Protection Policies No. N1 and must on request provide evidence to Council of Compliance with the policies.
20. Air-conditioning and other plant and equipment installed on or within the buildings must be so positioned and baffled that any noise emitted complies with the appropriate Australian Standards and EPA requirements.
21. Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the Responsible Authority.

The plans must show a drainage scheme providing for the collection of stormwater within the site and for the conveying of the stormwater to the nominated point of discharge.

The nominated point of discharge is the west of the property south-east corner of the property where the entire sites stormwater must be collected and free drained via a pipe to the Council pit in the naturestrip of the property to Council Standards

If the point of discharge cannot be located then notify Council's Engineering Department immediately.

22. Stormwater discharge is to be detained on site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required by the City of Monash prior to works commencing.
23. All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties. The on-site drainage system must prevent discharge from driveways onto the footpath. Such a system may include either:

- a) trench grates (150mm minimum internal width) located within the property; and/or
 - b) shaping the driveway so that water is collected in a grated pit on the property: and/or
 - c) another Council approved equivalent
24. The new vehicle crossing must be a minimum of 3.0 metres in width and constructed in accordance with Council standards.
 25. 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.
 26. The existing redundant crossings are to be removed and replaced with naturestrip, kerb and channel to the Council Standards.
 27. Any works within the road reserve must ensure the footpath and naturestrip are to be reinstated to Council standards.
 28. Engineering permits must be obtained for new or altered vehicle crossings and for new connections to Council pits and these works are to be inspected by Council's Engineering Department. A refundable security deposit of \$500 is to be paid prior to the drainage works commencing.
 29. The loading and unloading of goods from vehicles must only be carried out on the land.
 30. Deliveries to and from the site including the collection of waste must only take place between the hours of 7:00am-6:00pm Monday to Saturday.

Vic Roads Conditions

31. Prior to the commencement of the use or 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 VicRoads or the Responsible Authority.
32. This permit will expire in accordance with section 68 of the *Planning and Environment Act 1987*, if one of the following circumstances applies:
 - The development is not started before 2 years from the date of issue.
 - The development is not completed before 4 years from the date of issue.

In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within six months of the permit expiry date, where the development allowed by the permit has not

yet started; or within 12 months of the permit expiry date, where the development has lawfully started before the permit expires.

NOTES-

1. Building approval must be obtained prior to the commencement of the above approved works.
2. Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval before occupation.
3. Unless no permit is required under the planning scheme, no signs must be constructed or displayed without a further permit.
4. Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.
5. Any new drainage work within the road reserve requires the approval of the City of Monash's Engineering Department prior to the works commencing. Three copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Department. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.
6. Engineering permits must be obtained for new or altered vehicle crossings and for connections to Councils drains and these works are to be inspected by Council (tel. 9518 3555).
7. Stormwater detention requirements may be obtained from Council's Engineering Department prior to the design of any stormwater detention system.
8. A Licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the approved plans. The certifier's registration number must be included on the certificate.
9. Disabled access to the building must be provided to the satisfaction of the Responsible Authority. All work carried out to provide disabled access must be constructed in accordance with Australian Standards Design for Access and Mobility AS 1428.1.

10. The accessible parking spaces should generally be designed (other than length of space which may encroach into the adjacent accessway width by 500mm) in accordance with the Australian Standard for *Off-Street Parking for people with disabilities, AS/NZS 2890.6*. The vehicle path to and from each accessible space shall have a minimum headroom of 2200mm. The headroom above each dedicated space and adjacent shared area shall be a minimum of 2500mm.
11. In the event that any parking restrictions are introduced in the surrounding area, this development will not be granted parking permits.

Vic Roads note:
12. No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the *Road Management Act 2004*, the *Road Safety Act 1986*, and any other relevant acts or regulations created under those Acts.

BACKGROUND:

The Site and Surrounds

The subject land is located on the north-eastern corner of the intersection of Warrigal Road and Allen Street in Oakleigh. The land is irregular in shape, has an overall area of 6,309m² including a 44.5 metre frontage to Warrigal Road (western boundary) and 115.5 metre frontage to Allen Street (southern boundary). The land has a fall of approximately 8 metres from west to east. Numerous drainage and sewerage easements encumber the land and span existing rear and side title boundaries. The land comprises of four individual titles encompassing 3 detached single storey dwellings orientated to Warrigal Road constructed circa 1950's and single storey brick premises having formerly been occupied by OC Connections and utilised as a residential building and for community programs. OC Connections have occupied the Allen Street property and adjoining land to the north since the 1960's. Existing buildings on the Allen Street property were constructed in the 1970's. The land includes some existing scattered vegetation along the periphery of the site.

OC Connections continue to occupy the adjoining properties to the north.

The surrounding precinct to the south is a residential area forming part of Heritage Overlay HO93 and is described in the Monash Heritage Study (1998) as:

“This small residential area slopes steeply to the Caloola Reserve and consists of two street blocks with an additional row of bungalows facing Drummond Street on its east side. It is bounded on the west by Warrigal Road, on the north by the Oakleigh Centre complex, on the east by the Caloola Reserve which follows the course of Scotchman’s Creek and on the south by recent

commercial development associated with Dandenong Road. Approximately two thirds of the houses contribute to its cultural values. The majority of these are unpretentious Californian bungalows of the inter-war period, usually of timber construction. There are also two Federation period villas and "Cumnock", erected in its surviving spacious grounds during the late 1880's...."

The majority of dwellings on the southern side of Allen Street are the original housing stock being detached Californian bungalows dating back to the 1930's and 1940's. Dwellings are generally well maintained and include landscaped gardens within the street setback.

Caloola Reserve and the Scotchman's Creek linear park and bicycle trail is located to the north-east. A children's playground occupies Caloola Reserve to the immediate north-east with established dense vegetation along the common boundary.

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

PROPOSAL:

The application seeks to construct a two-storey residential aged care facility with basement car parking

The main features of the proposal can be summarised as:

- Demolition of all existing buildings on site.
- Construction of a two-storey building with basement. The building has been designed to respond to the fall of the land, so that whilst it is constructed over three levels, comprising lower ground / basement, ground and first floors, it is no more than two storeys above ground at any point. The building has a maximum overall height of 9.8m from natural ground level at any given point adjacent to the northern boundary where the land falls away. Typical double storey façade elements of the development have a height of 7m from natural ground level
- The residential aged car facility will comprise 136 beds with various ancillary facilities and services including dining, lounge and café areas, gym, theatre, activity rooms and outdoor terraces.
- Porte cochere with pick up and drop off area fronting Allen Street.
- Setback of 6.0m-6.5 to Allen Street.
- Setback of 7.6m-9.9m to Warrigal Road.
- Two large internal courtyard spaces along with a rooftop terrace space.
- 60 onsite car spaces including two disabled spaces and a loading bay are provided within the basement / lower ground floor.

- The architectural styling of the development is contemporary in appearance. The building is well articulated across its frontage and uses a variety of materials including timber cladding, textured render, substantial glazing and decorative feature screening.

Attachment 1 details plans forming part of the application.

PERMIT TRIGGERS:

Zoning

The subject land is located within multiple residential zones:

- 1-9 Allen Street is zoned Neighbourhood Residential Zone 2 (NRZ2);
 - 777-781 Warrigal Road is zoned Neighbourhood Residential Zone 3 (NRZ3);
- under the provisions of the Monash Planning Scheme.

Pursuant to the requirements of Clause 32.09-6 a permit is required to construct a residential building (includes a residential aged care facility) within the Neighbourhood Residential Zone.

No permit is required for use of land as a residential aged care facility within the Neighbourhood Residential Zone.

The following zone and schedule provisions are applicable to this application:

- Minimum garden area requirement: 35% of the site area.
- Maximum building height: 2 storeys not exceeding a total height of 10 metres.
- Minimum street setback: 7.6m to front street and 3.0m to side street.
- Site coverage: maximum 40% of site area in NRZ2, maximum 50% of site area in NRZ3.
- Permeability: minimum 40% of site area in NRZ2, minimum 30% of site area in NRZ3.
- Landscaping: Retain or provide at least one canopy tree plus one canopy tree per 5 metres of site width with a minimum mature height equal to the height of the roof. The species of canopy trees should be native, preferably indigenous.
- 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.
- Rear setback: 7 metres in NRZ2, 5 metres in NRZ3.

Particular Provisions

Clause 52.06: Car Parking

Prior to a new building being occupied the required parking spaces must be provided on the land or as approved by the responsible authority.

Clause 52.29: Land adjacent to a Road Zone, Category 1.

A permit is required to create or alter access to a road in a Road Zone, Category 1.

Clause 52.34: Bicycle Facilities

A new use must not commence until the required bicycle facilities and associated signage has been provided on the land.

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

CONSULTATION:

Further Information Request

Further information was requested of the Permit Applicant on 27 March 2018. In this letter, officers also raised the following preliminary concerns:

- The height, scale and architectural styling of the proposed development is somewhat at odds having regard to the established built form and character of residential development within the surrounding area, the desired future character statement, objectives of the Monash Housing Strategy 2014 and Amendment C125 to the Monash Planning Scheme.
- The scale of the proposed development is considered excessive and at odds with the established built form of the surrounding area. Development on the site should be reflective of a more modest scale and form. The two and three storey scale and continuous massing impact of the proposal is excessive having regard to the surrounding residential precinct and adjoining public open space area.
- Removal of "Tree 6" may trigger permit requirement under Clause 52.17 Native Vegetation provisions.
- Overlooking of the adjoining properties to the west.

Officers advised the Applicant in writing that should these concerns not be addressed, that this application was unlikely to be supported.

The applicant was advised on 23 April 2018 that Amendment C125 (Part 1) had been gazetted and incorporated into the Monash Planning Scheme. The amendment rezoned the land from General Residential 2 (GRZ2) to Neighbourhood Residential 2 (NRZ2) and Neighbourhood Residential 3 (NRZ3).

Relevant implications of the zone include the application of a mandatory maximum two storey height control amongst others.

The Permit Applicant responded to this letter on 10 August 2018 by providing the requested information. In relation to the preliminary concerns, the Applicant advised that they had amended the plans to address all concerns with the key changes being the building height reduced to a maximum of two storeys above natural ground level at any given point and incorporated additional properties at 777-779 Warrigal Road. It was clarified that no vegetation on the land was indigenous to Victoria and subject to permit requirement for removal under native vegetation provisions.

The Applicant was advised on 1 October 2018 that this application was coming to the 30 October 2018 Council meeting, in addition to a letter that was sent to the Applicant formally informing them of the details of the Council meeting. The Applicant has been verbally 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

Notice of the application was given pursuant to the requirements of Section 52 of the *Planning and Environment Act 1987*. Notices were posted to the owners and occupants of properties adjoining the subject land and within the surrounding area. Five (5) signs were displayed on the site during the notification period.

Eight (8) objections to the proposal were received.

Key issues raised within objections can be summarised as:

- Inappropriate scale, built form and building massing.
- Neighbourhood character and adverse impact on the heritage character of development within the heritage precinct to the south.
- Traffic and vehicle access.
- Adequacy of car parking.
- Overlooking and loss of privacy.
- Overshadowing.
- Construction impact.
- Security.
- Insufficient landscaping.
- Loss of property values

Attachment 4 details the location of objector properties.

Public information session

Council officers facilitated a public information session during the public notification period on Monday 27 August 2018 from 6:00pm to 8:00pm at the Monash Seminar and Training Centre (former City of Oakleigh Council Chamber).

Council officers and representatives of the developer were in attendance to answer questions about the proposal. The session was attended by approximately 10 community members.

Referrals

Council Engineering

The application has been referred to Council's Traffic and Drainage Engineers for comment. Relevant comments form part of the assessment of the application.

Public Transport Victoria

The application was referred to Transport For Victoria pursuant to the requirements of Clause 52.36. Transport For Victoria have no objection to the proposal. No conditions or requirements were specified.

VicRoads

The application was referred to VicRoads pursuant to the requirements of Clause 52.29. VicRoads have no objection to the proposal subject to conditions.

DISCUSSION:

Consistency with State and Local Planning Policies

Aged Care

The age structure for the City of Monash (2006 Census) shows that Monash has an ageing population, with 28 per cent of the total population being over 55 years of age. Available census data indicated that the population of Monash is predominantly of an older bracket and is evidently increasing in age. The Department of Health and Ageing has identified the eastern metropolitan region of Melbourne as an area which requires additional aged care beds to meet the national standard of aged care places.

The City of Monash *Council Action Plan 2009-2013* and *Positive Ageing Action Plan 2011-2014* identify the need to provide for additional aged care facilities and accommodation types in appropriate locations.

Objectives of the *Victorian Government Residential Aged Care Policy 2009* recognise:

“Residential aged care facilities should be appropriately located close to community amenities and where there is good access to public transport for visitors and staff. The State’s planning system has a role in facilitating the development of residential aged care facilities...”

The large size of the land results in minimal off site amenity impacts as a result of the proposed redevelopment. The proposal is appropriate given the zoning of the land and consistent with various objectives of the State and Local Planning Policy Framework along with other strategic policy documents and strategies.

Monash Housing Strategy 2014

The Monash Housing Strategy was developed to review Council's current housing strategies based on an assessment of key State and Local Strategies and research from all tiers of Government and other research bodies.

The housing strategy highlights the municipality's ageing general population and a growth in residents aged between 70-84 years of age. The housing strategy identifies that facilitating housing diversity, provision of specialised accommodation and services for older residents and providing appropriate housing for an ageing population will be key issues for Monash within the foreseeable future.

The need for the City of Monash to adopt a proactive role to address housing issues has been imperative and the Monash Housing Strategy forms part of that role. Opportunities for residential growth within the City of Monash are increasingly limited within established residential areas.

The subject land is located within the "Creek Environs" precinct where the objective is to provide opportunities for modest housing growth and diversification with emphasis on preserving and enhancing Monash's Garden City Character. Design emphasis is to be placed on the protection of neighbourhood character and native vegetation, and responsiveness to the landscape setting of the creek environment. On larger sites, in suitable locations, increased density may be appropriate, subject to careful design and the provision of substantial landscaped setbacks to the adjacent creek boundary.

The proposed development makes a positive contribution to the provision of additional aged care accommodation within the municipality. Being a larger site, it is capable of accommodating a larger, higher density development than what is found in the surrounding area if the design is responsive to the area. The interface of the proposed development to Scotchman's Creek needs to be better resolved to provide for increased landscaping opportunities and a more graduated building height transition adjacent to the adjoining open space precinct.

State and Local Planning Policy Framework

Plan Melbourne is the Metropolitan Strategy that planning authorities must consider when assessing applications for planning permits. Plan Melbourne recognises an aging population trend and the need to provide for age appropriate housing forms and different types of accommodation over a lifetime.

Residential development integrated housing policy at Clause 16.01-1S seeks to:

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

Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.”

Housing diversity objectives and strategies at Clause 16.01-3S seek:

To provide for a range of housing types to meet diverse needs.

Facilitate diverse housing that offers choice and meets changing household needs through:

- *A mix of housing types....*

Encourage the development of well-designed medium-density housing that:

- *Respects the neighbourhood character.*
- *Improves housing choice.*
- *Makes better use of existing infrastructure.*
- *Improves energy efficiency of housing.*

Support opportunities for a range of income groups to choose housing in well-serviced locations.”

Strategy at Clause 16.01-3R seeks to:

“Create mixed-use neighbourhoods at varying densities that offer more choice in housing.”

Increased residential density and housing diversity is sought by state and local policies. The proposed development is considered consistent with the local planning policy framework in respect of its impact on neighbourhood character, increased density, housing diversity objectives and provision of additional aged care facilities objectives. The proposed development provides for additional aged care accommodation within established residential areas to meet the needs and demands of an ageing population as identified by the Monash Housing Strategy. The proposed development would enable older people to live in appropriate housing in their local community as encouraged by applicable policy.

Residential aged care facility policy at Clause 16.01-7S seeks to:

“To facilitate the development of well-designed and appropriately located residential aged care facilities.”

Applicable strategies:

“Recognise that residential aged care facilities contribute to housing diversity and choice, and are an appropriate use in a residential area.

Recognise that residential aged care facilities are different to dwellings in their purpose and function, and will have a different built form (including height, scale and mass).

Ensure local housing strategies, precinct structure plans and activity centre structure plans provide for residential aged care facilities.

Ensure that residential aged care facilities are located in residential areas, activity centres and urban renewal precincts, close to services and public transport.

Encourage planning for housing that:

- *Delivers an adequate supply of land or redevelopment opportunities for residential aged care facilities.*
- *Enables older people to live in appropriate housing in their local community.*

Provide for a mix of housing for older people with appropriate access to care and support services.

....

Ensure that residential aged care facilities are designed to respond to the site and its context.

Promote a high standard of urban design and architecture in residential aged care facilities.”

The abovementioned policy recognises the increasing need for additional residential aged care facilities within established urban areas. It is expected the built form outcomes of these facilities will be different and more intense in built form to conventional detached dwellings. Residential aged care development should be of high quality and provide for suitable internal amenity outcomes. The design response should have regard to context and interface to suitably integrate the built form outcome with the surrounding area. The proposed development is generally consistent with these objectives and strategies.

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

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

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

The Environmental Sustainability Development Policy at Clause 22.13 aims to integrate environmental sustainability into new developments. The applicant has submitted related environmental assessments that achieve the policy.

The proposed development of the site supports State and Local policies and the provisions of the Municipal Strategic Statement under the Monash Planning Scheme by providing additional aged care accommodation and greater diversity in housing types.

Neighbourhood Character

Neighbourhood character objectives applicable to the land seek:

“NRZ2 – Creek Abuttal Area

To emphasise the visual dominance of landscaping, particularly along the interfaces with the creek corridors.

To ensure new development transitions down in scale towards the creeks, respecting and reinforcing the natural topography.

To respect and enhance the existing character and functions of the open spaces along the creek corridors.

NRZ3 – Creek Environs Area

To ensure new development transitions down in scale towards the creeks, respecting and reinforcing the natural topography.

To ensure development is defined by its spacious and generous garden settings, tall canopy trees and consistent built form and setbacks.”

The objectives seek a landscaped edged to the development and a lower scale development adjacent to Scotchmans Creek. Provisions of the zone seek a rear setback of 7 metres to the creek abuttal (eastern boundary). The proposed development provides a setback of 3.0 metres to the eastern boundary. The setback of the development adjacent to the eastern boundary should be increased to provide for improved height transition and more substantial landscaping adjacent to the Scotchmans Creek interface. It is acknowledged that this may result in a reduction of beds or internal reconfiguration of the proposed development.

State planning policy at Clause 16.01-7S provides that aged care facilities can be of a height and scale different to conventional detached dwellings whilst also seeking a design response having regard to the surrounding environs. The development has been designed to have regard to the surrounding context being double storey and broken up with significant façade articulation. Existing development on the land along Allen Street is not of a traditional residential form (e.g. detached dwellings) and contrasts with the heritage overlay precinct opposite the land to the south.

The contemporary design of the building complements and suitably integrates with established development within the surrounding area. Whilst the design response does not replicate a detached dwelling form it should be noted that the

building replaces an existing non dwelling structure within Allen Street. Articulation within the built form has been achieved by articulated setbacks, architectural features and varied materials and finishes to assist in breaking up the facade and minimising the perception of visual bulk. A variety of materials and finishes have been utilised including face brickwork, rendering elements, and flat roofing generally complimentary to the streetscape character of the surrounding area.

Building Setbacks, Visual Bulk and Building Massing

The development presents as a two storey form to the surrounding residential properties, Warrigal Road and Allen Street. The three floor levels within the development have been stepped having regard to the natural fall of the land to ensure the building has a height of no more than two storeys above ground level at any given point. The building is well articulated along all elevations to break up the building into a number of distinct components. The façade of the development incorporates prominent horizontal banding elements and decorative vertical screening features to break up the perception of building bulk and long massing impact. The design response incorporates architectural features including balconies, screens, awnings and high quality materials and finishes.

The massing impact of the development to Scotchmans Creek could be further enhanced through increased upper level setback along the eastern edge of development. This will provide for improved height graduation and lesser massing impact on Scotchmans Creek.

Design Detail

The building has been designed with the intention of providing high quality architecture, along with an attractive range of contemporary materials and finishes. The façade treatment provides for appropriate degree of visual interest through use of varied materials and finishes, along with vertical and horizontal articulation elements to minimize the perception of visual bulk.

Garden Area Requirement

The Neighbourhood Residential Zone provisions require a residential building to provide a minimum garden area of not less than 35% of the site area. The submitted application satisfies this requirement in that it provides for 1619 square metres of garden area equating to 35.17% of the site area which will increase with additional setbacks required by permit conditions.

Landscaping

The application proposes removal of all existing vegetation on the land (not subject to planning permit requirement) and a comprehensive landscaping treatment integrated with the proposed development.

Existing trees on site have been assessed with no high value vegetation identified within the submitted Arboricultural Assessment. The existing trees were not considered worthy of retention as they make a limited contribution to the streetscape and are of fair/poor health and structure. Existing vegetation within the Scotchmans Creek reserve have been assessed and will not be compromised by the development.

The landscape submitted with the application provides for a suitable landscaping treatment including provision of 46 new trees to be planted. Additional building setback along the eastern boundary will provide for more substantial planting adjacent to the Scotchmans Creek interface. Internal courtyard spaces include a sensory garden for residents providing outdoor amenity for occupants of the development.

Car Parking and Traffic

The table below details the provision of car parking proposed within the context of the requirements of Clause 52.06-3:

	Number of lodging rooms	Clause 52.06 car parking requirement	Number of car parking spaces required	Number of car spaces proposed
Residential Aged Care	136	0.3 car spaces to each lodging room	40 car spaces	60 car spaces
TOTAL Required			40 car spaces	
TOTAL Proposed				60 car spaces

The development provides for sufficient on-site car parking provision in excess of the statutory requirement. The development proposes 136 residential aged care beds with basement parking and a short-term drop-off provided via a porte-cochere. A total of 60 spaces are proposed on site which exceeds the Planning Scheme requirements. A loading bay will be provided within the lower ground car park. The traffic report indicates that one accessible space is required, however 2 spaces are proposed. The predicted traffic generation is expected to have a negligible impact on the local traffic network.

Bicycle Parking

Bicycle parking is required to be provided in accordance with the requirement specified by Clause 52.34-3 of the Monash Planning Scheme. The table below details the number of bicycle parking spaces required:

Use	No. of beds	Clause 52.34-3 Requirement	Bike parking requirement generated
Nursing home	136	1 to each 7 beds (employee)	19
		1 to each 60 beds (visitor)	2
TOTAL REQUIRED			21 bike spaces
TOTAL PROVIDED			22 bike spaces

The required bicycle parking facilities are provided within the basement and adjacent to the pedestrian entrance to the development along Allen Street.

Overlooking

Standard B22 of Clause 55.04-6 provides a suitable benchmark in assessing overlooking impacts. Habitable room windows and balcony spaces should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres. Views should be measured within a 45 degree angle from the plane of the window or perimeter of the balcony from a height of 1.7 metres above floor level.

The proposed development generally complies with the overlooking requirements of Clause 55.04-6. Some additional screening is required to upper level windows and balconies to prevent overlooking of the adjoining rear yard of 775 Warrigal Road from rooms orientated to north-east from the western wing of the development.

Overshadowing

Overshadowing requirements seek to ensure buildings do not significantly overshadow existing secluded private open space. Where sunlight to the secluded private open space of an existing dwelling is reduced, at least 40 square metres with minimum dimension of 3 metres of the secluded private open space should receive a minimum of five hours of sunlight between 9am and 3pm on 22 September. The proposed development satisfies the abovementioned requirement.

Construction impacts

A Construction Management Plan including details of staging of the construction works and construction vehicle access traffic management plan will be required as a condition of the planning permit should one issue. Construction Management Plan requirements will seek to minimise amenity impacts of the proposed development on the surrounding area. The extent of excavation and any required stabilisation measures will be considered by the appointed Building Surveyor.

CONCLUSION:

The proposal is considered to be appropriate given the zoning of the land and the design response is generally consistent with the objectives and applicable requirements of state and local policies.

The proposed development will provide additional housing for older people with suitable access to care and support. The provision of additional accommodation for older people will meet the increasing demand in Monash. The use of the land is appropriate given the residential zoning of the land and the design response is generally compliant with the applicable planning scheme requirements and policy objectives.

The proposal should be approved subject to conditions.

LIST OF ATTACHMENTS:

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (December 2016).

Attachment 3 – Zoning and Overlays Map.

Attachment 4 – Objector Properties Location Map.