

**1.3 13 BURTON AVENUE, CLAYTON  
CONSTRUCTION OF A FOUR STOREY RESIDENTIAL BUILDING ABOVE A  
BASEMENT CAR PARK FOR THE USE OF STUDENT ACCOMMODATION  
(TPA/51731)**

**EXECUTIVE SUMMARY:**

This application proposes the development of the land for a four storey building to be used for student accommodation in 49 rooms.

The application was subject to public notification. Nine (9) objections to the proposal have been received.

Key issues to be considered relate to building scale, the use for student accommodation, the adequacy of communal open space and car parking provision, vehicle access, internal amenity and external amenity impacts.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state and local planning policy framework, Clause 55 and issues raised by objectors.

**The reason for presenting this report to Council is the proposed development cost of \$3.5 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.**

<b>RESPONSIBLE DIRECTOR:</b>	<b>Peter Panagakos</b>
<b>RESPONSIBLE MANAGER:</b>	<b>Natasha Swan</b>
<b>RESPONSIBLE PLANNER:</b>	<b>Jeanny Lui</b>
<b>WARD:</b>	<b>Oakleigh</b>
<b>PROPERTY ADDRESS:</b>	<b>13 Burton Avenue, Clayton</b>
<b>EXISTING LAND USE:</b>	<b>Dwelling</b>
<b>PRE-APPLICATION MEETING:</b>	<b>Yes</b>
<b>NUMBER OF OBJECTIONS:</b>	<b>Nine (9)</b>
<b>ZONING:</b>	<b>Residential Growth Zone Schedule 3</b>
<b>OVERLAY:</b>	<b>Special Building Overlay</b>

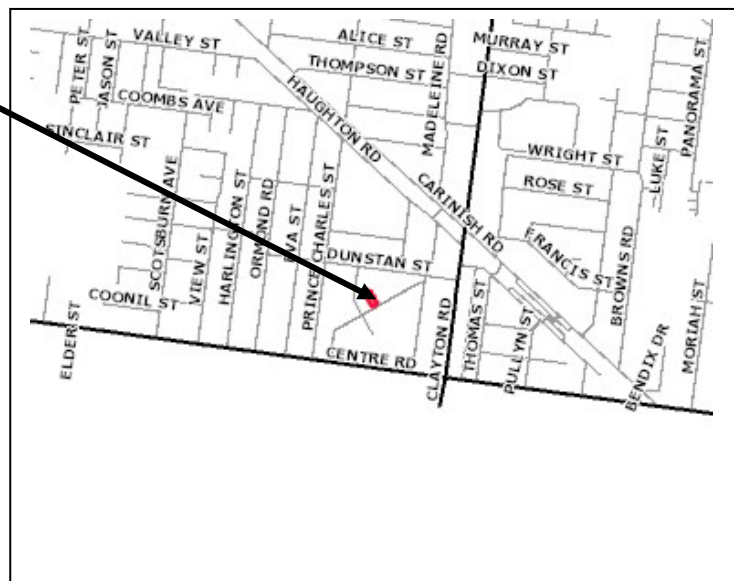
<p><b>RELEVANT CLAUSES:</b></p> <p><b><u>Planning Policy Framework</u></b></p> <p>Clause 11.01-1R- Settlement – Metropolitan Melbourne</p> <p>Clause 11.02-1S- Supply of Urban Land</p> <p>Clause 13.07-1S- Land Use Compatibility</p> <p>Clause 15.01-1S&amp;R- Urban Design</p> <p>Clause 15.01-2S- Building Design</p> <p>Clause 15.01-4S &amp; R- Healthy Neighbourhoods</p> <p>Clause 15.01-5S- Neighbourhood Character</p> <p>Clause 15.02-1S- Energy and Resource Efficiency</p> <p>Clause 16.01-1S &amp;R- Housing supply</p> <p>Clause 16.01-2S- Housing affordability</p> <p>Clause 17.01-1S&amp;R- Diversified Economy</p> <p>Clause 17.02-1S- Business</p> <p>Clause 18.01-1S- Land Use and Transport Planning</p> <p>Clause 18.02-1S &amp; R- Sustainable Personal Transport</p> <p>Clause 18.02-2R– Principal Public Transport Network</p> <p>Clause 18.02-4S- Car Parking</p> <p>Clause 19.03-3S- Integrated Water Management</p>	<p><b><u>Local Planning Policy Framework</u></b></p> <p>Clause 21- Municipal Strategic Statement)</p> <p>Clause 21.04- Residential Development</p> <p>Clause 21.08- Transport and Traffic</p> <p>Clause 21.13- Sustainability and Environment</p> <p>Clause 22.01- Residential Development and Character Policy</p> <p>Clause 22.03- Industry and business development and character policy</p> <p>Clause 22.04- Stormwater Management Policy</p> <p>Clause 22.09- Non-Residential Use and Development in Residential Areas</p> <p>Clause 22.10- Student Accommodation Policy</p> <p>Clause 22.13- Environmentally Sustainable Development Policy</p> <p><b><u>Particular Provisions</u></b></p> <p>Clause 52.06- Car Parking</p> <p>Clause 52.23- Rooming House</p> <p>Clause 52.34- Bicycle Facilities</p> <p>Clause 53.18- Stormwater Management in Urban Development</p> <p>Clause 55- Two or more dwellings on a lot and residential buildings</p> <p>Clause 65 – Decision Guidelines</p>
<p><b>STATUTORY PROCESSING DATE:</b></p>	<p><b>19 December 2020</b></p>
<p><b>DEVELOPMENT COST:</b></p>	<p><b>\$3.5 Million</b></p>

### LOCALITY PLAN



**SUBJECT SITE**

### NEIGHBOURHOOD PLAN



**RECOMMENDATION:**

That Council resolves to issue a **Notice of Decision to Grant a Planning Permit (TPA/51731)** for the construction of a four storey residential building for the use of student accommodation and buildings and works within the Special Building Overlay, at 13 Burton Avenue, Clayton subject to the following conditions:

**Amended Plans Required**

1. Before the development starts, amended plans drawn to scale and correctly dimensioned must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted to Council prepared by HC Global (Amendment E) dated 28 September 2020 but modified to show:
  - a) Location of the fire booster, electricity, water and gas meters appropriate screened with landscaping so as to minimise visual impact of the streetscape and front setback;
  - b) A minimum height clearance of 2.5 metres is provided throughout the basement car park;
  - c) The accessible parking space designed in accordance with the Australian Standard for *Off-Street Parking for people with disabilities, AS/NZS 2890.6.*;
  - d) The driveway gradient to be no steeper than 1 in 10 (10%) within 5 metres of the frontage to ensure safety for pedestrians and vehicles;
  - e) An amended Landscape Plan prepared in accordance with Condition 4;
  - f) A Waste Management Plan prepared in accordance with Condition 5; and
  - g) A Sustainable Management Plan prepared in accordance with Condition 6,

all to the satisfaction of the Responsible Authority.

**Layout not to be Altered**

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

**Satisfactory Continuation**

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

#### **Landscaping Plan**

4. Concurrent with the endorsement of any development plans requested pursuant to Condition 1, a landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and correctly dimensioned must be submitted to and approved by the Responsible Authority. When endorsed, the plan will form part of the Permit. The Landscape Plan must be generally in accordance with the Landscape Concept Plan prepared by MEMLA (Revision B) dated 18 September 2020 except that the plan must be modified to show:
  - (a) A reduction of paving within the private courtyards and provision of screen planting along the western boundary;
  - (b) The detail of the proposed paving;
  - (c) The visitor bicycle spaces next to the ground level building entry positioned within a landscaped setting. Hard paving associated with the bicycle spaces to be amended to be a grass or grasscrete finish;
  - (d) The location of external lighting (if any);
  - (e) The location of retaining walls and site services; and
  - (f) Provision of an in-ground, automatic watering system linked to rainwater tanks on the land servicing the main garden areas to the satisfaction of the Responsible Authority.

#### **Waste Management Plan**

5. Concurrent with the endorsement of development plans required pursuant to Condition 1, a Waste Management Plan must be submitted and approved by the Responsible Authority. The plan must be generally in accordance with the Waste Management Plan prepared by Sustainable Development Consultants (Version 2), dated October 2020 except that the plan must be revised to reflect any changes required by Condition 1 of this planning permit. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **Sustainable Management Plan**

6. Concurrent with the endorsement of development plans required pursuant to Condition 1, a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the Sustainability Management Plan prepared by AV- Low Impact Development Consulting dated 3 July 2020

except that the plan must be revised to reflect any changes required by Condition 1 of this planning permit. 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.

#### **Construction Management Plan**

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

- l) Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;
- m) The provision of contact details of key construction site staff; and
- n) Include a requirement that except with the prior written consent of the Responsible Authority, a requirement that demolition, excavation or construction works must only be carried out during the following hours:
  - Monday to Friday (inclusive) – 7.00am to 6.00pm;
  - Saturday – 9.00am to 1.00pm; and
  - No works are permitted on Sundays or Public Holidays.

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

### **S173 Agreement**

8. Prior to the endorsement of plans referred to in Condition 1, the owner of the land must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. In addition to the usual mechanical provisions, the agreement must provide for the following matters:
- That no person may reside in the building unless that person is a bona fide student or academic whether part time, full time, short term or resides there in a supervisory, management or caretaker capacity of the facility;
  - Car parking spaces are only permitted to be used by the occupants of the units and their visitors;
  - Car spaces must not be individually subdivided, on-sold, leased, rented or made available to any other person other than an owner, occupant or visitor of the premises;
  - That residents of the units will be notified in writing as part of any lease or rental agreement that they will not be entitled to car parking permits for on street car parking;
  - Clearly note and acknowledge that should the land cease to be used for student housing, a new planning permit may be required for an alternative use. It should be noted that any dispensation for on-site car parking given to the student accommodation use is not transferable to any proposed alternative use of the land. Any subsequent use will be assessed in accordance with the car parking requirements of the Monash Planning Scheme;
  - That the student accommodation premises must be managed by a single entity with responsibility for all aspects of the use;

- An operational management plan prepared and implemented to the satisfaction of the Responsible Authority according with Condition 9 of this permit; and
- The cost of the preparation and review of the Section 173 Agreement and its registration on the title of the land must be borne by the owner of the land.

#### **Operational Management Plan**

9. Prior to the commencement of the student accommodation, an Operational Management Plan for the use of the site must be submitted and approved by the Responsible Authority. The plan should detail but not be limited to:
- a) Student accommodation units managed and under the control of a single operator responsible for the operation and maintenance of the entire premises for the life of the use as student accommodation;
  - b) The 24 hour contact details for the management of the premises displayed in a manner and location that it is visible to any person entering the site. This information is to be updated as required immediately following any change to the nominated responsible management contact person;
  - c) After hours contact details for management of the facility;
  - d) Appropriate management of the car park including access arrangements; and
  - e) Appropriate maintenance of buildings and grounds, including all landscaped areas.

When approved, the Operational Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority.

#### **Car Parking**

10. Before the use starts or any building is occupied, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
- 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; and



- 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.

11. The layout of the development shall follow the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme as detailed below:
- Driveway to be at least 3 metres wide.
  - Driveway to provide at least 2.5m headroom beneath overhead obstructions.
  - Driveway gradient to be no steeper than 1 in 10 (10%) within 5 metres of the frontage to ensure safety for pedestrians and vehicles.
  - Ramp grades (except within 5 metres of the frontage) to be designed as follows:
    - i. Maximum grade of 1 in 4.
    - ii. Provision of minimum 2.0 metre grade transitions between different section of ramp or floor for changes in grade in excess of 12.5% (summit grade change) or 15% (sag grade change).
    - iii. Grade changes greater than 18% or less than 3 metres apart are to be assessed for clearances in accordance with Appendix C of the Australian Standard for *Off - Street Car Parking, AS/NZS 2890.1*.
12. Bicycle parking facilities shall generally follow the design and signage requirements set out in Clause 52.34 of the Monash Planning Scheme.
13. The proposed vehicle crossing is to be constructed in accordance with the City of Monash standards.

#### **Landscaping and Tree Retention**

14. No building material, demolition material, excavation or earthworks shall be stored or stockpiled within the Tree Protection Zone (TPZ) of any tree to be retained (including trees on the nature strip) during the demolition, excavation and construction period of the development hereby permitted without the prior written consent of the Responsible Authority.
15. All works (including demolition and excavation works) within the dripline of any tree to be retained (including trees on nature strip and adjoining properties) shall be supervised by a qualified landscape architect or horticulturist who shall ensure that the works are done in a manner which protects and minimises any damage to those trees.

16. 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 there after maintained to the satisfaction of the Responsible Authority.

#### **Drainage**

17. The site must be drained to the satisfaction of the Responsible Authority.
18. Any works within the road reserve must ensure the footpath and naturestrip are to be reinstated to Council standards.
19. All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.
20. All stormwater collected on site is to be detained on site to the predevelopment level of peak stormwater discharge. Any internal detention system is to be designed to detained peak flows to the pre-development level of stormwater discharge and is to be approved by Council's Engineering Department prior to drainage works commencing.

#### **Privacy Screens**

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

#### **Other**

22. Prior to the occupancy of the development, all fencing must be place in accordance with the endorsed plans and be in good condition to the satisfaction of the Responsible Authority.
23. 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.

#### **Melbourne Water Conditions (Ref: MWA-1179953)**

24. Prior to the endorsement of plans, amended plans must be submitted to Council and Melbourne Water addressing Melbourne Water's conditions. Plans must be submitted with surface and floor levels to Australian Height Datum (AHD) and must be modified to show:
  - a) Finished floor levels of the accommodation set no lower than 54.65 metres to AHD; and
  - b) The entrance to the basement constructed with a flood-proof apex and associated bunding/walls set no lower than 54.30 metres to AHD.
25. The accommodation must be constructed with finished floor levels set no lower than 54.65 metres to Australian Height Datum, which is 300mm above the applicable flood level of 54.35 metres to AHD.
26. The entrance to the basement must be constructed with a flood proof apex and associated bunding/walls set no lower than 54.30 metres to Australian Height Datum, which is 300mm above the applicable graded flood level of 54.00 metres to AHD.
27. Any openings to the basement (for example, windows, doors or vents) except the entrance protected by the apex, must be set no lower than 300mm above the applicable graded flood level.
28. Prior to the issue of an Occupancy Permit, a certified survey plan, showing finished floor levels of the accommodation (as constructed) reduced to the AHD, must be submitted to Melbourne Water to demonstrate that the floor levels have been constructed in accordance with Melbourne Water's requirements.
29. Imported fill must be kept to a minimum on the property and only be used for the sub floor areas of the building.
30. The building setbacks shown to site boundaries must not be further reduced without the review and written approval of Melbourne Water, to ensure adequate open space areas to allow for the passage of overland flood flow.
31. Any new fence must be of an open style of construction (minimum 50% open) or timber paling unless with the written consent of Melbourne Water, to allow for the passage of overland flood flows.

- End of Melbourne Water Conditions -

#### **Time for Starting and Completion**

32. In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:

- (a) The development is not started before two (2) years from the date of issue.
- (b) The development is not completed before four (4) years from the date of issue.

In accordance with Section 69 of the Planning and Environment Act 1987, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or:

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

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

#### NOTES

- A. This is **not** a Building Permit. A Building Permit approval for the works must be obtained prior to the commencement of the above approved works.
- B. 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.
- C. 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.
- D. One copy of the plans for the drainage and civil works must be submitted to and approved by the Monash City Council Engineering Department prior to the commencement of works. The plans are to show sufficient information to determine whether or not the drainage works will meet all drainage conditions of the permit.
- E. The private on-site drainage system must be designed and installed to prevent stormwater discharge from the/each driveway over the footpath and into the road reserve. The internal drainage system may include either:
  - a trench grate (minimum internal width of 150 mm) located within the property boundary and not the back of footpath; and/or
  - shaping the internal driveway so that stormwater is collected in grated pits within the property; and/or

- another Council approved equivalent.
- F. The nominated point of stormwater discharge connection for the site is to the south of the property where the entire site's stormwater must be collected and free drained via a pipe to the 225mm Council drain in the nature strip of Burton Avenue via a 900mm x 600mm junction pit to be constructed to Council standards.
- Note: If the point of connection cannot be located then notify Council's Engineering Department immediately.
- G. Stormwater detention requirements may be obtained from the Engineering Department at City of Monash prior to the design of any stormwater detention system.
- H. An on-site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. The basement detention is to be separated from the storm water detention system for the property.
- I. 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.
- J. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council drains and these works are to be inspected by Council's Engineering Department. A refundable security deposit is to be paid prior to any drainage works commencing.
- K. All new 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.
- L. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.
- M. Any residents of the approved development will not be entitled to car parking permits for on street car parking.

**BACKGROUND:****The Site and Surrounds**

The site is located on the northern side of Burton Avenue in Clayton, approximately 270 metres west of Clayton Road and 400 metres southwest of Clayton Station. The site is 20.12 metres wide and 48.77 metres long, yielding a total site area of 981 square metres. There are no easements or restrictive covenants affecting the subject land.

The site currently contains a single storey dwelling with pitched roof. Vehicle access is located adjacent to the western boundary leading to a detached garage located to the rear of the dwelling. The property contains no front fencing.

The site is located within the residential area of the Clayton Metropolitan Activity Centre (MAC). The site is also located within the Monash National Employment and Innovation Cluster (MNEIC).

More specifically, details of adjoining properties are as follows:

North: 4 Yarram Crescent contains a single storey dwelling. Vehicle access to the dwelling is towards the centre of the site. The site contains a low timber fence.

West: 11 Burton Avenue contains a single storey dwelling. Vehicle access to the dwelling is adjacent to its eastern boundary. The site contains a low brick fence.

South: 14-16 Burton Avenue contains a single storey church building. Vehicle access is located along its western boundary leading to the car park of the church behind the building.

East: 15 Burton Avenue contains four single storey dwellings. A shared vehicle access is located along its eastern boundary. The site contains a low timber fence.

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

### **PROPOSAL:**

The proposal is to construct a four storey building to be used for student accommodation. A total of 14 car parking spaces are proposed within a basement car park.

Vehicle access to the basement car park will be via a modified existing vehicle crossover to Burton Avenue, which is located along the western boundary.

Details of the proposal are summarised as follows:

- Four storey building having a maximum building height of 12.67 metres.
- Proposed building setbacks are as follows:

	<b>Front (South)</b>	<b>Rear (North)</b>	<b>Side (East)</b>	<b>Side (West)</b>
<b>Basement</b>	7m	6.5m	1.99m	0.72m
<b>Ground Level</b>	4.5-7.1m	3.1-5m	2.95-4.45m	2.56m
<b>Level 1</b>	5.36-10m	4.25-5m	2.8-4.5m	2.4m
<b>Level 2</b>	10.59m	6.18m	4.45m	4.76m
<b>Level 3</b>	16.2m	9.6-10.48m	4.45m	4.76m

- 49 units for student accommodation over four levels:

	<b>Studio Unit (no bedroom)</b>
<b>Ground level</b>	17 including a manager unit
<b>Level 1</b>	19 units
<b>Level 2</b>	3 units + 10 two level units (level 3)
<b>Level 3</b>	10 two level units continued from level 2; accessed from level 2 via internal staircases of the units. No external access to the units from level 3
<b>Total</b>	<b>49 units</b>

- There are 18 non self-contained units and 31 self-contained units.
- Typical unit sizes for non self-contained units are in the range of 20 to 22 square metres with minimum width of 3.4 metres; and self-contained units are in the range of 25 to 31 square metres with minimum width of 3.2m.
- Cooking facilities are provided within the communal areas on ground level and level 2 for non self-contained units.
- Indoor communal spaces are provided within the building at:
  - Ground level: a communal area of 35 square metres towards the front of the building near to entrance of the building.
  - Second level: a communal area of 37 square metres towards the front of the building with access to the outdoor communal balcony.
- Total communal open space area of approximately 165 square metres provided at ground level along property boundaries, within the front and rear setbacks of the building. Direct access is provided from the building. An additional 28 square metres of communal outdoor balcony is provided on level 2.
- Private courtyards are provided to the ground level units:

- 11-22 square metres to the units along the northern boundary and 5.8 to 9.7 square metres to the units along the southern boundary.
- A total of 14 car parking spaces and 18 bicycle spaces are located within the basement. An additional 10 bicycle parking spaces are provided on ground level near the entrance of the building, between the building and the street.
- A dedicated bin storage room is provided in the basement, adjacent the bicycle storage area.
- The proposed building is of a contemporary design with a mixture of material finishes including timber look aluminium cladding, metal cladding, render finish and feature panels.
- There are no significant trees on site and the street tree on the nature strip will be retained.

Attachment 1 details plans forming part of the application.

### **PERMIT TRIGGERS:**

#### Zoning

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

Pursuant to the Residential Growth Zone (Clause 32.07-2), a permit is required to use the land for student accommodation. A permit is also required to construct a building or construct or carry out works for the proposed use.

Clause 32.07-9 specifies the preferred maximum building height of 13.5 metres. The proposed building has a maximum building height of 12.67 metres which does not exceed the preferred height of the zone.

#### Overlay

Pursuant to Clause 44.05-2, a permit is required to construct a building or to construct or carry out works.

An application must be referred to the relevant floodplain management authority under Section 55 of the Act.

#### Particular & General Provisions

Clause 52.06 *Car Parking* and Clause 52.34 *Bicycle Facilities* apply as the proposal is a new use. Council's Student Accommodation Policy at Clause 22.10-4 specifies car parking and bicycle parking spaces to be provided at a rate of 0.3 spaces per bed and 0.5 spaces per bed for the subject site.

As the required car parking and bicycle spaces are provided, no permission is required for any reduction.



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

**CONSULTATION:**

Further information was requested of the Permit Applicant on 3 August 2020. In this letter, officers also raised the following preliminary concerns:

- The architecture of the building should be improved with greater architectural detailing and roof form.
- Lodging rooms 2.03, 2.04, 2.05, 2.06, 2.07, 2.08 appear to have poor internal amenity due to the narrow room widths.
- The proposal does not provide adequate communal areas within the building.
- Solar protection should be provided to the north and west facing habitable room windows to improve energy efficiency.
- Windows facing Burton Avenue should avoid screening to improve internal amenity.

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

The Permit Applicant responded to this letter on 13 October 2020 by providing the requested information. In relation to the preliminary concerns, the Applicant advised that they had amended the plans to address all concerns. The key changes are increased internal dimensions and floor areas of units, provision of additional communal area within the building, provision of solar protection to habitable room windows and improved architecture of the building. The number of proposed units was reduced as a result of those changes.

The Applicant was verbally advised that this application was coming to the January 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 proposed conditions and the ramifications of the conditions on the proposal has been explained.

**Public Notice**

The application was advertised in accordance with section 52 of the *Planning and Environment Act 1987* by sending notices to the surrounding property owners/occupiers, and a sign displayed on the frontage of the site.

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

- Neighbourhood character
- Loss of privacy and daylight

- Amenity impacts including noise
- Traffic related issues including insufficient on site car parking provision, lack of on street parking and traffic congestion
- Safety concern
- Impacts to the structure of adjoining properties
- Tree removal and impacts to possums
- Impacts to property values

Attachment 4 details the location of objector properties.

### **Referrals**

#### **External Referral**

##### **Melbourne Water**

Pursuant to the provisions of Clause 44.05-5 the application was referred to Melbourne Water. Melbourne Water did not object subject to conditions requiring the finished floor levels to be no lower than 54.65 metres to AHD, and the entrance to the basement to be no lower than 54.3 metres to ADH.

The proposed plans were amended during the application process to respond to the Melbourne Water requirements, and Melbourne Water is satisfied with the current decision plans (Revision E).

Other standard conditions required by Melbourne Water will be included in the planning permit if one was to issue.

#### **Internal Referral**

##### **Traffic Engineer**

The proposed plans were also amended during the application process to respond to the requirements from Council's Traffic Engineer.

The current decision plans are considered satisfactory with the exception that minor adjustments will be required to ensure the driveway gradient will not be steeper than 1 in 10 (10%) within 5 metres of the frontage to ensure safety for pedestrians and vehicles. Council's Traffic Engineer has confirmed that the changes required will not substantially impact on the proposed design which could be requested via permit conditions if one was to issue.

##### **Drainage Engineer**

No concerns subject to standard conditions including submission of a drainage plan for approval.

##### **Waste Services**

Council's Waste Services advised that the submitted Waste Management Plan has met Council's requirements.

**DISCUSSION:****Consistency with State and Local Planning Policies****State Planning Policy Framework (PPF)**

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

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

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

*“Facilitate the supply of affordable housing.”*

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

Plan Melbourne Refresh also identifies places of state significance and places of local significance. Within the City of Monash, the main place of state significance is the Monash National Employment and Innovation Cluster (MNEIC). National employment and innovation clusters are designated geographic areas with concentrations of economic activity that currently make major contributions to the national economy and Melbourne’s position as a global city and will be supported into the future. The MNEIC is Melbourne’s largest established cluster, representing the largest concentration of employment outside the central city with a critical mass of leading education, health, research and commercial facilities, and existing industrial businesses.

The subject site is located within the MNEIC as identified in Plan Melbourne Refresh, where the scale of new residential development will generally comprise larger footprint residential development of a high quality design and finish. This proposal to develop a four storey residential building with high architectural quality meets the intent of the relevant strategic policies.

Plan Melbourne also provides an update on Melbourne’s key land use and transport planning to ensure that the transport system copes with additional population growth. New State policies (*Clause 11.01-01R-1MM (Settlement – Metropolitan Melbourne)*) to provide for particular transport projects include the Suburban Rail Loop. Stage 1 of the project is envisaged for commencement in 2022 and proposes a new rail line connecting Melbourne’s major employment, health and education precincts and activity centres. There will be a station located near the existing Clayton train station, and the subject site is located approximately 400 metres of the Clayton station.

Clause 11.02-1S (Supply of Urban Land) seeks:

*“To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.”*

Clause 11.03-1R (Activity Centres – Metropolitan Melbourne) seeks to:

*“Support the development and growth of Metropolitan Activity Centres by ensuring they:*

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

The subject site is located within walking distance to the main retail/ commercial area of the Clayton Activity Centre which is well serviced by public transport, amenities and services. The site is considered an appropriate location for higher density developments such as the proposed multi-storey residential building, and the use of student accommodation.

Further to this, Clause 15.01-2S specifies the urban design principal for residential developments. The objective seeks to:

*“Achieve building design outcomes that contribute positively to the local context and enhance the public realm.”*

Clause 16 of the Monash Planning Scheme seeks to increase the proportion of new housing in designated locations within established urban areas, on sites that are well located in relation to jobs, services and public transport. It also seeks to create mixed use neighbourhoods at varying densities that offer more choice in housing type.

Housing policy at Clause 16.01 -2R seeks to:

*“Identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.”*

*“Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are.....areas for residential growth....areas designed as National Employment and Innovation Clusters, metropolitan activity centres and major activity centres, neighbourhood activity centres especially those with good public transport connections, areas near existing and proposed railway stations that can support transport-oriented development.”*

As mentioned previously, the subject site is located at an identified location to provide an increased housing diversity and density to support the MNEIC, where it is the primary strategic location for high technology research and development industries in Victoria.

State Planning Policy, including Clause 16.01-2S (Location of Residential Development), Clause 16.01-3R and S (Housing Diversity), Clause 16.01-4S

(Housing Affordability), seeks to provide a diversity of housing types in and around areas which have good access to services and public transport.

The principal control affecting the subject site is the Residential Growth Zone Schedule 3 which seeks to facilitate housing growth in the form of apartment built form of a high quality design and finish. The site is located in an area which is expected to undergo substantial changes to provide for housing intensification.

#### **Local Planning Policy Framework (LPPF)**

Relevant objectives and strategies of Clause 21.04-3 (Residential Development) seek:

*“To provide accommodation for a diverse population that caters for different family and lifestyle preferences and a variety of residential environments and urban experiences.”*

*“Ensure that new residential development provides a high level of amenity including personal privacy for occupants and neighbours, high quality private and public open space, canopy tree cover, and effective traffic management and parking.”*

*“Direct medium rise development towards the Brandon Park, **Clayton** and Mount Waverley Activity Centres.”*

*“Promote and facilitate housing projects that will result in a mix of housing types including mixed use developments in appropriate locations, such as “shop top” dwellings within the retail and commercial centres of activity centres, as well as over car-parks and other appropriate areas.”*

Clause 21.04 (Residential Development) identifies that a key issue for the City of Monash is demand for quality student accommodation which has resulted in housing shortages and a significant number of students living in substandard, shared housing facilities.

Clause 21.06 (Major Activity and Neighbourhood Centres) identifies Clayton as a Major Activity Centre, which is an important location for residential development.

The subject site is within 300m to Clayton Road where it is well serviced by public transport. It also has good access to community services in the vicinity of Monash Medical Centre and Clayton Community Centre. It is an ideal location to provide accommodation for students or university staff, and is identified as a ‘preferred location’ Clause 22.10 (Student Accommodation Policy) for student accommodation developments.

#### **Clause 22.10 Student Accommodation Policy**

This policy is to encourage student accommodation to locate in reasonable proximity to tertiary institutions with convenient access to public transport and a range of commercial, retail, entertainment and social facilities. It applies when a planning

permit is required for the development of a residential building, in this case, a rooming house for student accommodation.

This policy requires student accommodation to be of high quality and well designed and responds to the desired future character. The subject site is within Residential Growth Zone Schedule 3 where the focus is to facilitate housing growth in the form of apartment developments.

Residential buildings should be designed to include breaks and recesses in building mass to avoid large block like structures dominating the streetscape, and respect sensitive residential interfaces. Student accommodation should be provided with adequate on site car parking and bicycle storage to minimise car parking impact on existing streets.

Proposals should include adequate and well-proportioned communal open space areas, and shared facilities or common areas integrated into the design, to meet the amenity and recreation needs of student residents.

This proposal will be assessed against the relevant requirements and policies in the balance of this report.

**Clause 32.07- Residential Growth Zone Schedule 3**

The site is located in the Residential Growth Zone Schedule 3 which has the following objectives (among other things):

- *To provide housing at increased densities in buildings up to and including four storey buildings.*
- *To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.*
- *To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.*
- *To ensure residential development achieves design objectives specified in a schedule to this zone*

The schedule to the zone identifies the following Design Objectives:

- *To facilitate housing growth in the form of apartment developments of a high quality design and finish.*
- *To ensure developments are constructed within an open garden setting through the retention and planting of vegetation, including canopy trees.*
- *To ensure that the height, scale and form of development respects any sensitive residential interfaces and minimises the appearance of visual bulk.*

Clause 32.07 (RGZ3) requires developments to be constructed within an open garden setting and the height, scale and form of development to respect sensitive interfaces and minimise the appearance of visual bulk.

*Residential Growth Zone – Schedule 3 (RGZ3)*

<b>REQUIREMENT</b>	<b>RESPONSE</b>
Minimum front street setback – 4 metres.	Compliance achieved  The proposal provides for a front setback of 4.5-7.1 metres.
Minimum rear setback- 3 metres for the first 2 storeys plus 2 metres for the third storey	Compliance achieved  The proposed ground level is setback 3.1-5 metres, while the level 1 is setback 5 metres from the rear boundary. Levels 2 and 3 are required to be setback 5 metres and the proposed setbacks 6.18 and 9.6 metres.
Landscaping - Retention or provision of at least one canopy tree with a minimum mature height equal to the height of the roof of the proposed building or 10 metres, whichever is greater.	Compliance achieved  The proposed landscape plan shows two (2) Hybrid Simon Poplar <i>Populus simonli 'Fastigiata'</i> to be planted within the front setback area. These tree will have a mature height of 25-30 metres which

	exceeds the height of the proposed building height of 12.67 metres.
Front fence height – 0.9 metres	Compliance achieved.  No front fencing is proposed.

### **Clayton Activity Centre Precinct Plan**

At its meeting on 28 January 2020, Council adopted the Clayton Activity Centre Precinct Plan (May 2019).

The site is identified as being located within Precinct 3, earmarked for residential intensification to provide a range of housing types within the Activity Centre. The preferred maximum building height in this Precinct is between 3 to 6 storeys based on locations of the site. The subject site is earmarked for development of 6 storeys (19-22 metres).

It is anticipated that development will have a 4 metre front setback from the street up to 9.9 metres, with an additional 3 metre setback for levels above. Development outcomes seek to avoid unarticulated façades that give a bulky appearance, especially from oblique views and avoiding repetitive stepped / 'wedding cake' profile. Rear setbacks are proposed to be 3 metres up to a height of 9.9 metres with an additional 1 metre setback for every metre of height over 9.9 metres up to 16.5 metres.

The proposed 4 storey building generally satisfies the objectives of the Clayton Activity Centre Precinct Plan. The proposed setbacks to property boundaries exceed the preferred setbacks specified in Precinct 3 and are capable for planting of canopy trees and landscaping. The contemporary architecture of the building avoids a repetitive 'wedding cake' profile or lengthy blank facades. The building facades are articulated with architectural features, use of different materials and contrasting colours, which also create visual interest to the building facades and mitigate the perception of visual bulk and mass.

### **Monash Housing Strategy 2014**

The Monash Housing Strategy 2014 (adopted by Council in October 2014) identifies this subject site as being located in Category 3 Residential Land in the MNEIC, the objectives and outcomes for which, among others, seek:

- *Housing change and diversification.*
- *Development will respond to the broader context, taking into account both commercial design and residential character as relevant.*

Residential outcomes include:

- *Higher density apartment development at the interface with the technology precinct.*
- *Lower density unit and townhouse style development at the interface with surrounding residential areas.*



- *Potential for lower to medium density apartment development in predominantly residential streets subject to careful design.*
- *On larger sites, in suitable locations, increased density may be appropriate, subject to careful design and the provision of appropriate landscaped setbacks.*

The housing strategy identifies that there is increasing demand for student accommodation around the Monash University and a variety of affordable housing is encouraged to support the high technology research and development industries within the MNEIC. The proposal to use the subject site for student accommodation is an appropriate response to the Monash Housing Strategy.

### **Assessment under Clause 55 (ResCode)**

#### **Neighbourhood Character and Built Form**

Whilst the purpose of the RGZ3 is to facilitate housing growth, it envisages the development in this zone to be designed to respect the sensitive residential interfaces. New development must ensure that the design response contributes to the Garden City Character and respond to the features of the site. The height and setbacks of building respect the preferred neighbourhood character and limit the impacts on the amenity of existing dwellings.

The subject site is in the Residential Growth Zone, and adjoining properties are also within the same zone. The proposal responds to the features of the site and surrounding area by providing appropriate building setbacks, incorporating landscaping elements along the perimeter of the site and through the use of a diverse materials and finishes palette to break up building massing. The building design is a contemporary design response to the context.

Clause 22.01 (Residential Development and Character Policy) identifies the site within the *Housing Growth Area- Clayton Activity Centre and Monash National Employment Cluster*. The site is earmarked to provide larger footprint apartment developments of a high-quality design and finish. Setbacks from all boundaries will be less than the other parts of Monash, developments will ensure the incorporation of well-maintained landscaping to address the garden city character, albeit in a more urban form.

It is considered that the proposed residential building has been designed in response to the features of the site and to respect existing residential interfaces for the following reasons:

- The height and scale of the proposed building is consistent with the site context in anticipation of other similar developments to occur within the Residential Growth Zone.
- Architectural features and varied materials and finishes with the intention of providing high quality architecture, along with an attractive range of contemporary materials, and finishes.

- All facades are articulated to avoid lengthy sheer walls. The raked walls, fenestration and timber elements assist in softening the facades and responds to the emerging character.
- The top levels are further recessed along all interfaces to minimise the perception of visual bulk and provide a capping element to the development.
- The basement and ground level are setback from property boundaries to allow for canopy tree or screen planting along all boundaries to maintain the Garden City Character.
- No front fencing will allow landscaping within the front setback to be visible and soften the streetscape.

#### *Southern (front) façade*

- The proposal contains a dynamic façade which maintains a human scale, maximises the opportunities for outlook to the public realm and provide excellent active and passive surveillance to the street.
- This façade is articulated with varied wall heights, setbacks and finished materials and colours to create interest.
- Top level of the building is substantially setback from the front boundary to mitigate building bulk and mass.
- A mix of flat and pitched roofs is well integrated with the neighbourhood context and provides a high quality architectural finish.
- Timber features framing the first two levels increase visual interest to this façade and reduce the visibility from the street.
- One vehicle crossover minimises the amount of hard surface associated with the driveway within the front setback, and maximises landscape opportunities.

#### *Eastern and Western facades*

- Both the eastern and western facades are articulated with building setbacks, varied finished materials and colours. Feature screening provides additional architectural detail.
- Ground level courtyards are provided along the northern and southern boundaries to allow for screen planting.
- Levels 2 & 3 of the building are further setback from these boundaries, together with the top level raked walls, a contrasting material and colour palette to avoid lengthy sheer walls and mitigate building and mass and bulk.
- Levels 2 & 3 setbacks will allow for the opportunities for equitable development should the adjoining properties be developed in the future.

#### *Northern (rear) façade*

- A ground level setback of 3-5 metres is provided to allow for landscaping and canopy tree planting.

- The basement is setback over 6 metres from the rear boundary to allow deep soil planting within the secluded private open space which will assist to soften this interface from the adjoining secluded private open space.
- This façade is articulated with varied building setbacks and wall heights. Levels 2 and 3 are setback 6.18 and 9.6 metres from the rear boundary, which are substantially recessed from the levels below to reduce visual impact to the rear adjoining properties.
- A contrasting material and colour palette on different levels further reduce the perception of bulk and mass.

### **Off site amenity impacts**

#### **Side Setbacks**

Standard B17 of Claus 55.04-1 requires new buildings not on or within 200mm of a boundary to be adequately setback from the side or rear boundaries. The table below shows the proposed setbacks and the setbacks required in Standard B17.

#### Eastern Setback

	Building Height	Setbacks Required	Minimum Setbacks Provided
<b>Ground Level</b>	3.069m	1m	2.9m
<b>Level 01</b>	6.569m	1.9m	2.8m
<b>Level 02</b>	9.369m	4.46m	4.45m
<b>Level 03</b>	12.519m	7.6m	4.45m

#### Western Setback

	Building Height	Setbacks Required	Minimum Setbacks Provided
<b>Ground Level</b>	2.9m	1m	2.56m
<b>Level 01</b>	6.63m	1.9m	2.4m
<b>Level 02</b>	9.29m	4.38m	4.76m
<b>Level 03</b>	12.55m	7.64m	4.76m

The first three levels of the proposed building are generally setback sufficiently to meet the Standard B17 requirement. Level 03 where the voids are extended to the roof of the building are setback less than the preferred setbacks of Standard B17.

In order to assess if the variation of the side setbacks are adequate, Council is required to consider the height and setbacks of the new building in response to the neighbourhood context, and the impact on the amenity of existing dwellings.

The subject site and its surrounding properties are zoned Residential Growth and the area is expected to undergo substantial changes in regards to building height and scale, and the consequential streetscape presentation of new developments. The proposed four storey building is a built form and height envisaged in this zone

and the proposed building will be in keeping with the context of the area, anticipating other similar developments will occur within the Growth Zone. The architectural design of the building is high quality and the recessed top level with raked walls incorporated with a deep sloped roof also avoids unreasonable bulk impacts to neighbouring properties.

Given the site is located within the Residential Growth Zone, it is anticipated that over time many of the adjoining properties will be redeveloped. As such, it is important to ensure that this development will not prejudice the future development of adjoining properties.

The proposed setback of 4.5 and 4.76 metres to the eastern and western boundaries will allow for equitable development on the adjoining properties. It is considered that the proposed setbacks will achieve a greater outcome with a balance of higher density and minimal external amenity impacts.

#### Overshadowing

Clause 55.04-5 Standard B21 *Overshadowing Open Space Objective* requires at least 75 per cent or 40 square metres, with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space of an existing dwelling to receive a minimum of five hours of sunlight between 9am and 3pm on 22 September.

A shadow diagrams submitted indicates that whilst additional shadow will fall onto the west adjoining property at 9am in the morning, the shadow starts to cast away from 10am. Over 75 per cent of the adjoining secluded private open space will receive adequate sunlight meeting the objectives of Standard B21.

#### Overlooking

Clause 55.04-6 Standard B22 *Overlooking Objective* requires that 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.

Windows with potential overlooking issues are provided with external screens or obscured glaze up to 1.7 metres, meeting the objectives of Standard B22.

**Clause 22.10 Student Accommodation Policy**

The proposed development provides adequate space and amenities to deliver an acceptable standard of living for students as required by the Council's Student Accommodation Policy.

**Communal Open Space**

The Policy encourages that facilities should provide a communal open space at ground level located to the side or rear of the building with convenient access with the following outcomes:

- *To ensure that an adequate area of communal open space is provided on site to meet the recreational needs of the students.*
- *To ensure that the communal open space is integrated into the design of the student accommodation facility providing a convenient, safe and well proportioned usable space.*
- *To ensure that the shared communal spaces contributes to the functionality of the student accommodation facilities and promotes interaction between students.*
- *To ensure that existing significant trees are incorporated into open space areas and sufficient space is provided for the planting of new canopy trees"*

The Policy requires a communal open space area with a minimum area of 75 square metres or 4 square metres per student, whichever is the greater, designed with a minimum dimension of 3 metres, including one area to the side or rear of the building of 35 square metres with a minimum dimension of 5 metres.

The proposal with 49 students requires a total of 196 square meters of communal open space. A total area of approximately 216 square metres of outdoor communal open space is provided, which includes 188 square metres of open space on the ground level and 28 square metres on level 2 in form of a balcony. All communal open space areas are accessible directly from the building either from the indoor communal lounge or from a rear door of the building. They will receive adequate sunlight and are adequate in size to provide sufficient room for canopy tree planting, and meeting the needs of outdoor recreation of future occupants.

In addition to the communal open space, two indoor communal areas are provided on the ground level and level 2. Each area is approximately 35 square metres and are sufficient to accommodate the needs of the future residents.

**Internal Amenity**

Clause 22.10-4 *Student Accommodation Policy* recommends that a building used for student accommodation should incorporate the following amenities:

Category	Requirement	Compliance
Room size	<p>Non self-contained accommodation: minimum of 16 square metres floor area per unit.</p> <p>Self-contained accommodation: minimum of 24 square metres floor area per unit.</p>	<p>Compliance achieved</p> <p>There are 18 non self-contained units and each is between 20 to 22 square metres in area.</p> <p>There are 31 self-contained units and each is between 25-31 square metres in area.</p>
Room Facilities	<p>Separate sleeping area, study area with desk and seating, ensuite facilities, independent heating and cooling, inbuilt cupboards for storage of personal items, internet access, and for self-contained units, individual kitchen facilities</p>	<p>Compliance achieved</p> <p>Most units are studio type. Self-contained units contain separate individual kitchen and bathrooms; whilst non self-contained units contain separate bathrooms</p> <p>A communal kitchen is provided within the communal lounge on the ground level and level 2.</p> <p>The 10 self-contained units on level 2 comprise of two levels where bedrooms are located on the upper level (level 3).</p>
Communal Amenities	<p>Communal facilities should include individual mailboxes and a dedicated waste storage area</p> <p>Unless provided to individual units common facilities should also include laundry, kitchen and meals area facilities.</p>	<p>Compliance achieved</p> <p>Communal lounges are provided on the ground level and level 2 which are considered adequate.</p>

- All ground level units have windows to their private courtyards. Majority of the units on ground level are provided with private courtyards of 8.9-11 square metres with the exception of one courtyard being 5.8 square metres and two courtyards being 21 and 22 square metres. All private courtyards are accessed from the respective units.
- The ground level and level 2 each contains a communal lounge towards the front of the building. The lounges are 35 and 37 square metres which are sufficient for proposed number of students.
- All bedrooms will receive adequate daylight as they contain windows on external walls and do not rely on light wells or saddlebacks.
- Permit conditions will require the fire booster and water/ gas meters to be located at an appropriate location, and screened with landscaping.

Overall, the proposal will provide good on site amenity for future residents.

#### Management Plan

Council's Student Accommodation Policy has a requirement for a management plan to be prepared and this is to be included as a condition on permit in the event a permit was to issue.

#### Landscaping

The Monash Planning Scheme seeks to maintain and enhance the Garden City character of the municipality and the Residential Growth Zone seeks to increase densities within a garden setting which allows retention of existing significant trees or planting of new canopy trees.

There are no existing trees on site or adjoining properties that will be adversely affected by the proposed building.

#### *Proposed landscaping*

The landscape plan shows the proposed planting of two (2) Hybrid Simon Poplar *Populus simonli 'Fastigiata'* within the front setback which will have a mature height of 25-30 metres. These trees will exceed the proposed building height of 12.7 metres satisfying the requirement of Standard B13 *Landscaping* of the RGZ3.

Two (2) Chinese Elm *Ulmus parvifolia* will be planted within the rear setback with a mature height of 9-15 metres. In addition, a total of twelve (12) canopy trees consist of four Kanooka Water Gum *Tristaniaopsis laurina 'Lucious'*, Capital Pear *Pyrus calleryana 'Capital'* and Crepe Myrtle *Lagerstroemia indica* will be planted within the private courtyards along the eastern and western boundaries. These trees will assist to soften the appearance within the streetscape and the interface with the adjoining land. The proposal supports the ambitions for achieving a Garden City character.

Additional small trees, shrub and ground cover planting are provided along property boundaries to further enhance the internal amenity of the building. However, paving within the ground level private courtyards along the western boundary should be reduced to allow for screen planting along the boundary which could be achieved via permit conditions if one was to issue.

#### Car Parking, traffic and access

Clause 22.10 *Student Accommodation* states that car spaces should be provided on site at the rate of at least 0.3 car spaces per bed for sites located within Preferred Locations, and 0.4 car spaces per bed for sites located outside Preferred Locations. There is no requirement for visitor parking.

The subject site is within a Preferred Location identified in Clause 22.10 *Student Accommodation* and also within the Principal Public Transport Network (PPTN) area. The car parking requirement for the proposal is set out in the following table:

Use	Number of rooms	Clause 22.10 Requirements	Car spaces Required	Car spaces Provided
Student Accommodation	49 Bedrooms	0.3 car spaces per bedroom	14 car spaces	14 car spaces

The proposal satisfies the statutory car parking requirement for the proposed student accommodation. Car parking spaces are proposed to be located within the basement car park, satisfying the requirements of Clause 22.10 *Student Accommodation*.

The purpose of Clause 52.06 Car Parking is 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. The proposed plan shows that vehicles will require a corrective movement to access parking spaces 4, 5, 6 and 7, however, given the nature of the development and circumstances, this is considered satisfactory so long as the clearance and dimension of the parking spaces comply with the Monash Planning Scheme.

Council's Traffic Engineers advise that there is sufficient car parking provision for the proposed development.

#### Bicycle Parking

Clause 22.10 *Student Accommodation* specifies that bicycle parking should be provided at a rate of 1 bicycle space for every 2 students. Bicycle space design must comply with the requirements of Clause 52.34 *Bicycle Facilities* of the Monash Planning Scheme.

Use	Number of Apartments	Statutory bicycle parking requirement	No. of spaces required	No. of spaces provided
Student accommodation	49 beds	1 space per every 2 beds	25 spaces	28 spaces (18 spaces within the basement and 10 spaces on ground level near the pedestrian entry)

The proposed bicycle parking exceeds the statutory requirements. The proposed resident spaces within the basement and visitor spaces on ground level near the building entry are considered satisfactory.



### Waste Collection

Waste collection is proposed within the basement, with the waste truck propping within the basement while undertaking collection. Swept path diagrams have been prepared which show that the waste vehicle (6.34 metres in length) can turn around within the basement and exit the site in a forwards direction. The proposed basement is capable to provide a minimum clearance for 2.5 metres. Suggested permit conditions will require this to be shown on the plan should a permit be issued.

### **Objections not previously addressed**

- **Noise generated from the development**  
Concerns regarding noise generated from the occupants is not a relevant planning consideration, however is not unexpected in a suburban setting undergoing change.
- **Safety concern**  
The state and local planning policies supports the increase in density in the RGZ3. Concerns of safety due to the increased density is not a ground that could be substantiated.
- **Impacts to the structure of adjoining properties**  
A building Permit will be required to be obtained prior to the commencement of works, and appointed building surveyor would check the relevant details.
- **Tree removal**  
The subject land is not within the Vegetation Protection Overlay and tree removal does not require planning permit. There are no significant trees on site and landscaping is required as part of any approval that incorporates canopy trees.
- **Impacts to property values**  
This is not a relevant planning consideration.

### **CONCLUSION:**

The proposed development is considered appropriate given the locality and relevant objectives of state and local policies relating to housing, increased residential density and provision of student accommodation in appropriate locations. The design response has been developed having appropriate regard to objectives of the Residential Growth Zone Schedule 3.

The subject site is within the preferred location for student accommodation and the proposed four storey residential building is envisaged within the Zone. The proposed architecture is of a high standard and will provide a positive architectural

impact in the neighbourhood. The proposed building will be setback adequately to property boundaries to limit off site amenity impacts and allow for landscaping opportunities to maintain the garden city character.

Adequate communal open space is provided for recreation and landscaping purposes. Common areas are provided within the building to avoid social isolation, and internal amenity of the units is satisfactory.

The car parking provision for the proposal satisfies the statutory car parking requirement.

Overall, the proposal is considered appropriate in both its concept and design and it is recommended that a Notice of Decision to grant a permit be issued subject to conditions.

**LIST OF ATTACHMENTS:**

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (February 2020).

Attachment 3 – Zoning and Overlays Map.

Attachment 4 – Objector Properties Location Map.