7.1.3 TPA/55528- 12 WRIGHT STREET, CLAYTON - CONSTRUCTION OF A THREE-STOREY APARTMENT BUILDING COMPRISING 17 APARTMENTS

Responsible Manager:	Mariela Llopart, Acting Manager City Planning
Responsible Director:	Peter Panagakos, Director City Development

EXECUTIVE SUMMARY

This application proposes the development of a three-storey residential building containing seventeen (17) apartments with a basement car park.

The application was subject to public notification and no objections to the proposal have been received.

Key issues to be considered relate to building height and scale, design detail, landscaping, internal amenity, external amenity impacts and car parking provision.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant planning policy framework, the adopted Clayton Activity Centre Precinct Plan and Clause 55 of the Planning Scheme.

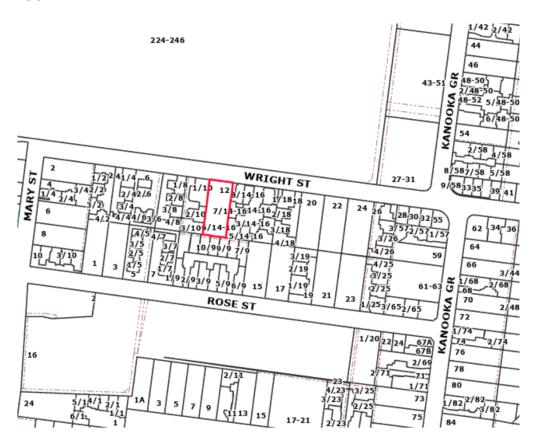
The reason for presenting this report to Council is the proposed development cost of \$5 Million.

The proposal is considered appropriate having regard to the relevant provisions of the Monash Planning Scheme. It is recommended that Council issue a Planning Permit subject to conditions.

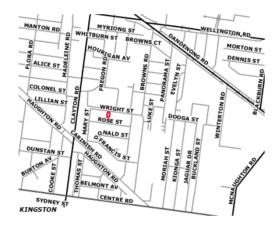
RESPONSIBLE DIRECTOR:	Peter Panagakos, Director City Development		
RESPONSIBLE MANAGER:	Mariela Llopart, Acting Manager City Planning		
RESPONSIBLE PLANNER:	Jeanny Lui		
WARD:	Oakleigh		
PROPERTY ADDRESS:	12 Wright Street Clayton		
NUMBER OF OBJECTIONS:	Nil		
ZONING:	Residential Growth Zone (Schedule 3)		
OVERLAY:	Design and Development Overlay (Schedule 14)		
	Special Building Overlay		
EXISTING LAND USE:	Dwelling		
RELEVANT POLICY:	Planning Policy Framework		
	Clause 11.01-1R - Settlement – Metropolitan Melbourne		
	Clause 11.02-1S - Supply of Urban Land		
	Clause 13.03-1S – Floodplain Management		
	Clause 15.01-1S&R - Urban Design		
	Clause 15.01-1L-02 Tree Conservation For A Garden City		
	Clause 15.01-2S - Building Design		
	Clause 15.01-2L-02- Environmentally Sustainable Development		
	Clause 15.01-4S&R - Healthy Neighbourhoods		
	Clause 15.01-5S - Neighbourhood Character		
	Clause 15.01-5L- Monash Preferred Neighbourhood Character		

	Clause 16.01-1S&R - Housing supply	
	Clause 16.01-2S - Housing affordability	
	Clause 18.01-15 - Land Use and Transport Integration	
	Clause 18.02-2R - Principal Public Transport Network	
	Clause 19.03-3S - Integrated Water Management	
	Clause 19.02-3L- Stormwater Management	
	Particular Provisions	
	Clause 52.06 - Car Parking	
	Clause 53.18 - Stormwater Management in Urban	
	Development	
	Clause 55 - Two or more dwellings on a lot and residential	
	buildings	
	Clause 65 - Decision Guidelines	
STATUTORY (60 DAY)	1 September 2024	
PROCESSING DATE:		
DEVELOPMENT COST:	\$5 Million	
	1 -	

LOCALITY PLAN



& NEIGHBOURHOOD PLAN



RECOMMENDATION

That Council resolves to Grant a Planning Permit TPA/55528 for the construction of a three-storey apartment building comprising 17 apartments within the Special Building Overlay at 12 Wright Street Clayton, subject to the following conditions:

Amended Plans

- Before the development starts, amended plans drawn to scale and correctly dimensioned must be submitted to the satisfaction of and approved by the Responsible Authority.
 When approved, the plans will be endorsed and then form part of the Permit. The plans must be generally in accordance with the plans submitted to Council prepared by R Architecture (Revision 10 dated 24 July 2024) but modified to show:
 - a) Details of all common boundary fences and demonstration of how overlooking is prevented from the ground floor windows/ sliding doors to comply with Standard B22 Overlooking objective.
 - b) The vertical louvers replaced with horizontal louvers and angled to face the sky with maximum 25% transparency to effectively prevent overlooking, or alternate design to comply with Standard B22 *Overlooking objective*.
 - c) Level 2 setback to the western boundary increased to comply with Standard B17 of Clause 55.04-1 *Side and rear setbacks*.
 - d) The living room/ kitchen of Apartment 1 internally reconfigured and/or acoustic measures implemented to reduce noise impact from the lift and satisfy Standard B41 Noise impacts objective.
 - e) Ground level bicycle parking relocated away from the front setback area and reduction of hard surface within the front setback to Wright Street.
 - f) The front fencing surrounding the open space of Apartment 2 to be a maximum overall height of 1.7m from footpath level and is to be set back a minimum of 1.5 metres from the street frontage.
 - g) Location of the substation/ electricity supply and details of any screening/ enclosures to be integrated within proposed front fencing/planter.

- h) The location of tree protection fencing including a notation on the ground floor plan to read 'a tree protection fence must be erected around all trees that are to be retained, including street trees and trees on neighbouring properties. The tree protection fence must remain in place until all construction is completed on the land, except with the prior written consent of the Responsible Authority'.
- i) A material and colouring schedule showing details of the façade materials and colours.
- j) A Landscape Plan in accordance with Condition 4.
- k) An amended Waste Management Plan in accordance with Condition 8.
- I) An amended Sustainability Management Plan in accordance with Condition 9. 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.

Compliance with documents approved under this Permit

3. At all times what the permit allows must be carried out in accordance with the requirements of any document approved under this permit to the satisfaction of the responsible authority.

Landscaping Plan

- 4. Concurrent with the endorsement of any 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 dimensioned must be submitted to and approved by the Responsible Authority. The Landscape Plan must be generally in accordance with the Landscape Concept Plan prepared by John Patrick Landscape Architects Ptd Ltd (Revision D) dated 16 July 2024 except that the plan must show:
 - a) The electricity supply incorporated into the landscape setting;
 - b) Screen planting in front of the fencing associated with the secluded open space of Apartment 2 to improve privacy;
 - c) Detail of the proposed paving;
 - d) The location of external lighting (if any); and
 - e) The provision of an in-ground, automatic watering system linked to rainwater tanks on the land servicing the main garden areas,
 - all to the satisfaction of the Responsible Authority.
- 5. 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.

- All landscaping works shown on the endorsed landscape plan(s) must be maintained and any dead, diseased or damaged plants replaced, all to the satisfaction of the Responsible Authority.
- 7. An in-ground, automatic watering system linked to rainwater tanks on the land must be installed and maintained to the common garden areas to the satisfaction of the Responsible Authority.

Waste Management Plan

- 8. Concurrent with the endorsement of plans required pursuant to Condition 1, a Waste Management Plan (WMP) must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the Waste Management Plan prepared by Leigh Design Revision 2 dated 20 June 2024 but modified to show:
 - a) The TPA number in the introductory section;
 - Corrected estimation of waste generation rate and provision of associated number of garbage bins;
 - Scaled plans included in the WMP to show the cleaning/ washing area and drainage to sewer;
 - d) Provision for hard waste management by Owners Corporation noted;
 - e) Explanation that the property is ineligible for the Council Annual Hard Rubbish Collection and private hard waste collections will be conducted on site. Presentation of hard waste on site frontage will be prohibited;
 - Separation of 'hard waste and textiles' in two separation line items under Section
 1.4;
 - g) Outline how the waste management system will be monitored to ensure minimal contamination and maximized recycling; and
 - h) A communication strategy for occupiers.

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

Sustainability Management Plan (SMP)

9. Concurrent with the endorsement of plans requested pursuant to Condition 1, an amended Sustainable Management Plan must be submitted to and approved by the Responsible Authority. The plan must be generally in accordance with the Sustainability Management Plan prepared by Makao (Revision 7 dated 17 July 2024) but modified to show the corrected number of bedrooms in the proposed building and any other changes required by Condition 1 of this Permit.

Crane Construction Management Plan

10. Prior to the commencement of any development in accordance with this permit, a Crane Construction Management Plan in relation to the location and height of any temporary construction equipment with respect to the flight path of Emergency Medical Services

helicopters accessing the helipad at Monash Medical Centre must be prepared to the satisfaction of the Department of Health and Human Services and be approved by the responsible authority. The Crane Construction Management Plan must include measures to minimise the impact of the construction of the permitted building on the safe and unfettered operation of the helipad at the Monash Medical Centre. The management measures incorporated within the plan must be implemented during the construction of the building to the satisfaction of the Responsible Authority.

Construction Management Plan

- 11. Prior to the commencement of any sitework (including any demolition and excavation), a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. No works are permitted to occur until the CMP has been endorsed by the Responsible Authority. Once endorsed, the CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:
 - a) Appropriate measures to control noise, dust and water and sediment laden runoff;
 - b) Appropriate measures for the prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
 - Appropriate measures relating to removal of hazardous or dangerous material from the site, where applicable;
 - 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;
 - A program for the cleaning and maintaining surrounding road surfaces;
 - 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;
 - g) Measures to provide for public safety and site security;
 - h) 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;
 - i) A Traffic Management Plan showing truck routes to and from the site;
 - j) A swept path analysis demonstrating the ability for trucks to enter and exit the site in a safe manner for the largest anticipated truck associated with the construction;
 - Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;
 - The provision of contact details of key construction site staff; and
 - m) Include a requirement that except with the prior written consent of the Responsible Authority, a requirement that demolition, excavation or construction works must only be carried out during the following hours:
 - Monday to Friday (inclusive) 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 that does not exceed the EPA guidelines)

No works are permitted on Sundays or Public Holidays except with the prior written consent of the Responsible Authority.

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.

Tree Protection

- 12. All street trees and trees on neighbouring properties trees specified in the arborist report prepared by Treespace Solutions Pty Ltd dated 18 June 2024 are to be protected and maintained in accordance with the recommendations set out in the report, to the satisfaction of the Responsible Authority.
- 13. The owner and occupier of the site must ensure that, prior to the commencement of buildings and works, all contractors and tradespersons operating on the site are advised of the status of trees to be retained as detailed in the submitted arborist report and are advised of any obligations in relation to the protection of those trees.
- 14. All buildings and works within the Tree Protection Zone and Critical Root Zone of any street tree or neighbouring tree, as specified in the submitted arborist report must be supervised by a suitably qualified and experienced arborist, to the satisfaction of the Responsible Authority.
- 15. 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 during the demolition, excavation and construction period of the development hereby permitted without the prior written consent of the Responsible Authority.
- 16. No vehicle access or parking within the Tree Protection Zone of any tree to be retained.

Car Parking and Accessways

- 17. Before the use starts or any part of the building is occupied, areas set aside for the parking of vehicles and access lanes as shown on the endorsed plans must be:
 - a) Fully constructed.
 - b) Properly formed to such levels that they can be used in accordance with the plans.
 - c) Surfaced with an all-weather sealcoat.
 - d) Drained, maintained and not used for any other purpose.
 - e) Line-marked to indicate each car space and all access lanes.
 - all to the satisfaction of the Responsible Authority.

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

18. Any modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.

Ongoing Architect Involvement

- 19. As part of the ongoing consultant team, R Archiecture or an architectural firm which is acknowledged to have comparable skill and expertise to the satisfaction of the Responsible Authority must be engaged to:
 - a) oversee design and construction of the development; and
 - b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Privacy screens

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

Services and Plant Equipment

- 21. All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view, to the satisfaction of the Responsible Authority.
- 22. 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.
- 23. Any required fire services, electricity supply, gas and water meter boxes must be discreetly located and/or screened to compliment the development to the satisfaction of the Responsible Authority. Any required services must be clearly detailed on endorsed plans forming part of this permit.

Drainage & Stormwater

24. The site must be drained to the satisfaction of the Responsible Authority. Stormwater must be directed to the Point of Connection as detailed in the Legal Point of Discharge report. Stormwater must not be allowed to flow into adjoining properties including the road reserve.

Completion of Buildings and Works

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

Melbourne Water Conditions (Ref: MWA-1313005)

- 26. The entry/exit driveway of the basement carpark must incorporate a flood proof apex set no lower than 66.8 metres to Australian Height Datum (AHD), which is 300mm above the applicable flood level of 66.5 metres to AHD.
- 27. All ground floor apartments must be constructed with finished floor levels set no lower than 66.8 metres to Australian Height Datum (AHD), which is 300 mm above the applicable flood level of 66.5 metres to AHD.
- 28. The Finished Floor Levels (FFLs) of all ground floor areas, including all lift and stair lobbies, must be set no lower than 66.8 metres to Australian Height Datum (AHD) (with the exception of transitional areas containing landings, steps or ramps to the satisfaction of Melbourne Water).
- 29. All external doors, windows, vents and openings to the basement floors must be set no lower than 66.8 metres to Australian Height Datum (AHD), which is 300mm above the applicable flood level of 66.5 metres to AHD.
- 30. Prior to the commencement of works a separate application direct to Melbourne Water, must be made and approved of any new or modified storm water connection to Melbourne Water's drains or watercourses. Prior to accepting an application, evidence must be provided demonstrating that Council considers that it is not feasible to connect to the local drainage system.
- 31. Any decking (including stairs) must be maintained with unenclosed foundations to allow for the conveyance of overland flows.
- 32. The layout of buildings and works as shown on the plans must not be altered without prior written consent from Melbourne Water.
- 33. Imported fill must be kept to a minimum on the property and only be used for the sub floor areas of the development, with the exception of minimal driveway ramping.
- 34. Any new fencing / gates must be open-style (50% open), or standard timber paling fence, to allow the passage of floodwaters.

Time for Starting and Completion

- 35. 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. Building Permit approval must be obtained prior to the commencement of the above approved works.
- B. Engineering permits must be obtained for new or altered vehicle crossings works within the Road Reserve and for stormwater connections and these works are to be inspected by Council.
- C. A plan detailing the stormwater drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of any works. The plans are to show sufficient information to determine that the drainage and civil works will meet all drainage requirements of this permit. Refer to Engineering Plan Checking on www.monash.vic.gov.au
- D. Stormwater is to be detained on site to the predevelopment level of peak stormwater discharge. The design of any internal detention system is to be approved by Council's Engineering Department prior to any stormwater drainage works commencing.
- E. The design parameters for the internal detention system are to be obtained from Council's Engineering Department (mail@monash.vic.gov.au). In some circumstances a drainage contribution may be accepted in lieu of a detention system. This drainage contribution is based on the proposed hard surfaced areas and is calculated at the time of the drainage plan approval.
- F. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.
- G. An onsite detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. The detention system for the basement is to be separated from the detention system for the property, which is to be at ground level and discharge by gravity.
- H. 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.

- I. All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, nature strip, kerb and channel to the satisfaction of the Responsible Authority.
- J. Any works within the road reserve must ensure the footpath and natures trip are to be reinstated to Council standards.
- K. The full cost of reinstatement of any Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.
- L. 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 the affected service authorities is required as part of the vehicle crossing application process.
- M. Tree planting should be kept clear of any drainage easement.
- N. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.
- O. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.
- P. Any residents of the approved development will not be entitled to car parking permits for on street car parking.

COUNCIL PLAN STRATEGIC OBJECTIVES

Sustainable City

Ensure an economically, socially, and environmentally sustainable municipality.

Investigate and progress planning rules for tree and vegetation controls.

Enhanced Places

Improving open spaces, bushland and street trees, including prioritising biodiversity and community engagement.

Pursue a planning framework that meets Monash needs.

BACKGROUND

History

There were no previous planning applications for the property.

Site and Surrounds

The site is located on the southern side of Wright Street in Clayton, approximately 260 metres east of Clayton Road and 380 metres north of Carinish Road. The land has a frontage of 20.42 metres and a depth of 48.77 metres, with a total site area of approximately 995 square metres. The site is relatively flat with a fall of approximately 200mm from the rear to the front of the site.

The site currently contains a single storey dwelling and associated outbuildings, with a vehicle crossover to Wright Street.

Two covenants affect the land (0867370 and 2013731). Covenant 2013731 includes restrictions regarding excavation except for the purpose of constructing a building, and prohibition on the use of the land for manufacture or winning of bricks, tiles and potteryware. Covenant 0867370 prohibits the use of the land for any shop, factories, laundries, shoeing forge, timber yard or any other business. The proposal will not be in breach of either covenant.

The site is located within the residential periphery of the Clayton Major Activity Centre, being less than 150 metres from the commercial area of the centre, and approximately 350 metres north of the Clayton Railway Station. The site is also located within the Monash National Employment and Innovation Cluster (MNEIC).

Details of adjoining properties are as follows:

<u>North (Wright Street)</u>: The Monash Medical Centre is opposite the subject site and comprises of a number of large scale 5 to 6 storey buildings. Directly opposite the site on the Wright Street frontage are the services and associated screening/ enclosures associated with the hospital site.

<u>West:</u> No. 10 Wright Street contains three single storey dwellings. Vehicle access is located along the western boundary.

<u>South</u>: No. 9 Rose Street contains thirteen (13) single storey dwellings, with vehicle access via Rose Street. Directly behind the subject site is the secluded private open space area of Units 7 to 13.

<u>East:</u> No. 14-16 Wright Street contains nine (9) double storey dwellings. Multiple vehicle crossovers are located across the site frontage, accessed via Wright Street. Directly adjacent the subject site is a driveway, garages and secluded private open space of Units 6, 7 & 9.

An aerial photograph of the subject site and surrounding land can be found attached to this report (Attachment 1).

PROPOSAL

The proposal is for the construction of a three-storey building containing 17 apartments. Key details of the proposal are summarised as follows:

Maximum Overall Height	10.15 metres
Number of Storeys	Three (3)
Number of Apartments	Seventeen (17) (1 x 1-bedroom, 16 x 2-bedroom)
Site Coverage	57.2%
Permeability	21.5%
Private Open Space	Each ground level apartment is provided with a secluded open space/terrace at ground level. The secluded open space areas range

	in size between 23 to 59 square metres (the rear apartments), each accessed from the main living area of the apartments. Each upper level apartment is provided with a rectangular shaped balcony. Balcones are generally 8-13 square metres, or 17 square metres (Apartment 11). All balconies are accessed from the main living area of the apartments.
Communal Open Space	A total of 50 square metres of communal areas are provided, including an indoor communal area of 19 square metres on the ground level, and 31 square metres of outdoor communal space on level 2.
Front Fence	No front fence is proposed along the front property boundary however a 1.8 metre high metal fence is proposed to be setback 0.92 metres from the front boundary, enclosing the secluded private open space of Apartment 2 within the front setback.
Car Parking	One level of basement car park accommodating 17 car parking spaces is accessed via a ramp entry along the western boundary from Wright Street.
Bicycle Spaces	Six (6) bicycle spaces located within the basement car park for residents and four (4) bicycle spaces located within the front setback of the site for visitors.
Materials and Finishes	A contemporary building facade is proposed, characterised by a mixture of composite cladding, render finish, metal cladding and face brick. The building provides a metal cladding framing element with mix of metal louvres and metal slat balustrades.
Tree Removal / Landscaping	Removal of all trees on site is proposed. The existing street tree will be retained. Three trees are proposed to be planted which can reach a height of at least 8 metres at maturity.

The proposed minimum building setbacks are as follows:

	Front (North) Wright Street	Rear (South)	Side (East)	Side (West)
Basement	2.65m	5.595m	1.84m	0.5m
Ground Level	4m	3.015m	1.5m	2.27m
Level 1	4m	7m	2.34m	2.785m
Level 2	4.005m	7.33m	2.34m	4.3m

Attachments 2 & 3 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 Clause 32.07-2, a permit is not required to use the land for a dwelling.

Pursuant to Clause 32.07-6, a planning permit is required to construct two or more dwellings on a lot.

Pursuant to Clause 32.07-10, the maximum height of a residential building should not exceed 13.5 metres. The proposed maximum building height of 10.15 metres does not exceed this requirement.

A development must be assessed against the provisions of Clause 55 (ResCode).

Overlay

Design and Development Overlay, Schedule 14 (DDO14)

The subject site is located within the Design and Development Overlay which applies to the Monash Medical Centre Hospital Emergency Medical Services Helicopter Flight Path Protection (Inner Area).

Pursuant to Clause 43.02-2 of the Monash Planning Scheme, a permit is required to construct or carry out buildings and works that would result in the height of the building or works being more than 92.6 metres above AHD.

The proposed building has a maximum overall height of 77.5 metres above AHD. A permit is not triggered under this provision however a condition will be imposed requiring a Crane Construction Management Plan that details the location and height of any temporary construction equipment with respect to the flight path of Emergency Medical Services helicopters accessing the helipad at Monash Medical Centre. The management measures incorporated within the plan must be implemented during the construction of the building to the satisfaction of the Responsible Authority and the Department of Health and Human Services (DHHS).

Special Building Overlay (SBO)

The subject site is located within the Special Building Overlay. Pursuant to Clause 44.05-2 a permit is required to construct a building or to carry out works.

Particular and General Provisions

Clause 52.06: Car Parking

Before a new use commences the number of car parking spaces required under Clause 52.06-5 must be provided to the satisfaction of the responsible authority. Pursuant to Clause 52.06-3 (Car Parking), a permit is required to reduce the number of car parking spaces required under Clause 52.06-5.

The site is located within the Principal Public Transport Network (PPTN).

The proposal satisfies the statutory car parking requirement of 17 car parking spaces.

Clause 52.34: Bicycle Facilities

The proposal is not a development of four or more storeys, therefore whilst bicycle parking has been provided, it is not mandatory under the requirements of the Planning Scheme.

Closed Landfill Buffer

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

Cultural Heritage Management

The site is located within an identified area of Aboriginal cultural heritage significance however the land size of the subject site is less than 1,100 square metres, the proposed activities are exempt from requiring a Cultural Heritage Management Plan (CHMP).

Attachment 4 details the zoning and overlays applicable to the subject site and surrounding land.

CONSULTATION

Further information was requested of the Permit Applicant on 13 December 2023. In this letter, officers also raised the following preliminary concerns:

- The proposed building relies heavily on different materials and finishes to break up visual bulk.
- The proposal does not provide sufficient opportunities for deep soil planting and landscaping due to the zero basement setbacks.
- Apartments 1, 2, 4, 5, 8 do not contain sufficient private open space area.
- The raised planter boxes will limit the usability of the secluded private open space areas.
- Apartment 3 will have poor internal amenity as all the habitable room windows and balcony are facing/ above the driveway ramp.
- The proposal does not provide good sense of address. Pedestrian entry to the building should be located centrally facing the street frontage.
- The communal areas on levels 1 and 2 with narrow widths and open sided do not appear to be functional.
- Solar protection should be provided to the north and west facing habitable room windows to improve energy efficiency.
- The proposed development appears to have significant overshadowing impact to the adjoining properties.
- The proposed reduction of the car parking requirement is concerned.

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

The Permit Applicant responded to this letter on 26 July 2024 (prior to notification of the application) by providing the requested information. In relation to the preliminary concerns, the Applicant advised that they had amended the plans to address the concerns raised by Council officers which includes:

- Reducing proposed building height from 4 to 3 storeys and reducing the number of apartments from 25 to 17.
- Increasing setbacks to property boundaries to reduce shadows on adjoining properties and increase landscape opportunities.
- Increasing setback of the basement car park from the western and rear property boundaries and rearrangement of car parking layout to increase deep soil planting opportunities.
- Relocating the pedestrian entry to the building to the front and directly accessed from Wright Street.
- Increasing the open space area for the ground level apartments.
- Deleting the balcony style communal open space at levels 1 and 2; providing an indoor communal area on ground level and an outdoor communal area on level 2. Both areas are rectangular in shape with more functional dimensions.
- Improving the architectural details to provide a more predominant two-storey built form, with a variety of finishing materials.
- Relocating the secluded private open space of the front apartments entirely or partially outside of the front setback area (Apartments 1 and 2).

The Applicant has been advised that this application is coming to the October Council meeting, and a letter was sent to the Applicant with the details of the Council meeting. The Applicant has also been advised that this application is recommended for approval subject to conditions, and an outline of the conditions and the ramifications of the conditions on the proposal has been explained.

Public Notice

The application was advertised in accordance with section 52 of the *Planning and Environment Act* 1987 by way of letters sent to the surrounding property owners/occupiers, and a sign displayed on the Wright Street frontage.

No objections were received.

Referrals

External Referral

Melbourne Water (Ref: MWA-1313005)

The application was referred to Melbourne Water pursuant to Clause 44.05-6 of the Monash Planning Scheme as the subject land is within the Special Building Overlay.

Melbourne Water did not raise any concerns subject to conditions requiring the finished floor levels of all ground floor areas to be no lower than 66.8 metres to Australian Height Datum (AHD) with the exception of transitional areas containing landings, steps or ramps. An apex within the accessway is also required which has a minimum RL level of 66.8 metres to AHD. The proposal satisfies this requirement.

Other standard conditions include any decking (including stairs) must be maintained with unenclosed foundations to allow for the conveyance of overland flows, and any fencing/ gates

must be open style (50% open), or standard timber paling fence, to allow the passage of floodwaters. Prior to the commencement of works, a separate application must be made to Melbourne Water for any new or modified stormwater connection to Melbourne Water's drains or watercourses.

Internal Referral

Transport Engineer

Council's Transport Engineer has advised that the vehicles from spaces 1, 2, 3 and 4 will have to perform corrective movements, however the car parking provision and design of the car park meet the relevant design standards and are considered acceptable.

Drainage Engineer

No concerns were raised subject to standard conditions and notations being included in a permit.

Waste Services

Council's Waste Management Team have requested further detail on the plans and within the Waste Management Plan, corrected waste generation calculation, details within bin storage areas, hard waste management, responsibility for the operation of the waste management system, waste management communications strategy and scaled plans.

An amended Waste Management Plan will be required as a permit condition should a permit be issued.

Strategic Planning

Council's Strategic Planning department provideded the following advice:

- Sense of address is improved with entrance located centrally at the front.
- Secluded private open space for front two apartments has been reduced, allowing for more of an open garden setting within the street frontage.
- Basement size is reduced to around 72% of the site area and deep soil zones are provided at the rear and along the side and most of the front setbacks.
- Canopy trees are provided within the rear setback.
- Site is located within the Clayton Major Activity Centre, in close proximity to abundant bus routes, a train station and the proposed SRL station.

Overall, the proposal is acceptable and consistent with the intent of the Clayton Activity Centre Precinct Plan (CACPP) and RGZ3.

Water Sensitive Urban Design (WSUD)

Council's Waste Sensitive Urban Design Officer advised that the WSUD report should be amended to correctly show the number of bedrooms in the proposed building, and demonstrate that the BPEM stormwater quality objectives still been met based on the correct number of bedrooms.. A condition will require the Sustainability Management Plan updated to show the correct number of bedrooms.

RELEVANT PLANNING POLICY

Purpose and Vision

The purpose and vision of the Monash Planning Scheme includes the strategic directions for the City of Monash. In this, it identifies Clayton Activity Centre being a Major Centre which has a focus for entertainment and mixed commercial uses in addition to apartments.

Clause 02.03-5 also identifies predicted population growth and the need to satisfy diverse housing demand with different types of housing development that are proximate to activity centres.

The Strategic Framework Plan at clause 02.04-1 identifies the site as being located within the Monash NEIC whilst the Residential Development Plan located at Clause 02.04-3 identifies the site as being located within an Activity Centre (Category 1), residential land within the Monash National Employment and Innovation Cluster (MNEIC) (Category 3), within an Accessible Area (Category 2) and Garden City Suburbs (Category 8).

Planning Policy Framework (PPF)

The PPF seeks to provide for sufficient supply of housing (Clause 11.02-1S) in established areas which are located to services and public transport (Clause 16.01-1S).

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.

Clause 11.03-1L-01 encourages medium rise residential development within the centre of the Clayton Activity Centre.

The subject site is located within the 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 site is located approximately 260 metres east of the commercial strip on Clayton Road and 350 metres north of the Clayton Railway Station. The area has an extensive range of goods and services, easy access to good quality public transport and transport routes and is recognised as a major social focus for the municipality and the middle south-eastern region. Clause 11.03-1L-04 seeks (among other things) to ensure that uses are encouraged that supports and are consistent with the continued growth and primary function of the precinct.

Clause 15.01-1S & R (Built Environment) requires development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate. It seeks to ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm; and minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.

Clause 15.01-1L-02 (Tree Conservation for a Garden City) seeks to retain existing semi-mature and mature canopy trees to maintain the existing tree canopy. Design and site development are to retain and conserve existing street trees, and incorporate landscaping that reinforces the garden city character in all development.

Clause 15.01-2L-02 (Environmental Sustainable Development) provides a framework for early consideration of environmental sustainability at the building design stage. For a development of 10 or more dwellings, a Sustainability Management Plan (SMP) is required to be prepared and submitted. A SMP was prepared by Makao which included a BESS assessment. The report indicates that the proposal achieves best practice.

The Monash Preferred Neighbourhood Character is identified in Clause 15.01-5L. The site is identified within the *Monash National Employment Cluster and Clayton Activity Centre- Housing Growth Area*. The desired future character statement seeks to:

- Support development that provides canopy trees and landscaped separation between buildings.
- Provide a transition between the scale of development and the surrounding land in the Housing Diversity Area.
- Support multi-level developments on larger sites that are set in open gardens in the Housing Growth Area.
- Provide space for landscaping in front and rear setbacks, while accommodating greater densities.

Monash's housing policy at Clause 16.01-1L seeks to direct residential growth to neighbourhood and activity centres, the Monash National Employment Cluster and the boulevards (Springvale Road and Princes Highway). Strategies to achieve this include:

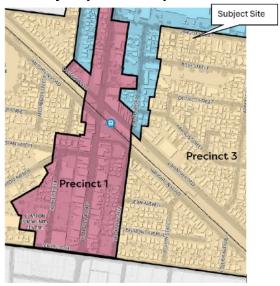
- Promote a variety of dwelling sizes and types to promote greater affordability of housing and choice in medium and large urban developments.
- Direct more intensive, higher scale development to major and neighbourhood activity centres that are well serviced by public transport, commercial, recreational, community and educational facilities.
- Support substantial residential growth within the housing growth areas of the Monash National Employment and Innovation Cluster to provide housing closer to where people work and study.

Clayton Activity Centre Precinct Plan (CACPP)

The Clayton Activity Centre Precinct Plan 2019 was adopted by Council on 28 January 2020 to provide a long-term framework to guide development in and around the Clayton Activity Centre. The Precinct Plan aims to locate taller buildings to locations within the commercial core of Clayton, on larger development sites and in prominent locations to contribute to creating a stronger entrance to Clayton. However, whilst a seriously entertained plan, it holds limited weight given it is not within the Planning Scheme. At this point in time, its implementation has been placed on hold given the SRLA will be doing precinct planning work in and around the Clayton Major Activity Centre.

Having said this, the subject site is identified within an area of residential intensification or "Precinct 3: Surrounding Residential" which aims to provide a diverse range of housing types within the Activity Centre that caters for the needs of existing and future residents and meets expected population growth.

Extract of Clayton Activity Centre



It is envisaged that residential development will provide for low scale apartment buildings and townhouses with landscaped front gardens that sit comfortably next to detached dwellings and define a high quality and contemporary character for the precinct.

Building height

Clayton Activity Centre Precinct Plan Preferred Building Heights



The subject site sits within an area of preferred building height of 3-5 storeys. The Precinct Plan also specifies the following requirements for building heights:

- Lots greater than 14 metres in width and less than 20 metres in width- 3 storeys (9.9 metres)
- Lots greater than 20 metres in width and less than 30 metres in width- 4 storeys (13.2 metres)
- Lots 30 metres in width or greater- 5-6 storeys (16.5-19.8 metres)

The subject site with a frontage of 20.42 metres is envisaged to have a maximum of 4 storeys in height. The proposed three-storey building of 10.15 metres is within the maximum building height envisaged in the Precinct Plan.

Building setbacks

The Precinct Plan includes details of preferred built form outcomes.. It envisages buildings within this precinct to have a setback of 4 metres from the street where a building is up to 9.9 metres in height, with an additional 3 metre setback for the parts of the building that are above 9.9 metres in height..

With respect to setbacks from the rear boundary, the CACPP seeks a setback of 3 metres where a building is up to 9.9 metres in height, and for every metre of height over 9.9 metres, the building is to be setback an additional 1 metre up to an overall building height of 16.5 metres.

Clayton Suburban Rail Loop Structure Plan

The Suburban Rail Loop Authority (SRLA) has released a draft vision for the precinct surrounding the future Clayton Train Station, as the responsible authority for future strategic planning of the precinct. The vision suggests that up to 15 storeys will be permitted in this location and identified as the 'Health and Employment Area'.

Extract of the draft Clayton Suburban Rail Loop Structure Plan



Residential Growth Zone- Schedule 3

The Residential Growth Zone Schedule 3 (RGZ3) seeks to facilitate housing growth in the form of apartment buildings of a high-quality design and finish. The site is in an area which is expected to undergo substantial change to provide for housing intensification. Design guidelines require developments to contain elements of the Garden City Character and include breaks and recesses in building mass to avoid large block like structures dominating the streetscape, and respect sensitive residential interfaces.

Clause 32.07 (RGZ3) nominates the following variations to Clause 55 (ResCode) applicable to the site:

- Minimum front street setback of 4 metres;
- Minimum rear setback of 3 metres for the first 2 storeys plus 2 metres for the third storey;
- 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;
- Front fence height of 0.9 metres; and
- Preferred maximum building height of 13.5 metres.

ASSESSMENT

Built Form

Height and Scale

Whilst the purpose of the RGZ3 is to facilitate housing growth through the development of apartment buildings, it requires new development to contribute to the Garden City Character and minimise amenity and visual bulk impacts to any sensitive residential interface. Significant change in the built form character of these areas is anticipated..

The subject site, immediately opposite to the Monash Medical Centre is an appropriate location for a residential development with a larger footprint to provide increased diversity of housing to support the continued growth and diversification of the activity centre. The adjoining residential properties in Wright Street and Rose Street are within the same precinct as the subject land and are also expected to have larger built forms and a greater building height in the future.

The proposed building height and scale is appropriate in the context of the residential growth zone, and accords with the long-term vision of the CACPP. The proposal has also been designed to avoid unarticulated façades that give a bulky appearance, especially from oblique views and avoiding repetitive stepped/'wedding cake' profile.

Street Setbacks and Design

The proposal meets the 4 metre preferred front setback requirement prescribed within the zone. The proposal generally meets the preferred front setback requirements of the CACPP with the exception of the wall height of Level 2 at the frontage being a height of 10 metres rather than 9.9 metres where a greater setback would be required where the building height is exceeded.. This minor non-compliance is considered acceptable.

The architecture presents as a prominent two storey building with a recessed third storey. This provides for an appropriate architectural response to Wright Street and is consistent with design objectives of the zone. The use of architectural framing elements to the street facade with varied material and finishes, provision of recessed balconies and windows provides for substantial visual interest to mitigate the scale of the building. The use of a contrasting colour scheme also assists in reducing the visual dominance of the third level and the face brick finishes are reflective of the building materials in the area. The proposal maintains a human scale façade and maximises the opportunities for an outlook to the public realm to provide excellent active and passive surveillance to the street.



Proposed 3D perspective to Wright Street

The provision of planting along the driveway ramp adds a green element to this interface, and assists in softening the presentation to the west adjoining properties.



Proposed 3D perspective to the western interface

The existing vehicular crossover will be replaced with a new crossover to provide access to the basement car park. The proposal to maintain one vehicle crossover will minimise visual disruption to the streetscape and increase the garden area along the street frontage.

The basement is set back sufficiently from the front boundary to allow for deep soil canopy tree planting and landscaping with a width of 500mm adjacent the proposed ramp available as a further planting opportunity..

The proposed development has adopted a contemporary design that appropriately integrates into the surrounding context and achieves increased density, site consolidation and housing diversity policy objectives.

Detailed Design

It is considered that the location of the front fence for Apartment 2 will provide limited privacy due to a limitation on the design of the fence to meet the requirements of Melbourne Water (50% transparency). To reduce its impact to the street and increase its effectiveness, tt is recommended that the front fence be set back 1.5 metres from the frontage of the site which will allow for sufficient space for screen planting to be located in front of the fence.

The pedestrian entrance is located on Wright Street and clearly identifiable from the street, providing for a suitable sense of address to the development.

The proposed planter in front of Apartment 2 has been designed to incorporate with the facade materials of the proposed building, which will not be at-odds with the streetscape while providing additional opportunities for canopy tree planting above the basement car park.



Proposed 3D perspective

Site services including the hydrant booster enclosure, have been orientated perpendicular to the site frontage to minimise its visual impact the streetscape. No other services have been shown on the ground floor plan (such as electricity supply / substation) and therefore a condition will clarify this, requiring any further services to be integrated into the development and landscape setting.

External Amenity

Visual Bulk

The land is located within the growth zone where 3-6 storeys are envisaged. The adjoining residential properties are within the same precinct and are expected to be developed in the future with larger built forms and greater building height.

The design response aims to minimise off-site amenity impacts to the adjoining properties through the provision of appropriate building setbacks, incorporating landscaping elements along the perimeter of the site and the use of a diverse materials and finishes palate to break up building massing. The building design is a contemporary design response to the context.

The proposed building generally complies with the preferred setbacks recommended in the CACPP, except the top level which could be addressed via permit conditions. The proposal also largely complies with the ResCode setbacks in Standard B17 *Side and rear setbacks* of Clause 55.04-1, with the exception of some sections of the building. Recommended permit conditions will require the top level of the building to satisfy the setback requirements of Standard B17.

ResCode Requirement	Proposed Development
Side setbacks – 1m, plus 0.3m for every metre of height over	Ground level complies.
3.6m up to 6.9m, plus 1m for	Level 1 generally complies except the parapet
6.9m.	wall towards the site frontage and Apartment 12 to the eastern boundary. The proposed setbacks are acceptable given they are mainly located
Ground floor: 0m	adjacent to the adjoining garages, and the external amenity impact are not unreasonable.
Level 1: 3m (east); 2m (west)	
Laval 2: 5 2m (aast): 5 2 (wast)	Level 2 is setback generally sufficient to the eastern boundary except the parapet wall
Level 2. 3.2111 (east), 3.3 (west)	towards the site frontage, and Apartment 17.
	Similar to level 1, the proposed setbacks are
	acceptable as they are not facing the sensitive interface of the neighbouring properties.
	Level 2 has shortfall of approximately 0.5m to 1m
	to the western boundary to comply with the Standard. Given the neighbour's secluded private
	open space area directly abuts the common
	boundary, the setbacks of level 2 should be
	increased to satisfy the preferred setback under Standard B17. A proposed condition has been
	included in the recommendation to meet this requirement.
	Side setbacks – 1m, plus 0.3m for every metre of height over 3.6m up to 6.9m, plus 1m for every metre of height over 6.9m. Ground floor: 0m

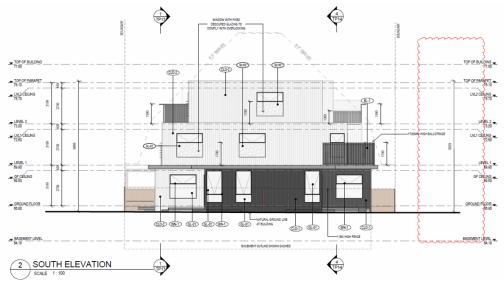
Rear setback	Rear setback – 3m for the first 2	Complies
	storeys plus 2m for the third	
	storey.	

The table below shows the design guidelines of the CACPP, in comparison to the proposed development:

	CACPP Requirement	Proposed Development
Side setbacks	1m setback, plus 0.3m for every meter of height over	Ground level and level 1 comply.
	3.6m up to 9.9m, plus 1m for every meter of height over	Level 2 generally complies except the parapet wall to the eastern boundary towards the site frontage. As previously discussed, the proposed
	9.9m, up to 16.5m.	setback is acceptable given this wall does not
	Ground floor: 0m	affect the neighbouring secluded private open space area.
	Level 1: 2.3m (east); 2m (west)	
	Level 2: 3.1m (east); 3.2 (west)	
Rear setback	3m from the rear boundary up	Complies-
	to 9.9m, plus 1m additional	
	setback for every metre of	Ground level: 3.015- 4.92m
	height over 9.9 m up to 16.5m.	Level 1: 7m
		Level 2: 7.33-7.415m



Front section of the proposed building does not comply with Standard B17



Rear section of the proposed building complies with Standard B17

The proposed ground level setbacks from the side and rear boundaries along with the set back of the basement level are sufficient for canopy tree planting and screen planting which will visually soften the appearance of the building from the adjoining properties and contribute to the garden city character.

The presentation of the building to the eastern and western interfaces is broken up by variation of building setbacks, architectural framing elements, balconies and window screenings. The design also incorporates a variety of facade materials and finishes palette to demonstrate a high degree of architectural detailing. Variation in building setbacks along the side and rear interfaces provides for appropriate height graduation.

The rear section of the proposed second floor is significantly setback from the lower levels to reduce the perception of visual bulk of the building when viewed from the adjoining properties. The proposed setbacks of 7 metres (levels 1 and 2) to the rear boundary, and 4.6 to 5.4 metres (Level 2) to the side boundaries are sufficient to avoid unreasonable visual impacts to the adjoining properties.

The proposed setbacks to the side and rear boundaries generally provide good opportunity for equitable development of the adjoining properties. Given the existing walls on the adjoining property boundaries, it is expected that future development on adjoining properties will be designed to respond to the site context at the time.

Overshadowing

Whilst the adjoining properties are also within the Residential Growth Zone, they should be afforded continued residential amenity with the consideration of more intensive development. As all abutting properties to the side and rear boundaries of the subject land have been developed with multiple units, and given the site orientation, it is inevitable that the development will result in some additional shadow to the adjoining properties.

The 9am and 10am shadow cast at the equinox will largely fall onto the three units to the west, known as Unit 1, 2 and 3/10 Wright Street and units to the south known as Unit 10, 11 and 129 Rose Street Clayton.

At 2pm and 3pm shadow cast at the equinox will fall on the two units to the east, Unit 6 and 7/ 14-16 Wright Street Clayton. All these units have their secluded private open space adjacent the common boundaries of the subject land.

The overshadowing impact to these dwellings will be limited to the morning (9am and 10am) or afternoon (2pm and 3pm).

This is considered an acceptable outcome given the amenity of the adjoining units will only be slightly compromised by the proposed development either in the morning or afternoon. These units will still receive adequate solar access throughout the remaining hours of the day. In addition, no objections were received to the application.

These properties are within the Residential Growth Zone, where higher scale developments are expected and encouraged. This proposal is considered a balanced outcome of preferred higher density developments while not causing unreasonable impact to existing amenity.

Overlooking

The proposal includes the use of external screening/balcony balustrades and obscured glazing on the upper levels to avoid unreasonable overlooking. It is however recommended that permit conditions should require that the vertical louvers be replaced with horizontal louvers and angled to face the sky to effectively avoid downward views to the adjoining areas of secluded private open space.

The design of window/ balcony locations prevent internal views between the proposed apartments, meeting the objectives of Standard B23 *Internal views objective*.

Existing and proposed fencing height along boundaries is unclear on the plans. A condition will require that compliance be demonstrated with the overlooking standard with respect to the ground floor fencing height.

On-Site Amenity

Noise Impacts

Standard B41 *Noise impacts objective* specifies that noise sensitive rooms such as living areas should be located to avoid noise impacts from mechanical plants, lifts, building services, car parking etc.

The living room of Apartment 1 is next to the lift on the ground level which may not satisfy the Standard. Recommended permit condition will require acoustic measures and/orinternal reconfiguration of the living room/ kitchen to reduce noise impact to the living area.

Communal Open Space

A total of 50 square metres of communal area is provided to the 17 apartments in the development, including 31 square metres of outdoor area and 19 square metres of indoor lounge, exceeding the requirement of 42.5 square metres specified in Standard B36 *Communal open space objective*.

The communal areas are located on the ground and second floors. The indoor communal lounge is on the ground level, centrally within the building which is easily accessible. This area is generally regular in shape, with a width of 4.2 metres. This room is west facing and will receive excellent daylight and solar access in the evening. It is functional in size and is adequate to meet the needs of residents.

The outdoor communal area is located on the second floor, next to the lift and stairs. This area is slightly irregular in shape with widths of 4 to 5.3 metres. It is unroofed, located at the east side of the building and will receive excellent solar access in the morning. A 1 metre high plater box is located at the edge of this area to prevent overlooking as well as providing additional landscaping opportunities.

Private Open Space/balconies

The ground level apartments are provided with ground floor open space areas ranging in size from 23 to 59 square metres, located within the side and rear setbacks to the building. The open space areas are generally over 2 metres in width and are generally flat.

The proposed ground floor apartments meet the requirements of Standard B43 *Private open space objective* in regard to the minimum area and dimensions, with the exception of Apartment 2. This open space area is 23sqm in area whilst the standard requires a total of 25sqm. This will be further reduced by setting back the front fence as recommended in the permit conditions, however, it is considered that this achieves a balanced provision of private open space and planting opportunities along the street frontage to maintain the leafy character and to provide sufficient privacy to the courtyard area.

The upper-level apartments are provided with balconies ranging in size from 8 to 17 square metres with a minimum width of 2 metres which complies with the standard. All balconies are rectangular in shape, are functional and appropriate for apartment living. All balconies are directly accessed from the main living area of the apartments and sited to capture a good level of sunlight and daylight throughout the day.

Room Sizes

The majority of the apartments meet the minimum internal room dimensions for bedrooms and living rooms specified in Standard B46 Functional layout with the exception of Apartments 1, 8, 11, 12 and 14. The living room of these apartments are 70mm to 300mm short of 3.6 metres. However, the living rooms of all apartments are rectangular in shape with sufficient circulation area outside of the main living area. Apartments 11 and 12 have generous bedroom sizes of 3 x 3.8 metres and 3.3×3.4 metres, and Apartment 12 also provides an additional study area. The overall internal layout of the apartments are generally functional, meeting the objectives of Standard B46 Funtional layout objective.

Daylight and Ventilation

All windows of the apartments will receive adequate daylight, meeting the requirements of Standard B27 *Daylight to new windows objective*. Solar protection is provided to the northern and western facing windows to aid energy efficiency. All habitable rooms have windows directly to an external wall and do not rely on lightwells or saddlebacks.

A total of 59% of the apartments have dual aspects, exceeding the requirement of 40% in Standard B49 *Natural Ventilation*. Single aspect apartments do not contain a room depth more than 2.5 metres of the ceiling height to ensure there is adequate daylight into the rooms, meeting the requirement of Standard B47 *Room depth objective*.

Accessibility

Pedestrian entry to the apartments is easily identifiable from Wright Street. Accessways and entry to the building and carpark is capable to be provided with good lighting, visibility and surveillance.

A pedestrian ramp is provided from the footpath to the entry of the building, and a lift is provided from the basement car park to all levels, providing access for people with limited mobility. In addition, 70% of the apartments have a clear opening width of a minimum of 0.85 metres, and a clear path with a minimum width of 1.2 metres which exceeds the requirement of 50% in Standard 42 *Accessibility*.

Landscaping

The Monash Planning Scheme seeks to maintain and enhance the Garden City Character of the Municipality and the Residential Growth Zone seeks to ensure development is located within a garden setting which allows retention of existing significant trees or planting of new canopy trees.

An aboricultural report prepared by 'Treespace Solutions Pty Ltd' dated 18 June 2024 was provided with the application. The report shows that all existing vegetation on site can be justified for removal due to their limited useful life expectancy, arboricultural insignificance, poor location or combination of all these factors.

There are no easements on the land and the basement car park setback of 1 to 5.6 metres from property boundaries will provide sufficient room for deep soil planting. The ground level open space areas are sufficient to provide room for canopy tree planting and landscaping.

The proposed landscape plan shows the planting of a Eucalyptus pauciflora 'Little Snowman' *Dwarf Snow Gum*, a Pyrus betulaefolia 'Southorth' Dancer *Southworth Dancer Ornamental* and a Lagerstroemia indica x L. fauriei 'Acoma' *Acorna Crepe Myrtle* within the street setback area, two (2) *Eucalyptus leucoxylon sssp. Connata 'Melbourne Yellow Gum*' within the rear setback area, and four additional canopy trees along the side boundaries of the site. These trees have mature height of 7 to 18 metres with canopy width of 3 to 7 metres which are sufficient to soften the streetscape, and visually buffer the visual appearance of the proposed building from adjoining properties.

Additional small trees, shrubs and ground cover planting are proposed to be provided along property boundaries to further visually buffer the building from adjoining properties and enhance the internal amenity of the building. Further landscaping is also proposed within the planter box

adjacent to the level 2 outdoor communal open space area. This is considered an acceptable landscape outcome.

The existing street tree (Tree 1) and neighbouring tree (Tree 12) will be retained. Both trees will not be unreasonably affected as the proposal has no encroachment into the Tree Protection Zone (TPZ) of Tree 1, and the 2.4% encroachment into the TPZ of Tree 12 is significantly less than the allowable encroachment of 10% within the Australia Standards *AS4970-2009*.

Environmental Sustainability

A Sustainability Management Plan (SMP) was provided with the application, prepared by EW Environment. The report suggests the use of a 15,000L water tanks to supply water to toilets and reduce potable water consumption. A proposed water tank is located beneath the proposed basement.

The BESS assessment shows that the proposal achieves best practice in environmentally sustainable development in accordance with Clause 22.13 *Environmentally Sustainable Development Policy.* A condition of the Permit will require this report and assessment to be updated to reflect the correct number of bedrooms proposed.

Car Parking, Traffic and Access

Car Parking Provision

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

The proposal proposes a total of 17 apartments. The car parking requirement is set out in the table below:

Use	Number of Apartments	Resident Car spaces required (Clause 52.06)	Car spaces provided
One to two bedroom	17	17 spaces	17 spaces
apartments			
Visitor parking		0 spaces (PPTN)	0
Total required		17 spaces	17 spaces

The development provides for sufficient on-site car parking.

Access and Traffic Generation

The location of the modified existing crossover is considered acceptable. The setback of the street tree from the proposed crossover is sufficient not to cause any adverse impacts to the tree. The unused vehicle crossover will be removed and nature strip reinstated.

Vehicles can adequately manoeuvre within the basement and enter and exit the site in a forwards direction. Sept path diagrams have been included within the Waste Management Plan showing that waste vehicles can adequately enter and exit the basement for waste collection.

Council's Traffic Engineers are satisfied that the surrounding road network can accommodate the additional generation of vehicles.

FINANCIAL IMPLICATIONS

There are no financial implications to this report.

POLICY IMPLICATIONS

There are no policy implications to this report.

CONSULTATION

Public notification of the application was carried out in accordance with the requirements of the *Planning and Environment Act 1987*. Details of this notice period are provided under Public Notice.

SOCIAL IMPLICATIONS

There are no social implications to this report.

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications to this report.

GENDER IMPACT ASSESSMENT

A GIA was not completed because this agenda item is not a 'policy', 'program' or 'service'.

CONFLICT OF INTEREST

No officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

CONCLUSION

The development of the land for a three storey residential apartment building is consistent with relevant urban consolidation and increased density objectives as envisaged by relevant provisions of the State, Regional and Local Planning Policy Framework.

The proposal is a modest increase in built form and building height within the Clayton Major Activity Centre. The contemporary architecture of the building achieves a good quality architectural outcome and avoids lengthy blank facades. The proposal meets the aspiration of the Clayton Activity Centre Precinct Plan.

The proposal provides a suitable response to the site context. The height and scale of the development is in keeping with the objectives and strategies as outlined in the Residential Growth Zone Schedule 3.

The proposal has been designed to provide good level of internal amenity for the future residents with functional spaces of the apartments. Additional shadow to the adjoining properties will be limited to either morning or afternoon, and it is not considered unreasonable within a growth area that is envisioned for increased density and larger scale development.

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

Overall, the proposal is considered appropriate in both its concept and design details. It is recommended that a Planning Permit be issued subject to conditions.

ATTACHMENT LIST

- 1. Aerial Photograph 12 Wright St [7.1.3.1 1 page]
- 2. Proposed Development Plans 12 Wright St [7.1.3.2 21 pages]
- 3. Proposed Landscape Plan 12 Wright St [7.1.3.3 3 pages]
- 4. Zoning and Overlays Map 12 Wright St [7.1.3.4 1 page]







V2. VIEW LOOKING NORTH ALONG WRIGHT STREET



V3. VIEW LOOKING WEST ALONG WRIGHT STREET (SITE ON LEFT)



V4. VIEW LOOKING EAST ALONG WRIGHT STREET (SITE ON RIGHT)



SITE ANALYSIS PLAN

SETBACK: 10.00 METRES SELBRUK: 10.00 METHES
WALLS: BLOCK & RAMMED EARTH
ROOF: OPEN ROOF WITH CONCRETE FLOOR
FENCE: PLANTER & METAL SLAT FENCE
GARAGE: BACK OF PROPERTY

1-4/2 WRIGHT STREET MULTI-UNIT SINGLE STOREY DWELLING

SETBACK: 6.77 METRES WALLS: BRICK VENEER WALL ROOF: TILED ROOF FENCE: 0.5M BRICK FENCE GARAGE: BACK OF PROPERTY

1-4/4 WRIGHT STREET

MULTI-UNIT SINGLE STOREY DWELLING WILLES BRICK VENEER WALL
ROOF: TILED ROOF
FENCE: 1.5M METAL SHEET FENCE
GARAGE: BACK OF PROPERTY

1-9/14-16 WRIGHT STREET

MULTI-UNIT DOUBLE STOREY DWELLING GARAGE: BACK OF PROPERTY

1-4/18 WRIGHT STREET

1-4/8 WRIGHT STREET MULTI-UNIT DOUBLE STOREY DWELLING SETBACK: 5.45 METRES WALLS: BRICK VENEER WALL ROOF: TILED ROOF FENCE: 1.5M TIMBER FENCE GARAGE: BACK OF PROPERT

1-4/6 WRIGHT STREET

SETBACK: 7.55 METRES

WALLS: BRICK VENEER WALL ROOF: TILED ROOF FENCE: 0.5M BRICK FENCE GARAGE: BACK OF PROPERTY

1-3/10 WRIGHT STREET

MULTI-UNIT SINGLE STOREY DWELLING WOLLI-OWN SWIGE STOREY DWELLING SETBACK: 7.10 METRES WALLS: BRICK VENEER WALL ROOF: TILED ROOF FENCE: 0.5M BRICK +1.5M TIMBER FENCE GARAGE: BACK OF PROPERT

GARAGE: BACK OF PROPERTY 1-10/20 WRIGHT STREET

SETBACK: 7.10 METRES
WALLS: BRICK VENEER WALL
ROOF: TILED ROOF
FENCE: 1.5M BRICK FENCE

MULTI-UNIT DOUBLE STOREY DWELLING WILLES BRICK VENEER WALL
ROOF: TILED ROOF
FENCE: NO FENCE
CARPARK IN FRONT OF PROPERTY

1-10/22 WRIGHT STREET

MULTI-UNIT DOUBLE STOREY DWELLING SETBACK: 8.0 METRES WALLS: BRICK VENEER WALL ROOF: TILED ROOF SETBACK: 7.50 METRES
WALLS: BAGGED AND PAINTED BRICK VENEER
ROOF: CONCRETE TILE
FENCE: PAINTED TIMBER FENCE FENCE: NO FENCE CARPARK IN FRONT OF PROPERTY

1-10/24 WRIGHT STREET

MULTI-UNIT DOUBLE STOREY DWELLING SETBACK: 7.30 METRES WALLS: PAINTED BRICK VENEER WALL ROOF: CONCRETE TILED ROOF FENCE: 1.5M TIMBER PALING FENCE MULTI-UNIT SINGLE STOREY DWELLING CARPARK IN FRONT OF PROPERTY

21 ROSE STREET

SINGLE STOREY DWELLING SETBACK: 9.10 METRES
WALLS: BRICK VENEER WALL
ROOF: TILED ROOF
FENCE: 0.3 BRICK FENCE
GARAGE: BACK OF PROPERTY 1-3/19 ROSE STREET

MULTI-UNIT SINGLE STOREY DWELLING SETBACK: 6.90 METRES WALLS: BRICK VENEER WALL ROOF: TILED ROOF FENCE: NO FENCE GARAGE: FRONT/BACK OF PROPERTY

17 ROSE STREET

SINGLE STOREY DWELLING SETBACK: 8.8 METRES
WALLS: BRICK VENEER WALL
ROOF: TILED ROOF
FENCE: 0.4 BRICK FENCE GARAGE: BACK OF PROPERTY

15 ROSE STREET

SINGLE STOREY DWELLING SITBACK: 8.0 METRES
WALLS: BRICK VENEER WALL
ROOF: TILED ROOF
FENCE: 0.4 BRICK FENCE
GARAGE: BACK OF PROPERTY 1-13/9 ROSE STREET

MULTI-UNIT DOUBLE STOREY DWELLING SETBACK: 5.0 METRES WALLS: BRICK VENEER FINISH ROOF: TILED ROOF

FENCE: NO FENCE GARAGE: FRONT/BACK OF PROPERTY 1-4/7 ROSE STREET

MULTI-UNIT SINGLE STOREY DWELLING SETBACK: 6.0 METRES WALLS: BRICK VENEER FINISH ROOF: TILED ROOF FENCE: 0.4 BRICK FENCE GARAGE: BACK OF PROPERT

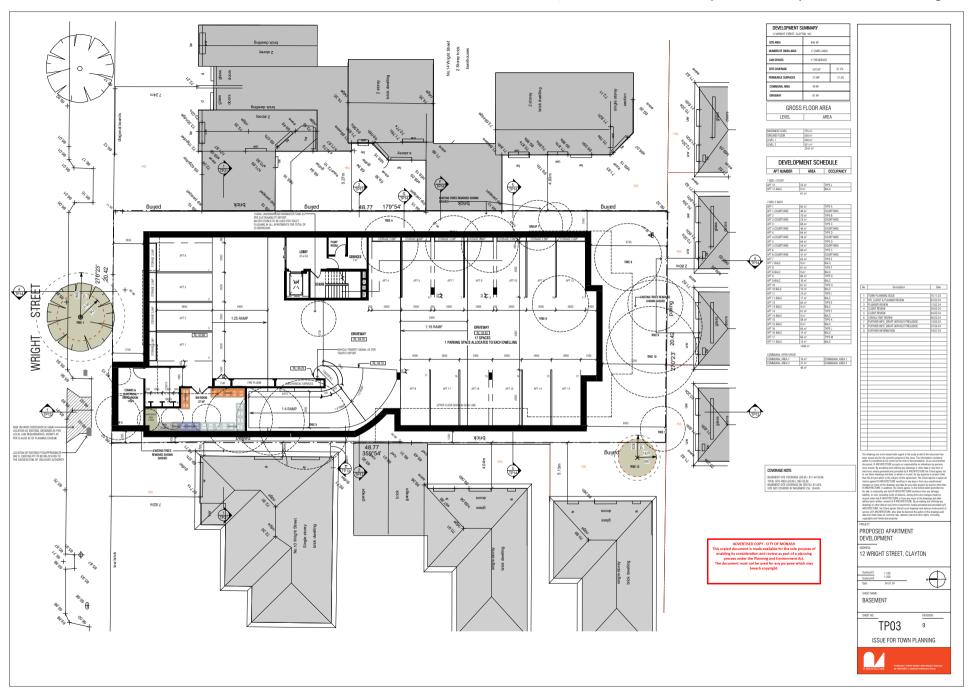
18 1-4/5 ROSE STREET MULTI-UNIT SINGLE STOREY DWELLING WOLLI-UNIT SINGLE STORE OF SETBACK: 6.50 METRES WALLS: BRICK VENEER FINISH ROOF: TILED ROOF FENCE: 0.4 BRICK FENCE GARAGE: BACK OF PROPERTY

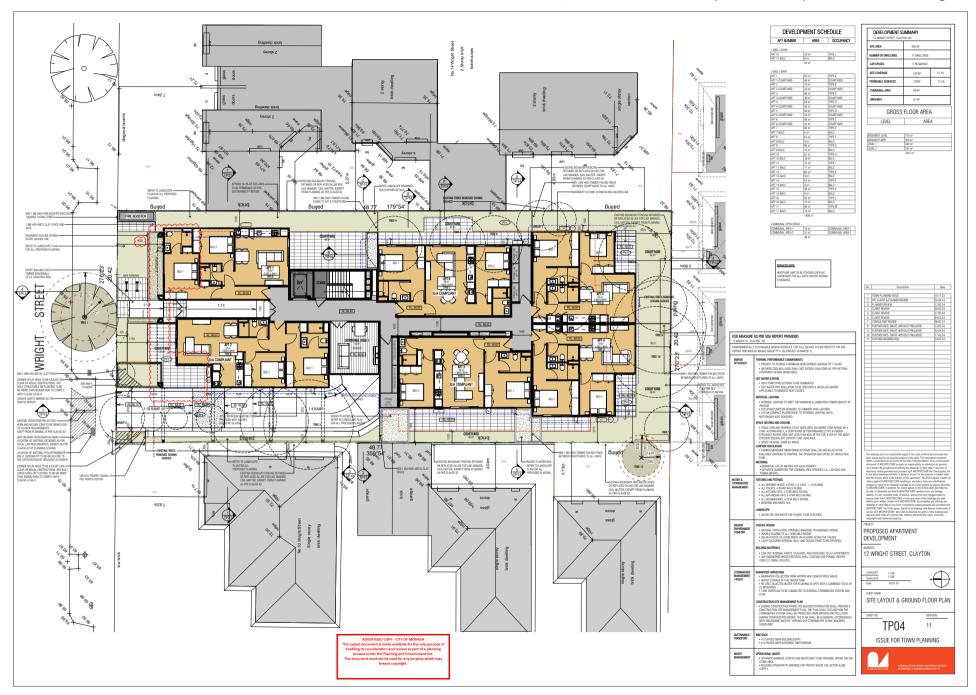
PROPOSED APARTMENT DEVELOPMENT 12 WRIGHT STREET, CLAYTON SITE ANALYSIS

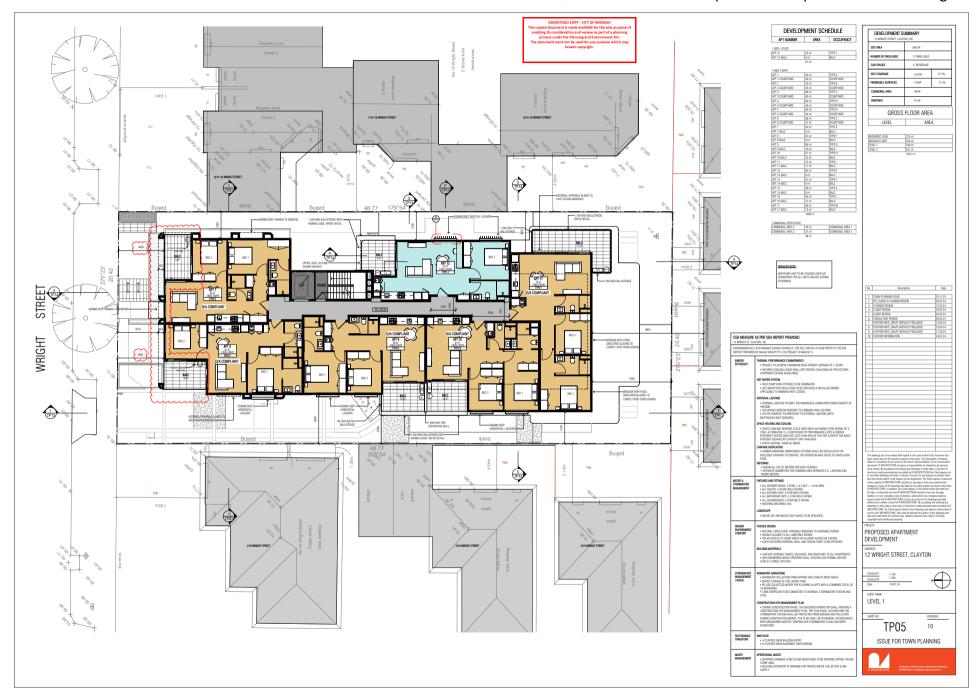
TP01

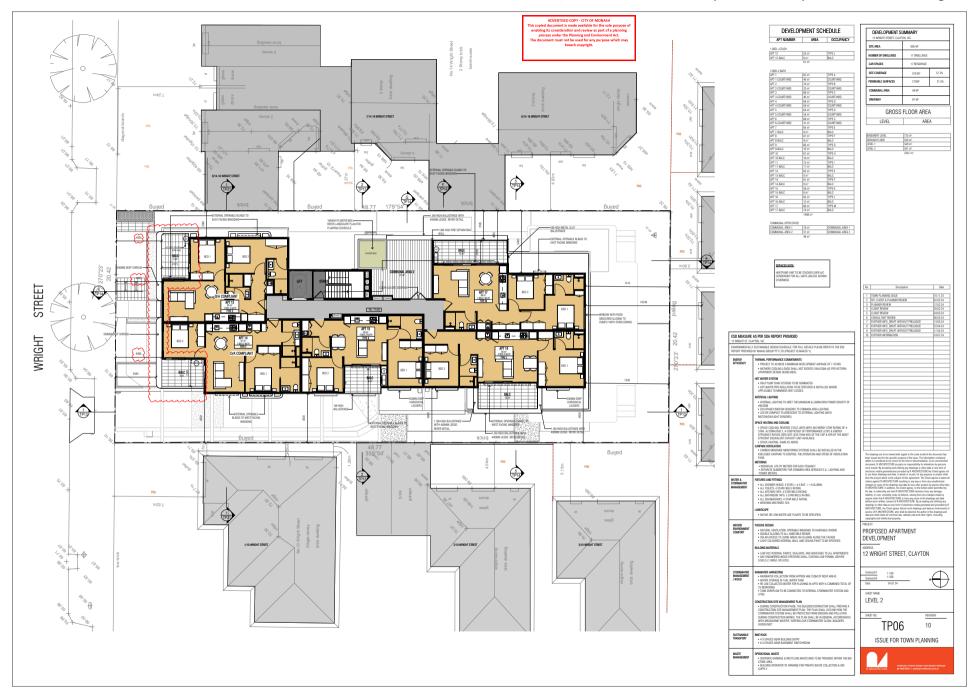
ISSUE FOR TOWN PLANNING

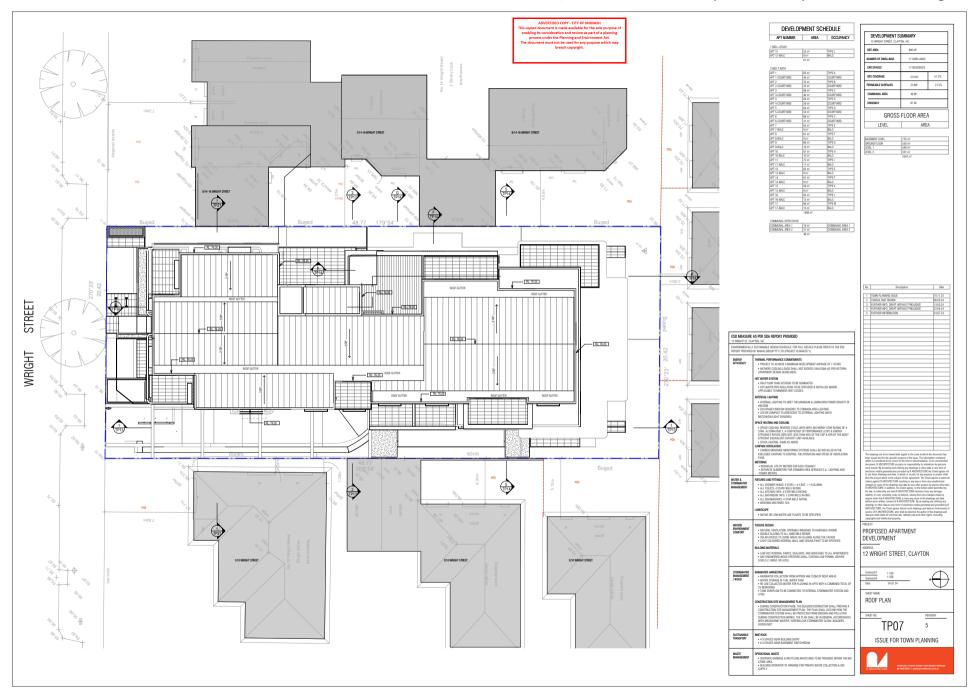


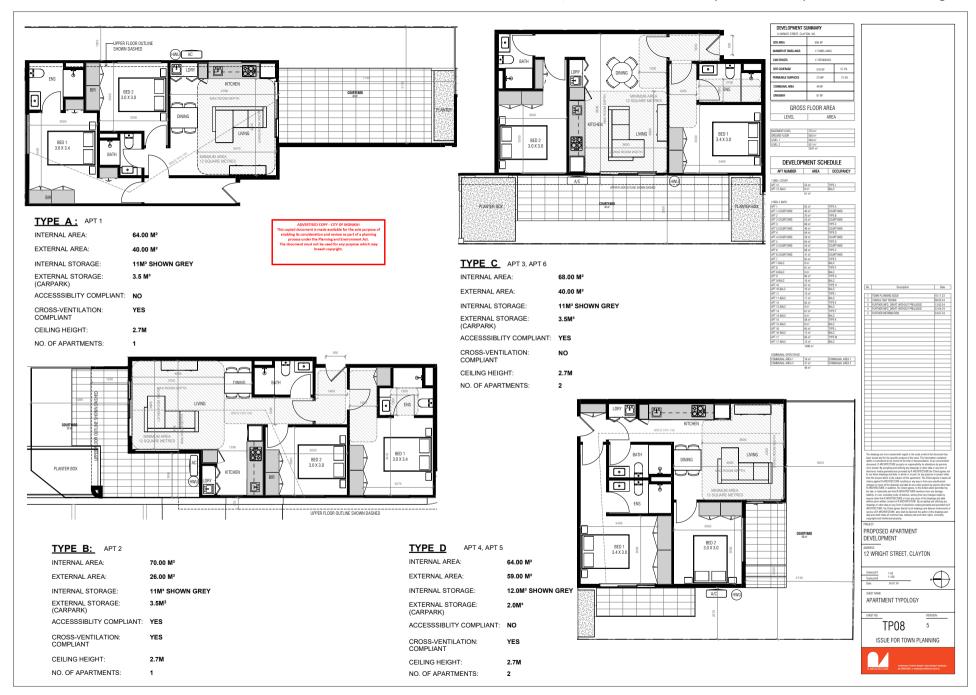


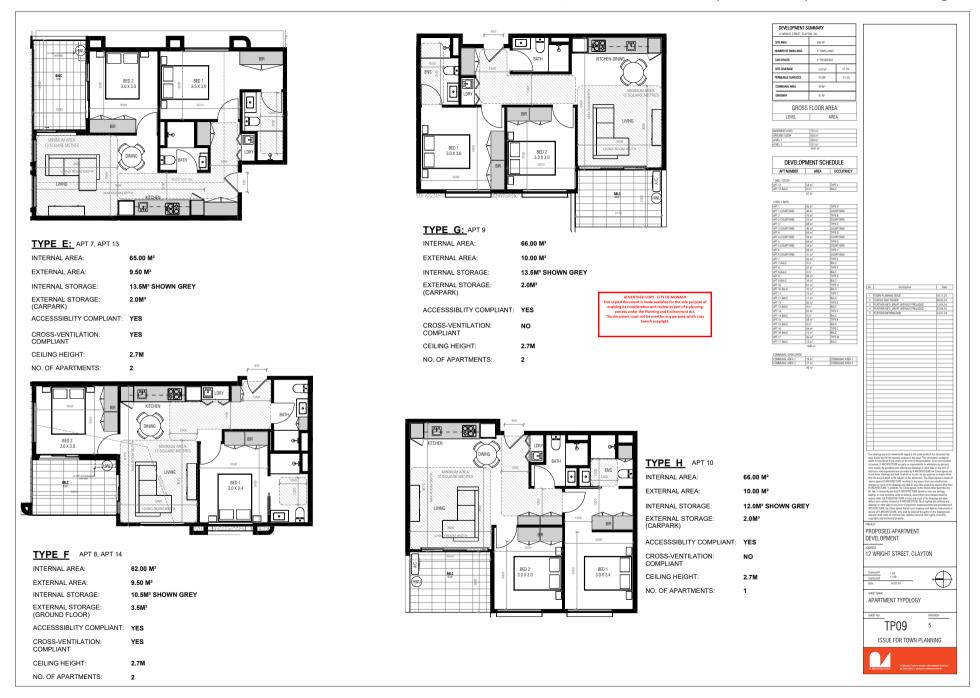


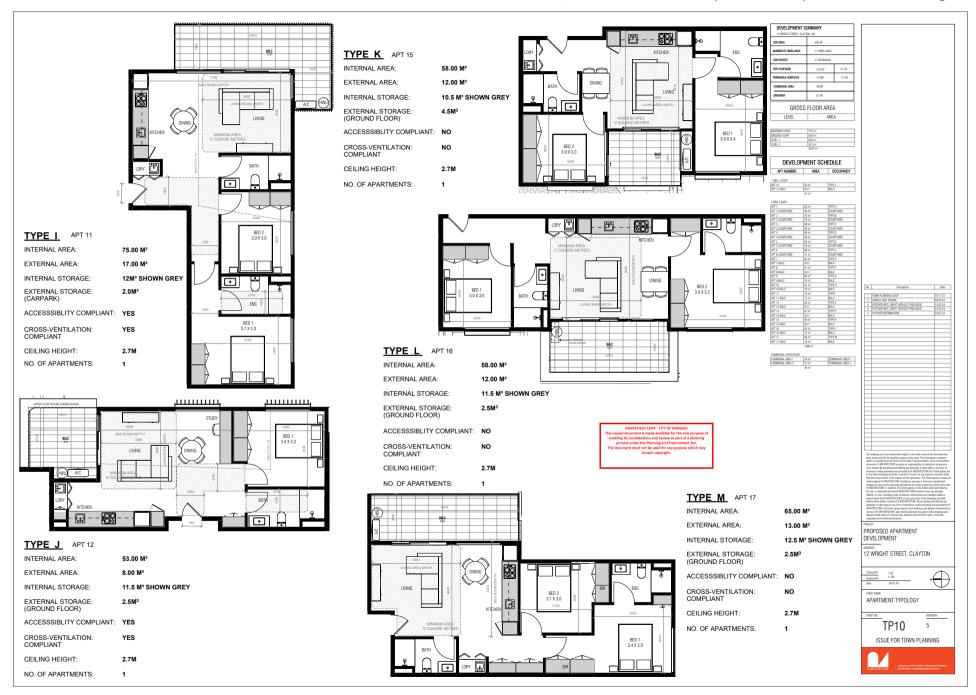


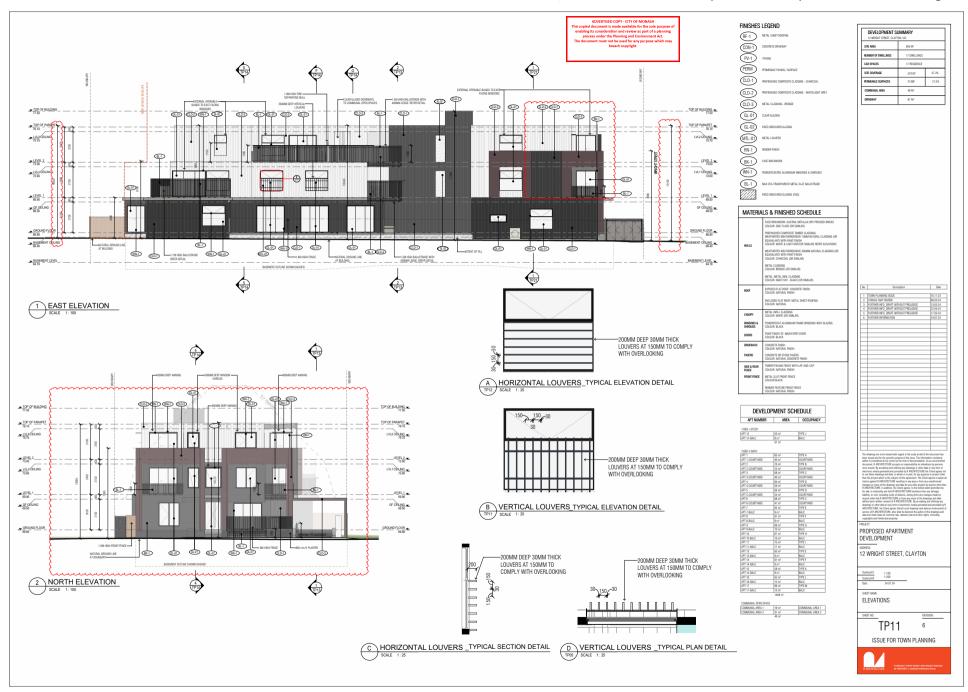


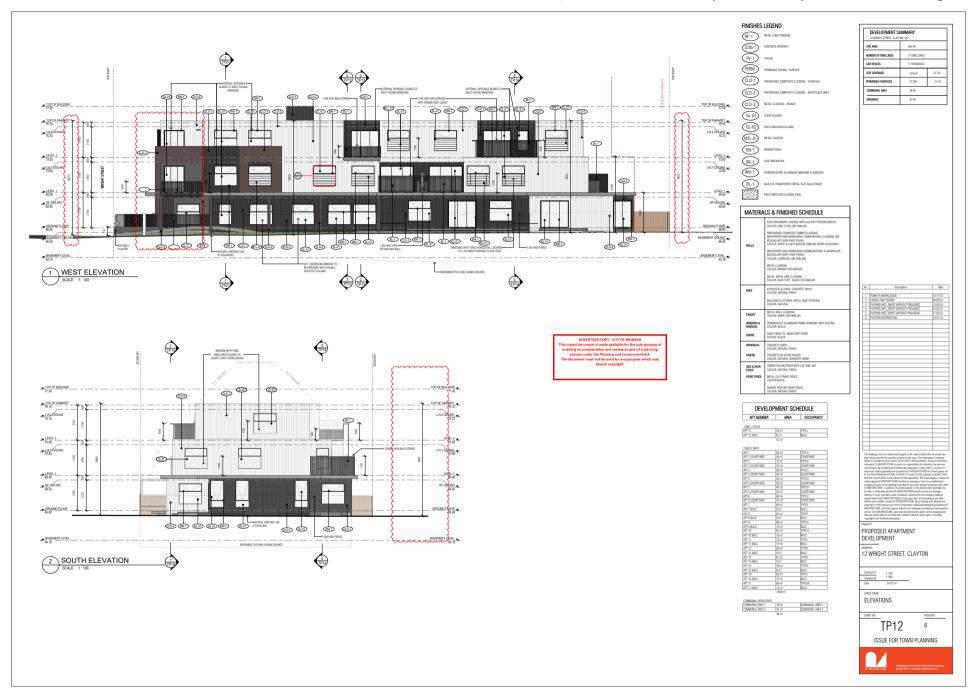


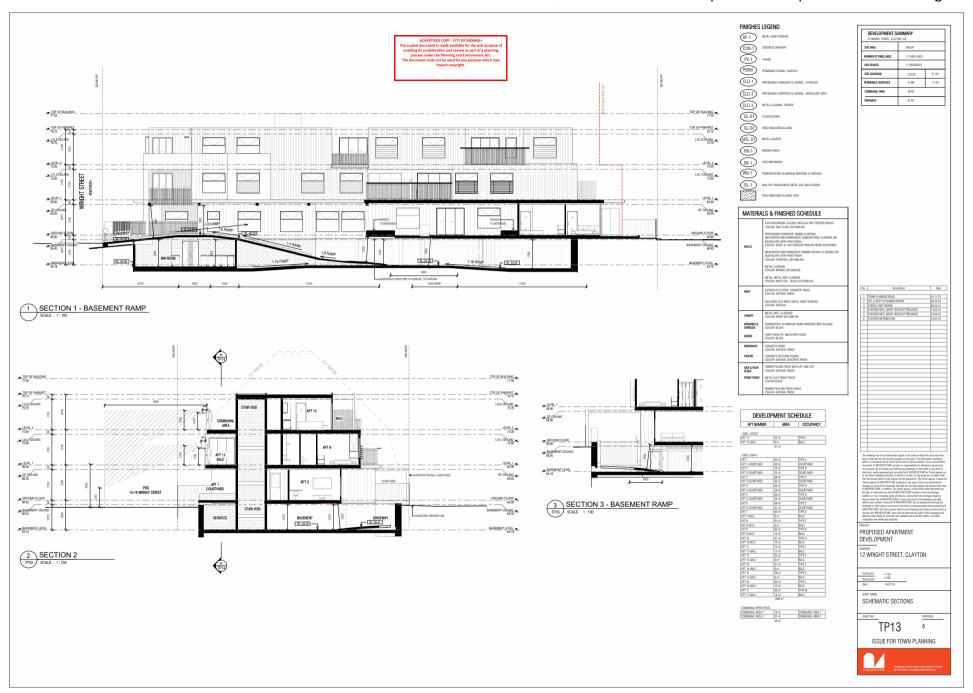


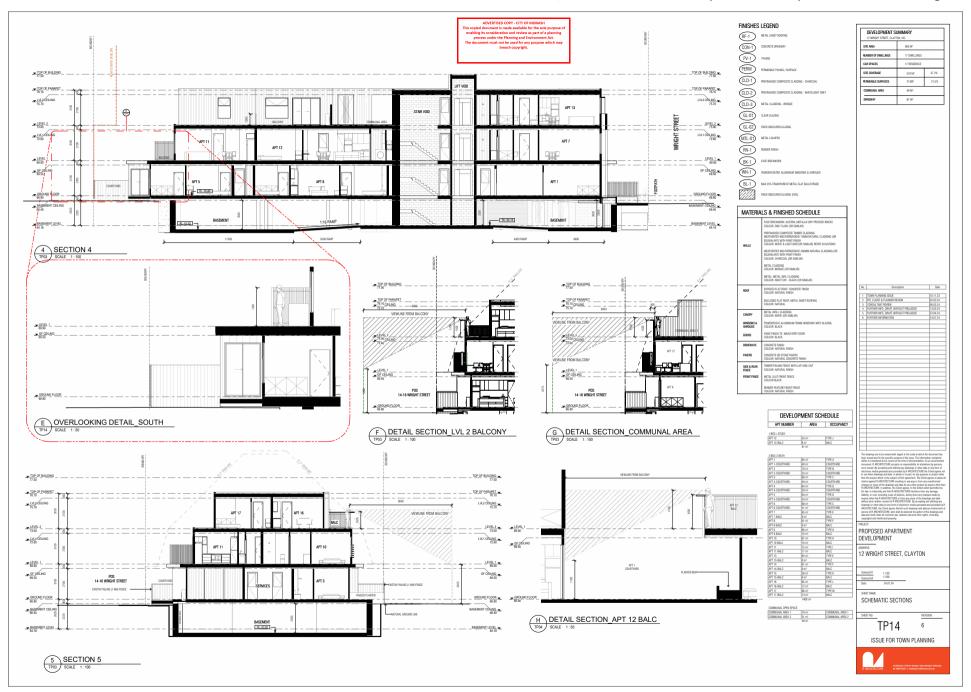


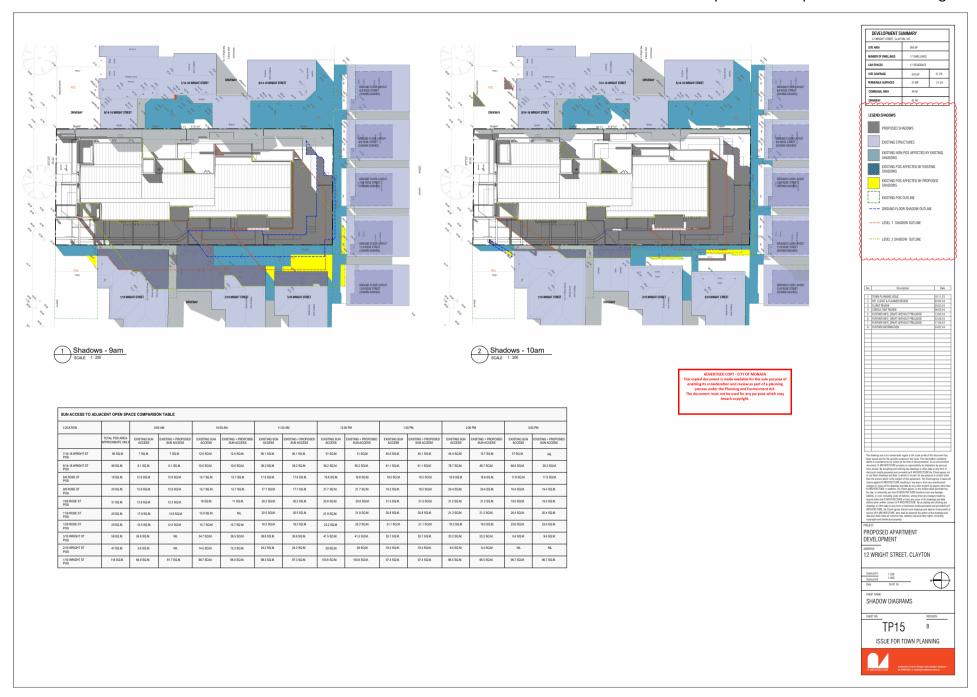


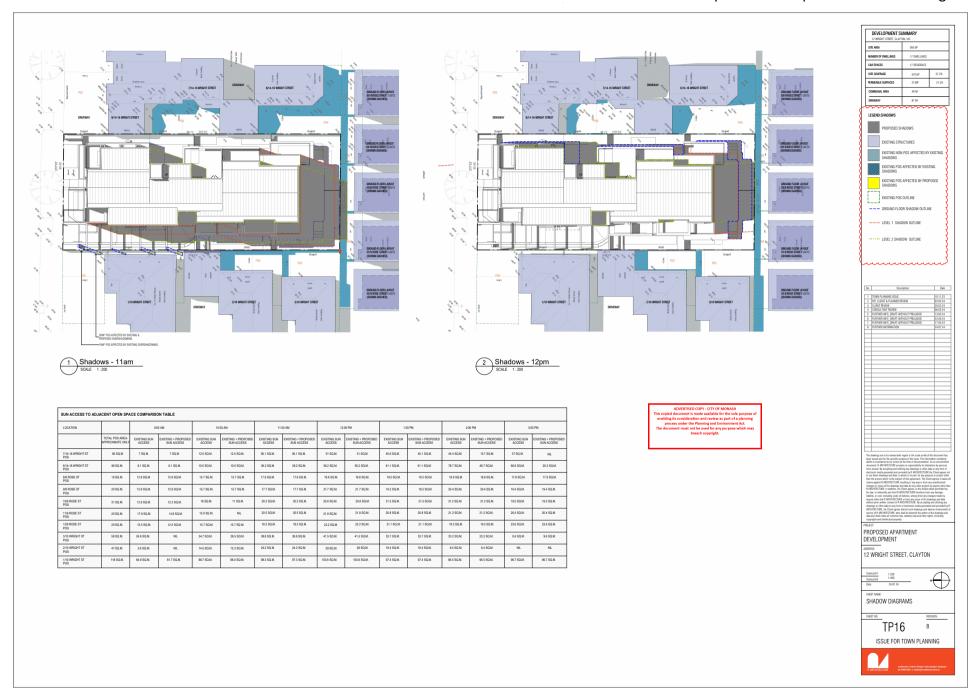


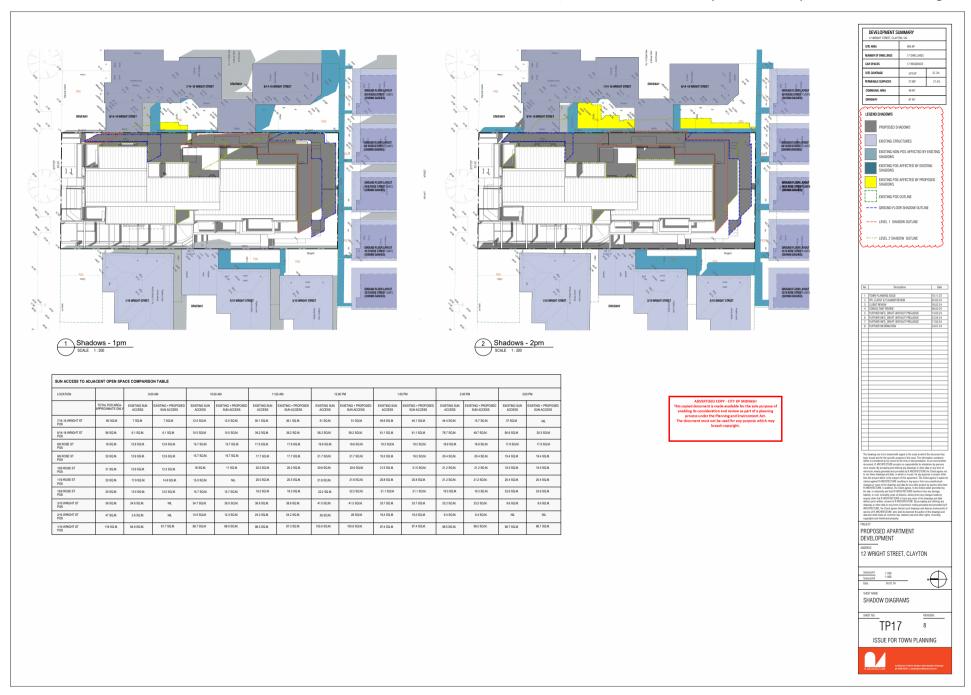


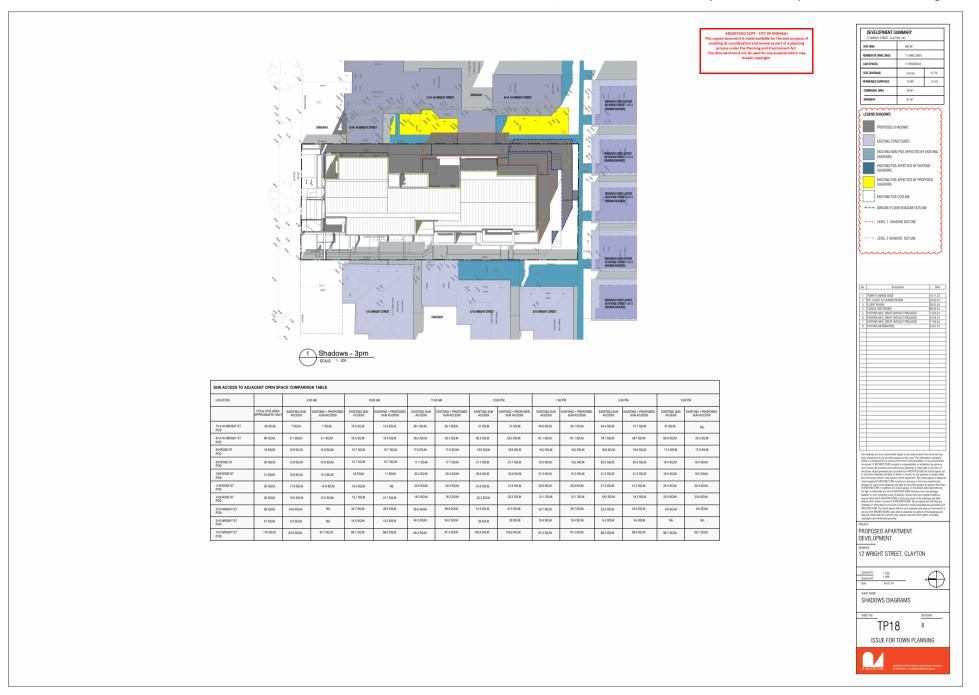


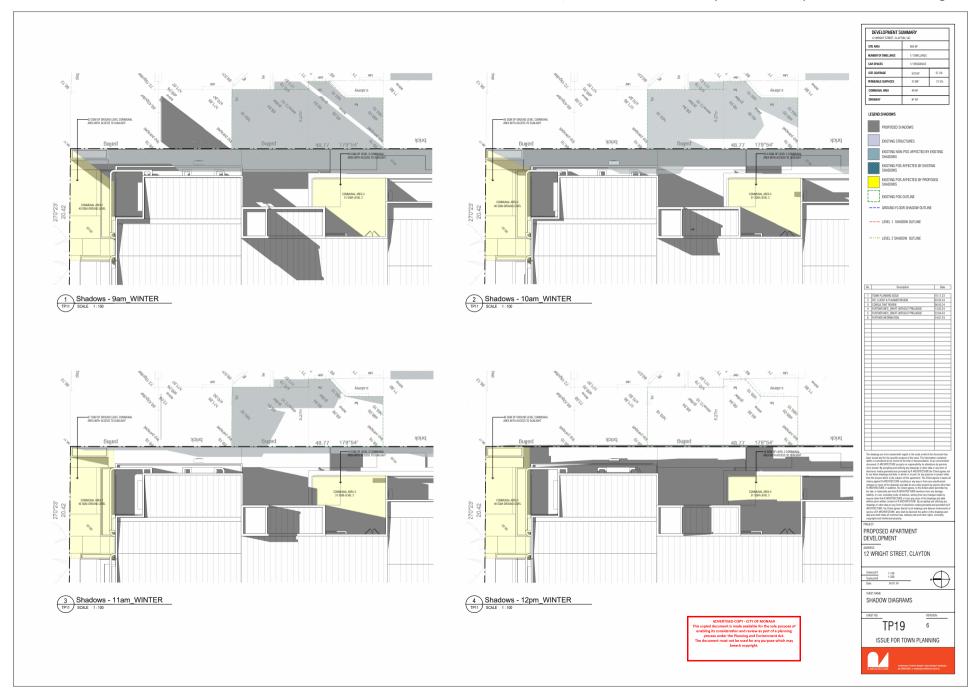


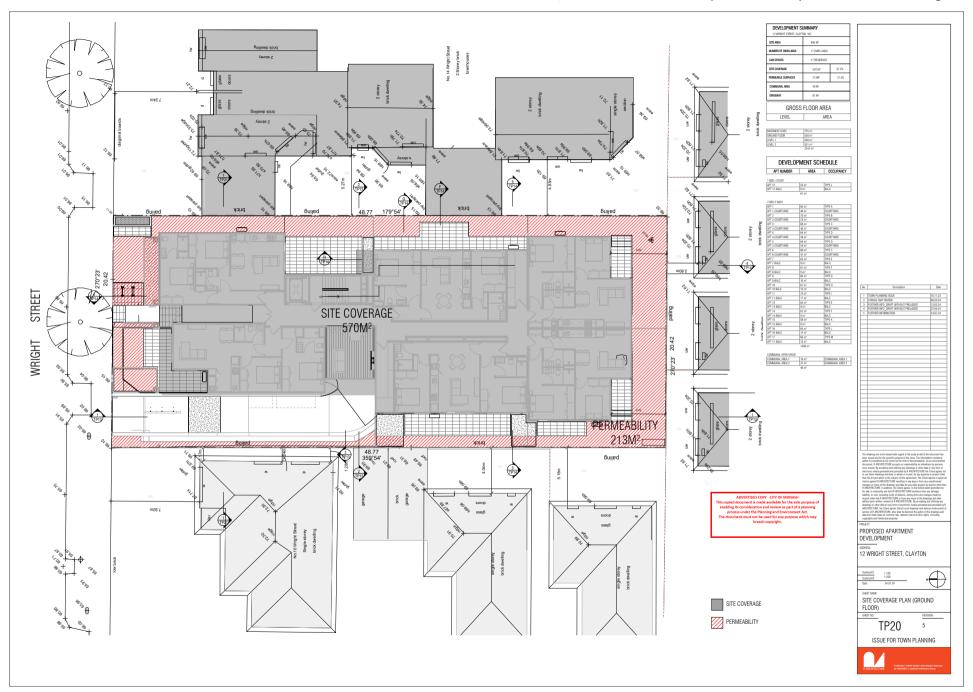


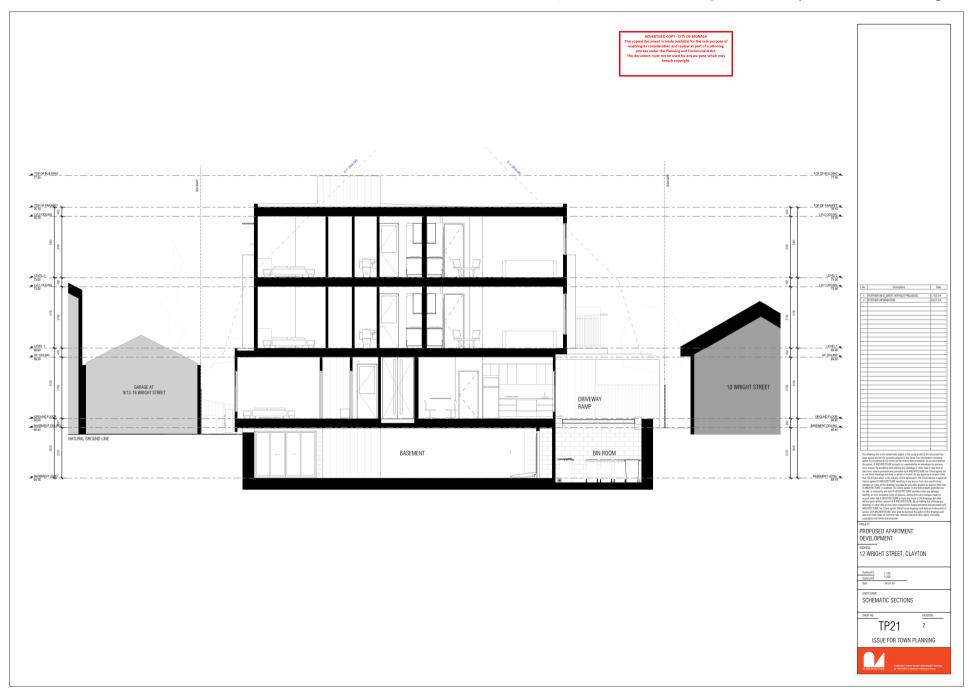


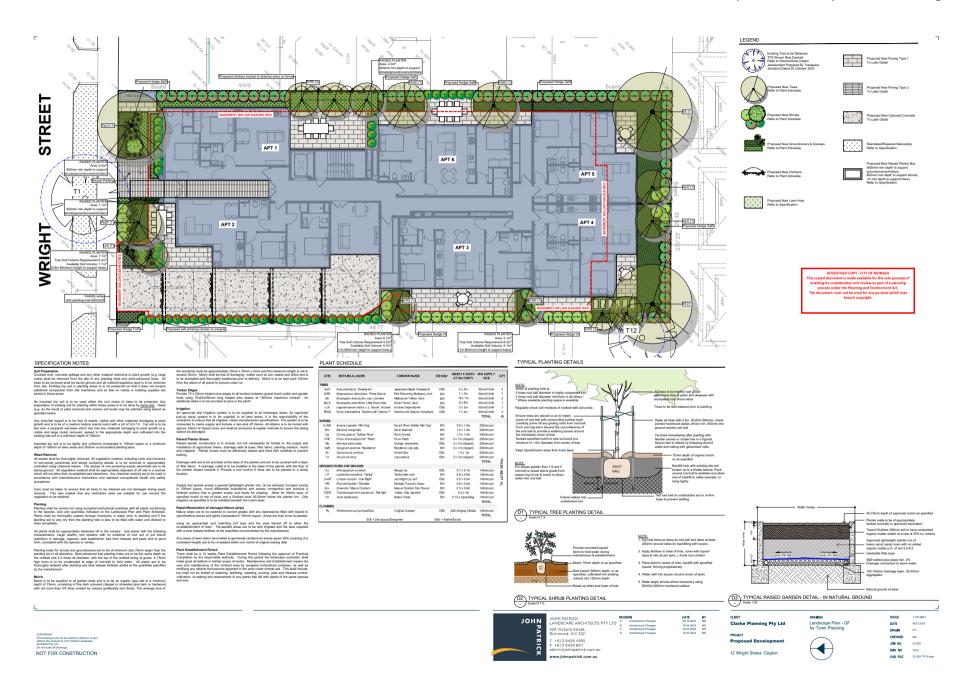


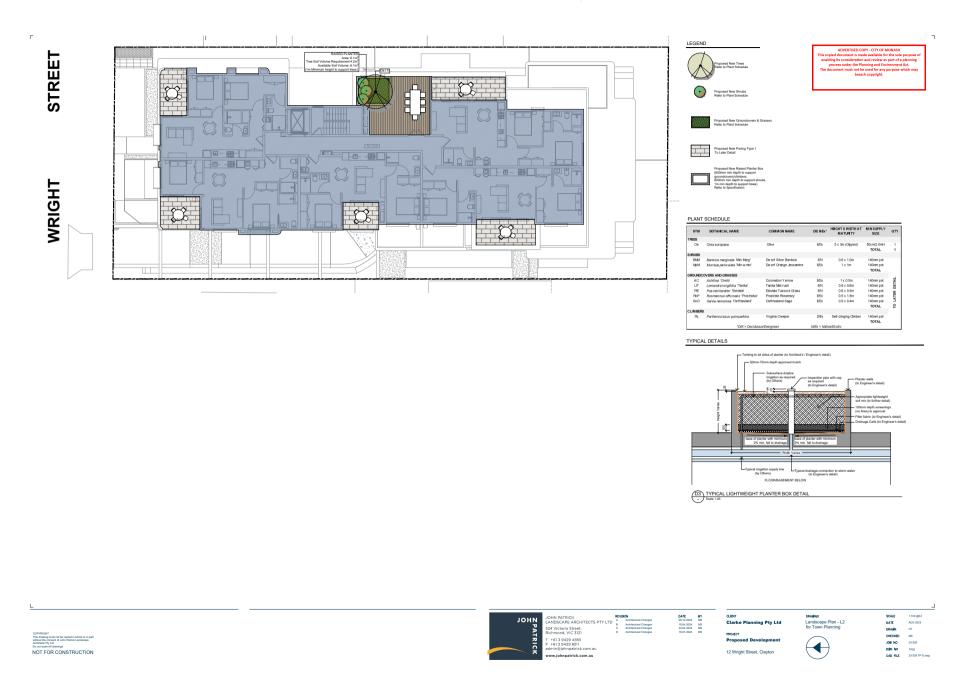










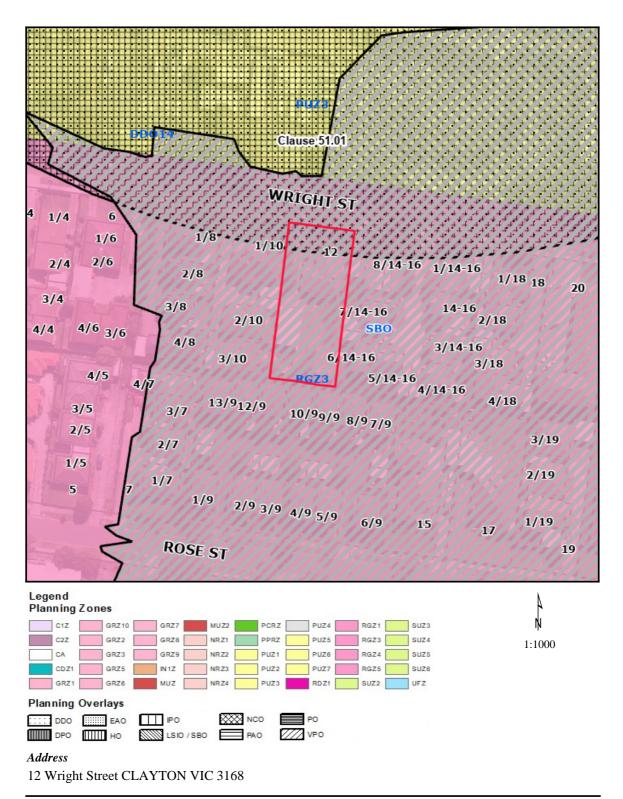








Planning Overlays and Zones



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