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Principal Planner
Monash City Council
Via email: [REDACTED]

**554-558 HIGH STREET ROAD, MT WAVERLEY
PLANNING PERMIT NO: TPA/49751
SECTION 72 AMENDMENT APPLICATION AND PLANS FOR ENDORSEMENT**

1. INTRODUCTION

Following the issue of the planning permit on 17 September 2019, we have been reviewing the apartment mix and amenity provision and design to ensure the building is ready for sale and construction. The result of this is the enclosed updated scheme. The details of the changes are set out below.

In combination with the updated plans (prepared by Cera Stribley Architects), enclosed are:

- Updated landscape plans prepared by Urbis;
- Updated Waste Management Plan prepared by Leigh Design;
- Updated Sustainability Management Plan prepared by SDC; and
- Traffic and car parking assessment undertaken by Ratio Consultants.

While the details are covered below, it is submitted that the updated design is generally consistent with the approved design, but is further refined to provide for a high quality development.

2. SUBJECT SITE AND SURROUNDS

The subject site and surrounds were described in the original planning submission and there have been no significant changes to this since that time. The original description was as follows:

The subject site at 554-558 High Street Road, Mount Waverley comprises an amalgamation of two lots, being 554 and 556-558 High Street Road. The site is located south of High Street Road and has a frontage of 61.5m. The site is located within the Syndal Neighbourhood Activity Centre area.

The site is currently occupied by two commercial buildings. To the west is a single storey brick building, utilised by a swimming and yoga school. Adjoining this to the east is a two-storey brick building occupied by a gymnasium and a former used car dealership at ground floor. At-grade car parking is located within the front setback to High Street Road.

The site is an irregular shape and has a fall of approximately 4m from the north-east corner to the south-west corner. Overall the site is circa 2,600m². Being commercial in nature, the

majority of the site is impermeable (approximately 95%) and is devoid of any significant vegetation.

Access is afforded to both sites off High Street Road, each comprising a double-width crossover.

The subject site is contained within two Certificates of Title, being:

- Land in Plan of Consolidation 100104, Certificate of Title Volume 8828 Folio 163
- Lot 1 on Plan of Subdivision 41442, Certificate of Title Volume 8225 Folio 024.

The site is located in Melbourne's south-eastern suburbs, approximately 16 kilometres from Melbourne's Central Business District. The area is well serviced by existing infrastructure and community facilities, including a local retail strip along Blackburn Road (the Syndal Neighbourhood Activity Centre), schools such as St Christopher's and Wesley and sporting and recreational facilities.

The subject site is located within an established mixed-use area, with the land east of the site also being part of the Syndal Neighbourhood Activity Centre. Land surrounding the site generally comprises dwellings with retail, commercial and community offerings interspersed. Built form in the area comprises single and double storey developments which are typically set back from the street with landscaping within the front setback.

The site is well positioned with access to multiple recreation facilities, primary and secondary schools and local shopping facilities within 1km and benefits from its location on Melbourne's principal public transport network (PPTN), with buses running on High Street Road and Blackburn Road. Further, the Syndal railway station is located a short walk (approximately 400 metres) south-east.

The northern boundary is bound by High Street Road. Adjoining High Street Road to the north is residential land as well as retail land which forms part of the Syndal Neighbourhood Activity Centre.

The southern boundary is bound by a drainage reserve and car parking. South of the drainage reserve and the car park, land is used for residential purposes.

The eastern boundary is bound by the internal road to the Council carpark and the New Royal Garden restaurant. East of the restaurant is the Blackburn Road retail precinct. Land east of the site is part of the Syndal Neighbourhood Activity Centre.

Approximately 70m east of the site is the High Street Road and Blackburn Road junction.

Land adjoining the site to the west is used for a nursery. Adjoining the nursery to the west is Lee Avenue. Adjoining Lee Avenue to the west is land used for residential purposes.

3. PLANNING CONTROLS

The site is located within the City of Monash and is subject to the General Residential Zone (Schedule 2) and the Special Building Overlay (in part).

A planning permit is required for the following:

- Use of the land as a "retirement village" under clause 32.08-2 of the General Residential Zone;

- Use of the land as a “food and drink premises (café)” under clause 32.08-2 of the General Residential Zone;
- Construction of a building or construction or carrying out of works for a section 2 use under clause 32.08-9 of the General Residential Zone;
- Construction of a building or construction or carrying out of works under clause 44.05-2 of the Special Building Overlay;
- Creation or altering of access to a road zone in a Road Zone, Category 1.

It is noted that the details of the access to the road zone are not changing as part of the amended proposal other than as required by conditions.

5. PROPOSED AMENDMENTS AND PLANNING ASSESSMENT

Due to the nature of the changes, for clear analysis amendments have been grouped as set out below:

- Changes to the apartment mix and increase in apartment numbers to 88.
- Changes to commercial land use size.
- Changes to car & bike numbers.
- Changes to the building form.

Changes to apartment mix and increase in apartment numbers to 88

The mix of apartments has been altered as follows:

- 1 bedders increased from 18 to 33
- 2 bedders decreased from 61 to 55.

This results in a net increase of 9 apartments (up from 79 to 88).

The altered apartment mix has been achieved within the approved building envelope, with the changes being generally in the following locations:

- 3 additional apartments facing High Street Road;



- 2 x 2 bedders replaced by 3 x 1 bedders at the eastern end of the of the south facing row of apartments;



- 2 x 2 bedders replaced by 3 x 1 bedders at the eastern end of the of the north facing row of apartments;



- 2 x 2 bedders replaced by 3 x 1 bedders in the central part of the site;



All units maintain a high level of amenity, including:

- Appropriately dimensioned living rooms and bedrooms;
- Direct access to daylight for all habitable rooms; and
- Access to a well sized and proportioned balcony or terrace.

The new units fronting High Street Road will maintain a good level of privacy due to the fact that they are raised above footpath level. This minimises views deep within the apartments while also allowing activation and casual surveillance of the street through the use of the balconies. These units replace some of the communal area which is submitted to be appropriate given the generous provision that remains (including a library, cinema, gym, sauna, yoga/mediation room and substantial communal garden).

As such, and given the approved building envelope is maintained, it is submitted that there are no detrimental impacts resulting from these changes (noting that car parking provision is discussed below).

Changes to commercial land use size

The proposal now includes a 166sqm café, a reduction from the approved 181sqm. This change is minor and inconsequential.

Changes to Car & Bike numbers.

There have been slight changes to the number of cars and bikes to reflect the updated design as follows:

	APPROVED (no)	PROPOSED (no)	VARIANCE (no)
Car Parks	89	91	+2
Bike Parks	53	58	+5

The acceptability of these changes are assessed in detail in the enclosed letter prepared by Ratio Consultants and are submitted to be minor and inconsequential. Each unit is provided

with a car parking space as required by Clause 52.06. The number of spaces allocated to the café has been reduced. The previous allocation was considered to be excessive for a tenancy of the size proposed. Visitors are expected to park in the Council car park which has sufficient capacity to allow for this. As such, it is submitted that the amendment is acceptable and will have no impact on any person.

The number of bicycle spaces exceeds the statutory requirement and is submitted to be acceptable.

Changes to the building form

Changes to the building form are minor and contained within the approved building envelope. The changes result from the recutting of the mix of apartments and largely entail the swapping of solid and balcony areas in key locations. As this is all within the approved envelope (and given they sit within a solid frame), these changes have no amenity impact on surrounding properties and the building appearance will be essentially unchanged.

6. COMPLIANCE WITH CONDITIONS

The plans also respond to the conditions on the permit. In particular:

Condition 1:

Condition 1a) The western wall of levels 4 and 5 (affecting units 502, 503, 602 & 603 only) setback an additional 6 metres (approximately) from the western boundary and associated modification to unit layouts;	This change has been made (dimensions shown on floor plans).
Condition 1b) Designation of glazing to High Street Road at ground level as clear;	A notation has been added to the northern elevation to this effect.
Condition 1c) The location of any required fire services, electricity supply, gas and water meters, discreetly integrated into the development;	Services are shown and have been integrated into the development. These include the fire booster and gas cupboard sitting below units 110 and 111.
Condition 1d) Accessible parking spaces to be relocated to the Lower Ground level close to the lift to enable ease of use by visitors to the commercial activities on site;	The accessible car parking space is now shown in the north-eastern corner of basement 1 (lower ground) and close to the lift core.
Condition 1e) Parking spaces assigned to commercial and residential visitor uses with spaces signed and line-marked accordingly;	The café car parking spaces are clearly shown. The remaining spaces are for the retirement village residents.
Condition 1f) The location of the intercom system to be at least 4.5 metres from the site boundary to allow a vehicle to prop within the site;	The intercom is in excess of 4.5m from the site boundary (6.61m).
Condition 1g) The minimum headroom clearance above the	The headroom clearance has been increased to 2.94m as required. See section C for dimension.

entrance ramp increased from 2.84m to a minimum of 2.94m;	
Condition 1h) Provision of a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2m) which may include adjacent landscaping areas with a height of less than 0.9m, extending at least 2.0 metres long x 2.5m deep (within the property) from the edge of the exit lane of the vehicle crossing to provide a clear view of pedestrians on the footpath of the frontage road;	The corner splay area is shown on the ground floor plan.
Condition 1i) The location of air conditioning/heating units in basement, on roof or within balconies of individual units where the balcony size exceeds 10 square metres. On balconies or on the roof, the air conditioning/heating units must be screened from public view;	Air conditioning units are located in groups on the level 03 and level 04 roofs.
Condition 1j) Any changes, recommendations or requirements of the Sustainable Management Plan prepared and submitted to and approved by the Responsible Authority in accordance with Condition 8	The plans include all physical elements required by the SMP.
Conditions 1k) The changes required by VicRoads;	The crossover is in excess of 6 metres wide and is flared at 60 degrees with 3m radial turnouts as required by the condition.
Condition 1l) The changes required by Melbourne Water;	The development continues to meet the Melbourne Water condition requirements.

Additional conditions:

Addition conditions that have been responses to are:

- Condition 3: An updated waste management plan has been prepared and is enclosed. It responds to the requirements of the condition;
- Condition 8: An updated sustainable management plan has been prepared and is enclosed. It responds to the requirement of the condition;
- Condition 11: An updated landscape plan has been prepared and is enclosed. It responds to the requirements of the condition;
- Conditions 23 and 33: The vehicle crossing is shown with:
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- Condition 34: Notations have been added to plans showing the removal and reinstatement of redundant crossovers;
- Condition 37-39: The ground floor level and basement apex sit at or above the designated level;
- Condition 40-41: The required 2 metre setback is shown and is clear of any impediments;

7. CONCLUSION

It is submitted that the amendment will result in a high quality development which reflects the site location and exposure. The proposal is consistent with the overall intent of the original approval and will not cause any detriment to any person. The plans and supporting documents also respond to the conditions of the permit and should therefore be endorsed.

If there is any question that public notification of the application should occur, it is submitted that:

- The increase in the number of apartments will make no discernible difference to the development;
- The increase in the number of car parking spaces will ensure that the residents will be properly catered for and there will be no spill of long term parking onto the surrounding streets; and
- The building form remains essentially identical to what has been approved. There will be no additional overshadowing, overlooking, visual bulk or noise as a result of the changes.

As such, it is submitted that there will be no material detriment resulting from the amendment and public notification is not required.

We look forward to working with you through this process and if you have any questions, please don't hesitate to contact me on [REDACTED].

Yours Sincerely,



Tarquin Leaver
Head of Planning
Pace Development Group