

**1.1 35-41 DALGETY STREET, OAKLEIGH  
CONSTRUCTION OF A MIXED USE SIX STOREY BUILDING AND THREE STOREY  
TOWNHOUSES WITH BASEMENT CAR PARKING, USE OF THE LAND FOR  
DWELLINGS  
(TPA/48982)**

**EXECUTIVE SUMMARY:**

Council at its meeting of 25 September 2018, deferred consideration of an application at the request of the permit applicant for construction of an eight storey building and and three storey townhouses with basement car parking. The applicant sought to amend plans to respond to issues raised by Council officer's.

Following further consultation with Council officer's, the application has been amended to reduce the height of the development, provide for increased setback to Atkinson Street and inclusion of commercial floorspace.

The amended application proposes the construction of a six storey apartment building including ground level commercial floor space to Atkinson Street, three storey townhouses with a combined basement car park.

The application was subject to public notification. Twenty-three (23) objections to the proposal have been received.

Key issues to be considered relate to building scale, adequacy of car parking and compliance with policy objectives.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state and local planning policy framework, Clause 58 (ResCode Apartment Requirements), Design and Development Overlay 10 and issues raised by objectors.

**The reason for presenting this report to Council is the proposed development cost of \$28.6 million.**

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

<b>RESPONSIBLE DIRECTOR:</b>	<b>Peter Panagakos</b>
<b>RESPONSIBLE MANAGER:</b>	<b>Natasha Swan</b>
<b>RESPONSIBLE PLANNER:</b>	<b>James Heitmann</b>
<b>WARD:</b>	<b>Oakleigh</b>
<b>PROPERTY ADDRESS:</b>	<b>35-41 Dalgety Street, Oakleigh</b>

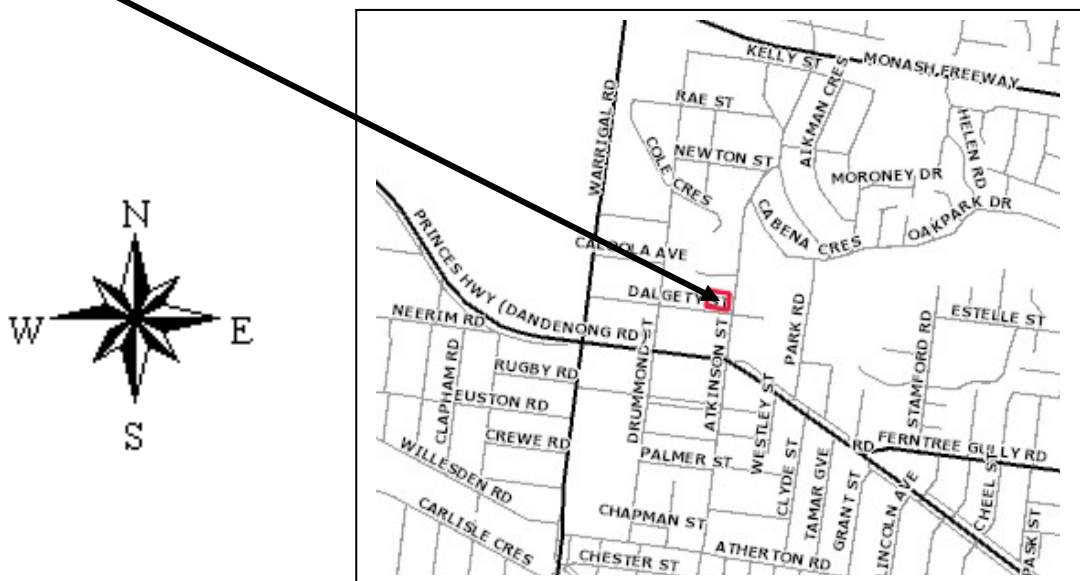
<b>EXISTING LAND USE:</b>	Warehouse
<b>PRE-APPLICATION MEETING:</b>	Yes
<b>NUMBER OF OBJECTIONS:</b>	Twenty-three (23)
<b>ZONING:</b>	Commercial 1
<b>OVERLAY:</b>	Design and Development Overlay 10 Environmental Audit Overlay
<b>RELEVANT CLAUSES:</b> <u>State Planning Policy Framework</u> Clause 00.01 (Purpose) Clause 11 (Settlement) Clause 11.01-1R1 (Metropolitan Melbourne) Clause 14.02-1S (Catchment Planning and Management) Clause 15.01 (Built Environment) Clause 15.02 (Sustainable Development) Clause 16 (Housing) Clause 16.01 (Residential Development) Clause 17 (Economic Development)	<u>Local Planning Policy Framework</u> Clause 21 – Municipal Strategic Statement Clause 21.04 – Residential Development Clause 21.05 – Economic Development Clause 22 – Local Planning Policies Clause 22.03 – Industry and Business Development and Character Policy Clause 22.13 – Environmental Sustainable Development  <u>Particular Provisions</u> Clause 52.06 – Car Parking Clause 52.34 – Bicycle facilities  Clause 58 – Apartment Development  <u>General Provisions</u> Clause 65 – Decision Guidelines
<b>STATUTORY PROCESSING DATE:</b>	22 January 2019
<b>DEVELOPMENT COST:</b>	\$28.6 million

### LOCALITY PLAN



**SUBJECT SITE**

### NEIGHBOURHOOD PLAN



35-41 Dalgety Street, Oakleigh - Construction Of A Mixed Use Six Storey Building And Three Storey Townhouses With Basement Car Parking, Use Of The Land For Dwellings

**RECOMMENDATION:**

That Council resolves to issue a **Notice of Decision to Grant a Planning Permit (TPA/48982)** for the construction of multi-level buildings including use of the land for accommodation (residential apartments) in accordance with the endorsed plans at 35-41 Dalgety Street, Oakleigh subject to the following conditions.

1. Before the development starts, three copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plan prepared by Rothe Lowman, Project No. 217038 (21/11/18), but modified to show:
  - a) Reduced fence heights to Atkinson Street provide for increased activation and a more open presentation to the street.
  - b) Redundant vehicle crossovers removed and reinstated with nature strip and kerb and channel
  - c) Car parking areas and associated accessways to be generally in accordance with the design standards of Clause 52.06-9.
  - d) The location of any required fire services, electricity supply, gas and water meters, discreetly integrated into the development;
  - e) A detailed schedule of all materials and finishes;

All to the satisfaction of the responsible authority.
2. The development as shown on the endorsed plans must not be altered without the written consent of the responsible authority.
3. Concurrent with the endorsement of any plans, a Sustainable Management Plan (SMP) must be submitted to and approved by the Responsible Authority. Upon approval the SMP will be endorsed as part of the planning permit and the development must incorporate the sustainable design initiatives outlined in the SMP to the satisfaction of the Responsible Authority. The report must include, but is not limited to, the following:
  - a) Demonstration of how 'best practice' sustainability measures have been addressed, having regard to the relevant aspects of Clause 21.13 of the Planning Scheme.
  - b) Identify relevant statutory obligations, strategic or other documented sustainability targets or performance standards.
  - c) Document the means by which the appropriate target or performance is to be achieved.

- d) Identify responsibilities and a schedule for implementation, and ongoing management, maintenance and monitoring.
- e) Demonstrate that the design elements, technologies and operational practices that comprise the SMP can be maintained over time.
- f) Any relevant requirements of the Condition 1 sub-clauses hereof.

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

4. Prior to the occupation any of the dwellings approved under this permit, a report from the author of the endorsed Sustainable Management Plan (or similarly qualified person or company) must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that (in relation to those relevant completed dwellings ready for occupation) all measures specified in the Sustainable Management Plan have been implemented in accordance with the approved plan.
5. Prior to the commencement of works on the site, the owner shall prepare a Waste Management Plan for the collection and disposal of garbage and recyclables for all uses on the site. The Waste Management Plan shall provide for the method of collection of garbage and recyclables for uses and;
  - a) Private collection of waste;
  - b) Appropriate areas of bin storage on site and areas for bin storage on collection days;
  - c) Measures to minimise the impact upon local amenity and on the operation, management and maintenance of car parking areas;
  - d) Litter management.

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

6. Adequate provision shall be made for the storage and collection of garbage and other solid wastes and these facilities are to be located on the site to the satisfaction of the Responsible Authority.
7. No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.

8. No goods must be stored or left exposed outside the building so as to be visible from any public road or thoroughfare.
9. The amenity of the area must not be detrimentally affected by the use or development, through the:
  - (a) transport of materials, goods or commodities to or from the land;
  - (b) appearance of any building, works or materials;
  - (c) emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil;
  - (d) presence of vermin;

To the satisfaction of the responsible authority.
10. Before the development starts, a construction management plan must be prepared and submitted to the Responsible Authority for approval. The plan must be to the satisfaction of the Responsible Authority. Once approved, the plan must be implemented to the satisfaction of the Responsible Authority. The plan must include the following:
  - a) A traffic management plan, including the management of traffic during the excavation and construction periods of the development to and from the site, general traffic management and any closing or altered access to the rear laneways including pre-consultation measures with all owners and occupiers of land who have a legal right of access to these laneways;
  - b) measures to control noise, dust and water runoff;
  - c) prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
  - d) the location of where building materials are to be kept during construction;
  - e) site security;
  - f) maintenance of safe movements of vehicles to and from the site during the construction phase;
  - g) storage of plant, equipment or materials not to be permitted on the easement;
  - h) on-site parking of vehicles associated with construction of the development;
  - i) wash down areas for trucks and vehicles associated with construction activities;
  - j) cleaning and maintaining surrounding road surfaces;
  - k) a requirement that construction works must only be carried out during the following hours:
    - Monday to Friday (inclusive) – 7.00am to 6.00pm;
    - Saturday – 9.00am to 1.00pm;

- Saturday – 1.00pm to 5.00pm (Only activities associated with the erection of buildings. This does not include excavation or the use of heavy machinery.)

11. The construction works associated with the permitted development must only be carried out during the following hours:

- Monday to Friday (inclusive) – 7:00am to 6pm;
- Saturday – 9am to 1pm;
- Saturday – 1pm to 5pm (only activities associated with the erection of buildings);

Unless otherwise approved in writing by the responsible authority.

12. 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.

13. 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.

14. The car parking layout of the development shall generally follow the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme to the satisfaction of the responsible authority.

15. Car parking within the development must be allocated as follows:

- (a) Provision of no less than 1 car space to each one or two bedroom dwelling not utilising tandem car spaces.
- (b) Provision of no less than 2 car spaces to each three or more bedroom dwelling not utilising tandem car spaces (townhouses excluded).
- (c) Provision of no less than 3.5 car spaces to each 100m<sup>2</sup> of net floor area associated with the retail tenancies.
- (d) Allocation of tandem car spaces as surplus/additional in excess of the abovementioned requirement or retail staff parking car parking.

Any future subdivision of the development must provide for car parking in accordance with the above-mentioned requirement on Title to the satisfaction of the responsible authority.

16. Before the development permitted is completed, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:

- a) constructed to the satisfaction of the Responsible Authority;
- b) properly formed to such levels that they can be used in accordance with the plans;
- c) surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;
- d) drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;
- e) line-marked to indicate each car space and all access lanes to the satisfaction of the Responsible Authority.

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

17. Bicycle facilities to the development hereby permitted must be provided in accordance with the provisions detailed in Clause 52.34 of the Monash Planning Scheme.

18. A landscape plan prepared by a Landscape Architect or a suitably qualified or experienced landscape designer, drawn to scale and dimensioned must be submitted to and approved by the responsible authority prior to the commencement of any works. The plan must show the proposed landscape treatment of the site including:-

- a) the location of all existing trees and other vegetation to be retained on site;
- b) provision of canopy trees with spreading crowns located within the Atkinson Street and Dalgety Street front setbacks;
- c) planting to soften the appearance of hard surface areas such as stairs, ramps and landings;
- d) a schedule of all proposed trees, shrubs and ground cover, which will include the size of all plants (at planting and at maturity), their location, botanical names and the location of all areas to be covered by grass, lawn, mulch or other surface material;
- e) the location and details of all fencing;
- f) the extent of any cut, fill, embankments or retaining walls associated with the landscape treatment of the site;
- g) details of all proposed hard surface materials including pathways, patio or decked areas.

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

19. Before the occupation of the buildings allowed by this permit, landscaping and urban design 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.

20. Before the development starts, a site layout plan drawn to scale and dimensioned must be approved by the responsible authority.



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

21. All on-site stormwater is to be collected from hard surface areas and must not be allowed to flow uncontrolled into adjoining properties.
22. Stormwater discharge is to be detained on-site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required from Council prior to works commencing.
23. Any new drainage work within the road reserve requires the approval of the Council's Engineering Division prior to the works commencing.
24. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council pits and these works are to be inspected by Council (telephone 9518 3555). A refundable security deposit of \$2,000 is to be paid prior to the drainage works commencing.
25. All new crossings are to be no closer than 1.0 metre measured at the kerb to the edge of any power pole, drainage or service pit, or other services. Approval from affected service authorities is required as part of the vehicle crossing application process. The relocation of any affected power pole must be within the development frontage or to the satisfaction of Council.
26. The existing redundant crossings are to be removed and replaced with matched in kerb and channel to the satisfaction of the Responsible Authority.
27. Any works within the road reserve must ensure the footpath and naturestrip are reinstated to Council standards.
28. Once the development and use has started it must be continued and completed to the satisfaction of the Responsible Authority.
29. Prior to the commencement of any works, use and development (other than demolition and other site works associated with site remediation) and for the usage of the land to be changed for a sensitive use (Residential) permitted by this permit for the land, the applicant must provide to the responsible authority either:
  - a) A certificate of environmental audit must be issued for the land in accordance with Part IXD of the *Environment Protection Act 1970*;  
or
  - b) An auditor approved under the *Environment Protection Act 1970* must make a Statement in accordance with Part IXD of that Act that

the environmental conditions of the land are suitable for the sensitive use.

Three copies of the Certificate of Environmental Audit or the Statement of Environmental Audit and the audit area plan must be submitted to the responsible authority.

30. The development and/or use allowed by this permit must strictly comply with the directions and conditions of the *Environment Protection Act 1970* and also with the conditions on the Certificate or Statement of Environmental Audit.
31. If the audit referred to within this permit identifies or discloses contamination which would affect the use of the land as residential, a Section 173 Agreement under the *Planning and Environment Act 1987* may need to be entered into with the responsible authority to require remediation of the land to a suitable standard to allow residential use as contemplated by the permit. Any Agreement must be approved by the responsible authority prior to the commencement of any works, use and development and may require further assessment of the land.
32. Prior to the use of the land permitted by this permit, issue of a Certificate of Occupancy under the *Building Act 1993* and certification/issue of a statement of compliance under the *Subdivision Act 1988* a letter must be submitted to Council prepared by an Environmental Auditor approved by the Environment Protection Authority under the *Environment Protection Act 1970* to verify that the conditions of the Statement of Environmental Audit issued for the land have been satisfied.

A copy of the certificate or statement of Environmental Audit issued for the land must be provided to each owner, under a covering letter which draws attention to any conditions or directions on the Certificate or Statement of Environmental Audit.

The land owner and all its successors in title or transferees must upon release for private sale of each of the lots created (if any) by the subdivision include in the Vendor's Statement pursuant to Section 32 of the *Sale of Land Act 1962* annexed to the Contract of Sale for the sale of the land, a copy of the planning permit and relevant plans, Certificate or Statement of Environmental Audit for the land and any management plans or other documentation required to be prepared and adhered to in respect of the land.

33. This permit will expire in accordance with section 68 of the *Planning and Environment Act 1987*, if one of the following circumstances applies:
  - The development is not started before 2 years from the date of issue.

- The development is not completed before 4 years from the date of issue.

In accordance with section 69 of the *Planning and Environment Act 1987*, the responsible authority may extend the periods referred to if a request is made in writing before the permit expires, or within three months afterwards.

**NOTES:-**

1. Building approval must be obtained prior to the commencement of the above approved works.
2. Premises used for the sale or storage of food in any manner whatsoever are to be registered under the Food Act and require Council approval via the Chief Environmental Health Officer before occupation.
3. Unless no permit is required under the planning scheme, no sign must be constructed or displayed without a further permit.
4. Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.
5. Any new drainage connections onto a Council easement drain requires the approval of the City of Monash's Engineering Division prior to the works commencing. Three copies of the plans (A3-A1 size) for the drainage works must be submitted to and approved by the Engineering Division. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.
6. Engineering permits must be obtained for new or altered vehicle crossings and for connections to Councils drains / Council pits / kerb & channel and these works are to be inspected by Council (telephone 9518 3690).
7. Stormwater detention requirements may be obtained from Council's Engineering Department prior to the design of any stormwater detention system.
8. An on site detention system for storm events up to the 1% AEP event to be retained on site for the basement car park.
9. A Licensed Surveyor or Civil Engineer (who is a Registered Building Practitioner) must certify that the stormwater detention system including all levels, pits, pipes and storage volumes is constructed in accordance with the approved plans. The certifier's registration number must be included on the certificate.

10. Building Over Easement approval is required for the decks of townhouses adjacent to the northern boundary, and paving for the communal space. Approval will be given subject to:
  - Yarra Valley Water approval being obtained;
  - The use of easement agreement being signed by Council.
11. Consent from Yarra Valley Water is required for building the decks of townhouses adjacent to the northern boundary.
12. A permit must be obtained from Council for all vehicular crossings.  
  
These must be constructed under Council's supervision for which 24 hours notice is required.
13. Future residents of the development will not be eligible for resident parking permits.

**BACKGROUND:****Council Meeting 25 September 2018**

Council at its regular meeting of 25 September 2018 resolved to defer consideration of application TPA/48982, as a formal request to amend the application has been received under Section 57A of the Planning & Environment Act 1987.

A report had been prepared by Council officers assessing the original proposal for an eight storey apartment building on the land. Following discussion with Council officers, the applicant amended the proposal to further address concerns raised by Council officers.

**Amended Application**

The application (including plans forming part of the application) has been formally amended pursuant to the provisions of Section 57A of the *Planning and Environment Act 1987*.

Key changes to the amended proposal include a reduction in maximum building height from eight to six storeys, additional building setback to Atkinson Street and inclusion of commercial floor space to the development.

Details of the amended proposal including a comparison of plans exhibited during the public notification period can be found within the *PROPOSAL* section of this report. It is these plans that form the basis of this assessment.

Attachment 1a details the advertised plans.

Attachment 1b details the amended plans forming part of the application to be considered by Council.

### **The Site and Surrounds**

The subject land is located on the north-western corner of the intersection of Dalgety Street and Atkinson Street in Oakleigh. The land is regular in shape having a frontage (southern boundary) of 69.73 metres to Dalgety Street, frontage (eastern boundary) of 50.48 metres to Atkinson Street and an overall area of 3,520 square metres.

The land is generally flat having a slight fall of 1.19 metres from south to north. A 1.83 metre drainage and sewerage easement encumbers part of the northern boundary. The land is currently developed with double storey warehouse and office premises previously occupied by Quinces Buses. Vehicle access to the site is currently via two crossovers along Atkinson Street and a single crossover to Dalgety Street. An at-grade car park area occupies part of the western edge of the site and includes some medium sized trees adjacent to the western boundary.

The site is within 700 metres of the Oakleigh major activity centre (to the south) and one kilometre to Chadstone shopping centre (to the west).

Land use and development on the surrounding properties is diverse in nature, scale and built form. The surrounding interfaces can be described as:

#### **North**

Public open space recreation precinct including Caloola Reserve and Scotchmans Creek Linear Park. Caloola Reserve is currently being developed with eight new tennis courts which will be located to the immediate north of the subject land. The new tennis courts will have a setback of 5 metres from the northern boundary.

#### **East**

Atkinson Street spans the eastern boundary. Opposite the subject land across Atkinson Street is occupied by a large electricity substation and utility services premises. The *Australian Air League Williamsfield* occupy land opposite located to the north-east.

#### **South**

Dalgety Street spans the southern boundary and includes a central row of on-street car parking including integrated landscaping elements. Land on the opposite side of the road includes car parking associated with the Leighoak Hotel and double storey warehouse-office premises.

#### **West**

Double storey warehouse-office premises with at grade parking areas occupying the Dalgety Street frontage.

Surrounding Vicinity*1525 Dandenong Road*

Completed development of a seven storey apartment building at (73 apartments).

*83-85 Drummond Street*

Completed development of a five storey apartment building at (54 apartments)

*16-18 Dalgety Street*

Development currently under construction of a five storey apartment building (34 apartments).

*1513 Dandenong Road & 807-811 Warrigal Road**(including properties adjacent to southern side of Dalgety Street)*

VCAT approved development having a height of three to five storeys along Dalgety Street, up to seven storeys within the centre of the site, five storeys along Warrigal Road and ten storeys along Dandenong Road. Mixed use development comprising of 260 dwellings (townhouses and apartments), 106 serviced apartments, supermarket, shop and a food and drink premises. Construction of the approved development has commenced.

*102-108 Drummond Street*

Approved development of a six storey apartment building (80 apartments) including ground level commercial tenancies (458m<sup>2</sup>). The development is only recently approved and yet to commence construction.

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

**PROPOSAL:**

The application proposes the construction of buildings ranging in height from three to six storeys with two levels of basement car parking. The proposed development incorporates a row of three storey townhouses adjacent to the northern boundary and an six storey apartment building occupying the southern and Dalgety Street frontage of the land.

Key details of the proposal can be summarised as:

ADVERTISED PROPOSAL	AMENDED PROPOSAL (plans dated 21 November 2018)
A total of 96 dwellings comprising of: <ul style="list-style-type: none"> <li>- 8 x one bedroom apartments.</li> <li>- 54 x two bedroom apartments.</li> <li>- 25 x three bedroom apartments.</li> <li>- 9 x three bedroom townhouses.</li> </ul>	A total of 89 dwellings comprising of: <ul style="list-style-type: none"> <li>- 10 x one bedroom apartments.</li> <li>- 51 x two bedroom apartments.</li> <li>- 17 x three bedroom apartments.</li> <li>- 1 x two bedroom home-office dwelling.</li> <li>- 10 x three bedroom townhouses.</li> </ul>

	<b>Amended proposal results in an overall reduction of 7 dwellings and modification to the dwelling mix.</b>
Commercial floor space: - 0m <sup>2</sup> (none provided).	Commercial floor space: - Retail floor space 185.8m <sup>2</sup> .  <b>Three retail tenancies have been provided along the Atkinson Street frontage.</b>
Vehicle access to the site via a crossover on Dalgety Street.	Vehicle access to the site via a crossover on Dalgety Street  <b>Unchanged.</b>
131 on-site car spaces (124 resident car spaces and 7 visitor car spaces) within two levels of basement car parking.	145 on-site car spaces (116 resident car spaces, 6 retail car spaces and 23 surplus/unallocated car spaces) within two levels of basement car parking.  <b>Car parking provision has been adjusted as a consequence of the dwelling mix. No reduction or waiver is sought to the residential car parking requirement.</b>
40 bicycle spaces, including 10 visitor spaces located at the ground floor.	33 bicycle spaces, including 11 visitor spaces and 22 resident spaces located at the ground floor.  <b>Bicycle parking has been adjusted as a consequence of changes to dwelling numbers. No reduction or waiver is sought to the bicycle parking requirement.</b>
Primary pedestrian access via an entry lobby located on Dalgety Street. Secondary secure entrances to the development from Atkinson Street and Caloola Reserve.	Primary pedestrian access via an entry lobby located on Dalgety Street. Secondary secure entrances to the development from Atkinson Street and Caloola Reserve.  <b>Unchanged.</b>
Areas for services, bins and storage are provided within the basement levels and at ground level.	Areas for services, bins and storage are provided within the basement levels and at ground level.  <b>Unchanged.</b>
A ground floor communal space comprising an area of approximately 539 square metres.	A ground floor communal space comprising an area of approximately 435.2 square metres.  <b>Central courtyard space has been reduced to provide for additional building setback to Atkinson Street and an additional townhouse adjacent to the northern boundary.</b>

An overall maximum building height of 26.22 metres (eight storeys)	An overall maximum building height of 20.12 metres (six storeys)  <b>The building has been reduced in height by two storeys (6.1 metres)</b>
Proposed materials and finishes include: metal cladding of various colours, off white render, stone cladding and powdercoat aluminum.	Proposed materials and finishes include: metal cladding of various colours, off white render, stone cladding and powdercoat aluminum.  <b>Architectural styling has been maintained.</b>
Street setbacks: Dalgety Street: 3.0m Atkinson Street: 0.0m (built to boundary)	Street setbacks: Dalgety Street: 3.0m Atkinson Street: 3.0m  <b>Landscaping setback has been provided along the Atkinson Street frontage.</b>

All existing buildings on the land will be demolished. Redundant vehicle crossings along Atkinson Street are to be removed.

Attachment 1a details the advertised plans.

Attachment 1b details the amended plans forming part of the application to be considered by Council. Plans dated 21 November 2018.

#### **PERMIT TRIGGERS:**

##### Zoning

The land is zoned Commercial 1 under the provisions of the Monash Planning Scheme.

Pursuant to the requirements of Clause 34.01-1 a permit is required for accommodation (including a dwelling) where the frontage at ground level exceeds 2 metres within the Commercial 1 Zone

Pursuant to the requirements of Clause 34.01-4 a permit is required to construct a building within the Commercial 1 Zone.

No permit is required for use of land for retail premises within the Commercial 1 Zone.

##### Design and Development Overlay (Schedule 10)

The land is subject to Design and Development Overlay - Schedule 10 (DDO10). Pursuant to the requirements of Clause 43.02-2 a permit is required to construct a building.



The following building height and street setback guidance is applicable to the site under DDO10:

*“Preferred Maximum Building Height: 14.0m (4 residential storeys)  
Buildings and car park minimum street setback: 3.0m”*

#### Environmental Audit Overlay

The land is subject to the Environmental Audit Overlay. Pursuant to the requirements of Clause 45.03-1, an environmental audit would be required prior to a more sensitive use such a housing commences.

#### Amendment VC148 - Clause 52.06-3: Car Parking

At the time the permit application was lodged and when public notification was undertaken, the proposed development triggered a permit requirement for a reduction in the visitor car parking requirement.

As a consequence of Planning Scheme Amendment VC148 a permit requirement to reduce the visitor car parking requirement is no longer applicable to this application.

Assessment of the applicable car parking requirements will be provided within the discussion section of this report.

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

#### **CONSULTATION:**

##### **Further Information & Preliminary Concerns**

Further information was requested of the Permit Applicant on 10 May 2018.

Council officers raised the following preliminary design concerns:

- The height and scale of the proposed development is excessive having regard to the surrounding context. The proposed development does not accord and substantially exceeds the preferred height guidance specified by Design and Development Overlay - Schedule 10 (DDO10). Non-compliance with the preferred height guidance should be supported by strong strategic justification and relevant urban design/context advice having regard to the objectives of DDO10, relevant regard to the State and Local Planning Policy Framework. The proposal should be designed with a reduction in height including to achieving appropriate built form in terms of bulk and height relative to the scale of the street and surrounding buildings.
- Insufficient setback to the street. The development should be modified to provide for a 3.0m landscaping setback to Dalgety Street and Atkinson Street. The street setback should provide for a landscaped edge to the development including canopy tree planting and be devoid of encroachments including the proposed basement, fencing and secluded private open space areas

- Insufficient onsite visitor car parking provision. Given the locality and context, new development should be designed to accommodate onsite visitor car parking. The use of tandem car parking arrangements is generally discouraged by Council.
- An initial assessment of the proposal against Clause 58 has identified potential non-compliance with standards relating to aspect and amenity of ground level apartments orientated to the south and east, secluded private open space, internal views/extent of internal screening, noise impact, natural ventilation, integration with street, and deep soil planting area.
- The application has been referred to Transport for Victoria along with Council's Traffic and Drainage Engineering Divisions for comment. Additional feedback may be provided upon receipt of referral responses.

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

The Permit Applicant has met with Council officers on numerous occasions to discuss issues raised. As a consequence of these discussions, plans have been amended to reduce the overall height of the proposal, provide an increased setback to Atkinson Street and include commercial floor space to the development.

### **Public Notice**

Notice of the application was given pursuant to the requirements of Section 52 of the *Planning and Environment Act 1987*. Notices were posted to the owners and occupants of properties adjoining the subject land and within the surrounding area. Four (4) signs were displayed on the site during the notification period.

Twenty-three (23) objections to the proposal were received.

Key issues raised within objections can be summarised as:

- Adequacy of car parking.
- Setback to street.
- Open space provision.
- Traffic and vehicle access.
- Insufficient landscaping.

It is noteworthy that the majority of objections (20) were from persons associated with the Monash City Football Club and East Oakleigh Tennis Club who occupy the Caloola Reserve to the north. The concerns raised within these pro forma submissions related to adequacy of car parking within the area and potential increased demand for public parking within the area as a consequence of the proposed development. These sporting clubs will increase use of the precinct following the redevelopment of Caloola Reserve.

Attachment 4 details the location of objector properties within the surrounding vicinity.

#### Section 57A - Amended Plans

In accordance with the requirements of Section 57A(7)(b) of the Act, all objections made in relation to the original application are to be taken to be objections to the amended application.

The grounds of these objections and appeal rights for objectors remain unchanged. Objectors concerns have been considered as part of the assessment of the application.

Having regard to giving notice of the amended plans, Section 57B of the Act states:

#### ***57B Notice of amended application***

*(1) If an application is amended under section 57A, the responsible authority must determine—*

*(a) whether and to whom notice should be given in respect of the amended application; and*

*(b) if notice is to be given, the nature and extent of that notice.*

*(2) In determining whether or not notice should be given of an amended application, the responsible authority must consider whether, as a result of the amendments made to the application, the grant of the permit would cause material detriment to any person.*

It is considered that the amended plans do not raise any concern having regard to additional material detriment. The amended proposal includes a reduction in overall building height, reduction in dwelling yield, increased building setback to Atkinson Street and no waiver/reduction in the statutory car parking requirement. The amended plans result in no change to building setbacks or window location adjacent to the western boundary being the only privately owned adjoining property. Objectors to the application will be made aware of the amended plans and retain appeal rights as objectors to the proposal.

#### **Referrals**

##### Monash City Council Engineering

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

##### Transport for Victoria

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

The amended plans raise no concern having regard to referral requirements of Transport for Victoria.

**DISCUSSION:**

**Consistency with State and Local Planning Policies**

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

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

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

*“Facilitate the supply of affordable housing.”*

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

Structure planning policy at Clause 11.02-2S seeks:

*To facilitate the orderly development of urban areas.*

Relevant strategies:

*“Ensure effective planning and management of the land use and development of an area through the preparation of relevant plans.*

*Undertake comprehensive planning for new areas as sustainable communities that offer high-quality, frequent and safe local and regional public transport and a range of local activities for living, working and recreation.*

*Facilitate the preparation of a hierarchy of structure plans or precinct structure plans that:*

- *Take into account the strategic and physical context of the location.*
- *Provide the broad planning framework for an area as well as the more detailed planning requirements for neighbourhoods and precincts, where appropriate.*
- *Provide for the development of sustainable and liveable urban areas in an integrated manner.*
- *Assist the development of walkable neighbourhoods.*
- *Facilitate the logical and efficient provision of infrastructure.*
- *Facilitate the use of existing infrastructure and services.”*

The amended proposal is consistent with these strategies and objectives in that it provides for a mix of land use and appropriate built form outcome within an established urban area.

Strategic planning and structure planning work has been undertaken within the precinct under Planning Scheme Amendment C102 (approved 5 May 2011). The

amendment sought to facilitate the establishment of apartment development within former industrial areas adjacent to Dandenong Road whilst also continuing to foster commercial land use and employment opportunities. The amendment rezoned land within the precinct from Industrial 1 to Commercial 1 and applied the DDO10 to the surrounding area. The design response is in excess of the preferred height requirements, however this is considered appropriate in that it provides for height graduation with adjoining open space precinct to the north and complimentary scale to development approved within the surrounding area. The amended proposal provides for commercial tenancies at ground level consistent with the purpose of the zone and applicable built form controls.

Relevant housing objectives and strategies of activity centres policy found at Clause 11.03-1S seek:

*“To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.*

*Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that:*

- *Comprises a range of centres that differ in size and function.*
- *Is a focus for business, shopping, working, leisure and community facilities.*
- *Provides different types of housing, including forms of higher density housing.*
- *Is connected by transport.*
- *Maximises choices in services, employment and social interaction.*

*Encourage a diversity of housing types at higher densities in and around activity centres.*

*Support the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies.*

*Encourage economic activity and business synergies.*

*Improve the social, economic and environmental performance and amenity of activity centres.”*

Whilst not an identified activity centre by local policy, the land is a defined commercial precinct (DDO10 – Dandenong Road Oakleigh Commercial Precinct – West) within close proximity of the Oakleigh Major Activity Centre. Development within the precinct should provide for a mix of complimentary and compatible land uses. The mixed use nature of the proposed development is considered to be coherent with these policy objectives. The proposed development provides for retail land use along the Atkinson Street interface providing for employment

opportunities and reinforcing the commercial nature of the precinct. Apartments and townhouses forming part of the development provide for housing diversity and increased housing density as envisaged by policy.

Building design policy at Clause 15.01-2S seeks:

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

*Ensure development responds and contributes to the strategic and cultural context of its location.*

*Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.*

*Ensure development is designed to protect and enhance valued landmarks, views and vistas.*

*Ensure development provides landscaping that responds to its site context, enhances the built form and creates safe and attractive spaces.”*

Housing policy at Clause 16 seeks:

*“Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.*

*Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.”*

Increased residential density and dwelling diversity is sought by State and Local policies. The proposed development is considered consistent with the planning policy framework in respect of increased density and housing diversity objectives. The proposed development is considered to be consistent with policy requirements relating to built form, site context and mixed use development which is well designed, of high architectural quality and provides for high levels of internal amenity.

#### **Monash Housing Strategy 2014**

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

The housing strategy identifies that a key issue for Monash will continue to be the management of household growth and change while at the same time preserving valued neighbourhood character and enhancing sustainability.

The Monash Housing Strategy amongst other items has identified the lack of greenfield land supply within the municipality. The proposal would result in a

modest addition to the housing supply and the combined bulk and mass of the proposed development consistent with the envisaged future character of the precinct.

The design response has appropriate regard for the surrounding context providing for height graduation along the northern interface, four storey street edge along Dalgety Street and Atkinson, recessed upper levels and a high degree of façade articulation.

Clause 58 being the ResCode provisions to apartment development are applicable to this application. The proposal is generally consistent with apartment design standards as further discussed below.

#### Local Planning Policy

Council's goal for residential development is to provide for a balanced variety of housing styles whilst remaining sympathetic to existing neighbourhood character. There is an increasing demand for a variety of different housing styles to cater for changing household sizes and structures. State Government policy encourages higher housing densities near transport hubs and activity centres.

Relevant objectives and strategies of Clause 21.04-3 seek to:

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

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

*“Direct high rise residential developments towards the Glen Waverley Principal and Oakleigh Major Activity Centres. These centres are well serviced by public transport, commercial, recreational, community and educational uses.”*

The 6 storey scale of the proposal is considered appropriate given the locality, context and built form policy applicable to the land. The design response achieves increased residential density without any adverse off site amenity impact or disproportionate variation to the preferred height guidance.

#### Design and Development Overlay 10

The land is subject to Design and Development Overlay 10 (DDO10). Relevant design objectives seek:

*“To encourage development to reinforce the Dandenong Road corridor.*

*To encourage development to contribute to the diversity of the urban character of the area by encouraging high quality and visually stimulating new development.*

*To ensure that the building scale and form in terms of height and bulk complements and does not visually overwhelm surrounding buildings.*

*To encourage a transition between larger scale developments and abutting residential dwellings.*

*To encourage development to integrate with laneways and enhance the public realm of laneways.*

*To ensure high quality landscape treatments contributes positively to the street edges and to the setting of buildings.*

*To ensure that car parking, vehicle access and service areas do not visually impinge on front setbacks or affect streetscape elements such as trees and nature strips.”*

Objectives of DDO10 seek to encourage high quality development and more intensive built form outcomes. The commercial zoning of the land and diverse built form of development within the surrounding area present an opportunity to achieve well designed apartment development, increased housing density and dwelling diversity objectives.

The subject land has a preferred maximum building height of 14.0 metres (4 residential storeys) to Dalgety Street and Atkinson Street. The design response provides for an appropriate three storey interface adjacent to the northern boundary, the overall six storey scale of the development is considered appropriate given the locality and strategic planning work which has been undertaken.

At the time strategic planning work for the precinct was undertaken, built form outcomes envisaged building heights of up to six storeys along the northern side of Dandenong Road and four storeys within the Dalgety Street commercial precinct. Development should be designed to complement and not visually overwhelm surrounding buildings, roads or spaces in terms of building scale, height and bulk. Development should conform to the scale of the surrounding context and provide for high quality design suitable for the locality. It is noteworthy that recent approved development within the precinct has marginally exceeded the preferred height guidance by up to and additional two storeys. Five and six storey buildings have been approved by VCAT opposite the subject land. The proposed development responds well to delivering Council’s strategic intent for urban renewal within the precinct including commercial activity and residential development.

The large size of the land, minimal sensitive interfaces and commendable architectural detailing of the design response warrant some consideration of increased building scale. The amended proposal is consistent with design objectives of the DDO with regard to activated commercial frontages, provision of commercial land use, and development of high quality architectural built form outcomes of increased scale and density. The six storey scale of the proposal is complimentary to emerging development within the surrounding context,



provides for appropriate height graduation and will not result in any disproportionate built form outcome.

The objectives of the DDO seek to facilitate new development within the precinct and a more intensive built form outcomes. The height and scale of the proposal is appropriate having regard to the non-sensitive interface of the immediately adjoining property to the west and Caloola Reserve to the north. The subject land is large in overall size (3532m<sup>2</sup>) comparative to other land holdings within the surrounding area. These characteristics make the subject land distinctly different from other land within the surrounding area and provide some scope and opportunity for well designed development of a greater scale. Given the size of the land, the design response will result in no immediate massing impact. The three storey scale of townhouses along the northern boundary facilitate in suitable height graduation adjacent to Caloola Reserve and appropriate massing to surrounding residential areas located approximately 90 metres to the further north-west.

The amended proposal provides for increased density, housing diversity and has commendable architectural merit. The provision of a commercial elements to the development is considered a positive outcome for the land and is consistent with the purpose of the Commercial 1 Zone.

The amended plans reduce the overall height of the proposal from eight to six storeys. The modified proposal exceeds the preferred height guidance of 4 storeys by 2 levels (approximately 6m). The amended six storey proposal has an overall height of 20.12 metres. The table below details the height of the proposed development within the context of existing approved development of scale within the surrounding area:

	<b>HEIGHT ABOVE STREET LEVEL excluding rooftop structures (RL: comparative Relative Level to AHD)</b>	<b>HEIGHT COMPARATIVE TO 35-41 Dalgety Street Amended Proposal (RL: comparative Relative Level to AHD)</b>
35-41 Dalgety Street (subject land) Six storey building	20.12 metres (RL 69.4)	N/A Subject land
102-108 Drummond Street Six storey building	21.6 metres (RL 72.7)	1.48 metres higher (RL 3.3 metres higher)
16-18 Dalgety Street Five storey apartment building	17.2 metres (RL: 69.17)	2.92 metres less (RL: 3.53 metres less)
83-85 Drummond Street Six storey apartment building	19.3 metres (RL 71.8)	0.82 metres less (RL: 2.4 metre higher)
1525 Dandenong Road (cnr Drummond Street) Seven storey apartment building with ground level retail	23.33 metres (RL 77.83)	3.21 metres greater (RL: 8.43 metres greater)

It is noteworthy that the subject land has a fall of 1.43 metres from south to north. In comparing Relative Levels, the amended proposal is of a commensurate height to recently constructed development within the surrounding vicinity.

The reduced overall height of the development to a maximum of six storeys will comfortably sit within the context of the five to seven storey existing development within the surrounding area and expectation that other sites will be redeveloped to a similar scale. The upper levels of the development have been recessed to lessen the immediate massing impact along the streetscape façade. From the street the development will present as a four storey podium form, with recessed upper levels.

The amended proposal will not result in any disproportionate overall building massing when viewed within the wider context of the surrounding commercial precinct.

The provision of a 3.0m wide landscaped edge at street level will assist in softening the massing impact of the development at ground level when viewed from the street. The 3.0m setback along both street frontages also allows for canopy tree provision to soften the visual massing. Provision of substantial landscaping elements along the eastern edge of the development would also assist in better integrating the development with the public open space precinct to the north.

The building has been designed with the intention of providing high quality architecture utilising an attractive palate of contemporary materials and finishes. Façade treatment provides for appropriate degree of visual interest utilizing vertical and horizontal articulation elements to minimize the perception of visual bulk. Roof plant is integrated into the building design and is concealed by a screening.

#### Commercial Floor Space

The amended plans introduce three commercial tenancies to the development along Atkinson Street. The tenancies have the flexibility for a multitude of uses including retail, offices, food and drink premises, medical centre or fitness facility amongst others.

The purpose of the Commercial 1 Zone seeks to facilitate vibrant mixed use commercial land use providing for retail, services, office space, business and entertainment uses, along with associated employment opportunities. Residential development is to be complementary with business orientated uses being the primary purpose of the zone.

Given the commercial zoning of the land it is considered a desirable and positive outcome to incorporate an activated commercial element to the development at ground level. The inclusion of a commercial element to the development assists in further reducing the loss of commercial floor space within the precinct as has been evident by more recent apartment developments within the precinct.

The interface of retail tenancies along Atkinson Street should be further opened up by reducing the fence height to provide for increased activation with the street.

#### Internal Amenity

The layout of proposed apartments generally provides for a reasonable level of internal amenity. The development provides for minimum room size dimensions in accordance with the requirements of Clause 58.07-1. Apartment size ranges from 51.9m<sup>2</sup>-80.4m<sup>2</sup> for one bedroom dwellings, 68m<sup>2</sup>-87.5m<sup>2</sup> for two bedroom dwellings and 92m<sup>2</sup>-134.8m<sup>2</sup> for three bedroom dwellings. All dwellings are provided with a balcony or courtyard space ranging in size from 9.5m<sup>2</sup>-59.5m<sup>2</sup>.

The siting of the development generally results in no need for excessive screening to prevent overlooking adjoining properties or within the development.

All apartments are provided with direct solar access and are not dependent on light wells or borrowed light.

The development generally complies with accessibility design requirements of Clause 58.05-1 including 54 apartments providing for widened door openings, internal corridors and adaptable bathrooms.

#### Dwelling Diversity

The design response proposes dwelling as follows:

	1 bedroom Apartments	2 bedroom Apartments	3 bedroom Apartments	3 bedroom Townhouses
TOTAL	10	52	17	10
Percentage (%) proportion of the development	11.2 %	58.4 %	19.2 %	11.2 %

The submitted proposal provides for generous dwelling diversity including a substantial proportion of three bedroom dwellings which is often unusual in apartment development and considered desirable having regard for housing diversity policy objectives which seek a variety of dwelling types and sizes.

#### Communal Open Space

The development provides for a ground level communal open space courtyard of 435.24m<sup>2</sup> with a desirable northern aspect orientated and connected to Caloola Reserve.

#### Landscaping

The development provides an opportunity for additional landscaping and canopy tree provision along both street frontages. Planter boxes have been provided

along the ground level street edge and within the communal courtyard area to provide ample scope for landscaping and canopy tree provision. Additional landscaping elements have been provided within the communal open space areas, green walls and balconies with "overflowing planter box" balustrade features.

#### Car Parking, traffic and access

Car parking should be provided in accordance with the requirement specified by Clause 52.06-5 of the Monash Planning Scheme. The table below details the number of car parking spaces required:

Use	Clause 52.06-5 Requirement	Floor Area (m <sup>2</sup> ) / No. of dwellings	Car parking requirement generated	Car parking provision proposed
Dwellings (1 & 2 bedrooms)	1 space per dwelling	62	62 car spaces	62 car spaces
Dwellings (3 bedrooms)	2 space per dwelling	27	54 car spaces	54 car spaces
Retail premises	3.5 car spaces per 100m <sup>2</sup> of NLFA	185m <sup>2</sup>	6 car spaces	6 car spaces
Unallocated surplus car spaces				23 car spaces
<b>TOTAL REQUIRED</b>			<b>122 car spaces</b>	
<b>TOTAL PROVIDED</b>				<b>145 car spaces</b>

The development provides for the requisite car parking spaces having regard to the requirements of Clause 52.06.

It is noteworthy that the application was submitted prior to the gazettal of Amendment VC148. The subject land is located within an identified Principal Public Transport Network Area (PPTN) where alternate (reduced) car parking rates are applicable. For residential development within the PPTN there is no applicable requirement for visitor car parking. As such the application no longer necessitates a requirement to reduce the car parking requirement.

The submitted proposal provides for car parking in excess of the now applicable car parking rate of 1 car space for each one and two bedroom dwelling and 2 car spaces for each three bedroom dwelling. Tandem car parking spaces within the development should be allocated to 3 bedroom dwellings.

Council's Traffic Engineers have advised of no concerns with the overall car parking provision. Some minor modification to the car park layout have been requested

from engineering, but this will not impact on the overall number of car spaces provided which exceeds the Planning Scheme requirement.

#### Bicycle Parking

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

USE	Clause 52.06-5 Requirement	Floor Area (m2) / No. of dwellings	Bike parking requirement generated
Dwellings	Residents: 1 to each 5 dwellings Visitor: 1 to each 10 dwellings	89 dwellings	18 bike spaces 9 bike spaces
<b>TOTAL REQUIRED</b>			<b>27 bike spaces</b>
<b>TOTAL PROVIDED</b>			<b>33 bike spaces</b>

A total of 33 bicycle parking spaces are proposed with spaces for residents and visitors within ground level bicycle parking areas. This exceeds the planning scheme requirement.

#### Off-Site Amenity

External overlooking and overshadowing are acceptable given the layout and site context.

#### Contamination

Clause 13.03-1 requires consideration of existing potential contamination. Planning decisions must ensure that contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.

The land is subject to an Environmental Audit Overlay. Any development approval would require conditions including a requirement for an Environmental Audit to be undertaken prior to commencement of works.

#### Waste Management

A waste management plan has been provided. Given the scale of the development and the number of bins required it is impractical to provide on street Council waste collection. A requirement should be placed on any permit issued to require private collection of waste within the property. Adequate space is provided within the basement and service areas for waste storage and collection.

#### **CONCLUSION:**

The modified design response has addressed previously raised concerns and results in acceptable built form and amenity outcomes. The modified proposal achieves acceptable outcomes having regard to objectives of the DDO10 providing for high quality design, increased density and housing diversity aspirations. The design response has been developed having appropriate regard to the applicable design and development overlay and suitably responds to the objectives and

design outcomes identified by Council. The proposed development will provide an appropriate mix of land use and additional housing making a meaningful contribution to urban consolidation. The design response has been developed with suitable regard to the diverse built form of the surrounding context.

It is recommended that the proposed development should be approved subject to conditions.

**LIST OF ATTACHMENTS:**

Attachment 1A – Original Development Plans.

Attachment 1B – Amended Development Plans.

Attachment 2 – Aerial Photograph (December 2016).

Attachment 3 – Zoning and Overlays Map.

Attachment 4 – Objector Properties Location Map.