

**1.3 1 RAILWAY PARADE NORTH & 16 O'SULLIVAN ROAD, GLEN WAVERLEY  
CONSTRUCTION OF A FOUR (4) STOREY APARTMENT BUILDING ABOVE A  
BASEMENT CAR PARK  
(TPA/50355)**

**EXECUTIVE SUMMARY:**

This application proposes the construction of a four storey apartment building containing 23 apartments, above a basement carpark.

The application was subject to public notification. Ten (10) objections to the proposal have been received.

Key issues to be considered relate to external amenity impacts such as scale, bulk, height, overlooking and internal amenity impacts. Key issues also include the potential impact of additional traffic generation on the surrounding road network.

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

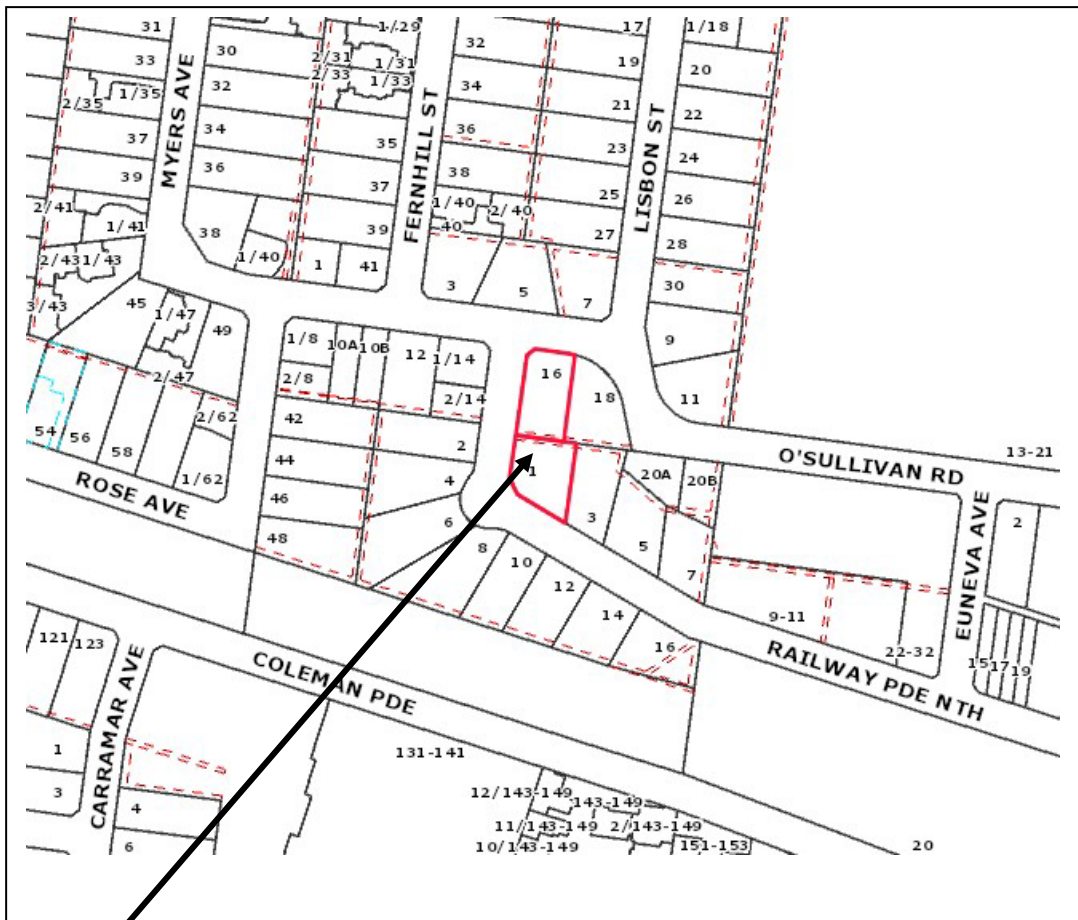
**The reason for presenting this report to Council is the proposed development cost of \$6 Million.**

**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 ACTING DIRECTOR:</b>	Natasha Swan
<b>RESPONSIBLE ACTING MANAGER:</b>	Fiona Johnstone
<b>RESPONSIBLE PLANNER:</b>	Alexandra Wade
<b>WARD:</b>	Glen Waverley
<b>PROPERTY ADDRESS:</b>	1 Railway Parade North & 16 O'Sullivan Road, Glen Waverley
<b>EXISTING LAND USE:</b>	Two single dwellings
<b>PRE-APPLICATION MEETING:</b>	No
<b>NUMBER OF OBJECTIONS:</b>	Ten (10)
<b>ZONING:</b>	Residential Growth Zone, Schedule 4
<b>OVERLAY:</b>	Nil
<b>AMENDMENT C125 (adopted)</b>	N/A

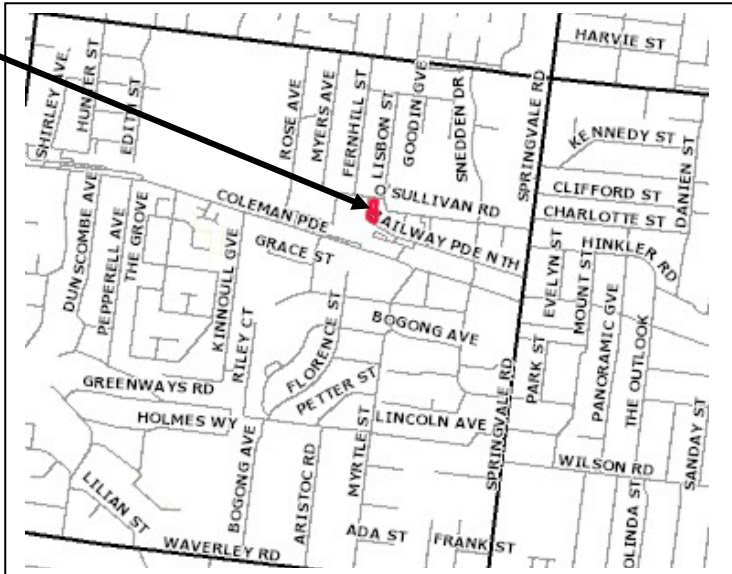
<p><b>RELEVANT CLAUSES:</b></p> <p><b><u>Planning Policy Framework</u></b></p> <p>Clause 11.01-1R- Settlement – Metropolitan Melbourne</p> <p>Clause 11.02-1S- Supply of Urban Land</p> <p>Clause 13.07-1S- Land Use Compatibility</p> <p>Clause 15- Built Environment and Heritage</p> <p>Clause 15.01-1S R- Urban Design</p> <p>Clause 15.01-2S- Building Design</p> <p>Clause 15.01-4S &amp; R- Healthy Neighbourhoods</p> <p>Clause 15.01-5S- Neighbourhood Character</p> <p>Clause 15.02-1S- Energy and Resource Efficiency</p> <p>Clause 16- Housing</p> <p>Clause 16.01-1S R- Integrated Housing</p> <p>Clause 16.01-2S- Location of Residential Development</p> <p>Clause 16.01-2R- Housing Opportunity Areas – Metropolitan Melbourne</p> <p>Clause 16.01-3S &amp; R- Housing Diversity</p> <p>Clause 16.01-4S- Housing Affordability</p> <p>Clause 18.01-1S- Land Use and Transport Planning</p> <p>Clause 18.02-1S &amp; R- Sustainable Personal Transport</p> <p>Clause 18.02-2R– Principal Public Transport Network</p> <p>Clause 18.02-4S- Car Parking</p> <p>Clause 19.03-3S- Integrated Water Management</p>	<p><b><u>Local Planning Policy Framework</u></b></p> <p>Clause 21- Municipal Strategic Statement</p> <p>Clause 21.04- Residential Development</p> <p>Clause 21.08- Transport and Traffic</p> <p>Clause 21.13- Sustainability and Environment</p> <p>Clause 22.01- Residential Development and Character Policy</p> <p>Clause 22.04- Stormwater Management Policy</p> <p>Clause 22.13- Environmentally Sustainable Development Policy</p> <p>Clause 22.14 – Glen Waverley Major Activity Centre Structure Plan</p> <p><b><u>Particular Provisions</u></b></p> <p>Clause 52.06- Car Parking</p> <p>Clause 52.34 – Bicycle Facilities</p> <p>Clause 53.18- Stormwater Management in Urban Development</p> <p>Clause 55- Two or more dwellings on a lot and residential buildings</p>
<p><b>STATUTORY PROCESSING DATE:</b></p>	<p><b>3 September 2019</b></p>
<p><b>DEVELOPMENT COST:</b></p>	<p><b>\$6,000,000.00</b></p>

### LOCALITY PLAN



**SUBJECT SITE**

### NEIGHBOURHOOD PLAN



1 Railway Parade North & 16 O'Sullivan Road, Glen Waverley - Construction Of A Four (4) Storey Apartment Building Above A Basement Car Park

**RECOMMENDATION:**

That Council resolves to issue a **Notice of Decision to Grant a Planning Permit (TPA/50355)** for the construction of a four (4) storey apartment building above a basement car park, at 1 Railway Parade North & 16 O'Sullivan Road, Glen Waverley subject to the following conditions:

**Amended Plans Required**

1. Before the development starts, an amended plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. The plans must be drawn to scale and dimensioned. When the plans are endorsed they will then form part of the Permit. The plans must be generally in accordance with the decision plans prepared by Alta Architecture Pty Ltd , dated 27 June 2019 but modified to show:
  - (a) Timber look material (which is easily maintained) within the soffits of the first floor balconies and entry framing element to Railway Parade North (to both the southern and western elevations of the building).
  - (b) Apartments G.07, G.08, 2.01, 2.02, 2.03 and 2.04 to be provided with a minimum of 6 cubic metres of externally accessible storage within the basement car park.
  - (c) The external shed associated with Apartment G.06 to be deleted and 6 cubic metres of externally accessible storage is to be provided within the basement car park.
  - (d) Details of existing and/or proposed boundary fencing at the rear (southern boundary) of 18 O'Sullivan Road. Fencing must be a minimum of 2 metres in height to prevent unreasonable overlooking from ground floor windows.
  - (e) Section details at a scale of at least 1:20 illustrating the building's external walls, including materials and construction details.
  - (f) The location of any tree protection fencing in accordance with the report prepared by Tree Logic dated 22 March 2019.
  - (g) A notation that a tap and floor waste will be provided to each balcony / terrace area in accordance with the SMP prepared by Ark Resources.
  - (h) Location of waste collection vehicle designated standing area during collection (aiming to minimise impact on resident car spaces).
  - (i) Location of retaining walls clearly identified on the ground floor plan, corresponding with sectional and elevation plans.
  - (j) The landscaping areas adjacent to the ground floor lobby area to be consistent with the Landscape Plan prepared by Urbis.

- (k) The area of secluded private open space associated with Apartment G.07 reduced by 3sqm by moving the boundary fence on the southern side of the open space, northward by 1 metre therefore increasing landscaping areas adjacent to the secondary entry point of the building. Front fencing adjacent to this space is to be adjusted accordingly.
- (l) The area of secluded private open space associated with Apartment G.08 reduced by 3sqm by moving the boundary fence on the northern side of the open space southward by 1 metre to increase communal planting space adjacent to the secondary entrance of the building. Front fencing and the pedestrian gate are to be adjusted accordingly.
- (m) A planter box located on the western side of the staircase at the ground floor adjacent to the secondary building access point to reduce hard paving in this area and increase opportunities for landscaping.
- (n) All fire services, electricity supply, gas and water meter boxes to be shown and to be discreetly located and / or screened to compliment the development. Materials of the proposed service cabinet are to be provided on elevation plans and is to be appropriately integrated into the front fencing proposed.
- (o) Provision of new canopy street tree on Railway Parade North in place of the two crossovers to be reinstated adjacent to Apartment 8 / Secondary Pedestrian Access point. The tree must be planted to the satisfaction of the Responsible Authority in accordance with Condition 6 of this Permit.
- (p) A Landscape Plan in accordance with Condition 7 of this Permit.
- (q) A Waste Management Plan in accordance with Condition 15 of this Permit.
- (r) Provision of acoustic treatments recommended within the Acoustic Report prepared in accordance with Condition 20.

**Layout Not to be Altered**

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

**Landscaping**

3. Concurrent with the endorsement of any plans 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. When endorsed, the plan will form part of the Permit. The Landscape Plan must

be generally in accordance with the Landscape Concept Plan dated 3 July 2019, Prepared by Urbis, except that the plan must show:

- (a) Detail of the proposed 'feature paving' and proposed concrete driveway.
  - (b) Location of external lighting;
  - (c) The location of Tree Protection Zones of Trees 1, 2, and 4 and Tree Protection Fencing required as outlined within the Arborist Report prepared by Tree Logic dated 22 March 2019;
  - (d) Planter box provided to the edge of the balcony associated with Apartment G.01 facing Railway Parade North in accordance with the development plan;
  - (e) The visitor bicycle spaces proposed to be positioned within a landscaped setting. Hard paving associated with the bicycle spaces to be amended to be a grass or grasscrete finish;
  - (f) Provide a corner splay or area at least 50% clear of visual obstructions (or with a height of less than 1.2 metres), which may include adjacent landscaping areas with a height of less than 0.9 metres, extending at least 2.0 metres long x 2.5 metres 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;
  - (g) Location of retaining walls; and
  - (h) Any changes as required by Condition 1 of this Permit.
4. 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.
  5. 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.
  6. Prior to the occupation of the site, a contribution payment will be required for the provision of an additional street tree located on Railway Parade North (including 2 year establishment). Please contact Council's Horticulture Department to arrange payment. Council will be responsible for the planting, supply and establishment of the street tree.
  7. An in-ground, automatic watering system linked to rainwater tanks on the land must be installed to the main garden areas to the satisfaction of the Responsible Authority.

**Trees to be protected**

8. All trees specified in the endorsed arborist report prepared by Tree Logic dated 22 March 2019 are to be protected and maintained in accordance with the recommendations set out in the report, to the satisfaction of the Responsible Authority.
9. 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 endorsed arborist report and are advised of any obligations in relation to the protection of those trees.
10. All buildings and works within the Tree Protection Zone and Critical Root Zone as specified in the endorsed arborist report must be supervised by a suitably qualified and experienced arborist, to the satisfaction of the Responsible Authority.
11. 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 construction period of the development hereby permitted without the prior written consent of the Responsible Authority.

**Waste Management**

12. Concurrent with the endorsement of plans, a Waste Management Plan must be submitted and approved by the Responsible Authority. The plan must be substantially in accordance with the Waste Management Plan prepared by Leigh Design, dated 26 June 2019 however revised to reflect any changes required by Condition 1 of this Planning Permit. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.
13. Collection of waste must be conducted so as not to cause any unreasonable disturbance to nearby residential properties and may only take place during the following times:
  - Monday to Saturday: 7:00am to 6:00pm
  - Public Holidays: 9:00am to 6:00pm
  - Sunday: No collection allowed

to the satisfaction of the Responsible Authority.

**Construction Management**

14. Prior to the commencement of any site works (including demolition and excavation), a Construction Management Plan must be submitted and approved by the Responsible Authority. No works are permitted to occur until the Plan has been endorsed by the Responsible Authority. Once endorsed, the construction management plan will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The plan must address the following issues:
- (a) Hours for construction activity in accordance with any other condition of this permit;
  - (b) Measures to control noise, dust and water and sediment laden runoff;
  - (c) Prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
  - (d) Measures relating to removal of hazardous or dangerous material from the site, where applicable;
  - (e) A plan showing the location and design of a vehicle wash-down bay for construction vehicles on the site;
  - (f) Cleaning and maintaining surrounding road surfaces;
  - (g) A site plan showing the location of any site sheds, on-site amenities, building waste storage and the like, noting that Council does not support the siting of site sheds within Council road reserves;
  - (h) Public Safety and site security;
  - (i) A plan showing the location of parking areas for construction and sub-contractors' vehicles on and surrounding the site, to ensure that vehicles associated with construction activity cause minimum disruption to surrounding premises. Any basement car park on the land must be made available for use by sub-constructors/tradespersons upon completion of such areas, without delay;
  - (j) A Traffic Management Plan showing truck routes to and from the site;
  - (k) 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;
  - (l) Measures to ensure that sub-contractors/tradespersons operating on the site are aware of the contents of the Construction Management Plan;
  - (m) Contact details of key construction site staff;
  - (n) Any other relevant matters, including the requirements of VicRoads or Public Transport Victoria.
  - (o) 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 that does not exceed the EPA guidelines).

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

#### **Acoustic Measures**

16. An Acoustic Report prepared by a suitably qualified professional which demonstrates that the development meets the following noise levels:
- Not greater than 35dB(A) for bedrooms, assessed as an LAeq,8h from 10pm to 6am.
  - Not greater than 40dB(A) for living areas, assessed LAeq,16h from 6am to 10pm.

#### **Sustainable Design Assessment (SDA)**

17. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment prepared by Ark Resources, dated 2 July 2019 must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **Car Parking and Driveways**

18. Before the use starts or any building is occupied, areas set aside for parked vehicles and access lanes as shown on the endorsed plans must be:
- (a) constructed to the satisfaction of the Responsible Authority;
  - (b) properly formed to such levels that they can be used in accordance with the plans;
  - (c) surfaced with an all-weather sealcoat to the satisfaction of the Responsible Authority;
  - (d) drained, maintained and not used for any other purpose to the satisfaction of the Responsible Authority;
  - (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.

19. Car parking spaces shown on the endorsed plans must not be used for any purpose other than the parking of vehicles, to the satisfaction of the Responsible Authority.

20. The existing redundant crossings are to be removed and replaced with kerb and channel. The footpath and naturestrip are to be reinstated to the satisfaction of Council.
21. All new vehicle crossings are to be no closer than 1.0 metre, measured at the kerb, to the edge of any power pole, drainage or service pit, or other services. Approval from affected service authorities is required as part of the vehicle crossing application process.

#### **Drainage & Stormwater**

22. All stormwater collected on the site from all hard surface areas must not be allowed to flow uncontrolled into adjoining properties or the road reserve.

All stormwater collected on the site 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 drainage works commencing.

23. The nominated point of stormwater connection for the site is to the east of the property where the entire site's stormwater must be collected and free drained via a pipe to the Council pit in the easement to be constructed to Council Standards.
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's Engineering Department. A refundable security deposit of \$1,000 is to be paid prior to the drainage works commencing.

#### **Boundary Fencing**

25. Prior to the occupancy of the development, all fencing must be constructed in accordance with the endorsed plans and in a good condition to the satisfaction of the Responsible Authority.
26. In the event of excavation causing damage to an existing boundary fence, the owner of the development site must (at their own) cost repair or replace the affected fencing to the satisfaction of the Responsible Authority.

#### **Plant / Equipment or features on roof & balconies**

27. 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.

28. No air conditioning units are to be located on the balconies unless with the written consent of the Responsible Authority.

#### **Service Location**

29. 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.

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

30. 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 2 years from the date of issue.
  - (b) 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:**

- A. This is not a building Permit. Building approval must be obtained prior to the commencement of the above approved works.
- B. Residents of the approved development will not be entitled to car parking permits for on street parking.
- C. The lot/unit numbers on the “Endorsed Plan” are not to be used as the official street address of the property. Street numbering is allocated in accordance with Australian/New Zealand Standards 4819:2001- Rural and Urban Addressing. Any street addressing enquiries should be directed to Council’s Valuation Team on 9518 3615 or 9518 3210.
- D. 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.

- E. Approval of the proposed crossing, and a permit for installation or modification of any vehicle crossing is required from Council's Engineering Department.
- F. The proposed crossing is to be constructed in accordance with the City of Monash standards.
- G. All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, naturestrip, kerb and channel to the satisfaction of the Responsible Authority.
- H. Prior to the issue of a building permit, the owner must obtain the consents of all relevant authorities for any buildings or works, including any paving, fences and landscaping, over any easement or underground services under the control of a public authority including sewers, drains, pipes, wires or cables.
- I. A new Council Pit is to be constructed to Council's Standards for the nominated point of stormwater connection if a pit does not exist, is in poor condition or is not a standard pit. If the point of connection cannot be located then Council's Engineering Department must be notified.
- J. Detention system requirements for above property are as follows:-
- Minimum storage = 10.17 m<sup>3</sup>
  - Maximum discharge rate = 12.97 l/s
  - Minimum orifice diameter if using orifice pit = 65mm, otherwise install a Phillips multi cell or similar to control outflow.
- K. Plans for the drainage and civil works must be submitted to and approved by the Engineering Department prior to the commencement of works. The plans are to show sufficient information to determine that the drainage works will meet all drainage conditions of the permit.
- L. An on site 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.
- M. 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.

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

The subject site is made up of two parcels of land being No. 1 Railway Parade North and 16 O'Sullivan Road. The site has abutments to street frontages to the north, south and west.

No. 1 Railway Parade North supports a double storey detached dwelling located central to the site. A garage is located on the northern side of the dwelling, with vehicle access to Railway Parade North. It is noted that the garage and double gates located south of the garage do not align with the existing single width crossover located on Railway Parade North. The dwelling is constructed with cream brick at the ground floor and weatherboards at the upper level with a pitched, tiled roof form. The site does not contain any front fencing, however a timber paling fence is located to the side of the dwelling along the western boundary of the site. It is noted that a large tree located within the south-western corner of the site has recently been removed from the site (approximately February 2019). The site has two street trees located adjacent to the property.

No. 16 O'Sullivan Road contains a single storey brick dwelling with a pitched roof. Vehicle access to the site is provided adjacent to the southern boundary, via Railway Parade North. No front fencing is located along O'Sullivan Road, however a timber paling fence is located along most of the western boundary of the site, adjacent to the dwelling's secluded private open space. It is noted that a large tree has been removed from the front setback of the site (approximately February 2019). A street tree is located adjacent to the western boundary of the site.

A drainage easement runs between the two properties, east to west.

The two combined lots create a total site area of 1435 square metres.

With respect to adjoining properties, it is noted:

**North:**

O'Sullivan Road is located north of the site which is a local road. On the opposite side of O'Sullivan Road is No. 5 and No. 7 O'Sullivan Road. The dwellings are provided with one vehicle accessway, located on the western side of the dwellings which leads to a common basement. No. 5 O'Sullivan Road supports two double storey dwellings arranged side by side. No. 7 O'Sullivan Road supports a single storey brick dwelling.

**East:**

East of the site are two properties including No. 18 O'Sullivan Road and No. 3 Railway Parade North.

No. 18 O’Sullivan Road contains a single storey dwelling. A double garage is located towards the frontage of the dwelling, with vehicle access via O’Sullivan Road. A number of windows are located adjacent to the western boundary of the site. The open space area is located on the southern side of the dwelling. Whilst the plans incorrectly indicates that the roofing formation of the dwelling is entirely pitched (noting that a section of the roof form is flat), the window locations are correct.

No. 3 Railway Parade North contains a single storey dwelling. Vehicle access to the site is located adjacent to the eastern boundary of the site. A timber paling fence is located along the frontage of the site.

South:

South of the site is Railway Parade North, which is a local road, and wraps around from the western boundary of the site. On the opposite side of the road are a number of single storey dwellings and an open air at grade car park associated with the Glen Waverley Train Station.

West:

West of the site is also Railway Parade North. On the opposite side of Railway Parade North are a mixture of single and double storey dwellings with pitched roof forms. Dwellings are typically constructed with brick with a low or no front fence with landscaped front gardens.

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

**PROPOSAL:**

The proposal seeks the construction of a four storey residential apartment building (comprising a total of 23 apartments) above a basement car park.

More specifically, the application is detailed as follows:

General

- A total of 23 apartments, including eight x 1-bedroom apartments, thirteen x 2-bedroom apartments and two x 3-bedroom apartments.
- The building has a minimum setback of 5 metres from O’Sullivan Road, 7.165 metres from the Railway Parade North frontage (south) and 3 metres from Railway Parade North sideage (west). The entry to the building is focussed to the Railway Parade North southern boundary.
- The development is proposed to be constructed with a mixture of brick, cement render and exterior cladding.
- The proposal is of a contemporary design with a flat roof form.
- No front fencing is proposed to the southern (Railway Parade North) and northern (O’Sullivan Road) boundaries of the site. Part of the western

interface to Railway Parade North proposes a 1.8m high metal blade fence above a brick plinth, adjacent to the secluded private open space of Apartments G06, G07 and G08.

- Vegetation is proposed throughout the site including the provision of five (5) canopy trees on the site which can reach over 10 metres at maturity.
- The maximum overall height proposed is 13.10 metres.
- The proposal has a site coverage of 50%.

#### Basement:

- One level of basement car parking accessed via Railway Parade North within the south-eastern corner of the site.
- A total of 25 car spaces allocated to dwelling residents.
- Six (6) bicycle spaces for residents.
- Storage cages with varied sizes between 6m<sup>3</sup> and 12m<sup>3</sup>.

#### Ground Floor

- The ground floor of the development supports a lobby space and eight apartments.
- Each apartment is provided with ground floor secluded private open space ranging in size from 40sqm to 107sqm.
- Two visitor bicycle spaces are located within the front setback (Railway Parade North) of the site.
- The main pedestrian entrance to the building is located via Railway Parade North (southern elevation), whilst a secondary access is provided on the western elevation, adjacent to the lift and stairwell also providing for disabled access.
- Ground floor Apartments which front the street (Apartment G05, G06, G07 and G08) have individual entry points from the street.

#### First, Second and Third Floors

- A total of nine (9) apartments are located at the first floor, four (4) dwellings at the second floor and two (2) dwellings at the third floor.
- Each dwelling has a balcony ranging from 8sqm to 25sqm in area.

Attachment 1 details plans forming part of the application.

#### **PERMIT TRIGGERS:**

##### Zoning

The site is located within the Residential Growth Zone, Schedule 4.

The use of the land for a dwelling is a Section 1 Use – No Permit required.

Pursuant to Clause 32.07-5, a Permit is required to construct two or more dwellings on a lot.

Pursuant to Clause 32.07-9, the height of a residential building should not exceed 14.5 metres (given the land has a slope across the site of greater than 2.5 degrees). It is noted that the maximum overall height proposed is 13.1 metres.

A development must meet the requirements of Clause 55.

#### Particular & General Provisions

#### **Clause 52.06-3 (Car Parking) & Clause 52.34 (Bicycle Facilities)**

The proposal is located within the Principal Public Transport Network (PPTN). As the required car parking and bicycle spaces are provided, no Permit is required under this provision.

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

#### **CONSULTATION:**

##### Further Information

Council requested further information on 9 May 2019 which identified issues including the low quality of the internal amenity for some of the dwellings, the dominant presentation of the fourth level to Railway Parade North and O'Sullivan Road and the limited provision of canopy tree planting across the site.

The Permit Applicant responded to this letter on 5 July 2019. In response, the applicant has further recessed the fourth floor from O'Sullivan Road and the materiality of the fourth floor has been revised, aiming to soften its appearance to the streetscape. Details were included regarding the internal amenity of the dwellings and a Landscape Plan was prepared which includes two trees which are capable of reaching 10m in height within the O'Sullivan Road frontage in addition to other new canopy planting across the site.

The Applicant was advised that this application was coming to the September Council meeting and that the officer's recommendation is for support subject to conditions. A letter was sent to the Applicant formally advising them of the details of the Council meeting.

##### **Public Notice**

The application was advertised in accordance with section 52 of the *Planning and Environment Act 1987* by sending notices to the surrounding property owners and occupiers, and three (3) signs displayed on the street frontages of the site during the notification period.

A total of ten (10) objections were received for the application included the following concerns:



- Height;
- Traffic generation and overflow parking;
- Lack of opportunity for landscaping;
- Overshadowing of adjoining properties;
- Setbacks to 18 O’Sullivan Road;
- Setbacks to O’Sullivan Road boundary;
- Overlooking;
- Noise from future residents and air conditioning units; and
- Lack of private open space provided for residents.

Attachment 4 details the location of objector properties.

### **Referrals**

#### **External Referrals**

No external referrals were required.

#### **Internal Referral**

##### **Horticultural Services: -**

No objection subject to conditions

Tree 4 (Railway Parade North frontage adjacent to 16 O’Sullivan Road) - No excavation within 3 metres of the tree measured from the trunk face at ground level.

Tree 2 (adjacent to frontage of 3 Railway Parade North) – No excavation within 3.11 metres of the tree measured from the trunk face at ground level.

Tree Protection fencing to be required as a condition of the Permit.

##### **Traffic Engineer**

No objection subject to standard conditions.

##### **Drainage Engineer: -**

No objection subject to conditions. The existing 1.83 m wide north easement of No. 1 Railway Parade North is to be expunged and existing 1.83 m wide south easement of No: 16 O’Sullivan Road is to be expunged up to 2 m from the edge of 900 mm x 600 mm Council pit at the south east corner. The removal of these easements can be applied for as a separate future planning application.

##### **Waste Management: -**

Council’s Waste Management Team requested further detail on plans and within the Waste Management Plan regarding collection arrangements and washing facilities. The Waste Management Plan and Development Plans were amended during the application process to respond to the additional details requested.

**DISCUSSION:****Planning Policy Framework (PPF)**

A key element of the Planning Policy Framework is the encouragement of growth in and around Activity Centres. Specifically:

- Clause 11.03-1S & 1R seeks to provide for different types of housing, including forms of higher density housing located within close proximity to public transport and is within walking distance to shopping, working, leisure and community facilities.
- Clause 15.01-4R seeks to create a city of 20 minute neighbourhoods that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.
- Clause 16.01-2S seeks to locate new housing in designated locations that offer good access to jobs, services and transport.
- Clause 16.01-2R seeks to identify areas for housing growth which are located within Major Activity Centres, areas near existing railway stations and areas designated for residential growth.
- Clause 16.01-3S & R seeks to provide for a range of housing types to meet diverse needs and varying densities that offer more choice in housing.

*Plan Melbourne 2017-2050*, a reference document to the Monash Planning Scheme also encourages these initiatives by encouraging housing growth in and around activity centres. This plan identifies the Glen Waverley Activity Centre as a Major Activity Centre (MAC).

The proposed development being four storeys in height with a mixture of 1, 2 and 3 bedroom dwellings, located within the Glen Waverley Major Activity Centre satisfies the objectives of the Planning Policy Framework.

**Local Planning Policy Framework (LPPF)**

Clause 21.04 (Residential Development) & Clause 22.01 (Residential Development and Character Policy) identifies the five different character types within the Municipality. The site is identified as being located within Character Area C. The desired future character statement seeks:

- Well planted front gardens and large canopy trees;
- New buildings to be secondary to the landscape character type from the street;
- Consistent street setbacks;
- Streets where fences are lacking or are low in height will continue to do so; and
- Each lot frontage to have only one single crossover.

However, there is acknowledgement that architecture will gradually become more dominant.

A built form and character assessment is provided within the Assessment section of this report.

The site is located within the Glen Waverley Major Activity Centre as identified in Clause 22.14 of the Monash Planning Scheme. Specifically, the site is located within 'Area 7' which is identified as surrounding residential areas, earmarked for residential intensification.

The objectives of this policy seeks to provide a diverse range of housing in this area, given the site's location close to public transport, open space and walking and cycling routes.

The proposed development being four storeys in height with a mixture of 1, 2 and 3 bedroom dwellings, located within the Glen Waverley Major Activity Centre satisfies the objectives of the Planning Policy Framework.

Clause 22.13 (Environmentally Sustainable Development Policy) 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 is required to be prepared and submitted. A Sustainability Management Plan was prepared by Ark resources which included a BESS assessment. The report indicates that the proposal achieves best practice. The plans include the recommendations of this report including the provision of a 3200L underground water tank and 5kw rooftop photovoltaic system.

#### Monash Housing Strategy 2014

The Monash Housing Strategy identifies the site as being located within the Glen Waverley Activity Centre (Category 1).

Residential outcomes sought for Category 1 areas are as follows:

*“Mixed use and apartment development at a density appropriate to the context of the Activity Centre. Higher density mixed use and apartment developments where identified by Structure Plans or location-specific development controls. Potential for lower density mixed use and lower rise apartment developments in Neighbourhood Centres. On larger sites, in suitable locations, increased density may be appropriate, subject to careful design.”*

The objective of this Category is to provide for housing change and diversification appropriate to the site context.

## **ASSESSMENT**

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

Whilst local policy suggests that the site is earmarked for higher densities, the future character statement (Clause 22.01) identifies that front setbacks should continue to be well landscaped to ensure that 'garden character' of the area is maintained. Walls

and fencing within the front setbacks are encouraged to be low or not existent, allowing views to planting within these spaces.

The proposal provides for a varied front setback to Railway Parade North (southern boundary), given the angle of the title boundary. Setbacks in this location vary from 3.15m to 9.68m. This interface provides the main pedestrian entrance to the building and vehicle access to the site. Two visitor bicycle spaces are also located within this setback.

The Residential Growth Zone 4 suggests that this setback should be a minimum of 5 metres. It is considered that this interface to the site is more tolerable to a more robust interface and a greater level of change given its closer proximity to the Commercial Zone, and the Train station and associated parking. Existing dwellings within this streetscape also provide for a more robust presentation. However, a condition will require the landscaping surrounding the bicycle spaces to be improved, with hard paving amended to be grasscrete or grassed finish surrounding.

It is considered that the front setback provides a good balance between the guidance of the schedule to the Residential Growth Zone 4 and the setback of the dwelling on the adjoining property to the east by providing a stepped setback at the ground floor. Whilst the setback contains many areas of hard surfacing, it also provides for two canopy trees and lower level landscaping. This street interface is wider than the O'Sullivan Road frontage of the site, and therefore vehicle access from this section of the street is considered appropriate. The upper floors step back with the first floor being setback a maximum of 12.81 metres adjacent to 3 Railway Parade North, which is greater than the setback of the existing dwelling located on the adjoining property. The second and third floors are further set back from this interface to provide articulation in the built form.

The architectural detailing of the building results in a two storey framed element facing the street with a stepped back third storey and recessed fourth storey element. Given the setback of the framing element to the street and the dominance of dark grey tones to the building, it is considered that the introduction of a timber look material to the soffits of this framed element would assist with softening this feature. Planters are also provided within the front setback of the site at varying heights to bring the landscaping up towards the level of the building (given the slope of the land). No front fencing is proposed in this location, consistent with the character policy.

It is noted however that the planter surrounding the balcony to Unit 1 fronting the street is not shown on the landscape plan and will be required as a condition of the Permit if issued. It is also noted that the landscape plan differs from the development plan with respect to hard paving surrounding the lobby area. Given this area is not trafficable, it is considered that the development plan should be revised to be consistent with the landscape plan which shows a planter box in this location.

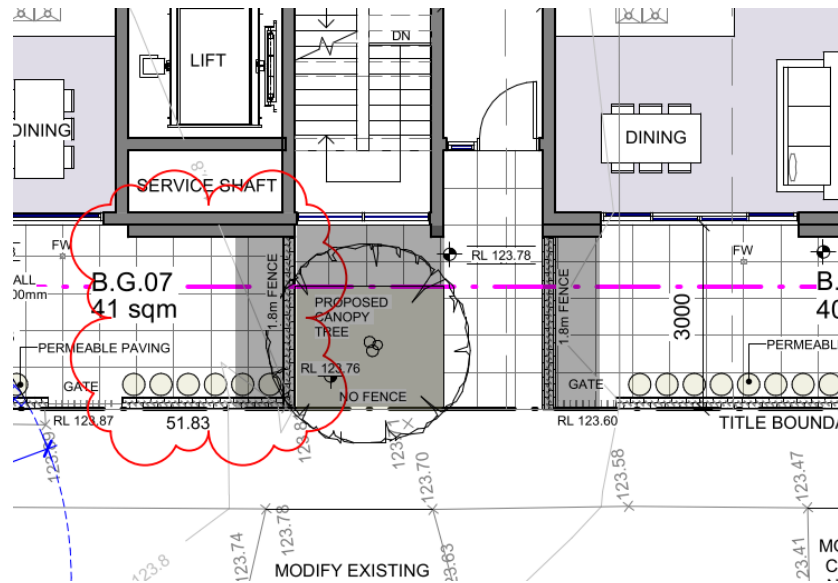
The remainder of the Railway Parade North interface to the west, which is defined as the sideage of the site, is set back 3 metres from the street at the ground and first floor, with increased setbacks in the levels above. It is noted that an intrusion into this setback is proposed at the first floor, with balconies set back 2 metres from the street. These balconies are proposed to be framed with a grey tone cement render similar to the southern Railway Parade North frontage. It is also considered that the introduction of a timber look material into the soffits of these balconies will assist in softening these elements given their protrusion into this setback.

The sideage of the building has been well articulated using varied setbacks and materials. Importantly, the stairwell and lift shaft external wall has been articulated through the use of glazing to the stairwell, varied setbacks and materials. Fencing is varied along this sideage, with a 1.8m high metal picket and brick plinth fence limited adjacent to areas of secluded private open space. Individual entrances / gates are provided along this frontage for the three apartments which interface Railway Parade North. No fencing is proposed adjacent to the secondary access for the building. The proposed fencing will maintain visibility of landscaping along this interface given the metal pickets are spaced. The proposed fencing will be located along approximately 61.5% of the western boundary of the site. Given the slope of the land, the brick plinth will increase in height towards the southern end of this interface, with the fencing towards the northern end being having a minimal plinth of below 500mm therefore allowing greater visibility. The proposed fencing will be an improvement to the existing presentation to Railway Parade North which includes 1.8m high timber paling fencing and garage doors.

To further improve landscaping opportunities along this frontage and to reduce impacts of the hard edge to the street, three conditions are proposed to improve landscaping adjacent to the secondary access to the building as follows:

- a. *The area of secluded private open space associated with Apartment G.07 reduced by 3sqm by moving the boundary fence on the southern side of the open space, northward by 1 metre therefore increasing landscaping areas adjacent to the secondary entry point of the building. Front fencing adjacent to this space is to be adjusted accordingly.*
- b. *The area of secluded private open space associated with Apartment G.08 reduced by 3sqm by moving the boundary fence on the northern side of the open space southward by 1 metre to increase communal planting space adjacent to the secondary entrance of the building. Front fencing and the pedestrian gate are to be adjusted accordingly.*
- c. *A planter box located on the western side of the staircase at the ground floor adjacent to the secondary building access point to reduce hard paving in this area and increase opportunities for landscaping.*

The landscaped areas proposed are depicted in grey within the image below.



Further to this, a condition will require a contribution to be made for the provision of an additional street tree on Railway Parade North adjacent to this interface given the limited plantings available along this sideage. Given the two crossovers are to be removed, an opportunity exists for the planting of an additional street tree. The tree species will be determined by Council, and Council will be responsible for its planting and maintenance.

Whilst the interface to O'Sullivan Road is a street interface, it is considered that this is the rear of the site and therefore the minimum street setback as set out in the schedule to the zone is not applicable. Nevertheless, the proposal meets this minimum 5 metre setback requirement. There is also no front fencing proposed along the street frontage, with high fencing located in line with the building to provide open space areas for the ground floor apartments to the eastern and western sides of the building. Fencing within this setback is limited to a 1.7m high metal picket fence dividing the two properties.

### **External Amenity Impacts**

The site has a sensitive interface to the east which abuts two properties (18 O'Sullivan Road and 3 Railway Parade).

### **Building Bulk**

The building is set back a minimum of 4 metres to the eastern boundary, with first floor balconies protruding into this space with a minimum setback of 2.66 metres at the first floor. Ground floor courtyards are provided along this interface, with landscaping located along the boundary which is located outside of the basement envelope.

The interface of 18 O'Sullivan Road includes four windows which have an outlook to the subject site and a service area located adjacent to the western boundary of the site. The primary area of secluded private open space (which contains a decked area) is located more than 6 metres east of the subject site.

The proposal provides generous setbacks along this interface. There are some minor areas at the third floor where setbacks do not meet the prescribed setback requirement, however it is noted that due to the setback of the existing windows to 18 O'Sullivan Road from the boundary fence and the protruding eave line, visibility of the third floor of the proposed development is limited.

Therefore it is considered that there will be no unreasonable bulk impacts to the neighbour.

With respect to the interface to 3 Railway Parade North, the proposal exceeds the setback requirements. Setbacks have also been designed to ensure the retention of the canopy tree located within 3 Railway Parade, adjacent to the common boundary with the subject site.

The building has been designed to include varied setbacks and materials to minimise unreasonable bulk impacts. The varied setbacks of the eastern title boundary also assists with creating further articulation to this most sensitive interface.

#### Daylight to Windows

No 18. O'Sullivan Road contains a number of windows facing the subject site. These windows are set back a minimum of 1.9 metres from the common boundary.

No. 3 Railway Parade contains one habitable room window which is setback approximately 3.3 metres from the site.

The setback of the proposal meets the ResCode requirements so that daylight to existing windows are not impacted.

#### Overshadowing of Secluded Private Open Space

The Planning Scheme requires consideration of additional shadowing impact into adjoining areas of secluded private open space at the equinox. Additional shadow cast to adjoining properties at the equinox (22 September) is limited to 2pm and 3pm.

The additional shadow cast within 18 O'Sullivan Road is limited to the vehicle accessway and service area adjacent to the western side of the dwelling. The additional shadow cast within 3 Railway Parade North is limited to the front setback, and the service area west of the dwelling which includes a clothesline and shed and is not the primary area of secluded private open space for this dwelling.

The proposal comfortably complies with the ResCode standard as no unreasonable overshadowing of open space will occur of the neighbours' property.

### Overlooking

Ground floor eastern facing windows are screened by the existing 2m high fence adjacent to 18 O'Sullivan Road and the proposed new 1.8m paling fence with trellis above adjacent to 3 Railway Parade North. The height of the fence to the rear (south) of 18 O'Sullivan Road is unclear, which can be clarified via a condition of the Permit to be a minimum of 2 metres in height.

All habitable room windows at the upper levels have been screened with obscure glass and balconies screened with exterior metal screens to a height of 1.7 metres above the floor level. A detailed section of the blade screen has been provided which shows that the screens will be constructed with angled blades which will prevent overlooking.

### Internal Amenity

The controls for apartments include recommending requirements and dimensions for good amenity for future occupants of the development. The proposal provides for a good level of internal amenity for dwellings. Specifically:

- Clear sense of address is provided to Railway Parade North, with a large lobby area. A secondary access is provided at a mid-point in the building which is to enable disabled access for visitors.
- Each apartment meets minimum living area dimensions;
- Each apartment meets the minimum bedroom dimensions, with the exception of Bedroom 2 of Apartment 3.02 which provides a bedroom with dimensions of 3.32m x 2.83m. The minimum requirement is 3m x 3m and therefore whilst the length of the bedroom exceeds this requirement, the width falls short by 0.17m. The remaining two bedrooms within this apartment exceed this standard. It is considered that the overall size of this bedroom is acceptable for the functional needs of future occupants.
- Each ground floor apartment is provided with an area of secluded private open space greater than 40sqm, and each apartment above ground level is provided with a minimum balcony area greater than 8sqm per 2-bedroom dwelling and 12sqm per 3-bedroom dwelling.
- Each apartment is provided with good access to daylight. Whilst six (6) apartments are located on the southern side of the building, no apartments are solely southerly facing.
- Whilst eastern facing habitable room windows and balconies are required to be screened, many of these apartments also have a northerly or southerly aspect. Only three apartments (two of which are single bedroom apartments) at the first floor have all habitable room windows and their balconies which are required to be screened to a height of 1.7 metres. The windows are screened using obscure glazing and balconies are screened using angled metal blades which will allow for some light to penetrate.
- Whilst the balconies associated with Apartments 1.01, 1.09 and 2.04 are southerly facing, these balconies face the street and are therefore not



required to be screened and will provide natural surveillance to the streetscape and provide for articulation within the frontage of the building.

- Ground floor open space areas have been orientated to have northern, eastern and western orientation, with no apartments having a solely southerly open space (noting that Apartment G.01 has a small area of open space located adjacent to the bedroom on the southern side of the building, however the primary area of secluded private open space is located on the eastern side of the building).
- External storage is located within the basement or within the ground floor courtyards for many of the dwellings, however no provision for external storage is provided for Apartment G07, G08, 2.01, 2.02, 2.03 and 2.04. It is considered that external storage for these apartments should be provided within the basement car park. It is also considered that the shed associated with Apartment G.06 should be relocated to the basement, given the shed as proposed will be visible from Railway Parade North. This could be achieved with the reconfiguration of existing storage cages / services and can be included as a condition if a Permit is to issue.
- Light to internal corridors is provided at each level via windows adjacent to the stairwell.
- The building will partly sit within 80 metres from the centre of the railway line track, and therefore will need to be designed to achieve protection for residents from noise from the railway line. A proposed condition of the Permit will require this to be demonstrated.

### **Car Parking, traffic and access**

#### **Car Parking**

The proposal includes a total of 23 apartments. The car parking requirement is set out in the table below:

<b>Use</b>	<b>Number of Apartments</b>	<b>Car spaces required (Clause 52.06)</b>	<b>Car spaces provided</b>
One and two-bedroom apartment	21	21 spaces	21 spaces
Three-bedroom Apartment	2	4 spaces	4 spaces
Visitors	23	0 spaces	0 spaces
<b>Total:</b>	<b>23</b>	<b>25 spaces</b>	<b>25 spaces</b>

It is noted that there is no visitor parking requirement for the proposal as the site is located within the Principal Public Transport Network (PPTN).

All car spaces and accessways within the basement have been designed in accordance with the design requirements providing easy ingress / egress and movement within the basement and allow vehicles to exit the site in a forwards direction.

The remaining two existing crossovers to the site located on Railway Parade North are to be reinstated with kerb and channel which will in turn increase on-street parking availability.

Waste collection is proposed within the basement, with the waste truck propping within the basement and undertaking collection. Swept path diagrams have been prepared which show that the waste vehicle (6.345 metres in length) can turn around within the basement and exit the site in a forwards direction. The waste vehicle has a height of 2.1 metres with clearance required for 2.5 metres as identified in the Waste Management Report submitted with the application. The plans show that the minimum height clearance for the basement is 2.2 metres, with a clearance of 2.7m within the waste collection area.

Council's Traffic Department are satisfied that the road network can accommodate the additional generation of vehicles. They have noted that the predicted traffic generation is relatively low, residential in nature and is expected to have a negligible impact on the local traffic network in terms of the overall traffic in the area.

#### Bicycle Parking

Clause 52.34 of the Planning Scheme specifies bicycle parking requirements for the development as follows:

Use	Number of Apartments	Statutory bicycle parking requirement	No. of spaces required	No. of spaces provided
Dwellings	23 Apartments	1 space per 5 dwellings, for dwellings of 4 or more storeys	5 resident spaces	6 resident spaces (located within basement)
Dwellings (Visitor)	23 Apartments	1 space per 10 dwellings, for dwellings of 4 or more storeys high	2 visitor spaces	4 visitor spaces (located at the ground floor)

The proposal therefore provides for surplus bicycle parking spaces. The bicycle spaces are appropriately located for visitors at the ground floor adjacent to the entrance, and within the basement for residents.

#### Landscaping

The apartment standards require a minimum of 7.5% area of the site to be dedicated for deep soil planting with a minimum of 1 medium tree (8-12 metres) per 50 square metres of deep soil or 1 large tree per 90 square metres of deep soil. This equates to 107.63 square metres for the site.

The proposal provides for 14.63% of the site providing deep soil planting areas (a total of 210sqm) which is close to double the requirement. A Landscape Plan has

been prepared by Urbis Pty Ltd which provides for a total of 40 new canopy trees including 11 large trees.

Specifically, two trees are located within the O'Sullivan Road frontage of the site which include two Todd Chinese Elm Tree which can reach a height of 10 metres at maturity. An Urbanite Ash Tree and Todd Chinese Elm Tree are located within the Railway Parade North frontage of the site. These larger trees are not located within the secluded private open space of dwellings. Smaller canopy trees are located within areas of secluded private open space which are scattered along the eastern and western boundaries of the site which will assist in softening the development.

The proposal has been designed to ensure the retention of the four existing street trees. Whilst some encroachment into the Tree Protection Zones of Tree 2 and 4 are proposed, Council's Horticulture are satisfied with this encroachment subject to conditions requiring tree protection measures to be carried out during construction.

Three to four trees are located adjacent to the site, within the secluded private open space of 3 Railway Parade North. The trees are approximately 4 metres in height. The basement and excavation works are expected to result in a minor encroachment to the tree protection zones of these trees and will not cause any impact to their health.

#### **Objections not previously addressed**

An objection received raised concerns regarding noise generated from the proposed development. As the site is located within a Residential Growth Zone, the use of the land for a residential building does not require a planning permit. Consideration is limited to the construction of the built form. Noise associated with a dwelling is considered reasonable in a suburban setting.

#### **CONCLUSION:**

The proposal provides a suitable response to the desired future character of the area, with the consolidation of two lots. The height and scale of the development is in keeping with the objectives and strategies as outlined in the Residential Growth Zone and local policies. The proposal provides adequate setbacks from all boundaries of the site, allowing good opportunities for landscaping throughout the site. The proposal also provides for adequate car parking for the development proposed, meeting the requirements of the Planning Scheme.

**LIST OF ATTACHMENTS:**

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (January 2019).

Attachment 3 – Zoning and Overlays Map.

Attachment 4 – Objector Properties Location Map.