

**1.6 1 BERYL AVENUE, OAKLEIGH SOUTH
APPLICATION FOR DEVELOPMENT PLAN APPROVAL
(TP440)**

EXECUTIVE SUMMARY:

This application seeks approval of a Development Plan in accordance with the requirements of Development Plan Overlay 5.

The Development Plan proposes a broad master plan for the future development and use of the land for residential purposes. The Development Plan is required pursuant to the provisions of the Development Plan Overlay 5 (DPO5) provisions in the Monash Planning Scheme.

A previous development plan proposal was refused at Council's meeting 29 September 2015. This is a new development plan application and not related to the previous development plan proposal.

An appeal has been lodged with Victorian Civil and Administrative Tribunal (VCAT) against Council's failure to determine the application within the prescribed time. Council is unable to determine the application but must form a position on the application.

The application was subject to community consultation. The owners and occupants of properties within a 1 kilometer radius of the site were notified of the proposal. One thousand four hundred and ninety three (1,493) community submissions to the proposal have been received.

Key issues to be considered relate to the appropriateness of the scale of the proposal, amenity impact, vegetation removal, car parking provision and traffic impact.

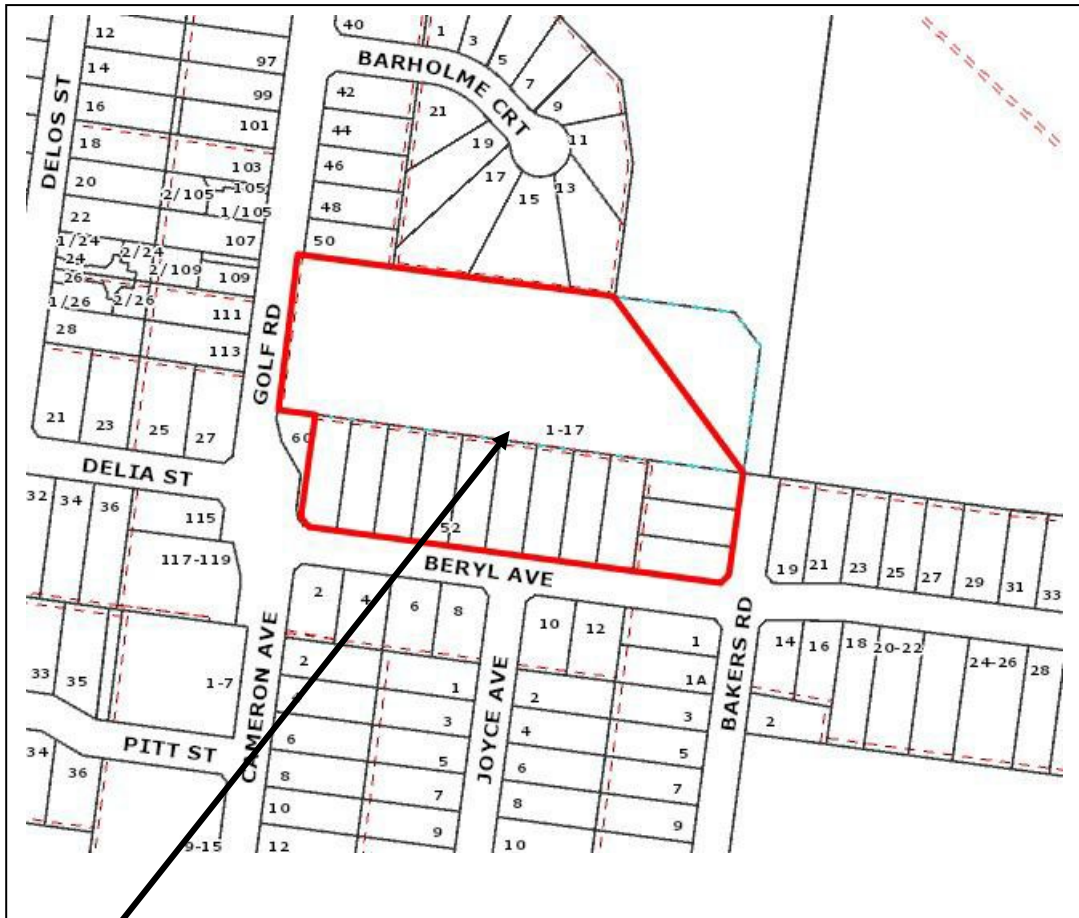
This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant planning policy framework and issues raised within the submission received.

The submitted Development Plan does not adequately satisfy the requirements of DPO5 and should not be supported.

RESPONSIBLE ACTING DIRECTOR:	Natasha Swan
RESPONSIBLE ACTING MANAGER:	Fiona Johnstone
RESPONSIBLE PLANNERS:	Jeanny Lui
WARD:	Oakleigh
PROPERTY ADDRESS:	1 Beryl Avenue, Oakleigh South
PRE-APPLICATION MEETING:	Yes
NUMBER OF SUBMISSIONS:	1493

ZONING:	General Residential Zone (Schedule 1)
EXISTING LAND USE:	Vacant
OVERLAY:	Development Plan Overlay (Schedule 5)
RELEVANT CLAUSES: <u>Planning Policy Framework</u> Clause 11.01-1R – Settlement – Metropolitan Melbourne Clause 11.02-1S – Supply of Urban Land Clause 15.01-1S & R – Urban Design Clause 15.01-2S – Building Design Clause 15.01-4S & R – Healthy Neighbourhoods Clause 15.01-5S – Neighbourhood Character Clause 15.02-1S – Energy and Resource Efficiency Clause 16.01-1S & R – Integrated Housing Clause 16.01-2S – Location of Residential Development Clause 16.01-2S & R – Housing Opportunity Areas Clause 16.01-3S & R – Housing Diversity Clause 16.01-4S – Housing Affordability Clause 18.02-4S – Car Parking Clause 19.03-3S – Integrated Water Management	<u>Local Planning Policy Framework</u> Clause 21 - Municipal Strategic Statement Clause 21.04 - Residential Development Clause 21.08 - Transport and Traffic Clause 21.05 - Economic Development Clause 21.13- Sustainability and Environment Clause 22.01- Residential Development and Character Policy Clause 22.04- Stormwater Management Policy Clause 22.13- Environmentally Sustainable Development Policy <u>General & Particular Provisions</u> Clause 52.06- Car parking Clause 55- Two or more dwellings on a lot and residential buildings Clause 65- Decision Guidelines

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



RECOMMENDATION:

That Council resolves to not approve the submitted Development Plan (Track Consultants May 2019 Revision 2) for **1 Beryl Avenue, Oakleigh South** based on the following grounds:

1. The submitted development plan does not satisfy the requirements and decision guidelines of schedule 5 to the Development Plan Overlay.
2. The development plan poorly integrates with the neighbourhood character of the surrounding area.
3. The development plan does not provide for appropriate inclusion and retention of existing vegetation.
4. The development plan is inconsistent with Council's Residential Development and Character Policy in particular regard to neighbourhood character, integration with the streets and car parking arrangement.
5. The scale and density of the submitted development plan is excessive.

BACKGROUND:**History**

The subject land is the former Oakleigh South Primary School located on the north-eastern corner of the intersection of Beryl Avenue and Golf Road in Oakleigh South. The school occupied the land from the late 1950's until the end of 2001. Former school buildings have been demolished and the land is currently vacant.

The land formed part of Amendment GC5 to the Monash Planning Scheme gazetted on 18 February 2014. The land was rezoned from Public Use Zone 2 (Education) to General Residential Zone Schedule 1 and applied the Development Plan Overlay 5 to the land.

A previous application was refused at Council's meeting of 29 September 2015 for a proposed development plan on the land for 56 townhouses up to three storeys in height, an apartment super-lot within the centre of the site providing up to 65 apartment dwellings, internal loop road with two access points to Beryl Avenue, retention of three (3) existing trees and removal of all other existing vegetation. An appeal was lodged at VCAT following Council's refusal and was subsequently withdrawn. The land has been left vacant until the current

developer, Golf Road Project Development Pty Ltd purchased the land. This application is lodged by Tract (Planning Consultants) on behalf of Golf Road Project Development Pty, and is independent of the previous development plan application.

The Site and Surrounds

The subject land is located on the north-eastern corner of the intersection of Beryl Avenue and Golf Road in Oakleigh South. The land is a large and irregular shaped parcel having an overall area of 1.826 hectares. The land has a slight fall of 1.5 metres from north-east to south-east. An existing drainage and sewerage easement runs through the centre of the site. The land has a 169.77 metre frontage to Beryl Avenue along the southern boundary, 106.45 metre frontage to Golf Road along the western boundary and 42.67 metre frontage to the end of Bakers Road adjacent to the eastern boundary. The Metropolitan Golf Club abuts the land to the immediate north-east, residential properties orientated to Barholme Court and Golf Road span the northern boundary. The land contains scattered vegetation along the boundaries of the land and within a cluster located within the centre of the site.

The land is located within an established residential area originally developed in the mid 1950's and 1960's. The built form of the surrounding area is distinctly characterised by modest detached dwellings on large allotments. Dwellings are typically setback from the side and rear boundaries, predominant single storey built form, brick and weatherboard dwellings with pitched roofs and well landscaped front setbacks. More recent development includes replacement of the original housing stock with new large dwellings and some multi-dwelling unit development.

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

PROPOSAL:

The application seeks approval of a Development Plan as required by Clause 43.04 (Development Plan Overlay – Schedule 5) of the Monash Planning Scheme.

Two storey dwellings are located around the perimeter of the site with three storey dwellings fronting the golf course and located centrally within the site, surrounded by an internal roadway accessed from Golf Road.

The submitted Development Plan proposes:

- 89 townhouses ranging in size from 120 to 215 square metres comprising:
 - 48 x two storey attached four bedroom townhouses.
 - 16 x two storey attached two bedroom townhouses.
 - 18 x three storey attached three bedroom townhouses.
 - 7 x three storey attached four bedroom townhouses.

Among these townhouses:

- 7 x three storey attached townhouses are located centrally within the subject site, and adjacent to the north-eastern boundary taking advantage of aspect to The Metropolitan Golf Club.
 - 19 x two storey semi-detached townhouses along Beryl Avenue.
 - 4 x two storey semi-detached townhouses along Golf Road.
 - 3 x two storey attached townhouses along Bakers Road.
- Secluded private open space (SPOS) of these dwellings are:
 - Located at the front or rear of the dwellings.
 - Areas of 10 square metres to 121 square metres.
 - Generally connected from the living areas (with the exception of dwellings with reversed living layouts).

Details of the submitted proposal provides for seven different housing types as follows:

DWELLING TYPE	BUILDING HEIGHT & SETBACK	CAR PARKING	SECLUDED PRIVATE OPEN SPACE (SPOS)
<p>Type 1: Two storey attached townhouses containing four bedrooms (including one bedroom on ground level) with tandem garages</p> <p>Dwellings typically comprise of an open plan living, dining and kitchen, a laundry, a bathroom and a guest bedroom on ground level; and 3 more bedrooms and a bathroom on the first level including a master bedroom with ensuite.</p> <p>Number of Type 1 dwellings: 8 (3 backing onto Beryl Avenue; 2 backing on Golf Road; and 3 backing onto Barholme Court)</p>	<p>Double storey.</p> <p>Street setback of 5m to 7m to Beryl Avenue; and approximately 9.4m to Golf Road.</p> <p>Setback of 6m to 7.5m to the northern boundary adjacent to the rear of properties at 13, 15 and 17 Barholme Court.</p>	<p>A single garage with tandem space to allow for parking of two cars provided to each dwelling.</p> <p>Accessed via the proposed internal loop road.</p>	<p>Ground level courtyard space of 54m² with minimum width of 8m.</p> <p>Majority located within the front setback behind a 1.5 metres high fence; 3 dwellings' SPOS is at the rear of the dwellings.</p>
<p>Type 2: Two storey attached townhouses containing four bedrooms (on the first level) with 2 car spaces</p> <p>Dwellings typically comprise of an open plan</p>	<p>Double storey.</p> <p>Street setback of 5m to 7m to Beryl Avenue; and approximately 9.4m to Golf Road.</p> <p>Setback of 6m to 7.5m to the northern boundary</p>	<p>A single garage with tandem space to allow for parking of two cars provided to each dwelling.</p> <p>Accessed mainly via the proposed internal loop road with 5 dwellings via</p>	<p>Ground level courtyard space of 25-34m² with minimum width of 3.0m.</p> <p>11 dwellings' SPOS located within the front setback behind a 1.5 metres high fence; 8</p>

<p>living, dining and kitchen, a laundry, and a powder room on ground level; and 4 bedrooms and a bathroom on the first level including a master bedroom with ensuite.</p> <p>Number of Type 2 dwellings: 21 (3 backing onto Beryl Avenue; 5 fronting Beryl Avenue; 2 backing onto Golf Road; and 8 backing onto Barholme Court; 1 backing onto Bakers Road; and 2 fronting Bakers Road)</p>	<p>adjacent to the rear of properties at 13, 15 and 17 Barholme Court.</p>	<p>3 proposed single crossover and 1 proposed double crossover on Beryl Avenue; and 2 dwellings via a proposed double crossover on Bakers Road.</p>	<p>dwellings' is at the rear of the dwellings; 2 dwellings' SPOS is at the rear of the dwellings, next to the landscaped footpath.</p>
<p>Type 3: Two storey attached townhouses containing four bedrooms with 2 car spaces</p> <p>Dwellings typically comprise of an open plan living, dining and kitchen, a laundry and a powder room on ground level; and 4 bedrooms and a bathroom on the first level including a master bedroom with ensuite.</p> <p>Number of Type 3 dwellings: 15 (8 backing onto Beryl Avenue; 7 backing onto Barholme Court)</p>	<p>Double storey.</p> <p>Street setback of 5m to 7m to Beryl Avenue. No direct interface with Golf Road.</p> <p>Setback of 6m to 7.5m to the northern boundary adjacent to the rear of properties at 13, 15 and 17 Barholme Court.</p>	<p>A double length garage to allow for parking of two cars provided to each dwelling.</p> <p>Accessed via the proposed internal loop road.</p>	<p>Ground level courtyard space of 34m² with minimum width of 6.5m.</p> <p>8 dwellings' SPOS located within the front setback behind a 1.5 metres high fence; 7 dwellings' SPOS is at the rear of the dwellings.</p>
<p>Type 4: Three storey attached townhouses containing three bedrooms with tandem garages in a reversed living layout</p> <p>Dwellings typically comprise of a double length garage and a study nook on the ground level; an open plan living, dining and kitchen, a powder room and a bedroom on the first level; and 2 more</p>	<p>Three storey.</p> <p>Two rows of townhouses located centrally within the site, on each side of the common landscaped park facing the park.</p> <p>No direct interface with adjoining properties.</p>	<p>A double length garage to allow for parking of two cars provided to each dwelling.</p> <p>Accessed via the proposed internal loop road.</p>	<p>Ground level courtyard space of 10m². Balcony space of 10m² provided adjacent to first floor living areas.</p> <p>The SPOS on ground level and balcony on first level are located within the 'frontage' of these townhouses, facing the park.</p>

<p>bedrooms and a bathroom on the second level including a master bedroom with ensuite.</p> <p>Number of Type 4 dwellings: 18 (located centrally within the development in two rows)</p>			
<p>Type 5: Two storey attached townhouses containing four bedrooms with double garages.</p> <p>Dwellings typically comprise of an open plan living, dining and kitchen, a laundry, a powder room and a bedroom on ground level; and 3 more bedrooms, a bathroom, a lounge area with study nook on the first level including a master bedroom with ensuite.</p> <p>Number of Type 5 dwellings: 4 (3 located centrally within the development facing the internal driveway; and 1 located near the north-western corner of the site backing onto the Metropolitan Golf Course)</p>	<p>Double storey.</p> <p>Setback of 4m to 5m to north-eastern boundary to the Metropolitan Golf Course.</p> <p>No direct interface with the north adjoining properties, Golf Road or Beryl Avenue.</p>	<p>A double garage provided to each dwelling. Accessed via the proposed internal loop road.</p>	<p>Ground level courtyard space of 28-121m² with minimum width of 3.6m.</p> <p>SPOS are located behind the dwellings.</p>
<p>Type 6: Three storey attached townhouses containing four bedrooms with double garages.</p> <p>Dwellings typically comprise of a double garage, an open plan living, dining and kitchen on the ground level; three bedrooms and a bathroom on the first level including a master bedroom with WIR and ensuite; and further one bedroom, a lounge area with study nook and a powder room on the</p>	<p>Three storey.</p> <p>Setback of 4m to 5m to north-eastern boundary to the Metropolitan Golf Course.</p> <p>No direct interface with the north adjoining properties, Golf Road or Beryl Avenue.</p>	<p>A double garage provided to each dwelling. Accessed via the proposed internal loop road.</p>	<p>Ground level courtyard space of 34m² with minimum width of 4m.</p> <p>SPOS are located behind the dwellings, facing the Golf Course.</p>

<p>second floor.</p> <p>Number of Type 6 dwellings: 7 (located along the north-western corner of the site backing onto the Metropolitan Golf Course)</p>			
<p>Type 7: Two storey attached townhouses containing two bedrooms with single garages in a reversed living layout.</p> <p>Dwellings typically comprise of a single garage, a bedroom with ensuite and a laundry on the ground level; and an open plan living, dining, kitchen, another bedroom and a bathroom on the first level.</p> <p>Number of Type 7 dwellings: 16 (All located centrally within the development facing the internal driveway)</p>	<p>Double storey.</p> <p>Two rows of townhouses located on the two sides of the Type 4 townhouses, facing the internal road.</p> <p>No direct interface with adjoining properties.</p>	<p>A single garage provided to each dwelling. Accessed via the proposed internal loop road.</p>	<p>Ground level courtyard space of 12m². Balcony space of 8m² provided adjacent to first floor living areas.</p> <p>SPOS are located behind the dwellings.</p>

- A total of 174 car parking spaces provided within the development including 162 car spaces for residents in form of single, tandem or double garages, and 12 visitor car spaces located around the internal road.
- 4 x Landscaped pedestrian walkways in between the semi-detached townhouses to allow access to the development from Beryl Avenue.
- A landscaped access to Bakers Road and retention of the 13 metres high *Eucalyptus mannifera* within a landscaped area fronting Golf Road adjacent to the road access.
- Landscaped pocket park within the centre of the site including retention of a 12 metres high *Melaleuca styphelidides* and a 23 metre high *Corymbia maculate* (Spotted Gum).
- Two way traffic internal loop road/ shareway with access onto Golf Road. Only five (5) dwellings have garages fronting Beryl Avenue, three (3) to Bakers Road and none to Golf Road.
- No street trees are proposed to be removed.
- Retention of 7 trees and removal of 48 trees on site.

- Proposed waste collection by Council’s collection services.

Attachment 1 details plans forming part of the application.

DEVELOPMENT PLAN REQUIREMENT:

The land is subject to Development Plan Overlay Schedule 5 (DPO5).

A Development Plan is required to be approved by the Responsible Authority for the land prior to issue of a permit allowing further development and subdivision. The provisions of the Development Plan Overlay exempt future permit application from public notification and review.

Key requirements of the development plan specify:

- *Where residential uses are proposed, provide a range of dwelling types to cater for a variety of housing needs.*
- *Where non-residential uses are proposed, details of the nature of the proposed use, including hours of operation, stall and visitor numbers, and traffic and parking management plan.*
- *Incorporate sustainable design features to address water and waste management, solar access and energy saving initiatives, to deliver lower living costs for future residents.*
- *Create a composition of varied building forms and heights across the site.*
- *Provide for a high quality of internal amenity for future residents.*
- *Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing single storey residential development.*
- *Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.*
- *Apply appropriate buffer treatments at the interface with any non-residential uses on adjoining properties.*
- *Create opportunities for improved local permeability through provision of new pedestrian/cycle pathways or new local street networks where appropriate.*
- *Incorporate any significant native vegetation into the design of the development.*

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

CONSULTATION:**Display of the Development Plan**

Pursuant to the provisions of Section 4 of DPO5 the proposal was displayed for public comment.

The owners and occupants of residential properties within a 1.0 kilometre radius of the subject land were notified of the proposal. The formal consultation period ran from 24 June to 24 July 2019.

A copy of documentation forming part of the development proposal was made available to view on Council's website and at the Glen Waverley Civic Centre throughout the consultation period.

Public information session

Two public information sessions were held during the consultation period on 4 July 2019 between 6:30pm to 8:30pm and 16 July 2019 between 9:30am to 11:30am. Council officers and representatives from the development plan applicant attended the sessions to provide information about the proposal.

The public information sessions were attended by approximately 100 residents.

Community Submissions

A total of 1483 written submissions to the proposal have been received at the time of writing this report following the conclusion of the consultation period, all raising concerns with to the proposed development plan.

Key issues raised within the submissions can be summarised:

- Intensity of the development
- Car parking provision, concerns about garages being too small in size, traffic impact, traffic management, number of proposed crossings and proposed shared road within the development and lack of footpath and safety
- Tree removal and insufficient open space and landscaping
- Accessibility to the development
- Inadequate setbacks to Beryl Avenue
- Domination of garages across the narrow facade frontages
- 3 storeys development not respecting the neighbourhood character
- Drainage issues from the flood prone and impacts on existing infrastructure
- Proposed secluded private open space facing Beryl Avenue
- Interruption during construction
- Amenity to the proposed dwellings
- Adverse impact to the Metropolitan Golf Club
- Devaluation of adjoining properties

- Overlooking
- Noise and air pollution
- Access of bus/ school bus to the site during and after construction
- Asbestos
- The proposal is an overdevelopment

Attachment 4 details the location of properties which have made a submission to the proposal within the nearby surrounding area.

Referrals

External Referral

Department of Transport (Ref: HTFV2019/0285)

The development plan was referred to the Department of Transport who did not raise issues to the proposed development plan subject to the condition requiring the permit holder to ensure that disruption to bus operation along Golf Road is kept to a minimum during the construction of the development. This could be managed through conditions, should a development plan be approved.

Internal Referral

Engineering Referral

The development plan was referred to Council's Traffic and Drainage Engineers for comment. Both Engineers recommended that the proposed development plan be subject to certain requirements including:

- A 3 metre wide gap within the north-east property boundary and a 3 metre wide gap between the units backing Bakers Road and fronting Beryl Avenue to allow for overland flows;
- The internal road within the development to be shaped so as to direct the overland flow through the subdivision without flooding the properties and to discharge out into Golf Road via the vehicle crossing;
- A 2 metre wide drainage easement to be created at the time of subdivision in favour of the Monash City Council along the northern boundary to protect Council's drainage assets. These requirements could be achieved without significant modification of the proposed development.

Council's Traffic Engineer commented that the width of the single width garages of 3.2 metres is not supported as it does not meet the minimum dimension in the Monash Planning Scheme. In addition, it was suggested that the proposed 5.5 metres wide internal road to be increased to 6 metres to reduce opportunities for the road to be obstructed if a car is parked at one side of the road. These requirements are important to ensure usability of the garages, and so as to reduce the need for on street parking, or vehicles parking on the internal road; the increase in the internal road width is also important to avoid traffic issues if vehicles are parked at the side of the road in the future.

There will be substantial consequential impacts to the proposed development if these requirements were to be achieved, which may affect the number of proposed dwellings, and the amount of common open space and landscaping within the development.

Relevant comments form part of the assessment of the application.

Horticultural Services

The development plan was referred to Council's Horticultural Services who advised certain tree protection to the street trees in front of the subject site on Golf Road and Beryl Avenue, which will form part of the assessment of this application.

Council's Arborist has reviewed the submission and does not agree with the extent of tree removal within the site. This will be discussed in the next section of this report.

Waste Management

A Waste Management Plan was submitted with the proposed development plan which was referred to Council's Waste Services for comments who provided advice including a Section 173 agreement will be required prior to Council collection occurring within the development. Interim private services will be required if a Section 173 Agreement has not been finalised prior to any occupancy.

Other comments include a revised swept path diagram, details of managing bins and ventilation within the site, clarification of hard waste collection and storage as the kerbside is not suitable for households to present waste for hard waste collection. These requirements will not substantially affect the design of the proposed development.

DISCUSSION:

Consistency with State and Local Planning Policies

Planning Policy Framework

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

"Understand and plan for expected housing needs."

"Reduce the cost of living by increasing housing supply near services and public transport."

"Facilitate the supply of affordable housing."

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

In addition to Plan Melbourne Refresh, relevant Planning Policies also seek to

increase residential density and dwelling diversity, to facilitate the supply of affordable housing.

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

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

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

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

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

The subject site is located within a short walking distance to the Stan Riley Reserve and other services along Warrigal Road. The subject site is also within the Principal Public Transport Network and in close proximity to the South Oakleigh College and the Oakleigh South Primary School. The land could be reasonably considered a strategic redevelopment site given its size and the potential for a well designed medium density development. Critical in determining the appropriateness of any proposal is how the development integrates and responds to the surrounding context.

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

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

The applicable strategies include:

- Site analysis.
- Consideration of height, scale and massing of new development.
- Ensure development responds and contributes to the strategic and cultural context of its location.
- Minimise detrimental impact on neighbouring properties, the public realm and natural environment.
- Ensure the form, scale and appearance of development enhances the function and amenity of the public realm.
- Buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
- Development provides safe access and egress for pedestrians, cyclists and vehicles.

A site analysis has been provided with the application as the starting point, to identify the gradient profile of the subject site, the immediate context and the broader neighbourhood.

Surrounding residential areas are described by the Monash Housing Strategy (2014) as established Garden City Suburbs which provide for lower scale residential development, modest building scale and architectural styling of a more conventional suburban form which typically comprises of simple pitched rooflines, articulated facades and generous landscaped front and rear yard open space areas.

The proposal with attached dwellings, narrow dwelling facades and minimal ground level private open spaces is not considered to be in keeping with the neighbourhood character. The strategic policy reasoning for a development of the proposed intensity is unjustified given the locality and context. The density and design response of the proposal is at odds with the established built form of the surrounding area and poorly responds to residential policy objectives relating to neighbourhood character and built form outcomes for the area. Whilst the site does provide an opportunity for infill medium density development and increased density, the design response needs to have better regard to the context of the surrounding area. The proposed development is considered inconsistent with the local planning policy framework in respect of its impact on neighbourhood character.

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

Housing policy at Clause 16.01 -2R seeks to:

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

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

Other Planning Policies including Clause 16.01-2S (Location of Residential Development), Clause 16.01-3R & S (Housing Diversity), Clause 16.01-4S (Housing Affordability), seeks to provide a diversity of housing types in and around areas which have good access to services and public transport.

Increased residential density and dwelling diversity is sought by state and local planning policies. However, the proposed development is considered inconsistent with these policies in respect of its impact on neighbourhood character. The subject land is not located in close proximity to an activity centre and even though it is located within the Principal Public Transport Network it has limited public transport connections. The strategic policy reasoning for a development of the intensity proposed is poor and unjustified given the locality and context.

The density and design response of the proposal is at odds with the established built form of the surrounding area and poorly responds to residential policy objectives relating to neighbourhood character and built form outcomes. Whilst the site does provide an opportunity for infill medium density development and increased density, the design response needs to have better regard for the surrounding context and applicable residential development policy.

Local Planning Policy Framework (LPPF)

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

“To encourage the provision of a variety of housing styles and sizes that will accommodate future housing needs and preferences of the Monash community that complement and enhance the Garden City Character of the City.”

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

“To recognize and provide for housing needs of an ageing population.”

“To recognize the need to conserve treed environments and revegetate other areas including new residential developments to maintain and enhance the Garden City Character of the municipality.”

“To ensure that development is appropriate having regard to the residential environment of the area, in particular neighbourhood character and amenity.”

“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.”

“Maintain the predominantly single detached dwelling style in urban areas by promoting low rise development as the preferred character for the majority of the residential areas within the City.”

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

“Promote and facilitate housing projects that will result in a mix of housing types including mixed use developments in appropriate locations, such as “shop

top” dwellings within the retail and commercial centres of activity centres, as well as over car-parks and other appropriate areas.”

“Promote a variety of dwelling sizes and types to promote greater affordability of housing and choice in medium and large urban developments.

The Residential Development and Character Policy at Clause 22.01 seeks to ensure that new development is successfully integrated into existing residential environments, with minimal streetscape or amenity impact, and designed to achieve outcomes that maintain and enhance the Garden City Character of the area.

Tree Conservation Policy at Clause 22.05 seek to maintain, enhance and extend the Garden City Character throughout Monash by ensuring that new development and redevelopment is consistent with and contributes to the Garden City Character as set out in the Municipal Strategic Statement.

Whilst an increased density is sought within Planning Policies, the submitted development plan poorly responds to Garden City Character and Vegetation Retention Policy objectives. The development plan is dominated by intense built form outcomes that poorly integrate and fail to adequately complement the established leafy character of the surrounding area. The proposed two and three storey buildings with minimum separation are not in keeping with the building rhythm of the neighbourhood context. In addition, the proposal does not provide for any single storey dwellings that would cater for the ageing population in Monash and poorly respond to the objective *‘to recognize and provide for housing needs of an ageing population’*.

Furthermore, the design response seeks to retain minimal existing on site vegetation. It does not adequately respond to tree retention objective nor the requirement in the DPO5.

Housing Diversity

Development Plan Overlay Schedule 5 specifically requires the development plan provide for a range of dwelling types to cater for varied housing needs.

The submitted development provides a reasonable mix of varied housing types including dwellings with varied numbers of bedrooms, layouts and sizes. Of some concern is the complete lack of detached and semi-detached single storey dwellings. As mentioned previously, limited supply of suitable housing for an ageing population is recognised by the Monash Housing Strategy 2014. The development plan could better respond to housing diversity requirements that cater for an aging population and persons with limited mobility through the inclusion of single storey dwellings.

Neighbourhood Character and Design Response

The submitted development plan does not have adequate or appropriate regard to the existing built form of the immediate surrounding area. The predominantly attached built form of the proposal is out of context within the established surrounding area which is dominated by detached dwellings with varied setbacks, well landscaped front gardens in traditional suburban form. The provision of rows of attached dwellings within this locality is contrary to the desired future character as envisaged by relevant policy.

The architectural styling of the proposal is dominated by attached two and three storey built forms, visually dominant upper level massing, generic and repetitious façade details, garages and driveways at ground level which dominate the street aspect and compromise the potential for meaningful landscaping. The repetitive design of the dwellings are not only limited to the dwellings located centrally in the development, but also the dwellings facing the street or on a corner location with street abuttal. The design response poorly responds to the garden character of the surrounding area, and is not respectful of the streetscape character.

Whilst the re-zoning and development plan requirement envisaged a medium density outcome for the site, the density and design response of the scale proposed is inappropriate having regard to the established context of the surrounding area. The visual bulk of two and three storey dwellings, the attached building forms and narrow width facades are out of context. The proposed development plan with dwellings containing minimum ground level gardens, lack of separations between the dwellings for meaningful landscaping has paid little regard to the existing garden setting in the area and the Garden City Character objectives.

The heavy reliance of tandem garages achieves poor outcomes and is further evidence of the excessive density of the proposal and has the potential to cause vehicle management, maneuverability and on street parking issues following occupation of the development.

It is considered that a design response for the site should better integrate new residential development with greater regard for the existing and preferred character of the surrounding area. The design response should be of a less intensive scale, provide for greater upper level building separation, more substantial ground floor secluded private open space areas providing for less intensive building massing, reduced building density, greater building separation and larger open space areas allowing for increased landscaping provision and opportunities for canopy tree planting throughout the site.

Built form and scale

Built form and scale requirements of DPO5 seek to:

“Create a composition of varied building forms and heights across the site.

Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing single storey residential development.

Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.

The overall objective for the land to achieve an integrated medium density residential development offering a choice and diversity of housing opportunities and types, appropriate to its setting and achieving a high quality of amenity and urban design.”

The principle of the proposed two and three storey heights and built form are not necessarily considered to be inappropriate, especially given the size of the site and strategic opportunity for a well designed medium density housing outcome. However the design response needs to take a more integrated approach to the built form and scale having regard to the established form of the surrounding area. Greater variation in building height, height graduation and increased upper level separation would result in a better integrated development.

Streetscape facades (Golf Road, Beryl Avenue and Bakers Road)

The proposed attached built form is inconsistent with the streetscape character, where the existing context is generally occupied by detached dwellings, modest in scale with an open garden setting. Any new developments should be designed to better integrate with the streetscape (Golf Road, Beryl Avenue and Bakers Road).

The predominant concept of the proposed dwellings fronting the internal road and backing onto Golf Road and Beryl Avenue will result in the streetscape being dominated by the narrow rear dwelling façades and visually dominant upper storey massing. This design response poorly integrates the development with the street frontages, provides a poor sense of address with no active or passive surveillance. In addition, high fencing is proposed to enclose the secluded private open space areas along the street frontages which will fragment the streetscape and be at odds with the surrounding fence styles where open front gardens with no or low front fencing are dominant.

North-eastern facade

The proposed three storey scale at the north-eastern corner is considered reasonable. The abutting section of the Golf Club is occupied with utilities with no vegetation and is not as sensitive as the other parts of the Golf Club. The proposed terrace style dwellings have repetitive façade details and little visual interest. This is not a responsive design to the housing rhythm and built form of the neighbourhood context and would need to be improved should the plan be approved.

Northern facade

The interface to the northern boundary also results in a unbroken continuous massing impact of approximately 95 metres in length. Although the dwellings are generally setback 6-7.5 metres at ground level, there is little to no recess of the first floor or breaks between dwellings results in an excessive two storey built form for nearly the full length of this boundary.

Whilst the dwellings provide for some variation in façade details and materials, the attached form is inappropriate given the adjoining rear yard interface. The submitted indicative architectural detailing and theme of these dwellings presents two storey sheer walls with gabled roof form, pays little regard to the neighbourhood context and are not considered to be a responsive design to this interface.

Overall, the design of the proposal poorly integrates with the built form in the surrounding area with regard to both streetscape and rear yard character. The architectural styling of the proposal is not in keeping with the established built form and neighborhood. The proposed development is visually dominant in its presentation to the internal streets being up to three storeys in height and dominated by garages, car parking and internal roads at street level.

Streetscape Integration

The internal road network is generally dominated by garages and accessways creating a lack of sense of address. The dominance of garages is a consequence of the intense density of the proposal, narrow dwelling widths, rear loaded design, and poor integration with the street. The dominance of garages, accessways and car parking is further exacerbated by limited opportunities for landscaping elements.

The dwellings near the north-western corner should be orientated toward Golf Road to active the entrance to the development, and improve the sense of address to the Golf Road frontage. Similarly, the dwellings along Beryl Avenue should be oriented to the street to strengthen the sense of identity to Beryl Avenue, with meaningful separation between the dwellings respectful of the surrounding context.

Essentially the scale of the proposal is out of context with the surrounding built form. The attached narrow townhouse is not typical of the character of the surrounding area which comprises mostly detached single and double storey dwellings. The surrounding dwellings in the neighbourhood have strong sense of address and street aspect, in keeping with the suburban nature and form of the neighborhood. The proposal lacks a sense of address and appropriate dwelling orientation to the street, poorly complimenting the surrounding built form. The narrowness of the dwelling facades also caused by the reliance of reversed living layouts is further evidence of the excessive density of the proposal.

It is considered that a more appropriate design response for the site would be less visually dominant, more modest in scale and massing, and provide for appropriate setback to the street and adjoining properties. Architectural styling and design detail should be more reflective and sympathetic of the predominant character and form of the surrounding area including dwellings with a more individual sense of address and substantially landscaped front setback.

New development should achieve high standards in architecture and urban design. The visual impact and indicative design detail and urban design response is at odds with the established residential form of the surrounding area. The façade treatments starkly contrast the architecture and established built form character of the surrounding area. The gabled roof further exacerbates the bulk and dominance of the dwellings. A more graduated building height, greater separation of dwellings, and more open landscaping within Golf Road and Beryl Avenue street setback areas would result in a more appropriate and sympathetic transition between the surrounding residential form and the subject site. Greater façade articulation and utilisation of softer materials and finishes in keeping with the form of the surrounding area would further improve the transition. Any design response should have appropriate regard for the existing neighbourhood context and the garden city character.

Street Setback

The proposed street setbacks are typically 5-7 metres to Beryl Avenue, and over 9 metres to Golf Road. These setbacks are considered appropriate having regard to the prevailing setback of the surrounding area. However, the rear loaded design of the dwellings along the two street frontages results in the seclude private open space areas located 'in front of' these dwellings, which will poorly interact with the street, and result in high fencing along street frontages. The street setback is obscured with high fencing, and has no interaction to the street which is considered a poor outcome of the proposal.

Overall the proposed development plan is inappropriate given the locality and context of this established residential area. It does not reflect the significant elements that form the character of the area which are consistent front setbacks, dwellings orientated and integrated towards the street with open and substantially landscaped front gardens.

Landscaping and Retention of trees

The provisions of DPO5 that relate to vegetation retention have been subject to various legal interpretations. The order from the Supreme Court Victoria on 21 December 2016 for 10 Alvina Street Oakleigh South determined the development plan must include a landscape plan; the landscaping plan must incorporate any vegetation that is significant however it does not need to incorporate all trees rated as 'moderate' or 'high' in the 2013 Tree Logic Assessment. 10 Alvina Street is subject to the same DPO5. Any proposal to

remove trees within the subject site will be the subject of a merits assessment.

The proposed landscape plan proposes to retain seven (7) trees on site which are rated as having a 'moderate' retention value in the 2013 Tree Logic assessment. The proposal seeks to remove the remaining 48 trees on site including eleven (11) trees that were rated 'moderate' in the 2013 Tree Logic Assessment. The proposed approach to tree retention in the submitted development plans is poor and falls far short of a reasonable response and this in itself is a sufficient basis to not approve of the submitted development plans.

The 2013 Tree Logic Assessment nominates 25 trees with an aboriginal rating of moderate retention value. No trees were attributed with an aboriginal rating of high retention value. The trees are generally Victorian and Australian native eucalypt species and range in height from 7 to 24 metres.

The majority of vegetation (17 trees) with moderate retention value are predominantly located within the centre of the site and would require modifications to the proposed development plan should these trees be retained. Eight (8) trees of moderate retention value proposed for removal are located within close proximity to the site boundaries in areas which would generally be best suited to private open space and street setback areas and yet the proposed development plan also failed to incorporate these trees into the landscaping response. A more responsive design response could be sought to achieve this.

As tree removal is assessed on its merits, Council's arborist has assessed all the trees on site proposed for removal and recommended seven (7) trees to be retained.

Tree Number	Common Name	Height (m)	Crown (m)	Health & Structure	Retention Value	Comments from Council Arborist (Summary)
2	Southern Mahogany (<i>Eucalyptus botryoides</i>)	28	19	Fair & Fair	Fair	Significant specimen in the landscape. Some history of limb failures and deadwood present. Overall structure 8/10. As referred to in the applicant's arborist report, the tree does have Lerp infestation but this is very typical of this species. Less common are removals from serious decline relating to this. Tree should have >10 - 15yrs ULE and will continue to contribute to the amenity of the area. Should be retained but require appropriate remedial works.
8	Swamp Gum (<i>Eucalyptus ovata</i>)	8	7	Fair & Fair-Poor	Low	Reasonable condition, vigour 85%, structure 7/10 should be retained . Remedial attention recommended.
12	Silky Oak (<i>Grevillea robusta</i>)	14	12	Fair & Fair	Moderate	Good condition (86-90%). No significant defects. Worthy of retention .
20	Sydney Blue Gum (<i>Eucalyptus saligna</i>)	26	21	Fair & Fair-Poor	Low	Large and visually significant specimen in the landscape. The tree displays good vigour (>90%) However, notable tree defects and concerns include necrotic lesion; proximity is immediately

						adjacent the Golf Road frontage and the neighbouring property, with canopy extending over these property boundaries; some deadwood; rod bracing/cabbling in several primary limbs. If the tree is retained, preference is the following recommended: detailed inspection into structural integrity and long term viability, Retention is preferred but more detailed review needed regarding works required to the tree.
21	Southern Mahogany (Eucalyptus botryoides)	20	14	Fair & Fair-Poor	Low	Large specimen. Reasonable condition overall, 85-90% vigour. Small branch hollow observed in upper crown that lorikeets using. Needs some remedial pruning but should be retained.
22	Spotted Gum (Corymbia maculata)	16	9	Fair & Fair	Moderate	Arguably the best specimen on this site in terms of overall good health, structure and little to no major issues should be retained.
24	Southern Mahogany (Eucalyptus botryoides)	24	21	Fair & Fair-Poor	Moderate	Large specimen. Reasonable condition overall, <85% LCR, deadwood >15% should be retained but remedial pruning should be completed.

These trees should be considered for retention given their height, health, structure and significance to the streetscape. They are located primarily along property boundaries, and within the centre of the site and could be accommodated within any appropriate design.

Minimal separation between dwellings, small sized ground level secluded open spaces and minimal provision of ‘nature strip’ spaces along the internal road results in limited areas for meaningful landscaping and canopy tree provision throughout the remainder of the site. One of the main concerns with the current proposal is the lack of soft landscaping opportunities available throughout the site due to the high yield of dwellings.

The submitted development plan should incorporate increased landscaping areas throughout the site and greater retention of existing significant vegetation to better complement and integrate the site with the surrounding area. The proposed development plan does not adequately provide for retention of significant vegetation as required by DPO5.

Sustainable Design Features

The layout and siting of proposed buildings have been designed with limited regard for northerly aspect and maximised solar access for living areas and secluded private open space areas opportunities. Further inclusion of innovative environmentally sustainable design (ESD) and water sensitive urban design (WSUD) within the proposal would assist in providing a better design and outcome for this site.

Car Parking, Access & Traffic Impact

The proposal provides for car parking generally in accordance with the requirements of Clause 52.06.

Car parking for the development is provided as follows:

DWELLING TYPE	NUMBER OF DWELLINGS	CLAUSE 52.06 REQUIREMENT	CAR SPACES PROVIDED
2 bedrooms	16	1 space per dwelling	16
3 bedrooms	18	2 spaces per dwelling	36
4 bedrooms	55	2 spaces per dwelling	110
Visitor Parking	89	N/A- subject site within PPTN	12
Total Required		162	
Total Provided			174
Surplus			12

The statutory car parking requirement for the development is 162 car spaces with no requirements for visitor car spaces as the subject site is located within the Principal Public Transport Network (PPTN). The proposed car parking provision for 174 car spaces exceeds the Planning Scheme requirement.

A Traffic Engineering Analysis prepared by Traffix Group (December 2018) was submitted as part of the application providing an assessment of all car parking, access, traffic generation and impact and waste collection (accessibility) facilities. The Development Plan and supporting Traffic advice was considered by Council's Traffic Engineering Department who have provided the following comments (summarised):

- Additional parking along the development site frontages to Beryl Avenue and Baker Road are available with around 19 spaces in Beryl Avenue according to the traffic report. No street parking is available along the Golf Road frontage.
- Minimum garage dimensions (measured internally) are to be as follows:
 - Single width garage - 3.5 metres wide by 6.0 metres long.
 - Single width tandem garage - 3.5 metres wide by 11.4 metres long (The traffic report notes reduced width for rear spaces of 3.2 metres is not acceptable).
 - Double width garage – 5.5 metres wide by 6.0 metres long.
 - There is concern that storage areas proposed within the garages reduces the length of garage available for vehicles.
- A minimum of 5.5 metres between vehicle crossings.
- Require removal of obsolete indented parking bay on Beryl Avenue (opposite 1 Bakers Road).
- Visitor parking space dimensions to meet Planning Scheme requirements.
- It is suggested that a minimum of 6.0 metres trafficable road width is required on the internal access roads to allow parked cars on one side and

a garbage truck to be able to pass. Even if parking is not encouraged along the roadways, it is common practice that in this type of infill development residents will park any additional vehicle which may affect garbage truck movements.

- The traffic report notes that the accessway reduces to a width of 3.6 metres in one location which only allows for one direction of traffic at a time. This should be clearly signed.
- The proposed bollards around the central reserve is considered essential to discourage parking on the reserve.
- The provision of a footpath from the Council reserve on Golf Road connects the development to the existing school crossing is supported.
- All footpaths to be minimum 1.4 metres in width.
- The surface of any threshold/road feature treatments should be carefully considered for vehicle traction and pedestrian safety.
- Need to identify kiosk substation location (if required) to determine if landscaping/ footpath etc. is affected.
- There is concern that the swept path diagram for the waste vehicle relies on vehicle crossing areas (which may be blocked by overhanging vehicles) and affects proposed tree plantings.

Whilst most of the concerns raised by Council's Traffic Engineer could be addressed by minor amendments to the proposal, they will further reduce the scope of landscaping within the development or exacerbate the built form of the attached dwellings such as increasing the internal road width to 6 metres, and widening the garage widths to meet the Planning Scheme requirement.

The proposed development plan contains 73 dwellings with three or four bedrooms which requires two car parking spaces to each dwelling. Among the 73 dwellings, 65 dwellings will be provided with double length garages (two car spaces in tandem parking), and 8 dwellings will be provided with double garages. It is not ideal for such a large number of dwellings (over 94% of dwellings) to rely on a tandem car parking arrangement.

Council's Traffic Engineer agreed that traffic generation will be a minor impact on local roads as discussed in the Traffic Report provided.

Pedestrian Links and Permeability

Requirements of DPO5 seek to:

“Create opportunities for improved local permeability through provision of new pedestrian/cycle pathways or new local street networks where appropriate.”

The development plan proposes pedestrian paths along one side of the internal accessways and four (4) pedestrian links through to Beryl Avenue adjacent to

the southern boundary. These links are evenly located across the southern boundary to Beryl Avenue and they are visible from the street with good surveillance. These links provide good connection between the development and Beryl Avenue, the width of these links are adequate for pedestrian access as well as to provide additional landscaping opportunities. Design detail would be required to demonstrate pedestrian safety.

Numerous submissions received from the community highlighted the lack of pedestrian path within the internal road. The provision of a pedestrian path would improve pedestrian access within and through the site but would also compromise the space for landscaping and reasonable dwelling sizes.

Environmental Sustainability Assessment

An Environmental Sustainability Assessment was submitted as part of the application. The assessment shows an overall BESS Score of 67% which exceeds the minimum requirement of 50% and achieved compliance.

Risk assessment given proximity to a nearby landfill

The DPO5 requires the applicant to undertake and submit to Council a risk assessment detailing the risk of landfill gas migration from nearby landfills. The risk assessment must be conducted by a suitably qualified professional, having regard to the relevant EPA Publication to the satisfaction of the responsible authority.

Prensa Pty Ltd has prepared a Landfill and Gas Risk Assessment for the site (dated 7 December 2018) and this forms part of the supporting documentation for the Development Plan. The report concludes that the risk of landfill gas migration occurring and causing an unacceptable human health or environmental impact on the proposed residential development is low and that no further landfill gas investigation or assessment is warranted.

CONCLUSION:

Whilst the proposal would satisfy the increased density objectives of the Monash Planning Scheme, it would do so at the expense of the existing and future neighbourhood character of the area. While the proposal provides for reasonable dwelling diversity, the design response fails to suitably meet design requirements relating to density, neighbourhood character, vegetation retention, car parking provision and integration with streets.

The design response displays inadequate regard for the surrounding context having insufficient consideration of neighbourhood character, established and emerging built form, building height and scale, height transition, design detail, tree retention, landscaping opportunity, common open space provision and future amenity outcomes for residents. The heavy reliance on tandem car parking arrangement further compromises the practicality of the garages.

Substantial land size is not sole justification for development of the proposed intensity and scale of development. The proposal is excessive in its built form given the locality, fails to retain significant trees as sought in the DPO, and does not provide adequate car parking. It does not demonstrate a site responsive design and constitutes an overdevelopment of the subject land.

It is recommended that Council form the position to not support the proposed Development Plan and that it advises VCAT and the applicant of its position.

LIST OF ATTACHMENTS:

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (October 2014).

Attachment 3 – Zoning and Overlays Map.

Attachment 4 – Submission Properties Location Map.