

**1.3 1494-1496 NORTH ROAD, CLAYTON
USE AND DEVELOPMENT OF THE LAND WITH A SIX (6) STOREY BUILDING FOR
THE PURPOSES OF STUDENT ACCOMMODATION
(TPA/51520)**

EXECUTIVE SUMMARY:

This application proposes the construction of a six (6) storey building above a basement car park for the purpose of student accommodation. A total of 105 rooms are proposed.

The application was subject to public notification. A total of ten (10) objections to the proposal have been received.

Key issues to be considered relate to building height and scale, neighbourhood character, amenity impacts to adjoining properties, impact on the future development of adjoining properties, internal amenity for future residents and the impact of additional vehicle traffic to and from the site.

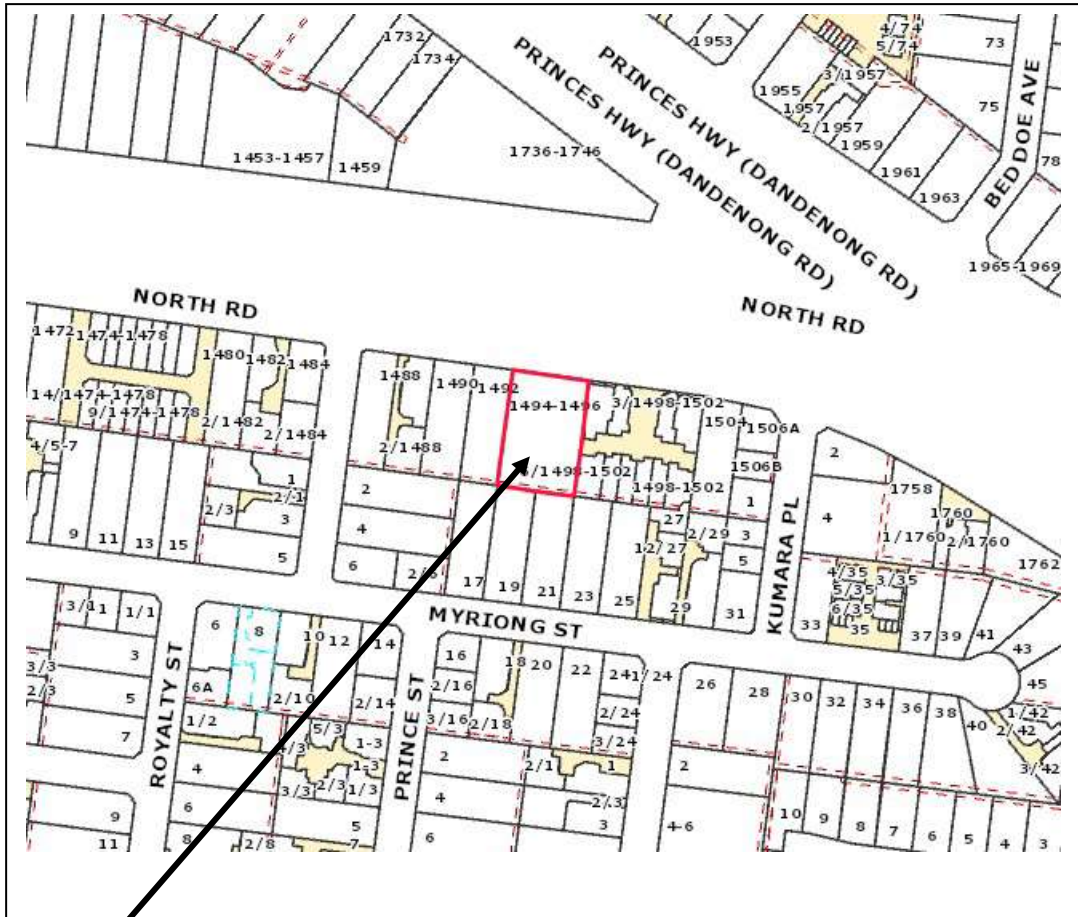
This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state and local planning policy framework, Clause 58, the adopted Clayton Activity Centre Precinct Plan and issues raised by objectors.

The reason for presenting this report to Council is the proposed development cost of \$10 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.

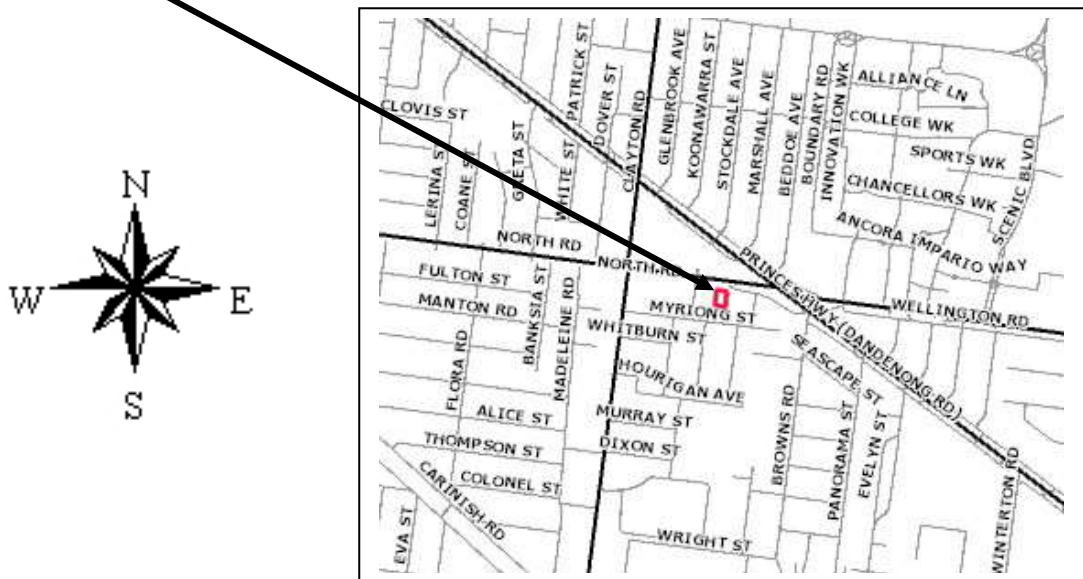
RESPONSIBLE DIRECTOR:	Peter Panagakos
RESPONSIBLE MANAGER:	Natasha Swan
RESPONSIBLE PLANNER:	Alexandra Wade
WARD:	Oakleigh
PROPERTY ADDRESS:	1494-1496 North Road, Clayton
EXISTING LAND USE:	Place of Worship
PRE-APPLICATION MEETING:	Yes
NUMBER OF OBJECTIONS:	Ten (10)
ZONING:	Residential Growth Zone, Schedule 3
OVERLAY:	Nil
RELEVANT CLAUSES: <u>State Planning Policy Framework</u> Clause 11.01-1S & 11.01-1R- Settlement Clause 11.02-1S – Supply of Urban Land Clause 11.03-1S & R – Activity Centres Clause 15.01-1S & R – Urban Design Clause 15.01-4S & R – Healthy Neighbourhoods Clause 15.02-1S – Energy and Resource Efficiency Clause 16.-1-1S & R – Integrated Housing Clause 16.01-2S – Location of Residential Development Clause 16.01-2R – Housing Opportunity Areas Clause 16.01-3S&R – Housing Diversity Clause 18.02-1S & R – Sustainable Personal Transport Clause 18.02-2R – Principal Public Transport Network Clause 18.02-4S – Car Parking Clause 19.03-3S – Integrated Water Management	<u>Local Planning Policy Framework</u> Clause 21.01- Introduction Clause 21.04 – Residential Development Clause 21.06 – Major Activity and Neighbourhood Centres Clause 21.08 – Transport and Traffic Clause 21.13 – Sustainability and Environment Clause 22.01 – Residential Development and Character Policy Clause 22.04 – Stormwater Management Policy Clause 22.05 – Tree Conservation Policy Clause 22.10 – Student Accommodation Policy Clause 22.13 – Environmentally Sustainable Development Policy <u>General & Particular Provisions</u> Clause 52.06 – Car Parking Clause 53.18 – Stormwater Management in Urban Development Clause 52.34 – Bicycle Facilities Clause 58 – Apartment Developments Clause 65 – Decision Guidelines
STATUTORY PROCESSING DATE:	3 September 2020
DEVELOPMENT COST:	\$10 Million

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



1494-1496 North Road, Clayton - Use And Development Of The Land With A Six (6) Storey Building For The Purposes Of Student Accommodation

RECOMMENDATION:

That Council resolves to issue a **Notice of Decision to Grant a Planning Permit (TPA/51520)** for the use and development of the land with a six (6) storey building plus basement car parking for the purposes of accommodation (student accommodation) and to alter access to a road in a Road Zone Category 1, at 1494-1496 North Road, Clayton subject to the following conditions:

Amended Plans Required

1. Before the development commences, amended plans 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 dated 31 July 2020 but modified to show:
 - a) The existing vehicle crossover on North Road to be retained, with a passing area provided within the site with a minimum width of 6.1 metres.
 - b) The street tree identified as Tree 2 within the Arborist Report prepared by John Patrick Pty Ltd dated July 2020 to be shown to be retained.
 - c) Gas metres and service boosters to be relocated adjacent to the proposed water metres within the north-east corner of the site, creating a secluded area for outdoor seating for residents.
 - d) The pedestrian entry pathway to be rationalised to be a single pathway, and bicycle spaces to be placed on grasscrete paving to reduce the amount of hard paving adjacent to the building entry.
 - e) The location of trees 7-10, 13 and 14 and their Tree Protection Zones as identified within the Arborist Report prepared by John Patrick Pty Ltd dated July 2020.
 - f) The headroom clearance of the top tier of each car stacker to be raised to allow for a vehicle up to 175cm in height.
 - g) A minimum aisle width adjacent to the mechanical parking system of space 14/15 to be 6.2 metres.
 - h) An extended sill area located on the bottom of the window associated with Room G.02 to reduce amenity impacts from the accessway below.
 - i) A sectional diagram of the proposed external metal window screens to show compliance with Standard D14 of Clause 58.04-1.
 - j) The eastern facing study window associated with L1.22 & L2.22 and the western facing bedroom and study window associated with L1.02 and L2.02 to be screened in accordance with Standard D14 of Clause 58.04-

1, or sectional diagrams provided indicating that screening is not required.

- k) The trellis proposed on the southern boundary to be deleted and replaced with a freestanding screen, set back off the boundary with screen planting and / or creeper planting on the southern side of the screen. The screen must prevent unreasonable overlooking from the ground floor windows and terrace area in accordance with Standard D14 of Clause 58.04-1.
- l) The introduction of a brick finish to the ground floor of the building on all elevations.
- m) The introduction of a timber look finish within the recessed elements of the podium level to create further articulation and soften the building form.
- n) Plans to reflect revisions required by the amended Waste Management Plan prepared in accordance with Condition 7 of this Permit.
- o) A Landscape Plan prepared in accordance with Condition 3 of this Permit.
- p) A Tree Management Plan prepared in accordance with Condition 4 of this Permit.

No Alteration or Changes

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

Landscape Plan

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 prepared by John Patrick Landscape Architects Pty Ltd, dated 16 July 2020 except that the plan must show:
 - a) Planter boxes to be introduced to the communal balcony at Level 4; and
 - b) Any changes as required by Condition 1 of this Permit.

Tree Management Plan

4. Concurrent with the endorsement of any plans pursuant to Condition 1 and prior to any demolition or site works, a Tree Management Plan (TMP) must

be submitted to and approved by the Responsible Authority. The TMP must be prepared by a suitably qualified and experienced Arborist and must set out recommendations and requirements in relation to the management and maintenance of Tree Nos. 2, 3, 4, 5 and 14 (as identified in the Arborist Report submitted with the application, prepared by John Patrick Landscape Architects Pty Ltd dated July 2020).

The TMP must be approved by the Responsible Authority prior to the commencement of any works, including demolition and/or levelling of the site. The TMP must make specific recommendations in accordance with the Australian Standard AS4970: 2009 - Protection of Trees on Development Sites and detail the following to the satisfaction of the Responsible Authority ensuring the trees to be retained remain healthy and viable during construction:

- a) A Tree Protection Plan drawn to scale that shows:
 - i. Tree protection zones and structural root zones of all trees to be retained;
 - ii. All tree protection fenced off areas and areas where ground protection systems will be used;
 - iii. The type of footings within any tree protection zones;
 - iv. Any services to be located within the tree protection zone and a notation stating all services will either be located outside of the tree protection zone, bored under the tree protection zone, or installed using hydro excavation under the supervision of the Project Arborist; and
 - v. A notation to refer to the Tree Management Plan for specific detail on what actions are required within the tree protection zones.
- b) Details of how the root system of any tree to be retained will be managed. This must detail any initial non-destructive trenching and pruning of any roots required to be undertaken by the Project Arborist.
- c) Supervision timetable and certification of tree management activities required by the Project Arborist to the satisfaction of the responsible authority; and
- d) Any remedial pruning works required to be performed on tree canopies located within subject site. The pruning comments must reference Australian Standards 4373:2007, Pruning of Amenity Trees and a detailed photographic diagram specifying what pruning will occur.

The recommendations contained in the approved tree management plan must be implemented to the satisfaction of the Responsible Authority.

Section 173 Agreement

5. Prior to the endorsement of plans referred to in Condition 1 the owner of the land must enter into an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987. In addition to the usual mechanical provisions, the agreement must provide for the following matters:
- a) That each of the rooms are used for a single student only and no more than 105 occupants can reside at any given time.
 - b) That no person may reside in the building unless that person is a bona fide student or academic whether part time, full time, short term or resides there in a supervisory, management or caretaker capacity;
 - c) Car parking spaces are only permitted to be used by the occupants of the units and their visitors and must not be subdivided, on-sold or leased to any other person;
 - d) The number of students residing on-site who have cars shall not exceed the number of on-site car spaces provided by the development;
 - e) The owner and residents of the development will comply with all conditions and requirements of Planning Permit TPA/51520; and,
 - f) Should the land cease to be used for student housing, a new planning permit may be required for an alternative use. It should be noted that any dispensation for on-site car parking given to the student accommodation development is not transferable to any proposed alternative use of the land. Any subsequent use will be assessed in accordance with the car parking requirements of the Monash Planning Scheme.

All costs of preparation, execution and registration of the agreement must be borne by the owner of the land, or the future Owners Corporation, including those costs incurred by the Responsible Authority.

Student Accommodation Management Plan

6. Prior to the commencement of the use, a Management Plan for the Student Accommodation Facility is to be prepared, submitted to and approved by the Responsible Authority. The Management Plan must include the following:
- a) The contact details of the responsible contact person displayed in a manner and location so that it is visible to any person entering the site. This information is to be updated as required immediately following any change to the nominated responsible contact person.
 - b) Details of the terms of accommodation and the maximum number of persons to be accommodated onsite.

- c) Car parking spaces are only permitted to be used by the occupants of the units and their visitors and must not be subdivided, on-sold or leased to any other person.
- d) A register that documents the allocation of car spaces.
- e) Maintenance of buildings and grounds, including all landscaped areas.
- f) Provision of information to students on local public transport and amenities in the area.
- g) Permanent display of the Management Plan in a common area accessible to all residents of the student accommodation facility.

Waste Management

7. Concurrent with the endorsement of any plans pursuant to Condition 1, a Waste Management Plan must be submitted and approved by the Responsible Authority. The plan must be generally in accordance with the plan prepared by Leigh Design dated 30 March 2020, but showing to the satisfaction of the Responsible Authority:
- a) The purpose as stated in the City of Monash Waste Management Guide for Applicants to be added;
 - b) A plan of the waste storage area proposed;
 - c) A detailed description of the development including TPA number, proposed uses, number of levels and existing land use;
 - d) Revision of food waste calculation for proposed use given higher generation rate anticipated for proposed use (10L/week);
 - e) The provision of a food waste recycling system;
 - f) A 240L dedicated glass bin to be provided;
 - g) In-dwelling and recreational receptacles described;
 - h) Location of hard waste, e-waste and clothing bin to be confirmed;
 - i) Swept path diagram of waste vehicle including collection location; and
 - j) Details of sewer drain and bin washing facilities within waste storage area.

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

Construction Management Plan

8. 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; and
- o) Except with the prior written consent of the Responsible Authority, 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).
 - No works are permitted on Sundays or Public Holidays.

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

Ongoing Sustainable Management Plan (SMP) Requirement

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

Use of Land

10. The development can only be used for the purpose of student accommodation. Should the land cease to be used for student accommodation, a new planning permit may be required for any alternative use. The car parking requirements for any subsequent use will be assessed in accordance with the provisions of the Monash Planning Scheme.
11. Not more than one person may reside in each bedroom shown on the endorsed plans at any one time.
12. All common areas on the endorsed plans must be made available and accessible to a resident on a shared basis at all times.
13. A resident on-site manager must be on the premises at all times.

Landscaping and Tree Retention

14. 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.
15. 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.
16. Before any development (including demolition) starts on the land, a tree protection fence must be erected around trees identified within the endorsed Tree Management Plan to define a "Tree Protection Zone" as detailed in the endorsed arborist report. The fence must be constructed as specified in the endorsed arborist report. The tree protection fence must remain in place until all construction is completed on the land, except with the prior written consent of the Responsible Authority.

Car Parking and Accessways

17. All car parking spaces are to remain in common property for the communal use of residents.

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. Low intensity / baffled lighting must be provided to ensure that car park areas and pedestrian accessways are adequately illuminated without any unreasonable loss of amenity to the surrounding area, to the satisfaction of the Responsible Authority.
20. Any new vehicle crossover or modification to an existing vehicle crossover must be constructed to the satisfaction of the Responsible Authority.
21. Unless otherwise agreed in writing by the Responsible Authority, the model of car stacker used in the basement car park is to be the Klaus 2072i-195.
22. Before the use starts or any building is occupied, car stackers must be installed in accordance with the endorsed plans.
23. The car stackers must be routinely serviced and maintained to the satisfaction of the Responsible Authority to ensure satisfactory access to all car spaces and to prevent any adverse effect on adjoining land by the emission of noise.

Privacy screens

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

Services and Plant Equipment

25. All pipes (except down-pipes), fixtures, fittings and vents servicing any building on the site must be concealed in service ducts or otherwise hidden from external view, to the satisfaction of the Responsible Authority.
26. 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.
27. 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.
28. No bin or receptacle or any form of rubbish or refuse shall be allowed to remain in view of the public and no odour shall be emitted from any receptacle so as to cause offence to persons outside the land.

Drainage & Stormwater

29. The site must be drained to the satisfaction of the Responsible Authority.
30. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Council's drains or watercourses during and after development, to the satisfaction of the Responsible Authority.
31. Stormwater discharge is to be detained on site to the predevelopment level of peak stormwater discharge. Approval of any detention system is required by the City of Monash prior to works commencing.

Time for Starting and Completion

32. 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 has 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:

- (i) within six (6) months afterwards if the use or the development has not commenced; or
- (ii) within twelve (12) months afterwards if the development has not been completed.

Council and the Victorian Civil and Administrative Tribunal are unable to approve requests outside of the relevant time frame.

NOTES:

- A. This is not a Building Permit. Building approval must be obtained prior to the commencement of the above approved works.
- B. The removal of street trees is to be sought by Council's Horticulture Department. A contribution payment may be required for the removal of any street trees.
- C. Engineering permits must be obtained for new or altered or removal of vehicle crossings, works within the Road Reserve and for connections to Councils drains / Council pits / Kerb & Channel and these works are to be inspected by Council (telephone 9518 3690).
- D. One copy of the 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.
- E. 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.
- F. 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.
- G. Unless no permit is required under the planning scheme any signs must not be constructed or displayed without a further permit.
- H. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.
- I. Residents of the approved development will not be entitled to car parking permits for on street car parking.

BACKGROUND:

The Site and Surrounds

The site is located on the southern side of North Road, approximately 140 metres west of Dandenong Road / Princes Highway in Clayton.

The site is located on the northern edge of the Clayton Activity Centre.

The site has a frontage of 32.31 metres to North Road, and a depth of 48.77 metres, yielding a total site area of 1576sqm.

The site currently contains a single storey brick building used for a place of worship. The building is located towards the front of the site, with an open grassed area to the rear.

Vehicle access to the site is located via the North Road service lane, adjacent to the western boundary of the site.

Five (5) large street trees are located within the North Road reserve. Limited vegetation is located within the site itself.

The site is within the Monash National Employment and Innovation Cluster (MNEIC). Monash University is located approximately 200 metres east of the site. The surrounding area is predominantly residential, supporting single detached dwellings and a number of multi-unit developments. Some non-residential uses are also present including a childcare centre located east of the site at 1758 Dandenong Road, and a small shopping strip located on Clayton Road west of the site.

More specifically, details of adjoining properties are as follows:

North: North Road is located north of the site which is a Category 1 Road Zone. A service road is located adjacent to the site. North Road includes three lanes heading westerly, and four lanes (plus a bus lane and right turning lane) heading easterly. A grassed reserve separates the two directions of traffic. The road reserve measures approximately 60 metres in width. On the opposite side of the road is the General Residential Zone, Schedule 6. Despite the residential zoning the property on the corner with Dandenong Road (No. 1736-1746) is currently used as a convenience restaurant (McDonalds).

East: No. 1498-1502 North Road is located east of the site which supports ten (10) two-storey townhouses. Vehicle access is via the service road, central to the site which allows for vehicle access for all properties. Units 1 and 5 directly abut the subject site which includes areas of secluded private open space and a section of common property adjacent to the accessway. High brick and timber paling fencing (approximately 1.8m high) is erected along the frontage of the site.

South: Two properties directly abut the site to the south, which front Myriong Street (No. 19 & 21 Myriong Street). The dwellings are single storey, with a large area of secluded private open space located to the rear of the dwellings. These properties are also located within the Residential Growth Zone, Schedule 3.

West: No. 1492 North Road abuts the site to the west which is currently vacant, however has a current Planning Permit (TPA/48187) which allows for the construction of six (6) three storey attached reverse living townhouses arranged down the length of the site. The vehicle accessway is proposed along the eastern boundary of the site. Balconies are located at the first floor which face the subject site and are set back 4.5 metres from the boundary.

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

PROPOSAL:

The proposal seeks the demolition of the existing building on the land and the development of the land with a six (6) storey building used for student accommodation. More specifically, the proposal includes:

- A total of 105 rooms across the six levels of the building.
- The basement car park includes a total of 31 car parking spaces for residents including eighteen (18) spaces within independent car stackers.
- The existing crossover within the north-west corner of the site is proposed to be increased in width, allowing for a double width accessway leading to the basement car park.
- An existing street tree (Tree 2 – Eucalyptus scoparia) is proposed to be removed to allow for the modified crossover.
- A total of 53 bicycle spaces within the basement car park for residents, and four (4) bicycle spaces at ground floor, within the front setback of the site.
- Room sizes vary from 26sqm to 38sqm in area.
- Communal facilities for residents include a laundry within the basement, dining area and kitchen at the ground floor, and living and recreational spaces at each level of the building.
- Waste collection is proposed from the basement car park where a waste store area is proposed.
- The overall height of the building is 19.6 metres (20.73 measured to the top of the plant screen).
- The minimum setback of the building from the frontage of the site is 4 metres.
- No front fence is proposed, however screening is proposed to be associated with services located along the frontage of the site.
- The building is proposed to be constructed with a mixture of materials including cement render finish and exterior cladding.

Attachment 1 details plans forming part of the application.

PERMIT TRIGGERS:**Zoning**

The subject site is located within the Residential Growth Zone, Schedule 3 (RGZ3) under the provisions of the Monash Planning Scheme.

Pursuant to the Residential Growth Zone (Clause 32.07-2), a permit is required to use the land for a rooming house (Student Accommodation). A permit is also required to construct a building or construct or carry out works for this use (Clause 32.07-8).

Overlay

The land is not affected by any overlays under the provisions of the Monash Planning Scheme.

Particular & General Provisions**Clause 52.06 – Car Parking**

Pursuant to Clause 52.06-3 (Car Parking), a Permit is required to reduce the number of car parking spaces required under Clause 52.06-5 or in a schedule to the Parking Overlay.

The car parking requirement specified for a use listed in Table 1 does not apply if a car parking requirement for the use is specified under another provision of the Planning Scheme. Council's Student Accommodation Policy at Clause 22.10-4 (Student Accommodation Policy) specifies car parking to be provided at a rate of 0.3 spaces per bed for the subject site.

As the required car parking has been provided on the site, a Planning Permit is therefore not sought under this provision.

Clause 52.34 – Bicycle Facilities

Pursuant to Clause 52.34-2 (Bicycle Facilities), a Permit may be granted to vary, reduce or waive any requirement of Clause 52.34-5 and Clause 52.34-6. A rate for student accommodation is not identified in this policy, however Clause 22.10 (Student Accommodation Policy) identifies that bicycle parking spaces should be provided at a rate of 1 bicycle space for every 2 students.

As the required bicycle parking has been provided on the site, a Planning Permit is therefore not sought under this provision.

Clause 52.29 – Land Adjacent to A road Zone, Category 1

Pursuant to Clause 52.29-2, a Permit is required to create or alter access to a road in a Road Zone, Category 1.

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

CONSULTATION:

Further information was requested of the Permit Applicant on 19 May 2020. In this letter, officers also raised the following preliminary concerns:

- The proposal fails to provide for the statutory car parking rate prescribed in the Planning Scheme.
- The proposal fails to respond to the slope of the land. This is represented by the raised ground floor level to the rear of the site, requiring substantially high fencing / trellis (total of 3.4m high) resulting in unnecessary bulk to adjoining properties. It also fails to allow for a useable communal space to the rear of the site.
- The proposal fails to allow the development to sit in an 'open garden setting' as per Council's neighbourhood character guidelines, particularly within the front setback of the site.
- Removal of the street tree may not be supported.
- The development presents as a commercial style building and it is recommended that the design be reviewed to soften its appearance to both the street and adjoining properties. The upper level is also disjointed from the remainder of the building, presenting as two boxes on top of the building which exacerbates their dominance.
- The fenced area in front of Room G.01 is not accessible from internal to the building, and is not a usable area of communal space.
- A number of rooms proposed are less than the recommended 24sqm area for self-contained accommodation as set out in Clause 22.10 of the Monash Planning Scheme, resulting in poor amenity for residents.
- A lack of communal open space is provided to the upper levels of the development, and communal kitchen facilities. The outdoor space within the front setback of the site must also be more usable, suggesting an increase in the setback to the eastern boundary.

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

The Permit Applicant responded to this letter on 31 July 2020 by providing the requested information. In relation to the preliminary concerns raised, the Applicant amended plans by providing the following:

- The basement reconfigured to comply with the statutory car parking rate;

- The relationship of the building and open space to the rear reconfigured;
- Front setback detail reviewed to maximize landscaping opportunities;
- Revision of materials and fenestration;
- Clarification that all rooms meet or exceed the 24sqm sought in Clause 22.10;
- A reduction of 1 room (from 106 to 105);
- Additional communal seating areas located at the upper levels; and
- Increase of communal facilities including a kitchen at the ground floor.

The Applicant was advised that this application was coming to the November Council meeting, in addition to a letter that was sent to the Applicant formally informing them of the details of the Council meeting. The Applicant has been advised that this application is recommended for approval subject to conditions, and an outline of the conditions and the ramifications of the conditions on the proposal has been explained.

Public Notice

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

Ten (10) objections were received for the applications. Grounds of objection included the following:

- Height / Visual Bulk impacts;
- Impact on future development of land to the south;
- Overshadowing to adjoining properties;
- Impact on traffic congestion and overflow parking;
- Overlooking;
- Structural impacts to adjoining dwellings;
- Noise impacts from future residents;
- Does not fit into the character of the area;
- Over supply of student accommodation facilities in the area;
- Lack of outdoor open space for future residents; and
- Lack of opportunity for landscaping.

Attachment 4 details the location of objector properties.

Referrals

External Referrals

Public Transport Victoria

Pursuant to the provisions of Clause 66.02-11 and Clause 52.29 the application was referred to the Department of Transport (DOT) on 11 May 2020, and again on 3 August 2020 following the receipt of further information, however no written response has been received.

The revised single vehicle crossover design has also been forwarded to the Department for comment. It has been verbally noted that support of the revised design is supported which would allow for the retention of the street tree.

Internal Referrals

Horticulture

A 15 metre high street tree is proposed to be removed (*Eucalyptus scoparia*). This tree has been pruned for electricity wires above. Large limb potentially compromised long term however imminent issues are not expected. Recommended no major ground works to be undertaken within 3.5m of tree base.

Concept plans have been provided which seek to retain the existing crossover for vehicle access, which will allow for the retention of the street tree.

Traffic Engineering

The following concerns were identified:

- The proposed headroom of the car stacker needs to be modified for allow for a vehicle with a height of 175cm.
- The minimum aisle width adjacent to car spaces 14/15 (Within the car stacker) to be 6.2 metres.
- It is suggested that as the adjacent property at 1492 North Road is also to be developed, the properties jointly ensure that the pedestrian sight line requirements on the property line between the two properties are met to their mutual satisfaction.

Council's Traffic Engineering Department are satisfied with the proposal to retain the existing vehicle crossover and to provide a passing area within the site to allow for the retention of the street tree.

Proposed conditions will address these matters raised and further discussion is provided within the assessment section of this report.

Drainage Engineering

No concerns subject to standard conditions. 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. 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.

Waste Services

Changes recommended to Waste Management Plan including the provision of food and glass recycling provisions and additional storage area for hard waste, e-waste and clothing waste.

The requirements detailed have been included within a proposed condition requiring an amended Waste Management Plan.

DISCUSSION:

State Planning Policy Framework (PPF)

Plan Melbourne Refresh is the Metropolitan Strategy included as a reference document within the Planning Scheme. 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.

Plan Melbourne Refresh also identifies places of state significance and places of local significance. Within the City of Monash, the main place of state significance is the Monash National Employment and Innovation Cluster (MNEIC). National employment and innovation clusters are designated geographic areas with concentrations of economic activity that currently make major contributions to the national economy and Melbourne's position as a global city and will be supported into the future. The MNEIC is Melbourne's largest established cluster, representing the largest concentration of employment outside the central city with a critical mass of leading education, health, research and commercial facilities, and existing industrial businesses.

The subject site is located within the MNEIC as identified in Plan Melbourne Refresh, where the scale of new residential development will generally comprise larger footprint residential development of a high quality design and finish.

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) reiterates the objectives of Plan Melbourne and 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 close proximity to Monash University, and it is also well serviced by public transport, amenities and services. It is an appropriate location for higher density developments such as the proposed multi-storey residential building.

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.”* It also seeks to manage the supply of new housing in locations that are areas for residential growth and designed as National Employment and Innovation Clusters, Major Activity Centres, and areas near existing and proposed railway stations that can support transit-orientated development.

As mentioned previously, the subject site is located in an identified location which seeks to provide an increased housing diversity and density to support the MNEIC, where it is the primary strategic location for high technology research and development industries in Victoria.

The Planning Policy Framework, including Clause 16.01-2S (Location of Residential Development), Clause 16.01-3R and S (Housing Diversity) and 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.

The principal control affecting the subject site is the Residential Growth Zone, Schedule 3 which seeks to facilitate housing growth in the form of apartment developments. The site is located in an area which is expected to undergo substantial changes with the development of multi-storey buildings.

Local Planning Policy Framework (LPPF)

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

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

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

Clause 21.04 (Residential Development) identifies that a key issue for the City of Monash is demand for quality student accommodation which has resulted in housing shortages and a significant number of students living in substandard, shared housing facilities.

The subject site is within a short walking distance to Monash University (approximately 200 metres), and is well serviced by public transport (noting that Clayton is also identified as being a location for a new station associated with the suburban rail loop). It also has good access to community services in vicinity of Monash University. It is an ideal location to provide accommodation for students or university staff, which is reflected in Clause 22.10 (Student Accommodation Policy) identifying this site within the ‘preferred location’ for student accommodation developments.

Clause 21.06 (Major Activity and Neighbourhood Centres) identifies Clayton as a Major Activity Centre, which is an important location for residential development.

Clause 22.10 Student Accommodation Policy

This policy seeks to encourage student accommodation to be located in reasonable proximity to tertiary institutions with convenient access to public transport and a range of commercial, retail, entertainment and social facilities. It applies when a planning permit is required for the development of a residential building, and in this case, a rooming house for student accommodation.

This policy requires student accommodation to be of high quality and well-designed that respects the existing neighbourhood character and responds to the desired future character. The subject site is within the Residential Growth Zone where greater emphasis is for the development to respond to the future character statement, and to contribute to the garden city character along with built form policy objectives.

Residential buildings should be designed to include breaks and recesses in building mass to avoid large block like structures dominating the streetscape, and to avoid visually overwhelming existing residential developments. Student

accommodation should be provided with adequate on site car parking and bicycle storage to minimise car parking impact on existing streets.

Proposals should include adequate and well-proportioned communal open space areas, and shared facilities or common areas integrated into the design, to meet the amenity and recreation needs of student residents.

This proposal will be assessed against the relevant requirements and policies in the balance of this report.

Clause 32.07- Residential Growth Zone – Schedule 3

Schedule 3 to the Residential Growth Zone (RGZ3) applies to the Clayton Major Activity Centre and Monash National Employment and Innovation Cluster (MNEIC). The design objectives are:

- *To facilitate housing growth in the form of apartment developments of a high quality design and finish.*
- *To ensure developments are constructed within an open garden setting through the retention and planting of vegetation, including canopy trees.*
- *To ensure that the height, scale and form of development respects any sensitive residential interfaces and minimises the appearance of visual bulk.*

The RGZ3 nominates variations to Clause 55 (ResCode) applicable to the site as identified in the table following.

Standard	Variation	Proposal
B6 – Minimum Street Setback	4 metres	Compliance achieved 4 metres
B13 – Landscaping	Retain or provide at least one canopy tree with a minimum mature height equal to the height of the roof of the proposed building or 10 metres, whichever is greater.	Variation sought. Tree height will not meet building height however two Dwarf Snow Gum trees and one Fonzam Frontier Callery Pear tree are located within the front setback of the site which can reach a height of 10 metres. Larger trees within the front setback of the site would compete with five existing large street trees. Two Water Gum trees are also located to the rear of the site which can reach a height of 10 metres. Smaller trees are located throughout the site.

B17 – Side and Rear Setbacks	Rear Setback – 3 metres for the first 2 storeys plus 2 metres for the third storey. Side setbacks – 1 metre, plus 0.3 metres for every meter over height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.	Variation Sought The application seeks a variation to this requirement, as follows setbacks sought within the adopted Clayton Activity Centre Precinct Plan - discussed further in this report.
B28 - Private Open Space	N/A	N/A
B32 – Front Fence Height	0.9 metres height	Compliance achieved No front fencing is proposed.

Clayton Activity Centre Precinct Plan

At its meeting on 28 January 2020, Council adopted the Clayton Activity Centre Precinct Plan, dated January 2020. The plan is yet to proceed to translation by way of a Planning Scheme Amendment.

The subject site is located on the northern end of the activity centre (terminates at North Road), with the site in an area identified for ‘residential intensification’. The subject land is earmarked for development of 5-6 storeys (16.5m-19.8m) given the site is greater than 30 metres in width. The land directly adjoining to the south is earmarked for redevelopment of between 3 and 5 storeys (10-16m). The proposal is six (6) storeys in height with a height of 19.6 metres which is consistent with this plan.

Figure 1 - Extract of Clayton Activity Centre Built Form Plan



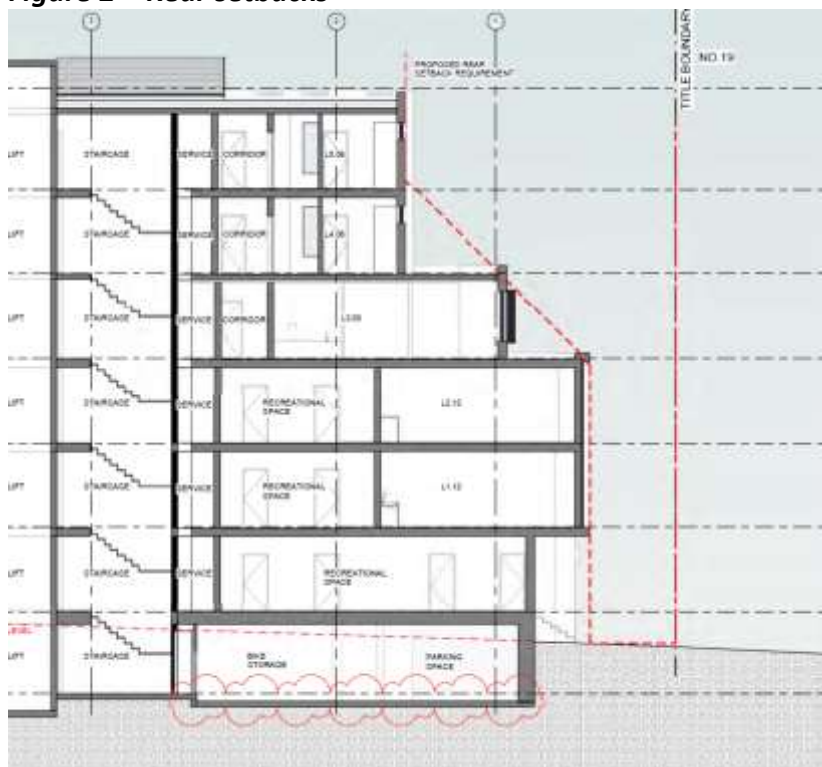
The adopted Precinct Plan includes details of preferred built form outcomes including setbacks. The plan seeks the following development outcomes:

- Provides a range of housing types within the Activity Centre;
- Contributes to creating high quality residential streets;
- Provides surveillance to footpaths through windows and habitable rooms at the street frontage;
- Provides a high quality landscaped setting for buildings that relates to the existing character;
- Avoids unarticulated facades that give a bulky appearance, especially from oblique views; and
- Avoids repetitive stepped / 'wedding cake' profile.

The Clayton Activity Centre Precinct Plan envisages buildings within this precinct to be set back from the street a minimum of 4 metres up to a height of 9.9 metres, then an additional 3 metres (setback of 7 metres) for development above 9.9 metres. The proposed development meets this requirement with a minimum setback of 4 metres for the first three storeys, and a set back of 7 metres for the levels above.

The Clayton Activity Centre Precinct Plan seeks for rear setbacks for any development on this land to be 3 metres up to a height of 9.9 metres, plus 1 metre additional setback for every metre of height over 9.9 metres up to 16.5 metres. This differs from the setback variation prescribed in Schedule 3 of the Residential Growth Zone. The proposal meets this requirement as shown on the sectional diagram below, provided by the applicant (with the red dotted line showing the setback requirements of the adopted Precinct Plan).

Figure 2 – Rear setbacks



Side setback requirements also differ slightly from Schedule 3 of the Residential Growth Zone, and seeks 1 metre setback, plus 0.3 metres for every metre of height over 3.6 metres up to 9.9 metres, plus 1 metre for every metre of height over 9.9 metres, up to 16.5 metres. The proposal meets the adopted Precinct Plan requirement.

The prescribed setbacks aim to avoid a ‘wedding cake’ designed with layered setbacks, but rather a podium style design with sufficient setbacks to allow for sufficient landscaping within these setbacks.

Monash Housing Strategy 2014

The Monash Housing Strategy 2014 (adopted by Council in October 2014 and integrated into the Planning Scheme as a reference document, forming the basis of Clause 21.04 – Residential Development and Clause 22.01 – Residential Development and Character Policy) identifies this subject site as being located in Category 3 Residential Land in the MNEIC, the objectives and outcomes for which, among others, seek:

- *Housing change and diversification.*
- *Development will respond to the broader context, taking into account both commercial design and residential character as relevant.*

Residential outcomes include:

- *Higher density apartment development at the interface with the technology precinct.*
- *Lower density unit and townhouse style development at the interface with surrounding residential areas.*
- *Potential for lower to medium density apartment development in predominantly residential streets subject to careful design.*
- *On larger sites, in suitable locations, increased density may be appropriate, subject to careful design and the provision of appropriate landscaped setbacks.*

The housing strategy identifies that there is increasing demand for student accommodation around the Monash University and a variety of affordable housing is encouraged to support the high technology research and development industries within the MNEIC. The proposal to use the subject site for student accommodation is an appropriate response to the Monash Housing Strategy.

ASSESSMENT

Neighbourhood Character and Built Form

The proposed development is in keeping with the zoning of the land, which seeks to encourage increased densities and housing growth within larger residential developments whilst still providing for a garden setting. The proposed development is also in keeping with the adopted Clayton Activity Centre Precinct

Plan which reflects the objectives of this zone and seeks housing intensification and change.

The proposed height and setbacks of the development are in keeping with the adopted Precinct Plan which provides a clear vision for the area. The site is a double width block, with a frontage of 32.31 metres and therefore can accommodate the height envisaged by the adopted Precinct Plan.

The building is set back off all boundaries of the site allowing for planting along each boundary of the site, and enables the development to reflect the rhythm of the streetscape.

There are five (5) large trees adjacent to the site within the naturestrip, with substantial overhang into the site and therefore it is considered appropriate for low level planting within the front setback of the site.

A three storey podium presentation to the street is proposed which provides for a pedestrian scale to the building, with recessed upper levels. The design of this podium has been created with framing elements at the first and second floors, separated into three modules which allows for the building to be well articulated given the width of the building.

Concept plans were provided that demonstrated how improvements could be made to the finishes of the building, and provide a higher quality design with the introduction of a brick finish to the ground floor walls of the building, and the introduction of a timber look finish to the recessed areas of the first and second floors within the podium level. These changes have been reflected within proposed conditions.

The upper levels have been set back from the side boundaries with a two-tiered approach which avoids a 'wedding cake' appearance and allows the podium levels to dominate the presentation of the building.

The top two storeys include six grey render bands which run vertical as presented to the street. Without prejudice plans have been submitted which delete the two outer bands on the front façade and altering the window sizes, which assists in reducing the dominance and verticality of these upper levels. This is reflected in Figure 3 below, and is also reflected within a proposed condition.

Figure 3 – concept plan changes to upper level materiality



No front fencing is proposed, however services will form a solid presentation to part of the frontage of the site and low level planters are proposed along the remaining frontage of the site, which has been reflected in the concept plans (refer to Figure 4 below). The service cabinets have been designed to have a fence-like presentation to the street to reduce their impact.

A proposed condition will require the pedestrian entrance path to be consolidated, for improved landscaping adjacent to the entrance. A suggested change by the applicant also includes the use of grasscrete paving beneath the bicycle spaces to help reduce hard paving in this area.

Figure 4 – Proposed revisions to front setback of site



Internal Amenity**Open space**

Clause 22.10 seeks communal open space to be located at the ground level to the side or rear of the building, with convenient access from the student amenities area, having a minimum of 75sqm or 4sqm per student, whichever is the greater, with a minimum dimension of 3 metres, including one area to the side or rear of the building of 35sqm with a minimum dimension of 5 metres.

For student accommodation facilities, of three or more storeys, the total area of communal open space may be limited where exceptional circumstances exist if the recreational needs for the students are satisfied by other means.

A total of 420sqm of communal open space is therefore required. An area of 81 square metres is located within the north-east corner of the site adjacent to the kitchen and dining area, and an area of 127sqm is located to the rear of the site which is accessed via an indoor lounge area. Secondary areas are also located to the east and west of the building with pedestrian access which total 205sqm. A balcony is also located at the fourth floor with an area of 31sqm which is accessed via a secondary dining space.

Indoor recreation spaces are also proposed with lounges recreational spaces at each level of the building with the exception of the fifth floor.

The site provides a good area and space for recreation throughout the site with larger gathering areas and smaller, quieter spaces. As noted previously, a proposed condition will shift the services within the frontage of the site, to provide for a more secluded outdoor recreational space within the front setback of the site. This space is located north and is protected by the large street trees adjoining. The paved area will also be required to be extended further into this space, to allow for the dining area to spill into this space. Concept plans have been submitted to Council which shows how this would present (refer to Figure 4 earlier in this report).

Room Size and Amenity

Clause 22.10 requires that a building to be used for student accommodation should incorporate a minimum room size of 24sqm for self-contained residences.

The proposed development provides for rooms greater than 24sqm in area, with a wide variety of room dimensions and shapes. Rooms vary in size from 26sqm to 38sqm in area. Each room is provided with a bathroom, kitchenette, desk and robe area.

Room G.02 is located at the ground floor and has a single window facing onto the vehicle accessway for the site. A proposed lip to the bottom of the window sill will assist in reducing the visual impact from vehicles entering and exiting the site, and improve the amenity of this room. A proposed condition will seek this change.

Amenities

Whilst each room is self-sufficient, a kitchen space is also located at the ground floor for further facilities required such as an oven.

Laundry facilities are located within the basement which is a generous size.

A Management Plan will be required as a proposed condition of the Permit which includes information to students on local public transport and amenities in the area, allocation of car spaces and the maximum number of persons to be accommodated on site.

External Amenity Impacts**Overlooking**

Windows have generally been appropriately screened in accordance with ResCode to prevent unreasonable overlooking into adjoining habitable room windows and secluded private open space with the use of exterior metal screens which reach a height of 1.7m above the floor level associated with the window.

Additional windows which are required to be screened include the eastern facing study window associated with L1.22 & L2.22 and the western facing bedroom and study window associated with L1.02 and L2.02. A proposed condition will require these windows to be screened in accordance with ResCode requirements.

At the ground floor, boundary fencing and timber trellises assist with screening views. Due to the slope of the land, the timber trellis on the southern boundary of the site is excessive above the fence, and will be required to be revised to be a freestanding screen within the site which will ensure the structural stability of the screen, and will also reduce bulk impacts of the screens on adjoining properties. The screen will be required to be inset from the boundary with screen planting behind.

Overshadowing

The proposal will result in additional areas of shadowing to adjoining properties at various times of the day, however the proposal comfortably complies with ResCode requirements with respect to the amount of open space maintained with sunlight throughout the day as measured on September 22.

Daylight access to existing windows

The proposal is set back sufficient distances from adjoining habitable room windows, with setbacks complying with ResCode setbacks with respect to daylight calculations.

Building Bulk / Setbacks

The proposed setbacks are proposed in line with the setbacks sought from the adopted Clayton Activity Centre Precinct Plan, which seeks to find a balance between allowing for increased densities in the area and ensuring appropriate design outcomes adjacent to existing dwellings.

The various angles of the walls, framing elements and various materials assist with further articulating the building form. A proposed condition will require a brick finish to be utilised to the ground floor to further articulate the building and to improve the quality of materials at these side interfaces, in addition to timber look material within the podium levels.

Setbacks proposed allow for sufficient area for landscaping throughout the site.

Equitable Development

The adopted Clayton Activity Centre Precinct Plan identifies a number of design requirements to ensure adequate building separation as follows:

- *Development should provide upper level setbacks of at least 4.5m to the common side or rear boundary where windows of habitable rooms and balconies face onto the common boundary. Where development abuts a laneway the 4.5m setback is measured from the centreline of the laneway.*
- *Development should provide upper level setbacks of at least 3.0m to the common side or rear boundary for non-habitable rooms and service areas.*
- *New development should consider the impact on future development opportunities of adjoining sites when determining building setbacks, interfaces and orientation of building forms.*

Levels above the three storey 'base podium' are set back in excess of 4.5 metres which allows for equitable development potential of adjoining properties and also reduces the need for screening of upper level windows.

Whilst concern has been raised from objectors regarding the amount of shadow cast to properties to the south for future development potential, the shadows cast are not unreasonable and will not prevent for a future development on this land.

Landscaping

The proposal does not seek the removal of any significant trees on the site, and has responded to allow for the retention of the canopy trees located within 1498-1502 North Road.

A condition is proposed to retain the existing vehicle crossing to the site, which will allow for the retention of the street tree (Tree 2).

A proposed condition will require a Tree Management Plan to be provided which will require detail of protection measures for the street trees and Tree 14 to ensure that there is no damage to these trees as a result of the development.

The development has been set off all boundaries of the site, and the basement level has been set off the boundary for deep root planting, with the exception of

the accessway which is required to be located close to the boundary to allow for the retention of street trees.

A Landscape Plan has been prepared with the application which shows a mixture of tree heights to provide screening to boundaries, and lower shrub planting across the site.

Car Parking, traffic and access

The Planning Scheme sets out the parking requirements for new developments under Clause 52.06. Clause 52.06-5 states that the car parking requirement specified for a use listed in Table 1 does not apply if a car parking requirement for the use is specified under another provision of the Planning Scheme.

In this instance, further guidance regarding car parking requirements for student accommodation facilities is specified under Clause 22.10 of the Monash Planning Scheme. Clause 22.10-4 states that car spaces should be provided on the site at a rate of 0.3 car spaces per bed for sites located within 'preferred locations'. As the site is identified being in a preferred location as noted earlier in this report, this car parking rate is applicable.

The requisite car parking spaces required under Clause 22.10 for the proposal is required as follows:

Use	Number of beds	Clause 52.06 Requirement	Car spaces required	Car spaces provided
Residential Building (student accommodation)	106	0.3 spaces per bed for residents 0 spaces for visitors	31 spaces	31 spaces
Total			31 spaces	31 spaces

The proposal provides for 31 car spaces within the basement car park, and therefore satisfies this requirement and no reduction is sought.

The basement includes both single spaces, and car spaces within car parking stackers. However, the car parks within the stacker system are 'independent', and therefore any car within the stacker can enter or be removed without relying on the movement of other vehicles. Therefore the arrangement of car parking on the site is satisfactory.

The proposal meets the design standards with respect to Clause 52.06 and the proposed accessways and car parking spaces. A proposed condition will require

the height of the car stacker to be increased, to allow a vehicle to park within the top level of the stacker which has a height of 175cm. A proposed condition will also require the access isle width adjacent to car spaces 14 and 15 (within the car stacker) to be a minimum of 6.2 metres. This can be achieved by shifting the bin store area.

The traffic generated by the proposed development is low, and spread throughout the day and will not have a detrimental impact on the operation of North Road.

Bicycle Parking

The bicycle parking requirements are set out under Clause 22.10 and Clause 52.34 as per the following table:

Provision	Number of beds	Bicycle Parking Rate	Bicycle spaces required	Bicycle spaces provided
Clause 22.10 – Student Accommodation	106 beds	1 space per 2 beds	53 spaces for residents 0 spaces for visitors	52 spaces for residents 4 spaces for visitors
Clause 52.34 – Residential Building		1 per 10 lodging rooms in developments of four or more storeys for residents 1 per 10 lodging rooms in developments of four or more storeys for visitors	11 spaces for residents 11 spaces for visitors	52 spaces for residents 4 spaces for visitors

A total of 57 bicycle spaces are provided on the site which exceeds the minimum bicycle parking requirements set out in both of these policies.

Waste Management

Bins will be stored within the basement level, and a private waste vehicle will arrange collection from the street. Council's waste department have requested changes to the Waste Management Plan which have been included as a proposed condition of the Permit.

Objections not previously addressed

- **Structural impacts to adjoining dwellings** – This concern is addressed through the *Building Act 1993* rather than the planning scheme. If a Planning Permit is issued, a Building Permit will also be required which assesses structural impacts to adjoining properties and provides for building protection.

- **Noise impacts from future residents** – The site is located within a residential zone and the use of land for housing is a right. Accordingly residential noise is an expected occurrence and not something managed by the planning scheme. Noise impacts on the site are still subject to standard EPA requirements.
- **Over supply of student accommodation facilities in the area** – The supply of student accommodation is encouraged in this area given its proximity to the University. If the demand is not immediately present, it is a commercial decision as to whether the development would proceed now or at some future date.

CONCLUSION:

The proposed development is considered appropriate given the locality and relevant objectives of state and local policies relating to housing, increased residential density and provision of more student accommodation in appropriate locations. The design response has been developed having appropriate regard to objectives of the Residential Growth Zone Schedule 3.

The subject site is within the preferred location for student accommodation and the height is in keeping with the adopted Clayton Activity Centre Precinct Plan. The proposed building will be setback adequately to property boundaries to allow for equitable development, and will not cause unreasonable amenity impacts to adjoining properties.

Adequate communal open space is provided for recreation and amenities. In addition, a common area is provided most levels to avoid social isolation and to provide for smaller break out areas. The internal amenity of the units is satisfactory and provide for functional layouts.

The car parking provision for the proposal satisfies the statutory car parking requirement. Overall, the proposal is considered appropriate in both its concept and design and it is recommended that a Notice of Decision to Grant a Permit be issued subject to conditions.

LIST OF ATTACHMENTS:

Attachment 1 – Proposed Development Plans.

Attachment 2 – Aerial Photograph (February 2020).

Attachment 3 – Zoning and Overlays Map.

Attachment 4 – Objector Properties Location Map.