

**1.3 40-44 WELLINGTON ROAD, CLAYTON
CONSTRUCTION OF A FIVE STOREY RESIDENTIAL BUILDING FOR THE USE OF
STUDENT ACCOMMODATION AND ASSOCIATED FOOD AND DRINK PREMISES
(TPA/52242)**

EXECUTIVE SUMMARY:

This application proposes the development of the land for a five (5) storey building to be used for student accommodation and associated food and drink premises.

The application was subject to public notification. No objections have been received.

Key issues to be considered relate to the appropriateness of the location for student accommodation and food and drink premises, building height and scale, adequacy of communal open space and car parking provision, vehicle access, internal and external amenity impacts.

This report assesses the proposal against the provisions of the Monash Planning Scheme including the relevant state and local planning policy framework.

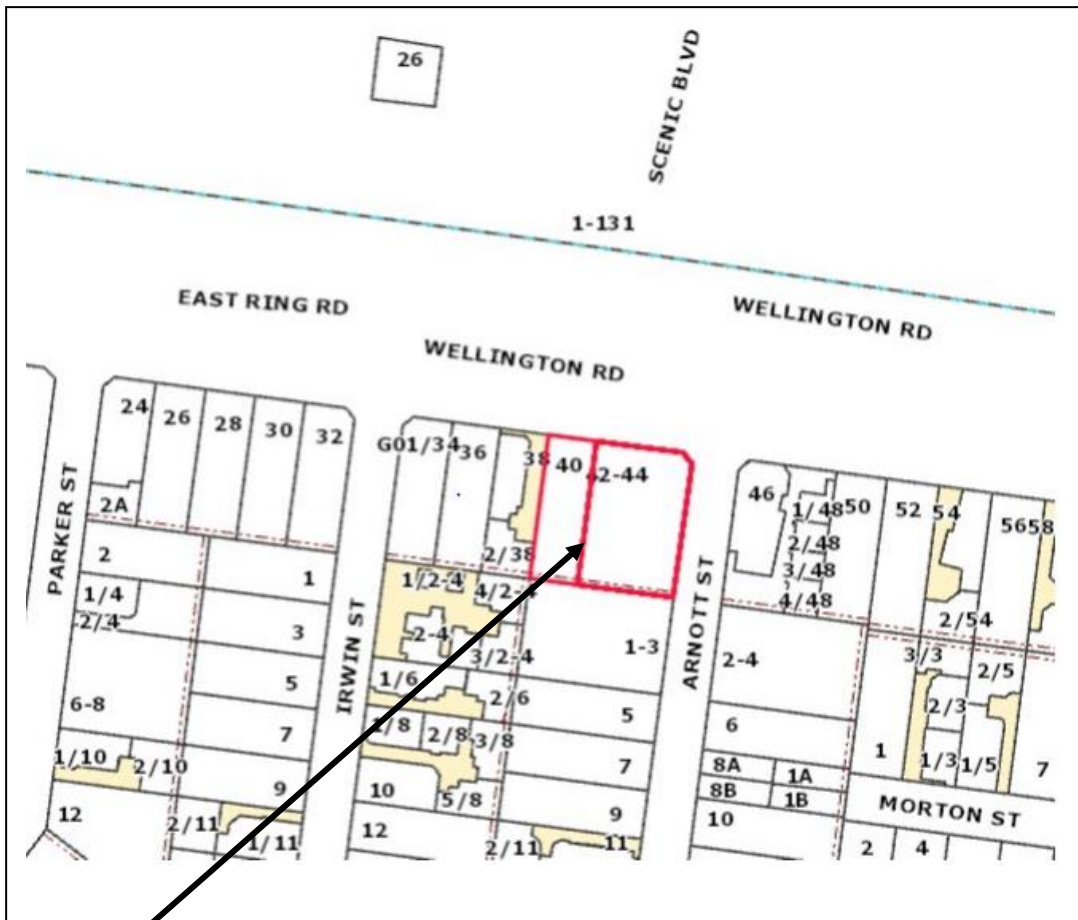
The reason for presenting this report to Council is the proposed development cost of \$14.9 Million.

The proposal is considered appropriate having regard to the relevant provisions of the Monash Planning Scheme. It is recommended that Council issue a Planning Permit subject to conditions.

RESPONSIBLE DIRECTOR:	Peter Panagakos
RESPONSIBLE MANAGER:	Natasha Swan
RESPONSIBLE PLANNER:	Jeanny Lui
WARD:	Oakleigh
PROPERTY ADDRESS:	40-44 Wellington Road, Clayton
EXISTING LAND USE:	Residential dwelling & Student accommodation
PRE-APPLICATION MEETING:	Yes
NUMBER OF OBJECTIONS:	Zero
ZONING:	Residential Growth Zone Schedule 3
OVERLAY:	N/A
RELEVANT CLAUSES: <u>Planning Policy Framework</u> Clause 11.01-1R- Settlement – Metropolitan Melbourne	<u>Local Planning Policy Framework</u> Clause 21- Municipal Strategic Statement)

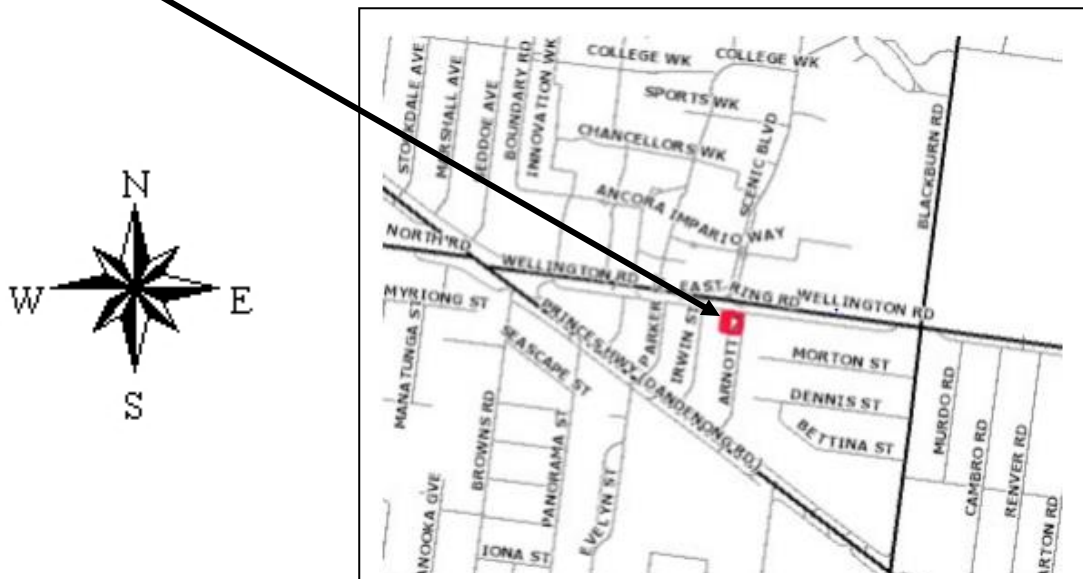
<p>Clause 11.02-1S- Supply of Urban Land</p> <p>Clause 13.07-1S- Land Use Compatibility</p> <p>Clause 15.01-1S&R- Urban Design</p> <p>Clause 15.01-2S- Building Design</p> <p>Clause 15.01-4S & R- Healthy Neighbourhoods</p> <p>Clause 15.01-5S- Neighbourhood Character</p> <p>Clause 15.02-1S- Energy and Resource Efficiency</p> <p>Clause 16.01-1S &R- Housing supply</p> <p>Clause 16.01-2S- Housing affordability</p> <p>Clause 17.01-1S&R- Diversified Economy</p> <p>Clause 17.02-1S- Business</p> <p>Clause 18.01-1S- Land Use and Transport Planning</p> <p>Clause 18.02-1S & R- Sustainable Personal Transport</p> <p>Clause 18.02-2R– Principal Public Transport Network</p> <p>Clause 18.02-4S- Car Parking</p> <p>Clause 19.03-3S- Integrated Water Management</p>	<p>Clause 21.04- Residential Development</p> <p>Clause 21.08- Transport and Traffic</p> <p>Clause 21.13- Sustainability and Environment</p> <p>Clause 22.01- Residential Development and Character Policy</p> <p>Clause 22.03- Industry and business development and character policy</p> <p>Clause 22.04- Stormwater Management Policy</p> <p>Clause 22.09- Non-Residential Use and Development in Residential Areas</p> <p>Clause 22.10- Student Accommodation Policy</p> <p>Clause 22.13- Environmentally Sustainable Development Policy</p> <p><u>Particular Provisions</u></p> <p>Clause 52.06- Car Parking</p> <p>Clause 52.23- Rooming House</p> <p>Clause 52.34- Bicycle Facilities</p> <p>Clause 53.18- Stormwater Management in Urban Development</p> <p>Clause 52.29- Land Adjacent to a Road Zone, Category 1</p> <p>Clause 65 – Decision Guidelines</p>
STATUTORY PROCESSING DATE:	14 May 2021
DEVELOPMENT COST:	\$14.9 Million

LOCALITY PLAN



SUBJECT SITE

NEIGHBOURHOOD PLAN



RECOMMENDATION:

That Council resolves to issue a **Planning Permit (TPA/52242)** for the construction of a five storey residential building for the use of student accommodation and associated food and drink premises, alteration of access to a road in a Road Zone Category 1, at 40-44 Wellington Road, Clayton subject to the following conditions:

Amended Plans Required

1. Before the development starts, amended plans drawn to scale and correctly dimensioned must be submitted to the satisfaction of and approved by the Responsible Authority. When approved, the plans will be endorsed and then form part of the Permit. The plans must be generally in accordance with the plans submitted to Council prepared by One Design Office, Revision I and dated 24 February 2021 but modified to show:
 - a) Location of a signalling system or similar that tells motorists prior to entering the site if there are no available parking spaces within the carpark;
 - b) A corner splay or area at least 50% clear of visual obstruction (or with a height of less than 1.2m) extending at least 2.0 metres long x 2.5 metres deep (within the property) on both sides of each vehicle crossing to provide a clear view of pedestrian on the footpath of the frontage road;
 - c) Notation to the street trees on Arnott Street near the proposed vehicle crossover to read 'trees to be protected by temporary rectangular wire fencing as per Australian Standards, erected prior to commencement of works until completion. The fence must extend out at least 3.5 metres from the tree base';
 - d) The gas and water meter enclosures to be screened in the landscape setting; and
 - e) An amended Landscape Plan prepared in accordance with Condition 4all to the satisfaction of the Responsible Authority.

Note: Concurrent with the endorsement of plans requested pursuant to this condition, a Landscape Plan, Waste Management Plan and Sustainable Management Plan is to be endorsed in accordance with Conditions 4, 5 and 6.

Layout not to be Altered

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

Satisfactory Continuation

3. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.

Landscape Plan

4. Concurrent with the endorsement of any plans requested 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 (Revision A) dated 25 February 2021, Prepared by John Patrick Landscape Architects Pty Ltd, except that the plan must be modified to show:
 - (a) The provision of a minimum of one canopy tree with mature height at least equal to the height of the roof of the proposed building, within the development;
 - (b) The bicycle spaces south to the basement carpark entry in Arnott Street to be positioned within a landscaped setting. Hard paving associated with the bicycle spaces to be amended to be a grass or grasscrete finish;
 - (c) The detail of the proposed paving;
 - (d) The location of external lighting (if any); and
 - (e) The provision of an in-ground, automatic watering system linked to rainwater tanks on the land servicing the main garden areas, all to the satisfaction of the Responsible Authority.

Waste Management Plan

5. Concurrent with the endorsement of plans required pursuant to Condition 1, a Waste Management Plan must be approved by the Responsible Authority. The plan must be generally in accordance with the Waste Management Plan prepared by WSP (Revision 2) dated 18 December 2020.

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

Sustainable Management Plan

6. Concurrent with the endorsement of plans requested pursuant to Condition 1, a Sustainable Management Plan must be approved by the Responsible Authority. The plan must be generally in accordance with the Sustainability Management Plan prepared by Urban Digestor (Revision 2) Dated 2 March 2021.

Construction Management Plan

7. Prior to the commencement of any site works (including any demolition and excavation), a Construction Management Plan (CMP) 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 CMP will form part of the permit and must be implemented to the satisfaction of the Responsible Authority. The CMP must address the following issues:
 - a) Hours for construction activity in accordance with any other condition of this permit;
 - b) Appropriate measures to control noise, dust and water and sediment laden runoff;
 - c) Appropriate measures for the prevention of silt or other pollutants from entering into the Council's underground drainage system or road network;
 - d) Appropriate 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 so as to prevent material leaving the site and being deposited on Council's road network;
 - f) A program for the 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) Measures to provide for 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) A 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) Appropriate measures to ensure that sub-contractors/tradespersons operating on the site are aware of and adhere to the requirements of the CMP;
- m) The provision of contact details of key construction site staff; and
- n) Include a requirement that except with the prior written consent of the Responsible Authority, a requirement that demolition, excavation or 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 by all contractors to the satisfaction of the Responsible Authority.

S173 Agreement

8. 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 130 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 of the facility;
 - c) Car parking spaces are only permitted to be used by the occupants of the units and their visitors;
 - d) Car spaces must not be individually subdivided, on-sold, leased, rented or made available to any other person other than an owner, occupant or visitor of the premises;
 - e) That residents of the units will be notified in writing as part of any lease or rental agreement that they will not be entitled to car parking permits for on street car parking;

- f) Clearly note and acknowledge that 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 use 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;
- g) That the student accommodation premises must be managed by a single entity with responsibility for all aspects of the use; and
- h) An operational management plan prepared and implemented to the satisfaction of the Responsible Authority according with Condition 9 of this permit.

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.

Operational Management Plan

9. Prior to the commencement of the student accommodation, an Operational Management Plan for the use of the site must be submitted to and approved by the Responsible Authority. The Plan should detail but not limited to:
- a) Student accommodation units managed and under the control of a single operator responsible for the operation and maintenance of the entire premises for the life of the use as student accommodation;
 - b) The 24 hour contact details for the management of the premises displayed in a manner and location 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 management contact person;
 - c) After hours contact details for management of the facility;
 - d) Appropriate management of the car park including access arrangements;
 - e) Appropriate maintenance of buildings and grounds, including all landscaped areas;
 - f) Permanent display of the Management Plan in a common area accessible to all residents of the student accommodation facility.

When approved, the Operational Management Plan will be endorsed to form part of this permit and must be implemented to the satisfaction of the Responsible Authority

Car Parking

10. 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; and
 - 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.

11. The layout of the development shall follow the Design Standards for car parking set out in Clause 52.06-9 of the Monash Planning Scheme as detailed below:
- Minimum requirements for car park dimensions to be in accordance with Table 2.
 - Clearance to car parking spaces to be in accordance with Diagram 1 in relation to the placement of a wall, fence, column, tree, tree guard or any other structure that abuts a car space.
12. The accessible parking spaces should be designed in accordance with the Australian Standard for *Off-Street Parking for people with disabilities, AS/NZS 2890.6*. The vehicle path to and from each accessible space shall have a minimum headroom of 2200mm. The headroom above each dedicated space and adjacent shared area shall be a minimum of 2500mm.

Landscaping and Tree Retention

13. No building material, demolition material, excavation or earthworks shall be stored or stockpiled within the Tree Protection Zone (TPZ) of any tree to be retained (including trees on the nature strip) during the demolition, excavation and construction period of the development hereby permitted without the prior written consent of the Responsible Authority.
14. All works (including demolition and excavation works) within the dripline of any tree to be retained (including trees on nature strip and adjoining properties) shall be supervised by a qualified landscape architect or

horticulturist who shall ensure that the works are done in a manner which protects and minimises any damage to those trees.

15. 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 there after maintained to the satisfaction of the Responsible Authority.

Drainage

16. The site must be drained to the satisfaction of the Responsible Authority.

Other

17. 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.

Time for Starting and Completion

18. In accordance with section 68 of the *Planning and Environment Act 1987*, this permit will expire if one of the following circumstances applies:

- (a) The development is not started before two (2) years from the date of issue.
- (b) The development is not completed before four (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 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. A Building Permit approval for the works must be obtained prior to the commencement of the approved works.
- B. Building Permit approval for this development must take into consideration the location of future subdivision boundaries and their compliance with the Fire Separation Provisions of the Building Code of

Australia, including Separating Walls and Openings near Boundaries, as well as the requirements of the Building Regulations.

- C. No work must be commenced in, on, under or over the road reserve without having first obtaining all necessary approval under the Road Management Act 2004, the Road Safety Act 1986, and any other relevant acts or regulations created under those Acts.
- D. An on-site detention system for storm events up to the 1% AEP event to be retained on site for the basement carpark. The basement detention system is to be separated from the storm water detention system for the property.
- E. 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.
- F. All disused or redundant vehicle crossovers must be removed and the area reinstated with footpath, naturestrip, kerb and channel to the satisfaction of the Responsible Authority.
- G. The proposed vehicle crossing is to be constructed in accordance with the City of Monash standards.
- H. Approval of each proposed crossing, and a permit for installation or modification of any vehicle crossing is required from Council's Engineering Department.
- I. The proposed vehicle crossing is to be constructed in accordance with the City of Monash standards.
- J. Engineering permits must be obtained for new or altered vehicle crossings and new connections to Council drains and these works are to be inspected by Council's Engineering Department. A refundable security deposit is to be paid prior to any drainage works commencing.
- K. A plan detailing the drainage works must be submitted to the Engineering Division prior to the commencement of works for approval. The plans are to show sufficient information to determine that the drainage works will meet all drainage requirements of this permit.
- L. 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; or any alternate system.

- M. The full cost of reinstatement of any Council assets damaged as a result of demolition, building or construction works, must be met by the permit applicant or any other person responsible for such damage, to the satisfaction of the Responsible Authority.
- N. Any works within the road reserve must ensure the footpath and nature strip are to be reinstated to Council standards.
- O. All new crossings are to be no closer than 1.0 metre measured at the kerb to the edge of any power pole, drainage or service pit, or other services. Approval from affected service authorities is required as part of the vehicle crossing application process.
- P. Any request for a variation of this Permit shall be lodged with the relevant fee as determined under the Planning & Environment (Fees) Regulations 2016.
- Q. Any request for time extension of this Permit shall be lodged with the relevant administration fee at the time the request is made.
- R. Residents of the approved development will not be entitled to car parking permits for on street car parking.

BACKGROUND:

History

Planning Permit TPA/22470 was issued on 7 August 1996 for the land at 42-44 Wellington Road Clayton to construct a double storey 27 bed residential building and associated car parking.

The Site and Surrounds

The site is located on the south side of Wellington Road in Clayton, on the west corner of Arnott Street, approximately 60 metres south of the Monash University Clayton Campus.

The site is comprised of two lots with a total frontage of 42.67 metres, a depth of 45.7 metres, yielding a total site area of 2,085 square metres. A 1.83 metre wide drainage and sewerage easement is located along the rear (southern) boundary of the lots.

There is a fall of approximately 3 metres from the north-western corner to the south-eastern corner of the site.

The land at 40 Wellington Road currently contains a single storey dwelling with pitched roof. Vehicle access is via Wellington Road. A double storey building with

an undercroft car park currently occupies 42-44 Wellington Road. Access to the car park is via a double crossover in Arnott Street.

Front fencing is varied.

The site is located within the Monash National Employment and Innovation Cluster (MNEIC).

More specifically, details of adjoining properties are as follows:

North: Wellington Road. Opposite side of Wellington Road is the Monash University where its boundaries extend towards Dandenong Road to the west and Blackburn Road to the east.

West: 38 Wellington Road contains two single storey dwellings. A shared driveway and vehicle access is adjacent to their eastern boundary. The site does not contain any front fence.

South: 1-3 Arnott Street contains six double storey dwellings. A common driveway is located centrally within the development. The site does not contain any front fence.

East: Arnott Street. Opposite side of Arnott Street is 46 Wellington Road which contains a double storey residential building. Vehicle access is located towards the southern end of the land accessed from Arnott Street.

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

PROPOSAL:

The proposal seeks to construct a five storey building to be used for student accommodation comprising 130 units and associated food and drink premises.

Details of the proposal is summarised as follows:

- Five (5) storey building having a maximum building height of 17.2 metres.
- A total of 130 units for student accommodation consist of studio and one bedroom units.

	Number of units
Ground level	27 (all studio units)
Level 1	33 (32 studio units + 1 one-bedroom unit)
Level 2	29 (28 studio units + 1 one-bedroom unit)
Level 3	21 (19 studio units + 2 one-bedroom unit)
Level 4	20 (19 studio units + 1 one-bedroom unit)
Total	130

- All units are self-contained. Typical unit sizes are in the range of 25-40 square metres with minimum width of 3.3m metres.
- The proposed building setbacks are as follows:

	Front (North)	Rear (South)	Arnott Street (East)	West
Basement	4m	3.7m	4m	1.8m
Ground Level	4-4.67m	4.7-5.47m	3-3.8m	3.8-4.36m
Level 1	4-7m	4.7m	3-3.98m	3.37-4.36m
Level 2	4-7m	8.15-9.35m	3-3.98m	3.39-4.38m
Level 3	4.6-7m	12.69-16.56m	3.7-3.99m	6.26-6.72m
Level 4	4.38-7m	12.69-16.56m	3.46-3.98m	6.72m

- A total of 34 car parking spaces and 48 bicycle spaces are located within the basement. An additional 6 bicycle parking spaces are provided near the entrance to the car park in Arnott Street; and 11 bicycle parking spaces near the pedestrian entrance on Wellington Road.
- Vehicle access to the basement car park will be via a new vehicle crossover to Arnott Street.
- Total communal open space area of approximately 785 square metres provided at ground level along property boundaries, and the centre of the building. The communal open space areas are directly accessible from the building.
- Indoor communal spaces are provided within the building:
 - Ground level: a multi-purpose room (13 square metres) and a waiting/ study lounge (158 square metres) are located on the ground level. The waiting/ study lounge connects to the central outdoor communal open space.

- Levels 1 to 3: a communal lounge of 26 square metres is located centrally on each level.
- Level 4: a communal lounge of 17 square metres is located to the eastern side of the building in addition to a 53 square metres roof terrace fronting Wellington Road.
- A food and drink premises (café) of 20 square metres on ground level fronting Wellington Road.
- A dedicated bin storage room within the basement in between the staircase and the lift.
- The building is a contemporary design with a mixture of material finishes including brick tiles, concrete look cladding, metal louvres and timber look battens.
- There are no significant trees on site and the street trees on the nature strip will be retained.

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 student accommodation and food and drink premises. A permit is also required to construct a building or construct or carry out works for the proposed use.

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* and Clause 52.34 *Bicycle Facilities* apply as the proposal is a new use. Council's Student Accommodation Policy at Clause 22.10-4 specifies car parking and bicycle parking spaces to be provided at a rate of 0.3 and 0.5 spaces per bed respectively.

The proposed car parking provision at a rate of 0.26 spaces per bed requires a reduction of 5 car spaces pursuant to Clause 52.06 *Car Parking*.

As the required bicycle spaces are provided, no permission is required for any reduction under the provision of Clause 52.34 *Bicycle Facilities*.

Clause 52.29: Land adjacent to a Road Zone, Category 1

A permit is required to create or alter access to a Road Zone, Category 1. The existing crossover at 40 Wellington Road is proposed to be removed as part of this application.

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

CONSULTATION:

The Applicant was verbally advised that this application was coming to the May 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 verbally 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 sending notices to the surrounding property owners/occupiers, and displaying three (3) signs on the two street frontages of the site.

No objections were received.

Referrals**External Referral****Department of Transport (Former VicRoads) (PPR 35001/21-A)**

Pursuant to the provisions of Clause 52.29 and 66.02-11 the application was referred to the Department of Transport (DoT) as the proposal includes alteration of access to a road in a Road Zone Category 1 and the proposed residential building comprises 60 or more lodging rooms. DoT did not raise any concerns, nor require any conditions.

Internal Referral**Traffic Engineer**

The application has been referred to Council's Traffic Engineers who have provided advice and recommended conditions in relation to the proposed car parking provision.

Council's Traffic Engineer considered that the proposed car parking rate of 0.26 parking space per bed is appropriate. The proposed ramp grade and headroom clearances are also satisfactory however the two long dead end aisles within the carpark are not appropriate as when all parking spaces are full there will be no area

for vehicles to turn around to exit the site in a forward direction. It is recommended that a signalling system to advise motorists prior to entering the site if there are any available parking spaces should be provided and it will form a permit condition if one is to issue.

Drainage Engineer

No concerns subject to conditions including submitting a stormwater drainage plan for approval.

Horticultural Services

Horticultural Services advised that no excavation will be allowed within 3.8 metres of each of the street tree located along the Arnott Street frontage.

The proposed vehicle crossover is setback more than the 3.8 metres from these trees and satisfies the requirement. Relevant tree protection measures will be required as a permit condition should a permit be issued.

Waste Services

Council's Waste Management Team advised that the submitted Waste Management Plan is satisfactorily as it meets the relevant requirements.

DISCUSSION:

Consistency with State and Local Planning Policies

State Planning Policy Framework (PPF)

Plan Melbourne Refresh 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 subject site is located within the MNEIC where the scale of new residential development will generally comprise larger footprint residential development of a high quality design and finish. In addition, Stage 1 of the Suburban Rail Loop project is envisaged for commencement in 2022 and proposes a new rail line connecting Melbourne's major employment, health and education precincts and activity centres. There will be a station located in or around the Monash University in Clayton, and the subject site is located just opposite to the Monash University campus.

This proposal to develop a multi-storey residential building for the use of student accommodation with high architectural quality over three lots of land meets the intent of the relevant strategic policies.

Local Planning Policy Framework (LPPF)

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.

Clause 22.01 (Residential Development and Character Policy) identifies the site within the *Housing Growth Area- Clayton Activity Centre and Monash National Employment Cluster*. The site is earmarked to provide larger footprint apartment development of a high-quality design and finish. Setbacks from all boundaries will be less than the other parts of Monash, and developments will ensure the incorporation of well-maintained landscaping to address the garden city character, albeit in a more urban form.

Clause 22.10 (Student Accommodation Policy) requires student accommodation to be of high quality and well designed and responds to the desired future character. Student accommodation 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. Developments should also provide adequate on site car parking and bicycle storage to minimise car parking impact on existing streets.

Clause 32.07- Residential Growth Zone Schedule 3 (RGZ3)

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 buildings of a high quality design and finish. The site is located in an area which is expected to undergo substantial change to provide for housing intensification. Design guidelines require developments to contain elements of the ‘garden city’ character and include breaks and recesses in building mass to avoid large block like structures dominating the streetscape, and respect sensitive residential interfaces.

The proposed 5 storey building is one storey higher than the preferred maximum building height of 4 storey (or 13.5 metres) as identified in Clause 32.07-9 of the Monash Planning Scheme. Discussion of the proposed built form will be under the *Assessment* section of this report.

Residential Growth Zone – Schedule 3 (RGZ3)

REQUIREMENT	RESPONSE
Minimum front street setback – 4 metres.	Compliance achieved The proposal provides for a front setback of 4-7 metres.
Minimum side street setback – 3 metres	Compliance achieved The proposal provides for a setback of 3-3.98 metres to the Arnott Street boundary.

Minimum rear setback- 3 metres for the first 2 storeys plus 2 metres for the third storey	Compliance achieved Minimum setbacks comply with this requirement ranging from 4.7 metres to 16.5 metres.
Landscaping - Retention or provision of 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.	Condition permit The proposed landscape plan shows six (6) trees within the front setback which will have a mature height of 8 and 10 metres. Additional canopy trees are provided to the perimeter.
Front fence height – 0.9 metres	Compliance achieved. No front fencing is proposed along the Wellington Road and majority of the Arnott Street boundaries.

ASSESSMENT

The provisions of Clause 55 of the Monash Planning Scheme are not technically applicable to the proposed five storey building; the provisions of Clause 58 are also not applicable as the proposal is not an apartment development. However relevant requirements will be used to assess the application to indicate if the proposal generally meets the requirements for residential developments.

Neighbourhood Character and Built Form

Whilst the purpose of the RGZ3 is to facilitate housing growth, it also envisages the development to be designed to respect the sensitive residential interfaces. New development must ensure that the design response contributes to the Garden City Character and responds to the features of the site. The height and setbacks of buildings are to respect the preferred neighbourhood character and limit the impacts on the amenity of existing dwellings.

The subject site is located at the edge of the RGZ3, with the adjoining land to the rear (south) zoned General Residential Zone Schedule 6 which is aimed to facilitate housing growth with a diversity of housing. The design response aims to minimise off-site amenity impacts to the southern adjoining properties through the provision of appropriate building setbacks, incorporating landscaping elements along the perimeter of the site and through the use of a diverse materials and finishes palette to break up building massing.

The subject land comprising 2 lots with a total land size of over 2,000 square metres provides an opportunity for a well-designed larger footprint building to meet the increasing need for accommodation. The proposed residential building has been designed in response to the features of the site and to respect existing residential interfaces for the following reasons:

- The context of the land warrants the support of higher than four storeys. In this instance the zone sets a preferred height of 13.5m and the proposed building has a maximum height of 17.2 metres, which is as measured on the southern elevation. The height of the building on other elevations varies

between 14.7 to 16.2 metres due to the fall of the land from Wellington Road.

- The proposed five storey building with recessed upper levels will not be at-odds in the streetscape. The top level floor area is substantially smaller than the floors below (approximately 62% of the ground floor area), and setback of the top level is varied to avoid the perception of a large boxy structure.
- It is setback significantly from the adjoining properties (over 6.7 metres to the western boundary and 12.5-16.5 metres to the southern boundary) and will not unreasonably impact on the amenity of the adjoining residential properties in terms of visual bulk and mass, overlooking and overshadowing.
- The subject site is also located on a main road directly opposite Monash University. Buildings within the University are generally higher than traditional 3-4 storeys and of a more bulky built form which are visible from Wellington Road.
- Architectural features and varied materials and finishes are utilised with the intention of providing high quality architecture. The brickwork to the bottom levels provide visual differentiation to the upper levels.
- Levels 3 and 4 are further recessed along the residential interfaces to minimise the perception of visual bulk which also provides a capping element to the development.
- The basement and ground level are setback from property boundaries to allow for canopy tree or screen planting along all boundaries to maintain the Garden City Character.

Streetscape presence and integration

- The proposal contains a dynamic façade to this interface which maintains a human scale, maximises the opportunities for outlook to the public realm and provide excellent active and passive surveillance to the street.
- The proposed café fronting Wellington Road will activate the Wellington Road street frontage.
- This façade is articulated with varied setbacks to side boundaries and materials and colours to create an interesting façade. The climber plantings assist in identifying the pedestrian entrance, breaking up the facade and increasing visual interest.
- Space has been made available for the establishment of canopy planting in the frontage.
- Pedestrian entry is located on Wellington Road and identified with architectural feature and climbers.
- Top two levels of the building are substantially setback from the side boundaries to avoid a 'box-like' built form.
- No vehicle crossover or driveway is location on the Wellington Road interface to minimise the 'hard' impact to the streetscape and maximises landscape opportunities.

Off site amenity impacts

Side Setbacks

The proposed setbacks generally comply with the recommended setbacks in Standard B17 of Clause 55.04. The non-compliance areas occur on the top three levels to the eastern boundary and the top two levels to the western boundary.



The subject site and its surrounding properties to the east and west are zoned Residential Growth and the area is expected to undergo substantial changes in regards to building height and scale, and the consequential streetscape presentation of new developments. Building setbacks around the periphery of the site will allow for planting of canopy trees or screen planting to assist in buffering the visual impact to the streetscape of Arnott Street and adjoining property.

Whilst the proposed top two levels of the development do not comply with the prescriptive setback requirements, the proposed setbacks of 6.2 metres in lieu of 10.24 metres to the western boundary is considered appropriate given the interface and ability for landscaping within the setbacks. The lower levels of the development comply with the ResCode setback requirements. Upper levels of the development have been setback having regard to anticipated future re-development of the adjoining land and to provide adequate massing. Upper levels are adequately recessed from lower levels to ensure that the massing impact to the adjoining property is not unreasonable. The primary view from the adjoining property to the west will be of level 1-2, with level 3-4 sufficiently recessed to minimise visual prominence.

The subject site is located within the Residential Growth Zone. It is intended for higher density multi-storey developments up to and greater than four storeys in height. The area is expected to undergo substantial change in regards to building height and scale. On balance, the proposed setback to the western boundary is considered appropriate.

The varied setbacks on these interfaces also breaks up the facades to avoid large block like structures or lengthy sheer facades. The proposal will not cause unreasonable overshadowing impact to the adjoining properties and is considered an appropriate response to the site context.

Overshadowing

Clause 55.04-5 Standard B21 *Overshadowing Open Space Objective* can be used as a guide and requires at least 75 per cent or 40 square metres, with minimum dimension of 3 metres, whichever is the lesser area, of the secluded private open space of an existing dwelling to receive a minimum of five hours of sunlight between 9am and 3pm on 22 September.

The shadow diagrams submitted indicate that whilst additional shadow will fall onto the west or south adjoining properties at 9am, shadow from 10am onwards will not exceed the existing shadow to the south adjoining properties, and additional shadow to the west adjoining property is limited to the driveway which meets the objectives of Standard B21.

Overlooking

Clause 55.04-6 Standard B22 *Overlooking Objective* requires that habitable room windows should be located and designed to avoid direct views into the secluded private open space of an existing dwelling within a horizontal distance of 9 metres.

All habitable room windows with potential overlooking issues are provided with external screening up to 1.7 metres, meeting the objectives of Standard B22.

Clause 22.10 Student Accommodation Policy

The proposed development provides adequate space and amenities to deliver an acceptable standard of living for students as required by the Council's Student Accommodation Policy.

Communal Open Space

The Policy encourages that facilities should provide a communal open space at ground level located to the side or rear of the building with convenient access. The Policy requires a communal open space area with a minimum area of 75 square metres or 4 square metres per student, whichever is the greater, designed with a minimum dimension of 3 metres, including one area to the side or rear of the building of 35 square metres with a minimum dimension of 5 metres.

The proposal with 130 students requires a total of 520 square metres of communal open space. A total area of approximately 785 square metres of outdoor communal open space is provided. All communal open space areas are accessible directly from the building. They will receive adequate sunlight and are adequate in size to provide sufficient room for canopy tree planting, and meeting the needs of outdoor recreation of future occupants.

Internal Amenity

Clause 22.10-4 *Student Accommodation Policy* recommends that a building used for student accommodation should incorporate the following amenities:

Category	Requirement	Compliance
Room size	Non self-contained accommodation: minimum of 16 square metres floor area per unit. Self-contained accommodation: minimum of 24 square metres floor area per unit.	Compliance achieved All units are self-contained and they are minimum 25sqm per unit.
Room Facilities	Separate sleeping area, study area with desk and seating, ensuite facilities, independent heating and cooling, inbuilt cupboards for storage of personal items, internet access, and for self-contained units, individual kitchen facilities.	Compliance achieved All units are either studio type or one bedroom, with bathroom and individual kitchen facilities.
Communal Amenities	Communal facilities should include individual mailboxes and a dedicated waste storage area Unless provided to individual units common facilities should also include laundry, kitchen and meals area facilities.	Compliance achieved A large communal/ study lounge and a multi-purpose room is provided on the ground level; whilst additional communal area is provided on each level. A common laundry is provided on the basement level near the lifts.

Overall, the proposal will provide good on site amenity for future residents.

Management Plan

Council's Student Accommodation Policy has a requirement for a management plan to be prepared and this is to be included as a condition on permit in the event a permit was to issue.

Landscaping

The Monash Planning Scheme seeks to maintain and enhance the Garden City Character of the Municipality and the Residential Growth Zone seeks to ensure development is located within a garden setting which allows retention of existing significant trees or planting of new canopy trees.

Proposed landscaping

Whilst there are no significant trees on site and existing vegetation will be removed, the landscape plan shows the proposed planting of a *Corymbia maculate* 'Low anna', two (2) *Brachychiton acerifolius x populneus* 'Jerilderie Red' and a *Buckinghamia celsissima* within the front setback with mature height of 8-10 metres. Proposed permit conditions will require at least one canopy tree to have mature height of 17 metres to satisfy the requirement of Standard B13 *Landscaping* of the RGZ3. These trees will assist to soften the appearance to the

streetscape and the interface with the adjoining land. The proposal supports the ambitions for achieving a Garden City Character.

An additional 20 canopy trees, including *Stenocarpus sinuatus*, *Elaeocarpus Eumundi*, *Corymbia ficifolia* 'Wildfire' and *Syzygium floriabundum* 'Sweeper', will be provided within the perimeter of the site. They will have mature heights of 6-10 metres which will also assist in softening the streetscape and adjoining properties.

Additional small trees, shrubs and ground cover planting are provided along property boundaries to further enhance the internal amenity of the building.

The water and gas meter enclosures are proposed to be within the front setback area. They should be screened within a landscaping setting which will be required via permit conditions if one was to issue.

Proposed Food and Drink Premises

The proposed food and drink premise (café) will serve drinks and cold/reheated food and no commercial facilities are proposed. The applicant advises staff members will be employed as part of the student accommodation facility. It is not considered that the café will cause any additional amenity impact through parking demand as customers are expected to be primarily nearby residents and of the proposed student accommodation. As such, it is not considered that restriction on the operating hours of the café is required.

Car Parking, traffic and access

Clause 22.10 *Student Accommodation* states that car spaces should be provided on site at the rate of at least 0.3 car spaces per bed for sites located within Preferred Locations, and 0.4 car spaces per bed for sites located outside Preferred Locations. There is no requirement for visitor parking.

The subject site is within a preferred location and also within the Principal Public Transport Network (PPTN) area. The car parking requirements for the proposal are set out in the following table:

Use	Number of rooms	Clause 22.10 Requirements	Car spaces Required	Car spaces Provided
Student Accommodation	130 Bedrooms	0.3 car spaces per bedroom	39 car spaces	34 car spaces
Shortfall				5 car spaces

The proposal seeks to reduce the statutory car parking requirement for the proposed student accommodation to 0.26 space per bedroom, which is similar to the car parking requirement for rooming housing in Clause 52.06-5 of the Monash Planning Scheme.

A Traffic report provided by the applicant indicates that the existing student accommodation facility at the subject land recorded a typical level of parking demand in the range of 0.22-0.26 car spaces per bed; and car parking demand of other student accommodation facilities ranges between 0-0.07 spaces per bed depending on the location of the facilities.

The report concluded that the proposed car parking rate of 0.26 spaces per bed is considered appropriate based on the following reasons (summarised):

- Case study data from other student accommodation sites shows that the provision of 34 spaces would be sufficient in servicing the car parking demand associated with the proposed student accommodation.
- The subject land is well located to take advantage of public transport including bus services which provide connections to local destinations, particularly the Clayton Activity Centre and Clayton Train Station.

Council's Traffic Engineers agree with the assessment of the report and support the proposed car parking rate at 0.26 spaces per bed.

In terms of vehicle access, the purpose of Clause 52.06 Car Parking is to ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use. Vehicle manoeuvres within the basement car park and the design of car parking spaces are considered satisfactory with the exception of the two long dead end aisles. This can be addressed by providing a signalling system to tell motorist prior to entering the site if all spaces are full.

Council's Traffic Engineers also advised that the predicted traffic generation is low and is expected to have a negligible impact on the local traffic network.

Bicycle Parking

Clause 22.10 *Student Accommodation* specifies that bicycle parking should be provided at a rate of 1 bicycle space for every 2 students. Bicycle space design must comply with the requirements of Clause 52.34 *Bicycle Facilities* of the Monash Planning Scheme. The bicycle parking requirements for the proposal are set out in the following table:

Use	Number of Apartments	Statutory bicycle parking requirement	No. of spaces required	No. of spaces provided
Student accommodation	130 beds	1 space per every 2 beds	65 spaces	65 spaces (48 spaces within the basement, 6 spaces is near the entrance to the car park; and 11 spaces at ground level near the

				pedestrian entrance from Wellington Road
--	--	--	--	------------------------------------------------

The proposed bicycle parking meets the statutory requirements. The proposal including bicycle parking spaces within the basement and on ground level near the building entry is considered convenient for users.

Waste Collection

Waste collection is proposed within the basement, with the waste truck propping within the basement and undertaking collection via a private collection contractor. Council's Waste Services is satisfied with the Waste Management Plan including the access and design.

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 student accommodation in these locations. The design response has been developed having appropriate regard to objectives of the Residential Growth Zone Schedule 3.

The proposed architecture is of a high standard and will provide a positive architectural presentation in the neighbourhood. The proposed building will be setback adequately to property boundaries to limit off site amenity impacts and allow for landscaping opportunities to maintain the garden city character.

Adequate communal open space is provided for recreation and landscaping purposes. Common areas are provided within the building to avoid social isolation, and internal amenity of the units is satisfactory.

The car parking provision for the proposal is considered adequate and supported by Council's Traffic Engineer.

Overall, the proposal is considered appropriate in both its concept and design and it is recommended that 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.