



**Aspendale Gardens Residents Association
PO Box 490
Braeside Vic 3195**

18 May 2016

**City of Kingston
Planning Referrals
PO Box 1000
Mentone Vic 3194**

Dear sir,

Re: KP-519/2012/A 11-33 Narelle Drive Aspendale Gardens

Aspendale Gardens Residents Association would like to object to the above development on the following grounds:

Neighbourhood Character

The height, mass, bulk, scale and density is contrary to clause 21.05 of the Kingston Planning Scheme by adversely impacting on the character and identity of Aspendale Gardens. The proposed development will have an excessive visual presence with a detrimental impact on neighbouring properties through the loss of visual amenity. The proposal is totally out of character for the rest of the suburb which is single and two story homes on standard blocks.

Waste Management

There are a number of issues with the Waste Management proposed for the development which are fundamental to the proposal being able to operate in the future as follows:

- The Waste Management Plan (WMP) is not consistent with the proposed development plans in a number of ways including the spatial provision of bin storage and the types of bins to be used for the development;
- There is no provision for turning for a 6.4m long waste vehicle which would need a larger turning circle not able to be provided within the car parking area;
- Rear loaded collection is proposed for the bins, which means that a truck will have to come up the ramp, somehow turn around in the small car parking space, proceed to drive out down the ramp and then reverse back up the ramp for the bins to be collected;
- Clearance for the waste truck on the ramp is shown on the plans, however this is based on smaller 660L bins being utilized, with the development plans proposing the use of 1100L bins which will need a higher clearance. The truck will also be partly located on a downhill

ramp when collection takes place, therefore a larger clearance will be needed with the truck at that angle;

- “Adjusted Sustainability Victoria Guidelines” for waste generation estimates have been used in the WMP, however these guidelines no longer exist and there is no justification for how they have been adjusted.
- It is assumed that the larger bins have been shown on the plans for the application to be able to provide a smaller spatial provision of space for the bins. One of these bins is tucked in a corner and surrounded on two sides by another bin and will therefore be inaccessible. When a minimum of three collections per week will already be required, all bins must be able to be accessed safely by users of the space;
- There is no opportunity on the plans to increase this area of bin storage without making substantial changes to the development plans which would affect the number of car parking spaces provided and the number of apartments;
- The WMP refers to a Managers Residence and a gym being provided within the building which are not shown on the plans submitted for consideration, meaning that this is erroneous or the WMP has been prepared based on previous versions of the plans;

For the above reasons, the Waste Management of the development will be unable to be managed and should form a ground of refusal for the Council.

Services on balcony areas

It is not shown on the plans how heating and cooling will be provided to each of the future dwellings, which will likely result in the provision of air conditioning units or heating units being located on balconies which are already barely over the minimum size. For the purposes of 23 units, this may be appropriate, but when each balcony on the façade will have an ugly, noise generating air conditioning unit, this is an unacceptable design response. These are not shown on the elevations or the few perspectives shown in the advertising documentation which is misleading.

Car parking

No car parking should be dispensable for this development, given the increased intensity of the proposal and the number of residents to be accommodated here in the future.

- The applicant has submitted that there is a 708 bus route which runs along Wells Road every 30 minutes during the week which goes to Mordialloc train station. This journey will take 20 minutes. We would argue that this service is no where near convenient enough for any future residents to dispense with the need for a car. Comparing this situation to Mentone Activity Centre where residents would have pedestrian access to a train station taking them into the city, future residents here would be much more likely to be able to live conveniently without the need for a private vehicle. Further the 708 route is often congested at morning, afternoon and evening peak times resulting in overcrowded services;
- Some of the car spaces shown for the apartments do not meet Australian Standards in terms of their dimensions, which would result in an overhang into the minimal aisle space, restricting traffic flows around the car parking area. Where spaces abut a hard edge such as a wall or another space, these spaces should be 500mm longer. If these areas are too difficult to park in and may result in damage to a personal vehicle due to the tight spaces, residents will simply opt not to use the space and park at grade in the shopping centre car park where their vehicles are less likely to be damaged;
- No swept path diagram has been provided for the waste truck as referred to in the Ratio Report and not enough analysis has been undertaken by the traffic consultants on this issue;

- If three cars are occupying a three car stacker, it is not clear from the plans how the upper and lower vehicle will be accessed given that there is no distribution space within the sections provided;
- The shopping centre car park is already completely full during school pick up and drop off times at the Western end of the building.

Traffic

The increased number of vehicles that this proposed development brings raises real safety issues in terms of entry and exit through to the road. Supermarket delivery trucks will become involved in difficult manoeuvres when using the proposed exit and entry alongside the ramp and parked cars onto Kearney Drive.

We remain concerned that traffic and pedestrian management in terms of exit and entry to the ramp and to and from Kearney Drive will prove to be inadequate in terms of use and safety

This development will create significant additional traffic during peak periods, adding to existing congestion already experienced during school pick up and drop offs

Internal Amenity

The reliance on borrowed light throughout the development is an indication of the overdevelopment of the proposal. The majority of the proposed apartments will rely on borrowed light in one form or another throughout the proposal, and whilst this has been considered acceptable by the Tribunal on some occasions, the majority of decisions turn on the percentage of apartments using this design response and almost all decisions in relation to borrowed light state that this is not an ideal outcome. Where a development is able to be designed from scratch and has three facades that are not overshadowed or limited by other developments, then this makes the design outcome an unacceptable one in terms of internal amenity for future residents.

In *Terry Harper Architects v Glen Eira CC & Ors* [2011] VCAT 810, the Tribunal stated:

- There are a number of ground floor apartments that would have reduced access to light due to their orientation and overhanging balconies. Quite a high proportion of apartments would rely on borrowed light to main bedrooms.
- I have some concerns about the floorplans of the apartments. On the whole, I find the design overly reliant on borrowed light to main bedrooms. While apartments with borrowed light to bedrooms appear increasingly common in higher density developments, particularly those in major activity centre and especially on more compact lots, in the current setting, I regard it as a poor design response [39-40].

This application was notably also located within a Neighbourhood Activity Centre (Caulfield South Neighbourhood Activity Centre). This application was refused on design grounds despite being located within a Housing Diversity Area where apartments and increased density are appropriate and with good access to public transport – two major items missing from the subject site at Narelle Drive.

Development Impact on Shopping Centre

An Activity Centre policy is a key State planning policy and seeks to create centres for retailing, business and community facilities to serve the local community. The State Business policy encourages development which meets the community's need for retail and other commercial services.

The Aspendale Gardens Shopping Centre focus is on local and weekly convenience shopping with a mix of retail and service facilities.

The proposed development is not complementary to the role and scale of the commercial operations as a shopping centre.

The provision of housing in an Activity Centre is a secondary function of Activity Centre policy and should not prejudice its primary function as a centre of shopping, commercial and community facilities and services. We believe the proposed apartments will substantially affect the ability of the shopping centre to function as a local community shopping centre.

Additionally the impact of prolonged constructions could affect resident and delivery access to the centre and also viability of the traders which would destroy the primary function of the building as a shopping centre.

We call on council to reject this poorly planned and excessive development in Aspendale Gardens.

Regards,

A handwritten signature in black ink, appearing to be 'Tony Firman', written in a cursive style.

Tony Firman
President
Aspendale Gardens Residents Association
0419 999 323