



ratio consultants newsletter June 2010

this months featured project is:

Lyall Road, Berwick

Ratio Consultants is very pleased to be associated with the recent approval of a major mixed development on a large vacant parcel of land within the Berwick Activity Centre. Ratio Consultants was appointed by Sheridar Pty Ltd to assist them with the proposal which includes a full line supermarket and speciality shops, a 46 room hotel with associated function rooms and restaurant, 3600 sqm of office floor area and associated car parking. The Buchan Group prepared an exemplary contemporary design which will establish a new benchmark for quality architecture in the Berwick Activity Centre.



The proposal raised many challenging issues through the application process for the consultant team, including:

- the provision of a contemporary form of architecture which responds appropriately to the finer grained character of much of the Berwick Activity Centre;
- the delivery of a 5 storey building where local policy sought to limit development to 3 storeys;
- the provision of an appropriate interface to the residential areas to the north of the site;
- resolving traffic and parking issues, particularly access into and out of the site onto Lyall Road in close proximity to the Princes Highway;
- resolving flooding issues through close consultation with Melbourne Water;
- resolving issues associated with the relocation of infrastructure such as drainage pipes and powerlines.

The matter received extensive local media coverage and the application received approximately 200 objections. After Casey City Council's refusal of the application the permit applicant lodged an application for review with VCAT.

A fast lane and a slow lane...

The Major Cases List established by VCAT is up and running and is delivering on expediting the decision making process on larger scale developments worth in excess of \$5M. This streamlined process secures final hearings within a swift 12 weeks from when an appeal is submitted.

On the other hand, Ratio has found recently that for smaller projects that do not qualify for the major cases lists the timeframes for getting a final hearing have blown out significantly. In some instances there have been delays of 8-9 months to get a hearing date locked in – which is around double the usual timeframes.

Jeremy Gobbo QC and Susan Brennan, instructed by Norton Rose Lawyers ran the case assisted by a team of experts. In approving the proposed development, the Tribunal emphasised the strategic importance of major activity centres. In its order dated 11 May 2010, the Tribunal stated, amongst other things:

'We acknowledge that this will introduce a substantial new building together with new levels of activity into this locality. The building and activity levels will have an impact on the amenity and character of this locality, and also on the traffic volumes around the centre. These impacts however have been well managed through the design of the proposal and are acceptable in the context of the Council's policies for this centre specifically, and with broader policies about major activity centres generally.'

We agree and believe that the decision of the Tribunal confirmed our initial view that this proposal represents wonderful opportunity for the Berwick Activity Centre, delivering social, economic and environmental benefits to the community.

Images courtesy of The Buchan Group, Melbourne.



This issue, we cast our eyes on Sam D'Amico - Associate Director, Town Planning

Passions:

My family, scuba diving – just came back from 7 days diving in the Coral Sea (far north Queensland) and eating lots of good food.

Who do I support:

The Mighty Magpies!

What am I reading right now:

'Raising the Dead' by Philip Finch. It's about David Shaw, the Australian that died while diving in a cave trying to recover a body that had been at the bottom for 10 years.

Who do I think will win the World Cup:

SPAIN



ratio

Promotion to Senior Planner

Congratulations go to Simon Martin on his promotion to Senior Planner. Simon is currently in South Africa showing his support for the Socceroos. Now that they are out of contention Simon's last sporting hope is now his beloved Blues in the AFL Grand Final - similar odds to the Socceroos winning the World Cup!

STOP THE PRESS

Colleen Peterson, a Director of Ratio Consultants, was recently appointed to the Architects Registration Board of Victoria, playing an important role in reviewing issues associated with the architecture and development industry in Victoria.

Congratulations Colleen.

When is a Service Station a Convenience Shop?

Ratio was recently involved in a VCAT hearing where a legal question was raised by the Shire of Mornington Peninsula, which suggested that a proposed Coles Express Service Station, which included a retail area totalling 240 square metres, should be defined as two separate uses, a service station and a convenience shop.

If Council was correct, the implications would be that the retail area would have to be reduced to 80 square metres in order for the use to be permissible in a Residential 1 Zone, thereby eliminating the viability of the proposal.

While the Council was armed with a number of relatively recent Tribunal decisions which supported Council's argument, Deputy President Gibson determined that the first principle in characterising the proposed use of a premises, it is always necessary to ascertain the purpose of the proposed use or the 'real and substantial purpose' of the proposed use.

Included in the definition of a service station are things that would constitute separate uses, which may be prohibited in the zone if these things were not included in the definition of service station. However, the fact that they are included in the definition of service station means that these activities should not be regarded as separate uses.

The Tribunal determined that there was no justification to attempt to import an implied limit of 80 square metres of floor area for the selling of food, drinks and other convenience items given that the Tribunal was satisfied that the real and substantial purpose of the use was a service station.

For more information, please contact Sam D'Amico on 9429 3111.

Premium residential development in Armadale

Ratio Consultants Pty Ltd provided traffic engineering services to Vivas Lend Lease, who propose to develop the site at 590 Orrong Road in Armadale into a high quality residential precinct. It will consist of up to 500 dwellings designed by Architects Bates Smart in a range of residential apartment towers and luxury townhouses.

The site is ideally positioned for high density residential living due to its location adjacent to the Toorak Railway Station, Toorak Park and Victory Square. With direct access to Orrong Road, it provides opportunities to link into the existing road network as well as the public transport services within the vicinity of the site.

Residents of the development will be encouraged to utilise alternative transport modes and this will be aided by the site's excellent accessibility to a range of public transport options, including train services at the adjacent Toorak Railway Station, buses that run past the site's frontage along Orrong Road, and tram routes to the north and south of the site along Malvern Road and High Street. In addition, the site is well serviced by pedestrian and cycling routes with a key cycling route that runs parallel with the railway line and abuts the site to the north west.

It is proposed to create a new signalised intersection at Orrong Road with the junction of a main internal boulevard (subject to VicRoads approval).

The access strategy has been developed to provide primary access to/from Orrong Road in a safe and convenient manner, with limited impact on the operation of the arterial road network, whilst minimising any traffic intrusion into the residential precinct to the south.

The main boulevard servicing the site will be an attractive tree-lined avenue reflecting the finest qualities of an Armadale streetscape. The remainder of the internal road network will incorporate traffic calming devices to aid pedestrian access or function as either low speed 'Shared Zones' or low-key access routes to car parking areas and be appropriately paved to reflect their function.

Convenient bicycle parking facilities will be provided within the site to encourage the use of this mode of transport for both leisure and commute trips.

The development will establish high levels of residential amenity and sustainability, in part due to its ideal location adjacent to public transport services, public open space and other community and commercial facilities. The site will also be self sufficient for resident and visitor parking.

Image courtesy of Bates Smart Architects



quirky facts

WHEN SIZE DOES MATTER

The world's longest continuous fence – the dingo fence – was built to keep sheep safe from Australia's native dog and runs for 5,531 kilometres through central Queensland and South Australia.

The world's longest piece of straight railway track stretches 478 kilometres across South Australia's vast, treeless Nullarbor Plain.

Queensland's Great Barrier Reef is home to the world's largest oyster, weighing up to 3 kilograms.

The world's longest earthworm, stretching up to 4 metres in length, is found in Gippsland, Victoria.