Urban Planning Report

Proposed Retirement Village & Childcare Centre
445 to 467 Blackburn Road, Mount Waverley

Prepared for:
BC Mount Waverley Project Pty Ltd
November 2019
Executive Summary

The permit applicant, BC Mount Waverley Project Pty Ltd, has prepared a comprehensive development proposal that will deliver a major net community benefit for Mount Waverley and the wider City of Monash. The proposed Retirement Village and Childcare Centre will fulfil an identified need to address housing for an aging population and will deliver the minimum density of units to ensure an economically viable, sustainable and vibrant community facility and service.

The building form will be recognised as an exemplar for its transitional approach to scale and architectural quality appropriate to the location. It will also enhance the garden character of the area through a comprehensive strategy to revegetate and integrate smart design initiatives in response to the site context, in particular the adverse pedestrian amenity conditions of the Blackburn Road interface.

The subject site is located at intersection of the Pinewood Shopping Centre (north), the Monash Freeway (south) and the Lemont Avenue residential area (west). Despite its residential zoning, it is currently occupied by an existing commercial use (Conference Centre, Cafe and Motel) with a limited relationship to the residential area. With direct frontage to the Shopping Centre car park opposite in Lemont Avenue (north) and the primary exposure to Blackburn Road (east) and the Monash Freeway (south) the land largely exhibits a low amenity non-residential context.

The land was subject to a previous failed permit application for the development of a 10-storey building (overall height of 34.9m) containing dwellings, retirement units, a childcare centre and a hotel. The relevance of the previous application to the current only extends to the guidance contained within the Tribunal’s analysis of the physical and policy context as it relates to the site. In its determination VCAT identified the key questions necessary for Council to answer in support of redevelopment of the site:

- Is the proposed built form an appropriate response to the context?
- Is the proposed mix of uses appropriate?
- Will the proposal result in any unacceptable amenity outcomes?
- Does the proposal provide sufficient car parking, and will the traffic movements be acceptable?

The proposal now before Council addresses the challenges of the previous application, but most importantly is derived from a detailed analysis of the physical context and policy guidance for the site.

The collective input of the project team answers the above questions and recommends that a permit should be granted for the proposal for the following reasons, including:

- The proposed 186 Independent Living Units (ILU’s) will establish a critical mass of approximately 300 residents living within the community that will deliver a diverse socio-demographic and cultural mix of elders critical to the sustainable and economic viability of its operation, facilities and services;
- The integration of a Retirement Village and Childcare Centre offers opportunities for ‘intergenerational learning’ and is appropriately located at the cusp of the activity centre and the residential area meeting policy directions of essential services and a diversity of housing for an aging population;
- The proposed building provides an appropriate transition of height, mass and scale through the application of a 2-3 storey envelop (9.18m height to the street wall) for the length of the ‘transition zone’ within the lower scale Lemont Avenue residential area west;
- The proposed building appropriately rises from the ‘transition zone’ to taller building form of 23.92m from natural ground level (maximum building height to Blackburn Road, excluding plant beyond), which is equivalent to just over six (6) storeys or 23.2m under the previous VCAT proposal) wrapping the Blackburn Road frontage to the Monash Freeway interface;
- The building is setback a minimum of 7.6metres along the entire length of the street frontages providing similar building setbacks to the residential area and providing a comprehensive strategy to establish a lush landscape character and transition at street level, including planting of canopy trees that will exceed 8metres in height;
- The building has been well designed to minimise the impact on the redevelopment of the land on the amenity of the area by virtue of the transitional building scale, building setbacks reducing visual bulk and overshadowing, minimising potential overlooking and noise;
- The statutory car parking requirements for car and bicycle parking are provided in full and the proposal will not impact the operation or amenity of the road network as a result of traffic generation;
1 Introduction

This report has been prepared on behalf of BC Mount Waverley Project Pty Ltd in support of an application for a Retirement Village and Childcare Centre at 445-467 Blackburn Road, Mount Waverley.

The site is zoned General Residential Zone 2 (GRZ2) and a planning permit is triggered under the following clauses of the Monash Planning Scheme:

- Clause 32.08-2 – Use of land for a Retirement Village and Childcare Centre (Section 2 Use); and
- Clause 32.08-9 – Buildings and works associated with a Section 2 Use in the GRZ2;

This report addresses the planning merits of the proposal and undertakes an assessment against the relevant statutory controls, decision guidelines and policy considerations contained within the Monash Planning Scheme.

The analysis contained within should be read in conjunction with the below supporting documentation, plans and specialist reports:

- Certificate of Title (Appendix 1);
- Centennial Living Management Team Profile (Appendix 2)
- Architectural Plans and Architectural Statement, prepared by Metaxas Architects (Appendix 3);
- Sustainability Management Plan, prepared by Sustainable Development Consultants (Appendix 4);
- Waste Management Report, prepared by Leigh Design (Appendix 5);
- Landscape Concept Masterplan and Statement, prepared by Land Design Partnership (Appendix 6);
- Arboriculture Report, prepared by Tree Logic (Appendix 7);
- Clause 58 of the Monash Planning Scheme (Better Apartment Design Standards) Assessment (Appendix 8)
- Plan Comparison Diagrams, prepared by Metaxas Architects (Appendix 9)
- Traffic and Car Parking Analysis Report, prepared by Ratio Consultants (Appendix 10);

As demonstrated within the supporting documentation, it is considered that the proposal appropriately responds to the physical site context and the policy context directed by State and Local policy of the Monash Planning Scheme.
2 Site Context

2.1 THE SUBJECT SITE

The subject site can be described as follows:

- The site presents three (3) street frontages. Blackburn Road (east), Lemon t Avenue (North) and Monash Freeway (south).
  
- An aerial photograph of the site is shown in Figure 1 below.

The land is irregular in shape with an approximate 91.70 metre frontage to Lemont Avenue; a 79.53 metre frontage to Blackburn Road; and a 70.47 metre frontage to the Monash Freeway off-ramp. The western boundary of the site runs the length of a residential property containing two (2) dwellings for 54.63 metres.

- Refer to Figures 2 to 5 for photographs of the surrounds of the subject site.
- The total site area is approximately 6,350 square metres.
- The site is developed with series of interconnected single and double storey buildings used for the purposes of a hotel, café, restaurant and conference centre.
- The existing buildings are setback between 6m and 8m from each of the boundary frontages.
- Vehicle access to the site is taken via the Lemont Avenue frontage. Existing car parking associated with the use is contained on site with the primary visitor car parking area located to the corner of the Lemont Avenue and Blackburn Road frontage of the site.
- The land is generally flat with little fall across the site.
- The property is contained within a single title and formally described as Lot 1 on Title Plan 194024L. A copy of the land’s Certificate of Title is attached in Appendix 1 and shows that there are no encumbrances.

Figure 2: Subject site at the corner of Blackburn Road and Lemont Avenue

Figure 3: Subject site – Blackburn Road frontage
2.2 IMMEDIATE INTERFACES

The immediate interfaces of the site are described as follows:

- The property to the west (No. 102 Lemont Avenue) is developed with two (2) double storey brick dwellings. Vehicle access to the site is located to the western boundary of the property. The dwellings back onto the western boundary of the subject land. The private open space for unit 1 is located principally within the frontage (north) of the dwelling, whilst private open space for unit 2 is located to the rear of the dwelling (south).

Refer to Figure 6 for photographs of No. 102 Lemont Avenue below.
The land to the north of the subject site contains the Pinewood Shopping Centre car park, with 25 public car spaces immediately fronting the property boundary. A landscaped verge containing medium rise trees separates the car parking area and the footpath that runs east west along Lemont Avenue.

The land to the north west (No’s 121 Lemont Avenue and 123 Lemont Avenue) are both developed with a single storey brick dwellings. The rear of these properties back onto the Pinewood Shopping Centre car park, where their private open space is located. Both dwellings have vehicle access from Lemont Avenue opposite the subject land.

Refer to Figure 7 for photographs of No’s 121 & 123 Lemont Avenue

To the east of the subject land Blackburn Road presents a six (6) lane arterial road. A central medium strip contains eight (8) tall native gums trees. The grass coverage is under the tree canopy is in poor condition. The eastern side of Blackburn Road contains four (4) dwellings, of which some appear to be used for commercial purposes. The land to the north of these dwellings is used for a nursery and contains a large expanse of car parking and commercial buildings.

The land immediately to the southern boundary of the site presents the landscaped verge and off ramp to the Monash Freeway. The off ramp is three (3) lanes, which connects to the intersection of Blackburn Road, which is controlled by traffic signals. The landscaped verge slopes away from the subject site and contains an approx. 3m high acoustic wall and scrapping canopy vegetation, which appears to be poorly maintained.

Refer to Figure 8 for photographs of the interface of the site with the Monash Freeway off ramp
2.3 THE SURROUNDS

The subject site is located in an area characterised by a wide range of uses including residential, retail, industrial and education facilities.

The site fronts Blackburn Road, which is a major local arterial road. It carries 6 lanes of traffic and high vehicle volumes to the surrounding residential and employment areas to the north and south. Bus stops are located along Blackburn Road, providing public transport connection to Monash University, Middle Brighton, Croydon and Blackburn.

Immediately to the north of the site a wide utilities easement is located containing large overhead powerlines which extend in an east-west direction through the surrounding area. The easement also contains a large at-grade car park associated with the Pinewood Shopping Centre.

The Pinewood Shopping Centre site contains a large expanse of public car parking at grade and a mixture of medium rise buildings and commercial office building with 4-5 commercial levels in height. The centre contains a wide variety of uses and local services, including a supermarket, cinema, restaurants / cafes and fast food outlets and a range of other specialty retail shops.

The residential area located to the west of the subject site in Lemont Avenue contains a variety of low scale form of varied architectural style and character (old and new). Dwellings are generally setback between 6 to 8 metres from the street. Open front gardens containing medium rise canopy trees (of varied health and condition) and other lower level vegetation, groundcovers and grass are observed within the streetscape. A mix of no front fences and low-level front fencing are present, with vehicle access to garages and carports forming part of the character of the area.

The ‘Monash Technology Precinct’, which is a major industrial and business area, is located to the south of the site on the southern side of the Monash Freeway. This commercial / industrial area contains a range of manufacturing businesses, technology industries and offices. The precinct forms part of the nationally significant National Employment and Innovation Cluster (NEIC) for research and innovation, supported by State policy. The Monash Technology Precinct extends south to the Monash University, Clayton campus.

There are a number of other services and facilities that are located in proximity to the subject site, including:

- The Pinewood Primary School and Preschool, approximately 200 metres to the northwest.
- Pinewood Reserve, approximately 800 metres to the northwest.
- Notting Hill / Pinewood Tennis Club, approximately 600 metres to the east.
- Janice Road Reserve, approximately 500 metres to the east.
- Bus stops along Ferntree Gully Road, approximately 600 metres to the south of the site, with services to Belgrave, Eastland Shopping Centre, Oakleigh and Chadstone Shopping Centre.

Refer to the architectural plans prepared by Metaxas Architects for Site Context Analysis, contained within Appendix 3.

2.4 PREVIOUS PERMIT APPLICATION

Planning Permit Application TPA/47337 for the construction of a building of up to 10 storeys (plus basements) accommodating dwellings, Retirement Village, childcare centre, hotel (with ancillary restaurant, conference and wellbeing centre) and associated car parking was submitted to Council in 2017 and subsequently refused in early 2018.

The decision of Council was reviewed by VCAT in October 2018 (VCAT ref. P588/2018) and following the submission of amended plans, the Tribunal ultimately determined to affirm Council’s decision to refuse the permit.

Having regard the previous proposal, in its determination VCAT identified the key questions relevant for the consideration of the redevelopment of the site:

- Is the proposed built form an appropriate response to the context?
- Is the proposed mix of uses appropriate?
- Will the proposal result in any unacceptable amenity outcomes?
- Does the proposal provide sufficient car parking, and will the traffic movements be acceptable?

Whilst reaffirming Council’s decision, the Tribunal provided the following guidance in answering the above questions which may be applied to the new proposed use and development of the land:

- ‘the review site is capable of accommodating a built form in the order of five to six storeys in height, subject to achieving appropriate landscape outcomes, and built form transition to the residential interface. We consider that a development along these parameters will be a better fit for the physical and policy context that prevails’.
- ‘we are persuaded that the proposed land use mix is acceptable. The multi-age precinct is a relatively new concept and, having the benefit of submissions and evidence, we consider that it represents an acceptable planning outcome in the context of the review site.
- ‘there are no visual bulk impacts on the immediately adjoining dwellings due to their orientation’
- ‘the locality experiences a level of ambient noise arising from its adjacency to the freeway and Blackburn Road. This context will have the effect of making noise from the childcare centre less acute than would be the case in a quieter residential area’.
- ‘VicRoads now no longer objects to the proposed development, having regard to the resultant increased traffic levels and the effect on the surrounding arterial road network. We place weight on the independent analysis conducted by VicRoads, and its absence of an objection’
- ‘the proposed increase in traffic volumes will not create an unacceptable amenity impact on the nearby residents’

It is considered that these statements provided by VCAT are helpful and form a relevant part of the ‘site context’ in the assessment and composition of the new proposal.
3 The Proposal

3.1 THE PROPOSED USES & MANAGEMENT

The proposal seeks the use of the land for an integrated Retirement Village and Childcare Centre. However, both uses will operate and be managed independently.

3.1.1 Retirement Village

The proposed Retirement Village responds to an identified need and undersupply of suitable accommodation for the aging population within the greater Mount Waverley region. Suburbs that are well served with Retirement Communities tend to have a penetration rate (proportion of current over 75’s living in Retirement Villages or Aged Care) above 35%. The current penetration rate in the region is 10.8% which demonstrates a significant undersupply of retirement communities in the region.

The proposed 186 Independent Living Units (ILU’s) will establish an appropriate critical mass of approximately 300 residents living within the community that will deliver a diversity and socio-demographic mix critical to the success of the village.

The Retirement Village will provide an ‘assisted living environment’, which is a suitable form of residential accommodation for most older people to live in for the rest of their lives. In an ‘assisted living environment’, home care services are able to be more efficiently delivered to residents than is otherwise possible in a suburban home setting. Residents of the village will have usually downsized to a 1/2-bedroom unit with high levels of accessibility features and receive a range of regular supports such as meals, laundry, cleaning, amenities and social interactions. The village also caters services to support both couples and singles moving into assisted living.

The proposed Retirement Village is a high-quality development, intelligently designed to be a great place to live, offering vibrancy, joy and a feeling of belonging. Residents will enjoy the public, semi-public, exclusive and private spaces, with a variety of settings where activities, reflection and ‘resident to resident’ interactions take place.

Thoughtful attention has been given to the design detail throughout the building and in particular in the units that make life easier, such as wider doorways and corridors; hob less shower recesses; step-free access to all spaces; and reinforcing in bathrooms to support the safe installation of grabrails as necessary in the future. Resident security is well catered for, with 24/7 emergency call systems, CCTV monitoring, passive security in design and concierge staff on hand when needed.

Dedicated facilities, for the exclusive use of residents and their guests, include: a private cinema; an art/crafts studio; a workshop; outdoor BBQ; lounge bar and dining room; a 25m indoor pool; gymnasium and library.

The childcare/retirement co-location is unique to the region, yet such intergenerational programs have been shown to benefit both the retirees and children, with reduced social isolation and renewed purpose for the elders, and increases in language, social and emotional development in the children.

The Retirement Village will be managed by Signature Retirement Communities Pty Ltd, which is a joint venture with Centennial Living Developments. The Centennial Living management team is highly regarded and critical to the success of the facility. The management team have a deep expertise in the development and operation of retirement communities having previously operated and managed a number of Australian Unity retirement communities.

Centennial Living are currently the operator of three (3) existing retirement communities in North-Western Melbourne (Keilor Village, Keilor; Burnside Village, Burnside; and Taylors Hill Village, Taylors Hill), comprising 850 units and over 800 residents. Previously the management team was responsible for four (4) Australian Unity retirement communities across metropolitan Melbourne (Campbell Place, Glen Waverley; Victoria Grange, Vermont South; The Grace, South Melbourne; and Rathdowne Place, Carlton), prior to setting up Centennial Living.
The vision of Signature Retirement Communities Pty Ltd is:

‘for our retirement communities to be neighbourhoods that inspire, connect, and expand horizons, where everyone can live life to the full. To achieve this, we provide the homes, lifestyle and support services that create vitality in our communities. It’s about celebrating independence and having the freedom to live a long, happy and fulfilling life’.

A copy of the Centennial Living management team and their relevant experience is contained within Appendix 2.


3.1.2 Childcare Centre

The childcare centre is to be located on level 3 of the building. This centre is comprised of an indoor area of 588 square metres and outdoor terrace with an area of 565 square metres.

Whilst an operator for the childcare centre is currently under consideration, the centre will cater for a capacity of 80 children. The centre will operate between 7am and 7pm Monday to Friday (excluding public holidays).

The use is considered to play an important role engaging with the Retirement Village as an appropriate mix of residential uses in combination with the wider community need. Both the seniors living, and early childhood education sectors have sought to actively engage with intergenerational programs that have demonstrated great benefit both the seniors and children, with reduced social isolation and renewed purpose for the elders, and increases in language, social and emotional development in the children.

3.2 DESIGN RESPONSE & COMPOSITION

The proposal has been innovatively designed to respect to the existing building form and appropriately respond to the character of the wider neighbourhood. The proposal is for a multi storey building as follows:

- Multi-level Retirement Village containing 186 Independent Living Units (ILU) and communal amenities;
- A childcare centre of 1,153sqm (internal and external) for 80 students;
- Two (2) basement levels containing 251 car spaces; and
- A maximum building height of 23.922m at the highest point (excluding top of plant) from natural ground level.

The proposal is shown in detail in the submitted plans prepared by Metaxas Architects and can be summarised as follows:

3.2.1 Basement Level 2

- Total floor area of 4,263sqm containing 132 of car space for residents of the Retirement Village only, plus 113 storage units (with minimum area of 5.3sqm);
- Pedestrian access to/from the basement via 3 separate lift cores to the buildings above.

3.2.2 Basement Level 1

- Total floor area of 4,182sqm containing 88 of car space for residents of the Retirement Village and 31 car spaces for visitors and the childcare centre (including 1 disabled car space), plus 67 storage units (with minimum area of 5.2sqm);
Vehicle access from Lemont Avenue is provided direct to the visitor and childcare centre car parking area. Access to the Retirement Village car parking area is proposed to be managed via electronic gates that will remain closed and required swipe access (or similar) for residents use only.

Pedestrian access to/from the basement via 3 separate lift cores to the buildings above. Principal bin storage is located at this level adjacent to each lift core.

3.2.3 Lower Ground Floor

- Twenty-two (22) ILU’s, including 8 x one bedroom units, 11 x two bedroom units and 3 x three bedroom units. All units are accessed internal to the building.
- Each ILU is provided with outdoor terrace areas between 8sqm and 149sqm in area. The units fronting both Blackburn Road and Lemont Avenue are provided with extended terrace spaces that sit a maximum of 1.1m below natural ground level. These terrace areas are proposed landscaped via a tiered arrangement to the street level and includes the provision of canopy trees and low-level transparent fence treatment (refer to landscape masterplan).
- Vehicle access to the site is via Lemont Avenue to the western end of the property boundary. Service access to plant area is provided adjacent the primary vehicle accessway.
- Primary pedestrian access to the building is provide from Lemont Avenue via stairs and ramp access (DDA compliant).
- Total of 20 bicycle hoops for parking of up to 40 bikes is provided adjacent the main entrance to the building.
- A number of common areas for the sole use of the residents are located at ground level, including:
  - Lounge (168sqm) and Residents Club (97sqm) which flank the foyer to the building located at the pedestrian entrance to Lemont Avenue.
  - Internal courtyard (735sqm) providing ornamental landscaping and circulation to each wing of the building. The courtyard will be planted with a mix of low-level vegetation and canopy trees (refer to Landscape Masterplan for further detail).
  - A Cinema (50sqm) and Wellbeing Centre (810sqm combined) is located to the west of the internal courtyard. The Well Being Centre is accessed via the internal corridor of the southern wing of the building and contains a 25m Pool, spa, gymnasium, yoga studio, sauna and amenities. A small outdoor courtyard (57sqm) is located at the western side of the Wellbeing Centre and accessed via the gymnasium.
- The minimum building setbacks from the property boundary at this level are as follows:
  - North: 7.6 metres
  - East: 7.6 metres
  - South: 3.07 metres
  - West: 1.95 metres

3.2.4 Upper Ground floor

- Thirty-two (32) ILU’s, including 13 x one bedroom units, 13 x two bedroom units and 6 x three bedroom units. All units are accessed internal to the building via one of the three lift cores.
- Each ILU is provided with outdoor terrace areas between 8sqm and 14sqm in area.
- The minimum building setbacks from the property boundary at this level are as follows:
  - North: 7.6 metres
  - East: 7.6 metres
  - South: 3.07 metres
  - West: 1.95 metres

3.2.5 Level One

- Thirty-six (36) ILU’s, including 14 x one bedroom units, 17 x two bedroom units and 5 x three bedroom units. All units are accessed internal to the building via one of the three lift cores.
- Each ILU is provided with outdoor terrace areas between 8sqm and 17sqm in area.
- The minimum building setbacks at this level are as follows:
- North: 7.6 metres
- East: 7.6 metres
- South: 3.08 metres
- West: 5.59 metres

3.2.6  **Level Two**

- Twenty-four (24) ILU’s, including 10 x one bedroom units, 11 x two bedroom units and 3 x three bedroom units. All units are accessed internal to the building via one of the three lift cores
- Each ILU is provided with outdoor terrace areas between 8sqm and 20sqm in area.
- A childcare centre containing a total floor area of 1153sqm (588sqm internal + 565sqm external) to service 80 of students. The centre will contain four (4) individual activity rooms, with outdoor play-space immediately adjacent (facing north and west). The centre will be provided with internal amenities and facilities.
- Access to the childcare centre foyer on this level is provided via a lift from basement 1 and ground floor level. The lift, located to the north-western wing of the building, will be shared with residents of the Retirement Village. Access will be electronically managed so that attendees to the childcare centre are restricted to all other parts of the building.
- The proposed second floor setbacks are as follows:
  - North: 7.6 metres
  - East: 7.6 metres
  - South: 3.05 metres
  - West: 11.46 metres to the wall and 5.59 metres to the balustrade of the childcare centre terrace.

3.2.7  **Level Three**

- Twenty-four (24) ILU’s, including 9 x one bedroom units, 12 x two bedroom units and 3 x three bedroom units. All units are accessed internal to the building via either the southern or north-eastern lift cores
- Each ILU is provided with outdoor terrace areas between 8sqm and 55sqm in area.
- A community garden with indoor and outdoor floor space is located to the western end of the floor level and provided as part of the communal retirement living space. The outdoor space is located on the roof of the childcare centre and consist a total area of 165sqm. The area will contain planter boxes for which residents will be able to garden. Internally the garden area will have a total area of 57sqm and provided with kitchen and dining facilities for use only by the Retirement Village residents.
- The proposed second floor setbacks are as follows:
  - North: 7.6 metres
  - East: 7.6 metres
  - South: 3.1 metres
  - West: 11.18 metres

3.2.8  **Level Four**

- Twenty-four (24) ILU’s, including 8 x one bedroom units, 11 x two bedroom units and 5 x three bedroom units. All units are accessed internal to the building via one of the three lift cores
- Each ILU is provided with outdoor terrace areas between 8sqm and 20sqm in area.
- The proposed second floor setbacks are as follows:
  - North: 7.6 metres
  - East: 7.6 metres
  - South: 3.01 metres
  - West: 12.45 metres
3.2.9 **Level Five**

- Twenty-four (24) ILU’s, including 8 x one bedroom units, 11 x two bedroom units and 5 x three bedroom units. All units are accessed internal to the building via one of the three lift cores.
- Each ILU is provided with outdoor terrace areas between 8sqm and 20sqm in area.
- The proposed second floor setbacks are as follows:
  - North: 7.6 metres
  - East: 7.6 metres
  - South: 3.09 metres
  - West: 15.4 metres

3.2.10 **Roof Top**

- A resident’s club pavilion is provided at the uppermost level of the eastern wing of the building at roof level. The club area provides and indoor lounge of 411sqm and an outdoor terrace area located to the wet of the roof deck consisting an area of 244sqm. The pavilion will be accessible to all residents of the Retirement Village via the lift core to the north east of the site.
- The plant and equipment room is also located at this level of the building, consisting an area of 343sqm. The plant room will be accessed via the southern lift core and stairs at the southern end of the building.
- The proposed setbacks to the roof top terraces are as follows:
  - North: 17.32 metres
  - East: 13.69 metres
  - South: 6.72 metres
  - West: 35.82 metres

3.2.11 **Built Form**

- The proposed built form has been carefully crafted to respond to the complex context that the site presents and seeks to address the issues raised within previous permit application for the site. In particular the proposed built responds to the need for a transition of height and scale from the low-rise residential area west of the site to Blackburn Road/Monash Freeway and response to the garden character of the area.
- The proposal has a maximum building height of 23.922m at the highest point (excluding top of plant) from natural ground level. The top of plant has a maximum level of 141.90 AHD.
- The maximum wall height from natural ground level along each frontage is:
  - North Elevation: 20.36m
  - Eastern Elevation: 20.72m
  - South Elevation: 22.48m
  - West Elevation: 10.58m (to the top of the childcare centre balustrade)
- Metaxas Architects have provided the following commentary to describe the composition of the proposal:
  - **Built Form:** The proposal is characterized by 2 main building forms, the taller rounded buildings facing the freeway and Blackburn Road and the lower transitional built form along the western end of Lemont avenue and along the western side of the development.
  - The other main characteristic is the landscaped front setbacks have been accommodated along the main street frontages. The proposed setback is in line with the suburban context and will allow for a generous landscaped presentation to both street frontages.
  - **Taller Built Form:** In part the context character has influenced this design. The taller built form is curved and mannered reflecting the topiary forms evident in the local gardens in this neighbourhood. The green and brown branches are reflected in the glass and framing of the majority of the built form. Whilst this reference is part contextual it is represented in modern materials, the built form reflecting a more contemporary expression. The internal walls of the taller built form are predominantly brown and bronze in nature, more reflective of the inside of a bush.
The main corner of Blackburn Rd and Lemont Avenue is further reinforced with a curved projecting element helping to distinguish this key junction. The form is clad in yellow glazing symbolic of a blooming bud against the green glass background.

- **Lower Built Form:** The lower transitional built form is around 2-3 stories in height and is setback along both the north and west boundaries allowing for landscaping to the frontage and side. The expression is similarly a contemporary façade comprising of brickwork and glass. The brick is a mixture of white and brown bricks, colours which are both sympathetic with the existing neighbourhood. The brickwork is placed in a vertical pattern with contrasting strips of brick and glass.

- **Communal Areas:** The development is for an integrated community which includes several communal areas designated for the benefits of the communal population and their visitors. The principle areas are the central green, the entry precinct, the wellbeing areas on the lower ground floor, the outdoor-indoor communal garden on Level 3 and the rooftop club lounge.
  - **Lower Ground Floor:** The main entry is off Lemont Avenue through a foyer incorporating a resident’s club and lounge areas. These feed into the large central green courtyard which becomes the main organizational space of this development. This internal courtyard features a large landscaped central element that is bringing the garden character into the heart of this built form.
  - **Level 3 Garden:** The garden areas include an indoor herb garden and outdoor planting areas to provide the opportunity for residents to pick seasonal produce for home use.
  - **Rooftop Club Lounge:** This area features a kitchen-bar area as well as external BBQ facilities and terrace.

Refer to Architectural Plans, prepared by Metaxas Architects, included within Appendix 3.

### 3.3 LANDSCAPE

- The proposal has been designed to maximise landscaping opportunities at ground level and throughout the common areas of the building. Careful consideration of the basement design and building setbacks has ensured that generous planting area to accommodate deep rooted trees may be established within the frontage of the proposal and adjacent to the sensitive interface to the west.

- The setbacks of the building have been maximised around the periphery of the site (above and below ground – basement level) will respond to the garden character of the area, with the establishment of both ground level and canopy vegetation.

- At ground level the building has been designed to respond to the adverse environmental conditions at the interface of the site to the Freeway & Blackburn Road by submerging the units between 0.75m and 1.1m below natural ground level, creating a ‘lower ground level’ and upper ground level to the building. The provision of extended sunken terraces and substantial landscaping within these frontages to these units provides both amenity protection from street level, whilst balancing a desire for interaction with the street and privacy for the units.

- A central courtyard provides a lush garden and passive amenity space that both welcomes residents to the village and breaks the form of the building allowing the establishment of vegetation, including canopy trees, to provide a central focus to the village.

Refer to Landscape Architecture Masterplan, prepared by Land Design Partners, included within Appendix 5.

### 3.4 WASTE MANAGEMENT

- An enclosed waste storage area is located adjacent to the entrance of each unit. It is proposed waste be collected as per normal Council operations along the Waterloo Street frontage.

Refer to Waste Management Plan, prepared by Leigh Design, included within Appendix 4.
3.5 ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT

- A Sustainability Management Plan (SMP) which outlines the proposed initiatives and undertakes an assessment of the performance of the building against the Built Environment Sustainability Scorecard (BESS).
- The development has been sensitively designed to maximise natural systems for heating and cooling, including cross ventilation, and will seek to incorporate a range of environmentally sustainable initiatives including dual glazed windows for greater thermal /UV efficiency and noise reducing properties. Concrete slab construction with the use of flash concrete, reducing embodied energy in its production.

Refer to Sustainability Management Plan prepared by Sustainable Development Consultants, included within Appendix 3.
4 Planning Policy Framework

4.1 STATE PLANNING POLICY FRAMEWORK

The following State policies are particularly relevant to this application:

- Clause 11 - Settlement;
- Clause 15 - Built Environment and Heritage;
- Clause 16 - Housing;
- Clause 17 - Economic Development;
- Clause 18 - Transport; and
- Clause 19 - Infrastructure

Broadly these policies seek to:

- Locate residential development and new housing in or close to activity centres and employment corridors and at other strategic development sites that offer good access to services and transport.
- Create mixed-use neighbourhoods at varying densities that offer more choice in housing, create jobs and opportunities to deliver better access to services and facilities.
- Avoid environmental problems and detrimental impacts by siting land uses and built form appropriately and by taking advantage of existing settlement patterns and landscaping that creates safe and attractive spaces.
- Encourage new developments to respond appropriately to their environment and particular emphasis should be placed on ensuring the urban environment is attractive, safe, healthy, energy-efficient, functional, enjoyable and provides a sense of place and identity.
- The provision of housing should be efficient in terms of infrastructure provision while meeting the needs of a variety of household types and having access to a range of services. Housing choice should be enhanced, and well-designed medium density housing is encouraged.
- Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.
- Ensure that the design and location of publicly accessible private spaces, including forecourts and walkways, is of a high standard, creates a safe environment for users.
- Ensure development responds and contributes to the strategic and cultural context of its location and site analysis provides the basis for the consideration of height, scale and massing of new development.
- Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.
- To promote a housing market that meets the community needs, including creation of mixed-use neighbourhoods that offer more choice in housing and assist the integration of education and early childhood facilities within local communities.

More specifically State policy provides objectives for Residential Aged Care facilities (Clause 16.01-7S), which state ‘To facilitate the development of well-designed and appropriately located residential aged care facilities.’ Policy emphasises that planning for housing that delivers and adequate supply of land or redevelopment opportunities for residential aged care facilities and enables older people to live in appropriate housing in their local community. The strategies also include to ‘promote a high standard of urban design and architecture in residential aged care facilities.’

4.2 LOCAL PLANNING POLICY FRAMEWORK

Council’s Municipal Strategic Statement (MSS) identifies the vision and strategic framework for development in the City of Monash, organised into a range of elements. The key elements of the MSS that are relevant to this proposal include:

- Clause 21.01 - Introduction
Clause 21.04 – Residential Development
Clause 21.05 – Economic Development
Clause 21.06 – Major Activity and Neighbourhood Centres
Clause 21.13 – Sustainability and Environment

Clause 21.01 of the MSS identifies that the population in Monash is noticeably ageing, with almost 22 per cent of the population aged over 60. Key issues and influences guiding Council include moving towards greater sustainability; maintaining the ‘Garden City Character”; managing changing lifestyle choices and the ‘demands of an aging population’. The gaining population and need for other housing forms to cater for these residents to ‘age in place’ and maintain existing social networks is a key influence on ‘a growing proportion of new housing construction’ in the City. Clause 21-01-2 states:

_Council intends to ensure that construction of a diverse range of housing including aged accommodation is sufficient to cater for the desires of the population in the future._

However, Council states ‘competing interest, including the need for housing diversity while respecting neighbourhood character, require careful planning to ensure that development outcomes are of a high-quality design standard and sympathetic to the existing or preferred neighbourhood character’.

The strategic framework plan and vision provides the Council priorities and future land use planning and development objectives. The Strategic Framework plan identifies the Pinewood Shopping Centre and surrounds as forming part of a Neighbourhood Activity Centre, for which the policy states to direct residential growth towards. In addition, the policy states that the garden city character is a key consideration when assessing development applications. In particular the following should be considered:

- Setbacks of buildings and car parks from roads, public spaces, other buildings;
- Mass and scale of building envelopes;
- Design of building facades;
- Quality of building materials;
- Location of car parking and accessways;
- On site canopy trees and other vegetation used in landscaping;
- Location of services;
- Street planting;
- Front fencing; and
- Promotional material and signage.

Specific policy is also provided for Neighbourhood Character at Clause 21.04-1. The subject land is identified as being part of the Residential Character type C, which is ‘derived from Post-war to 1965 development, undulating typography with a dominant N-S/E-W grid with some diagonal distortion’. The objectives, strategies and implementation section of this Clause provides policy that aims to

- recognise and provide for housing needs of an ageing population;
- encourage high standards of architectural design, including the incorporation of environmentally sustainable design principles in buildings and landscaping associated with residential development that takes into account environmental constraints; and
- ensure that development is appropriate having regard to the residential environment of the area, in particular neighbourhood character and amenity.

In order to implement the MSS, the Monash Planning Scheme provides the following relevant policies for the consideration of new residential development, including:

- Clause 22.01 (Residential Development and Character Policy) which applies to all residential land and seeks to encourage the provision of a variety of housing types to accommodate future housing needs; encourage sustainability and energy efficient practices; built upon landscaping contribution and generally buildings to be low rise in areas outside activity centres, with the exception being circumstances where an approved Structure Plan or other planning mechanism is in place or where individual circumstances support and alternative height.
- **Clause 22.04** (Stormwater Management Policy) applies to all land in the Municipality and requires that stormwater flows generated from increased impervious areas can be managed by on-site retention systems. The rate of discharge should be limited to pre-development levels. Development should be designed and managed to minimise the impact of urban stormwater runoff on waterways in accordance with best practice environmental management guidelines.

- **Clause 22.05** (Tree Conservation Policy) also applies across the entire Municipality and encourages the retention of mature canopy trees and new landscaping opportunities to enhance the Garden City Character.

- **Clause 22.09** (Non-Residential Use and Development in Residential Areas) applies to the consideration of the childcare centre, food and drink premises, medical centre and convenience shop uses proposed as part of this application. Clause 22.09-4 lists performance and locational criteria for non-residential use and development, which are summarised below.
  - Locate discretionary non-residential uses adjacent to existing activity centres and on higher order roads and particularly on corner sites.
  - Provide appropriate buffers and interface between commercial, residential and industrial land uses.
  - Apply creative design solutions that enhance the quality of all residential areas, particularly in relation to streetscape issues, scale of buildings, provision of open space and setbacks to ensure adequate landscaping.
  - Take into account the existing and preferred character statements for the Neighbourhood Character Type.
  - Maintain and enhance the established treed environment by reinforcing the garden city character of Monash.
  - Avoid reliance upon on-street car parking.
  - Minimise disruption and nuisance to adjacent residential properties and the residential neighbourhood.

- **Clause 22.13** (Environmentally Sustainable Development Policy) applies throughout the Municipality and seeks to ensure that development meets appropriate environmental design standards. Clause 22.13 lists a range of objectives relating to energy efficiency, water resources, indoor environment quality, stormwater management, transport, waste management and urban ecology. Under Table 1, a planning permit application for more than ten dwellings must be accompanied by a Sustainability Management Plan (SMP).
4.3 ZONING AND OVERLAYS

- **Zone: General Residential 2 Zone**

The site is located in a General Residential Zone 2 (GRZ2) as is shown in Figure 9 below.

![Figure 9: Zoning Plan](image)

The relevant purposes of the General Residential 2 Zone include:

- encourage development that respects the neighbourhood character of the area;
- implement neighbourhood character policy and adopted neighbourhood character guidelines;
- provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport;
- allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

Under the GRZ a planning permit is required to use land for a Retirement Village and childcare centre. A planning permit is required for the buildings and works associated with the proposed uses.

The subject site is affected by Schedule 2 to the GRZ (GRZ2), which relates to Monash Residential Areas., however the provisions of the schedule only relate to building requirements for dwellings and residential buildings, which are not applicable to the proposed uses.
Overlays: Vegetation Protection Overlay 1 (VPO1)

The site is subject to a Vegetation Protection Overlay Schedule 1, as is shown in Figure 10 below, which relates to Tree Protection Area.

Figure 10: Vegetation Protection Overlay Plan

The VPO1 seeks to conserve the significant treed environments and ensure that new development complements the Garden City Character of the neighbourhood. A planning permit is required to remove or destroy any vegetation that has a trunk circumference greater than 500 millimetres and is higher than 10 metres.

As the proposal does not include the removal of trees that meet the above requirements, a planning permit is not required under the VPO1.

4.4 PARTICULAR PROVISIONS

The following Particular and General Provisions are relevant to the proposal and the subject site:

- Clause 52.06 Car Parking
- Clause 52.29 Land Adjacent to a Road Zone
- Clause 52.34 Bicycle Facilities
- Clause 65 Decision Guidelines
5 Planning Considerations

5.1 OVERVIEW

The following sections of this report provide an analysis of the relevant planning considerations:

- Compliance with zone and relevant policies;
- Appropriateness of design response;
- Appropriateness of the response to the garden character;
- Potential off-site amenity impacts;
- Internal amenity and accessibility considerations; and
- Traffic, access and car parking considerations.

5.2 COMPLIANCE WITH THE ZONE AND RELEVANT POLICIES

5.2.1 Compliance with the General Residential Zone (Schedule 2)

Within the General Residential Zone 2 (GRZ2) both a Retirement Village and a Childcare Centre are unlisted Section 2 uses within the zone for which a permit is required.

The purpose of the zone is to, amongst other matters, ‘provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport’ and to ‘allow a limited range of other non-residential uses to serve local community needs in appropriate locations’.

The positioning of the subject land is prominent at the intersection of the Monash Freeway, the Pinewood Shopping Centre and the Lemont Avenue residential area. Whilst the land is subject to a residential zoning the context is anything but consistent residential in character and is surrounded by commercial land uses to the north, as well as major road infrastructure zoning to the immediate east and south. Whilst the Monash Freeway provides excellent vehicle accessibility to the site, Blackburn Road carries a number of bus services providing connection to retail / service / employment land north and south as well as nearby rail stations. Land on the eastern side of Blackburn Road has also been reappropriated in some circumstances from residential use, with former dwellings being converted to business uses, including health services.

The proposed Retirement Village will provide a required form of housing that is limited in supply within the City of Monash and well located to serve aging residents excellent accessibility to public transport and the range of daily retail, social and health services within the nearby Shopping Centre.

A critical aspect of the use is the ability to establish as sense of community, which is achieved by ensuring a critical mass of units and residential population is delivered. Whilst 200 Independent Living Units (ILU’s) is the usual viable target requirement, it is considered that the proposed 186 units will establish an adequate critical mass of approximately 300 residents living within the community that will deliver a diverse socio-demographic and cultural mix critical to the success of the village and the economic viability and sustainability of its operation.

Further the inclusion of the childcare centre within the proposal is considered consistent with the zone as it is a form of non-residential use that congruous with residential uses and commonly located within residential zoned land or adjacent to activity centres, which enable parents the ability to undertake multiple tasks within a single trip.

Whilst a proposal that combines accommodation for elderly residents and childcare may initially appear incongruous, the concept of ‘intergenerational learning’ is a major development in both the aging and early learning sectors in recent years. Many studies have linked social interaction with decreased loneliness, delayed mental decline, lower blood pressure, and reduced risk of death and disease. Socialising across generations has also been shown to increase engagement and wellbeing for older generations. The integration of the proposed uses within the development is considered appropriate and should be encouraged to support the needs of the community. It is therefore considered that the proposed mix of uses is consistent with the zone and should be supported.
Character of the municipality and addressing environmental sustainability objectives for an aging population, as well as ensuring new development addresses the highly valued Garden. The City of Monash’s MSS provides a strong vision for housing growth and diversity, including planning for an aging population, as well as ensuring new development addresses the highly valued Garden Character of the municipality and addressing environmental sustainability objectives.

The proposed development of the subject site for a multi-storey integrated Retirement Village and childcare centre is consistent with both State and Local Planning Policy Frameworks for the following reasons:

- Clause 21.01 of the MSS identifies that the population of the municipality is aging with almost 22 per cent aged over 60. The key issues guiding Council include managing changing lifestyle choices and the ‘demands of an aging population’, for which the proposed Retirement Village directly responds to these objectives.
- The land is a large under-utilised site containing an existing non-residential use at the interface of the Pinewood Neighbourhood Activity Centre, with excellent access to public transport and road infrastructure connections. Clause 21.06 identifies that development located outside an activity centre should be generally low rise with the exception being if a structure plan applies or where individual circumstances support an alternative height.

Whilst no structure plan applies to the land, the merits of whether an ‘individual circumstance’ applies to the site was tested with the previous VCAT hearing which found that the site was appropriate for a higher and more substantial built form by virtue of it being ‘very large in its context, located on the edge of an activity centre, adjacent to a main road, and on a site with three road abutments’. Given the site context analysis it is considered that the site presents an ‘individual circumstance’ to support alternative height.

The proposed height and scale of the building is appropriate for the location and respectful to the adjoining built form within the immediate and surrounding area providing a transition of scale and form from Blackburn Road frontage to the Lemont Avenue residential area. This is also achieved by providing a 7.6m setback, similar other building setbacks (range between 6m to 8m) and low-rise residential scale (maximum height of when viewed from the pedestrian environment). Whilst not applicable to the development, the proposed front setbacks comply with the minimum requirements of Schedule 2 to the GRZ for Monash Residential areas.

Whilst higher built form may be visible beyond the low scale street frontage it is considered that the peripheral views will not be dominant or appear out of context for a site at the edge of an activity centre and the Monash Freeway.
Specific policy is contained within the MSS and local policy aimed at maintaining and enhancing the ‘Garden City Character’ of the municipality. Clause 21.04 provides neighbourhood character reference for the subject site being located in a Residential Type C area identified primarily for its Post War 1960’s residential housing typologies. The existing building on the site does not represent this character. Whilst the prevailing zoning of the land is residential, the site presents as fundamentally non-residential and offers little by way of contribution to the Garden Character by virtue of the dated architecture, poor quality landscaping, prominence of hard paved exposed car parking area.

Policy does not suggest that new built form and development should not present differing or contemporary architectural styles to the existing character type. It does, however, focus on ensuring large front setbacks are maintained to facilitate the retention and enhancement of canopy tree cover which acts to soften the built form and provide shelter and shade. The policy suggests the presence of “greenery” and vegetation within developed areas is visually appealing and results in benefits to the environment.

The proposed building has been setback a minimum of 7.6m to all street frontages, allowing clear depth of soil below for substantial planting within the frontages. The front setback proposed within the Blackburn Road frontage of the site are also greater than the setback to the existing Hotel to ensure a generous landscaped interface is dominant at street level and softens the presence of built form beyond.

Overall it is considered that the front setbacks proposed by the development will improve the Garden Character of the area with substantial planting of canopy trees and ‘greening’ the landscape consistent with local policy direction.

The proposal appropriately responds to the provisions and purpose of the Vegetation Protection Overlay (Schedule 2) which seeks ‘to conserve significant treed environments and ensure that new development complements the Garden City Character of the neighbourhood’. The existing vegetation contained within the subject site in neither high quality nor significant in contributing to the Garden City Character of the area. The arboriculture report prepared by Tree Logic identifies a number of healthy species located at the southern corner of the site with frontage to Blackburn Road and the Monash Freeway. It is considered the comprehensive planting and revegetation of the site frontages within then front setbacks will significantly improve the treed environs and garden city character that the overlay seeks to promote.

Local policy at Clause 22.13 of the planning scheme seeks to moving towards greater sustainability for new development. The proposal has been well designed to respond to sustainability objectives achieving a score of 56 under the Better Environmental Sustainability Scorecard (BESS) and incorporating a number of sustainability initiatives including the provisions a solar-panels and 99kw battery storage; double glazing and onsite water treatment and reuse. Refer to Sustainability Management Plan within Appendix 3 of this report for further details of the BESS assessment and incorporated initiatives.

The proposal provides an appropriate amount of car parking to meet the needs of both residents of the Retirement Village, their guests and attendees of the childcare centre, complying with Council policy and the provisions of Clause 52.06 of the planning scheme. Similarly, the proposal provides adequate bicycle parking on site to meet the needs of residents and their guests with the provision of bicycle hoops located within the entrance to the building and at basement level to meet the provisions of Clause 52.34 of the planning scheme.

It is considered that the proposal achieves a high level of compliance with the policies and objectives of the State Planning Policy Framework and Local Planning Policy Framework.

5.3 APPROPRIATENESS OF THE DESIGN RESPONSE

Whilst the site sits at the cusp of the Pinewood Activity Centre and presents a different physical context to the balance of Lemont Avenue, it is acknowledged that the site forms part of this residential neighbourhood and is contained within the GRZ2. The proposal for a vertical Retirement Village (and childcare centre) of this nature, although not categorised as apartment building under the definitions of the Planning Scheme, must produce acceptable height, built form and character response appropriate for
the broader physical and strategic policy site context as well as the more immediate adjacent residential context.

The siting, form and scale of appropriate built form on the site was considered by VCAT in its determination of the previously proposed 10 storey proposal. VCAT in its assessment of the appropriateness of the proposed response to the broader and immediate context stated in its determination that:

‘the review site is capable of accommodating a built form in the order of five to six storeys in height, subject to achieving appropriate landscape outcomes, and built form transition to the residential interface. We consider that a development along these parameters will be a better fit for the physical and policy context that prevails’.

The above provides a guide for an assessment of the proposed design response contained within the following sections of this report.

Although not applicable to a Retirement Village, an assessment of the proposed development against the provisions of Clause 58 of the planning scheme is also contained in Appendix 7 to this report.

5.3.1 Building Height

At the highest point, the maximum overall height of the building is 23.92m above natural ground level. Within this envelope the proposal contains six (6) residential floors, above the basement, and an enclosed communal pavilion at the roof top level. It is noted that the lower ground level is submerged 0.76m to 1.1m below natural ground level in order to innovatively respond to the street interface with Blackburn Road.

In comparison to the previous proposal considered by VCAT, which had a maximum overall height of 34.9m, the proposal, when measured to the roof top level, fits within building envelop above natural ground level equivalent to just over six (6) storeys (23.2m) of the previous proposal.

Refer to Figures 11-13 form comparison of the building envelop between the current and the former VCAT proposals. (note: red line indicates 2018 VCAT proposal. Brown line indicates approx. 6 storey height of 2018 VCAT proposal)

Figure 11: Building envelop height comparison – View from Lemont Avenue from west looking east.
Figure 12 Building envelop height comparison – View from Blackburn Road from south looking north.

Figure 13: Building envelop height comparison – Section B

Refer Appendix 9 for more Building envelop height comparison diagrams and sections

As demonstrated, it is considered that the proposed overall building height directly addresses the position formed by VCAT with an equivalent up to ‘six (6) storey’ overall height being appropriate, subject to the success of the landscape outcome and the transition of built form to the residential area.

5.3.2 Transition of built form and scale

Despite its residential zoning and containing an existing commercial use the site context presents very different interfaces for which built form must respond. With reference to plan SK02.1, the site exhibits three (3) distinct interface profiles:

- **Interface to Freeway & Blackburn Road** – The highly exposed non-residential interface with Blackburn Road, Monash Freeway and the north eastern frontage of the site to Lemont Avenue;
- **Street Interface** - The western frontage of the site transitions to residential in character as the Lemont Avenue passes the sites frontage from the existing vehicle access to the western property boundary;
- **Sensitive Interface** - The western boundary forms the sensitive interface with the lower scale single and multi-dwelling residential area.
5.3.2.1  *Interface to Monash Freeway & Blackburn Road*

The taller built form of the proposal is located with frontage to the 'Interface to Freeway & Blackburn Road'. The building is shaped to wrap this interface of the site and has been crafted to present two (2) distinct ‘wings’ of the building.

- **The north-eastern wing** - presents its form to the intersection of Lemont Avenue and Blackburn Road, with the inclusion of an architectural feature at upper levels to create a statement that draws the eye of views when travelling south along Blackburn Road from the Pinewood Shopping Centre.
- **The southern wing** - addresses the intersection of Blackburn Road and the Monash Freeway off ramp. The taller form presents a strong architectural element and gateway feature when travelling towards the commercial area from the Monash Freeway off ramp or the commercial area along Blackburn Road south of the freeway.

When viewed from a distance the scale and form of the building will appear non-residential in nature with the appearance of glazing prominent. The visual que is similar to that of a commercial building with a 'glazed curtain wall', which is a built form typography that is not out of character or context for gateway locations to activity centres or commercial areas, or buildings with interface with to the Monash Freeway. However, as the building approaches closer to view the subtlety of the façade treatment and glazing (with the inclusion of winter gardens and louvres) softens the form of the building and the clear residential character is apparent.

When viewed from Blackburn Road and the Monash Freeway surrounds the scale of the building will be prominent in view but not out of proportion of its strategic redevelopment role and its gateway location.

Refer to Figure 14 for 3D visualisation of the proposal at the Blackburn Road & Lemont Avenue intersection looking south.

![Figure 14 - 3D visualisation corner Blackburn Road & Lemont Avenue intersection looking south.](image)

5.3.2.2  *Street Interface*

With reference to the *Street Interface* the scale of the building has been designed to transition from the low scale residential area to the taller building form associated with the ‘Interface to Freeway & Blackburn Road’, by presenting a predominately 2-3 storey residential scale to the building along Lemont Avenue. With direct frontage to the Shopping Centre car park opposite in Lemont Avenue and the exposure to Blackburn Road and the Monash Freeway (west and south) the land presents a predominantly non-residential context.

The site context analysis has identified a ‘transition zone’ where Lemont Avenue curves south from the interface with the Pinewood carpark to residential with dwellings located on both sides of the street. The site has a frontage of approximately 45m to this ‘transition zone’.
In response, the proposed building curves with the alignment of the road and steps back the building form further to 13.25m from the boundary at lower ground level to provide a sense of openness to the streetscape as it enters the more residential context. Further the building (including basement) has been setback over 7.6m from each property boundary to ensure substantial landscaping area is provided to improve the overall quality of the garden character of the site surrounding adjacent area. The primary pedestrian entrance to the building is also purposely located in this zone and designed to provide a residential sense of address and arrival.

The scale and height at this point does not exceed 9.18m above ground level to the street wall, with two levels of retirement units oriented to the street. Level 2 of the building (containing the childcare centre) within this transition zone is further setback 14.9m at the closest point to the street boundary. The balustrade for the outdoor terraces associated with the childcare centre will be visible from the street, it should be noted that the form of the childcare centre component at this level will be largely obscured when viewed from the street.

Whilst the form of the taller elements of the building may be seen from oblique angles behind the built form of the Street Interface, when viewed from the residential area of Lemont Avenue the taller built form will recede into the background providing an appropriate transition of scale, setback and form.

Refer to Figure 15 for 3D visualisation of the proposed Street Interface

![3D visualisation of the proposed Street Interface](image)

**Figure 15 - 3D visualisation of the proposed Street Interface**

5.3.2.3 **Sensitive Interface**

The subject site abuts the property at 102 Lemont Avenue immediately to the west. This property contains two (2) x two (2) storey dwellings within 0.85m from the common property boundary.

The proposed building has been well setback at each level to minimise the direct visual prominence of the building when viewed from the 102 Lemont Avenue. At its closest point the building is setback approximately 2metres from the western property boundary at lower ground level. This setback increases and varies along the length of the boundary, generally ranging between 5.5metres to 9.5metres as the building steps up to levels 1 and 2.

Sections E and F on TP4-3 demonstrate that the western elevation of the proposal will be obscured from view beyond the balustrade of Level 2 of the building when viewed from 102 Lemont Avenue. Level 2 of the proposed building will sit at a similar height (126.6 AHD) to the double storey dwellings of the adjoining property.

Refer to Figure 16 below for sections of the proposal at the interface with 102 Lemont Avenue.
Figure 16: Section E & F of proposal along western boundary with 102 Lemont Avenue

It is therefore considered that the scale and form of the proposed building in response to the sensitive western interface of the property has been well setback and design to provide an appropriate transition of height and form.

5.4 APPROPRIATENESS OF THE RESPONSE TO THE GARDEN CHARACTER

The proposal has been well designed to respond to the to the desired garden character referenced in policy as well having regard to the site opportunities, street interface relationships and the design constraints associated with the construction of a multi-level Retirement Village.

The garden setting of Lemont Avenue is typically residential in nature with most homes having a front garden setback of between 6m to 8m, containing various small to medium trees and understory plants. Street trees are mixed, both in terms of size and health without any distinct character traits.

The landscape interface at the corner of Lemont Avenue and Blackburn Road, could be best described as sparse and inconsistent. Medium street trees of varied health are located within the street verge on both sides of Lemont Avenue, however it is the presence of the above ground power poles and associated power infrastructure that dominates the streetscape setting. No street trees are provided on the verge of the western side of Blackburn Road, with the landscape setting primarily derived from the slender eucalypt trees located in the median and the planting on the subject site adjacent the existing outdoor dining area of the hotel. To the south of the site adjacent the Freeway off ramp the landscape setting is dominated by a number of large Cyprees trees and the approx.3m timber sound wall that frames the southern boundary of the site.

Overall the existing landscape setting does not stand out in the context, nor does it obscure the built form and other service infrastructure. The setting can be best described as inconsistent and eclectic.

The proposal will have an overall site coverage of 63.6%, with a permeable area of 22.9%, which is an improvement of the existing permeable area of 20.5%. The overall area of ‘green space’ throughout the proposal is 35.7% (which includes the roof top terrace and Level 3 garden). To improve the subject sites contribution to the landscape setting and ‘green space’ at street level, the proposal has setback the building form a minimum of 7.6m along the Lemont Avenue and Blackburn Road frontages, which mimics the residential setting along both frontages.

Refer to Figure 17 for landscape concept plan for ground plain and canopy tree planting.
The provision of terraces to individual units within the frontages also promotes residential activation and interaction with the street and a strong interface that is residential character. The proposal has set the lower ground level of the building below the natural ground level of the pedestrian pavement between 1.1m and 0.75m along the frontage. The landscaping has been designed to ‘step up’ to street level, emphasising the dense presence of ground covers and canopy trees planted in full soil at the street edge. The landscaping will be maintained by the operators of the Retirement Village. A transparent steel batten fence will formally secure the street edge and each terrace accessed internally via gates within the site and between each terrace for maintenance purposes only.

The sunken terrace enables the landscape to be layered and provides usable private open space that interacts with the street whilst providing greater privacy residents by virtue of the split in levels. The eye line of pedestrians on the street will be drawn looking through a dense landscape setting to the terrace area’s below. Similarly, terraces of the ‘ground level’ units will be elevated above the natural ground level, again splitting the eye level between the units and pedestrians within the street. It is considered this innovative design solutions appropriately balances the need for privacy within the development, whilst maximising landscaping and planting of canopy trees, that will grow approx. 8m in height.

Refer to Figure 18 for landscape section to demonstrate the interface condition at lower ground level and Blackburn Road.
Whilst the higher form of the building will be visible from the street above the vegetation canopy it is considered that the proposal appropriately balances strategic policy aimed at increasing density and diversity of housing, whilst ensuring the quality and character of the area is enhanced.

To the west and south of the site, it is considered that the proposal provides appropriate building setbacks at ground level to achieve a meaningful landscape response for both adjoining neighbours (102 Lemont Avenue) and with relationship to the Monash Freeway, which is dominated by the presence of the sound wall. The removal of the cypress trees and their replacement with medium rise trees (approx. 6m in height) proposed for this area will provide seasonal interest and filtered views to the south and a portion of the sound wall. To the south of the indoor pool, full height glazing will allow south light with upright trees and a lush understory filtering views to the sound wall, which is considered an appropriate response to the garden setting and relationship with the Monash Freeway.

To the west (120 Lemont Avenue) similar tall upright shrubs and a lush understory will feature filtering views to and from the neighboring residential property, over the boundary fence. The shrubs will be evergreen and hedged with some seasonal interest provided when flowering. A gravel path ‘apron’ along the building will provide maintenance access. A rain garden is also to be located along this boundary as part of the WSUD strategy.

Whilst not visible from the street, the provision of an internal landscaped courtyard draws the garden character and openness of the street environment into the development, providing a sense of lush greenery from within the building. The provision of tall slender canopy trees (and ground level landscape) within the central courtyard will provide a rich landscape setting for residents facing west and north-west to admire.

It is considered that the proposal has been innovatively designed to respond to all street frontages to maximise the establishment of a rich landscape value and enhance the Garden City character sought by Council policy.
Overall, it is considered that the proposed development will not have any unreasonable impacts on the adjacent properties for the following reasons:

5.5.1 **Visual Bulk**

- It is considered that the proposal has been well designed to respond to the amenity of the existing dwellings located at 102 Lemont Avenue, with the building form being well setback at each level of the building to minimise the direct visual prominence of the building when viewed from the private open space of these dwellings.

Sections E and F on TP4-3 (Refer Figure 16 on Page 31) demonstrates that the western elevation of the proposal has been appropriately setback in accordance with Standard B17 of Clause 55 of the Planning Scheme (Rescode), although not directly applicable to the proposal. Whilst the building will be seen from the adjoining property the taller building form will be obscured from view beyond the balustrade of Level 2 of the building.

5.5.2 **Overshadowing**

- The shadow diagrams (TP 6.02 & TP 6.03) demonstrate that there will minor encroachments to the existing shadows caused by the building / fence line located along the western boundary of the site and there will be no unreasonable overshadowing as a result of the proposed development.

Given the north south orientation of the land it is noted that shadows cast by the proposal will encroach marginally further into the rear the properties to the west of the subject site at 9am, 12noon and 3pm. However, the shadow diagrams demonstrate that impact of shadows case by the proposal will be minor beyond that case by the existing shadows. Further it is considered that given the location of open space for both these dwellings shadows case by the proposal will not result in any material impact on the open spaces areas will be subject to shadows at the time that the proposal affects these properties.

Overall it is considered that there will be no unreasonable overshadowing as a result of the proposed development.

5.5.3 **Overlooking**

- There are no windows to habitable room located in either of the dwellings at 102 Lemont Avenue that would result in direct overlooking between the properties. Highlight windows are provided within both units that face west however the sill height exceed 1.7m and which will limit the potential for any direct views.

- The proposal has been well designed to the west at each level of the building to minimise the potential for overlooking of private open space of the dwellings at 102 Lemont Avenue. Screening is provided to all terraces oriented west up to a height of 1.8m. Whilst it is acknowledged that the screening to the western facing units on level 1 and level 2 will be operable, it is considered that given the separation distances to of approximately 9m to the boundary that overlooking will be minimal in these locations and acceptable in this context.

Although not directly applicable, it is considered the proposed approach is consistent with the standards and objectives of Clause 55 of the planning scheme (Rescode).

5.5.4 **Noise**

- The potential for unreasonable noise impacts associated with the childcare centre and its outdoor terrace will have a limited impact on the amenity of the units and adjoining property at 102 Lemont Avenue, for the following reasons:
  - The childcare centre will only operate between 7am to 7pm Monday to Friday;
- Despite the location of the sound wall to the south of the site, the immediate environment is already affected by the noise impacts of the abutting arterial roads, in particular the Monash Freeway which is audible at all times of the day;
- The outdoor terrace is provided with a 1.8m balustrade for the full length of the area, which will baffle noise associated with the childcare centre; and
- The orientation of the outdoor terrace is primarily north and is well setback (approximately 6m-9m) west from the residential interface.

5.6 INTERNAL AMENITY AND ACCESSIBILITY CONSIDERATIONS

The building has been designed to provide future residents with a high level of internal amenity and accessibility for likely user needs of older residents.

In particular the proposal has been designed to meet the silver standards for internal design under the Liveable Housing Design Guidelines. Whilst not a requirement of the planning scheme, these design standards are applied to improve accessibility for persons with limited or impaired mobility. Amongst a number of standards, in particular the guidelines require increased area and dimensions for door openings, corridors, bathrooms and construction standards to be applied to ensure adaptability of the units to meet the mobility requirements of likely residents.

Although not applicable to a Retirement Village, an assessment of the proposed development against the provisions of Clause 58 of the planning scheme demonstrates that the proposal shows a high level of compliance against the objectives and standards.

This is demonstrated that the proposal achieves a high standard of internal amenity and accessibility through the following:
- Each unit is provided with an efficiently designed layout and access to a private open space area (terraces with a minimum area of 8sqm) which meets the minimum Clause 58 requirement of 8 square metres for balconies. All units have direct access to terraces immediately from the living rooms.
- All units have a functional and flexible layout that could be adjusted to meet the needs of incoming residents.
- Natural light and amenity is provided to all rooms of each unit. No bedrooms rely on borrowed light. As demonstrated within the BESS assessment on average all units comply with the minimum access to daylight standards
- The building smart and efficient internal layouts including compact kitchens and laundry facilities, innovative wall mounted bike parking and storage areas. Each unit is provided with robes and external storage at basement level to meet the requirements of Clause 58 of the planning scheme.
- Common areas are well located and distributed throughout the development with convenient access to all residents.

An assessment of the proposed development against the provisions of Clause 58 of the planning scheme is contained in Appendix 8 to this report

5.7 TRAFFIC, ACCESS, AND CAR PARKING CONSIDERATIONS

The proposal will provide adequate onsite parking facilities to meet the requirements of the planning scheme and the likely generation required to meet the needs.

Vehicle access to the site has been positioned to the western end of the Lemont Road frontage and restricted to a single point of access/egress to minimise the potential for traffic conflicts and pedestrian movements to/from the site. The location of the access west of the intersection to Blackburn Road provides a safe passage and awareness for vehicle movements at the intersection. The existing crossover located within Lemont Avenue will be reinstated and landscaped.

The proposal does not seek to alter access to Blackburn Road, nor will it generate traffic associated with the proposed uses that would require any changes to the road network and/or impact its performance.
Vic Roads have been consulted in preparation of this application and have verbally provided there ‘in principal’ support.

Ratio consultants have undertaken a thorough assessment of the traffic generation, provision of car and bicycle parking for both the Retirement Village and childcare centre uses.

In summary of their key findings includes:

- The proposal provides 252 car spaces which exceeds the statutory requirement of Clause 52.06 for the Retirement Village of (220 cars for the ILU’s) and 17 car spaces for the childcare centre.
- The proposal provides 40 bicycle parking spaces, which exceeds the statutory requirements of Clause 52.34 of the planning scheme.
- The two levels of basement car parking and access has been designed in accordance with the requirements of Clause 52.06
- The area’s for loading and circulation have been designed to meet the requirements of the planning scheme and applicable standards.
- The SIDRA analysis of the impact of the proposed traffic generation on the operation of the intersection of Blackburn Road and Lemont Avenue will generate less traffic than the previous proposal considered by VCAT and is an acceptable outcome.
- The proposal will not result in a detrimental impact on the road network through traffic associated with the proposed uses. The proposed access point to the site is to the western end of the Lemont Avenue frontage (within the ‘transition zone’ of the design response) opposite the properties at 121 and 123 Lemont Avenue, which is adjacent to the car park associated with the Pinewood Activity Centre on the northern side of the street. It is anticipated that all vehicle movements associated with the site will be in an easterly direction to and from Blackburn Road, given the circuitous route that is available through the residential neighbourhood to the west.

Refer to Ratio Traffic Report, November 2019, contained within Appendix 10 to this report.
6 Conclusion

This report addressed the planning merits of a proposed development of the land for the purposes of a Retirement Village and childcare centre. In conclusion:

- The proposal demonstrates a high level of compliance with the State and Local Planning Policy Frameworks, which seeks to balance increased residential density in appropriate locations such as the subject site, whilst respecting the existing garden character and residential context;
- The proposed 186 Independent Living Units (ILU’s) will establish a critical mass of approximately 300 residents living within the community that will deliver a diverse socio-demographic and cultural mix of elders critical to the sustainable and economic viability of its operation, facilities and services;
- The integration of a Retirement Village and Childcare Centre offers opportunities for ‘intergenerational learning’ and is appropriately located at the cusp of the activity centre and the residential area meeting policy directions of essential services and a diversity of housing to for an aging population;
- The proposal has been appropriately setback along each street frontage and innovatively designed to enhance the garden character of the area through significant planting of canopy trees within the streetscape and stepping of the building form at lower/ground level;
- The proposed building provides an appropriate transition of height, mass and scale through the application of a 2-3 storey envelop (9.18m height to the street wall) for the length of the ‘transition zone’ within the lower scale Lemont Avenue residential area west;
- The proposed building appropriately rises from the ‘transition zone’ to taller building form (24.9m maximum height, which is equivalent to just over six (6) storeys or 23.2m under the previous VCAT proposal) wrapping the Blackburn Road frontage to the Monash Freeway interface;
- The proposal responds appropriately to the physical and policy context in terms of overall scale, built height and mass, taking into consideration an appropriate transition of scale from the lower scale residential area to the west and the prominent context of Blackburn Road, the Monash Freeway and the Pinewood Shopping Centre;
- The proposal provides sufficient car parking and bicycle parking to meet the needs of the proposed uses and will not result in any unreasonable impacts on the operation of the road network;
- The proposal will not result in unacceptable off-site amenity impacts; and
- The development provides a good level of internal amenity and accessibility to specifically cater for future occupants and requirements of seniors.

On balance, the proposal presents a good planning and design solution for the site should be supported by Council.

Jonathon Fetterplace  
Director  
A Different City Pty Ltd
Appendix 1  Certificate of Title
Appendix 2  Centennial Living Management Team
Appendix 3  Architectural Plans
Appendix 4  Sustainability Management Plan
Appendix 5  Waste Management Plan
Appendix 7  Arboriculture Report
Appendix 9

Architectural Plan Comparison Diagrams
Appendix 10  Traffic Report