

0.0 Planning Permit Application PLN18/0336 at 107-111 Andersons Creek Road, Doncaster East for buildings and works for the construction of 52 independent living units associated with the existing retirement village

File Number: IN18/534
Responsible Director:
Applicant: Baptcare Ltd c/- Urbis
Planning Controls: General Residential Zone – Schedule 3
Ward: Mullum Mullum
Attachments: 1 Attachment 1- Decision Plans PLN18/0336
2 Attachment 2 Legislative Requirements PLN18/0336

EXECUTIVE SUMMARY**Purpose**

1. This report provides Council with an assessment of the planning permit application submitted for land at 107-111 Andersons Creek Road, Doncaster East and recommends approval of the submitted proposal subject to amendments that will be addressed by way of permit conditions. The application is being reported to Council given that it is a Major Application (with more than 15 dwellings and a development cost of more than \$5 million).

Proposal

2. The proposal is for the construction of 52 independent living units (ILU's) associated with the existing Retirement Village. Each unit is provided either two bedrooms with a single garage, or three bedrooms with a double garage. The majority of units are arranged above or beneath each other in attached rows. The rows of units are arranged around a new driveway network and shared park.
3. The land is part of a larger site, which also contains a residential aged care facility (RACF) and church. The area subject to this application is 5256sqm. The proposal has a site coverage of 38%, a site permeability of 21%, and a maximum building height of 10.8 metres.

Key issue in considering the application

4. The key issues for Council in considering the proposal relate to:
 - Integration within the neighbourhood character and existing facilities.
 - On-site (internal) amenity for future residents.
 - Off-site amenity protection for residents west of the site.
 - Parking and site services.

Public Notification

5. At the time of writing this report, no objections have been received to the proposal.

Conclusion

6. The proposed development is well-designed, contemporary and generally complies with planning requirements. Furthermore, the scale and setbacks of the units are reasonable, satisfactory car parking is provided, quality landscaping is proposed and neighbour's amenity is protected.
7. It is recommended that the application be supported, subject to the following conditions.

1. RECOMMENDATION**That Council:**

Issue a PLANNING PERMIT in relation to Planning Application PLN18/0336 at 107-111 Andersons Creek Road, Doncaster East for the construction of 52 Independent Living Units associated with the existing retirement village subject to the following conditions –

- 1. Before the development starts, amended plans drawn to scale and dimensioned, must be submitted via email and approved by the Responsible Authority. When approved, the plans will then form part of the permit. The plans must be generally in accordance with the decision plans prepared by CHT Architects Pty Ltd, revisions P5 (dated 24 September 2018), but modified to show the following:**
 - 1.1 The west facing terrace and kitchen room window of Unit 47 screened to restrict unreasonable overlooking to the west.**
 - 1.2 Details of retaining walls including materials of construction.**
 - 1.3 A plan showing treatments arising from the filling of land along the western boundary of the site including retaining walls and fencing details.**
 - 1.4 A plan showing bin collection areas in front of each unit outside of the turning areas required to access garages.**
 - 1.5 A plan notation that wayfinding sign/s, including to visitor parking, is to be installed where necessary along the new driveway.**
 - 1.6 A schedule listing the minimum sustainability features applicable to the development from the approved Sustainability Management Plan**

Endorsed Plans

- 2. The development, including the location of buildings, services, engineering works, fences and landscaping as shown on the approved plans must not be altered without the prior written consent of the Responsible Authority.**

Sustainable Management Plan

- 3. The recommendations of the approved Sustainability Management Plan prepared by ARCADIS, dated 13 September 2018, must be incorporated into the design and layout of the development and must be implemented to the satisfaction of the Responsible Authority before the occupation of any unit.**

4. Prior to the occupation of the approved units, a report from the author of the SMP report (as approved pursuant to this permit), or similarly qualified person or company, must be submitted to the satisfaction of the Responsible Authority. The report must confirm that the sustainable design features/initiatives specified in the SMP have been implemented in accordance with the approved Plan.

Construction Management Plan

5. Not less than 28 days before the development starts, two copies of a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. When approved, the CMP will form part of the permit. The Construction Management Plan must be prepared using Council's CMP Template to address the following elements referenced in Council's Construction Management Plan Guidelines:

- 5.1. Element A1: Public Safety, Amenity and Site Security;
- 5.2. Element A2: Operating Hours, Noise and Vibration Controls;
- 5.3. Element A3: Air Quality and Dust Management;
- 5.4. Stormwater and Sediment Control and Tree Protection;
- 5.5. Element A5: Waste Minimisation and Litter Prevention; and
- 5.6. Element A6: Traffic and Parking Management.

Council's CMP Template forms part of the Guidelines. When approved the plan will form part of the permit.

Council's Works Code of Practice (June 2016) and Construction Management Plan Guideline (June 2016) are available on Council's website or by contracting the Statutory Planning Unit on 9840 9470.

6. The Construction Management Plans approved under 5 of this permit must be implemented and complied with at all times, to the satisfaction of the Responsible Authority, unless with the further written approval of the Responsible Authority.

Waste Management Plan

7. The recommendations of the approved Waste Management Plan by Leigh Design dated 10 May 2018, must be incorporated into the design and layout of the development and must be implemented at all times to the satisfaction of the Responsible Authority.

Landscape Plan

8. Not less than 28 days before the development starts, the landscape plan prepared by FFLA dated 25 September 2018, must be resubmitted for approval after be modified to show specific landscape planting between the retaining walls and along the western boundary west of Unit 22 and Unit 52. This landscaping must be capable of forming a visual screen to soften the appearance of new built form when viewed from the west. When submitted, the plan will be approved and form part of the permit.
9. Before the release of the approved plan for the development, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas

and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

10. 10. An in-ground, automatic watering system linked to the rainwater tanks must be installed to all garden areas to the satisfaction of the Responsible Authority.

Construction Commencing

11. Prior to the commencement of development under this Permit, Stage 2 of Planning Permit PL13/023570 must be completed to the satisfaction of the Responsible Authority, unless further approval is given in writing.

Drainage

12. The owner must provide on-site stormwater detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:

- 12.1. Be designed for a 1 in 5 year storm; and

- 12.2. Storage must be designed for 1 in 10 year storm.

13. Before the development starts, a construction plan for the system required by Condition 12 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained by the owner thereafter, in accordance with the approved construction plan to the satisfaction of the Responsible Authority.
14. The stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Connection to Council Drain Permit is first obtained from the Responsible Authority.
15. The whole of the land, including landscaped and paved areas, must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.

Site Services

16. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.

17. All upper level service pipes (excluding stormwater downpipes) must be concealed and screened respectively, to the satisfaction of the Responsible Authority.
18. Communal lighting must be connected to reticulated mains electricity and be operated by a time switch, movement sensors or a daylight sensor to the satisfaction of the Responsible Authority.
19. No individual dish antennas may be installed on balconies, terraces, roofs or walls to the satisfaction of the Responsible Authority
20. Any reverse cycle air-conditioning unit, hot water boosters or other service plant erected on balconies or the walls of the approved building must be appropriately designed and finished with screening if necessary to minimise general visual impacts from off the site to the satisfaction of the Responsible Authority.
21. Any PVC pipes serving rainwater tanks which are positioned against building walls must be painted to match the colour of roofline guttering to the satisfaction of the Responsible Authority.

Rooftop Plant

22. All roof-top plant (including any hot water systems, but excluding solar panels) must be installed in appropriately screened areas, unless otherwise agreed in writing with the Responsible Authority.

Car Parking

23. Car parking spaces shown on the endorsed plans must not be used for any purpose other than the parking of vehicles, to the satisfaction of the Responsible Authority.
24. The areas set aside for visitor car parking shown on the endorsed plans must be made available for use free of charge at all times and must not be used for any other purpose.
25. Visitor parking spaces within the development must be:
 - 25.1. Clearly identified by appropriate signage having an area no greater than 0.3m²;
 - 25.2. Line marked to indicate each car space; and
 - 25.3. Available for visitor usage at all times.

Site Management Practices

26. The owner must use appropriate site management practices during demolition/construction to limit neighbourhood amenity detriment and protect community and Council assets in accordance with Council's Works Code of Practice, including measures to prevent the transfer of mud, dust, sand, slurry, litter, concrete or other construction waste from the site into drains or onto nearby roads. In the event that a road or drain is affected, the owner must upon direction of the responsible authority

take the necessary steps to clean the affected portion of road or drain to the satisfaction of the Responsible Authority.

Completion and Maintenance

27. Before the occupation of any approved unit, the following works must be completed generally in accordance with the approved plans and to the satisfaction of the Responsible Authority:

27.1. All privacy screens and obscured glazing must be installed, noting the use of obscure film fixed to transparent windows is not considered to be 'obscured glazing';

27.2. All driveways, bicycle and car parking areas fully constructed, with appropriate grades and transitions, line marked and/or signed and available for use; and

27.3. All landscape areas must be fully planted and mulched or grassed.

28. Once the permitted development has commenced it must be completed to the satisfaction of the Responsible Authority.

29. Buildings, including screening, engineering works, fences and landscaped areas must be maintained to the satisfaction of the Responsible Authority.

Permit Expiry

30. This permit will expire if one of the following circumstances applies:

30.1. The development is not started within two (2) years of the date of this permit; and

30.2. The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing by the owner or occupier, either before the permit expires, or in accordance with section 69 of the Planning & Environment Act 1987. That Council:

2. BACKGROUND

2.1 The application was submitted on 5 June 2018.

2.2 A request for further information was sent on 26 June 2018.

2.3 The proposal was presented to Sustainable Design Taskforce on 26 July 2018.

2.4 Planning Scheme Amendment VC148 was incorporated into the Manningham Planning Scheme on 31 July 2018. The amendment alters the Car Parking provisions at Clause 52.06 of the Scheme to exempt all visitor parking requirements from land within the Principal Public Transport Network Area

(PPTN). The subject land is within the PPTN area, and therefore visitor parking is provided in excess of the planning scheme requirements.

- 2.5 Further information was submitted in September 2018 and notice of the application was given over a minimum three-week period which concluded on 31 October 2018. No objections have been received.
- 2.6 The statutory time for considering a planning application is 60 days, which was due on 25 November 2018.

3. THE SITE AND SURROUNDS

- 3.1 The large 3.5ha rectangular site, shown in Figure 1, can be broadly broken in four quadrants (north-east, south-east, north-west and south-west).
- 3.2 In the north-east corner, facing Andersons Creek Road, is a recently constructed Residential Aged Care Facility (RACF). It is a four-storey brick building in a landscaped setting. In the south-east corner (and on a separate title) is the recently constructed Templestowe Baptist Church.
- 3.3 Between the RACF and the Church is the site's main vehicle entry that runs down to a round-about. Also in this area is the start of a pedestrian promenade that currently ends west of the RACF where preliminary works have begun on a new retirement village apartment building comprising 'community hub and wellbeing centre' (shown as the vacant land in Figure 1).
- 3.4 To the rear of the site is a 1980's era retirement village (called The Orchards). In the north-west corner is a large single-storey building containing the village amenities and lodge style accommodation. Over the remainder of the site (towards the south-west corner) are 44 single-storey independent living units in a semi-detached arrangement.
- 3.5 The village provides a well maintained garden setting for its residents, with small pockets of open space and pathways linking these to the accommodation and facilities.



Figure 1 – Aerial photo of the site.

- 3.6 This application affects the rear north-west corner of the site. It will see the demolition of the large building comprising the village amenities and lodge style accommodation and 22 of the 44 independent living units.
- 3.7 The area of the works is around 1.3ha (5256sqm), and the land slopes up towards the northern boundary.
- 3.8 The area of works has direct abutments with five properties, as follows:

Direction	Address	Description
North	Andersons Park Reserve	Immediately north of the site is row of planted vegetation. Further north is a soccer field and pavilion. The Reserve includes car parking to north east of the site.
West	5 & 6 Cherry Blossom Court & 4 & 5 Pear Tree Court	These are single and double storey detached dwellings set within attractive and landscaped court settings west of the site. Each of the properties has areas of rear private open space adjacent to the common boundary. The common boundary is presently a 1.9m high paling fence. The lodge accommodation and independent living units are currently setback around 4.5m from the common boundary.

4. THE PROPOSAL

4.1 Planning Permit PL13/023570 is 'live' and partly acted on. It provides for:

Construction of five buildings as part of a redevelopment of the existing retirement village and aged care facility comprising independent living apartments, a residential aged care facility and a resident's community centre with basement car parking, modifications to access to a Road Zone Category 1 and the removal of native vegetation.

4.2 The approved development is staged in the following manner:

Stage 1 (completed) - the construction of the Residential Aged Care Facility.

Stage 2 (site preparations commenced) - a four-storey retirement apartment building comprising a 'community hub and wellbeing centre' (i.e. new village amenities) on vacant land.

Stage 3 (yet to occur) – three four-storey retirement apartment building along the northern boundary following demolition of the existing village amenities and lodge style accommodation.

4.3 Under the Permit, the retirement apartment buildings are to be constructed above shared semi-basement car parking, with the feature of the development being a new elevated pedestrian promenade extending the length of the site on the south side of the new apartments.

4.4 This application essentially replaces Stage 3 from the approved development under Planning Permit PL13/022570 (the three four-storey retirement apartments) with Independent Living Units (ILU). The dwelling yield reduces as a consequence from 94 apartments to 52 units. The new staging is shown in Figure 2.

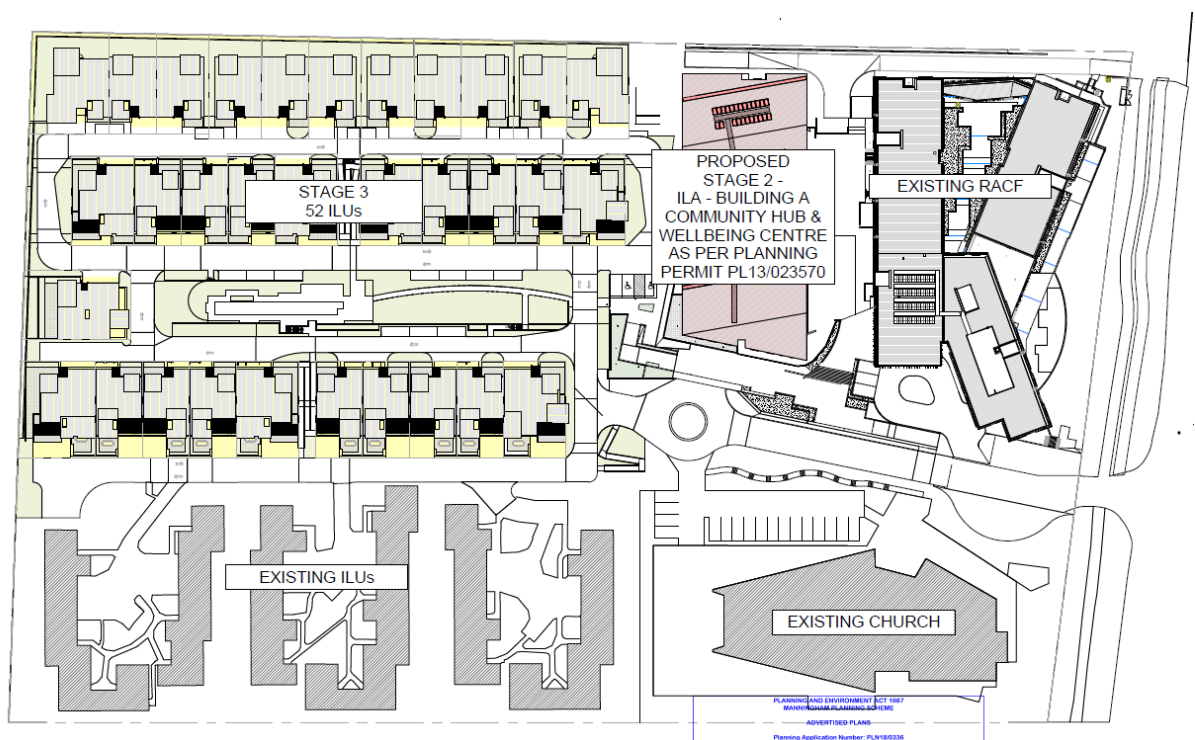


Figure 2 – The proposed development in Stages.

- 4.5 The proposed ILUs are predominantly arranged in two-storey buildings and in rows around a new driveway network. The rows are designed to step with the rising land. Each unit is provided on a single step-free level. The lower level unit gains access (vehicle and pedestrian) from the lower level driveway on the south side, and the upper level unit gains access (vehicle and pedestrian) from the higher level driveway on the north side. Along the northern boundary, the ILUs are single-storey.
- 4.6 A new area of open space is provided within the centre of the development, replacing the pedestrian promenade that featured in the initial approval. 14 visitor car parking spaces are provided for the development, mostly located around the park.
- 4.7 The proposal is designed with pedestrian pathways and a driveway network that integrates into the current approval, and the yet to be constructed 'community hub and wellbeing centre' in Stage 2 under Planning Permit PL13/023570.
- 4.8 No new vehicle access to Anderson Creek Road is proposed. Access to the ILU's is via the roundabout recently constructed on the land (through Stage 1).
- 4.9 The ILU's share a similar layouts with standard typology. 17 of the dwellings have 3-bedrooms and are provided with a double garage, the remainder have 2-bedrooms and a single garage. The lower level dwellings are provided courtyards (typically between 40-50sqm), split between sunken rear courtyards and at-grade front gardens. The upper level dwellings are provided balconies (typically around 20sqm).
- 4.10 The units are setback generally between 3.5m and 5.5m from the northern boundary with Andersons Park, and between 4m and 5.5m from the western residential boundary with Cherry Blossom and Pear Tree Court properties.
- 4.11 The ILUs are architecturally designed by CHT Architects. They offer a compact layout that is slightly larger in area than typical retirement apartments (between 130sqm and 200sqm inclusive of garage) and include additional storage areas, separate laundries and room sizes to support independent living as couples and singles age gracefully.
- 4.12 A summary of the development is provided as follows:

Land Size:	5256sqm	Maximum Building Height:	10.8m (typically around 8m)
Site Coverage:	38%	Minimum setback to Northern Boundary	1.1m (typically 3.5m+)
Permeability:	21%	Minimum setback to Western Boundary	3.3m at ground level 4.3m at first floor
Number of ILUs:	52	Proposed eastern interface	Integrated connection to the proposed retirement apartment building with access to
	<ul style="list-style-type: none"> • 2 bedrooms: • 35 • 3 bedrooms: • 17 		

		the new 'community hub and wellbeing centre' constructed as part of Stage 2 under PL13/023570.
ILU's Density: 1 per 101 m ²	Proposed southern interface	Integrated connection to the existing single-storey independent living units forming part of the village and remaining on site.
Total car parking spaces: • Residents: 69 (69 required) • Visitors: 14 (0 required)		

4.13 The application was supported with traffic, sustainability and waste reports, and a landscape plan.

5. LEGISLATIVE REQUIREMENTS

5.1 Refer to Attachment 2 (Planning & Environment Act 1987, Manningham Planning Scheme, other relevant legislation policy).

5.2 Currently operating on the land is a Retirement Village (as well as a Residential Aged Care Facility and Place of Worship on the broader site). A Retirement Village is defined as:

Land used to provide permanent accommodation for retired people or the aged and may include communal recreational or medical facilities for residents of the village.

5.3 A planning permit is required under Clause 32.08-9 (General Residential Zone, Schedule 3) to construct (and extend) a Retirement Village.

5.4 The design requirement at Clause 55 (ResCode – Multi Unit Development) and Clause 58 (Apartments) of the Manningham Planning Scheme do not apply to ILU's within Retirement Villages.

6. REFERRALS

6.1 The application was referred to a number of service units within Council. The following table summarises the responses:

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	• No objection subject to conditions for the provision of onsite storm water detention and supporting plans.
Engineering & Technical Services Unit – Vehicle Crossing	• N/A, no vehicle crossing are proposed.

Service Unit	Comments
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> No objection.
Engineering & Technical Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> No objection.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> No objection subject to a requirement for the provision of a construction management plan.
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> No objection subject to private waste collection and areas being made available on site for collection.
City Strategy Unit – Sustainability	<ul style="list-style-type: none"> No objection.

7. CONSULTATION / NOTIFICATION

- 7.1 Notice of the application was given over a three week period, concluding on 31 October 2018, by sending letters to the owners and occupiers of adjoining and nearby properties and by displaying large signs on the Andersons Creek Road frontage, in accordance with the requirements of the Act.
- 7.2 To date, no objections have been made.
- 7.3 Onemda provided comments in relation to their experience with the car park in Anderson Park during the notification period, but make it clear that they are comments and not an objection to the application. Onemda share and rely on this car park for their community operations. They have noticed it becoming 'quite congested' as of late during the weekday period.

The comments have been forwarded to Council's Engineers, but as a brief response, the car park is being used by tradespeople associated with recent building work within The Pines Activity Centre including the RACF. Council's Engineers will continue to monitor the use of the car park.

8. ASSESSMENT

- 8.1 The proposed development is consistent with the broad planning objectives and principles outlined in the Policy Framework of the Manningham Planning Scheme, including:
- It facilitates Plan Melbourne objectives (Clause 11) to create a city of 20 minute neighbourhoods with robust activity centre nodes (The Pines) providing services, jobs and a broader range of housing.
 - It facilitates Council's Residential Policy (Clause 21.05) which seeks to provide for a range of housing densities in locations with convenient access to services, facilities and public transport.
 - It responds to objectives that seek to encourage greater housing choice that meets the changing needs of households (Clause 11).

- It redevelops and intensifies the existing urban area (Clause 11).
- It responds to objectives that seek to provide timely development of retirement and residential aged care facilities to meet existing and future needs (Clause 16).
- It expands housing options within the broader retirement and aged care sector, supported by the necessary health and community facilities. The proposal helps achieve the 'aging in place' concept (Clause 19).
- It facilitates Council's Community Health and Wellbeing objective which encourages residential development which promotes community consecutiveness, social interactions and cohesion, particularly for people of all levels of mobility (Clause 21.14).
- It is consistent with The Pines Activity Centre Structure Plan, and it facilitates the Objectives of the structure plan particularly through providing *greater housing options to maximise the use of the commercial and social facilities provided within the centre, and by support housing choices to meet changing demographic trends, especially an ageing population.*

It is noted the Structure Plan nominate support for community based facilities in Precinct 5 where the site is located. However, is silent on specific development outcomes for the site, other than encouraging improved pedestrian links to Andersons Park.

- Consistent with Council's Sustainability Advice, and in accordance with the Sustainability Management Plan provided with the application, the proposal meets Council's best practice ambitions for development of this type in accordance with Clause 22.10 of the Manningham Planning Scheme.
- 8.2 In terms of design and built form, requirements for Retirement Villages are outlined at Clause 15.01-2S of the Scheme and include the *Urban Design Guidelines for Victoria 2017*.
- 8.3 Being to the rear of the site, and with minimal streetscape presence, the main areas of consideration for Council are:
- The integration of the independent living units within the local context (neighbourhood character) and within the other activities occurring on site.
 - The amenity provided to future residents of the independent living units.
 - The impact of the built form on the western residential neighbours.
 - Parking, the driveway layout and site services.

Integration

- 8.4 The development responds appropriately to the topography of the site and the two-storey residential precinct west of the site. Earthworks ensure the rows of dwellings are benched into the site and terraced in levels that follows the natural contours of the land where possible. There are areas of fill, but these are kept to a minimum and managed by tiered retaining walls set amongst landscaping. Commonly, the building heights are around 8m.

- 8.5 The lower overall heights, and the terracing of the development with the topography of the land is a significant departure from the initial apartment proposal approved under Permit PL13/023570, but is considered an improvement in responding to site context. However, it comes at the expense of reducing yield by around 40 dwellings. Overall, Officers are satisfied that an appropriate mix of housing and built form is provided over the site, with the more substantial massing occurring on Andersons Creek Road and a range of housing options for the community of the village provided.
- 8.6 The development 'integrates' appropriately physically and visually within the overall village. It is not unusual for Retirement Villages to be redeveloped in stages to prevent their full closure. There are already significant differences in built form on site through the recent development of the residential aged care building and church, which displays urban modernity that is in contrast to the low intensity scale and garden setting of the original independent living units retained on the site.
- 8.7 The proposal follows a more urban and contemporary appearance than the building it replaces, using bold architectural treatments and a range of traditional materials (such as brick) to provide visual interest and an attractive appearance (see Figure 3).



Figure 3 – Typical presentation of units

- 8.8 Sufficient transition and separation is provided on site between the retirement apartment building (in Stage 2) and the independent living units through the provision of the landscaped driveway. The height differences are not dissimilar to those in Applewood Retirement Village in Doncaster, although the intensity of this development is more urban being located within the boundaries of an Activity Centre.
- 8.9 The topography of the land and the various terraced levels bring challenges for the architect in relation to pedestrian connectivity. These were overcome in the initial proposal through the elevated pedestrian promenade. The current promenade will remain and transition into the proposed shared open space via a new pathway. This offers improvements as the line of sight from Andersons

Creek Road is to landscaping as a backdrop (instead of the path ending at the westernmost apartment building).

- 8.10 Elsewhere, pedestrian ramps are a feature of the urban landscape, and unfortunately at times limit the space available for planting that could help provide a greater sense of space and separation between dwellings within the long rows. The paths are required to saddle back multiple times in these spaces lengthening the walk for residents to the parkland and community hub. An external lift is required to negotiate a 2m high difference on the south side of the park.
- 8.11 Overall though, reasonable space is provided for landscaping, including canopy trees throughout the new parkland and in the front setbacks of the ILUs. In accordance with the landscape plan provided with the application (by FFLA) an attractive environment with groundcovers, shrubs, small and larger trees can be provided.
- 8.12 Vehicle access is appropriately integrated by connecting to the existing roundabout on-site which has been designed to direct traffic to the various buildings and users occurring on site (basically, turn left for church, straight ahead for the independent living units, and turn right for basement car parking associated with the residential aged care building, retirement apartments and 'community hub and wellbeing centre').
- 8.13 The approval of this application will allow Bapcare to construct either the retirement apartments approved under Planning Permit PL13/023570 or the ILU's under this approval, following construction of Stage 2 under PL13/023570. This is a reasonable outcome as both proposals have been considered and approved under the Manningham Planning Scheme. Both proposals offer the community considerable benefit.
- 8.14 Stage 2 under PL13/023570 needs to be constructed prior to this development for practical reasons, as it contains the 'community hub' that provides amenity for the village including the ILU's that remain operational in the south west corner of the site. A condition will require this to occur.
- 8.15 Stage 2 development is completely independent from this application. The building has provided separate parking, storage and building service in its basement, including 46 car parking spaces for the 35 retirement apartments.

Amenity (for future residents)

- 8.16 The plans detail ILU designs that are compliant and exceed the requirements of Clause 55 (ResCode) and Clause 58 (Apartments), which although not strictly relevant to Retirement Villages, outline best practice minimum requirements for long term accommodation and dwellings such as what is proposed.
- 8.17 Overall, amenity is high:
- Each unit is provided an appropriate and safe sense of entry, which is step free, offers a sense of transition and weather protection.
 - The units are provided a dual aspect at a minimum (to the front, and to the rear courtyard/balcony), providing cross ventilation, plenty of natural light and a reasonable outlook. All units are provided with north-facing windows.

- Rooms are large. Bedrooms are generally 30% larger than the minimum, hallways are wide and all dwellings achieve the accessibility objectives required for people with limited mobility (where Rescode only requires 50% compliance).
 - All master bedrooms are provided with a walk in robe and ensuite.
 - Generous areas of private open space are provided with direct access from living areas, dimensions varying from 3m to 5m+ in width, and 18sqm balconies with 3m widths (minimum requirement is 8sqm with 1.8m width).
 - All units are provided with storage facilities that exceed the minimum requirements.
 - A separate laundry is provided for each dwelling.
 - Most garages have a length or width that exceeds the minimum parking area.
 - Double glazing, openable windows, LED lighting, outdoor clothes lines, solar hot-water and efficient heating and cooling fixtures ensure the units provide comfort and energy efficiency.
 - The attractiveness of the units and shared public realm within the village benefits from consistent treatments of dwelling materials including mailboxes, meter screens, fencing, driveways and landscaping.
 - Convenient visitor parking is provided in excess of the Planning Scheme requirements.
 - A new communal open space is provided mid-site providing passive and active recreation opportunities including a bocce court, seating, pergola, landscaped areas and bicycle parking.
- 8.18 There are some aspects of the design that are not ideal. These predominantly result from the slope of the land, and the removal of the elevated podium ground treatment that was a feature of the retirement apartment proposal. The aspects include:
- The primary open space for the dwellings at lower level is on the south side and within the front setback. This means fencing is aligned along many of the driveways, and the open space is in shade. In response, each of these units includes a north-facing courtyard. These are excellent secondary spaces, and whilst sunken below ground level, the width of 3m will ensure useability and good daylight access into adjacent rooms. The issue of the front fences has been addressed through the submission of updated plans. The plans show predominantly transparent fencing with seclusion provided through screen landscaping established on the inside. The applicant has indicated fencing is required for safety. This aspect is considered satisfactory.
 - At the Sustainable Design Taskforce comments were made in relation to the rows of units, consistent setback and insufficient space for landscaping to break up the building mass. Updated perspectives show reasonable variation in front setbacks are proposed, and there is no particularly 'strong' building line that results in unreasonable massing. The elevations are broken by various architectural techniques.

- The gradient of footpaths at the Australian Standard does lengthen the distance between the units and the 'community hub' and open space for future residents.
- There is no connection to Andersons Park Reserve as encouraged through The Pines Activity Centre Structure Plan. The applicant maintains their position that it would constitute an undesirable security issue and cannot be achieved due to the level difference between the two parcels. No connection was required in the initial approval.

8.19 Overall, these negatives must be balanced against what is generally a very high quality living experience for future residents.

Interface (Western neighbours)

- 8.20 The neighbours will maintain an acceptable interface, arguably better than the retirement apartment proposal under Planning Permit PL13/023570 due to lower heights and greater building setbacks.
- 8.21 The current interface is maintained by keeping the paling fence and maintaining a garden bed at natural level adjacent to the boundary. No walls are proposed on the boundary.
- 8.22 Adjacent to No. 5 Cherry Blossom Court (northern end of boundary), the adjacent development is single storey and benched lower than natural ground level into the site. A minimum setback of 4m is provided. There is no excessive built form or overlooking.
- 8.23 Adjacent to No. 6 Cherry Blossom Court is a single direction driveway. The nearest unit is setback a minimum of 10.4m. The unit and driveway will be elevated as much as 1.5m above natural ground level, but visually this will be offset by the amount of landscaping that can be planted either side of the driveway. The unit is at a setback where neither excessive built form nor unreasonable overlooking will occur.
- 8.24 Adjacent to No. 4 Pear Tree Court is Dwelling Type E. This is a single-storey unit, but it is elevated more than two metres above natural ground level. The retaining wall between the boundary and the unit is tiered, which should give the occupants of this dwelling an improved outlook, particularly if it can be landscaped. However, the landscape plan shows the tiers are to be mulched, but remain unplanted ready for planting by the future resident. This scenario is unreasonable because the dwelling's open space is elevated and on the west side within the setback (just 5m from the boundary). The area needs to be landscaped with quick growing and dense vegetation capable of forming a screen quickly. This will be a condition of approval. Overall, the setback is reasonable given the height of the building and opportunities for landscaping.
- 8.25 Adjacent to 5 Pear Tree Court, the proposed development is cut into the site reducing its prominence and wall height. The dwelling is setback between 3.5m and 4.5m from the boundary which easily exceeds the setback requirement under Clause 55 for a 7m wall height (2.1m minimum). An upper level kitchen window and balcony will require screening to prevent unreasonable overlooking (condition required).
- 8.26 The neighbours suffer no impact from shadows according to the plans.

PARKING AND DRIVEWAY LAYOUT.

- 8.27 Clause 52.06 outlines a statutory parking requirements of 69 resident spaces (based on 1 space for a 2 bedroom independent living unit and 2 spaces for a 3 bedroom independent living unit). Zero visitor parking is required given the site is located within the *Principal Public Transport Network Area*.
- 8.28 The proposal provides for resident spaces in single and double car garages associated with each dwelling. The statutory requirement is met.
- 8.29 The proposal provides 14 visitor spaces which exceeds the requirement of zero. It also exceeds the requirement of 10 spaces, if the site was outside the *Principal Public Transport Network Area*. The visitor parking is conveniently located in and around the driveway network beside the new park.
- 8.30 The number of car parking spaces provided is considered satisfactory. It would be highly unlikely that residents or visitors would need to park away from the units, but if they did, there is short term visitor parking opportunities provided on site associated with the church and RACF.
- 8.31 An assessment against the car parking design standards in Clause 52.06-9 of the scheme is provided below:

Clause 52.06 – Car Parking Design Standard	Met/Not Met
1 - Accessways	Met - The units are provided with an internal roadway via the roundabout. New driveways of appropriate width have been provided for vehicle access to garages and visitor parking within a low speed environment. Sightlines are provided for.
2 – Car Parking Spaces	Met - Car parking space dimensions and access widths are provided in accordance with the requirements.
3 - Gradients	Met – Ramps and transitions are provided in accordance with the requirements.
4 – Mechanical Parking	Not applicable – No mechanical parking proposed.
5 – Urban Design	Met – Parking will not dominate the public space within the site.
6 – Safety	Met - The driveway and parking areas are easily identifiable, and the low speed environment and appropriate sightlines should ensure pedestrian safety. Visibility splays at the exit are clear of obstructions.
7 – Landscaping	Met - The driveway does limit the ability to landscape the area in front of the building/s.

- 8.32 The Waste Management Plan provided with the application indicates collection will be by the private contractor already providing services on site. Each unit is provided with appropriate bin storage internally within the garage.

9. DECLARATION OF CONFLICT OF INTEREST

- 9.1 No officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.