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**452-454
WAVERLEY
ROAD, MOUNT
WAVERLEY -
CHILD CARE
CENTRE**

Town Planning Report - RFI

Prepared for

**MOUNT WAVERLEY CHILDCARE PTY LTD AS
TRUSTEE FOR MT WAVERLEY CHILDCARE UNIT
TRUST**

13 October 2021

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Consultant Jacob McGarry
Project Code P0031507
Report Number 02

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Aboriginal and Torres Strait Islander people make in
creating a strong and vibrant Australian society.**

**We acknowledge, in each of our offices the Traditional
Owners on whose land we stand.**

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1. INTRODUCTION

This report has been prepared by Urbis Pty Ltd on behalf of Mount Waverley Childcare Pty Ltd as trustee for Mt Waverley Childcare Unit Trust. This report has been prepared in support of the development of a part double and part single storey child care centre and café above a basement carpark at 452-454 Waverley Road, Mount Waverley.

The site is zoned Neighbourhood Residential Zone – Schedule 2 (NRZ2) and is subject to the Land Subject to Inundation Overlay (LSIO) and Vegetation Protection Overlay – Schedule 1 (VPO1). The design response of the proposal has evolved as a direct response to the Planning Policy Framework and Local Planning Policy Framework objectives of the Monash Planning Scheme, as well as the site's unique built form, landscape and creek environ context.

Pursuant to the requirements of the Monash Planning Scheme, a permit is required to:

- Use the site for a Child care centre in the Neighbourhood Residential Zone (Clause 32.09-2).
- Use of the site for a Café (food and drink premises) in the Neighbourhood Residential Zone (Clause 32.09-2).
- Construct a building or construct and carry out works associated with a Section 2 use (Clause 32.09-9).
- Construct a building or construct and carry out works within land affected by the LSIO (Clause 44.04-2).
- Remove, destroy or lop any vegetation within land affected by the VPO (Clause 42.02-2).
- Remove, destroy or lop native vegetation (Clause 52.17).

A detailed assessment of the proposal is set out in this report. The report should be read in conjunction with the following enclosed documentation associated with the proposal:

- Architectural Plans, prepared by Perkins Architects
- Arborist Report, prepared by Galbraith and Associates
- Landscape Plan, prepared by Blue Landscape Architects
- Traffic Report, prepared by Ratio
- Waste Management Plan, prepared by Ratio
- Acoustic Report, prepared by Acoustic Control
- Biodiversity Assessment, prepared by Ecology & Heritage Partners
- Cultural Heritage Management Plan, prepared by Andrew Long and Associates
- Metropolitan Planning Levy certificate
- Certificate of Title

It is our assessment that the characteristics of the area, the accessibility to Waverley Road and the intention of the NRZ2 make the site a suitable location for a new child care centre and café. Our assessment also confirms that the proposal demonstrates an appropriate response to the provisions of the Monash Planning Scheme. In coming to this conclusion, we have considered the following:

- Is the proposed child care centre and café an appropriate land use from a Policy Perspective?
- Does the proposal's design respond appropriately to the sites unique interface between conventional residential subdivision and the Scotchman's Creek landscaped environs?
- Does the proposal provide an acceptable level of amenity for adjoining residential properties and the Scotchman's Creek reservation?
- Are the car parking and traffic arrangements acceptable?

Collectively, the above documents and this report confirms that the proposed child care centre and café represents an appropriate land use and built form outcome from a social, economic, built form, environmental, landscape and amenity perspective.

2. SUBJECT SITE AND SURROUNDS

2.1. SUBJECT SITE

The subject site is derived from the large land parcel at 444-454 Waverley Road, Mount Waverley (Lot 1 of the plan no. PS845935). This land is divided by the Scotchman's Creek reserve into two sites. The western site fronting Waverley Road is currently occupied by an aged care facility with the parking accessway to Waverley Road. The eastern parcel, the development site of this proposal (the 'subject site' noted as 452-545 Waverley Road, Mount Waverley), features a small frontage to the local street, Anthony Drive, providing direct access to Waverley Road. It also abuts the rear boundary of residential properties to its southeast.

The overall development site is located within the locality of Mount Waverley where is between the Mount Waverley Activity Centre and the Pinewood Neighbourhood Centre. The site is situated approximately 340 metres east of Forster Road and 800 metres west of Blackburn Road, where the accessible network for convenient travel to the Monash Freeway can facilitate developments particularly on sites with convenient access to a main road.

The subject site is larger than the residential lots in the immediate vicinity and is located on the south side of Waverley Road. As part of the riparian of the Scotchman's Creek, the site follows the natural topography of the landscape and is currently screened by an open metal fence along Waverley Road and a cluster of tall canopy trees along the Creek and near the creek curvelet. The low-lying site is also concealed from Anthony Drive due to the abutting residential properties.

2.2. SITE INTERFACES

2.2.1. North

The 32-metre wide Waverley Road, comprising of four laneways and accommodating the robust east-west traffics, differs in its character compared with the local residential streets such as Anthony Drive. The generous width of Waverley Road, in addition to the bush-setting frontage and the low-lying topography of the site, generally absorbs the visual impact of the south side of the road to the northern residential areas. These areas usually contain leafy local residential streets and post-war single-storey detached dwellings on relatively large blocks with generous open frontage and canopy trees.



Picture 1 View north along Waverley Road with the subject site to the left of the photo.

2.2.2. East & South

The Scotchman's Creek Trail and Anthony Drive define the eastern interface between the site and the neighbourhood residential areas on the east. Anthony Drive, similar to the local residential streets in the area, has narrower footpaths and road reserves where there is a very strong presence of tall native and indigenous canopy street trees in the public and private realms. By contrast to the character in Waverley Road, the pleasant leafy streetscape in Anthony Drive and other local streets south of the site attributes to

the well-vegetated front garden of the residential properties with low and open front fencing and large canopy trees.

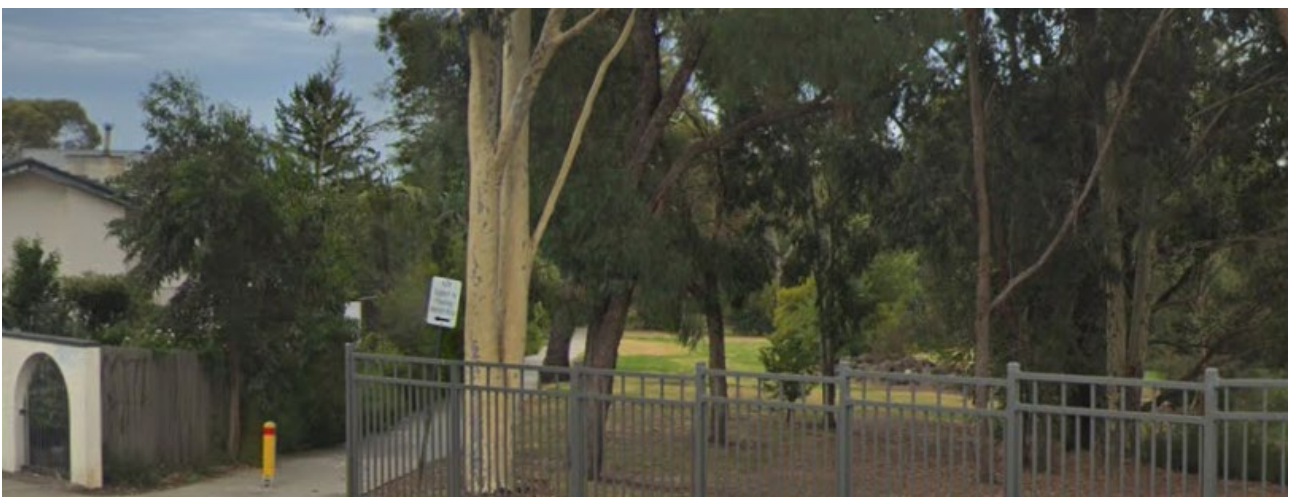
Further south, where there are double-storey dwellings, the upper levels are buffered or screened from the street by the front vegetation. These dwellings are generally setback from the rear boundary with their secluded private open space to the rear and to the side of the dwellings. Landscaping is primarily derived from street tree planting and varying degrees of vegetation on individual lots.



Picture 2 Top: View south along Anthony Drive from Waverley Road with the subject site on the right.

Bottom: View south along Anthony Drive further down the street with the adjoining residential properties on the right hand side.

Source: *Google Streetview*



Picture 3 View of the subject site from Anthony Drive.

Source: Google Streetview

2.2.3. West

West of the subject site is Scotchman's Creek Reserve with the residential aged care facility (BlueCross Scotchman's Creek) further west (forming part of the overall site). The creek and its riparian are subject to inundation as identified under Monash Planning Scheme, where the abutting driveway over the Creek's upland has been built to high finish levels.

Further south-west, a pedestrian bridge over the Creek connects the driveway and the southern end of the development site, where the south boundary of the development site is unfenced and open to the riparian.



Picture 4 View of the Blue Cross aged care facility further west of Scotchman's Creek forming part of the overall development site.

Source: Google Streetview



Picture 5 Image of the connection bridge, south-west of the site.

Source: Google Streetview

2.3. STRATEGIC CONTEXT

The development site which fronts onto Anthony Drive with easy access to Waverley Road, is located within the locality of Mount Waverley between the Mount Waverley Activity Centre and the Pinewood Neighbourhood Centre. The site is situated approximately 340 metres east of Forster Road and 800 metres west of Blackburn Road.

Given the main road context, it affords excellent access to a range of public transport, services and facilities. It also provides an accessible network for convenient travel to local and regional destinations for future uses of the proposed child care centre, employment and transport nodes along the Monash Freeway corridor.

The development site is larger than residential lots in the immediate vicinity and is located on the south side of Waverley Road. The majority of developments along Waverley Road is of a residential nature, but with additional community infrastructure uses such as the Scotchman's Creek Trail Reserve, the Forster Road Reserve, the existing residential aged care facility on the western parcel and the Mount Waverley Podiatry, supporting the community growth and providing an evolving mixed character in the locality along Waverley Road.

The development site features a frontage to the Scotchman's Creek Reserve which provides a shared pedestrian and cycling trail. The immediate interface to the Creek riparian and trail attracts a lot of local residents and provides the opportunities of interacting with the ecological habitat and naturalistic recreation resource. The proposed design response provides an opportunity to build upon this community asset by providing a café, connecting paths and seating that complement the natural open space of the Creek Reserve.

The subject site is in close proximity to the following education facilities:

- Pinewood Primary School (approximately 770 metres south-east of the subject site)
- Syndal South Primary School (approximately 930 metres north of the subject site)
- Mount Waverley Primary School (approximately 1.11km north-west of the subject site)
- Avila College (approximately 1.24km north of the subject site)
- Holy Family School (approximately 1.38km north-west of the subject site).

The subject site is in close proximity to the following parks and open spaces:

- Pinewood Reserve (approximately 450metres south east of the subject site)
- Valley Reserve (approximately 480 metres north of the subject site)
- Fairway Reserve (approximately 810 metres south-west of the subject site)
- Sherwood Park (approximately 1.07km north west of the subject site)
- Mount Waverley Reserve (approximately 1.48km north of the subject site).

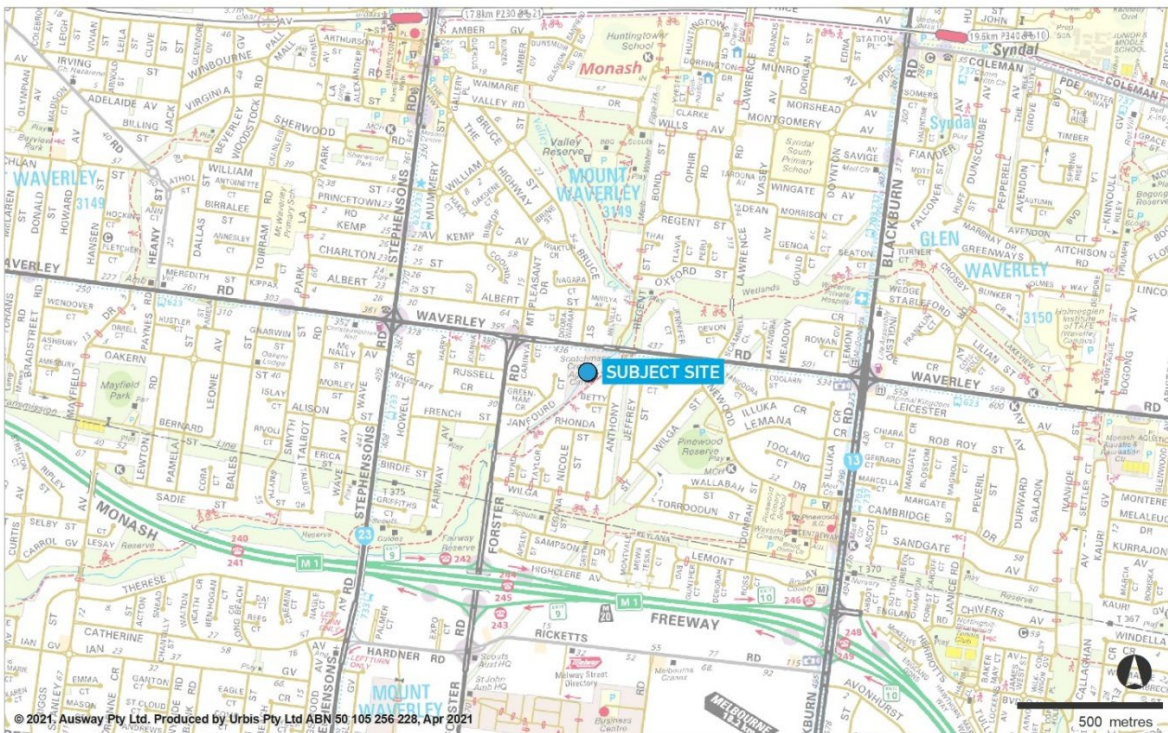
The subject site is in close proximity to the following public transport options, offering access to the wider Melbourne Area:

- Bus Route 623 (running along Waverley Road)
- Bus Route 733 (approximately 700metres west of the subject site)
- Mount Waverley Train Station (approximately 1.2km north-west of the subject site)
- Syndal Train Station (approximately 1.45km north-east of the subject site)
- A large bus exchange exists at Glen Waverley Train Station (approximately 2.5km north-east of the subject site).



444-450 WAVERLEY RD, MOUNT WAVERLEY
SITE LOCATION

Picture 6 Aerial Imagery of the site



444-450 WAVERLEY RD, MOUNT WAVERLEY
SITE LOCATION

Picture 7 Subject site location

3. THE PROPOSAL

The proposal is to develop a child care centre to accommodate 184 children and a café to accommodate 126 patrons with a leasable floor area of 148 sqm. The development will involve the construction of a part double and part single storey building with basement carpark, a ground level café and includes pedestrian connections to the Scotchman's Creek trail. The proposed building will be of a contemporary style and will feature a range of materials that complement both the residential interface and the Scotchman's Creek environs.

Perkins Architects has prepared detailed plans and are submitted as part of the application. The key elements of the proposal can be summarised as follows:

- The basement car park will be accessed via an existing crossover from Anthony Drive (near the corner of Waverley Road) which is proposed to be widened. The basement is proposed to accommodate 46 car parking spaces which includes 1 x DDA space with a shared zone. Vehicles will be able to enter and exit the ramp in a forward direction.
- Pedestrian access is proposed to be adjacent to the vehicle entrance from Anthony Drive. This will also provide access to the ground floor café as well as the foyer for the child care centre.
- In addition to the café, the ground floor of the main building is proposed to contain 5 x playrooms (each with a bathroom and storage area), a cot room, foyer, dining room, kitchen, laundry and office/meeting rooms.
- At the ground floor level it is also proposed to include two (2) additional playrooms (with bathroom and storage area) that are separate from the main building along with a range of external play spaces and courtyards.
- The first floor is proposed to include performance room, library, wellness space, staff room and office space. No outdoor play space is provided on the first floor.
- The café will include a kitchen, seating and bathrooms at the ground floor and a rooftop seating area at the first floor. The café will have a leasable floor area of 148 sqm and cater for up to 126 patrons.
- The following operating hours are proposed:
 - Child Care Centre
 - Monday to Friday – 6am to 7pm
 - Café
 - Monday to Friday – 6am to 7pm
 - Saturday and Sunday – 7am to 4pm
 - Café (first floor outdoor area)
 - Monday to Friday – 7am to 6pm
 - Saturday – 7am to 4pm
 - Sunday – 9am to 4pm
- The double storey built form will include a maximum height of 9.235 metres. It is designed to face towards Scotchman's Creek (away from the residential interface to the south east). The building is surrounded by landscaping and external play space at the ground floor.
- The setbacks of the proposal have taken the previously approved aged care facility into consideration as a guide to a form of building previously considered appropriate to ensure that there is no unreasonable amenity impact to the adjoining residential interface. This includes a part double and part single storey built form instead of the previously approved 4 storey building form which adopted similar side and rear setbacks. The second storey of the proposal features a small double storey component compared to the ground floor to further mitigate amenity impacts to the residential interface to the south by way of visual bulk and overshadowing.

- A total of 11 existing trees are proposed to be removed as part of the proposal. It should be noted that these trees were already listed for removal in the previously approved aged care facility. Furthermore in comparison to this previous approval, the reduced site coverage as part of the proposed child care centre will allow the retention of existing trees previously approved for removal.
- Signage zones have been provided on the elevations. These are subject to a future application, however have been shown to demonstrate where these will be provided in the future. The location and size has been carefully designed to ensure minimal impact to the abutting residential interface and Scotchman's Creek and environs, whilst providing signage suitable for the identification of the child care centre.
- The proposal has taken into consideration the future upgrades by Council to the Scotchman's Creek trail. The design is future proofed and can be amended to align with Councils final design outcome for the trail ensuring an appropriate stitching between the proposed child care centre and this important community recreational asset.

Table 1 – Development Summary

Development Summary		
Site Area	3,716m ²	
Site Coverage	1,933m ² (52%)	
Permeability	1,468m ² (39%)	
Car Parking	46 spaces (inclusive of 1 x DDA space)	
Bicycle Parking	22 bicycle parking spaces	
Café Area	148 sqm (leasable floor area)	
Café Patrons	126 patrons	
Child care Rooms		
Room Number	Number of Children	Room Area
Playroom 1	16	52.3
Playroom 2	20	66.5
Playroom 3	20	66.5
Playroom 4	20	66.5
Playroom 5	22	76.6
Playroom 6	22	73.4
Playroom 6a	11	38.8
Playroom 7	33	113.9

4. POLICY FRAMEWORK

The site is subject to the provisions of the Monash Planning Scheme. The following summary outlines the key planning policies and controls that affect the proposal.

4.1. PLAN MELBOURNE

Plan Melbourne recognises that by 2051 Melbourne could grow by 3.4 million people and the need to plan for and manage the future. Plan Melbourne focuses on seven outcome areas which are:

- *Melbourne is a productive city that attracts investment, supports innovation and creates jobs;*
- *Melbourne provides housing choice in locations close to jobs and services;*
- *Melbourne has an integrated transport system that connects people to jobs and services and goods to market;*
- *Melbourne is a distinctive and liveable city with quality design and amenity;*
- *Melbourne is a city of inclusive, vibrant and healthy neighbourhoods;*
- *Melbourne is a sustainable and resilient city; and*
- *Regional Victoria is productive, sustainable and supports jobs and economic growth.*

Plan Melbourne recognises that specific infrastructure and facilities will need to be located within residential areas to cater for the growing population around Melbourne. One of the principals for Plan Melbourne seeks to provide 20-minute neighbourhoods that allow accessible, safe and attractive local areas where people can access most of their everyday needs.

The proposed child care centre provides the growing local community with a modern facility that can contribute to the liveability and attractiveness of this neighbourhood on a unique site with frontage to the Scotchman's Creek environs and convenient vehicle access to Waverley Road.

4.2. PLANNING POLICY FRAMEWORK

The Planning Policy Framework (PPF) seeks to implement the objectives of planning in Victoria (as set out in the Planning and Environment Act, 1987) to facilitate appropriate land use and development planning policies and practices that encompass relevant environmental, social and economic factors.

The relevant sections of the PPF to this proposal include:

- **Clause 11 – Settlement** recognises the need for planning to respond to existing and future community needs through the provision of community facilities and infrastructure, and to facilitate sustainable development that takes full advantage of existing settlement patterns and infrastructure.
- **Clause 13.05 – Noise** aims to assist the control of noise effects on sensitive land uses.
- **Clause 14.02-1S – Catchment Planning and Management** seeks to ensure the protection and restoration of catchments, water bodies, groundwater and the marine environment.
- **Clause 15 – Built Environment and Heritage** outlines the role that planning should play in ensuring new land use and development responds appropriately to its context and achieves high-quality built form outcomes.
- **Clause 15.01-1R – Urban Design – Metropolitan Melbourne** seeks to create a liveable and distinctive city through quality design.
- **Clause 15.01-2S – Building Design** aims to achieve building designs that respond to the local context and enhance the public realm.
- **Clause 15.01-4S – Healthy Neighbourhoods** identifies strategies to foster community interaction and enable healthy lifestyles through transport networks and provision of amenities.
- **Clause 15.01-4R – Healthy Neighbourhoods – Metropolitan Melbourne** sets out to create a city of 20 minute neighbourhoods.

- **Clause 15.01-5S – Neighbourhood Character** aims to recognise, support and protect neighbourhood character, cultural identity, and sense of place.
- **Clause 15.02 – Sustainable Development** encourages land use that is resource efficient, supports a cooler environment, and minimises emissions.
- **Clause 17 – Economic Development** identifies the role of planning in contributing to economic outcomes in Victoria, providing for a strong and innovative economy.
- **Clause 17.01-1R – Diversified Employment – Metropolitan Melbourne** supports the Central City in becoming Australia’s largest commercial and residential centre by 2050. In residential areas, it encourages co-location of community facilities that assist with the everyday needs of local residents.
- **Clause 18 – Transport** sets out planning’s role in developing an integrated, sustainable transport system.
- **Clause 18.01-1S – Land use and transport planning** aims to create a safe and sustainable transport system by integrating land use and transport.
- **Clause 18.02-1S – Sustainable Personal Transport** promotes planning for walking and cycling.
- **Clause 18.02-4S – Car parking** seeks to ensure adequate parking, appropriately designed and located.
- **Clause 19 – Infrastructure** identifies planning’s role in recognising community needs by providing accessible community facilities, including health facilities, efficiently, equitably, and in a timely fashion. Development should be coordinated to make efficient use of existing infrastructure.
- **Clause 19.01-25R – Renewable Energy, Metropolitan Melbourne** aims to facilitate the uptake of renewable energy technologies on a site-by-site basis.

4.3. LOCAL PLANNING POLICY FRAMEWORK

The Local Planning Policy Framework (LPPF) comprises the Municipal Strategic Statement (MSS) and Local Planning Policies applicable to the City of Monash. The key sections of the MSS and LPPF are:

- **Clause 21.01 – Introduction** acknowledges that the population will increase in the municipality and infrastructure will need to be prioritised to account of the increase.
- **Clause 21.05 – Economic Development** recognises the municipality as a generator of wealth and employment. Investment in Monash is encouraged to continue to strengthen the employment sector.
- **Clause 21.10 – Open Space** acknowledges the importance of public open space areas within the municipality, including Scotchman’s Creek which is a key network connecting areas of public open space within Monash.
- **Clause 21.13 – Sustainability and Environment** recognises the growing global awareness for the need to live in a more sustainable way to ensure the preservation of our natural landscapes. Monash is committed to the protection of biodiversity and maximising sustainability where possible.
- **Clause 22.01 – Residential Development and Character Policy** recognises Monash’s goal to maintain the existing character whilst still allowing development to occur as necessary. This involves carefully monitoring the extent of change proposed with new development.
- **Clause 22.04 – Stormwater Management Policy** seeks to ensure that new development will not overload existing infrastructure and is able to appropriately manage any additional overland flows across sites.
- **Clause 22.05 – Tree Conservation Policy** seeks to ensure that biodiversity and existing vegetation is protected and enhanced where appropriate such as the retention of healthy mature trees.
- **Clause 22.09 – Non-Residential Use and Development in Residential Areas** seeks to allow the development of non-residential uses in residential areas that complement the residential character such as child care centres.

- **Clause 22.13 – Environmentally Sustainable Development Policy** acknowledges Monash’s commitment to making the municipality a more sustainable place to live and work by ensuring new development achieves appropriate environmental design standards

4.4. PLANNING CONTROLS

4.4.1. Zoning

The subject site is located within the Neighbourhood Residential Zone – Schedule 2 (NRZ2). The relevant purposes of the NRZ2 are:

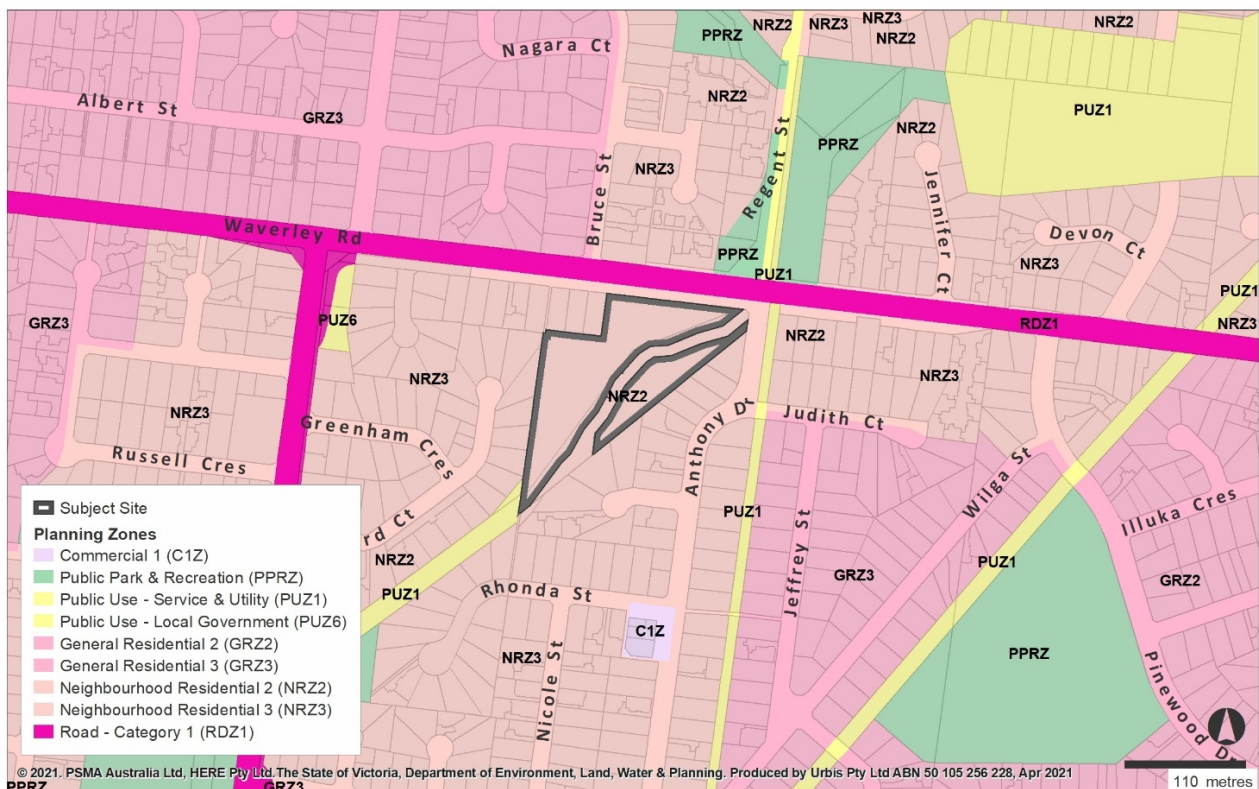
- *To recognise areas of predominantly single and double storey residential development*
- *To manage and ensure that development respects the identified neighbourhood character, heritage, environmental or landscape characteristics*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

A child care centre is a Section 2 use in the Table of Uses at **Clause 32.09-2**. Therefore, a permit is required to use the land for a child care centre.

A café falls under food and drink premises and is a Section 2 use in the Table of Uses at **Clause 32.09-2**. Therefore, a permit is required to use the land for a café.

The requirements of Clause 54 and Clause 55 do not apply to the development of a child care centre or a café. As such, the variation listed in the zone schedule also not apply.

The maximum building height for a residential building is specified as 9m. However, given the proposed development is a non-residential building, the mandatory maximum building height does not strictly apply.



444-450 WAVERLEY RD, MOUNT WAVERLEY PLANNING ZONES

Picture 8 Zoning Map

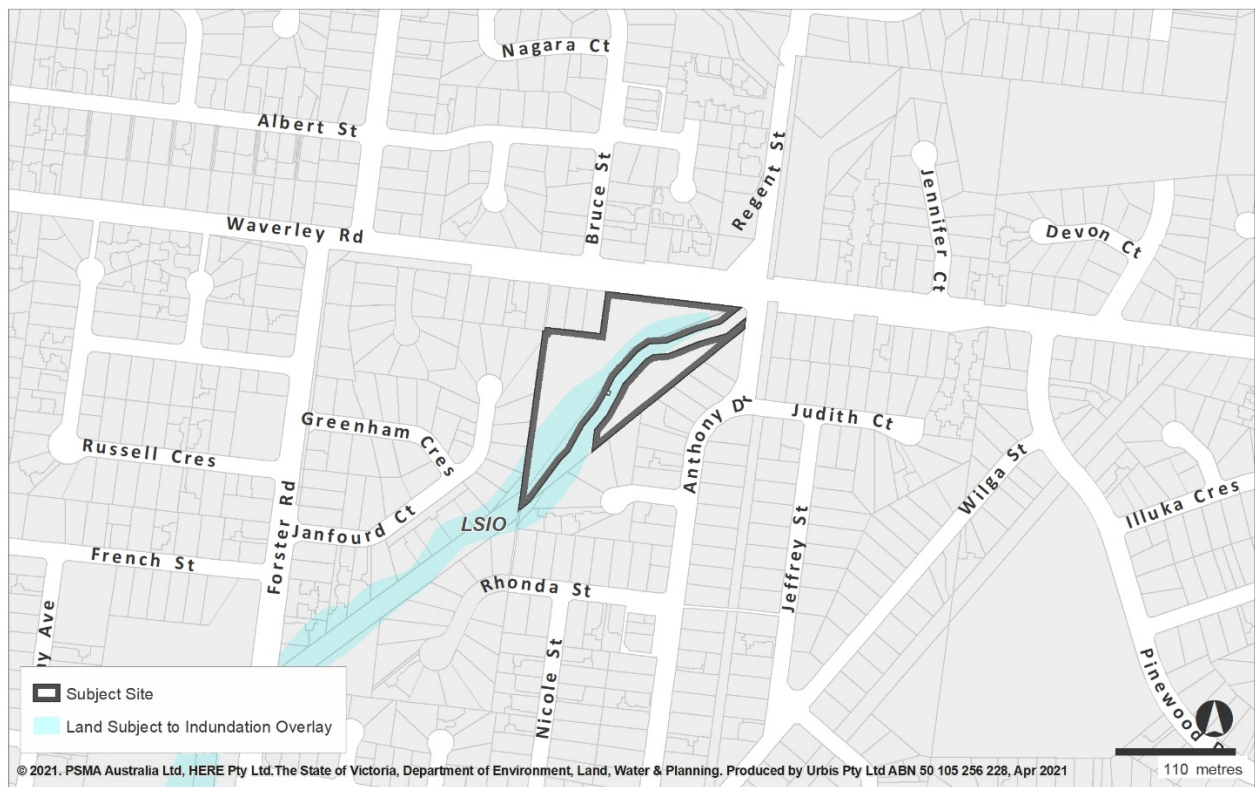
4.4.2. Overlays

Land Subject to Inundation

The subject site is located within the Land Subject to Inundation Overlay (LSIO). The relevant purposes of the LSIO are:

- To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).
- To ensure that development maintains or improves river and wetland health, waterway protection and flood plain health.

A permit is required to construct a building or construct or carry out works on land within this overlay in accordance with **Clause 44.04-2**.



444-450 WAVERLEY RD, MOUNT WAVERLEY LAND SUBJECT TO INUNDATION OVERLAY (LSIO)

Picture 9 Land Subject to Inundation Overlay Map

Vegetation Protection Overlay

The subject site is located within the Vegetation Protection Overlay – Schedule 1 (VPO1). The relevant purposes of the VPO are:

- To protect areas of significant vegetation.

- To ensure that development minimises loss of vegetation.
- To preserve existing trees and other vegetation.
- To recognise vegetation protection areas as locations of special significance, natural beauty, interest and importance.
- To maintain and enhance habitat and habitat corridors for indigenous fauna.
- To encourage the regeneration of native vegetation

A permit is required to remove, destroy or lop any vegetation specified in a schedule to the overlay in accordance with **Clause 42.02-2**.



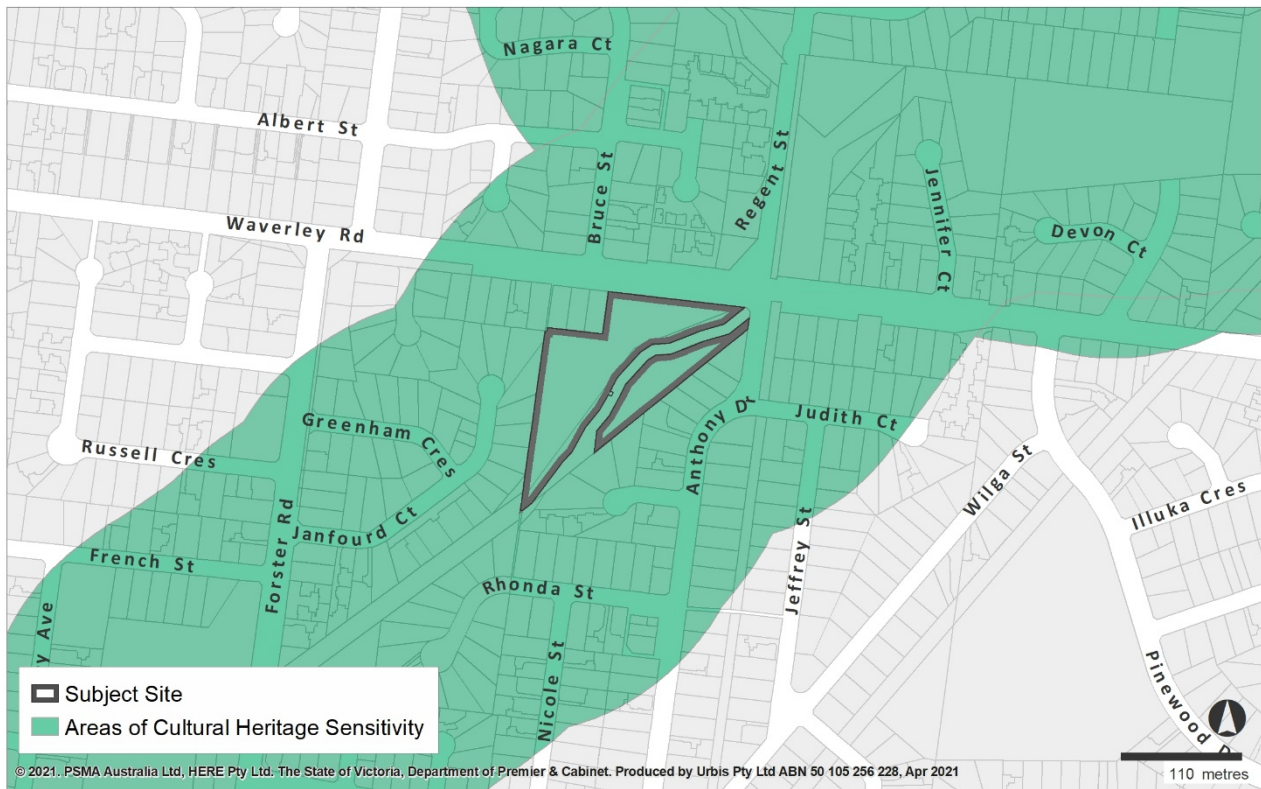
444-450 WAVERLEY RD, MOUNT WAVERLEY VEGETATION PROTECTION OVERLAY (VPO1)

Picture 10 Vegetation Protection Overlay Map

4.4.3. Area of Aboriginal Cultural Heritage Sensitivity

The subject site is located within an area of Aboriginal Cultural Heritage Sensitivity and is subject to the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2007*.

The Regulations define an area of Aboriginal cultural heritage sensitivity as an area in which Aboriginal cultural heritage is, or is likely to be present, which has not already been subject to significant ground disturbance. If the proposed activity will affect any of these areas, it requires a Cultural Heritage Management Plan (CHMP). A CHMP has previously been prepared for the subject site and an updated letter prepared by Andrew Long and Associates has been provide for the application.



444-450 WAVERLEY RD, MOUNT WAVERLEY AREA OF CULTURAL HERITAGE SENSITIVITY

Picture 11 Area of Aboriginal Cultural Heritage Sensitivity Map

4.4.4. Particular Provisions

Clause 52.06 – Car Parking

Clause 52.06 sets out the car parking requirement for child care centre developments.

Pursuant to Table 1 at Clause 52.06-5, the following carparking rates apply:

- 0.22 carparking spaces to each child

The accommodation of 184 children results in the requirement of 40 car parking spaces.

Clause 52.06 sets out the car parking requirements for food and drink premises.

Pursuant to Table 1 at Clause 52.06-5, the following car parking rates apply:

- 4 spaces per 100sqm of leasable floor area

Based on a leasable floor area of 148 sqm, 5 car parking spaces are required.

Clause 52.17 – Native Vegetation

This clause seeks to ensure there is no net loss of biodiversity as a result of the removal, destruction or lopping of native vegetation.

An application to remove, destroy or lop native vegetation must comply with the application requirements specified in the *Guidelines*.

Clause 53.18 – Stormwater Management in Urban Development

This clause seeks to ensure that stormwater in urban development is managed to mitigate the impacts of stormwater on the environment, property and public safety and to provide cooling, local habitat and amenity benefits.

The clause applies to an application under a provision of a zone to construct a building or construct or carry out works. Stormwater management for buildings and works should be designed to meet the requirements outlined in Standard W2 (Clause 53.18-5).

5. PLANNING CONSIDERATIONS

5.1. PERMIT TRIGGERS

Pursuant to the requirements of the Monash Planning Scheme, a permit is required to:

- Use the site for a Child care centre in the Neighbourhood Residential Zone (Clause 32.09-2).
- Use of the site for a Café (food and drink premises) in the Neighbourhood Residential Zone (Clause 32.09-2).
- Construct a building or construct and carry out works associated with a Section 2 use (Clause 32.09-9).
- Construct a building or construct and carry out works within land affected by the LSIO (Clause 44.04-2).
- Remove, destroy or lop any vegetation within land affected by the VPO (Clause 42.02-2).
- Remove, destroy or lop native vegetation (Clause 52.17).

5.2. KEY ISSUES

We consider the following matters to be of relevance when assessing the acceptability of the proposed child care centre development:

- Is a child care centre and a café an appropriate land use from a Policy Perspective?
- Does the proposal's design respond appropriately to the sites unique interface between conventional residential subdivision and the Scotchman's Creek landscaped environs?
- Does the proposal provide an acceptable level of amenity for adjoining residential properties and the Scotchman's Creek reservation?
- Is the proposed traffic, car parking and waste arrangements appropriate for the site?
- Is the proposed landscaping appropriate for the site and surrounding context?

5.3. IS THE PROPOSAL AN APPROPRIATE LAND USE FROM A POLICY PERSPECTIVE?

5.3.1. Planning Policy Framework

The Planning Policy Framework (PPF) recognises the role of central Melbourne as the hub of the States urban fabric which houses a wide range of social and community facilities. Policies seek to facilitate land use outcomes that support the ongoing vitality of the city as an environmentally sustainable place to live, work, play and visit. The proposal achieves the broad objectives of these guiding policy documents.

More specifically, the proposal meets the objectives of the PPF as follows:

- The project will contribute to the vibrancy of the area and responds to State direction calling for an expanded central city that will '*become Australia's largest commercial and residential centre by 2050*'. The proposal positively responds to this policy and provides an additional community facility near to several existing community and education institutions within an established residential area. The proposed café will integrate with the child care centre, co-locating non-residential uses together.
- The proposal reflects the strategic direction of Clause 11 as it represents a proposal that will consolidate and redevelop an underutilised large site within an existing urban area for a child care centre and café that will service the local and wider community.
- Clause 11.01-1R identifies Melbourne as a focus for investment and growth. The proposed child care centre and café will provide for investment and growth within an existing urban area.
- An Acoustic Report has been prepared for the site which ensures that noise from both the child care centre and café will be minimised to mitigate impacts to the abutting residential properties to the south of the subject site in accordance with Clause 13.05.

- The proposal is consistent with the policy direction of Clause 15 and specific matters associated with design and built form. The proposal provides a child care centre and café that will sit comfortably at the interface of traditional residential lots and the Scotchman's Creek environs through a sensitive design response.
- The site is strategically located in close proximity to the bus and rail network, as well as other CBD services. The site's proximity to services and transport supports its development for a child care centre and café focusing on assisting the wider community.
- The development will create ongoing economic benefits for the municipality both during and post construction. This will provide a strong and diversified economy as sought by Clause 17.
- The proposed child care centre and café are located within close proximity to educational uses and will be integrated within the wider established community as sought by Clause 19.02-1R.

5.3.2. Local Planning Policy Framework

The proposed development is consistent with the LPPF within the Monash Planning as follows:

- The proposal will build on the existing infrastructure and facilities within this local community to foster continued growth within the City of Monash as sought by **Clause 21.01**. Providing an additional community facility and café with an accessible location assists with meeting the objectives of this Clause.
 - The proposal will strengthen the economy within the municipality by providing a range of jobs during and post construction for both the child care centre and café in accordance with Clause 21.05.
 - The proposal has a high regard for its interface to Scotchman's Creek through urban design and proposed landscaping to maintain and promote the existing landscape character. The proposed café will enhance the public realm by providing a place for people walking along the creek to be able to stop and enjoy the area in accordance with Clause 21.10 and Clause 22.01.
 - The proposal seeks to minimise tree removal on site. A total of 11 existing trees are proposed to be removed as part of the proposal. It should be noted that these trees were already listed for removal in the previously approved aged care facility. In addition, this application proposes to retain trees that were previously approved for removal in accordance with Clause 22.09.
- The proposed building has been designed to be energy efficient, minimising energy use and reducing greenhouse gas emissions and obtaining a STORM rating of 102%, as desired within Clause 22.13.

5.3.3. Neighbourhood Residential Zone

The proposed child care centre and café are highly compliant with the applicable decision guidelines of Clause 32.09-13 as follows:

- General
 - The proposed land uses are in line with the PPF and LPPF by providing uses that are commonly seen within residential settings.
 - The proposal is in line with the purpose of the zone by providing non-residential uses that serve the local community and respect the identified neighbourhood character of the area. This is discussed further in Section 5.4 below.
 - The proposal does not impact on any existing rooftop solar energy systems on dwellings in adjoining lots.
- Non-residential use and development
 - As stated throughout this report, child care centres and cafés are common to be located within residential areas by providing for the community needs.
 - The scale and intensity of the development is commensurate of the size of the lot, providing a lower site coverage than previous the approval on the site and providing generous landscaping throughout, including large canopy trees.

- The proposed built form is highly articulated development and fits in with the development of the surrounding area, particularly the residential dwellings along Anthony Drive and Betty Court by way of setbacks and the height of the building.
- The proposal has maximised landscaping on site and provided a landscape response that is in line with the surrounding residential area and Scotchman’s Creek environs. This includes the retention of existing trees where possible and sufficient replacement planting.
- As outlined in Section 5.6 below, the proposal meets the relevant requirements by providing car parking and bicycle parking in accordance with Clause 52.06.
- Waste will be stored and collected from the basement via a private collector as outlined within the Waste Management Plan prepared by Ratio Consultants.
- The proposal has been designed to ensure there is no conflict between pedestrians and vehicles as they move throughout the site that would result in any unreasonable safety concerns.

5.4. DOES THE PROPOSAL COMPLY WITH CLAUSE 22.09-04

The proposal complies with the performance and locational criteria for non-residential use and development as outlined in Clause 22.09-04 as follows:

5.4.1. Locational Criteria

- The proposal is located opposite the existing aged care facility on the northern side of Scotchman’s Creek allowing the proposed child care centre and café to co-locate close to another non-residential use. Notably the appropriateness of the site for a non-residential land use was considered appropriate by VCAT in issuing the previous planning permit for an aged care facility.
- Child care and café uses are commonplace within residential areas. This is due to their ability to integrate into suburban areas and their presence supporting the needs of the surrounding community. The proposed child care facility on the subject site is consistent with this well accepted planning principle and the café will assist with providing an active space fronting the Scotchman’s Creek Trail.
- Child care centres serve the needs of families. Given the location of the proposed centre within a residential area where many young families are likely to reside, it is expected that the new use will service local community needs and in the wider municipality.
- The location of the site on a large lot proximate to an identified main road provides an excellent opportunity for a robust built form outcome which remains considerate of the surrounding context and immediate interfaces. Generous setbacks, landscaping and the disbursement of outdoor activity areas around the site will further assist in ensuring the proposal is compatible with the surrounding residential uses and suitable within the context of the site.
- The site is not located within a heritage precinct or in a lower order residential street or cul-de-sac.
- The location of a child care centre and a café on this site will not have a negative cumulative impact from non-residential uses in the area. The site is removed from the main street frontages in the area and separated from the aged care centre by Scotchman’s Creek.
- The proposal is a part double and part single storey child care centre and café which is a significant built form reduction from the previously approved 4 storey aged care centre. The proposed built form has provided appropriate setbacks, taking the previous approval into consideration to mitigate amenity impacts on the surrounding residential properties by way of visual bulk, overshadowing and noise.

5.4.2. Urban Design Criteria

- The design of the building has taken cues from the surrounding neighbourhood character in both built form and natural landscape. This has resulted in a high-quality design that blends with the surrounding area. The design has provided the open external play spaces to the north, away from the residential properties to mitigate noise impacts and provide an open outlook to Scotchman’s Creek. The built form provides appropriate setbacks to mitigate visual bulk and overshadowing to the residential properties.

- Screening measures have been incorporated into the design of the café areas, to mitigate overlooking opportunities and noise impacts to the surrounding residential area. These have been designed to ensure they do not present as visually bulk or evident to the surrounding area.
- Clause 22.01-4 outlines the site as a Creek Abuttal area within Map 1. The site is in line with this preferred character statement by providing a design that complements the surrounding natural landscape and topography of the site, provides consistent setbacks with the surrounding area, and maximises landscaping in line with the preferred landscaping guidelines for the area. In particular, the café will provide an active space to the Scotchman's Creek Trail to encourage the use of the trail.
- The proposal maximises landscaping for the site to maintain and to contribute to the established canopy treed environment signifying the garden state character of Monash.
- The proposed building is part double and part single storeys, in line with the surrounding residential context.
- No existing residential buildings exist on the site and therefore cannot be converted for the proposed child care centre or café land use. Furthermore on such a unique site, a purpose built child care centre and café is warranted to take into account the varying interface comprising traditional residential lots and the Scotchman's Creek environs.
- The proposal adopts muted and earthy colour tones in drawing from the prevailing pallet of finishes from the abutting residential precinct whilst insuring a subdued building presence to the Scotchman's Creek environs.
- The proposed child care centre and café will provide for activation and surveillance opportunities to this part of the Scotchman's Creek reserve and trail during operating hours.
- The low site coverage and permeability allows the proposed child care facility and café to sit comfortably at the interface of traditional residential lots and the Scotchman's Creek environs by way of appropriate setbacks and landscaping opportunities around the perimeter of the proposed building.
- The provision of carparking within a basement ensures that these facilities do not impact on the abutting residential interface, the streetscapes or the Scotchman's Creek environs.
- The provision of a glass balustrade along the Scotchman's Creek title boundary allows for a seamless interaction with the Scotchman's Creek reservation and trail insuring a high level of interaction between the proposed land uses and this important community asset.
- The provision of a permeable first floor balustrade to the café furthers the degree of interaction between the proposed land use and the Scotchman's Creek reservation.
- The provision of a generally flat roof form minimises the scale of proposed building to both the abutting residential interface and the Scotchman's Creek reservation.



Picture 12 3D imagery of the proposal when viewed north-east from Scotchman's Creek



Picture 13 3D imagery of the proposal when viewed south from Scotchman's Creek



Picture 14 3D imagery of the frontage of the subject site to Scotchman's Creek.

5.4.3. Car Parking Criteria

It is proposed to provide a total of 46 carparking spaces within the basement. The provision of onsite carparking is considered appropriate for the following reasons:

- The proposed car parking provided is in compliance with Clause 52.06, providing 41 car parking spaces for the child care centre which is in excess of the required 40 spaces.
- Five (5) parking spaces are provided for the café use in accordance with the Monash Planning Scheme. It is anticipated that the majority of patrons will be the local residents and people walking along the Scotchman's Creek trail which will access the site via foot / bicycle.
- The proposal does not rely on street car parking spaces.
- The proposed car parking for the site within a basement will not disrupt or cause noise nuisance to the adjacent residential properties.
- The basement has been designed to ensure all vehicles can enter and exit it in a forward direction.

5.4.4. Landscaping Criteria

A landscape plan prepared by Blue Landscape Architects is submitted as part of the application.

We consider the landscape response to be appropriate for the following reasons:

- The proposed landscaping is in line with the desired garden character of the neighbourhood by maximising the site with local vegetation seen throughout the area.
- Where possible, canopy trees are retained on site. Appropriate replacement planting has been proposed for the site. This includes 48 trees proposed throughout the site which will be surrounded by numerous grasses and ground covers.
- The trees proposed for removal as part of this application were all previously approved to be removed under the aged care application on the site.
- Substantial landscaping is proposed along the south eastern boundary shared with the residential interface which includes canopy trees to assist in reduce the presence of the built form when viewed from the SPOS of the adjoining residential dwellings.

- The proposed landscaping on the site includes a range of paving, decking and paths that taken note of the materials seen in the surrounding area.
- A range of landscaped play spaces have been provided for the children that will provide for a safe environment for both passive and active play.

Based on the above, the proposal is highly compliant with the criteria of Clause 22.09.

5.5. DOES THE PROPOSAL RESULT IN ANY UNREASONABLE OFFSITE AMENITY IMPACTS?

As set out in Section 5.3 and 5.4 of this report, the proposed child care centre and café have been designed to align with the unique circumstance of a site that borders traditional residential lots and the Scotchman's Creek environs. This has assisted in limiting external amenity impacts on the surrounding residential interface taking into consideration four key measures – visual bulk, overlooking, overshadowing and noise. The design response in relation to each of these factors is outlined in detail below. While ResCode does not strictly apply, it does provide a useful indication of what outcomes are acceptable in the residential setting.

5.5.1. Visual Bulk

The subject site abuts a total of seven residential lots that front Anthony drive and Betty Court along the southern boundary. The existing feature of these abutting residential lots include the following:

- A total of five residential lots front Anthony Drive featuring a mix of single and double storey dwellings that are orientated towards the street frontage. Each of these properties feature secluded private open space that abuts the common boundary with the subject site. The rear setbacks to the subject site are predominately shallow. All of these dwellings feature habitable room windows that are orientated towards the subject site. Landscaping of varying degree provide for an element of screening between these properties and the subject site.
- A total of two residential lots fronting Betty Court featuring single storey dwellings that are orientated towards the court. Both properties feature secluded open space that abuts the common boundary with the subject site. The rear setbacks to the subject site are more generous in comparison to the abutting Anthony Drive properties. Each of these dwellings features habitable room windows which are orientated towards the subject site. A significant tree at the rear of No.1. Betty Court makes a significant contribution to the landscape qualities of the environs.

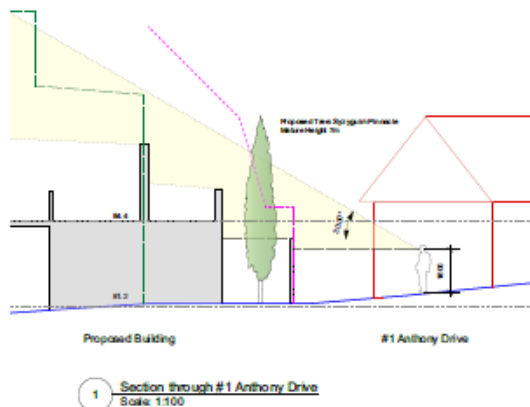
The proposed design response has carefully taken into consideration the existing conditions of this abutting residential interface through the following measures:

- Positioning the building envelope in the widest portion of the site and constraining its overall length to the abutting properties fronting Anthony Drive.
- Limiting the extent of double storey building form to the interface of No.1-3A Anthony Drive, representing three of the overall seven abutting residential lots.
- Other than two short parts of boundary wall construction being a 3.5m length to the common boundary to No.1 Anthony Drive and a 5.8m length along the common boundary with No.3A Anthony Drive, minimum setback between three and four metres to the abutting properties fronting Anthony Drive. These setbacks provide for a sense of space and landscaping opportunities to contribute to the landscape environment and to soften the visual appearance of the proposed building. We note that the ground floor setbacks are generally constant with that approved for the previous aged care facility acknowledging the much longer length of building associated with that approval.
- Provision of varying first floor setbacks of between 3 and 5.75m, the use of different window proportions, two vertical architectural elements and the use of a light weight material and colour tone creates interest and articulation to the double storey form that presents to the rear of No.1-3A Anthony Drive.
- The setbacks at the ground and first floor level to the southern boundary exceeds the requirements specified in ResCode Standard B17 demonstrating an appropriate built form relationship to the rear of No.1-3A Anthony Drive mitigating against visual bulk and mass.
- The proposed development will present as a single storey building form to the rear of No.1/7 and 5 Anthony Drive. Notably the orientation of No.3A Anthony Drive will mean that the sight lines from the rear habitable windows will generally be of a single storey building form.

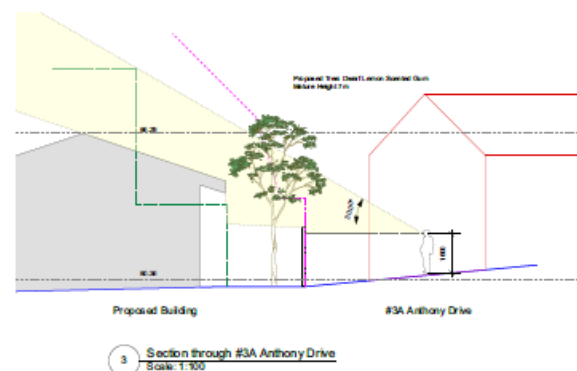
- The sight lines from the rear of No.1 and 2 Betty Court will be of the rear detached single storey pavilion/pod associated with the child care centre. This pod is well set back from the common boundary of these abutting properties and features a flat roof to minimise visual bulk. This set back will be well landscaped.
- The Neighbourhood Residential Zone allows for residential buildings of up to two storeys and 9 metres in height. The proposal is for a child care centre and café and therefore the 9m height limit is not applicable. Nevertheless, a 9.235m building height is proposed representing a minor variation to this height control. Given the context of the site, the existing conditions of the abutting residential properties married to the design response we consider this height to be appropriate. Notably the proposed height is of significant reduction from that previously approved as part of the four storey aged care facility.
- The building presents as a contemporary design which incorporates a mix of materials including the brick, exposed off-form concrete and painted cement façade with aluminium, painted brick, tiles and timber pergola, steel and glass. This adds depth and articulation to the form whilst being of muted tones which will ensure the proposed building sits comfortably in both the residential setting and the surrounding natural environment.

Having addressed the residential interface we submit that the proposed design response will make a positive built form contribution to the Scotchman’s Creek reservation from a visual bulk perspective for the following reasons:

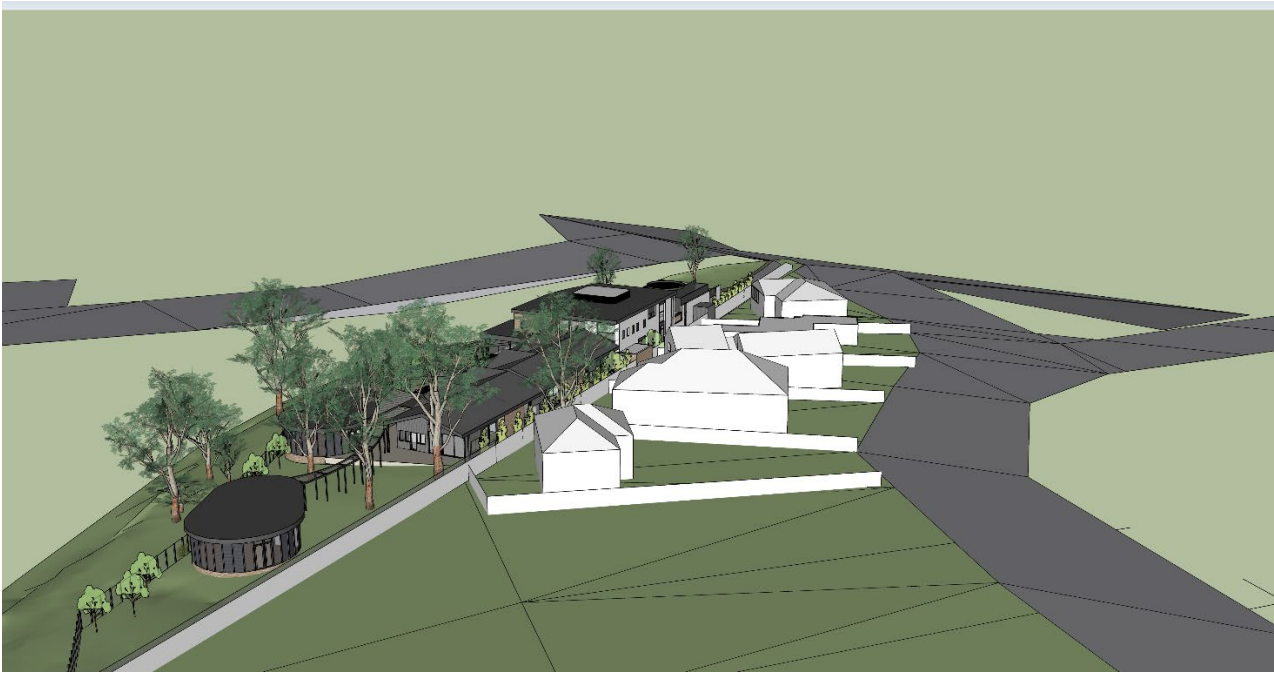
- The retention of significant existing trees along the Scotchman’s Creek frontage with the opportunity for additional landscaping to contribute further to the landscape environs.
- Generous ground floor setbacks for the body of the main building providing for an at-grade play space.
- Containment of the double storey element to a small portion of the overall site with varying setbacks to the Scotchman’s Creek boundary to minimise visual bulk impacts.
- The use of varying materials incorporating subdued and earthy colour tones ensures the building form sits comfortably within this natural setting.
- The use of a glass balustrade on top of a brick pier along the Scotchman’s Creek frontage creates a seamless merging between the building form and the natural setting.



Picture 15 Sectional Diagrams for 1 Anthony Drive (green line represents previous approval).

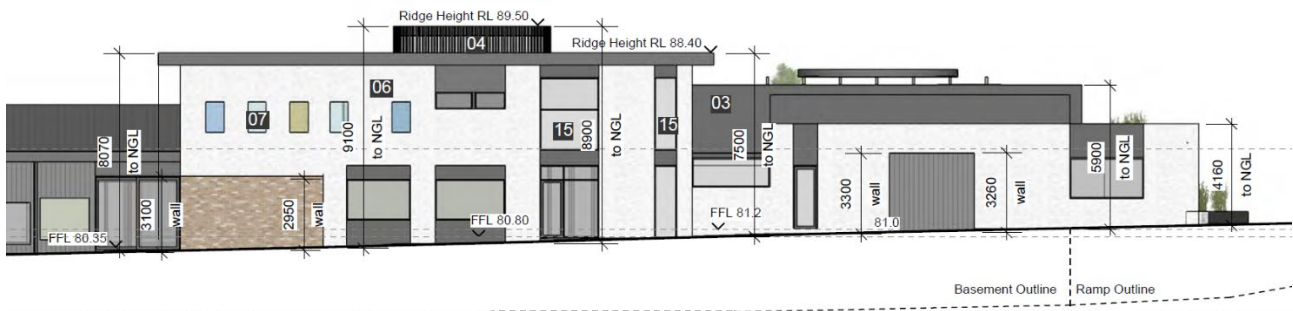


Picture 16 Sectional Diagrams for 3a Anthony Drive (green line represents previous approval).



Picture 17 3D aerial imagery of the subject site as it presents to the residential properties to the south/south-east

Figure 1 Image of the southern elevation (2 storey section) as it presents to the rear residential properties.



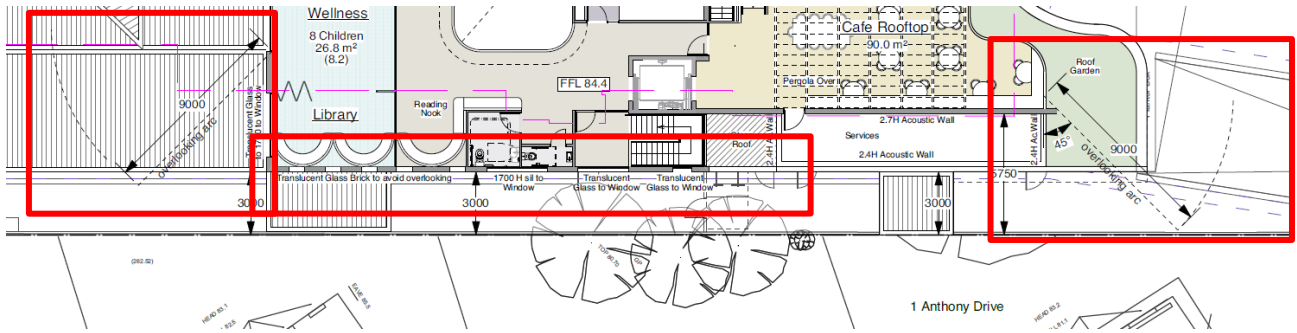
5.5.2. Overlooking

Given the non-sensitive interface to the north (Scotchman's Creek) and the irregular shape of the site, the potential for overlooking is only present to the southern adjoining residential properties. There are no overlooking opportunities at the ground level due to the existing fence along the southern boundary which is proposed to include an additional trellis up to a height of 2.4m – 3.0m for added privacy to the residential lots.

At the first floor, all windows are screened along the first floor southern elevation to prevent overlooking opportunities into No.1-3A Anthony Drive. In addition, screening elements have been provided to the first floor café outdoor seating area to ensure there are no overlooking opportunities to No.1 Anthony Drive as demonstrated in figure 2 below.

The services area includes a 2.4 metres acoustic wall and will prevent any overlooking if access to this area is required for maintenance.

Figure 2 Imagery of screening measures implemented to mitigate overlooking opportunities.

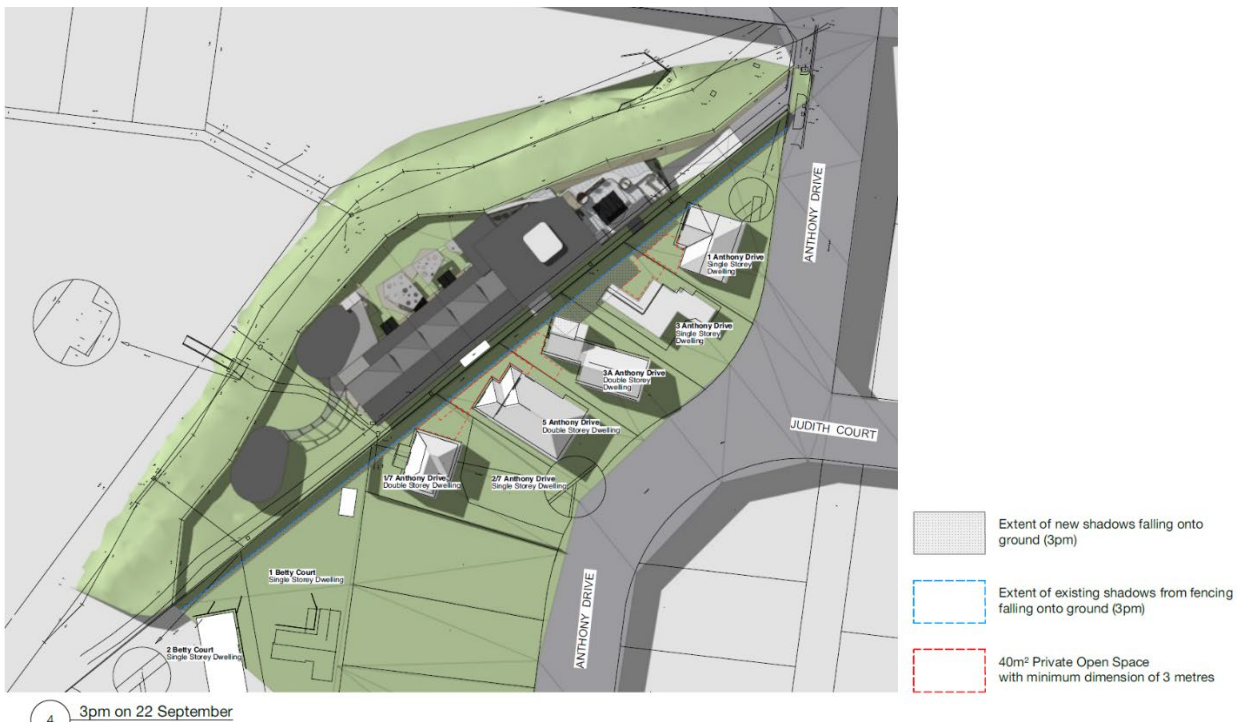


We note that all overlooking opportunities at ground and first floor have been resolved to satisfy ResCode Standard B22.

5.5.3. Overshadowing

Given the proposed part double and part single storey building form, the smaller extent of double storey building form coupled with varying ground and first floor setbacks and the orientation of the site, there will be minimal overshadowing to the neighbouring residential properties. Whilst No.1-3A Anthony Drive will experience some additional overshadowing beyond that cast by the existing fence in the afternoon period at the Equinox the extent of overshadowing of these properties is compliant with the relevant ResCode Standard B21.

Figure 3 Shadow diagrams showing extent of overshadowing to rear adjoining properties at 3pm on 22nd September



We note that in comparison to the previously approved aged care building that the extent of additional overshadowing is a significant improvement.

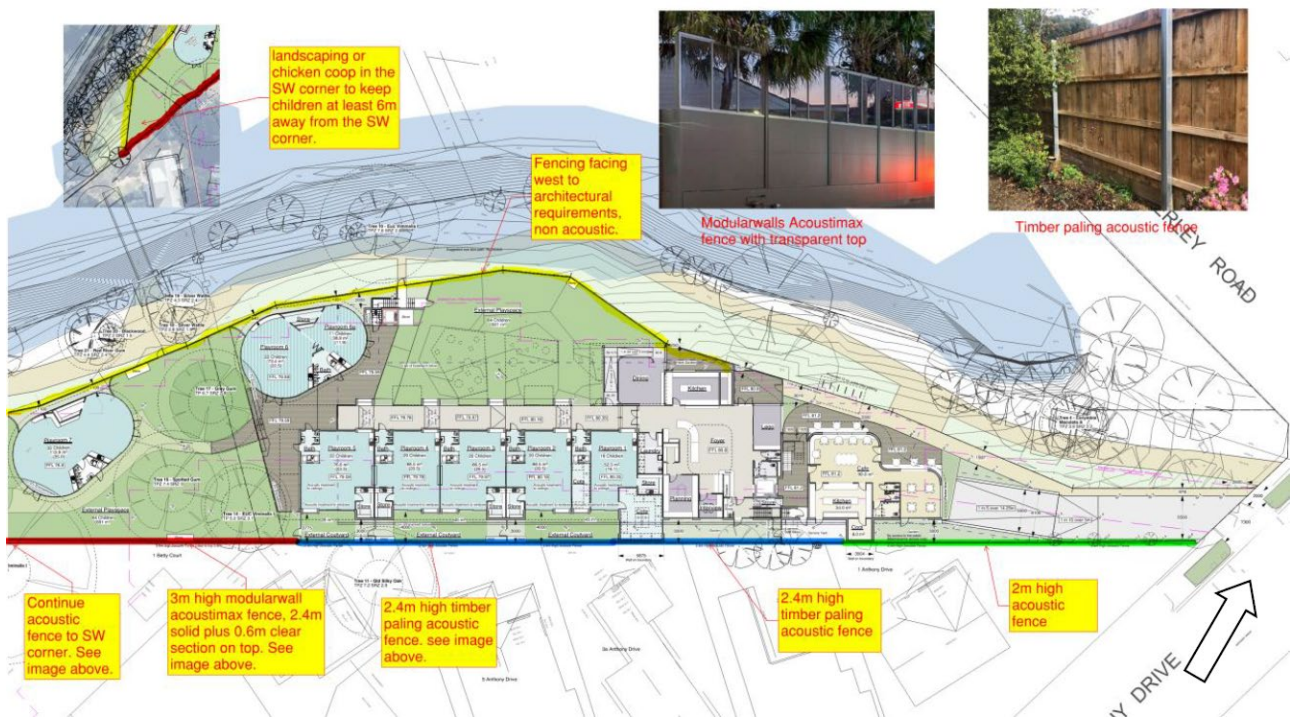
5.5.4. Noise

The development has been designed to mitigate noise impacts to sensitive interfaces in accordance with the relevant standards. An Acoustic Report has been prepared by Acoustic Control and accompanies this application. The report concludes:

- With the implementation of the recommended acoustic fence measures (see figure 4 below) the proposed child care centre and café will not result in any unreasonable acoustic impacts to the adjoining residential properties to Anthony Drive, Betty Court or the surrounding Scotchman's Creek environs. An acoustic fence along the entire south-eastern boundary ranging in height from 2 metres to 3 metres. Where the fence is proposed to be 3 metres, the top 0.6 metres will be transparent to reduce noise but not impede sunlight.
- A 2.4 metre acoustic screen will be provided at the first floor surrounding the services associated with both the café and the child care centre to mitigate noise emissions.
- The café will include a 2.7 metres acoustic wall (also the northern wall of the services area) to reduce noise emissions in accordance with the relevant standards.
- Acoustic class is recommended to the first floor southern elevation and the sliding doors along the ground floor southern elevation to ensure compliance with the relevant standards.

For further details, please refer to the Acoustic Report prepared by Acoustic Control.

Figure 4 Proposed fencing recommendations for the proposed child care centre and café



Source: Acoustic Control – Acoustic Report

5.5.5. Public Realm / Scotchman's Creek Trail

We understand that Council are in the stages of designing an upgrade to the Scotchman's Creek trail which will result in the path extending along the site's frontage adjacent to the creek.

The proposal has taken these future works into consideration with the provision of an additional pedestrian path to the site from an indicative trail as demonstrated on the Architectural Plans and the Landscape Plan. This allows for pedestrian access to the café and the child care centre from the trail which can be modified to suit a final design outcome from Council.

5.6. IS THE PROPOSED TRAFFIC, CAR PARKING AND WASTE ARRANGEMENTS APPROPRIATE FOR THE SITE?

Carparking is provided in accordance with Clause 52.06 of the Monash Planning Scheme and in line with the requirements set out under the relevant Australian Standards. The Monash Planning Scheme outlines a statutory carparking rate of 0.22 spaces per child. Based on this rate, the proposed child care centre requires 40 carparking spaces. The Monash Planning Scheme requires 4 spaces per 100 sqm of leasable floor area for a café (food and drink premises) resulting in a requirement of 5 spaces.

The proposal provides 46 carparking spaces (which includes 5 allocated to the café and 14 allocated to the child care centre staff), therefore exceeding the statutory requirements.

Based on the average peak hour rate of 0.8 trips per child, the proposed child care centre will generate 147 trips during the AM and PM peak hour periods. Traffic generation from the café is expected to result in 7 peak hour trips in the AM and PM. This results in a total of 154 vehicle trips during the AM and PM for the entire site. Anthony Drive and Waverley Road (which is a major road in the municipality) can accommodate the traffic generated by the proposed use.

In addition to the 46 carparking spaces, 22 bicycle parking spaces are also provided. Of the 22 spaces, 10 are allocated to staff/employees within the basement and ground floor (adjacent to the store room) and 12 are provided for public bike parking located along the sites frontage to Scotchman's Creek.

Swept path plans have been provided by Ratio. These show that vehicles can enter and exit the basement in a forward motion. The Traffic Impact Assessment prepared by Ratio concludes that:

- *The proposed Child Care Centre meets the parking requirements of Clause 52.06 of the Monash Planning Scheme for Child Care Centres*
- *The proposed basement car park and access arrangements have been designed in accordance with the dimensional requirements of Clause 52.06 of the Monash Planning Scheme, AS/NZS 2890.6: 2009 and the relevant sections of AS/NZS 2890.1:2004.*
- *The proposed provision of 22 on-site bicycle parking spaces is considered appropriate.*
- *The development will generate 154 vehicular movements in the AM and PM peak hours onto the surrounding road network. This level of traffic can be accommodated on the adjacent road network without creating adverse traffic safety or operational impacts*

Overall the proposed development has been suitably designed and is not expected to create adverse traffic or parking impacts in the precinct

A Waste Management Plan has been prepared by Ratio which outlines the suitability of the proposed waste arrangements. This includes collection on site via the waste storage rooms within the basement. Collection times will occur outside of the operating hours for the child care centre to ensure there is no conflict with vehicles accessing the site whilst collection is occurring.

5.7. IS THE PROPOSED LANDSCAPING APPROPRIATE FOR THE SITE AND SURROUNDING CONTEXT?

The extent of the basement and the ground floor footprint have been designed to allow for setbacks to all site boundaries (apart from two small sections of wall on the southern boundary associated with the cot and cool rooms). This will facilitate good opportunities for deep planting, ensuring that a high level of landscaping can be provided.

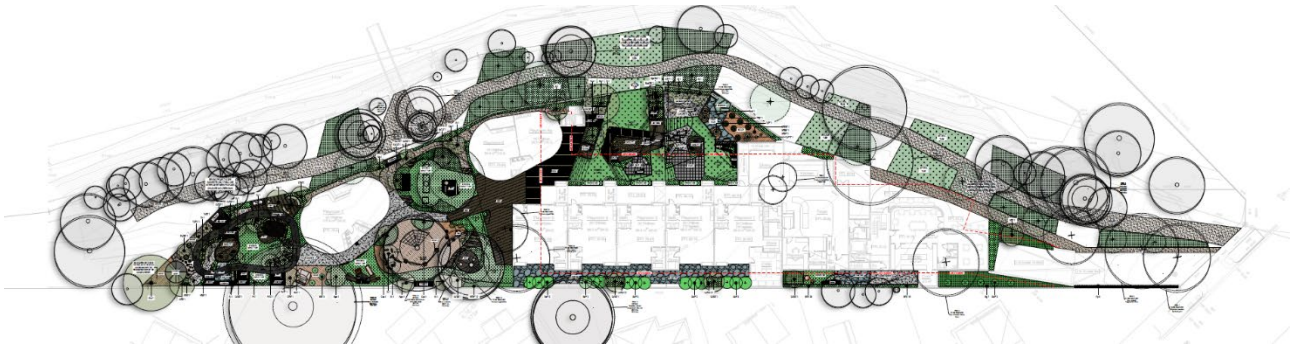
The landscape plan prepared by Blue Landscape Architects shows a variety of different trees within the open space and close to all boundaries. When compared with the existing conditions, the landscape plan proposes significantly more trees and additional vegetation.

The proposed landscaping has been maximised throughout the site and will comfortably fit in with the character of the area with regard to the emerging and preferred character guidelines.

It is noted that Council intends to upgrade the future Scotchman's Creek trail that will be relocated from the site's southern boundary to run around the site / along the creek. The landscaping has taken this into consideration and proposed an outcome that would complement any future design by the Council.

See the figure 4 below and the Landscape Plan prepared by Blue Landscape Architects for further details of the landscaping.

Figure 5 Proposed landscaping for the proposal



6. CONCLUSION

In summary, it is considered that the proposed development at 452-454 Waverley Road for a part double and part single storey child care centre and café is worthy of an approval for the following reasons:

- The proposed land uses and built form are consistent with the relevant with the State and Local planning policy frameworks.
- The proposed non-residential land uses are consistent with the preferred strategic location identified in the Clause 22.09 (Non-Residential Use and Development in Residential Areas) particularly given the sites accessibility to Waverley Road.
- The proposed child care centre and café are land uses commonly accepted in a residential setting given their ability to integrate within this context and affording accessibility to the local and wider community.
- The proposed design response provides for an appropriate built form outcome that is considerate of both the abutting residential contexts and the Scotchman's Creek landscape environs.
- The proposed design response has carefully considered and minimised external amenity impacts on adjoining residential properties by way of visual bulk, overlooking, overshadowing and noise admission.
- The proposal provides for an appropriate response by way of visual bulk and appearance to the Scotchman's Creek environs. Furthermore it will provide for activation and surveillance to this important community asset.
- The proposal provides for the retention of significant existing trees in addition to additional planting to make a positive contribution to the landscape character to the environs.
- Traffic and car parking have been appropriately resolved to ensure an appropriate number of carparking spaces are provided whilst having minimal impacts on the character of the area and the flow of traffic along Anthony Drive and the intersection with Waverley Road.
- The café has been seamlessly integrated with the child care centre and the public realm and will provide an additional community benefit.
- The overall development has taken the future upgrade of Scotchman's Creek into consideration to ensure no conflict with Councils future plans.

For the reasons outlined within this report and the accompanying documentation, it is respectfully considered that the proposal is worthy of the issue of a planning permit.

DISCLAIMER

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