

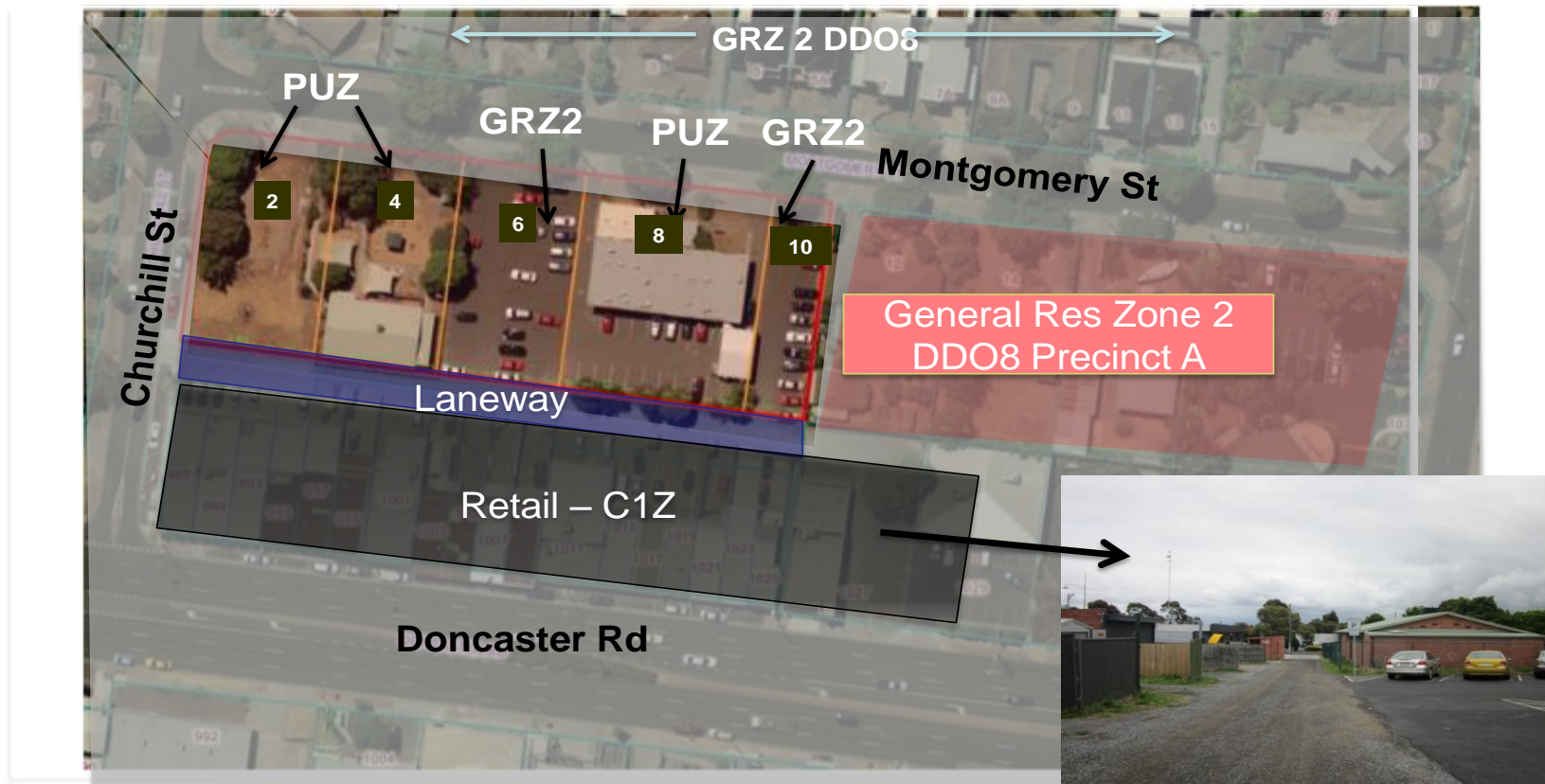


Site Context – Council owned land





Attachment 2 – Existing Planning Controls



Planning and Environment Act 1987

MANNINGHAM PLANNING SCHEME

AMENDMENT C102

PLANNING PERMIT APPLICATION NO. PL15/025196

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Manningham City Council, who is the planning authority for this amendment.

Land affected by the amendment

The amendment applies to land at 6 – 16 Montgomery Street, Doncaster East. Council owns the land at No. 6 – 10 Montgomery Street, Doncaster East. The land at 12 – 16 Montgomery Street, Doncaster East is in private ownership.

What the amendment does

The amendment proposes to rezone part of the subject land from a General Residential Zone 2 (GRZ2) to a Public Use Zone 6 (PUZ2) and; part of the subject land from a Public Use Zone 6 (PUZ2) to a General Residential Zone 2 (GRZ2). The amendment also proposes to apply a Design and Development Overlay (Schedule 13) across the majority of the subject sites.

More specifically, the amendment proposes to:

- Rezone (part) 6 Montgomery Street, Doncaster East from the General Residential Zone 2 to a Public Use Zone 6, and amend Planning Scheme Map 8 accordingly.
- Rezone 8 Montgomery Street, Doncaster East from a Public Use Zone 6 to a General Residential Zone 2, and amend Planning Scheme Map 8 accordingly;
- Delete Design and Development Overlay Schedule 8 (DDO8 and DDO8-2) from 6, 10, 12, 14 and 16 Montgomery Street, Doncaster East, and amend Planning Scheme Map 8DDO accordingly;
- Apply a new Design and Development Overlay (DDO13) to the land at 6 (part) – 16 Montgomery Street, Doncaster East to manage built form outcomes including maximum building height and front setbacks, and amend Planning Scheme Map 8DDO accordingly ;
- Amend the MSS at Clause 21.05 Residential to reflect the introduction of DDO13 - *Residential Areas Interfacing Commercial Areas in Precinct 2: Residential Areas Surrounding Activity Centres and Along Main Roads.*

What the planning permit application is for

The proposed amendment is accompanied by an application for a planning permit under Section 96A(1) of the *Planning and Environment Act 1987* (the Act) which states that:

“a person who requests a planning authority to prepare an amendment to the planning scheme may also apply to the planning authority for a permit for any purpose for which the planning scheme as amended by the proposed amendment would require a permit to be obtained.”

The application for a planning permit proposes to resubdivide the land at 6 – 10 Montgomery Street to create a lot for sale by Council for residential redevelopment.

A requirement of the *Planning and Environment Act 1987* is that the proposed permit be exhibited along with the amendment and permit application.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required in order to facilitate the sale and redevelopment of Council owned land at (part) 6 – 10 Montgomery Street, Doncaster East, and 12 – 16 Montgomery Street, Doncaster East for residential development and the provision of public carparking.

Council owns five parcels of land at 2-10 Montgomery Street, Doncaster East, which have a total area of approximately 4,600sqm. The subject land forms part of the Doncaster East Village Activity Centre and is commonly referred to as the '*Montgomery Street sub-precinct*'.

The land owned by Council in the sub-precinct comprises:

- 2 Montgomery Street – a small park with an area of approximately 900sqm. The park is encroached on slightly by the adjoining Pre-school.
- 4 Montgomery Street – occupied by Doncaster East Pre-school.
- 6 Montgomery Street – public carpark with no formal line-marking.
- 8 Montgomery Street – a building formerly occupied by Doncare and currently leased by Doncaster City Church. The building has a floor area of around 350sqm and 17 car spaces. The property is leased until December 2015.
- 10 Montgomery Street – carparking providing for about 13 spaces with no formal line-marking.

The Council-owned land in Montgomery Street is currently in two zones in the Manningham Planning Scheme. Land at 2, 4 and 8 Montgomery Street is within a Public Use Zone (PUZ6) whilst land at 6 and 10 Montgomery Street is within a General Residential Zone Schedule 2 (GRZ2) in conjunction with a Design and Development Overlay – Schedule 8 (DDO8-2), which encourages apartment style development of up to 11 metres in height on lots with a minimum area of 1,800sqm. The privately owned land at 12 – 16 Montgomery Street is currently zoned General Residential 2 (GRZ2) and is also included in the area covered by DDO8-2.

At its meeting in November 2011, Council endorsed the *Doncaster East Village Structure Plan (2011, updated July 2012)*. Amongst other things, the Plan confirmed the identification of the subject land (2 – 16 Montgomery Street) as a strategic redevelopment site. It also included actions to finalise a masterplan for the '*Montgomery Street sub-precinct*' and to investigate a partnership with Places Victoria to develop the Council owned land, to provide for a diversity of housing, a pre-school replacement, carparking spaces for traders and an open space plaza. Whilst the agreement between Places Victoria and Council for a joint venture has now been terminated, it is considered that there is still the potential for the redevelopment of the '*Montgomery Street sub-precinct*' generally in line with the original vision and objectives.

The *Doncaster East Village Structure Plan (November 2011, updated July 2012)* identifies the '*Montgomery Street sub-precinct*' (incorporating land at 2-16 Montgomery Street) as a key strategic redevelopment site which provides the greatest opportunity in the short term for redevelopment of currently underutilised land. The Structure Plan seeks the following outcomes for the '*Montgomery Street sub-precinct*':

- Maximise opportunities for residential development on Council owned land in the Activity Centre that includes affordable, accessible housing.
- Provide an open space plaza with an area at least equal to that, which currently exists, that assists to integrate uses across the Centre.

- Improve the car parking and access arrangements within the sub-precinct, having particular regard to the lane behind the existing shops.

The vision for the Council-owned land at 2-10 Montgomery Street is “to deliver a high density residential development that caters for under-represented markets in Manningham” and the stated aim was “to achieve a healthy, active and functional residential development that integrates with the existing Doncaster East Village shopping centre within a medium density activity precinct”. It is proposed that the development would act as a demonstration project to showcase high quality urban design and best practice in sustainability and affordability.

It is considered that, the agreed vision and objectives for the Council owned land in the ‘Montgomery Street sub-precinct’ can be achieved through:

- Retention of the existing open space at its current location at 2 Montgomery Street, with a future upgrade;
- Retention of the existing preschool in its current location at 4 Montgomery Street;
- Retention of the majority of 6 Montgomery Street in Council ownership and for public car parking (28 carspaces); and
- Creation of a development site of approximately 2000sqm (which includes the sites at 8-10 Montgomery Street and the eastern portion of 6 Montgomery Street) to be sold for medium density residential development through an Expression of Interest (EOI) process.

The proposed rezoning will reflect the proposed future of the land and assist in facilitating the proposed sale and redevelopment of the land. More specifically, it is proposed to:

- rezone the majority of the land at 6 Montgomery Street, (excluding a narrow portion along its eastern boundary which is proposed to be included in the land for sale) from General Residential Zone 2 (GRZ2) to the Public Use Zone 6 (PUZ6) to reflect its ongoing use as a public car park; and
- rezone 8 Montgomery Street to General Residential Zone (GRZ2) to facilitate the use and development of the site for residential purposes.

It is also proposed to amend the Manningham Planning Scheme to introduce a new Design and Development Overlay (DDO13) to the Council owned land proposed to be sold (part of 6 and 8-10 Montgomery Street), as well as to adjoining 12-16 Montgomery Street, which is the remaining land incorporated within the ‘Montgomery Street sub-precinct’ identified in the *Doncaster East Village Structure Plan*. The new Design and Development Overlay would replace the existing DDO8-2 and would encourage apartment style development of up to a mandatory maximum building height of 13.5 metres, which is consistent with the heights recommended as part of the *Doncaster East Village Structure Plan*. (An amendment to Clause 21.05 Residential – Precinct 2 of the MSS is subsequently required to reflect the introduction of the DDO13) as part of Precinct 2: *Residential Areas Surrounding Activity Centres and Along Main Roads*.

Justification for increasing the heights in the ‘Montgomery Street sub-precinct’ to 13.5m is based on the *Doncaster East Village Structure Plan (November 2011, updated July 2012)*. Action 4.2.5 recommended investigating sites at prominent intersections and sites which have an interface to the commercial centre. As an outcome of that action, a number of sites were identified as being suitable for increased densities through consideration of increased heights from 11 metres to 13.5 metres (4 storeys).

To this end, at its meeting on 31 July 2012, Council endorsed the results of the assessment which supported increasing heights for the sites investigated (or part thereof) within the Doncaster East Village Activity Centre, which included the sites at 2 – 16 Montgomery Street. The Structure Plan was updated in July 2012 to reflect the adopted heights.

It is also necessary to apply for a planning permit for the resubdivision of land to enable the sale of a consolidated lot. As the resubdivision will be subject to statutory notification, it is proposed to undertake a combined planning scheme amendment to rezone the land and the planning permit to resubdivide the land under section 96(A) of the *Planning and Environment Act (1987)*.

How does the amendment implement the objectives of planning in Victoria?

Section 4 of the Act contains a number of key objectives for planning in Victoria, which among other things aims:

- *to provide for the fair, orderly, economic and sustainable use and development of land; and*
- *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*

The proposed amendment is generally consistent with these objectives in that it:

- Facilitates the more sustainable use of the land through the consolidation and more efficient utilisation of the subject land located on the periphery of the existing shopping centre.
- Provides the opportunity for the use and development of the land for residential development within the Doncaster East Activity Centre, including some provision of affordable housing and an upgraded public carpark.

How does the amendment address any environmental, social and economic effects?

It is expected that the proposed amendment will result in development that would have positive social, environmental and economic outcomes. The rezoning would support the objectives and implements key aspects of the *Doncaster East Village Structure Plan* by providing new housing opportunities for underrepresented markets, including some provision of affordable housing, and an upgraded public carpark.

The broader sub precinct is also expected to be improved with an upgraded open space/plaza and pre-school facility which would benefit the broader community.

Does the amendment address relevant bushfire risk?

The amendment is not expected to result in an increase in bushfire risk to life or property. The sites are not affected by the Bushfire Management Overlay or within a Bushfire Prone Area.

Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment has been prepared in accordance with *Ministerial Direction on the form and Content of Planning Schemes* under section 7(5) of the Act. All planning schemes must have regard to section 12(2)(a) of the *Planning and Environment Act 1987*, being Ministerial Directions.

In addition to its consistency with Ministerial Direction No. 11 *Strategic Assessment of Amendments*, the amendment also complies with Ministerial Direction No. 9 – *Metropolitan Strategy*.

Outcome No. 2 – Housing Choice and Affordability

Direction 2.1 – Understand and plan for expected housing needs.

Direction 2.2 – Reduce the cost of living by increasing housing supply near services and public transport.

The subject sites are located on the northern edge of the Doncaster East Activity Centre and in close proximity to Doncaster Road, being a major arterial road, and are well serviced by public transport (buses).

The proposed rezoning will facilitate residential development which will provide for a diversity of housing opportunities and provision of public carparking which will benefit the broader community.

Outcome No. 4 – Liveable Communities and Neighbourhoods

Direction 4.1 - *Create a city of 20-minute neighbourhoods.*

Direction 4.2 - *Create neighbourhoods that support safe communities and healthy lifestyles.*

The physical environment affects people's ability to participate in community activities, access services and facilities, and undertake their daily lives. It also affects their sense of community and security. Urban design, including the design of buildings, streets and neighbourhoods, can foster or discourage interaction and participation in civic life.

The amendment, in particular the proposed Design and Development Overlay (DDO13), is framed to minimise the impact on adjacent residential properties by stepping any development down to the north.

How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?

The amendment is consistent with relevant State planning policies, including those relating to metropolitan development, settlement, carparking and public transport access to development, design and built form. The amendment will assist in the supply of diverse and more affordable housing options within an established urban area, close to the activity centre and public transport and provide housing options for families wishing to downsize or for new households.

How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The amendment is consistent with the Local Planning Policy Framework (LPPF), including the Municipal Strategic Statement (MSS). The proposed rezoning will support the role of an existing activity centre by facilitating more diverse and affordable housing options.

Does the amendment make proper use of the Victoria Planning Provisions?

The amendment uses the most appropriate VPP tools to ensure that the land can be used and developed in a way which best supports the objectives of the Manningham Planning Scheme and desired planning outcomes for the sites.

The rezoning facilitates the consideration of the use and development of the site for residential development and the provision of public carparking.

Application of the General Residential Zone 2 (GRZ2) will help ensure that any future development of the sites has appropriate regard to the provision of residential dwellings, whilst application of the DDO13 enables a mandatory maximum building height and a non mandatory front setback to be specified for the sites, which is required to provide greater certainty for decision makers, adjacent residents and the broader community. The rezoning of the site at No. 6 Montgomery Street will also provide greater certainty to traders and residents regarding the future use of the land as a public carpark.

How does the amendment address the views of any relevant agency?

The amendment and associated planning permit application (PL15/025196) will be placed on exhibition and referred to the relevant agencies for their consideration.

Does the amendment address relevant requirements of the Transport Integration Act 2010?

The amendment will have a positive impact on the transport system as it provides the opportunity to develop new housing within the Doncaster East Activity Centre – a location well serviced by public transport and major roads which are within walking distance of the subject land.

Resource and administrative costs

- **What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?**

It is expected that the new planning provisions will have a neutral impact on the resources and administrative costs of the responsible authority compared to the current controls that apply to the subject sites and will provide greater clarity for the built form outcomes being sought in the Doncaster East Village Structure Plan. The responsible authority will be required to process a planning scheme amendment/planning permit application for the use and development of the subject land.

Where you may inspect this Amendment

The amendment and application is available for public inspection, free of charge, during office hours at the following places:

- Manningham City Council, 699 Doncaster Road, Doncaster;
- At the Doncaster and The Pines branch libraries
- The Manningham website at www.yoursaymanningham.com.au

The amendment and application can also be inspected free of charge at the Department of Environment, Water, Land and Planning website at www.dtpli.vic.gov.au/publicinspection

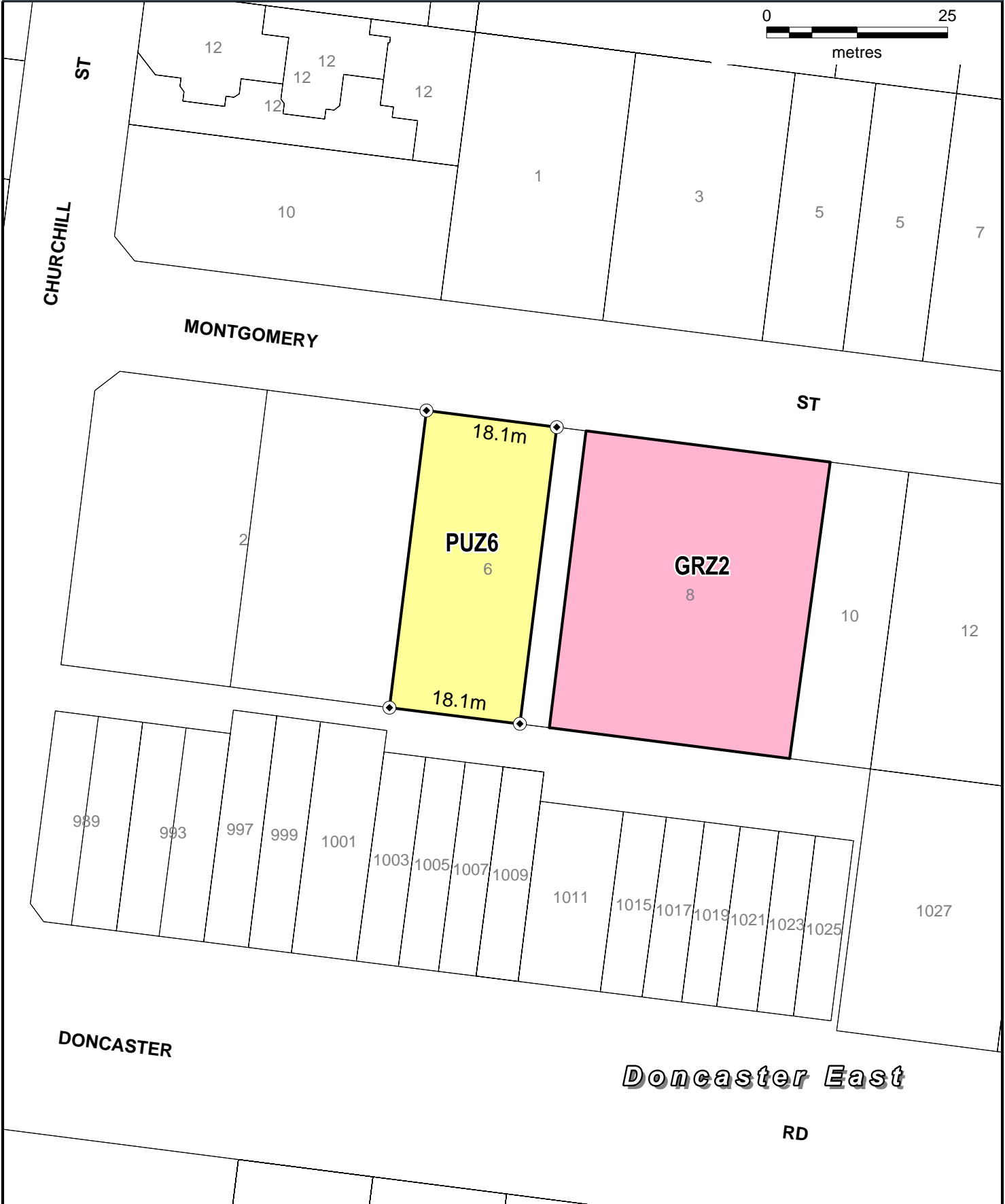
Submissions

Any person who may be affected by the amendment and application may make a submission to the planning authority. Submissions about the amendment must be received by **1 October 2015**.

A submission must be sent to:

Manager Economic and Environmental Planning
Manningham City Council
PO Box 1
DONCASTER VIC 3108

or submitted online at www.yoursaymanningham.com.au



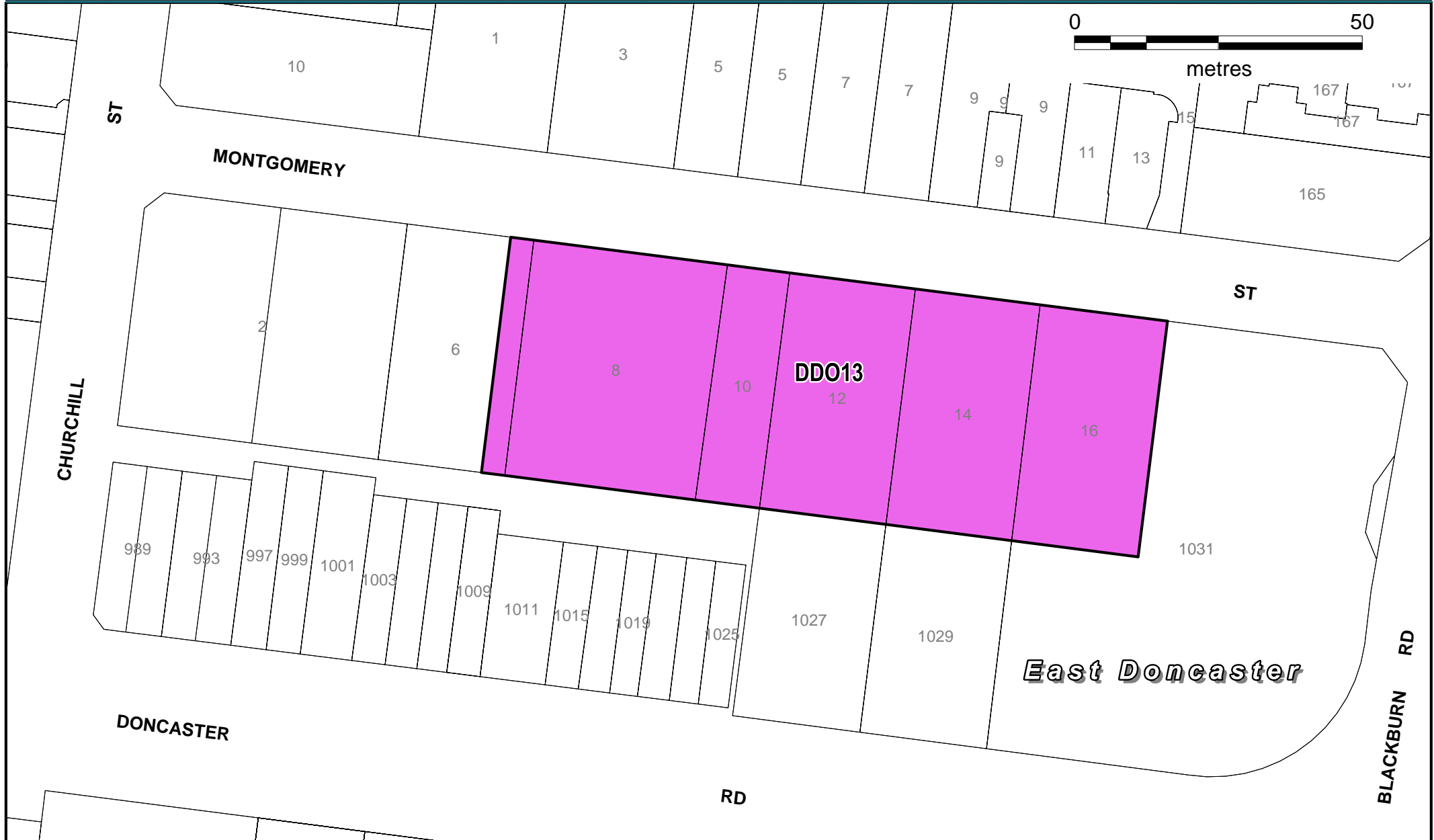
LEGEND

- GRZ2** General Residential Zone - Schedule 2
- PUZ6** Public Use Zone - Local Government

Part of Planning Scheme Map 8

AMENDMENT C102





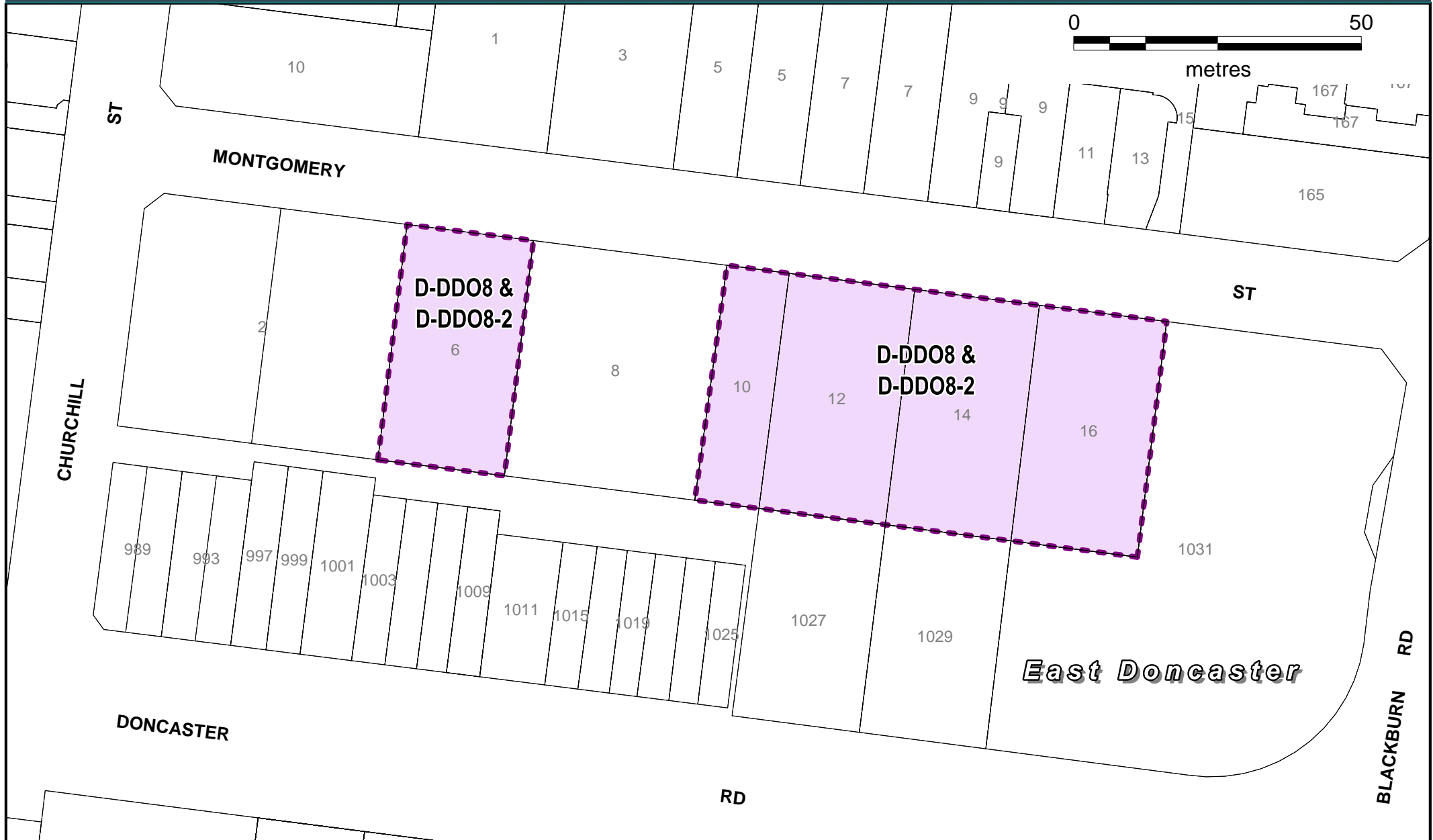
LEGEND

DDO13 Design and Development Overlay (DDO13)

Part of Planning Scheme Map 8DDO

AMENDMENT C102





LEGEND

D-DDO8 Area to be deleted from a Design and Development Overlay (DDO8 & DDO8-2)

Part of Planning Scheme Map 8DDO

AMENDMENT C102



21.05 RESIDENTIAL23/07/2015
C106**21.05-1 Overview**23/07/2015
C106
[Proposed](#)
[C102](#)

This section applies to all land zoned Neighbourhood Residential, General Residential, Residential Growth, Mixed Use and Activity Centre Zone located west of the Mullum Mullum Creek and the township of Warrandyte and parts of Wonga Park. These areas are shown on Residential Framework Plan 1.

Housing

Managing change and growth in the residential areas of Manningham is a key issue facing Council. Infill residential development and redevelopment of key strategic sites that consolidates the role of established urban areas and reduces developmental pressure in the areas with environmental values will be encouraged.

Whilst couples with children are the predominant household structure in Manningham, the key emerging trend is the smaller household type. The continuing ability of our residential areas to accommodate the changing lifestyles and housing needs of current and future populations is becoming an increasingly important issue. Whilst single detached dwellings will continue to represent the largest proportion of Manningham's housing stock, there will be a need for a greater mix of housing in the form of medium and higher density residential developments. Higher density housing will be encouraged in close proximity to activity centres and along major roads and transport routes.

The *Manningham Residential Strategy* (2012) and the *Manningham Residential Character Guidelines* (2012) are key policy documents that seek to direct and manage the level of change in a manner that will best serve the interests of the municipality in terms of housing needs, built form and environmental outcomes. These documents encourage a range of housing types that meet the changing needs of the community and promote high design standards.

Key Redevelopment sites offer urban consolidation opportunities in well serviced areas and localities. The Eastern Golf course site is an identified Key Redevelopment Site in Manningham.

Subdivision

Effective subdivision design should respond to site opportunities and constraints. There are limited opportunities for large scale subdivision in Manningham. A key issue for Council is inappropriate infill subdivision of smaller lots.

Built form and neighbourhood character

Residential developments must be well designed, site responsive and not adversely impact on neighbours, the surrounding environment, streetscape and existing or preferred neighbourhood character.

It is intended to retain the existing bushland character of the Warrandyte township and Wonga Park area.

The key strategic directions for future residential development are illustrated in Map 1 - Residential Character Precincts, in this Clause.

Four precincts have been identified:

Precinct 1: Residential Areas Removed from Activity Centres and Main Roads

Precinct 2: Residential Areas Surrounding Activity Centres and Along Main Roads

Precinct 3: Residential Areas with Predominant Landscape Features

Precinct 4: Post 1975 Residential Areas.

The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available. In areas which are removed from these facilities a lower intensity of development is encouraged. A low residential density is also encouraged in areas that have identified environmental or landscape features.

Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads

This precinct applies to the areas that are removed from activity centres (shopping centres) and main roads.

An incremental level of change is anticipated in Precinct 1. The future development vision is to encourage development that reinforces existing front and rear setbacks and site coverage to provide opportunities for landscaping and retain areas of open space. Accordingly, this precinct will encourage a less intense urban form.

Whilst the design of future dwellings may vary from the existing built form, dwellings in this area will need to provide increased open space for the planting or retention of trees and associated landscaping. The prevailing character of low front fences, retaining walls or the absence of front fences will also be encouraged.

Precinct 2 – Residential Areas Surrounding Activity Centres and along Main Roads

This precinct applies to the areas surrounding activity centres and the areas along Main Roads.

These activity centres include: Bulleen Plaza, Tunstall Square, Macedon Square, Jackson Court, Donburn, Devon Plaza, Templestowe Village, The Pines and Doncaster Hill.

The Doncaster Hill Activity Centre is regarded as the prime location for redevelopment for residential, commercial and community uses in the municipality.

The Pines Activity Centre is also regarded as a key Activity Centre within the municipality and provides a range of retail, commercial, community facilities and residential development opportunities.

The main roads identified in this precinct are Doncaster, Tram and Elgar Roads, Manningham and part of Thompsons, Blackburn and Mitcham Roads. These areas are developed with a range of commercial and residential uses.

Whilst landscaping exists along the main roads, there are opportunities to introduce better landscaping standards to improve the appearance of the main roads in the municipality.

A substantial level of change is anticipated in Precinct 2 with these areas being a focus for higher density developments.

Schedule 8 to the Design and Development Overlay (DDO8)

The majority of Precinct 2 is affected by Schedule 8 to the Design and Development Overlay (DDO8) consisting of three sub-precincts which each stipulate different height, scale and built form outcomes to provide a transition between each sub-precinct and adjoining properties, primarily in Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads. These sub-precincts are:

Sub-precinct – Main Road (shown on Manningham Planning Scheme maps as DDO8-1) is an area where three storey (11 metres) ‘apartment style’ developments are encouraged on land with a minimum area of 1,800m². Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage. The area of 1,800m² must all be in the same sub-precinct. All development in the Main Road sub-precinct should have a maximum site coverage of 60 percent.

Higher developments on the perimeter of the Main Road sub-precinct should be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct A or B, or other adjoining zone.

Sub-precinct A (shown on Manningham Planning Scheme maps as DDO8-2) is an area where two storey units (9 metres) and three storey (11 metres) ‘apartment style’ developments are encouraged. Three storey, contemporary developments should only occur on land with a minimum area of 1,800m². Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage. The area of 1,800m² must be all in the same sub-precinct. In this sub-precinct, if a lot has an area less than 1,800m², a townhouse style development proposal only will be considered, but development should be a maximum of two storeys. All development in sub-precinct A should have a maximum site coverage of 60 percent.

Higher developments on the perimeter of sub-precinct A should be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct B, or other adjoining zone.

Sub-precinct B (shown on Manningham Planning Scheme maps as DDO8-3) is an area where single storey and two storey dwellings only will be considered and development should have a maximum site coverage of 60 percent. There is no minimum land area for such developments.

Schedule 9 to the Design and Development Overlay (DDO9)

The area around The Pines Activity Centre (shown on Manningham Planning Scheme maps as DDO9) is an area where development ranging in height from 11 metres to 16 metres is encouraged in designated areas, as identified in *The Pines Activity Centre Structure Plan (2011)*.

Schedule 13 to the Design and Development Overlay (DDO13)

DDO13 applies to part of Precinct 2 being residential areas surrounding prominent intersections and/or interfacing commercial areas where increased residential densities, including up to four storey ‘apartment style’ developments on larger lots preferably with a minimum area of 1800sqm, will be considered. All development should have a maximum site coverage of 60 per cent.

Development in Precinct 2 should:

- Provide for contemporary architecture
- Achieve high design standards
- Provide visual interest and make a positive contribution to the streetscape
- Provide a graduated building line from side and rear boundaries
- Minimise adverse amenity impacts on adjoining properties
- Use varied and durable building materials
- Incorporate a landscape treatment that enhances the overall appearance of the development
- Integrate car parking requirements into the design of buildings and landform.

Precinct 3 – Residential areas with Predominant Landscape Features

This precinct includes two separate areas including Wembley Gardens in Donvale and a part of Templestowe. The built form and characteristics of these areas is varied. The common feature is the vegetation, particularly the presence of large trees. The presence of the native and exotic vegetation in Templestowe and in Wembley Gardens gives these areas a distinctive environmental feel. Templestowe is in close proximity to the Yarra River. Development is required to be designed and sited to protect existing visual corridors that exist along the Yarra River and nearby parkland. The absence of front fences creates a sense of openness and reinforces the environmental character of the area.

In this precinct only minimal change is anticipated. Due to the importance of retaining and enhancing the existing vegetation, this precinct will encourage a low residential density in order to retain the existing native and / or exotic vegetation.

Dwellings need to provide generous front, side and rear setbacks to ensure spacing between dwellings when viewed from the street and to provide opportunities to conserve and enhance the existing pattern of vegetation and the existing landscape qualities of the precinct.

Buildings are to be designed to have regard to the natural landscape and topographic features of the site. On sites with a slope, methods to minimise height of floor level above natural ground level would be encouraged. Building height, design and materials should be designed to enable the dwelling to integrate with the surrounding area.

The prevailing character of low front fences, retaining walls, or the absence of front fences is also promoted.

Precinct 4 – Post 1975 residential areas

This precinct includes areas that have been predominately developed since 1975 with a substantial amount of development occurring between late 1980s and the 1990s.

Although some of the housing built in the 1970s is single storey, housing built in the 1980s and 1990s is predominantly double storey and in some instances three storeys.

In this precinct there is minimal unit development.

An incremental level of change is anticipated in this precinct.

Other Residential Areas

It is intended to retain and enhance the existing bushland character of the Warrandyte Township and the Hillcrest area, Donvale. Whilst these areas are excluded from the Residential Character Precincts, like Precinct 3 the common feature of these areas is the vegetation, particularly the presence of large trees. These areas predominantly contain native vegetation which gives these areas a distinctive environmental feel.

Within these areas only minimal change is anticipated. Due to the importance of retaining and enhancing the existing vegetation, a low residential density is encouraged in order to retain the existing native vegetation. The absence of front fences creates a sense of openness and reinforces the environmental character of these areas.

Generous front, side and rear setbacks should be provided to dwellings to ensure spacing between dwellings when viewed from the street and to provide opportunities to conserve and enhance the existing pattern of vegetation and the existing landscape qualities of these areas.

Buildings are to be designed to have regard to the natural landscape and topographic features of the site. On sites with a slope, methods to minimise height of floor level above natural ground level would be encouraged. Building height, design and materials should be designed to enable the dwelling to integrate with the surrounding area.

Environmental and landscape issues

A key challenge for Council is to achieve a balance between protecting environmental and landscape characteristics and accommodating changing housing needs. The provision of new housing is directed by strategies that protect and enhance landscape character, neighbourhood character and environmental values.

Because of the fragmented patchwork of native vegetation in Manningham, a substantial proportion of wildlife movements occur across residential areas characterised by scattered trees. These movements, and hence the landscape of these residential areas, are important to the maintenance of wildlife in Manningham.

Along habitat corridors and within treed residential areas, maintenance of native tree cover (and particularly the locally indigenous species) is the most important requirement for facilitating wildlife movements. These movements are important for the survival of both the wildlife and many indigenous plants that rely on wildlife for pollination, seed dispersal or pest control.

Some residential areas are within or adjacent to Core and Buffer Conservation areas. Proposals to subdivide or develop land will need to avoid, minimise and offset native vegetation removal and impacts.

Any proposals to subdivide or develop land will also need to have regard to constraints such as steep slopes and land prone to landslip, wildfire and flooding.

Economic development issues

Council encourages home-occupations as an important means of achieving economic development and providing opportunities that enable residents to work from home. Benefits to the business owner include reduced travel time and flexible hours, and support for micro start up businesses. The needs of these businesses should be addressed while ensuring that residential amenity is not adversely affected.

Non-residential uses and commercial developments which do not have a community service role are discouraged from locating in residential areas. Commercial development remote from activity centres is also discouraged in order to protect the amenity of residential areas, the viability of activity centres and to ensure the safe and efficient functioning of the road network.

21.05-2

23/07/2015
C106

Housing

Key issues

- Accommodating population growth as outlined in *Melbourne 2030 Planning for Sustainable Growth* (2002).
- Providing a diversity of appropriate housing to meet changing lifestyles and housing needs.
- Need for urban consolidation to address housing growth.
- Potential impact of new development on the surrounding area.

Objectives

- To accommodate Manningham's projected population growth through urban consolidation, in infill developments and Key Redevelopment Sites.
- To ensure that housing choice, quality and diversity will be increased to better meet the needs of the local community and reflect demographic changes.
- To ensure that higher density housing is located close to activity centres and along main roads in accordance with relevant strategies.
- To ensure that areas removed from activity centres and main roads as well as areas with predominant environmental or landscape features are protected from higher density development.
- To promote affordable and accessible housing to enable residents with changing needs to stay within their local neighbourhood or the municipality.
- To encourage development of key Redevelopment Sites to support a diverse residential community that offers a range of dwelling densities and lifestyle opportunities.
- To encourage high quality and integrated environmentally sustainable development.

Strategies

Strategies to achieve these objectives include:

- Ensure that the provision of housing stock responds to the needs of the municipality's population.
- Promote the consolidation of lots to provide for a diversity of housing types and design options.
- Ensure higher density residential development occurs around the prescribed activity centres and along main roads identified as Precinct 2 on the Residential Framework Plan 1 and Map 1 to this clause.
- Allow housing development that respects existing neighbourhood character and supports incremental level of change in areas removed from activity centres and main roads identified as Precinct 1 on the Residential Framework Plan 1 and Map 1 to this clause.
- Maintain a low housing density in areas with predominate landscape features identified as Precinct 3 on the Residential Framework Plan 1 and Map 1 to this clause.
- Support an incremental level of change that respects existing neighbourhood character in residential areas developed post 1975 identified as Precinct 4 on the Residential Framework Plan 1 and Map 1 to this clause.
- Maintain a low housing density in areas with environmental values identified on the Residential Framework Plan 1 to this clause.
- Encourage development to be designed to respond to the needs of people with limited mobility, which may for example, incorporate lifts into three storey developments.
- Investigate the most appropriate suite of planning controls to achieve the desired outcomes for Key Redevelopment Sites.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Neighbourhood Residential Zone.
- Applying the General Residential Zone.
- Applying the Residential Growth Zone.
- Applying a Design and Development Overlay.
- Applying the Residential Growth Zone, the General Residential Zone, Design and Development Overlay – Schedule 9 and Design and Development Overlay 8 to residential areas close to activity centres and along main roads. These areas form part of Precinct 2 on the Residential Framework Plan 1 and Map 1 to this clause) to identify the location and direct the design of higher density residential development.
- Applying the General Residential Zone to residential areas removed from activity centres and main roads (identified as Precinct 1 on the Residential Framework Plan 1 and Map 1 to this clause) to ensure new development respects neighbourhood character and provides for an incremental level of change.
- Applying the Neighbourhood Residential Zone and the Significant Landscape Overlay or Environmental Significance Overlay and the Design and Development Overlay to residential areas with predominate landscape features (identified as Precinct 3 on the

Residential Framework Plan 1 and Map 1 to this clause) to ensure that the density, design and siting of residential development is appropriate to its landscape and the low housing density character of the area.

- Applying the General Residential Zone to residential areas developed since 1975 (identified as Precinct 4 on the Residential Framework Plan 1 and Map 1 to this clause) to provide opportunity for new development that respects neighbourhood character and for an incremental level of change.
- Applying the Neighbourhood Residential Zone and the Environmental Significance Overlay and the Design and Development Overlay to areas of environmental significance to ensure that the density, design and siting of residential development is appropriate to its environment and the low housing density character of the area.

Policy and exercise of discretion

- Implementing the Manningham Residential Strategy (2012).
- Implementing the *Doncaster Hill Strategy* (2002).
- Implementing The Pines Activity Centre Structure Plan (2011).
- Implementing the Manningham (Biosites) Sites of Biological Significance Review (2004).
- Implementing the Wildlife Movement and Habitat Needs in Manningham (2009).
- Implementing the Locally Threatened Plants in Manningham (2010).
- Implementing the Manningham Monterey Pine and Cypress Trees Assessment (2003).
- Using Local Policy to guide the location, design and management of accommodation premises (*Accommodation premises policy, Clause 22.04*).
- Using Local Policy to ensure that people with limited mobility have the same level of access to buildings, services and facilities as any other person (*Access for disabled people policy, Clause 22.09*).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).
- Using Clause 22.15, *Dwellings in the General Residential Zone, Schedule 1*, to ensure new development in residential areas removed from activity centres and main roads (identified as Precinct 1 on the Residential Framework Plan 1 and Map 1 to this clause) respects neighbourhood character and provides for an incremental level of change.
- Promote the provision of ramps and wide entrances to optimise accessibility within and around the home.
- Promote higher density residential development in locations close to activity centres and public transport (identified on the Residential Framework Plan 1 and Map 1 to this Clause).
- Using Clause 22.17 *Eastern Golf Course Key Redevelopment Site Policy*, to provide the strategic policy framework to guide the future redevelopment of the Eastern Golf Course Site.
- Implementing the City of Doncaster and Templestowe Heritage Study, (1991).
- Implementing the Manningham Heritage Garden & Significant Tree Study – Stage 2, (2006).
- Having regard to Meredith Gould Architects Pty Ltd (February 2011) *Eastern Golf Course Conservation Analysis and Policy*, Melbourne, Victoria.

Further strategic work

Other actions

- Identifying key development sites and encouraging residential development that responds to site constraints, demographic trends and the surrounding pattern of development.

21.05-3

13/02/2014
C96

Subdivision

Key issues

- Site responsive subdivision.
- Inappropriate infill subdivision.

Objectives

- Ensure subdivision responds positively to site features and constraints, integrates well with the neighbourhood, provides a functional environment and achieves energy efficient and environmentally sensitive layouts.
- To ensure the upgrading or provision of appropriate infrastructure and open space as part of subdivision proposals.
- To ensure that infill subdivision addresses future development impacts on adjoining properties and the neighbourhood.
- To ensure that subdivision adopts environmentally sustainable design principles.

Strategies

Strategies to achieve these objectives include:

- Encourage subdivision layouts that consider neighbouring uses and developments.
- Ensure that subdivision layouts adequately provide for the safety and security of residents and property.
- Ensure that subdivision and associated works in wildfire areas are appropriately sited, designed and managed to address wildfire risk.
- Ensure that subdivision and associated works avoid, minimise and offset native vegetation removal and impacts.
- Promote the consolidation of lots to increase design options.
- Ensure subdivisions are designed to provide adequate vehicle, pedestrian and bicycle links.
- Ensure that open space and infrastructure contributions are adequate.
- Require three-dimensional building envelopes for infill subdivision.
- Ensure subdivision design and layout considers lot orientation, size and location of building envelopes and integrated water management to achieve ecologically sustainable development outcomes.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying a Development Plan Overlay.
- Applying a Design and Development Overlay.
- Applying the Wildfire Management Overlay.
- Applying an Environmental Significance Overlay.

Policy and exercise of discretion

- Implementing the Manningham (Biosites) Sites of Biological Significance Review (2004).
- Implementing the Wildlife Movement and Habitat Needs in Manningham (2009).
- Implementing the Locally Threatened Plants in Manningham (2010).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).
- Implementing the Manningham Monterey Pine and Cypress Trees Assessment (2003).
- Using Local Policy to guide subdivision design that is responsive to the environmental and visual characteristics of the streetscape (*Battle axe blocks policy, Clause 22.11*).
- Using Local Policy to guide the protection of environmental and landscape values in identified Wildfire areas and identification and addressing of risks from wildfire (*Environmental and landscape significance protection in identified wildfire areas policy, Clause 22.14*).

Further strategic work

- Preparing a Local Planning Policy to direct subdivision within existing residential areas.
- Investigating the preparation of a development contributions plan for the municipality for areas outside the Doncaster Hill Activity Centre.

Other actions

21.05-4

19/06/2014
C105

Built form and neighbourhood character

Key issues

- Scale and form of residential development and its impact on neighbourhood character.
- Improving residential design standards.

Objectives

- To ensure that residential development enhances the existing or preferred neighbourhood character of the residential character precincts as shown on Map 1 to this Clause.

Strategies

Strategies to achieve these objectives include:

- Require residential development to be designed and landscaped to make a positive contribution to the streetscape and the character of the local area.
- Ensure that where development is constructed on steeply sloping sites that any development is encouraged to adopt suitable architectural techniques that minimise earthworks and building bulk.
- Ensure that development is designed to provide a high level of internal amenity for residents.
- Require residential development to include stepped heights, articulation and sufficient setbacks to avoid detrimental impacts to the area's character and amenity.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Mixed Use Zone.
- Applying the Activity Centre Zone.
- Applying a Vegetation Protection Overlay, Significant Landscape Overlay, Environmental Significance Overlay and/or Heritage Overlay where appropriate.
- Applying the General Residential Zone to residential areas developed since 1975 to provide opportunity for new development that respects neighbourhood character and for an incremental level of change.
- Applying the General Residential Zone to areas removed from activity centres and main roads to ensure new development respects neighbourhood character and provides for an incremental level of change.
- Applying the Neighbourhood Residential Zone to residential areas with predominant landscape features or lower housing densities to ensure that the density, design and siting of residential development is appropriate to its environment and the low housing density character of the area.
- Applying the Design and Development Overlay to ensure that the design and siting of residential development is appropriate.

Policy and exercise of discretion

- Implementing the Manningham Residential Character Guidelines (2012).
- Using Clause 22.01, *Design and development policy*, and Clause 22.15, *Dwellings in the General Residential Zone, Schedule 1*, to ensure that development is responsive to the scale and preferred character of the local neighbourhood.

Further strategic work

- Preparing residential design guidelines for the Warrandyte township.
- Reviewing the location of, and the preferred use and built form of, identified gateway sites.
- Preparing a Local Planning Policy to guide the future use and development of identified gateway sites, if appropriate.

Other actions

- Taking into account the views of Council's Sustainable Design Taskforce on major development applications.
- Requiring applicants for significant proposals to engage in a collaborative design process including pre-application meetings with relevant Council staff.

21.05-5

19/06/2014
C105

Environmental and landscape issues

Key issues

- Impact of land use and development on biodiversity.
- Protection and enhancement of environmental values and significant landscapes.
- Design and construction of development in areas with topographical constraints and areas of environmental significance, landscape character and wildfire risk.

Objectives

- To ensure that land is developed in a way that is compatible with, and protects and enhances the character of the area, its landscape qualities, pattern of vegetation and environmental values.
- To ensure that the environmental significance, visual and landscape character of residential areas with environmental and/or landscape values, including the Warrandyte township, parts of Templestowe, Wonga Park, the Hillcrest area and Donvale/Doncaster East are maintained and enhanced.
- To ensure that development avoids, minimises and offsets native vegetation removal, protects habitat corridors and threatened species of flora and fauna.

Strategies

Strategies to achieve these objectives include:

- Require a site analysis plan of the site and surrounds showing the existing topographic and visual features and how a proposal responds to environmental and landscape features for all relevant planning proposals.
- Retain the predominance of single dwellings on allotments and discourage other forms of inappropriate residential development in areas of environmental significance.
- Ensure that development in areas with recognised environmental and landscape values are designed to minimise the impact on vegetation and protect landscape character and heritage values.

- Require that buildings and works minimise visual impact by locating away from ridgelines and exposed slopes, incorporating screening treatments and non-obtrusive materials and colours.
- Encourage development on sloping sites to adopt suitable design techniques that minimise earthworks and building bulk.
- Ensure that development in areas of environmental significance avoids, minimises and offsets the removal of and impacts on native vegetation.
- Avoid development, including vegetation removal, on land with slopes of greater than 20%.
- Ensure that buildings are set back appropriate distances from property boundaries to provide for landscaping and the inclusion of canopy trees.
- Ensure that development does not protrude above the prevailing height of the tree canopy in environmental residential areas.
- Ensure that existing trees are retained where appropriate and that replacement trees complement the character of the area.
- Ensure that buildings and/or works in wildfire areas are appropriately sited, designed and managed to address wildfire risk.
- Encourage development that meets higher construction standards and/or utilises alternative treatments to address wildfire risk in preference to vegetation removal.
- Encourage the longevity of older exotic species with landscape character or heritage values.
- Discourage inappropriate development and landscaping on sites adjacent to State Parks and other conservation reserves.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Neighbourhood Residential Zone.
- Applying a Design and Development Overlay to the Warrandyte township, parts of Templestowe and parts of Donvale and Doncaster East.
- Applying an Environmental Significance Overlay and/or Significant Landscape Overlay.
- Applying a Vegetation Protection Overlay.
- Applying the Wildfire Management Overlay.

Policy and exercise of discretion

- Implementing the Manningham Residential Character Guidelines (2012).
- Implementing the *Manningham Heritage Garden & Significant Tree Study – Stage 2* (April 2006) which identifies vegetation of significance to be protected and maintained.
- Implementing the Manningham (Biosites) Sites of Biological Significance Review (2004).
- Implementing the Wildlife Movement and Habitat Needs in Manningham (2009).

- Implementing the Locally Threatened Plants in Manningham (2010).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).
- Implementing the Manningham Monterey Pine and Cypress Trees Assessment (2003).
- Using Local Policy to guide the protection of environmental and landscape values in identified Wildfire Areas (*Environmental and landscape significance protection in identified wildfire areas policy, Clause 22.14*).

Further strategic work

- Implementing the Roadside Environmental Management Strategy (2004).
- Review the *Roadside Environmental Management Strategy* (2004) with regard to the CFA Roadside Management Guidelines.
- Investigate the use of a local law or planning scheme control to protect significant trees in residential areas that do not have appropriate overlay controls.
- Identify areas for strategic revegetation to enhance habitat corridors and habitat connectivity.

Other actions

- Continuing to control and remove introduced pest plants and pest animals on a priority basis, with emphasis on the provisions under the *Catchment and Land Protection Act 1994* and direction from the Catchment Management Authority.

21.05-6

02/10/2008
C52

Economic development issues

Key issues

- Impact of discretionary uses on residential amenity.
- Impact of non-residential and commercial uses located outside of activity centres on the viability of activity centres
- Linear commercial development outside activity centres.

Objectives

- To encourage uses with a community service role to locate in close proximity to activity centres or other community based facilities.
- To ensure that business activities do not compromise the residential amenity and character of the neighbourhood.
- To ensure that the range of uses within mixed use developments are compatible.
- To locate commercial uses such as restaurants within activity centres.
- To discourage the rezoning of land for commercial uses outside activity centres.

Strategies

Strategies to achieve these objectives include:

- Ensure that the establishment of uses with a community service role do not compromise the amenity of the neighbourhood.
- Ensure that commercial uses are located within activity centres wherever possible.
- Ensure that in considering planning permit applications for home occupations, adequate provision is made for on-site car parking and loading areas and that these are adequately screened from the street and adjoining land.
- Limit the impact of advertising signs on visual amenity.
- Ensure that the range of uses within a mixed use development does not adversely impact on each of the respective uses.

Implementation

These strategies will be implemented by:

Policy and exercise of discretion

- Implementing the *Home-Based Business Strategy* (1996) that encourages the establishment of appropriate businesses that do not compromise residential amenity.
- Implementing the Manningham City Council 2003-2006 Economic Development Strategy (2003).
- Using Local Policy to ensure that non-residential and commercial uses do not affect the amenity of the area. (Design and development policy, Clause 22.01, Accommodation premises policy, Clause 22.04, Non-residential uses in residential areas policy, Clause 22.05 and Eating and entertainment policy, Clause 22.06).
- Using Local Policy to ensure that advertising signs do not impact on visual amenity (*Outdoor advertising signs policy, Clause 22.07*).

Zones and overlays

Further strategic work

Other actions

- Promoting and distributing Manningham's *Home-based Business Information Kit* (2005).

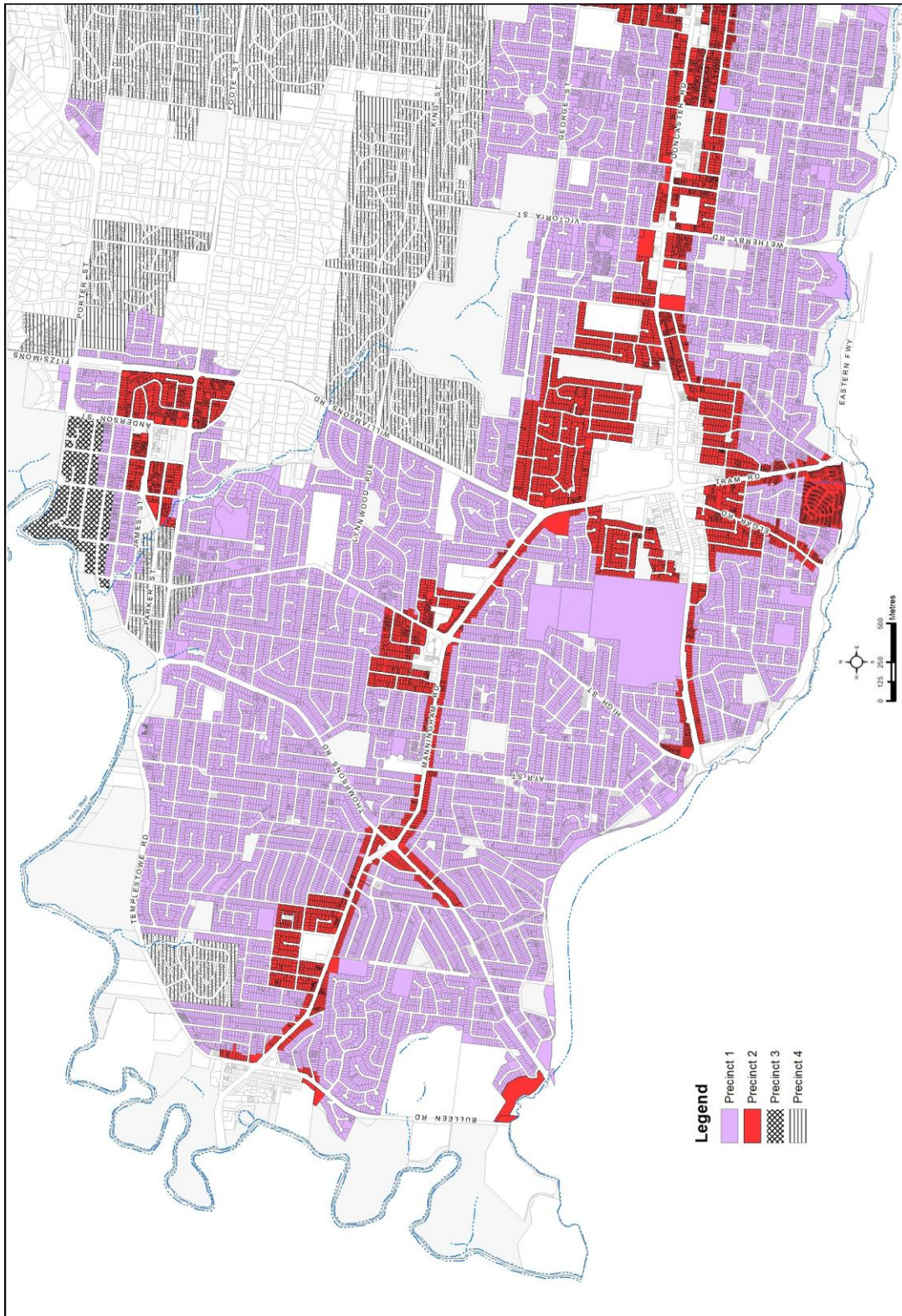
21.05-7 Reference documents

23/07/2015
C106

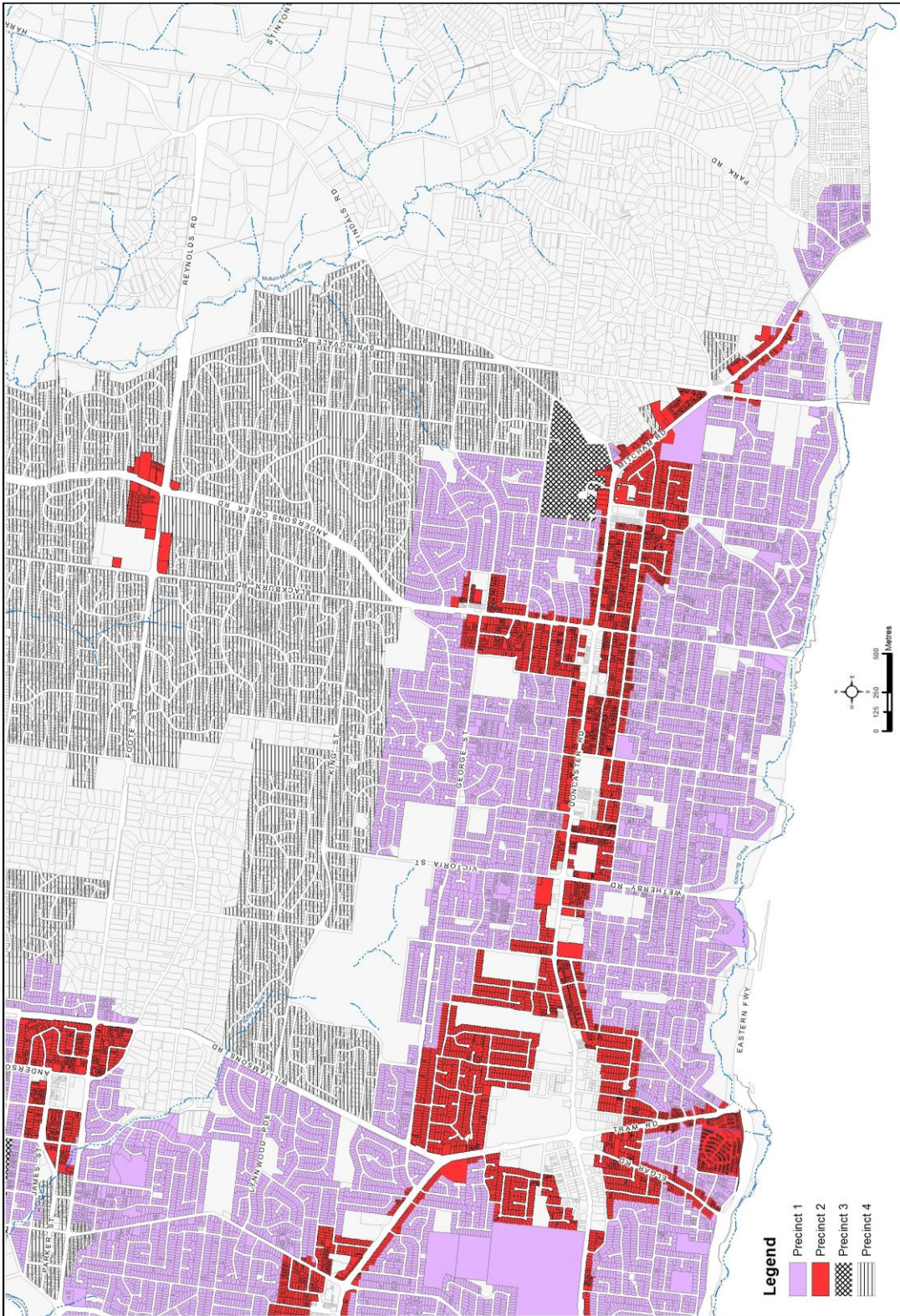
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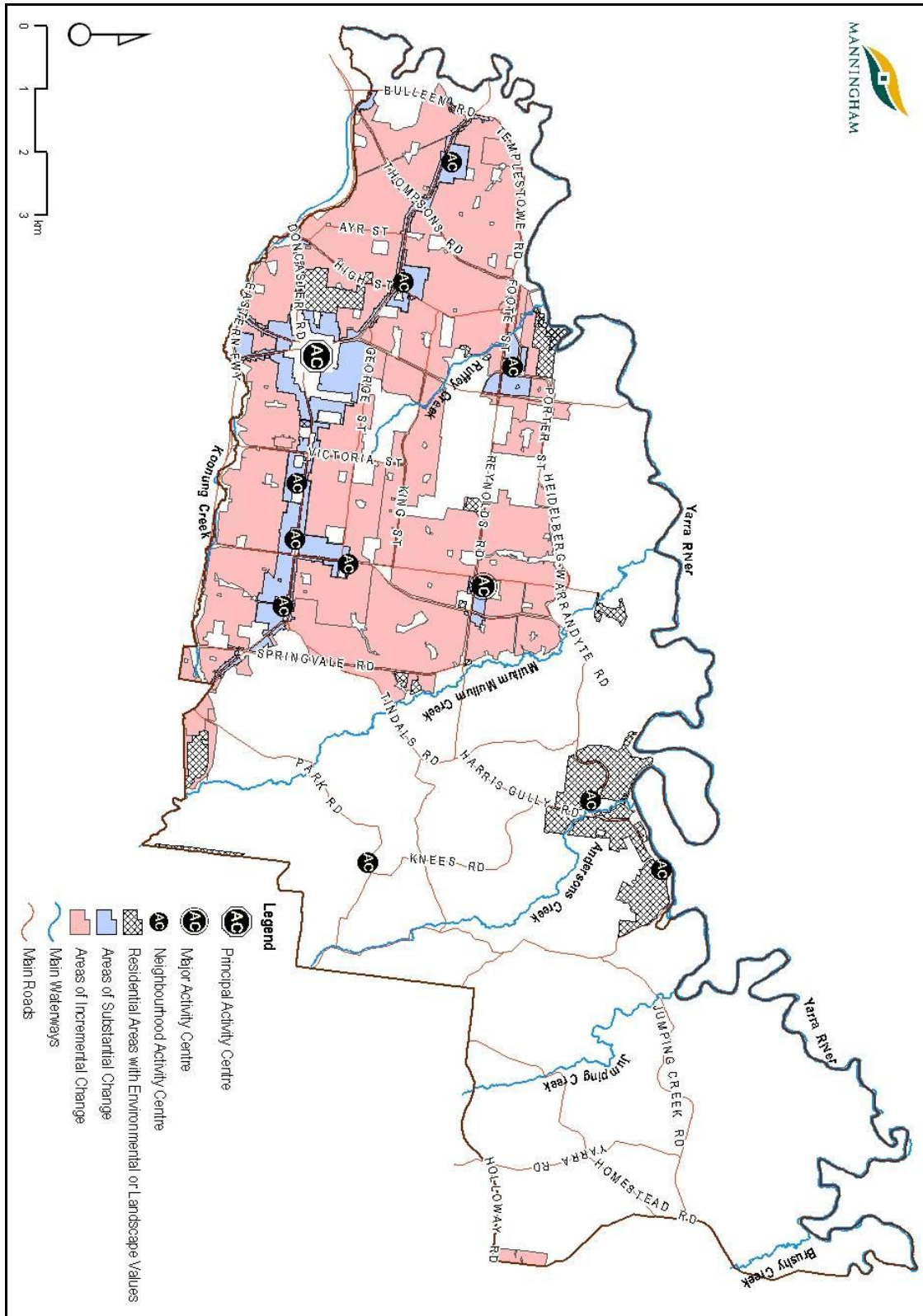
Map 1 (Part 1) – Residential Character Precincts



Map 1 (Part 2) – Residential Character Precincts



Residential Framework Plan 1



--/20--
C--**SCHEDULE 13 TO THE DESIGN AND DEVELOPMENT OVERLAY**

Shown on the planning scheme map as **DDO13**.

RESIDENTIAL AREAS SURROUNDING PROMINENT INTERSECTIONS AND/OR INTERFACING COMMERCIAL AREAS**1.0 Design objectives**--/20--
C--

To increase residential densities and provide a range of housing types around activity centres.

To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and facade treatments.

To support four storey, 'apartment style', developments on larger lots where ResCode standards can be met and which are located at prominent intersections and/or which interface commercial areas.

To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive when viewed from the public realm.

To encourage spacing between developments to minimise a continuous building line when viewed from a street.

To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties.

To ensure overlooking into adjoining properties is minimised.

To provide built form and landscape outcomes that provide for an appropriate transition to surrounding development.

To encourage landscaping around buildings to enhance separation between buildings and soften built form.

To ensure development is designed and sited to maximise opportunities for public surveillance of the public realm and provide safe, accessible environments by integrating to adjoining or nearby commercial areas.

To create a boulevard effect along Doncaster Road and Manningham Road by planting trees within the front setback that are consistent with the street trees.

To ensure the design of basement and undercroft car parking complement the design of the building, minimises unsightly projections of basement walls above natural ground level and are sited to provide effective screen planting

To ensure that on-site car parking is designed and located having regard to local traffic conditions.

2.0 Buildings and works--/20--
C--**Building height**

The maximum height of a building and works must not exceed 13.5m.

A permit cannot be granted to vary this requirement.

For the purposes of this Schedule, the maximum building height does not include building services, lift over-runs and roof mounted equipment, including screening devices.

Form

Development must:

- Ensure that the site area covered by buildings does not exceed 60 percent.

- Preferably be on a lot with a minimum area of 1800sqm and comply with the setback requirements in ResCode Clause 55.04-1.
- Be set back 6m from the front boundary, unless a reduced setback provides transition to adjacent buildings or is located at the prominent intersection of two main roads. For the purposes of this Schedule, balconies, terraces, and verandahs may encroach within the front setback by a maximum of 2.0m, but must not extend along the width of the building.
- Provide visual interest through articulation, glazing and variation in materials and textures.
- Minimise buildings on side and rear boundaries to create spacing between developments.
- Where appropriate, ensure that buildings are stepped down to provide a transition to the scale of the adjacent residential development.
- Where appropriate, ensure that buildings are designed to step with the slope of the land.
- Be designed and sited to address slope constraints, including minimising views of basement projections and/or minimising the height of finished floor levels and providing appropriate retaining wall presentation.
- Avoid reliance on below ground light courts for any habitable rooms.
- Ensure that the upper level of a four storey building does not exceed 75% of the lower levels, unless it can be demonstrated that there is sufficient architectural interest to reduce the appearance of visual bulk and minimise continuous sheer wall presentation.
- Integrate porticos and other design features within the overall design of the building and not include imposing design features such as double storey porticos.
- Be designed to minimise overlooking and avoid the excessive application of screen devices.
- Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities.
- Ensure basement, basement entries and/or undercroft car parks are not visually obtrusive when viewed from the public realm.
- Integrate car parking requirements into the design of buildings.
- Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary, where adjacent to a dwelling in a General Residential Zone 1, to enable effective landscaping to be established.
- Ensure that building walls, including basements, are sited a sufficient distance from site boundaries to enable the planting of effective screen planting, including canopy trees, in larger spaces.
- Ensure that service equipment, building services, lift over-runs and roof-mounted equipment, including screening devices is integrated into the built form or otherwise screened to minimise the aesthetic impacts on the streetscape and avoids unreasonable amenity impacts on surrounding properties and open spaces.
- Ensure that where development incorporates non-residential uses, that transparent glazed windows or doors are provided along ground floor frontages onto a street.

Car parking and access

Development must:

- Include only one vehicular crossover, wherever possible, to maximise availability of on street parking and to minimise disruption to pedestrian movement. Where possible, retain existing crossovers to avoid the removal of street tree(s). Driveways must be

setback a minimum of 1.5m from any street tree, except in cases where a larger tree requires an increased setback.

- Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary.
- Ensure that where garages are located in the street elevation, they are set back a minimum of 1.0m from the front setback of the dwelling.
- Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements.

Landscaping

Development must:

- Include canopy tree/s within the front setback, which have a spreading crown, and is capable of growing to a height of 8.0m or more at maturity.
- Provide opportunities for planting along side and rear boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form.

Fencing

A front fence must be at least 50 per cent transparent.

On sites that front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn and Mitcham Roads, a fence must:

- not exceed a maximum height of 1.8m;
- be set back a minimum of 1.0m from the front title boundary;

and a continuous landscaping treatment within the 1.0m setback must be provided.

3.0 Subdivision

--/20--
C--

A permit is not required to subdivide land under this control.

4.0 Decision guidelines

--/20--
C--

Before deciding on an application, the responsible authority must consider:

- Whether the design objectives and design requirements of this schedule have been satisfied.

PLANNING PERMIT

GRANTED UNDER DIVISION 5 OF PART 4 OF
THE PLANNING AND ENVIRONMENT ACT 1987

Permit No.: PL15/025196

Planning Scheme: Manningham Planning Scheme

Responsible Authority: Manningham City Council

ADDRESS OF THE LAND:

6 Montgomery Street DONCASTER EAST VIC Lot 1 TP 654402S Vol 9092 Fol 840
3109

8 Montgomery Street DONCASTER EAST VIC Lot 1 PS 071528 Vol 8625 Fol 654
3109

10 Montgomery Street DONCASTER EAST VIC Lot 8 PS 083909 Vol 10283 Fol 768
3109

THE PERMIT ALLOWS: 2 lot re-subdivision
of land and creation of Road Reserve R1 for
Manningham City Council.

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans

1. Before the Certification of the Plan of Subdivision, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will then form part of the permit. The plans must be drawn to scale with dimensions and a copy must be provided. The plans must be generally in accordance with the plan of subdivision PS727685K Version 1 (Ref. No. 7543) prepared by Lawlor and Loy Pty Ltd but modified to show:
 - 1.1 The easement E-1, E-2 and E-3 for drainage to be shown in favour of Manningham City Council;
 - 1.2 A 2.0 metre wide easement for drainage, to be shown in favour of Manningham City Council, along the western boundary of Lot 2.

Endorsed Plans

2. The layout of the subdivision as shown on the approved plan must not be altered or modified without the prior written consent of the Responsible Authority.

Service Utilities

3. The owner of the land must enter into agreements with the relevant authorities for the provision of water supply, drainage sewerage facilities, electricity, and gas services to each lot shown on the approved plan in accordance with that authority's requirements and relevant legislation at the time.

Date Issued:

**Date Permit comes into
operation:**

(or if no date is specified, the permit
comes into operation on the same day as
the amendment to which the permit
applies comes into operation)

**Signature for the Responsible
Authority**

4. All existing and proposed easements and sites for existing or required utility services and roads on the land must be set aside in the plan of subdivision submitted for certification in favour of the relevant authority for which the easement or site is to be created.
5. The plan of subdivision submitted for certification under the Subdivision Act 1988 must be referred to the relevant authority in accordance with Section 8 of that Act.

Telecommunications Conditions 6-7

6. The owner of the land must enter into an agreement with:
 - 6.1 A telecommunications network or service provider for the provision of telecommunication services to each lot shown on the endorsed plan in accordance with the provider's requirements and relevant legislation at the time; and
 - 6.2 A suitably qualified person for the provision of fibre ready telecommunication facilities to each lot shown on the endorsed plan in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.
7. Before the issue of a Statement of Compliance for any stage of the subdivision under the Subdivision Act 1988, the owner of the land must provide written confirmation from:
 - 7.1 A telecommunications network or service provider that all lots are connected to or are ready for connection to telecommunications services in accordance with the provider's requirements and relevant legislation at the time; and
 - 7.2 A suitably qualified person that fibre ready telecommunication facilities have been provided in accordance with any industry specifications or any standards set by the Australian Communications and Media Authority, unless the applicant can demonstrate that the land is in an area where the National Broadband Network will not be provided by optical fibre.

Car parking

8. Prior to the issue of a Statement of Compliance, the parking bays in Lot 1 shall be modified and re-linemarked in accordance with plans approved by and to the satisfaction of the Responsible Authority to accommodate 29 car parking bays and one disabled car parking bay.

Vehicle Access

9. Prior to the issue of a Statement of Compliance, the existing raised pavement within Montgomery Street directly abutting Lot 1 is to be modified/relocated to facilitate access to and from the car park to the satisfaction of the Responsible Authority.

Permit Expiry

11. Unless the subdivision approved by this permit is commenced within two (2) years of the date of this permit, and completed within five (5) years from certification of the plan, then this permit will lapse. The Responsible Authority may extend the commencement period 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*.

Date Issued:	Date Permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the Responsible Authority
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Permit Notes:

- The commencement of a subdivision is regarded by Section 68(3A) of the Planning and Environment Act 1987 as the certification of a plan under Section 6 of the Subdivision Act 1988. Completion is regarded as registration of the subdivision.
- Under Section 69 of the Planning and Environment Act 1987 the owner or occupier of the land may apply to extend a permit either:
 - before it expires; or
 - within 6 months of the expiry if the permit has not been acted on; or
 - within 12 months of the expiry of the permit if the development was started lawfully before the permit expired.

(If the permit has been amended, include the following table indicating the date and nature of amendments included in the amended permit)

Date of amendment	Brief description of amendment

Date Issued:	Date Permit comes into operation: (or if no date is specified, the permit comes into operation on the same day as the amendment to which the permit applies comes into operation)	Signature for the Responsible Authority
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IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister administering the **Planning and Environment Act 1987** under section 96I of that Act.

WHEN DOES THE PERMIT BEGIN?

The permit operates from a day specified in the permit being a day on or after the day on which the amendment to which the permit applies comes into operation.

WHEN DOES A PERMIT EXPIRE?

1. A permit for the development of land expires if -
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development requires the certification of a plan of subdivision or consolidation under the **Subdivision Act 1988** and the plan is not certified within two years of the issue of a permit, unless the permit contains a different provision; or
 - * the development or any stage is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit or in the case of a subdivision or consolidation within 5 years of the certification of the plan of subdivision or consolidation under the **Subdivision Act 1988**.
2. A permit for the use of land expires if -
 - * the use does not start within the time specified in the permit, or if no time is specified, within two years after the issue of the permit; or
 - * the use is discontinued for a period of two years.
3. A permit for the development and use of land expires if -
 - * the development or any stage of it does not start within the time specified in the permit; or
 - * the development or any stage of it is not completed within the time specified in the permit, or, if no time is specified, within two years after the issue of the permit; or
 - the use does not start within the time specified in the permit, or, if no time is specified, within two years after the completion of the development; or
 - the use is discontinued for a period of two years.
4. If a permit for the use of land or the development and use of land or relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**, or to any combination of use, development or any of those circumstances requires the certification of a plan under the **Subdivision Act 1988**, unless the permit contains a different provision-
 - * the use or development of any stage is to be taken to have started when the plan is certified; and
 - * the permit expires if the plan is not certified within two years of the issue of the permit.
5. The expiry of a permit does not affect the validity of anything done under that permit before the expiry.

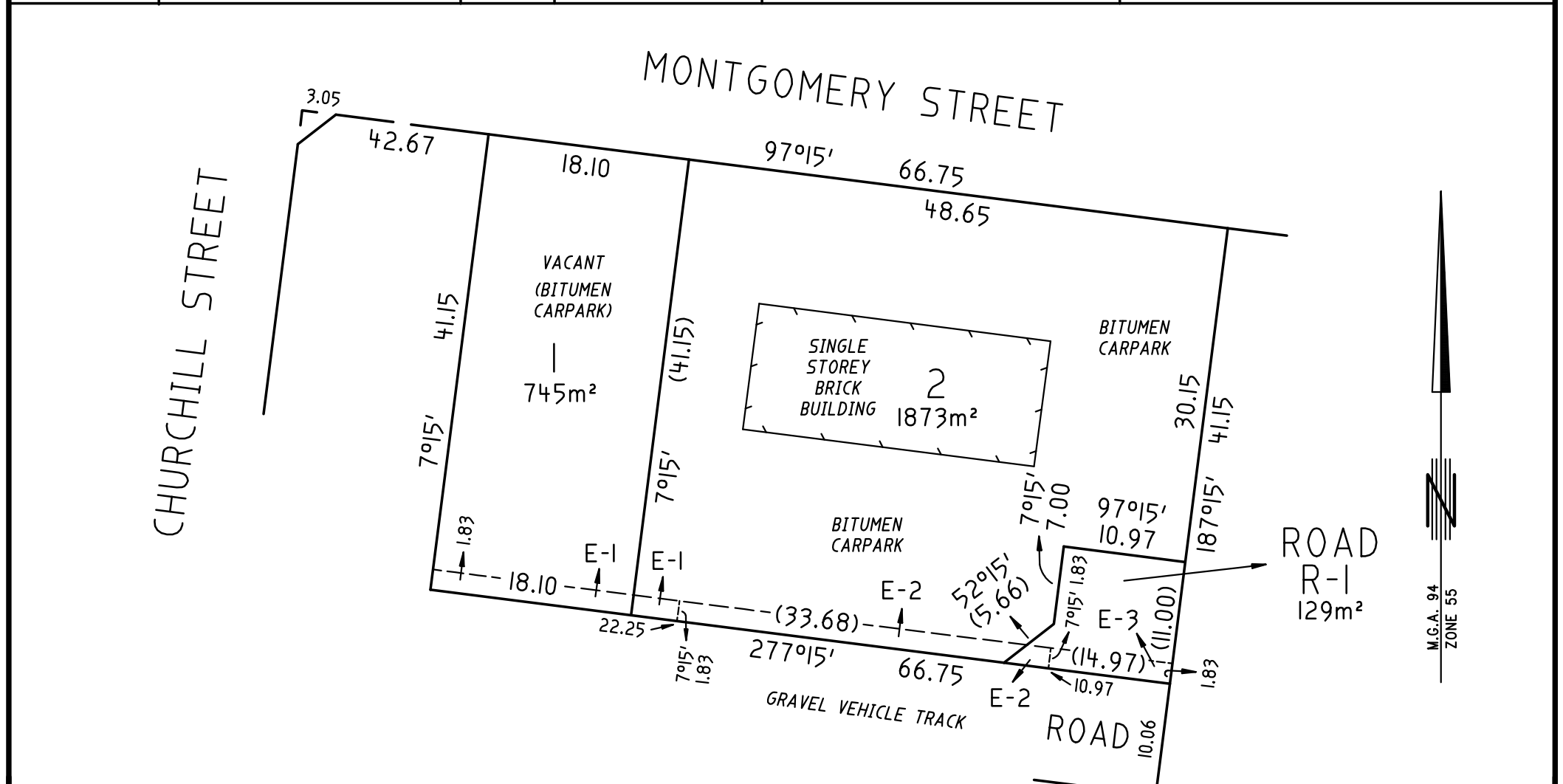
WHAT ABOUT APPEALS?

- * Any person affected may apply for a review of -
 - a decision of the responsible authority refusing to extend the time within which any development or use is to be started or any development completed; or.
 - a decision of the responsible authority refusing to extend the time within which a plan under the **Subdivision Act 1988** is to be certified, in the case of a permit relating to any of the circumstances mentioned in section 6A(2) of the **Planning and Environment Act 1987**; or.
 - the failure of the responsible authority to extend the time within one month after the request for extension is made.
 - * An application for review is lodged with the Victorian Civil and Administrative Tribunal.
 - * An application for review must be made on an Application for Review form which can be obtained from the Victorian Civil and Administrative Tribunal, and be accompanied by the applicable fee.
 - * An application for review must state the grounds upon which it is based.
 - * An application for review must also be served on the Responsible Authority.
 - * Details about applications for review and the fees payable can be obtained from Victorian Civil and Administrative Tribunal.
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PLAN OF SUBDIVISION UNDER SECTION 35(8) OF THE SUBDIVISION ACT 1988	EDITION 1	PS 727685K
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<p>LOCATION OF LAND</p> <p>PARISH: BULLEEN</p> <p>TOWNSHIP: _____</p> <p>SECTION: 6</p> <p>CROWN ALLOTMENT: C (PART)</p> <p>TITLE REFERENCES: C/T VOL.9092 FOL.840 VOL.8625 FOL.654 VOL.10283 FOL.768</p> <p>LAST PLAN REFERENCE: LOT 1, TP.654402 LOT 1, LP.71528 LOT 8, LP.83909</p> <p>POSTAL ADDRESS: 6, 8 & 10 MONTGOMERY STREET, DONCASTER EAST 3109</p> <p>MGA CO-ORDINATES: E: 338 020 ZONE: 55 (of approx. centre of plan) N: 5 816 080 GDA 94</p>	MANNINGHAM CITY COUNCIL
VESTING OF ROADS AND/OR RESERVES	
IDENTIFIER	COUNCIL/BODY/PERSON
R-1	MANNINGHAM CITY COUNCIL

EASEMENT INFORMATION					NOTATIONS
LEGEND A - Appurtenant Easement E - Encumbering Easement R - Encumbering Easement (Road)					DEPTH LIMITATION DOES NOT APPLY THIS IS NOT A STAGED SUBDIVISION PLANNING PERMIT No. THIS PLAN IS BASED ON SURVEY CONNECTION SHOWN TO CHURCHILL STREET IS NOT TO SCALE BEARINGS SHOWN ARE ON M.G.A.94 DATUM SUBTRACT 7°08' FOR TITLE THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARK No.103 IN PROCLAIMED SURVEY AREA No.
Easement Reference	Purpose	Width (Metres)	Origin	Land Benefited/In Favour Of	
E-1, E-2, E-3	DRAINAGE & SEWERAGE SEWERAGE	1.83	LP.17694 THIS PLAN	LOTS ON LP.17694 YARRA VALLEY WATER	
E-2, E-3	DRAINAGE & SEWERAGE	1.83	LP.71528	LOTS ON LP.71528	
E-3	DRAINAGE & SEWERAGE	1.83	LP.83909	LOTS ON LP.83909	



SCALE 1:500 5 0 5 10 15 20 LENGTHS ARE IN METRES	REF: 7543 VERSION: 1	ORIGINAL SHEET SIZE: A3	SHEET 1 OF 1
LAWLOR AND LOY PTY. LTD. SURVEYORS, PROPERTY MANAGEMENT & TOWN PLANNING CONSULTANTS SUITE 2, 122 PARA ROAD MONTMORENCY 3094 P.O. BOX 242 GREENSBOROUGH 3088 PH:9435 2422 FAX:9432 1256 EMAIL: lawloy@netspace.net.au		LICENSED SURVEYOR . . . MICHAEL JOHN LOY DIGITALLY SIGNED	

AMENDMENT C102 & PLANNING PERMIT APPLICATION NO. PL 15/025196 – SUMMARY OF AND RESPONSE TO SUBMISSIONS RECEIVED

No.	Submitter Address	Submitter Issue	Officer Response to all submissions	Recommended change to amendment
1.	1014 Doncaster Road, Doncaster East (south side of Doncaster Road).	<p>Objects to the Amendment as it is self serving and a ‘blatant grab for dollars’ and will result in development that will exacerbate carparking problems in the area.</p> <p>The Montgomery Street precinct urgently requires the laneway to be upgraded and carparking to be increased.</p> <p>The Amendment facilitates residential development that will not provide adequate onsite parking further exacerbating carparking problems.</p> <p>The proposed development site should be used as a multi deck carpark not a residential development site.</p>	<p>The Amendment is proposed to facilitate the sale of Council land for residential development purposes. As part of the redevelopment of the precinct, Council will also be investing funds into upgrading public spaces in the precinct as identified in the Doncaster East Village Structure Plan, including upgrades to the laneway and the provision of pedestrian linkages from Montgomery Street through to the laneway.</p> <p>Any proposed residential development on the subject development site will be required to go through a planning application process including full notification. Any development on the site will need to comply with the car parking requirements as specified in the Manningham Planning Scheme.</p>	<p>No change to the exhibited amendment.</p> <p>Council investigate and implement a carparking management strategy for the Montgomery Street precinct.</p>
2.	1015 Doncaster Road, Doncaster East (north side of Doncaster Road).	<p>Objects to the removal of parking behind the commercial properties in Doncaster Road. The proposed amendment will result in a net loss of carparking which will further exacerbate parking problems in the area.</p>	<p>It is considered that the provision of 28 public carparking spaces on No. 6 Montgomery Street is satisfactory. Providing further spaces abutting the laneway as suggested will further encumber and compromise the traffic function, safety and vehicular access in the laneway and is not supported.</p>	<p>Council commits funds from the sale of the proposed development site at 6 (part) – 10 Montgomery Street towards the upgrading of the laneway.</p>
3.	989 Doncaster Road, Doncaster East (north side of Doncaster Road).	<p>Objects to the amendment as it will have a negative effect on car parking in the northern portion of the Doncaster East Village shopping precinct and the amenity of the surrounding residential properties in both Churchill and Montgomery Streets.</p> <p>The amendment will result in insufficient car parking for the shopping precinct, the shop traders, the public, those which work in the precinct and local residents.</p> <p>The amendment will reduce the number of car parks available in the area than is currently available to the public.</p> <p>The proposed residential development would add greatly to the car parking dilemma of the precinct because the development itself and its residents will require extra car parking.</p> <p>Council should use this opportunity to give back to the community by creating a lasting solution to the car parking difficulties of this precinct.</p> <p>Council should make provision for at least a further 15–20 car parks in the precinct. This could be done by reducing the size of the development parcel of land by subdividing a further strip of the development site on the southern boundary which adjoins the lane way at the rear of the shops along Doncaster Road to make way for further parking.</p>	<p>Whilst it is acknowledged that the current number of public carparking spaces is proposed to be reduced by 13 spaces, there is no statutory requirement for Council to provide off street public carparking. The 41 spaces that currently exist in off-street parking in Montgomery Street are more a product of circumstance than in response to any statutory requirements in the planning scheme.</p> <p>It is acknowledged that on street parking restrictions in the precinct should be reviewed to assess the capacity of the surrounding streets to yield additional parking for traders and shoppers. To this end, it is recommended that Council investigate and implement on street and public car parking management and improvements within the local area as part of a strategy to manage car parking requirements in the vicinity. This strategy would be implemented ahead of any sale being finalised.</p>	

21.05 RESIDENTIAL23/07/2015
C106**21.05-1 Overview**23/07/2015
C106
[Proposed](#)
[C102](#)

This section applies to all land zoned Neighbourhood Residential, General Residential, Residential Growth, Mixed Use and Activity Centre Zone located west of the Mullum Mullum Creek and the township of Warrandyte and parts of Wonga Park. These areas are shown on Residential Framework Plan 1.

Housing

Managing change and growth in the residential areas of Manningham is a key issue facing Council. Infill residential development and redevelopment of key strategic sites that consolidates the role of established urban areas and reduces developmental pressure in the areas with environmental values will be encouraged.

Whilst couples with children are the predominant household structure in Manningham, the key emerging trend is the smaller household type. The continuing ability of our residential areas to accommodate the changing lifestyles and housing needs of current and future populations is becoming an increasingly important issue. Whilst single detached dwellings will continue to represent the largest proportion of Manningham's housing stock, there will be a need for a greater mix of housing in the form of medium and higher density residential developments. Higher density housing will be encouraged in close proximity to activity centres and along major roads and transport routes.

The *Manningham Residential Strategy* (2012) and the *Manningham Residential Character Guidelines* (2012) are key policy documents that seek to direct and manage the level of change in a manner that will best serve the interests of the municipality in terms of housing needs, built form and environmental outcomes. These documents encourage a range of housing types that meet the changing needs of the community and promote high design standards.

Key Redevelopment sites offer urban consolidation opportunities in well serviced areas and localities. The Eastern Golf course site is an identified Key Redevelopment Site in Manningham.

Subdivision

Effective subdivision design should respond to site opportunities and constraints. There are limited opportunities for large scale subdivision in Manningham. A key issue for Council is inappropriate infill subdivision of smaller lots.

Built form and neighbourhood character

Residential developments must be well designed, site responsive and not adversely impact on neighbours, the surrounding environment, streetscape and existing or preferred neighbourhood character.

It is intended to retain the existing bushland character of the Warrandyte township and Wonga Park area.

The key strategic directions for future residential development are illustrated in Map 1 - Residential Character Precincts, in this Clause.

Four precincts have been identified:

Precinct 1: Residential Areas Removed from Activity Centres and Main Roads

Precinct 2: Residential Areas Surrounding Activity Centres and Along Main Roads

Precinct 3: Residential Areas with Predominant Landscape Features

Precinct 4: Post 1975 Residential Areas.

The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available. In areas which are removed from these facilities a lower intensity of development is encouraged. A low residential density is also encouraged in areas that have identified environmental or landscape features.

Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads

This precinct applies to the areas that are removed from activity centres (shopping centres) and main roads.

An incremental level of change is anticipated in Precinct 1. The future development vision is to encourage development that reinforces existing front and rear setbacks and site coverage to provide opportunities for landscaping and retain areas of open space. Accordingly, this precinct will encourage a less intense urban form.

Whilst the design of future dwellings may vary from the existing built form, dwellings in this area will need to provide increased open space for the planting or retention of trees and associated landscaping. The prevailing character of low front fences, retaining walls or the absence of front fences will also be encouraged.

Precinct 2 – Residential Areas Surrounding Activity Centres and along Main Roads

This precinct applies to the areas surrounding activity centres and the areas along Main Roads.

These activity centres include: Bulleen Plaza, Tunstall Square, Macedon Square, Jackson Court, Donburn, Devon Plaza, Templestowe Village, The Pines and Doncaster Hill.

The Doncaster Hill Activity Centre is regarded as the prime location for redevelopment for residential, commercial and community uses in the municipality.

The Pines Activity Centre is also regarded as a key Activity Centre within the municipality and provides a range of retail, commercial, community facilities and residential development opportunities.

The main roads identified in this precinct are Doncaster, Tram and Elgar Roads, Manningham and part of Thompsons, Blackburn and Mitcham Roads. These areas are developed with a range of commercial and residential uses.

Whilst landscaping exists along the main roads, there are opportunities to introduce better landscaping standards to improve the appearance of the main roads in the municipality.

A substantial level of change is anticipated in Precinct 2 with these areas being a focus for higher density developments.

Schedule 8 to the Design and Development Overlay (DDO8)

The majority of Precinct 2 is affected by Schedule 8 to the Design and Development Overlay (DDO8) consisting of three sub-precincts which each stipulate different height, scale and built form outcomes to provide a transition between each sub-precinct and adjoining properties, primarily in Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads. These sub-precincts are:

Sub-precinct – Main Road (shown on Manningham Planning Scheme maps as DDO8-1) is an area where three storey (11 metres) ‘apartment style’ developments are encouraged on land with a minimum area of 1,800m². Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage. The area of 1,800m² must all be in the same sub-precinct. All development in the Main Road sub-precinct should have a maximum site coverage of 60 percent.

Higher developments on the perimeter of the Main Road sub-precinct should be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct A or B, or other adjoining zone.

Sub-precinct A (shown on Manningham Planning Scheme maps as DDO8-2) is an area where two storey units (9 metres) and three storey (11 metres) ‘apartment style’ developments are encouraged. Three storey, contemporary developments should only occur on land with a minimum area of 1,800m². Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage. The area of 1,800m² must be all in the same sub-precinct. In this sub-precinct, if a lot has an area less than 1,800m², a townhouse style development proposal only will be considered, but development should be a maximum of two storeys. All development in sub-precinct A should have a maximum site coverage of 60 percent.

Higher developments on the perimeter of sub-precinct A should be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct B, or other adjoining zone.

Sub-precinct B (shown on Manningham Planning Scheme maps as DDO8-3) is an area where single storey and two storey dwellings only will be considered and development should have a maximum site coverage of 60 percent. There is no minimum land area for such developments.

Schedule 9 to the Design and Development Overlay (DDO9)

The area around The Pines Activity Centre (shown on Manningham Planning Scheme maps as DDO9) is an area where development ranging in height from 11 metres to 16 metres is encouraged in designated areas, as identified in *The Pines Activity Centre Structure Plan (2011)*.

Schedule 13 to the Design and Development Overlay (DDO13)

DDO13 applies to part of Precinct 2 being residential areas surrounding prominent intersections and/or interfacing commercial areas where increased residential densities, including up to four storey ‘apartment style’ developments (13.5 metres) on larger lots preferably with a minimum area of 1800sqm, will be considered. All development should have a maximum site coverage of 60 per cent.

Development in Precinct 2 should:

- Provide for contemporary architecture
- Achieve high design standards
- Provide visual interest and make a positive contribution to the streetscape
- Provide a graduated building line from side and rear boundaries
- Minimise adverse amenity impacts on adjoining properties
- Use varied and durable building materials
- Incorporate a landscape treatment that enhances the overall appearance of the development
- Integrate car parking requirements into the design of buildings and landform.

Precinct 3 – Residential areas with Predominant Landscape Features

This precinct includes two separate areas including Wembley Gardens in Donvale and a part of Templestowe. The built form and characteristics of these areas is varied. The common feature is the vegetation, particularly the presence of large trees. The presence of the native and exotic vegetation in Templestowe and in Wembley Gardens gives these areas a distinctive environmental feel. Templestowe is in close proximity to the Yarra River. Development is required to be designed and sited to protect existing visual corridors that exist along the Yarra River and nearby parkland. The absence of front fences creates a sense of openness and reinforces the environmental character of the area.

In this precinct only minimal change is anticipated. Due to the importance of retaining and enhancing the existing vegetation, this precinct will encourage a low residential density in order to retain the existing native and / or exotic vegetation.

Dwellings need to provide generous front, side and rear setbacks to ensure spacing between dwellings when viewed from the street and to provide opportunities to conserve and enhance the existing pattern of vegetation and the existing landscape qualities of the precinct.

Buildings are to be designed to have regard to the natural landscape and topographic features of the site. On sites with a slope, methods to minimise height of floor level above natural ground level would be encouraged. Building height, design and materials should be designed to enable the dwelling to integrate with the surrounding area.

The prevailing character of low front fences, retaining walls, or the absence of front fences is also promoted.

Precinct 4 – Post 1975 residential areas

This precinct includes areas that have been predominately developed since 1975 with a substantial amount of development occurring between late 1980s and the 1990s.

Although some of the housing built in the 1970s is single storey, housing built in the 1980s and 1990s is predominantly double storey and in some instances three storeys.

In this precinct there is minimal unit development.

An incremental level of change is anticipated in this precinct.

Other Residential Areas

It is intended to retain and enhance the existing bushland character of the Warrandyte Township and the Hillcrest area, Donvale. Whilst these areas are excluded from the Residential Character Precincts, like Precinct 3 the common feature of these areas is the vegetation, particularly the presence of large trees. These areas predominantly contain native vegetation which gives these areas a distinctive environmental feel.

Within these areas only minimal change is anticipated. Due to the importance of retaining and enhancing the existing vegetation, a low residential density is encouraged in order to retain the existing native vegetation. The absence of front fences creates a sense of openness and reinforces the environmental character of these areas.

Generous front, side and rear setbacks should be provided to dwellings to ensure spacing between dwellings when viewed from the street and to provide opportunities to conserve and enhance the existing pattern of vegetation and the existing landscape qualities of these areas.

Buildings are to be designed to have regard to the natural landscape and topographic features of the site. On sites with a slope, methods to minimise height of floor level above natural ground level would be encouraged. Building height, design and materials should be designed to enable the dwelling to integrate with the surrounding area.

Environmental and landscape issues

A key challenge for Council is to achieve a balance between protecting environmental and landscape characteristics and accommodating changing housing needs. The provision of new housing is directed by strategies that protect and enhance landscape character, neighbourhood character and environmental values.

Because of the fragmented patchwork of native vegetation in Manningham, a substantial proportion of wildlife movements occur across residential areas characterised by scattered trees. These movements, and hence the landscape of these residential areas, are important to the maintenance of wildlife in Manningham.

Along habitat corridors and within treed residential areas, maintenance of native tree cover (and particularly the locally indigenous species) is the most important requirement for facilitating wildlife movements. These movements are important for the survival of both the wildlife and many indigenous plants that rely on wildlife for pollination, seed dispersal or pest control.

Some residential areas are within or adjacent to Core and Buffer Conservation areas. Proposals to subdivide or develop land will need to avoid, minimise and offset native vegetation removal and impacts.

Any proposals to subdivide or develop land will also need to have regard to constraints such as steep slopes and land prone to landslip, wildfire and flooding.

Economic development issues

Council encourages home-occupations as an important means of achieving economic development and providing opportunities that enable residents to work from home. Benefits to the business owner include reduced travel time and flexible hours, and support for micro start up businesses. The needs of these businesses should be addressed while ensuring that residential amenity is not adversely affected.

Non-residential uses and commercial developments which do not have a community service role are discouraged from locating in residential areas. Commercial development remote from activity centres is also discouraged in order to protect the amenity of residential areas, the viability of activity centres and to ensure the safe and efficient functioning of the road network.

21.05-2

23/07/2015
C106

Housing

Key issues

- Accommodating population growth as outlined in *Melbourne 2030 Planning for Sustainable Growth* (2002).
- Providing a diversity of appropriate housing to meet changing lifestyles and housing needs.
- Need for urban consolidation to address housing growth.
- Potential impact of new development on the surrounding area.

Objectives

- To accommodate Manningham's projected population growth through urban consolidation, in infill developments and Key Redevelopment Sites.
- To ensure that housing choice, quality and diversity will be increased to better meet the needs of the local community and reflect demographic changes.
- To ensure that higher density housing is located close to activity centres and along main roads in accordance with relevant strategies.
- To ensure that areas removed from activity centres and main roads as well as areas with predominant environmental or landscape features are protected from higher density development.
- To promote affordable and accessible housing to enable residents with changing needs to stay within their local neighbourhood or the municipality.
- To encourage development of key Redevelopment Sites to support a diverse residential community that offers a range of dwelling densities and lifestyle opportunities.
- To encourage high quality and integrated environmentally sustainable development.

Strategies

Strategies to achieve these objectives include:

- Ensure that the provision of housing stock responds to the needs of the municipality's population.
- Promote the consolidation of lots to provide for a diversity of housing types and design options.
- Ensure higher density residential development occurs around the prescribed activity centres and along main roads identified as Precinct 2 on the Residential Framework Plan 1 and Map 1 to this clause.
- Allow housing development that respects existing neighbourhood character and supports incremental level of change in areas removed from activity centres and main roads identified as Precinct 1 on the Residential Framework Plan 1 and Map 1 to this clause.
- Maintain a low housing density in areas with predominate landscape features identified as Precinct 3 on the Residential Framework Plan 1 and Map 1 to this clause.
- Support an incremental level of change that respects existing neighbourhood character in residential areas developed post 1975 identified as Precinct 4 on the Residential Framework Plan 1 and Map 1 to this clause.
- Maintain a low housing density in areas with environmental values identified on the Residential Framework Plan 1 to this clause.
- Encourage development to be designed to respond to the needs of people with limited mobility, which may for example, incorporate lifts into three storey developments.
- Investigate the most appropriate suite of planning controls to achieve the desired outcomes for Key Redevelopment Sites.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Neighbourhood Residential Zone.
- Applying the General Residential Zone.
- Applying the Residential Growth Zone.
- Applying a Design and Development Overlay.
- Applying the Residential Growth Zone, the General Residential Zone, Design and Development Overlay – Schedule 9 and Design and Development Overlay 8 [and Design and Development Overlay 13](#) to residential areas close to activity centres and [interfacing commercial areas and](#) along main roads. These areas form part of Precinct 2 on the Residential Framework Plan 1 and Map 1 to this clause) to identify the location and direct the design of higher density residential development.
- Applying the General Residential Zone to residential areas removed from activity centres and main roads (identified as Precinct 1 on the Residential Framework Plan 1 and Map 1 to this clause) to ensure new development respects neighbourhood character and provides for an incremental level of change.
- Applying the Neighbourhood Residential Zone and the Significant Landscape Overlay or Environmental Significance Overlay and the Design and Development Overlay to

residential areas with predominate landscape features (identified as Precinct 3 on the Residential Framework Plan 1 and Map 1 to this clause) to ensure that the density, design and siting of residential development is appropriate to its landscape and the low housing density character of the area.

- Applying the General Residential Zone to residential areas developed since 1975 (identified as Precinct 4 on the Residential Framework Plan 1 and Map 1 to this clause) to provide opportunity for new development that respects neighbourhood character and for an incremental level of change.
- Applying the Neighbourhood Residential Zone and the Environmental Significance Overlay and the Design and Development Overlay to areas of environmental significance to ensure that the density, design and siting of residential development is appropriate to its environment and the low housing density character of the area.

Policy and exercise of discretion

- Implementing the Manningham Residential Strategy (2012).
- Implementing the *Doncaster Hill Strategy* (2002).
- Implementing The Pines Activity Centre Structure Plan (2011).
- Implementing the Manningham (Biosites) Sites of Biological Significance Review (2004).
- Implementing the Wildlife Movement and Habitat Needs in Manningham (2009).
- Implementing the Locally Threatened Plants in Manningham (2010).
- Implementing the Manningham Monterey Pine and Cypress Trees Assessment (2003).
- Using Local Policy to guide the location, design and management of accommodation premises (*Accommodation premises policy, Clause 22.04*).
- Using Local Policy to ensure that people with limited mobility have the same level of access to buildings, services and facilities as any other person (*Access for disabled people policy, Clause 22.09*).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).
- Using Clause 22.15, *Dwellings in the General Residential Zone, Schedule 1*, to ensure new development in residential areas removed from activity centres and main roads (identified as Precinct 1 on the Residential Framework Plan 1 and Map 1 to this clause) respects neighbourhood character and provides for an incremental level of change.
- Promote the provision of ramps and wide entrances to optimise accessibility within and around the home.
- Promote higher density residential development in locations close to activity centres and public transport (identified on the Residential Framework Plan 1 and Map 1 to this Clause).
- Using Clause 22.17 *Eastern Golf Course Key Redevelopment Site Policy*, to provide the strategic policy framework to guide the future redevelopment of the Eastern Golf Course Site.
- Implementing the City of Doncaster and Templestowe Heritage Study, (1991).
- Implementing the Manningham Heritage Garden & Significant Tree Study – Stage 2, (2006).
- Having regard to Meredith Gould Architects Pty Ltd (February 2011) *Eastern Golf Course Conservation Analysis and Policy*, Melbourne, Victoria.

Further strategic work

Other actions

- Identifying key development sites and encouraging residential development that responds to site constraints, demographic trends and the surrounding pattern of development.

21.05-3

13/02/2014
C96

Subdivision

Key issues

- Site responsive subdivision.
- Inappropriate infill subdivision.

Objectives

- Ensure subdivision responds positively to site features and constraints, integrates well with the neighbourhood, provides a functional environment and achieves energy efficient and environmentally sensitive layouts.
- To ensure the upgrading or provision of appropriate infrastructure and open space as part of subdivision proposals.
- To ensure that infill subdivision addresses future development impacts on adjoining properties and the neighbourhood.
- To ensure that subdivision adopts environmentally sustainable design principles.

Strategies

Strategies to achieve these objectives include:

- Encourage subdivision layouts that consider neighbouring uses and developments.
- Ensure that subdivision layouts adequately provide for the safety and security of residents and property.
- Ensure that subdivision and associated works in wildfire areas are appropriately sited, designed and managed to address wildfire risk.
- Ensure that subdivision and associated works avoid, minimise and offset native vegetation removal and impacts.
- Promote the consolidation of lots to increase design options.
- Ensure subdivisions are designed to provide adequate vehicle, pedestrian and bicycle links.
- Ensure that open space and infrastructure contributions are adequate.
- Require three-dimensional building envelopes for infill subdivision.
- Ensure subdivision design and layout considers lot orientation, size and location of building envelopes and integrated water management to achieve ecologically sustainable development outcomes.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying a Development Plan Overlay.
- Applying a Design and Development Overlay.
- Applying the Wildfire Management Overlay.
- Applying an Environmental Significance Overlay.

Policy and exercise of discretion

- Implementing the Manningham (Biosites) Sites of Biological Significance Review (2004).
- Implementing the Wildlife Movement and Habitat Needs in Manningham (2009).
- Implementing the Locally Threatened Plants in Manningham (2010).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).
- Implementing the Manningham Monterey Pine and Cypress Trees Assessment (2003).
- Using Local Policy to guide subdivision design that is responsive to the environmental and visual characteristics of the streetscape (*Battle axe blocks policy, Clause 22.11*).
- Using Local Policy to guide the protection of environmental and landscape values in identified Wildfire areas and identification and addressing of risks from wildfire (*Environmental and landscape significance protection in identified wildfire areas policy, Clause 22.14*).

Further strategic work

- Preparing a Local Planning Policy to direct subdivision within existing residential areas.
- Investigating the preparation of a development contributions plan for the municipality for areas outside the Doncaster Hill Activity Centre.

Other actions

21.05-4

19/06/2014
C105

Built form and neighbourhood character

Key issues

- Scale and form of residential development and its impact on neighbourhood character.
- Improving residential design standards.

Objectives

- To ensure that residential development enhances the existing or preferred neighbourhood character of the residential character precincts as shown on Map 1 to this Clause.

Strategies

Strategies to achieve these objectives include:

- Require residential development to be designed and landscaped to make a positive contribution to the streetscape and the character of the local area.
- Ensure that where development is constructed on steeply sloping sites that any development is encouraged to adopt suitable architectural techniques that minimise earthworks and building bulk.
- Ensure that development is designed to provide a high level of internal amenity for residents.
- Require residential development to include stepped heights, articulation and sufficient setbacks to avoid detrimental impacts to the area's character and amenity.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Mixed Use Zone.
- Applying the Activity Centre Zone.
- Applying a Vegetation Protection Overlay, Significant Landscape Overlay, Environmental Significance Overlay and/or Heritage Overlay where appropriate.
- Applying the General Residential Zone to residential areas developed since 1975 to provide opportunity for new development that respects neighbourhood character and for an incremental level of change.
- Applying the General Residential Zone to areas removed from activity centres and main roads to ensure new development respects neighbourhood character and provides for an incremental level of change.
- Applying the Neighbourhood Residential Zone to residential areas with predominant landscape features or lower housing densities to ensure that the density, design and siting of residential development is appropriate to its environment and the low housing density character of the area.
- Applying the Design and Development Overlay to ensure that the design and siting of residential development is appropriate.

Policy and exercise of discretion

- Implementing the Manningham Residential Character Guidelines (2012).
- Using Clause 22.01, *Design and development policy*, and Clause 22.15, *Dwellings in the General Residential Zone, Schedule 1*, to ensure that development is responsive to the scale and preferred character of the local neighbourhood.

Further strategic work

- Preparing residential design guidelines for the Warrandyte township.
- Reviewing the location of, and the preferred use and built form of, identified gateway sites.
- Preparing a Local Planning Policy to guide the future use and development of identified gateway sites, if appropriate.

Other actions

- Taking into account the views of Council's Sustainable Design Taskforce on major development applications.
- Requiring applicants for significant proposals to engage in a collaborative design process including pre-application meetings with relevant Council staff.

21.05-5

19/06/2014
C105

Environmental and landscape issues

Key issues

- Impact of land use and development on biodiversity.
- Protection and enhancement of environmental values and significant landscapes.
- Design and construction of development in areas with topographical constraints and areas of environmental significance, landscape character and wildfire risk.

Objectives

- To ensure that land is developed in a way that is compatible with, and protects and enhances the character of the area, its landscape qualities, pattern of vegetation and environmental values.
- To ensure that the environmental significance, visual and landscape character of residential areas with environmental and/or landscape values, including the Warrandyte township, parts of Templestowe, Wonga Park, the Hillcrest area and Donvale/Doncaster East are maintained and enhanced.
- To ensure that development avoids, minimises and offsets native vegetation removal, protects habitat corridors and threatened species of flora and fauna.

Strategies

Strategies to achieve these objectives include:

- Require a site analysis plan of the site and surrounds showing the existing topographic and visual features and how a proposal responds to environmental and landscape features for all relevant planning proposals.
- Retain the predominance of single dwellings on allotments and discourage other forms of inappropriate residential development in areas of environmental significance.
- Ensure that development in areas with recognised environmental and landscape values are designed to minimise the impact on vegetation and protect landscape character and heritage values.

- Require that buildings and works minimise visual impact by locating away from ridgelines and exposed slopes, incorporating screening treatments and non-obtrusive materials and colours.
- Encourage development on sloping sites to adopt suitable design techniques that minimise earthworks and building bulk.
- Ensure that development in areas of environmental significance avoids, minimises and offsets the removal of and impacts on native vegetation.
- Avoid development, including vegetation removal, on land with slopes of greater than 20%.
- Ensure that buildings are set back appropriate distances from property boundaries to provide for landscaping and the inclusion of canopy trees.
- Ensure that development does not protrude above the prevailing height of the tree canopy in environmental residential areas.
- Ensure that existing trees are retained where appropriate and that replacement trees complement the character of the area.
- Ensure that buildings and/or works in wildfire areas are appropriately sited, designed and managed to address wildfire risk.
- Encourage development that meets higher construction standards and/or utilises alternative treatments to address wildfire risk in preference to vegetation removal.
- Encourage the longevity of older exotic species with landscape character or heritage values.
- Discourage inappropriate development and landscaping on sites adjacent to State Parks and other conservation reserves.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Neighbourhood Residential Zone.
- Applying a Design and Development Overlay to the Warrandyte township, parts of Templestowe and parts of Donvale and Doncaster East.
- Applying an Environmental Significance Overlay and/or Significant Landscape Overlay.
- Applying a Vegetation Protection Overlay.
- Applying the Wildfire Management Overlay.

Policy and exercise of discretion

- Implementing the Manningham Residential Character Guidelines (2012).
- Implementing the *Manningham Heritage Garden & Significant Tree Study – Stage 2* (April 2006) which identifies vegetation of significance to be protected and maintained.
- Implementing the Manningham (Biosites) Sites of Biological Significance Review (2004).
- Implementing the Wildlife Movement and Habitat Needs in Manningham (2009).

- Implementing the Locally Threatened Plants in Manningham (2010).
- Using local policy to conserve native vegetation (*Native vegetation policy, Clause 22.02*).
- Implementing the Manningham Monterey Pine and Cypress Trees Assessment (2003).
- Using Local Policy to guide the protection of environmental and landscape values in identified Wildfire Areas (*Environmental and landscape significance protection in identified wildfire areas policy, Clause 22.14*).

Further strategic work

- Implementing the Roadside Environmental Management Strategy (2004).
- Review the *Roadside Environmental Management Strategy* (2004) with regard to the CFA Roadside Management Guidelines.
- Investigate the use of a local law or planning scheme control to protect significant trees in residential areas that do not have appropriate overlay controls.
- Identify areas for strategic revegetation to enhance habitat corridors and habitat connectivity.

Other actions

- Continuing to control and remove introduced pest plants and pest animals on a priority basis, with emphasis on the provisions under the *Catchment and Land Protection Act 1994* and direction from the Catchment Management Authority.

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Economic development issues

Key issues

- Impact of discretionary uses on residential amenity.
- Impact of non-residential and commercial uses located outside of activity centres on the viability of activity centres
- Linear commercial development outside activity centres.

Objectives

- To encourage uses with a community service role to locate in close proximity to activity centres or other community based facilities.
- To ensure that business activities do not compromise the residential amenity and character of the neighbourhood.
- To ensure that the range of uses within mixed use developments are compatible.
- To locate commercial uses such as restaurants within activity centres.
- To discourage the rezoning of land for commercial uses outside activity centres.

Strategies

Strategies to achieve these objectives include:

- Ensure that the establishment of uses with a community service role do not compromise the amenity of the neighbourhood.
- Ensure that commercial uses are located within activity centres wherever possible.
- Ensure that in considering planning permit applications for home occupations, adequate provision is made for on-site car parking and loading areas and that these are adequately screened from the street and adjoining land.
- Limit the impact of advertising signs on visual amenity.
- Ensure that the range of uses within a mixed use development does not adversely impact on each of the respective uses.

Implementation

These strategies will be implemented by:

Policy and exercise of discretion

- Implementing the *Home-Based Business Strategy* (1996) that encourages the establishment of appropriate businesses that do not compromise residential amenity.
- Implementing the Manningham City Council 2003-2006 Economic Development Strategy (2003).
- Using Local Policy to ensure that non-residential and commercial uses do not affect the amenity of the area. (Design and development policy, Clause 22.01, Accommodation premises policy, Clause 22.04, Non-residential uses in residential areas policy, Clause 22.05 and Eating and entertainment policy, Clause 22.06).
- Using Local Policy to ensure that advertising signs do not impact on visual amenity (*Outdoor advertising signs policy, Clause 22.07*).

Zones and overlays

Further strategic work

Other actions

- Promoting and distributing Manningham's *Home-based Business Information Kit* (2005).

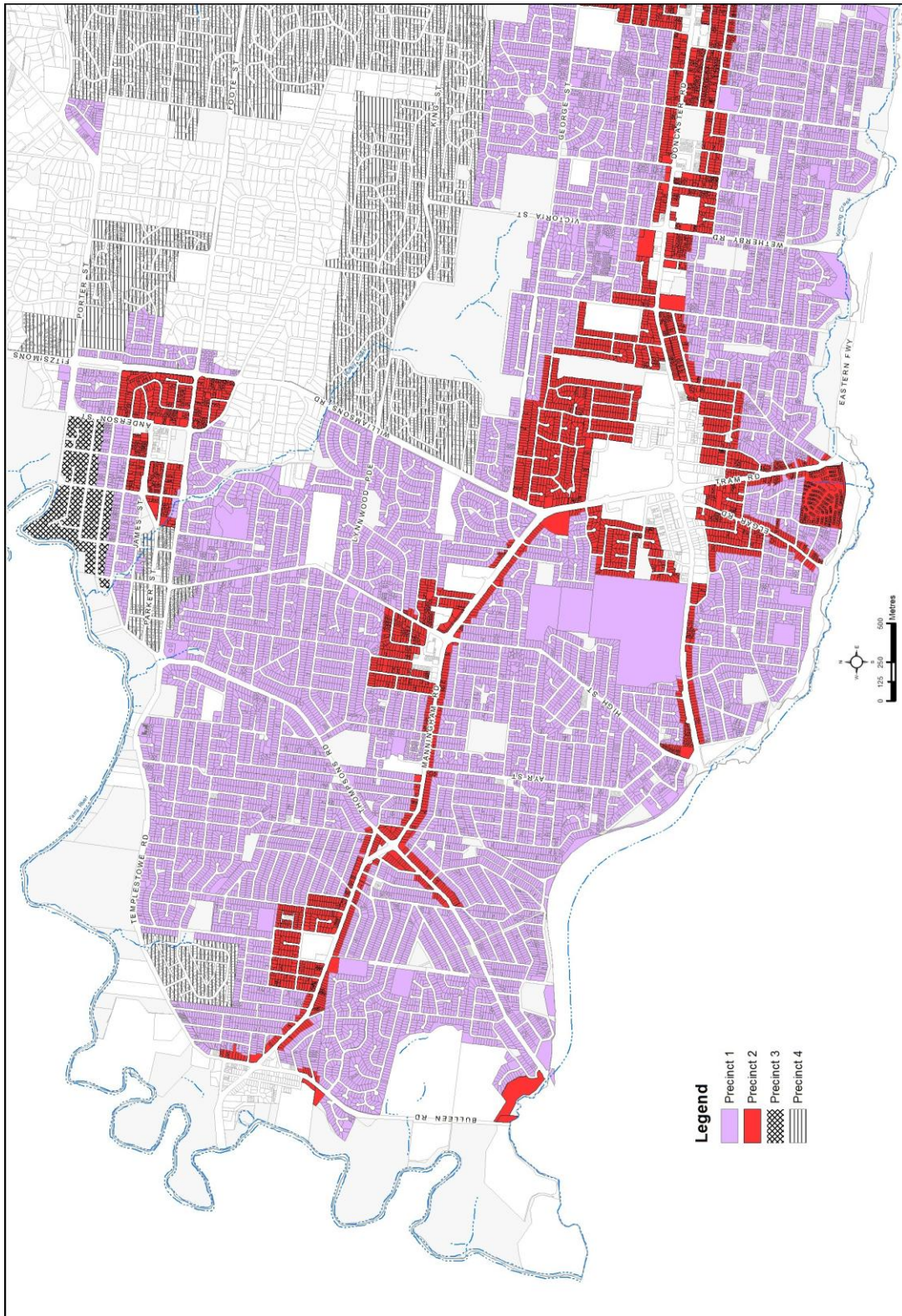
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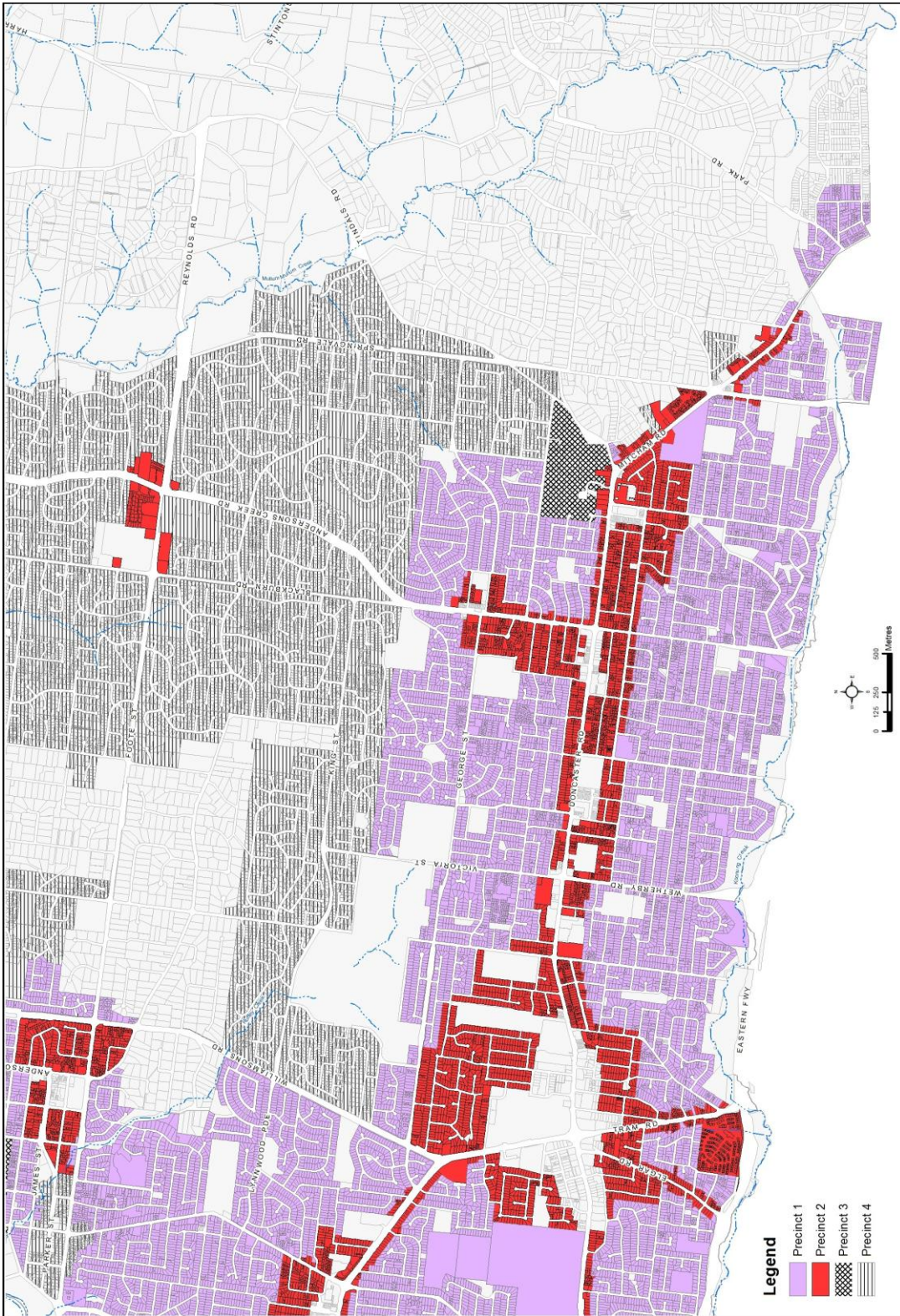
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Map 1 (Part 1) – Residential Character Precincts



Map 1 (Part 2) – Residential Character Precincts



Residential Framework Plan 1

