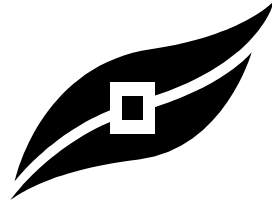


MINUTES



MANNINGHAM
BALANCE OF CITY AND COUNTRY

Ordinary Meeting of the Council

MEETING DETAILS:

MEETING NO: 15
MEETING DATE: 13 December 2016
TIME: 7:00 PM
LOCATION: Council Chamber, Civic Centre
699 Doncaster Road, Doncaster

MINUTES

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MANNINGHAM CITY COUNCIL
MINUTES OF THE ORDINARY COUNCIL MEETING
HELD AT COUNCIL CHAMBER, CIVIC CENTRE
ON
13 DECEMBER 2016

The meeting commenced at 7:00 PM.

Present: Councillor Michelle Kleinert (Mayor)
Councillor Mike Zafiroopoulos (Deputy Mayor)
Councillor Anna Chen
Councillor Andrew Conlon
Councillor Sophie Galbally
Councillor Geoff Gough
Councillor Dot Haynes
Councillor Paul McLeish
Councillor Paula Piccinini

Officers Present: Chief Executive Officer, Mr Warwick Winn
Acting Director Assets & Engineering, Mr Roger Woodlock
Director Community Programs, Mr Chris Potter
Director Planning & Environment, Ms Teresa Dominik
Director Shared Services, Mr Philip Lee
Executive Manager People & Governance – Ms Jill Colson

1. OPENING PRAYER & STATEMENTS OF ACKNOWLEDGEMENT

The Mayor read the Opening Prayer & Statements of Acknowledgement.

2. APOLOGIES FOR ABSENCE AND GRANTING OF LEAVE OF ABSENCE

There were no apologies for this meeting.

3. PRIOR NOTIFICATION OF CONFLICTS OF INTEREST

The Chairman invited Councillors to disclose any conflict of interest in any item listed on the Council Agenda.

There were no notifications of Conflict of Interest.

4. CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 15 NOVEMBER 2016

MOVED: ZAFIROPOULOS
SECONDED: CHEN

That the Minutes of the Ordinary Meeting of Council held on 15 November 2016 be confirmed.

CARRIED

5. PUBLIC QUESTIONS (VERBAL)

There were no questions from the public.

6. PRESENTATIONS

6.1 Acknowledgement – James William Whiticker

The Mayor addressed Council on the recent passing of James William Whiticker a long term resident of Doncaster, Citizen of the Year 1985 and his many community service activities including Chairman of the Advisory Committee on the Ageing for the City of Doncaster/Templestowe, Task Force Chairman for the Nursing Home proposal and long term Board Member for what is now MannaCare.

7. PETITIONS

7.1 Review of Parking Restrictions at the Shopping Strip in Village Avenue, Doncaster (Koonung Ward)

MOVED: ZAFIROPOULOS
SECONDED: HAYNES

That the petition received from 248 business owners from Village Avenue, Doncaster seeking a review of the parking restrictions in Village Avenue and the introduction of a two hour parking zone, be received and referred to the appropriate Officer for consideration.

CARRIED

7.2 Sound Protection Between Williamsons Road and Brentvale Court, Doncaster (Heide Ward)

MOVED: PICCININI
SECONDED: GOUGH

That the petition received from 9 residents of Brentvale Court in Doncaster requesting Council to improve the sound protection of that section of Williamsons Road from King Street to No.222 Williamsons Road by increasing the density of the vegetation strip or by putting up a high wooden sound barrier, be received and referred to the appropriate Officer for consideration.

CARRIED

8. ADMISSION OF URGENT BUSINESS

There were no items of Urgent Business.

* * * * *

9. PLANNING PERMIT APPLICATIONS

9.1 Planning Application PL16/026081 at 52-54 Manningham Road for sixteen three-storey and four-storey dwellings and alteration of access to a road in a Road Zone, Category 1

Responsible Director: Director Planning & Environment

File No. PL16/026081

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

Land: 52-54 Manningham Road BULLEEN
Zone Residential Growth Zone, Schedule 2
Applicant: Premier Projects
Ward: Heide
Melway Reference: 32F7
Time to consider: 13 October 2016

SUMMARY

The proposal is for the development of approximately 2090 square metres with 3 and 4-storey attached dwellings on land known as 52 and 54 Manningham Road, Bulleen. The development proposes 16 dwellings consisting of 4 four bedroom dwellings, 4 two bedroom dwellings and 8 three bedroom dwellings. The dwellings will essentially be two blocks of eight dwellings each. A total of 30 car parking spaces are provided on-site in the form of garages for each dwelling.

The application was advertised and 3 objections were received. Grounds of objection relate to the design response and neighbourhood character, the built form and scale of buildings, traffic concerns, and off-site amenity impacts including overlooking, overshadowing and the visual impact of the buildings.

This report concludes that the proposal generally complies with the Manningham Planning Scheme, including Clause 55 (Rescode) and the requirements of Schedule 8 to the Design and Development Overlay (Residential Areas adjacent to Activity Centres and along Main Roads). These planning controls recognise that there will be a substantial level of change in dwelling yields and built form at the subject site.

Officers have given particular consideration to the form, height and scale of the dwellings as the proposal includes a maximum four-storey built form with a maximum height of 12.368 metres above natural ground level. This height exceeds the preferred maximum height and policy intent outlined in the Design and Development Overlay Schedule 8, which encourages a maximum height of 11 metres and built form outcomes up to three-storeys in height on the subject site. The assessment has successfully demonstrated that the height is appropriate in the site context and due to the 4 storey height being limited to the front part of the site, with the height transitioning down to a three a storey form to the south at the rear. It is also considered the height and mass of the built form is acceptable on this main road location. The design response includes reasonable setbacks from the remaining site boundaries to allow for perimeter landscaping. This will assist in

softening and screening the building from adjoining residents and limiting any unreasonable visual bulk and off-site amenity impacts.

The design proposes a site coverage of 59.85% and pervious site coverage of 22%. The proposal provides ground level setbacks consistent with 60% maximum site coverage and the development is suitably softened by adequate amounts of landscaping. The proposal provides a density of one dwelling per 130.6 square metres.

Overall, this is a compliant development and approval (subject to conditions on any permit issued) is recommended.

1 BACKGROUND

- 1.1 The site comprises two (2) residential lots that have a total site area of approximately 2090 square metres. The subject site is irregular in shape with a street frontage to Manningham Road (northern boundary) of 30.48 metres, an eastern boundary of 65.5 metres, a western boundary of 65.97 metres and a southern boundary of 33.9 metres.
- 1.2 The lot at 52 Manningham Road is developed with a single-storey brick dwelling with a pitched tiled roof. The dwelling is setback approximately 7.8 metres from Manningham Road, save that a carport encroaches into this and is setback approximately 5.9 metres from the frontage. The frontage is fenced by a low height brick fence. Vehicle access is provided via a crossover and driveway adjacent the east boundary.
- 1.3 The lot at 54 Manningham Road is developed with a single-storey rendered brick dwelling with a flat roof. The dwelling is setback approximately 28 metres from Manningham Road. The Manningham Road frontage is fenced with a brick fence of approximately 1.5m height. Vehicle access is provided via a crossover and driveway adjacent the west boundary.
- 1.4 The subject site has a moderate slope down from east to west of up to 2.44 metres at a gradient of approximately 1 in 12 to 1 in 15.
- 1.5 Both lots have a 1.83 metre wide drainage and sewerage easement running along the southern rear boundary. There are no covenants or Section 173 Agreements registered against either title. The proposed development will not breach any restrictions registered to title.

Surrounds

- 1.6 The subject site has direct abuttal with 3 properties. These properties and other surrounding development are described as follows:

Direction	Address	Description
North (front)	Manningham Road	To the front of the subject site is Manningham Road, which is a 6 lane main road with a central median strip.
South (rear)	31 Summit Drive	31 Summit Drive is developed with a single dwelling. The dwelling is a multi storey rendered dwelling with a tiled, hipped roof. The dwelling is

Direction	Address	Description
		setback approximately 18 metres from the shared boundary with the subject site, except that there is a shed/pergola located near the rear boundary. An area of secluded private open space is located at the rear of the dwelling
East	56 Manningham Road	To the east of the subject site the land at 50 Manningham Road is developed with a single dwelling. The dwelling is a single storey brick dwelling with a tiled hipped roof. The dwelling is setback approximately 6.4 metres from the frontage and has a garage approximately 0.5 metres from the boundary with the subject site. The frontage is fenced with a solid brick fence approximately 1.5m high. Vehicle access is via a crossover and driveway adjacent the shared boundary with the subject site.
West	48-50 Manningham Road	This site is occupied by 5 dwellings, all on their own titles, with a common property driveway area. The dwellings are all double storey brick dwellings with tiled hip and gable roofs. The shared driveway abuts the shared boundary with the subject site. The frontage is fenced with a timber picket and solid brick fence of approximately 1.8m height.

- 1.7 Land to the southwest of the subject site is occupied by a grassed reserve known as the Yarraleen Walkway.
- 1.8 Manningham Road is a major arterial road and has three (3) lanes of traffic travelling in east and westerly directions, and a raised median strip. Bus services are available along Manningham Road.
- 1.9 Bulleen Plaza Shopping Centre is located approximately 260 metres to the east of the subject site. St. Clements Primary School is located

approximately 220 metres to the southeast and Morris Williams Reserve is located approximately 480 metres to the southeast of the subject site.

- 1.10 Nearby housing is generally single-dwellings on a lot with a mix of single and double-storey built forms. Housing stock is generally constructed in brick with evidence of both flat and hipped roof forms. Garages are generally built at the side of dwellings or incorporated into the design of the dwellings with single driveway access. Some nearby lots have also been developed with multiple dwellings. There are some newer apartment building type forms along Manningham Road that are similar to the proposed development, such as 181-183 Manningham Road and 194-196 Manningham.

2 PROPOSAL

- 2.1 It is proposed to demolish the existing buildings (no planning permit required), and construct 16 new dwellings. The dwellings will be 'joined up' over a central ground level driveway and will present as an 'apartment style' façade to the street.
- 2.2 The dwellings will be a mix of 3 and 4 storey forms.
- 2.3 The development will provide 16 dwellings, including 6 two-bedroom dwellings, and 10 dwellings with 3 or more bedrooms. The dwellings vary in floor area between 155 and 215 square metres.
- 2.4 The submitted plans show a building site coverage of 1,251 square metres (59.85%).
- 2.5 The proposal provides a density of one dwelling per 130.6 square metres.
- 2.6 The pervious site coverage is 454 square metres (22%).
- 2.7 The buildings have a maximum height of 12.368 metres above natural ground level.
- 2.8 The dwellings will essentially be 2 blocks of eight dwellings. Each block will have four dwellings on the eastern side and four dwellings on the western side, and when viewed from the street, be joined to each other in the middle of the site with an open driveway in the central section of the ground level.
- 2.9 A central void will be provided within each building. This void will provide a light and air court for some rooms that face internal to the site and that would not otherwise have an external window. In the front building, the void will serve dwellings 3, 4, 5 and 6. In the rear building the void will service dwellings 11, 12, 13 and 14.
- 2.10 The buildings will utilise a mix of rendered columns and beams to provide articulation and modulation to the facades, and will include timber screening devices and battens and frosted glass to screen windows. The building palette will be a mixture of light and dark greys, whites and off-whites, black powder coated window surrounds and stained timber battens. The roof will be a flat roof form.
- 2.11 The pedestrian entry to the buildings will be via pathways on the east and west. The east pathway will provide access to Dwellings 1, 3, 5, 7, 9, 11, 13, and 15. The western pathway will provide access to Dwellings 2, 4, 6, 8, 10, 12, 14 and 16.
- 2.12 Vehicle access is provided via a new 7.0 metre wide crossover located centrally within the frontage. A double width (7.0m) wide driveway runs along

the centre of the site providing access to all garages. In the centre of the site, 2 visitor car parking spaces are provided, along with a bin storage area. A further 2 visitor parking spaces are provide at the rear of the site.

- 2.13 No existing trees on site are proposed to be retained. The areas around the building will be landscaped and the concept landscape plan shows canopy tree and other planting within the setbacks.
- 2.14 New 1.8 metre high paling fences will be provided along all side and rear boundaries.
- 2.15 No front fence is shown on plans.
- 2.16 The development will require a site cut and a retaining wall offset approximately 1 metre from the eastern boundary. The cut and wall will have a height of approximately 2 metres. The maximum depth of cut for the retaining wall will be in the order of approximately 2 metres
- 2.17 The buildings have the following minimum setbacks to site boundaries:
- 2.17.1 Manningham Road (north) boundary:
Ground level – 6.0 metres to façade,
Level 1 – 6.0 metres to façade,
Level 2 – 6.0 metres to façade,
Level 3 – 7.7 metres to façade, 6.0 metres to terrace edge
- 2.17.2 East boundary:
Ground level – Between 1 and 3.5 metres to façade,
Level 1 – 2.52 metres to façade,
Level 2 – 4.0 metres to façade,
Level 3 – 7.0 metres to façade
- 2.17.3 Western boundary:
Ground level – Between 1 and 3.5 metres to façade
Level 1 – 2.52 metres,
Level 2 – 4.0 metres to façade,
Level 3 – 7.0 metres to façade,
- 2.17.4 Southern boundary:
Ground level – 3.43 metres to façade,
Level 1 – 3.59 metres to façade,
Level 2 – 5.2 metres to façade,
Level 3 – Not present on rear building
- 2.18 Documentation submitted with the application includes an arboricultural report, sustainability management plan, traffic and car parking analysis,

noise assessment and waste management plan. Information from these documents is referenced where necessary in this report.

Planning History

- 2.19 Council Officers provided the Applicant with pre-application advice following a meeting in December 2015.
- 2.20 The application for planning permit was lodged to Council on 15 March 2016. A request for further information was sent to the applicant on 11 April 2016. The further information request included preliminary concerns, which largely related to the mass and scale of the building form as set out in the pre-application stage. The application was presented to the Sustainable Design Taskforce on 28 April 2016, prior to the further information being received. The full complement of further information was submitted to Council on 12 August 2016.
- 2.21 The further information included marked changes to the design of the proposal, including a reduction in building height from 4 storeys down to 3 storeys to the rear of the site and the addition of a break in the building form in the middle of the site.
- 2.22 The *Planning and Environment Act (1987)* requires that applications for planning permits are put to public notice (advertising). The application was advertised on 2 September 2016 as "Construction of 16 three storey dwellings and alteration of access to a road in a road zone category 1". Due to an error in this description, the application was re-advertised on 18 October 2016 as "Construction of 16 three storey and four storey dwellings and alteration of access to a road in a road zone category 1".

3 PRIORITY/TIMING

- 3.1 The statutory time for considering a planning application is 60 days. Allowing for the time taken to advertise the application, the statutory time lapsed on 13 October 2016

4 POLICY IMPLICATIONS

- 4.1 The *Planning and Environment Act 1987* (the Act) is the relevant legislation governing planning in Victoria. The Act identifies subordinate legislation in the form of Planning Schemes to guide future land use and development.
- 4.2 Section 60 of the Act outlines what matters a Responsible Authority must consider in the determination of an application. The Responsible Authority is required to consider:
 - 4.2.1 the relevant planning scheme; and
 - 4.2.2 the objectives of planning in Victoria; and
 - 4.2.3 all objections and other submissions which it has received and which have not been withdrawn; and
 - 4.2.4 any decision and comments of a referral authority which it has received; and
 - 4.2.5 any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.

- 4.3 Section 61(4) of the Act makes specific reference to covenants. This is not relevant to this application as the lots are not burdened by a covenant.

5 MANNINGHAM PLANNING SCHEME

- 5.1 The subject site is located in the Residential Growth Zone Schedule 2 (RGZ2) under the provisions of the Manningham Planning Scheme (the Scheme). Adjacent land fronting Manningham Road is also included in the Residential Growth Zone Schedule 2.
- 5.2 Land to the south is located within the General Residential Zone Schedule 1 (GRZ1).
- 5.3 A planning permit is required to construct two or more dwellings on a lot in the Residential Growth Zone under Clause 32.07-4 of the Scheme.
- 5.4 The purpose of the Residential Growth Zone relates primarily to providing housing at increased densities, encourage a diversity of housing types and encouraging a scale of development that provides a transition between areas of more intensive use and development and areas of restricted housing growth.
- 5.5 Assessment is required under the provisions of Clause 55 (Res Code) of the Scheme.
- 5.6 The purpose of Clause 55 is generally to provide well designed and sustainable medium-density housing which offers a good living environment and life-style choice for occupants, while at the same time, maintaining the amenity and character of the locality, with particular emphasis on the amenity of adjoining residents.
- 5.7 The subject site is also included in the Design and Development Overlay Schedule 8 (DDO8) under the provisions of the Scheme.
- 5.8 The Design Objectives of the DDO8 are:
- To increase residential densities and provide a range of housing types around activity centres and along main roads.
 - To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.
 - To support three storey, 'apartment style', developments within the Main Road sub precinct and in sub-precinct A, where the minimum land size can be achieved.
 - To support two storey townhouse style dwellings with a higher yield within sub precinct B and sub-precinct A, where the minimum land size cannot be achieved.
 - To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive, taking into account the preferred neighbourhood character.
 - 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 developments of two or more storeys are sufficiently stepped down at the perimeter of the Main Road sub-precinct to provide an appropriate and attractive interface to sub-precinct A or B, or other adjoining zone.
 - Higher developments on the perimeter of sub-precinct A must 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.
 - To ensure overlooking into adjoining properties is minimised.
 - To ensure the design of carports and garages complement the design of the building.
 - To ensure the design of basement and undercroft car parks complement the design of the building, eliminates unsightly projections of basement walls above natural ground level and are sited to allow for effective screen planting.
 - 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 encourage landscaping around buildings to enhance separation between buildings and soften built form.
- 5.9 Planning permission is required for buildings and works which must comply with the requirements set out in Table 1 and 2 of the Schedule. A planning permit cannot be granted to vary certain requirements of Table 2 (land size and height).
- 5.10 There is a range of policy requirements outlined in this control under the headings of building height and setbacks, form, car parking and access, landscaping and fencing.
- 5.11 The subject site is located within **Sub-Precinct Main Road DDO8-1**. In this precinct Table 1 applies.
- 5.12 Pursuant to Table 1 the maximum allowable building height for land less than 1,800 square metres in size is 9 metres or 11 metres for land of greater than 1,800 square metres. The height is not mandatory, and a permit can be granted to allowing a higher building.

State Planning Policy Framework

- 5.13 Clause 15.01-1 (Urban Design) seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. Strategies towards achieving this are identified as follows:
- Promote good urban design to make the environment more liveable and attractive.
 - Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.

- Require development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate.
 - Ensure transport corridors integrate land use planning, urban design and transport planning and are developed and managed with particular attention to urban design aspects.
 - Encourage retention of existing vegetation or revegetation as part of subdivision and development proposals.
- 5.14 Clause 15.01-4 (Design for Safety) seeks to improve community safety and encourage neighbourhood design that makes people feel safe. The strategy identified to achieve this objective is to ensure the design of buildings, public spaces and the mix of activities contribute to safety and perceptions of safety.
- 5.15 Clause 15.01-5 (Cultural Identity and Neighbourhood Character) seeks to recognise and protect cultural identity, neighbourhood character and sense of place. The clause emphasises the importance of neighbourhood character and the identity of neighbourhoods and their sense of place. Strategies towards achieving this are identified as follows:
- Ensure development responds and contributes to existing sense of place and cultural identity.
 - Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.
 - Ensure development responds to its context and reinforces special characteristics of local environment and place.
- 5.16 Clause 15.02-1 (Energy and Resource Efficiency) seeks to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.
- 5.17 Clause 16.01-1 (Integrated Housing) seeks to promote a housing market that meets community needs. Strategies towards achieving this are identified as follows:
- Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations.
 - *Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.*
- 5.18 Clause 16.01-2 (Location of Residential Development) seeks to locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport. Strategies towards achieving this are identified as follows:
- Increase the proportion of housing in Metropolitan Melbourne to be developed within the established urban area, particularly at activity centres, employment corridors and at other strategic sites, and reduce the share of new dwellings in greenfield and dispersed development areas.

- In Metropolitan Melbourne, locate more intense housing development in and around Activity centres, in areas close to train stations and on large redevelopment sites.
 - Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.
 - Facilitate residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water efficient design principles and encourages public transport use.
- 5.19 Clause 16.01-4 (Housing Diversity) seeks to provide for a range of housing types to meet increasingly diverse needs. Strategies towards achieving this are identified as follows:
- Ensure housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.
 - Encourage the development of well-designed medium-density housing which:
 - Respects the neighbourhood character.
 - Improves housing choice.
 - Makes better use of existing infrastructure.
 - Improves energy efficiency of housing.
 - Support opportunities for a wide range of income groups to choose housing in well serviced locations.
- 5.20 Clause 16.01-5 (Housing affordability) seeks to deliver more affordable housing closer to jobs, transport and services.

Municipal Strategic Statement (Clause 21)

- 5.21 Clause 21.03 (Key Influences) identifies that future housing need and residential amenity are critical land-use issues. The MSS acknowledges that there is a general trend towards smaller household size as a result of an aging population and smaller family structure which will lead to an imbalance between the housing needs of the population and the actual housing stock that is available.
- 5.22 This increasing pressure for re-development raises issues about how these changes affect the character and amenity of our local neighbourhoods. In meeting future housing needs, the challenge is to provide for residential redevelopment in appropriate locations, to reduce pressure for development in more sensitive areas, and in a manner that respects the residential character and amenity valued by existing residents.
- 5.23 Clause 21.05 (Residential) outlines the division of Manningham into four Residential Character Precincts. 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.

- 5.24 The site is within "Precinct 2 –Residential Areas Surrounding Activity Centres and Along Main Roads".
- 5.25 This area is aimed at providing a focus for higher density development and a substantial level of change is anticipated. Future development in this precinct is encouraged to:
- Provide for contemporary architecture and 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.
- 5.26 Within this precinct, there are 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 those in Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads.
- 5.27 The three sub-precincts within Precinct 2 consist of:
- **Sub-precinct – Main Road (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 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 (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 1800m². 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 1800m² must all be in the same sub-precinct. In this sub-precinct, if a lot has an area less than 1800m², 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 (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.

5.28 The subject site and the adjacent properties facing Manningham Road are located within **Sub-Precinct – Main Road (DDO8-1)**.

5.29 Clause 21.05-2 Housing contains the following objectives:

- To accommodate Manningham's projected population growth through urban consolidation, 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 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.

5.30 The 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.
- 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.

5.31 Clause 21.05-4 (Built form and neighbourhood character) seeks 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.

5.32 The strategies to achieve this objective 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.
- 5.33 Clause 21.10 (Ecologically Sustainable Development) highlights Council's commitment to ESD and outlines a number of ESD principles to which regard must be given. These are:
- Building energy management
 - Water sensitive design
 - External environmental amenity
 - Waste management
 - Quality of public and private realm
 - Transport

Local Planning Policy

- 5.34 Clause 22.08 (Safety through urban design) is relevant to this application and seeks to provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham. The policy seeks attractive, vibrant and walkable public spaces where crime, graffiti and vandalism is minimised.
- 5.35 Clause 22.09 (Access for disabled people) is relevant to this applicant and seeks to ensure that people with a disability have the same level of access to buildings, services and facilities as any other person.

Particular Provisions

- 5.36 Clause 52.06 (Car Parking) is relevant to this application. Pursuant to Clause 52.06-5, car parking is required to be provided at the following rate:
- 1 space for 1 and 2 bedroom dwellings
 - 2 spaces for 3 or more bedroom dwellings
 - 1 visitor space to every 5 dwellings for developments of 5 or more dwellings (rounded down)
- 5.37 Clause 52.06-7 outlines several design standards for parking areas that should be achieved unless with the approval of the Responsible Authority.
- 5.38 Clause 52.29 (Land Adjacent to a Road Zone Category 1) seeks to ensure appropriate access to identified roads. A permit is required to create or alter access to a road in a Road Zone, Category 1. All applications must be referred to VicRoads for comment.

- 5.39 Clause 55 (Res Code) applies to all applications for two or more dwellings on a lot. Consideration of this clause is outlined in the Assessment section of this report.
- 5.40 Clause 65 (Decision Guidelines) outlines that before deciding on an application, the responsible authority must consider, as appropriate:
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
 - The purpose of the zone, overlay or other provision.
 - The orderly planning of the area.
 - The effect on the amenity of the area.

6 ASSESSMENT

- 6.1 The proposed development of the subject site with 16 dwellings is consistent with the broad objectives of Council's planning policy outlined at Clause 21.05 of the Scheme. The policy encourages urban consolidation in this specific location due to its capacity to support change given that the subject site is located on a main road and located near the Bulleen Plaza Activity Centre. The policy anticipates a substantial level of change from the existing single dwelling and dual occupancy pattern of development that is evident in the area and has occurred in the past.
- 6.2 The consolidation of lots with a combined area of approximately 2,090 square metres allows for increased development potential, as the larger area allows increased setbacks to compensate for its larger scale in comparison to traditional medium density housing. The site is greater in area than the 1,800 square metre desired land size under the provisions of the DDO8 control to support an 11 metre high building, and the control and policy allows discretion to be applied in granting a higher building.
- 6.3 An assessment of the proposal will be made based on the following planning controls:
- Design and Development Overlay, Schedule 8
 - Clause 52.06 Car Parking and Clause 52.29 Land adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 road
 - Clause 55 Res Code (Two of more dwellings on a lot and residential buildings)
 - General Matters
- 6.4 In the tables below, Officers have used the term 'Met' where an objective and performance standard or policy requirement is achieved, 'Considered met' where the objective is met, but the performance standard or policy requirement is not achieved, and 'Met subject to conditions' where either the objective or the performance standard or policy requirement has not been met and modifications are required.

Design and Development Overlay

6.5 Clause 43.02 (Design and Development Overlay Schedule 8) of the Scheme has the following decision guidelines against which a general assessment is provided:

Design Element	Level of Compliance
<p><u>Building Height and Setbacks</u> DDO8-1 (Main Road Sub-precinct):</p> <ul style="list-style-type: none"> The minimum lot size is 1800 square metres, which must be all the same sub-precinct. 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 building has a maximum height of 11 metres provided the condition regarding minimum lot size is met. If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres. 	<p>Considered Met</p> <p>The subject site has an area of 2,090 square metres that is entirely within the Main Road Sub-Precinct. Table 1 sets out that an 11 metre maximum building height is applicable.</p> <p>The 11m height is not mandatory however and policy states that a permit can be granted to allowing a higher building.</p> <p>The proposed development has a maximum height of 12.368 metres, shown on the plans, which exceeds the 11 metre maximum height by 1.368 metres.</p> <p>The purpose of providing discretion in building height on the Main Road Sub-Precinct is to allow flexibility to achieve design excellence. This might be through providing a ‘pop-up’ level to provide visual interest to an otherwise uninspiring roof form, or a design feature on a ‘gateway’ site. The discretion is only provided to the sub-precinct because main road streetscapes typically contain a greater mix and more robust building forms (for example higher solid fencing, larger commercial buildings) compared to local streets and therefore can absorb some additional height.</p> <p>In this instance, the additional built form constructed above the 11 metre maximum building height, is the uppermost floor of the dwellings in the north-western section (Dwellings 2, 4, 6, 8). This floor is setback from side boundaries at least 7.0 metres, and the front boundary at least 7.7 metres to the building façade. The built form is recessed from the floors below and reduces back in toward the centre of the site.</p> <p>The site itself has a fall down from east to west, and the eastern side of the building has a height of less than 11 metres, as it has been cut down into the land. The additional height to the western side of the</p>

	<p>built form is largely due to the slope of the land down toward the west, and is to some extent difficult to avoid when a fourth floor is proposed.</p> <p>In this case, the limited amount of upper floor, the relatively deep setback of that floor to the neighbours, the presence of common property driveway to the neighbouring interface, the slope of the land, and the limited extent to which the building rises above the 11m height standard make it reasonable to allow for the additional 1.368 metres of height to Dwellings 2, 4, 6 and 8 to the western side of the site. This additional height will not provide a dominating or excessive height and is acceptable when viewed from the west and from the north (street).</p>
<ul style="list-style-type: none"> Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. 	<p>Met</p> <p>The dwellings have a street setback to Manningham Road of 6 metres which meets the standard. The setback allows for a reasonable amount of landscaping to be provided in front of Dwellings 1 and 2.</p>
<p>Form</p> <ul style="list-style-type: none"> Ensure that the site area covered by buildings does not exceed 60 percent. 	<p>Met</p> <p>The submitted plans show that the building has a site coverage of 59.85% which is less than the 60% allowed by the DDO8.</p> <p>The site coverage allows for an adequate amount of landscaping to be provided to the perimeter of the land, and there is also room for landscaping adjacent the visitor parking spaces between Dwellings 7 and 9 and adjacent the bin storage area between Dwellings 8 and 10.</p>
<ul style="list-style-type: none"> Provide visual interest through articulation, glazing and variation in materials and textures. 	<p>Met</p> <p>The buildings are appropriately designed to provide visual interest. Each building includes a mix of materials and colours, and each building form is well articulated and modulated. Both vertical and horizontal framing members are 'picked out' in white to stand out from the bulk of the façade and give the building forms a modulated presentation. The buildings have varied setbacks at all levels, allowing for shadows to fall across different visual planes and accentuate and highlight recesses in</p>

	building form.
<ul style="list-style-type: none"> Minimise buildings on boundaries to create spacing between developments. 	<p>Met</p> <p>There are no building elements on boundaries. Setbacks are at least 1.0 metres along the side boundary to provide spacing between the buildings and the adjoining properties. There is a 'gap' between the first group of dwellings and the second group of dwellings, allowing for some landscaping in the middle of the site.</p>
<ul style="list-style-type: none"> Where appropriate ensure that buildings are stepped down at the rear of sites to provide a transition to the scale of the adjoining residential area. 	<p>Met</p> <p>In response to the preliminary concerns raised within the request for further information, the design was altered from its originally submitted form to provide for a reduced height at the rear of the site. The rear dwellings have a height of approximately 9.3 metres at the southwest corner. The uppermost floor of the rear building is setback between 5 and 7.8 metres from the rear boundary and the building height is acceptable.</p>
<ul style="list-style-type: none"> Where appropriate, ensure that buildings are designed to step with the slope of the land. 	<p>Met</p> <p>As discussed above, the land has a fall from east to west. A retaining wall has been provided offset approximately 1 metre from the east boundary, and the building forms have been set down to accord with the height required for the finished surface level of the central driveway. This is an appropriate response. The built form steps back in from the west and south boundaries at upper floors to ensure the height of the building is not excessive on the lower parts of the land.</p>
<ul style="list-style-type: none"> Avoid reliance on below ground light courts for any habitable rooms. 	<p>Met</p> <p>There is a site cut proposed and retaining walls to the east, but habitable rooms do not rely on below ground light courts. The sitting rooms for dwellings 15 and 16 have some limited access to light, but this is acceptable as these are secondary rooms not intended to be used as bedrooms or main living rooms.</p>
<ul style="list-style-type: none"> Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise 	<p>Not applicable</p>

continuous sheer wall presentation.	
<ul style="list-style-type: none"> Ensure that the upper level of a three 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. 	<p>Considered Met The development proposes 4 storeys to the street (front) and three storeys to the rear. (residential interface).</p> <p>The 4th level of the front building has an area of approximately 300 square metres, whilst the floor below has an area of approximately 464 square metres. The upper floor is approximately 64% of the floor below.</p> <p>To the rear the 3rd (uppermost) level of the building has an area of approximately 372 square metres, whilst the floor below has an area of approximately 450 square metres. The upper floor is approximately 82% of the floor below. Whilst this slightly exceeds the desired 75%, it is considered the design and arrangement of the built form is acceptable to achieve the outcome sought by the control as the building form is highly articulated and modulated with deep recesses present to the east and west facades, and to the southeast and southwest corners of the building.</p>
<ul style="list-style-type: none"> Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos. 	<p>Met There are no porticos proposed. The overall design of the building is modulated with single height building forms present to each level.</p>
<ul style="list-style-type: none"> 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. 	<p>Met As discussed above, there is a site cut near the east boundary and the building forms have been set down in line with the site cut.</p>
<ul style="list-style-type: none"> Be designed to minimise overlooking and avoid the excessive application of screen devices. 	<p>Met Screens are provided where upper level balconies may allow direct views into the habitable room windows or secluded private open spaces of the adjoining properties. There is no excessive application of screen devices. Overlooking impacts will be further discussed in the assessment against Standard B22 at Clause 55.04-6 of the Scheme.</p>
<ul style="list-style-type: none"> Ensure design solutions respect the 	<p>Considered Met subject to condition</p>

<p>principle of equitable access at the main entry of any building for people of all mobilities.</p>	<p>The main entries of dwellings can generally be navigated by people of all mobilities. Whilst there are six steps to the eastern pedestrian pathway, the western pedestrian path and the central vehicle accessway are shown as at grade. The use of 6 steps to the eastern path, whilst not ideal is considered acceptable, subject to the security gate and any intercom system being located north of the steps to ensure that people of limited mobility can access the intercom and alert residents to their presence (Condition 1.1).</p>
<ul style="list-style-type: none"> • Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties. 	<p>Not applicable The car parking is at ground level.</p>
<ul style="list-style-type: none"> • Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site. 	<p>Met subject to condition The garages and visitor spaces will not be visually obtrusive when viewed from Manningham Road. The entry to the central driveway is framed by the building form around and above and is appropriate in this streetscape.</p> <p>It is considered that a partly transparent mesh type security grille at the entrance to the covered driveway will further improve the streetscape presentation of the building as it provides screening to the driveway. This will be required by a permit condition (Condition 1.2).</p>
<ul style="list-style-type: none"> • Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking. 	<p>Met All car parking spaces are located behind the line of the front wall of the buildings and are all incorporated into the building forms.</p>
<ul style="list-style-type: none"> • 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 to enable effective landscaping to be established. 	<p>Met The garages and visitor parking spaces are all accessed off the central vehicle accessway. There is appropriate provision for landscaping within the front setback in front of dwellings 1 and 2 to soften the built form. Within the site, there is room for landscaping adjacent both areas of visitor parking.</p> <p>The garages of Dwellings 15 and 16 are set back at least 4 metres from the rear</p>

	(southern) boundary.
<ul style="list-style-type: none"> 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. 	<p>Met subject to condition</p> <p>The building is set back sufficiently from the northern, eastern and southern boundaries to allow for canopy trees and effective screen planting. Whilst the setback to the east and west is generally only one metre to the edge of the pedestrian pathways, these 1m wide landscape strips will still allow sufficient room for some narrow shrubs that will grow up above the height of the fence to give some screening effect to the building forms. Additionally, there are relatively large areas in the frontage, in the middle 'gap' and at the rear of the site where canopy trees can be planted. A full landscape plan will be required as a condition of any approval (Condition 8).</p>
<ul style="list-style-type: none"> 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. 	<p>Considered Met subject to condition</p> <p>The roof plan shows that the plant equipment (air conditioning, solar hot water) on the roof to each building is located generally centrally away from the sides of the building and is screened. This will appropriately limit any visual and amenity impacts on the street and adjoining properties. A standard condition requiring the location and screening of plant and equipment be to the satisfaction of the responsible authority will be included to ensure no unauthorised changes or additions are made to the plant and equipment shown (Condition 28).</p>
<p><u>Car Parking and Access</u></p> <ul style="list-style-type: none"> 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. 	<p>Met</p> <p>One 7.0 metre wide crossover is proposed in the centre of the frontage. VicRoads support this and raise no objection to this arrangement.</p>
<ul style="list-style-type: none"> 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 	<p>Not applicable</p> <p>There is no basement.</p>

space or is appropriately screened, as is necessary.	
<ul style="list-style-type: none"> 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. 	<p>Not applicable There are no garages in the street elevation.</p>
<ul style="list-style-type: none"> Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements. 	<p>Met Access gradients to the central driveway have been designed to generally achieve the relevant design standard in Clause 52.06-8.</p>
<p>Landscaping</p> <ul style="list-style-type: none"> On sites where a three storey development is proposed include at least 3 canopy trees within the front setback, which have a spreading crown and are capable of growing to a height of 8.0m or more at maturity. On sites where one or two storey development is proposed include at least 1 canopy tree within the front setback, which has a spreading crown, and is capable of growing to a height of 8.0m or more at maturity. 	<p>Met subject to condition The plans show the site will allow the planting of numerous canopy trees within the north and south setbacks, and within the east and west setbacks at the central 'gap' between the building forms. This will be reinforced by a permit condition for a full landscaping plan to be submitted (Condition 8).</p>
<ul style="list-style-type: none"> Provide opportunities for planting alongside boundaries in areas that assist in breaking up the length of continuous built form and/or soften the appearance of the built form. 	<p>Met subject to condition The plans show the site will allow the planting of numerous canopy trees within the north and south setbacks, and within the east and west setbacks at the central 'gap' between the building forms.</p> <p>Landscaping strips are provided between the footpaths and the western and eastern boundaries to allow for sufficient screen planting that will assist in softening the appearance of the built form.</p> <p>This will be reinforced by a permit condition for a full landscaping plan to be submitted (Condition 8).</p>
<p>Fencing</p> <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> not exceed a maximum height of 1.8m be setback a minimum of 1.0m 	<p>Not applicable No front fence is proposed.</p>

from the front title boundary and a continuous landscaping treatment within the 1.0m setback must be provided.	
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- 6.6 Having regard to the above assessment against the requirements of Schedule 8 to the Design and Development Overlay, it is considered that the proposed design generally respects the preferred neighbourhood character and responds to the features of the site.

Clause 52.06 Car Parking

- 6.7 Clause 52.06 of the Scheme requires resident car parking at a rate of one space for each dwelling with one or two bedrooms and two spaces for each dwelling with three or more bedrooms.
- 6.8 Visitor car parking is required at a rate of one car parking space for every 5 dwellings.
- 6.9 For 6 two bedroom dwellings and 10 dwellings with 3 or more bedrooms, the proposal requires the provision of 26 resident car parking spaces and 3 visitor spaces under the requirements of Clause 52.06.
- 6.10 A total of 26 resident car parking spaces and 4 visitor spaces have been provided. This is an excess of the requirement by one (1) visitor car parking space.
- 6.11 The following table provides an assessment against the design standards at Clause 52.06-8 of the Scheme:

Design Standard	Met / Not Met
1 – Accessways	Met The accessway is supported by Council's Traffic Engineers who confirm that it meets the requirements for vehicle manoeuvrability and the minimum width and height clearance requirements.
2 – Car Parking Spaces	Met Car parking spaces are sufficient in size to meet the standard. Whilst there are some instances where the aisle width is 6.35 metres, Council's Traffic Engineers confirm that spaces are of sufficient size and are accessible. Clearance is provided adjacent to car parking spaces in line with the requirements of the standard.
3 – Gradients	Met The accessway ramp will generally achieve a 1 in 15 gradient, which meets the requirement.
4 – Mechanical Parking	Not applicable No car stacker systems are proposed.
5 – Urban Design	Met The vehicle crossing and accessway will not dominate the

	public domain. The central accessway is surrounded by the built form and has landscaping either side of the entry point.
6 – Safety	Met Access to the covered section of the central accessway will be restricted by a security grille as required by a permit condition (Condition 1.1).
7 – Landscaping	Met Ground level car parking is proposed. Landscaping is provided to either side of the entrance to soften the appearance of the accessway, and adjacent to visitor spaces within the site to screen views of car parking areas.

Clause 52.29 Land Adjacent to a Road Zone (Category 1) or a Public Acquisition Overlay for a Category 1 Road

- 6.12 The proposed development utilises one new 7.0 metre wide crossover to Manningham Road. The plans were reviewed by VicRoads and by Council's traffic engineers. Both VicRoads and Council's traffic engineers are satisfied that the proposed crossover and access/egress to Manningham Road is acceptable and does not pose any undue traffic safety concerns.

Clause 55 (Res Code) – Two or more dwellings on a lot and residential buildings

- 6.13 Clause 55 of the Scheme sets out a range of objectives which must be met. Each objective is supported by standards which should be met. If an alternative design solution to the relevant standard meets the objective, the alternative may be considered.
- 6.14 The following table sets out the level of compliance with the objectives of this clause:

OBJECTIVE	OBJECTIVE MET / NOT MET
<p>55.02-1 – Neighbourhood Character</p> <ul style="list-style-type: none"> • To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. • To ensure that development responds to the features of the site and the surrounding area. 	<p>Met</p> <p>Council, through its policy statements and the adoption of the Design and Development Overlay Schedule 8 (DDO8) over this neighbourhood, has created a planning mechanism that will over time alter the present neighbourhood character. Council's planning preference is for higher density, multi-unit developments, especially on larger lots.</p> <p>The resultant built form will have a more intense and less suburban character. This higher density housing theme therefore represents the "preferred neighbourhood character".</p> <p>Broadly, the development responds well to the preferred neighbourhood character outlined in the DDO8 control and supported by policy at</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
	Clause 21.05-2. It offers a high quality and contemporary architectural response, which incorporates articulation, graduation of the upper levels and visual interest to reduce visual bulk.
<p>55.02-2 – Residential Policy</p> <ul style="list-style-type: none"> To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	<p>Met</p> <p>The application was accompanied by a written statement that has demonstrated how the development is consistent with state and Local policies.</p> <p>The site is located on a main road and in proximity to the Bulleen Plaza Activity Centre. The site has access to public transport along Manningham Road.</p>
<p>55.02-3 – Dwelling Diversity</p> <ul style="list-style-type: none"> To encourage a range of dwelling sizes and types in developments of ten or more dwellings. At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin at ground floor level. 	<p>Considered Met</p> <p>The design provides a mix of two, three and four bedroom dwellings. There is also variety in the overall apartment size, orientation and balconies / open space sizes. Whilst no dwellings have a kitchen, toilet and bathing facilities at ground level, it is recognized that the use of a central accessway and garages either side limits the ability of the design to provide other large amounts of useable floor space at ground floor level. It is considered this is acceptable in this instance.</p>
<p>55.02-4 – Infrastructure</p> <ul style="list-style-type: none"> To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	<p>Met subject to condition</p> <p>The site has access to all services. The applicant will be required to provide an on-site stormwater detention system to alleviate pressure on the drainage system (Condition 11).</p>
<p>55.02-5 – Integration With Street</p> <ul style="list-style-type: none"> To integrate the layout of development with the street. 	<p>Met subject to condition</p> <p>The development is orientated towards Manningham Road and provided with adequate vehicle and pedestrian entries.</p> <p>The entries to dwellings are all located to the east or west of the buildings, however the frontage is sufficiently activated with balconies</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
	and windows with a direct view to the street. A permit condition will require a pergola structure at the front section of each footpath to allow them to be clearly identified from the street (Condition 1.3).
55.03-1 – Street Setback <ul style="list-style-type: none"> To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site. 	Met The façade of the building is setback 6 metres to Manningham Road, which meets the requirements of the Design and Development Overlay, Schedule 8.
55.03-2 – Building Height <ul style="list-style-type: none"> To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	Considered Met The Residential Growth Zone has a maximum building height of 14.5 metres, however the Design and development Overlay (Schedule 8) has a maximum building height of 11 metres. The building has a maximum height of 12.368 metres, which is 1.368 metres higher than the 11 metre maximum height recommended under DDO8. As discussed under the DDO8 assessment for maximum building height, the 1.368 metre encroachment to 12.368 metres in height in the submitted design, is considered acceptable in this instance.
55.03-3 – Site Coverage <ul style="list-style-type: none"> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	Met The proposed site coverage is 59.85%, which is less than 60% recommended by the Clause 55 standard, and less than the 60% set out in the DDO8.
55.03-4 – Permeability <ul style="list-style-type: none"> To reduce the impact of increased stormwater run-off on the drainage system. To facilitate on-site stormwater infiltration. 	Met The proposal has 22% of site area as a pervious surface, which exceeds the required minimum provision of 20%.
55.03-5 – Energy Efficiency <ul style="list-style-type: none"> To achieve and protect energy efficient dwellings. To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	Met subject to condition The design and the likely form of construction will assist in providing an energy-efficient building. In particular, the multi-storey construction will offer consolidated thermal mass with good insulation properties between floors, and between adjacent dwellings. The submitted Sustainability Management Plan (SMP) outlining ESD methods that will be

OBJECTIVE	OBJECTIVE MET / NOT MET
	utilised through construction to achieve a sustainable building appears satisfactory to demonstrate the development will achieve a satisfactory response to energy efficiency. A condition will be included requiring the SMP is revised to ensure it accords with any changes to plans required by Condition 1 of the permit (Condition 4).
<p>55.03-6 – Open Space</p> <ul style="list-style-type: none"> To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	<p>Not Applicable</p> <p>The design includes communal entry points visitor car parking and bin storage, but no communal open space or recreation facilities are provided. The design meets the standard with regard to the communal service areas.</p>
<p>55.03-7 – Safety</p> <ul style="list-style-type: none"> To ensure the layout of development provides for the safety and security of residents and property. 	<p>Met – subject to conditions</p> <p>There are pedestrian paths either side of the building form leading to doors facing either east or west. The pedestrian paths are protected by security gates. These will need to be well lit and defined to enable pedestrians to use them (Condition 1.4).</p> <p>Additionally, the sitting rooms of Dwellings 15 and 16 could be extended to the boundaries to allow for the windows to those rooms to have a direct line of sight along the whole of the pedestrian paths and potentially provide additional surveillance. This will be required via permit condition (Condition 1.5).</p> <p>The central driveway will require lighting and this will also be required by condition. (Condition 1.4).</p>
<p>55.03-8 – Landscaping</p> <ul style="list-style-type: none"> To encourage development that respects the landscape character of the neighbourhood. To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. To provide appropriate landscaping. To encourage the retention of 	<p>Met subject to condition</p> <p>The trees within the site have been assessed in the submitted arboricultural report and cannot practically be retained or integrated into the design response given their location. Whilst this is unfortunate it is not unreasonable given the zoning of the land and fact that no tree controls apply to the site and therefore the trees can be removed without a planning permit at any time.</p> <p>The provision of landscaping has been considered under the DDO8 controls. A full landscaping plan will be required by a permit condition prior to the start of the development</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
mature vegetation on the site.	<p>(Condition 8). Canopy trees will be required within the rear setback, the 'gaps' between the building forms and within the street frontage.</p> <p>The development is not expected to have any impact on vegetation near the application site due to the proposed setbacks of the building at ground level</p>
<p>55.03-9 – Access</p> <ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>Met</p> <p>Vehicle access to the development is acceptable and is supported by Council's Traffic Engineering Unit and VicRoads. The vehicle crossover is an appropriate design response.</p>
<p>55.03-10 – Parking Location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. To avoid parking and traffic difficulties in the development and the neighbourhood. To protect residents from vehicular noise within developments. 	<p>Met subject to condition</p> <p>All dwellings have secure garages. Visitor parking is appropriately located, however signage should be provided within the site to ensure visitors can easily locate the spaces. (Condition 1.6)</p>
<p>55.04-1 – Side And Rear Setbacks</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Met</p> <p>Submitted plans show an accurate cross-section and 'B17 profile line' demonstrating the setbacks of the building and compliance with the B17 setback requirements to the eastern, western and southern boundaries.</p>
<p>55.04-2 – Walls On Boundaries</p> <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Met subject to condition</p> <p>No walls on boundaries are proposed, however as discussed above, conditions will require the walls of dwellings 15 and 16 to be extended to the boundaries to provide for better surveillance of pedestrian paths. These walls will be new elements to the neighbouring properties to the east and west. This is considered reasonable, as the length of walls will be limited to one room (approx. 3.5m) each, and the location of the walls should not unduly impact on neighbours amenity.</p> <p>To the west, the dwelling at 5/48-50 Manningham Road has a relatively large rear yard of approximately 15 metres depth, and the</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
	<p>wall will be located approximately 9 metres south of the rear of the garage to that dwelling.</p> <p>To the east at 56 Manningham Road, there is a large rear yard of approximately 21 metres depth behind the dwelling, and the wall will be locate toward the rear of the yard, and views to it will be obscured from the main dwelling by the garage on that lot. The walls on boundaries should easily comply with the standard, but to ensure this is the case, the conditions will require that the height of the walls be limited to 3.2 metre maximum height to meet the standard (Condition 1.5).</p>
<p>55.04-3 – Daylight To Existing Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	<p>Met</p> <p>The proposed design complies with the standard and allows for adequate daylight to existing windows.</p>
<p>55.04-4 – North Facing Windows</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Not Applicable</p> <p>The existing north facing habitable room windows within the neighbouring properties will all receive daylight to meet the standard.</p>
<p>55.04-5 – Overshadowing Open Space</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Met</p> <p>Shadow diagrams demonstrate that shadows cast by the building will cover a portion of the secluded private open spaces within the adjoining properties. These shadows will not exceed the requirements prescribed under the standard.</p>
<p>55.04-6 – Overlooking</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Met subject to condition</p> <p>Overlooking (limiting views within a 9 metre radius from habitable rooms, secluded private open space areas and balconies) has been generally addressed in the design of the development.</p> <p>It is noted that windows to ensuites and bathrooms are not specifically denoted as obscured or frosted on the plans, but this will be required by conditions (Condition 1.7).</p> <p>The screening devices shown are denoted as japaned screening adjustable slats as per the BESS report. It is possible to have adjustable slats to screening devices and still meet the standard, however compliance with the</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
	<p>standard should be achieved at all times and clearly denoted on the plans. A condition will be included requiring that any adjustable screening must at all times meet the requirements of standard B22 to be no more than 25% transparent to 1.7 metres above floor level (Condition 1.8).</p> <p><u>East front building. (Dwellings 1, 3, 5, 7)</u> At the uppermost floor, the east facing windows are all screened to a height of 1.7m above floor level, except that bedrooms 4 of Dwellings 3, 5 and 7 are shown with full height windows. These windows are all more than 9 metres from the neighbours windows, and look across the neighbours driveway. There is no need to screen these windows.</p> <p>At lower levels, windows are screened except that the balcony to Dwelling 5 has a balustrade of less than 1.7m in height, and is less than 9m from the boundary. Although this balcony has an outlook to the neighbour's driveway, there are possible views further into the rear open space, and it is considered reasonable to have the edge of the balcony screened to 1.7 m above floor level (Condition 1.9).</p> <p><u>East rear building. (Dwellings 9, 11, 13,15)</u> All windows are screened or obscured to comply with the standard.</p> <p><u>West front building. (Dwellings 2, 4, 6, 8)</u> At the uppermost floor, the west facing windows are all screened to a height of 1.7m above floor level, except that bedrooms 4 of Dwellings 4, 6 and 8 are shown with full height windows. These windows are all more than 9 metres from the neighbours' windows, and look across the common property driveway to the west. There is no need to screen these windows. At lower levels, windows are screened except that the balcony to Dwelling 6 has a balustrade of less than 1.7m in height, and is less than 9m from the boundary. This balcony has an outlook to the common property driveway to the west and there is no need to further screen this balcony.</p> <p><u>West rear building. (Dwellings 10, 12, 14, 16)</u> All windows are screened or obscured to</p>

OBJECTIVE	OBJECTIVE MET / NOT MET
	<p>comply with the standard.</p> <p><u>South. (Dwellings 15 and 16)</u> All windows are screened or obscured to comply with the standard</p>
<p>55.04-7 – Internal Views</p> <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	<p>Met</p> <p>Fences and screens are provided between balconies and terraces to limit direct views.</p>
<p>55.04-8 – Noise Impacts</p> <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise. 	<p>Met</p> <p>Air-conditioning units and solar hot water units have been shown on the roof plan, located centrally and shown as being screened.</p> <p>No details (relating to noise levels of these devices) have been submitted with the application, however ordinarily all residential noise for a development of this type would be subject to standard EPA requirements controlled through local laws.</p> <p>Overall, it is considered that there are no external noise sources that may unreasonably impact unreasonably on existing or future residents.</p>
<p>55.05-1 – Accessibility</p> <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	<p>Met subject to condition</p> <p>The pedestrian entrance to the west is ramped and accessible to people of limited mobility. The central vehicle accessway is ramped and accessible to people of limited mobility.</p> <p>There are six steps provided to the eastern pedestrian path. This limits access to the eastern dwellings. The path could be ramped but it is not likely to achieve a 1 in 14 gradient prior to the door to Dwelling 1. As a compromise, the intercom and security could be moved northward so that they are north of the steps. Whilst this does not allow access to the dwellings, it allows people of limited mobility to use the intercom to alert residents of those dwellings to their presence at the site frontage. A condition will require this (Condition 1.1).</p>
<p>55.05-2 – Dwelling Entry</p> <ul style="list-style-type: none"> To provide each dwelling or 	<p>Met</p> <p>Each dwelling entry is marked and legible along</p>

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residential building with its own sense of identity.	each pedestrian pathway.
55.05-3 – Daylight To New Windows <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	Met While ground level windows may have a slightly reduced level of daylight afforded to them as a result of boundary fencing, screen planting and canopy trees, all dwellings will have a reasonable level of daylight overall.
55.05-4 – Private Open Space <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	Met Schedule 2 to the RGZ does not prescribe a minimum private open space area size. Each dwelling will be provided with an area of private open space through terraces/balconies, and each dwelling has a terrace/balcony with an area of at least 8 square metres and a minimum dimension of 1.6 metres to meet the standard.
55.05-5 – Solar Access To Open Space <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	Considered Met Dwellings 3, 5, 11 and 13, all have east-facing balconies that receive limited sunlight. Dwellings 4, 6, 12 and 14, all have east-facing balconies that receive limited sunlight. Whilst it is not ideal, in this case, there is limited scope for any design adjustments that would achieve greater sunlight penetration to the balconies. As described above, the building achieves some energy efficiencies through thermal mass of shared walls and balconies should retain some warmth during cooler months and will be well shaded during hotter months. This is considered to be an acceptable design response given the orientation of the lot.
55.05-6 – Storage <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	Met Plans show storage under stairs within each dwelling of 6 cubic metres at a minimum as per the standard.
55.06-1 – Design Detail <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. 	Met The proposed architectural design is of a suitable standard that provides an appropriate level of design detailing and visual interest to the street and to neighbouring properties. The design includes varied colours and materials whilst providing a coherent style or theme. The building forms are reasonably articulated and modulated and include deep recesses that allow

OBJECTIVE	OBJECTIVE MET / NOT MET
	for different depth and shadow perceptions across the buildings.
55.06-2 – Front Fence <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	Not applicable No front fence is proposed.
55.06-3 – Common Property <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. To avoid future management difficulties in areas of common ownership. 	Met Assuming the dwellings are sold individually, communal areas such as the central driveway, visitor car parks, bin storage areas and the perimeter gardens will be maintained by an Owners' Corporation. There are no perceived difficulties associated with future management of these areas.
55.06-4 – Site Services <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	Met subject to condition Mailboxes are located within structures adjacent to each pedestrian pathway, which also house services. These are considered acceptable. The plans show clotheslines on balconies. Permit conditions will require retractable clotheslines to be installed within all balconies and terraces and require that they are not visible from the street or adjoining properties (Conditions 1.10, 30). Bin storage in the car park area is easily accessible by all residents and not visible from the public domain. The submitted Waste Management Plan (WMP) confirms that all waste collection will be made by a private collector and is supported by Council's traffic engineering unit (waste services).

General Matters

- 6.15 In addition to the assessment above, the following general matters have been considered.

Waste Management

- 6.16 *Council's Waste Management Unit advises that a private collection will be required with collection to occur on-site.*
- 6.17 *The submitted Waste Management Plan prepared by The Urban Leaf recommends a private waste collection and demonstrates that a sufficient number of bins can be provided on site. The plan details that a 6.4 metre long 2.08 metre high wastewise mini mover collection vehicle can be utilised to collect waste. The development plans show that a 6.4 metre long vehicle*

can turn around within the site. The development plans show a 2.4m floor to ceiling height for the driveway, and this will accommodate the proposed vehicle.

Sustainability

- 6.18 *The submitted Sustainability Management plan includes information detailing that the dwellings will generally achieve a 6 star energy rating or above.*
- 6.19 *The documentation also includes a STORM assessment (Stormwater Treatment Objective- Relative Measure) assessment. STORM is a stormwater treatment assessment tool developed by Melbourne Water to determine the stormwater treatment impacts and requirements of developments.*
- 6.20 *The STORM report indicates the development achieved an acceptable stormwater score to meet the requirements of the tool.*

Use of voids

- 6.21 *Each building has a central void that serves to provide light and air to a number of dwelling rooms that would otherwise not have an external outlook from the dwelling. In the front building, the voids serve Dwellings 3, 4, 5 and 6. The kitchens of these dwellings look to the void. Kitchens are denoted as having obscure glass with restricted openable windows. The submitted sustainability documentation also denotes that kitchens will have exhaust fans. Whilst this is not ideal, it is allowable under the planning scheme and building regulations.*
- 6.22 *Living rooms also have secondary windows facing these spaces, and these windows are denoted as obscure glass restricted openable windows. This is acceptable as these are secondary windows and there are other main windows to living rooms. Each of these dwellings also has two bedrooms and a retreat area with windows facing these voids. Once again windows are denoted as obscure glass, restricted openable windows.*
- 6.23 *In all cases, only the retreat and one bedroom per dwelling relies on these windows facing the void as their main or only window, and this is considered acceptable, as the other bedroom in each case has an additional external facing window.*
- 6.24 *As mentioned above, whilst not best practice, the location of windows facing the voids technically meets the planning scheme requirements. Consideration has been given to making the windows non-openable to limit potential noise and odours. However, on balance, it was considered better to leave the windows as restricted opening, as this gives future residents options, and if they choose to leave windows closed they may avoid those potential noise and odour issues. It is also noted the submitted sustainability documentation denotes double glazed windows, and this will assist with noise attenuation and on-site amenity.*
- 6.25 *The design is similar in the rear building with the voids serving Dwellings 11, 12, 13 and 14, however there are no living room or retreat windows facing the voids. The kitchen treatments are identical to the front building, and are acceptable. At upper floor, second bedrooms are similar to the front building, however they have the additional benefit of not having an upper floor above and will receive more light and air. These rooms are considered acceptable.*

7 REFERRALS

External referrals

- 7.1 VicRoads are a statutory referral authority given it is proposed to remove an existing access point to Manningham Road. (A road identified as a Road Zone Category 1).
- 7.2 VicRoads have advised that they have no objection and do not require any conditions on any permit issued.

Internal referrals

- 7.3 The application was referred to a number of Service Units. The following table summarises their responses:

Service Unit	Comments
Engineering & Technical Services Unit (Drainage)	<ul style="list-style-type: none"> Point of discharge (drainage) is available for the site. Provide an on-site stormwater detention system. All areas are to be drained to the point of discharge.
Engineering & Technical Services Unit (Traffic)	<ul style="list-style-type: none"> Adequate sight lines are available from internal driveway. The gradient of vehicle access accords with Design Standard 3 in Cl.52.06. There is at least 2.1m headroom beneath overhead obstructions. Garage / carport / parking space dimensions are appropriate having considered Design Standard 2 in Cl.52.06. There are no traffic issues having considered the proposal in the context of the traffic and the surrounding street network. New vehicle crossing is proposed for the development. This is adequately located and is to be constructed subject to standard conditions and a footnote requiring a "Vehicle Crossing Permit". Vic Roads Consent must be obtained.
Engineering & Technical Services Unit (Waste Management)	<ul style="list-style-type: none"> A private waste contractor to undertake waste collection from within the property boundary. The Waste Management Plan must detail how the collection contractors will enter and exit the site, access each bin, as well as include plans showing sufficient turning facilities, swept path diagrams, turning circles and relevant height clearances. It should be noted that drawing No. MEL/MAN1 sheet No. A1-001 shows a turning diagram of a vehicle accessing the ground floor, but does not detail the size and type of vehicle the turning diagram relates too. The developer is required to demonstrate that a private waste collection vehicle can collect waste from within the development, have the ability to perform a 3 point turn within the site as well as enter/exit in a forward direction.

- 7.4 Recommendations will be addressed via permit conditions and footnotes where appropriate, on any permit issued (**Conditions 11-14, 16**).
- 7.5 The following is provided in response to recommendations that will not be reflected via permit conditions and footnotes, or where further clarification is required:

- 7.5.1 The submitted waste management plan details a “waste-wise mini mover” vehicle which has a length of 6.4m and a height of 2.08m. It is not considered necessary to require an altered waste management plan, as the development plans demonstrate that this vehicle can be accommodated to pick up refuse on site. As such, the submitted Waste Management Plan will be endorsed and form part of this planning permit.

8 NOTIFICATION

- 8.1 The application was advertised and 3 objections were received in total.
- 8.2 The application was advertised on 2 September 2016 as “Construction of 16 three storey dwellings and alteration of access to a road in a road zone category 1”. One objection was received from:

Address
31 Summit Drive, Bulleen

- 8.3 Due to an error in the description, the application was re-advertised on 18 October 2016 as “Construction of 16 three storey and four storey dwellings and alteration of access to a road in a road zone category 1”
- 8.4 The initial objector lodged an additional objection and 2 new objections were received from:

Address
56 Manningham Road, Bulleen
32 Hotham Street, Williamstown, owner of 2/50 Manningham Road, Bulleen.

Grounds: (Officer assessment below)

- 8.5 Increase in cars on an already dangerous road. There have been accidents in this location previously.**

The application was referred to Council's Traffic engineers and VicRoads. Neither Council's Engineers nor VicRoads have any objection on traffic safety grounds. The proposal will likely generate an additional 64 to 128 vehicle movements per day, which is easily able to be accommodated on this main road.

- 8.6 Additional rubbish bins on or near the road will create dangerous situation when rubbish trucks need to stop.**

The submitted Waste management Plan confirms that a private waste collection will be required with collection to occur from within the site. This Waste Management Plan will be endorsed and will form part of the permit.

- 8.7 Loss of light to neighbours garden and subsequent loss of quality of life.**

The proposal has been assessed against the Clause 55 standards with regard to overshadowing and effect on sunlight penetration to neighbouring properties and is compliant with the Clause 55 requirements, as discussed in the assessment against Clause 55.04-5.

- 8.8 Loss of privacy from windows overlooking neighbours property.**

Overlooking has been appropriately addressed by the use of screening devices, obscure glazing and placement of windows. The development has been assessed against Clause 55 standards with regard to overlooking and is compliant with the Clause 55 requirements. As such any overlooking is limited and in accordance with the Scheme.

8.9 Additional noise.

The proposal is for a residential development in a residential zone. No abnormal noise is expected. The proposed plant and equipment will be generally located centrally.

8.10 Overshadowing.

The proposal has been assessed against the Clause 55 standards with regard to overshadowing and effect on sunlight penetration to neighbouring properties and is compliant with the Clause 55 requirements. As such overshadowing is within the levels accepted under the Scheme.

8.11 Unacceptable density and overdevelopment.

The subject site is in an area designated for residential growth. The site is located within the Residential Growth Zone, the purposes of which include: *"To provide housing at increased densities in buildings up to and including four storey buildings"*. There is no prescribed residential density and there are other sites in the area that have been successfully developed with more dwellings on smaller areas of land. The proposal complies with the planning scheme requirements with regard to building site coverage and hard surface coverage and on-site and off-site amenity and is not considered an overdevelopment.

8.12 Visual impact of development is out of character with the area.

The proposal is considered to be a well designed response that incorporates well articulated and modulated building forms with design detailing that provides visual interest. The proposed development meets the preferred character for the area as the policy framework encourages well designed contemporary building forms that provide for an increase in residential density.

8.13 Building design bulk and materials are offensive to the neighbourhood.

The buildings do not present as 'bulky' as they have utilized varied setbacks, modulated forms, deep recesses, recessed and reduced upper floors and design detailing that de-emphasizes any potential mass or building bulk. The buildings utilize a mix of materials and colours similar to other newer developments within the area and are not out of place.

8.14 Development is out of scale and character with neighbourhood.

The scale and height of the buildings is considered acceptable in the context of this main road environment and Council's preferred policy. As described in the assessment section of this report, the minor extension of 1.368 metre over the 11 metre height recommended in the Design and development Overlay (Schedule 8) is justified in this instance due to the slope of the land, the nature of the design of the buildings, the setbacks of upper floors and the articulated and modulated nature of the design.

8.15 Loss of views.

Whilst it is recognised that views may form part of residential amenity, there is no specific controls within the Manningham Planning Scheme that protects residents' rights to a view. It is not considered that the extent of views lost or the significance of the view would warrant refusal or modification of the application.

8.16 The development is over the crest of a downhill and sweeping bend and will not be safe to traffic.

The application was referred to VicRoads and council's traffic engineers. Both support the proposal and neither have raised any concerns with regard to traffic safety.

9 CONCLUSION

- 9.1 It is considered appropriate to support the application.
- 9.2 The proposed development, subject to some minor changes that will be required by way of permit conditions, is considered appropriate for the zone and the DDO8 provisions. The design is consistent with the preferred neighbourhood character, achieves a good level of internal amenity for future residents and will have a reasonable impact on the amenity of adjoining properties subject to minor changes to the southern interface that will be required by way of permit conditions.
- 9.3 The construction of a well designed and visually interesting development is consistent with the vision of the Scheme, in particular Clause 21.05 Residential, Schedule 8 to the Design and Development Overlay (DDO8) and Clause 55 (Res Code). It will allow an increase in housing density and diversity in a location that has good access to services.
- 9.4 The relevant referral authorities have been notified of this application for Planning Permit, and the conditions as required by the referral authority, and agreed to by Manningham City Council, have been included on the Notice of Decision to Grant a Planning Permit.

RECOMMENDATION

That having considered all objections A NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application No.PL16/026081 for the construction of sixteen three-storey and four-storey dwellings and alteration of access to a road in a Road Zone, Category 1 at 52-54 Manningham Road Bulleen, in accordance with the endorsed plan and subject to the following conditions-

1. **Before the development starts, two (2) copies of amended plans, drawn to a scale of 1:100 and dimensioned must be submitted to the satisfaction of the Responsible Authority. When approved by the Responsible Authority, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the decision plans (prepared by Premier Projects dated 3 August 2016), but modified to show the following:**
 - 1.1. **The security gate and intercom system on the eastern pathway located north of the steps on that pathway.**
 - 1.2. **A partly transparent security grille at the entrance of the covered section of the driveway.**

- 1.3. An open sided pergola at the front section of each pedestrian pathway to allow these paths to be clearly identified from the street;
- 1.4. Details of lighting to the shared driveway, visitor parking spaces and to the shared pedestrian paths to the satisfaction of the responsible authority.
- 1.5. The living rooms of Dwellings 15 and 16 extended to the side boundary to allow for windows to view northward along the respective pedestrian paths. The height of the walls on boundaries must be a maximum of no more than 3.2 metres to comply with standard B18 of Clause 55.04-2 of the Manningham Planning Scheme.
- 1.6. Plan notations that signage will be provided to identify the location of visitor parking.
- 1.7. Upper level west, east or south-facing bathroom and ensuite windows obscure glazed at least up to 1.7 metres above the finished floor level.
- 1.8. Plan notations to confirm that all adjustable japaned screen devices will be limited in adjustability so that they are no more than 25% transparent to 1.7m above the finished floor level to comply with standard B22.
- 1.9. The eastern edge of the balcony to Dwelling 5 screened to a height of 1.7 metres above finished floor level with such screening to be fixed screening with no more than 25% transparency.
- 1.10. Details of balustrade treatments and clotheslines to comply with Condition 30 of this permit.

Endorsed Plans

2. The layout of the site and the size of buildings and works shown on the approved plans must not be modified for any reason, without the prior written consent of the Responsible Authority.

Construction Management Plan

3. Before the development starts, two copies of a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved, the plan will form part of the permit. The plan must address, but not be limited to, the following:
 - 3.1. A liaison officer for contact by residents and the responsible authority in the event of relevant queries or problems experienced;
 - 3.2. Hours of construction;
 - 3.3. Delivery and unloading points and expected frequency;
 - 3.4. On-site facilities for vehicle washing;
 - 3.5. Parking facilities/locations for construction workers;
 - 3.6. Other measures to minimise the impact of construction vehicles arriving at and departing from the land;
 - 3.7. Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;

- 3.8. The measures for prevention of the unintended movement of building waste and other hazardous materials and pollutants on or off the site, whether by air, water or other means;
- 3.9. An outline of requests to occupy public footpaths or roads, and anticipated disruptions to local services;
- 3.10. The measures to minimise the amount of waste construction materials;
- 3.11. The measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;
- 3.12. Details for footpath re-construction (including cross-sections and longitudinal section) and any works to Council assets and on Council land; and
- 3.13. Adequate environmental awareness training for all on-site contractors and sub-contractors.

Sustainability Management Plan

4. Before the development starts or the issue of a building permit for the development, whichever is the sooner, two copies of a Sustainability Management Plan (SMP), must be submitted to and approved by the Responsible Authority. When approved the plan will form part of the permit. The plan must be generally in accordance with the Sustainability Management Plan (BESS report) prepared by the Urban Leaf (Revision A, dated 13 July 2016), but amended to address any changes as required Condition 1 of this permit. The recommendations of the plan must be incorporated into the design and layout of the development and must be implemented to the satisfaction of the Responsible Authority before the occupation of any dwelling.

Waste Management Plan

5. Before the development starts or the issue of a building permit for the development, whichever is the sooner, two copies of a Waste Management Plan (WMP), must be submitted to and approved by the Responsible Authority. When approved the plan will form part of the permit. The plan must be generally in accordance with the Waste Management Plan prepared by The Urban Leaf (Revision A, dated 14 July 2016). Waste Management on the subject land must be carried out in accordance with this plan.

Management Plans Compliance

6. The Management Plans approved under this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.
7. Prior to the occupation of each building, written confirmation from the author of the approved Sustainability Management Plan, or a similarly qualified person or company, must be submitted to the Responsible Authority. The report must confirm that the sustainable design features/initiatives specified in the Sustainability Management Plan have been satisfactorily implemented in accordance with the approved plans.

Landscaping

- 8. Before the development starts, a landscaping plan must be prepared by a landscape architect showing species, locations, approximate height and spread of proposed planting, and must be submitted to the Responsible Authority for approval. The plan must be generally in accordance with the concept landscaping plan prepared by Hansen Partnership (dated 7 September 2015), including the balcony planter box design and specifications, but amended to show:
 - 8.1. A minimum of two (2) canopy trees within the front setback of Dwelling 1, a minimum of two (2) canopy within the front setback of Dwelling 2, a minimum of two (2) canopy within the west setback adjacent the bin storage area, a minimum of two (2) canopy within the east setback adjacent the visitor parking area, a minimum of five (5) canopy trees within the southern setback. All canopy trees are to be a minimum height of 1.5 metres at the time of planting and capable of growing to a height of 8m at maturity.**
 - 8.2. Screen planting along the eastern and western boundary to be a minimum height of 1.5 metres at the time of planting.**
 - 8.3. Terrace and surface treatments areas that correspond to the development plans.**
 - 8.4. Details of site and soil preparation, mulching and maintenance.**
 - 8.5. Details of an automatic watering system built into the development for the vertical garden / green wall, to be managed by the owners corporation.****
- 9. Before the release of the approved plan under Condition 1, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.**
- 10. Landscaping must be carried out in accordance with the endorsed Landscape Plan and maintained to the satisfaction of the Responsible Authority.**

Drainage

- 11. The owner must provide on site stormwater detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:
 - 11.1. Be designed for a 1 in 5 year storm; and**
 - 11.2. Storage must be designed for 1 in 10 year storm.****
- 12. Before the development starts, a construction plan for the system required by Condition No. 17 of this permit must be submitted to and approved by the Responsible Authority. The system must be maintained**

by the Owner thereafter in accordance with the approved construction plan to the satisfaction of the Responsible Authority.

13. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor.
14. The whole of the subject land, including landscaped and paved areas, must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.
15. No works are to take place within any easement and all excavation work must be managed and supervised, so as to ensure that the area within any easement is not adversely impacted upon, to the satisfaction of the Responsible Authority.

Access and Car Parking

16. Before the occupation of the approved dwellings, the vehicular crossing must be constructed in accordance with the approved plans to the satisfaction of the Responsible Authority.
17. Before the occupation of the approved dwellings, redundant vehicle crossovers must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.
18. Before the occupation of the approved dwellings, all visitor parking spaces must be line-marked, numbered and signposted to provide allocation to visitors to the satisfaction of the Responsible Authority.
19. Visitor parking spaces must be provided and visitor parking spaces must not be used for any other purpose to the satisfaction of the Responsible Authority.
20. The costs of all of road infrastructure reinstatements and rectification works associated with utility service provision and building works must be borne by the developer.
21. Any damaged road(s) and footpath(s) adjacent to the development site as a result of the development must be reinstated to the satisfaction of the Responsible Authority. All costs associated with these works must be borne by the permit holder.
22. A mesh-type security grille must be installed at the entry to the driveway, along with an intercom and an automatic opening system connected to each dwelling, so as to facilitate convenient access to the basement car park by visitors, to the satisfaction of the Responsible Authority.

Completion

23. Before the occupation of the approved dwellings, landscaped areas must be fully planted and mulched or grassed generally in accordance with the approved plan and to the satisfaction of the Responsible Authority.
24. Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film

fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.

Fencing

- 25. In the event of damage to an existing boundary fence (as a result of construction activity), the owner of the development site must at their cost, promptly repair or replace the affected fencing to the satisfaction of the Responsible Authority.**
- 26. Before the occupation of the approved dwellings, all fencing must be in a good condition to the satisfaction of the Responsible Authority.**

Site Services

- 27. All upper level service pipes (excluding stormwater downpipes) must be concealed and screened respectively to the satisfaction of the Responsible Authority.**
- 28. All plant and equipment that is not installed within the buildings must otherwise be installed in the area of plant and equipment on the roof of the building, unless otherwise agreed in writing with the Responsible Authority.**
- 29. No air-conditioning units are to be installed on any balcony or façade so that they are visible from outside the site to the satisfaction of the Responsible Authority.**
- 30. The dwellings must have clothes lines or drying rack systems installed on balcony areas. Any clothes-drying rack or line system located on a balcony must be lower than the balustrade of the balcony and must not be visible from off the street to the satisfaction of the Responsible Authority.**
- 31. No individual dish antennas may be installed on balconies, terraces or walls to the satisfaction of the Responsible Authority.**
- 32. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.**
- 33. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.**
- 34. Any security door/grille to the basement opening must maintain sufficient clearance when fully open to enable the convenient passage of rubbish collection vehicles which are required to enter the basement and such clearance must also be maintained in respect of sub-floor service installations throughout areas in which the rubbish truck is required to travel to the satisfaction of the Responsible Authority.**
- 35. If allowed by the relevant fire authority, external fire services must be enclosed in a neatly constructed, durable cabinet finished to complement the overall development, or in the event that enclosure is not allowed, associated installations must be located, finished and landscaped to minimise visual impacts from the public footpath in front of the site to the satisfaction of the Responsible Authority.**

Lighting

36. Communal lighting must be connected to reticulated mains electricity and be operated by a time switch, movement sensors or a daylight sensor to the satisfaction of the Responsible Authority.
37. Prior to the occupation of the dwellings, lighting capable of illuminating access to each car parking space, store, rubbish bin, recycling bin, pedestrian walkways, stairwells, lift, dwelling entrances and entry foyer must be provided. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.

Noise

38. All noise emanating from any mechanical plant must comply with the relevant State noise control legislation and in particular, any basement exhaust duct/unit must be positioned, so as to minimise noise impacts on residents of the subject building and adjacent properties to the satisfaction of the Responsible Authority.

Brickwork / Retaining walls

39. All brickwork on or immediately adjacent to the boundaries of the site which is visible from the adjoining property must be cleaned and finished to the satisfaction of the Responsible Authority.
40. All retaining walls must be constructed and finished in a professional manner to ensure a neat presentation and longevity to the satisfaction of the Responsible Authority

Expiry

41. This permit will expire if one of the following circumstances apply:
 - 41.1. The development is not started within two (2) years of the date of the issue of this permit; and
 - 41.2. The development is not completed within four (4) years of the date of this permit.

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

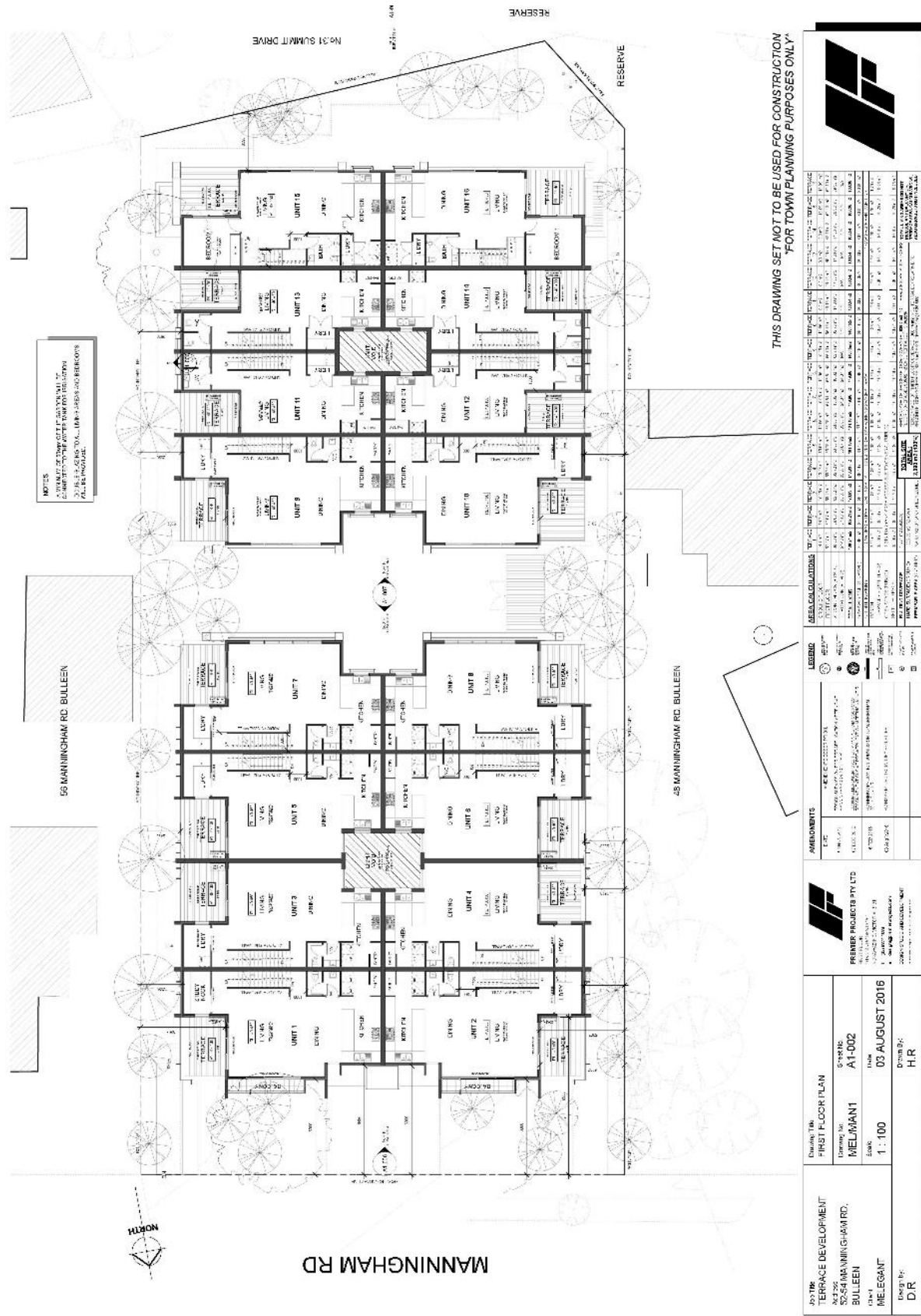
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SECONDED: GALBALLY

That the Recommendation be adopted.

CARRIED

“Refer Attachments”

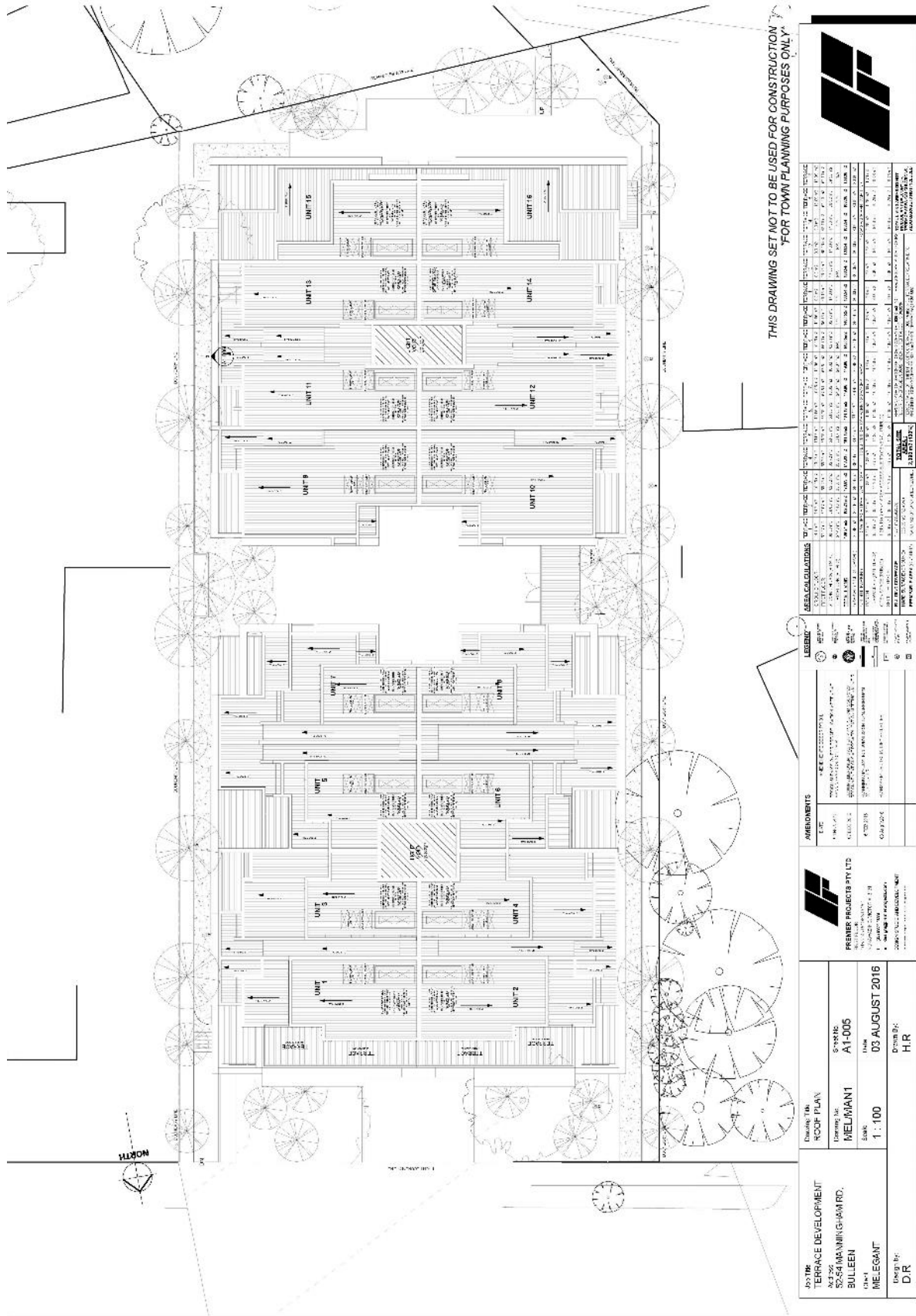
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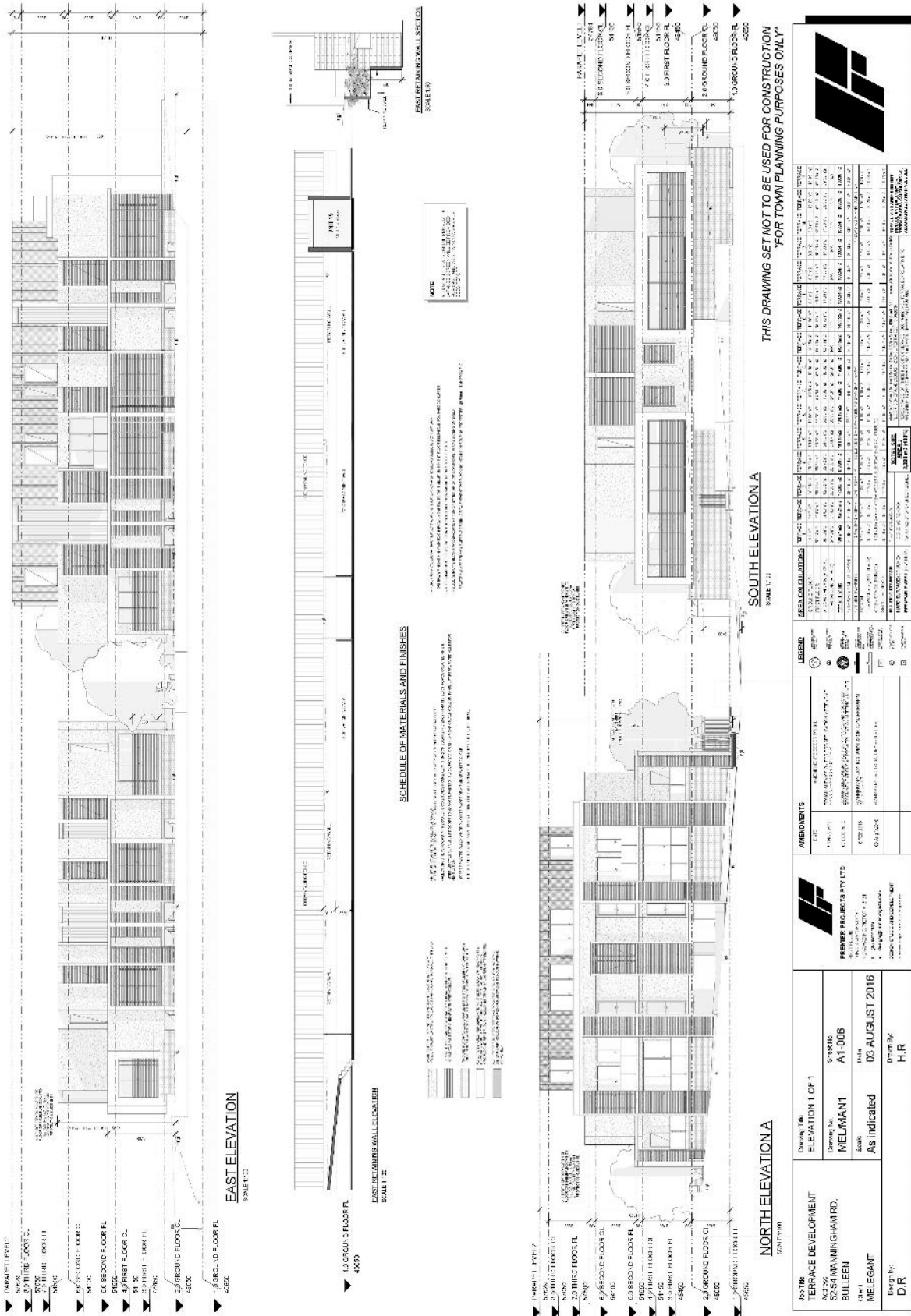


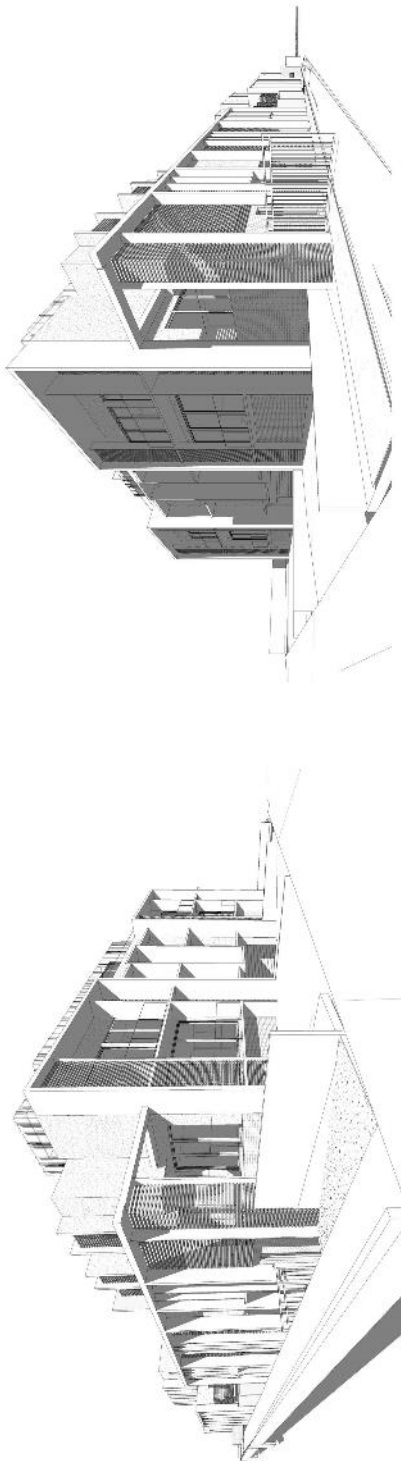
NOTES
 1. REFER TO THE ARCHITECT'S SPECIFICATIONS FOR THE
 2. THIS SET OF DRAWINGS IS FOR THE TOWN PLANNING
 3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE
 4. ALL FINISHES ARE TO BE AS SHOWN.

THIS DRAWING SET NOT TO BE USED FOR CONSTRUCTION
 FOR TOWN PLANNING PURPOSES ONLY

PROJECT INFORMATION PROJECT NO: 1501/1502/1503/1504/1505/1506/1507/1508/1509/1510/1511/1512/1513/1514/1515 PROJECT NAME: TERRACE DEVELOPMENT PROJECT ADDRESS: 52-54 MANNINGHAM RD, BULLEN, MELB 3101 PROJECT DATE: 03 AUGUST 2016 DRAWN BY: D.R. CHECKED BY: H.R.	CLIENT PREMIER PROJECTS PTY LTD 1501/1502/1503/1504/1505/1506/1507/1508/1509/1510/1511/1512/1513/1514/1515 52-54 MANNINGHAM RD, BULLEN, MELB 3101 CONTACT: 03 9594 1111 WWW.PREMIERPROJECTS.COM.AU	LEGEND DIMENSION LINES WALLS DOORS WINDOWS STAIRS ELEVATIONS FINISHES FURNITURE PLANTING LIGHTING SIGNAGE OTHER	AREA CALCULATIONS TOTAL GROSS FLOOR AREA: 15,000.00 SQM TOTAL NET FLOOR AREA: 12,000.00 SQM TOTAL BALCONY AREA: 1,000.00 SQM TOTAL COMMON AREA: 500.00 SQM TOTAL SITE AREA: 20,000.00 SQM TOTAL COVERED AREA: 18,500.00 SQM TOTAL UNCOVERED AREA: 1,500.00 SQM TOTAL PERMEABLE AREA: 1,500.00 SQM TOTAL IMPERMEABLE AREA: 17,000.00 SQM TOTAL CURB CUT AREA: 1,000.00 SQM TOTAL ROADWAY AREA: 1,000.00 SQM TOTAL PARKING AREA: 1,000.00 SQM TOTAL GREEN SPACE: 1,500.00 SQM TOTAL WATERWAY AREA: 0.00 SQM TOTAL OTHER AREA: 0.00 SQM

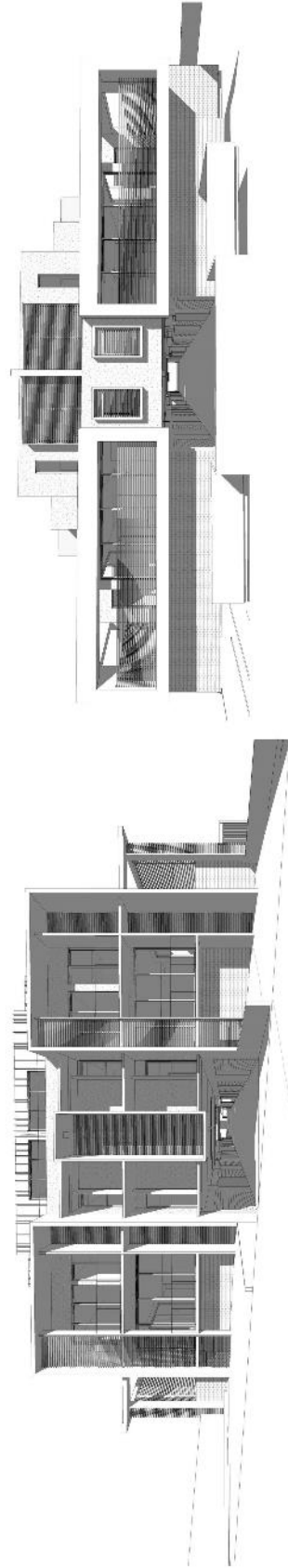






EXTERIOR PERSPECTIVE A

EXTERIOR PERSPECTIVE C

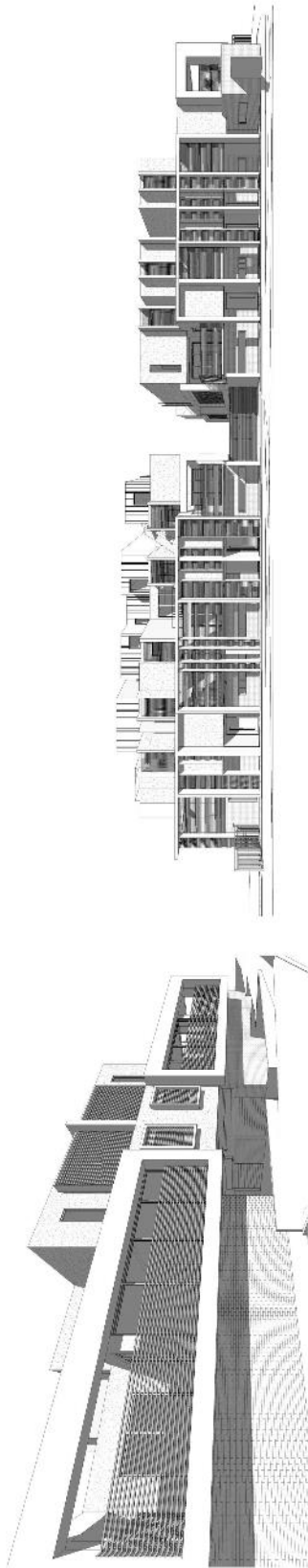


EXTERIOR PERSPECTIVE B

EXTERIOR PERSPECTIVE D

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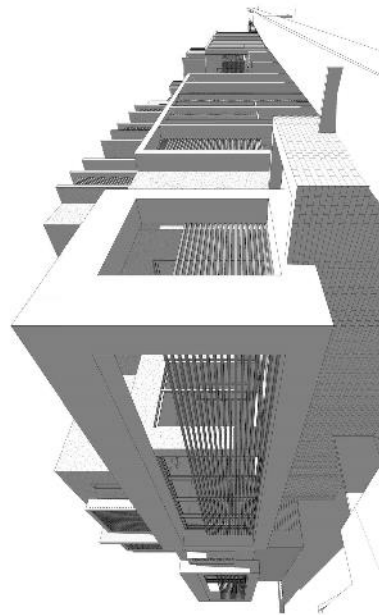
455 THE TERRACE DEVELOPMENT 455 THE TERRACE 52-54 MAWINGHAM RD, BULLEN MELBANT	PROJECT TITLE TERRACE DEVELOPMENT	SHEET NO. A1-D10	DATE 03 AUGUST 2016	PREMIER PROJECTS PTY LTD 10/110 WILSON ST MELBANT VIC 3000 PH: 03 9479 1111 WWW.PREMIERPROJECTS.COM.AU	AMENDMENTS 1. REVISED PERMITS 2. REVISED PERMITS 3. REVISED PERMITS 4. REVISED PERMITS	LEGEND [Symbol] EXISTING [Symbol] PROPOSED [Symbol] REMOVED [Symbol] TO BE DEMOLISHED [Symbol] TO BE RELOCATED [Symbol] TO BE RECONSTRUCTED [Symbol] TO BE REFINISHED [Symbol] TO BE REPAIRED [Symbol] TO BE REPLACED [Symbol] TO BE REINSTALLED [Symbol] TO BE REWORKED [Symbol] TO BE REFINISHED [Symbol] TO BE REPAIRED [Symbol] TO BE REPLACED [Symbol] TO BE REINSTALLED [Symbol] TO BE REWORKED	AREA CALCULATIONS TOTAL AREA: 1000.00 SQM COVERED AREA: 500.00 SQM OPEN AREA: 500.00 SQM TOTAL PERIMETER: 100.00 METERS TOTAL VOLUME: 1000.00 CUBIC METERS TOTAL MASS: 1000.00 TONS TOTAL WEIGHT: 1000.00 TONS TOTAL HEIGHT: 10.00 METERS TOTAL LENGTH: 100.00 METERS TOTAL WIDTH: 10.00 METERS TOTAL DEPTH: 10.00 METERS TOTAL SURFACE AREA: 1000.00 SQM TOTAL UNDERGROUND AREA: 500.00 SQM TOTAL ABOVEGROUND AREA: 500.00 SQM TOTAL FLOOR AREA: 500.00 SQM TOTAL ROOF AREA: 500.00 SQM TOTAL CURTAIN WALL AREA: 500.00 SQM TOTAL GLAZING AREA: 500.00 SQM TOTAL WINDOW AREA: 500.00 SQM TOTAL DOOR AREA: 500.00 SQM TOTAL STAIRCASE AREA: 500.00 SQM TOTAL LIFT SHAFT AREA: 500.00 SQM TOTAL CORE AREA: 500.00 SQM TOTAL SERVICE AREA: 500.00 SQM TOTAL UTILITY AREA: 500.00 SQM TOTAL STORAGE AREA: 500.00 SQM TOTAL MECHANICAL AREA: 500.00 SQM TOTAL ELECTRICAL AREA: 500.00 SQM TOTAL PLUMBING AREA: 500.00 SQM TOTAL FIRE PROTECTION AREA: 500.00 SQM TOTAL SECURITY AREA: 500.00 SQM TOTAL ACCESSIBILITY AREA: 500.00 SQM TOTAL SUSTAINABILITY AREA: 500.00 SQM TOTAL WELLBEING AREA: 500.00 SQM TOTAL COMMUNITY AREA: 500.00 SQM TOTAL CULTURAL AREA: 500.00 SQM TOTAL ECONOMIC AREA: 500.00 SQM TOTAL ENVIRONMENTAL AREA: 500.00 SQM TOTAL SOCIAL AREA: 500.00 SQM TOTAL CULTURAL AREA: 500.00 SQM TOTAL ECONOMIC AREA: 500.00 SQM TOTAL ENVIRONMENTAL AREA: 500.00 SQM TOTAL SOCIAL AREA: 500.00 SQM
	DRAWN BY: D.R.	CHECKED BY: H.R.	DATE: 03 AUGUST 2016				



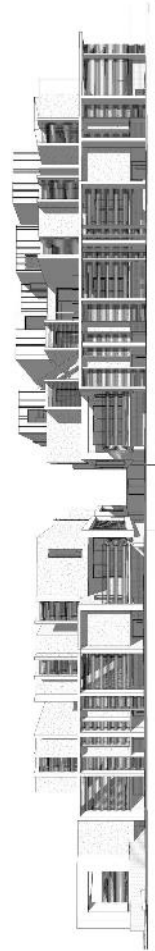
EXTERIOR PERSPECTIVE H



EXTERIOR PERSPECTIVE E





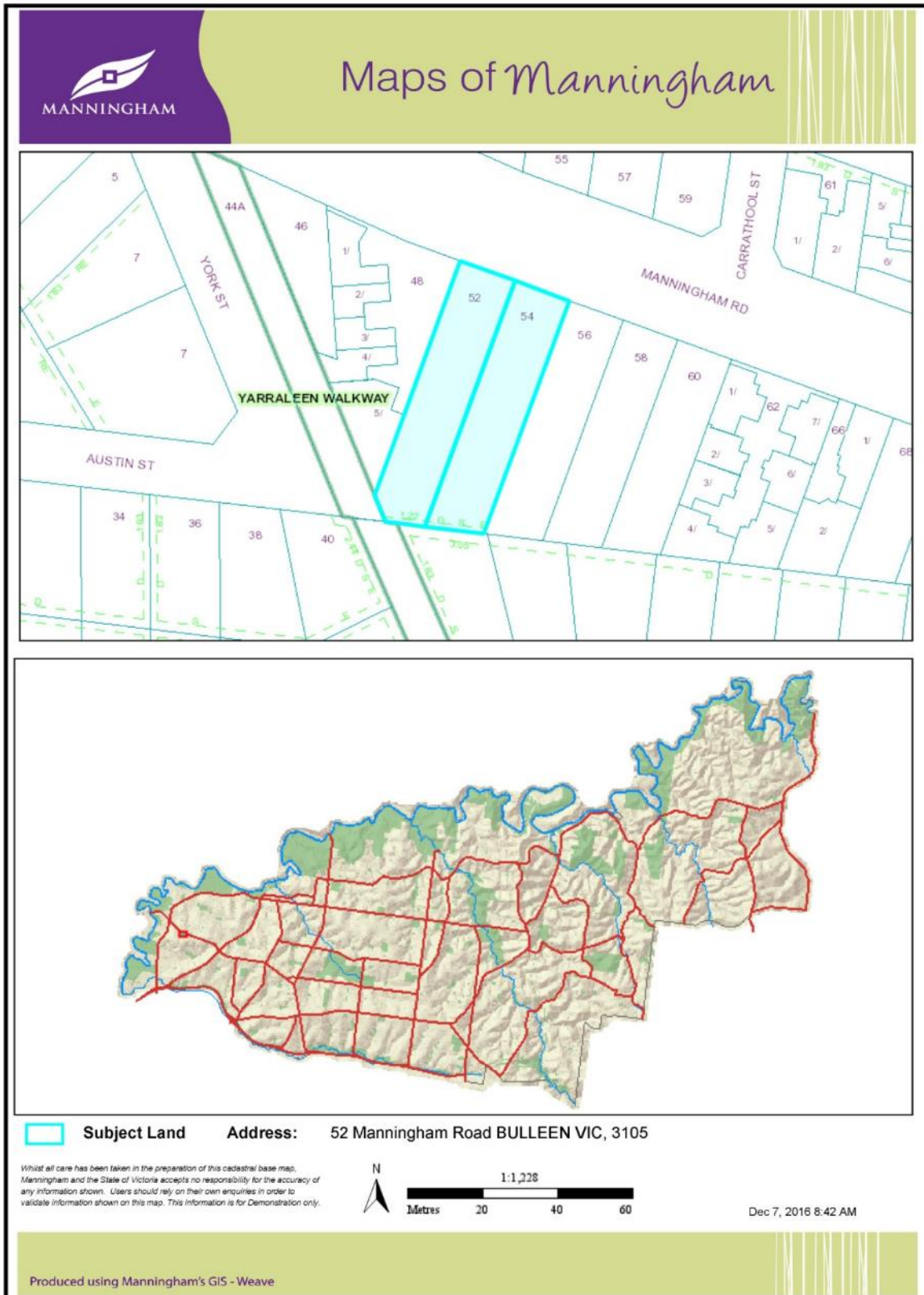
EXTERIOR PERSPECTIVE G



EXTERIOR PERSPECTIVE F

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FOR TOWN PLANNING PURPOSES ONLY

PROJECT TERRACE DEVELOPMENT 5254 MANNINGHAM RD, BULLEEN MELBANT	DRAWING NO. A1-011	DATE 03 AUGUST 2016	DRAWN BY D.R.	 PREMIER PROJECTS PTY LTD 10/110 WILSON ROAD, BULLEEN VIC 3156 PH: 03 9530 1111	AMENDMENTS 1. REVISION 2. REVISION 3. REVISION	SEE EXHIBIT FOR 1. SITE PLAN 2. FLOOR PLANS 3. SECTIONAL DRAWINGS 4. OTHER DRAWINGS	LEGEND 1. EXISTING 2. PROPOSED 3. TO BE DEMOLISHED 4. TO BE RETAINED 5. TO BE RELOCATED 6. TO BE REMOVED 7. TO BE ADDED 8. TO BE DELETED	AREA CALCULATIONS TOTAL AREA: 10,000 SQM COVERED AREA: 5,000 SQM OPEN AREA: 5,000 SQM TOTAL PERIMETER: 100M COVERED PERIMETER: 50M OPEN PERIMETER: 50M	 PREMIER PROJECTS PTY LTD 10/110 WILSON ROAD, BULLEEN VIC 3156 PH: 03 9530 1111



9.2 Planning Application PL15/025922 at 25-35 Park Road, Donvale for forty-five dwellings

Responsible Director: Director Planning & Environment

File No. PL15/025922

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

Land: 25-35 Park Road, Donvale
Zone General Residential Schedule 3
Applicant: Taouk Architects (Owner: Donvale Garden Estate Pty Ltd)
Ward: Mullum Mullum
Melway Reference: 48J5
Time to consider: 16 September 2016

SUMMARY

It is proposed to construct forty-five, two-storey dwellings on a vacant parcel of land (area - 1.3729ha) which has frontage to Park Road, directly to the south of part of the Eastern Freeway Linear Reserve. Site works are required to remove some trees and to adjust levels. Part of the works involves the construction of a stormwater retarding basin at the north-western corner of the site. Other service alterations will be required due to the placement of a sewer.

The overall dwelling density is 1 dwelling per 305m², however, this figure is influenced by the inclusion of the retarding basin over which no housing will occur. Twenty-five dwellings will have three bedrooms and the remaining twenty will have four bedrooms (plan index is incorrect).

Vehicular access is to be provided from the local street system and entails the construction of a new public road section between Wrendale Drive and Langford Crescent (both of these streets currently terminate at the site boundaries).

Apart from two dwellings, all other dwellings will be served by a private road in an elongated loop configuration which will connect with the new road section in two locations. It is anticipated by the applicant that the private road and the retarding basin will be under the control of a future Owners' Corporation.

Each dwelling will have its own or a bifurcated driveway connection. Apart from one dwelling which relies on a single garage with a tandem space, all other dwellings will have a double garage. There will be a total of ninety resident car spaces and five communal visitor spaces located off the private road. Driveways will allow twenty eight visitors' cars to be parked in front of garages, if residents have only one or two cars.

There is no separate footpath system provided for the private road, but a 1.2m wide strip will be colour differentiated to one side, so as to encourage pedestrians to walk within this strip. Pedestrian connections are provided to Park Road and the northern parkland.

The application was advertised and forty-six objections were received.

Grounds mainly relate to increased traffic movement through local streets (with an inherent reduction of safety/local amenity and traffic delays at main intersections), overdevelopment of the land at a density not in keeping with the neighbourhood character, traffic/noise/safety impacts of construction traffic. Many objectors indicated that all vehicular access should have been provided from Park Road.

Council's traffic engineer is of the opinion that local streets are capable of handling the level of additional traffic which would stem from the proposed road connection between Wrendale Drive and Langford Crescent (as a result of the proposed housing) and that there are no inherent traffic engineering issues with the connection. Moreover, the connection would improve accessibility for emergency services and rubbish collection to the neighbourhood.

From a planning perspective, it is considered that the application does not provide satisfactory placement of a range of dwellings in respect of the road system (public and private) and as a result, there would be adverse streetscape and landscaping impacts which would detract from the proposal's ability to respond appropriately to the existing neighbourhood character.

There are also various layout issues which result in poor internal amenity as a result of overlooking and shadowing of private open space.

A range of Objectives are not met in terms of the Clause 55 (ResCode) assessment required by the Manningham Planning Scheme and there are concerns regarding the proposed private road/footpath design.

This report recommends refusal of the application.

1 BACKGROUND

Site Description

- 1.1 The irregularly shaped site consists of two lots with a total area of 13,728m². The land is vacant and was sold by VicRoads in 2014, on the basis that it was surplus to the needs of this authority. The land has a 62.98m frontage to Park Road. The frontage is fenced with woven wire and there is no vehicular access to this road. An indented bus stop with long tapers extends across much of the frontage.
- 1.2 The northern boundary has a dimension of 172.0m and abuts part of the Eastern Freeway Linear Park which is owned by VicRoads. The western boundary has a dimension of 93.94m and is abutted by two residential properties and the end of Wrendale Drive. The southern boundary has a dimension of 172.05m and is abutted by seven residential properties and the northern end of Langford Crescent.
- 1.3 The subject land is mainly grassed and open. Filling and alteration of the drainage pattern has occurred over the land as a result of VicRoad's ownership. The current relief of the land is characterised by a general fall from east to the west, with a level difference of 3.0m along the southern boundary and a level difference of 6.57m along the northern boundary. There is also fall to the north of between 1.86m and 5.28m, with the larger amount being at the western end.
- 1.4 There are two shallow valleys which converge and then terminate in a wide drainage basin located at the north-western corner of the land. One of these valleys extends from the end of Langford Crescent, while the other is at the centre of the site in an east/west direction. Acting essentially as open drains,

these areas can be affected by soakage and stormwater flow, including flooding under extreme weather circumstances.

- 1.5 The low point is drained by a 900mm stormwater pipe which extends under the parkland to the north. The associated open culvert (invert level of 111.8m AHD) also picks up overland flow from part of the VicRoad's parkland reserve immediately to the north.
- 1.6 The central valley is partly characterised by a row of dead or senescent pine and cypress trees which are considered to have no retention value. There are also twelve small deciduous trees in two rows near the northern boundary. These form part of a formal pattern of parallel rows which is established on the open space to the north. There is also some limited vegetation along the southern boundary, mainly on either side of the Langford Crescent abuttal.
- 1.7 Paling fences are located along the residential abutments, while woven wire fencing is provided to the two "end of road" abutments, as well as the northern boundary.
- 1.8 The site is affected by three easements. There is a 1.83m wide drainage and sewerage easement along the entire southern boundary. This contains a sewer. The sewer branches across between Langford Crescent and Wrendale Drive, being contained in a 1.83m wide sewerage easement. A 55.0m long, 2.01m wide drainage easement also extends north from the end of Langford Crescent. There are no Council drains on the land.
- 1.9 The main constraints of the site are considered to be -
 - The topographical and drainage characteristics;
 - The likelihood of fill over the land;
 - The existing easements;
 - The lack of existing vehicular access to Park Road and the abuttal of an indented bus stop across the frontage;
 - The need to consider traffic noise impacts from the EastLink Freeway; and traffic on Park Road (bus stop adjacent); and
 - The nature of residential abutments.
- 1.10 In terms of positive attributes, the land is of generous area and can be modified through earthworks and a new drainage system subject to engineering approval. The abuttal of several road "ends" offers access options through the local street system and there are views and access opportunities in respect of the parkland and an associated cycle path system to the north. There are also some existing acoustic walls constructed close to the EastLink Freeway and where there are no walls, the freeway is set lower due to cutting. Bus services are also adjacent in Park Road.

Neighbourhood Description

- 1.11 The site is within the north-eastern portion of a residential precinct which is broadly defined by the EastLink Freeway reserve to the north, Mitcham Road to the south-west and Park Road to the east.

- 1.12 This precinct shares similar housing characteristics to land on the eastern side of Park Road and is characterised by a curvilinear subdivisional layout which was commenced in the early 1960's. The initial subdivision terminated at Langford Crescent at the southern site boundary, with the subject land still being an orchard at this time.
- 1.13 The original housing is typical of this period with some evidence of newer house construction and several multi-unit developments, including a fourteen townhouse development at 163 Mitcham Road and a five dwelling development at 11 Langford Crescent. There is also a spread of two dwelling developments, being mainly located along Park Road.
- 1.14 Gardens are generally well established with a good presentation of canopy trees, many of which are native species. In the local streets, there is a range of frontage treatments, with some being open and others having low fences.
- 1.15 The subject land is not considered to be an "island site" and instead is interpreted as being an integral part of this housing precinct with the potential for relatively straightforward road connection to the local street system, as was originally envisaged through the primary subdivision.
- 1.16 The site has abuttals with a total of nine residential properties (west and south), all containing single dwellings which are generally elevated on the side which faces the site. All are provided with paling fences to the common boundary. These vary in height and are generally in good condition.
- 1.17 Surrounding development is described as follows:

Direction	Address	Description
North	Eastern Freeway Linear Reserve	<p>This is a public reserve which is suited to informal passive recreation.</p> <p>The open space near the site is grassed and formally treed in a pattern which recognises the orchard history of the area. The deciduous trees are still young and will develop to create an interesting character.</p> <p>There is a wide grassed batter down to the Eastern Freeway Trail (cycle/pedestrian link) and some elevated concrete sound attenuation walls beyond.</p>
South	23 Park Road, Donvale	<p>This lot has a side boundary common with the site. It contains an older, single storey, brick house with a hipped/tiled roof and a setback of 9.1m from Park Road. There is a carport on the northern side and a cement sheet garage to the rear. There is heavy shrub screening along part of the</p>

Direction	Address	Description
	1 Clements Avenue, Donvale	<p>common boundary, but several habitable room windows have views to the site (wall setback approx. 5.5m). The frontage is stepped 5.0m forward of the site's frontage.</p> <p>This lot has a rear boundary common with the site. It contains an older, single storey, brick house with a hipped/tiled roof. Several large habitable room windows and an elevated rear verandah offer views to the site (wall setback is approx. 19.0m).</p>
	3 Clements Avenue, Donvale	<p>This lot has a rear boundary common with the site. It contains an older, single storey, brick house with a hipped/tiled roof and a flat roofed double garage with an infill section to the back boundary. Several small habitable room windows face the site (wall setback approx. 17.0m).</p>
	5 Clements Avenue, Donvale	<p>This lot has a rear boundary common with the site. It contains a single storey, brick house with a hipped/tiled roof and a large rear verandah to one side. Some screening is provided by tall shrubs on the rear boundary, however, there are still views to the site from a large habitable room window and the verandah (wall setback approx. 19.0m).</p>
	7 Clements Avenue, Donvale	<p>This lot has a rear boundary common with the site. It contains an older, single storey, brick house with a hipped/tiled roof. The house is angled diagonally down the lot and presents a narrow end wall to the site. A large habitable room window in this wall is largely screened by an adjacent tree (corner setback approx. 12.5m). Dense screen planting is becoming established along the rear</p>

Direction	Address	Description
	<p>9 Clements Avenue, Donvale</p> <p>16 Langford Drive, Donvale</p>	<p>boundary. An in-ground swimming pool is within the north-eastern portion of the rear yard.</p> <p>This lot has a rear boundary common with the site. The lot contains an older, split-levelled, timber house with a hipped/tiled roof. There is a carport under the high northern end and a verandah facing the site (wall setback approx. 10.0m). The property features some tall eucalypts, pines and other under-storey planting which provide quite good screening from the site. The house has a minimum side setback of approx. 4.0m to Langford Crescent, with no fence and some tree planting to the nature strip. Submitted plans do not show the side boundary line to Langford Crescent and incorrectly provide setback details to the road pavement.</p> <p>This wedge shaped lot has a side boundary common with the site. It contains a single storey, brick and "Shadowclad" dwelling with a low metal sheet roof over the older section. A new flat roofed extension has been added to the northern end since the applicant's survey plans were completed, so this is not shown on the submitted plans. The new section is high and quite close to the common boundary. Several habitable room windows offer views over the sloping side fence. A roofed outdoor space is to the rear. The house has a minimum front setback of 7.9m and is served by 2 crossovers, with the northernmost accessing a garage below the main floor level. There is no front fence.</p>
East	28-30 Park Road, Donvale	This property contains five brick dwellings served by a central driveway. The front two dwellings

Direction	Address	Description
	32 Park Road, Donvale	<p>are two-storey. A paling fence is provided to the frontage. There is a wide, grassed nature strip in front, with a bus stop.</p> <p>This lot contains a recently built, two-storey house which presents to Savaris Court. There is no vehicular access to Park Road and there is a paling fence to the frontage.</p>
West	18 Wrendale Drive, Donvale	<p>This triangular lot has a side boundary common with the site. It contains a painted, brick house with a metal sheet roof. The house is quite high on the eastern side and there is garage parking under the main floor. A series of large habitable room windows in the long eastern wall faces down the site, these being above the height of paling fence. A small front balcony and a rear covered entertaining area also offer views (approx. side setback 2.7m). The front setback to Wrendale Drive is 5.88m (to a corner). There is no front fence, but planting is provided. There is a crossover near the end of Wrendale Drive.</p>
	23 Wrendale Drive, Donvale	<p>This lot has a side boundary common with the site. It contains a single storey, brick house with a hipped/tiled roof and a flat roofed carport to the common boundary. There is an elevated side verandah and several windows and a door with views over the site. There is a minimum side setback of approx. 4.0m. Some screening is provided by trees. There is a crossover near the end of Wrendale Drive.</p>

- 1.18 Park Road is a Council link road with a single traffic lane in either direction. There is a constructed footpath and an open grassed area within the nature strip adjacent to the site (with electrical supply poles). The speed limit past the site is 60kph. No parking is possible adjacent or opposite the site due to

bus stops. The road does not appear to attract on-street parking in the vicinity of the site.

- 1.19 Wrendale Drive is a Council local street which connects with Mitcham Road (4 traffic lanes with a central median) at a wide “T” intersection. Cars can turn left or right here and sight lines are good in either direction. A “Keep Clear” zone is provided for the two lanes adjacent to the intersection. The central median is not wide enough for safe “propping”, so gaps in the two traffic flows must be synchronised in order to turn right from the intersection in a single movement.
- 1.20 Wrendale Drive has a trafficable width of approximately 7.3m and has constructed footpaths on either side. The road slopes down to the site boundary where there is a “T” turn around treatment. There is an “elbow” bend half way along the street. Unrestricted parallel parking is available along both sides of the street. There are only twenty-three dwellings with access to and from this street, so traffic flows are very light.
- 1.21 Langford Crescent is a Council local street, being served by Clements Avenue which is a short local street connecting with Park Road at a “T” intersection. Sight lines at this intersection are good. Both Clements Avenue and Langford Crescent have trafficable widths of approximately 7.3m. Unrestricted parallel parking is available along both sides of the street.
- 1.22 Langford Crescent extends to the north and south of the Clements Avenue intersection. The southern section is a cul de sac with a turning bowl at the end, while the northern section runs downhill to the site boundary, where it terminates without a turning space. There are only two residential properties abutting the northern section of this road. Grassed nature strips exist. Traffic flow in these streets is also very light, as there is no through traffic.
- 1.23 In terms of local zoning under the Manningham Planning Scheme, the site is zoned General Residential Zone Schedule 3. Land to the east and south of the site is zoned General Residential Zone Schedule 1. Land on the eastern side of Park Road is zoned General Residential Zone Schedule 3. Land to the north (Eastern Freeway Linear Reserve) is zoned Road Zone Category 1.
- 1.24 The site is well served by public bus transport on Park Road and Mitcham Road. Mitcham Station (rail) is also 1.7km away. A small strip of shops and a petrol station are located nearby, opposite the Park Road/Mitcham Road intersection. Another local activity centre is at the intersection of Springvale Road and Mitcham Road (medical centre opposite) being 1.2km by road from the site. Comprehensive shopping and service facilities are at Tunstall Square Activity Centre (Neighbourhood level) which is 2.17km by road from the site.
- 1.25 Donvale Reserve which includes sports ovals and tennis courts is 1.3km to the north-west, being adjacent to Mitcham Road. The Eastern Freeway Trail (cycle/pedestrian link) is close to the site and this route connects with the Koonung Trail and the East Link Trail. Cycle access to this path is available from Park Road.
- 1.26 Two primary schools are within 1.5km of the site.

Planning History

- 1.27 This is the first planning application received in respect of this land.

- 1.28 The application was first lodged with Council on 23 December 2015 and proposed forty-six dwellings. Without having proceeded to the public notification stage, the application was amended to provide for forty-five dwellings on 18 July 2016.
- 1.29 Following the public notification stage, a Consultation Meeting (applicant /objector) was held on 28 September 2016. The meeting was well attended by local residents who were strenuously opposed to the proposed road connections to local streets. Traffic/parking impacts to local streets were discussed, along with concerns regarding the impact of construction vehicles and the perceived overdevelopment of the land. Objectors also outlined concerns regarding the level of compatibility with the prevailing well treed and spacious neighbourhood character.
- 1.30 Objectors expressed concern that Park Road had not been utilised as a proper frontage, with sole vehicular access provided from this arterial road. The planning consultant for the applicant discussed the proposal in general and outlined what he saw as the benefit of applying for a multi-unit development, rather than a small lot subdivision. It was suggested that further work could be done on the proposal.
- 1.31 On 6 October 2016, the applicant's planning consultant provided officers with a rudimentary sketch showing the deletion of the proposed road connection to local streets and an angled driveway at the south-eastern corner of the site (the entry of the indented bus bay) "punched through" a new gap in the proposed dwellings achieved through the deletion of Dwelling 16. There was a suggestion of some additional dwellings at the western end where the public road connection could be removed. A circle was also drawn in the middle of Park Road which was assumed to be a roundabout. The envisaged process to achieve this change was not indicated.
- 1.32 The officer response was to outline that the detailed assessment process had proceeded sufficiently to conclude that the application had inherent design and safety issues relating to the proposed private road. On this basis and considering the lack of any apparent design input from the applicant's traffic engineer, it was considered that there was little common ground for further discussion about access.
- 1.33 No further submissions were made to Council by the applicant.

2 PROPOSAL

Overview

- 2.1 The application was supported by plan documentation, including cut and fill details. No landscaping plan formed part of the final submission.
- 2.2 The following consultant's reports were also lodged-
- Planning report (Melbourne Planning Outcomes)
 - Traffic/Parking report (Traffix Group)
 - Storm Water Management Plan (Stormy Water Solutions)
 - Traffic Noise Report (AECOM Australia Pty Ltd)
 - Arboricultural Report (Carney & Stone).
- 2.3 Additional information (as a result of officer requests) was provided by the traffic consultant and the drainage consultant.

- 2.4 The proposal has been put forward as a multi-unit development for assessment under Clause 55 (ResCode) of the Manningham Planning Scheme. As with most multi-unit proposals, the subdivision of the land into lots is not proposed at this stage and would follow on from any planning approval which is issued for “construction of dwellings”.
- 2.5 A new public road connection is proposed in the form of an “elbow” between the ends of Wrendale Drive and Langford Crescent. A modified stormwater retarding basin in a more defined space is to be constructed in the north-western corner of the land. A new electrical sub-station in the form of an above-ground kiosk is proposed to the side of Dwelling 27 with service access via a driveway to the proposed road connection (near the current end of Wrendale Drive).
- 2.6 Forty-five, two-storey dwellings are proposed. Four dwellings will have their front entries presenting to the new road. All others will present to a private access road (loop configuration) which will be in common ownership. Apart from Dwelling 43 which has a single space garage, all dwellings will have a double space garage, with many offering driveway parking opportunities in front (discussed in the Parking Provision section of this report).
- 2.7 The dwellings will display contemporary architectural form and the majority will be attached to at least one other dwelling, with only Dwellings 26, 27, 36 and 37 being detached.
- 2.8 There will be twenty-five, three bedroom dwellings and twenty dwellings with four bedrooms. The larger dwellings have a bedroom on the ground floor. Ten dwellings will abut the southern boundary, four will abut the Park Road frontage and thirteen will abut the northern boundary.
- 2.9 Site coverage (buildings) is shown at 36.47%, while pervious land surface is shown at 36.24%. The proposed dwelling density is 1 dwelling per 305m² of total site area.
- 2.10 More specific details of the proposal are provided as follows-

Earthworks/Drainage modifications

- 2.11 Prior to building commencement, all vegetation will be removed from the site and bulk earthworks will be carried out to establish correct levels for the road connection, the private access road, the altered retarding basin and the footprints for the dwellings. Generally, filling will occur through the centre of the site and along the north/south valley. Cutting of between 200mm and 1.0m will occur along part of northern area, while cutting of 200mm will occur over the western half of the southern area.
- 2.12 Earthworks will also occur in relation to the proposed retarding basin in the north-western corner to modify batters and establish cut lines for a proposed retaining wall system. These works will provide for increased storage capacity within a more defined space.
- 2.13 Some new batters associated with the retarding basin will be at a slope of approximately 1:4 and there will be several retaining walls of up to 1.7m high. The walls will follow the line of the safety rail shown on the Site/Ground Floor Plan. The basin floor will have a wetland character consisting of water tolerant plantings in a shallow marsh zone (water depth of 400mm under normal conditions). It is indicated that the basin has been designed to handle a 1:100 year storm event by providing upper levels of approximately 155mAHD. The system will include a pollutant trap.

2.14 The drainage infrastructure associated with the new public road will handle some limited stormwater flow from the Wrendale Drive and larger volumes from Langford Crescent, as well as the stormwater from the proposed development. This water will discharge into the retarding basin via a new pipe. Outfall drainage will be via an existing pipe which runs to the north.

2.15 No security fencing is shown between the road/private access road and the retarding basin.

Building description and height

2.16 The proposed dwellings are typical of current multi-unit design trends and include a mix of “flat top”, skillion and hipped/tiled roofs. All dwellings have a covered front porch. Proposed external materials include a palette of face brick, render, timber and sheeted panels.

2.17 All garage doors are provided with highlight fenestration. Dwelling window design complements the proposed designs. Floor to ceiling heights are conventional.

2.18 The flat roofed dwellings are generally less than 7.0m in height (from finished ground level), while the dwellings with higher roofs will be generally less than 8.0m in height (from finished ground level). Along the southern interface with existing housing, no dwelling height will exceed 7.73m above the natural ground level (takes into account some filling under Dwelling 25).

2.19 At the Ground Floor, the front walls of the dwellings are setback a range of distances from the edge of the private access road , with some being generous (Dwelling 29 - 4.6m) and others being minimal (Dwelling 43 - 1.75m, Dwelling 8 - 2.0m). Porches are located in the “front yard” setback, with porches to Dwellings 15, 17, 20, 21 and 22 being complemented by roof projections across the main wall (supported at one end by a blade wall). These structures are setback a minimum of 1.6m from the private access road .

2.20 At the upper floor, the front walls are generally stepped back from the lower wall, thus offering a greater setback. The majority of upper setbacks to the private access road are greater than 3.5m, but several are not, with the upper floors of Dwellings 3 and 43 being only 2.04m and 1.7m at the closest points. This is due to reverse articulation whereby the upper floor projects out from the lower wall.

2.21 The majority of dwellings have some level of party wall attachment at the Ground Floor, while all upper floors are separated to varying degrees (not less than 2.0m and generally quite generous).

2.22 The applicant’s planning consultant has indicated that the front yards of the dwellings are to be in private ownership, thus requiring individual owners to maintain them. Each dwelling is provided with secluded private open space in the form of a rear/side yard, with some dwellings having a combination of such spaces. At least one of these “dual” yards will have direct access from a living room and is provided with a timber deck immediately adjacent. Externally accessible storage is provided through a combination of sheds (in yards), garage storage space and under-stair space.

2.23 External clotheslines and 2000 litre, free-standing water tanks are also proposed for each dwelling. No roof-top plant is depicted on the Roof Plan.

2.24 The Traffic Noise Report (AECOM Australia Pty Ltd) concluded that no sound attenuation features were required in respect of the dwellings as a

result of traffic noise from the EastLink Freeway and none were included in the design.

Building setbacks (to boundaries and the new road)

- 2.25 There are no “front setbacks” to existing roads, however, Dwellings 12-16 will back onto the Park Road frontage, with varied setbacks at both floor levels. At the ground floor setbacks range from 5.4m (scaled) to 1.0m-1.1m (also scaled). Walls are stepped and there is no prevailing minimum.
- 2.26 The upper levels of these dwellings also have varied setbacks, with Dwelling 13 in the north-eastern corner being the closest to Park Road and with a minimum setback of 2.2m (to a main wall).
- 2.27 Along the southern boundary, a consistent minimum setback of 3.0m is provided at the ground floor, with varying garage setbacks creating stepping. Upper floor walls on this side have minimum setbacks of between 3.58m and 4.4m, with the majority being at 3.7m. Dwelling 26 which will adjoin the elevated dwelling extension at 16 Langford Crescent will have an upper level setback of 4.0m.
- 2.28 Along the northern boundary, a ground floor minimum setback of 2.2m is provided for eleven of the twelve dwellings, but with much greater setback to the garage walls, thus creating stepping. Dwelling 12 at the eastern end has a minimum setback of 4.72m.
- 2.29 At the upper floor, minimum setbacks range from 2.76m to 5.65m.
- 2.30 To the western boundary, Dwellings 26 and 27 have ground floor setbacks ranging between 5.0m (scaled) and 8.17m, while upper floor setbacks are not less than 8.0m.
- 2.31 Dwellings 25, 26, 27 and 45 will present walls to the proposed road and as such will have a “street frontage”. The minimum setbacks of these dwellings vary due to the stepped wall lines and angled presentation of the dwellings.
- 2.32 The following minimum future street setbacks are shown-

Dwelling 25	3.0m to a corner	4.2m to a corner
Dwelling 26	8.15m to a corner	9.6m to a corner
Dwelling 27	4.17m to a corner	5.8m to a corner
Dwelling 44	2.9m to a corner	3.16m to a corner
Dwelling 45	2.73m to a corner	3.85m to a corner

Vehicular access and circulation

- 2.33 It is proposed that the development will be accessed via a new road connection between Wrendale Drive and Langford Crescent. This means that all traffic into and out of the development will ultimately access either Mitcham Road or Park Road via the local street system.
- 2.34 The proposed public road connection would be built to generally match the pavement and nature strip widths of the adjoining local streets. A pavement

width of 5.5m is nominated in the Traffix Group report. Footpaths (1.2m wide) are to be constructed on either side. Finished levels and gradients were not provided for the road. The proposed road would, however, be required to be constructed to Council specifications, if an approval is gained.

- 2.35 The proposed private access road will be generally 4.3m wide (bitumen surface) and will connect with the new road in two places, with the intersections being approximately 15.0m apart. The two associated openings will be 7.0m wide. The private access road narrows in two locations on the northern arm where two “bulges” are shown (in front of Dwellings 31-32 and Dwelling 35). The Traffic/Parking report refers to these as “narrowed sections” for speed control.
- 2.36 The private access road includes an integrated 1.2m wide trafficable footpath (concrete) on the “outside” edge and with no grade separation to the driveway pavement. This provides a combined trafficable width of 5.5m. No kerbs are shown on the submitted plan. Levels on the southern section of the driveway indicate road drainage towards the footpath side. It is not known where stormwater pits would be located.
- 2.37 The private access road is not shown with nature strips and what would eventually be the frontage of any future lots (in the event of subdivision of an approved development) will adjoin the trafficable pavement.
- 2.38 The private access road will be maintained by any future Owners’ Corporation (Council will have no responsibility). Council would be responsible for the maintenance of the public road connection.

Road and driveway illumination

- 2.39 Public street lighting in accordance with current Australian Standards would be required to the new road section. Such details would be specified within an engineering construction plan which would be required by a condition, in the event of an approval.
- 2.40 Illumination of the private access road is proposed through “bollard lights” which are taken to mean low level, post-type lights connected to mains electricity via an underground supply. The lights are shown along both sides of the private access road at wide intervals, being within the front yards of dwellings and adjacent to the circulation pavement.
- 2.41 The running and maintenance costs of the private access road lighting will be the responsibility of any future Owners’ Corporation.

Pedestrian circulation

- 2.42 The Ground Floor Plan shows footpaths within the nature strips on either side of the new road section. The extent, width and materials of such paths would be specified on an engineering construction plan required by a condition, in the event of an approval. As there are no concrete footpaths at the lower end of Langford Crescent, the paths would terminate at the site boundary. Connections would be required to the existing footpaths within Wrendale Drive.
- 2.43 The Ground Floor Plan shows a 1.2m wide concrete footpath to one side of the 4.3m wide private access road. The plan also shows this footpath zone “bulging out” in one location on the southern section (in front of Dwelling 21). Being part of the trafficable surface means that when two cars pass, one car will be driving on the footpath. The applicant’s traffic report indicates that this

is not considered to be unsafe for pedestrians, due to the low traffic volumes and the expected slow speeds of the traffic.

- 2.44 The plan provides two other pedestrian path connections. Located in a 3.0m wide corridor between Dwellings 5 and 6, one path would connect with parkland to the north. Another path within a 2.9m wide corridor between Dwellings 14 and 15 will provide access to Park Road. Security gates are proposed to both paths.
- 2.45 Being within what will be Common Property of a multi-unit development (in the event of an approval and subdivision), none of the pedestrian paths associated with the private access road would be public, so persons from outside of the development would have no legal right of passage through the site.

Landscape Theme

- 2.46 No landscape plan was submitted for the current proposal. In the event of an approval, a detailed plan would be required by way of condition.
- 2.47 Based on the theme of an earlier plan for the superseded forty-six dwelling development (LCD-002 received on 23 December 2015), it is expected that eucalypts would be planted along the new road, acacias would be planted in front of the retarding basin and ornamental exotic trees would line the private access road, being planted within grassed front yards. Rear yards would have some shrub planting and a native or exotic tree. Screen planting in rows is shown along the southern boundary.
- 2.48 Mixed screen tree planting is shown as a possibility along the Park Road nature strip in front of the site frontage (subject to Council approval).

Parking Provision

- 2.49 Apart from Dwelling 43 which has a single garage and a tandem parking space in front, all other dwellings are provided with a double garage. This provides a minimum of ninety resident parking spaces. In addition, at least twenty-eight driveways to garages are capable of accommodating a parked car without any overhang off the driveway.
- 2.50 There are five communal visitor spaces towards the eastern end of the private access road. Depending on what rules are adopted by any future Owners' Corporation, parking may also occur along the private access road (presumably on the side opposite to the trafficable footpath).
- 2.51 Some limited on-street parking would also be available along the straight section of the proposed public road.

Traffic Generation

- 2.52 The applicant's traffic report estimates that on the private access road, no section will accommodate more than 150 vehicle trips ends (VTE) per day. In terms of overall traffic generation, it is estimated that the likely traffic generation rate will be 6.5VTE per dwelling per day, resulting in a total of 293VTE per day. The peak hour rate is calculated to be 0.65VTE per dwelling which translates to a total of 29VTE.
- 2.53 The report concludes that as the traffic from the development will be fairly evenly distributed between several local roads, there will not be any unreasonable impacts on the road network or associated intersections.

- 2.54 The report did not examine delay times at the local street intersections with Park Road and Mitcham Road, but this aspect has been considered as part of the officer assessment.

Rubbish Collection

- 2.55 A Waste Management Plan was provided with the application. As the applicant was advised that Council contractors would not collect waste from the private access road, the plan proposes private rubbish collection for all dwellings not fronting the proposed road connection (total of 41). The four dwellings which front the proposed public road could utilise Council kerbside collection.
- 2.56 All residents will be responsible for moving their bins to and from the collection points which are generally shown within the front yard of dwellings. The private contractor is expected to use a full-size truck (8.8m long) with rear lifting and a two man crew.

3 PRIORITY/TIMING

- 3.1 The statutory time for considering a planning application is 60 days. The statutory time lapsed on 16 September 2016.
- 3.2 No Application for Review against failure to grant a permit (within the prescribed period) has been lodged by the applicant.
- 3.3 The nature of this proposal, along with the complexities of the site have meant that consideration of the application has been over a longer period than normal. Issues which may not have been immediately apparent when the application was first lodged have been brought out through the detailed assessment process and officer discussion.

4 RELEVANT LEGISLATION

- 4.1 The Planning and Environment Act 1987 is the relevant legislation governing planning in Victoria. The Act identifies subordinate legislation in the form of Planning Schemes to guide future land use and development.
- 4.2 Section 60 of the Act outlines what matters a Responsible Authority must consider in the determination of an application. The Responsible Authority is required to consider:
- the relevant planning scheme; and
 - the objectives of planning in Victoria; and
 - all objections and other submissions which it has received and which have not been withdrawn; and
 - any decision and comments of a referral authority which it has received; and
 - any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.
- 4.3 Section 61(4) of the Act makes specific reference to covenants, however, this is not relevant because none of the lots are burdened by a covenant.

- 4.4 Pursuant to Section 79 of the Planning and Environment Act 1987, an applicant for a permit may apply to VCAT for review of the failure of the responsible authority to grant a permit within the prescribed time.

5 MANNINGHAM PLANNING SCHEME

State Planning Policy Framework

- 5.1 The following clauses are seen as the most relevant to the subject application
- 5.2 **Clause 13.03-1 Use of contaminated and potentially contaminated land** seeks to ensure that potentially contaminated land is suitable for its intended future use and development. Applicants must provide information as required.
- 5.3 **Clause 15.01-1 Urban Design** seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. Strategies towards achieving this are identified as follows:
- Promote good urban design to make the environment more liveable and attractive.
 - Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.
 - Require development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate.
 - Ensure transport corridors integrate land use planning, urban design and transport planning and are developed and managed with particular attention to urban design aspects.
 - Encourage retention of existing vegetation or revegetation as part of subdivision and development proposals.
- 5.4 **Clause 15.01-4 Design for Safety** seeks to improve community safety and encourage neighbourhood design that makes people feel safe. The strategy identified to achieve this objective is to ensure the design of buildings, public spaces and the mix of activities contributes to safety and perceptions of safety.
- 5.5 **Clause 15.01-5 Cultural Identity and Neighbourhood Character** seeks to recognise and protect cultural identity, neighbourhood character and sense of place. Strategies towards achieving this are identified as follows:
- Ensure development responds and contributes to existing sense of place and cultural identity.
 - Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.
 - Ensure development responds to its context and reinforces special characteristics of local environment and place.

- 5.6 **Clause 15.02-1 Energy and Resource Efficiency** seeks to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.
- 5.7 **Clause 16.01-1 Integrated Housing** seeks to promote a housing market that meets community needs. Strategies towards achieving this are identified as follows:
- Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations.
 - Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.
- 5.8 **Clause 16.01-2 Location of Residential Development** seeks to locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport. Strategies towards achieving this are identified as follows:
- Increase the proportion of housing in Metropolitan Melbourne to be developed within the established urban area, particularly at activity centres, employment corridors and at other strategic sites, and reduce the share of new dwellings in greenfield and dispersed development areas.
 - In Metropolitan Melbourne, locate more intense housing development in and around activity centres, in areas close to train stations and on large redevelopment sites.
 - Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.
 - Facilitate residential development that is cost-effective in infrastructure provision and use, energy efficient, incorporates water efficient design principles and encourages public transport use.
- 5.9 **Clause 16.01-4 Housing Diversity** seeks to provide for a range of housing types to meet increasingly diverse needs. Strategies towards achieving this are identified as follows:
- Ensure housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.
 - Support opportunities for a wide range of income groups to choose housing in well serviced locations.
- 5.10 **Clause 16.01-5 Housing affordability** seeks to deliver more affordable housing closer to jobs, transport and services.
- 5.11 **Clause 18.02-5 Car parking** seeks to ensure an adequate supply of car parking that is appropriately designed and located.
- 5.12 **Clause 19.03-2 Water supply, sewerage and drainage** covers community service infrastructure and in particular calls for urban stormwater drainage systems to reduce peak flows, enhance flood protection and to reduce litter intrusion.

Municipal Strategic Statement (Clause 21)

- 5.13 **Clause 21.03 Key Influences** identifies that future housing need and residential amenity are critical land use issues. The MSS acknowledges that there is a general trend towards smaller household size as a result of an aging population and smaller family structure which will lead to an imbalance between the housing needs of the population and the actual housing stock that is available.
- 5.14 This increasing pressure for re-development raises issues about how these changes affect the character and amenity of local neighbourhoods. In meeting future housing needs, the challenge is to provide for residential redevelopment in appropriate locations, to reduce pressure for development in more sensitive areas, and in a manner that reasonably respects the residential character.
- 5.15 **Clause 21.05 Residential** applies to development in a General Residential Zone. This policy outlines the division of Manningham into four Residential Character Precincts. The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available.
- 5.1 The site and land immediately to the east is not within an area covered by the precincts. However, land to the south of the site is within Precinct 1 – Residential Areas removed from Activity Centres and Main Roads. An “incremental level of change” is anticipated in this precinct, with a “less intensive urban form”.
- 5.2 **Clause 21.05-2 Housing** has the following relevant objectives:
- To accommodate Manningham’s projected population growth.
 - 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 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.
- 5.3 The strategies to achieve these objectives include:
- Encourage the provision of housing stock which 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.
 - Encourage and guide higher density residential development close to activity centres and along main roads identified as Precinct 2 on the Residential Framework Plan 1 and Map 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.
 - 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.
 - Investigate the most appropriate suite of planning controls to achieve the desired outcomes for Key Redevelopment Sites.
- 5.4 **Clause 21.05-4 Built form and neighbourhood character** has the following objective:
- To encourage residential development that enhances the existing or preferred neighbourhood character of the residential character precincts as shown on Map 1 to this Clause.
- 5.5 The strategies to achieve this objective 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.
- 5.6 **Clause 21.10 Ecologically Sustainable Development** is relevant to this application. It outlines a number of objectives and strategies to address key areas of ecologically sustainable development under the following headings building energy management, water sensitive design, external environmental amenity, waste management, quality of private and public realm and transport.

Clause 22 Local Planning Policies

- 5.7 **Clause 22.08 Safety through urban design policy** includes the following objective:
- To provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham.
- 5.8 Key design matters (relevant to this application) are as follows-

Building design

- The location of building entrances and windows maximise opportunities for passive surveillance of streets and other public spaces.
- Buildings be orientated to maximise surveillance of entrances and exits from streets.
- Building design and layout avoid potential entrapment points, such as "blind" alcoves and "dead-ends".

Street layout/access and subdivision

- Streetscapes be attractive, and have clearly defined areas for pedestrian and vehicle movement by providing a nature strip, change in levels, different building materials and appropriate lighting.
- The streetscape should provide natural surveillance and visibility for pedestrians, drivers and occupants of adjacent buildings/properties.

Car parks

- The design, location and management of car parks promote public safety and maximise visibility and sightlines to eliminate hidden car spaces, blind corners and areas of potential entrapment.

5.9 **Clause 22.09 Access for disabled people policy** includes the following objectives:

- To facilitate the integration of people with a disability into the community.
- To ensure that people with a disability have the same level of access to buildings, services and facilities as any other person.

Clause 32 Residential Zones

5.10 The site, Park Road (adjacent to the site) and land immediately opposite on Park Road are within the General Residential Zone Schedule 3. Residential lots immediately abutting the site are, however, within the General Residential Zone Schedule 3. Parkland to the north of the site is within the Road Zone Category 1.

5.11 **Clause 32.08 General Residential Zone** contains the following purpose statement:

- To implement the State Planning Policy Framework and the Local Planning Policy
- Framework, including the Municipal Strategic Statement and local planning policies.
- To encourage development that respects the neighbourhood character of the area.
- To implement neighbourhood character policy and adopted neighbourhood character guidelines.
- To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

5.12 A planning permit is required to construct two or more dwellings on a lot within this zone. Clause 55 (ResCode) is the assessment tool for buildings of up to four storeys in height.

5.13 Schedule 3 to Clause 32.08 General Residential Zone relates to "Post 1975 Residential Areas" and contains no special requirements in relation to Clause 55 standards.

- 5.14 **Clause 55 Two or more dwellings on a lot and residential buildings** applies to the overall development and sets out various Objectives which must be met. Various Standards are provided as a method of achieving the required Objective.

Particular Provisions

- 5.15 **Clause 52.06 Car parking** sets out parking rates and provides a decision making framework to vary such rates. The clause also sets out design standards for car spaces and vehicular access (including ramps). The required parking rate for a dwelling is as follows-
- One car space to each one or two bedroom dwelling, plus
 - Two car spaces to each three or more bedroom dwelling (with studies or studios that are separate rooms, counted as a bedrooms), plus
 - One car space for visitors to every five dwellings for developments of five or more dwellings.
- 5.16 This clause also sets out design standards for driveways and car park layout.
- 5.17 **Clause 52.34 Bicycle Facilities** does not apply, as no part of the development exceeds three storeys.

General Provisions

- 5.18 **Clause 65 (Decision Guidelines)** outlines that before deciding on an application, the responsible authority must consider, as appropriate:
- The matters set out in Section 60 of the Act.
 - The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
 - The purpose of the zone, overlay or other provision.
 - Any matter required to be considered in the zone, overlay or other provision.
 - The orderly planning of the area.
 - The effect on the amenity of the area.
 - The proximity of the land to any public land.
 - Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
 - Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
 - The extent and character of native vegetation and the likelihood of its destruction.
 - Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
 - The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

- 5.19 Clause 62 Uses, Buildings, Works, Subdivisions and Demolition Not Requiring a Permit** states that no planning permit is required for the use of land for a “Road” or associated works.
- 5.20** Proposed Amendment C109 is a planning scheme amendment which aims to utilise updated flood modelling by Council and Melbourne Water as a basis for applying flooding overlays to affected areas throughout Manningham.
- 5.21** As a result of the site’s drainage characteristics, much of this area is affected by a proposed Special Building Overlay Schedule 2, with some peripheral land at the upper end of the east/west depression being within proposed Special Building Overlay Schedule 3.
- 5.22** Proposed Special Building Overlay Schedule 2 would trigger the need for a planning permit for buildings and works, with consideration being given to establishing required floor levels for new dwellings.

6 PLANNING ASSESSMENT

Overview

- 6.1** The site is within a small, well defined housing precinct bounded by Park Road, Mitcham Road and the EastLink Freeway reservation and has full visual exposure to Park Road, both across the frontage and diagonally across VicRoad’s parkland (viewed from the north-east). It is considered that this precinct is suited to an incremental level of housing change. Taking into account the larger size of the original house lots and the age of associated housing, there is likely to be on-going redevelopment for multi-unit housing in this precinct.
- 6.2** In terms of development potential, the site can be modified through earthworks to offer excellent opportunities for dwelling construction, without any significant impacts to residential interfaces. The land is well served by bus transport, has public open space adjacent and is well connected via fully constructed local roads to the arterial road network, offering short driving times to Tunstall Square Neighbourhood Activity Centre or commercial and rail facilities in nearby Mitcham.
- 6.3** The site is therefore considered to be well suited to some form of multi-unit development. Whether this is achieved through a single development or through a series of smaller developments is not critical from a planning perspective. The opportunity to carry out a single development does, however, offer advantages in terms of simplifying infrastructure construction, managing construction activities (including truck access) and achieving architectural/landscaping continuity throughout.
- 6.4** Being such a large parcel of land means that a housing development over the entirety has the potential to generate its own sense of identity in terms of style and built form, especially as there are no planning impediments to a more contemporary style of housing.
- 6.5** However, with a proposed road connection to two abutting streets resulting in local traffic and pedestrians traffic movement through the development site (via the proposed public road reservation), dwellings which present to the proposed public road will be “read” as part of the wider streetscape, while

there will also be lengthy views presented along the southern arm of the private access road. On this basis, it is important that the development presents appropriately in a setting that complements the “feel” of the neighbourhood. This also applies to the proposed retarding basin, as this open area will be highly visible at the bend in the proposed road.

- 6.6 From a general planning perspective, it is considered that the proposed development does not “hit the mark” in terms of the spatial presentation of a range of dwellings to the proposed road, the private access road and to the Park Road frontage.
- 6.7 There are also shortcomings in respect of the arrangement of secluded private open space at the western end of the central housing rows and landscape presentation issues.
- 6.8 Concern also exists in respect of how pedestrian access is to be achieved throughout the main part of the development (private access road) and the fact that cars and pedestrians are expected to share the same space for relatively long distances in a residential environment where distractions and possibly unexpected pedestrian movement may occur from front entries and driveways. This arrangement was utilised in respect of an intensive housing development at Morello Circle, Doncaster East and the general impression of how it is functioning is not particularly favourable.
- 6.9 Had the current development been for the subdivision of land into lots, it would have been assessed under Standard C20 of Clause 56.06-7 Neighbourhood street network detail objective. This standard provides design criteria for different levels of streets and roads. “Access place” applies to minor streets with shared traffic and pedestrian use (but with pedestrian priority) and for such streets a 5.5m pavement width is required for car use and a 1.5m wide footpath is required to one side, not less than 1.0m from the kerb.
- 6.10 The proposal has not followed this design approach, but rather combined both aspects of vehicular and pedestrian movement into a single entity (for the private access road), in order to maximise land availability for housing development. In other words, in the interests of a higher dwelling density, a more “space saving” internal access system has been adopted. While this approach may be reasonable for a much smaller housing development or for short lanes, it is not considered appropriate for development of this scale and with such long, straight sections of roadway.
- 6.11 Having considered the resident/objector concerns regarding the proposed road connection into the local street system, it is concluded that there is no justifiable traffic engineering basis on which to oppose such connection. Although a frontage exists to Park Road, the applicant is under no obligation to utilise this for access and Council must consider the proposal as presented.
- 6.12 It is recognised that the proposed use of local streets for vehicular access will result in a reduction of the amenity levels that are currently enjoyed by residents of the abutting local streets, but not to the extent that the character of the local streets or the liveability of homes will be significantly changed. Allowing for the expected increase in traffic through local streets, the character of the streets will become more like neighbouring streets, where there are higher traffic volumes due to greater street length and hence dwelling numbers.

6.13 The following detailed assessment of the application is made in respect of the relevant sections of the Manningham Planning Scheme:

Clause 52.06 Car Parking

6.14 Prior to a new use commencing or a new building being occupied, Clause 52.06-2 requires that the number of car parking spaces outlined at Clause 52.06-6 to be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the Responsible Authority.

6.15 This clause requires resident car parking at a rate of one space for each dwelling with one or two bedrooms and two spaces for each dwelling with three or more bedrooms. Visitor car parking is required at a rate of one car parking space for every five dwellings. What actually constitutes a “visitor space” is not defined by the Planning Scheme.

6.16 In terms of the required number of visitor car parking spaces (nine spaces), the proposal provides five communal spaces towards the eastern end of the private access road. It is estimated that safe public parking for at least four other cars would also be available along the proposed road connection at the western end of the site. In addition, many dwellings would be able to accommodate a visitor’s car in front of their double garage. Therefore, visitor parking requirements are considered to be satisfied.

6.17 The following table provides an assessment of the proposal against the seven (7) design standards at Clause 52.06-8:

Design Standard	Met/Not Met
1 - Accessways	<p>Met subject to a condition on any planning approval</p> <p>It is considered that this Design Standard relates primarily to driveways of the development which includes the private access road, but not the proposed new road connection which is built to a higher standard.</p> <p>The private access road has a width greater than 3.0m (the minimum width) and has appropriate radii. All driveways to garages have a minimum width of 3.0m. The driveways which abut the trafficable footpath are not provided with turning radii at the intersectional edges. The design appears to suggest that this is unnecessary due to the additional turning space provided by the trafficable footpath. This approach is not supported and would be required to be altered in the event of an approval.</p> <p>The required passing areas are provided where the private access road connects with the proposed public road. However, Council’s Traffic Engineer has some safety concerns about northbound cars turning right into these intersections. A method to slow southbound cars is required, so as to improve reaction times (relates to the bend in the road and sight distances).</p> <p>Suitable visibility splays for vehicles egressing driveways can be achieved and garage openings are of</p>

	compliant height.
2 - Car Parking Spaces	<p>Met subject to a condition on any planning approval</p> <p>The internal dimensions of the garages and the size of the communal visitor parking spaces are satisfactory. However, several garages appear not to provide a 6.0m clear length for parking due to storage allocation at the end. Any planning approval would rectify this through a permit condition.</p>
3 - Gradients	<p>Met</p> <p>Gradients of the private access road and all driveway gradients are compliant.</p> <p>In the event of an approval, a construction design plan would be required in respect of the private access road and the public road connection.</p>
4 - Mechanical Parking	Not applicable.
5 - Urban Design	<p>Met</p> <p>Parking, garage doors and accessways will not be visually dominating. Fenestration is provided to double garage doors and many garages are stepped back or have a different floor level in relation to the adjoining garage (where they abut).</p>
6 - Safety	<p>Met</p> <p>The five communal visitor car spaces will be safe to use and will be illuminated by the communal lighting system of the private access road.</p> <p>This clause does not specifically cover pedestrian safety along driveways and only refers to safety in parking areas. Overall, pedestrian safety within the development is, nonetheless, a matter which needs to be considered as part of the overall planning assessment and a shortcoming has been identified.</p> <p>This issue will be discussed in relation to Clause 55.03-7 Safety in the following section.</p>
7 - Landscaping	<p>Not Applicable</p> <p>This design standard relates mainly to open car parks where there is a need for landscaping and water sensitive urban design.</p> <p>In the event of an approval, the entire site would be subject to the approval of a detailed Landscaping Plan which would include planting adjacent to communal parking spaces (where practical).</p>

Clause 55 Two or More Dwellings on a Lot

- 6.18 This clause sets out a range of objectives which must be met. Each objective is supported by standards which should be met. If an alternative design solution to the relevant standard meets the objective, the alternative may be considered.
- 6.19 The following table sets out the level of compliance with the objectives of this clause:

OBJECTIVE	OBJECTIVE MET/NOT MET
<p>55.02-1 – Neighbourhood Character</p> <p>To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character.</p> <p>To ensure that development responds to the features of the site and the surrounding area.</p>	<p>Not Met</p> <p>It is considered that the proposal fails to adequately respond or contribute to the existing neighbourhood character. Overall, there are areas where dwellings are very cramped in relation to their road frontage. This arrangement will contrast with the predominant spatial theme of the local area and will not enable adequate landscaping responses to be developed, in order to soften the presentation of the two-storey built form, both internally and externally.</p> <p>The proposed retarding basin will not present well from a landscape perspective due to the use of high retaining walls and steep batters. A wider and more contoured design would create a better relationship with the adjoining houses (existing and proposed) and would then as a result, meld with the levels of the adjoining parkland in a more responsive manner.</p> <p>It is considered that a reduction in dwelling numbers is called for, so as to achieve a more spacious and landscape responsive private road/path system throughout, along with greater setbacks to road interfaces (proposed and existing).</p>
<p>55.02-2 – Residential Policy</p> <p>To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.</p> <p>To support medium densities in areas where development</p>	<p>Not Met</p> <p>It is agreed that the site is suitable for medium density residential development due to its physical characteristics, location and the general availability of public transport, community infrastructure and services.</p> <p>The proposal is therefore considered to satisfy the primary strategic requirement for new housing within Clause 16.01-2. The site does not meet the criteria of a strategic redevelopment site under Clause 16.01-3, so there is no “open ticket” to a higher density development.</p> <p>In respect of Clause 16.01-4 Housing Diversity, the</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<p>can take advantage of public transport and community infrastructure and services.</p>	<p>proposal will offer a range of house sizes and designs, but no real variation in type. However, this is not unreasonable within the existing neighbourhood context.</p> <p>It is considered that the proposal is non-compliant in respect of some strategies outlined in Clause 15.01-1 Urban Design. In particular, there are a number of design/setout shortcomings which make the development not as liveable as it should be. There are also some design/layout aspects that do not represent good urban design or a suitable response to the context of the site as part of this Donvale neighbourhood.</p> <p>In respect of Clause 15.01-4 Design for safety, there are perceived safety issues in respect of pedestrian infrastructure.</p> <p>In respect of Clause 13.03-1 Use of contaminated and potentially contaminated land, the history of the land would suggest that there is no likelihood of the land being contaminated.</p> <p>In respect of Clause 19.03-2 Water supply, sewerage and drainage, it is considered that the provision of a correctly designed retarding basin on the land will eliminate the likelihood of any flooding to the proposed houses or the road connection.</p> <p>In terms of Local Planning Policy, it is considered that although the site is not within a defined residential character precinct, the overarching character theme for this land can reasonably be linked to the classification of land to the south, where an “incremental level of change” is anticipated.</p> <p>The proposal will increase housing choice in the neighbourhood by providing modern homes which will be primarily constructed along a private road.</p> <p>In terms of Clause 21.05-4 Built form and neighbourhood character, it is considered that several strategies linked to the objective are not satisfactorily met. These relate to the provision of high levels of internal amenity for residents and the need to provide suitable setbacks to avoid detrimental impacts to the area’s character and amenity.</p>
<p>55.02-3 – Dwelling Diversity</p> <p>To encourage a range of dwelling sizes and types in</p>	<p>Met</p> <p>There is some variation in dwelling size, with all dwellings containing either three or four bedrooms.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<p>developments of ten or more dwellings.</p>	<p>There is also some variety in proposed floor plans.</p> <p>The dwelling type is aimed at the “family” market.</p> <p>In this location, there is no inherent planning concern with the fact that dwellings are all of the same type.</p>
<p>55.02-4 – Infrastructure</p> <p>To ensure development is provided with appropriate utility services and infrastructure.</p> <p>To ensure development does not unreasonably overload the capacity of utility services and infrastructure.</p>	<p>Not Met (first Objective)</p> <p>The site has access to all services.</p> <p>The proposed retarding basin will act as a stormwater detention system and so regulate the flow of stormwater from the land. Council’s engineers have determined that the proposed retarding basin is satisfactory in terms of its capacity and outfall characteristics. There are however, engineering and planning concerns about the proposed slope characteristics/wall construction. It is also considered that the on-going maintenance requirements should not be the responsibility of residents of the development.</p> <p>There is no evidence of service capacity issues in this location.</p> <p>While there are no related planning controls, the proposed placement of an electricity supply kiosk adjacent to the secluded private open space and a bedroom of Dwelling 27 is not considered to constitute a responsive or appropriate design approach.</p> <p>The relocation of the facility away from housing or the provision of greater separation is called for by the principles of general amenity.</p>
<p>55.02-5 – Integration With Street</p> <p>To integrate the layout of development with the street.</p>	<p>Met</p> <p>None of the proposed dwellings will face onto to an existing street, but five will present to a future street, being the public road connection. Consideration must therefore be given to this aspect.</p> <p>Four of the dwellings are provided with direct path access to the proposed public footpath, while Dwelling 45 relies on connection with its driveway.</p> <p>The orientation of Dwellings 25, 26, 27, 44 and 45 to this road connection is appropriate and will help to create an appropriate streetscape, especially as no fencing is proposed to the front yards.</p> <p>There are, however, setback concerns with some</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>of the dwellings presenting to proposed road connection, as well as dwellings which back onto the Park Road frontage. These concerns are discussed in Clause 55.03-1- Street setback.</p>
<p>55.03-1 – Street Setback To ensure that the setbacks of buildings from a street respect the existing or preferred neighbourhood character and make efficient use of the site.</p>	<p>Not Met</p> <p>Under normal circumstances where a proposed dwelling faces an existing street, the required minimum setback from the street is derived from the methods set out in Standard B6 of Clause 55.03-1. In this case, there is no existing street onto which dwellings front, only a proposed section of street (being the public road connection).</p> <p>While Park Road provides an existing street frontage, in the context of the development proposal, it has been represented as a “back boundary”, almost as though there were other lots to the east rather than a busy road.</p> <p>Comparison can be made to those dwellings in other subdivisions which present rear walls to Tree Reserves along arterial roads. However, in respect of the proposal, there is no treed buffer separating the residential boundary from the road reservation.</p> <p>The alignment of the Park Road frontage is also not consistent with the frontage of the dwelling to the south, being stepped 5.0m back from the front boundary of No. 23 Park Road.</p> <p>While it could be argued that the use of Standard B6 on this frontage to determine appropriate building setbacks is not the intended approach, the dwelling setbacks should, nonetheless, be responsive to any adjacent dwelling setback and ensure that proposed dwellings “sit well” in the streetscape and the wider neighbourhood context.</p> <p>In particular, the Park Road setbacks should allow for screen planting (a feature of the immediately abutting dwelling) and ensure that proposed dwellings do not “crowd” the frontage. This is important, as there will be considerable contrast between the nature of existing housing to the west, the proposed housing on the site and then the open parkland to the north. In addition, housing will be quite exposed to the street due to the open and wide nature strip and a lack of street trees in this location.</p> <p>Taking these aspects into consideration, it is considered that the setbacks which are provided to</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>Park Road will not meet the component of the Objective which relates to neighbourhood character. This aspect is more important than the “efficient use of the site” component.</p> <p>Determining what is an appropriate setback is a subjective matter, but a 4.0m minimum for the ground floor walls along the boundary is seen as reasonable, especially if some other wall sections are set further back. This would allow screen planting within the respective yards to develop and offer an acceptable level of building separation to the street.</p> <p>In addition, all upper floors should be stepped further back from the eastern ground floor walls so as to provide a graduated height change.</p> <p>Taking into account the setbacks that are proposed to Park Road (as little as 1.0m to Dwelling 13), it is considered that the proposed dwellings at this end of the site are not appropriately laid out and are not sufficiently respectful of neighbourhood character.</p> <p>As the proposed road connection links the development with the surrounding street network, a wider streetscape relationship is created between the five dwellings which are to present to the new road. There is also a more specific spatial relationship associated with Dwellings 25, 26 and 27 which adjoin existing dwellings in either Langford Crescent or Wrendale Drive.</p> <p>Consideration therefore needs to be given to the future street setbacks of Dwellings 25, 26, 27, 44 and 45.</p> <p>Dwelling 25 - Standard B6 recommends a 4.0m front setback for this dwelling, as the existing dwelling to the south (9 Clements Avenue) presents a side wall to what is proposed to be the common street. The proposal provides a minimum setback of 3.0m, with this distance increasing to 5.0m at the north-western corner. Given the presence of a solid blade wall projection to the side of the porch, and the form of the dwelling, it is considered that a 4.0m minimum setback is appropriate. On this basis, the dwelling is too close to the frontage.</p> <p>Dwelling 26 - This dwelling has a generous front setback of not less than 8.15m and so responds well to the setback of the adjacent dwelling at 16 Langford Crescent (minimum setback of 7.9m).</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>The recommended setback of Standard B6 is met.</p> <p>Dwelling 27 - This dwelling is effectively a “corner” property. Standard B6 recommends a 4.0m minimum front setback and this is achieved. There is also good transition between the larger setback of Dwelling 26 to the south, so the spatial relationship between dwellings will be “comfortable”. The northern side wall setback of this dwelling is also compliant and responds well to the minimum front setback of the existing dwelling at 18 Wrendale Drive.</p> <p>Dwelling 44 - The “Development Context” range of Standard B6 does not immediately fit the circumstances of Dwellings 44 and 45, but it is reasonable to conclude that a 4.0m setback is the “best fit” dimension. Dwelling 44 has a stepped front wall, with setbacks at corners of 2.9m and 3.0m. While it is recognised that walls are further back in part, it is nonetheless, considered that a 4.0m minimum should be applied to help maintain a more open streetscape presentation, especially given the two-storey built form.</p> <p>Dwelling 45 - This dwelling also has a stepped front wall due to the setback of the garage. The main wall has a corner which is only 2.735m from the frontage which is considered to be an inadequate setback distance.</p> <p>Although the private access road will effectively function as a street, it is considered that the Street Setback Objective does not apply to the remaining dwellings which face onto the private access road.</p> <p>There are, however, concerns that some of these dwellings are positioned too close to the driveway to ensure reasonable design/amenity/landscaping outcomes.</p> <p>This aspect is discussed in more detail within Clause 55.03-8 – Landscaping and Clause 55.06 Detailed Design.</p>
<p>55.03-2 – Building Height</p> <p>To ensure that the height of buildings respects the existing or preferred neighbourhood character.</p>	<p>Met</p> <p>Standard B7 requires that the maximum building height should not exceed the maximum height specified in the zone, schedule to the zone or an overlay that applies to the land. As there is no maximum height set by the zone provisions and no overlay, a maximum height of 9.0m (to Natural</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>Ground Level) applies, unless certain slope criteria occur, in which case, a 10.0m maximum applies. These heights are not mandatory limits.</p> <p>Given the slope characteristics of the site, the 10.0m maximum height dimension applies.</p> <p>Natural Ground Level (NGL) is not defined by the Planning Scheme and when a site has been modified through earthworks there can be different opinions about what constitutes “natural ground”.</p> <p>As there is to be deep filling of the central valley, the existing ground level will be in some areas well below the finished site level. Given that some central dwellings are to be constructed over this fill, the height measurement (as per the “building height” definition, is taken from the existing ground level. Despite this, the Standard is still met overall.</p> <p>In this regard, five dwellings are at or close to the 10.0m height due to deep filling below their envelope (Dwellings 1, 28, 30, 31 and 32).</p> <p>With two-storey built form throughout and no significant filling to the residential interfaces, the height of the dwellings is deemed to be satisfactory from a neighbourhood character perspective.</p>
<p>55.03-3 – Site Coverage</p> <p>To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p>Met</p> <p>There is no maximum site coverage specified in the schedule to the General Residential Zone, so on this basis, Standard B8 recommends a maximum site coverage of 60%.</p> <p>The proposed site coverage is 36.47% which is quite low for a development of this nature. This figure is, however, influenced by the inclusion of the new road reserve and the retarding basin in the site area figure.</p> <p>If these areas are deducted from the site figure, the residue “core housing area” (located east of the new road and the proposed retarding basin) is approximately 10,850m². Based on this figure, the forty-three dwellings within this area would have a site coverage of approximately 46.0%.</p> <p>In both cases, the standard is easily complied with and it is considered that the Objective is met.</p> <p>Despite compliance with recommended site coverage figure, this report concludes that a more responsive layout is called for through a reduction in dwelling numbers. This would most likely be</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	associated with a lower overall site coverage figure.
<p>55.03-4 – Permeability</p> <p>To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p>	<p>Met</p> <p>The proposal has 36.24% of site area as a pervious surface which is greater than the 20% minimum amount recommended by the relevant Standard.</p> <p>Overall, there are considered to be adequate opportunities to absorb a percentage of rainwater into the ground.</p> <p>The proposed retarding basin will control the rate at which stormwater is discharged from the site.</p>
<p>55.03-5 – Energy Efficiency</p> <p>To achieve and protect energy efficient dwellings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	<p>Met</p> <p>The proposed dwellings will be required to comply with State determined energy ratings at the Building Permit stage.</p> <p>It is considered that the two-storey buildings will be relatively efficient from a thermal mass perspective, particularly as concrete slab construction is proposed for the ground level.</p> <p>A high percentage of the dwellings will also have a living space with a northern window which is beneficial from a solar access perspective.</p> <p>Breeze paths through the dwellings are not excessive in length.</p> <p>The flat roof design of some dwellings would be particularly suited to the installation of solar panels for water heating and/or energy generation.</p>
<p>55.03-6 – Open Space</p> <p>To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</p>	<p>Met subject to conditions on any planning approval</p> <p>The proposal provides an open area in the north-western corner of the site for use as a retarding basin. However, this area will not be used as recreational space or be landscaped, other than through the planting of grass and the installation of water tolerant planting to its base area.</p> <p>While there is no pressing need for Dwelling1 (located immediately adjacent to the retarding basin) to present to the space, it is considered that there will be a poor layout synergy with part of the dwelling being placed hard up to the basin edge.</p> <p>The overall layout recognises the opportunity to</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>connect the new housing with the public open space to the north (via a private walkway) and this is a positive feature which will increase future resident amenity.</p> <p>The Site Plan/Ground Floor does not nominate the type of fencing to be built along the northern boundary. While an open style of fencing would allow views of the parkland from ground level, it is likely that the majority of future residents would prefer a solid paling fence for security and privacy reasons.</p> <p>It would be appropriate from a drainage perspective to maintain wire boundary fencing adjacent to the retarding basin. Fencing details can be required through a permit condition in the event of an approval.</p> <p>As the private access road will be a private asset and security gates will be installed to the pedestrian lanes to the adjoining park and the Park Road frontage, there will be no thoroughfare across the site for existing residents living in adjacent streets.</p> <p>Currently, various large holes exist in the cyclone wire boundary fencing to the site, presumably to facilitate public access from local streets across the vacant land to the VicRoad's park. Human nature being what it is would suggest that local residents may continue to "short cut" through the site to and from the park, most likely via the eastern edge of the retarding basin.</p> <p>As Council's open space planner supports the concept of a public footpath connection between Wrendale Drive/Langford Crescent and the Eastern Freeway Linear Park, any planning approval for this land needs to be responsive to this issue.</p> <p>The proposal is not responsive in its current form, however, there is clear potential for a link to be achieved.</p> <p>This could be achieved by a planning condition requirement for a public pedestrian link (through the use of a Section 173 Agreement condition and the creation of a future easement of way at any subdivisional stage). A more spacious and gradually contoured retarding basin (with greater separation to any adjacent dwelling) would provide the opportunity for this option to be explored more fully.</p> <p>This lends weight to the conclusion that the</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	retarding basin is too constrained in its area and form.
<p>55.03-7 – Safety</p> <p>To ensure the layout of development provides for the safety and security of residents and property.</p>	<p>Not Met</p> <p>This Objective is considered to be met in terms of “security of residents and property” in that yard spaces will be fenced and there will be gates to the proposed pedestrian lane connections.</p> <p>Residents of dwellings which back onto parkland may feel vulnerable to persons “coming over the back fence”, but this concern can be addressed by individual owners through the use of movement sensing flood lights to rear yards.</p> <p>In terms of safety, it is considered that there are two aspects to be considered. The first is the risk associated with the proposed retarding basin and the second is the risk associated with the proposed pedestrian circulation system of the private access road.</p> <p>In terms of the retarding basin, it is considered that as there will be some permanent water held in the basin and associated levels will vary (depending on the rainfall), the basin will represent the same sort of risk as could be linked to a swimming pool, dam or open drain. Given the proximity to proposed dwellings, there is a case for the provision of security fencing equal to that of a domestic swimming pool enclosure, along with secured gates for service access. This at least would discourage younger children from finding their way to the water (if they wandered). No such fencing is provided.</p> <p>The other matter relates to general safety for persons walking along the private access road. The applicant’s traffic consultant is satisfied with the shared pedestrian/vehicular arrangement and talks positively about the slow traffic speeds that can be expected.</p> <p>However, it must be remembered that there will be different age groups both walking and driving along the private access road and there is no guarantee that all drivers will drive slowly all of the time and that pedestrians and pets will stay on the path confines.</p> <p>With no kerb separation and no height difference between the path surface and the proper driveway surface, there would be no tactile indicator for drivers who may stray inadvertently onto the path section. With many distractions possible for drivers</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>moving though such a housing development, there is increased risk of a pedestrian related accident.</p> <p>Support for the proposed shared pedestrian path/driveway is therefore not given and it is considered that any pedestrian path associated with the private access road should be grade separated and setback from the trafficable surface. Advice from Council's traffic engineer supports this conclusion.</p> <p>Given the above, the Objective is not met by the proposal.</p>
<p>55.03-8 – Landscaping</p> <p>To encourage development that respects the landscape character of the neighbourhood.</p> <p>To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance.</p> <p>To provide appropriate landscaping.</p> <p>To encourage the retention of mature vegetation on the site.</p>	<p>Not Met</p> <p>As this site is not of habitat importance and the mature vegetation on the land is in quite poor condition, it is considered that only the first and third Objectives need to be considered.</p> <p>It is recognised that a development of this nature will require the clearing of the whole site to achieve the necessary surface level adjustments and to provide construction access during the building process. As a result, there will be dependence on fresh landscaping to achieve a long term planting theme.</p> <p>In the event of an approval, Council would have the ability to generally specify species and locations for primary garden elements, such as street trees, screen planting to boundaries and canopy trees with private spaces.</p> <p>With no proposed landscaping plan provided, Council is left with the question of whether there is sufficient open space (private or common) to provide a satisfactory landscaping theme.</p> <p>It is considered that the answer to this question is no, with the main shortcomings being with the ability to provide a satisfactory tree planting regime along the private access road. The main constraint is seen to be the complete lack of common nature strips and the cramped front yard setbacks of many dwellings which are located quite close to the private access road.</p> <p>Another area of concern is in relation to the eastern boundary, where dwellings are in part quite close to the Park Road frontage and with limited</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>opportunities to provide a good overall balance between screen planting to soften built form and useable secluded private open space.</p> <p>Taking into account the prominent position of the proposed retarding basin and its likely visibility to the general public, it is considered that the sides of this space should be of sufficient width to provide a meaningful landscape treatment and that there should not be high exposed retaining walls built along the batters.</p> <p>For the above reasons, it is considered that two objectives are not met.</p>
<p>55.03-9 – Access</p> <p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>	<p>Met</p> <p>There will be only two dwelling crossovers constructed on the proposed public road section (being to Dwelling 26 and 27). These are well spaced and would be compatible with the pattern of crossovers in the local streets.</p>
<p>55.03-10 – Parking Location</p> <p>To provide convenient parking for resident and visitor vehicles.</p> <p>To avoid parking and traffic difficulties in the development and the neighbourhood.</p> <p>To protect residents from vehicular noise within developments.</p>	<p>Met</p> <p>As each garage is integrated into the respective dwelling design and has an internal door connection, resident parking is convenient. Many visitors will be able to park on the garage driveway of the dwelling they are visiting. Use can also be made of the communal parking spaces at the eastern end of the site.</p> <p>On-street parking for at least four cars would be available on the future public “Road” and there is potential for some limited parking along some sections of the private access road, on the side opposite to the trafficable footpath. Such parking could, however, impact on turning into and out of opposite driveways, so it would be appropriate for any Owners’ Corporation to mark the appropriate locations.</p> <p>The range of parking options throughout the development should ensure that under normal circumstances, there are no significant parking issues.</p> <p>There is not expected to be parking overspill into adjoining streets.</p> <p>Council’s traffic engineer has determined that the</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>anticipated increase in traffic volumes through local streets serving the site are within normal limits and that there should be no unreasonable impacts.</p> <p>While it is recognised that the current “cul de sac” lifestyle characteristics will be lost, the reduction in general amenity associated with this aspect of the proposal is not considered to be of sufficient weight to warrant a specific ground for planning refusal.</p> <p>The movement of cars around the site is not likely to generate any adverse noise impacts on future residents. There is, however, likely to be occasional and short term noise impact from rubbish trucks, as they circulate (which is not unusual).</p>
<p>55.04-1 – Side And Rear Setbacks</p> <p>To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p>Met</p> <p>As there is no minimum distance specified in the schedule to the zone, Standard B17 provides a method of determining the minimum recommended wall setbacks from the rear or side boundaries.</p> <p>It is considered that the Park Road boundary is neither a side or rear boundary and setbacks for dwellings which adjoin this boundary have been discussed in Clause 55.03-1 – Street setback.</p> <p>In respect of this application, there is compliance with the wall height/setback standard, with most wall setbacks to side boundaries being in excess of the minimum.</p> <p>Minimum ground floor setbacks along the southern boundary (adjoined by the back yards of existing houses) are not less than 3.0m, with all garage walls being stepped further back. This setout is considered to be acceptable, particularly as there are some gaps provided between pairs of dwellings. Upper level setbacks are not less than 3.58m and again this is considered to be reasonable for this form of development, especially as the related wall sections are not long.</p> <p>Along the northern boundary, it is considered that all ground floor setbacks are acceptable. Dwellings 1, 2, 9 and 10 have upper wall sections which are setback approximately 2.7m. This is considered to be satisfactory, given that the abuttal is to a large open space where there will be no sense of “cramping”.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>Along the western boundary, there are only two dwellings with abuttal. These are setback large distances compared with the minimum requirements. This is beneficial to future residents of these dwellings due to the visual/privacy impacts generated by the existing dwelling at 18 Wrendale Drive.</p>
<p>55.04-2 – Walls On Boundaries</p> <p>To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.</p>	<p>Not applicable</p> <p>There are no building walls built to boundaries.</p>
<p>55.04-3 – Daylight To Existing Windows</p> <p>To allow adequate daylight into existing habitable room windows.</p>	<p>Met</p> <p>Standard B19 sets out certain minimum requirements for daylighting to habitable room windows of existing houses. The standard is easily met as there are no existing habitable room windows within close proximity to the site boundaries.</p>
<p>55.04-4 – North Facing Windows</p> <p>To allow adequate solar access to existing north-facing habitable room windows.</p>	<p>Met</p> <p>There are no existing north-facing habitable room windows in close proximity to the site and hence, there can be no adverse solar access impacts.</p>
<p>55.04-5 – Overshadowing Open Space</p> <p>To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p>Met</p> <p>As demonstrated by the submitted shadow diagrams, at the control period (September Equinox), there will not be any unreasonable overshadowing of adjoining properties to the south or west of the site.</p> <p>Existing back yards to the south of the site are quite spacious and only a small percentage of the areas will be affected by shadow. A swimming pool at 7 Clements Avenue will be partly shadowed at 9.00am. From this time on, the shadow will reduce to no impact before 12.00midday. This impact will not occur during the warmer months of the year, so</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>there are no amenity concerns.</p> <p>On this basis, both Standard B21 and the Objective are met.</p>
<p>55.04-6 – Overlooking</p> <p>To limit views into existing secluded private open space and habitable room windows.</p>	<p>Met</p> <p>The design requirements of Standard B22 are complied with, with all upper level habitable room windows that face south towards existing residential properties being provided with external sight screens.</p> <p>One upper level, habitable room window of Dwelling 26 faces the eastern wall of the dwelling at 18 Wrendale Drive (where there are elevated habitable room windows). However, as the distance between opposite windows is greater than 9.0m, the relevant standard is met and there is no requirement for screening.</p>
<p>55.04-7 – Internal Views</p> <p>To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</p>	<p>Not Met</p> <p>Appropriate levels of internal privacy are provided in respect of habitable room windows and secluded private open space of dwellings located around the perimeter of the site.</p> <p>There is, however, a range of privacy issues apparent in respect of the central dwellings especially where dwellings back onto each other in close proximity. This impact is increased by the fact that many of the dwellings in the southern row have higher floor levels than the dwellings to the north, thus reducing the effectiveness of any intervening fence.</p> <p>There are however, instances of habitable room windows of opposite dwellings being located in close proximity and with no apparent screen between. Examples are Dwellings 31/41 and 32/40.</p> <p>There are also some instances where persons standing on a deck or at a habitable room window of one dwelling are likely to have views into the secluded private open space of an adjoining dwelling. For instance, there would be overlooking from the southern deck of Dwelling 29 to the rear yard of Dwelling 45. A similar problem would occur in relation to overlooking of the yard of Dwelling 32 from the meals room window of Dwelling 40.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>These issues could be rectified by installing sight screens above fencing and by moving some decks away from shared fencelines. Screening in the form of obscure glass could also be provided to habitable room windows where an issue existed.</p>
<p>55.04-8 – Noise Impacts</p> <p>To contain noise sources in developments that may affect existing dwellings.</p> <p>To protect residents from external noise.</p>	<p>Met</p> <p>Subject to conditions on any planning approval</p> <p>There is no anticipated noise source from the proposed housing which is likely to impact on the existing dwellings adjacent to the site. The construction of dwellings on this land is in fact likely to reduce noise transfer from traffic the EastLink Freeway to those residences to the south of the site.</p> <p>Council does not engage its own acoustic engineers to assess planning applications. In circumstances where it is deemed that a problem may exist, the applicant for a planning permit will be required to provide an acoustic assessment.</p> <p>Such a report, relating to the impacts of current and future traffic noise impacts from the EastLink Freeway was provided by the applicant. The submitted report indicates that -</p> <p><i>“Noise levels are predicted to comply with VicRoads criteria of 63dB(A) at the proposed lot locations within the development for both year 2027 and year 2043 scenarios. Predicted noise levels are based on a 3% increase in traffic flow per year from the existing 2015 traffic volumes. No noise mitigation has been recommended.”</i></p> <p>No assessment was made in respect of noise impacts from traffic using Park Road. A site inspection of the eastern boundary by the planning officer, indicated that there was general traffic noise transfer to the eastern end of the site.</p> <p>It is a reasonable assumption that noise from such bus movements would impact markedly on the four dwellings which are to back onto Park Road. On this basis, it would have been appropriate to provide acoustic rated glass to the habitable room windows and doors which present to the eastern boundary. There is no notation to this effect. An increased setback would also be beneficial.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	In the event of planning approval, this could be required through a planning condition.
<p>55.05-1 – Accessibility</p> <p>To encourage the consideration of the needs of people with limited mobility in the design of developments.</p>	<p>Met</p> <p>The related standard clarifies that to meet this objective-</p> <p><i>“The dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility.”</i></p> <p>All dwellings have front access doors that are either readily accessible or could be made accessible for persons with limited mobility. All front doors provide access to living space within the dwellings.</p>
<p>55.05-2 – Dwelling entry</p> <p>To provide each dwelling or residential building with its own sense of identity.</p>	<p>Not Met</p> <p>Each dwelling is provided with a sense of personal address and a level of shelter at the front entry.</p> <p>However, a number of dwellings (Dwellings 8 and 11 are examples) have their front entry paths located very close to the trafficable footpath, resulting in a cramped layout and a poor sense of entry.</p> <p>Other front entries are also shown facing directly onto rubbish bin collection points. These shortcomings are linked to the lack of continuity with front setbacks and the adoption of inadequate minimum distances.</p>
<p>55.05-3 – Daylight to new windows</p> <p>To allow adequate daylight into new habitable room windows.</p>	<p>Met</p> <p>Each external habitable room window within the proposed dwellings will receive an adequate level of daylight.</p>
<p>55.05-4 – Private open space</p> <p>To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p>Not Met</p> <p>Standard B28 provides a range of open space options for multi-unit development. These include ground level private open space, balconies or a roof-top terrace. For ground level open space, an area of 40m² is required with one part being to the side or rear with a minimum area of 25m² and a minimum dimension of 3.0m. Convenient access from a living room is also required.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>Overall, the proposal achieves compliance with the Standard.</p> <p>In terms of layout, there is a clear deficiency with the arrangement of the rear yards of Dwellings 28, 29, 43, 44 and 45. In particular, Dwelling 45's secluded private open space is adjoined by the secluded private open space of the other four dwellings, resulting in poor general amenity and "crowding".</p> <p>This dwelling also is shown with a full height kitchen window opening onto the secluded private open space of Dwelling 44 (Ground floor plan and elevation). This is assumed to be an error.</p> <p>The poor arrangement of secluded private open space in respect of the abovementioned dwellings is considered to be a product of having one too many dwellings at the western end of the private access road. It is considered that Dwelling 45 should have been omitted to allow for an alternative floor plan for Dwelling 44 and a better open space arrangement for the remaining dwellings.</p> <p>Other factors relating to front setback support this conclusion.</p>
<p>55.05-5 – Solar access to open space</p> <p>To allow solar access into the secluded private open space of new dwellings and residential buildings.</p>	<p>Not Met</p> <p>Private open space should be located on the northern side of a dwelling if appropriate. The only standard relating to the Objective is based on a secluded private open dimension calculation linked to the height of any wall on the northern side of secluded private open space.</p> <p>Allowing for the fact that a range of dwellings have their secluded private open space on the northern side of the dwelling, the main consideration needs to concentrate on Dwellings 17 to 25 along the southern boundary and Dwellings 28 to 35 which have all or part of their open space to the south of the respective dwelling.</p> <p>In respect of the southern row of dwellings, it is apparent that the required standard is not met in respect of any of the yards to the south of the dwellings. With a typical wall height of approx. 7.0m (double storey walls), a setback to the southern edge of the open space of 8.3m is required to allow reasonable sunlight availability at the southern part of the open space. With a range</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>of upper floor walls setback much closer to the southern boundary, the results are very poor for these spaces.</p> <p>To compensate for this, the design provides for separation between pairs of dwellings with alternative secluded private open space areas between. These areas contain the main decks/sitting areas for the respective dwellings and will receive sunlight during the middle of the day, as the sun moves across the sky. Whether this is an acceptable result is debatable. Overall, it is considered that a more balanced result should have been sought by increasing the setbacks of walls from the southern boundary.</p> <p>In respect of the other rows under consideration, wider spacing of pairs of dwellings (with open space between) provides for longer periods of northern sunlight to these spaces, while deeper rear yards also assist in allowing some sun into these spaces throughout the day. Dwellings 28 and 29, however, have reduced amenity due to the fact that the rear deck areas are in shade all day.</p>
<p>55.05-6 – Storage</p> <p>To provide adequate storage facilities for each dwelling.</p>	<p>Met</p> <p>The provision of externally accessible storage for each dwelling is made available in a range of ways and is considered to be acceptable. The provision of recessed internal stores to some garages means that the additional garden sheds to the relevant dwellings are smaller than usual.</p> <p>This is beneficial from an internal presentation perspective.</p>
<p>55.06-1 - Design Detail</p> <p>To encourage design detail that respects the existing or preferred neighbourhood character.</p>	<p>Not Met</p> <p>The following Decision Guidelines are required to be considered by Council-</p> <ul style="list-style-type: none"> • Any relevant neighbourhood character objective, policy or statement set out in this scheme. • The design response. • The effect on the visual bulk of the building and whether this is acceptable in the neighbourhood setting. • Whether the design is innovative and of a high architectural standard.

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>The proposed architectural presentation throughout the development offers a contemporary statement that responds positively to the existing neighbourhood character. The overall concept is well conceived and none of the proposed dwellings stand out as being too large or bulky.</p> <p>The selection of building materials and finishes has been developed to complement design elements and will work well in the local context. Window design is attractive and well proportioned.</p> <p>Efforts have been made to vary roofline treatments/styles and this is seen as a positive feature.</p> <p>While not being specifically listed in this section of Clause 55, it is considered that the spatial arrangement of dwellings within a housing development such as this, is an important matter for consideration and one which is clearly linked to appropriate design response.</p> <p>What needs to be recognised with this design, is that the length and generally straight alignment of the two arms of the private access road will create internal streetscapes, with the rows of abutting dwellings extending for over 110.0m. The proximity of dwellings to the central accessways and the nature of their entries and front yards play an important role in determining how persons interpret the space and what opportunities will exist to develop planting themes which can soften the overall impact of the housing rows.</p> <p>It can be difficult to gauge how built form relationships will work and comparisons with existing development can assist. Morello Circle in Doncaster East provides an example.</p> <p>In respect of the two-storey houses which have been constructed to the private road in this existing development, front walls are mainly setback approximately 4.0m from a central driveway (with no nature strips). Various front entry porticos extend into the front setbacks.</p> <p>While opinions may vary as to whether this existing development (located within The Pines Activity Centre) is too congested, it can, nonetheless, be concluded that general wall setbacks of any less than 4.0m would not have represented a suitable design response.</p> <p>The subject proposal provides a range of dwelling</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>setbacks to the private access road, but only a relatively small number have setbacks which are at or greater than 4.0m. It is considered that a more consistent approach is called for, with an appropriate minimum being established.</p> <p>With some front walls being setback as little as 2.0m from the edge of the private access road and many prominent porch elements extending quite close to the driveway, it is considered that the proposed layout will be cramped in some areas and will not adequately respect the spatial and landscaping characteristics of the neighbourhood.</p>
<p>55.06-2 – Front Fences</p> <p>To encourage front fence design that respects the existing or preferred neighbourhood character.</p>	<p>Not Applicable</p> <p>Only four dwellings (Nos. 25, 26, 27 and 44) will have a front presentation to the future public road. None of these dwellings is proposed with a front fence.</p> <p>None of the other dwellings are proposed with fencing between the dwelling and the private access road.</p>
<p>55.06-3 – Common Property</p> <p>To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained.</p> <p>To avoid future management difficulties in areas of common ownership.</p>	<p>Met subject to conditions on any planning approval</p> <p>In the event of an approval and the future subdivision of the land to create individual lots for each dwelling, “communal open space” will consist of a sub-station envelope, the two walkways which provide access to Park Road /adjacent parkland and some pockets of unassigned open space along the private access road. The retarding basin is also proposed to be in common ownership.</p> <p>Costs such as public liability insurance, upkeep of the private access road/trafficable footpath, including drainage and lighting would be apportioned to the forty-three owners whose properties abut the private access road.</p> <p>In the event of an approval, a standard maintenance condition could be included in any permit.</p> <p>Unlike most multi-unit developments with a shared driveway system, the garden areas between the private access road and the walls of the dwellings (and driveway connections) are not proposed to be in common ownership. This situation removes all responsibility for the upkeep of these spaces from</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>the Owners' Corporation.</p> <p>As a result, if individual owners decided to not maintain their garden or to "modify" it, then overall presentation could be significantly downgraded. Examples of this situation exist in Morello Circle, Doncaster East where some front yards are completely overgrown, landscaping lacks synergy and in one case, a sloping yard has been roughly "carpeted" with artificial grass.</p> <p>Planning enforcement is also more difficult, due to the fact that individual owners need to be dealt with. Given the above, and the fact that there are some expansive open space areas adjacent to some dwellings (Dwellings 25, 28, 33, 36 and 44 for instance), it is considered that any approved plan should be required to denote the private access road setbacks as "future common property".</p> <p>In this manner, the areas would be maintained by contractors working for the Owners' Corporation. In addition, lighting bollards (or street lights) and the required electricity supply conduits would then be located in general common property, rather than common property easements.</p> <p>The proposed public road connection would be required to be constructed and illuminated to Council's satisfaction, as ultimately Council would be responsible for the upkeep of the public road and its drainage/lighting.</p>
<p>55.06-4 – Site Services</p> <p>To ensure that site services can be installed and easily maintained.</p> <p>To ensure that site facilities are accessible, adequate and attractive.</p>	<p>Met subject to conditions on any planning approval</p> <p>There are no apparent difficulties in respect of the supply and future maintenance of services to the proposed dwellings.</p> <p>No details are provided in respect of fire services which would be assessed and made compliant as part of any building permit that may be issued.</p> <p>Lighting of the private access road is proposed via bollards lights which is considered to be a poor option for such a long accessway. Overhead lighting with appropriate levels of illumination and spacing is considered to be more appropriate.</p> <p>Dwellings abutting the proposed public road connection will be able to utilise Council waste</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>collection. These dwellings will be provided with three rubbish bins.</p> <p>All other dwellings will be served by a private rubbish collection service. Under the proposed Waste Management Plan, these dwellings will have two bins for rubbish and recyclables. Green waste is to be collected by “the future landscape contractor”.</p> <p>Three dwellings (Nos.15, 38 and 44) have access constraints for rubbish bin movement, in that there is either no garage doorway access to the yard or no side gate. Several other dwellings have stairs from the yard to the garage door access which would make bin movement difficult for some residents. These issues could be addressed by permit conditions in the event of an approval.</p> <p>Mail deliveries would be to individual letterboxes located predominantly in front of the dwellings. From a design perspective, it would be beneficial if there was control over the letterbox design, with perhaps a range of standard options being put forward. This issue could be addressed by a permit condition, in the event of a permit being issued.</p> <p>Fixed clotheslines of an appropriate size are provided within secluded private open spaces.</p>

7 CONSULTATION

- 7.1 The application was advertised by erecting three signs (Park Road frontage and at the ends of Langford Crescent and Wrendale Drive). Letters were also sent to forty-two residential properties, as well as VicRoads/ConnectEast. Forty-six objections were received, with some households generating more than one objection.
- 7.2 An objection was also received from ConnectEast which is the concessionaire of EastLink, pursuant to a grant by the State (not a referral authority).
- 7.3 Details are as follows:

Affected Property
1 Langford Crescent, Donvale
2 Langford Crescent, Donvale
3 Langford Crescent, Donvale
5 Langford Crescent, Donvale
7 Langford Crescent, Donvale
10 Langford Crescent, Donvale

Affected Property
12 Langford Crescent, Donvale
15 Langford Crescent, Donvale
15A Langford Crescent, Donvale
16 Langford Crescent, Donvale
1 Wrendale Drive, Donvale
2 Wrendale Drive, Donvale
3 Wrendale Drive, Donvale
4 Wrendale Drive, Donvale
6 Wrendale Drive, Donvale
6A Wrendale Drive, Donvale
7 Wrendale Drive, Donvale
8 Wrendale Drive, Donvale
9 Wrendale Drive, Donvale
10 Wrendale Drive, Donvale
11 Wrendale Drive, Donvale
12 Wrendale Drive, Donvale
13 Wrendale Drive, Donvale
14 Wrendale Drive, Donvale
1/15 Wrendale Drive, Donvale
2/15 Wrendale Drive, Donvale
16 Wrendale Drive, Donvale
17 Wrendale Drive, Donvale
18 Wrendale Drive, Donvale
19 Wrendale Drive, Donvale
21 Wrendale Drive, Donvale
23 Wrendale Drive, Donvale
4 Clements Avenue, Donvale
7 Clements Avenue, Donvale
9 Clements Avenue, Donvale
21 Park Road, Donvale
Land to the north (objection from ConnectEast Pty Ltd)

Grounds:

Neighbourhood Character/Design Aspects

- The proposal is an overdevelopment.
- The dwelling density is too high and not in keeping with the predominant residential character of the neighbourhood.
- The general form of the development including lot size, site coverage, setbacks, open space provision, driveway width and parking location is not responsive to the character of the existing housing of the neighbourhood.

- Larger lots for each dwelling would be more compatible with the local residential character/fabric.
- Building designs are bulky and layout is “tightly packed”.
- Architectural style is repetitive may not complement the neighbourhood.
- None of the housing is “lower cost” to make it more affordable.
- No communal open space provided on-site and no playground for children.
- No provision for additional community services.
- Dwelling setbacks and height do not respect the local housing.
- Private access road is too narrow at 4.3m (excludes the integrated footpath).
- Insufficient landscaping opportunities to respond to the “leafy” character of Donvale.
- Private open space provision for the dwellings is limited and not suited to “family living” which characterises Donvale.
- Land to be occupied by Dwellings 26 and 27 should be public open space.
- The future Owners’ Corporation may not maintain the large retarding basin.

Response

- There is general agreement that the proposed layout is not sufficiently responsive to the neighbourhood character and that improvement is called for in respect of internal setbacks to any private road system and the Park Road frontage.
- Based on the type of houses that are proposed and taking into consideration the layout issues which have been identified, it is agreed that a reduction in dwelling numbers is called for.
- Site coverage, building height, private open space, parking and setback analysis is provided in the Clause 55 assessment. There is reasonable compliance with most Objectives, except mainly in relation to building setbacks from Park Road, the proposed road connection and the private access road and the layout of some proposed back yards.
- Building design is considered to be acceptable in the neighbourhood context and there are no “bulk” issues.
- There is no statutory requirement for play facilities and there is an opportunity to use adjacent parkland for passive recreation.
- The scale of the development does not generate a need for any community services.
- There is no recognised planning precedent requiring the developer to provide a “low cost” housing component for a development of this scale.
- The Clause 55 assessment recognises that additional landscaping opportunities are called for.

- Safety concerns have been identified in respect of the design of the proposed private access road.
- Council's engineers have indicated that improvements are required to the design of the proposed retarding basin and have provided appropriate design guidelines which require the removal of high retaining walls. It is also now considered that as the site constitutes only 25% of the total catchment area, it would be more appropriate for Council to own and maintain the area.

Traffic impacts /Access design

- All vehicular access should have been restricted to Park Road (which is the address of the subject land) – possible roundabout could be constructed here.
- Traffic generation figures provided in the applicants Traffic Report are out of date and are likely to be much higher during peak periods.
- Increased traffic flow/congestion in local streets which access this development will result in lower safety levels and make rubbish collection more difficult.
- Local streets which provide access are narrow and characterised by on-street parking resulting in dangerous limitations for increased traffic flow.
- Extraneous traffic enters Wrendale Drive already (looking for a shortcut).
- Wrendale Drive and Langford Crescent both have bends which increase traffic risk.
- On-street parking in Wrendale Drive makes it difficult to reverse out of driveways safely.
- Increased delays at the intersection of Wrendale Drive/Mitcham Road and the intersection of Clements Avenue/Park Road which are difficult to turn out of; especially at peak periods.
- Applicant's Traffic Report does not address impacts at the above intersections.
- Cars on Mitcham Road can use Wrendale Drive T intersection as part of U turn movement.
- Proposed "Road" connection will increase the incidence of "rat running" by extraneous traffic.
- Private access road does not have a carriageway width of 5.5m due to inclusion of the footpath.
- No local support for the proposed "Road" connection.
- Emergency vehicles may find that access is difficult.
- Traffic flow will be concentrated along Wrendale Drive, rather than Langford Crescent and Clements Avenue.
- Residents tend to walk along the road pavement in Langford Crescent and Clements Avenue due to a lack of constructed footpaths (additional traffic will be a danger).

Response

- There are many instances where properties with a particular street address, have vehicle access from an adjoining street to which they also have a frontage.
- At the pre-application stage, Council officers did not believe there was a need to reject the applicant's proposal to connect the site through the local street system. This view was based on the fact that such access was originally envisaged when the area was subdivided and there were perceived benefits in respect of street connectivity/rubbish collection.
- The applicant has had ample opportunity to seek specialist engineering/traffic advice regarding the possible construction of an alternative access arrangement and has decided to continue with the current proposal. On this basis, Council must assess the access arrangements based on advice from its traffic engineer.
- Council's traffic engineers have made an independent assessment of the likely traffic impacts on local streets (as a result of the proposed housing) and considers that the likely impacts are not onerous, with local streets having sufficient capacity to handle the traffic increases without adverse safety consequences. It is anticipated that the development will generate an additional 30 vehicle movements in the peak periods, which will be distributed across Wrendale Drive, Langford Crescent and Clements Avenue. The additional traffic generated is unlikely to significantly increase congestion in the local road network. Officers can inspect local streets and consult with residents if parking restrictions become warranted.
- Council's traffic engineers accept that the submitted traffic generation figures are appropriate for this type of housing.
- In respect of "potential rat running", motorists attempting to undertake a short cut from Mitcham Road to Park Road via the proposed new connection of Wrendale Drive and Langford Crescent will be required to give way to Park Road traffic. It is unlikely that this route would reduce travel time as a result.
- Motorists attempting to undertake a short cut from Park Road to Mitcham Road via the proposed new connection of Wrendale Drive and Langford Crescent would only undertake this manoeuvre to turn right into Mitcham Road. There are limited gap opportunities to turn right from Wrendale Drive into Mitcham Road and this option is not considered a favourable option.
- Officers can monitor concerns such as "rat running" and if warranted in future, traffic management measures could be considered. The proposed development is unlikely to alter existing driver behaviour of those not residing in abutting local streets.
- Council's traffic engineers have indicated that a rate of 6.5VTE (as applied) is consistent with the '*Guide to Traffic Generating Developments*' – Road and Traffic Authority, and is considered

to be appropriate for this development. A rate of 10.7VTE as suggested by objectors is considered to be too high.

- The proposed inclusion of a footpath within the trafficable width of the private road is not supported. The principles underpinning conventional subdivision design require a 5.5m wide carriageway, in addition to a 1.5m wide pedestrian path.
- The proposal will have no adverse impacts on public rubbish collection and would simplify this process by connecting two local streets.
- In the event of any pedestrian hazards being identified in local streets as a result of increased traffic and the lack of constructed footpaths, Council has the option of installing sealed footpaths as may be deemed necessary.

Parking Provision/Local impacts

- An inadequate amount of car parking is provided within the development site (Some families will have more than two cars).
- Five dedicated visitor spaces are insufficient for a development of this scale and Planning Scheme requires nine visitor spaces.
- Proposed private access road is too narrow to accommodate parallel parking.
- Local streets will be used for “overflow parking” and this will make it harder for rubbish collection.
- Parking restrictions may need to be introduced in local streets.
- Double garages appear to be smaller than normal and may not accommodate 2 cars, particularly with storage areas provided.
- Nearby residents of a Mitcham Road unit development sometimes park in Wrendale Drive.

Response

- The proposed parking provision is considered to satisfy the statutory parking requirements of the Manningham Planning Scheme.
- Options exist for visitor parking on driveways and along parts of the proposed circulation system and this parking will supplement the designated communal parking spaces.
- The majority of households (74.4%) in Manningham own 2 or less vehicles. In the event of a resident owning a 3rd vehicle they can accommodate this vehicle within their property in front of their garage. It is noted that in general, the number of households with 3 or more vehicles is steadily reducing within Manningham.
- There is no apparent reason as to why overflow parking would occur into local streets.
- Several garages appear not to provide a 6.0m clear length for parking due to storage allocation at the end. Any planning approval would rectify this situation through a permit condition.

- Any existing on-street parking in Wrendale Drive would be lawful and is not a matter for consideration in respect of this application.

General Amenity

- Increased noise from traffic and new households.
- Increased pollution in local streets.
- Loss of view from existing dwelling.
- Loss of safety for residents who currently live in a quiet “child friendly” cul de sac environment.
- Land was previously “earmarked” for public open space.
- Garbage bins may be stored in front of dwellings due to space constraints.
- Overlooking from windows and shadowing of yards.
- Too many people will be concentrated into a small area and there may be adverse social consequences.
- Bus services in Park Road are widely spaced.

Response

- Residential streets can generally carry volumes up to 2000 vehicles per day before residential amenity is adversely affected by traffic noise. It is recognised that there will be some noise increase in adjoining local streets as a result of the proposed development, but not at levels that would disrupt local suburban lifestyles.
- Any increased pollution from car fumes is not a valid planning concern.
- Whilst it is recognised that views may form part of residential amenity, there is no specific controls within the Manningham Planning Scheme that protects residents’ rights to a view. It is not considered that the extent of views lost or the significance of the view would warrant refusal or modification of the application.
- It is recognised that with increased traffic flow through local streets, there will be a reduction in the safety levels associated with cul de sac housing. This is an acceptable consequence, given the design and spare capacity of the local streets.
- The subject land is now in private ownership and is capable of being developed under the current land use zoning.
- In terms of bin storage, any approved plan would show the envisaged location for on-site rubbish bin storage. Such locations are required to be obscured from public view.
- Overlooking and shadowing is considered within the Clause 55 assessment and there are no unreasonable impacts.
- The social make-up of future residents is not a planning concern.

- The spacing of bus services is not a planning concern.

Construction Impacts

- If construction vehicles access the site through the local street network there will be significant safety and amenity impacts due to the nature of the roads.
- There will be significant amount of truck traffic generated to service building operations (likely to include articulated vehicles).
- Considerable construction noise and dust over a long period.
- Construction worker parking must occur on-site not in local streets.
- Possible disruption to services.

Response

- Construction activities associated with the development will be temporary. The Planning Permit will require the preparation of a Construction Management Plan (CMP) which will include consideration of access arrangements.
- It is agreed that there is potential for amenity and possibly safety impacts to occur in local streets serving the site during the construction of any major development project on the subject property.
- With heavy machinery, road making vehicles, cement trucks, dump trucks and semi-articulated vehicles being typically required to access the site over a long period of time, it would be desirable for truck access during the construction phase to be limited to a temporary access from Park Road. This may be required to be achieved over part of the adjacent VicRoad's parkland, if there are safety issues with the operation of the bus stop.
- If such temporary access was achieved, any approved development plan would need to provide for some degree of staging to ensure that the truck access remained available until the final part of the development was completed.
- If temporary access to Park Road could not be achieved for trucks and road making equipment, then all access would need to occur through local streets. This is possible due to the available street width, however, on-street parking management may be required if safety issues arose.
- Construction noise and dust nuisance are matters that can be regulated by a Construction Management Plan and relevant EPA controls.
- Construction worker parking is often difficult to control, but if required, temporary parking restrictions could be applied to affected sections of local streets.
- Local services are unlikely to be disrupted by construction activity.

Drainage

- Possible flooding due to natural drainage issues in the vicinity of the proposed retarding basin.
- Risk of flooding to existing houses may be increased.

Response

- Council's engineering assessment and design input on drainage matters would ensure that there would be no adverse drainage impacts, even in severe storm events.
- Any permit that issued could contain appropriate conditions regarding drainage and general infrastructure construction.

Loss of Vegetation/Tree planting

- A row of Pine trees will be lost from the centre of the site.
- Little scope for replacement canopy trees.

Response

- The trees in the centre of the site are either dead or senescent.
- Landscaping capacity is discussed in the Clause 55 assessment. It is agreed that more scope for canopy tree planting would benefit a development of this nature.

Loss of property values

- The nature of the development will reduce values of existing properties.

Response

- The Victorian Civil and Administrative Tribunal and its predecessors have generally found subjective claims that a proposal will reduce property values are difficult, if not impossible to gauge and of no assistance to the determination of a planning permit application. It is considered the impacts of a proposal are best assessed through an assessment of the amenity implications rather than any impacts upon property values. This report provides a detailed assessment of the amenity impact of this proposal.

Other

- Current owner has apparently no intention of building and is likely to sell land with any planning approval.

Response

- When a planning permit is issued, it relates to the land and not the ownership of the land. It is commonplace for land to be on-sold with a planning permit.

7.4 ConnectEast was made aware of the proposed application at the design stage and sent Council a detailed letter dated 17 December 2015. This letter was referred to in a later response to the public notification process. The following is a summary-

- Connect East is not a referral authority and there is no statutory requirement to include its recommended conditions in a permit that may issue.

- ConnectEast is required to maintain certain acoustic standards (relating to traffic noise) in respect of housing near the Freeway.
- ConnectEast is required to keep the option open for the construction of westerly oriented on and off ramps at Park Road.
- The applicant's Acoustic Report did not take into account altered noise impacts on the land, in the event of future ramp construction and did not include noise impacts from traffic on Park Road (a more detailed assessment technique should have been used).
- Appropriate planning conditions should be applied in respect of acoustic assessment and responses and in respect of construction activities and drainage (an attachment provides guidelines of circumstances where conditions could be applied and also sets out suggested conditions).
- The following noise attenuation conditions were provided-
 - "Where it is required to erect a noise barrier we note that any noise barriers to be erected on the EastLink lease area are required to have a design life of 40 years in order to comply with the requirements of the EastLink Concession Deed.
 - Where it is agreed that a noise wall is not required, and prior to the issue of a statement of compliance, the owner of the land shall enter into an agreement under Section 173 of the Planning and Environment Act 1987 with Council which covers the relevant noise requirements set out in the VicRoads Traffic Noise Reduction Policy."

Response

- In the event of a planning permit being issued, Council could include a requirement for a more comprehensive traffic noise assessment report, addressing all of the additional criteria identified by ConnectEast and also include conditions requiring compliance.
- Should the findings of the report indicate any non-compliance with the adopted noise impact criteria, then appropriate design elements could be incorporated into any final plan. Based on the current assessment, there is no real likelihood that the construction of acoustic walls would be a requirement.
- Other suggested site construction and management conditions could be included if they were considered relevant and were not covered by the standard conditions of approval applied by Council.

7.5 The application was also referred to a number of Service units. The following table summarises the responses:

Services Unit	Comments
Economic and Environmental Planning (Open space)	The area bounded by Mitcham Road, Park Road and Eastlink is a very isolated community, with no Council-owned open space within walking

Services Unit	Comments
	<p>distance.</p> <p>Pedestrian access between Wrendale Drive and Langford Crescent through to the Eastern Freeway Linear Park is critical.</p> <p>The proposed retarding basin looks like it needs work in order to be safe, maintainable and amenable. While it does not constitute open space, designing the drainage infrastructure to give the appearance open continued landscape provision will help to maintain the existing neighbourhood character, along with sightlines and physical access to the adjacent Eastlink land. The proposed development will result in a major change to the existing landscape character in this area, in terms of population density, built form and loss of perceived borrowed landscape: the design should make more effort to ameliorate this impact.</p> <p>Support is given to the creation of a pedestrian connection between Wrendale Drive and Langford Crescent.</p> <p>With no Eastlink works to the north (possible on-ramp to freeway) in the near future, it would be beneficial to future residents for the northern property boundary to consist of transparent fencing, affording residents views of the existing open space.</p>
<p>Engineering and Technical Services (Flooding and Drainage)</p>	<p>The comments below have been based on the Storm Water Management Plan report prepared by Stormy Water Solutions, Revision C, dated 30 June 2016.</p> <ul style="list-style-type: none"> (a) The on-site detention functions of the proposed retarding basin/wetland facility appear to be satisfactory, subject to ConnectEast approval of the impacts of water ponding in a 100 year ARI storm event on the southern side of EastLink Freeway Linear Park site. (b) The design generally satisfies the requirements relating to Council's proposed Planning Amendment C109 relating to flood management. (c) The subject site comprises approximately 25% of the total catchment area and as such it is considered appropriate that the proposed retarding basin / wetland, Gross Pollutant Trap and associated infrastructure be owned and maintained by Council. (d) The ownership of the land the retarding basin and wetland encumber will need to be clarified.

Services Unit	Comments
	<p>(e) The current design incorporates a number of retaining walls ranging in height from 0.7 to over 2.0 metres with associated fencing, which will place a burden on Council's future maintenance resources and ongoing maintenance costs. It is recommended to minimise the number and extent of retaining walls within the retarding basin, including the deletion of the eastern retaining wall.</p> <p>(f) To enable regular maintenance and ensure long term safe operation of the wetland / basin, it is required that a detailed design of the retarding basin / wetland based on the principles from Melbourne Water's guidelines, <i>'Constructed Wetlands Design Manual - Part A2'</i> and relevant publications, is prepared, providing for:</p> <ul style="list-style-type: none"> • public safety; • ease of maintenance with respect to safe maintenance vehicle access to the wetland and assets, for clearing of debris, vegetation management, including grass cutting, de-silting of the wetland and clearance of blockages; • maintenance vehicle access turnaround area; • the open space to be largely mowable. <p>(g) Pit 50 and endwall P49 are Connect East assets and modifications / improvements / connections to these assets will require Connect East approval.</p> <p>(h) An industrial vehicle crossover from the public road and a hardstand area is to be provided for a maintenance vehicle access to the CDS GPT system.</p> <p>(i) Some form of barrier, (bollards or the like), is to be provided around the perimeter of the retarding basin to prevent unauthorised vehicle entry.</p> <p>(j) A Geotechnical Report on the soil and groundwater conditions is to be prepared to inform the design of the retarding basin / wetland and associated infrastructure, including but not limited to the selection of the exfiltration rate.</p>
Engineering and Technical Services (Traffic/Infrastructure)	<p>Road Connection - The road connection of Langford Crescent with Wrendale Drive is supported, as it will improve traffic circulation, emergency access and the serviceability of the local street network. It will also address the lack of a vehicle turning area at the northern end of Langford Crescent.</p> <p>Crash Analysis History (nearby intersections) - One crash has been recorded at the intersection of</p>

Services Unit	Comments
	<p>Park Road and Clements Avenue in the last five years, involving a motorist not giving way to traffic on Park Road while attempting a right turn from Clements Avenue. No other crashes have been recorded in the local access streets surrounding the subject site during this period.</p> <p>Sight distance at both intersections meets appropriate standards and there is no reason to suggest that any additional traffic would adversely change the site conditions.</p> <p>Intersection Capacity Analysis – No intersection capacity analysis has been provided for the development. The Traffic Impact Assessment report prepared by TraffixGroup states that <i>“not all site generated traffic will travel along any one road within the site and that all site generated traffic can easily be accommodated by the surrounding road network and intersections without any discernible impacts”</i>. Based on site observations of the Park Road/Clements Avenue and Wrendale Drive/Mitcham Road intersections, Council officers generally agree with the statement above. It is considered that during the AM peak period, the majority of traffic from the development will exit the site to utilise the Park Road/Mitcham Road signalised intersection via Clements Avenue. As such, an additional 24 vehicle movements in the AM peak period is likely to use Langford Crescent/Clements Avenue. The additional volume during the AM peak is not considered to be significant or adversely impact on residential amenity or the performance of the intersection, given that the local road network carries lower volumes when compared to other streets performing a similar function.</p> <p>Traffic Generation – See Table 1 at Section 6.6 A rate of 6.5vte is consistent with the <i>‘Guide to Traffic Generating Developments’</i> – Road and Traffic Authority, and is considered to be appropriate for this development.</p> <p>The traffic analysis indicates that the development will generate traffic in the order of 299 vehicle movements per day. The current residential properties in the local area generate in the order of 560 vehicles per day. The additional traffic generated in the local precinct (Langford Crescent, Clement Avenue and Wrendale Drive) as a result of the development would increase to 859 vehicles per day.</p> <p>Local residential streets which provide access to and from the site can carry up to 2000 vehicles per day. The total combined existing and proposed traffic</p>

Services Unit	Comments
	<p>volumes are well within this limit.</p> <p>Car Parking Each dwelling, except one, is provided with a double garage in accordance with current Standards. Car parking requirements of the Planning Scheme for resident parking have generally been met. Egress from the proposed garages is acceptable;</p> <p>Vehicles from Units 12 and 13 will be required to reverse a short distance (11 metres) to enter the roadway, however, this is considered to be satisfactory;</p> <p>On-street parking along the public road will be prohibited at the road bend. Limited parking opportunities will be available for informal parking along the public road.</p> <p>The statutory requirement for visitor parking is nine (9) spaces, based on 1 visitor space for every 5 dwellings. The applicant has provided five (5) exclusive visitor spaces, a shortfall of four spaces. Parking opportunities are, however, available where the driveway length for the dwellings, between garage and footpath is sufficient. Parking is also available along the public road. The development meets the visitor parking requirements of the Planning Scheme in this regard.</p> <p>Pedestrian Access The development provides a 1.2 metre wide footpath. It is understood that the trafficable pedestrian path is proposed to be differentiated via the use of a different pavement type. Table C1 of the Planning Scheme specifies a requirement of 1.5 metre wide footpath offset a minimum distance of 1m from the kerb.</p> <p>The proposed pedestrian path is incorporated as part of the trafficable lane and this arrangement is considered to be undesirable from a pedestrian safety perspective, as it does not provide physical separation between vehicles and pedestrians.</p> <p>The provision of pedestrian links to the parkland located north of the subject site, adjacent to the EastLink Freeway and to Park Road is supported, subject to extension of the proposed path to the existing path on Park Road. Also support the path being extended into the reserve to the north as well.</p> <p>Private Access Road – Grades/width – The private road has a proposed width of 5.5 metres, which provides for 2 way traffic flow and incorporates a path 1.2 metres wide, effectively reducing the trafficable width to 4.3metres.</p>

Services Unit	Comments
	<p>The trafficable lanes, excluding the path, are less than the minimum width for two way traffic.</p> <p>There is no discernible separation between pedestrians and through traffic. The proposed design does not provide any protection for pedestrians from vehicles and compromises safety.</p> <p>No cross section details of the road have been provided, including details of the kerb (if any), road cross falls, footpath treatment and road drainage. The road narrowing shown in front of TH21, TH22, TH32 and TH35 will not achieve the 15kph target speed specified in the Planning Scheme.</p> <p>The access road grades throughout the development are acceptable.</p> <p>Sight distance for north-bound vehicles turning right at both access points into the development do not meet safe stopping distance requirements. Mitigation measures are required to address safety such as the introduction of traffic management devices on the public road to slow traffic prior to approaching the road bend.</p> <p>Path widths are to be maintained at intersections to accommodate all traffic movements.</p> <p>The plans do not show any features to demarcate and identify the access into the development as a private road.</p> <p>Street Lighting - No details have been provided on the level of illumination from proposed bollard system. It is unclear whether the proposed light levels meet Australian Standards for pedestrian lighting. A street lighting design will be required to be provided, meeting Australian Standards.</p> <p>Within the road reservation proposed to be under Council control, overhead street lighting will be required.</p>
Engineering Operations (Waste)	<p>A Waste Management Plan is required to be approved as part of any planning permit conditions.</p> <p>Waste collection will be required to be mainly by private waste contractor, with dwellings fronting the roadway extension being served by Council collection.</p>
Engineering and Technical Services (Easements)	<p>There are existing drainage and sewer easements within the proposed development. The provision of easements within the development will require</p>

Services Unit	Comments
	<p>further consideration, following finalisation of servicing requirements for the development.</p> <p>Easements are to be created over the proposed Council drainage network and in favour of ConnectEast for any drainage assets under their jurisdiction.</p> <p>Yarra Valley Water to be consulted on the existing sewer easement within the subject site and requirements for additional easements.</p>

7.6 Table 1 Traffic Generation Analysis (Council)

Existing Residential Traffic generation					
	No. of residences	*Vehicle trip ends per vehicle property? per day (x 10)	Peak Hour (10%)	AM Peak 80% out/ 20% in	PM Peak 30% out/ 70% in
Wrendale Drive	23	230	23	18/5	7/16
Clements Avenue	9	90	9	7/2	3/6
Langford Crescent	24	240	24	19/5	7/17

Proposed Development					
	No. of residences	**Vehicle trip ends per vehicle property? per day (x 6.5)	Peak Hour (10%)	AM Peak 80% out/ 20% in	PM Peak 30% out/ 70% in
Internal road	46	299	30	24/6	9/21

*Residences located in the surrounding local streets generate approximately **10 vehicle trips per dwelling per day**. Generally, 10 percent of trips will occur in the morning and evening peak traffic hours. The majority of traffic generated by the residential development during the morning peak period will be residents departing (80% out and 20% in) and the majority of traffic during the evening peak period will be residents returning (30% out, 70% in).

8 CONCLUSION

- 8.1 It is considered appropriate to refuse the application. While the proposal has a range of positive attributes, the overall design is not sufficiently cognisant of and responsive to the surrounding residential context, in a way that ensures compatibility with the existing neighbourhood character. There are also safety concerns with the proposed combination of pedestrian and traffic access arrangements along the private road and design/layout concerns with the general cramping of built form onto this access and the Park Road frontage.
- 8.2 It is considered that the shortcomings are largely to do with trying to achieve a particular dwelling yield. Based on the issues identified in this report, it is clear that a reduction in dwelling numbers is called for, along with a more responsive design approach to internal amenity and landscaping.

RECOMMENDATION

That having considered all objections, A REFUSAL TO GRANT A PERMIT be issued in relation to Planning Application No. PL15/025922 for the construction forty-five dwellings at Nos. 25-35 Park Road, Donvale, on the following grounds-

- 1. The proposal does not adequately respect the existing neighbourhood character due to the following-**
 - 1.1. The inadequacy of building setbacks to the Park Road frontage, resulting in a cramped streetscape presentation and insufficient landscaping opportunities to ameliorate the bulk of two storey built form in this location;**
 - 1.2. The inadequacy of building setbacks to the eastern side of the proposed public road connection, resulting in a cramped and inappropriate streetscape presentation; and**
 - 1.3. A range of minimal building setbacks to the private road, resulting in a cramped and inappropriate internal streetscape presentation.**
- 2. The proposed development provides inadequate communal landscape opportunities (in particular for the development of canopy trees along the proposed private road) to assist with the softening of the overall built form, in response to the existing neighbourhood character.**
- 3. The proposed retarding basin is inappropriately designed in terms of its general landscape presentation to the proposed public road, public safety levels and ease of future maintenance.**
- 4. The combined vehicular access and pedestrian path system of the private road is considered to be inappropriate for a development of this scale and will result in poor internal safety levels for pedestrians.**
- 5. The lack of grade or nature strip separation between the combined vehicular access and pedestrian path system of the private road will encourage parallel parking on the footpath to the detriment of resident safety and amenity.**
- 6. The proximity of a range of dwelling entries to the private road pavement results in reduced safety levels and a poor sense of address for these dwellings.**
- 7. Inadequate design input has occurred to ensure reasonable privacy levels in respect of various secluded private open spaces and ground floor habitable room windows of dwellings which back onto each other within the central housing area defined by the private road.**
- 8. Dwelling 45 is provided with an unsatisfactory secluded private open space, in that the yard will be adjoined by four other areas of secluded private open space and with potential for overlooking from an adjacent deck of Dwelling 29 to the detriment of future amenity of the residents of Dwelling 45.**
- 9. The proximity of southern upper floor walls to the southern ground floor walls of various dwellings within the southern building row will result in excessive overshadowing of the southern yards, taking into account the minimum width of these spaces.**

10. The bollard lighting system for the private road is not suited to the proposed road lengths and is unlikely to provide an adequate level of illumination to ensure pedestrian safety at night.
11. The proposal does not provide for a public cycle/pedestrian connection between Wrendale Drive/Langford Crescent and the Eastern Freeway Linear Park, with its associated cycle/pedestrian path.
12. The proposal does not adequately respond to the State Planning Policy Framework in terms of Clause 15.01-1 Urban Design (liveability) and Clause 15.01-4 Design for safety (Pedestrian infrastructure).
13. Having regard to the above, the proposal does not meet Objectives contained in the following sections of Clause 55 Two or More Dwellings on a Lot of the Manningham Planning Scheme-
 - 13.1. Clause 55.02-1 Neighbourhood Character;
 - 13.2. Clause 55.02-2 Residential Policy
 - 13.3. Clause 55.02-4 Infrastructure;
 - 13.4. Clause 55.03-1 Street setback;
 - 13.5. Clause 55.03-7 Safety;
 - 13.6. Clause 55.03-8 Landscaping;
 - 13.7. Clause 55.04-7 Internal views;
 - 13.8. Clause 55.05-3 Dwelling entry;
 - 13.9. Clause 55.05-4 Private open space;
 - 13.10. Clause 55.05-5 Solar access to open space; and
 - 13.11. Clause 55.06-1 Design detail.

MOVED: McLEISH
SECONDED: CONLON

That the Recommendation be adopted with the inclusion of:-

- A. The words “both pedestrians and cyclists” be added at the end of clause 4; and
- B. A new clause five to read “The proposed internal road network has an unnecessary safety and amenity impact upon the existing local road network. This could be addressed if the primary access for any proposed development was instead, accessed via Park Road.”

CARRIED

“Refer Attachments”

* * * * *



PRIVATE ROAD (NORTH) - SOUTH ELEVATION (TOWNHOUSE: 1-13)

TH 1 - INT EAST ELEVATION

TH 2 - INT WEST ELEVATION

TH 2 - INT EAST ELEVATION

TH 3 - INT WEST ELEVATION

TH 3 - INT EAST ELEVATION

TH 4 - INT WEST ELEVATION

TH 4 - INT EAST ELEVATION

TH 5 - INT WEST ELEVATION

TH 5 - INT EAST ELEVATION

TH 6 - INT WEST ELEVATION

TH 6 - INT EAST ELEVATION

TH 7 - INT WEST ELEVATION

TH 7 - INT EAST ELEVATION

TH 8 - INT WEST ELEVATION

TH 8 - INT EAST ELEVATION

TH 9 - INT WEST ELEVATION

TH 9 - INT EAST ELEVATION

TH 10 - INT WEST ELEVATION

TH 10 - INT EAST ELEVATION

TH 11 - INT WEST ELEVATION

TH 11 - INT EAST ELEVATION

TH 12 - INT WEST ELEVATION

RECEIVED
18 JUL 2016
STATUTORY PLANNING OFFICE

ADVERTISED PLANS
DATE: / /

MATERIALS AND FINISHES SCHEDULE

- 1. ROOF TILES: POLYURETHANE FOAM INSULATION
- 2. CONCRETE: POLYURETHANE FOAM INSULATION
- 3. BRICKWORK: BRICKWORK WITH POLYURETHANE FOAM INSULATION
- 4. PAINT: POLYURETHANE FOAM INSULATION
- 5. WALL LINING: POLYURETHANE FOAM INSULATION
- 6. FLOORING: POLYURETHANE FOAM INSULATION
- 7. GLASS: POLYURETHANE FOAM INSULATION
- 8. METAL FINISH: POLYURETHANE FOAM INSULATION
- 9. CEILING FINISH: POLYURETHANE FOAM INSULATION
- 10. CEILING FINISH: POLYURETHANE FOAM INSULATION
- 11. CEILING FINISH: POLYURETHANE FOAM INSULATION
- 12. CEILING FINISH: POLYURETHANE FOAM INSULATION

TAKOUK ARCHITECTS
25 - 29 PARK ROAD DONVALE VIC 3111
TEL: 03 9450 1234
WWW.TAKOUKARCHITECTS.COM.AU

PROJECT: RESIDENTIAL DEVELOPEMENT
25 - 29 PARK ROAD
DONVALE VIC 3111
CLIENT: DONVALE GARDEN ESTATE

DATE: JULY 2016
SCALE: 1:200 @ A1 1:400 @ A3
TOWN PLANNING ISSUE
DATE: 14-09 V.G.
TPA07 OF 15 A

PRIVATE ROAD [SOUTH] - NORTH ELEVATION (TOWNHOUSE - 16-25)

Architectural drawings showing elevations for townhouses TH 17 through TH 25. The drawings include exterior elevations (e.g., TH 17 - INT WEST ELEVATION, TH 18 - INT EAST ELEVATION) and interior elevations (e.g., TH 20 - INT WEST ELEVATION, TH 21 - INT EAST ELEVATION). A materials and finishes schedule is provided at the bottom right.

MATERIALS AND FINISHES SCHEDULE

1. EXTERIOR WALLS: BRICK, CLAY TILES
2. EXTERIOR ROOFING: COLORBOND GALVALUME
3. EXTERIOR FLOORING: POLISHED CONCRETE
4. EXTERIOR PAINT: COLORBOND "WARRIOR"
5. INTERIOR WALLS: COLORBOND "WARRIOR"
6. INTERIOR FLOORING: POLISHED CONCRETE
7. INTERIOR PAINT: COLORBOND "WARRIOR"
8. INTERIOR CEILING: COLORBOND "WARRIOR"
9. INTERIOR DOORS: COLORBOND "WARRIOR"
10. INTERIOR WINDOWS: COLORBOND "WARRIOR"
11. INTERIOR LIGHTING: COLORBOND "WARRIOR"
12. INTERIOR FIXTURES: COLORBOND "WARRIOR"

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18 JUL 2016
STATUTORY PLANNING OFFICE

ADVERTISED PLANS
DATE: / /

TACUK ARCHITECTS
118 WESTFIELD ROAD, EAST WILLOW, VIC 3174
TEL: 03 9497 1111
WWW.TACUKARCHITECTS.COM.AU

PROJECT
RESIDENTIAL DEVELOPMENT
25-29 PARK ROAD
DONVALE VIC 3111

OWNER
DONVALE GARDEN ESTATE

SCALE
1:200 @ A1 1:400 @ A3

DATE
JULY 2016

TOWN PLANNING ISSUE
DATE: 14.09 V.G.

TPA08 CF 15 A

PRIVATE ROAD [MID SECTION] - NORTH ELEVATION [TOWNHOUSE: 14 & 28-36]

PRIVATE ROAD [MID SECTION] - INT SOUTH ELEVATION [TOWNHOUSE: 14 & 28-36]

PRIVATE ROAD [MID SECTION] - SOUTH ELEVATION [TOWNHOUSE: 15 & 36-44]

PRIVATE ROAD [MID SECTION] - INT NORTH ELEVATION [TOWNHOUSE: 15 & 37-44]

MATERIALS AND FINISHES SCHEDULE

NO.	DESCRIPTION	FINISH	NOTES
1.	CONCRETE FLOOR	SLAB ON GRADE	CONCRETE FLOOR
2.	CONCRETE WALL	CONCRETE	CONCRETE WALL
3.	CONCRETE ROOF	CONCRETE	CONCRETE ROOF
4.	CONCRETE CURB	CONCRETE	CONCRETE CURB
5.	CONCRETE DRIVE	CONCRETE	CONCRETE DRIVE
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RECEIVED
18 JUL 2016
STATUTORY PLANNING OFFICE

PROJECT: RESIDENTIAL DEVELOPEMENT
25 - 29 PARK ROAD
DONVALE VIC 3111

TAOUK ARCHITECTS
148 BENTLEY ROAD, BENTLEY VIC 3207
TEL: 03 9497 1111
WWW.TAOUKARCHITECTS.COM.AU

PROPOSAL NO: EL - PRIVATE RD [MID SECTION]
SCALE: 1:500 @ A1 | 1:400 @ A3
DATE: JULY 2016
ISSUE: TPA09 OF 15
PROJECT NO: TOWN PLANNING ISSUE
DATE: 14-09 V.G.

TH 28, 44 & 45 - INT EAST ELEVATION

TH 29 & 43 - INT WEST ELEVATION

TH 29 & 43 - INT EAST ELEVATION

TH 30 & 42 - INT WEST ELEVATION

TH 30 & 42 - INT EAST ELEVATION

TH 31 & 41 - INT WEST ELEVATION

TH 31 & 41 - INT EAST ELEVATION

TH 32 & 40 - INT WEST ELEVATION

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TH 34 & 36 - INT WEST ELEVATION

TH 34 & 36 - INT EAST ELEVATION

TH 35 & 37 - INT WEST ELEVATION

TH 35 & 37 - INT EAST ELEVATION

TH 36 - INT WEST ELEVATION

MATERIALS AND FINISHES SCHEDULE

1. CONCRETE FINISH
 2. BRICKWORK FINISH
 3. GYPSONUM BOARD
 4. GYPSONUM SKIN
 5. PAINT FINISH
 6. GYPSONUM BOARD
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RECEIVED
 18 JUL 2016
 STATUTORY PLANNING OFFICE

TAKO ARCHITECTS
 1/18 BELLEVUE ROAD, EAST PERTH, VIC 3204
 08 9447 1111

PROJECT: RESIDENTIAL DEVELOPMENT
 25-29 PARK ROAD
 DONVALE VIC 3111

PROPOSED BY: INT. E.L. - PRIVATE RD. (MID SECTION)
 SCALE: 1:200 @ A1 1:400 @ A3
 DATE: JULY 2016

TOWN PLANNING ISSUE: 14-09 V.G.
 TPA10 OF 15

PRIVATE ROAD [EAST] - WEST ELEVATION [TOWNHOUSE: 13-16]

PRIVATE ROAD [EAST] - EAST ELEVATION [TOWNHOUSE: 17 & 36]

PRIVATE ROAD [WEST] - WEST ELEVATION [TOWNHOUSE: 1, 25, 28, 44 & 45]

PRIVATE ROAD [WEST] - EAST ELEVATION [TOWNHOUSE: 27]

PUBLIC ROAD - WEST ELEVATION [TOWNHOUSE: 26 & 27]

PUBLIC ROAD - NORTH ELEVATION [TOWNHOUSE: 27]

TH 28 - INT NORTH ELEVATION

TH 27 - INT SOUTH ELEVATION

TH 45 - INT NORTH ELEVATION

TH 45 - INT SOUTH ELEVATION

MATERIALS AND FINISHES SCHEDULE

1. CONCRETE FINISH
2. CONCRETE BLOCKS
3. CONCRETE BRICKS
4. CONCRETE SLAB
5. WALL FINISH
6. ROOF FINISH
7. ROOF LINING
8. ROOF INSULATION
9. ROOF VENTILATION
10. ROOF FLASHING
11. ROOF GUTTERING
12. ROOF DRAINAGE
13. ROOF RIDGE
14. ROOF VALLEY
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100. ROOF BRACKETS

RECEIVED
18 JUL 2016
STATUTORY PLANNING OFFICE

RESIDENTIAL DEVELOPMENT
25-29 PARK ROAD
DONVALE VIC 3111

TAOUK ARCHITECTS
1/100 ST CLAYTON ROAD, ST CLAYTON VIC 3169

PROJECT: RESIDENTIAL DEVELOPMENT
CLIENT: DONVALE GARDENS/STATE

DATE: JULY 2016

SCALE: 1:200 (P.A.) 1:400 (P.A.S.) 14-09 V.G.

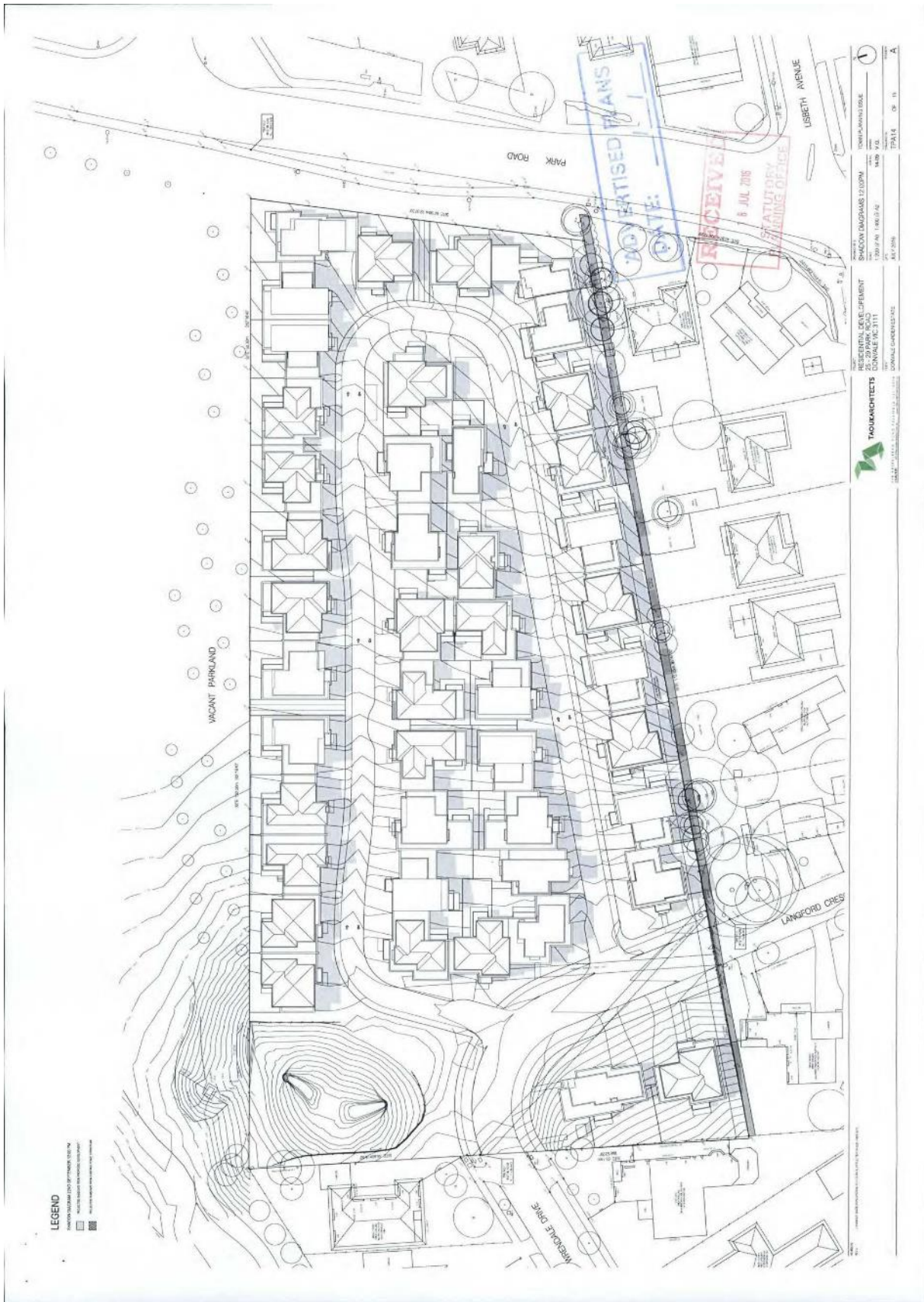
TOWN PLANNING ISSUE:

DATE: 14-09 V.G.

PROJECT NO.: TPA11 CF 15

SCALE: A

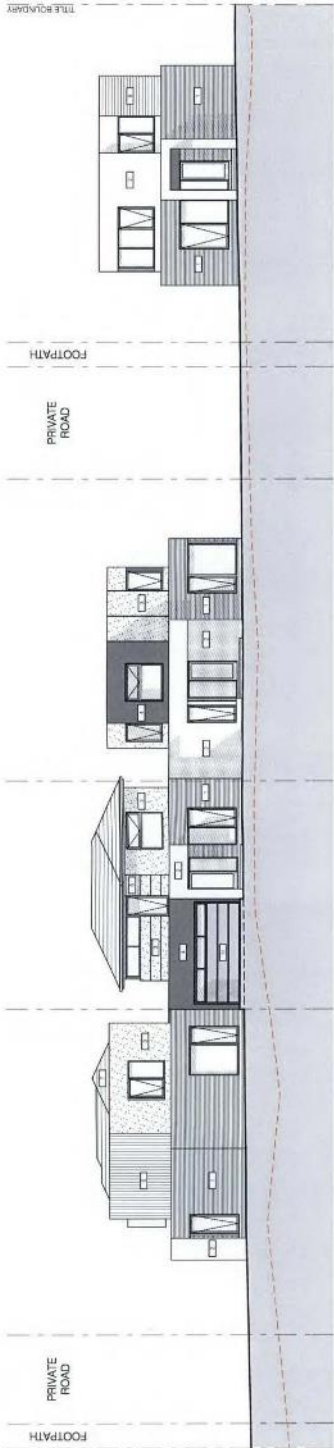






MATERIALS + FINISHES SCHEDULE

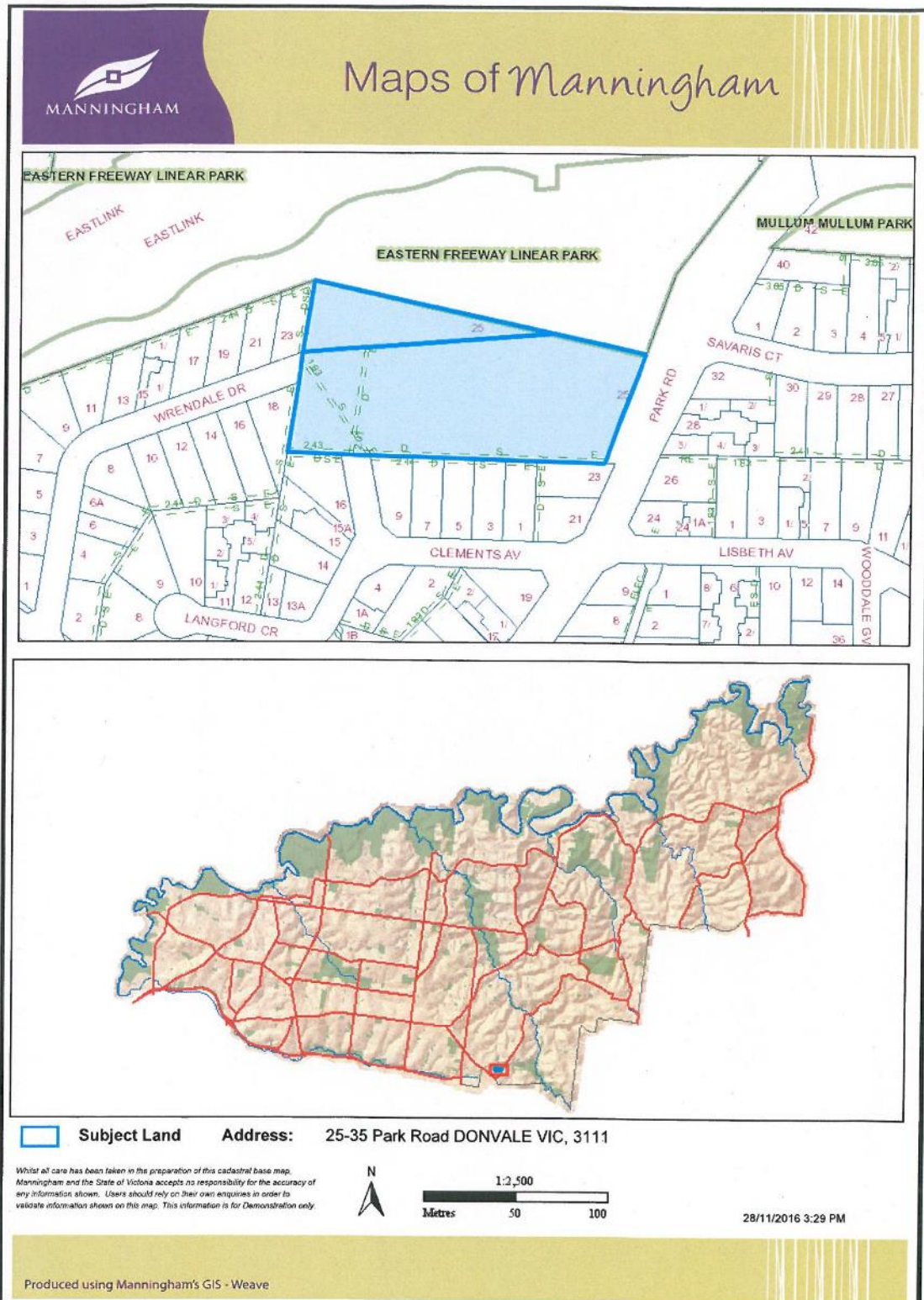
01	FACE BRICKWORK PGH "BLUE STEEL FLASH"	05	INFILL PANEL DULUX COLOUR SPECIFIER - COLORBOND "MONUMENT"	09	DOOR FRAMES TIMBER FRAME - DULUX COLOR SPECIFIER - CB_12 "MONUMENT"
02	CONCRETE RENDER DULUX COLOUR SPECIFIER - PCWF8 "WHITE ON WHITE"	06	TIMBER CLADDING SPOTTED GUM - NATURAL STAIN FINISH	10	GUTTERS, FASCIAS AND DOWNPIPES COLORBOND STEEL - "WOODLAND GREY"
03	CONCRETE RENDER DULUX COLOUR SPECIFIER - PG2C3 "FLOODED GUM"	07	ROOF MONIER FLAT PROFILE CONCRETE TILES - HORIZON "SAMBUCA"	11	GARAGE DOOR SECTIONAL PANEL LIFT - COLORBOND STEEL - "WOODLAND GREY"
04	CONCRETE RENDER DULUX COLOUR SPECIFIER - PG2C7 "RAKU"	08	WINDOW FRAMES ALUMINIUM FRAME - DULUX POWDERCOATINGS - "MONUMENT"	12	GARAGE DOOR SECTIONAL PANEL LIFT - COLORBOND STEEL - "WOODLAND GREY"
RDD1	DRIVEWAY CONCRETE DRIVEWAY - CHARCOAL COLOUR	RDD2	PRIVATE ROAD BITUMEN SEALED ASPHALT ROAD	12	ENTRY PATHWAYS CONCRETE PAVER "CHARCOAL" COLOUR
	LIGHTING BOLLARDS 1M HIGH LIGHT BOLLARD - BLACK POWDER COAT FINISH				



RECEIVED
 18 JUL 2016
 STATUTORY
 PLANNING OFFICE

MATERIALS + FINISHES SCHEDULE

	01	FACE BRICKWORK PGH "BLUE STEEL FLASH"		05	INFILL PANEL DULUX COLOUR SPECIFIER - COLORBOND "MONUMENT"		09	DOOR FRAMES TIMBER FRAME - DULUX COLOR SPECIFIER - CB_12 "MONUMENT"
	02	CONCRETE RENDER DULUX COLOUR SPECIFIER - POWFB "WHITE ON WHITE"		06	TIMBER CLADDING SPOTTED GUM - NATURAL STAIN FINISH		10	GUTTERS, FASCIAS AND DOWNPIPES COLORBOND STEEL - "WOODLAND GREY"
	03	CONCRETE RENDER DULUX COLOUR SPECIFIER - PG2C3 "FLOODED GUM"		07	ROOF MONIER FLAT PROFILE CONCRETE TILES - HORIZON "SAMBUCA"		11	GARAGE DOOR SECTIONAL PANEL LIFT - COLORBOND STEEL - "WOODLAND GREY"
	04	CONCRETE RENDER DULUX COLOUR SPECIFIER - PG2C7 "RAKU"		08	WINDOW FRAMES ALUMINIUM FRAME - DULUX POWDERCOATINGS - "MONUMENT"		12	GARAGE DOOR SECTIONAL PANEL LIFT - COLORBOND STEEL - "WOODLAND GREY"
	R001	DRIVEWAY CONCRETE DRIVEWAY - CHARCOAL COLOUR		R002	PRIVATE ROAD BITUMEN SEALED ASPHALT ROAD		12	ENTRY PATHWAYS CONCRETE PAVEN "CHARCOAL" COLOUR
		LIGHTING BOLLARDS 1M HIGH LIGHT BOLLARD - BLACK POWDER COAT FINISH						



10. PLANNING & ENVIRONMENT

10.1 Amendment C104 - Westfield Doncaster Draft Development Plan - Consideration of Submissions

Responsible Director: Director Planning & Environment

File No. T16/162

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The purpose of this report is to consider and respond to submissions received to the concurrent exhibition of Amendment C104 to the Manningham Planning Scheme and a draft Development Plan for the future development of Westfield Doncaster.

*Amendment C104 (**Amendment**) has been requested on behalf of Scentre Group (as owners and operators of Westfield Doncaster). The purpose of the Amendment is to seek changes to the Manningham Planning Scheme to facilitate future development at the Westfield Doncaster site (619 Doncaster Road, Doncaster).*

The Amendment and draft Development Plan were exhibited for a six (6) week period between 21 July and 1 September 2016. A total of 52 submissions have been received, consisting of (44) submissions from or on behalf of residents, three (3) from statutory authorities, one (1) on behalf of a school, one (1) on behalf of Council's Access and Equity Advisory Committee, two (2) from commercial businesses and one (1) from the Proponent.

The key issues raised in submissions, at times with varying views on the matter, include:

- *Traffic and transport impacts.*
- *Quality of public realm / landscaping.*
- *Provision of community facilities.*
- *Height of commercial tower – location/visual impact.*
- *Amenity impacts during and post construction – visual, noise and pollution.*
- *Matters raised by the Proponent in relation to ESD commitments and DCP obligations.*

It is recommended that the Amendment and draft Development Plan be amended generally in accordance with the recommendations in Attachment 1 and that all submissions be referred to a combined Independent Panel / Advisory Committee.

The report and recommendations of the Independent Panel / Advisory Committee would then be considered by Council before it makes a decision as to whether to adopt the Amendment and submit it to the Minister for Planning for Approval.

If the Amendment is adopted by Council and approved by the Minister, Council will then consider the approval of the Development Plan.

1 BACKGROUND

- 1.1 On 2 November 2015, Contour Consulting, on behalf of Scentre Group (as owner and operator of Westfield Doncaster), lodged a request to amend the Manningham Planning Scheme to change the planning controls that apply to Westfield Doncaster at 619 Doncaster Road to facilitate future development of the site.
- 1.2 At the same time as the Amendment was lodged with Council, a draft Development Plan and accompanying technical reports, were also submitted.
- 1.3 Whilst the last major expansion of the centre focussed on the redevelopment of the southern and central parts of the site, this proposed development will occur to the north, north-eastern and north-west of the site, linking in with the existing built form on the site.
- 1.4 Both the Amendment and draft Development Plan are designed to facilitate the following expansion and development of Westfield Doncaster:
 - An additional, approximately 43,000sqm of retail floor space and 18,000sqm of commercial office space generally to the north of the site;
 - A commercial 'gateway' building with a maximum height of ten to fourteen storeys above a 2 level podium in the northwest corner of the site;
 - An enhanced and expanded bus interchange;
 - Improved vehicular and pedestrian access to and within the centre;
 - Additional car parking providing for an overall retail rate of 4.17 spaces per 100sqm, as a whole of centre assessment and an overall commercial rate of 3.5 spaces per 100sqm throughout the centre; and
 - Improved public realm outcomes.
- 1.5 The Amendment, known as Amendment C104 to the Manningham Planning Scheme, proposes to:
 - Amend the content of the Municipal Strategic Statement at Clause 21.09 (Activity Centres and Commercial Areas);
 - Amend Schedule 1 to the Activity Centre Zone at Clause 37.08 (ACZ1), and in particular, the provisions relating to Precinct 4: Westfield Doncaster;
 - Delete Schedule 1 to the Incorporated Plan Overlay at Clause 43.03 (IPO1) and remove the overlay from the land at 619 Doncaster Road and 1 Grosvenor Street, Doncaster and associated mapping;
 - Introduce a new Schedule 4 to the Development Plan Overlay at Clause 43.04 (DPO4) and apply it to the land at 619 Doncaster Road, Doncaster and associated mapping. The DPO4 is not proposed to apply to 1 Grosvenor Street, Doncaster on the basis that this site is no longer in Scentre Group ownership and has been developed as a 10 storey residential apartment-style development;
 - Introduce the Road Closure Overlay (RXO) at Clause 45.04 into the Manningham Planning Scheme and associated new map 7RXO.

RXO is to be applied to the westernmost end of Westfield Drive where it intersects with Williamsons Road;

- Amend Schedule 1 to the Development Contributions Overlay (DCPO1) at Clause 45.06 to clarify the development contributions that would apply in relation to development of the site;
- Amend Schedule 1 to the Parking Overlay (PO1) at Clause 45.09 to specify retail (shop) and commercial (office) car parking rates specifically for the Westfield Doncaster site; and
- Amend the schedule to Clause 81.01 to remove reference to the Incorporated Document which forms the basis of the IPO1 titled *'Westfield Shoppingtown Doncaster Concept Plan, September 1996'*.

- 1.6 The draft Development Plan has been prepared to align with the provisions of DPO4 which specifies the requirements for a development plan. The requirements include the overriding requirement that a development must be generally in accordance with the Concept Plan that forms part of the proposed Development Plan Overlay Schedule 4.
- 1.7 The draft Development Plan is informed by the existing strategic context, including the zoning, overlay and policies that apply to the site, as well as the seven supporting technical reports.
- 1.8 The Urban Design Vision as stated in the Development Plan is:

'To create a vibrant, world-class retail and commercial complex at the heart of the Doncaster Hill Activity Centre that offers a diverse mix of activity, transport and employment opportunities to improve and meet the needs of the growing residential and worker population. Westfield Doncaster will be distinctive in scale and form to signify the regional significance of the complex, and built form will reinforce the Doncaster Road and Williamsons Road boulevards and establish a defined gateway to Doncaster Hill. Pedestrians, cyclists and public transport users will be prioritised through improved public realm along key roads, a new entry forecourt, and an upgraded bus interchange.'

(Page 23, Westfield Doncaster Development Plan, 2016)

- 1.9 The draft Development Plan is organised into four key sections:
1. Introduction – Outlines the purpose and general document structure.
 2. Site Analysis – Summarises the strategic planning context that applies to the site and analyses existing conditions, including site uses; built form; access and movement; topography; landscaping and public realm; and infrastructure.
 3. Development Plan – Outlines the strategies and plans for the future development of the Centre and includes vision; development principles; concept plan; built form and envelope plans; integrated transport plan; public realm and landscape; development criteria; ecologically sustainable development; social infrastructure; advertising signs; acoustic treatments and staging plan.
 4. Economic Benefits – Summarises the economic benefits of the proposed Development.

- 1.10 The draft Development Plan includes several 'Envelope Plans' which specify the future built form envelope for the expansion of the centre. The envelope plans have regard to the site context, existing site conditions and identify building setbacks and heights.
- 1.11 The heights in the draft Development Plan are expressed as Reduced Levels (RL). An RL is an elevation of a point or mark related to a nominated datum.
(Source: *Standards Australia - HB 50 – 2004 - Glossary of Building Terms*)
- 1.12 A copy of the exhibited Amendment documentation is included as Attachment 2. The accompanying draft Development Plan (and the various technical reports) are available for viewing separately at the municipal offices and at www.yoursaymanningham.vic.gov.au/Amendment-C104.
- 1.13 At its meeting on 31 May 2016, Council resolved to seek authorisation from the Minister for Planning to prepare and exhibit Amendment C104 to the Manningham Planning Scheme concurrently with the draft Development Plan, subject to a number of changes. The changes required by Council were made prior to the request for authorisation.
- 1.14 Authorisation to prepare and exhibit the Amendment was granted on 29 June 2016.
- 1.15 The six (6) week public exhibition period for the amendment and draft Development Plan was conducted between 21 July and 1 September 2016.
- 1.16 During the exhibition period, the community and other interested parties were given the opportunity to make a written submission or to lodge a submission on-line on the 'Your Say Manningham' website.

2 PROPOSAL/ISSUE

- 2.1 The purpose of this report is for Council to consider the submissions received to Amendment C104 to the Manningham Planning Scheme and the draft Development Plan and to resolve the next steps.
- 2.2 Section 23(1) of the *Planning and Environment Act 1987* outlines the options available to a Council when considering submissions to a planning scheme amendment. In this instance, more options are available because submissions have also been received to the proposed Development Plan.
- 2.3 The options available to Council are:
1. Change the Amendment as requested by submitters and adopt the Amendment; or
 2. Request an Independent Panel to consider submissions about the Amendment only; or
 3. Request a combined Independent Panel / Advisory Committee to consider submissions about both the Amendment and the draft Development Plan (recommended option); or
 4. Abandon Amendment C104. If this occurs there would be no trigger for the preparation of a Development Plan, and the draft Development Plan could not be further considered.
- 2.4 A total of 52 submissions have been received to both the Amendment and draft Development Plan, consisting of (44) submissions from or on behalf of residents, three (3) from Statutory Authorities, one (1) on behalf of a school,

- one (1) on behalf of Council's Access and Equity Advisory Committee, two (2) from commercial businesses and one (1) from the Proponent.
- 2.5 Given that the draft Development Plan was exhibited concurrently with Amendment C104, at times it was difficult to clearly distinguish between submissions received in relation to the Amendment itself, the draft Development Plan, or a combination of the two.
- 2.6 There is no legal requirement to exhibit a development plan which is proposed to be considered for approval under a Development Plan Overlay. However, it is common for a council to provide the community with an opportunity to consider a proposed development plan before it is considered by Council for approval.
- 2.7 From the total of the 52 submissions received, 31 were submitted via the website. Detailed submissions were received from VicRoads, Public Transport Victoria (PTV), Bunnings and from Scentre Group (as the proponent for the Amendment), as well as from Council's Access and Equity Advisory Committee.
- 2.8 Thirty four of the submitters (including the proponent) own property and/or reside within a 500m radius surrounding the Centre and 17 submitters own property and/or reside outside the 500m radius surrounding the Centre. One submitter did not provide an address. Refer to Attachment 3 for a map identifying the location of submitters.
- 2.9 As part of considering submissions, a letter was sent to PTV seeking further clarification on matters raised in its submission. A response was received from PTV and this has also been considered in the summary of submissions.
- 2.10 As part of considering submissions, officers also met with the proponent to seek/discuss its response to submissions.
- 2.11 The submissions are summarised in Attachment 1 and an officers' response and recommendation is provided in relation to each issue raised in the submissions.
- 2.12 The recommendations in response to the consideration of submissions include:
- Recommended changes to the Amendment documentation;
 - Recommended changes to the draft Development Plan; and
 - Other recommendations not specifically related to the Amendment or draft Development Plan.
- 2.13 The following section addresses the main issues raised by submitters and the officers' response to those submissions. The following analysis categorises submissions as
- submissions relating to the draft Development Plan; and
 - submissions relating to Amendment C104.

Traffic and Transport

Design and function of the new bus interchange

- 2.14 With the exception of two submitters, six (6) submitters, have expressed their support for improvements to the bus interchange and future demand for public transport to be accommodated.
- 2.15 In expressing their support for improvements to the bus interchange, PTV requested a review to the proposed layout in order to allow buses to be able to undertake a loop so as to circulate within the bus interchange.
- 2.16 In addition PTV also raised concerns relating to the operation of services within the surrounding road network.

Officers' response:

- 2.17 It is acknowledged that as the statutory authority that manages Victoria's bus services, it is the responsibility of PTV to provide guidance in relation to the design and function of the bus interchange and infrastructure requirements beyond the centre to support service delivery. However, officers consider that any suggested changes to the layout of the bus interchange which has been exhibited so as to achieve the internal 'loop' for buses must not reduce the number of allocated bus bays or compromise the allocation of space or amenity of the public realm/entry forecourt area. Provided that this principle is observed, then any changes can be considered on their merits.
- 2.18 While PTV raised the issue of the impact of the development on the operation of services within the surrounding road network, PTV is satisfied that matters relating to the operation of those services can be addressed as part of future planning permit applications.

Pedestrian accessibility

- 2.19 Nine (9) submitters have raised issues relating to the importance of providing adequate pedestrian access; the inadequate phasing of signals crossing multi-lane main roads to the centre; the inadequacies of the pedestrian desire entry points in the existing part of the centre; and safety concerns about access from the bus interchange to the east when the centre is closed.

Officers' response:

- 2.20 As part of the preparation of the draft Development Plan, Council officers advocated strongly for the provision of additional pedestrian points, at key desire lines to the Centre. Whilst the pedestrian improvements are generally associated with the expansion proposal as detailed in the draft Development Plan, it is acknowledged that a number of submissions are seeking further pedestrian access improvements to the existing part of the Centre, including access to and from the bus interchange from the east, outside of the Centre's operating times.
- 2.21 In addition to the pedestrian access network and facilities as identified in Figure 54 of the draft Development Plan, Council officers will also be seeking to advocate that VicRoads provide for improvements to the phasing of pedestrian crossings at key locations as well as implementing actions identified in the *Doncaster Hill Mode Shift Plan (2014)* and the *Behaviour Change Plan (2015)* to encourage a mode shift of 30% to sustainable transport modes within Doncaster Hill. This advocacy will supplement the DPO4 requirement that a Green Travel Plan/ Active Travel Plan be provided with any planning permit application. The purpose of such plans is generally to encourage a mode shift towards non-car based modes of travel.

Carparking and traffic movements in and around the Centre

- 2.22 Five (5) submitters have raised concern about the adequacy of the proposed carparking rates and the lack of provision of sufficient disabled parking spaces.
- 2.23 Seven (7) submitters raised general concerns about access into and out of the centre, particularly at peak times and the disjointed circulation within the centre carparks.
- 2.24 Some submitters were also concerned whether the proposed surrounding road infrastructure is able to respond appropriately to the growth in traffic volumes resulting from the centre expansion and adjoining developments.

Officers' response:

- 2.25 There is a recognised problem with the amount of car parking provided by the Centre at the moment and the way vehicles are able to circulate within the Centre once they enter. Consequently, the Amendment and draft Development Plan is based on the culmination of two years of work which was done in collaboration between the Proponent, VicRoads, PTV and Council. Traffic modelling reviewed both the projected car parking demands as well as the proposed mitigating measures that might assist in alleviating the impacts of the additional traffic expected as a result of the expanded centre and the anticipated full build-out of Doncaster Hill.
- 2.26 As part of addressing the current parking concerns, a number of changes are being proposed in addition to the increase in the retail car parking rate for the new development from the current (excluding the Stage 1 multi level car park) 3.87 to 4.17 spaces per 100sqm based on whole-of-centre assessment. Currently, the peak parking demand for the whole of centre car on a Saturday is approximately 88% occupancy. Difficulties in finding a car park can be partly attributed to the lack of connectivity between car parks. The proposed development will improve circulation between all existing and proposed car parking areas.
- 2.27 These two changes are expected to significantly improve the current experience in arriving to the centre and looking for a carparking space.

Westfield Drive

- 2.28 Nine (9) submitters have raised concerns about the proposed closure and reconfiguration of Westfield Drive, in association with the construction of the new main entry at the north-west part of the site, adjacent to Westfield Drive.

Officers' response:

- 2.29 The RXO is the key planning control which closes Westfield Drive. The re-location of the new main entry to the centre along Williamsons Road to the north-west corner of the site will result in a reconfiguration to Westfield Drive. The key changes involve:
- the closure of Westfield Drive at its intersection with Williamsons Road;
 - entry and exit from Westfield Drive, via the new proposed centre internal Northern Access Road;
 - a new left turn slip lane to the proposed Northern Access Road into the Centre;
 - signalised access into and out of Williamsons Road.

- 2.30 Officers have recommended that the draft Development Plan should be amended to require a section 173 agreement in a future planning permit for the new Westfield Drive access to incorporate unfettered access rights for the general public over the Northern Access Road.
- 2.31 The proposed closure of the western end of Westfield Drive to through traffic will result in converting the western end of Westfield Drive into a cul-de-sac. This will be designed to accommodate emergency and waste vehicle access turning requirements.
- 2.32 In response to submissions raising concerns about the impacts of the entry/exit point into Westfield Drive from the Northern Access Road, Scentre Group has indicated that it is currently reviewing the technical design of the intersection between Westfield Drive and the Northern Access Road to improve operational outcomes.
- 2.33 Council officers are supportive of improvements to the operational outcomes at this intersection and have recommended that the proponent investigates relocating the intersection and Northern Access Road slightly further to the south to provide a greater radius to the Northern Access Road and an increased distance to the linkage between Westfield Drive from the Northern Access Road.

Bourdeaux Street / Williamsons Road

- 2.34 Four (4) submitters raised concern about the impacts of the proposed changes to the relocation of the Westfield Doncaster accessway (the Northern Access Road) to the north-west corner of the site that will adversely impact on the ability to safely undertake a "U" turn to access St Gregory the Great Primary School.

Officers' response:

- 2.35 The proposed relocation of the Westfield Doncaster main accessway to the north-west corner of the site will result in the introduction of a signalised intersection which will impact on the current access arrangements to the service road, mainly for vehicle movements from the west.
- 2.36 The "U" turn facility located on the southbound carriageway of Williamsons Road will be relocated further south along Williamsons Road, which will enable an easier "turning circle" for motorists accessing the service road. Officers have recommended that a provision be made to allow the signalisation of the "U" turn movement from the Williamsons Road southbound carriageway into the service road, if and when, traffic volumes increase.

Sovereign Point Court / Williamsons Road

- 2.37 Four (4) submitters have expressed concern about the proposed changes to existing signals associated with the new bus interchange and other network changes that impact on their access into and out of Sovereign Point Court from Williamsons Road. In particular, residents have requested the installation of signals to provide safer access into and out of Sovereign Point Court.

Officers' response:

- 2.38 An investigation has been undertaken into the request to provide a right turn facility for southbound vehicles on Williamsons Road into Sovereign Point

Court, prior to the Shoppingtown Hotel signals. The findings identified that there was insufficient road reserve width and offset from adjacent signals to provide a right turn facility for southbound vehicles along Williamsons Road. It is proposed to retain the current left in / left out access arrangements for Sovereign Point Court at Williamsons Road.

- 2.39 Officers have recommended that the proponent investigate the feasibility for the provision of 'Keep Clear' linemarking on Williamsons Road at the Sovereign Point Court intersection in consultation with Council. This is to respond to concerns that the location of the new intersection signals on Williamsons Road at Westfield Drive will result in traffic queuing south along Williamsons Road, blocking access at Sovereign Point Court.

Frederick Street Signals

- 2.40 Seven (7) submitters have expressed concern about the proposed removal of the signals at the intersection of Frederick Street and Doncaster Road and the banning of right turns into and out of Frederick Street, Doncaster. In addition to the inconvenience of needing to undertake U-turns, concerns have also been expressed about access by emergency and waste vehicles and other delivery trucks. Concern has also been raised about any proposal to open the current road closure in Frederick Street.

Officers' response:

- 2.41 The removal of the Frederick Street intersection signals has been proposed to improve traffic flow and reduce congestion along the westbound carriageway of Doncaster Road between Williamsons Road and Tower Street.
- 2.42 Results from the traffic modelling which was reviewed and supported by VicRoads, indicate that the removal of the right turn movements for both the Frederick Street intersection and Westfield Doncaster exit point opposite, will result in some minor increases in "U" turn movements at the intersections east and west of Frederick Street. However, it is not considered that the removal of the right turn movements will adversely impact on safety or significantly reduce amenity for the local residents and commercial properties north of the Frederick Street closure.
- 2.43 The future status of the Frederick Street road closure is outside the scope of this process and any proposed changes would involve separate consultation with all affected parties.

Urban Design

Built form impacts

- 2.44 Eleven (11) submitters raised concern about the proposed size of the centre and setbacks from residential areas; height of the tower and amenity impacts resulting from overshadowing, overlooking, and loss of views. It was submitted that the tower should be located more centrally on site to provide a more 'balanced' built form outcome and that the height may set undesirable precedent for future developments.

Officers' response:

- 2.45 At a broader strategic level, the proposed expansion of the centre responds to a number of land use and development objectives to be achieved within the Doncaster Hill Activity Centre, as identified in the Activity Centre Zone –

Scheme – Schedule 1 (ACZ1), including the development of a unique gateway building, public realm area and maintaining an integrated public transport interchange.

- 2.46 It is submitted that with the exception of a couple of sites, including Westfield Doncaster, the majority of Doncaster Hill is affected by mandatory maximum building heights.
- 2.47 The proposed commercial tower located in the north-western corner of the site generally responds to the precinct requirements identified in the Activity Centre Zone – Scheme – Schedule 1 (ACZ1) which encourages the development of a gateway building as an entrance to Doncaster Hill:
- *‘Develop a unique gateway building abutting Williamsons Road in the north-west corner of the precinct.’*
- 2.48 Section 3.5 Built Form and Envelope Plans of the draft Development Plan outlines the *‘Design Rationale for Gateway Building’* to provide guidance regarding the future scale and form of the building. A future planning permit application will have to be generally in accordance with the approved Development Plan.
- 2.49 It must also be acknowledged that Section 3.5 Built Form and Envelope Plans of the draft Development Plan identifies *‘Envelope Plan Shadow Studies’* and demonstrates that there will be no unreasonable shadow impacts from the building envelope upon adjacent residential interfaces.

Noise and Amenity Impacts

- 2.50 Five (5) submitters have raised concern about the noise and amenity impacts during and after construction and have expressed concerns regarding the proposed acoustic treatments in relation to safety, being located ‘behind a wall’ and the proposed acoustic rating.

Officers’ response:

- 2.51 The Amendment and draft Development Plan were accompanied by an acoustic report that informed at the broad level the proposed acoustic treatments identified along the eastern and northern boundaries where the site adjoins residential areas. Acoustic treatments were based on the redevelopment potential of the surrounding areas, that allows a maximum building height limit of 11 metres on lots not less than 1,800m², as set out in Schedule 8 to the Design and Development Overlay.
- 2.52 The DPO4 requires that any planning permit must include a Construction Management Plan (CMP). The CMP will address matters associated with the on-site construction and off-site amenity management measures.
- 2.53 The DPO4 also requires that each planning permit application be accompanied by an acoustic report detailing the proposed noise mitigation measures for the development. As a commercial development it will need to show compliance with State Environment Protection Policy on Noise limits.
- ‘An application for a planning permit to use or develop land should be accompanied by the following, as appropriate, to the satisfaction of the Responsible Authority: (amongst other reports)*

- *An Acoustic Report, detailing the proposed noise mitigation measures for the development.’*

- 2.54 It is considered prudent for the proponent to include the above Acoustic Report as part of information submitted to Council at the time of the planning permit application. While the application would not be formally advertised, it would be included on the planning register, which is a matter of public record and would allow any interested parties to view the application and Acoustic Report. It is important to note that whilst comments/objections in relation to this matter can be received for consideration by Council, there are no third party appeal rights to the Victorian Civil and Administrative Tribunal (VCAT).

Public Realm/landscaping

- 2.55 Three (3) submitters have expressed their disappointment in relation to the landscaping and community open space proposed, stating that only the minimal amount necessary is being provided to gain planning approval.

Officers' response:

- 2.56 Council officers acknowledge the importance of providing adequate public realm which also provides opportunities for functional and high quality formal and informal outdoor areas that cater to the needs of the patrons to the Centre. It is further acknowledged that there are a number of competing functions in the north-west corner of the site and extending further north along Williamsons Road, including the commercial tower, public realm / entry forecourt, bus interchange and shops and cafes.
- 2.57 Section 3.7 of the draft Development Plan outlines the objectives and key components of the public realm and landscaping. Works associated with the public realm and landscaping treatments and their specific details will be subject to future planning permit applications which must be generally in accordance with the approved Development Plan.
- 2.58 The proposed location of the public realm/entry forecourt is generally in accordance with the proposed location identified on the Strategic Framework Plan forming part of the Doncaster Hill Activity Centre Zone – Schedule 1 (ACZ1). It is noted that the Strategic Framework identified in ACZ1 is proposed to be modified to identify the 'switch' in the location between the public realm area and the bus interchange.
- 2.59 It is further noted that as part of considering the request to seek authorisation to exhibit the Amendment, Council sought changes to Section 3.7 of the draft Development Plan that was available for viewing with the amendment. This change included a new commitment to consider additional rooftop landscaping and/or green facades, aimed at reducing the urban heat island effect, whilst also promoting biodiversity.
- 2.60 In response to the PTV submission seeking modification of the bus interchange, Council officers have recommended that that any redesign must as a principle not compromise the allocation of space or amenity of the public realm/entry forecourt area.

Infrastructure

Community facilities

- 2.61 The submission lodged on behalf of Council's Access and Equity Advisory Committee has identified the benefit of co-locating allied health services at the Centre as part of a providing a 'one-stop shop', and to address current service gaps in the municipality. Submissions also recommended the

inclusion of a range of facilities to service the needs of patrons, as well as other detailed design recommendations aimed at improving access and equity for the community.

- 2.62 Two (2) submitters raised concern about whether 100sqm allocation for a community / youth space was sufficient to service needs of the community, given the scale of the proposed expansion.

Officers' response:

- 2.63 The purpose of the draft Development Plan is to set out the urban design vision, principles, strategies and development applicable for any future development at the Centre.
- 2.64 Whilst the matters raised in the submissions relate to more detailed matters associated with design and the provision of services and facilities, it is important to note that the DPO4 at section 2.0 Conditions and requirements for permits, states that:

'An application for a planning permit to use or develop land should be accompanied by the following, as appropriate, to the satisfaction of the Responsible Authority: (amongst other reports)

- *An Accessibility / Access and Equity Audit report.'*

- 2.65 The proposed DPO4 also reflects the commitment for the provision of a minimum of 100sqm for a community / youth space, which will be formalised through a section 173 agreement as a condition of future planning permits.
- 2.66 It is considered appropriate that in the context of a higher order activity centre, the Proponent establishes an advisory group. This may consist of representatives from Council to assist in guiding and informing the relevant planning permit applications, including matters relating to accessibility and the provision of facilities. Officers have recommended that this should be referenced in the draft Development Plan in Section 3.10 Community Infrastructure.

Ecologically Sustainable Design

- 2.67 The Proponent for the Amendment has objected to the changes resolved by Council at its meeting on 31 May 2016, to Section 3.9 Ecologically Sustainable Development of the draft Development Plan and the technical report.
- 2.68 One (1) submitter has supported use of green energy in making the proposal to expand the Centre more attractive to the community.

Officers' response:

- 2.69 As part of considering the request to seek authorisation to exhibit the amendment, Council sought changes to the draft Development Plan at Section 3.9 Ecologically Sustainable Development to be assured that an alternative formal certification (to Council's approval) would be provided in its place if the option of a 5-Star Green Star rating was not achievable.
- 2.70 The Green Star rating tool referred to in the Sustainability Commitments report (prepared by Cundall) is the Retail Centre v1 tool which is now referred to on the Green Building Council of Australia (GBCA) website as one of the legacy rating tools.

- 2.71 According to the GBCA: *'Legacy rating tools are previous versions of Green Star rating tools that have been superseded by the release of Green Star – Design & As Built. Registration under these rating tools closed in December 2015, new projects must register under the current versions of the Green Star rating tools.*
- 2.72 The correct Green Star rating tool which should apply to this project is the Design & As Built v1.1 tool and when the credits are translated to the superseded Retail Centre v1 rating tool, this still allows a 4-Star Green Star certified rating for the project to achieve Australian best practice to meet Council's minimum requirement.
- 2.73 The ability to certify an expansion to an existing building is possible provided the project scope and boundary is clearly defined up-front making a formal Green Star rating achievable.
- 2.74 Accordingly, officers have recommended changes to the Development Plan Overlay – Schedule 4 (DPO4), draft Development Plan and the Sustainability Commitments report.

Development Contributions Plan – Schedule 1 (DPO1)

- 2.75 Currently, pursuant to Section 4.0 of Schedule 1 to the Development Contributions Plan Overlay, an exemption applies to the Westfield Doncaster site in relation to the payment of development contributions.
- 2.76 Under the current Development Contribution Plan Overlay Schedule, development contributions are payable in respect of development including the construction of a building or the carry out of works. There is an existing exemption that provides for no payment of development contributions up to a leasable floor area of 135,000 square metres (comprising 90,000 for shop) provided that certain infrastructure specified in an existing planning permit was carried out.
- 2.77 The Amendment proposes to retain the exemption in its current form subject to updating the reference to the proposed Development Plan Overlay instead of the Incorporated Plan Overlay. The development facilitated by the Amendment and the draft Development Plan will exceed the floor space trigger set out in the exemption. Therefore, development contributions will be triggered and become payable. The total development contribution payable is estimated at about \$2.8 million in 2015.
- 2.78 As part of Amendment C104, a future planning permit application will now trigger the payment of a contribution pursuant to an amended Development Contributions Plan Overlay. This is on the basis that the current floor-space exemption will not be applicable.
- 2.79 The proponent has undertaken a preliminary feasibility and costing of a range of infrastructure works proposed to be undertaken as part of the expansion of the centre and has estimated that these works have a combined value that significantly exceeds the development contributions payable under the proposed DCPO1.
- 2.80 On that basis, the Proponent submits that the exemption provision is reasonable and seeks a change to DPO1 to ensure consistency with the previous exemption methodology in applying Development Contributions to the site.

Officers' response:

- 2.81 The drafting of the amended DCPO1 is in the same form as the existing DCPO1 except that it refers to the relevant DPO rather than the existing IPO. Scentre Group's submission states that the DCPO needs to be amended to ensure consistency with the previous (approved) exemption methodology in applying Development Contributions to the Westfield Centre.
- 2.82 Council officers do not consider that any further changes are required. The amended form of the DCPO1 only changed the exemption by updating the relevant planning control referenced in the exemption. Therefore, it is envisaged that development contributions (of about \$2.8m) will become payable when the proposed development proceeds. It is not proposed to modify the exemption to either -
- exempt the proposed development from liability to pay contributions, or
 - to change the planning permit referenced in the exemption so as to refer to the extent of development anticipated by the draft Development Plan,
- as, either of these changes would further delay payment of the development contribution under the Doncaster Hill Development Contribution Plan.
- 2.83 Any infrastructure works which are proposed to be undertaken in accordance with the Doncaster Hill Development Contributions Plan will be considered for a credit against the Scentre Group's development contributions liability.

Changes sought to Development Plan Overlay – Schedule 4 (DPO4)

- 2.84 Public Transport Victoria (PTV) has raised concerns that the number of reports relating to traffic and transport may result in the duplication of information submitted in support of planning permit applications.
- 2.85 PTV has also requested that the final paragraph under the heading 'Integrated Transport Plan' which requires Council to seek the views of certain government agencies should instead simply refer to 'Referral Authorities'.

Officers' response:

- 2.86 The DPO4 requires certain documents to form part of an approved Development Plan:
- An Integrated Transport Plan comprising a number of components; and
 - A Traffic and Transport Assessment Report. Comprising specified information.
- 2.87 Furthermore, the DPO4 requires any planning permit application (which must be generally in accordance with the approved Development Plan) to be accompanied by (as relevant)
- A transport Impact Assessment Report
 - An accessibility/Access and Equity Audit Report
 - A green Travel Plan
- 2.88 In response to concerns raised by PTV regarding duplication of information, (which is not accepted) it is noted that DPO4 provides discretion for the

applicant and Responsible Authority in relation to which documents should accompany a planning permit application. Accordingly, Council does not consider that there is any unnecessary duplication.

- 2.89 The suggested change to refer to 'Referral Authorities' rather than department names does not change the policy intent and therefore officers recommend that this change be made.

3 OPTIONS

- 3.1 Section 23(1) of the *Planning and Environment Act 1987* outlines the options available to a Council when considering submissions to a planning scheme amendment. In this instance, more options are available because submissions have also been received to the draft Development Plan.
- 3.2 The options available to Council are:
1. Change the Amendment as requested by submitters and adopt the Amendment; or
 2. Refer the submissions to an Independent Panel to consider submissions about the Amendment; or
 3. Abandon the Amendment.
- 3.3 Option 1 is not available because of the varying views of submitters.
- 3.4 Option 3 is not recommended as a significant level of strategic work has been undertaken to ensure the Amendment provides the best basis for the further redevelopment of Westfield Doncaster.
- 3.5 Accordingly, Council Officers recommend that Council proceed with Option 2 on the basis that Council also has a draft Development Plan to consider. It is also recommended that when referring the submissions and requesting the appointment of an Independent Panel, the panel should be asked to also be appointed as an Advisory Committee so that it can also consider and make recommendations in relation to the draft Development Plan.

4 PRIORITY/TIMING

- 4.1 Section 19(4)(b) of the *Planning and Environment Act 1987* identifies that any planning scheme amendment needs to be on exhibition for a minimum of 4 weeks. Amendment C104 and the draft Development Plan were on exhibition between 21 July to 1 September 2016, a total of six (6) weeks.
- 4.2 Section 4(3) of Ministerial Direction No. 15 requires the appointment of a Panel within 40 business days of the closing date of submissions. Based on the Council election caretaker period, Council sought and was granted an exemption from complying with the Ministerial Direction No. 15 requirements relating to this stage of the amendment process.
- 4.3 If Council adopts Option 2 and refers the submissions to an Independent Panel appointed also as an Advisory Committee, the Directions Hearing and combined Independent Panel / Advisory Committee Hearing dates have been pre-set for the following dates:
- Directions Hearing – in the week commencing 27 March 2017.
 - Panel Hearing/Advisory Committee – 26 April to 5 May 2017.

- 4.4 It should be noted that these dates have been changed from those identified in the exhibited Explanatory Report.
- 4.5 Scentre Group has also indicated that the progression of the amendment and draft Development Plan and subsequent redevelopment of the centre continues to be a high priority.

5 POLICY/PRECEDENT IMPLICATIONS

- 5.1 The proposed Amendment supports and implements many of the policies of the State Planning Policy Framework, specifically Clause 11.01 (Activity Centres); Clause 11.04-1 (Delivering Jobs and Investment); Clause 13.04-1 (Noise Abatement); Clause 15 (Built Environment and Heritage); Clause 15.02-1 (Resource and Energy Efficiency); Clause 17.01-1 (Business); Clause 18.01 (Integrated Transport) and Clause 18.02 (Movement Networks).
- 5.2 The Amendment will also assist in implementing the policy directions outlined in the Local Planning Policy Framework (LPPF) and the Municipal Strategic Statement (MSS), specifically Clause 21.02, Clause 21.03, Clause 21.04, Clause 21.09, Clause 21.10 and 21.12.
- 5.3 There are a number of other key Council strategies and plans that are relevant to the Amendment and Development Plan and many of these are included as reference documents within the Manningham Planning Scheme. These include:
- Doncaster Hill Strategy (October 2002, revised 2004);
 - Doncaster Hill Pedestrian and Cycling Plan (2009);
 - Doncaster Hill Mode Shift Plan (2014);
 - Principal Pedestrian Network (PPN); and
 - Bicycle Strategy (2013).

6 CUSTOMER/COMMUNITY IMPACT

- 6.1 The draft Development Plan has been submitted for Council's consideration at the same time as the request for Amendment C104, so that Council, the community and all key stakeholders can ascertain how the site is proposed to be developed in the context of DPO4.
- 6.2 The DPO4 exempts subsequent planning permit applications from advertising and third party appeal rights. This means that the Amendment process is the only opportunity for community members and other key stakeholders to make a submission in relation to the future plans for the subject site. This is why the draft Development Plan was exhibited with the Amendment documentation.
- 6.3 The '*Westfield Doncaster Economic Benefits Assessment, March 2016*', technical report informing the draft Development Plan forecasts the following economic benefits from a projected development cost of \$500 million;
- Approximately 2,040 direct construction jobs;
 - Almost 2,900 new full time and part time workers at the centre on completion of the expansion;
 - A further 5,500 indirect jobs from flow-on employment effects; and

- Contributing to improving the scale and quality of retailing serving the east/north region of Melbourne.

7 FINANCIAL RESOURCE IMPLICATIONS

- 7.1 The proponent will be responsible for covering the costs of the amendment process in accordance with the *Planning and Environment (Fees) Regulations 2000*.

8 SUSTAINABILITY

- 8.1 Amendment C104 and the draft Development Plan are considered to be consistent with social, economic and environmental sustainability objectives.
- 8.2 One of the underpinning Development Criteria identified in the Development Plan in Section 3.8 is a commitment to ensure that the proposed expansion of Westfield Doncaster will continue to recognise the importance of achieving a strong sustainable outcome for the proposed development and to support the Council's sustainability aspirations for Doncaster Hill, including achieving a 30% mode shift to more sustainable transport options and improvements to the bus service.
- 8.3 The draft Development Plan identifies the following specific community infrastructure outcomes:
- Additional services in the shopping centre, particularly allied, medical and dental services to complement the proposed office development; and
 - A community space of at least 100sqm to be located in close proximity.

9 REGIONAL/STRATEGIC IMPLICATIONS

- 9.1 Scentre Group has submitted that the last expansion in 2008 reflected a significant elevation of the centre's offer and role as one of Melbourne's leading shopping centres.
- 9.2 The Westfield Centre will perform an important role to underpin the profile and identity of Doncaster Hill as the centre continues to develop in the future.
- 9.3 At a broader strategic level, the proposed expansion of the centre responds to a number of land use and development objectives to be achieved within the Doncaster Hill Activity Centre, as stated in ACZ1:
- *To advance Doncaster Hill as a sustainable and vibrant mixed-use activity centre with a strong sense of place...*
 - *To develop the centre as a focus for contemporary high density residential development incorporating a mix of complementary, retail, social, commercial and entertainment uses.*
 - *To ensure the activity centre enhances the social, environmental, economic and cultural elements of the municipality and region, advancing Doncaster Hill as a destination in Melbourne's East.*
- 9.4 At a precinct level – 'Precinct 4: Westfield Doncaster', the expansion addresses and/or advances the following objectives:
- *To further improve existing active street frontages.*
 - *Encourage and enhance pedestrian environment within the precinct.*

- *To provide opportunities for a range of commercial uses to develop within the precinct along with the existing retail development.*
 - *To create a number of significant externalised public urban spaces/plazas, which are well connected to the public transport interchange and boulevard along Doncaster Road.*
 - *To support and connect with the pedestrian link proposed for the Doncaster, Williamsons and Tram Road intersection at the western end of the precinct.*
- 9.5 The expansion will also address or advance the following Precinct guidelines:
- *Develop a unique gateway building abutting Williamsons Road in the north-west corner of the precinct.*
 - *Maintain and enhance an integrated public transport interchange to support both Westfield Doncaster and the greater Doncaster Hill area in a prominent and easily accessible location.*
 - *Establish strong pedestrian entries and linkages from Westfield Doncaster to all other precincts within Doncaster Hill.*
 - *Future building form is to maximise the north-east aspect and views, and vistas to the CBD.*
 - *External spaces should directly link to Williamsons Road....where appropriate.*

10 CONSULTATION

- 10.1 The exhibition of Amendment C104 and draft Development Plan involved the following consultation processes:
- 10.2 Information about the Amendment, draft Development Plan, accompanying technical reports, Fact Sheet and 'Frequently Asked Questions' were made available at the municipal offices, local branch libraries and on the 'Your Say Manningham' website at www.yoursaymanningham.vic.gov.au/Amendment-C104;
- 10.3 Two general drop-in sessions, which were held at the municipal offices on Monday 1 August (2pm – 4pm) and Wednesday, 3 August 2016 (6pm – 8pm). A drop-in session was also held on Monday, 1 August (6pm – 8pm) at the municipal offices, specifically for Westfield Drive and Grosvenor Street residents. These sessions were attended by Council officers from various service units, and representatives of Scentre Group's consultant team;
- 10.4 Council officers also responded to telephone and counter enquiries from interested parties, both directly and indirectly notified about the amendment;
- A Public Notice in the Manningham Leader (local paper) on 18 July 2016;
 - A notice in the Government Gazette on 21 July 2016;
 - Direct notification of the amendment was sent to:
 - Prescribed Ministers;
 - Prescribed referral authorities;

- Approximately 2,500 property owners and occupiers within and to a distance of 100 metres around the Doncaster Hill Activity Centre. This is the boundary that has been used consistently for notification of amendments within the Doncaster Hill Activity Centre. This included specifically tailored letters to property owners on Westfield Drive to inform them of the proposed traffic access arrangements, including the road closure and signalised intersection of Westfield Drive; and
- other key stakeholders.

11 COMMUNICATIONS STRATEGY

- 11.1 A Communications Strategy and Engagement Plan were prepared in relation to the exhibition of Amendment C104 and the draft Development Plan.
- 11.2 Each submitter will be notified of Council's resolution and of any subsequent key stage in the Amendment process.

12 CONCLUSION

- 12.1 Amendment C104 to the Manningham Planning Scheme and the draft Development Plan is a culmination of two years work with the proponent, VicRoads, PTV and other key stakeholders.
- 12.2 Council exhibited Amendment C104 in accordance with the statutory process of the *Planning & Environment Act, 1987* and as a result, 52 submissions were received.
- 12.3 Council officers have now considered all submissions received and have provided responses and recommendations in Attachment 1. The recommendations are grouped into the following categories:
- Changes to Amendment C104 documentation;
 - Changes to the draft Development Plan, and;
 - Matters for consideration, that are outside the scope of the Amendment and draft Development Plan.
- 12.4 It is now considered appropriate to request the Minister for Planning to appoint an Independent Panel / Advisory Committee to consider the submissions received.

OFFICER'S RECOMMENDATION

That Council:

- (A) Notes all submissions received in response to Amendment C104 to the Manningham Planning Scheme and the draft Development Plan;**
- (B) Requests the Minister for Planning to appoint an Independent Panel which is also appointed as an Advisory Committee, pursuant to sections 151, 153 and 155 of the *Planning and Environment Act 1987* to consider the submissions received in relation to Amendment C104 to the Manningham Planning Scheme and the draft Development Plan for Westfield Doncaster, located at 619 Doncaster Road, Doncaster;**

- (C) Refers the submissions, as set out in Attachment 1, to the combined Independent Panel and Advisory Committee for consideration.**
- (D) Endorses the recommendations set out in Attachment 1 for the purpose of informing Council's submission to the combined Independent Panel and Advisory Committee;**
- (E) Advises all submitters of Council's decision to refer all submissions to a combined Independent Panel and Advisory Committee, whereby they will be given an opportunity to be heard on the matter.**

**MOVED: CHEN
SECONDED: McLEISH**

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

Attachments

1. Summary of Submissions Table
2. Exhibited Amendment documentation
3. Map identifying submitters within 500 metre radius of Westfield Doncaster
4. Landscape Concept Plan for Westfield Drive Road Closure.

* * * * *

AMENDMENT C104 – SUMMARY OF SUBMISSIONS

ATTACHMENT 1

Issue	Submission	Officer Response and Recommendation
1. TRAFFIC AND TRANSPORT		
1.1 Bus Interchange/Public transport		
Incorporate bus interchange below ground within car park Submission No. 47	Concerned that the relocation of the bus interchange closer to Williamsons Road will increase noise for the residents living on the west side of Williamsons Road. Suggests that the bus interchange be located underground within the Centre car park.	The new bus interchange will be located closer to Williamsons Road in order to improve visibility and provide improved access for commuters using the buses. The bus interchange is proposed to be level with Williamsons Road and under cover to provide weather protection for public transport users. The current width of Williamsons Road, at 6 lanes, will continue to separate the dwellings on the west side of the road from the bus interchange and the Centre. RECOMMENDATION: No action recommended.
Dedicated bus lane only on Williamsons Road is a positive Submission No. 33	Ensure that the buses have priority and are able to access the main road as frequently as they can now, with sufficient bus phases.	Council officers support the suggestion that adequate bus signal phases are provided to ensure the bus services operate efficiently. OTHER RECOMMENDED ACTION No.1: Council / Proponent to work with VicRoads and PTV to ensure that adequate bus signal phases are provided.
Dedicated bus lanes limit number of lanes for other traffic Submission No. 7	Dedicated bus lanes limit the number of lanes for other traffic on an already congested road.	The provision of dedicated bus lanes ensures that the bus services run efficiently and thereby encourages greater sustainable transport use in and around Doncaster Hill. Any increases in public transport use can result in a decrease in the volume of general traffic travelling through Doncaster Hill. The main objective of the <i>Doncaster Hill Mode Shift Plan (2014)</i> is to encourage a 30% mode share to sustainable transport modes prior to full build out of Doncaster Hill. In addition, the <i>Doncaster Hill Mode Shift Plan (2014)</i> has introduced a hierarchy of road uses in Doncaster Hill, with pedestrians and bus patrons given priority over private vehicle use. OTHER RECOMMENDED ACTION No 2: Council to continue to implement actions identified in the Doncaster Hill Mode Shift Plan (2014) to encourage a mode shift to sustainable transport modes.
Bus service 907 is disconnected from the bus interchange and Westfield	The SmartBus service 907 travels along Doncaster Road to the city and does not enter the bus interchange. This requires passengers wishing to	Council officers are supportive of improving connectivity between bus services and will separately advocate to PTV and Transdev to continue to seek improved connectivity between bus services.

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Issue	Submission	Officer Response and Recommendation
Submission No. 33	change services to either walk from the interchange to Doncaster Road or vice versa.	OTHER RECOMMENDED ACTION No. 3: Council officers to continue advocating to Public Transport Victoria (PTV) for improved connectivity between all bus services within Doncaster Hill.
Bus service for routes 902 and 903 Submission No. 42, 42A (Public Transport Victoria)	Public Transport Victoria (PTV) has identified that results in the Integrated Transport and Access Plan (July 2016) predict a mixture of gains and losses in bus travel times between Future Base results and the Westfield Development Plan impacts. Whilst a number of the results appear to achieve a positive outcome, the bus travel times for routes 902 and 903 do not appear to be positive. PTV is satisfied that options to mitigate the delays can be explored as part of a planning permit application.	The proposed changes to the lane configuration on Williamsons Road at its intersection with Doncaster Road include the introduction of a third right turn lane. In order to accommodate this additional right turn lane, the southbound kerbside lanes are proposed to be converted into a combined left turn slip / straight through (southbound) lane, resulting in minor delays to vehicles and buses turning left from Williamsons Road (north) into Doncaster Road (east). The future delay to left turning bus movements is considered acceptable, given that the current delays to the peak and major traffic movements (north to west) are improved. It is noted that this is a matter that PTV is satisfied can be resolved as part of any future planning permit application. RECOMMENDATION: No action recommended.
Need for Doncaster Rail/public transport Submission No. 7, 17, 33, 36, 42 (Public Transport Victoria), 46	There is a need for Doncaster Rail. Doncaster rail station could be constructed and included with the bus interchange. The proposed development and surrounding road/traffic changes don't provide a contingency for the expansion of public transport to meet future needs of the community. Expansion should accommodate potential expansion of tram route 48 up Tram Road. Public Transport Victoria (PTV) support the provision of a new enhanced and expanded bus interchange at Westfield Doncaster.	The traffic and transport outcomes proposed as part of the Westfield expansion have been assessed in the traffic model prepared by the Proponent for the Amendment and peer reviewed by both VicRoads and an independent traffic consultant. The traffic model and the traffic and transport assessment considered the impacts of the Westfield expansion following the full build out of Doncaster Hill, taking into account the current and future requirements PTV has for the bus interchange and bus services on the Hill. A recent report prepared by Infrastructure Victoria makes reference to the Doncaster Rail proposal and concludes that it was not a priority and that lower-cost transport solutions were available. On that basis the Proponent has not allowed for any future rail connection in the Development Plan. Council officers will continue to advocate to the State Government for the provision of rail to Doncaster Hill.

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Issue	Submission	Officer Response and Recommendation
<p>Amenity for bus patrons Submission No. 33</p>	<p>Support the bus interchange being sheltered. Request the heating of the bus interchange, similar to that provided as part of the recently redeveloped bus interchange at the Chadstone Shopping Centre.</p>	<p>OTHER RECOMMENDED ACTION No. 4: Council officers to continue advocating to the State Government for the provision of rail to Doncaster Hill.</p> <p>The amenity of the bus interchange is considered to be a high priority in encouraging and promoting increased sustainable transport use. Development criteria for the bus interchange in Section 3.8 of the draft Development Plan should be amended to provide energy efficient heating for passenger comfort.</p> <p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No. 1: Amend Section 3.8 Development Criteria for the bus interchange in the draft Development Plan to include reference to the provision of energy efficient heating for passenger comfort.</p>
<p>Provision of a loop as part of the bus interchange Submission No. 42, 42A (Public Transport Victoria)</p>	<p>Public Transport Victoria (PTV) has acknowledged that whilst a number of specific details relating to the bus interchange will be addressed as part of a future planning permit application, the interchange design should be modified to ensure that buses can loop within the interchange. PTV acknowledged that the provision of a loop was not discussed as part of earlier consultation with it on the project, but consider that it is an important design and functional outcome.</p>	<p>It is acknowledged that as the Statutory Authority that manages Victoria's bus services, it is the responsibility of PTV to provide guidance in relation to the design and function of the bus interchange and infrastructure requirements beyond the Centre to support service delivery. Officers consider that any redesign of the exhibited layout to provide for a swell to allow a 'loop' for buses must not reduce the number of allocated bus bays or compromise the allocation of space or amenity of the public realm/entry forecourt area. It is also noted that PTV is satisfied that matters relating to the operation of services within the surrounding road network can be addressed as part of future planning permit applications.</p> <p>The Proponent is exploring alternative options to facilitate suggested PTV requirements. This includes potential modifications to the bus interchange footprint to allow for buses to "loop" through the interchange.</p> <p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No. 2: Any reconfiguration of the bus intersection to allow the buses to undertake a loop must not reduce the number of allocated bus bays or compromise the allocation of space or amenity of the public realm / entry forecourt area.</p>

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Issue	Submission	Officer Response and Recommendation
<p>Priority treatment for southbound buses on Williamsons Road</p> <p>Submission No's. 41 (VicRoads) 42, 42A (Public Transport Victoria)</p>	<p>Public Transport Victoria (PTV) has advocated for the inclusion of a bus priority treatment for southbound buses on Williamsons Road, at the proposed signalised intersection with the proposed Northern Access Road.</p> <p>VicRoads has expressed its support also for the feasibility of providing such an inclusion and acknowledged that this should be explored prior to finalising the Integrated Transport Plan.</p>	<p>Council officers support further investigation into the feasibility of bus priority treatments along Williamsons Road, as this is in keeping with Council's <i>Doncaster Hill Mode Shift Plan (2014)</i> objectives of advocating for improved bus services through Doncaster Hill.</p> <p>OTHER RECOMMENDATION No. 5:</p> <p>The Proponent / VicRoads / PTV to investigate the feasibility of bus priority treatments along Williamsons Road, in particular at the proposed signalised intersection at the proposed Northern Access Road.</p>
<p>1.2 Accessibility – Pedestrian / Cycling / Disabled</p> <p>Pedestrian crossing concerns along Williamsons Road</p> <p>Submission No. 21, 49</p>	<p>Signal phase times for pedestrians crossing at the signals along Williamsons Road are not adequate, given the older demographic of the area, in particular residents from Sovereign Point Court. It is requested that the phase times be increased to facilitate improved pedestrian crossing times.</p>	<p>In June 2016, Council officers submitted a request to VicRoads to assess the suitability of the current pedestrian phase on all signals located along Williamsons Road, in light of the increased pedestrian usage from existing and proposed developments.</p> <p>VicRoads has advised that the pedestrian signal phasing at the intersection of Williamsons Road / Doncaster Road / Tram Road will be modified to increase the pedestrian green time.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Pedestrian crossing at intersection of Frederick Street and Doncaster Road</p> <p>Submission No. 1, 29, 37</p>	<p>Concern regarding gradient of footpath at the Doncaster Road and Frederick Street intersection making wheelchair access across Doncaster Road to the Centre challenging.</p> <p>Querying whether a flyover over Doncaster Road is being proposed.</p> <p>Request to retain the pedestrian crossing at the intersection of Frederick Street and Doncaster Road, as part of the Frederick Street signal changes.</p>	<p>Section 3.6 integrated Transport Plan under Pedestrian Access of the draft Development Plan identifies that as part of the traffic mitigating measures proposed to alleviate traffic congestion, the existing signals at the intersection of Doncaster Road and Frederick Street are proposed to be removed and a new pedestrian crossing will be installed west of Frederick Street on Doncaster Road.</p> <p>The installation of the proposed pedestrian operated signals will require the installation of new pram ramp crossings and ancillary footpath works. The new pram crossing across Doncaster Road will be required to be installed in accordance with Disability Discrimination Act (DDA) requirements.</p> <p>No flyover over Doncaster Road is being proposed as part of the Westfield Doncaster proposal.</p>

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Issue	Submission	Officer Response and Recommendation
<p>Pedestrian accessibility to the Centre</p> <p>Submission No. 5, 36, 43, 52</p>	<p>Concerned about the limited pedestrian access points into and within the centre.</p> <p>Concerned about the provision of safe pedestrian access in and out of Westfield Drive, in particular for people with limited mobility.</p> <p>Current pedestrian arrangement requires pedestrians to be funnelled into the north of the centre from the east, involving a backtrack to the supermarkets located at the southern part of the centre. This is particularly challenging for the older population.</p>	<p>RECOMMENDATION: No action recommended.</p> <p>A key objective of Council’s adopted <i>Doncaster Hill Mode Shift Plan (2014)</i> is to ensure that pedestrian accessibility to key attractors and generators, such as activity centres including Westfield Doncaster, is safe and convenient.</p> <p>Section 3.6 Integrated Transport Plan of the draft Development Plan identifies the key components proposed to improve pedestrian access to the centre and should be modified to include reference to the provision of wayfinding signage as part of providing accessibility into and within the Centre.</p> <p>DRAFT DEVELOPMENT PLAN RECOMMENDATION: 3</p> <p>Amend Section 3.6 Integrated Transport Plan of the draft Development Plan to ensure that wayfinding signage is included as part of providing accessibility into and within the Centre.</p>
<p>Provision of pedestrian access from the bus interchange to the residential area east of Westfield</p> <p>Submission No’s: 36, 43</p>	<p>Concerned about safety when walking in the dark, particularly out of Centre opening times and request improved access from the bus interchange to the residential area to the east. Currently, bus patrons need to walk around the perimeter of the Centre or through the car parking areas to access the residential area to the east.</p> <p>Pedestrian accessibility to the east of the centre must be addressed if the function of the bus interchange is to be expanded.</p>	<p>The Amendment seeks to facilitate new pedestrian connections to the centre and this will be further addressed in future planning permit applications. Figure 54 of the draft Development Plan identifies the existing and possible future pedestrian connections to the site and to the new buildings. Scentre Group have advised that for security reasons, it is not possible to have the malls open outside of normal trading hours to facilitate direct access across the site, also noting that there are bus stops further east of the centre, along Doncaster Road and George Street, which may provide more direct connections to the residential area to the east for some submitters.</p> <p>Council will be upgrading street lighting within the municipality, including in and around Doncaster Hill, as part of Council’s LED Street Lighting Upgrade project.</p> <p>OTHER RECOMMENDATION No. 6</p> <p>Council officers to work with Westfield to improve natural surveillance in and around the Centre.</p>

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Issue	Submission	Officer Response and Recommendation
<p>Provision of bicycle parking</p> <p>Submission No's. 36, 46 42, 42A (Public Transport Victoria),</p>	<p>The development should provide a generous amount of bicycle parking, particularly for employees, local youth, and commuters from Box Hill Train Station.</p> <p>Public Transport Victoria (PTV) has requested the provision of a second location for 'Formalised End of Trip Facilities' on the site to accommodate future growth in demand for cycling to the centre. This could form part of a Green Travel Plan.</p>	<p>Council officers to investigate pedestrian access from the bus interchange to the residential areas to the east as part of the Doncaster Hill Behaviour Change Plan (2015).</p> <p>Council's adopted <i>Doncaster Hill Mode Shift (2014)</i> outlines a framework to encourage a shift to sustainable transport modes, including cycling, within Doncaster Hill (Goal 1 Walking / Cycling).</p> <p>Council officers had previously informed the Proponent that the provision of adequate bicycle storage and amenities is paramount in the implementation of the Development Plan.</p> <p>The draft Development Plan identifies possible end-of-trip facilities in Figure 55 adjacent to the bus interchange and the permit applications will consider further details such as security and maintenance.</p> <p>Clause 52.34 of the Manningham Planning Scheme sets out the recommended bicycle parking requirements and these will be further considered as part of future planning permit applications.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Connectivity between Westfield and MC Square</p> <p>Submission No. 46</p>	<p>There is a need for improved pedestrian connectivity between Westfield Doncaster and the Civic precinct.</p>	<p>The provision of adequate signage within the Centre directing pedestrians to exit points and pedestrian / cycling links surrounding the Centre is imperative to encouraging increased walking and cycling to the Centre.</p> <p>A key objective of Council's adopted <i>Doncaster Hill Mode Shift Plan (2014)</i> is to ensure that pedestrian accessibility to key attractors and generators, such as activity centres including Westfield Doncaster, is safe and convenient.</p> <p>RECOMMENDATION: No action recommended.</p>

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Issue	Submission	Officer Response and Recommendation
<p>1.3 Carparking / Traffic movements in and around the Centre</p> <p>Improved vehicle access into the centre</p> <p>Submission No. 5</p>	<p>Vehicles queue to enter the Centre and overflow onto Doncaster Road.</p>	<p>Site observations indicate that the recent removal of the entry boom gates and the implementation of a License Plate Recognition system, has significantly reduced queuing at the entry points to the car parks and onto the arterial road network. The proposed connectivity of the various car parks proposed as part of the draft Development Plan will improve circulation and is likely to reduce overflow queuing onto the arterial road network.</p> <p>The existing centre includes a number of disconnected car parking areas which restrict vehicles from freely passing from one on-site car park to another. The draft Development Plan proposes a number of inter-connected car parking areas to improve vehicle circulation within the site thereby reducing overflow queuing onto the road network.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Disjointed layout of carparking</p> <p>Submission No.: 2</p>	<p>Disjointed layout of carparking</p>	<p>It is acknowledged that the current layout of the carparks within the Centre does not provide adequate connectivity and requires motorists to exit via the road network to access the various car parks. The draft Development Plan proposes to improve car park connectivity between the Centre car parks, which will assist in reducing congestion and improving traffic flow.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Traffic around the shopping centre is at capacity</p> <p>Submission No's. 7, 15, 18, 32, 33, 35, 40 (Bunnings)</p>	<p>Expansion will impact on traffic volumes in the vicinity of the Centre.</p> <p>Appropriate provision of transport infrastructure is important.</p> <p>The roads around the shopping centre are already at capacity with the new Doncaster Hill developments occurring. Not enough planning has been given to infrastructure.</p> <p>Additional floor space must be supported with additional carparking.</p>	<p>The amendment and draft Development Plan is based on the culmination of two year's work in collaboration with VicRoads, PTV and Council.</p> <p>VicRoads has had significant involvement in the preparation of both the Amendment and draft Development Plan, particularly in relation to the identification of potential traffic impacts and road improvement works to offset those impacts.</p> <p>Traffic modelling undertaken indicates that the proposed mitigating measures will assist in alleviating the impact of the additional traffic expected as a result of the expanded Centre.</p>

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Issue	Submission	Officer Response and Recommendation
<p>Additional car parking is required Submission No's. 5, 10, 17, 27</p>	<p>Additional car parking (exceeding that proposed) is required at the centre. Consider that the new rate will only have a minimal impact on provision of car parking. Impossible to find a parking space during the week and weekend.</p>	<p>All proposed works are to be delivered by the Proponent in liaison with Council and VicRoads.</p> <p>As part of conditions and requirements for future permits as per the proposed Schedule 4 to the Development Plan Overlay (DPO4), the Proponent will be required to provide as appropriate, to the satisfaction of Council, a Traffic and Car Parking Management Plan. An Integrated Transport and Access Plan has also been submitted with the draft Development Plan.</p> <p>It is noted that the mitigating measures proposed by the Proponent are aimed at addressing the traffic impacts resulting from the Centre expansion only, and not from the additional traffic anticipated by the full build out of the Doncaster Hill developments.</p> <p>RECOMMENDATION: No action recommended</p>
	<p>Additional car parking (exceeding that proposed) is required at the centre. Consider that the new rate will only have a minimal impact on provision of car parking. Impossible to find a parking space during the week and weekend.</p>	<p>The proposed car parking strategy is presented in Section 7 of the <i>Westfield Doncaster Integrated Transport and Access Plan (July 2017)</i>. The draft Development Plan seeks to increase the existing retail parking rate (pre Stage 1 car park) of 3.87 spaces per 100sq.m to 4.17 spaces per 100sq.m, an increase of approximately 2,237 spaces.</p> <p>Scentre Group has advised that the proposed car parking provision is consistent with projected car parking demands for the expanded Centre. These new car parking requirements are proposed to be introduced as a site-specific control through the Parking Overlay (Schedule 1) which adopts a whole-of-centre approach to the provision of parking at the site.</p> <p>This new rate will be identified as part of the proposed changes to Schedule 1 to the Doncaster Hill Parking Overlay (PO1) that seeks to introduce the requirements for a parking rate for retail (shop) at 4.17 spaces per 100sqm as a whole of centre assessment. This will result in an increase of carparking from the current rate of 3.87 spaces (pre Stage 1 car park). The proposed changes to PO1 will also introduce a rate of 3.5 spaces per 100sqm for office (sub-precinct 4A).</p> <p>It is further noted that, under Section 3.0 <i>Application requirements and decision guidelines for permit applications</i>, the PO1 specifies that before deciding on an</p>

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Issue	Submission	Officer Response and Recommendation
		<p>application, the Responsible Authority (Council) must consider, amongst other matters:</p> <ul style="list-style-type: none"> <i>The provision of car parking having regard to the staged nature of the future redevelopment of Westfield Doncaster as specified in an approved Development Plan and whether the staged development needs to be managed by a s173 agreement which ensures that the required car parking rate will be provided in a timely manner.</i> <p>Currently the peak parking demand for the whole of centre car parking on a Saturday is 88% occupancy. The current difficulties associated with finding a car parking space can be attributed to the lack of connectivity between car parks. The proposed development will improve circulation between all car parking areas and therefore improve the opportunity to find car parking.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Car parking will be improved.</p> <p>Submission No. 8</p>	<p>The future plans will improve carparking at the Centre.</p>	<p>Comment noted.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Disabled car parking</p> <p>Submission No's. 17, 46</p>	<p>Concerned that it is proposed to provide only the minimum numbers of disability car parking spaces within the centre. There is an opportunity to lead in this area and encourage people with disabilities / mobility issues to visit the precinct.</p>	<p>The car parking rate for the new development will increase to a parking rate for retail (shop) at 4.17 spaces per 100sqm as a whole of centre assessment at each nominated stage of the development. This is inclusive of disability parking spaces.</p> <p>The expanded centre will need to comply with the requirements of the <i>Disability Discrimination Act</i> and the <i>Building Code</i> in relation to the provision of disabled access and car parking. This is a matter for future planning permit applications and the preparation of detailed plans. There is a requirement under the Australian Standards to provide a minimum number of disabled parking spaces in car parks. Council can only require the Proponent to provide the minimum number of disabled parking spaces, as recommended in the Australian Standards. Any additional parking spaces are provided at the Proponents' discretion. This is a matter to be addressed at the planning permit application stage.</p> <p>RECOMMENDATION: No action recommended.</p>

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Issue	Submission	Officer Response and Recommendation
<p>Traffic congestion at the Tower Street entrance</p> <p>Submission No's. 27, 44</p>	<p>Concerns are raised regarding the traffic congestion at the Tower Street entrance to the Centre and the queuing and delays that can occur along Doncaster Road.</p> <p>Vehicles waiting to enter the Centre at Tower Street, can overflow onto Doncaster Road.</p> <p>In addition, right turning vehicles exiting Tower Street can cause delays on Doncaster Road by blocking the intersection for vehicles accessing Tower Street.</p> <p>Suggest removing vehicle access from Doncaster Road and relocate all traffic movements to Williamsons Road access points.</p>	<p>Delays have occurred at this entrance, with vehicles entering the Tower Street access queuing back onto Doncaster Road. This was generally as a result of the location of the entrance boom gates. The entry boom gates into the Centre have recently been removed and replaced with a license recognition system. This has resulted in less overflow queuing from the Tower Street entrance onto Doncaster Road.</p> <p>In relation to right turning vehicles from Tower Street onto Doncaster Road, the delays generally occur as a result of the proximity of the Frederick Street signals to Tower Street. Vehicles exiting Tower Street can get delayed by the red phase at Frederick Street, with the queues extending back through the Tower Street / Doncaster Road intersection.</p> <p>Traffic modelling undertaken by the Proponent, and endorsed by VicRoads, indicates that the proposed conversion of the Frederick Street / Doncaster Road intersection signals to pedestrian operated signals only, will improve the operation of traffic flow along Doncaster Road between Council Street and Williamsons Road and reduce the likelihood of queuing through the Tower Street / Doncaster Road intersection.</p> <p>The closure of the Westfield Doncaster Road vehicle access is not supported on the basis that Westfield has arterial road frontages on both Williamsons and Doncaster Roads, which are designed to carry large volumes of traffic. It is considered appropriate to distribute Westfield traffic to both arterial road access points.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Provision of a U-turn to allow access to the west side of Tram Road.</p> <p>Submission No. 52</p>	<p>Request provision of a U-turn to allow access to the apartments on the west side of Tram Road.</p>	<p>Council officers are in the process of designing a new signalised intersection at the Tram Road / Merlin Street intersection which aims to incorporate a "U" turn facility. The signalised intersection is a key transport outcome of the <i>Doncaster Hill Developer Contributions Plan 2005</i>.</p> <p>OTHER RECOMMENDED ACTION No. 7</p> <p>Investigate provision of a U-turn to allow access to the west side of Tram Road as part of the review of the Doncaster Hill Developer Contributions Plan 2005.</p>

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Issue	Submission	Officer Response and Recommendation
<p>Traffic modelling Submission No's. 40, 40A (Bunnings)</p>	<p>Querying the traffic modelling undertaken as part of the preparation of the Westfield draft Development Plan.</p>	<p>It is noted that the traffic modelling undertaken by the Proponent has been endorsed by VicRoads and has also been independently peer reviewed. RECOMMENDATION: No action recommended.</p>
<p>1.4 Westfield Drive</p>		
<p>It is attractive to divert Westfield Drive via the new Westfield access Submission No. 36</p>	<p>It is attractive to divert Westfield Drive via the new Westfield internal northern access road to have the benefit of signals to access Williamsons Road.</p>	<p>Changes to the access for Westfield Drive residents will be legally provided for via an agreement under section 173 of the <i>Planning and Environment Act 1987</i> over the Westfield access way. This will ensure that Westfield Drive residents will maintain legal access over the Westfield Doncaster site. DRAFT DEVELOPMENT PLAN RECOMMENDATION No. 4 The draft Development Plan should be amended to require a section 173 agreement in a future planning permit for the new Westfield Drive access incorporating unfettered access rights for the general public over the road.</p>
<p>Maintaining access rights over the Westfield Doncaster land Submission No's 36, 52</p>	<p>Concerned that a fee will be incurred to access Westfield Drive and the surrounding local road network via the northern access road.</p>	<p>Changes to the access for Westfield Drive residents will be legally provided for via an agreement under section 173 of the <i>Planning and Environment Act 1987</i> over the Westfield access way. This will ensure that Westfield Drive residents will maintain legal access over the Westfield Doncaster site. Access only via the northern access road to the local road network will not incur fees. DRAFT DEVELOPMENT PLAN RECOMMENDATION No 4 The draft Development Plan should be amended to require a section 173 agreement in a future planning permit for the new Westfield Drive access incorporating unfettered access rights for the general public over the road.</p>
<p>Retain current access arrangements to Westfield Drive Submission No's. 2, 12, 16, 19, 20, 23, 28, 52</p>	<p>Object to proposed changes to Westfield Drive access as it will detrimentally impact residents, as follows:</p> <ul style="list-style-type: none"> exacerbate existing traffic and on-street parking issues, including the ability for 	<p>The proposed closure of the western end of Westfield Drive to through traffic will result in converting the western end into a cul-de-sac. At least 3 metres of clear carriageway must be provided at any time to ensure that emergency vehicle access is maintained. This requirement is met along Westfield Drive when cars are parked along both sides of the street.</p>

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Issue	Submission	Officer Response and Recommendation
<p>Entry/exit point at the Westfield Drive and Centre's proposed internal Northern Access Road</p> <p>Submission No's. 16, 20, 23, 28, 38</p>	<p>residents to access their driveways, as well as accessing/exiting Westfield Drive;</p> <ul style="list-style-type: none"> exacerbate non-resident carparking issues; and result in Westfield Drive effectively being a one-way street. <p>Request Council to review current parking restrictions.</p> <p>Querying the rationale for the location of the entry/exit point at Westfield Drive and the Centre's northern access road, and whether it can be relocated elsewhere.</p> <p>Concerned about the detrimental impacts to residents directly adjacent to the entry/exit point, noting that there is insufficient information regarding:</p> <ul style="list-style-type: none"> the design of the road at that location, including grade of intersection connection; provision of on-street carparking in front of properties affected by the entry/exit point; whether the entry/exit point will be signalised; how households will access their driveways; how sightlines for the safety of drivers and residents will be managed, and whether the intersection will be managed by signals; what safety measures will be in place to ensure that vehicles exit in a slow and safe manner; and how inadequate drainage will be addressed. <p>Other resident concerns at this location, include:</p>	<p>Site observations undertaken of the on street car parking indicates that the north side of the street is generally occupied by residents (parking permits displayed) while the south side adjacent to the Westfield site is generally occupied by long term parkers associated with Westfield. Whilst the concerns relating to on street parking are outside the scope of this amendment, Council officers will continue to monitor the parking occupancy within the local road network.</p> <p>OTHER RECOMMENDED ACTION No. 8</p> <p>Council officers will continue to monitor the parking occupancy within the local road network.</p> <p>The location of the Westfield Drive / Northern Access Road intersection requires adjustment to ensure access to the abutting resident's driveways, and improve storage capacity for motorists at the new local intersection. The grade of the road is yet to be finalized, as the final grade levels of the proposed northern access road are not known at this stage. There is a requirement that the grade of the connector between Westfield Drive and the Northern Access Road is adequate to ensure safety of motorists and ensure drainage is adequately addressed. Final detailed design of the intersection will be resolved at the planning permit application stage.</p> <p>The Scentre Group project team is currently reviewing the design of the Westfield Drive connection with the new Northern Shopping Centre Access Road to understand whether there are any opportunities which might improve operational outcomes at this junction.</p> <p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No. 5</p> <p>a) Investigate relocating the intersection and Northern Access Road (Figure 58) further south into Westfield to provide a greater radius on the access road and increase separation of Westfield Drive from the Northern Access Road.</p> <p>b) Further detailed investigation and design is required in relation to the intersection of Westfield Drive and the Northern Access Road, including but not limited to, the grade of the intersection, residential driveway access and impacts of headlights on residential amenity and drainage.</p>

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	<ul style="list-style-type: none"> • potential increase in Centre generated traffic utilising the entry/exit point; • Westfield Drive and the surrounding local road network not wide enough to cope with increased traffic volumes; • not being able to have the benefit of an acoustic wall or landscaping treatment; • being subjected to the full release of noise and pollution; • headlights from traffic exiting at this location; • bad feng shui caused by living at the end of a T-junction; and • what formal processes will be put in place to allow residents impacted during and post construction works to raise concerns / be compensated for detrimental impacts. 	<p>c) Any subsequent changes to be incorporated into Section 3.6 Integrated Transport Plan of the draft Development Plan.</p>
<p>Williamsons Road traffic signals Submission No. 25</p>	<p>Concerned with the location of the new signalised northern access road.</p>	<p>The signalised intersection along Williamsons Road has been located in the proposed location, in order to ensure adequate distance between each set of signals and maintain traffic flow along the arterial road network.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Increase in time taken to get into and out of Westfield Drive Submission No. 28, 52</p>	<p>Querying what impact the proposed changes to Westfield Drive will have on the time taken to get into and out of Westfield Drive, particularly during peak periods.</p>	<p>It is considered that the proposed access arrangements for Westfield Drive residents will have a negligible (if any) impact on travel times. The resultant safety improvements gained by rerouting motorists to a signalised intersection at Williamsons Road will outweigh any minor increases in travel times that may be experienced.</p> <p>RECOMMENDATION: No action recommended.</p>

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Issue	Submission	Officer Response and Recommendation
<p>Alternative solutions to the proposed configuration of Westfield Drive</p> <p>Submission No's. 16, 20, 23, 28, 52</p>	<p>Alternative suggested solutions:</p> <ul style="list-style-type: none"> • Signalization of the entry/exit point to Westfield Drive and its intersection with the northern access road. • Goodson Street is a more suitable option to use as an access point to the Centre, based on its width. • If Westfield Drive is to be closed, the closure should be extended all the way through to Grosvenor Street. • Continue Saxon Street to join Westfield Drive to create an alternative route in and out of Westfield Drive via George Street. 	<p>It is considered that the proposed Northern Access Road and subsequent closure of Westfield Drive at the western end to through traffic will not result in a significant increase in through traffic along the local road network. The proposed Northern Access Road does not require Westfield customers to travel along the local road network to access the Centre. The suggestion of utilising Goodson Street as a main access point will require Centre customers to travel through the local road network, via Council Street to access the Centre, as opposed to via a separate access road.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Security management of Westfield Drive</p> <p>Submission No's. 38, 52</p>	<p>Concern that closing off of the entrance at the top of Westfield Drive and having an acoustic wall will result in a higher risk of anti-social and criminal behaviour in the street.</p>	<p>The draft Development Plan Overlay – Schedule 4 (DPO4) at Section 2.0 Conditions and requirements for permits, states that:</p> <p><i>'An application for a planning permit to use or develop land should be accompanied by the following, as appropriate, to the satisfaction of the Responsible Authority:</i></p> <ul style="list-style-type: none"> • <i>An Acoustic Report, detailing the proposed noise mitigation measures for the development.'</i> <p>It is considered prudent for the proponent to include the above Acoustic Report as part of information submitted to Council at the time of the planning permit application. While the application would not be formally advertised, it would be included on the planning register, which is a matter of public record and would allow any interested parties to view the application and Acoustic Report. It is important to note that whilst comments/objections in relation to this matter can be received for consideration by Council, there are no third party appeal rights to the Victorian Civil and Administrative Tribunal (VCAT).</p>

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Issue	Submission	Officer Response and Recommendation
<p>Declaration of the proposed northern access road as a public highway</p> <p>Submission No. 41 (VicRoads)</p>	<p>VicRoads have recommended that consideration should be given to declaring a large section of the proposed northern access road as a public highway as it will provide replacement access to Williamsons Road for residents of Westfield Drive.</p>	<p>OTHER RECOMMENDATION No. 9</p> <p>It is considered prudent for the proponent to include the above Acoustic Report as part of information submitted to Council at the time of the planning permit application. While the application would not be formally advertised, it would be included on the planning register, which is a matter of public record and would allow any interested parties to view the application and Acoustic Report. It is important to note that whilst comments/objections in relation to this matter can be received for consideration by Council, there are no third party appeal rights to the Victorian Civil and Administrative Tribunal (VCAT).</p>
<p>1.5 Bordeaux Street/ Williamsons Road</p> <p>“U” turn access to St Gregory The Great Primary School</p> <p>Submissions No’s. 30, 35</p>	<p>Currently there is a huge bottleneck of traffic during the morning and afternoon school peak periods associated with undertaking a “U” turn manoeuvre from the Williamsons Road southbound carriageway into the service road on the west side of Williamsons Road, to access St Gregory the Great Primary School.</p>	<p>Changes to the access for Westfield Drive residents will be legally provided for via a section 173 agreement over the Westfield access way. This ensures that Westfield Drive residents will have legal access over the Westfield land into the future.</p> <p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No. 4</p> <p>The draft Development Plan should be amended to require a section 173 agreement in a future planning permit for the new Westfield Drive access incorporating unfettered access rights for the general public over the road.</p>
		<p>The proposed relocation of the Westfield Doncaster main accessway to the north-west corner of the site will result in the introduction of a signalised intersection which will impact on the current access arrangements to the service road, mainly from the west.</p> <p>The “U” turn facility located on the southbound carriageway of Williamsons Road will be relocated further south along Williamsons Road, which will enable an easier “turning circle” for motorists accessing the service road. In addition, there will be opportunity to signalise this movement during peak periods, if there is a need in the future. As part of the proposed traffic works, there will be no change in the way in which the service road is accessed from the Williamsons Road “U” turn facility.</p>

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Issue	Submission	Officer Response and Recommendation
<p>Access to St Gregory the Great via Bordeaux Street</p> <p>Submission No's. 25A, 30, 48</p>	<p>Many parents/guardians access St Gregory The Great Primary School from the west by driving along Bordeaux Street and turning left into the Williamsons Road service road. The proposed changes to the intersection will require motorists to enter the main Williamsons Road to enter the service road. Entering the school will become more difficult putting children and parents at risk.</p>	<p>OTHER RECOMMENDED ACTION No. 10</p> <p>Ensure there is provision to allow the signalisation of the "U" turn movement from the Williamsons Road southbound carriageway into the service road, if and when, traffic volumes increase.</p> <p>Motorists wishing to travel to the school from Bordeaux Street will be required to enter the main carriageway and undertake a left turn into the Williamsons Road service road. The traffic modelling undertaken indicates that during the afternoon school peak period no more than 18 vehicles were observed undertaking a left turn from Bordeaux Street. Given the relatively low number of motorists currently undertaking this movement, the proposed changes to the intersection configuration and access from Bordeaux Street to the Williamsons Road service road are likely to cause minimal impact to the intersection operation.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Relocate proposed "U" turn from the Bordeaux Street and Williamsons Road</p> <p>Submission No's. 30, 35, 48</p>	<p>The proposed signalised intersection at the new Centre access on Williamsons Road will reduce the opportunities and gaps for parents undertaking a "U" from the southbound carriageway on Williamsons Road to the service road on the west side of the road. Suggested that the proposed "U" turn facility be removed and the "U" turn movements be provided further south at the signalised intersection of the main Westfield access road.</p>	<p>Although the current "U" turn arrangements from Williamsons Road into the service road will be maintained, albeit further south, there is merit in the suggestion to relocate the "U" turn facility the signalised intersection further south.</p> <p>Scentre Group has advised that the project team is currently undertaking supplementary analysis to quantify the impact of providing a signalised U-turn lane at the intersection of Williamsons Road and Bordeaux Street. The revised design will be presented to VicRoads for its "in principle" approval. It is recommended that the Proponent investigates the feasibility of providing a "U" turn facility at the Westfield Northern Access Road / Williamsons Road proposed intersection, in collaboration with VicRoads and Council and amend Section 3.6 Integrated Transport Plan of the draft Development Plan accordingly.</p> <p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No. 6</p> <p>Proponent to investigate the feasibility of providing a "U" turn facility at the Westfield Northern Access Road / Williamsons Road proposed intersection, in collaboration with VicRoads and Council and amend Section 3.6 Integrated Transport Plan of the draft Development Plan accordingly.</p>

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Issue	Submission	Officer Response and Recommendation
<p>On-street parking within the Williamsons Road Service Road</p> <p>Submission No. 25A</p>	<p>Concerned that changes to the lane configuration along Williamsons Road south of Bordeaux Street, to accommodate the new signalised intersection of the northern access road will result in the narrowing of the service road along the west side of Williamsons Road south of Bordeaux Street.</p>	<p>It is acknowledged that the proposed changes to Williamsons Road will result in the narrowing of the service road and the subsequent impact on on-street carparking in the service road on the western side of Williamsons Road. It is recommended that Scentre Group investigate the provision of indented parking along the western side of Williamsons Road service road south of Bordeaux Street, in consultation with VicRoads and amend Figure 57 accordingly.</p> <p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No. 7</p> <p>Scentre Group to investigate the provision of indented parking along the western Williamsons Road Service Road south of Bordeaux Street, in consultation with VicRoads. Subject to VicRoads' approval, amend Figure 57 Configuration of Williamsons Road and Proposed Northern Access Road' of the draft Development Plan to identify the indented parking bays.</p>
<p>1.6 Sovereign Point Court / Williamsons Road</p> <p>Request for introduction of right turn facility from Williamsons Road north into Sovereign Point Court</p> <p>Submission No's 21, 50</p>	<p>Currently access into Sovereign Point Court from Williamsons Road is left in / left out only. It is understood that some residents are utilising the existing "U" turn facility for the western service road to undertake a right turn in contravention of the road rules.</p>	<p>Scentre Group has advised that the project team has reviewed the potential to provide a right turn or U-turn lane for southbound vehicles on Williamsons Road in support of more direct access to Sovereign Point Court prior to the Shoppingtown Hotel signals. The review has identified that there was insufficient road reserve width and offset from adjacent signals to provide a direct access for southbound vehicles. It is noted that the current Williamsons Road / Sovereign Point Court intersection does not allow for southbound vehicles on Williamsons Road to legally turn right into Sovereign Point Court.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Request for 'Keep Clear' linemarking on the northbound carriageway of Williamsons Road at Sovereign Point Court</p> <p>Submission No's 25, 25B</p>	<p>The location of the new intersection signals on Williamsons Road at Westfield Drive will result in traffic queuing south along Williamsons Road and blocking access at Sovereign Point Court, in particular as a right turn facility is provided.</p>	<p>The provision of "Keep Clear" linemarking on Williamsons Road at the Sovereign Point Court intersection is subject to VicRoads approval. It is recommended that the Proponent investigate the feasibility of the provision of a 'Keep Clear' linemarking on Williamsons Road at the Sovereign Point Court intersection in consultation with VicRoads and Council and amends the relevant map(s) in Section 3.6 Integrated Transport Plan of the draft Development Plan accordingly.</p> <p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No. 8</p>

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Issue	Submission	Officer Response and Recommendation
<p>Relocate the proposed bus interchange to incorporate access to Sovereign Point Court</p> <p>Submission No's. 25, 25B</p>	<p>Currently access into Sovereign Point Court from Williamsons Road is left in / left out only. Residents are utilising the existing "U" turn to undertake a right turn in contravention of the road rules.</p> <p>In order to facilitate all turning movements (left / right, in / out) at the intersection of Sovereign Point Court and Williamsons Road, it is suggested that the future bus interchange signals be relocated further north to incorporate Sovereign Point Court. This will also negate the need to undertake "U" turns at the current Shoppingtown Hotel signals and the new proposed Centre main vehicle access point (at Westfield Drive).</p>	<p>Proponent to investigate the feasibility of the provision of a 'Keep Clear' linemarking on Williamsons Road at the Sovereign Point Court intersection in consultation with VicRoads and Council and amend the relevant map(s) in Section 3.6 Integrated Transport Plan of the draft Development Plan accordingly.</p> <p>The location of the proposed signals along Williamsons Road at the bus interchange and Westfield Drive, has been proposed to optimise traffic movements along the arterial road network while ensuring adequate separation between signalised intersections.</p> <p>There are no changes proposed to the current left in / left out only movements at Sovereign Point Court. Residents currently undertake "U" turns at the signalised intersections along Williamsons Road to abide by the left in / left out configuration of Sovereign Point Court.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Difficulty accessing Sovereign Point Court as a result of the proposed development</p> <p>Submission No's. 15, 18, 25, 45, 50</p>	<p>Concerned about the increase in traffic congestion along Williamsons Road.</p> <p>Concerned about the ability to undertake "U" turns at the signalised intersections.</p>	<p>The growth in traffic along Williamsons Road and Doncaster Hill in general will occur as a result of both the proposed Westfield Doncaster expansion and overall increases in development in the area.</p> <p>Council has adopted the <i>Doncaster Hill Mode Shift Plan (2014)</i> and <i>Behaviour Change Plan (2015)</i> to encourage sustainable transport modes, such as an improved bus interchange and improved walking and cycling access, to address the anticipated increase in traffic associated with the full build out of Doncaster Hill and the proposed Centre expansion.</p> <p>Access arrangements into / out of Sovereign Point Court are not proposed to be altered. The provision of signals to the south of Sovereign Point Court will provide increased "gaps" in the traffic stream for vehicles exiting Sovereign Point Court onto Williamsons Road. In addition, residents will be able to undertake "U" turns at intersections, as they currently do.</p> <p>As identified in the draft Development Plan and the proposed Schedule 4 to the Development Plan Overlay (DPO4), Westfield, as part of any future planning permit</p>

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Issue	Submission	Officer Response and Recommendation
<p>1.7 Frederick Street Signals</p> <p>Removal of right turn movements</p> <p>Submission No's. 1, 6, 13, 29, 37, 44</p>	<p>Do not support the removal of the right turn movements at the intersection of Frederick Street and Doncaster Road.</p> <p>Changes will have unreasonable and unworkable impacts on properties north of the Frederick Street road closure.</p> <p>Changes will exacerbate existing traffic issues, with cars parked on both sides of the street.</p> <p>Querying about accessibility for emergency, waste and delivery trucks.</p> <p>Residents and employees in the north section of Frederick Street will be required to undertake "U" turns along Doncaster Road to enter the street via left in / left out.</p> <p>Concerned with motorists safety undertaking "U" turns in adjoining major roads during the congested peak periods.</p> <p>Sightlines in turning left without signals will be dangerous once the adjoining apartment to the east has been constructed.</p> <p>Concerned whether the changes have factored in future traffic volumes generated by yet to be completed Nest apartment development.</p>	<p>application, will be required to prepare and implement a green travel plan for the Centre.</p> <p>RECOMMENDATION: No action recommended.</p> <p>Scentre Group has advised that a 'first principles' assessment has been undertaken and indicates that the existing Frederick Street discontinuance could be maintained with the introduction of the left in / left out restriction to Frederick Street from Doncaster Road. The assessment included consideration of existing traffic volumes accessing Frederick Street, as well as future traffic accessing "The Nest" development (currently under construction). The retention of the discontinuance would result in a minor increase in the number of vehicles undertaking U-turns at the up and downstream intersections (i.e. approximately 1 to 2 additional vehicles per cycle).</p> <p>The removal of the Frederick Street intersection signals has been proposed to improve traffic flow and reduce congestion along the westbound carriageway of Doncaster Road between Williamsons Road and Tower Street.</p> <p>The results of the modelling undertaken and endorsed by VicRoads indicate that the removal of the right turn movements for both the Frederick Street intersection and Westfield Doncaster exit point opposite, will result in some minor increases in "U" turn movements at the intersections east and west of Frederick Street. However, it is not considered that the removal of the right turn movements will adversely impact on safety or significantly reduce amenity for the local residents and commercial properties north of the Frederick Street closure.</p> <p>RECOMMENDATION: No action recommended.</p>

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Issue	Submission	Officer Response and Recommendation
<p>Re-opening of Frederick Street road closure</p> <p>Submission No's. 13, 37, 41 (VicRoads)</p>	<p>Object to the re-opening of Frederick Street road closure as it will cause further traffic flow congestion.</p> <p>VicRoads requests that the re-opening of the Frederick Street closure should coincide with the installation of traffic signals at the intersection of Tram Road and Merlin Street.</p>	<p>The current review of the <i>Doncaster Hill Development Contributions Plan 2005</i> assesses transport infrastructure items and objectives, including investigation of the removal of the Frederick Street road closure, particularly given that the Tram Road / Merlin Street intersection will be signalised in the future. This assessment of road and traffic infrastructure is based on future population forecasts and anticipated changing traffic movements within Doncaster Hill and the surrounding higher density area, located south of Frederick Street.</p> <p>The future status of the Frederick Street road closure is outside the scope of this Amendment process. Any proposed changes would involve separate consultation with all affected residents.</p> <p>OTHER RECOMMENDED ACTION No. 11</p> <p>Council officers to review the Frederick Street road closure as part of the review of the current <i>Doncaster Hill Development Contributions Plan (2005)</i>.</p>
<p>Alternative options to Frederick Street signals</p> <p>Submission No's. 29, 37</p>	<p>Various views and issues raised in relation to the removal of the right turn movements at the intersection of the Frederick Street and Doncaster Road, including:</p> <ul style="list-style-type: none"> • Request for detector loops to be installed to sync with the signals at Tower Street to facilitate movements in and out of Frederick Street. • "U" turn at Doncaster Road will require more green time • Direct traffic heading west from Westfield to exit via Williamsons Road exit. • Retain present traffic controls but change the timing of the cycle 	<p>The provision of increased green time at Doncaster Road to facilitate the possible increase in "U" turn movements and the installation of detector loops will be pursued with VicRoads separately to the Amendment and Development Plan process.</p> <p>OTHER RECOMMENDED ACTION No. 12</p> <p>Council officers to consult with VicRoads regarding the facilitation of increased 'green time' at the Doncaster Road and Council Street traffic signals to facilitate the possible increase in "U" turn movements, to assist right turns into Frederick Street from the west.</p> <p>OTHER RECOMMENDED ACTION No. 13</p> <p>Council officers to consult with VicRoads regarding the installation of detector loops to assist with left turns out of Frederick Street.</p>

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Issue	Submission	Officer Response and Recommendation
2. URBAN DESIGN		
2.1 Built Form Amenity Impacts		
<p>Size of Centre Submission No's. 3, 4, 7, 32</p>	<p>Westfield Doncaster is big enough. Expansion to the edges of the site will have detrimental impacts to adjoining residents and local businesses. Other large centre are in close proximity to not warrant the expansion.</p>	<p>At a broader strategic level the proposed expansion of the Centre responds to a number of land use and development objectives to be achieved within the Doncaster Hill Activity Centre, as identified in Schedule 1 to the Doncaster Hill Activity Centre (ACZ1), including the development of a unique gateway building in the north-west corner of the site and maintaining an integrated public transport interchange. Subject to the approval of Amendment C104 and approval of the Development Plan, Scentre Group will still be required to seek planning approval to implement the Development Plan to address, amongst other planning matters, any detrimental amenity impacts to adjoining residents. RECOMMENDATION: No action recommended.</p>
<p>Commercial tower will overlook and overshadow adjoining buildings Submission No's. 15, 18, 45</p>	<p>The commercial tower at a maximum of 14 storeys should not be permitted due to overlooking and overshadowing of nearby buildings.</p>	<p>The draft Development Plan specifies the height of the commercial tower at RL 166 and also includes envelope plan shadow studies that are depictive of the shadowing at the spring equinox and winter solstice between 9am and 3pm. These diagrams indicate that the proposed built form envelope will not have unreasonable shadow impacts to adjacent residential interfaces. The draft Development Plan also identifies that further modelling of any shadowing will be demonstrated at planning permit stage. The proposed commercial tower building envelope as identified in section 3.8 Development Criteria, figure 73 of the draft Development Plan identifies a minimum setback of 45m ranging to 53m from its property boundary. RECOMMENDATION: No action recommended.</p>
<p>Support improvements to visual impact of existing northern part of the centre</p>	<p>The existing northern part of the Centre needs to be improved by removing at grade carparking, improving the bus interchange and by providing a more activated street frontage with shops and cafes.</p>	<p>Support for improvements to the Centre noted. The future plans for the Centre include the proposed redevelopment of the northern part of the site to include more activated street frontages; a new public forecourt and entry; removal of at-grade carparking; and an improved and enhanced bus interchange. RECOMMENDATION: No action recommended.</p>

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Issue	Submission	Officer Response and Recommendation
<p>Submission No. 8</p> <p>Impact of proposed commercial tower</p> <p>Submission No's. 2, 15, 20, 22, 28, 45, 52</p>	<p>Urban form could be improved. The proposed commercial tower envelope creates considerable imbalance in terms of the overall site – not based on height, but too close to the edge. Being located more centrally would provide a more balanced visual outcome and improve it from a pedestrian and travel perspective.</p> <p>Consider that relocating the tower more centrally on site could avoid closing Westfield Drive by moving the traffic solution further south.</p> <p>Sideways expansion resulting in more detrimental impact to adjoining residents.</p> <p>The height of the proposed tower at 14 storeys is too high and will set an undesirable precedent for future development within Doncaster Hill.</p> <p>Commercial tower development will result in loss of views.</p> <p>Should be the same height as the existing tower (RL151.5).</p> <p>Unclear how the commercial tower works relates in a site context to built form on the west side of Williamsons Road.</p>	<p>The Town Planning Report which accompanied Amendment C104 provided a detailed analysis of the built form and amenity considerations associated with the expansion of the Centre. In summary:</p> <ul style="list-style-type: none"> The northerly podium extension is consistent in height, scale and set back to the existing podium height at the corner of Williamsons Road and Doncaster Road and will create a consistent built form alignment on the eastern side of Williamsons Road and a positive relationship with the form and scale of development permitted on the opposite side of the road. The new podium is set back along part of its frontage (adjacent to the new bus interchange) to allow for a public forecourt space, including informal meeting spaces, public seating and lighting, and a primary pedestrian entry to the Centre. The proposed office building to a height of RL166 responds to the nomination in the Manningham Planning Scheme that this part of the site be a "gateway" into the Activity Centre. The proposed envelope is suitably set back from the nearby residential properties to the north (by in some cases more than 50 metres) which themselves are designated for future site consolidation and redevelopment to three levels. <p>With the exception of a number of sub-precincts, the majority of Doncaster Hill is affected by mandatory maximum building height controls through Schedule 1 to the Activity Centre Zone (ACZ1). Historically, Westfield Doncaster was exempt from height controls on the basis that an existing Concept Plan and Incorporated Plan Overlay (PO1) provided development guidance for the site.</p> <p>The existing office tower on the site is not proposed to be redeveloped as part of the draft Development Plan. The siting of the commercial tower at the north-western edge of the site, addresses the Precinct 4 guidelines, as identified in Schedule 1 to the Activity Centre Zone, which includes the following requirement:</p> <p><i>'Develop a unique gateway building abutting Williamsons Road in the north-west corner of the precinct', at the northern entry into the Doncaster Hill Activity Centre.</i></p>

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Issue	Submission	Officer Response and Recommendation
<p>Built form setback from the northern boundary Submission No's. 2, 20, 52</p>	<p>17 metre minimum built form setback from the northern boundary of the site to the residential properties is insufficient.</p>	<p>It is also noted that Section 3.5 of the draft Development Plan identifies the 'Design Rationale for Gateway Building' that will guide future assessment of the proposed tower. RECOMMENDATION: No action recommended.</p>
<p>Future plans for the south-west corner of the site Submission No. 33, 34</p>	<p>The draft Development Plan lacks ambition about the existing streetscape on the corner of Doncaster and Williamson's Road (The Drum) and the existing multi-storey car park beneath the Village Cinemas on Williamson's Road. The boulevard treatment on the corner does not provide for an activated street frontage. The draft Development Plan fails to address the desire for active street frontages as sought in the Framework Plan forming part of Schedule 1 to the Activity Centre Zone. Opportunity to better integrate the south-west corner with the large scale apartment development happening in the precinct.</p>	<p>Officers' Response: The proposed setback from the northern boundary will be greater than 17 metres, as the adjacent road reserve and footpath will add an additional buffer between the proposed development and neighbouring residential properties. RECOMMENDATION: No action recommended.</p> <p>The draft Development Plan focuses on providing guidance for the area that is proposed to be redeveloped. This primarily relates to the northern part of the site. The draft Development Plan identifies that the expansion is to be progressed in 6 stages and Scentre Group has indicated that it is proposed to be undertaken over a period of 10-15 years. It is further noted that any future development would also need to consider the requirements of Schedule 1 to the Doncaster Hill Principal Activity Centre Zone (ACZ1) that includes the following Precinct objectives at Clause 5.4-2:</p> <ul style="list-style-type: none"> • To further improve existing active street frontages. • Encourage an enhanced pedestrian environment within the precinct. • To maintain and improve the positive engagement of the precinct with the main intersection of Doncaster Road and Williamson's Road. • To support and connect with the pedestrian link proposed for the Doncaster, Williamson's and Tram Roads intersection at the western end of the precinct. <p>RECOMMENDATION: No action recommended.</p>
<p>2.2 Noise and amenity impacts Management of noise during construction</p>	<p>Querying what processes, procedures and monitoring will be put in place by Council to ensure that acoustic</p>	<p>The staging of the future master plan is detailed in the draft Development Plan. The construction of each stage or stages is required by the Development Plan Overlay to</p>

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Issue	Submission	Officer Response and Recommendation
<p>Submission No's. 11, 15, 52</p>	<p>walls and other treatments assist in reducing noise, noting that nothing was in place for noise associated with work on the construction of the carpark, including out of hours operations.</p> <p>Request that noise from future works be managed more appropriately to protect the amenity of surrounding neighbourhoods.</p>	<p>be documented in a Construction Management Plan (CMP) as a condition of any future planning permit that is granted. The CMP will address matters such as construction times, truck routes, contractor / staff / customer car parking arrangements, waste management and off-site amenity management measures.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Management of noise post construction</p> <p>Submission No's. 11, 20, 36, 52</p>	<p>Querying what processes, procedures and monitoring will be put in place by Council to ensure that acoustic walls and other treatments assist in reducing noise associated with the proposed expansion, including uses that operate in the evening such as the cinemas.</p> <p>Request that Westfield engages the residents in the selection of the acoustic wall treatment and material.</p> <p>Querying whether 84 DBS a safe measure for humans and pets?</p>	<p>The Amendment is accompanied by an acoustic report which concluded that appropriate mitigation measures the noise created by the development can be appropriately managed and comply with the relevant acoustic standards.</p> <p>The draft Development Plan identifies a range of acoustic treatments where works are proposed along the northern and eastern boundaries of the site. These treatments include a mix of:</p> <ul style="list-style-type: none"> • surface treatments to minimise tyre noise; • acoustic walls; and • landscaping. <p>The acoustic treatments have been informed by the <i>Westfield Doncaster Acoustic Assessment, April 2016</i>, prepared by Acoustic Logic, which has factored in the development potential of the residential area surrounding the Centre.</p> <p>The draft Development Plan Overlay – Schedule 4 (DPO4) at Section 2.0 Conditions and requirements for permits, states that:</p> <p><i>'An application for a planning permit to use or develop land should be accompanied by the following, as appropriate, to the satisfaction of the Responsible Authority: (amongst other reports)</i></p> <ul style="list-style-type: none"> • <i>An Acoustic Report, detailing the proposed noise mitigation measures for the development.'</i>

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Issue	Submission	Officer Response and Recommendation
<p>Noise impacts on 1 Westfield Drive (3 storey apartment) from additional lanes of traffic associated with new main entrance into the centre</p> <p>Submission No. 28</p>	<p>Additional lanes of traffic associated with the new main entrance into the Centre will have acoustic impacts on 1 Westfield Drive, Doncaster, located on the north-west corner of Westfield Drive with Williamsons Road.</p> <p>Request additional noise reduction technology to be applied to the west and south facades of 1 Westfield Drive.</p> <p>Consider that reduction of speed limits from 70kph to 60kph along Williamsons Road will reduce the noise impact on residents.</p>	<p>It is considered prudent for the proponent to include the above Acoustic Report as part of information submitted to Council at the time of the planning permit application. While the application would not be formally advertised, it would be included on the planning register, which is a matter of public record and would allow any interested parties to view the application and Acoustic Report. It is important to note that whilst comments/objections in relation to this matter can be received for consideration by Council, there are no third party appeal rights to the Victorian Civil and Administrative Tribunal (VCAT).</p> <p>OTHER RECOMMENDED ACTION No. 9</p> <p>It is considered prudent for the proponent to include the Acoustic Report required as part of Schedule 4 to the Development Plan Overlay (DPO4) as part of information submitted to Council at the time of the planning permit application. While the application would not be formally advertised, it would be included on the planning register, which is a matter of public record and would allow any interested parties to view the application and Acoustic Report. It is important to note that whilst comments/objections in relation to this matter can be received for consideration by Council, there are no third party appeal rights to the Victorian Civil and Administrative Tribunal (VCAT).</p>
		<p>Following discussions with the submitter at 1 Westfield Drive, Scentre Group has prepared a “without prejudice” landscape concept plan for the road closure area at the western end of Westfield Drive. Scentre Group has advised that this concept identifies the acoustic wall being extended west and north-west and the creation of a new pedestrian pathway and garden area with bench seating and three new canopy trees. This will improve the outlook of the south-facing windows and balconies at 1 Westfield Drive and the extension of the acoustic wall as requested by the submitters and will provide a visual and noise barrier from the adjacent roadway.</p> <p>It is considered that these changes should be reflected in the draft Development Plan. It is also noted that Council’s adopted <i>Doncaster Hill Mode Shift Plan (2014)</i> aims to encourage a shift to sustainable transport modes within Doncaster Hill. One of the key actions seeks to investigate the reduction of the speed limits along Williamsons</p>

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Issue	Submission	Officer Response and Recommendation
		<p>Road and Doncaster Road. In addition, VicRoads' Network Operating Plan has designated both Williamsons Road and Doncaster Road as pedestrian priority routes.</p> <p>Council officers will advocate to VicRoads regarding the reduction of the speed limit from 70kph to 60kph along Williamsons Road between Manningham Road and Doncaster Road.</p> <p>DRAFT DEVELOPMENT PLAN RECOMMENDED ACTION No. 9</p> <p>Amend the draft Development Plan at Section 3.6 Integrated Transport Plan to incorporate the proposed changes to the landscape and acoustic treatment adjacent to 1 Westfield Drive, Doncaster.</p> <p>OTHER RECOMMENDED ACTION No. 14</p> <p>Council to advocate with VicRoads regarding the reduction of the speed limit from 70kph to 60kph along Williamsons Road between Manningham Road and Doncaster Road.</p>
<p>Hoon activity in car parks outside of centre operating hours Submission No. 11</p>	<p>Hoon activity in the Centre carpark outside of Centre operating hours. Need to ensure that carparks are appropriately managed and closed off to avoid this activity and minimize noise impacts outside of Centre operating hours.</p>	<p>At the time the submission was received, the query was investigated by Council's Enforcement Officer in conjunction with the review of CCTV footage by Scentre Group. CCTV footage did not identify any activity in the car park. The submitter was advised that any future concerns regarding hoon activity is a matter to be referred to police.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Dumped shopping trolleys in residential streets Submission No. 52</p>	<p>Risk of damage to cars resulting from regular occurrence of shopping trolleys being dumped in Westfield Drive.</p>	<p>Council is proactively managing illegal dumping of shopping trolleys in and around the Centre. Signage was erected in streets in the vicinity of the Centre in April 2016. Anyone observed dumping shopping trolleys may be prosecuted under Manningham's Local Law.</p> <p>RECOMMENDATION: No action recommended.</p>

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Issue	Submission	Officer Response and Recommendation
<p>2.3 Public realm / Landscaping</p> <p>Landscaping and community open space proposal</p> <p>Submission No's. 2, , 28, 33, 51</p>	<p>Landscaping and the provision of community open space are important aspects of the proposal.</p> <p>Consider that only the minimal amount necessary is being provided to gain planning approval.</p> <p>Landscaping will be very important to soften the view of the acoustic wall, at all interfaces.</p> <p>Replacement planting along Westfield Drive should provide the same level of vegetation cover.</p> <p>Request for Council to make it a condition of granting a planning permit for the retention of the group of 3 white-trunked gum trees at the top of the driveway at the existing main vehicle entry/exit near Myer and the large stringy bark part-way down that road.</p> <p>Replacement landscaping should provide the same level of coverage as currently provided in the vicinity of 1 Westfield Drive.</p>	<p>Section 3.7 of the draft Development Plan outlines the objectives and key components of the public realm and landscaping.</p> <p>The proposed location of the public realm/entry forecourt is generally in accordance with the proposed location identified on the Strategic Framework Plan forming part of the Doncaster Hill Activity Centre Zone – Schedule 1 (ACZ1). It is noted that as part of Amendment C104, ACZ1 is proposed to be modified to identify the 'switch' in the location between the public realm area and the bus interchange.</p> <p>Council officers also acknowledge the importance of adequate public realm areas in providing opportunities for comfortable formal and informal outdoor areas that cater to the needs of Centre patrons. It is further acknowledged that there are a number of competing functions in the north-west corner of the site and extending further north along Williamsons Road, including the commercial tower, public realm / entry forecourt, bus interchange and shops and cafes aimed at activating the street frontage and bus interchange area.</p> <p>In response to the Public Transport Victoria submission seeking modification of the bus interchange, Council officers have sought to ensure that any redesign does not compromise the public realm / entry forecourt area.</p> <p>Figure 38, Section 3.4 Concept Plan of the draft Development Plan identifies the 'potential to establish an upper level dining terrace to activate upper levels and establish activity on Williamsons Road', and is depicted visually in Figure 75.</p> <p>The draft Development Plan at Figure 68 Proposed landscape improvements for Westfield Doncaster identifies vegetation that will be removed or retained and proposed vegetation that will be undertaken as part of expansion of the Centre. The Plan identifies that the group of 3 white-trunked gum trees at the top of the driveway at the existing main vehicle entry/exit near Myer and the large stringy bark part-way down that road will be removed as part of the dedicated access into the bus interchange and other built form uses.</p> <p>Schedule 4 to the Development Plan Overlay (DPO4) also requires (as appropriate) the submission of an arborist report detailing the safe useful life expectancy for trees to</p>

AMENDMENT C104 – SUMMARY OF SUBMISSIONS

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Issue	Submission	Officer Response and Recommendation
		<p>be retained or removed, and impacts arising from the proposed development, including management arrangements.</p> <p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No. 2:</p> <p>Any reconfiguration of the bus intersection to allow the buses to undertake a loop must not reduce the number of allocated bus bays or compromise the allocation of space or amenity of the public realm / entry forecourt area.</p>
3. INFRASTRUCTURE		
3.1 Community Facilities		
<p>Community facilities and benefits proposal is disappointing</p> <p>Submission No's. 14, 17</p> <p>46 (Manningham Access and Equity Advisory Committee)</p>	<p>Community benefits proposal reflects only the minimal amount necessary to gain planning approval.</p> <p>Lack of affordable community spaces within Manningham and the scale of development being proposed should incorporate an allocation of affordable rental space for allied health services, including not-for-profit allied health services within the centre and / or the commercial office. This would provide such services within this precinct but also provide a good opportunity for the co-location of services, providing access to these services in 'one outing'. This would be particularly important for people with community access/mobility issues.</p> <p>Submitters have requested:</p> <ul style="list-style-type: none"> • Re-establishment of a community library and Doncare on site at Westfield Doncaster; • Free access for local community organisations to the mall each year to host community events such as stage promotions and pop-up stalls; • Childcare space; • Provision of a multifaith space / prayer room for visitors and staff; 	<p>The proposed Development Plan Overlay requires the provision of a tenancy comprising an area of not less than 100sqm at ground floor level, near the bus interchange to be used for a community purpose at the direction of Council. Scentre Group has advised that at this stage the framework is in place to accommodate a new community purpose, and it will be a matter for further Council consideration about how this space is used in the future. Scentre Group has also advised that Westfield's Centre Management teams are always available for discussion with community groups to understand their needs for special events or promotions.</p> <p>Whilst a number of matters raised in submissions relate to more detailed matters associated with the design and provision of services and facilities, it is important to acknowledge that the draft Development Plan Overlay – Schedule 4 (DPO4) at section 2.0 Conditions and requirements for permits, states that:</p> <p><i>'An application for a planning permit to use or develop land should be accompanied by the following, as appropriate, to the satisfaction of the Responsible Authority:</i></p> <ul style="list-style-type: none"> • <i>An Accessibility / Access and Equity Audit report.</i> <p>It is considered appropriate that in the context of a higher order activity centre, the Proponent establishes an advisory group. This may consist of representatives from Council to assist in guiding and informing the relevant planning permit applications, including matters relating to accessibility and the provision of facilities. This should be referenced in the draft Development Plan in section 3.10 Community Infrastructure.</p>

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Issue	Submission	Officer Response and Recommendation
	<ul style="list-style-type: none"> • Dedicated quiet room for people with autism – similar to a space provided at Northland Shopping Centre; • Changing places bathroom – similar to a space provided for people with disabilities and their carers at Eastland Shopping Centre in 2016; • Gender neutral (unisex) public and employee toilets; • Parent rooms so that such facilities can equally be utilised by both male and female parents/carers; • All new concourses to have a flat gradient – current long smooth ramps are dangerous to people in manual wheelchairs and an access barrier to people with other mobility impairments; and • Westfield to sponsor a free regular bus service to improve accessibility for people with limited transport options, such as local aged care facilities. 	<p>DRAFT DEVELOPMENT PLAN RECOMMENDED ACTION No. 10</p> <p>Section 3.10 Community Infrastructure of the draft Development Plan to be amended to seek the Proponent to establish an advisory group to assist in guiding and informing the relevant planning permit applications for the development, on matters relating to accessibility and the provision of facilities.</p>
<p>Provision of 100sqm for community space</p> <p>Submission No's. 17, 46</p>	<p>Querying whether the provision of 100sqm for a youth/community space is sufficient in the context of the overall scale of the expansion and the value of this service to the community.</p>	<p>The proposed Development Plan Overlay (Schedule 4) requires that the land owner enter into a section 173 agreement to provide for the transfer or lease to the <i>Manningham City Council or its designated service provider of part of the building comprising an area of not less than 100sqm at ground floor level, near the bus interchange</i>. This facility is to be used for community purposes and the nature of the use will be determined by Council in the future.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Potential contamination on the northern part of the Westfield Doncaster site.</p>	<p>Concerned that development is being proposed on the northern part of the site that was a previous petrol station. No EPA report was submitted as part of the amendment documentation.</p>	<p>RECOMMENDATION: No action recommended.</p> <p>Scentre Group has informally advised Council that this site has previously been decontaminated in accordance with the requirements of the EPA.</p> <p>It is recommended that Scentre Group provide written confirmation to Council to demonstrate that there are no constraining environmental factors at this location or</p>

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Issue	Submission	Officer Response and Recommendation
Submission No's. 15		<p>other parts of the site proposed to be redeveloped in accordance with the draft Development Plan.</p> <p>OTHER RECOMMENDED ACTION No. 15</p> <p>Prior to Council formally approving any Development Plan for the Centre, Scentre Group should provide Council with written confirmation from an appropriately qualified expert that there are no constraining environmental factors at this location or on other parts of the site proposed to be redeveloped that would impact upon or affect the use and development of the land as envisaged in the draft Development Plan.</p>
<p>3.2 Ecologically Sustainable Design (ESD)</p> <p>Use of green energy</p> <p>Submission No's. 2, 24</p>	<p>Querying whether there is going to be any use of green technology in the way the buildings are built and powered, noting that this does not appear in the exhibited documentation.</p> <p>Sustainability proposal reflects only the minimal amount necessary to gain planning approval.</p> <p>This feature would make the proposal more attractive to the community and would assist in conserving the environment and slowing down climate change.</p> <p>Scentre Group does not support the changes required by Council to the Sustainability Commitments Report prepared by Cundall.</p> <p>Council's requirement to achieve a 5-Star outcome reflects a higher standard than is currently required in the Manningham Planning Scheme (the Scheme) that required new development to demonstrate 'best practice' ESD outcomes. In respect to Green Star, the Green Building Council of Australia defines a 4-Star rating as reflecting 'best practice' and not 5-Star which reflects 'National Excellence'.</p>	<p>As part of considering the request to seek authorisation to exhibit the amendment, Council sought changes to the draft Development Plan at <i>Section 3.7 Public Realm and Landscaping</i>, prior to exhibition. The change introduced a new commitment to consider additional rooftop landscaping and/or green facades, aimed at reducing the urban heat island effect, whilst also promoting biodiversity.</p> <p>Works associated with the public realm and landscaping treatments and their specific details will be subject to future planning permit applications.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>Commitment to achieving a 5-Star Green Star rating</p> <p>Submission No. 39 (Scentre Group)</p>		<p>As part of considering the request to seek authorisation to exhibit the Amendment, Council sought changes to the draft Development Plan at Section 3.9 Ecologically Sustainable Development to be assured that an alternative formal certification (to Council's approval) would be provided in its place if the option of a 5-Star Green Star rating was not achievable.</p>

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Issue	Submission	Officer Response and Recommendation
	<p>Whilst Scentre Group is not abdicated its commitment or responsibilities for reducing the environmental impact of the proposed future redevelopment of the Centre, it is considered unreasonable for the project to be held to delivering a formal or certified rating that would reflect a standard that would significantly exceed the requirements of the Scheme and the Doncaster Hill Strategy.</p>	<p>The Green Star rating tool referred to in the Sustainability Commitments report (prepared by Cundall) is the Retail Centre v1 tool which is now referred to on the Green Building Council of Australia (GBCA) website as one of the legacy rating tools. According to the GBCA: <i>'Legacy rating tools are previous versions of Green Star rating tools that have been superseded by the release of Green Star – Design & As Built. Registration under these rating tools closed in December 2015, new projects must register under the current versions of the Green Star rating tools.'</i></p> <p>The correct Green Star rating tool which should apply to this project is the Design & As Built v1.1 tool and when the credits are translated to the superseded Retail Centre v1 rating tool, this still allows a 4-Star Green Star certified rating for the project to achieve Australian best practice to meet Council's minimum requirement.</p> <p>The ability to certify an expansion to an existing building is possible provided the project scope and boundary is clearly defined up-front making a formal Green Star rating achievable.</p> <p>Accordingly, the DPO4, draft Development Plan and the Sustainability Commitments report prepared by Cundall should be changed in accordance with the following recommendations.</p> <p>AMENDMENT C104 RECOMMENDATION No: 1</p> <p>Amend the current wording in proposed Design and Development Overlay - Schedule 4 (DPO4) in section 3.0 Requirements for development plan, as follows:</p> <p>Environmental Sustainability Plan</p> <p>Assessment of the environmental Sustainability outcomes sought for the proposed development, and sustainability initiatives proposed including:</p> <ul style="list-style-type: none"> • Identification of Sustainability outcomes sought by the Manningham Planning Scheme and initiatives/measures to deliver these outcomes.

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Issue	Submission	Officer Response and Recommendation
		<ul style="list-style-type: none"> • Identification of sustainability policies and guidelines which are relevant to the future development of the land, including Indoor Environment Quality (IEQ); energy and greenhouse gas emissions; transport; water; waste; materials; and emissions, <u>and how the proposal addresses these</u>. • Incorporation of an <u>Australian</u> 'best-practice' sustainable design, <u>construction and operation</u>. • Identification of benchmark outcomes, strategies and initiatives for consideration as part of future planning permit applications. <p>Add:</p> <p>Details of the implementation of sustainability outcomes and initiatives including, but not limited to, a commitment to a third-party certified assessment such as the Green Star Design and as-Built v1.1 Rating tool.</p> <p>And amend the last sentence in this section with:</p> <p>Any <u>actions and</u> recommendations from the Environmental Sustainability Plan must be incorporated into the approved Development Plan.</p> <p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No. 11 Amend section 3.9 Ecologically Sustainable Development of the draft Development Plan to reflect the relevant sustainability plan commitments.</p> <p>OTHER RECOMMENDED ACTION No.16 Update the Sustainability Commitments report prepared by Cundall Consultants to reflect the correct Green Star rating tool which should apply to the project which is the Design & As Built v1.1 tool.</p>
<p>3.3 AMENDMENT C104 DOCUMENTATION</p> <p>Number of traffic and transport reports required in DPO4</p> <p>Submission No. 42</p>	<p>Public Transport Victoria (PTV) concerned that the requirement for the preparation of the traffic and transport related reports may overlap in detail and Council should consider simplifying or consolidating the number of reports required.</p>	<p>In response to concerns raised by PTV regarding duplication of information, it is noted that Schedule 4 to the Development Plan Overlay (DPO4) provides discretion for the applicant and Responsible Authority with regards to which documents should accompany a planning permit application with the inclusion of the wording 'as appropriate' as part of the conditions and requirements for permit.</p>

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Issue	Submission	Officer Response and Recommendation
<p>(Public Transport Victoria)</p> <p>Referral agencies Submission No. 42 (Public Transport Victoria)</p>	<p>Public Transport Victoria (PTV) request that the final statement under 'Integrated Transport Plan' in relation to seeking the views of Government agencies should state 'Referral Authorities' rather than Department names.</p>	<p>RECOMMENDATION: No action recommended.</p> <p>Agreed.</p> <p>AMENDMENT C104 RECOMMENDATION No. 2</p> <p>Amend the current wording in the proposed Design and Development Overlay - Schedule 4 (DPO4) in section 3.0 Requirements for development plan, with:</p> <p><i>'Prior to approving the Integrated Transport Plan, the Responsible Authority may seek the views of the relevant Referral Authorities.'</i> Public Transport Victoria Via Roads and Department of Transport, as relevant.</p>
<p>Development Contributions Submission No. 39 (Scentre Group)</p>	<p>Scentre Group submit that pursuant to Section 4.0 of Schedule 1 to the Development Contributions Plan Overlay (DCPO1) there is a current exemption applying to the Westfield Doncaster site, confirming the extent of the development contributions required as part of the last major expansion.</p> <p>As part of Amendment C104, a future planning permit application will trigger the payment of a contribution pursuant to an amended Development Contributions Plan Overlay (DCPO) on the basis that the current floor-space exemption will not be applicable.</p> <p>The total contribution estimate is approximately \$2.8 million.</p> <p>A preliminary feasibility and costings of the above works estimates that the works have a combined value that significantly exceeds the contributions proposed by DCPO1.</p>	<p>The drafting of the amended DCPO1 is in the same form as the existing DCPO1 except that it refers to the relevant Development Plan Overlay rather than the current Incorporated Plan Overlay (IPO1). Scentre Group's submission states that the DCPO1 needs to be amended to ensure consistency with the previous (approved) exemption methodology in applying the Development Contributions to the Westfield Centre.</p> <p>Development contributions were previously made via a section 173 agreement.</p> <p>It is not considered that further changes to the DCPO1 are required. The amended form of the DCPO1 only changed the exemption by updating the relevant planning control referenced in the exemption. Therefore, it is envisaged that development contributions (of about \$2.8m) will become payable when the proposed development proceeds.</p> <p>It is not proposed to modify the exemption to either -</p> <ul style="list-style-type: none"> • exempt the proposed development from liability to pay contributions; or • to change the planning permit referenced in the exemption so as to refer to the extent of development anticipated by the draft Development Plan, <p>as either of these changes would further delay payment of the development contribution under the Doncaster Hill Development Contribution Plan.</p>

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Issue	Submission	Officer Response and Recommendation
	Scentre Group request an amendment to the DCPO1 to ensure consistency with the previous exemption methodology.	Any infrastructure works which are proposed to be undertaken in accordance with the Doncaster Hill Development Contributions Plan will be considered for a credit against the Scentre Group’s development contributions liability. RECOMMENDATION: No action recommended.
3.4 OTHER MATTERS		
More variety of shops and activities Submission No. 8	The centre will be attractive for residents and tourists to visit the centre with the offer of a greater variety of shops and activities.	Comment noted. RECOMMENDATION: No action recommended.
Employment opportunities Submission No. 8	The expansion of the Centre will provide more working opportunities for different demographic groups.	The economic analysis which accompanies the Amendment concludes the proposed development will create: <ul style="list-style-type: none"> • <i>Approximately 2,040 direct construction jobs, based on a projected development cost of \$500 million.</i> • <i>Almost 2,900 new full time and part time workers at the centre on completion of the expansion</i> • <i>A further 5,500 indirect jobs from flow-on employment effects.</i> RECOMMENDATION: No action recommended.
Entry dates for lease of commercial offices. Submission No. 9	Querying about entry dates for the lease of the commercial offices.	Scentre Group has advised that the proposed commercial offices are proposed be leased at the appropriate time once the construction program and timing for the delivery of the new building is confirmed. RECOMMENDATION: No action recommended.
Timing for various infrastructure works Submission No’s. 42, 42A	Public Transport Victoria’s (PTV’s) original submission raised concern that the draft Development Plan does not make it explicit when the various infrastructure work, including the bus interchange and traffic management works will be delivered and needs to be clarified.	Following further clarification from Council officers on 12 September 2016, PTV provided written confirmation to indicate satisfaction that the draft Development Plan outlines the delivery of the bus interchange at Stage 3, and the subsequent planning permits to follow will protect the delivery of the bus interchange. RECOMMENDATION: No action recommended.

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AMENDMENT C104 – SUMMARY OF SUBMISSIONS

Issue	Submission	Officer Response and Recommendation
<p>Overlooking from Imperial Apartment Submission No. 31</p>	<p>Concern raised about overlooking into a private residence from the recently constructed Imperial Apartment</p>	<p>It is considered that the submitters concerns were previously addressed as part of the relevant planning permit process associated with the Imperial apartment development. RECOMMENDATION: No action recommended.</p>
<p>Council is not balancing the interests of residents and Westfield Doncaster Submission No's. 14, 15, 31</p>	<p>Council is allowing Westfield to do whatever it chooses. Council is not balancing the interests of residents and the interests of Westfield Doncaster as a commercial developer</p>	<p>As part of considering Amendment C104 and the draft Development Plan, Council will consider the interests of all sectors of the community, including residents; Scentre Group as the Proponent; requirements of the Statutory Authorities such as VicRoads and Public Transport Victoria; and other key stakeholders, including St Gregory the Great Primary School and the Access and Equity Advisory Committee for Manningham. The Amendment and draft Development Plan is based on the culmination of two year's work which has involved collaboration with VicRoads, PTV and Council. Traffic modelling undertaken indicates that the proposed mitigating measures will assist in alleviating the impact of the additional traffic expected as result of the expanded centre. This table which summarises and considers submissions, includes a number of officer recommendations to make changes to C104 Amendment documentation and the draft Development Plan in response to submissions received. RECOMMENDATION: No action recommended.</p>
<p>Impact on property values and rental rates Submission No. 29</p>	<p>The changes proposed by the Amendment will impact on the rental rates and property values.</p>	<p>Planning precedent has long established that impact of property values is not a valid planning consideration. RECOMMENDATION: No action recommended.</p>
<p>Establishment of focus group / guiding advisory committee to inform development Submission No's. 2, 46</p>	<p>Benefit of establishing a focus group / guiding advisory committee to assist in guiding proposed expansion, including matters relating to accessibility.</p>	<p>It is noted that a guiding advisory committee was established to inform matters (relating to accessibility), as part of the recent expansion of the Eastland Shopping Centre. This was part of a voluntarily established collaboration between the Shopping Centre owners and other relevant key stakeholders.</p>

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Issue	Submission	Officer Response and Recommendation
		<p>It is considered appropriate that in the context of a higher order activity centre, the Proponent establishes an advisory group. This may consist of representatives from Council to assist in guiding and informing the relevant planning permit applications, including matters relating to accessibility and the provision of facilities. This should be referenced in the draft Development Plan in section 3.10 Community Infrastructure.</p> <p>DRAFT DEVELOPMENT PLAN RECOMMENDED ACTION No. 10</p> <p>Section 3.10 Community Infrastructure of the draft Development Plan to be amended to seek the Proponent to establish an advisory group to assist in guiding and informing the relevant planning permit applications for the development, on matters relating to accessibility and the provision of facilities.</p>
<p>No objection to Amendment /Development Plan Submission No. 26 (Melbourne Water)</p>	<p>Melbourne Water have no objection to the Amendment or draft Development Plan and do not wish to appear at any subsequent Panel hearing.</p>	<p>Comments noted.</p> <p>RECOMMENDATION: No action recommended.</p>
<p>OTHER OFFICER RECOMMENDATIONS NOT RAISED IN SUBMISSIONS</p>		
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No. 12</p>		
<p>Amend the draft Development Plan at <i>Section 3.6 Integrated Transport Plan</i> to include a new map identifying all of the works associated with the reconfiguration of Westfield Drive.</p>		
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No. 13</p>		
<p>Amend the draft Development Plan at <i>Section 3.6 Integrated Transport Plan</i> to identify all the proposed roadworks on one aerial map, similar to that shown as the 'Overall Concept Layout' in the <i>Westfield Doncaster Integrated Transport and Access Plan (July 2016)</i></p>		

Amendment C104 and Proposed Development Plan – Cross reference with Attachment 1

Submitter Number	Address	Issues raised as per Attachment 1
1.	1001/632 Doncaster Road, Doncaster	1.2, 1.7
2.	4/19 Argyle Street, Donvale	1.3, 1.4, 2.1, 2.3, 3.2, 3.4
3.	3/36 Westfield Drive, Doncaster	2.1
4.	3/36 Westfield Drive, Doncaster	2.1
5.	14 Gilmore Road, Doncaster	1.2, 1.3
6.	502/632 Doncaster Road, Doncaster	1.7
7.	18 Brendan Avenue, Doncaster	1.1, 1.3, 2.1
8.	16 Norweena Street, Doncaster	1.3, 2.1, 3.4
9.	651 Doncaster Road, Doncaster	3.4
10.	1 Norwich Place, Templestowe	1.3
11.	36 Westfield Drive, Doncaster	2.2
12.	25 Westfield Drive, Doncaster	1.4
13.	1002/632 Doncaster Road, Doncaster	1.7
14.	4/9 Herlihys Road, Templestowe Lower	3.1, 3.4
15.	501/5 Sovereign Point Court, Doncaster	1.3, 1.6, 2.1, 2.2, 3.1, 3.4
16.	19 Westfield Drive, Doncaster	1.4
17.	Suite 4, Level 2 39 Railway Road, Blackburn	1.1, 1.3, 3.1
18.	509/5 Sovereign Point Court, Doncaster	1.3, 1.6, 2.1
19.	Level 1, 651 Doncaster Road, Doncaster	1.4

Submitter Number	Address	Issues raised as per Attachment 1
20.	17A Westfield Drive, Doncaster	1.4, 2.1, 2.2
21.	101/5 Sovereign Point Court, Doncaster	1.2, 1.6
22.	801/5 Sovereign Point Court, Doncaster	2.1
23.	27 Westfield Drive, Doncaster	1.4
24.	4/2 Kandanga Grove, Bulleen	3.2
25, 25A & 25B	4002/2 Sovereign Point Court, Doncaster	1.4, 1.5, 1.6
26.	Melbourne Water 990 La Trobe Street, Docklands	3.4
27.	19 Roderick Street, Doncaster East	1.3
28.	9/1 Westfield Drive, Doncaster	1.4, 2.1, 2.2, 2.3
29.	2 Frederick Street, Doncaster	1.2, 1.7, 3.4
30.	49 Olympus Drive, Doncaster	1.5
31.	2 Madeira Court, Doncaster	3.4
32.	21 Birchgrove Crescent, Templestowe	1.3, 2.1
33	1/2 Highbury Street, Balwyn North	1.1, 1.3, 2.1, 2.3
34.	20 Maralee Place, Doncaster	2.1
35.	94 Gedye Street, Doncaster East	1.3, 1.5
36.	17 Roseville Avenue, Doncaster	1.1, 1.2, 1.4, 2.2
37.	617/632 Doncaster Road, Doncaster	1.2, 1.7
38.	17 Westfield Drive, Doncaster	1.4
39.	Scentre Group	3.2, 3.3

Submitter Number	Address	Issues raised as per Attachment 1
	On behalf of 619 Doncaster Road, Doncaster	
40. and 40A	On behalf 659-667 Doncaster Road, Doncaster	1.3
41.	VicRoads 12 Lakeside Drive, Burwood East	1.1, 1.4, 1.7
42. and 42A	Public Transport Victoria (PTV) PO Box 4724 Melbourne	1.1, 1.2, 3.3, 3.4
43.	3 Turana Street, Doncaster	1.2
44.	314 / 632 Doncaster Road, Doncaster	1.3, 1.7
45.	No address provided	1.6, 2.1
46.	On behalf of Council's Access and Equity Advisory Committee	1.1, 1.2, 1.3, 3.1, 3.4
47.	401 / 1 Sovereign Point Court, Doncaster	1.1
48.	396 Manningham Road, Doncaster	1.5
49.	9/1 Carnarvon Street, Doncaster	1.2
50.	On behalf of residents 1 Sovereign Point Court, Doncaster	1.6
51.	402/1 Sovereign Point Court, Doncaster	2.3
52.	11 Westfield Drive, Doncaster	1.2, 1.3, 1.4, 2.1, 2.2

Amendment C104 - Summary of Categorized Submissions

RECOMMENDATIONS TO AMENDMENT C104 DOCUMENTATION (2)

AMENDMENT C104 RECOMMENDATION No: 1

Amend the current wording in proposed Design and Development Overlay - Schedule 4 (DPO4) in section 3.0 Requirements for development plan, as follows:

~~Environmental~~ Sustainability Plan

~~Assessment of the environmental~~Sustainability outcomes sought for the proposed development, ~~and sustainability initiatives proposed including:~~

- ~~Identification of~~Sustainability outcomes sought by the Manningham Planning Scheme ~~and initiatives/~~measures to deliver these outcomes.
- Identification of sustainability policies and guidelines which are relevant to the future development of the land, including Indoor Environment Quality (IEQ); energy and greenhouse gas emissions; transport; water; waste; materials; and emissions, ~~and how the proposal addresses these.~~
- Incorporation of ~~an Australian~~ 'best-practice' sustainable design, ~~construction and operation.~~
- Identification of benchmark outcomes, strategies and initiatives for consideration as part of future planning permit applications.

Add:

Details of the implementation of sustainability outcomes and initiatives including, but not limited to, a commitment to a third-party certified assessment such as the Green Star Design and as-Built v1.1 Rating tool.

And amend the last sentence in this section with:

Any ~~actions and~~ recommendations from the ~~Environmental~~ Sustainability Plan must be incorporated into the approved Development Plan.

<p>AMENDMENT C104 RECOMMENDATION No: 2</p> <p>Amend the current wording in the proposed Design and Development Overlay - Schedule 4 (DPO4) in section 3.0 Requirements for development plan, with:</p> <p><i>'Prior to approving the Integrated Transport Plan, the Responsible Authority may seek the views of the relevant Referral Authorities.'</i> Public Transport Victoria, VicRoads and Department of Transport, as relevant.'</p>
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATIONS (13)</p>
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No: 1</p> <p>Amend Section 3.8 Development Criteria for the bus interchange in the draft Development Plan to include reference to the provision of energy efficient heating for passenger comfort.</p>
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No: 2</p> <p>Any reconfiguration of the bus intersection to allow the buses to undertake a loop must not reduce the number of allocated bus bays or compromise the allocation of space or amenity of the public realm / entry forecourt area.</p>
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No: 3</p> <p>Amend Section 3.6 Integrated Transport Plan of the draft Development Plan to ensure that wayfinding signage is included as part of providing accessibility into and within the Centre.</p>
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No: 4</p> <p>The draft Development Plan should be amended to require a section 173 agreement in a future planning permit for the new Westfield Drive access incorporating unfettered access rights for the general public over the road.</p>

<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No: 5</p> <ul style="list-style-type: none"> a) Investigate relocating the intersection and Northern Access Road (Figure 58) further south into Westfield to provide a greater radius on the access road and increase separation of Westfield Drive from the Northern Access Road. b) Further detailed investigation and design is required in relation to the intersection of Westfield Drive and the Northern Access Road, including but not limited to, the grade of the intersection, residential driveway access and impacts of headlights on residential amenity and drainage. c) Any subsequent changes to be incorporated into Section 3.6 Integrated Transport Plan of the draft Development Plan.
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No: 6</p> <p>Proponent to investigate the feasibility of providing a "U" turn facility at the Westfield Northern Access Road / Williamsons Road proposed intersection, in collaboration with VicRoads and Council and amend Section 3.6 Integrated Transport Plan of the draft Development Plan accordingly.</p>
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No: 7</p> <p>Scentre Group to investigate the provision of indented parking along the western Williamsons Road Service Road south of Bordeaux Street, in consultation with VicRoads. Subject to VicRoads' approval, amend Figure 57 Configuration of Williamsons Road and Proposed Northern Access Road' of the draft Development Plan to identify the indented parking bays.</p>
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No: 8</p> <p>Proponent to investigate the feasibility of the provision of a 'Keep Clear' linemarking on Williamsons Road at the Sovereign Point Court intersection in consultation with VicRoads and Council and amend the relevant map(s) in Section 3.6 Integrated Transport Plan of the draft Development Plan accordingly.</p>

<p>DRAFT DEVELOPMENT PLAN RECOMMENDED ACTION No: 9</p> <p>Amend the draft Development Plan at Section 3.6 Integrated Transport Plan to incorporate the proposed changes to the landscape and acoustic treatment adjacent to 1 Westfield Drive, Doncaster.</p>
<p>DRAFT DEVELOPMENT PLAN RECOMMENDED ACTION No: 10</p> <p>Section 3.10 Community Infrastructure of the draft Development Plan to be amended to seek the Proponent to establish an advisory group to assist in guiding and informing the relevant planning permit applications for the development, on matters relating to accessibility and the provision of facilities.</p>
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No: 11</p> <p>Amend section 3.9 Ecologically Sustainable Development of the draft Development Plan to reflect the relevant sustainability plan commitments.</p>
<p>OTHER OFFICER RECOMMENDATIONS NOT RAISED IN SUBMISSIONS</p>
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No: 12</p> <p>Amend the draft Development Plan at Section 3.6 Integrated Transport Plan to include a new map identifying all of the works associated with the reconfiguration of Westfield Drive.</p>
<p>DRAFT DEVELOPMENT PLAN RECOMMENDATION No: 13</p> <p>Amend the draft Development Plan at Section 3.6 Integrated Transport Plan to identify all the proposed roadworks on one aerial map, similar to that shown as the 'Overall Concept Layout' in the <i>Westfield Doncaster Integrated Transport and Access Plan (July 2016)</i>.</p>
<p>OTHER RECOMMENDED ACTIONS (16)</p>
<p>OTHER RECOMMENDED ACTION No: 1</p>

<p>Council / Proponent to work with VicRoads and PTV to ensure that adequate bus signal phases are provided.</p>
<p>OTHER RECOMMENDED ACTION No: 2 Council to continue to implement actions identified in the <i>Doncaster Hill Mode Shift Plan (2014)</i> to encourage a mode shift to sustainable transport modes.</p>
<p>OTHER RECOMMENDED ACTION No: 3 Council officers to continue advocating to Public Transport Victoria (PTV) for improved connectivity between all bus services within Doncaster Hill.</p>
<p>OTHER RECOMMENDED ACTION No: 4 Council officers to continue advocating to the State Government for the provision of rail to Doncaster Hill.</p>
<p>OTHER RECOMMENDED ACTION No: 5 The Proponent / VicRoads / PTV to investigate the feasibility of bus priority treatments along Williamsons Road, in particular at the proposed signalised intersection at the proposed Northern Access Road.</p>
<p>OTHER RECOMMENDED ACTION No: 6 Council officers to work with Westfield to improve natural surveillance in and around the Centre. Council officers to investigate pedestrian access from the bus interchange to the residential areas to the east as part of the <i>Doncaster Hill Behaviour Change Plan (2015)</i>.</p>

<p>OTHER RECOMMENDED ACTION No: 7</p> <p>Investigate provision of a U-turn to allow access to the west side of Tram Road as part of the review of the <i>Doncaster Hill Developer Contributions Plan 2005</i>.</p>
<p>OTHER RECOMMENDED ACTION No: 8</p> <p>Council officers will continue to monitor the parking occupancy within the local road network.</p>
<p>OTHER RECOMMENDED ACTION No: 9</p> <p>It is considered prudent for the proponent to include the above Acoustic Report as part of information submitted to Council at the time of the planning permit application. While the application would not be formally advertised, it would be included on the planning register, which is a matter of public record and would allow any interested parties to view the application and Acoustic Report. It is important to note that whilst comments/objections in relation to this matter can be received for consideration by Council, there are no third party appeal rights to the Victorian Civil and Administrative Tribunal (VCAT).</p>
<p>OTHER RECOMMENDED ACTION No: 10</p> <p>Ensure there is provision to allow the signalisation of the "U" turn movement from the Williamsons Road southbound carriageway into the service road, if and when, traffic volumes increase.</p>
<p>OTHER RECOMMENDED ACTION No: 11</p> <p>Council officers to review the Frederick Street road closure as part of the review of the current <i>Doncaster Hill Development Contributions Plan (2005)</i>.</p>

<p>OTHER RECOMMENDED ACTION No: 12</p> <p>Council officers to consult with VicRoads regarding the facilitation of increased 'green time' at the Doncaster Road and Council Street traffic signals to facilitate the possible increase in "U" turn movements, to assist right turns into Frederick Street from the west.</p>
<p>OTHER RECOMMENDED ACTION No: 13</p> <p>Council officers to consult with VicRoads regarding the installation of detector loops to assist with left turns out of Frederick Street.</p>
<p>OTHER RECOMMENDED ACTION No: 14</p> <p>Council to advocate with VicRoads regarding the reduction of the speed limit from 70kph to 60kph along Williamsons Road between Manningham Road and Doncaster Road.</p>
<p>OTHER RECOMMENDED ACTION No: 15</p> <p>Prior to Council formally approving any Development Plan for the Centre, Scentre Group should provide Council with written confirmation from an appropriately qualified expert that there are no constraining environmental factors at this location or on other parts of the site proposed to be redeveloped that would impact upon or affect the use and development of the land as envisaged in the draft Development Plan.</p>
<p>OTHER RECOMMENDED ACTION No: 16</p> <p>Update the Sustainability Commitments report prepared by Cundall Consultants to reflect the Design & As Built v1.1 tool as the correct Green Star rating tool which should apply to the project.</p>

Planning and Environment Act 1987
MANNINGHAM PLANNING SCHEME
Notice of the preparation of an amendment
Amendment C104

ATTACHMENT 2

The Manningham City Council has prepared Amendment C104 to the Manningham Planning Scheme. The land affected by the amendment is 619 Doncaster Road, Doncaster, commonly known as Westfield Doncaster. Amendment C104 to the Manningham Planning Scheme proposes to:

- Amend the content of the Municipal Strategic Statement at Clause 21.09 (Activity Centres and Commercial Areas);
- Amend Schedule 1 to the Activity Centre Zone at Clause 37.08 (ACZ1), and in particular, the provisions relating to Precinct 4: Westfield Doncaster;
- Delete Clause 43.03 and Schedule 1 to the Incorporated Plan Overlay (IPO1) and remove the overlay from the land at 619 Doncaster Road and 1 Grosvenor Street, Doncaster and associated mapping;
- Introduce a new Schedule 4 to the Development Plan Overlay at Clause 43.04 (DPO4) and apply it to the land at 619 Doncaster Road, Doncaster and associated mapping. The DPO4 is not proposed to apply to 1 Grosvenor Street, Doncaster on the basis that this site is no longer in Scentre Group ownership and has been developed as a 10 storey residential apartment-style development;
- Introduce the Road Closure Overlay (RXO) at Clause 45.04 into the Manningham Planning Scheme and associated new map 7RXO. RXO is to be applied to the westernmost end of Westfield Drive adjoining the northern boundary of the Westfield site;
- Amend Schedule 1 to the Development Contributions Overlay (DCPO1) at Clause 45.06 to clarify the development contributions that would apply in relation to development of the site;
- Amend Schedule 1 to the Parking Overlay (PO1) at Clause 45.09 to specify retail (shop) and commercial (office) car parking rates specifically for the Westfield Doncaster site;
- Amend the schedule to clause 61.03 to delete reference to map 7IPO and to introduce 7RXO; and
- Amend the schedule to clause 81.01 to remove reference to the Incorporated Document which forms the basis of the IPO1 titled 'Westfield Shoppingtown Doncaster Concept Plan, September 1996'.

A Development Plan has also been submitted for consideration, as contemplated by DPO4.

You may inspect the amendment, the Development Plan, any documents that support the amendment and the Explanatory Report about the amendment, free of charge, at the following locations:

- During office hours, at the office of the planning authority, Manningham City Council, 699 Doncaster Road, Doncaster
- Online at www.yoursaymanningham.com.au/Amendment-C104
- At the Doncaster, The Pines, Bulleen and Warrandyte branch libraries and the Box Hill branch library
- At the Department of Environment, Land, Water and Planning website www.delwp.vic.gov.au/public-inspection

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions must be made in writing giving the submitter's name and contact address, clearly stating the grounds on which the amendment is supported or opposed and indicating what changes (if any) the submitter wishes to make.

Name and contact details of submitters are required for Council to consider submissions and to notify such persons of the opportunity to attend Council meetings and any public hearing held to consider submissions. In accordance with the *Planning and Environment Act 1987*, Council must make available for inspection a copy of any submissions made.

The closing date for submissions is 1 September 2016.

A submission must be sent to the Manager Economic and Environmental Planning
Manningham City Council
PO Box 1, DONCASTER VIC 3108

or submitted online at www.yoursaymanningham.com.au/Amendment-C104

WARWICK WINN
Chief Executive Officer
Manningham City Council

Planning and Environment Act 1987

MANNINGHAM PLANNING SCHEME

AMENDMENT C104

EXPLANATORY REPORT

Who is the planning authority?

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

The Amendment has been made at the request of Scentre Group.

Land affected by the Amendment

The Amendment applies to the land at 619 Doncaster Road, Doncaster, which is known as Westfield Doncaster. The Amendment also applies to the land at 1 Grosvenor Street, Doncaster.

What the amendment does

The Amendment proposes to delete the existing Incorporated Plan Overlay (Schedule 1) from the land at 619 Doncaster Road and 1 Grosvenor Street, Doncaster, and apply a Development Plan Overlay (Schedule 4) to the land at 619 Doncaster Road, Doncaster, to facilitate the preparation and approval of a Development Plan to support the expansion of Westfield Doncaster.

The Amendment specifically proposes the following:

- Amend the content of the Municipal Strategic Statement at Clause 21.09 (Activity Centres and Commercial Areas);
- Amend Schedule 1 to the Activity Centre Zone at Clause 37.08 (ACZ1), and in particular, the provisions relating to Precinct 4: Westfield Doncaster;
- Delete Clause 43.03 and Schedule 1 to the Incorporated Plan Overlay (IPO1) and remove the overlay from the land at 619 Doncaster Road and 1 Grosvenor Street, Doncaster and associated mapping;
- Introduce a new Schedule 4 to the Development Plan Overlay at Clause 43.04 (DPO4) and apply it to the land at 619 Doncaster Road, Doncaster and associated mapping. The DPO4 is not proposed to apply to 1 Grosvenor Street, Doncaster on the basis that this site is no longer in Scentre Group ownership and has been developed as a 10 storey residential apartment-style development;
- Introduce the Road Closure Overlay (RXO) at Clause 45.04 into the Manningham Planning Scheme and associated new map 7RXO. RXO is to be applied to the westernmost end of Westfield Drive adjoining the northern boundary of the Westfield site;
- Amend Schedule 1 to the Development Contributions Overlay (DCPO1) at Clause 45.06 to clarify the development contributions that would apply in relation to development of the site;
- Amend Schedule 1 to the Parking Overlay (PO1) at Clause 45.09 to specify retail (shop) and commercial (office) car parking rates specifically for the Westfield Doncaster site;
- Amend the schedule to clause 61.03 to delete reference to map 7IPO and to introduce 7RXO; and

- Amend the schedule to clause 81.01 to remove reference to the Incorporated Document which forms the basis of the IPO1 titled 'Westfield Shoppingtown Doncaster Concept Plan, September 1996'.

A Development Plan has also been submitted for consideration, as contemplated by DPO4.

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to facilitate the expansion of Westfield Doncaster.

The existing Incorporated Plan which guides the development of the shopping centre is from 1996 and has been superseded by the most recent expansion in 2005-2008. Accordingly, a Development Plan is considered to be the most appropriate mechanism to facilitate the proposal. The Development Plan Overlay schedule provides an opportunity to require information in relation to urban design and built form, transport, landscaping, services, acoustic engineering, environmentally sustainable design, social and economic impacts, and staging.

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

The Amendment implements the following objectives of planning in Victoria:

(a) to provide for the fair, orderly, economic and sustainable use, and development of land;

(c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;

(e) to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;

(g) to balance the present and future interests of all Victorians.

The Amendment implements these objectives through the facilitation of a master plan which provides for 18,000sqm of new office / commercial floor area and 43,000sqm of shop floor area. The land uses will enhance the Doncaster Hill Activity Centre and allow for the shopping centre to respond to retail trends and promote a more diverse land use mix within the centre. The proposal also includes an upgrade of the existing bus interchange on Williamsons Road, a new public forecourt to the centre, and new streetscape planting opportunities which will provide benefits to the Doncaster Hill community.

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

The Development Plan Overlay (Schedule 4) requires the preparation of a Sustainability Management Plan which addresses the future sustainability commitments within the new building.

The Development Plan Overlay (Schedule 4) includes a requirement for a Section 173 Agreement as part of a future planning permit application for the provision of a 100sqm tenancy within the development for community purposes and to be managed by the Manningham City Council or its designated service provider.

The Amendment provides for the economic development of the land. The economic analysis prepared for the proposal identifies over 2,000 new construction jobs will be created and 2,900 new full-time or part-time jobs at the centre will be available after completion of the \$500 million development.

Does the Amendment address relevant bushfire risk?

The site is located in an established commercial area and is not identified as a bushfire risk area in the Manningham Planning Scheme. The Amendment is not likely to result in any

increase to the risk of life, property, community infrastructure and the natural environment from bushfire.

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

The Amendment is consistent with the following:

- Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.
- Ministerial Direction No. 9 Metropolitan Strategy.
- Direction No. 11 Strategic Assessment of Amendments.

Ministerial Direction No. 9 requires all Planning Scheme amendments in the metropolitan area to have regard to the Metropolitan Strategy Document. The amendment accords with the following Directions set out in Metropolitan Strategy (Plan Melbourne):

- Direction 1.5 – Plan for jobs closer to where people live
- Direction 3.2 – Improve access to job-rich areas across Melbourne and strengthen transport networks in existing suburbs
- Direction 4.3 – Create neighbourhoods that support safe communities and healthy lifestyles
- Direction 4.8 – Achieve and promote design excellence

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

The State and local planning policy support for the expansion of the centre is as follows.

Plan Melbourne, as the current metropolitan strategy, recognises the need to facilitate investment and respond to international competition, demographic changes and advancements in technology. The nominated Strategic Direction for activity centres is to *enable 20-minute neighbourhoods by providing access to a wide range of goods and services in centres that are planned and coordinated by local governments. The centres will provide employment and vibrant local economies. Some will serve larger subregional catchments. Through the removal of retail floorspace and office caps, activity centres may grow unrestricted.*

Plan Melbourne also encourages the diversification of land uses within shopping centres: *Opportunities for future diversification, investment and employment growth in these centres should be explored and facilitated through planning provisions where appropriate.* (p. 35)

Clause 11 of the Manningham Planning Scheme seeks to broaden the mix of land uses within activity centres and to encourage economic investment.

Clause 17.01 of the Manningham Planning Scheme includes the objective for business in Victoria, which is *to encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.*

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

The LPPF within the Manningham Planning Scheme recognises Doncaster Hill as the focus for future economic investment, residential development and retail / commercial expansion. Doncaster Hill is the highest-order activity centre within the municipality and is strategically well-positioned to accommodate this proposal.

The Doncaster Hill Strategy (October, 2002, revised 2004), which is a reference document in the Manningham Planning Scheme seeks to *create a state of the art, contemporary,*

sustainable, high-density, mixed-use village that enhances the social, environmental, economic and cultural elements of the region with 10,000 new employment opportunities, retail uses and 20,000sqm of office / commercial floor-space (excluding Westfield Doncaster).

More specifically in relation to the Westfield Doncaster complex, the Strategy proposes that *Westfield ... will become better integrated into Doncaster Hill and the surrounding community with activated street frontages, more permeable pedestrian and vehicular accessibility, a greater mix of land uses, accessible and prominent public transport interchange, pedestrian linkages to other precincts, and improved engagement with the main intersection.* (p. 77)

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

The Amendment is consistent with the use of the Victorian Planning Provisions and is consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

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

The views of VicRoads and Public Transport Victoria have been considered in the preparation of the Amendment through a series of dedicated transport workshops. The Amendment, through the draft Development Plan, includes details of the proposed roadworks on Williamsons Road and Westfield Drive, and details of the proposed upgraded bus interchange. Views of relevant agencies will also be sought through the public exhibition process.

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

The Amendment addresses the requirements of the *Transport Integration Act 2010* through the requirement for the views of VicRoads, Public Transport Victoria and the Department of Transport to be sought prior to the approval of a Development Plan.

Resource and administrative costs

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

Future costs associated with the Amendment will relate to administrative costs associated with Council's consideration of any development plan and individual applications for planning permits.

Where you may inspect this Amendment

You may inspect the amendment, the Development Plan, any documents that support the amendment, free of charge, at the following locations:

- During office hours, at the office of the planning authority, Manningham City Council, 699 Doncaster Road, Doncaster
- Online at www.yoursaymanningham.com.au/Amendment-C104
- At the Doncaster, The Pines, Bulleen and Warrandyte branch libraries and the Box Hill branch library
- At the Department of Environment, Land, Water and Planning website www.delwp.vic.gov.au/public-inspection

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by 1 September 2016.

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/Amendment-C104

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: Week commencing 23 January 2017
- panel hearing: Week commencing 1 March 2017

MANNINGHAM PLANNING SCHEME

21.09 ACTIVITY CENTRES AND COMMERCIAL AREAS23/07/2015
C108**21.09-1**19/06/2014
C406
Proposed
C104**Overview**

This section applies to all activity centres and commercial areas identified in Framework Plan 5. Activity Centres are generally included within a Commercial 1 Zone or an Activity Centre Zone. Other commercial areas are generally zoned Commercial 1 Zone and Mixed Use Zone.

Manningham's network of activity centres currently comprises one Principal Activity Centre (Doncaster Hill, Doncaster), one Major Activity Centre (The Pines, East Doncaster) and ten Neighbourhood Activity Centres (Donburn, Tunstall Square, Jackson Court, Templestowe Village, Macedon Activity Centre, Bulleen Plaza, Doncaster East / Devon Plaza Activity Centre, Park Orchards, Warrandyte township and Warrandyte Goldfields). There are also a number of local activity centres, and other commercial areas throughout the municipality.

Activity centres are integral to the local economy and local employment generation and are an important focal point for community life and interaction.

Key challenges for Manningham's network of activity centres are to ensure that commercial development is contained within the activity centres and that existing centres remain vibrant, viable and sustainable into the future. These centres will be supported by an enhanced public transport system. The Principal, Major and identified Neighbourhood Activity Centres will be the focus of increased residential growth and development. Other key challenges facing activity centres include changes to industry and social trends (eg, regionalisation of government services to larger centres, internet shopping, lifestyle shopping) as well as the impact of The Pines and Westfield Doncaster expansions on other centres.

Small clusters of commercial development exist throughout Manningham. There is increasing pressure for linear commercial development along main roads and for new commercial development to be located outside of activity centres. These types of developments impact on the viability of the existing activity centres and are often poorly located in terms of access to appropriate services and public transport.

Principal Activity Centre (Doncaster Hill)

The Metropolitan Strategy *Melbourne 2030* identifies Doncaster Hill as a Principal Activity Centre.

The Doncaster Hill Activity Centre is a 58 hectare area located in Doncaster, stretching along the major corridors of Doncaster Road, Williamsons Road and Tram Road. It is located approximately 12 kilometres from the Melbourne Central Activities District and is one of the highest points in Melbourne showcasing views of the Dandenongs, Kinglake Ranges and the panoramic Melbourne City skyline.

The Doncaster Hill Activity Centre is regarded as a prime location for redevelopment based on topographic features and existing physical and community infrastructure assets.

To meet changing demographic trends and achieve residential targets identified by Council there is a need to provide a greater diversity of dwelling types. As part of the *Manningham Residential Strategy* (2002), high and medium density housing densities will be encouraged within identified Activity Centres whilst residential development outside identified Activity Centre areas will be the focus for lower density, detached housing development. The Doncaster Hill Activity Centre has been identified as a focus for high density residential development.

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Manningham has a commitment to sustainability. The Doncaster Hill Activity Centre is an opportunity to showcase an integrated land-use planning and development framework which:

- challenges mainstream community planning and building design to achieve desired environmental outcomes
- provides more local jobs to reduce journey to work trips
- provides housing where residents may walk to facilities and services
- encourages reduced levels of car ownership and increased public transport usage.

Vision

The *Doncaster Hill Strategy* (October 2002) envisages that the Doncaster Hill Activity Centre will be a key destination in Melbourne's East. It will be a high density, sustainable, vibrant, contemporary mixed use urban village with a strong sense of place and civic identity based on the following key vision objectives:

- To implement the objectives of Melbourne 2030 in respect of Principal Activity Centres as a focus for retail, social, commercial, entertainment, civic and residential uses.
- [To facilitate the future expansion of Westfield Doncaster to provide an economically viable and sustainable precinct with retail, commercial and entertainment offerings that meet local and regional expectations and demands.](#)
- To integrate ecologically sustainable development principles and techniques into every facet of the design, construction and operation/occupancy stages of new development to raise the aspirations of all users, appropriate for a city looking towards a long-term, responsible and sustainable future.
- To ensure that built form outcomes demonstrate the use of contemporary architecture combined with innovative urban design and building techniques that incorporate ecologically sustainable design principles.
- To emphasise the existing dramatic landform of Doncaster Hill through built form that steps down the hill.
- To encourage high density, high rise residential development.
- To provide a greater diversity of dwelling types.
- To alleviate pressure for more intense residential development in established urban areas.
- To reduce travel demand and change travel behaviour.
- To promote the development of sustainable transport options.
- To meet the future infrastructure requirements of Doncaster Hill in a comprehensive, timely and equitable way.
- To develop an integrated mixed-use precinct for Doncaster Hill Activity Centre which provides for an appropriate mix of uses and functions on a location specific level, including the provision of:
 - mixed uses within buildings, particularly along boulevard locations
 - small scale retail opportunities at ground floor level in conjunction with other mixed use developments
 - additional commercial/office floor space
 - flexible floor spaces within buildings to ensure life cycle adaptability.

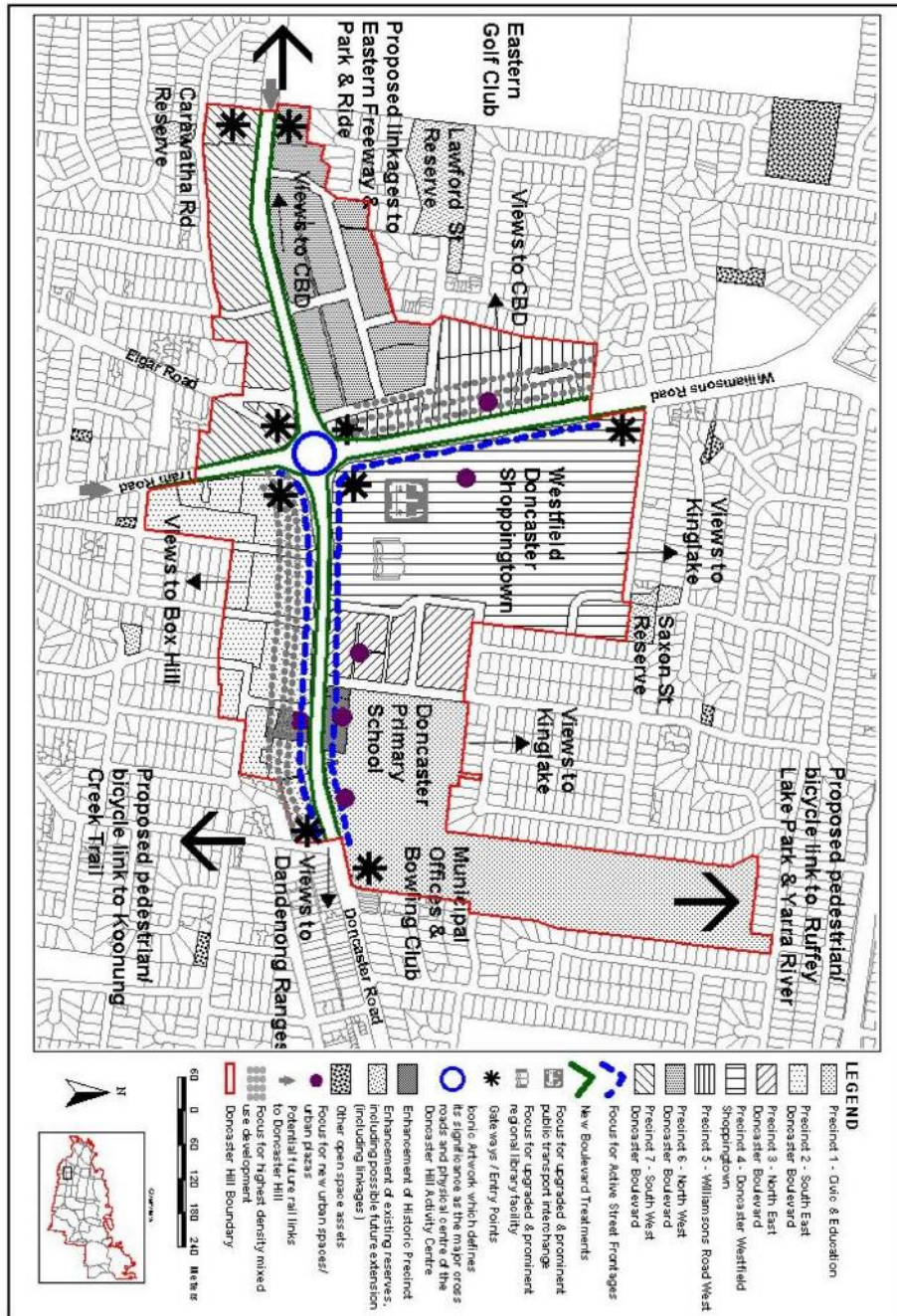
MANNINGHAM PLANNING SCHEME

The key strategic directions for future land-use planning and development are illustrated by the Doncaster Hill Strategy Framework Plan, included as Map 1 to this Clause. This Framework Plan provides the design vision as a stimulus for private and public sector developments.

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Map 1 - Doncaster Hill Strategic Framework Plan



MANNINGHAM PLANNING SCHEME

Precincts

Seven distinctive development precincts have been identified and delineated within the Doncaster Hill Activity Centre. The precincts are delineated in accordance with their topographic orientation and aspect on Doncaster Hill, their relationship to main roads, and their present and future uses.

The precincts provide guidance to the expected outcomes in each area and a framework for the assessment of appropriate mixes of functions, building scale and character to create a distinctive sense of identity and character for each of the precincts.

In addition to the seven precincts, guidance to the expected outcomes for the intersection of Doncaster, Williamsons and Tram Roads is also outlined. The seven precincts of the Doncaster Hill Activity Centre and the intersection are identified on Map 2 to this Clause.

Precinct 1**Existing conditions**

This precinct contains existing civic, education and art infrastructure for Doncaster Hill Activity Centre, including the defining historic buildings and most of the existing open space. It also features commanding views of the Kinglake ranges to the north and the Dandenong ranges to the east.

Vision

The creation of a consolidated, prominent and accessible civic centre with an expanded community and education focus, with gateway presence. It will also include a major urban open space/green spine for Doncaster Hill Activity Centre residents and the wider Manningham community. It is also envisaged to incorporate strong pedestrian links to other areas of Doncaster Hill Activity Centre and enhance the historic/arts sub-precinct.

Precinct 2**Existing conditions**

This precinct is a north-facing strip on the south side of the Doncaster Road ridgeline, commanding 360-degree panoramic views and already containing a significant component of the commercial development for Doncaster Hill Activity Centre.

Vision

The focus for high-density mixed use development on Doncaster Hill, this precinct will include cafes, restaurants and outdoor eating at ground level taking advantage of the north-facing aspect, forming the backbone of a vibrant and active boulevard. It is also envisaged that strong pedestrian links will be established between both sides of Doncaster Road and that the heritage buildings will be retained to reinforce heritage/arts character of the area.

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Precinct 3**Existing conditions**

This precinct is the interface zone between the Civic and Education Precinct 1 to the east and Doncaster Shoppingtown (Precinct 4) to the west. It falls away dramatically to the north maximising northern views and exposure. The Precinct presently comprises mainly low-density housing, with several rear lanes, and commercial development abutting Doncaster Road.

Vision

In light of its strategic location between Precincts 1 and 4, the future fabric in Precinct 3 will be highly permeable, including well-defined public spaces with linking pathways and with development addressing rear laneways and well designed public plaza(s). Precinct 3 will be well connected to high-density mixed-use development along Doncaster Road and Doncaster Shoppingtown Doncaster. Development will step down the hill and should fully exploit the northerly aspect and commanding views to the northern ranges.

Precinct 4**Existing conditions**

[Westfield Doncaster Shoppingtown](#), is a major regional shopping centre centrally located within the Doncaster Hill Activity Centre. The site has significant frontages to the main roads and occupies the dominant corner of the main intersection. It commands panoramic views to the north and west. The precinct also contains residential and community uses along the northern boundary.

Vision

As the Principal retail and entertainment focus of the Doncaster Hill Activity Centre it is envisaged that [Westfield Doncaster Shoppingtown](#) will be better integrated into Doncaster Hill Activity Centre and the surrounding community. Future developments [of at Westfield Doncaster Shoppingtown](#) should be consistent with the vision of Doncaster Hill Activity Centre by incorporating activated street frontages and external spaces, a greater mix of uses, pedestrian accessibility, an accessible and prominent public transport interchange and improved engagement with the main intersection.

Precinct 5**Existing conditions**

This precinct extends along the Williamsons Road ridgeline. It contains the only existing high-density housing development on the Hill and the Doncaster Hotel, the third largest single consolidated site within Doncaster Hill Activity Centre. The precinct features panoramic city skyline views to the west and direct access to open space and parkland along its southern boundary.

Vision

It is envisaged that high-density development continues along the Williamsons Road ridgeline, with strong links to Lawford Reserve, Shoppingtown and the public transport

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interchange. Strategic view corridors are to be created from the west side of Williamsons Road (in the vicinity of the Shoppingtown Hotel site) towards the city skyline, including from public open space abutting Williamsons Road.

Precinct 6**Existing conditions**

This precinct comprises the northwest area of Doncaster Road and Doncaster Hill Activity Centre. The precinct presently has a strong commercial/light industrial character, and older residential stock along Firth Street. It commands city views from the higher reaches at the east end.

Vision

It is envisaged that the mixed-use village character will continue on a smaller scale to that proposed for precincts further east and strong pedestrian links will be created to Lawford Reserve and to the south side of Doncaster Road. Commercial and mixed-uses will be located along Doncaster Road with medium-density residential uses located towards the rear of the precinct. Together with Precinct 7 it forms the major gateway entry to Doncaster Hill Activity Centre along Doncaster Road comprising of a consistent built edge and tree-planting with a gateway building located at west entry point.

Precinct 7**Existing conditions**

This precinct comprises the south-west area of Doncaster Road and the Doncaster Hill Activity Centre, and is presently characterised by light industrial and commercial uses, including a number of restaurants at the west end and also including some residential land uses to the south. It commands city views from the higher reaches at the east end.

Vision

It is envisaged that a mixed-use village will be created on a smaller scale than that proposed for precincts further east. Together with Precinct 6, it forms a major gateway entry to the Doncaster Hill Activity Centre with consistent tapering of the built edge - to preserve the views of the city. It is envisaged that a gateway building be located at west entry point and that boulevard tree planting be located along the length of Doncaster boulevard. Commercial and mixed-uses will be located along Doncaster Road.

Intersection of Doncaster, Williamsons and Tram Roads**Existing conditions**

This intersection comprises the major cross roads and physical centre of the Doncaster Hill Activity Centre with views to the city skyline and Box Hill. The intersection forms part of the major arterial road networks in the municipality, with access from the intersection to the Eastern Freeway, CBD and Box Hill Activity Centre. Doncaster Road is the municipality's main east-west arterial road and major bus route.

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Vision

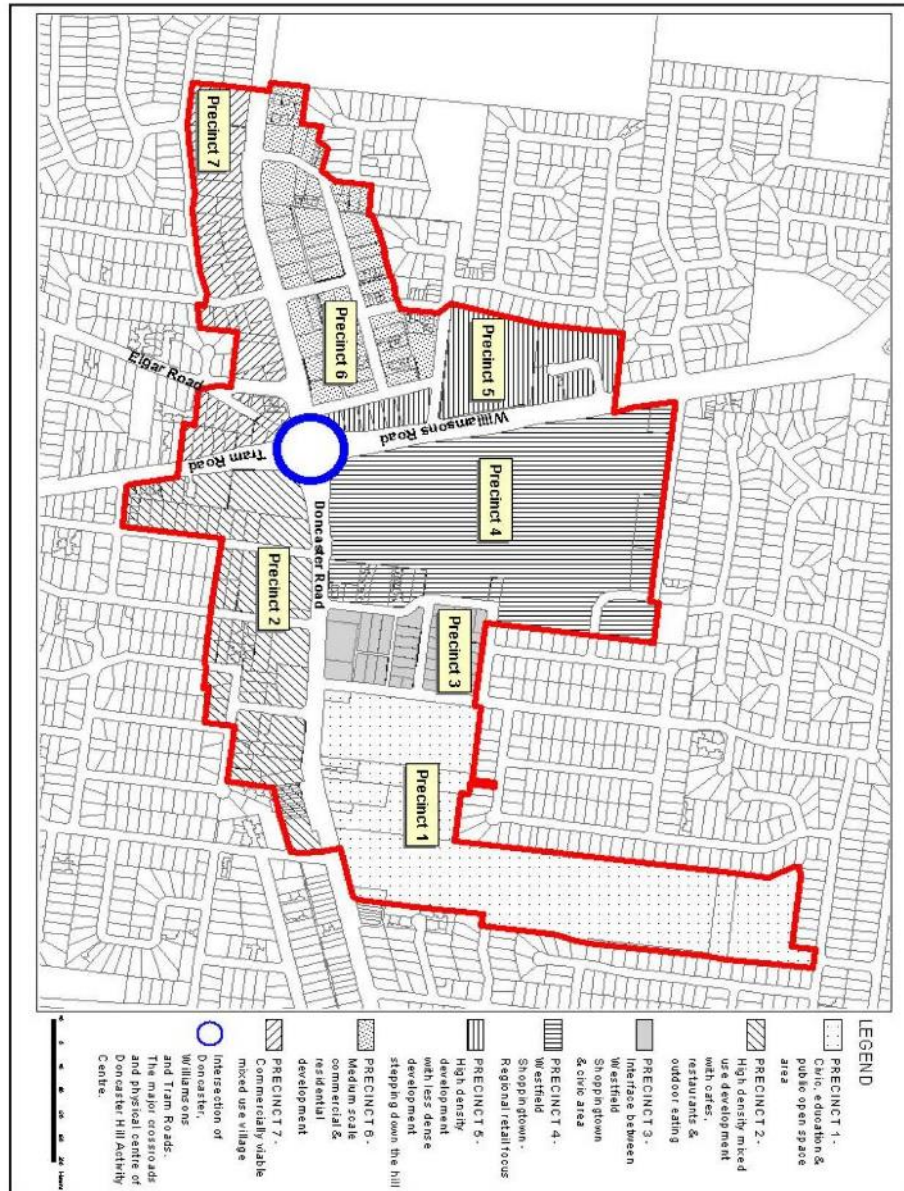
The Strategy supports the provision of iconic artwork at the intersection which:

- defines its significance as the major cross roads and physical centre of the Doncaster Hill Activity Centre
- creates a focal point of iconic status for Doncaster Hill Activity Centre visible from all directions
- visually unifies the 4 corners of the intersection
- preserves the street level pedestrian focus and retains views along Doncaster Road.

It is envisaged that this intersection will have greatly increased pedestrian safety and amenity, connecting all precincts abutting the Doncaster Road, Williamsons and Tram Roads intersection.

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Map 2 - Location of Doncaster Hill Activity Centre Precincts



MANNINGHAM PLANNING SCHEME

Major Activity Centre (The Pines, Doncaster East)

The Pines Activity Centre is identified as a Major Activity Centre in *Melbourne 2030*. The Pines Activity Centre is located on Blackburn, Reynolds and Andersons Creek Roads, Doncaster East and occupies an area of approximately 38 hectares and is approximately 19 kilometres north east of Melbourne. The Pines Activity Centre is on the urban fringe of the Melbourne Metropolitan area and situated approximately within one kilometre of Manningham's Green Wedge to the north and low density areas to the east. Although the trade area extends approximately eight kilometres east, the growth forecast for The Pines is limited by the relatively low density of the trade area, lack of passing traffic and the proximity of large regional shopping centres.

The Pines Activity Centre Structure Plan boundary has been applied to include sufficient land to provide for the needs of the local community until 2025 after which time The Pines Activity Centre Structure Plan will need to be reviewed. As a Major Activity Centre, mixed use development, higher density housing and a wider range of arts, community, cultural and entertainment facilities will be encouraged.

Vision

The Pines Activity Centre will continue to be a focus for the community and to provide for their retail, community, recreational and entertainment needs as well as providing for a diversity of residential options within its context of being on the fringe of the metropolitan area of Melbourne and its proximity to the Green Wedge.

Key Strategic Objectives are:

- Support the development of The Pines Activity Centre which meets the social, recreational and retail needs of the population at the sub-regional level.
- Ensure that any future development in The Pines Activity Centre is in keeping with its location on the fringe of the urban area and its proximity to the Green Wedge.
- Encourage apartment style development within The Pines Activity Centre to maximise the use of the commercial and social facilities provided within and to provide alternative housing options for the locality.
- Encourage greater use of public transport to and from The Pines Activity Centre and advocate for more services and for these services to be provided more frequently.
- Enhance the public realm within The Pines Activity Centre by ensuring that the public spaces meet a range of community needs, are well linked together, are easily accessible, safe and visually pleasing.
- Maximise use of the area's natural strengths such as views to surrounding rural and bushland areas in keeping with the community interest.
- Support housing choices to meet changing demographic trends, especially an ageing population.
- Support a range of health, family and professional services relevant to the role of The Pines Activity Centre.
- Support a range of education and learning activities to meet the needs and aspirations of the local community.
- Provide for well defined vehicular, bicycle and pedestrian access both within and external to all precincts, with strong pedestrian crossing points to be established on main roads.

The key strategic directions for future land-use planning and development are guided by The Pines Activity Centre Structure Plan Framework Plan included as Map 3 to this Clause.

MANNINGHAM PLANNING SCHEME

Neighbourhood Activity Centres

Manningham's Neighbourhood Activity Centres provide a limited mix of uses to meet local convenience needs. A key issue is to ensure that these centres remain viable and can evolve to meet the future needs of the community.

These centres will continue to be community hubs and meeting places for local residents, and opportunities for locating a range of social, community and recreational services within these centres will be encouraged. The activity centres located west of the Mullum Mullum Creek will be a focus for increased medium density development.

Development in the activity centres should improve functionality, accessibility, safety, social interaction, promote sustainability, and address scale and identity through site responsive design.

Local Activity Centres

Manningham has a number of Local Activity Centres throughout the municipality. These centres generally comprise only a small number of shops, which serve the convenience needs of immediate residents. These centres tend to experience high levels of vacancy for long periods of time and there is increasing pressure to allow different uses within these centres.

Commercial areas

A number of commercial areas exist outside out of Manningham's Activity Centres, in particular along main roads (e.g. Doncaster and Manningham Roads). Future development in existing commercial areas must incorporate the use of high quality urban and sustainable design that addresses and minimises the impact of the development on the existing streetscape and adjoining areas.

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Principal Activity Centre (Doncaster Hill)**Key issues**

- The identification of Doncaster Hill as the civic hub for the municipality.
- The need for mixed use development with a focus on high density residential development in the Doncaster Hill Activity Centre.
- Pressure for commercial and retail development outside the Doncaster Hill Activity Centre.
- Incorporating ecologically sustainable development principles in every facet of design, demolition, construction and operation.
- Achieving innovative contemporary design and built form for all new development that is based on the best of current architectural design practice and sustainability principles.
- Infrastructure requirements in the Doncaster Hill Activity Centre.

Objectives

- To provide quality civic community services and facilities.
- To promote mixed use, high density residential development.

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- To encourage the location of commercial and retail development within the Doncaster Hill Activity Centre.
- To recognise the key role that Westfield Doncaster plays as an anchor in the Doncaster Hill Activity Centre and as a major regional shopping centre.
- To maximise energy conservation and increase use of renewable energy resources.
- To achieve water sensitive urban design that offers a superior alternative to the traditional approach to water management.
- To minimise the environmental impacts of input and output materials as well as any material used in the external construction and development of buildings and works.
- To achieve healthy indoor environment quality.
- To achieve a reduction in waste generated by building occupants that is collected, hauled to and disposed of in landfills.
- To achieve building design which includes accessibility and reduces the need to modify or alter buildings, in response to future changing needs and uses.
- To maximise alternative modes of transport and minimise environmental impacts associated with car parks.
- To minimise environmental impacts associated with site construction practices.
- To achieve innovative contemporary design and built form for all new development that is based on the best of current architectural design practice and sustainability principles.
- To ensure that the future infrastructure requirements of the Doncaster Hill Activity Centre are met in a comprehensive timely and equitable manner.
- To ensure all costs are equitably apportioned between developers and the responsible authority, in the provision of all relevant infrastructure.
- To encourage active uses and pedestrian generating activities at street level.
- To improve pedestrian, bicycle and public transport access to and within Doncaster Hill.
- To minimise adverse impacts associated with the location and operation of gaming venues and machines.

Strategies

Strategies to achieve these objectives include:

- Provide a range of social and community services to be located in the Doncaster Hill Activity Centre to meet the needs of the current and future residents and reinforce its role as Manningham's civic centre.
- Provide for high density residential development on individual sites in conjunction with a mix of other uses.
- Discourage the expansion of commercial and retail uses outside the Doncaster Hill Activity Centre.
- Facilitate the expansion of Westfield Doncaster in accordance with an approved Development Plan.
- Facilitate the establishment of a gateway building at the south-east corner of Williamsons Road and Westfield Drive.
- Support visual and capacity improvements to the Williamsons Road bus interchange facility.

MANNINGHAM PLANNING SCHEME

- Address and incorporate ecologically sustainable design principles into developments at the earliest opportunity as an important design and development consideration, rather than be incorporated once concepts and plans are well advanced.
- Demonstrate the full potential of ecologically sustainable development by incorporating current best practice, using emerging design solutions and technologies and embracing a 'beyond compliance' approach to mandatory standards into proposals.
- Create an Activity Centre of a more human scale and character, which enhances the uniqueness and attractiveness of Doncaster Hill.
- Ensure that built form provides a range of building heights stepping with and emphasising the existing landform of the Doncaster Hill Activity Centre.
- Protect and enhance key views and vistas.
- Provide buildings, which are visually diverse and contribute to the public realm through the use of varied, high quality, durable and environmentally appropriate materials.
- Incorporate unique architectural and/or ecologically sustainable design features in identified design element areas so that they substantially contribute to overall building form and appearance.
- Apply appropriate building setbacks for new development, ensuring that building occupants and users of the Doncaster Hill Activity Centre have a high level of amenity in terms of ventilation, daylight access, outlook, view sharing, wind mitigation and privacy.
- Achieve the development of a strong boulevard character along Doncaster Road, Williamsons Road and Tram Road based on creating:
 - a strong sense of place and a safe and comfortable environment
 - active street frontages and mixed uses within buildings along Doncaster and Williamsons Roads (and part of Tram Road) as a focal point for appropriate uses and vibrant pedestrian generating activities including, café, leisure and other entertainment activities
 - a boulevard landscape treatment that comprises of high quality landscape treatment (including boulevard planting, canopy tree planting, screen planting, extensive tree plantings and theme plantings in appropriate locations) to be complemented by appropriate setbacks and built form.
- Apply gateway treatments to signal entry into and to enhance the special identity of the Activity Centre including the main intersection of Doncaster Road, Williamsons Road and Tram Road. Gateway treatments can include buildings showcasing unique contemporary architecture, artwork, lighting, distinctive tree planting and well-designed signage.
- Ensure that signage and displays are well designed and positioned to respect the amenity and safety of users, including the protection and enhancement of view lines and vistas and the boulevard character.
- Ensure that development incorporates high quality public and private open spaces that are useable, accessible, safe, well landscaped and provide opportunities for recreation and social interaction. These spaces should be well linked to major facilities for pedestrian networks to assist with permeability and pedestrianisation.
- Provide high quality pedestrian and bicycle linkages in both public and private areas, which improve the street level environment to create connections that are accessible, safe, interesting and pleasant.
- Provide high quality public art, which significantly contributes to the development of a contemporary and distinctive sense of place by creating an appropriate scale and location marker, defining image and reflecting the character for individual precincts.

MANNINGHAM PLANNING SCHEME

- Provide appropriate infrastructure to meet the needs of the Doncaster Hill community, in accordance with the *Doncaster Hill Development Contributions Plan*, Manningham City Council, February 2005.
- Implement the *Doncaster Hill Development Contributions Plan*, Manningham City Council, February 2005 by proportionately allocating identified development contributions, according to projected share of usage.
- Require an economic assessment of the impacts of significant proposed developments/expansions on other activity centres.
- Implement Integrated Transport Plans to ensure access to employment, services and housing choices.
- Locate gaming venues and machines so as to discourage convenience gambling and ensure the availability of a range of alternative social and recreational activities.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying an Activity Centre Zone.
- Applying the Development Contributions Plan Overlay (DCPO1) for the purpose of levying contributions for the provision of works, services and facilities before development can commence.
- Applying the Public Acquisition Overlay (PAO1) and (PAO7) for the purpose of identifying land that Council proposes to acquire for open space or new road construction purposes.
- Applying an ~~Incorporated~~ [Development](#) Plan Overlay.

Policy and exercise of discretion

- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).
- Using Local Policy to guide the location, design and management of gaming machines and venues (*Gaming, Clause 22.18*).
- Applying the Doncaster Hill Parking Precinct Plan (Doncaster Hill Parking Precinct Plan, GTA Consultants for Manningham City Council, 5 July 2004 Clause 52.06-6).
- Applying the Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005 to require a 5% public open space contribution for subdivision in the Doncaster Hill Activity Centre (*Doncaster Hill Development Contributions Plan, SGS Economics & Planning, February 2005, Clause 52.01*).

Further strategic work

- Investigating the development of performance standards and the identification of 'beyond compliance' approaches for Sustainability Management Plans.
- Investigating the need for more detailed design guidelines for specific areas and elements.

MANNINGHAM PLANNING SCHEME

- Applying the Development Contributions Plan to ensure that the future infrastructure requirements are met in a comprehensive, timely and equitable way.
- Applying appropriate car parking rates, supporting public transport use, creating highly permeable pedestrian networks and providing pedestrian and cyclist links to reduce dependency on private car use.
- Developing a Doncaster Hill Green List for High-Density Development detailing sustainable products, brands and suppliers.

Other actions

- Regularly review the Activity Centre Zone to ensure it is delivering appropriate land use and development outcomes.
- Requiring applications for new use and development of land to apply the objectives and requirements of the *Doncaster Hill Strategy* (October 2002).
- Requiring applications for new use and development to have regard to the *Manningham Residential Strategy* (2012).
- Promoting and distributing the Doncaster Hill Sustainability Guidelines (2004).
- Continuing to advocate the extension of light rail into Doncaster Hill.
- Considering the views of the Sustainable Design Taskforce on major applications.
- Implementing mechanisms for the collection, disbursement and management of the Development Contributions Plan fund.

21.09-323/07/2015
C108**Major Activity Centre (The Pines, Doncaster East)****Key issues**

- Long-term viability of The Pines Shopping Centre and limited trade catchment area.
- Providing a suitable range of community facilities and services, infrastructure and accommodation to meet the needs of the changing demographics, in particular, the ageing population.
- Limited land available to provide for additional commercial and residential development.
- Achieving innovative, contemporary built form based on best practice architectural design and sustainability principles.
- Development does not address the streetscape.
- Enhancing the public transport interchange function of The Pines Shopping Centre.
- The topography of The Pines Activity Centre presents challenges for creating pedestrian and bicycle friendly environments.
- High visibility of the Pines Activity Centre from the Green Wedge.
- Establishing an identity and sense of community and place that is unique to this area.
- Preservation of biosites and habitat on Andersons Park and along road reserves.

MANNINGHAM PLANNING SCHEME

Objectives

- To encourage a mix of uses and activities within The Pines Activity Centre which meets the social, recreational and retail needs of the population at the sub-regional level.
- To deliver a diversity of housing at higher densities to make optimum use of the facilities and services.
- To avoid the fragmentation of land through subdivision.
- To achieve innovative, contemporary design and built form for all new development that is based on the best of architectural design practice and incorporates ecologically sustainable design principles.
- To encourage active uses and pedestrian generating activities as part of any future development of The Pines Activity Centre which address the streetscape.
- To ensure that open space areas and community facilities are linked to surrounding residential areas and the Shopping Centre through pedestrian and cycling paths.
- To ensure that public spaces provide a high standard of amenity, convenience, accessibility and safety.
- To improve pedestrian, bicycle and public transport access to The Pines Shopping Centre and within the Activity Centre.
- To ensure that the public transport interchange remains highly accessible and is located in a visually prominent position to promote greater use of public transport.
- To ensure appropriate traffic management and adequate parking provisions.
- To maximise use of views to the surrounding rural and bushland areas.
- To provide landscaping to soften built form incorporating indigenous planting where possible.
- To encourage the development of a distinct theme and sense of place unique to The Pines Activity Centre through landscaping and urban design improvements.
- To minimise adverse impacts associated with the location and operation of gaming venues and machines.

Strategies

Strategies to achieve these objectives include:

- Identify opportunities for increased retail and office floor space to meet the future needs of the sub regional population.
- Ensure provision of a greater intensity and diversity of housing.
- Encourage the provision of a bedroom and bathroom on the lower levels of dwellings and encourage the provision of lifts in apartment buildings.
- Provide for a range of health, leisure, recreation, family education and learning and professional activities to meet the needs of the sub regional population and support the role of The Pines as a Major Activity Centre.
- Encourage the provision of an economic assessment of the impacts of significant proposed developments/expansions on other activity centres.
- Ensure that all non-residential uses are designed to protect both existing and future residential amenity from excessive noise and odour.

MANNINGHAM PLANNING SCHEME

- Ensure that new residential developments are designed to protect occupants from external noise and not unduly prejudice the operation of surrounding non-residential uses.
- Develop community buildings which adhere to good urban design principles, energy efficiency and which attract a broad range of users.
- Design public spaces to provide a high standard of amenity, convenience, accessibility and safety.
- Require an appropriate transition in height both within the activity centre and to surrounding neighbourhoods.
- Provide buildings which are visually diverse and contribute to the public realm through the use of varied, high quality, durable and environmentally appropriate materials.
- Provide pedestrian/bicycle links through The Pines Activity Centre, surrounding areas and open space links.
- Ensure that new commercial uses and development facilitates public transport use, pedestrian flows and bicycle use.
- Require a traffic impact assessment, where appropriate, to be prepared for development which assesses any impacts along Blackburn, Reynolds and Anderson Creek Road, including any mitigation works such as signalisation or other traffic treatments.
- Provide car parks, preferably at basement level, loading facilities and internal roads to service any future commercial or apartment style development.
- Implement Integrated Transport Plans to ensure access to employment, services and housing choices.
- Protect and enhance key views and vistas.
- Minimise massing and bulk of buildings along the ridgeline.
- Encourage built form (including provision of restaurants or public spaces) within The Pines Shopping Centre that capitalises on key views and vistas including views to the Dandenongs and the Kinglake Ranges
- Plant and maintain native vegetation buffers between Council reserves and the residential areas.
- Protect, enhance and maintain the remnant indigenous vegetation in Andersons Park to promote the park's natural conservation areas and informal recreational values.
- Develop a landscaped theme based on the planting of Eucalyptus polyantheromos (Red Box) trees, complemented by indigenous vegetation.
- Locate gaming venues and machines so as to discourage convenience gambling and ensure the availability of a range of alternative social and recreational activities.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Commercial 1 Zone.
- Applying the Public Use Zone 6.
- Applying the Residential Growth Zone.

MANNINGHAM PLANNING SCHEME

- Applying the Public Park and Resource Zone
- Applying a Design and Development Overlay.

Policy and exercise of discretion

- Implementing the Manningham Residential Strategy (2012).
- Implementing The Pines Activity Centre Structure Plan (2011).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).
- Using Local Policy to guide the location, design and management of gaming machines and venues (*Gaming, Clause 22.18*).

Further strategic work

- Preparing a Manningham Development Contributions Plan focusing on key development areas to ensure adequate provision of infrastructure.
- Investigating opportunities for improved accessibility and connectivity within The Pines Activity Centre.

Other actions

- Investigating opportunities to improve sustainable business practices at The Pines.
- Continuing to advocate for improvements to access, frequency and hours of operation of public transport to The Pines.
- Considering the views of the Sustainable Design Taskforce on major applications.
- Development of a pedestrian/bicycle plan which includes a focus on the bus interchange.

21.09-4 Neighbourhood Activity Centres

19/06/2014
C405
Proposed
C104

Key issues

- The long-term viability of Neighbourhood Activity Centres and the impact of the Westfield ~~Doncaster Shoppingtown~~ and The Pines expansions.
- Pressure for commercial and retail development outside Neighbourhood Activity Centres.
- The appearance of buildings, car parking and signage.
- Impact of Neighbourhood Activity Centres on adjoining residential areas.
- Lack of suitable community facilities, social services, public spaces and infrastructure to meet future needs.
- Provision of appropriate car parking and traffic management arrangements.

Objectives

- To maintain the role of Neighbourhood Activity Centres to meet local convenience needs.

MANNINGHAM PLANNING SCHEME

- To achieve active street frontages in Neighbourhood Activity Centres.
- To discourage the location of new commercial and retail development outside Neighbourhood Activity Centres.
- To minimise the negative impact of Neighbourhood Activity Centres on the amenity of adjoining residential areas.
- To achieve high quality urban design which promotes a sense of place, community identity, social interaction and a safe environment.
- To provide landscaping to soften built form.
- To achieve building design which includes accessibility and reduces the need to modify or alter buildings, in response to future changing needs and uses.
- To ensure that public spaces provide a high standard of amenity, convenience, accessibility and safety.
- To provide quality community services and facilities in proximity to and within Neighbourhood Activity Centres.
- To ensure that adequate infrastructure is provided as part of any development.
- To improve pedestrian, bicycle and public transport access to Neighbourhood Activity Centres.
- To achieve effective and safe pedestrian movement within Neighbourhood Activity Centres.
- To ensure appropriate traffic management and adequate parking provision.
- To ensure that development provides the highest level of access for all people.

Strategies

Strategies to achieve these objectives include:

- Encourage a mix of uses including residential development to ensure the long-term viability and competitiveness of the activity centres.
- Require the location of new commercial and retail uses to be within activity centres.
- Upgrade the appearance of Neighbourhood Activity Centres through the implementation of Urban Design Masterplans.
- Ensure that land use and development within Neighbourhood Activity Centres minimises the impact on residential amenity.
- Encourage high quality and contemporary built form.
- Encourage car parking areas at the rear, side or underneath buildings in a way that responds to landform and surrounding development.
- Encourage the use of landscaping to soften the visual appearance of development.
- Encourage signs which complement the character and amenity of the area, the site and surrounds, built form and streetscape, minimise clutter, are well designed and improve the site's attractiveness and function.
- Encourage the establishment of community based facilities in or adjacent to activity centres to encourage social interaction and to service resident needs.
- Design public spaces to provide a high standard of amenity, convenience, accessibility and safety.

MANNINGHAM PLANNING SCHEME

- Require an economic assessment of the impacts of significant proposed developments/expansions on other activity centres.
- Require a traffic and car parking assessment to be prepared for development, where appropriate.
- Maximise opportunities for car parking including consolidation of land (e.g. at the rear of shops).

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Commercial 1 Zone to the Neighbourhood Activity Centres.

Policy and exercise of discretion

- Implementing the Manningham Activity Centre Strategy (2005).
- Implementing the Manningham Residential Strategy (2012).
- Implementing any existing structure plans.
- Using Local Policy to improve the functionality of commercial developments, including the location and design of car parking areas (*Design and development policy, Clause 22.01; Accommodation premises policy, Clause 22.04; Non-residential uses in residential areas policy, Clause 22.05; Eating and entertainment premises policy, Clause 22.06; and Access for disabled people policy, Clause 22.09*).
- Using Local Policy to guide the location and display of advertising signs (*Outdoor advertising signs policy, Clause 22.07*).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).
- Implementing the Jackson Court Parking Precinct Plan (Jackson Court Shopping Centre Parking Precinct Plan, Arup and Manningham City Council, June 2000 Clause 52.06-6).

Further strategic work

- Implementing the Manningham Activity Centres Strategy (2005).
- Preparing guidelines for sustainable business practices to encourage activity centres to operate in a more environmentally responsive manner.

Other actions

- Considering the views of the Sustainable Design Taskforce on major applications.
- Developing, implementing and reviewing Urban Design Masterplans for each activity centre to provide landscape and urban design measures to increase public safety, comfort, functionality and achieve a high standard environment.
- Preparing a Manningham Development Contributions Plan focusing on key development areas to ensure adequate provision of infrastructure.

MANNINGHAM PLANNING SCHEME

- Preparing Special Rates and Charges Schemes to enhance Neighbourhood Activity Centres in accordance with the *Manningham Activity Centre Strategy* (2005).

21.09-519/06/2014
C106**Local Activity Centres****Key issues**

- Long-term viability of Local Activity Centres.
- Vacancy rates within Local Activity Centres.
- Redevelopment of these centres for a mix of uses.
- The appearance of buildings and signage.
- Provision of appropriate car parking and traffic management arrangements.
- Impact of Local Activity Centres on adjoining residential areas.

Objectives

- To ensure that Local Activity Centres make a positive visual contribution to the local neighbourhood.
- To minimise the negative impact of Local Activity Centres on the amenity of adjoining residential areas.
- To ensure the adequate provision of car parking within Local Activity Centres.

Strategies

Strategies to achieve these objectives include:

- Encourage high quality built form that complements and responds to surrounding developments.
- Improve pedestrian, bicycle and public transport access to Local Activity Centres.
- Achieve effective and safe pedestrian movement within Local Activity Centres.
- Require adequate provision of car parking for new development and uses.
- Encourage signs which complement the character and amenity of the area, the site and surrounds, built form and streetscape, minimise clutter, are well designed and improve the site's attractiveness and function.
- Ensure new use and development within Local Activity Centres minimises the impact on residential amenity.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Commercial 1 Zone.

MANNINGHAM PLANNING SCHEME

Policy and exercise of discretion

- Using Local Policy to improve the functionality of commercial developments, including the location and design of car parking areas (*Design and development policy, Clause 22.01; Accommodation premises policy, Clause 22.04; Non-residential uses in residential areas policy, Clause 22.05; Eating and entertainment premises policy, Clause 22.06; and Access for disabled people policy, Clause 22.09*).
- Using Local Policy to guide the location and display of advertising signs (*Outdoor advertising signs policy, Clause 22.07*).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).

Further strategic work

- Investigating the future role of Local Activity Centres to determine appropriate uses and vision for each centre.

Other actions

- Considering the views of the Sustainable Design Taskforce on major applications.

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C108

Commercial areas**Key issues**

- Pressure to locate commercial development outside of activity centres and existing commercial areas.
- Pressure to rezone residentially zoned land adjacent to existing commercial areas, particularly along Doncaster Road.
- Impact on the amenity of adjoining uses.
- The design and appearance of new commercial development.

Objectives

- To contain commercial development within existing commercial areas or activity centres.
- To minimise the impact of commercial development on the amenity of other adjoining uses.
- To achieve development with a high standard of amenity, functionality and safety.
- To ensure that the range of uses within mixed use developments are compatible.
- To achieve high quality urban design that makes a positive visual contribution to existing commercial areas.
- To reduce the visual impacts of car parking and driveway areas.
- To provide landscaping to soften built form.
- To minimise adverse impacts associated with the location and operation of gaming venues and machines.

MANNINGHAM PLANNING SCHEME

Strategies

Strategies to achieve these objectives include:

- Require proposals for commercial floorspace to be located within existing commercial areas.
- Ensure that commercial development minimises the impact on residential amenity.
- Require commercial developments to provide a high standard of amenity, convenience, accessibility and safety.
- Ensure high standards of urban design that enhances the appearance of existing commercial areas and activity centres and complements surrounding developments.
- Require multi-level development to include stepped heights, articulation, and sufficient setbacks to avoid detrimental impacts to the area's character and amenity.
- Encourage car parking areas at the rear, side or underneath buildings in a way that responds to landform and surrounding development.
- Encourage the use of sustainable landscaping to soften the visual appearance of development.
- Encourage signs which complement the character of the area, the site and surrounds, built form and streetscape, minimise clutter, are well designed and improve the site's attractiveness and function.
- Locate gaming venues and machines so as to discourage convenience gambling and ensure the availability of a range of alternative social and recreational activities.

Implementation

These strategies will be implemented by:

Zones and overlays

- Applying the Commercial 1 Zone.
- Applying the Mixed Use Zone.
- Applying a Design and Development Overlay.

Policy and exercise of discretion

- Using Local Policy to improve the functionality of commercial developments (Design and development policy, Clause 22.01; Accommodation premises policy, Clause 22.04; Non-residential uses in residential areas policy, Clause 22.05; Eating and entertainment premises policy, Clause 22.06; and Access for disabled people policy, Clause 22.09).
- Using Local Policy to guide the location and display of advertising signs (*Outdoor advertising signs policy, Clause 22.07*).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.08*).
- Using Local Policy to guide the location, design and management of gaming machines and venues (*Gaming, Clause 22.18*).

MANNINGHAM PLANNING SCHEME

Further strategic work

- Investigating the appropriateness of the Mixed Use Zone within existing commercial areas.

Other actions

- Considering the views of the Sustainable Design Taskforce on major applications.
- Encouraging collaborative design processes with key stakeholders for significant proposals.

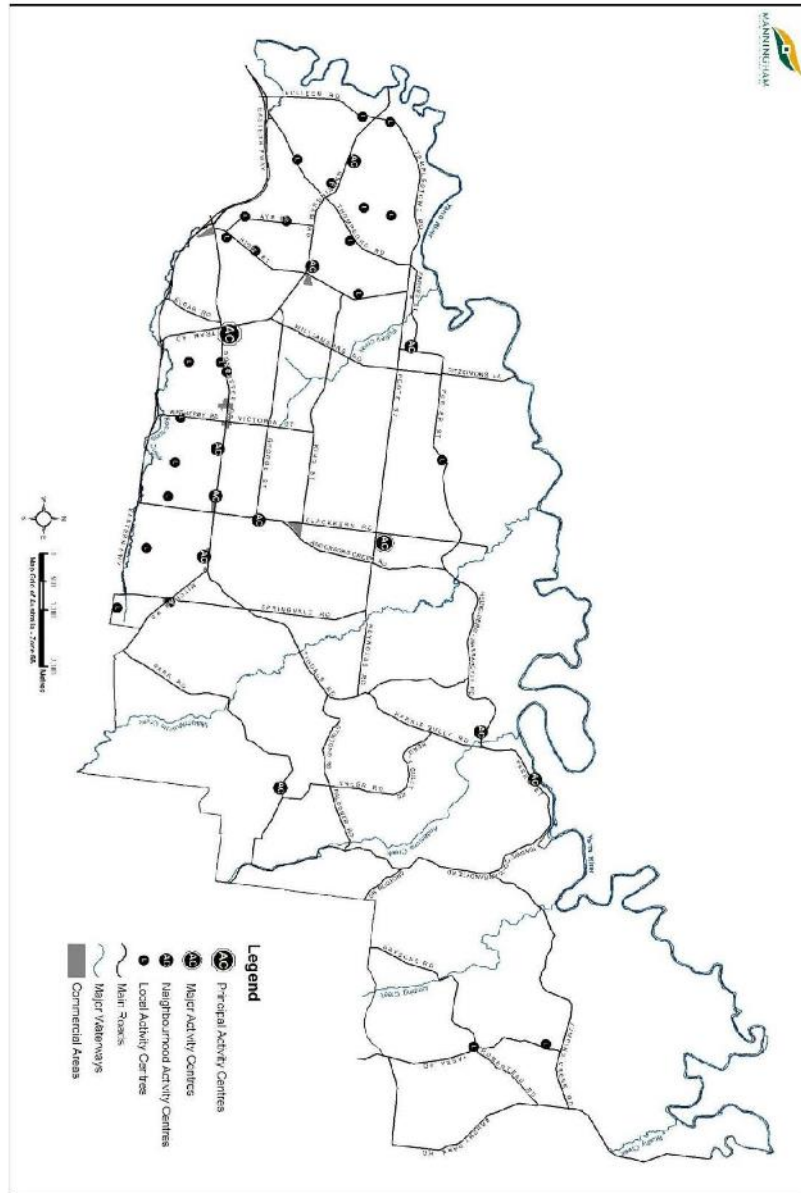
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Reference documents

- Manningham City Council (2002) *Doncaster Hill Strategy*, Manningham City Council, Doncaster.
- Manningham City Council (2012) *Manningham Residential Strategy*, Manningham City Council, Doncaster.
- Manningham City Council (2004) *Doncaster Hill Sustainability Guidelines*, Manningham City Council, Doncaster.
- Manningham City Council (2011) *The Pines Activity Centre Structure Plan*, Manningham City Council, Doncaster.
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MANNINGHAM PLANNING SCHEME

Activity Centres and Commercial Areas Framework Plan 5



MANNINGHAM PLANNING SCHEME

06/06/2014
GC6

SCHEDULE 1 TO THE ACTIVITY CENTRE ZONE

Shown on the planning scheme map as **ACZ1**.

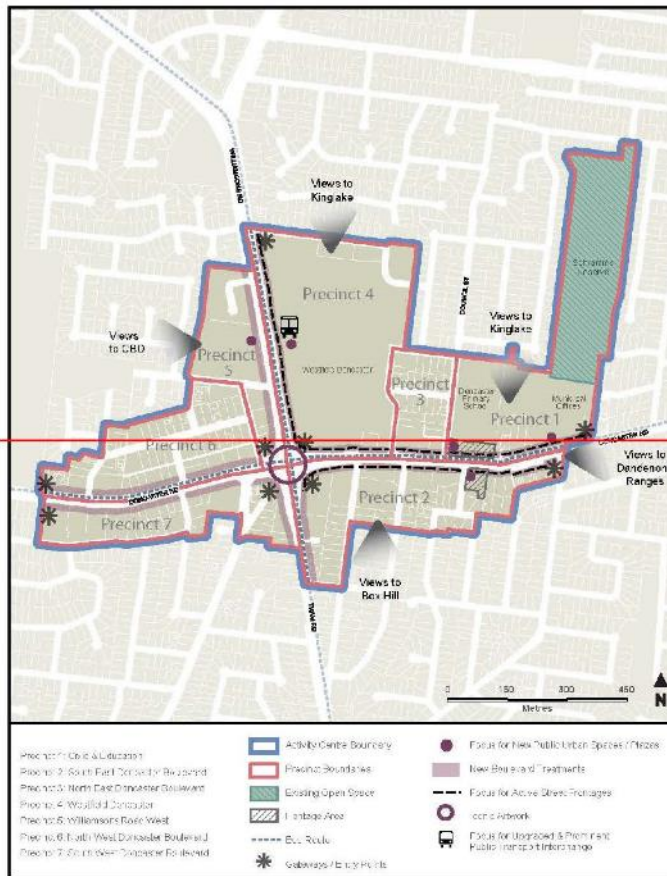
DONCASTER HILL PRINCIPAL ACTIVITY CENTRE

1.0

03/06/2010
C67
Proposed
C104

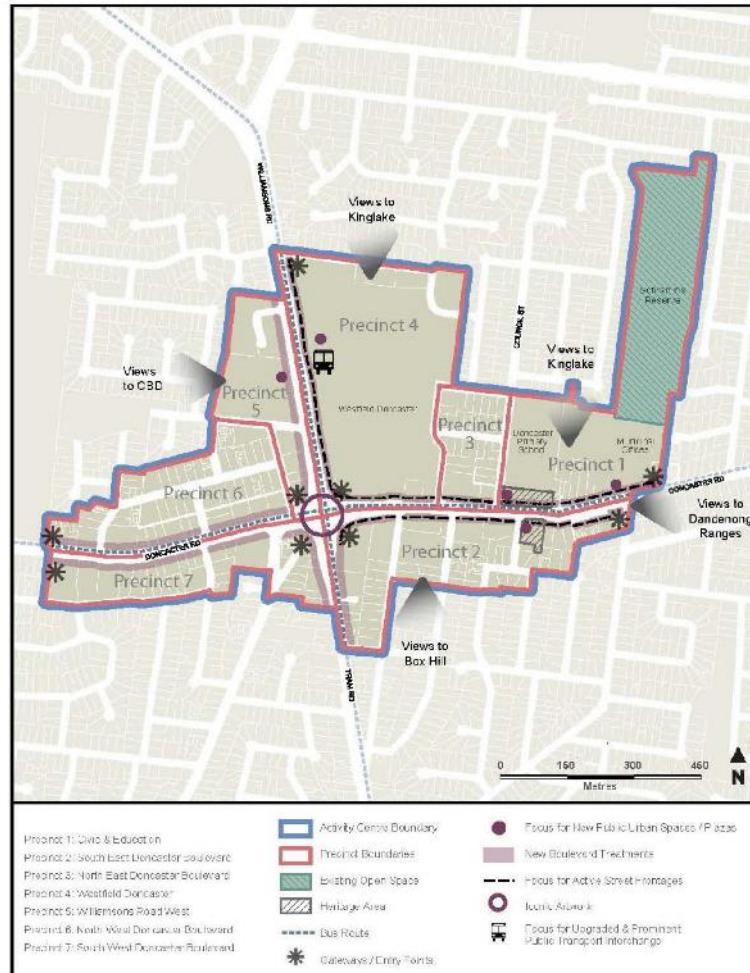
Doncaster Hill Framework Plan

Existing Doncaster Hill Framework Plan - To be replaced with new plan as follows to reflect the relocation of the bus interchange and new public urban space/plaza



MANNINGHAM PLANNING SCHEME

New plan to form part of changes introduced as part of Amendment C104



2.0
17/09/2009
VCS9

Land use and development objectives to be achieved

- To advance Doncaster Hill as a sustainable and vibrant mixed-use activity centre with a strong sense of place and civic identity.
- To develop the centre as a focus for contemporary high density residential development incorporating a mix of complementary retail, social, commercial and entertainment uses.
- To ensure the activity centre enhances the social, environmental, economic and cultural elements of the municipality and region, advancing Doncaster Hill as a destination in Melbourne’s East.

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Land use

- To provide for a vibrant range of mixed uses that support the strategic role of the Doncaster Hill Principal Activity Centre.
- To provide for a high level of activity that attracts people, provides a focal point for the community, creates an attractive and safe urban environment, increasing opportunities for social interaction.
- To ensure mixed use development comprises flexible floor spaces for a range of uses.
- To recognise that, central to the activity centre, the site is a major regional shopping centre.
- To substantially increase the provision, intensity and diversity of housing (especially affordable housing), that allows for all sectors of the community to live in the centre.
- To provide for high-density residential development on individual sites in conjunction with a diversity of other uses including a mix of retail, commercial, social, community and entertainment uses.
- To encourage commercial and small-scale retail uses at the lower level of buildings, with high-density apartment style residential development on upper levels.

Built form

- To create treed boulevards framed by podiums, consistent front setbacks and a high quality landscape along Doncaster, Williamsons and Tram Roads.
- To encourage innovative, contemporary architecture that provides a distinctive sense of identity for the Doncaster Hill Principal Activity Centre.
- To emphasise the existing dramatic landform of Doncaster Hill through built form that steps down the hill.
- To ensure an appropriate transition in height both within the activity centre and to surrounding neighbourhoods.
- To encourage built form that capitalises on key views and vistas including to the middle-ground and distant features including Dandenongs, the Kinglake Ranges and the central Melbourne skyline.
- To encourage the provision of urban art within built form or in adjacent public areas.
- To encourage the built form at gateway locations identified in the Framework Plan to be designed to act as markers with distinguishing architectural or urban design treatments.

Environmental sustainability

- To ensure Australian Best Practice environmentally sustainable design is met in relation to building energy management, water sensitive urban design, construction materials, indoor environment quality, waste management and transport.

Public realm

- To encourage active street frontages and pedestrian generating activities to be located along main roads.
- To ensure public spaces are minimally impacted by overshadowing, including preserving solar access in mid-winter to the key boulevards of Doncaster Road and Williamsons Road.
- To facilitate the enjoyment of public urban spaces/plazas, streetscapes, pedestrian and bicycle paths by ensuring that these areas are not excessively overshadowed or affected by wind tunnelling.

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- To encourage artwork in suitable locations to contribute to creating a distinctive sense of identity.

Open space and landscaping

- To achieve development that provides accessible, safe, attractive and functional private and public open space opportunities, which are well connected and integrated within a permeable urban environment.
- To create a healthy and consistently landscaped environment that is dominated by native and indigenous planting.
- To maximise opportunities for landscaping in the public and private realm.
- To ensure each precinct has ready access to well designed public open space.

Transport and access

- To achieve development of circulation networks that focus on providing strong linkages within the Doncaster Hill Principal Activity Centre, and enhance public transport, pedestrian and bicycle users' amenity.
- To provide for well-defined vehicular, bicycle and pedestrian access both within and external to all precincts, with strong pedestrian crossing points to be established between the north and south sides of Doncaster Road.
- To encourage the integration of car parking areas into buildings and the unique sloping landform, including providing under-croft and basement as opposed to open-lot parking.

Land configuration and ownership

- To encourage the reconfiguration and consolidation of land where necessary to create viable development sites and optimal development of the centre.
- To avoid the fragmentation of land through subdivision that does not achieve the outcomes of the Development Framework.

3.0
05/06/2014
GCS

Table of uses

Section 1 - Permit not required

Use	Condition
Accommodation (other than Camping and caravan park, Caretaker's house, Corrective institution and Dwelling)	Must not be located at ground floor level, except for entry foyers. Must be in conjunction with one or more other uses in section 1 or 2.
Caretaker's house	
Dry cleaner	Must be in Precincts 4 or 2A.
Dwelling	
Education centre	Must be in Precinct 1.
Food and drink premises (other than Hotel and Tavern)	Must be in Precincts 4 or 2A. Must be in conjunction with one or more other uses in section 1 or 2. Must be located at ground floor level, but is not limited to ground floor level.
Home occupation	
Leisure and recreation (other than Open	

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Use	Condition
sports ground, Restricted recreation facility, Major sports and recreation facility and Motor racing track)	
Laundromat	Must be located in Precincts 4 or 2A.
Market	Must be located in Precinct 1.
Minor utility installation	
Office	<p>Must not be in Precincts 2E-G, 3A or 6D-E.</p> <p>Must be in conjunction with one or more other uses in section 1 or 2.</p> <p>Any frontage at ground floor level must not exceed 2 metres, unless the office is a bank, real estate agency, travel agency, or any other office where the floor space adjoining the frontage is a customer service area accessible to the public.</p> <p>Within Precinct 3 on land bounded by Doncaster Road, Tower Street, Berkeley Street and Council Street, must have a floor area of at least 1,500 square metres.</p>
Open sports ground	Must be located in Precinct 1.
Postal agency	
Railway	
Restricted recreation facility	Must be located in Precinct 1.
Shop (other than Adult sex book shop)	Must be located in Precincts 4 or 2A.
Tramway	
Any use listed in Clause 62.01	Must meet requirements of Clause 62.01.

Section 2 - Permit required

Use	Condition
Adult sex bookshop	Must be at least 200 metres (measured by the shortest route reasonably accessible on foot) from a residential zone or Business 5 Zone, land used for a hospital, primary school or secondary school or land in a Public Acquisition Overlay to be acquired for a hospital, primary school or secondary school.
Commercial display area	
Food and drink premises (other than Hotel and Tavern) – if the Section 1 condition is not met	<p>Must be in conjunction with one or more other uses in section 1 or 2.</p> <p>Must be located at ground floor level, but is not limited to ground floor level.</p>
Hotel	Must be in conjunction with one or more other uses in section 1 or 2.
Office – if the Section 1 condition is not met	<p>Must be in conjunction with one or more other uses in section 1 or 2.</p> <p>Within Precinct 3 on land bounded by Doncaster Road, Tower Street, Berkeley Street and Council Street, must have a floor area of at least 1,500 square metres.</p>
Place of assembly (other than Carnival, Circus and Drive-In theatre)	Must be in conjunction with one or more other uses in section 1 or 2.

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Use	Condition
Research centre	
Research and development centre	
Restricted recreation facility	
Retail premises (other than food and drink premises, market, primary produce sales, postal agency and shop)	Must be in conjunction with one or more other uses in section 1 or 2. Must be located at ground floor level, but is not limited to ground floor level.
Service industry (other than Dry cleaner and Laundromat)	
Shop (other than Adult sex book shop) – if the Section 1 condition is not met	Except in Precincts 4 or 2A must be in conjunction with one or more other uses in section 1 or 2. Except in Precincts 4 or 2A must be located at ground floor level, but is not limited to ground floor level.
Tavern	Must be in conjunction with one or more other uses in section 1 or 2.
Transport terminal (other than Airport, Road freight terminal and Wharf)	
Utility installation (other than Minor utility installation and Telecommunications facility)	
Any other use not in Section 1 or 3	

Section 3 - Prohibited

Use
Agriculture (other than Apiculture)
Airport
Brothel
Camping and caravan park
Cemetery
Corrective institution
Drive-in theatre
Freeway service centre
Industry (other than Service industry and Research and development centre)
Major sports and recreation facility
Motor racing track
Primary produce sales
Road freight terminal
Saleyard
Timber production
Warehouse (other than a Commercial display area)
Winery
Wharf

MANNINGHAM PLANNING SCHEME

4.0 Centre-wide provisions

03/06/2010

C87

4.1 Use of land

03/06/2010

C87

A permit is not required to use land located in Precinct 1 for the purpose of Local Government or Education providing the use is carried out by, or on behalf of, the public land manager.

4.2 Subdivision

03/06/2010

C87

Applications for subdivision of existing sites that are not associated with a development proposal that supports the objectives promoted by this Scheme for the Doncaster Hill Principal Activity Centre are discouraged.

Consolidation of land to facilitate the creation of viable development sites is encouraged.

4.3 Buildings and works

03/06/2010

C87

Dwellings

No permit is required to:

- Construct or extend one dwelling on a lot of more than 500 square metres. This exemption does not apply to:
 - Construction of a dwelling if there is at least one dwelling existing on the lot.
 - Extension of a dwelling if there are two or more dwellings on the lot.
 - Construction or extension of a dwelling if it is on common property.
 - Construction or extension of a front fence within 3 metres of a street if the fence is associated with 2 or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in Clause 55.06-2.
 - The development of a Caretaker's house or a Bed and breakfast.
- Construct or carry out works normal to a dwelling.
- Construct or extend an out-building (other than a garage or carport) on a lot provided the gross floor area of the out-building does not exceed 10 square metres and the maximum building height is not more than 3 metres above ground level.
- Construct one dependent person's unit on a lot.

4.4 Design and development

03/06/2010

C87

Dwellings

On a lot of less than 500 square metres, a development must meet the requirements of Clause 54 if it proposes to:

- Construct or extend one dwelling; or
- Construct or extend a front fence within 3 metres of a street if the fence is associated with one dwelling.

A development must meet the requirements of Clause 55 if it proposes to:

- Construct a dwelling if there is at least one dwelling existing on the lot.
- Construct two or more dwellings on a lot.
- Extend a dwelling if there are two or more dwellings on the lot.

MANNINGHAM PLANNING SCHEME

- Construct or extend a dwelling if it is on common property.
- Construct or extend a residential building.
- Construct or extend a front fence within 3 metres of a street if:
 - The fence is associated with 2 or more dwellings on a lot or a residential building, and
 - The fence exceeds the maximum height specified in Clause 55.06-2.

This does not apply to a development of four or more storeys, excluding a basement.

Building height

New development must not exceed the Maximum Building Heights and Design Element Heights specified in the precinct provisions at Clause 5 of this Schedule.

A permit cannot be granted to vary the Maximum Building Heights or Design Element Heights specified in the precinct provisions at Clause 5 of this Schedule.

For the purposes of this Schedule, the Maximum Building Height and Design Element Height does not apply to service equipment including plant rooms, lift overruns, solar collectors and other such equipment provided the following criteria are met:

- No more than 50% of the roof area is occupied by the equipment;
- The equipment is located in a position on the roof so as to minimise additional overshadowing of neighbouring properties and public spaces;
- The equipment does not extend higher than 3.6 metres above the Maximum Building Height as specified in the precinct provisions at Clause 5 of this Schedule; and
- The equipment is designed and screened to the satisfaction of the responsible authority.

For the purposes of this Schedule, a Design Element is a unique architectural or design feature that substantially contributes to the overall building form and appearance. Design Element Areas are identified for each precinct in the Precinct Provisions at Clause 5 of this Schedule.

Design Elements should:

- Substantially contribute to the overall built form and appearance by forming part of a distinctive architectural or ecologically sustainable design feature;
- Be based on contemporary architectural and innovative urban design techniques that incorporate ecologically sustainable design principles;
- Be located where built form will have the greatest impact and be able to make an architectural statement, including the highest areas on ridgelines, the area surrounding the intersection of Doncaster and Williamsons Road, and the entry points/gateways into Doncaster Hill Principal Activity Centre;
- Not occupy greater than 15% of the overall roof area of the building.
- Not substantially increase the visual mass of the building; and
- Not cast additional overshadowing upon adjacent and nearby properties and public spaces at 12 noon on 22 June.

Building setbacks

A permit cannot be granted to vary the front setbacks, including the front podium and front tower setbacks, specified in the precinct provisions at Clause 5 of this Schedule for those properties abutting Doncaster Road, Williamsons Road or Tram Road.

A permit may be granted to vary the minimum side and rear setbacks specified in the precinct provisions at Clause 5 of this Schedule.

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Minor buildings and works such as verandas, architectural features, balconies, sunshades, screens, artworks and street furniture may be constructed within the setback areas specified in the precinct provisions at Clause 5 of this Schedule provided they are designed and located to the satisfaction of the responsible authority.

Overshadowing

Development on the north side of Doncaster Road must not cast a shadow further than 1.2 metres south of the back of the kerb on the south side of Doncaster Road between 11:30am and 1:30pm on 22 June.

Development should be designed to avoid casting shadows on adjacent properties (including public open space areas) outside the activity centre between 11:00am and 2:00pm on 22 September.

Boulevard character

Development along Doncaster Road, Williamsons Road and Tram Road, except for land in Precinct 4A (Westfield Doncaster) along Williamsons Road, must provide:

- A podium of at least 12 metres along street frontages.
- A uniform 5 metre setback to a podium from the site frontage.
- A 3.6 metre wide paved promenade across the site frontage, replacing the existing footpath, to the satisfaction of the responsible authority.
- Two staggered avenues of large deciduous trees (minimum 3.5 metres height at time of planting) at 12 metre spacings, and the inside row being positioned at 3.5 metre offset from the building edge, with species being to the satisfaction of the responsible authority.
- A tree grille at each tree, to be bordered by a pavement header strip to the satisfaction of the responsible authority.
- A mix of hard and soft landscape treatments within the street frontage setback area located between the new paved promenade and the front wall of the building. Hard landscape treatments may include paving, street furniture and screens etc., which complement the boulevard landscape treatment. Soft landscape treatments may include grassed areas and planting that complements the boulevard landscape treatment to the satisfaction of the responsible authority.
- Artwork in a suitable location within the street frontage area, unless an artwork contribution has been made in some other form to the satisfaction of the responsible authority.
- For land in Precinct 4A (Westfield Doncaster), the boulevard character treatments along Williamsons Road will be detailed in a Development Plan prepared and approved pursuant to Schedule 4 of the Development Plan Overlay.

Advertising signs

Signs requiring a permit under Clause 52.05 must not be located within the 5 metre setback from the street frontage along Doncaster Road, Williamsons Road and Tram Road, except for the land in Precinct 4A (Westfield Doncaster) along Williamsons Road. For land in Precinct 4A (Westfield Doncaster) along Williamsons Road, guidance for the location and display of advertising signs will be detailed in a Development Plan prepared and approved pursuant to Schedule 4 of the Development Plan Overlay.

Landscape design

Landscape design must:

- Incorporate screen planting and landscape buffers of 1.5 metre minimum width as an interface to adjoining sites;

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- Provide canopy trees and native indigenous plantings;
- Provide landscape treatments to the tops of podiums to provide visual interest and to soften the built form environment; and
- Create private and public open space areas that are accessible, safe, attractive and functional for all users.

Access and mobility

New development must:

- Comply with the Australian Standard AS1428 Part 2 provisions for access and mobility;
- Provide a high level of accessibility at the principal front entry for any residential development; and
- Provide for side or rear access to parking areas on sites along Doncaster Road, where appropriate.

MANNINGHAM PLANNING SCHEME

5.0 Precinct provisions

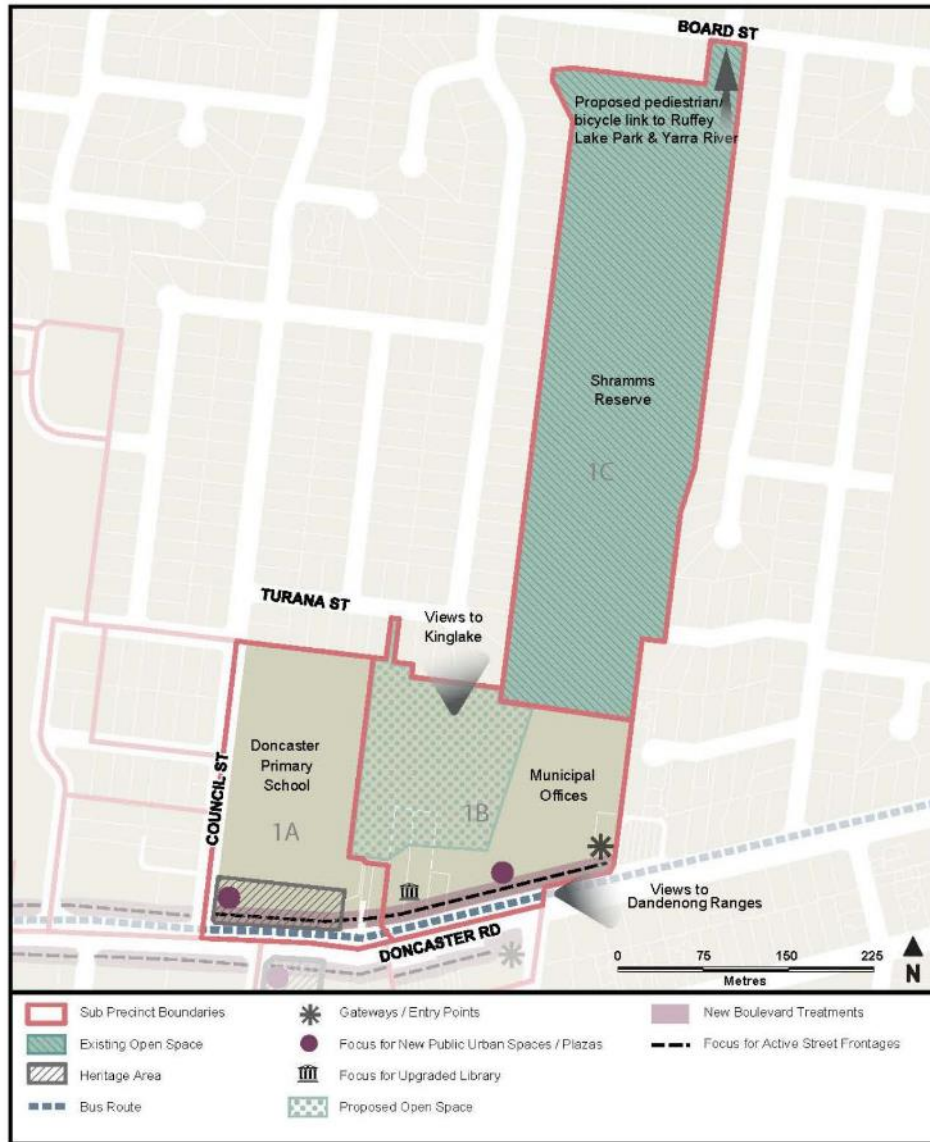
03/06/2010
C87

5.1 Precinct 1: Civic and Education

03/06/2010
C87

5.1-1 Precinct map

03/06/2010
C87



MANNINGHAM PLANNING SCHEME

5.1-2

17/09/2009
VC69

Precinct objectives

- To develop Precinct 1 as a consolidated focus for civic, community, education and recreation facilities and associated activities.
- To create an enhanced historic and arts enclave focusing on the old shire offices and school building as integral features of the precinct, and develop a link with the heritage elements in Precinct 2.
- To consider mixed use commercial and residential opportunities within the precinct.
- To create a major public open space comprising an attractive green spine and outdoor events space, with extensive canopy tree planting.
- To create well designed urban spaces/plazas interfacing with the major civic open space, community, civic and education facilities and Doncaster Road, as part of future development proposals.
- To create an attractive green spine as an 'outdoor events space' which is visible from Doncaster Road, and with strong pedestrian links to key buildings and new facilities within the precinct.
- To create a landmark gateway building at the eastern end of the precinct.

5.1-3

03/06/2010
C87

Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
1A	None specified	None specified	5m from front boundary 4.5m from side boundaries 8m from rear boundaries
1B	29m	3.8m above maximum height	5m from front boundary 4.5m from side boundaries 8m from rear boundaries
1C	None specified	None specified	None specified

5.1-4

17/09/2009
VC69

Precinct guidelines

- Buildings should be innovative and contemporary and respond to the character of the existing municipal offices building and to the unique topography of the site.
- Recreation/open space setting should be preserved.
- Any new development should be sympathetic to the scale of the surrounding residential neighbourhood.
- Building facades and public spaces should reflect the precinct's functions.
- Pedestrian linkages should be created with the retail precincts / active street frontages of both Westfield Doncaster and Doncaster Road.
- Significant vistas to the northern ranges from Doncaster Road (in the vicinity of the Municipal Offices) and from Schramms Reserve should be retained.
- New boulevard treatments should allow for access to key views and be designed to highlight the entrance to community spaces and facilities provided.
- Extensively plant native and indigenous vegetation throughout the precinct.

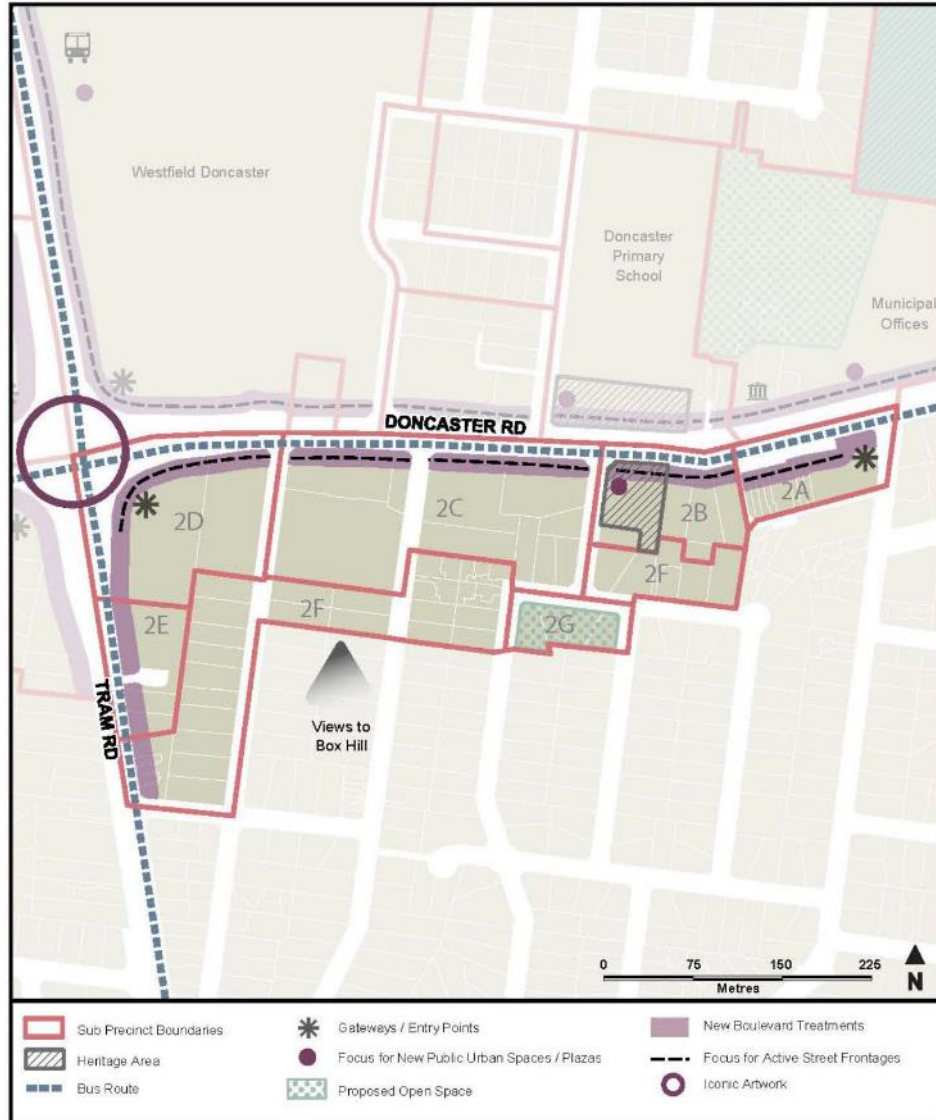
MANNINGHAM PLANNING SCHEME

5.2 Precinct 2: South East Doncaster Boulevard

03/06/2010
C87

5.2-1 Precinct map

03/06/2010
C87



MANNINGHAM PLANNING SCHEME

5.2-2

17/09/2009
VC69

Precinct objectives

- To encourage an appropriate mix of residential and commercial uses in the precinct.
- To encourage the greatest area of high-density development to locate along the Doncaster Road ridgeline.
- To encourage the provision of cafes, restaurants and outdoor eating within the precinct.
- To retain and enhance the historic elements within the precinct and develop a link with the historic and arts enclave in Precinct 1.
- To support and connect with the pedestrian link proposed for the Doncaster Road, Williamsons and Tram Roads intersection at the western end of the precinct.
- To create a landmark gateway building at the eastern and western ends of the precinct.
- To create a public urban space/plaza with good solar access abutting the south side of Doncaster Road, with convenient access to the north side.
- To develop an area of open space as a passive green park, with urban play opportunities, and located in an area convenient to the precinct with well defined pedestrian links.

5.2-3

03/06/2010
C87

Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
2A	21.5m	4.3m above maximum height	5m to front podium edge from front boundary 9m to front tower edge from front boundary 4.5m from side boundaries 5m from rear boundary
2B	29m	5.8m above maximum height	5m to front podium edge from front boundary 9m to front tower edge from front boundary 4.5m from side boundaries 5m from rear boundary
2C	40m	8.0m above maximum height	5m to front podium edge from front boundary 11m to front tower edge from front boundary 4.5m from the side boundaries 5m from rear boundary
2D	36m	7.2m above maximum height	5m to front podium boundary 13m to front tower edge from front boundary 4.5m from side boundaries 5m from rear boundary
2E	21.5m	None specified	5m to front podium edge from front boundary 9m to front tower edge from front boundary

MANNINGHAM PLANNING SCHEME

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
			4.5m from side boundaries 5m from rear boundary
2F	14.5m	None specified	5m from front boundary 4.5m from side boundaries 4.5m from rear boundary
2G	11m	None specified	3m from front boundary 4.1m from side boundaries 4.5m from rear boundary

5.2-417/09/2009
VC69**Precinct guidelines**

- Development should recognise heritage elements within the precinct.
- Built form should achieve a general stepping of the building in a southerly direction from the ridgeline, down Tram Road, and towards the residential area to the east.

MANNINGHAM PLANNING SCHEME

5.3 Precinct 3: North East Doncaster Boulevard

03/06/2010
C87

5.3-1 Precinct map

03/06/2010
C87



MANNINGHAM PLANNING SCHEME

5.3-2

17/09/2009
VC59

Precinct objectives

- To encourage a greater mix of uses including residential and commercial uses in the precinct.
- To encourage an enhanced pedestrian environment within the precinct.
- To ensure development steps down the hill to maximise the northerly aspect and commanding views to the northern ranges.
- To encourage the provision of a pedestrian and bicycle network to Westfield Doncaster and the civic and education precinct.

5.3-3

03/06/2010
C87

Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
3A	12.5m	None specified	5m from front boundary 4.1m from side boundaries 4.5m from rear boundary
3B	14.5m	None specified	5m from front boundary 4.5m from side boundaries 4.5m from rear boundary
3C	29m	5.8m above maximum height	5m to front podium edge from front boundary 15m to front tower edge from front boundary 4.5m from side boundaries 4.5m from rear boundary

5.3-4

17/09/2009
VC59

Precinct guidelines

- Development should address rear lane-scapes providing alternate residential frontage to the north in addition to commercial and retail frontages along Doncaster Road.
- Developments should maximise opportunities afforded by being positioned between Westfield Doncaster and the civic and education precinct.

5.3-5

17/09/2009
VC59

Any other requirements

In the area between Doncaster Road, Tower Street, Berkeley Street and Council Street, development must not occur on land with an area of less than 2,500 square metres.

In the area between Berkeley Street, Tower Street, Goodson Street and Council Street, development must not occur on land with an area of less than 2,000 square metres.

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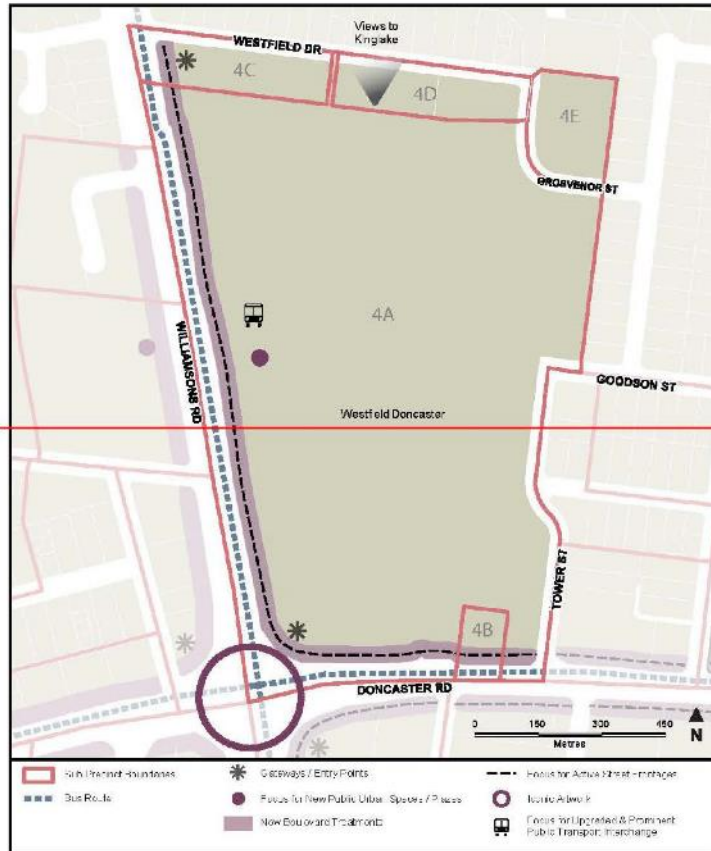
5.4 Precinct 4: Westfield Doncaster

03/06/2010
C87

5.4-1 Precinct map

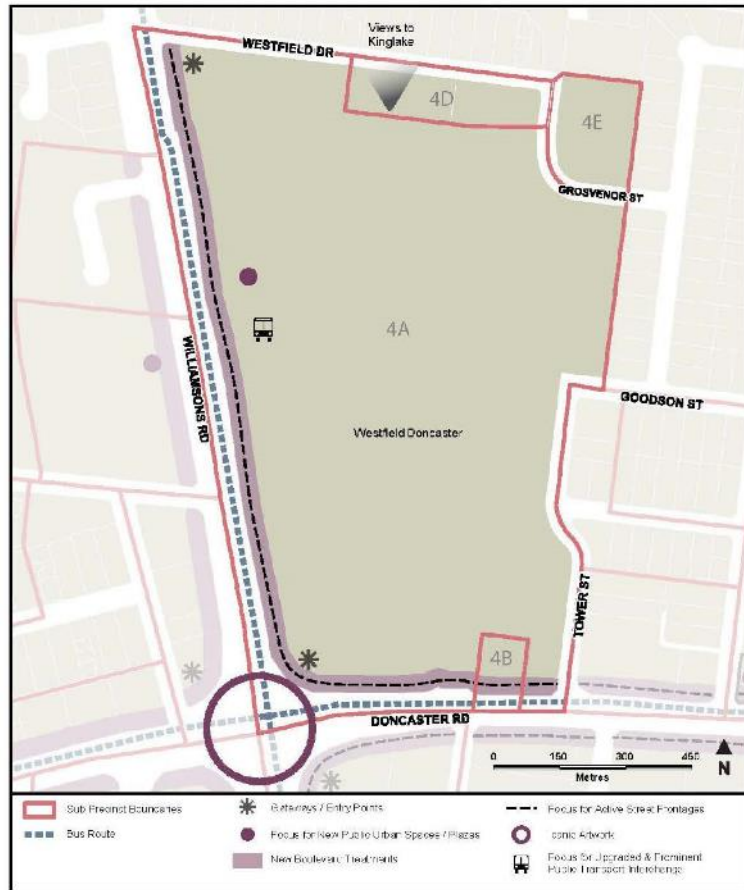
03/06/2010
C87
[Proposed C104](#)

Existing Precinct 4 Map - To be replaced with new map as follows to reflect the relocation of the bus interchange and new public urban space/plaza and removal of sub-precinct 4C



MANNINGHAM PLANNING SCHEME

New map to form part of changes introduced as part of Amendment C104



MANNINGHAM PLANNING SCHEME

5.4-2

17/09/2009
VC59

Precinct objectives

- To further improve existing active street frontages.
- Encourage an enhanced pedestrian environment within the precinct.
- To maintain and improve the positive engagement of the precinct with the main intersection of Doncaster Road and Williamsons Road.
- To provide opportunities for a range of residential and commercial uses to develop within the precinct along with the existing retail development.
- To create a number of significant externalised public urban spaces/plazas, which are well connected to the public transport interchange and boulevard along Doncaster Road.
- To support and connect with the pedestrian link proposed for the Doncaster, Williamsons and Tram Roads intersection at the western end of the precinct.
- To provide a high quality design outcome and improved streetscapes and interfaces with residential areas.
- To provide flexibility to respond to retail and employment trends.

5.4-3

03/06/2010
C87

Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
4A	None specified	None specified	None specified
4B	21.5m	4.3m above maximum height	5m to front podium edge from front boundary 13m to front tower edge from the front boundary 4.5m from the side boundaries 4.5m from the rear boundary
4C	None specified	None specified	None specified
4D	11m	None specified	5m from front site boundary 4.5m from side boundaries
4E	None specified	None specified	None specified

5.4-4

17/09/2009
VC59

Precinct guidelines

- Maintain a landmark building at the Doncaster Road and Williamsons Road intersection.
- Develop a unique gateway building abutting Williamsons Road in the north-west corner of the precinct.
- Maintain and enhance an integrated public transport interchange to support both Westfield Doncaster and the greater Doncaster Hill area in a prominent and easily accessible location.
- Create a pedestrian friendly interface between Westfield Doncaster, Doncaster Road, Williamsons Road and Tower Street.
- Establish strong pedestrian entries and linkages from Westfield Doncaster to all other precincts within Doncaster Hill.

MANNINGHAM PLANNING SCHEME

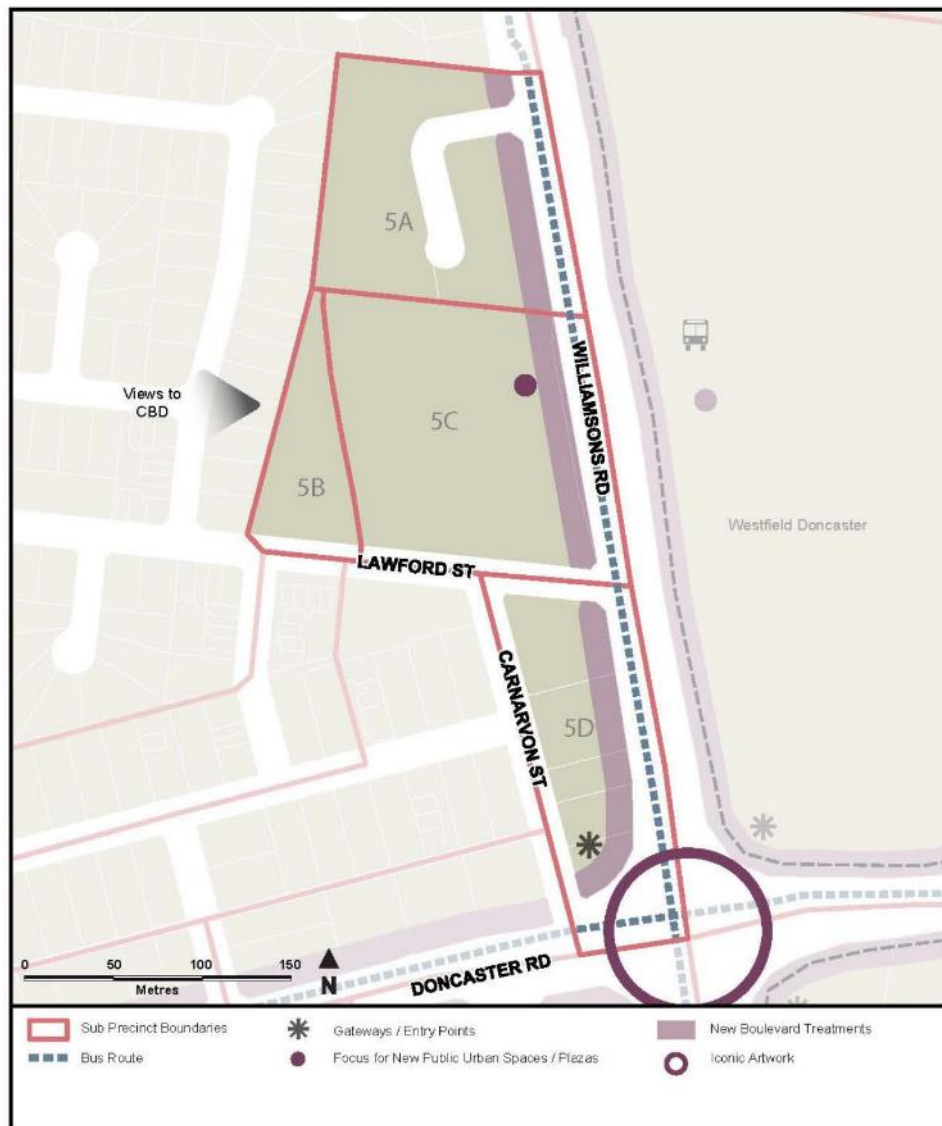
- Future building form is to maximise the north-east aspect and views, and vistas to the CBD.
- External spaces should directly link to Williamsons Road and Doncaster Road where appropriate.

5.5 Precinct 5: Williamsons Road West

03/06/2010
C87

5.5-1 Precinct map

03/06/2010
C87



MANNINGHAM PLANNING SCHEME

5.5-2 Precinct objectives

17/09/2009
VC59

- To encourage an appropriate mix of residential and commercial uses in the precinct.
- To encourage high density development along the Williamsons Road ridgeline, with less dense development progressively stepping down the hill towards the west.
- To capitalise on broad views and vistas obtained from strategic points along the Williamsons Road ridgeline, including from public urban spaces/plazas .
- To provide for an improved pedestrian network with stronger links to Westfield Doncaster, public transport interchanges, and nearby open space.
- To create a significant area of public urban space/plaza both within and convenient to the precinct to help cater for the proposed high-density development in the surrounding precincts.
- To create a landmark gateway building at the southern end of the precinct.
- To provide a pedestrian network that will provide positive linkages to the adjacent precincts in particular the Westfield Doncaster site, the public transport interchanges and Lawford Reserve.
- To encourage the inclusion of public open space abutting Williamsons Road that accommodates vistas to the city and has convenient links to Westfield Doncaster.

5.5-3 Precinct requirements

03/06/2010
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Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
5A	29m	None specified	5m from side boundaries 8m from rear boundary
5B	14.5m	None specified	5m from side boundaries 8m from rear boundary
5C	36m	7.2m above maximum height	5m to front podium edge from front boundary 9m to front tower edge from front boundary 5m from side boundaries
5D	29m	5.8m above maximum height	5m to front podium edge from front boundary 9m to front tower edge from front boundary 4.5m from side boundaries 5m from rear boundary

5.5-4 Precinct guidelines

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- Support and connect with the pedestrian link proposed for the Doncaster Road, Williamsons and Tram Roads intersection at the southern end of the precinct.
- Retain strategic view corridors towards the city from Williamsons Road within future development from specially created public urban spaces/plazas between buildings. A long continuous wall of building is discouraged.

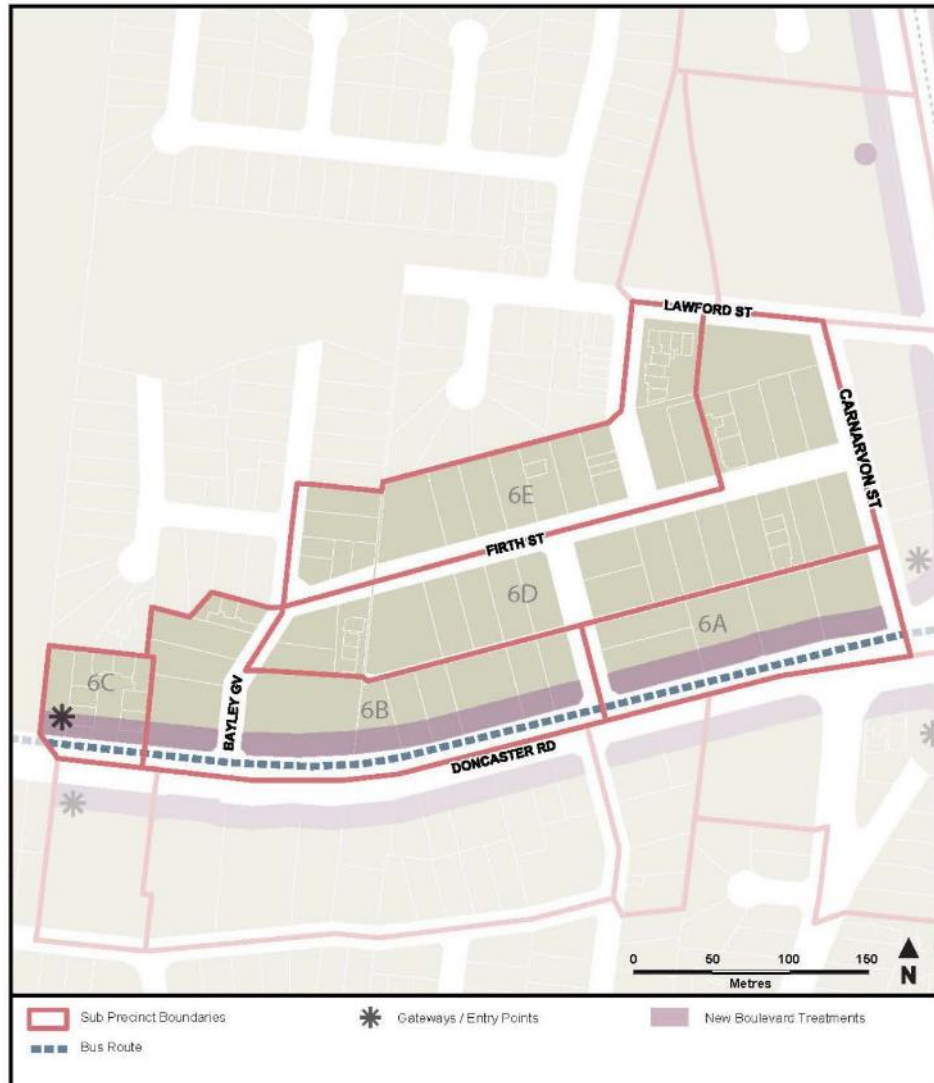
MANNINGHAM PLANNING SCHEME

5.6 Precinct 6: North West Doncaster Boulevard

03/06/2010
C87

5.6-1 Precinct map

03/06/2010
C87



MANNINGHAM PLANNING SCHEME

5.6-2

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VC59

Precinct objectives

- To encourage an appropriate mix of residential and commercial uses in the precinct.
- To create a vibrant and commercially viable mix of uses at a lower scale and generally on smaller scale allotments than is proposed for precincts located further east in Doncaster Hill.
- To encourage the provision of pedestrian and cycling links to connect with Lawford Reserve and the Doncaster Road, Williamsons and Tram Roads intersection at the eastern end of the precinct.
- To create a landmark gateway building at the western end of the precinct.
- To strengthen pedestrian and bicycle linkages between the precinct and Lawford Street Reserve.

5.6-3

03/06/2010
C87

Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
6A	21.5m	None specified	5m to front podium edge from front boundary 11m to front tower edge from front boundary. 4.5m from side boundaries 5m from rear boundary
6B	21.5m	None specified	5m to front podium edge from front boundary 11m to front tower edge to front boundary 4.5m from side boundaries 5m from rear boundary
6C	18m	3.6m above maximum height	5m to podium edge from front boundary 11m to front tower edge from front boundary 4.5m from side boundaries 5m from rear boundary
6D	14.5m	None specified	5m from site boundary 4.5m from side boundaries 4.5m from rear boundary
6E	11m	None specified	2m from front boundary 4.1m from side boundaries 5m from rear boundary

5.6-4

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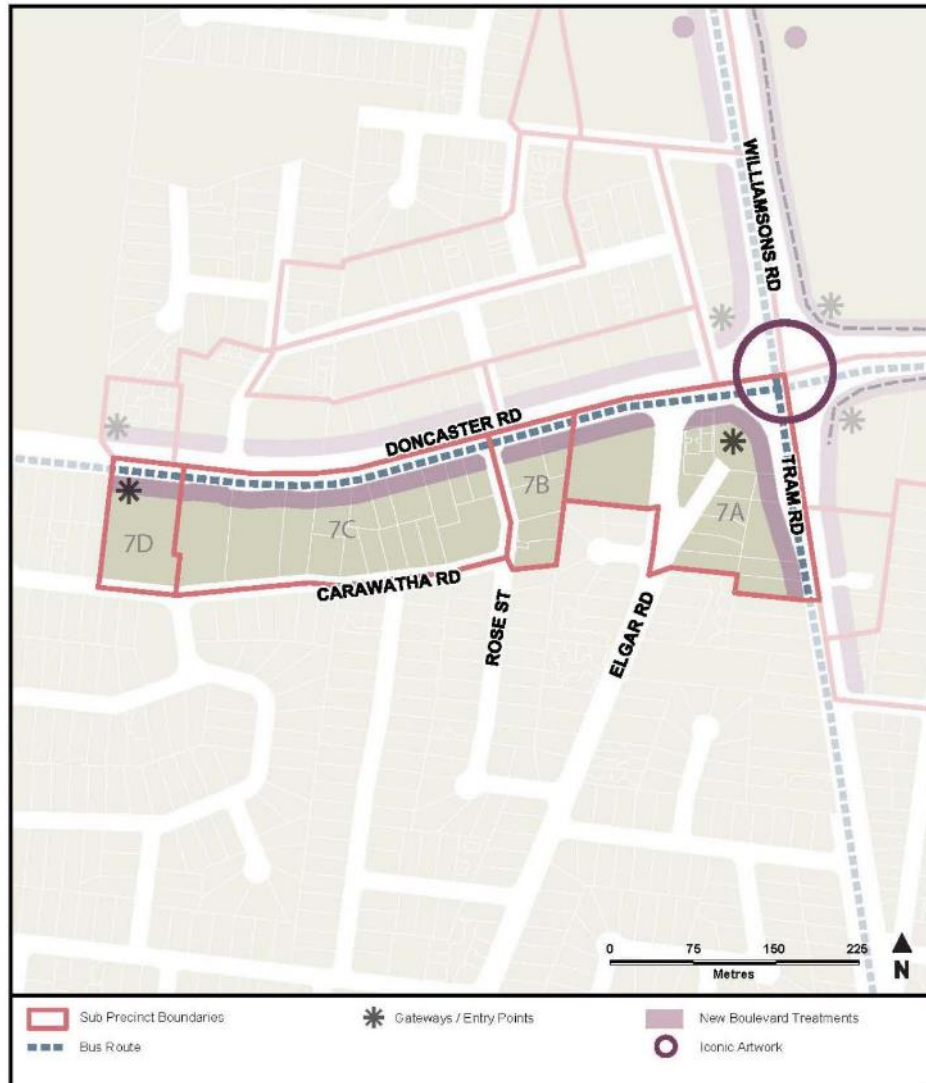
Precinct guidelines

- Support and connect with the pedestrian link proposed for the Doncaster, Williamsons and Tram Roads intersection at the southern end of the precinct.

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5.7 Precinct 7: South West Doncaster Boulevard
03/06/2010
C87

5.7-1 Precinct map
03/06/2010
C87



MANNINGHAM PLANNING SCHEME

5.7-2

17/09/2009
VC59

Precinct objectives

- To encourage an appropriate mix of residential and commercial uses in the precinct.
- To create a vibrant and commercially viable mix of uses, generally on smaller allotments than is proposed for precincts located further east in Doncaster Hill.
- To ensure that the precinct has ready access to well designed public open space.
- To improve pedestrian access through this precinct to Doncaster Road from the residential land to the south.
- To create a landmark gateway building at the eastern and western ends of the precinct.

5.7-3

03/06/2010
C87

Precinct requirements

Sub-Precinct	Maximum height (Excluding Basement)	Design Element Height	Setbacks
7A	32.5m	6.5m above maximum height	5m to podium edge from front boundary 9m to tower edge from front boundary 4.5m from side boundaries 4.5m from rear boundary
7B	29m	4.3m above maximum height	5-10m to front podium edge from front boundary 6m to front tower edge from podium edge 4.5m from side boundaries 5m from rear boundary
7C	21.5m	None specified	5-10 to front podium edge from front boundary 8m to tower edge from podium edge 4.5m from side boundaries 5m from rear boundary
7D	18m	3.6m above maximum height	10m to podium edge from front boundary 8m to front tower edge from podium edge 4.5m from side boundaries 5m from rear boundary

5.7-4

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Precinct guidelines

- Strengthen links between the precinct and existing nearby areas of open space.
- Significant vistas to the CBD skyline from Doncaster Road should be retained.
- Provide open space which offers well designed play opportunities to the south of the precinct.
- Support and connect with the pedestrian link proposed for the Doncaster, Williamsons and Tram Roads intersection at the eastern end of the precinct.

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6.003/06/2010
C87**Application requirements**

In addition to the application requirements set out at Clause 37.08-7, an application to construct a building or construct or carry out works must be accompanied by the following information, as appropriate, to the satisfaction of the responsible authority. For the land in Precinct 4A (Westfield Doncaster), the application requirements set out below are to be read in conjunction with those in the Development Plan Overlay (Schedule 4), as appropriate.

- Sections of the proposed building at appropriate intervals.
- Sight-lines from balcony edges.
- A three-dimensional coloured artist's impression showing the proposed development in the context of surrounding development.
- A traffic and car parking assessment that includes existing traffic details, parking allocation, traffic generation and distribution, impact of generated traffic on the existing road network, parking generation rates and traffic management from the development construction phase onwards.
- A Sustainability Management Plan (SMP).
- In Precinct 1, an application for a permit by a person other than the relevant public land manager must be accompanied by the written consent of the public land manager, indicating that the public land manager consents generally or conditionally either:
 - To the application for permit being made.
 - To the application for permit being made and to the proposed use or development.

Sustainability Management Plan

A Sustainability Management Plan (SMP) must achieve the following to the satisfaction of the responsible authority:

- Address matters of building energy management, water sensitive urban design, construction materials, indoor environment quality, waste management, and transport.
- Demonstrate the application of Australian best practice rating tools and design principles, use of emerging technology, and a commitment to 'beyond compliance' throughout the construction period and subsequent operation of the development.
- Identify statutory obligations and documented sustainability performance standards from Government and other authorities.
- Specify key performance indicators, to an agreed level, to measure the achievement of objectives and initiatives identified in the Plan.
- Identify responsibilities and a schedule for both implementing and monitoring the Plan over time.

The individual components of the SMP should address:

- Building Energy Management:
 - The design of the building for energy efficiency (thermal envelope).
 - The use of energy saving technologies to further reduce demand.
 - The use of alternative energy sources, whether provided on-site or through the purchase of 'green energy'.
- Water Sensitive Urban Design:
 - An integrated water management plan that identifies opportunities for:
 - A reduction in demand for potable water through use of water conservation features and alternative sources of supply such as wastewater and stormwater.
 - A reduction in the volume of wastewater through water conservation and reuse.

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- An improvement in stormwater quality runoff and a reduction in peak flows through appropriate treatment and stormwater reuse.
- Construction Materials:
 - The use of building materials that minimise ecological or health impacts and greenhouse gases based on the type and volume of raw materials, water and energy consumed in their production.
 - The use of materials that can be expected to endure for the life of the development with minimal maintenance and can be recycled at the end of their useful life.
 - The reuse of recycled materials and the use of materials with recycled components.
 - The use of materials produced in Victoria or Australia.
 - The use of pre-fabricated, pre-cut and standardised components to reduce waste.
- Indoor Environment Quality:
 - The provision of airflow, fresh air intake, cross-ventilation, daylight, appropriate levels of lighting, views and direct access to outdoor areas.
 - The use of materials with low levels of toxic chemicals, minimal off-gassing and production of allergens and other internal air pollutants.
 - The exclusion of external pollutants (including odours) and the safe disposal of internally generated pollutants
 - The measures to reduce reliance on mechanical heating, ventilation, cooling and lighting systems.
 - The use of flexible internal controls for these systems.
 - The measures to minimise noise levels and noise transfer within and between buildings and associated external areas.
 - The provision of an independent acoustics report detailing measures to minimise adverse impacts of noise levels and noise transfer within and between buildings.
- Waste Management:
 - An integrated plan for:
 - A reduction in the amount of waste delivered.
 - A reduction in the amount of waste to landfill.
 - Maximising recycling and composting opportunities.
 - Appropriately dealing with hazardous materials.
 - The provision of adequate private/communal space(s) for the collection of recyclable materials and waste.
- Quality of Public and Private Realm:
 - Design and development that conforms to the Australian Standard AS1428 Part 2 provisions for access and mobility.
 - Design and development that provides a high level of accessibility at the principal front entry for any residential development.
 - The provision of an independent access audit report detailing measures to conform with the Australian Standard AS1428 Part 2 provisions for access and mobility.
 - The provision of shared spaces that can accommodate varying functions and flexibility for future uses.
- Transport:
 - The provision of easily located 'after trip' facilities for bicycle users, joggers, etc.
 - Car parking that reduces energy consumption due to lighting and ventilation.

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- Demolition and Construction
 - The protection of vegetation and other features to be retained and public assets.
 - Testing for and development of a management plan for contaminated or potentially contaminated sites.
 - The prevention of the unintended movement of building waste and hazardous materials and other pollutants on or off the site, whether by air, water or other means.
 - The measures to minimise the amount of waste delivered; the recycling of demolition and waste materials; and the return of waste materials to the supplier (where the supplier has a program of reuse or recycling).
 - The measures to minimise noise and other amenity impacts from mechanical equipment and demolition/construction activities, especially outside of daytime hours.
 - The measures to minimise interference with normal circulation and parking arrangements and any continuing use of outdoor areas.
 - The measures for ensuring worker and public safety.
 - A means for communicating construction arrangements to occupants of affected properties.
 - The provision of adequate environmental awareness training for all on-site contractors and sub-contractors.

7.017/09/2009
VC69**Notice and review**

An application to construct a building or construct or carry out works is not exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act in accordance with Clause 37.08-8 of the Activity Centre Zone.

8.003/06/2010
C67**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65 and Clause 37.08-10, the responsible authority must consider, as appropriate:

Use

- Whether the proposal achieves an appropriate mix of uses within the site to complement and support the strategic role of Doncaster Hill Principal Activity Centre.
- Whether the proposal provides for flexible non-residential floor spaces that can be adapted in the future to a variety of alternative non-residential uses.
- The contribution that the proposal made towards the achievement of residential population targets as set out in the Doncaster Hill Strategy (October 2002, Revised 2004) and as envisaged by this scheme.
- Whether the proposal will create a mix of active uses and pedestrian generating activities, particularly at street level, that contribute to a vibrant public realm.
- The contribution made towards the achievement of employment targets, including commercial and retail floor space forecasts as set out in the Doncaster Hill Strategy (October 2002, Revised 2004).
- Whether the proposal provides for an appropriate scale of development in order to accommodate the mix and intensity of uses envisaged for each precinct.

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Design and built form

Whether the proposed development:

- Creates a strong visual interest by providing unique building types based on innovative, contemporary architecture, urban design and ecologically sustainable development principles.
- Is site responsive and achieves an appropriate scale with a stepping down in built form that responds to Doncaster Hill's natural topography.
- Incorporates side and rear setbacks to enhance pedestrian safety and amenity, and assists in the retention of view lines, penetration of sunlight and creation of landscape buffers.
- Ensures that any environmental wind effects to the adjoining and surrounding neighbourhood is minimised to the satisfaction of the responsible authority.
- Provides overhead weather protection features adjoining key pedestrian walkways and nodal points.
- Ensures dwelling balconies have an open space area of at least 8 square metres, and a minimum dimension of 1.6 metres.
- Complements, where relevant, the form, scale, materials, colour and lighting of a heritage place on the same or adjoining site.
- The objectives, standards and decision guidelines of Clause 55. This does not apply to a development of four or more storeys, excluding a basement.
- Whether the design and siting of any advertising sign/s satisfies the following design principles:
 - Signs should be integrated into the design of the building façade, preferably within the first 3 levels of the podium;
 - Signs should be of a size and height that is complementary to the built form of the building and surrounding landscape treatments;
 - Signs should be limited in number and incorporate limited detail other than is necessary to identify the building name and key tenants;
 - Signs should be consolidated in mixed use and commercial developments to avoid the visual clutter of signage and displays (eg. vehicles, products, promotional material and free standing signs).

Subdivision

- Whether the subdivision is associated with a development proposal that supports the objectives promoted by this Schedule and does not result in the fragmentation of sites.

Access

Whether the proposed development:

- Incorporates provisions for pedestrians, cyclists and people with a disability demonstrating how access needs are accommodated.
- Integrates car parking requirements into the design of buildings and landform by encouraging the use of under-croft or basement parking and minimises the use of open lot/half basement/ground floor car parks at street frontage.
- Provides vehicular access to buildings fronting key boulevards off side streets or via rear access.
- Limits the number of vehicle crossings to each development.

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9.0 Reference documents

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VC59

*Doncaster Hill Strategy (Manningham City Council, October 2002, Revised 2004); and
Doncaster Hill Sustainability Guidelines (Manningham City Council, June 2004).*

MANNINGHAM PLANNING SCHEME

DD/MM/YYYY
Proposed
C104**SCHEDULE 4 TO THE DEVELOPMENT PLAN OVERLAY**Shown on the planning scheme map as **DPO4****Westfield Doncaster Development Plan****1.0****Requirement before a permit is granted**DD/MM/YYYY
Proposed
C104

A planning permit may be granted before a Development Plan has been prepared to the satisfaction of the Responsible Authority for the following:

- Any matter required by the Planning Scheme for that part of the centre shown as "Existing Development" on the Framework Plan forming part of this Schedule.
- Advertising signs
- Changes of use to existing tenancies, including associated car parking waivers and licensing of premises
- Minor buildings and works
- Amendments to existing planning permits and endorsed plans
- Removal of vegetation
- Subdivision of land

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land as contemplated by this Overlay.

2.0**Conditions and requirements for permits**DD/MM/YYYY
Proposed
C104

An application for a planning permit to use or develop land should be accompanied by the following, as appropriate, to the satisfaction of the Responsible Authority:

- A Town Planning Report that, amongst other things, assesses how the planning permit application is generally in accordance with the approved Development Plan.
- A Landscape Plan, detailing existing vegetation; proposed retention and removal of vegetation; new planting / landscape works; and any fencing or acoustic treatments required within the landscape areas of the site.
- An Arborist Report, detailing the safe useful life expectancy for trees to be retained or removed, and impacts arising from the proposed development, including management arrangements.
- A Transport Impact Assessment Report, detailing the existing and proposed transport arrangements taking into account the Integrated Transport Plan component of the Development Plan, clauses 45.09s1, 52.06, 52.29 and 52.34 of the scheme, the Doncaster Hill Strategy and other relevant provisions of the scheme.
- A Sustainability Management Plan, unless the proposal relates to minor buildings and works.
- An Acoustic Report, detailing the proposed noise mitigation measures for the development.
- A Waste Management Plan.
- An Accessibility / Access and Equity Audit report.
- A Green Travel Plan to support the reduction of requirements for staff parking on the site.

A planning permit must include conditions requiring the following, as appropriate, to the satisfaction of the Responsible Authority:

- Construction Management Plan.

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- Drainage Management Plan.
- Green Travel Plan and / or Active Travel Plan.
- Traffic and Car Parking Management Plan.
- Conditions which give effect to the various initiatives and concepts identified in an approved Development Plan.
- Conditions which provide for the delivery of relevant development contributions and infrastructure items as set out in the approved Development Plan and relevant to the approved stage of works.

A planning permit granted for the use or development of the land in accordance with the approved Development Plan, must if required by Manningham City Council, include a condition that requires the land owner to enter into an Agreement with the Responsible Authority pursuant to Section 173 of the *Planning and Environment Act 1987* which provides for the following matters:

- the transfer or lease to the Manningham City Council or its designated service provider of part of the building comprising an area of not less than 100sqm at ground floor level, near the bus interchange; **(facility)**
- the facility is to be finished to the extent ready for internal fit out by Council at its own cost;
- the facility is to have all utilities available and connected;
- the facility is to be used for community purposes;
- the transfer or lease as the case may be must be at not ongoing cost to Council other than a peppercorn consideration or peppercorn rent as the case may be;
- no outgoings are to be charged to the facility save for the utilities;
- any planning permits required for the use of the facility are the responsibility of Council to obtain;
- signage is the responsibility of Council but must adhere to centre requirements; and
- any other matters which the parties agree to.

3.0

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Requirements for development plan

The Development Plan may be prepared and amended in stages.

An approved Development Plan may be amended to the satisfaction of the responsible authority.

A Development Plan generally in accordance with the Concept Plan in this Overlay must address the following vision and objectives for the future use and development of the site:

- To provide for future use and development of the land in accordance with the Doncaster Hill Strategy, the Activity Centre Zone, and the State and Local Planning Policy Frameworks.
- To recognise the key role that the site plays in the Doncaster Hill activity centre.
- To provide an economically viable and sustainable precinct with retail, commercial, community and entertainment uses that meet local and regional expectations and demand.
- To provide flexibility to respond to retail and employment trends.
- To provide a high-quality urban design outcome and improved streetscapes and interfaces with residential areas.
- To minimise off-site amenity impacts associated with future development.
- To encourage the development of a gateway / marker building at the south-east corner of Westfield Drive and Williamsons Road.
- To improve the pedestrian, cyclist and public transport accessibility into the centre and end-of-trip facilities, as a means of promoting environmental sustainability and walkable neighbourhoods.

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- To upgrade the existing bus interchange abutting Williamsons Road to improve access, capacity, the visual presentation, integration and functionality of the facility.
- To provide sufficient car parking for staff and customers.
- To provide for safe and efficient traffic movements within and around the centre.

A Development Plan must incorporate the following items:

Site Analysis Plan

A site analysis plan or plans that show existing conditions, boundaries and dimensions of the site or precinct, any existing features to be retained, topography, adjoining road network, details of adjacent residential interface and surrounding urban context, and the location of any existing services, easements or encumbrances on the land.

Built Form and Envelope Plans

- Envelope Plans which identify the following:
 - The existing built form profile of the Centre,
 - A framework plan for intended future expansion of the Centre,
 - The definition of key building entries and active/ passive edges,
 - Proposed floorspace estimates,
 - Nomination of proposed setback and transition zones and the proposed indicative heights range of new buildings and works (excluding architectural features and building services)

Design Criteria

- Design Criteria that establish a sound framework within which future planning permit applications can be assessed and which address the following matters:
 - The scale of new development across the site;
 - A landmark building at the south-east corner of Williamsons Road and Westfield Drive.
 - The northern interface and visual presentation of the centre to the residential properties in Westfield Drive
 - The visual presentation of the centre to the adjoining road network, including to Westfield Drive and Williamsons Road
 - The presentation of the centre to properties in Roseville Avenue to the east
 - Location and design of traffic, bicycle and pedestrian access into the centre
 - Streetscape and public realm presentation and improvements
 - The integration of an upgraded bus interchange facility
 - The establishment of a publicly accessible forecourt on Williamsons Road adjacent to the bus interchange and the indicative solar access and wind impacts for this space
 - Indicative materials and finishes
 - Integration of acoustic treatments and management of loading bays and service areas
 - Designated locations and precincts for landscape treatments

Landscape and Public Realm Concept Plan

- The Landscape and Public Realm Concept Plan should address the following:

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- The identification of existing vegetation to be retained and / or removed
- The identification of landscape zones
- Streetscape improvement works, including new street tree planting and general public realm improvements
- Inclusion of indicative streetscape cross-sections
- Preferred planting lists, prepared having regard to Council's landscaping guidelines

Integrated Transport Plan

- In relation to public transport:
 - An overall concept plan for the upgraded bus interchange;
 - Details of existing and proposed access routes for public transport and how these are integrated with the centre design
 - Methods by which public transport use can be integrated and encouraged within the future redevelopment of the site; including access to the interchange for the local community.
- In relation to bicycle access:
 - An overall concept plan showing existing and proposed bicycle linkages to, within and from the centre and to/ from bus stops on the surrounding road network to the centre:
 - End-of-trip facilities
- In relation to walkability:
 - An overall concept plan showing existing and proposed walking linkages to, within and from the centre
 - Wayfinding initiatives
- In relation to vehicle access:
 - Identification of any upgrade work required on the arterial and local road networks, including the staging of any works
 - Preparation of indicative / conceptual traffic access plans, showing all proposed new or upgraded intersections, including cross-sections and indicative pedestrian crossing locations
- In relation to car parking:
 - Establishment of a preferred car parking rates for possible land uses within the centre, recognising the multi-purpose trip generation achieved with the site
 - Details of the location and quantum of proposed additional car parking
 - Details of management arrangements for the car parking, including drop off provisions
 - Details of taxi parking location/s servicing the bus interchange and the broader centre.

Prior to approving the Integrated Transport Plan, the Responsible Authority may seek the views of Public Transport Victoria, VicRoads and Department of Transport, as relevant.

Staging Plan

- Identification of the staging of the proposed Development Plan components

Infrastructure and Contributions

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- Details of the infrastructure works and contributions to be made in accordance with the requirements of the Development Contributions Plan Overlay (Schedule 1), including the staging of the works and contributions.

The submission of the Development Plan to the Responsible Authority must be accompanied by:

Town Planning Report:

- Assessment of the suitability of the proposed Development Plan, having regard to the provisions of the Manningham Planning Scheme.

Urban Design Report:

- Assessment of the suitability of the proposed Built Form and Envelope Plans, having regard to the following:
 - The Design Criteria
 - The objectives, policies and strategies set out in the State and Local Planning Policy Frameworks of the Manningham Planning Scheme
 - The Doncaster Hill Strategy
 - The purpose, objectives and guidelines of the Activity Centre Zone

Traffic and Transport Assessment Report:

- A detailed response to Clauses 45.09s1, 52.06, 52.07 and 52.34 of the Manningham Planning Scheme
- Detailed traffic surveys, modelling and analysis of the existing and proposed future road network conditions, incorporating Friday AM Peak, Friday PM Peak and Saturday Lunchtime Peak conditions
- Identification of any upgrade work required on the arterial and local road networks, including the staging of any works
- Detailed car parking surveys and analysis
- Details of the location and quantum of proposed additional car parking

Environmental Sustainability Plan

- Assessment of the environmental sustainability outcomes sought for the proposed development, including:
 - Identification of sustainability outcomes sought by the Manningham Planning Scheme
 - Identification of sustainability policies and guidelines which are relevant to the future development of the land, including Indoor Environment Quality (IEQ); energy and greenhouse gas emissions; transport; water; waste; materials; and emissions.
 - Incorporation of at 'best-practice' sustainable design
 - Identification of benchmark outcomes, strategies and initiatives for consideration as part of future planning permit applications

Any recommendations from the Environmental Sustainability Plan must be incorporated into the approved Development Plan.

Acoustic Engineering Report

- Assessment of the proposed acoustic impacts of the proposed development, including:

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- Identification of existing noise sources, noise levels and noise attenuation mechanisms
- Identification of possible sensitive land uses / noise receptors surrounding the development site
- Identification of possible future proposed noise sources and impacts
- Identification of parameters for future acoustic mitigation works, including any relevant State Environment Protection Policies or guidelines which should or must be met
- Identification of noise management frameworks

Any recommendations from the Acoustic Engineering Report must be incorporated into the approved Development Plan.

Economic Report

- Assessment of the anticipated economic impacts of the proposed development, including:
 - The existing and proposed future role and function of Westfield Doncaster
 - Supply and demand for retail floorspace
 - Comparisons to existing nearby and / or competing activity centres (trade area analysis)
 - The economic impact and benefits of the proposed development, including the proposed estimated floorspace to be added to the centre and the type of uses it will accommodate
 - Any other economic factors relevant to the extent of development anticipated by the Development Plan.

Services / Infrastructure Report (Utilities)

- Provide details of the existing infrastructure services and any upgrade or replacement required to accommodate the proposed redevelopment.

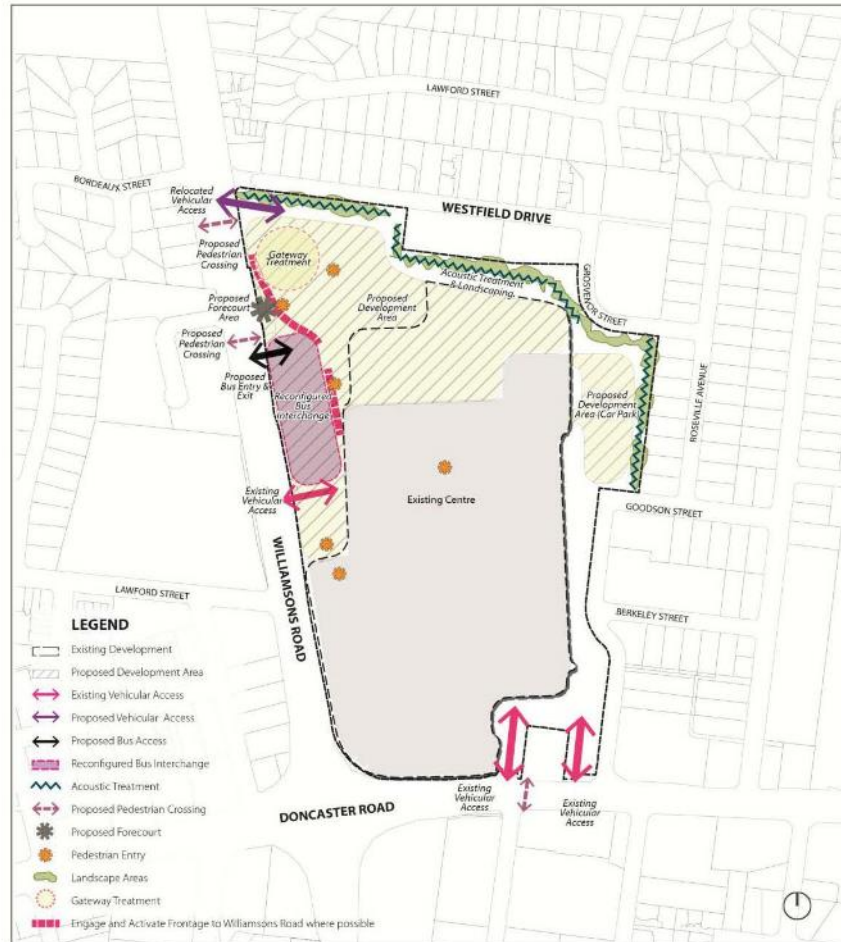
Social Impact Report

- An assessment of the likely social impacts of the development of Westfield Doncaster foreshadowed by the Development Plan including:
 - A review of State, local and other relevant policies and guidelines relevant to the social impacts
 - An assessment of the positive and / or negative social impacts of the proposal
 - Recommendations for mitigation measures in relation to impacts

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4.0 Concept Plan

DDMM/YYYY
Proposed
C104



45.0419/01/2006
VC37**ROAD CLOSURE OVERLAY**

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

Purpose

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

To identify a road that is closed by an amendment to this planning scheme.

45.04-119/01/2006
VC37**Road closure**

A road included in this overlay is closed on the date notice of approval of the amendment is published in the Government Gazette.

45.04-219/01/2006
VC37**Decision guidelines**

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- That the road is closed.

Notes:

Refer to the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement, for strategies and policies which may affect the use and development of land.

Check the requirements of the zone which applies to the land.

Other requirements may also apply. These can be found at Particular Provisions.

MANNINGHAM PLANNING SCHEME

19/01/2006
VC37**SCHEDULE 1 TO THE DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY**Shown on the planning scheme map as **DCPO1****DONCASTER HILL DEVELOPMENT CONTRIBUTIONS PLAN****1.0**19/01/2006
VC37**Area covered by this development contributions plan**

The Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005 applies to all land shown as DCPO1 on Planning Scheme Map No. 7DCPO.

2.019/01/2006
VC37**Summary of costs**

Facility	Total cost	Time of provision	Actual cost contribution attributable to development	Proportion of cost attributable to development
Transport	\$6,995,428	Refer to Development Contributions Plan	\$3,361,385	48%
Streetscape	\$7,303,355	Refer to Development Contributions Plan	\$3,103,135	42%
Public Art	\$4,257,000	Refer to Development Contributions Plan	\$1,476,196	35%
Development Infrastructure: social	\$2,882,000	Refer to Development Contributions Plan	\$1,605,613	56%
Community Infrastructure: social	\$11,110,000	Refer to Development Contributions Plan	\$3,672,000	33%
TOTAL	\$32,547,783		\$13,218,329	41%

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3.0 Summary of contributions

19/01/2008
VC37

LEVIES PAYABLE BY THE DEVELOPMENT

FACILITY	LEVIES PAYABLE BY THE DEVELOPMENT					
	DEVELOPMENT INFRASTRUCTURE		COMMUNITY INFRASTRUCTURE		ALL INFRASTRUCTURE	
	RESIDENTIAL	NON-RESIDENTIAL	RESIDENTIAL	NON-RESIDENTIAL	RESIDENTIAL	NON-RESIDENTIAL
Transport	\$362 per dwelling	\$362 per 121m2 commercial floor space, 19m2 of retail floor space	None specified	None specified	\$362 per dwelling	\$362 per 121m2 commercial floor space, 19m2 of retail floor space
Streetscape	\$334 per dwelling	\$334 per 121m2 commercial floor space, 19m2 of retail floor space	None specified	None specified	\$334 per dwelling	\$334 per 121m2 commercial floor space, 19m2 of retail floor space
Public Art	\$159 per dwelling	\$159 per 121m2 commercial floor space, 19m2 of retail floor space	None specified	None specified	\$159 per dwelling	\$159 per 121m2 commercial floor space, 19m2 of retail floor space
Social	\$384 per dwelling	None specified	\$900 per dwelling	None specified	\$1284 per dwelling	None specified
TOTAL	\$1239	\$855	\$900	None specified	\$2139	\$855

4.0 Land or development excluded from development contributions plan

19/01/2008
VC37

Proposed
6131

Exemptions from payment of development contributions apply in the following circumstances:

- Construction of a building or construction or carrying out of works or subdivision that results in a demand that is below the demand unit specified in this Schedule and where there is no increase in demand on infrastructure as a result of the proposal.
- Construction of a building or construction or carrying out of works specified in Clause 62.02.
- Subdivisions specified in Clause 62.03.
- Construction of one dwelling or construction or carrying out of works associated with one dwelling on a lot.

MANNINGHAM PLANNING SCHEME

- Construction of a building or construction or carrying out of works to reinstate the pre-existing standard of buildings damaged or destroyed.
- Construction or display of an advertising sign.
- Construction of a building or construction or carrying out of works or subdivision by or on behalf of Manningham City Council that implements infrastructure funded by this Development Contributions Plan.
- Construction of a building or construction or carrying out of works on the land known as Westfield Shoppingtown Doncaster being the land identified on Planning Scheme Map ~~71PO~~ 7DPO up to a leasable floor area of 135,000 square metres (comprising a maximum of 90,000 square metres leasable floor area for shop) provided that the infrastructure works specified in the conditions of Planning Permit No. PL03/015005 or other works in lieu of the specified works (as agreed by Council) are carried out or there is an agreement to secure the carrying out of those works to the satisfaction of the responsible authority.

Note: This schedule sets out a summary of the costs and contributions (2003 cost estimates) prescribed in the Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005. Refer to the incorporated document Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005 for full details.

MANNINGHAM PLANNING SCHEME

19/04/2013
VC95**SCHEDULE 1 TO THE PARKING OVERLAY**Shown on the planning scheme map as **PO1**.**DONCASTER HILL PRINCIPAL ACTIVITY CENTRE****1.0**19/04/2013
VC95**Parking objectives to be achieved**

To identify appropriate car parking rates for various uses within the Doncaster Hill Principal Activity Centre.

To establish the most efficient way for future expected car parking demands to be accommodated within the Doncaster Hill Principal Activity Centre area including the stipulation of suitable car parking requirements for key land uses within the Doncaster Hill Principal Activity Centre.

2.019/04/2013
VC95
[Proposed C104](#)**Number of car parking spaces required**

If a use is specified in the Table below, the number of car parking spaces required for the use is calculated by multiplying the *Rate* specified for the use by the accompanying *Measure*.

Table: Car parking spaces

Use	Rate	Measure
Office	2.5	To each 100 sq m of net floor area.
Office, if in Precinct 4A of the Activity Centre Zone (Westfield Doncaster)	3.5	To each 100sqm of net floor area.
Dwelling	1	To each one or two bedroom dwelling, plus
	2	To each three or more bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom), plus
	1	For visitors to every 10 dwellings.
Restaurant	0.36	To each seat available to the public.
Restricted retail premises	1.5	To each 100 sq m of leasable floor area.
Shop, if in Precinct 4A of the Activity Centre Zone (Westfield Doncaster)	4.17	To each 100sqm of leasable floor area based on a whole-of-centre shop assessment at each nominated stage of the development.

3.019/04/2013
VC95
[Proposed C104](#)**Application requirements and decision guidelines for permit applications****For all applications**

The responsible authority will protect adjoining residential areas from the intrusion of car parking associated with developments within the Doncaster Hill Principal Activity Centre by considering the effects of car parking on adjoining residential areas before any variation of the requirements is granted.

MANNINGHAM PLANNING SCHEME

For land in Precinct 4A of the Activity Centre Zone (Westfield Doncaster)

Application requirements are specified in Schedule 4 of the Development Plan Overlay.

Before deciding on an application, the Responsible Authority must consider the following decision guidelines:

- The complementary relationship between the land uses on the site and the benefit in promoting multi-purpose trips.
- The provision of car parking having regard to the staged nature of the future redevelopment of Westfield Doncaster as specified in an approved Development Plan and whether the staged development needs to be managed by a s173 agreement which ensures that the required car parking rate will be provided in a timely manner.
- The upgrade of the Williamsons Road bus interchange and the opportunities created for pedestrian and cycling accessibility to Westfield Doncaster to promote sustainable forms of transport.

For applications to allow some or all of the required car parking spaces to be provided on another site

Car parking requirements for a land use within the Doncaster Hill Principal Activity Centre specified in the Table of this schedule can be provided on the same site as the use or development or if the site size or shape is not suitable and a development or use cannot provide sufficient car parking on-site, a permit may be granted for the use of other land for off-site car parking.

Before a permit may be granted for the use of any other land for off-site car parking the owner of the development site, the owner of the site being used for any off-site parking and the responsible authority must enter into an agreement under Section 173 of the *Planning and Environment Act 1987* or similar to ensure that the off-site car parking will be freely available and directly linked to the use on the subject site for the life of that use. The off-site car parking referred to above excludes on-street car parking.

The appropriateness of suitable off-site car parking shall be guided by the considerations set out within the Doncaster Hill Parking Precinct Plan.

4.0

19/04/2013
VC95

Reference document

Doncaster Hill Parking Precinct Plan (GTA Consultants for Manningham City Council, 5 July 2004)

MANNINGHAM PLANNING SCHEME

29/10/2016
VC104
Proposed
C104

SCHEDULE TO CLAUSE 61.03**Maps comprising part of this scheme:**

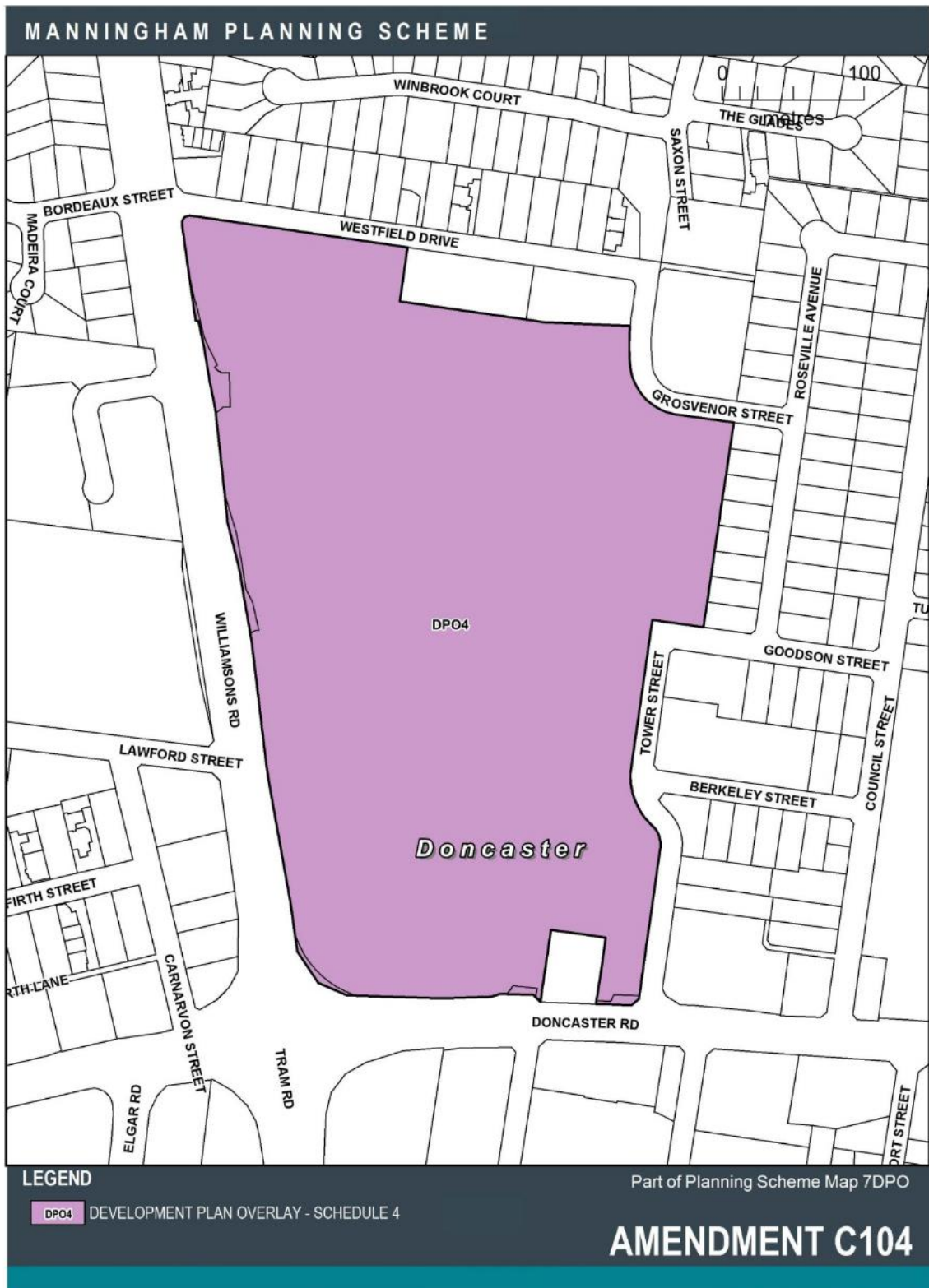
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- 10, 10EMO, 10ESO, 10HO, 10LSIO, 10WMO
- 11, 11DDO, 11ESO, 11HO, 11LSIO, 11SBO, 11SLO1, 11SLO6

MANNINGHAM PLANNING SCHEME

23/07/2015
C106
Proposed C104

SCHEDULE TO CLAUSE 81.01

Name of document	Introduced by:
City of Manningham – Statements of Tree & Garden Significance (2006)	C61
Development in Areas of Possible Slope Instability Resident Information Guide, Shire of Lillydale, November 1993	NPS1
Doncaster Activity Centre Development Strategy – Final Report, October 1990	NPS1
Doncaster Activity Centre Town Centre Project, April 1994	NPS1
Doncaster Hill Development Contributions Plan, Manningham City Council, February 2005	C30
Donvale Christian College, Master Plan, September 2013	C103
Extension of the Eastern Freeway and Completion of the Ringwood Bypass, June 2001	C17
Incorporated Document No. 1 under the Schedule to Clause 52.03, 127a Tindals Road, Donvale, November 2008	C74
Incorporated Document No. 2 under the Schedule to Clause 52.03, 75 Alexander Road, Warrandyte, November 2008	C74
Incorporated Document No. 3: 3-9 and 11 Mitchell Street, Doncaster East – June 2015	C106
Manningham Centre Structure Plan, December 1996	NPS1
'On Luck' Chinese Nursing Home, January 2010	C88
Plan No. 1 Incorporated under Clause 43.01-2 of the Manningham Planning Scheme, April 2008	C74
Proposed Ring Road Landscape Concept, Chris Dance Land Design Pty Ltd, Ref Nos LA1 & LA2, June 1996	NPS1
Warrandyte Township Heritage Guidelines, Parts 1 to 7, July 2007	C60
Westfield Shoppingtown Doncaster Concept Plan, September 1996	NPS1

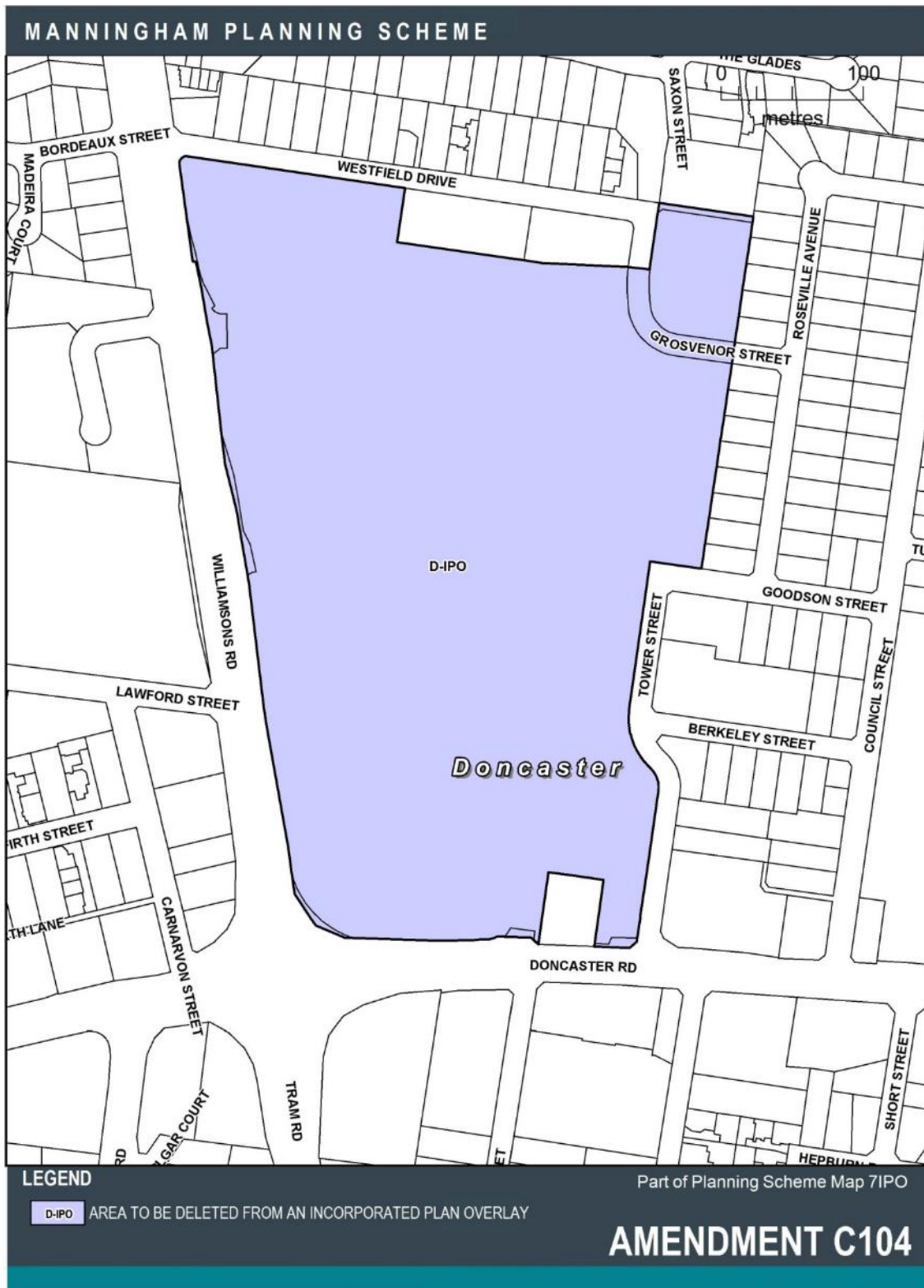


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| Planning |



Department of
Environment, Land,
Water & Planning **Victoria**

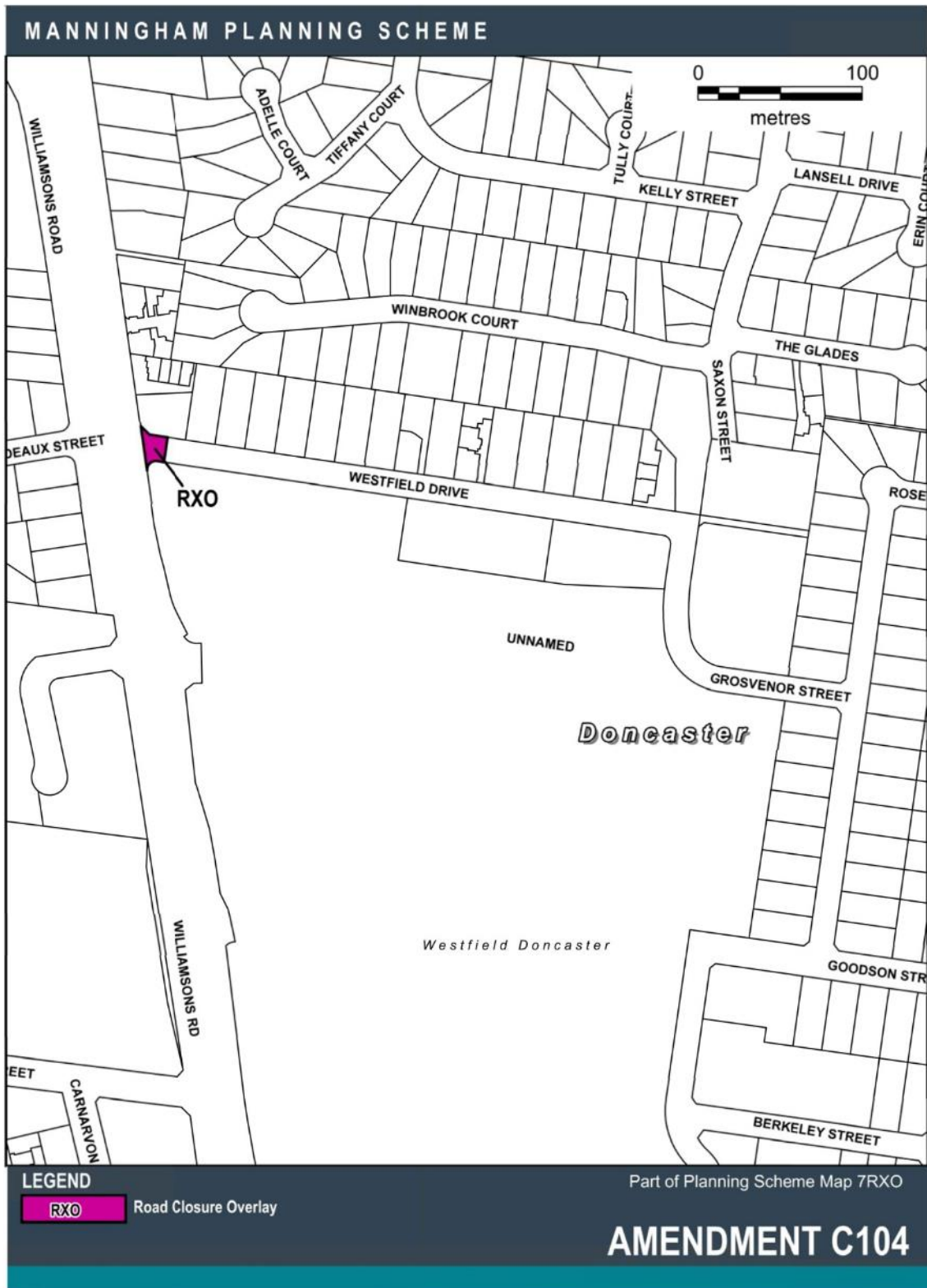
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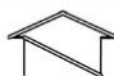
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Department of
Environment, Land,
Water & Planning **Victoria**
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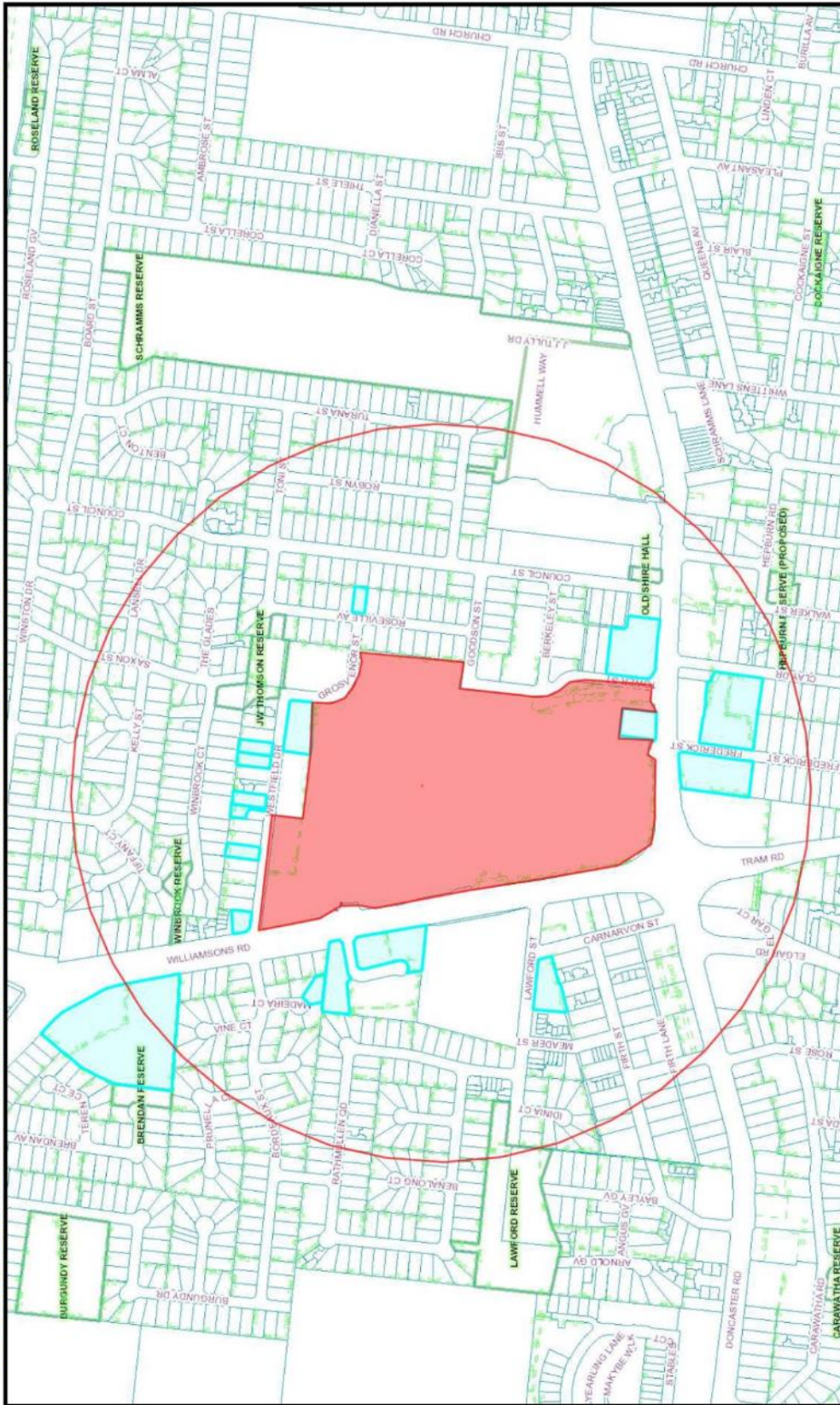


Department of
Environment, Land,
Water & Planning 

003

Attachment 3

Amendment C104 - Submitters within 500 metres of Westfield Doncaster



NOTE:
34 (including Proponent) submitters inside 500 metre boundary of subject site
17 Submitters are outside the 500 metre boundary
1 Submitter did not provide an address



1:4,954
Metres

18/12/2016 3:05 PM

All care has been taken in the preparation of this cadastral base map. The Council and State of Victoria accept no responsibility for the accuracy of the information shown on this map. This information is for demonstration only.



10.2 Amendment C111 - 383 - 395 Manningham Road, Doncaster - Consideration of Panel Report and Adoption of Amendment

Responsible Director: Director Planning & Environment

File No.T16/226

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The purpose of this report is for Council to:

- 1. Consider the report of the independent panel which considered submissions in relation to Amendment C111 to the Manningham Planning Scheme and Planning Permit Application PL15/025875; and*
- 2. Make a decision on whether or not to adopt the Amendment/Application as recommended by the Panel. A copy of the Panel Report is included as **Attachment 1**.*

Amendment C111 and Planning Permit PL15/025875 relate to the proposed rezoning and subdivision of the front, vacant portion of the Council owned land at 385 – 395 Manningham Road, Doncaster (adjacent to Mannacare) for residential purposes. Under sections 27 and 96F of the Planning and Environment Act, (the Act) Council must consider the Panel's report before deciding whether or not to adopt the Amendment (with or without changes), and before deciding whether or not to recommend the granting of a permit.

*Under section 29 of the Act, it is recommended that Council adopts Amendment C111 as recommended by the Panel and shown in **Attachment 2** (adoption documents), and forwards to the Minister for Planning for approval in accordance with section 31 of the Act. Under section 96G of the Act it is also recommended that Council recommends to the Minister for Planning that planning permit PL15/025875 be granted.*

If Council resolves to adopt Amendment C111 and recommends that planning permit PL15/025875 be granted, Council will then receive a further report regarding the future sale of the land.

1 BACKGROUND

- 1.1 Amendment C111 applies to the front, vacant portion of the Council owned land at 385 – 395 Manningham Road, Doncaster, more particularly described as Lot 1 on LP 219314W on Certificate of Title Volume 10059 Folio 460. It is currently occupied by the former Manningham Centre Association's (MCA), now referred to as Mannacare, Melaleuca Lodge, a low care residential hostel. A site context plan is included as **Attachment 3**.
- 1.2 The Amendment proposes to:
 - Rezone the site from a Public Use Zone – Health and Community (PUZ3) to the Residential Growth Zone; and

- Apply the Design and Development Overlay Schedule 8 – Sub-precinct 1 (DDO8-1) to the land.
- 1.3 The amendment is accompanied by an application for planning permit (PL15/025875) under section 96(A)(1) of the *Planning and Environment Act 1987* to subdivide Lot 1 219314W into two allotments. Lot 2 is proposed to have an area of approximately 2,440m². A draft planning permit was prepared by Council for the subdivision of the subject land and was exhibited with the planning scheme amendment.
- 1.4 Council is seeking to rezone the front portion of 385 – 395 Manningham Road, Doncaster, in order to facilitate the future sale of that land for medium density housing.
- 1.5 The background to this amendment / planning permit application was previously reported to Council at its meetings on 23 June 2015 and 28 June 2016.
- 1.6 At its meeting on 23 June 2015 Council resolved as follows:
- That Council:
- (A) *Seeks authorisation from the Minister for Planning under section 8A(3) of the Planning and Environment Act 1987 to prepare Amendment C111 to the Manningham Planning Scheme to:*
- *Rezone part of Lot 1 LP 219314W (Volume 10059 Folio 460) as generally shown in Attachment 5 from Public Use Zone 3 (Health and Community) to the Residential Growth Zone (Schedule 2);*
 - and*
 - *Apply Design and Development Overlay Schedule 8– Sub-precinct 1 (DDO8-1) to the land.*
- (B) *When authorisation is received to give notice of Amendment C111 to the Manningham Planning Scheme and notice of the planning permit application being considered concurrently in accordance with section 96C of the Act, resolve to place Amendment C111 and the draft planning permit on public exhibition for a period of six weeks generally in accordance with Attachment 5.*
- (C) *Subject to a further report authorising the commencement of statutory proceedings under section 189 of the Local Government Act 1989, gives in principle support for the sale of part of Lot 1 on as generally shown in Attachment 3 for residential purposes, subject to an expression of interest process and the following principle for future development of the site:*
- *A preferred minimum 10% of the development to comprise affordable and/or disability housing’.*
- 1.7 Amendment C111 and proposed planning permit PL15/025875 were placed on public exhibition between 7 April to 20 May 2016.
- 1.8 On 1 April 2016, notice of the amendment and planning permit application was given to 35 parties. They included the adjoining Manningham Centre (now Mannacare), Ambulance Victoria, VicRoads, the Department of Health and Human Services and nearby land owners and occupiers in Palmerston Avenue and properties opposite the subject site in Manningham Road, Doncaster. Prescribed Ministers and statutory authorities outlined in the Act were also notified.

- 1.9 Notices were also placed in the Manningham Leader and the Government Gazette on 4 and 7 April 2016 respectively. An article was also included in the May edition of Manningham Matters and a notice was also erected on the subject site.
- 1.10 The Amendment documentation and the proposed planning permit, were placed on the *Your Say Manningham* portal on Council's website and were available for viewing at the Council offices and branch libraries. The Council website registered a total of 66 visits from persons who viewed the relevant documentation.
- 1.11 In addition to the required statutory process, a meeting was held with the Chief Executive Officer of the Manningham Centre on 4 April 2016 to explain the proposal and to respond to any questions.
- 1.12 During the exhibition period a total of six submissions were received. One conditional non-objection was received from VicRoads. Five objections were received from owners and occupiers.
- 1.13 The main issues raised by the objecting submissions relate to:
- The need to retain land for future health facilities;
 - Proposed sale of a Council owned asset;
 - Loss of views;
 - The need to retain land for public open space; and
 - Increased traffic and negative amenity impacts that any redevelopment of the site would have on adjoining properties.
- 1.14 VicRoads had no objection in principle to the proposed rezoning, provided that Condition 1 of the proposed planning permit PL15/025875 is amended to include the following:
1. *'Prior to the Certification of Plan of Subdivision, amended subdivision plan to the satisfaction of VicRoads must be submitted to the Responsible Authority for endorsement. Once endorsed, the plan will form part of the permit.*
 2. *The Plan must generally be in accordance with the plan of subdivision PS719948Y Version 3 prepared by Lawlor and Loy Pty Ltd but modified to:*
 - (a) *Show the ROAD RESERVE (R-1) proposed in the south-east corner deleted.*
 - (b) *The RESERVE No. 1 extended to the east for the entire frontage of Manningham Road.*
 - (c) *A restriction on Lot 2, created under Section 23 of the Subdivision Act 1988, prohibiting vehicular access to the Manningham Road service road'.*
- 1.15 At its meeting on 28 June 2016, Council considered all the submissions received and resolved not to make any changes to the amendment, but to amend Condition 1 of proposed planning permit PL15/025875 in accordance with VicRoads' request.
- 1.16 The Council resolution of 28 June 2016 stated:

'That Council:

- (A) *Notes all the submissions received in response to Amendment C111 to the Manningham Planning Scheme and Planning Permit Application PL15/025875;*
 - (B) *Requests that the Minister for Planning appoint an Independent Panel under Part 8 of the Planning and Environment Act 1987, to consider all submissions received in response to Amendment C111 to the Manningham Planning Scheme and Planning Permit Application PL15/025875;*
 - (C) *Endorses the officers' recommended responses to the issues raised by submitters as shown in Attachment 6 and endorses these responses as the basis for Council's submission to an Independent Panel;*
 - (D) *Endorses the recommended post exhibition change to the proposed Planning Permit PL/025875 in response to VicRoads submission in Council's submission to an independent panel generally in accordance with Attachment 7; and*
 - (E) *Writes to all submitters, informing them of Council's decision.*
- 1.17 A Directions Hearing was held on 2 August 2016. In accordance with the Panel's Direction outlined in a letter dated 9 August 2016, Council provided a written submission (Part A) prior to the Panel hearing that outlined the background to the Amendment.
- 1.18 Part B of Council's submission was presented at the Panel hearing on 6 September 2016 and addressed the key issues raised in the submissions. One submitter, Mr Doug McKenzie was also party to the Panel hearing.
- 1.19 Council received the panel report on 20 September 2016. Under section 26 of the Act Council has 28 days to publicly release the report. In accordance with this requirement the Panel report was released on 13 October 2016.

2 PROPOSAL/ISSUE

- 2.1 Under sections 27 and 28 of the Act, Council must consider the Panel's report before deciding whether or not to adopt the Amendment, with or without changes, or to abandon all or part of the Amendment.
- 2.2 Under section 96F of the Act, Council must also consider the panel's report before deciding whether or not to recommend the granting of a permit.

Panel Recommendations

- 2.3 The Panel considered all written submissions to the Amendment, and concluded that the Amendment C111 be adopted as exhibited.
- 2.4 The Panel also supported the approval of Planning Permit PL15/02587 in accordance with Council's post exhibition change in response to VicRoads submission and Council's drainage requirements as shown in **Attachment 4**.

3 PRIORITY/TIMING

- 3.1 Ministerial Direction No. 15 sets out the timeframe for completing the various steps in the planning scheme amendment process.

- 3.2 The *Planning and Environment Act 1987* requires Council to release the Panel Report to the public within 28 days of its receipt. The Panel report was received on 20 September 2016 and was released on 13 October 2016.
- 3.3 Under Clause 6 of the Ministerial Direction, Council must make a decision on the Amendment within 40 business days of the date it receives the Panel's Report. This requirement could not be met given that Council was in caretaker mode between 21 September and 22 October 2016. Accordingly, a letter was sent to the Minister for Planning on 11 October 2016 seeking an exemption from this Direction.
- 3.4 Under Clause 7 of the Ministerial Direction, Council must submit an adopted amendment to the Minister within 10 business days of the date the amendment was adopted by Council.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 Rezoning the subject land to a Residential Growth Zone (RGZ2) and Design and Development Overlay (DDO8-1) is consistent with the strategic direction of the *Manningham Residential Strategy (2012)* and key policy directions included in the Manningham Planning Scheme.
- 4.2 In accordance with the *Manningham Residential Strategy (2012)*, the Municipal Strategic Statement (MSS) identifies that there is a need for housing diversity across the municipality in the form of medium and higher density residential developments. More specifically, the MSS also encourages increased residential densities around activity centres and along specified main roads where public transport, facilities, services and employment opportunities are available.

5 CUSTOMER/COMMUNITY IMPACT

- 5.1 The proposed rezoning would allow for housing choice, particularly in an area that is well serviced by retail and community facilities, and public transport networks.
- 5.2 The community has had an opportunity to comment on the amendment and planning permit application, and make submissions during the exhibition process. Further opportunity for community input will occur as part of any subsequent planning application lodged to develop the newly created lot. Consultation with key stakeholders who have a direct interest in the development of the precinct, was included in the planning amendment process and will also include affected stakeholders during future planning permit application processes.

6 FINANCIAL PLAN

- 6.1 The value of the land will be assessed by the City Valuer on the basis of it having been rezoned to a suitable residential zoning for medium density residential development and considering recent development site sales in the vicinity.

7 FINANCIAL RESOURCE IMPLICATIONS

- 7.1 Planning scheme amendments are prepared and administered by the Economic and Environmental Planning (EEP) Unit. The EEP Unit will continue to meet the costs of the amendment process in accordance with the *Planning and Environment (Fees) Regulations 2000*.

8 SUSTAINABILITY

- 8.1 The proposed amendment would have positive social and environmental effects by providing residential opportunities at a range of dwelling densities on a strategic redevelopment site that has good access to Macedon Square Shopping Centre, medical facilities, community facilities and public transport. Ecologically sustainable design will be incorporated into the future development, particularly in the area of energy, passive solar design and integrated water management to minimise ongoing running costs.

9 CONSULTATION

- 9.1 The consultation process undertaken during the 6 week public exhibition was outlined in the Council report on 28 June 2016 that considered all submissions.
- 9.2 The Panel considered all written submissions made in respect of the proposed Amendment and Planning Application. All submitters were provided with an opportunity to be heard by the Panel.
- 9.3 All submitters were notified of the release of the Panel report on 13 October 2016.
- 9.4 A copy of the Panel Report was made available on the Council website, with a copy made available for viewing at the front counter of the municipal offices.

10 COMMUNICATIONS STRATEGY

- 10.1 All submitters will be informed about Council's decision following its consideration of the Panel report.

11 CONCLUSION

- 11.1 Council has received the Panel Report for Amendment C111 to the Manningham Planning Scheme and has released it to the public.
- 11.2 The Panel has recommended that the proposed Manningham Planning Scheme Amendment C111 be adopted as exhibited.
- 11.3 The Panel has also recommended that Planning Application PL15/025875 be approved to create two lots subject to the conditions in Attachment 3.
- 11.4 If Council resolves to adopt Amendment C111 and recommends that planning permit PL15/025875 be granted, Council will then receive a further report regarding the future sale of the land.

OFFICER'S RECOMMENDATION

That Council:

- (A) **Notes the Panel Report for Amendment C111 to the Manningham Planning Scheme;**
- (B) **Under section 29 of the *Planning and Environment Act 1987*, adopts Amendment C111 in the form set out in Attachment 2;**

- (C) Submits the adopted Amendment C111 to the Minister for Planning for approval in accordance with section 31 of the *Planning and Environment Act 1987*.
- (D) Under section 96G of the *Planning and Environment Act 1987* recommends to the Minister for Planning that a Planning Permit PL15/025875 as shown in Attachment 4, be granted;
- (E) Notifies all submitters of Council's decision;
- (F) Notes that a further report regarding the details of the sale of land will be presented to a future Council meeting.

MOVED: GOUGH
SECONDED: HAYNES

That the Recommendation be adopted.

CARRIED

DIVISION

A Division having been demanded the Council divided as follows:

FOR (7): Councillors Gough, Haynes, McLeish, Piccinini, Conlon, Galbally and Kleinert

AGAINST (2): Councillors Zafiroopoulos and Chen

THE MOTION WAS DECLARED CARRIED

"Refer Attachments"

Attachment 1 – Panel Report Amendment C111

Attachment 2 – Adopted Amendment C111

Attachment 3 – Site Context Map

Attachment 4 – Planning Permit PL15/025875

* * * * *

ATTACHMENT 1

Planning and Environment Act 1987

Panel Report

Manningham Planning Scheme Amendment C111
383 – 395 Manningham Road, Doncaster

19 September 2016



Planning and Environment Act 1987

Panel Report pursuant to section 25 of the Act
Manningham Planning Scheme Amendment C111
Rezone 383 – 395 Manningham Road, Doncaster
19 September 2016



Kevin Breen, Chair



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List of Abbreviations

- LPPF Local Planning Policy Framework
- MSS Municipal Strategic Statement
- RGZ Residential Growth Zone
- SPPF State Planning Policy Framework



Executive Summary

(i) Summary

Manningham Planning Scheme Amendment C111 (the Amendment) seeks to:

- Rezone 383 – 395 Manningham Road, Doncaster from Public Use Zone 3 (Health and Community) to the Residential Growth Zone (Schedule 2); and
- Apply Design and Development Overlay Schedule 8 – Sub-precinct 1 (DDO8-1) to the land.

Concurrent with the preparation of the planning scheme amendment, an application for planning permit (PL15/025875) has been made under section 96(A)(1) of the *Planning and Environment Act 1987* (the Act) to subdivide Lot 1 into two allotments.

The Amendment is required to facilitate the sale and redevelopment of part of the Council owned land at 383 – 395 Manningham Road, Doncaster for residential purposes. The Council is also the proponent for the Amendment.

The front portion of the Council owned land is currently vacant whilst the rear northern portion is occupied by the Manningham Centre Association's Melaleuca Lodge, a low care aged care hostel.

The Council have determined that the subject site which is the front vacant portion of the land (approximately 2440m²) is not required for municipal purposes and the Manningham Centre has indicated they are not interested in purchasing the subject land. The Council wish to sell the land for residential development and to this end propose an Expression of Interest sale process with a requirement for a minimum of 10% of the housing units developed devoted to affordable/disability housing.

The subject site was part of a larger parcel of adjacent land that was zoned Public Use (Health and Community) in 1954 to allow the development of a hospital. The hospital was not developed, but in the 1980s and 1990s the Manningham Centre was developed in stages across two parts of the site, one leased from the State Government and the other purchased by the Council. The subject site is the residual section of the Council owned land. Ambulance Victoria's communication centre has been developed on another significant section of the original larger site.

The substantive issue is whether the subject land is required under the Public Use Zone (Health and Community) and a rezoning to residential use is appropriate.

Key issues raised in submissions:

- The need to retain the land for future health facilities.
- The need to retain the land for open space.
- Lack of support the proposed sale of a Council asset.

The Panel concludes that:

- the purpose for which the land had been zoned has changed since the land was first zoned in 1954 as the intended hospital did not proceed.

- subsequent developments of both the Manningham Centre and Ambulance Victoria on the larger original site largely achieved alternative but generally conforming uses under the public use zone.
- the changing funding arrangements for aged care at a State and Federal level has altered the role for the Council in relation to residential aged care.
- the Council confirmed that the subject site is no longer required for municipal purposes.
- there is no evidence that when the Council purchased the site from the State Government in 1993 that the site had to be permanently preserved for public use.
- the decision by the Manningham Centre not to purchase the subject site means that the zoned Public Use purpose for the site is not likely and so a rezoning to a residential zone is supported.
- the Residential Growth Zone is the underlying zone for the site which demonstrates the range of characteristics relevant to higher density residential use.
- there is no case for the site to be set aside for public open space.
- issues concerning loss of expansive views and impacts on neighbouring properties are either not relevant to the Amendment or can be taken up at the subsequent planning permit stage.
- the concurrent planning permit for a two lot subdivision, as amended to meet VicRoads' requirements, is appropriate.

The Panel considers that the Amendment has planning merit and should proceed.

(ii) Recommendations

Based on the reasons set out in this Report, the Panel recommends that:

- 1. Manningham Planning Scheme Amendment C111 be adopted as exhibited.**
- 2. Planning Permit PL15/025875 be approved, subject to the changes as shown in Appendix B of this report.**

1 Introduction

1.1 The Amendment

(i) Amendment description

The Amendment proposes to:

- Rezone the land from Public Use Zone 3 (Health and Community) to the Residential Growth Zone (Schedule 2); and
- Apply Design and Development Overlay Schedule 8 – Sub-precinct 1 (DDO8-1) to the land.

Concurrent with the preparation of the planning scheme amendment, an application for planning permit (PL15/025875) has been made under section 96(A)(1) of the *Planning and Environment Act 1987* (the Act) to subdivide Lot 1 LP 219314W into two allotments.

The Amendment and proposed subdivision affects the front portion of the site which is currently vacant. Lot 2 is proposed to have an area of approximately 2440m².

The balance of the land (Lot 1) is to be retained within the existing Public Use Zone.

(ii) Purpose of the Amendment

The Amendment is required to facilitate the sale and redevelopment of part of the Council owned land at 383 – 395 Manningham Road, Doncaster for residential purposes.

The front portion of the Council owned land is currently vacant whilst the rear (northern) portion is occupied by the Manningham Centre Association's (MCA) Melaleuca Lodge, a low care aged care hostel.

The front portion of the land (approximately 2440m²) is not required for municipal purposes and the MCA's 10 year business plan has indicated that the Centre is not interested in purchasing the subject land. The Council wish to sell the land for subsequent residential development. The Council proposes a sale process where an Expression of Interest would be conducted with a requirement for a minimum of 10% of housing units developed being devoted to affordable/disability housing.

The Amendment and associated planning permit application applies to the land shown in Figure 1, however only the front part of the site is proposed to be affected by the rezoning.



Figure 1 The subject site



Figure 2 Current zoning



Figure 3 The site to be rezoned

1.2 Panel process

The Amendment was initiated and prepared by Manningham City Council and was authorised by the Department of Environment, Land, Water and Planning (DELWP) on 9 March 2016. The Council is also the proponent for the Amendment.

The Amendment and associated planning permit application was placed on public exhibition between 7 April and 20 May 2016, with five opposing submissions received. One conditional non-objection was received from VicRoads.

At its meeting of 28 June 2016, Council resolved to refer the submissions to a Panel. As a result, a Panel to consider the Amendment was appointed under delegation from the Minister for Planning on 20 July 2016 and comprised Kevin Breen (Chair).

A Directions Hearing was held in relation to the Amendment on 2 August 2016. Following the Directions Hearing, the Panel undertook an inspection of the subject site and its surrounds.

The Panel then met in the offices of Manningham City Council on 6 September 2016 to hear submissions about the Amendment. Those in attendance at the Panel Hearing are listed in Table 1.

Table 1 Parties to the Panel Hearing

Submitter	Represented by
Manningham City Council	Ms Gabrielle O'Halloran, Senior Strategic Planner
Mr Doug McKenzie	

1.3 Background to the proposal

The land known is owned by Manningham City Council and fronts Manningham Road, approximately 470 metres east of the intersection of Manningham Road and High Street. It has a total area of approximately 13,890 sqm and forms part of the land on which the Manningham Centre is developed. The Manningham Centre provides a range of support services, including residential care, for older people. The Manningham Centre is developed across two parcels of land with the rear parcel accommodating Cassia House, leased from the State Government, and the parcel nearer Manningham Road, accommodating Melaleuca Lodge low care aged hostel, owned by Manningham City Council. The Melaleuca Lodge occupies the major part of the Council owned land and is set back some 65 metres from Manningham Road. A portion of the land is vacant and has an area of approximately 2,440 sqm. The Council wishes to sell this vacant part of the site for residential purposes and so seeks to rezone this part of the site from Public Use Zone to Residential Growth Zone, and subdivide the vacant section of the site from the balance of the land occupied by Melaleuca Lodge.

The vacant land would create a lot of some 2,440 sqm and is roughly triangular in shape with a frontage to Manningham Road and two other boundaries of 85 metres in length.

The subject site also adjoins the headquarters of the Metropolitan Ambulance Service.

The subject site is located at the crest of a rise with commanding 360 degree views, including expansive views to the north towards Kinglake National Park. The site has a fall to the north-east of about 5 metres.

1.4 Summary of issues raised in submissions

The key issues raised in the submissions of the various parties are:

(i) Planning Authority and Proponent

The key issues for the Council were:

- The circumstances governing Council's original intentions for the site have changed and Council no longer has need for the subject land to be retained for health services.

- There is nothing in writing to commit the Council to the utilisation of the whole site it owns for health services use, following Council's purchase of the site in 1993.
- The adjoining Manningham Centre has indicated that they do not wish to acquire the site for health and community purposes.

(ii) Relevant agencies

The key issue for VicRoads was:

- In relation to the concurrently exhibited planning permit application, changes to the plan of subdivision are required concerning access to the site.

The Council accepted the requested changes proposed by VicRoads and have amended the relevant planning permit conditions. No change to the Amendment to rezone the land was requested.

(iii) Individual submitters

The key issues by submitters were:

- The need to retain the land for future health facilities.
- Lack of support for the proposed sale of a Council asset.
- Loss of views.
- The need to retain the land for open space.
- The proposal to allow higher density residential development would result in increased traffic and have other negative impacts on adjoining properties.
- Any future development would need to take account of safety concerns associated with Ambulance Victoria's microwave communication system.
- A suggestion of a land swap that would facilitate the development of the subject site as a community aged care facility.

None of the issues were resolved prior to the Panel and this report considers the submitter issues.

1.5 Issues dealt with in this Report

The Panel considered all written submissions made in response to the exhibition of the Amendment; as well as further submissions, evidence and other material presented to it during the Hearing, and observations from a site visit.

All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the report.

This report deals with the issues under the following headings:

- Planning context
- Rezoning justification
- Other issues
- Planning permit

2 Planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed Council's response and the policy context of the Amendment, and has made a brief appraisal of the relevant zone and overlay controls and other relevant planning strategies.

2.1 Policy framework

(i) State Planning Policy Framework

Council submitted that the Amendment is supported by the following clauses in the SPPF:

11. Settlement

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

11.04-2 Housing choice and affordability

Objective:

To provide a diversity of housing in defined locations that cater for different households and are close to jobs and services.

16. Housing

Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.

16.01 Residential Development

New housing should have access to services, and be planned for the long term sustainability, including walkability to activity centre, public transport, schools and open space.

Planning for housing should include providing land for affordable housing.

16.01-1 Integrated housing

Objective:

To promote a housing market that meets community needs.'

16.01-2 Location of residential development

Objective:

To locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport.

16.01-3 Strategic redevelopment sites

Objective:

To identify strategic redevelopment sites for large residential development in Metropolitan Melbourne.

16.01-4 Housing diversity

Objective:

To provide for a range of housing types to meet increasing diverse needs.

16.01-5 Housing affordability

Objective:

To deliver more affordable housing closer to jobs, transport and services.

18. Transport

18.02-3 Principal Public Transport Network

Objective:

To upgrade and develop the Principal Public Transport Network and local public transport services in Metropolitan Melbourne to connect activity centres, link activities in employment corridors and link Melbourne to the regional cities.

In the Council's assessment against the SPPF, the Amendment:

is consistent with the objectives of the above Clauses as the subject site represents under-utilised vacant land that is located close to shops, community facilities and public transport services. The proposed amendment and subdivision will assist in providing housing diversity for various households in an area that is within easy walking distance to the Macedon Square Activity Centre. Recreational opportunities are provided nearby at Crawford Reserve, north-east of the subject site and the new open space proposed at the former Eastern Golf Course site, situated less than 500 metres away. Aquarena, Council's Aquatic and Leisure Centre, is located 1 kilometre away.

Furthermore, the Amendment consolidates the existing urban area by facilitating an increased housing yield on the site, whilst reducing pressure on the urban fringe of Melbourne. Through the Expression of Interest process for the future sale of Lot 2, Council will advocate for a preferred minimum 10% of the residential dwellings to be allocated for affordable and/or disability housing.¹

The Panel agrees with the Council assessment and concludes that the Amendment is supported by, and implements, the relevant sections of the State Planning Policy Framework.

¹ City of Manningham, Part A submission pp 7/21

(ii) Local Planning Policy Framework

Council submitted that the Amendment supports the following local planning objectives:

Clause 21.05-1 identifies that a key issue facing Council is managing change and growth in Manningham's residential areas, whilst protecting the areas that have environmental values. Council's Local Planning Policy Framework encourages infill residential development and redevelopment of key strategic sites that consolidate the role of the established urban area.

21.05-2 Housing**Key issues**

Accommodating population growth as outlined in Melbourne 2030 Planning for Sustainable Growth (2002) [now replaced with Plan Melbourne].

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 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.

The Council's assessment of against the LPPF states that:

The Amendment will assist in implementing the policy directions outlined in the Local Planning Policy Framework and the Municipal Strategic Statement by providing housing choice at a higher density in areas close to activity centres and accessible to public transport services².

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the Local Planning Policy Framework.

² City of Manningham, Part A submission pp 7/21

2.2 Planning scheme provisions

(i) Zones

The Amendment proposes to rezone the subject site at 383 – 395 Manningham Road, Doncaster from Public Use Zone (Health and Community Services) to Residential Growth Zone 2.

(ii) Overlays

It is proposed to apply the Design and Development Overlay (DDO8-1) Main Road Sub Precinct to the site.

2.3 Ministerial Directions and Practice Notes

(i) Ministerial Directions

Council submitted that the Amendment meets the relevant requirements of the following Ministerial Directions:

Ministerial Direction No 11 - Strategic Assessment of Amendments

The Amendment is consistent with Ministerial Direction 11 (Strategic Assessment of Amendments) and Planning Practice Note 46 (Strategic Assessment Guidelines).

The Form and Content of Planning Schemes (s7(5))

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.

(ii) Planning Practice Notes

PPN9 - Metropolitan Strategy

Council submitted that the Amendment is consistent with PPN9 as it responded to Objective 2: Housing Choice and Affordability and Objective 4: Liveable Communities and Neighbourhoods.

2.4 Conclusion

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework, and is consistent with the relevant Ministerial Directions and Practice Notes. The Amendment is well founded and strategically justified, and the Amendment should proceed.

3 Rezoning justification

3.1 The issues

Is there adequate strategic justification to rezone the subject site from the Public Use Zone - (Health and Community) because the purpose for which the land had been zoned been adequately fulfilled or is no longer relevant?

Is the choice of the Residential Growth Zone appropriate for the subject site?

3.2 Submissions

In their written submission, the Council provided a history of the subject site and adjacent sites that has bearing on the current Amendment.

The salient aspects of history are that the subject site originally was part of a larger parcel of land comprising some 4.836 hectares owned by the State Government's then Health Commission of Victoria. The entire parcel of land was zoned for a hospital between 1954 and 1985 however a hospital was never constructed. In 1983, the Council leased the rear portion of the total site from the former Health Department for a 50 year period and developed a nursing home and day care centre for the aged. This facility, now known as Cassia House, opened in 1985 and forms part of the Manningham Centre. This part of the original large site remains in the ownership of the State Government but is leased to the Council.

The western part of the balance of the land, fronting Manningham Road, was developed for Ambulance Victoria's communication centre in 1988.

In 1989 the Council resolved to provide funds to develop an aged care hostel as an extension to the Manningham Centre and following agreement with the Department of Health the site was sub divided to create what is Lot 1. The Council purchased the Lot 1 site in 1993 and accordingly developed Melaleuca Lodge however the 2,440 sqm subject site which fronts Manningham Road was not required to be part of the development.

The Council advised that the Manningham Centre undertook a feasibility study in 2003 that investigated a proposal to develop the subject site for affordable housing for older people. In 2008 another proposal was investigated to establish a community centre on the site that included administration offices and rehabilitation services for the Manningham Centre; a wellness centre; and 53 affordable housing units. This was not pursued because of lack of funding support from the State Government.

In response to an objecting submission that there is a community expectation that the site be preserved in perpetuity for medical purposes for the community, the Council argued through their submission that the development of the Manningham Centre, including the Melaleuca Lodge, demonstrated Council's commitment to providing health services for the community, particularly for the elderly. The Council also stated that:

Other than the zoning of the site, however, there is nothing in writing to commit Council to devote the entire Lot 1 to health uses.³

Further, they submitted:

Whilst it is acknowledged that the past records indicate a former Council's intention to develop the site for community and health related uses, circumstances have since changed, and Council no longer has the need for this land to be retained for health purposes. Furthermore, the business model for the provision of health related facilities is very different today to that of previous decades. Nowadays there is a preference for health related uses to form part of a larger building complex that includes a range of uses, rather than being restricted to a single purpose building. The Manningham Centre has indicated that it does not need the land subject to the rezoning, but may be interested in using a component of any future building for a health / administrative use.

The Council advised that they had consulted with the Manningham Centre in a meeting between the Centre's CEO and Council's Director of Community Services at which Council's intention regarding the future of the subject site was made clear. The Council submitted that the stated priority for the Manningham Centre is to improve facilities at Cassia Lodge and Melaleuca Lodge.

The Council also referenced the Manningham Centre's 10 year Business Plan which does not indicate the Centre's interest in purchasing the subject site but the Council noted that the Centre may be interested in ground level space for administrative and outreach activities.

At the Hearing, it was stated by the Council that the Manningham Centre will be a party to the planned Expression of Interest sale process being contemplated by the Council for the sale of the site that will include a requirement for a preferred minimum of 10% of the housing to be dedicated to affordable/disability housing.

The objecting submission from Mr McKenzie provided background history of the broader site including the campaign in which he was a community representative on a Council committee that opposed a proposal by the then State Government's urban development agency in the mid 1980s to rezone and develop the broader site for higher density residential housing. He advised that the State Government abandoned the residential development concept but instead allowed the site to be developed for its current uses by the Manningham Centre for aged care and Ambulance Victoria's communication centre, in line with the original Public Use (health services) Zone designation. He stated that the argument by the then Council against the residential development concept was that *there was a community expectation that this site would be preserved in perpetuity for 'medical purposes' for the benefit of the people of this city.* Consequently, he believed that the current Amendment proposal to rezone the subject site to residential use *would be breaching faith with the earlier councils and communities who fought so hard to preserve the site for future medical-related amenities.* In his presentation at the Hearing, Mr McKenzie reiterated his view that the site should be retained for broader health related uses, and

³ City of Manningham, Part B submission pp 3/12

particularly made available to the Manningham Centre. He believed that the rejection by the Manningham Centre, a not for profit organisation, of the offer from the Council to sell them the site was not a reflection of the Centre's interest in the site but more because the Centre did not have the ways and means to purchase the site. If the site was free to the Centre then they would clearly have an interest in utilising it.

Three other written objections also stated that the site should be retained for aged care or health purposes because of an ageing community and increasing need for aged care services.

In relation to the issue regarding the choice of the Residential Growth Zone, the Council submitted that as the subject site is not required for municipal purposes, the Manningham Centre did not wish to purchase the site and neither the Manningham Centre or Ambulance Victoria objected to the Amendment then it is appropriate to support a rezoning. The Council submitted that:

The subject land is predominantly surrounded by residential uses to the north, east and south, and is strategically located close to a range of shopping facilities, including the Macedon Square Activity Centre and Westfield, Doncaster, which are situated 545 metres and 850 metres away respectively. The site is serviced by a comprehensive bus network, with the closest bus stop situated 20 metres to the west of the site. The site is also nearby to Aquarena and public open space opportunities. Given the site's locational attributes, it is considered reasonable that the site be redeveloped for residential purposes.

Further, the Council identified that the Residential Growth Zone (RGZ2) and the Design and Development Overlay – Schedule (DDO8-1) Main Road Sub-Precinct already apply to the residential properties that front Manningham Road to the east and west of the subject site, and on the opposite side of the road. They stated that it was logical that a similar RGZ2 and DDO8-1 should also be applied to the subject land. They also observed that the Residential Growth Zone also allows for the potential for non-residential uses, such as medical suites or a convenience shop, which is generally in line with the Manningham Centre's statement that they may utilise part of a redeveloped site for health/administrative uses.

No specific arguments were raised in objecting submissions against the proposed Residential Growth Zone other than generally expressed views that there are already enough higher density apartment developments developed or under construction in the area.

3.3 Discussion

The Panel notes the history of the broader sites that make up the area originally set aside and zoned for a hospital in 1954. It is apparent that with the original plan for a hospital not being realised there have been successful efforts to utilise over 80% of the total site for broader health and community purposes, including Ambulance Victoria's communication use. There is evidence that the Council and the Manningham Centre have made substantial efforts to investigate a complementary use of the subject site with a focus on affordable housing and community services.

The Panel also notes the Council's view that the business model for contemporary health services prefers a larger building complex that includes a range of uses and does not favour a

stand alone building. Further, the State and Federal Government funding environment has changed and for the Council to achieve an affordable housing outcome it has led to the proposed process where an Expression of Interest would be conducted with a requirement for a minimum of 10% of housing units developed being devoted to affordable/disability housing.

In the Panel's opinion, the original intention for which the original total site was zoned Public Use for use as a hospital has now expired or been adequately fulfilled. As the Manningham Centre have indicated they do not wish to purchase the residual undeveloped subject site and did not make a submission in respect of the Amendment, the site does not have the likelihood of being utilised for the original intent and it is reasonable to pursue the pathway Council has determined to achieve a balanced outcome for the site that contributes to implementing key aspects of the SPPF and LPPF. Therefore, the Panel supports the rezoning from Public Use Zone to a residential zone.

The next question is whether the designation of the Residential Growth Zone is the appropriate residential zone for this site. In the Panel's view the choice of Residential Growth Zone with the Design and Development Overlay is appropriate for the rezoning of the subject site. The Panel agrees with the Council's assessment of the site's characteristics including the pattern of similar zoning along both sides of Manningham Road in the vicinity of the subject site; the size of the site; the proximity to Macedon Square Activity Centre; excellent access to the public transport network; and access to public open space and recreation facilities. The use of the DD08-1 Main Road Sub-Precinct refines the RGZ to ensure development under the zone is tailored to the Manningham Road frontage. Planning Practice Note 78 confirms that the subject site is appropriately proposed for the RGZ as it is a location offering good access to services, transport and other infrastructure; it is an area which provide a transition between areas of more intensive use and development and areas of restricted housing growth; and it is an area where there is mature market demand for higher density outcomes as evidenced by other developments along Manningham Road.

3.4 Conclusions

The Panel concludes:

- The subject site is no longer required for municipal purposes
- The purpose for which the broader site was originally zoned, Public Use Zone (Health and Community), has been substantially fulfilled and there is little likelihood that the balance of the land represented by the subject site can be utilised for its original zoned purpose. Therefore, the Panel supports the rezoning of the subject site.

The Panel concludes that the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework. The Amendment is well founded and strategically justified, and the Amendment should proceed.

3.5 Recommendation

The Panel makes the following recommendation:

Manningham Planning Scheme Amendment C111 should be adopted as exhibited.

4 Other issues

4.1 The issues

Submitters raised a number of other issues in response to the Amendment's exhibition:

- The need to retain the land for open space.
- Loss of views.
- Lack of support for the proposed sale of a Council asset.
- The proposal to allow higher density residential development would result in increased traffic and have other negative impacts on adjoining properties.
- Any future development would need to take account of safety concerns associated with Ambulance Victoria's microwave communication system.
- A suggestion of a land swap that would facilitate the development of the subject site as a community aged care facility.

4.2 Retain the land for open space

(i) Submissions

Two submitters identified that the subject site should be preserved as open space. One submitter considered that the site should be left as open space pending a study about future uses of the site for medical purposes. The open space with the panoramic views available from the site would be available to residents of the Manningham Centre. A second submitter stated that the site *should be left as a little bit of green* for future residents.

In its written submission Council provided information regarding the 10 year Manningham Open Space Strategy (2014) that sets direction for the planning and provision of open space across the municipality. The strategy does not identify the subject site for future open space although the strategy does detail required open space improvements and additional provision of open space for the Finns Precinct in which the subject site sits. The Council stated that that the poor connectivity to nearby open spaces reserves means that the subject site does not have the characteristics necessary as additional open space. The Council highlighted that the general approach of the Open Space Strategy is to consolidate existing open space by expanding existing reserves or improving pedestrian connections. The subject site was stated to have good accessibility to the existing and planned open space network. A copy of the relevant chapter covering the Finns Precinct of the Open Space Strategy was provided by the Council to assist understanding of the open space issues for this area.

(ii) Discussion and conclusion

The Panel is satisfied with Council's advice that the subject site is not required for the purposes of open space provision for this area of Manningham. The 2014 Manningham Open Space Strategy does not identify the site or its immediate area for future inclusion in the open space network. New open space is identified to service the neighbourhood around the Macedon Square activity centre. The open space strategy rightly looks to prioritising consolidation of and connectivity to existing open space areas rather than the addition of more parks. The situation of the subject site on Manningham Road with no opportunity for

on-road parking are further factors militating against serious consideration of the subject site as future open space.

The Panel concludes that the subject site is not appropriate for future use as part of the Manningham open space network.

4.3 Loss of views

(i) Submissions

Two submitters raised the issue that a future development on the subject site would remove the vista currently available because of the location of the site at the top of a ridge that allows expansive views to the north and other points.

The Council acknowledged that while the subject site does indeed provide expansive views the ongoing urban development in the area since it was an orchards area have continued to change view lines. They stated that any development on the site will likely diminish the current view lines. Further, they stated that in land use planning terms, a development cannot be rejected because it may result in loss of a view.

(ii) Discussion and conclusion

The Panel agrees that while the existing vacant subject site does afford expansive views from the highest point there are no controls in the planning scheme that specifically limits the ability to develop the site because of view lines. For example, there is no Design and Development overlay on the site to protect valued public views and vistas from unreasonable encroachment by nearby buildings.

The Panel concludes that the potential loss of the existing view lines does not represent a planning ground to prevent the rezoning of the site as proposed by the Amendment.

4.4 Sale of a Council asset

(i) Submissions

One submission objected to the Council intention to sell the site *“as there was a community expectation that this site would be preserved in perpetuity for ‘medical purposes’ for the benefit of the people of the city”* and so that the Council *“would be breaching faith with earlier councils and communities by selling the site”*.

In their submission, the Council pointed to the discussions held with the Manningham Centre which confirmed that they wanted to focus on improving their existing facilities rather than expanding and so did not wish to purchase the site. The Centre expressed some interest in the potential for use of part of a new development for administrative/health purposes. They also have highlighted that there is nothing in writing that commits the Council to retaining the site in perpetuity for medical/health purposes.

(ii) Discussion and conclusion

The Panel does not consider the potential sale of the subject site by the Council is a planning matter that falls within the purview of its consideration of the Amendment.

The Panel notes that there are provisions under the *Local Government Act, 1989* and the *Subdivision Act, 1988* that govern the sale of Council land that afford the submitter the ability to make separate submissions as part of a public process.

4.5 Negative impacts for adjoining properties

(i) Submissions

Two objecting submissions were made that raised concerns over the increase in traffic and negative impacts on adjoining properties that may occur because of the development of the subject site with an apartment style development.

The Council submitted that any future residential development that occurs on the subject site if the Amendment proceeds would go through a separate planning permit process where matters such as traffic management and impacts such as overlooking, overshadowing and car parking provisions would need to be satisfied.

(ii) Discussion and conclusion

The Panel agrees with the Council that traffic and amenity issues as they may affect adjacent properties would be properly dealt with at a subsequent planning permit application stage. Therefore, these matters are not relevant to consideration of the merits of the current Amendment.

4.6 Safety concerns

(i) Submissions

One submitter raised a concern over the possible effects of microwave radiation from 'line of sight' communication equipment at the adjacent Ambulance Victoria site on future residents of a redeveloped subject site.

The Council indicated that any future building would be set back from the Ambulance Victoria site. Further, Ambulance Victoria had been notified of the current Amendment and planning permit process but made no submission. As the eventual redevelopment of the site would be subject to a planning permit application, notice to affected landowners would occur.

(ii) Discussion and conclusion

The Panel notes the Council response to this matter and agrees that Ambulance Victoria have received notice of the current Amendment proposal and determined not to make a submission and, further, that at the development stage of any development proposal flowing from this Amendment, a planning permit application process will occur that will provide notice to adjoining property owners, including Ambulance Victoria.

The Panel concludes that this is not a matter that is determinative when considering the merits of this Amendment and the planning permit stage of any future development will provide for the matter to be considered.

4.7 Possible land swap**(i) Submissions**

A submitter proposed that Council should consider an effective land swap by retaining and developing an aged care facility on the subject site and sell an existing Council owned senior citizen's centre further along Manningham Road.

The Council responded by stating that sale of the senior citizens centre has not been recommended by any Council strategy and Council would not develop or operate an aged care facility.

(ii) Discussion and conclusion

The Panel considers that the concept of a land swap as outlined is not relevant to the matter at hand of considering the particular planning merits of the current Amendment and consequently cannot provide comment. The land swap proposal is not a planning matter.

5 Planning permit

5.1 The issue

Concurrent with the preparation of the planning scheme amendment, an application for planning permit PL15/025875 was made under section 96(A)(1) of the *Planning and Environment Act 1987* (the Act) to subdivide Lot 1 into two allotments. Is the draft planning permit sufficient and consistent with the Amendment?

5.2 Submissions

The Council stated that during the exhibition period, VicRoads identified that it had no objection in principle to the proposed rezoning, provided that Condition 1 of the proposed planning permit PL15/025875 be amended to include the following:

1. Prior to the Certification of Plan of Subdivision, amended subdivision plan to the satisfaction of VicRoads must be submitted to the Responsible Authority for endorsement. Once endorsed, the plan will form part of the permit.
2. The Plan must generally be in accordance with the plan of subdivision PS719948Y Version 3 prepared by Lawlor and Loy Pty Ltd but modified to:
 - (a) Show the ROAD RESERVE (R-1) proposed in the south-east corner deleted.
 - (b) The RESERVE No. 1 extended to the east for the entire frontage of Manningham Road.
 - (c) A restriction on Lot 2, created under Section 23 of the Subdivision Act 1988, prohibiting vehicular access to the Manningham Road service road.

The Council accepted that the changes requested by VicRoads were appropriate and the draft planning permit was amended accordingly to include the changes. The Council noted that no changes to the Amendment were proposed by VicRoads.

Further, in relation to requirements regarding open space contributions regarding the site the Council advised that no open space contribution has been made for the site to date but:

Council will impose an open space contribution on any future planning permit to redevelop the site for residential development.⁴

No other submissions were made in relation to the draft planning permit.

Discussion and conclusion

The Panel is satisfied that the planning permit as amended and included as Appendix B to include the changes required by VicRoads is sufficient and consistent with the Amendment.

5.3 Recommendation

The Panel recommends that Planning Permit PL15/025875 be approved, subject to changes as shown in Appendix B to this report.

⁴ City of Manningham, Part A submission pp 19/21

Appendix A Submitters to the Amendment

No.	Submitter
1	Ms Roberta McKibbin
2	Ms Denyce Douglas
3	Ms Ann Bruce
4	Mr Doug McKenzie
5	Ms Tina Gard
6	VicRoads, Metropolitan South East Region

Planning and Environment Regulations 2015 - Form 9, Section 96J

Appendix B Planning Permit PL15/025875 as amended

PLANNING PERMIT

Permit No.: PL15/025875

Planning scheme: Manningham Planning Scheme

Responsible authority: Manningham City Council

GRANTED UNDER SECTION 96I OF THE
PLANNING AND ENVIRONMENT ACT 1987

ADDRESS OF THE LAND: 383-395 MANNINGHAM ROAD DONCASTER

THE PERMIT ALLOWS: Section 96 Amendment for the re-zoning of land, a 2 lot subdivision, and the creation of reserves to vest in Manningham City Council

THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:

Amended Plans

1. Before the Certification of the Plan of Subdivision, amended plans to the satisfaction of [VicRoads and the Responsible Authority](#), 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 PS719948Y Version 3, prepared by Lawlor and Loy Pty Ltd (Ref. No. 7349) but modified to show:
 - 1.1 The creation of a 2m long by 3m wide drainage easement in favour of Manningham City Council within the north-eastern corner of Lot 2;
 - 1.2 [The deletion of the proposed Road Reserve R-1 from the south-eastern corner;](#)
 - 1.3 [The Reserve No.1 extended to the east for the entire frontage of Manningham Road;](#)
 - 1.4 [A restriction on Lot 2, created under Section 23 of the Subdivision Act 1988, prohibiting vehicular access to the Manningham Road service road.](#)

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:

Permit No.:

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Planning and Environment Regulations 2015 - Form 9, Section 96J

- 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.

Stormwater

- 8. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.

Drainage

- 9. Prior to the issue of a Statement of Compliance, a legal point of discharge for Lot 2 must be created by constructing an outfall drain between the north-eastern corner of Lot 2 and the nominated Council drain within Lot 1, in accordance with an engineering construction plan approved by the Responsible Authority.
- 10. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the responsible authority, to prevent ponding and to minimise overland flows onto adjoining properties.

Date issued:	Date permit comes into operation: <small>(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)</small>	Signature for the responsible authority:

Permit No.:

Page 2 of 4

Planning and Environment Regulations 2015 - Form 9, Section 96J

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*.

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.
- Manningham Council is the Responsible Authority for the allocation of all new property addressing. For information or advice regarding the allocation of new addresses please contact Council's Property Services team on 9840-9242.

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:

Permit No.:

Page 3 of 4

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. C111 to the Manningham Planning Scheme.

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 REVIEWS?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit

ATTACHMENT 2*Planning and Environment Act 1987***MANNINGHAM PLANNING SCHEME
AMENDMENT C111
PLANNING PERMIT APPLICATION NO PL 15/025875****EXPLANATORY REPORT****Who is the planning authority?**

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

Land affected by the Amendment

The amendment applies to the front portion of the Council owned land at 383-395 Manningham Road, Doncaster, more particularly described as Lot 1 on LP 219314W on Certificate of Title Volume 10059 Folio 460, and which is currently occupied by the Manningham Centre Association's (MCA) Melaleuca Lodge, low care aged hostel.

What the amendment does

The amendment proposes to:

- Rezone the site from a Public Use Zone – Health and Community (PUZ3) to the Residential Growth Zone (RGZ2); and
- Apply the Design and Development Overlay (DDO8-1) main road sub-precinct to the site.

Concurrent with the preparation of the planning scheme amendment, an application for planning permit (PL15/025875) has been made under section 96(A)(1) of the *Planning and Environment Act 1987* (the Act) to subdivide Lot 1 LP 219314W into two allotments. The Amendment and proposed subdivision affects the front portion of the site which is currently vacant. Lot 2 is proposed to have an area of approximately 2440m².

Strategic assessment of the Amendment**Why is the Amendment required?**

The amendment is required to facilitate the sale and redevelopment of part the Council owned land at 383 – 395 Manningham Road, Doncaster for residential purposes.

The front portion of the Council owned land is currently vacant whilst the rear northern portion is occupied by the Manningham Centre Association's (MCA) Melaleuca Lodge, a low care aged care hostel, which is setback an estimated 65 metres from the front boundary.

The front vacant portion of the land (approximately 2440m²) is not required for municipal purposes and the MCA's 10 year business plan has indicated that the Centre is not interested in purchasing the subject land.

In order to facilitate the sale and future development of the front portion of the Council owned land, it is proposed that Council prepare an amendment to the Manningham Planning Scheme to rezone that part of the site from a Public Use Zone 3 (Health and Community) to a Residential Growth Zone (Schedule 2) and apply the Design and Development Overlay Schedule 8 (DDO8-1).

It is also necessary to apply for a planning permit to subdivide Lot 1 into two lots to enable the sale of the newly created lot. Accordingly, it is proposed to undertake a combined planning scheme amendment and planning permit application under section 96(A) of the *Planning and Environment Act 1987*.

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

The amendment implements the objectives of Clause 4 of the *Planning and Environment Act 1987*. In particular, the amendment supports the following objectives:

- (a) *'to provide for the fair, orderly, economic and sustainable use, and development of land;*
- (b) *'to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- (c) *'To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;*
- (d) *'to balance the present and future needs of all Victorians.'*

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

The amendment will have positive social and environmental effects by providing residential opportunities at a range of dwelling densities on a strategic redevelopment site that has good access to services and public transport.

In facilitating the future use and development of this land, the amendment will encourage a range of positive economic effects. These include increased investment activity and employment creation associated with the future construction activities on the land.

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 site is 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 is consistent with the following:

- Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.
- Ministerial Direction No. 9 Metropolitan Strategy.
- Direction No. 11 Strategic Assessment of Amendments.

Ministerial Direction No. 9 requires all planning scheme amendments in the metropolitan area to have regard to *Plan Melbourne: Metropolitan Planning Strategy* (2014). *Plan Melbourne* outlines a vision for Melbourne's growth to the year 2050.

Outcome and Objective 2: Housing Choice and Affordability

The objective is to provide a diversity of housing in defined locations that cater for different households and are close to jobs and services.

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

Direction 2.4 – Facilitate the supply of affordable housing

The amendment proposes to facilitate apartment style development on a strategic redevelopment site and assist in providing greater housing choice in close proximity to the Macedon Square neighbourhood activity centre. The site is also within reasonable walking and cycling distance to a range of community facilities, including Aquarena (Aquatic and Leisure Centre), public open space provided on the former Eastern Golf Course, and is well serviced by a comprehensive bus service that exists along Manningham Road.

Outcome and objective 4: Liveable Communities and Neighbourhoods

Direction 4.1 – Create a city of 20 minute neighbourhoods

Direction 4.3 – Create neighbourhoods that support safe communities and healthy lifestyles

An important aspect of Plan Melbourne's vision is the creation of a 20 minute neighbourhood so people can access services within 20 minutes of home. The amendment would encourage an increased housing density in an area that is well serviced by shops, community facilities and public transport opportunities. Development on the subject land would encourage future residents to walk and cycle to nearby community and retail facilities and hence create a more inclusive and healthier community.

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

The amendment supports and implements the following Clauses of the State Planning Policy Framework:

- Clause 11 – Settlement
- Clause 16 – Housing
- Clause 17 – Economic Development
- Clause 18 – Transport
- Clause 19 – Infrastructure

The amendment will facilitate the supply of housing on a strategic redevelopment site that is well serviced by retail and community facilities, including Macedon Square neighbourhood activity centre, Westfield Doncaster, Aquarena and public transport networks.

Through the Expression of Interest process for the future sale of Lot 2, Council will advocate for a minimum 10 per cent of the residential dwellings to be allocated for affordable housing. This is consistent with objective 16.01-5 that seeks to 'deliver more affordable housing closer to jobs, transport and services'. A specific strategy is to 'encourage a significant proportion of new development, including development at activity centres and strategic redevelopment sites to be affordable for households on low to moderate incomes.'

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

The amendment will assist in implementing the policy directions outlined in the Local Planning Policy Framework and the Municipal Strategic Statement by providing housing choice at a higher density close to activity centres and along main roads. This is consistent with the following objectives of Clause 21.05-2:

- *'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'.*

The Amendment is also consistent with Clause 21.12 that seeks to increase the usage of public transport.

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

The amendment is consistent with the use of the Victorian Planning Provisions and is consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

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

The views of relevant agencies will be sought throughout the amendment process.

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

The site is well serviced with public transport, with three bus routes to the City, Westfield, Doncaster, Eltham, Heidelberg and Box Hill. Manningham Road has a dedicated bus lane, with the closest bus stop being located 20 metres to the west of the site.

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 not have a significant impact on the resource and administrative costs of the responsible authority. 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 is available for public inspection, free of charge, during office hours at the following places:

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

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by Friday 20 May 2016.

A submission must be sent to:

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

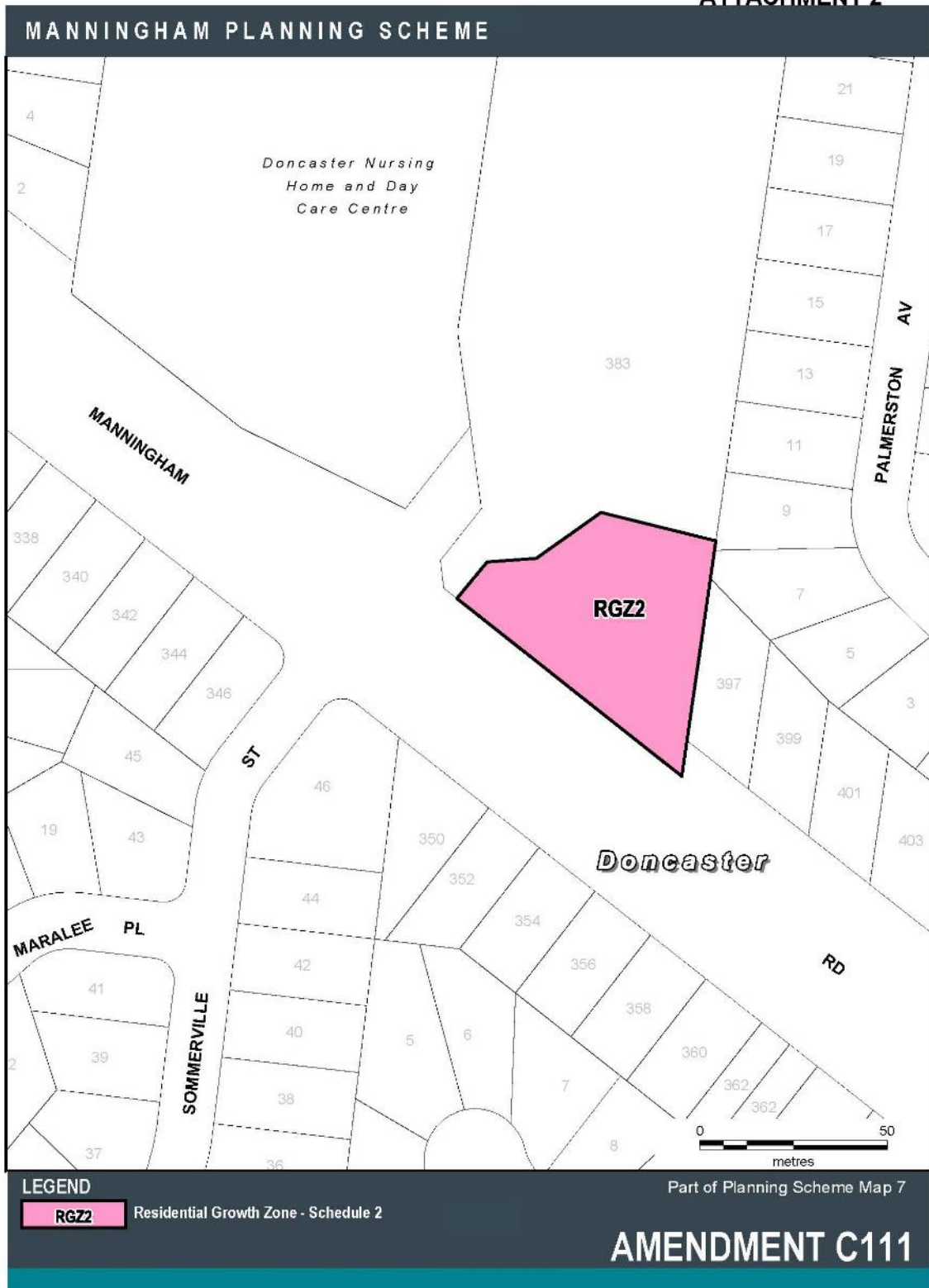
or submitted online at www.yoursaymanningham.com.au

Panel hearing dates

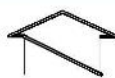
In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: 8 August 2016
- panel hearing: 12 September 2016

ATTACHMENT 2



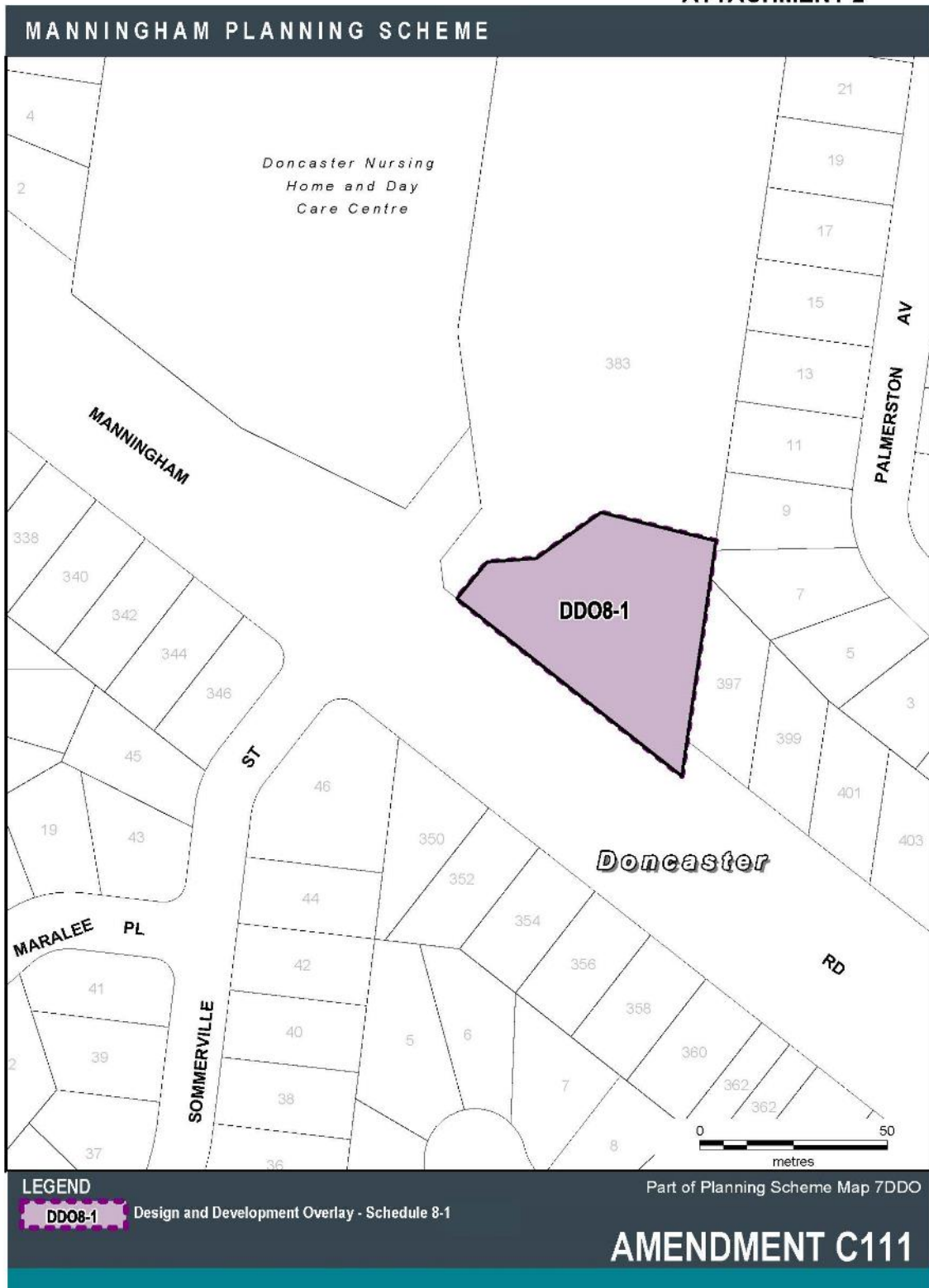
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| Planning Information Services |
| Planning |



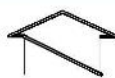
Department of
Environment, Land,
Water & Planning

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ATTACHMENT 2



| Planning Mapping Services |
| Planning Information Services |
| Planning |



Department of
Environment, Land,
Water & Planning

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ATTACHMENT 2**INSTRUCTION SHEET**

The planning authority for this amendment is the Manningham City Council

The Manningham Planning Scheme is amended as follows:

Planning Scheme Maps

The Planning Scheme Maps are amended by a total of 2 attached map sheets.

Zoning Maps

1. Amend Planning Scheme Map No 07ZN in the manner shown on the 1 attached map marked "Manningham Planning Scheme, Amendment C111".

Overlay Maps

2. Amend Planning Scheme Map No 07DDO in the manner shown on the 1 attached map marked "Manningham Planning Scheme, Amendment C111".

End of document

ATTACHMENT 3



ATTACHMENT 4

Planning and Environment Regulations 2015 - Form 9. Section 96J

Appendix B Planning Permit PL15/025875 as amended**PLANNING
PERMIT**GRANTED UNDER SECTION 96I OF THE
PLANNING AND ENVIRONMENT ACT 1987

Permit No.: PL15/025875

Planning scheme: Manningham Planning Scheme

Responsible authority: Manningham City Council

ADDRESS OF THE LAND: 383-395 MANNINGHAM ROAD DONCASTER**THE PERMIT ALLOWS:** Section 96 Amendment for the re-zoning of land, a 2 lot subdivision, and the creation of reserves to vest in Manningham City Council**THE FOLLOWING CONDITIONS APPLY TO THIS PERMIT:****Amended Plans**

1. Before the Certification of the Plan of Subdivision, amended plans to the satisfaction of VicRoads and the Responsible Authority, 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 PS719948Y Version 3, prepared by Lawlor and Loy Pty Ltd (Ref. No. 7349) but modified to show:
 - 1.1 The creation of a 2m long by 3m wide drainage easement in favour of Manningham City Council within the north-eastern corner of Lot 2;
 - 1.2 The deletion of the proposed Road Reserve R-1 from the south-eastern corner;
 - 1.3 The Reserve No.1 extended to the east for the entire frontage of Manningham Road;
 - 1.4 A restriction on Lot 2, created under Section 23 of the Subdivision Act 1988, prohibiting vehicular access to the Manningham Road service road.

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:
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Permit No.:

Page 1 of 4

Planning and Environment Regulations 2015 - Form 9, Section 96J

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.

Stormwater

8. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.

Drainage

9. Prior to the issue of a Statement of Compliance, a legal point of discharge for Lot 2 must be created by constructing an outfall drain between the north-eastern corner of Lot 2 and the nominated Council drain within Lot 1, in accordance with an engineering construction plan approved by the Responsible Authority.
10. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the responsible authority, to prevent ponding and to minimise overland flows onto adjoining properties.

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:

Permit No.:

Page 2 of 4

Planning and Environment Regulations 2015 - Form 9, Section 96J

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*.

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.
- Manningham Council is the Responsible Authority for the allocation of all new property addressing. For information or advice regarding the allocation of new addresses please contact Council's Property Services team on 9840-9242.

Date issued:	Date permit comes into operation: <small>(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)</small>	Signature for the responsible authority:
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Permit No.:

Page 3 of 4

IMPORTANT INFORMATION ABOUT THIS PERMIT

WHAT HAS BEEN DECIDED?

The Responsible Authority has issued a permit. The permit was granted by the Minister under section 96I of the **Planning and Environment Act 1987** on approval of Amendment No. C111 to the Manningham Planning Scheme.

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 REVIEWS?

- In accordance with section 96M of the **Planning and Environment Act 1987**, the applicant may not apply to the Victorian Civil and Administrative Tribunal for a review of any condition in this permit

10.3 Warrandyte Activity Centre Special Rate Scheme 2017-2021 Declaration of Scheme

Responsible Director: Director Planning & Environment

File No. T16/257

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The purpose of this report is to seek endorsement of the completion of the statutory procedures to declare a Special Rate Scheme for the Warrandyte Activity Centre.

The previous Warrandyte Activity Centre Special Rate Scheme to fund marketing and business development initiatives in the Centre expired on 31 December 2015.

In response to a request from the Warrandyte Business Association for Council to renew the Warrandyte Activity Centre Special Rate Scheme for a further five years, at its meeting on 13 September 2016 Council resolved to give public notice of its intention to declare the special rate. The rate is proposed to apply to 81 properties deemed to receive special benefit from the Scheme, including 76 in the area of primary benefit and five in the area of secondary benefit. The rate would range from \$300 to \$3,000 per property having regard to the 2011 capital improved value of the property and its level of benefit.

In response to the notification of Council's intention to declare the special rate, 12 written responses have been received, five supporting (representing seven properties) the special rate and seven objections. A committee appointed under section 223 of the Local Government Act 1989 (LG Act) heard submissions from three submitters who wished to be heard and two additional attendees.

In response to a submission by the owner of land at 282 Yarra Street, Warrandyte, it is proposed that the Scheme be modified to identify that property as receiving secondary benefit, having regard to its location in a residential zone.

It is considered that the marketing and promotion of the centre as a whole will provide a special benefit to all of the retail, commercial and professional properties and businesses located in the area affected by the Special Rate Scheme and that the Scheme will be a positive local economic development initiative which will encourage and generate competitive commerce, retail and professional activities and employment in the Warrandyte Activity Centre.

It is recommended that Council declare the amended Special Rate Scheme.

1 BACKGROUND

- 1.1 The Local Government Act 1989 (LG Act) enables Council to levy a Special Rate on properties within a defined area if it considers that the land in that area will receive a 'special benefit' from the expenditure of the funds raised in accordance with the functions of Council.

- 1.2 A Special Rate Scheme has operated in Warrandyte Activity Centre from 2011-2015. A similar Scheme also operates for Tunstall Square Activity Centre (since 2008).
- 1.3 The Special Rate Scheme for Warrandyte Activity Centre expired on 31 December 2015. That scheme raised a total of \$247,822 over its five year operation (\$49,564.40 per annum) and has funded the development and implementation of a business plan to target promotional initiatives, such as Christmas events and other seasonal marketing campaigns, refreshed branding for the centre, a new website featuring a directory of businesses within the centre (also produced in print), marketing materials and various marketing workshops. The Special Rate Scheme also funds the employment of a part-time marketing coordinator who implements most of the actions within the business plan for the centre.
- 1.4 In August 2015 Council received a written request from the Warrandyte Business Association for a new Special Rate Scheme for the Warrandyte Activity Centre. The request was based on majority trader support for the Scheme to continue, with 62% of traders signing an "in-principle support" form for the Scheme to continue. Eleven percent did not support the Scheme and 27% did not respond.
- 1.5 The special rate was proposed to apply to 81 properties deemed to receive benefit from it, including 76 in an area of primary benefit (rate of 0.0015 in the dollar) and five in an area of secondary benefit (rate of 0.00065 in the dollar). Two different rates are appropriate as it is considered that the special benefit will be less for those properties identified within the secondary benefit area within the Scheme as compared to those properties identified within the primary benefit area.
- 1.6 The Scheme would operate over a five year period, commencing on 1 January 2017 and ending on 31 December 2021. The Business Association has requested that the proposed Special Rate Scheme raise the same amount, where practicable, as the previous Scheme to fund activities as indicated in the Warrandyte Business Plan 2016-2021 (refer to **Attachment 2**). Utilising the CIV assessments from the previous Scheme, the annual levy total would be equal to \$49,722.50.
- 1.7 In order to raise \$49,722.50 per annum, the properties included in the Scheme would be levied a Special Rate of between \$300 and \$3,000 per annum.
- 1.8 Council considered the request of the Warrandyte Business Association at its Special Meeting on 13 September 2016, and it was resolved that Council:
(A) Notes the letter received from the Warrandyte Business Association (Business Association) requesting the reintroduction of a Special Rate Scheme for the Warrandyte Activity Centre (Attachment 1), and having considered all relevant matters, commences the statutory process under the Local Government Act 1989 (LG Act) to reintroduce by way of renewal a Special Rate Scheme to and for the properties within the Warrandyte Activity Centre (Yarra Street through to the Goldfields Plaza). Such Special Rate is to raise an amount of \$50,278.40 in each year of the Scheme and to commence on 1 January 2017 and end on 31 December 2021 (over the 5 year period of the Scheme the Special Rate will raise a total amount of \$251,392.00).

(B) Acting in accordance with sections 163(1A) and 163B(3) of the LG Act, directs that public notices be placed in "The Age" daily newspaper and the "Manningham Leader" newspaper of the intention of Council to declare the Special Rate at its special meeting to be held on 13 September 2016 in accordance with the Proposed Declaration of Special Rate (Attachment 2), such Special Rate to be for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Warrandyte Business Association. The funds are to be used by the Business Association, on an administrative basis only and subject always to the approval, direction and control of Council, for the purposes of contracted support, promotional, advertising, marketing, business development and other incidental expenses as approved by and agreed to from time to time between Council and the Business Association, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Warrandyte Activity Centre.

(C) Directs that, in accordance with section 163(1C) of the LG Act, the first statutory letter enclosing a copy of the public notice be sent to the owners and the occupiers of the properties referred to and set out in the listing of rateable properties set out in Schedule 2 of the Proposed Declaration of Special Rate, advising of the intention of Council to declare the Special Rate at its ordinary meeting to be held on 13 December 2016. The letter will also include other such relevant matters as the amount for which the property owner or the occupier (being a person who as a condition of a lease under which the person who occupies the property is required to pay the Special Rate) will be liable, the basis of the calculation and distribution of the Special Rate and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Rate will be considered and/or taken into account by Council in accordance with sections 163A, 163B and 223 of the LG Act.

(D) Advises the Business Association of the matters specified in paragraphs (A), (B) and (C) of this resolution.

(E) Appoints and authorises the Mullum Mullum Ward Councillors to be the members of the Committee established by Council under section 223(1)(b)(i) of the LG Act to be known as the "Warrandyte Special Rate Submissions Committee" to hear any persons who in their written submissions under section 223 of the LG Act have requested that they be heard in support of their submissions.

(F) Authorises the Mullum Mullum Ward Councillors to elect a chair prior to the meeting.

(G) Notes it is anticipated that a further report will be submitted to December 2016 Council Meeting to consider submissions received.

- 1.9 A public notice was published in 'The Age' and the 'Manningham Leader' newspapers on Friday 23 September 2016 and Monday 26 September 2016 respectively, advising of the proposed scheme and the submissions and objections process. The public notice advised of the submissions/objections deadline, being Friday 28 October 2016. A copy of the public notice is provided in **Attachment 4**. A copy of the public notice was also sent to the 81 affected property owners and the 81 affected tenants.

- 1.10 As a result of the statutory notification process, 12 written responses have been received. Of these, five submissions noted support for the proposed scheme including two relating to two other affected properties, totally seven submissions in support of the Scheme. Seven objections were received regarding the proposed Scheme.
- 1.11 Five persons were heard by the Committee on Monday 21 November 2016. A copy of the report of the proceedings of the Committee is provided in **Attachment 5**.
- 1.12 The Committee received and noted all submissions and/or objections received relating to the Warrandyte Activity Centre Special Rate Scheme Renewal 2017-2021.

2 PROPOSAL/ISSUE

- 2.1 A decision must be made by Council in relation to declaration of the proposed Special Rate Scheme having regard to the submissions and objections received.
- 2.2 A summary of the submissions and the officer response is included as **Attachment 6**.
- 2.3 Those submitters in support consider that the Scheme helps to promote Warrandyte as a commercial destination and also state that they derive benefit from the opportunities for networking, capacity building, support and problem solving as well as collaborative project planning and promotion.
- 2.4 In summary, those who object to the Scheme have submitted that marketing and promotion is the responsibility of all business owners individually. Objections also relate to the long linear nature of the Warrandyte Activity Centre. Those who have objected to the Scheme do not agree that they receive benefit from the Scheme and consider the cost to be onerous, particularly as several of them are also required to pay body corporate fees.
- 2.5 The owner of the property known as 282 Yarra Street, Warrandyte has submitted that he will not receive special benefit from the proposed special rate, especially given the location of his property at one end of the Centre. It is considered that all properties proposed to be included in the Scheme will receive a special benefit from it due to the positive impact of promotion, marketing and centre management on economic activity. However, the characteristics of the property, being commercial activity on land zoned Neighbourhood Residential on the periphery of the Centre, are similar to four other properties which have been identified in the Scheme as receiving secondary benefit. Accordingly it is proposed that the special rate for 282 Yarra Street be modified to reflect the secondary benefit status of the property (from \$981 to \$425.10).
- 2.6 Following the consultation period, it has been recommended that an alteration to the proposed Scheme be made in relation to the property at 282 Yarra Street, Warrandyte. It is recommended that the levy for this property be altered to a secondary benefit property. This alteration will provide consistency across the Scheme with all secondary benefit properties being located within the Neighbourhood Residential Zone planning overlay. During the consultation period, the owner of this property made a submission in objection to the Scheme. With this recommended change, the annual total levy for the Scheme if declared will be \$49,722.50 (a reduction of \$555.90).

- 2.7 However in general, of all the submissions, it is considered that all of the retail, commercial and professional properties and businesses located in the area affected by the Special Rate Scheme will derive a benefit from the expenditure of the proceeds of the special rate.
- 2.8 Similarly, the apportionment of the rate across the centre, which is proposed to be commensurate with the previous Scheme, is considered reasonable and appropriate. It is considered that those properties within the primary area, as proposed to be derived in response to the submissions, will each receive the same benefit but that benefit will be greater than for those properties nominated as within the secondary area, also as proposed to be modified, to which a lesser rate is proposed to apply.

3 PRIORITY/TIMING

- 3.1 Should the proposed Special Rate Scheme be declared, it will commence as of 1 January 2017 and the Business Association will be able to utilise the funds raised for the implementation of its business plan.
- 3.2 Following Council's decision, notice in writing will be given to all the owners and occupiers within the area of the Scheme and all persons who have lodged a submission and/or objection, regarding Council's decision.
- 3.3 Once the Scheme is approved, a prescribed notice is sent out to all those liable to pay and, under section 185 of the *Local Government Act 1989*, a person may apply to the Victorian Civil and Administrative Tribunal (VCAT) for review of a decision of a Council imposing a special rate on grounds including that they will not be provided with a special benefit or that the basis of distribution of the rate amongst those persons who are liable to pay it is unreasonable.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 The Manningham *Economic Development Strategy 2011-2030* advocates support for the retail sector, specifically the development and implementation of Special Rate and Charge Schemes for the purposes of marketing, promotion and business development.
- 4.2 The Manningham *Special Rates and Charges Contributory Projects Policy* sets out the procedures and directions for both infrastructure and promotional schemes authorised under the *Local Government Act 1989* as a guide for the fair and reasonable distribution of costs for those obtaining a special benefit.

5 BEST VALUE

- 5.1 The Warrandyte Special Rate Scheme will equate to an annual budget of \$49,722.50 throughout 1 January 2017 - 31 December 2021.
- 5.2 Decision making with regard to spending of the Special Rate funds will be influenced by all members of the Business Association. Members of the Business Association are invited to regular monthly meetings where they have opportunities to vote and have input into the initiatives developed as part of delivery on the business plan for the centre. The Business Association will be communicating regularly with traders at the centre in regards to the business plan and its progress.

6 CUSTOMER/COMMUNITY IMPACT

- 6.1 Warrandyte Activity Centre is not a traditional strip shopping precinct and business centre as it operates across a wide geographic area in three distinct locations, Goldfields Plaza, Yarra Street (Village end) and Yarra Street (Bridge end). Through the Business Plan, an ongoing program of promotion and marketing initiatives can be developed and long term commitment, planning and resources are required to ensure continued work toward goals and objectives aimed at enhancing the economic activity and vibrancy of the area.
- 6.2 The purpose of the Scheme is to encourage and generate commerce, retail and professional activity and employment in Warrandyte Activity Centre through professional co-ordination assistance, promotions, advertising, marketing and other incidental purposes. These services will provide a 'special benefit' to the owners and the occupiers of the land and the commercial and business properties located in the Scheme area. Customers and community also value a well-functioning activated shopping precinct that can respond, serve and cater for all their needs.
- 6.3 Further, a Special Rate Scheme supports an active Business Association to work with businesses, Council and community to deliver a range of initiatives that focus on generating increased activity and vibrancy to the Warrandyte Activity Centre.

7 COUNCIL PLAN/ MEASURE OF ACHIEVEMENT OF ACTION

- 7.1 The renewal of the Special Rate Scheme at Warrandyte Activity Centre is in accordance with Council's overall vision and capacity to support a vibrant, desirable retail and commercial activity centre.
- 7.2 The Council Plan (2013-2017) supports sustainable, cohesive and well resourced communities with relevant services and facilities. Council seeks to ensure that all community members have access to vital services that meet their needs, and values our distinct local villages and activity centres, seeking to promote and support businesses and traders to build a resilient local economy. A key strategic indicator in the current Manningham Council Plan is participation in Special Rate and Charge Schemes for the purposes of marketing and promotion.

8 FINANCIAL PLAN

- 8.1 The Warrandyte Business Association has requested that the proposed Scheme raises \$49,722.50 per annum and \$248,612.50 over the 5 year period of the Scheme.
- 8.2 Property owners are legally liable to pay the Special Rate, however the liability can be passed on to tenants (traders/business operators) through individual leasing/tenancy agreements. It is a matter between the property owners and tenant to decide who is responsible to pay the Special Rate.
- 8.3 Council will require the Warrandyte Business Association to have a high level of financial and management accountability of the funds.
- 8.4 Financial requirements will include the submission of quarterly profit and loss statements, budgets, evidence of promotion as per the Centre's business

plan, an annual plan and budget and certified annual financial statements at the end of each financial year.

- 8.5 It will also be a requirement that the Warrandyte Business Association enters into a new funding agreement with Council, as a precondition to any funds from the proceeds of the Special Rate being paid to the Association.

9 FINANCIAL RESOURCE IMPLICATIONS

- 9.1 Council's *Special Rates and Charges Contributory Project Policy*, August 2012, states in relation to Marketing and Promotion schemes that "Council will pay for the development and administration (including the consultation, preparation of apportionments, preparation of reports, collection and distribution of funds)."
- 9.2 The estimated cost of renewal of the Scheme is between \$15,000 and \$20,000 plus officer time. This includes gauging the level of support, advertisements, consultancy and administration.
- 9.3 The Scheme will then continue to be administered by Council which collects the rate and distributes the collected funds to the Business Association on a quarterly basis, based on quarterly progress reports of expenditure in accordance with the Association's business plan. The cost of administration of all of Council's special rates and charge schemes forms part of the operational budget for Council's Finance team and Economic Development team in particular.

10 SUSTAINABILITY

- 10.1 Supporting the continuing viability of local shopping centres through promotion and marketing has a positive impact on community and social wellbeing. Raising the profile of Warrandyte Activity Centre will continue to support a successful shopping centre with quality traders, services, higher employment and prosperous businesses. Viable local centres also have environmental benefits by providing easier access to a range of goods and services for local residents.

11 REGIONAL/STRATEGIC IMPLICATIONS

- 11.1 A study from Mainstreet Australia and Essential Economics (The Economic Value of Main Street, May 2011) indicated that there were in excess of 70 Special Rate and/or Charge Schemes (for the purposes of marketing and promotion) operating throughout Victoria. The study highlighted that management and marketing programs funded by Special Rates and Charges are playing an increasingly important role in supporting the viability and health of main streets in Victoria. There are schemes in nearly one third of Victorian Councils and approximately \$7.6 million is generated directly by Special Rates and Charges. Adoption of a Special Rate and Charge Scheme is identified as the current best practice financial model to sustain a long term marketing and management framework for main street precincts, shopping and town centres.
- 11.2 Several competing centres across the region and in Manningham currently operate under a Special Rate and Charge Scheme, such as Tunstall Square, which has a special charge scheme. The renewal of the Warrandyte Special Rate Scheme would facilitate the competitive positioning of a local centre

through marketing and promotion while demonstrating the continuation of Council supported growth in local economic strongholds.

12 CONSULTATION

- 12.1 Following the Council meeting of 13 September 2016, public notice of Council's intention to declare a Special Rate for the Warrandyte Activity Centre was given in newspapers chosen by Council and by separate notice to all owners and occupiers included in the proposed Special Rate Scheme.
- 12.2 The public notice advised persons of their right to make a written submission and/or an objection in relation to the proposed Special Rate Scheme, in accordance with sections 163A, 163B and 223 of the *Local Government Act 1989*. The notice also advised that all submissions and/or objections were to be received by Council by the close of business on Friday 28 October 2016.

13 COMMUNICATIONS STRATEGY

- 13.1 Following the Council meeting of 13 December 2016, all owners and occupiers included in the proposed Special Rate Scheme and all submitters will be notified of Council's decision and the reasons for it.

14 CONCLUSION

- 14.1 It is considered that the only persons to derive a 'special benefit' from the expenditure of the Special Rate proceeds are those persons who are liable or required to pay the Special Rate, whether they be the owners or the occupiers of the land and the commercial and business properties included in the Scheme area (in circumstances where there are no other special benefits or community benefits accruing from the Special Rate).
- 14.2 The proposed Warrandyte Activity Centre Special Rate Scheme is a positive local economic development initiative which will encourage and generate competitive commerce, retail and professional activity and employment in the Warrandyte Activity Centre.
- 14.3 Directly and indirectly, the viability of Warrandyte Activity Centre as a commercial, retail and professional area will be further enhanced through increased economic activity by:
- Continued collective marketing and promotion of the precinct as a whole, which will assist to create a greater awareness and profile of the area, including what it has to offer to the community and its customers.
 - All businesses benefitting from the continuation of a Business Association that coordinates the daily management of activities and drives the overall strategic direction with the support of Council.
 - Enhanced use, enjoyment and occupation of properties and overall business goodwill as Warrandyte Activity Centre will be considered a more desirable location to conduct business.

OFFICER'S RECOMMENDATION

That:

- A. Council having considered all submissions received and taken account of all objections lodged and complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989 (Act)* hereby declares a Special Rate under 163(1) of the Act (*Special Rate*) for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Warrandyte Business Association Incorporated, which funds, subject always to the approval and direction of Council, are to be used for the purposes of funding a Shopping Centre Coordinator, and promotional, advertising, marketing, business development and other incidental expenses as agreed to from time to time between Council and the business association, all of which are associated with the encouragement of commerce, employment and retail activity in the Warrandyte Activity Centre (*Scheme*).**
- B. The period for which the Special Rate is declared and will remain in force is a period of 5 years commencing 1 January 2017 and ending 31 December 2021.**
- C. The criteria which form the basis of the declaration of the Special Rate is the ownership of rateable land used, or reasonably capable of being used, for commercial, retail or professional purposes within the geographical area in which the properties described in paragraphs F and G of this declaration are included and, further, the classification of those properties as receiving a “primary” or a “secondary” benefit.**
- D. In declaring the Special Rate, Council is performing functions and exercising powers relating to the peace, order and good government of the municipal district of the City of Manningham, in particular the encouragement of commerce, retail activity and employment opportunities.**
- E. The total cost of the performance of the function and the exercise of the power by Council (in relation to activities associated with the encouragement of commerce, retail activity and employment opportunities in the area for which the Special Rate is declared) and also the total amount of the Special Rate to be levied by Council is \$49,722.50 in each year of the Scheme's operation being 1 January 2017 through to 31 December 2021.**
- F. The area for which the Special Rate is declared is all of the land referred to as the Warrandyte Activity Centre, as identified and shown on the plan at Attachment 1 and forming a part of this declaration.**
- G. The land in relation to which the Special Rate is declared is all that rateable land described in the listing of rateable properties set out in Attachment 2 and forming a part of this declaration.**
- H. The contributions to the Special Rate, based on relevant property classifications in relation to “primary” and “secondary” special benefit, will be declared and assessed in accordance with the details in the listing of rateable properties set out in Attachment 2 forming a part of this declaration.**

- I. Having regard to the preceding parts of this declaration, the Special Rate will be levied by way of a Notice of Levy being sent annually to the person who is liable to pay the Special Rate, which will require that the Special Rate is to be paid in the following manner:
- By one annual payment to be paid in full by the date fixed by Council in that Notice, which will be a date not less than 30 days after the date of issue of the Notice; or
 - By four instalments, to be paid by the dates which are fixed by Council in the Notice.
- J. Council considers that there will be a special benefit to the persons required to pay the Special Rate because there will be a benefit to those persons that is over and above or greater than the benefit that is available to persons who are not subject to the Special Rate, and directly and indirectly as a result of the expenditure proposed by the Special Rate the viability of the Warrandyte Activity Centre as a commercial and retail area, and the value and the use, occupation and enjoyment of the properties and the businesses included in the Special Rate Scheme area will be maintained or enhanced through increased economic activity.
- K. Council further considers and formally determines for the purposes of sections 163(2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function or the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Rate is in a ratio of 1:1 (or 100%). This is on the basis that, in the opinion of Council, all of the services and activities to be provided from the expenditure of the Special Rate are marketing and promotion related and will accordingly only benefit those properties included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes.
- L. The Warrandyte Business Association be authorised to administer the proceeds of the Special Rate on the express condition that the Association enters into a funding agreement with Council for the period of the Special Rate Scheme.
- M. The responsible officers, for the purposes of paragraph L of this resolution, be authorised to prepare the funding agreement between Council and the Warrandyte Business Association by which administrative arrangements in relation to the Special Rate are confirmed, such agreement being a formal pre-condition to the payment by Council to the Association of any funds to be obtained from the Special Rate.
- N. Council authorise the affixing of the common seal to the funding agreement above.
- O. Notice be given to all owners and occupiers of properties included in the Scheme and all persons who have lodged a submission and/or an objection, in writing of the decision of Council to declare and levy the Special Rate commencing 1 January 2017, and the reasons for the decision.

- P. For the purposes of paragraph N, the reasons for the decision of Council to declare the Special Rate are that:**
- there is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the proposed Special Rate from property owners and occupiers;
 - Council considers that it is acting in accordance with the functions and powers conferred on it under the *Local Government Act 1989*, having regard to its role, purposes and objectives under the Act, particularly in relation to the encouragement of commerce, retail activity and employment opportunities in and around the Special Rate area;
 - all persons who are liable or required to pay the Special Rate and the properties respectively owned or occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the occupation, use or enjoyment of the properties; and
 - the basis of distribution of the Special Rate amongst those persons who are liable or required to pay the Special Rate is considered to be fair and reasonable.

Q. The Warrandyte Business Association be advised of the matters specified in paragraphs A, L and M of this resolution.

**MOVED: CONLON
SECONDED: GALBALLY**

That the Recommendation be adopted.

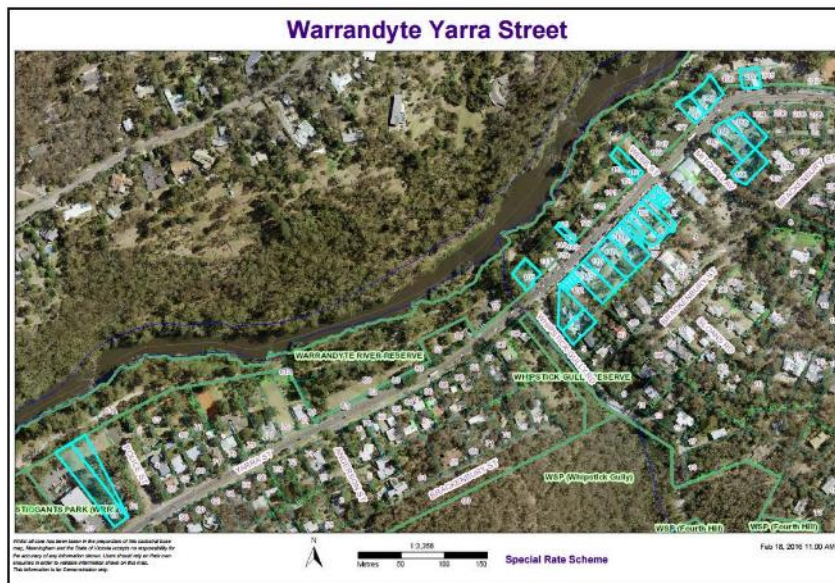
CARRIED

“Refer Attachments”

Attachment 1 – Special Rate Scheme Area
Attachment 2 – Special Rate Scheme Properties and Amounts Payable
Attachment 3 – Warrandyte Business Association Business Plan 2017-2021
Attachment 4 – Notice of Intention to Declare
Attachment 5 – Submissions Hearing Committee Meeting minutes
Attachment 6 – Summary of Submissions and Officers Response

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Attachment 1 - Proposed Scheme Map





Attachment 2 - Proposed Scheme rate listing

Bold indicates secondary benefit properties and proposed Scheme amendment highlighted

Property address	Rate(\$)
1/142 Yarra Street, WARRANDYTE VIC 3113	\$ 772.50
1/152-156 Yarra Street WARRANDYTE	\$ 499.50
1/188-202 Yarra Street, WARRANDYTE VIC 3113	\$ 828.00
1/2 Colin Avenue, WARRANDYTE VIC 3113	\$ 334.50
1/207 Yarra Street, WARRANDYTE VIC 3113	\$ 445.50
1/402 Heidelberg-Warrandyte Road, WARRANDYTE VIC 3113	\$ 3,000.00
1/90-94 Melbourne Hill Road, WARRANDYTE VIC 3113	\$ 517.50
10/402 Heidelberg-Warrandyte Road, WARRANDYTE VIC 3113	\$ 694.50
100 Melbourne Hill Road, WARRANDYTE VIC 3113	\$ 510.00
102 Melbourne Hill Road, WARRANDYTE VIC 3113	\$ 502.50
102 Yarra Street, WARRANDYTE VIC 3113	\$ 358.50
103-109 Yarra Street, WARRANDYTE VIC 3113	\$ 463.50
104 Melbourne Hill Road, WARRANDYTE VIC 3113	\$ 1,119.00
104 Yarra Street, WARRANDYTE VIC 3113	\$ 358.50
106-108 Yarra Street, WARRANDYTE VIC 3113	\$ 642.00
11/402 Heidelberg-Warrandyte Road, WARRANDYTE VIC 3113	\$ 372.00
110-136 Yarra Street, WARRANDYTE VIC 3113	\$ 3,000.00
1-2/266 Yarra Street, WARRANDYTE VIC 3113	\$ 721.50
1-2/35 Drysdale Road, WARRANDYTE VIC 3113	\$ 576.00
12/402 Heidelberg-Warrandyte Road, WARRANDYTE VIC 3113	\$ 954.00
1-3 Whipstick Gully Road, WARRANDYTE VIC 3113	\$ 378.95
138-140 Yarra Street, WARRANDYTE VIC 3113	\$ 901.50
144-146 Yarra Street, WARRANDYTE VIC 3113	\$ 1,146.00
148-150 Yarra Street, WARRANDYTE VIC 3113	\$ 729.00
158-160 Yarra Street, WARRANDYTE VIC 3113	\$ 741.00
160A Yarra Street, WARRANDYTE VIC 3113	\$ 370.50
162-164 Yarra Street, WARRANDYTE VIC 3113	\$ 586.50
163 Yarra Street, WARRANDYTE VIC 3113	\$ 363.00
165 Yarra Street, WARRANDYTE VIC 3113	\$ 300.00
166 Yarra Street, WARRANDYTE VIC 3113	\$ 586.50
167 Yarra Street, WARRANDYTE VIC 3113	\$ 300.00
183-187 Yarra Street, WARRANDYTE VIC 3113	\$ 633.00
189 Yarra Street, WARRANDYTE VIC 3113	\$ 300.00
193-197 Yarra Street, WARRANDYTE VIC 3113	\$ 597.00
2 Webb Street, WARRANDYTE VIC 3113	\$ 300.00
2/142 Yarra Street, WARRANDYTE VIC 3113	\$ 337.50
2/152-156 Yarra Street WARRANDYTE	\$ 837.00
2/2 Colin Avenue, WARRANDYTE VIC 3113	\$ 318.00
2/207 Yarra Street, WARRANDYTE VIC 3113	\$ 300.00
2/90-94 Melbourne Hill Road, WARRANDYTE VIC 3113	\$ 300.00
220-230 Yarra Street, WARRANDYTE VIC 3113	\$ 738.00
232-236 Yarra Street, WARRANDYTE VIC 3113	\$ 699.00

Property address	Rate(\$)
238 Yarra Street, WARRANDYTE VIC 3113	\$ 495.00
240 Yarra Street, WARRANDYTE VIC 3113	\$ 451.50
242 244 Yarra Street, WARRANDYTE VIC 3113	\$ 582.00
246 250 Yarra Street, WARRANDYTE VIC 3113	\$ 675.00
252 Yarra Street, WARRANDYTE VIC 3113	\$ 487.50
254 Yarra Street, WARRANDYTE VIC 3113	\$ 487.50
256 Yarra Street, WARRANDYTE VIC 3113	\$ 451.50
258-260 Yarra Street, WARRANDYTE VIC 3113	\$ 735.00
264 Yarra Street, WARRANDYTE VIC 3113	\$ 636.00
270 Yarra Street, WARRANDYTE VIC 3113	\$ 499.50
272 Yarra Street, WARRANDYTE VIC 3113	\$ 438.00
274 Yarra Street, WARRANDYTE VIC 3113	\$ 547.50
282 Yarra Street, WARRANDYTE VIC 3113	\$ 425.10
2A Webb Street, WARRANDYTE VIC 3113	\$ 300.00
2A/402 Heidelberg-Warrandyte Road, WARRANDYTE VIC 3113	\$ 772.50
3/188-202 Yarra Street, WARRANDYTE VIC 3113	\$ 484.50
3/266 Yarra Street, WARRANDYTE VIC 3113	\$ 300.00
3/35 Drysdale Road, WARRANDYTE VIC 3113	\$ 300.00
3/402 Heidelberg-Warrandyte Road, WARRANDYTE VIC 3113	\$ 586.50
3/90 94 Melbourne Hill Road, WARRANDYTE VIC 3113	\$ 300.00
321 Ringwood-Warrandyte Road, WARRANDYTE VIC 3113	\$ 330.20
323 Ringwood-Warrandyte Road, WARRANDYTE VIC 3113	\$ 300.00
4/35 Drysdale Road, WARRANDYTE VIC 3113	\$ 300.00
4/402 Heidelberg-Warrandyte Road, WARRANDYTE VIC 3113	\$ 1,290.00
4/90-94 Melbourne Hill Road, WARRANDYTE VIC 3113	\$ 300.00
4-5/266 Yarra Street, WARRANDYTE VIC 3113	\$ 444.00
5/188-202 Yarra Street, WARRANDYTE VIC 3113	\$ 484.50
5/35 Drysdale Road, WARRANDYTE VIC 3113	\$ 300.00
5/402 Heidelberg-Warrandyte Road, WARRANDYTE VIC 3113	\$ 1,219.50
5/90-94 Melbourne Hill Road, WARRANDYTE VIC 3113	\$ 300.00
6/35 Drysdale Road, WARRANDYTE VIC 3113	\$ 864.00
6/90-94 Melbourne Hill Road, WARRANDYTE VIC 3113	\$ 436.50
61-63 Yarra Street, WARRANDYTE VIC 3113	\$ 666.25
6-7/402 Heidelberg-Warrandyte Road, WARRANDYTE VIC 3113	\$ 931.50
9/402 Heidelberg-Warrandyte Road, WARRANDYTE VIC 3113	\$ 694.50
91-93 Melbourne Hill Road, WARRANDYTE VIC 3113	\$ 702.00
96 Melbourne Hill Road, WARRANDYTE VIC 3113	\$ 478.50
98 Melbourne Hill Road, WARRANDYTE VIC 3113	\$ 442.50
First floor 1/152-156 Yarra Street WARRANDYTE	\$ 852.00
	\$ 49,722.50

Attachment 3 - Warrandyte Business Association Business Plan



**WARRANDYTE
BUSINESS PRECINCT PLAN
2016-2020**

Contents

Introduction

Profile of the Precinct

SWOT Analysis

Future Vision

Mission Statement

Strategies

Implementation

Monitoring and Evaluation

Appendix - Business Listing



Introduction

This is a five year business plan for the Warrandyte Business Precinct comprising Yarra St from Tills Drive encompassing the Bridge section, the Village, Goldfields Shopping Centre, Goldfields Terraces and adjacent areas.

It outlines a vision for the precinct and mission statement for the Warrandyte Business Association (WBA)

It also provides a set of strategies to achieve the vision in terms of business development, marketing and public relations, community development, centre management, communication and finance.

This Plan has been prepared in consultation with business owners in Warrandyte and the Manningham City Council.



Profile of the Precinct

The Warrandyte Business Precinct is a neighbourhood activity centre and a specialist business destination area located at the entrance to the Yarra Valley in the north eastern part of the City of Manningham, just 35 minutes from the City of Melbourne. The precinct has approximately 15,000 square metres of business floor space of which approximately 9800 square metres is retail floor space. There are 88 business premises in the precinct (as at Feb 2016).

The main catchment area of the precinct covers approximately 10,000 households in Warrandyte, Warranwood, Park Orchards, Research and Wonga Park.

Activity Mix

Retailing is the predominant business activity. The precinct has 57 existing retail businesses representing 63% of all businesses.

Personal and household goods represent 21% of all businesses, more than double the proportion allocated to food retailing. This category consists of a diverse range of shops extending from convenience outlets such as newsagency and pharmacy at Goldfields Shopping Centre to other specialist destination stores (e.g. Homewares, jewellery, gift shops and galleries, Vets, Doctor Surgery) on Yarra St, Ringwood –Warrandyte Rd and Heidelberg-Warrandyte Rd.

There are a number of cafes and restaurants representing a significant 16% of all businesses in the precinct. The category is represented by a mixture of restaurants (e.g., Indian, Italian, modern cosmopolitan) in Yarra Street as well as in Drysdale Road, Melbourne Hill Road, and Ringwood-Warrandyte Road.

Existing uses evident in the Warrandyte Business Precinct are summarised in Table 1 below.



Table 1

Activity Type	No. of uses	% of total
Food Retail including Takeaway Food	9	10
Personal Household Goods	27	31
Personal Retail Services	7	8
Cafes & Restaurants	14	16
Entertainment – Hotel, reception/accommodation	2	2
Banks & Financial Services	3	3
Business Professional Services	16	18
Medical, Veterinary & other Health Services	8	9
Automotive (Care Wash)	1	1
Vacant	1	1
Total	88	100

Source: Peter McNabb & Associates, November 2009 (updated December 2015)

While there are 16 professional and business services premises (18%) in the Warrandyte Business Precinct, these operations perform a stabilising role in Warrandyte. These include services such as the Warrandyte Community Bank, three accounting firms, three real estate agencies, two legal firms and four other specialist services including an architectural practice and other professionals.

Health services are an important sector within the precinct with nine facilities, representing 10% of all businesses. There is a medical centre, two veterinary clinics, an optometrist, a psychologist, a hearing audiologist, an osteopath and a fitness studio.

There is one car wash in the precinct at Goldfields.

Over the past few years the vacancy rate has dropped as Warrandyte shops are being more sought after.

Current Marketing & Promotions Program

The Warrandyte Business Association has had a very successful Special Rate Scheme from 2011-2015 with a part time paid Coordinator.

The WBA is an active incorporated body working for all businesses in the precinct. A Committee is elected each year, and meets as a group once a month. The Association Executive worked hard over many years to facilitate significant physical improvements in the Warrandyte Precinct and has developed a very good working relationship with Manningham City Council.



SWOT Analysis

Strengths

- Attractive and pleasant setting adjacent to the Yarra river (one of only 3 Victorian townships located on the banks of the Yarra).
- Good mix of retail, commercial, health, food and entertainment services.
- Range of specialist retail businesses, gifts, interiors and homewares.
- Strong Café and Restaurant culture.
- Good community focus – strong patronage by and affiliation with Warrandyte residents/ visiting friends and relatives market.
- Active, positive Business Association.
- Gateway to the Yarra Valley Wine district.
- Fantastic anchors in Quintons IGA and the Grand Hotel

Weaknesses

- Core business precinct is spread out over three sections, creating a disjointed township.
- Parking availability.
- The Warrandyte shopping experience is still a secret to some local residents.

Opportunities

- Enhancement of the image and branding of the precinct.
- Develop a strong Buy Local campaign
- Develop a strong tourist/visitor attraction.
- Improve the business mix
- Continue a co-ordinated marketing and business development program with exciting advertising and promotional events.
- Improved digital and social media.
- Create a balance between marketing to locals and becoming a tourist destination.

Threats

- Competition from nearby centres (e.g. Eastland, Westfield Doncaster etc)
- Lack of engagement from a small number of traders who display apathy in terms of taking an active role in the Business Association.
- Challenges balancing community and business development.



Future Vision

To develop a vibrant, upmarket precinct with strong community links which supports a highly attractive visitor destination, providing a localised experience, good value to customers, old fashioned good customer service, and increased trade for business.

To continue our active business association which works effectively in partnership with all businesses, the wider community and Manningham City Council.



Mission Statement

The mission of the Warrandyte Business Association is to:

- Work to improve the image and profile of the Warrandyte Precinct.
- Promote Warrandyte so that it becomes more vibrant
- Generate interest and enthusiasm in the activities of the Association, creating a cohesive and engaged trader group.
- Act as leaders and ambassadors for the precinct.
- Work to improve the overall trading performance of the precinct each year – targeting both locals and visitors.
- Continue to develop positive partnerships with Manningham City Council, the community and other key stake holders.
- Continue to lobby Council for improvements in the physical infrastructure and appearance of the precinct.



Strategies

Over the next 5 years some key areas include to:

- Develop and implement the next self funded marketing program – Special Rate Scheme.
- Create an annual calendar of distinctive marketing and promotional activities.
- Develop stronger connections with the Warrandyte community and wider metropolitan groups.
- Involve community groups in the promotional program.
- Continue to roll out education programs to support business growth.
- Identify gaps in the market and seek to introduce complimentary business types into the precinct.
- Work together with individual businesses to develop strategies to overcome a challenging economy.
- Work with Council to develop regular communication and opportunities for partnership initiatives including street scape improvements.
- Support the development of fire and emergency safety kits prepared by and tailored to each individual business.
- Develop an appropriate signage strategy for the whole of Warrandyte.

Branding

- Continue to consistently promote and reinforce Warrandyte branding to create an instantly recognisable brand.

Marketing

- Further develop the WBA website and regularly update. Continue to cross reference with Traders websites and link with The MCC website.
- Produce regular advertising features in The Diary. Feature regular profiles of retail and commercial businesses.
- Continue quarterly advertising in localised publications.
- Encourage cross marketing and joint promotions among businesses.
- Develop a digital marketing strategy and implement.
- Develop an independent promotional strategic plan to directly support professional services.
- Encourage business owners to enter their business into industry and regional award programs, such as the Manningham BEA awards
- Investigate opportunities for promotion of public art displayed in Warrandyte.



Special Promotional Events

- Develop an annual calendar of promotional events including:
 - Christmas VIP Open Nights
 - Light Up Warrandyte
 - Gnome Hunt
 - VIP Shopping nights
- Live music.
- Progressive dinners – incorporating historical elements and re-enactments.
- Winter campaigns – cosy campaign.
- Promote what is special and unique.
- Provide value and benefit for professional services.
- Target day trippers.
- Shop Local Campaign.
- Spin off activities from the Market.
- Promote the calendar of events through strategically placed signage.
- Link promotional events with local community groups.

Community Development

- Develop Warrandyte through marketing, as a key community hub in Manningham.
- Strengthen community connections and loyalty to the Precinct particularly with the various communities that visit.
- Involve local schools and other community groups through music and dance performance and art and sculptural displays in the promotions program. Buskers, choir performances, local bands.

Retaining and improving existing businesses

- Encourage businesses to improve cleaning, building facades, signage, internal presentation and customer service.
- Consistent streetscape beautification elements to unify the exterior of building facades.
- Visual Merchandising seminar
- Support business networking opportunities and training programs
- Develop a Welcome Kit for all new businesses.
- Provide greater recognition and promotion through being involved in the Manningham BEA awards
- Celebrate at Christmas with the Light Up Warrandyte – window display competition.
- Breakfast Seminars and Mentoring sessions
- Update Business Directories



Improve the business mix by attracting appropriate new businesses

- Analyse the current business mix and identify any gaps
- Develop a list of desired new operations to fit any vacancies
- Work with local real estate agents and property owners to attract these types of new businesses into Warrandyte if vacancies occur.

Management and Communication

Warrandyte Business Association:

- Elect a Committee of Management each year. Work to ensure that it is an appropriate representation from different types of businesses in the 3 precincts.
- Outline clear responsibilities for the Executive to share the workload.
- Establish sub committees or working groups to undertake projects and involve other businesses.
- Continue to organise short monthly meetings to direct and monitor the agreed program of activities. Ensure that each meeting has an Agenda and is conducted in accordance with the Rules of Association. Organise Minutes and distribute promptly.
- Communicate regularly with businesses. Prepare and distribute a short monthly newsletter to keep businesses up to date with proposed new events and activities.
- Hold an AGM annually and elect the Committee for the next year.
- Hold an open discussion session annually for all the traders on Warrandyte's marketing and business development program.
- Organise each year an informal networking session with traders to share information and discuss current issues.
- Organise an annual business/customer/resident survey to obtain feedback on the WBA activities over the last year.
- Continue to maintain monthly discussions with Council on issues such as streetscape, car parking, traffic management and maintenance, improvements and establish a system of regularly reporting back to the Committee.
- Prepare an evaluation report and submit to Council every quarter and annually present to WBA.



Financial Strategy

- Seek approval from Council for the next ongoing self-funded program through the Special Marketing Rate to which all businesses contribute with a budget of approximately \$50,000 per annum (please note this amount has not been increased since the previous scheme,)
- Develop an annual sponsorship program (cash and in kind) to attract additional funds to supplement the levy program.
- Identify and apply to Council and organisation on an annual basis for grants for specific projects.



Streetscape Improvements

Advocate to Council for the following improvements:

- Maintenance of Council owned parks and garden areas around business areas.
- Maintenance and promotion of Soundscape listening Posts in Warrandyte
- Work with Council to optimise links to parks and reserves close to Warrandyte business including improved directional signage for walkers and bike riders to connect through the Goldfields to major tracks and reserves.
- Work with Council to get the Bike track continued into Warrandyte from Beasleys.
- Assist Council to finalise and build the public toilet at the Playground near The Bakery
- Continue widening of footpaths where appropriate to accommodate emerging social trends in the Activity Centre such as alfresco dining, market style displays and footpath advertising.





Implementation

A 12 month work plan to be developed in line with the overall Business Plan.

The WBA to prepare quarterly financial and implementation reports to Council as well as a proposed program for the next quarter.

Calendar of events to be prepared outlining project timelines.



Monitoring & Evaluation

Achievements of the actions outlined in the Business Plan are to be evaluated during and at the end of each financial year. Key performance indicators to be included in the evaluation are:

- Extent of completion of projects specified in the Business plan and Quarterly Work Plan
- Level of business participation in activities and promotions
- Business and customer perceptions about the success of promotions and advertising campaigns
- Financial accountability

A short evaluation report is prepared at the end of each quarter and presented to Council. The report addresses the degree of compliance with the performance indicators. It is submitted to Council as part of the accountability requirements for the special rate scheme program and is used as a basis for developing a more detailed work program and budget for the following financial year.



Appendix

List of Businesses in the Warrandyte Business Precinct (as at March 2016)

Address	Business Name
Colin Avenue	
1/2	Peter Gardiner Lawyers and Solicitors
2/2	Haden Partners Accountants
Drysdale Road	
1-2/35	Indian Affair Restaurant
3/35	Muscle Magic Muscle Manipulation Clinic
4/35	Bonnie's West End Hairdressing
5/35	John Roberts and Associates Accounting
6/35	Red Fox Restaurant
Melbourne Hill Road	
1/90-94	Ruby Tuesday Jewellery
2/90-94	Warrandyte Osteopathy
3/90-94	Australian College of Environmental Studies
4/90-94	OMNI Trade Services
5/90-94	Ivory Hearing
6/90-94	Mings Chinese Restaurant
91	Warrandyte Vet Clinic
96	West End Fish and Chips
98	Vacant
100	Australia Post Office
102	Needles and Pins
104	Huntress Restaurant
Heidelberg - Warrandyte Road (Goldfields)	
1/402	Quintons IGA
2/402	Leo's Bakery
3/402	Eyes on Warrandyte
4/402	Rex Medical Clinic
5/402	Warrandyte Chemmart Pharmacy
6-7/402	Warrandyte Newsagency
8/402	Quintons IGA



9/402	Warrandyte Quality Meats
10/402	The White Owl Cafe
11/402	Warrandyte Hairco
12/402	Warrandyte Car Wash
Whipstick Gully Road	
1-3	Warrandyte Goldfields Bed & Breakfast
Yarra Street	
61	Warrandyte Cafe
102	Warrandyte Beauty Centre
103	Stonehouse Gallery
104	Essentially Hair by Emma
106-108	She Earth Rare Crystals
110-136	Grand Hotel
138-140	Vacant
1/142	Riveresque Home
2/142	Warrandyte Pilates
144-146	Warrandyte Community Bank Branch of Bendigo Bank
148-150	Now and Not Yet Cafe
1/152-156	DM Cycles
2/152-156	Altair Fine Dining
First Floor 1/152	McKellar Bros
158-160	Interiors by Riveresque
1/158-160	SMS Civil Engineers
162-164	Seafood by the Yarra
166	Cocoa Moon
168	Warrandyte Lions Opportunity Shop
Webb Street	
2	Warrandyte Travel and Cruise
2A & 2B	Gardiner McInnes Estate Agents
Yarra Street	
163	Rush and Hampshire Barrister and Solicitor
165	Henry Architects
167	Clinical Psychologist
183-187	Landfield Real Estate
189	Yarra Cottage Books



193-197	The Bakery Warrandyte
1/207	Ratty and Moles Antiques
2/207	Warrandyte Lollies and Treats
1-2/188	Bolero's European Restaurant
3/188	Bubba Pizza
4-5/188	Vanilla Orchid Thai Cuisine
220	Roundabout Cafe
232	Folkart Gifts and Clothing
238	Thyme by the Yarra
240	Quirk Gifts and Lifestyle
242-244	Warrandyte Cellars
252	D'Silvas of Warrandyte Ladies Fashion
254	Food For All Seasons
256	The Purple Dragonfly
258	Carrington Craft
260	Alert Fire Safety
262-264	Riverview Cafe
270	Homing Instincts
272	Frankies Boutique
272A	Vacant
274	
1-2/266	North Warrandyte Vet
3/266	Rotary Opportunity Shop
4-5/266	Rivva PT
246	Utaki Health and Wellbeing
248	Tails a go go Grooming
250	Rotary Opportunity Shop (furniture)
282	Nardee Indian Restaurant
Ringwood - Warrandyte Road	
321	Stonehouse Cafe
323	Yarra Store Linen and Larder





WARRANDYTE

eat • shop • explore • enjoy



Attachment 4 – Copy of Public Notice

**NOTICE OF INTENTION TO DECLARE A SPECIAL RATE
WARRANTYTE SHOPPING CENTRE PRECINCT**

In accordance with a resolution of the Manningham City Council (*Council*) made at its special meeting held on 13 September 2016, notice is given that at the special meeting of the Council to be held on 13 December 2016, it is the intention of Council to declare a Special Rate (*Special Rate*) under section 163(1) of the *Local Government Act 1989 (Act)* for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Warrandyte Business Association Incorporated (*Business Association*), which funds, will be provided on an administrative basis only and subject always to the approval, direction and control of Council, are to be used for the purposes of the appointment of a part time marketing coordinator, promotional, advertising, marketing, business development and other incidental expenses as approved by Council and agreed to from time to time between Council and the Business Association, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Warrandyte Shopping Centre Precinct, Yarra Street through to the Goldfields Plaza (*Centre or Scheme*).

The Special Rate will be based on geographic criteria, having regard to the location and the capital improved value (CIV) of those rateable properties in the Centre that are used, or reasonably capable of being used, for commercial, retail or professional purposes, and further, the classification of those properties as receiving a "Primary" or "Secondary" special benefit.

Council considers that each rateable property and each business included in the Scheme area that is required to pay the Special Rate will receive a special benefit because the viability of the Centre as a commercial, retail and professional area will be enhanced through increased economic activity.

In performing functions and exercising powers in relation to activities associated with the encouragement of commerce and retail activity in and around the area for which it is proposed the Special Rate will be declared, Council intends to levy and spend an amount of \$50,278.40 in the first year of the Scheme, raising in total an amount of \$251,392 over the five year period of the Scheme.

The Special Rate is to be declared, and will remain in force, for the period commencing on 1 January 2017 and ending on 31 December 2021.

For the period of the Scheme, the Special Rate will be assessed based on whether a property receives a "Primary" or "Secondary" special benefit. Properties included in the "Primary" benefit area (defined as those properties located within the core precinct areas of Yarra Street and Warrandyte Goldfields) will be liable or required to pay a rate in the dollar of 0.0015 annually based on the CIV of each property in 2011. Properties included in the

Attachment 4 – Copy of Public Notice

"Secondary" benefit area (defined as those properties located on the periphery of the core precinct areas of Yarra Street and Warrandyte Goldfields) will be liable or required to pay a rate in the dollar of 0.00065 annually, based on the CIV of each property in 2011. For properties where a business occupies more than one contiguous property, the Special Rate payable will be for only one of the contiguous properties and will be the higher rate applicable. The Special Rate for all properties is capped at a minimum of \$300 and a maximum of \$3,000.

The Special Rate will be levied by Council sending a notice of levy annually to the persons who are liable to pay the Special Rate, which will require that the Special Rate must be paid in the following manner:

- By one annual payment to be paid in full by the due date fixed by Council in the notice, which will be a date not less than 30 days after the date of issue of the notice, or
- By four instalments, to be paid by the dates which are fixed by Council in the notice.

Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Rate.

For the purposes of having determined the total amount of the Special Rate to be levied under the Scheme, the Council considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Rate is in a ratio of 1:1 (or 100 per cent). This is on the basis that, in the opinion of the Council, all of the services and activities to be provided from the proceeds of the expenditure of the Special Rate are marketing, promotion and advertising related and will accordingly only benefit those properties and businesses included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes.

Copies of the proposed declaration of Special Rate, a detailed plan of the Scheme area and classifications as to whether a property is included within a "Primary" or "Secondary" special benefit area are available for inspection at the offices of the Manningham City Council, 699 Doncaster Road, Doncaster 3108 during normal office hours for a period of at least 28 days after the publication of this notice.

Any person may make a written submission to Council under sections 163A and 223 of the Act.

In addition, any person who will be required to pay the Special Rate to be imposed by the proposed declaration, whether an owner or an occupier of a property included in the

Attachment 4 – Copy of Public Notice

Scheme, has a right to object to the proposed declaration and may also make a written objection to the Council under section 163B of the Act. An occupier is entitled to exercise the right of objection if they submit documentary evidence with the objection which shows that it is a condition of the lease under which the person is an occupier that the occupier is to pay the Special Rate.

Written submissions to be submitted to the Council under section 223 of the Act and/or written objections to be lodged with the Council under section 163B of the Act must be received by the Council by **5.00 pm on Friday, 28 October 2016**. Submissions and/or objections must be in writing and addressed and sent by mail to the Chief Executive Officer, Manningham City Council, PO Box 1, Doncaster, Victoria, 3108.

Any person who has made a written submission under section 223 of the Act and has requested to be heard in support of their written submission is entitled to appear in person or to be represented by a person specified in the submission before a Committee appointed by Council to hear submissions under section 223 of the Act, the day, time and place of which will be advised in writing

Any person making a written submission under section 223 of the Act is advised that the Council is no longer required to make available for public inspection submissions received in accordance with section 223 of the Act. Accordingly, all submissions and personal information in submissions will be handled as authorised or required by law, including under the *Privacy and Data Protection Act 2014*.

Council will consider any written submissions and take into account any objections in accordance with sections 163A, 163B and 223 of the Act.

Any person requiring more information about the proposed declaration of the Special Rate should contact Ben Harnwell, Coordinator Economic Development and Tourism, on telephone (03) 9840 9338, facsimile (03) 9840 9465 or email ben.harnwell@manningham.vic.gov.au in the first instance.

WARWICK WINN
CHIEF EXECUTIVE OFFICER

Certified by the Chief Executive Officer, Warwick Winn, in accordance with Section 55D of the Local Government Act 1989.

Attachment 5 – Submissions Committee Report of Proceedings

**Minutes of the Warrandyte Activity Centre Special Rate
Submissions Hearing Committee
21 November 2016**

The meeting commenced at 6.00pm.

1. Welcome

The Chair, Cr Paul McLeish welcomed the Committee Members, Council Officers and Submitters. The Chair stated the meeting is being conducted in accordance with Section 223 of the Victorian *Local Government Act 1989* as part of the statutory administration of the Warrandyte Activity Centre Special Rate Scheme 2017-2021.

In attendance are:

2. Committee Members

Cr Conlon
Cr Galbally
Cr McLeish (Chair)

3. Attendees

a. Council Officers:

Vivien Williamson	Manager, Economic and Environmental Planning
Ben Harnwell	Coordinator, Economic Development and Tourism
Ralph Geerling	Economic Development Officer

b. Submitters:

The business owner at 4-5 Goldfields Plaza, Warrandyte
The business owner at 10/402 Heidelberg-Warrandyte Rd, Warrandyte
The property owner of 193-197 Yarra St and 189 Yarra St, Warrandyte
The property owner of 282 Yarra St Warrandyte

c. Other attendees:

The business owner of 8/402 Heidelberg-Warrandyte Road, Warrandyte
The father of the property owner of 282 Yarra St Warrandyte

The Chair then named the apologies received from the submitters who were unable to attend the meeting:

4. Apologies

The business owner at 110-136 Yarra St, Warrandyte and submitter on behalf of 138-140 Yarra St, Warrandyte
The business owner at 1/90 Heidelberg-Warrandyte Rd, Warrandyte
The business owner at 5/90 Heidelberg-Warrandyte Rd, Warrandyte
The business owner at 6-7/402 Heidelberg-Warrandyte Road, Warrandyte
The business owner at 102 Yarra St, Warrandyte
The business owner at 232-236 Yarra Street, Warrandyte

Attachment 5 – Submissions Committee Report of Proceedings

The business owner at 5/35 Drysdale Rd, Warrandyte
The business owner at 100 Melbourne Hill Rd, Warrandyte

5. Disclosure of Conflict of Interests

The Chair called for any attendees to declare and disclose any conflicts of interest pursuant to Section 79 of the *Local Government Act 1989* associated with the proposed Warrandyte Activity Centre Special Rate Scheme 2017-2021.

There were no disclosures of conflicts of interest.

6. Purpose of Meeting

The purpose of the meeting is for the Committee to receive verbal submissions, in support of written submissions to the proposed Warrandyte Activity Centre Special Rate Scheme 2017-2021.

7. Committee Terms of Reference

The Chair stated that the Committee had been set up to hear submissions in accordance with the requirements of Section 223 of the *Local Government Act 1989*.

It has no authority to make final decisions and a further report would be provided to the Council meeting on Tuesday 13 December regarding the submissions heard and the issues raised.

8. Officers' Report

The Chair noted that Council Officers had prepared for the Committee a report on the Scheme including background and summary of submissions of those wishing to be heard.

9. Hearing of verbal submissions

The Chair stated that in accordance with Section 223 of the Act, verbal submissions would now be heard in support of the written submissions received in reference to the proposed Warrandyte Activity Centre Special Rate 2017-2021.

Verbal submissions were made in support of their written submissions by:-

The business owner at 10/402 Heidelberg-Warrandyte Rd, Warrandyte & the business owner at 8/402 Heidelberg-Warrandyte Road, Warrandyte

The submitter outlined the key achievements of the previous Scheme and provided a hand out to each attendee entitled "*Your rates scheme at work*". Some of the key areas of success included providing opportunities for locals and visitors to find out about the three distinct areas of the activity centre through a website, social media page and various publications.

The submitter also outlined the various events that had been funded through the Scheme such as Christmas gnome hunt, window displays, contributions to the Warrandyte Festival and regular music in the streets.

Attachment 5 – Submissions Committee Report of Proceedings

The opportunities for professional development were also listed incorporating visual merchandising, marketing, grant applications and sessions to assist in developing applications for the Manningham Business Excellence Awards.

Another initiative that has received wide spread positive feedback is the purchase of 190 hanging geranium baskets, window baskets and wine barrels which have provided a visual landmark to the shopping precinct and attracted far reaching attention.

The business owner at 8/402 Heidelberg-Warrandyte Road, Warrandyte added that the competition from the nearby big shopping centres such as Eastland and Westfield continue to grow and Warrandyte needs a point of difference to stay competitive that offers something for locals and visitors alike. It was important for the Scheme to remain in place so that support could continue to be developed and opportunities could continue to grow.

The property owner of 193-197 Yarra St, Warrandyte and 189 Yarra St, Warrandyte

The submitter stated she was born and raised in Warrandyte but now resides in regional Victoria. She raised several associated issues related directly to her properties. In regard to the Scheme and its impact on Warrandyte as a commercial shopping precinct, the submitter stated that there was not enough visitation from Monday to Friday, as reported to her by the bakery tenants, and therefore she would be happy to see the Scheme help achieve changes in this regard.

The property owner of 282 Yarra St Warrandyte

The submitter stated that he supports the marketing and promotional initiatives conducted by the Business Association and does want to see a vibrant shopping precinct. His objection related to the lack of discussion with property owners and the initial requirement for liability to pay the levy to rest with owners.

The submitter advised that his lease agreement with the tenant at 282 Yarra St, Warrandyte, did not defer liability for such a levy onto the tenant. He believes that the levy devalues his property and the Scheme will not provide any special benefit to him as the owner as per its meaning in s163 of the *Local Government Act 1989*. The submitter stated that a special benefit to an owner would be in the form of rental return but that he sees the Scheme as a liability.

The submitter concluded by stating that the Scheme was positive in what it aimed to achieve for the area but that the responsibility for funding it rested solely with business operators as they alone would see the special benefit.

The business owner 4-5 Goldfields Plaza, Warrandyte

The submitter stated that he supported the Scheme for infrastructure works that was conducted in the early 2000s but prefers to conduct his own promotion which he currently spends approximately \$3,000 per month on. The proposed Scheme is an additional cost which he does not believe adds any additional benefit.

Attachment 5 – Submissions Committee Report of Proceedings

The submitter stated that his business is a destination business which people come in for a specific item or purpose and would not receive any special benefit from the proposed Scheme.

Conclusion

The Chair advised attendees that the next step will be the preparation of a report relating to the Warrandyte Activity Centre Special Rate Scheme 2017-2021 submitted to the Council meeting to be held on Tuesday 13 December 2016 addressing all of the issues raised at this Section 223 Submissions Hearing Committee meeting.

A determination will be made at that meeting on whether or not to declare the proposed Scheme. All property owners and business owners will be advised in writing of this decision.

The Chair thanked all speakers for taking the time to attend the evening's meeting and for providing their views on the proposed 2017-2021 Special Rate Scheme for the Warrandyte Activity Centre.

The meeting was declared closed at 7.10pm.

Attachment 6
Summary of Submissions and Officer Response re: Warrandyte Activity Centre Special Rate Scheme 2017-2021

	Address	Summary of issues	Response
1.	110-136 Yarra St and 138-140 Yarra St, Warrandyte	The submitter wrote in support of the scheme. The submitter stated that the collective businesses that the submission included had been in full support of the previous scheme and looked forward to its renewal. The submitter did not request to be heard.	It is considered that all commercial properties in the Warrandyte Activity Centre will derive 'special benefit' from the expenditure of the Special Rate funds on the encouragement of commerce in the activity centre. Recommendation: No change to the Warrandyte Special Rate Scheme
2.	193-197 Yarra St and 189 Yarra St, Warrandyte	The submitter wrote in support of the scheme. The submitter stated that she accepted the proposed levy as outlined. The submitter did not request to be heard. After further correspondence from Council, the submitter confirmed she would attend the Submissions Hearing Committee meeting to speak to her submission.	It is considered that all commercial properties in the Warrandyte Activity Centre will derive 'special benefit' from the expenditure of the Special Rate funds on the encouragement of commerce in the activity centre. Recommendation: No change to the Warrandyte Special Rate Scheme
3.	10/402 Heidelberg-Warrandyte Rd, Warrandyte	The submitter wrote in support of the scheme. The submitter stated that she believed the scheme was crucial for Warrandyte to be able to work together as a whole. The submitter stated that there had been a lot of positive feedback from traders in regard to many of the initiatives run as part of the Scheme that had provided opportunities to connect with one another and cross promote. The submitter did not request to be heard.	It is considered that all commercial properties in the Warrandyte Activity Centre will derive 'special benefit' from the expenditure of the Special Rate funds on the encouragement of commerce in the activity centre. Recommendation: No change to the Warrandyte Special Rate Scheme

Address	Summary of issues	Response
	<p>After further correspondence from Council, the submitter confirmed she would attend the Submissions Hearing Committee meeting to speak to her submission.</p>	
<p>4. 1/90 Heidelberg-Warrandyte Rd, Warrandyte</p>	<p>The submitter wrote in support of the scheme. The submitter stated that they have operated in Warrandyte for 18 years and they have found the Scheme to be crucial in promoting Warrandyte businesses as well as promoting Warrandyte as a tourist destination. The submitter did not request to be heard.</p>	<p>It is considered that all commercial properties in the Warrandyte Activity Centre will derive 'special benefit' from the expenditure of the Special Rate funds on the encouragement of commerce in the activity centre. Recommendation: No change to the Warrandyte Special Rate Scheme</p>
<p>5. 5/90 Heidelberg-Warrandyte Rd, Warrandyte</p>	<p>The submitter wrote in support of the scheme. The submitter stated there were many benefits of the Scheme including networking, support and learning from others/guest speakers, developing local events as a collective and helping to grow Warrandyte as a whole. The submitter did not request to be heard.</p>	<p>It is considered that all commercial properties in the Warrandyte Activity Centre will derive 'special benefit' from the expenditure of the Special Rate funds on the encouragement of commerce in the activity centre. Recommendation: No change to the Warrandyte Special Rate Scheme</p>
<p>6. 6-7/402 Heidelberg-Warrandyte Road, Warrandyte</p>	<p>The tenant of this property submitted his objection to the Scheme. The submitter stated that he had not been involved with the Association's activities and that the initiatives only benefit a small number of businesses. As a franchise business, the submitter stated that his marketing capability was governed externally. He also stated that Goldfields Plaza should be represented</p>	<p>All businesses within the Warrandyte Activity Centre and the Scheme are part of the Association and free to attend monthly meetings in which to raise and address issues, concerns and ideas. The success of a Special Rate Scheme is dependent on trader engagement to ensure it meets the needs of the involved businesses. The submitter's comment regarding marketing capability as a franchise business is noted. Individual</p>

Address	Summary of issues	Response
	separately to Yarra Street. The submitter did not request to be heard.	<p>businesses' efforts to leverage off the marketing and promotion created by the Scheme will enable all businesses to capitalise on the additional visitation to the activity centre. It is considered that all commercial properties in the Warrandyte Activity Centre will derive 'special benefit' from the expenditure of the Special Rate funds on the encouragement of commerce in the activity centre.</p> <p>Recommendation: No change to the Warrandyte Special Rate Scheme</p>
7. 102 Yarra St, Warrandyte	The tenant of this property submitted her objection to the Scheme. The submitter stated that she had not seen any benefit as a result of the Scheme and had not seen an increase in business. She stated she felt the Scheme should not be forced on those that did not wish to participate. The submitter did not request to be heard.	<p>It is considered that all commercial properties in the Warrandyte Activity Centre will derive 'special benefit' from the expenditure of the Special Rate funds on the encouragement of commerce in the activity centre. Individual businesses' efforts to leverage off the marketing and promotion created by the Scheme will enable all businesses to capitalise on the additional visitation to the activity centre.</p> <p>Recommendation: No change to the Warrandyte Special Rate Scheme</p>
8. 4-5 Goldfields Plaza, Warrandyte	The tenant of this property submitted his objection to the Scheme. The submitter stated that a Scheme should not be imposed upon an area where almost 40% do not wish to be involved. The submitter believes that it is the responsibility of each business to market and promote themselves, as he has done over the last 27 years. The submitter stated he had supported the Goldfields Special Rate Infrastructure Scheme in	<p>Whilst 62% of respondents were in support of the Scheme, only 11% responded in opposition with the remainder (approximately 27%) not responding. Those unaccounted for cannot be said to be in support of the Scheme by default, but due to the number unaccounted for, Council in its decision on 13 September, exercised its right under the Manningham Special Rates and Charges Contributory Projects</p>

	Address	Summary of issues	Response
		<p>the early 2000s as this had measureable results. He did not believe the previous promotional Special Rate Scheme had been a success. The submitter did not request to be heard.</p> <p>After further correspondence from Council, the submitter confirmed that he would attend the Submissions Hearing Committee meeting to speak to his submission.</p>	<p>Policy to continue with the preparation of the Scheme despite support below the 75% threshold.</p> <p>Whilst infrastructure schemes, by their very nature, differ from promotional schemes in terms of tangible outcomes; the success of a Special Rate Scheme is dependent on trader engagement to ensure it meets the needs of the involved businesses.</p> <p>It is considered that all commercial properties in the Warrandyte Activity Centre will derive 'special benefit' from the expenditure of the Special Rate funds on the encouragement of commerce in the activity centre.</p> <p>Recommendation: No change to the Warrandyte Special Rate Scheme</p>
9.	282 Yarra St, Warrandyte	<p>The owner of this property submitted his objection to the Scheme. The submitter stated that as the property owner he does not pass on the levy to his tenant. He believes that basing the Scheme on Capital Improved Values and modelling it on a traditional shopping centre configuration makes it inequitable applied to the Warrandyte context.</p> <p>He objected to the calculation of the special rate for his property being based on CIV, incorporating the size of the land, as it is a large block but is not used as part of the commercial function.</p> <p>The submitter also states that the property sits within a residential zone and should not be considered as being part of the Warrandyte Activity Centre for the purposes of the Scheme.</p>	<p>The submitter's point regarding the two distinct areas that comprise the Warrandyte Activity Centre is noted. The Scheme's ability, through the business association, to tailor marketing and promotional initiatives to the specific configurations of the businesses it represents is a vital aspect for success and can only be achieved through trader engagement with the Scheme.</p> <p>Although within a residential zone, the property is used for commercial purposes. It is considered that all commercial properties in the Warrandyte Activity Centre will derive 'special benefit' from the expenditure of the Special Rate funds on the encouragement of commerce in the activity centre.</p>

Address	Summary of issues	Response
		<p>Recommendation: Amend Warrandyte Special Rate Scheme to reflect secondary benefit to this property</p>
10. 232-236 Yarra Street, Warrandyte	<p>The tenant of this property submitted her objection to the Scheme. The submitter stated that use of the Capital Improved Value to determine the rate for each property is not fair. She also stated that the Warrandyte Business Association has not promoted and marketed the correct name of her business despite her requests to correct this.</p>	<p>The Warrandyte Business Association requested that Council pursue the renewal of the Scheme in accordance with a rate calculated on the Capital Improved Value (CIV) of each rateable property based on the 2011 CIV assessment (the inception of the previous Scheme). All businesses within the Warrandyte Activity Centre and the Scheme are part of the Association and free to attend monthly meetings in which to raise and address issues, concerns and ideas.</p> <p>Recommendation: No change to the Warrandyte Special Rate Scheme</p>
11. 5/35 Drysdale Rd, Warrandyte	<p>The tenant of this property submitted his objection to the Scheme; however, no further details were provided.</p>	<p>It is considered that all commercial properties in the Warrandyte Activity Centre will derive 'special benefit' from the expenditure of the Special Rate funds on the encouragement of commerce in the activity centre.</p> <p>Recommendation: No change to the Warrandyte Special Rate Scheme</p>
12. 100 Melbourne Hill Road, Warrandyte	<p>The tenant of this property submitted her objection to the Scheme. The submitter stated that being a government regulated licensee they generally could not be dealt with by the Warrandyte Business Association. The submitter also stated that she felt the Scheme was an</p>	<p>Whilst it is considered that all commercial properties in the Warrandyte Activity Centre will derive 'special benefit' from the expenditure of the Special Rate funds on the encouragement of commerce in the activity centre, the submitter's point regarding government regulation is noted. Individual businesses' efforts to</p>

	Address	Summary of issues	Response
		<p>unnecessary financial imposition that only added to the running of her business.</p>	<p>leverage off the marketing and promotion created by the Scheme will enable all businesses to capitalise on the additional visitation to the activity centre. Recommendation: No change to the Warrandyte Special Rate Scheme</p>

11. ASSETS & ENGINEERING

11.1 King Street Stage 1 Special Charge Submissions Committee

Responsible Director: Director Assets and Engineering

File No. T16/172

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible director, manager nor the officer authoring this report has a conflict of interest in this matter.

SUMMARY

Council previously resolved on 30 August 2016 to give public notice of its intention to declare a special charge at a future meeting, for the construction of various components of infrastructure works associated with the reconstruction of King Street Stage 1.

On 28 November 2016, public notice was given of Council's intention to declare a special charge for the construction of recoverable works in respect of the reconstruction of King Street Stage 1, with submissions closing on 30 January 2017.

It is recommended that Council appoint two councillors to a Committee of Council under Section 223 (1)(b)(i) of the Act, to be known as the King Street Stage 1 Special Charge Scheme (Submissions) Committee, to consider any written submissions, provide the opportunity for persons to be heard in support of their submissions and report back to Council on the submissions made.

1 BACKGROUND

- 1.1 In response to sustained community requests to construct King Street, Templestowe, between Blackburn Road and Victoria Street, the design plans for the reconstruction of this section of King Street have been prepared in consultation with the appointed King Street Reference Panel.
- 1.2 This section of King Street is located on the boundary between the Koonung and Heide Wards.
- 1.3 Under the provisions of Council's Contributory Projects Special Rates and Charges Policy and Section 163 of the Local Government Act 1989, property owner contributions are required to assist with the delivery of works which provide a special benefit to affected property owners.
- 1.4 The construction of the shared path along King Street will provide significant access improvements, improve bicycle safety for cyclists and enhance access to Doncaster Area Rapid Transport bus services. The formalization of the road to modern day standards will also improve safety and amenity for the benefitting property owners.
- 1.5 In the case of Link Roads, such as King Street, Council policy requires that owners contribute the full cost of street trees, landscaping works and individual vehicle crossings (except where crossings have previously been

constructed at the owner's expense). In addition, property owners are also required to contribute 25% of the cost of construction of any footpaths that are not designated as being part of Councils Principal Pedestrian Network. In the case of King Street Stage 1, officers also surveyed the property owners to determine any requirements for the construction of parking bays. The cost of construction of parking bays will similarly be recovered through the proposed special charge scheme. Council pays for the construction of all road pavement, kerb and drainage works.

- 1.6 For King Street Stage 1, between Blackburn Road and Wyena Way, the total project cost is estimated at \$2,260,281.72, of which \$81,815.11 is proposed to be recovered from thirty-three property owners by means of a special charge scheme. The basis of the proposed cost apportionment between the affected property owners is in keeping with recognised principles, and the King Street Reference Panel were consulted regarding the basis of the apportionment.
- 1.7 Should the scheme proceed, it will be recommended that contributing property owners be given the option of contributing by quarterly instalments over a period of ten years. Payments would be subject to the current rate at the time of scheme adoption plus 1%.
- 1.8 At its meeting of 30 August 2016, Council resolved in part, pursuant to Section 163(1A) of the Local Government Act 1989, to give public notice of its intention to declare a special charge at a future meeting, for the construction of various components of infrastructure works, associated with the reconstruction of King Street Stage 1. Given the timing of the recent local government elections, Council further resolved to establish the King Street Stage 1 (Submissions) Committee following the elections.
- 1.9 On 28 November 2016, public notice was given of Council's intention to declare a special charge for recoverable works in respect of the reconstruction of King Street Stage 1. Submissions under sections 163A and 223 of the Act can be made until 30 January 2017. Submitters also have the opportunity to make an oral presentation to a committee of Council, prior to Council considering the declaration and levy of the special charge.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that Council appoint two councillors to a Committee of Council under Section 223 (1)(b)(i) of the Act, to be known as the King Street Stage 1 Special Charge Scheme (Submissions) Committee, to consider any written submissions, provide the opportunity for persons to be heard in support of their submissions and report back to Council on the submissions made.

3 PRIORITY/TIMING

- 3.1 It is proposed that the Submissions Committee meet to consider submissions at a meeting to be held late in February 2017.
- 3.2 Council is scheduled to consider whether to declare and levy a special charge in respect of King Street Stage 1 at its meeting of 28 March 2017.
- 3.3 Tenders for the construction of the first stage of King Street are to be called in December 2016, with a view to commencing works in February 2017.

4 CONSULTATION

- 4.1 Submissions received in respect of the notice of intention to declare a special charge will be assessed and considered in the first instance by the Submissions Committee and then by Council at its March 2017 meeting. At this meeting Council may resolve to proceed with the scheme without alteration, to abandon the scheme or to amend the scheme.
- 4.2 Should Council resolve to declare and levy the special charge, a second round of notices will be issued to the affected property owners. In this instance, if the affected owners are not satisfied with the special charge as proposed, they can make submissions to the Victorian Civil Administrative Tribunal (VCAT) for an independent review. Based on these submissions, VCAT has the options of supporting the special charge unamended, to recommend amendments to the special charge or the abandonment of the special charge.

OFFICER'S RECOMMENDATION**That Council:**

1. **Appoint Councillor Gough and Councillor Haynes to a Committee of Council under Section 223 (1)(b)(i) of the Act, to be known as the King Street Stage 1 Special Charge Scheme (Submissions) Committee, nominate the Chairperson of the Committee as Councillor Gough, and nominate Councillor Piccinini and Councillor Chen as substitute committee members, if required.**
2. **Resolve that the purpose of the Committee is to:**
 - 2.1. **consider any written submissions received by Council within 28 days after the publication of the Public Notice;**
 - 2.2. **provide the opportunity for persons to be heard in support of their submissions in accordance with Section 223 of the Act; and**
 - 2.3. **report to the Council on the submissions made and make recommendations to the Council on the appropriateness of the proposed special charge or any amendments to the scheme.**

MOVED: HAYNES
SECONDED: CONLON

That the Recommendation be adopted.**CARRIED**

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11.2 Review of Manningham's Road Management Plan

Responsible Director: Director Assets and Engineering

File No. T16/214

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible director, manager nor the officer authoring this report has a conflict of interest in this matter.

SUMMARY

Manningham's Road Management Plan (RMP) requires a formal review to ensure that its content and supporting processes and standards are appropriate and current for compliance with the Road Management Act 2004 and Road Management (General) Regulations 2016.

Pursuant to the requirements of Road Management Act and Road Management Regulations, each municipal council (Road Authority) must complete a review of their RMP every 4 years during the same period that it is preparing its Council Plan under the Local Government Act 1989. The next review is due by 30 June 2017.

It is recommended that Council resolves to give notice of its intention to review Manningham's RMP and publishes a Notice in the Government Gazette and local newspaper, in accordance with Section 54 of the Road Management Act 2004 and Part 3 of the Road Management (General) Regulations 2016.

1 BACKGROUND

- 1.1 Manningham Council is the nominated 'Coordinating Road Authority' for all local roads within the municipality, and is responsible for their care and management, as set out in Council's Register of Public Roads.
- 1.2 VicRoads is the designated 'Coordinating Road Authority' for Freeways and Declared Arterial Roads within the municipality, and is responsible for the inspection and maintenance of these roadways between outer kerbs in urban areas and fence lines in rural areas.
- 1.3 Council is generally responsible for all local components of the road network located on Arterial Roads, outside the areas of VicRoad's responsibility.
- 1.4 The Road Management Act was introduced by the State Government in 2004 following reforms of the road management system in Victoria. The purpose of the Road Management Act and supporting regulations is to improve the overall management of the road network, by making Road Authorities more accountable for the standards of roads across the state, in order to provide safe and efficient road networks. The legislation also recommends that all Road Authorities prepare a RMP that sets out the management system and relevant standards for the road management functions for which it is responsible.
- 1.5 Manningham's RMP was initially adopted by on 30 November 2004, and subsequent updates were adopted by Council on 2 June 2009 and 28 August 2012.

- 1.6 Manningham's RMP and supporting documents establish a management system for the local road network functions, which have been based on policy and operational objectives that recognise available resources in achieving the necessary 'levels of service' and 'performance targets' outlined in the plan.
- 1.7 In conducting a review of its RMP, a Road Authority must ensure that the standards in relation to, and the priorities to be given to, the inspection, maintenance and repair of the roads to which the plan applies, are appropriate and current.
- 1.8 Council, as the nominated Road Authority for all local roads within the municipality, is required to give notice of its intention to review its Road Management Plan by publishing a formal notice in the Government Gazette and local newspaper outlining the purpose and details of the proposed review.
- 1.9 A copy of the RMP is required to be made available for inspection by any person who may wish to make a submission to Council on the proposed review, not less than 28 days after the notice has been published.
- 1.10 Following consideration of any submissions and completion of the review, a further report will be presented to Council summarising the findings and conclusions of the review. A copy of the report must also be made available for public inspection, in accordance with the Road Management Act and supporting Regulations.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that Council gives notice of its intention to review its RMP, by placing a notice in the local newspaper and Government Gazette, in accordance with Section 54 of the Road Management Act 2004 and Part 3 of the Road Management (General) Regulations 2016.

3 PRIORITY/TIMING

- 3.1 The Road Management Act and Road Management (General) Regulations state that a municipal council must conduct a review of its RMP every 4 years, during the same period that it is preparing its Council Plan under the Local Government Act 1989. The next review is due by 30 June 2017.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 All relevant policies and strategies will also be reviewed as a part of the review of Manningham's RMP, to ensure that the strategic objectives and overall standards and functions of Manningham's road network are appropriate.

5 BEST VALUE

- 5.1 The review process will be carried out in accordance with Council's Best Value principles.

6 CUSTOMER/COMMUNITY IMPACT

- 6.1 A significant outcome from the review will result in having a better understanding of the needs and expectations of the community, which will assist Council in improving its performance in the overall management of the road network and adequacy of service levels, where appropriate.

7 CONSULTATION

- 7.1 The community, and impacted Council officers, will be consulted as a part of a communications strategy, to inform and seek feedback on the RMP review process.

8 COMMUNICATIONS STRATEGY

- 8.1 The outcomes of the review process, including the extent of any changes and potential impacts on the community, will be reported to Council as a part of the adoption of updates to the RMP. A copy of the report summarising the outcomes and findings of the RMP review will also be made available for inspection by the community.

9 CONCLUSION

- 9.1 Manningham's RMP requires a formal review, to be completed by 30 June 2017.
- 9.2 The review process will ensure that the content of the plan and supporting processes and standards are appropriate and current, for compliance with the Road Management Act and supporting Regulations.
- 9.3 The process will also provide a better understanding of community needs and expectations, to assist Council in improving its performance in the overall management of the local road network.

OFFICER'S RECOMMENDATION

That Council:

- (A) **Receives and notes the report;**
- (B) **Resolves to give notice of its intention to review Manningham's Road Management Plan and publishes a Notice in the local newspaper and Government Gazette, in accordance with Section 54 of the Road Management Act 2004 and Road Management (General) Regulations 2016;**
- (C) **Make available a copy of Manningham's Road Management Plan for inspection at the Civic Centre during normal business hours; and**
- (D) **Will consider any submissions to the proposed review of the Road Management Plan after 28 days of a formal notice being published.**

MOVED: CONLON
SECONDED: McLEISH

That the Recommendation be adopted.

CARRIED

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11.3 Doncaster RSL Water Bills

Responsible Director: Director Assets and Engineering

File No. T16/259

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible director, manager nor the officer authoring this report has a conflict of interest in this matter.

SUMMARY

The Doncaster RSL has approached Council seeking dispensation from having to pay their recently advised, back dated water bill from Yarra Valley Water (YVW). Council has paid the outstanding YVW bill in full, and officers have sought reimbursement from the RSL for only the last twelve months of the bill.

1 BACKGROUND

- 1.1 Doncaster RSL has approached Council seeking dispensation from having to pay their recently advised, accumulated water bill.
- 1.2 On 22 July 2016, Council, as the owner of the premises, received a bill from Yarra Valley Water (YVW) for outstanding water charges for the Doncaster RSL. The charges related back to August 2011, and they amounted to \$4,197.63. This was the first occasion that the matter has been raised with Council.
- 1.3 On investigation, it was discovered that YVW had been incorrectly invoicing the Doncaster Cricket Club for the RSL meter, and the cricket club had not acted on them. The cricket/football pavilion has a separate meter.
- 1.4 Under the tenancy agreements for Council facilities, the tenant is responsible for paying the utility bills.
- 1.5 In line with how officers have dealt with similar situations with other tenant groups in the recent past, Council paid the YVW bill in full and then forwarded an invoice to the Doncaster RSL to recover only the last year of the outstanding charges, i.e. for the period of October 2015 to October 2016, in the amount of \$1,521.41. It is considered that this period is still reasonably current, whilst the prior years are more historical.
- 1.6 Officers have also sorted out the billing with YVW, so that the RSL facility will be recognised as the meter location from now on.
- 1.7 The RSL have also claimed that non-associated persons were using their tap illegally to wash cars on game days at the adjoining reserve, and that they should not be held accountable for this water usage. It is understood that measures have since been put in place to ensure that this practice does not continue.
- 1.8 Irrespective, officers took the view that only invoicing them for the last twelve months was a fair and reasonable compromise situation, given that the RSL have benefited from not paying any water bills since at least 2011. It is also consistent with how other similar situations have been dealt with in the recent past.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that Council consider the RSL's request and determine its position on the matter by formal resolution.

3 PRIORITY/TIMING

- 3.1 By acceding to the Doncaster RSL's request, Council would not recover the \$1,521.41, as invoiced.

4 CONCLUSION

- 4.1 Officers have dealt with the particular circumstance by invoicing the Doncaster RSL for the last twelve months only and waiving the prior years, as per other similar incidences.
- 4.2 The RSL have subsequently approached Council to have the invoiced year also waived.
- 4.3 Future water billing will now be appropriately directed to the RSL

OFFICER'S RECOMMENDATION

That Council determine its position in relation to this matter.

**MOVED: HAYNES
SECONDED: ZAFIROPOULOS**

That Council not seek reimbursement for the water bill previously paid for the period October 2015 to October 2016.

CARRIED

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11.4 Park Reserve Pavilion Extension - Variation of Lease

Responsible Director: Director Assets and Engineering

File No. T16/265

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible director, manager nor the officer authoring this report has a conflict of interest in this matter.

SUMMARY

Manningham Juventus Old Boys Social Club ('Tenant') currently rents from Council the sporting facilities at Park Reserve (17 Park Avenue, Doncaster) to host soccer training and competition.

The Tenant is currently negotiating a lease agreement with Council for exclusive use of the social facilities on site. In addition, due to the Tenant's increasing membership base, they wish to extend the size of the social facilities. The extension will cost approximately \$150,000 (GST exclusive). The Tenant has committed to fund the project in full and these funds were paid to Council in October 2016. The project will be carried out under Council's supervision.

The increased size of the social facilities will change the classification of the pavilion from Level 2 to Level 1, as determined by Council's Seasonal Sports Pricing Policy.

It is recommended that Council gives public notice of its intention to vary the existing tenancy agreement.

1 BACKGROUND

- 1.1 The Tenant is currently negotiating a lease agreement with Council for the use of the social room at Park Reserve for a term of 3 years with an option of a further term of 3 years.
- 1.2 The Tenant utilises the facilities during the winter season for training and competition. In addition, the facilities are also used during the summer season for a state wide masters (i.e. over 35 years of age) soccer tournament.
- 1.3 It is anticipated that the use of the soccer pitch and change rooms on site, which are separate to the social facilities, will increase significantly in 2017 due to the impending installation of a synthetic soccer pitch. This will allow to program more hours of use onto the facility as a synthetic soccer pitch can tolerate higher levels of use compared to a turf pitch.

2 PROPOSAL/ISSUE

- 2.1 The Tenant approached Council in early 2016 with the intention of extending the size of the social facilities on site. The request came in direct response to the Tenant's increasing playing and social membership base and the subsequent strain being placed on the existing social facilities.
- 2.2 The Tenant has committed to funding the works in full. Council received the club's contribution (\$150,000) in October 2016.

- 2.3 The extension of the social facilities will change the classification of the pavilion from Level 2 to Level 1, as determined by Council's Seasonal Sports Pricing Policy. The Tenant will be charged a higher annual rental fee for use of the facility, but in turn will have the opportunity to sub-let the facility to other users, in line with all Level 1 pavilions across the municipality.
- 2.4 If Council is agreeable to the Tenant's continued occupation of the facility and the improvement works to be funded by the Tenant are to remain at the Premises at the end of the lease, Council must, before granting a variation of the lease, publish a notice and invite submissions on the proposal in accordance with sections 190 and 223 of the Local Government Act 1989 ('the Act').
- 2.5 It is proposed that Council authorises the commencement of the statutory provisions pursuant to sections 190 and 223 of the Act and at the completion of the public notice period and the consideration of submissions, if any, Council resolves whether or not to grant the variation of the lease.

3 PRIORITY/TIMING

- 3.1 The proposed works are expected to be completed by February 2017. Is it necessary to undertake the lease variation process as soon as practicable to ensure that the Tenant can use the facility once construction works are complete.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 The term and the further term contained in the current lease between the parties accords with Council's Leased Community Facilities Pricing Policy.
- 4.2 The classification of pavilions and costs associated with each classification accord with Council's Seasonal Sports Pricing Policy.

5 CUSTOMER/COMMUNITY IMPACT

- 5.1 The Tenant will be able to appropriately cater for their playing and social membership through the extension of the social facilities at Park Reserve.
- 5.2 The wider community will also benefit from the works as the extension will supplement the impending synthetic soccer pitch installation at Park Reserve, which will provide participation opportunities to a range of community groups, if authorised by the Tenant under their sub-letting arrangement with Council.

6 FINANCIAL RESOURCE IMPLICATIONS

- 6.1 The Tenant will meet the cost of the extension which is estimated at approximately \$150,000 (GST exclusive). This cost covers project contingency and Council's project management fees.
- 6.2 Ongoing rent of the facility for the proposed lease will be reviewed in accordance with Council's Leased Community Facilities Pricing Policy.

7 CONSULTATION

- 7.1 Officers from Council's Parks and Recreation have been liaising with the Tenant in relation to the works and associated costs, with the assistance of the Strategic Projects Unit.

8 CONCLUSION

- 8.1 It is recommended that Council agrees to the proposal and resolves to authorise the commencement of statutory procedures in accordance with section 190 and 223 of the Act.

OFFICER'S RECOMMENDATION

That Council:

1. Resolves to give public notice pursuant to sections 190 and 223 of the Local Government Act 1989 to vary the existing lease with Manningham Juventus Old Boys Social Club in respect to the premises known as Park Reserve (17 Park Avenue, Doncaster), noting that the facility improvements are to remain at the end of the lease without Manningham Juventus Old Boys Social Club being entitled to any compensation for such improvements;
2. Establishes a Committee of Council comprising the Mayor and the Heide Ward Councillors, to hear and consider any submissions received in accordance with section 223 of the Local Government Act 1989; and
3. Resolves that the Committee be disbanded upon considering and hearing any submissions and making a recommendation to Council, or in the event of no submissions being received, on the proposed lease agreement.

MOVED: PICCININI
SECONDED: CONLON

That the Recommendation be adopted.

CARRIED

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12. COMMUNITY PROGRAMS

12.1 2017/2018 Community Grants Program Guidelines

Responsible Director: Director Community Programs

File No. T16/238

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

On 28 June 2016, Council endorsed the overall funding allocation of \$1,648,220 for the 2016/2017 Community Grants Program. This included an annual allocation of \$1,308,220 for Community Partnerships (funded in 2015/16 for up to 4 years and subject to Council's annual budget); and \$229,795 allocated for Community Development and Arts and Culture grant categories. \$110,000 is allocated to Small Grants twice a year (September and March). The September 2016 Small Grant round is currently being considered and will be reported to Council via the Council Hub.

The Report also endorsed a series of recommendations to achieve further improvement outcomes:

- 'Note that officers will undertake an annual review of the Community Grant Program which will include consideration of continuous improvement opportunities and compatibility with the current guidelines.'*

This Report summarises the outcomes of the review and proposes minor amendments to the Grants Program including streamlined administrative processes and improvements to the accessibility and monitoring of the Grants Program.

This Report seeks Council endorsement of the draft 2017/2018 Community Grant Guidelines (refer to Attachment A).

It is also recommended that Council note the review findings that demonstrate the Grants Program continues to meet the needs of the community.

This Report also notes that a further report will be provided to Council in relation to the funding arrangements and outcomes for the Eastern Community Legal Centre and Access Health and Community (formerly Manningham Community Health Service) Community Partnership Grant, as stated in the 23 June 2015 Council Meeting.

1 BACKGROUND

Community Grants Program

- 1.1 Council's Community Grants Program provides funding to eligible not-for-profit community groups and organisations to deliver activities that enrich and support the community that lives, works, and recreates in Manningham.

The program funds activities that achieve positive outcomes for the community and align with key Council plans and strategies.

1.2 The Community Grants Program incorporates the following four categories:

Community Partnership (2015-2019)	<i>Deliver specialist services and projects in line with Council's strategic directions</i>	<i>Greater than \$20,000</i>	<i>Up to four years (It should be noted that while funding is allocated annually through the budget process, this category is not included in the 2017/2018 Program as funding was awarded in 2015).</i>
Community Development	<i>Achieve community development outcomes that benefit and respond to the needs of Manningham's diverse community</i>	<i>\$3001 to \$20,000</i>	<i>Available once a year (February)</i>
Arts and Culture	<i>For projects that celebrate and enhance community life through access to local arts, culture and heritage</i>	<i>\$3001 to \$20,000</i>	<i>Available once a year (February)</i>
Small Grants	<i>One-off projects that support community strengthening activities and enhance the quality of life of Manningham residents</i>	<i>Up to \$3,000</i>	<i>Available twice a year; September and February</i>

Review of the 2016/2017 Community Grants Program

- 1.3 Between July and October 2016, a review of Council's Community Grants Program was undertaken to inform potential improvements to the program and ensure best-practice grant management practices.
- 1.4 The review included consultation with a range of internal and external stakeholders including an online survey sent to current and past applicants and workshops conducted with officers across the organisation. All participants were asked to provide feedback on the Community Grants Program including content, processes and areas for improvement. More detailed findings of the consultation are outlined in Section 11 of this Report.
- 1.5 Analysis of the review findings:
- 1.5.1 Overall, 84.9 per cent of (no.98) respondents were 'very satisfied' or 'somewhat satisfied' with Council's Grant Program (which is consistent with last year's feedback). Almost all respondents felt that the Grant Program categories met their group or organisation's needs.
- 1.5.2 Broader promotion of the program was needed to access hard-to-reach and newly emerging community groups. Online was the most popular way that organisations accessed information about the Grants Program; however improvements were needed to ensure that information is quick and easy to obtain, helpful and up-to-date.
- 1.5.3 Grant Program acquittal and monitoring processes require strengthening and greater clarity around the role and

- responsibility of Council officers to monitor funded activities was needed.
- 1.5.4 Simplified language in all program related material (for example application questions) would have made the process easier for both applicants and assessors.
 - 1.5.5 Community groups and organisations considered Council's training sessions to be very valuable and would like further opportunities to build their capacity to deliver activities more efficiently and effectively, for example in social media and program evaluation.
 - 1.5.6 There are many opportunities to further integrate and streamline Council's approach to managing community grants in the future, particularly through the use of Smarty Grants, Council's online grant administration system. Application and reporting to be revised to be commensurate with Council's funding levels, as well as the capability and performance risk of grant recipients.
- 1.6 Amendments to the 2017/18 Grant Program are proposed including refined program documentation, amended Guidelines and streamlining of processes and procedures.
- 1.7 Additionally, improved monitoring and reporting of funded activities are proposed over the next 12 months, to include the following:
- 1.7.1 Reporting on the outcomes of Year 1 of the Community Partnership funded activities (which will form part of a separate briefing to Council). Council officers will continue to conduct six-monthly meetings with the Partnership organisations to discuss the progress of their funded activity and identify any emerging issues.
 - 1.7.2 Increased monitoring of Community Development and Arts & Culture applications to ensure that grant recipients are meeting agreed milestones and other key requirements of their grant agreements. This will include Council officers undertaking informal 'check-ins', as well completing progress and evaluation reports.
 - 1.7.3 Reporting on the outcomes funded in the 2016/17 Community Grants Program and promoting them to the broader Manningham community.

2017/18 Community Grant Program Guidelines (draft)

- 1.8 A copy of the 2017/18 Community Grant Program Guidelines (draft) is provided at Attachment A for Council consideration. The draft Guidelines have been amended to be easier to read and navigate. The key changes are outlined below:
- 1.8.1 Incorporating the content of the Information Guide, Frequently Asked Questions and Guideline into one document for improved readability and use. Community groups found it was confusing having several documents.
 - 1.8.2 Requirement for Community Development/ Arts and Culture applicants to discuss their proposal with Council's Grants Team before submitting an application. This will ensure that the applicant is aware of supporting documentation required and has

- regard to the relevant assessment criteria to support their application.
- 1.8.3 More information on the supporting information that needs to be included as part of the application, for example quotes for budgeted expenses, project and evaluation plans. The revised Guidelines will also include an application checklist to assist applicants.
- 1.8.4 Separate assessment criteria for Small Grant applications, including a separate application form for equipment/ asset purchases. Several Small Grant applicants expressed difficulty responding to criteria as it was too complicated for the activities they were seeking to be funded.
- 1.8.5 Greater clarity of what activities Council will not fund as part of the Community Grants Program.
- 1.8.6 Extending the funding round to remain open for one week longer (a total of 5 weeks) and bringing the opening date forward two weeks earlier to allow for the Easter/ school holiday period and changes to the assessment process. Proposed timing of the application process is outlined in Section 3 of this Report.
- 1.9 These amendments align with the overall management of the Grants Program and direction to reduce the overall administrative burden for both internal and external stakeholders, as well as ensuring better access with a broad range of community groups and organisation to obtain information about Council's Grants Program.

Funding arrangement for Eastern Community Legal Centre and Access Health and Community

- 1.10 At its 23 June 2015 meeting, Council resolved to recommend Eastern Community Legal Centre (ECLC) and Access Health and Community (AH&C) (formerly Manningham Community Health Service) for two year funding under the Community Partnership Grant category, with the requirement to 'submit evaluation reports that outline satisfactory program outcomes to inform any further Council investment in subsequent years.'
- 1.11 It is noted that a further report will be provided to Council to discuss the outcomes and performance of both organisations' funded activities to inform any ongoing funding arrangements.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that:
- 2.1.1 Council endorse the (draft) 2017/18 Community Grant Program Guidelines in Attachment A as per officer recommendations.

3 PRIORITY/TIMING

- 3.1 Following Council's endorsement of this Report, the following key dates should be noted:
- 3.1.1 Adoption of the 2017/18 Community Grant Program Guidelines in December 2016.

- 3.1.2 Grant Program Information Sessions and a Grant Writing Workshop for community groups and organisation are offered in February 2017.
 - 3.1.3 Applications open for the Community Development, Arts and Culture and Small Grants categories in February 2017 and close March 2017.
 - 3.1.4 Community Grant Program Assessment Panel is convened in May 2017.
 - 3.1.5 Council consideration and endorsement of the 2017/2018 Community Development and Arts and Culture applications at a July Council Meeting.
 - 3.1.6 Small Grants applicants are notified of the outcome of their application approximately three weeks after the Assessment Panel.
 - 3.1.7 Community Development and Arts and Culture Grant applicants are notified in July 2017, following the outcomes of the June Council Meeting.
 - 3.1.8 Applications open for Small Grants (2017/18) in September 2017/ February 2018.
- 3.2 It should also be noted that allocation of Small Grant funding is within the authority and delegation of the Director of Community Programs, subject to advice from the Grant Assessment Panel. The recommended funding allocations are reported via the Council Hub.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 Subject to this report, the 2017/18 Community Grant Program Guidelines will supersede and replace the Community Grant Guidelines 2016/2017 and Information Guide 2016/2017.

5 BEST VALUE

- 5.1 The Grant Program is managed and delivered according to the principles of Best Value. The program enables Council to respond to the needs of the community in an equitable and sustainable manner. Community organisations are able to identify and address community needs with the support of Council, both through the allocation of grants, as well as the advice and support of Council officers.
- 5.2 The Grant Program has adopted a continuous improvement approach to grant making activities and will incorporate the learnings gained through the recent review. The amendments proposed are in line with best practice and industry benchmarking.

6 CUSTOMER/COMMUNITY IMPACT

- 6.1 The streamlined 2017/2018 Community Grant Program Guidelines will provide four opportunities per financial year (one Community Development; one Arts and Culture; two Small Grant rounds) for groups and organizations to seek financial assistance for a range of community activities. This balances cost efficiencies with community expectations and will ensure the Grant Program remains responsive, relevant and equitable. Monitoring and

acquittal of grants will be strengthened to ensure funding activities are delivered and the capacity building of community groups is achieved.

7 COUNCIL PLAN/ MEASURE OF ACHIEVEMENT OF ACTION

- 7.1 Council's Municipal Public Health and Wellbeing Plan Action 10.5.1.6 states 'continue to fund services and community groups to deliver programs and initiatives that address the health and wellbeing needs of our community'. Council continues to fund a number of initiatives that support the health and wellbeing of the community.
- 7.2 The Grants Program funds a diverse range of activities including health and wellbeing, recreation and equipment purchase.

8 FINANCIAL PLAN

- 8.1 Funding of \$1,648,220 was allocated through the 2016/2017 Budget towards the Grant Program, of which \$1,308,220 is allocated to the Community Partnerships; \$120,000 notionally allocated to Community Development and \$110,000 allocated to Arts and Culture grants. The remaining \$110,000 is allocated for the Small Grants category. Please note that the notional grant category allocations are indicative only, and subject to Council endorsement, may be reallocated to other grant categories as required.
- 8.2 The 2017/2018 funding allocation will be determined through Council's annual Budget.

9 FINANCIAL RESOURCE IMPLICATIONS

- 9.1 There are no financial resource implications as funding for community grants are allocated through Council's annual Budget process. The ongoing funding allocation of Eastern Community Legal Centre and Access Health and Community will also be subject to a further Council Report.

10 SUSTAINABILITY

- 10.1 The Grant Program considers the ongoing sustainability of project outcomes, including alternate sources of incomes (i.e. corporate sponsorship) to ensure community organisations' ongoing financial viability.

11 CONSULTATION

- 11.1 Between July and October 2016, external and internal stakeholders were consulted on Council's Grants Program and asked to provide feedback regarding content, processes and areas for improvement.
- 11.2 An online survey was sent to all contacts registered in the Grants Program database (approximately 300), including past and existing grant applicants. The survey was sent on Friday 15th July and open for a three week period. The survey generated 98 responses, compared with 41 in 2015.
- 11.3 Officers conducted workshops with colleagues from the Social and Community Services, Arts and Culture, Environment and Economic Planning and Parks and Recreation Units.

Online Survey Findings

- 11.4 A summary of the survey findings indicates:

- 11.4.1 Overall, 84.9 per cent of respondents were 'very satisfied' or 'somewhat satisfied' with Council's Grant Program (compared with 85 per cent last year).
- 11.4.2 Of the survey respondents that have contacted Council in the last twelve months, 88.5 per cent were 'very satisfied' or 'somewhat satisfied' with the level of customer service they received and the timeliness in which officers responded to their enquiry'. This is compared to 85 per cent last year.
- 11.4.3 Only one respondent felt that the Grant categories did not meet the needs of their group or organisation.
- 11.4.4 Most survey respondents heard about the Grants Program through the website/ email (60 per cent) or because they had previously applied through the program. This suggests that the website/ email is an important tool to improve access to information about the Grants Program, in particular the Guidelines, as well as ensuring broad promotion with community groups or organisations that have not previously applied for a grant with Council.
- 11.4.5 In the last twelve months, only 60 per cent of respondents that applied for funding through Council's Grants Program, contacted a Council officer before submitting an application. The 2017/18 Community Grant Guidelines have been amended to require all Community Development/ Arts and Culture applicants to discuss their application with a Council officer before submitting an application. It is anticipated that this will improve the quality of applications submitted and will ensure that applicants are clear about the information that must be provided within their application.
- 11.4.6 Respondents stated that Council could simplify the grant application requirements and program materials. 76.6 per cent of survey respondents found the Grant Program Guidelines content useful and relevant, compared with 88 per cent last year. 71.4 per cent found the assessment criteria easy to understand, compared with 76 per cent last year.
- 11.4.7 Stakeholders expressed an interest in attending training opportunities on grant writing, program evaluation, social media and using Smarty Grants. Since September 2016 Council has hosted three Community Training workshops focusing on project governance, evaluation and planning. Feedback from attendees of the workshops have been very positive. Further sessions will be offered in 2017.

Officer Consultation Findings

- 11.5 Through consultations with officers, the following administrative matters were discussed:
- 11.5.1 Positive outcomes as a result of the integration and streamlining of grant management practices and procedures.
- 11.5.2 Reduction in administrative processes for officers and applicants due to Smarty Grants, Council's online grant management

system. However further training is required to ensure ongoing knowledge or the program and its application.

- 11.5.3 Greater clarity regarding the role and responsibilities for officers to monitor funded activities and provide support and advice to recipients to build their capacity.
- 11.5.4 Improvements to the readability of the Guidelines and simplification of the assessment criteria, especially for Small Grants and equipment purchases.
- 11.5.5 Opportunities to further build the capacity of officers and external stakeholders, particularly emerging community groups/ unsuccessful applicants.

12 COMMUNICATIONS STRATEGY

- 12.1 A new communications plan will be developed to inform Council officers and the Manningham community regarding future funding and training opportunities available through the Grant Program.

13 CONCLUSION

- 13.1 Overall the Community Grants Program meets the needs of the community. Community organisations are able to identify and address community needs with the support of Council, both through the allocation of grants, as well as the advice and support of Council officers. The revised 2017/18 Community Grant Program Guidelines will improve how the community accesses information concerning the Grants Program in a simple, easy-to-use format.

OFFICER'S RECOMMENDATION

That Council

- (A) Endorse the 2017/2018 Community Grant Program Guidelines provided in Attachment A;
- (B) Note the outcomes of the Community Grant Program review findings and improvements; and
- (C) Note that a further report will be provided to Council in relation to the current funding arrangements for Eastern Community Legal Centre and Access Health and Community.

MOVED: PICCININI
SECONDED: ZAFIROPOULOS


That the Recommendation be adopted.

CARRIED

"Refer Attachments"

Attachment A - 2017/2018 Community Grant Program Guidelines

* * * * *



MANNINGHAM

**COMMUNITY
GRANT
PROGRAM
GUIDELINES
2017/2018**



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1 What is the Community Grants Program?

These Guidelines describe how groups and organisations can access funding assistance from Manningham City Council (Council) for activities that have a direct benefit to the people who live, work or recreate in Manningham.

Council is committed to developing and fostering partnerships with not-for-profit groups and organisations whose work enriches the municipality and is consistent with Council's vision.

The Community Grant Program provides a framework for Council to fund a range of activities that will achieve positive outcomes for the community and align with key Council plans and strategies.

1.1 Program objectives

The objectives of the Community Grants Program are to:

Partnerships	Foster and develop partnerships between Council, groups and organisations for the delivery of shared outcomes
Services and Activities	Provide a range of services and activities that respond to the needs of communities that align with Council plans and strategies
Participation	Foster community involvement and participation with a focus on groups and individuals that experience barriers to participating in community life
Skills development	Build community capacity and empower them to further develop or gain new skills to enhance their quality of life
Innovation	Pilot activities that provide an innovative response to local priorities and ensure ongoing environmental, economic and social sustainability
Value	Provide a measureable, cost-effective and efficient means to deliver community outcomes in a transparent and accountable manner.

1.2 What grant categories can I apply for?

To achieve these broad objectives, not-for-profit groups and organisations are invited to apply for funding under the following grant categories:

Grant Category	Purpose	Funding Allocation	Timing
Community Development (Pg. 11)	Achieve community development outcomes that respond to the needs of Manningham's diverse community	\$3,001 - \$20,000	Annual; Funding opens February 2017
Arts and Culture (Pg. 13)	Support projects that celebrate and enhance community life through access to arts, culture and heritage.	\$3,001 - \$20,000	Annual; Funding opens February 2017
Small Grants (Pg. 15)	Support community strengthening initiatives and enhance the quality of life of Manningham residents	Up to \$3,000	Bi-annual; Funding opens September 2017 & February 2018



2 Eligibility: Who can apply for a grant?

A pre-eligibility assessment is conducted for all applications. Any ineligible applications will be removed from the assessment process.

Grants applicants must be:

- > A not-for-profit constituted body such as an Incorporated Association or a Company by Limited Guarantee, or
- > Auspiced by a not-for-profit organisation that is incorporated and be able to accept legal and financial responsibility for the project, or
- > A school.

In addition to the above criteria, applicants must also:

- > Be located or deliver the activity within the City of Manningham
- > Have appropriate insurance and workplace health and safety policies in accordance with the Funding and Service Agreement and other legislative requirements related to the funded activity. For example, if the funded activity involves contact with children, you may be required to obtain a Working with Children Check
- > Have no outstanding debts to Council
- > Provide an Incorporation Number
- > Provide an ABN or completed Statement by Supplier form (Pg. 21)
- > Provide a completed Project Plan (not required for Small Grant Equipment/Asset Applications) (Pg. 9)
- > Provide a completed Evaluation Framework (not required for Small Grants) (Pg. 9)
- > Provide quotes for all expenditure items
- > Apply before the closing date.

Applicants may apply for a grant in more than one grant category each year, however a separate application form for each grant category must be completed and submitted by the due date.

Late applications will not be accepted under any circumstances. For more information on application requirements please refer to the Checklist on Page 8.

2.1 Who is not eligible to apply?

Applicants will not be eligible for funding if they are:

- > An individual
- > A community organisation that is not incorporated, unless they partner with a not-for-profit or organisation ("auspice")
- > A commercial organisation

What does "Auspice" mean ?

If a not-for-profit organisation is not incorporated or has limited organisational capacity, another eligible organisation can auspice on their behalf. In this context, the auspice organisation would receive the grant funding and have responsibility for ensuring that the activity is completed on time. A letter from the auspicating organisation that confirms the arrangement, must be submitted with the grant application form. (Pg. 20)

What is an "Incorporated Association"?

Being incorporated refers to an organisation that has a legal identity of its own, recognised by State and Federal Government and is separate and distinct from the individuals who form the group. For more information visit www.consumer.vic.gov.au/clubs-and-not-for-profits/incorporated-associations.



2.2 What types of activities will not be funded?

Applications will not receive funding if sought for equipment/assets or activities that:

- > Are inconsistent with Council priorities or Community Grant Program objectives (Pp. 3 & 17)
- > Are the responsibility of other tiers of government (e.g. State, Federal)
- > Have already commenced or where the organisation has committed expenditure prior to the grant notification date (projects will not be funded retrospectively)
- > Have a sole religious or political purpose which seek to promote core beliefs
- > Duplicate existing services/projects unless it can be demonstrated that it meets an unmet community need
- > Items which would normally be part of a reasonable operating budget for the organisation, i.e. staff salaries or administration
- > Are funded through other Council programs or activities, including grants and sponsorship programs
- > Are Council owned and run
- > Provide catering, unless it can be demonstrated that it is part of the core delivery of the project
- > Offer social outings and gatherings, unless it can be demonstrated it is a core part of the project delivery
- > Seek conference sponsorship
- > Seek debt payment support
- > Are solely curriculum based (kindergarten, primary or secondary school). Only applications that demonstrate a broader community partnership approach will be considered
- > Are for fixed asset and equipment, building maintenance or capital improvements (such as heating or cooling systems, blinds, building works or facility maintenance)
- > Are listed as a sports club responsibility as set out in Council's Outdoor Sports Infrastructure Guidelines www.manningham.vic.gov.au/sporting-venues.

Please note: Council owned kindergartens / child care centres / playgroups / toy libraries can apply to the Minor Capital Works Funding Program to request small refurbishments for building or playground works. For more information contact the Project Officer on 9840 9235.



3 Key Dates

> Information Session	9 February 2017, 6.30 pm - 8.00 pm
> Information Session	14 February 2017, 10.00 am - 11.30 am
> Grant Writing Workshop	20 February 2017, 6.30 pm - 9.30 pm

Community Development / Arts and Culture – Annual – February 2017

> Grants Open	Monday 6 February 2017
> Grants Close	Friday 10 March 2017
> Assessment of Applications	April - May 2017
> Recommendations considered by Council	June 2017
> Applicants Notified	July 2017

Small Grants – Biannual – September 2017 and February 2018

> Grants Open	Monday 11 September 2017 / Monday 5 February 2018
> Grants Close	Monday 2 October 2017 / Friday 16 March 2018
> Assessment of Applications	November 2017 / May 2018
> Applicants Notified	November 2017 / June 2018

Please note:

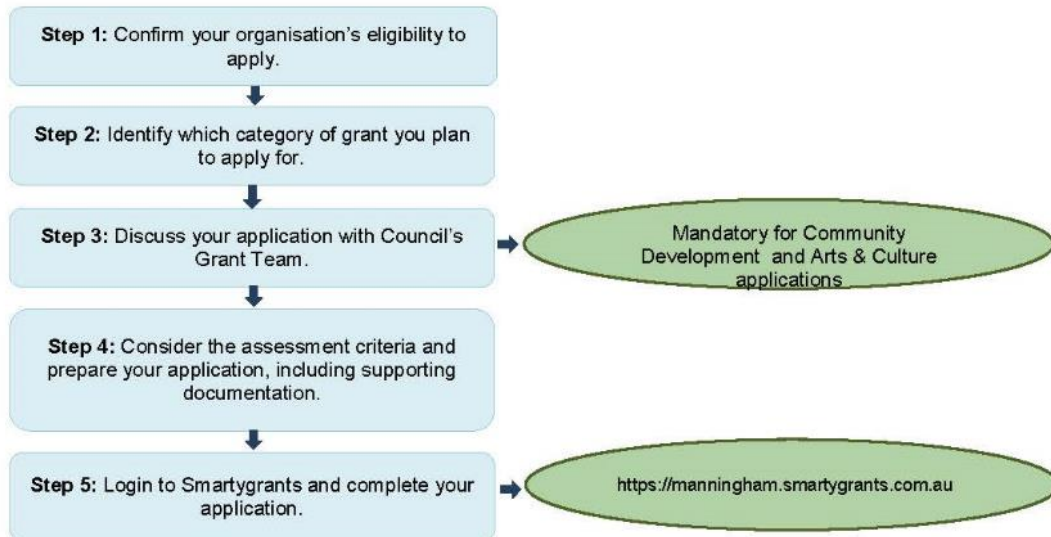
Applicants for the February 2017 Small Grant rounds must refer to the *2016/17 Community Grant Guidelines* available at www.manningham.vic.gov.au/community-grant-program.

The February 2017 Small Grants Round opens Monday 6th February and close Friday 10th March 2017.



4 How to apply

4.1 Application process



4.2 Help with your application

Please discuss your application with Council's Grants Team

Applicants applying for the Community Development / Arts and Culture grants are required to discuss their proposal with Council's Grants Team before submitting an application.

Support is available to any group and organisation that requires assistance with their grant application (all categories). Advice about how to apply online (SmartyGrants) or to request assistance with a translator/ interpreter is also available.

Contacts:

- > Lisa Waters, Community Development Programmer, phone 9840 9305
- > Jess Buckley, Community Building and Grants Facilitator, phone 9840 9451
- > Maria Criticos, Project Officer, phone 9840 9377
- > Email: grants@manningham.vic.gov.au

Information Sessions

Organisations are also encouraged to attend Grant Information Sessions and training opportunities.

Grant Information Sessions 2017

Find out more about Grants and how to apply.

Dates:

- > Thursday 9 February, 6.30 pm - 8.00 pm
- > Tuesday 14 February, 10.00 am - 11.30 am

Venue: Council Chambers, Civic Centre, 699 Doncaster Road, Doncaster

Grant Writing Workshop 2017

Learn how to prepare applications for government, corporate and philanthropic organisations.

Date: Monday 20 February, 6.30 pm - 9.30 pm

Venue: Function Room 3, Civic Centre, 699 Doncaster Road, Doncaster

For bookings, or to find out more about upcoming events, visit www.manningham.vic.gov.au/community-training-program.



4.3 Checklist: Information you must provide as part of your application

Eligibility requirements		
To apply you <u>must</u> be one of the following:		
<ul style="list-style-type: none"> • Not- for- Profit (NFP) or Incorporated Association • Public Company Limited by Guarantee • Auspiced by a NFP • School 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Please note that individuals or commercial organisations are not eligible to apply.
You <u>must</u> include with your application:		
<ul style="list-style-type: none"> • Incorporation Number • GST Status • Current Public Liability Insurance • Financial Statement • ABN or completed Statement by Supplier form • If you are being auspiced by a NFP, you will need to provide written advice from that organisation who have agreed to manage the grant and / or hold the funds 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	If you do not have an ABN, you must complete a Statement by Supplier Form. Visit: www.ato.gov.au/Forms/Statement-by-a-supplier-not-quoting-an-ABN/
Your activity <u>must</u> be:		Pg. 4
<ul style="list-style-type: none"> • Located or delivered within the City of Manningham • In accordance with Council's funded activities 	<input type="checkbox"/> <input type="checkbox"/>	
Prior to commencing your application		
<ul style="list-style-type: none"> • Contact Council's Grants Team to discuss your application (not required for Small Grants) • Determine which Grant Category you would like to apply: <ul style="list-style-type: none"> > Small Grants (Up to \$3,000) > Arts and Culture (\$3,001-\$20,000) > Community Development (\$3,001-\$20,000) • Attend an Information Session or Grant Writing Workshop (optional) • Obtain a Working with Children Check if your activity involves interaction with children • Register with Council's Events Team if you are planning an event • Determine whether you have any legislative requirements for your proposed activity i.e. health and safety or child safe standards • Successfully acquit all previous grants • Have no outstanding debts to Council 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Mandatory for Comm Development/ Arts & Culture applicants Pg. 15 Pg. 13 Pg. 11 Book www.manningham.vic.gov.au/grants Visit www.workingwithchildren.vic.gov.au Call 9840 9238 No funding will be paid until all outstanding grants have been acquitted
How to complete your application		
<ul style="list-style-type: none"> • Agree to the Terms and Conditions of the Grants Program • Log in/ Register with Smarty Grants to complete your application • Review the Assessment Criteria • Complete the Budget by obtaining quotes for all expenditure items 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Pg. 18 Visit www.manningham.smartygrants.com.au Pg. 10
What you must include in your application		
<ul style="list-style-type: none"> • Completed Project Plan (not required for Small Equipment) • Evaluation Framework (not required for Small Grants) • Quotes for budgeted expenses 	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Templates available at: http://www.manningham.vic.gov.au/applying-for-community-grants Templates available at: http://www.manningham.vic.gov.au/applying-for-community-grants This can be a catalogue item or quote from a provider. Quotes must be provided or an application may be deemed ineligible



4.3.1 Project Plan (not required for Small Grant- Equipment/ Asset Purchase)

A completed Project Plan guides the management and implementation of your activity and includes answers to questions such as:

- > *What key tasks must be completed to successfully deliver the activity?*
- > *Who will be responsible for delivering the activity?*
- > *When should the task be completed by?*

Failure to provide a Project Plan may result in your application being deemed ineligible. If your application is successful, the plan will form part of your Funding and Service Agreement (FASA).

A Project Plan template is available at: www.manningham.vic.gov.au/community-grant-program.

A sample Project Plan is available in Appendix A – Project Plan Examples on Pp. 22-24.

4.3.2 Evaluation Framework (not required for Small Grants)

A completed Evaluation Framework is mandatory for Community Development / Arts and Culture grants only. Failure to provide an Evaluation Framework may result in your application being deemed ineligible.

Evaluation is important because it enables organisations to measure how well the activity was delivered and whether it achieved what it set out to do.

An Evaluation Framework template is available at: www.manningham.vic.gov.au/community-grant-program.

A sample Evaluation Framework is available in Appendix B – Evaluation Framework Examples on Pp. 25-26.



4.3.3 Budget and quote for budgeted expenses (quotes required for all grants)

Your budget should reflect the scope of your activity and include all income and expenditure contributions that relate specifically to your proposed activity. When you have completed your budget, the Total Income and Total Expenditure *must* balance.

Income

You must provide all income contributions, both financial and in-kind, related to your activity.

For example:

- > Your organisation's financial and "in-kind" contribution
- > Amount you are seeking from Manningham Council
- > Sponsorship, donations or other funding

Please indicate whether funding is confirmed funding (CF) or unconfirmed funding (UF) (Pp. 20- 21).

Expenditure and quotes

Quotes are mandatory for all grant applications. Quotes may be submitted as a catalogue item (web or hard copy) or quotes from a provider. Failure to do so may result in your application being deemed ineligible or unsuccessful.

For example:

- > Marketing and promotion
- > Project costs
- > Administration
- > Project Workers, or other

A sample budget is available in Appendices on Pp. 27 – 29.

GST status

Organisations must indicate their GST status in their application. Successful organisations with an ABN, that are not registered for GST, will receive their grant without GST.

Successful organisations with an ABN, that are registered for GST, will be required to complete an Agreement for Issuing Recipient Created Tax Invoices (RCTI). You will receive the grant amount plus 10% GST.

What is "in-kind" contribution?

An in-kind contribution is when an organisation contributes goods or services in lieu of providing funds (cash). For example, volunteers hours, use of organisation equipment or facilities (i.e. photocopiers). In-kind contributions must have a \$ value, for example the estimated value of volunteer time is \$25 per hour.

Applicants who provide evidence of in-kind and / or financial contributions will be considered more favourably.



5 What grant categories can I apply for?

5.1 Community Development Grant

The Community Development Grant enables not-for-profit groups and organisations to achieve short to medium term community development outcomes. Specifically, Council seeks to fund activities that align with the directions outlined in Council plans and strategies. This includes activities that respond to the needs of Manningham's diverse community with a focus on:

- > individuals and community groups who experience social isolation or disadvantage
- > older residents
- > people with a disability
- > young people
- > culturally and linguistically diverse
- > women and children experiencing violence.

5.1.1 Objectives

Community Development Grants aim to:

- > Respond to a demonstrated community need with a focus on vulnerable individuals and groups
- > Provide for the inclusion and participation of all members of the community, including targeted responses that enable vulnerable individuals and groups to participate in local activities and opportunities
- > Foster an inclusive and harmonious community, drawing strength from difference and diversity
- > Enhance the health and wellbeing of the Manningham community
- > Support a safer and more resilient community
- > Encourage collaboration between Council, groups and organisations for the benefit of the community
- > Enhance community outcomes through organisational change or development such as capacity building and research.

5.1.2 Funding details

Allocation	<ul style="list-style-type: none"> > Funding between \$3,001 and \$20,000 is available. Allocations are for one financial year and are not recurrent > The total notional allocation is \$120,000 per annum
Timing	<ul style="list-style-type: none"> > There is one Community Development Grant funding round per year - available annually in February
Funding announcements	<ul style="list-style-type: none"> > Applicants will receive a letter notifying them of the outcome of their application within three weeks of Council making a decision. Successful applicants will be required to enter into a formal funding agreement (FASA) > Applicants who are unsuccessful will receive feedback from Council officers regarding why the applicant was not successful and how the application may be improved for the future > A list of successful applicants will be published on Council's website approximately one month after all applicants have been notified of the outcome of their application. This information can be found at http://www.manningham.vic.gov.au/community-grant-program.



5.1.3 What types of activities might be funded?

Examples of Community Development Grant activities could include:

- > A mental health and wellbeing project that will engage people at risk of social isolation through the delivery of a leadership project that enhance participant connections with their local community
- > A partnership activity that seeks to reduce the incidence of family violence in Manningham
- > An innovative initiative that will increase the community's understanding of gender equity by delivering a series of interactive and informative workshops to drive cultural change.

5.1.4 Assessment Criteria

Assessment Criteria	What you should include in your application	Criteria weighting
What is the activity you are applying for?	<ul style="list-style-type: none"> > A clear description of the activity you are seeking funding for and its objectives > An explanation as to how the activity aligns with one or more of the grant category objectives (see page 3) 	15 per cent
What will the activity achieve?	<ul style="list-style-type: none"> > The proposed short or medium term impacts of the activity (the desired end result) > An outline of how the activity benefits will be sustained once funding has ceased > A description as to how the activity is informed by best practice and/or incorporates innovative practices 	15 per cent
Why is the activity needed?	<ul style="list-style-type: none"> > A clear description of the community need, issue or opportunity that your activity is responding to > Information that supports your application, such as demographic data, letters of support, feedback from consultation or community plans or strategies > Evidence of how the activity aligns with one or more of Council's key plans and strategies (see page 18 for more information) 	25 per cent
Who will benefit from the activity?	<ul style="list-style-type: none"> > A description of the groups and/or individuals in the community that are being targeted (e.g. socially isolated, vulnerable, older residents) > The total estimated number of activity participants and percentage of these that are Manningham residents > Where appropriate, explain if the activity will attract a broader audience including residents from outside of the municipality 	20 per cent
How will the activity be delivered?	<ul style="list-style-type: none"> > Information on the groups and/or organisations you will partner with for the delivery of the activity and their role/s > A completed project plan that lists the key tasks, person/s responsible and timeframes to complete the activity > An overview of your group/organisations/s capacity to deliver the activity. This could include information regarding experience in the delivery of similar initiatives and details of the project manager > A budget that reflects the activity scope and includes all expenditure and income contributions. Quotes must be provided for all key expenditure items > This should include any financial and in-kind assistance from your group/organisation and activity partner/s. 	25 per cent



5.2 Arts and Culture

The Arts and Culture Grant enables not-for-profit groups and organisations to deliver arts and cultural activities that reflect the diversity of the Manningham community. Specifically, Council seeks to fund activities that deliver on the themes identified in the Manningham Cultural Strategy 2013-17.

The Arts and Culture Grant category will support the implementation of: community art initiatives, festivals and events, heritage preservation, visitor attraction initiatives, art exhibitions and literary, visual and performing arts.

5.2.1 Objectives

Arts and Culture Grants aim to:

- > Utilise arts as a means to enhance the inclusion and participation of all members of the community including diverse or hard-to-reach individuals and groups
- > Enable the delivery of community-led, arts and cultural activities across the municipality
- > Contribute to the vibrancy and liveability of the City of Manningham
- > Celebrate local culture, its diversity, history and identity and promote cross cultural practices
- > Encourage partnerships between Council, groups, organisations and businesses for the delivery of improved outcomes
- > Foster community spirit and sense of belonging through cultural and social inclusion
- > Encourage innovation and best practice.

5.2.2 Funding details

Allocation	<ul style="list-style-type: none"> > Funding between \$3,001 and \$20,000 is available. Allocations are for one financial year and are not recurrent > The total notional allocation is \$110,000 per annum
Timing	<ul style="list-style-type: none"> > There is one Arts and Culture Grant funding round per year - available annually in February
Funding announcements	<ul style="list-style-type: none"> > Applicants will receive a letter notifying them of the outcome of their application within three weeks of Council making a decision. Successful applicants will be required to enter into a formal funding agreement (FASA) > Applicants who are unsuccessful will receive feedback from Council officers regarding why the applicant was not successful and how the application may be improved for the future > A list of successful applicants will be published on Council's website approximately one month after all applicants have been notified of the outcome of their application. This information can be found at http://www.manningham.vic.gov.au/community-grant-program.

5.2.3 What types of activities might be funded?

Examples could include:

- > An arts project that encourages Manningham residents to commemorate a significant occasion
- > An event or festival that showcases and celebrates Manningham's heritage and/or cultural diversity.



5.2.4 Assessment Criteria

Assessment Criteria	What you should include in your application	Criteria weighting
What is the activity you are applying for?	<ul style="list-style-type: none"> > A clear description of the activity you are seeking funding for and its objectives > An explanation as to how the activity aligns with one or more of the grant category objectives (see page 3) 	15 per cent
What will the activity achieve?	<ul style="list-style-type: none"> > The proposed short or medium term impacts of the activity (the desired end result) > An outline of how the activity benefits will be sustained once funding has ceased > A description as to how the activity is informed by best practice and/or incorporates innovative practices 	15 per cent
Why is the activity needed?	<ul style="list-style-type: none"> > A clear description of the community need, issue or opportunity that your activity is responding to > Information that supports your application, such as demographic data, letters of support, feedback from consultation or community plans or strategies > Evidence of how the activity aligns with one or more of Council's key plans and strategies (see Pg. 18 for more information) 	25 per cent
Who will benefit from the activity?	<ul style="list-style-type: none"> > A description of the groups and/or individuals in the community that are being targeted (e.g. socially isolated, vulnerable, older residents) > The total estimated number of activity participants and percentage of these that are Manningham residents > Where appropriate, explain if the activity will attract a broader audience including residents from outside of the municipality 	20 per cent
How will the activity be delivered?	<ul style="list-style-type: none"> > Information on the groups and/or organisations you will partner with for the delivery of the activity and their role/s > A completed project plan that lists the key tasks, person/s responsible and timeframes to complete the activity > An overview of your group/organisations/s capacity to deliver the activity. This could include information regarding experience in the delivery of similar initiatives and details of the project manager > A budget that reflects the activity scope and includes all expenditure and income contributions. Quotes must be provided for all key expenditure items > This should include any financial and in-kind assistance from your group/organisation and activity partner/s. 	25 per cent



5.3 Small Grants

The Small Grant enables not-for-profit groups and organisations to deliver one-off, innovative activities and minor equipment/ asset purchases that support community strengthening initiatives and enhance the quality of life of Manningham residents.

5.3.1 Objectives

Small Grants aim to:

- > Respond to a clearly identified community need
- > Facilitate community participation in a range of local activities and enhance access for individuals and groups that are identified as having high needs
- > Enhance local network development and partnerships
- > Provide capacity building opportunities including skills development and learning.

5.3.2 Funding details

Allocation	<ul style="list-style-type: none"> > Funds available up to \$3,000. Allocations are for one financial year and are not recurrent > The total notional allocation is \$110,000 per annum > Not-for-profit groups and organisations may only receive one Small Grant per year
Timing	<ul style="list-style-type: none"> > There are two funding rounds per year for Small Grants – February and September > Please note that the February 2017 Small Grant round must refer to the 2016/2017 Community Grant Guidelines via Council's website http://www.manningham.vic.gov.au/community-grant-program
Funding announcements	<ul style="list-style-type: none"> > Applicants will receive a letter notifying them of the outcome of their application approximately within 3 weeks of the Assessment Panel. (Refer to page 6 for dates) > Applicants who are unsuccessful are encouraged to contact the Grants Team directly to receive feedback on why their application was not successful > A list of successful applicants will be published on www.manningham.vic.gov.au/grants approximately one month after all applicants have been notified of the outcome of their application.

5.3.3 What types of activities might be funded?

Examples of Small Grant activities could include:

- > An environment festival that involves Manningham residents and offers volunteering and leadership opportunities.
- > Establishment of a program that promotes and encourages children, parents, grandparents and carers in walking to keep fit and encourage community interaction.
- > Purchase of safety equipment to assist an environmental group when planting along roadsides and open spaces.
- > 'Seeding' of a new idea with potential for strong community benefit.
- > Enhancement of access to programs and information.
- > Equipment or an asset purchase such as office equipment (provided it can be demonstrated that the item is integral to the success of the activity).



5.3.4 Assessment Criteria

There are two types of assessment criteria for Small Grant categories based on the application type:

- > Activity
- > Equipment/asset purchases

Assessment Criteria	What you should include in your application	Criteria weighting
Activity / Equipment Purchase		
What is the activity you are applying for?	> A clear description of the activity/ equipment you are seeking funding for	15 per cent
How does the activity align with one of the grant category objectives?	> An explanation as to how the activity/ equipment aligns with one or more of the Small Grant category objectives	15 per cent
Why is the activity needed?	<ul style="list-style-type: none"> > Clear description of the community need, issue or opportunity that your activity/ equipment is responding to > Information that may support your application such as demographic data or letters of support 	25 per cent
Who will benefit from the activity?	<ul style="list-style-type: none"> > Description of the groups and/or individuals in the community that are being targeted (e.g. socially isolated, vulnerable, older residents) > The estimated total number of activity participants and percentage of these that are Manningham residents 	20 per cent
How will the activity be delivered and who will be responsible for its implementation?	<ul style="list-style-type: none"> > A completed project plan that lists the key tasks, person/s responsible and timeframes to complete the activity (not required for Equipment/ Asset Purchase) > A budget that reflects the activity scope and includes all expenditure and income contributions, including any financial and in-kind assistance from your group/organisation and activity partner/s > Quotes must be provided. 	25 per cent



7 Relevant Council Plans and Strategies

Through its Community Grants Program, Council is able to provide funding to not-for-profit groups and organisations to deliver activities that align with key Council plans and strategies.

Applications for Community Development and Arts and Culture grant categories must demonstrate how their activity aligns with one or more of Council's key plans and strategies.

Key Council plans and strategies include:

- Generation 2030 Community Plan
- Council Plan 2013-2017
- Municipal Public Health and Wellbeing Plan 2013-2017
- Manningham Cultural Strategy 2013-2017.

Strategy	Purpose	Areas of Focus
Generation 2030 Community Plan	The Community Plan is reflective of our community's vision, aspirations and priorities for the future. As Council's overarching strategic document, it provides a long term shared vision for Manningham and the community.	Healthy and Safe City Liveable City Resilient City Viable City
Council Plan (4 years)	The Council Plan outlines our vision, mission and values. The Council Plan guides the organisation's activity over the next four years to achieve priorities identified in the areas of community, economy, places and spaces, council leadership and the environment.	Our Community Spirit Enjoy and Protect Our Natural Spaces Getting from Place to Place Planning for Where We Live Everything We Need is Local Council Leadership
Municipal Public Health and Wellbeing Plan (4 years)	The Municipal Public and Wellbeing Plan promotes the health and wellbeing of local communities through a strategic planning approach, informed by local health priorities.	Mental Wellbeing (Mental Health & Dementia) Health and Wellbeing (Obesity & Chronic Disease) Safety (Family Violence & Binge Drinking) Healthy City (Urban Design & Sustainability) Leading Change (Leadership & Collaboration)
Manningham Cultural Strategy (4 years)	The Manningham Cultural Strategy provides a strategic and coordinated approach to arts and cultural development in Manningham.	Dynamic Spaces and Places Celebrating Our Community Creative and Connected People Caring for Cultural Heritage Arts and Community Development Promoting Culture

These documents will be reviewed and amended in July 2017.

For a complete list of Council strategies and plans visit www.manningham.vic.gov.au/strategies-and-policies.



8 Terms and Conditions

For applicants

The following general terms and conditions apply to the Community Grants Program:

- 1 All applications must be approved by the Chairperson, President or Chief Executive Officer of the organisation.
- 2 Successful applicants must use Community Grant Program funding for the stated purpose for which the funding was awarded unless further written permission has been obtained from Council before the activity has commenced.
- 3 Successful applicants must comply with all relevant State and Federal government legislation pertaining to the funded activity. If the funded activity involves contact with children, your group or organisation may be required to obtain a Working with Children (WWC) Check. To find out if you need a WWC Check or are exempt, visit <http://www.workingwithchildren.vic.gov.au/home/>
- 4 Council's Community Grant Program is a competitive funding scheme and the funding allocation is awarded on the merit of an application.
- 5 Applicants must demonstrate satisfactory performance and adherence to all grant conditions (e.g. permit requirements such as traffic management plans, traders' permits, etc.).
- 6 The total funding available for Council's Community Grant Program is subject to variation and Council's annual Budget process.
- 7 Council reserves the right to request further information in considering applications. If deemed necessary, applicants may be required to discuss or clarify their application with Council officers and/or provide further written information within a specified timeframe.
- 8 Canvassing or lobbying Councillors, Council employees or independent assessors, in relation to a grant application, is prohibited. Lobbying or canvassing relevant officers may result in your application being deemed ineligible.
- 9 For the protection of grant applicants and those involved in the assessment process, all Council officers, Councillors and community members involved in the grant assessment process are required to declare their interest prior to assessing any grant applications or reviewing project evaluations and reports. This process ensures that a clear or perceived conflict of interest is promptly identified and addressed. In the event of a conflict of interest, the person will not participate in any discussion or decision making relating to the nominated item/s of conflict.

For Community Development/ Arts and Culture Grants:

- 10 A Council Report on the recommended funding allocations is presented to Council for their consideration. The decision to award grants is made by Council and Council's decision is final. There is no appeal process.
- 11 Applicants will receive a letter notifying them of the outcome of their application after Council's decision.

For funded recipients

Funding and Service Agreement (FASA)

- 12 Funded recipients will be expected to enter into a Funding and Service Agreement (Agreement) with Council. The Agreement:
 - > Establishes a collaborative arrangement between Council and your group or organisation, based on the principles of co-operation and partnership
 - > Outlines the roles and responsibilities of Council and your group or organisation in the provision and use of funding allocated under this Agreement
 - > Includes general funding Terms and Conditions and may include special conditions relating to the delivery of the grant.
- 13 The Agreement must be completed, signed off and returned by the specified date for the funding to be released. Funding will not be made available to groups who submit this documentation after this date or those that currently hold a debt with Council.



- 14 Except for Small Grants, all funded recipients will be allocated to a Council officer who is the primary contact for the delivery of the activity. As per the Agreement, regular monitoring will be required with the relevant Council officer to provide activity support, identify emerging themes and monitor performance.
- 15 Any changes to the use of Council funding for purposes other than outlined in the Agreement must be approved by Council in writing. If the grant is not utilised for the stated purpose, the organisation must guarantee repayment in full to Council, plus interest earned, within one month of the end of the Agreement.
- 16 Funding that remains unspent upon the end of the Agreement must be repaid to Council within one month (of the end of the Agreement), unless activity changes are approved by Council in writing within 14 days of notification.
- 17 Allocation of funds to a community organisation for any purpose, in any funding round, must not be taken as a commitment by Council to provide additional or recurrent funding beyond that specifically provided for in the Agreement.
- 18 Funded activities must be completed within twelve months of receipt of funding, unless an alternative and alternative arrangement has been approved by Council in writing (prior to the activity completion date).
- 19 The Agreement is governed by and is construed to be in accordance with the laws of Victoria.

Permits

- 20 If a permit is required for the funded activity, funded recipients must comply with all Council requirements. This includes matters such as road closures, outdoor advertising and temporary food premises.

Funding Allocation

- 21 Upon receipt of funding, funded recipients must deposit that sum in an interest-bearing bank account in the name of the organisation.
- 22 Council disclaims all liability and responsibility for any direct or indirect loss to the recipient after the release of funding.

Insurance

- 23 Funded recipients must take out and keep current during the period of the Agreement, a public liability insurance. The public liability policy must be for a minimum of \$10 million.
- 24 The public liability insurance insures Council and the recipient against all actions, costs, claims, charges, expenses, and damages whatsoever which may be brought or made or claimed against them arising out of, or in relation to, the funded activity.
- 25 A copy of the Certificate of Currency is to be provided to Council before commencement of the funded activity. Funded recipients must also maintain WorkCover insurance, where relevant.

Marketing Requirements

- 26 Funded recipients are required to acknowledge receipt of financial assistance from Council in any promotion, publication or advertising of the activities. This includes the use of Council's logo and giving Councillors and officers the opportunity to attend relevant promotional events. Any publicity material regarding an activity should be submitted to Council's Grants Team for approval prior to printing. For more information visit www.manningham.vic.gov.au/community-grant-program.

Acquittal and Project Completion Report

- 27 Council reserves the right to conduct financial and performance audits for funding it has provided. Consequently, funded recipients are required to maintain full records of receipts of project expenditure and performance outputs/outcomes for the relevant period. These records are to be made available to Council and its officers/agents upon request.
- 28 Funded recipients are required to complete a Project Completion Report (acquittal) within 2 months of completing the funded activity online at <https://manningham-smartygrants.com.au>. This report certifies that the activity and funding was carried out in accordance with the Agreement. It should include a completed Evaluation Framework, proof of expenditure of Council funds (receipts and invoices) and copies of marketing material used to promote the funded activity.
- 29 Failure to provide a satisfactory acquittal may result in a funded group or organisation being deemed ineligible to receive any further funding from Council. Council's reporting is directly linked to its requirement to report on how public funds are spent and whether funded groups and organisations have achieved the desired end result. While Council is committed to minimising administrative processes, it is also committed to the collection of high quality information that may be communicated across Council and the community.



9 Glossary of Terms and Definitions

Acquittal

Acquittal is a formal condition of funding and means accurately reporting on the funded activities and the expenditure of your funding. Proof of expenditure (as well as other information) is required on the completion of your project. See 'Project Completion Report'.

Auspice

Is an agreement where one organisation (the 'principal organisation') agrees to apply for funding on behalf of a second organisation that is not incorporated (the 'auspiced organisation'). If the funding application is successful, the principal organisation then receives, holds and administers the funding to the auspiced organisation so that the auspiced organisation can complete the funded activity. Further information can be found at, <http://www.nfplaw.org.au/auspicing>.

Company By Limited Guarantee

A company limited by guarantee is a type of legal structure that you may choose for your charity that is registered by the Australian Securities and Investments Commission (ASIC). Further information can be found at www.asic.gov.au/for-business/starting-a-company/how-to-start-a-company/registering-not-for-profit-or-charitable-organisations/.

Commercial activities and organisations

Includes retail groups that: a) sell goods by retail, or by retail and wholesale; b) sell services; or c) hire goods.

Confirmed Funding (CF)

Refers to the confirmed funding amount, including your organisation's cash contribution, to be included in your 'Income' section of your budget.

Council

Manningham City Council is the entity which has the authority to make decisions on behalf of the Manningham community.

Evaluation Framework

Evaluation is an important component of the grants program because it enables organisations to showcase achievements, as well as inform and improve project delivery. (Pg. 9).

Evidence Based

Provides the proof that a service, project or program is best placed to respond to an identified community need which may include research, statistics, community consultation, needs analysis, etc.

Funding and Service Agreement

A Funding and Service Agreement (Agreement) is a legal and financial agreement entered into between Council and community organisations receiving grant funding.

The categories of an Agreement, a short or long form, reflect the level of funding provided and the required performance of the grant recipient. The FASA states:

- Purpose of the funding
- Dollar amount of funding
- Rights and responsibilities of all parties to the Agreement; including reporting, monitoring and evaluation requirements, and the permits the grant recipient is required to obtain
- Clear statement of the required outcomes of the grant
- Terms and conditions of the funding, including the circumstances in which Council can reclaim funding, consequences for breaches of funding conditions and a procedure for the return of unspent funds.
- Special conditions

Grant

A grant is a sum of money given to organisations for a specified purpose directed at achieving objectives and outcomes consistent with specific policies.

Impact

The desired short to medium term effects or changes that an activity seeks to achieve (e.g. increased community awareness of a particular topic or skills development of a target group, change in behaviour, change in attitude etc.)



Incorporated Association

Being incorporated infers that an organisation has a legal identity of its own, recognised by State and Federal governments and is separate and distinct from the individuals who formed or make up the group. (Pg. 4).

In-kind Funding Contribution

Is when an organisation contributes goods or services in lieu of providing funds (cash). For example, volunteers hours, use of organisation equipment or facilities (i.e. photocopiers). In-kind contribution must have a \$ value, for example the estimated value of volunteer time is \$25 per hour.

Objectives

Objectives are the big picture aims or goals which a policy, plan, program or activity seeks to achieve (e.g. improved exercise).

Outcome

The desired result of goals and strategies that have been achieved (e.g. a healthier population).

Outdoor Sports Infrastructure Guidelines

The Outdoor Sports Infrastructure Guidelines steer the redevelopment or refurbishment of existing sporting infrastructure and informs the development of new sports infrastructure on a case by case basis. The Council Standard Facility Fit Out sets out what Council will provide and what is not covered.

Political

Taking or belonging to a side in politics or in controversial matters.

Project Completion Report

Is a report that ensures grant recipients have administered grant funds responsibly and in accordance with the terms and conditions of the Funding and Service Agreement. A Project Completion Report usually consists of a written report that summarises how the activity fared against the initial objectives of the grant. It also provides a financial statement detailing how the funding was spent. See 'Acquittal'.

Religious

Religion is regarded as a set of beliefs and practices, usually involving acknowledgment of a divine or higher being or power, by which people order the conduct of their lives through promotion of their faith or worship.

SmartyGrants

SmartyGrants is Council's online grants management system. Applicants must apply online and attach relevant documents to their application.

Statement by Supplier

For organisations that do not have an ABN, applicants are required to complete a Statement by Supplier form as a result of the Commonwealth 'Pay As You Go' taxation legislation. Statement by Supplier forms can be located from the Australian Taxation Office at www.ato.gov.au.

Unconfirmed Funding (UF):

Refers to the other funding amounts which you have applied for which is yet to be confirmed, to be included in the 'Income' section of your budget.

10 Appendices
Appendix A – Project Plan Examples

Project Plan- Event

Anticipated Project Start Date: August 2016 Anticipated Project End Date: June 2017

Key tasks <i>List key tasks in order that they will be completed</i>	Person responsible <i>List who will be responsible for the completion of the task</i>	What will show that you have completed the task <i>List the key outputs</i>	Anticipated Completion Date
1. Establish project committee	Project Officer	Project committee established Terms of Reference adopted Meeting agenda and minutes prepared and documented Project objectives and evaluation measures confirmed	August 2016
2. Finalise activity objectives, objectives and evaluation measures	Committee Chair		September 2016
3. Confirm activity milestones including performances	Project Officer	Project milestone endorsed by Committee, noted in Minutes	October 2016
4. Engage young people and mentors to participate in the activity	Project Officer and project partners	Engagement of young people Production and performance roles assigned to participants Mentors paired with participants Venues booked	November 2016
5. Confirm venues for rehearsal and final performance	Project Officer		November 2016
6. Finalise and launch Marketing Plan	Project Officer and project participants (young people and mentors)	Events and Marketing Plan developed and launched	February 2017
7. Present theatre production	Project committee and participants	Theatre production presented over five nights	June 2017
8. Evaluate activity and submit Project Completion Report	Project Officer	Project Completion Report submitted via SmartyGrants	August 2017



Project Plan –Activity

Anticipated Project Start Date: July 2016 Anticipated Project End Date: June 2017

Key tasks <i>List key tasks in order that they will be completed</i>	Person responsible <i>List who will be responsible for the completion of the task</i>	What will show that you have completed the task <i>List the key outputs</i>	Anticipated Completion Date
1. Establish an Advisory Committee to provide guidance for the duration of the pilot activity	Funded organisation program manager	Project committee formed and includes family and carer representatives Terms of Reference adopted	July 2016
2. Prepare project content and finalise project plan	Funded organisation program manager Advisory Committee members	Activity purpose reviewed and project plan finalised	August 2016
3. Book venues and facilitators	Funded organisation program manager Project partners	Stakeholder consultation venues and facilitators confirmed	August 2016
4. Create promotional material and distribute to partners and interested organisations	Funded organisation program manager	Promotional material drafted and submitted to Council for approval Promotional material distributed via networks	September 2016
5. Host stakeholder consultation forums and evaluate sessions	Funded organisation program manager Project partners	Consultation sessions delivered and evaluated Consultation findings documented	December 2016
6. Develop draft resources and present to the Advisory Committee	Funded organisation program manager Project partners Advisory Committee members	Draft resources developed and presented to the Advisory Committee	February 2017
7. Finalise resources and host community launch event	Funded organisation program manager	Resources printed and distributed to relevant stakeholders Launch event held	April 2017
8. Evaluate pilot activity	Funded organisation program manager Advisory Committee members	Pilot activity evaluated and findings presented to the Advisory Committee with recommendations regarding next steps	May 2017
9. Submit grant funding Project Completion Report and acquire the grant	Funded organisation program manager	Project Completion Report submitted via SmartyGrants	July 2017



Project Plan –Equipment/ Asset Purchase

Anticipated Project Start Date: June 2016 Anticipated Project End Date: June 2017

Key tasks List key tasks in order that they will be completed	Person responsible List who will be responsible for the completion of the task	What will show that you have completed the task List the key outputs	Anticipated Completion Date
1. Purchase equipment as per items listed in grant application	Equipment Officer	Equipment purchased and available for players	30/06/2016
2. Recruit coach and team support i.e. trainers, first aid officer	Coaches Committee	Engagement of coach and other team support officers	31/09/2016
3. Promote newly established women's team	Marketing Officer	Women's team formed Women's team practice weekly	31/10/2016
4. Team commences participating in women's competition	Coach and Team Manager	Women's team participate in competition	1/02/2017
5. Complete Project Completion Report to acquit grant	Club Grant Officer	Project Completion Report submitted via Smartgrants including evidence of grant expenditure	30/06/2017

Note. A blank Project Plan template is available online in the application form for grant applicants.

Appendix B- Evaluation Framework Examples

Evaluation Framework - Event

<p>Objectives <i>Thinking about your activity participants, what is your activity trying to achieve?</i> <i>List the project objectives below</i></p>	<p>Proposed outputs <i>From your Project Plan, list the key proposed outputs</i></p>	<p>Proposed impacts <i>What changes do you expect to see for participants?</i> <i>List these proposed impacts</i></p>	<p>Measures <i>List how you will measure the proposed impacts</i> <i>List these measures</i></p>	<p>Timeline <i>When do you expect the impacts to be delivered?</i></p>	<p>Reporting <i>This column will be populated once the activity has been completed and measures collected</i></p>
<p>To enhance the health and wellbeing of young people with a mental illness by supporting them to deliver a theatre production</p> <p>To develop the leadership capacity of young people with a mental illness through mentoring and leadership opportunities</p>	<p>Project committee established</p> <p>Objectives and evaluation measures finalised</p> <p>Young people and mentors are engaged in the project</p> <p>Events and Marketing Plan developed and launched</p> <p>Presentation of a theatre production over five nights in June 2017</p>	<p>Demonstrable improvements in the health and wellbeing of young people involved</p> <p>Improved participant leadership skills and competency</p> <p>Social networks established between participants and mentors</p> <p>Theatre audience knowledge and understanding of the health and wellbeing enhanced, including those specific to young people.</p>	<p>Number of participants enrolled</p> <p>Percentage of participants that acknowledge improved health and wellbeing as a result of their participation</p> <p>Percentage of participants that develop leadership skills</p> <p>Percentage of participants that establish new social networks</p> <p>Percentage of young people committed to the theatre and/or leadership role in the longer term</p> <p>Number of people who attend the performance and provide positive reviews</p> <p>Percentage of performance audience that increase their understanding of mental health issues</p>	<p>November 2016</p> <p>June 2017</p> <p>June 2017</p> <p>June 2017</p> <p>June 2017</p> <p>June 2017</p>	<p>15 young people participated in the production</p> <p>Participant survey indicates:</p> <ul style="list-style-type: none"> improved sense of health and wellbeing development of social networks improved leadership skills and participant confidence <p>Survey findings attached</p> <p>25 percent of participants are committed to continuing in the theatre longer term</p> <p>150 people attended. Attendee reviews indicate:</p> <ul style="list-style-type: none"> positive feedback (100 percent) increased knowledge and awareness of health and wellbeing issues (70 percent) <p>Refer to attached survey findings</p>



Evaluation Framework – Activity

<p>Objectives Thinking about your activity participants, what is your activity trying to achieve? List the project objectives below</p>	<p>Proposed outputs From your Project Plan, list the key proposed outputs</p>	<p>Proposed impacts What changes do you expect to see for participants? List these proposed impacts</p>	<p>Measures List how you will measure the proposed impacts List these measures</p>	<p>Timeline When do you expect the impacts to be delivered?</p>	<p>Reporting This column will be populated once the activity has been completed and measures collected</p>
<p>To increase family and carer awareness of education and employment opportunities available to people with a disability</p> <p>To build family and carer confidence and capacity to advocate for education and employment outcomes for a person with a disability</p> <p>To engage and consult families and carers of people with a disability to inform the development of project resources</p>	<p>Project committee formed and includes family and carer representatives</p> <p>Project plan finalised</p> <p>Promotional material developed and distributed to the community</p> <p>Consultation sessions hosted and evaluated</p> <p>Resources are developed and distributed</p> <p>Launch event held</p>	<p>Increased family and carer awareness of education and employment opportunities available</p> <p>Family members and carers feel more confident to advocate on behalf of a person with a disability</p> <p>Increased community and service provider understanding of how they can increase access to education and employment opportunities for people with a disability</p>	<p>Percentage of families and carers that gain new knowledge as a result of the activity</p> <p>Percentage of families and carers that feel more empowered to advocate on behalf of a person with a disability</p> <p>Percentage of consultation participants that gain new knowledge</p> <p>Percentage of consultation participants that commit to changing practices to improve accessibility</p> <p>Number of stakeholder consultation sessions held and number of attendees</p> <p>Number of families and carers involved in the project</p>	<p>May 2017</p> <p>May 2017</p> <p>May 2017</p> <p>December 2016</p> <p>December 2016</p> <p>May 2017</p>	<p>Family and carer survey indicates:</p> <ul style="list-style-type: none"> 82 percent of participants have increased knowledge and awareness of education and employment opportunities 70 percent of participants are more confident to advocate on behalf of a person with a disability <p>Refer to attached survey findings summary</p> <p>Consultation survey findings indicate:</p> <ul style="list-style-type: none"> 75 percent of participants gained new knowledge 65 percent of participants commit to changing current practices to improve accessibility outcomes <p>Five consultation sessions held with 130 attendees</p> <p>The Advisory Committee involved 10 family/carer representatives</p>

Note: An Evaluation Framework template is available online in the application form for Community Development and Arts and Culture grant applicants.

Appendix C – Budget Examples

Budget – Event

Please identify income items with CF for *confirmed funding* and UF for *unconfirmed funding*.

Income	Amount
Your organisation's financial contribution What is your organisations budget for the project?	\$ 2,320 (CF)
Amount you seek from Manningham Council If registered for GST, don't add GST here, we will do so if you are successful.	\$ 5,600 (UF)
Expected ticket sales e.g. \$5 x 120 tickets	\$ 600 (UF)
Other (please detail) Please detail any other types of funding here. This could include funds raised through a fundraising activity (e.g. chocolate drive), or contributions from a partnering organisation.	\$ 400 (CF)
Your organisation's in-kind contribution What is your organisations in-kind contribution to the project?	\$ 750 (CF)
Total Income (A)	\$ 9,670
Items of Expenditure	Amount
Project Facilitator / Manager e.g. theatre production manager @ \$40/hr x 60hrs (includes script writing, set design, casting, ticket sales, staff and venue liaison, etc.) <i>Note: ongoing salaries are not eligible</i>	\$ 2,400
Project Workers (please detail) e.g. drama teacher for workshops @ \$35/hr x 60 hrs (includes drama workshops – 16 x 2 hrs, rehearsals and performance night support)	\$ 2,100
Materials (please detail) e.g. costumes \$1,000, set construction \$1,000	\$ 2,000
Insurance e.g. public liability for workshops	\$ 200
Venue Hire e.g. theatre hire for rehearsals and performance <i>Note: please provide a quote for date/s of venue hire. Bond amounts are not eligible for funding</i>	\$ 1,000
Equipment hire / purchase (please detail) e.g. hire disco lighting for use during performance	\$ 400
Transport / logistics e.g. community bus to and from rehearsals	\$ 240
Advertising and Promotion e.g. fliers and posters (all other will be free publicity)	\$ 500
Other (please detail) e.g. copyright for use of music score	\$ 80
In-kind e.g. three volunteers @ \$25 for 10 hours	\$ 750
Total Expenditure (B)	\$ 9,670

Note: Income (A) and Expenditure (B) must balance. After completing the budget ask yourself: Does the total amount at (A) equal the total amount at (B)? Yes/No



Budget – Activity

Please identify income items with CF for *confirmed funding* and UF for *unconfirmed funding*.

Income	Amount
Your organisation's financial contribution What is your organisations budget for the project?	\$ 3,700 (CF)
Amount you seek from Manningham Council If registered for GST, don't add GST here, we will do so if you are successful.	\$ 7,250 (UF)
Other funding Have you received other grants for the project? If so, please provide details. • Bendigo Bank	\$ 1,500 (CF)
Other (please detail) Please detail any other types of funding here. This could include funds raised through a fundraising activity (e.g. chocolate drive), or contributions from a partnering organisation.	\$ 2,650 (CF)
Your organisation's in-kind contribution What is your organisations in-kind contribution to the project?	\$ 2,750 (CF)
Total Income (A)	\$ 17,850
Items of Expenditure	Amount
Facilitator / Guest Speakers	\$ 4,400
Project Coordination (please detail) e.g. facilitator for workshops @ \$50/hr x 70 hrs (includes consultations– 16 x 2 hrs, project launch and evaluation sessions)	\$ 3,500
Project Materials (please detail) e.g. promotion and marketing, printing of project resources, general office expenses	\$ 3,500
Venue Hire <i>Note: please provide a quote for date/s of venue hire. Bond amounts are not eligible for funding</i>	\$ 2,200
Catering e.g. for stakeholder consultations and project launch	\$ 1,500
In-kind e.g. two volunteers @ \$25 for 35 hours; office overhead expenses	\$ 2,750
Total Expenditure (B)	\$ 17,850

Note: Income (A) and Expenditure (B) must balance. After completing the budget ask yourself:
Does the total amount at (A) equal the total amount at (B)? Yes/No



Budget – Equipment/ Asset Purchase

Please identify income items with CF for *confirmed funding* and UF for *unconfirmed funding*.

Income	Amount
Your organisation's financial contribution What is your organisations budget for the project?	\$ 438 (CF)
Amount you seek from Manningham Council If registered for GST, don't add GST here, we will do so if you are successful.	\$ 3,000 (UF)
Other funding Have you received other grants for the project? If so, please provide details. Sport and Recreation Victoria – Purchase of girls uniforms	\$ 1,000 (CF)
Total Income (A)	\$ 4,438
Items of Expenditure	Amount
Portable goals x 2 @ \$450.00 each	\$900
Balls x @ \$120.00 each	\$1,200
Cones x 25 pack @ \$25 each pack	\$ 625
Coaches board	\$ 165
Drink Bottles x 25 @ \$9.55 each and carrier	\$ 278
First Aid Kit	\$ 125
Jumpers 25 x @ \$30.80 each	\$ 770
Shorts x 25 @ \$15 each	\$ 375
Total Expenditure (B)	\$ 4,438

Note: Income (A) and Expenditure (B) must balance. After completing the budget ask yourself:
Does the total amount at (A) equal the total amount at (B)? Yes/No

Interpreter service 
9840 9355

MANNINGHAM CIVIC CENTRE
699 Doncaster Road, Doncaster
Melway ref. 33 E12

COUNCIL DEPOT
corner Blackburn Road and Warrandyte Road, Doncaster East
Melway ref. 34 D3

GENERAL INFORMATION
phone 03 9840 9333
fax 03 9848 3110
email manningham@manningham.vic.gov.au
www.manningham.vic.gov.au
twitter.com/manninghamcc
For emergencies and to contact Council outside normal business hours please call 9840 9333.

13. CORPORATE SERVICES**13.1 Financial Status Report - September 2016**

Responsible Director: Director Shared Services
File No. .

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The report details the financial performance of Council for the 3 months ended 30 September 2016.

Variances to the adopted budget are not material with the Operating Surplus 0.1 per cent or \$0.066 million unfavourable. On the underlying basis, which excludes non cash revenues and expenses, capital income, sale of assets and transfer to reserves, the result is \$0.079 million unfavourable.

Material variations to the adopted budget will be incorporated into the 2016/17 Mid Year Review.

1 BACKGROUND

- 1.1 The attached Financial Status Report for the period ending 30 September 2016 indicates that Council is tracking close to the adopted budget. Commentary on performance is provided on an exception basis.
- 1.2 Reporting on the performance of the Capital Works Program, Customer Feedback System, Strategic Resource Plan, Local Government Performance and Reporting Framework and Councillor Expenditure is provided through alternate reporting mechanisms.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that the attached Financial Status Report for the period ending 30 September 2016 be noted.

3 FINANCIAL RESOURCE IMPLICATIONS

- 3.1 There are no adverse financial resource impacts arising from the review of the September 2016 financial results.

4 CONCLUSION

- 4.1 Overall, the September 2016 financial results indicate that Council is tracking to the adopted budget.

OFFICER'S RECOMMENDATION

That the attached Financial Status Report detailing the financial performance of Council to 30 September 2016 be noted.

"Refer Attachments"

MOVED: McLEISH
SECONDED: GALBALLY

That the Recommendation be adopted.

CARRIED



Financial Status Report

September 2016

FINANCIAL STATUS REPORT - SEPTEMBER 2016

Overview

This Financial Status Report covers the period ending 30 September 2016. Variances are reported against the adopted budget endorsed by Council on 28 June 2016.

Year to 30 September 2016					
	Adopted Budget \$'000	Actual \$'000	Variance \$'000		Variance %
Total Revenues	101,698	101,369	(329)	UF	(0.3%)
Total Expenses	28,179	27,916	263	F	0.9%
Operating surplus	73,519	73,453	(66)	UF	(0.1%)

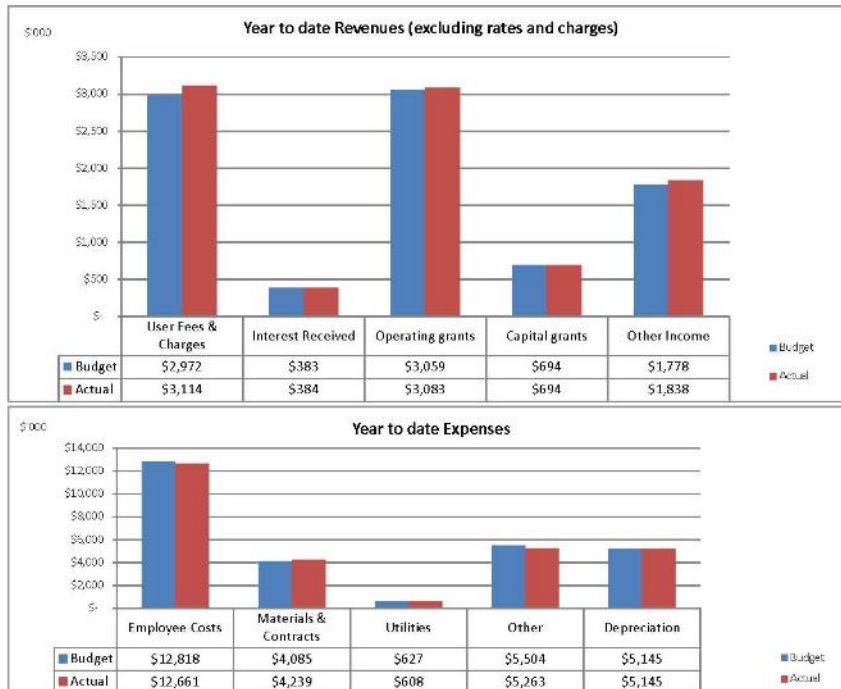
Adjustment for underlying surplus:

Capital revenues & non cash expenses	2,906	2,893	(13)	UF	(0.4%)
Underlying surplus ^	76,425	76,346	(79)	UF	(0.1%)

The September 2016 financial results indicate that Council is tracking to the adopted budget as endorsed by Council on 28 June 2016.

Income and Expenditure

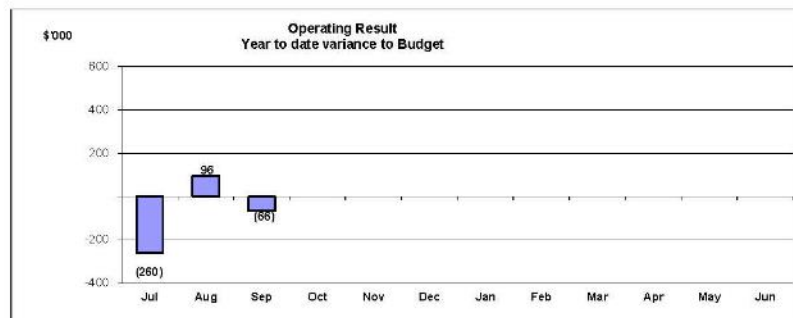
This section details the year to date results against each major revenue and expenditure groupings. Explanations of key variances have been provided where the line item has a variance of greater than 10 per cent reporting threshold or where further explanation is deemed appropriate.



FINANCIAL STATUS REPORT - SEPTEMBER 2016

Reason for year-to-date variances	Action required/taken
<p>1 Rates General \$556,000 Unfavourable</p> <p>Waste charges \$550,000 less than budget due to a lower number of ratepayers taking up the larger (higher revenue) bin option than had been anticipated. A number of these ratepayers are changing back to the larger 120 waste bin as the roll out progresses which will lead to an increase in waste charge revenue. A reconciliation of both income and expenses of the waste program will be conducted as part of the MYR when better quality data is available and the bin roll out almost complete. Any variation on the waste budget will be drawn from cash set aside on the balance sheet for future waste initiatives.</p>	<p>Changes to the budget will be reflected in the MYR Budget and waste initiative fund will be updated accordingly as part of the MYR process.</p>

Operating Result Trend



Other key indicators

Cash and investment balance	\$65.28 million
Unrestricted cash	\$25.42 million
Rates and charges debtors	\$66.53 million (27.59% of the \$92.26 m raised in 2016/17 have been collected)

Conclusion

Overall, the September 2016 financial results indicate that Council is tracking to the adopted budget as endorsed by Council on 28 June 2016. Material line item variances to budget will be taken up as part of the Mid Year Review Budget.

14. CHIEF EXECUTIVE OFFICER

14.1 Documents for Sealing - 13 December 2016

Responsible Director: Executive Manager People & Governance

File No. .

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The following documents are submitted for signing and sealing by Council.

1 BACKGROUND

- 1.1 The Council's common seal must only be used on the authority of the Council or the Chief Executive Officer under delegation from the Council. An authorising Council resolution is required in relation to the documents listed in the Recommendation section of this report.

OFFICER'S RECOMMENDATION

That the following documents be signed and sealed:

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and H Luo & S Zheng
35 Koolkuna Avenue, Doncaster**

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and J Zhou & X Huang
6 Lempriere Close, Templestowe**

**Deletion of Easement Agreement
Council and CES Glenelg Pty Ltd
154-166 Williamsons Road, Doncaster**

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and JHH Property Development Pty Ltd
19 Daly Street, Doncaster**

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and P & T J Argyriou
27 Dehnert Street, Doncaster East**

**Deed of Surrender of Licence
Council and East Doncaster Veterinary Hospital Pty Ltd
1 Peach Way, Templestowe**

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and W Qin & Q Zhang
4 Bella Court, Doncaster East**

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and VFS Investments Pty Ltd & J M Neef
36 Polaris Drive, Doncaster East**

**MOVED: GALBALLY
SECONDED: PICCININI**

That the Recommendation be adopted with the addition of the following agreement:

**Telecommunications Lease
Council and Axicom Pty Ltd
26 – 42A Colman Road, Warrandyte South**

CARRIED

* * * * *

14.2 Appointment of Authorised Officers under the Planning and Environment Act 1987 – December 2016

Responsible Director: Executive Manager People & Governance

File No. EF15/28896

The ultimate destination for this report is: COUNCIL AGENDA

Neither the Executive Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

In accordance with the Planning and Environment Act 1987(the Act), Council is required to authorise employees for the purpose of enforcing the provisions of the Act and it is proposed to appoint seven newly appointed Statutory Planning staff members as Authorised Officers pursuant to Section 147(4) of the Act.

1 BACKGROUND

- 1.1 The Act is reliant on authorised officers to enforce the Act.
- 1.2 The Act, unlike the Local Government Act, does not permit appointments to be made by the Chief Executive Officer and therefore in order for the officers to legally undertake the duties of their office under the Act, it is necessary for Council to make the appointments by formal resolution.
- 1.3 The Instrument of Appointment and Authorisation prepared for Council's consideration is based on advice from Maddocks Lawyers and empowers the relevant staff member to exercise those powers granted in the Instrument.
- 1.4 The appointment will come into force immediately upon its execution under the Seal of Council and signed by the Mayor and Chief Executive Officer and will remain in force until varied, revoked or the officer ceases employment with Council in their appointed position with Council.
- 1.5 In addition to the appointment under the Act, Council, pursuant to Section 224 of the Local Government Act 1989, may appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement of most other Acts, Regulations or Local Laws which relate to the functions and powers of the Council. This broader Instrument of Appointment and Authorisation has already been carried out under the delegated authority of the Chief Executive Officer as the first part of a dual appointment process as recommended by Maddocks Lawyers

2 PROPOSAL/ISSUE

- 2.1 It is proposed to appoint the following Statutory Planning staff members as Authorised Officers pursuant to the Act:-
 - Chethi Abeysinghe, Administration Officer
 - Denise Dobrovansky, Administration Officer
 - Julie Mikklesen, Town Planner

Mohan Mendis, Administration Support Officer
Owen Ryan, Town Planner
Mark Sheehan, Town Planner
Timothy Stevens, Town Planner

3 CONCLUSION

- 3.1 The Instruments of Appointment and Authorisation to be used for the appointments is in accord with the format recommended by Maddocks Lawyers.
- 3.2 The appointment instrument will be recorded in the Authorised Officers Register that is required to be kept by Council pursuant to Section 224 of the Local Government Act 1989 and is available for public inspection.

OFFICER'S RECOMMENDATION

That in the exercise of the powers conferred by Section 224 of the Local Government Act 1989 and the other legislation referred to in the attached Instrument of Appointment and Authorisation Council resolves that:

- (A) The employees referred to above be individually appointed and authorised as set out in the attached example Instrument;**
- (B) The Instruments come into force immediately the Common Seal of Council is affixed to the Instruments and remains in force until Council determines to vary or revoke it or the employee leaves their appointed position with Council; and**
- (C) The Common Seal of the Council be affixed to the Instruments.**

**MOVED: PICCININI
SECONDED: CHEN**

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

* * * * *

ATTACHMENT**Manningham City Council****Instrument of Appointment and Authorisation**

In this instrument "**officer**" means –

Chethi Abeysinghe, Administration Officer, Denise Dobrovansky, Administration Officer, Julie Mikklesen, Town Planner, Mohan Mendis, Administration Support Officer, Owen Ryan, Town Planner, Mark Sheehan, Town Planner and Timothy Stevens, Town Planner.

By this instrument of appointment and authorisation Manningham City Council -

PART A

1. under section 224 of the Local Government Act 1989 - appoints the officer to be an authorised officer for the administration and enforcement of -
 - the Environment Protection Act 1970;
 - the Liquor Control Reform Act 1998;
 - the Local Government Act 1989;
 - the Sex Work Act 1994;
 - the Subdivision Act 1988;
 - the regulations made under each of those Acts; and
 - any other Act, regulation or local law which relates to the functions and powers of the Council.

PART B

1. under section 48A of the Environment Protection Act 1970 – appoints the officer to be an authorised officer for the purposes of section 48A.
2. under section 3(1) of the Sex Work Act 1994 - appoints the officer to be an authorised officer of the responsible authority for the purposes of enforcing Parts 4 and 5 of that Act.

PART C

1. under -
 - section 232 of the Local Government Act 1989
 - sections 48A(9)(c) and 59(3) of the Environment Protection Act 1970

authorises the officer generally to institute proceedings for offences against the Acts, regulations and local laws described in this instrument.

It is declared that this Instrument comes into force immediately upon its execution and remains in force until varied or revoked.

This instrument is made by the Chief Executive Officer, Manningham City Council, in the exercise of his authority to act on Council's behalf, which includes the authority conferred by instrument of delegation dated 26 April 2016.

.....
Warwick Winn

Chief Executive Officer

Date: 13 December 2016

14.3 Record of Assembly of Councillors - December 2016

Responsible Director: Executive Manager People & Governance

File No. .

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Executive Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

Section 80A of the Local Government Act 1989 requires a record of each meeting that constitutes an Assembly of Councillors to be reported to the next ordinary meeting of Council and those records be incorporated into the minutes of the Council Meeting. The Assemblies to be reported to this Council Meeting took place between 8 November and 2 December (both dates inclusive). They are:-

- *Meeting Briefing on 15 November*
- *Strategic Briefing Sessions on 29 November*
- *Open Space and Streetscape Advisory Committee on 28 November*
- *Submitter's Meeting: Warrandyte Special Rates and Charges on 21 November*
- *Municipal Fire Management Planning Committee on 25 November*
- *Municipal Emergency Management Planning Committee on 25 November*
- *Heritage Advisory Committee on 30 November*

1 BACKGROUND

- 1.1 An Assembly of Councillors is defined in the Local Government Act 1989 as a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:-
 - 1.1.1 the subject of a decision of the Council; or
 - 1.1.2 subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation.
- 1.2 An advisory committee can be any committee or group appointed by Council and does not necessarily have to have the term 'advisory' or 'advisory committee' in its title.
- 1.3 Written records of Assemblies are to include the names of all Councillors and members of Council staff attending, a list of the matters considered, any conflict of interest disclosures made by a Councillor and whether a Councillor who has disclosed a conflict of interest leaves the Assembly for the item in which he or she has an interest.
- 1.4 The details of each Assembly are shown in the Attachments to this report.

2 PROPOSAL/ISSUE

- 2.1 The Assembly records are submitted to Council, in accordance with the requirements of Section 80A of the Local Government Act 1989.

OFFICER'S RECOMMENDATION

That the records of the Assemblies as shown attached be noted and incorporated in the minutes of this Council Meeting.

**MOVED: McLEISH
SECONDED: ZAFIROPOULOS**

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

* * * * *

Record of an Assembly of Councillors

Manningham City Council

Council Meeting Briefing Session

Meeting Date: 15 November 2016.
Venue: Council Chamber, City Office, 699 Doncaster Rd, Doncaster.
Starting Time: 6.30pm.

1. Councillors Present:
Councillor Michelle Kleinert (Mayor) – Heide Ward
Councillor Mike Zafiroopoulos (Deputy Mayor) – Koonung Ward
Councillor Anna Chen – Koonung Ward
Councillor Andrew Conlon – Mullum Mullum Ward
Councillor Sophy Galbally – Mullum Mullum Ward
Councillor Geoff Gough – Heide Ward
Councillor Dot Haynes – Koonung Ward
Councillor Paul McLeish – Mullum Mullum Ward
Councillor Paula Piccinini – Heide Ward

Officers Present:
Chief Executive Officer, Mr Warwick Winn
Director Assets & Engineering, Mr Leigh Harrison
Acting Director Community Programs, Ms Keri Kennealy
Director Planning & Environment, Ms Teresa Dominik
Director Shared Services, Mr Philip Lee
Executive Manager People & Governance – Ms Jill Colson
Manager Community Relations & Marketing – Ms Juanita Haisman
2. Prior Notification Of Conflicts Of Interest
3. Confirmation Of Minutes
4. Council Meeting Schedule for the 2016-2017 Municipal Year
5. Council Representation on Committees and External Bodies/Organisations
6. Documents for Sealing - 8 November 2016

The Meeting ended at 7.09pm

Record of an Assembly of Councillors

Manningham City Council

Strategic Briefing Session

Meeting Date: 29 November 2016.

Venue: Council Chamber, City Office, 699 Doncaster Rd, Doncaster.

Starting Time: 6.37pm.

1. Attendance & Apologies

Councillors in Attendance

Cr Michelle Kleinert (Mayor), Cr Anna Chen, Cr Geoff Gough, Cr Dot Haynes, Cr Sophy Galbally, Cr Andrew Conlon, Cr Paula Piccinini (arrived late), Cr Paul McLeish

Apologies from Councillors

Cr Mike Zafiroopoulos

Executive Officers Present

Warwick Winn, Chief Executive Officer
Leigh Harrison, Director Assets & Engineering
Teresa Dominik, Director Planning & Environment
Philip Lee, Director Shared Services
Chris Potter, Director Community Programs
Jill Colson, Executive Manager People & Governance

Other Officers in Attendance

Vivien Williamson, Manager Economic & Environmental Planning
Roger Woodlock, Manager Engineering & Technical Services
Kevin Ayre, Group Manager Financial Services
Frank Vassilacos, Strategic Transport Planner
Ceinwen Gould, Co-ordinator Strategic Planning
Lydia Winstanley, Senior Strategic Planner
Michael Simentriadis, Governance Officer

2. Conflict of Interest – Disclosure

There were no disclosures of conflict of interest.

3. Identification of Confidential & Sensitive Issues

The Chief Executive Officer pursuant to S89(2) of the Local Government Act 1989 has declared the following item(s) on the agenda or additional item(s) as a confidential matter:-

- Item 6 Morrison Low – Financial Sustainability.

4. Communications & Media Report

5. Forward Agenda

6. Morrison Low - Financial Sustainability (Confidential)

7. Transport – Future Directions Paper and Advocacy

8. Amendment C104 – Westfield Doncaster – Consideration of Submissions

9. Amendment C111 – 383 Manningham Road – Consideration of Panel Report

10. Other Matters Not Listed

- 10.1 Doncaster RSL Water Bills
- 10.2 Information Technology Issues
- 10.3 Strategic Briefing Session Format

The meeting concluded at 9.32pm.

Record of an Assembly of Councillors

Manningham City Council

Open Space and Streetscape Design Advisory Committee**Meeting Date:** 28 November 2016**Venue:** Koonung Room**Starting Time:** 6.00 p.m.**Attendance & Apologies****Councillors in Attendance:** Cr Geoff Gough, Cr Dot Haynes, Cr Andrew Conlon, Cr Paul McLeish**Officers in Attendance:** Teresa Dominik, Leigh Harrison, Jeff Young, Mandy Banks, Paul Goodison**Other Committee Members in Attendance:** Mervyn Hayman-Danker, Jenny Chandler, Rita Moreno-Diaz, Myriam Gad, Graeme Wallace, Tina Garg & Stephen Brennan.**Apologies Received From:** Maverick Knight**Disclosure of any Conflict of Interest**

No disclosures were made.

Items Considered:

- 1 Governance
- 1.1 Welcome & introductions
- 1.2 Apologies
- 1.3 Conflicts of interest
- 1.4 Confirmation of previous minutes
- 1.5 Matters Arising
- 2 Revised Terms of Reference
- 3 Open Space Update
- 3.1 Open Space Development Contributions Plan
- 3.2 Recently completed projects
- 3.3 Food Truck carnival (wrap up)
- 4 Streetscape Update
- 4.1 Shaw Street, Tunstall Square
- 5 Other Business
- 5.1 2017 meeting dates

Finishing Time: 8:30 p.m.

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Record of an Assembly of Councillors

Manningham City Council

WARRANTYTE SPECIAL RATE SUBMISSIONS
HEARING COMMITTEE

Meeting Date: Monday 21 November
Venue: Koonung Meeting Room, Civic Offices
Starting Time: 6.00pm

Attendance & Apologies**Councillors in Attendance**

Cr Paul McLeish (Chair), Cr Sophy Galbally and Cr Andrew Conlon

Others in Attendance

Meredith Thornton, Julie Quinton, Bill Nanos, Jim Nanos, Audrey Drechsler and Chris Farmakis

Officers in Attendance

Vivien Williamson, Ben Harnwell and Ralph Geerling

Apologies

Peter Appleby, Anita Sigmund, D K Ting, David Clement, Sally Pendock, Pamela Hipwell, John Roberts and Margaret Agius

Disclosure of any Conflict of Interest

None

Items Considered:

1. Welcome
2. Committee Members
3. Attendees
 - a. Council Officers
 - b. Submitters
4. Apologies
5. Disclosure of Conflict of Interests
6. Purpose of Meeting
7. Committee Terms of Reference
8. Officers' Report
9. Hearing of verbal submissions
10. Recommendations

Finishing Time: 7.00pm

Record of an Assembly of Councillors

Manningham City Council

Municipal Fire Management Planning Committee

Meeting Date: 25 November 2016
Venue: Council Chamber
Starting Time: 08:00am

Attendance & Apologies

Councillors in Attendance

Andrew Conlon

Other Committee Members in Attendance

Peter Yeoman, Russell Langlay, Tammy Garrett, Adrian Doe, Michelle Jordon, Damien Bale, Stuart Henderson.

Officers in Attendance

Vivien Williamson, Jeff Young, Esther Daniel, Helen Napier, Gavin Tyler

Disclosure of any Conflict of Interest

N/A

Items Considered:

Bushfire Management Overlay
Fire Management Plan and Reporting
Victorian Fire Risk Register
Safer Together Program
Proposed Introduction of fire danger period

Finishing Time: 10:00am

Municipal Emergency Management Planning Committee

Meeting Date 25 November 2016
Venue Council Chambers – Municipal Offices
Starting Time 10.00am

Attendance & Apologies

Councillors in Attendance – Councillor Andrew Conlon

Officers in Attendance – Helen Napier, John O'Brien, Leigh Harrison, Esther Daniel, Gavin Tyler, Nando Castauro, Vivien Williamson.

Other Committee Members in Attendance – Adrian Doe, Ben Quin, Jeanette Lacy, Pauline Bradley, Greg Mitchell, Kevin Morrish, Shane Murphy, Jan Mattrow, Russell Langley, Gerabeth Abbott, Marguerite Bissett, Michelle Jordan, Caroline Brown, David Alexander, Michael Downing, Peter Yeoman, Stewart Henderson, Suzanne Glendenning, Samantha Ross, Bill McGillivray.

Apologies Received From – Richard Bramham, Eddy Holman, Jeff Young, Adrian Mullens, Andrew Haywood, Andrew Mills, Dan White, Diana Ferguson, Greg Kennedy, Houa Tia, Jan Loughman, John Chaplain, Juanita Haisman, Mick Stephenson, Mike Cusack, Peter Higgins, Roger Woodlock, Roy Marshall, Tammy Garrett, Vicki Miller, Malcolm Foard, Noel McMahon, , Phil O'Connell, Mark Kennedy, Stuart Stuart, Jamie Hansen, John Gawne, Luke Perry, Lawson Chan, Geoff Darlison, Damien Bale, Linda Jamieson, Peter Maw.

Disclosure of any Conflict of Interest

No disclosures were made.

Items Considered:

Confirmation of Minutes
Actions Arising From Previous Minutes
Correspondence
General Business Items
Sub Committee Reports
Agency Reports
Other / General Business

HERITAGE ADVISORY COMMITTEE

Meeting Date: 30 November 2016

Venue: Koonung Room

Starting Time: 6.00 p.m.

Attendance & Apologies

Councillors in Attendance

Crs Paula Piccinini and Dot Haynes

Officers in Attendance

Vivien Williamson, Cristina Rivero

Other Committee Members in Attendance

Mrs Pam Fallon, Ms Margaret Kelly

Apologies Received From

Mr Eric Collyer, Mrs Lynda Hickling

Disclosure of any Conflict of Interest

No disclosures were made.

1. Introducing Cr Paula Piccinini
2. Confirmation of previous minutes
3. Declaration of conflicts of interest
4. Actions from previous meeting (13 July 2016)
5. Park Orchards Estate - Guest speaker Graeme Tamme
6. Council's Heritage Advisory Service
7. Heritage Festival 2017
8. Warrandyte Heritage Plaques
9. Other Business
10. Next Meeting:

14.4 Appointment of Acting Chief Executive Officer - 23 December 2016 - 3 January 2017

Responsible Director: Executive Manager People & Governance

File No. .

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The Chief Executive Officer will be away on annual leave from 23 December 2016 – 3 January 2017. The Council is required to appoint an Acting Chief Executive Officer in the absence of the Chief Executive Officer.

1 BACKGROUND

- 1.1 The Chief Executive Officer has various powers and authorities that he undertakes by virtue of his position. These powers and authorities arise from legislative provisions as well delegations by Council.
- 1.2 For these powers and authorities to be exercised by an Acting Chief Executive Officer, an officer needs to be formally appointed to the position by Council.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that Mr Leigh Harrison, Director Assets & Engineering be appointed Acting Chief Executive Officer for the period from 23 December 2016 – 3 January 2017, both dates inclusive.

OFFICER'S RECOMMENDATION

That

- (A) Mr Leigh Harrison, Director Assets & Engineering, be appointed Acting Chief Executive Officer for the period from 23 December 2016 – 3 January 2017, both dates inclusive; and
- (B) The Acting Chief Executive Officer to be authorised to exercise all powers and authorities of the position of Chief Executive Officer for the period of his appointment.

MOVED: CONLON
SECONDED: McLEISH

ALTERNATIVE RECOMMENDATION

That

- A. Mr Leigh Harrison, Director Assets & Engineering, be appointed Acting Chief Executive Officer for the period from 23 December 2016 to 3 January 2017, both dates inclusive;**
- B. The Acting Chief Executive Officer to be authorised to exercise all powers and authorities of the position of Chief Executive Officer for the period of his appointment; and**
- C. Council delegate to the Chief Executive Officer the authority to appoint (in consultation with the Mayor of the Day) an Acting Chief Executive Officer for any period of leave, not exceeding four weeks, to be taken by the Chief Executive Officer.**

CARRIED

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15. NOTICES OF MOTION

There were no Notices of Motion.

16. URGENT BUSINESS

There were no items of Urgent Business.

17. PUBLIC QUESTIONS (WRITTEN)

There were no written questions from the public

18. COUNCILLOR QUESTION TIME

There were no Questions without Notice from Councillors.

19. CONFIDENTIAL REPORTS

There were no Confidential Reports.

The meeting concluded at 7:51pm.

Chairperson
CONFIRMED THIS 21 FEBRUARY 2017

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