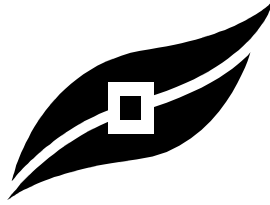


# MINUTES



**MANNINGHAM**  
BALANCE OF CITY AND COUNTRY

## Ordinary Meeting of the Council

**MEETING DETAILS:**

MEETING NO: 6  
MEETING DATE: 31 May 2016  
TIME: 7:00 PM  
LOCATION: Council Chamber, Civic Centre  
699 Doncaster Road, Doncaster

# MINUTES

---

**Index**

<b>1.</b>	<b>OPENING PRAYER &amp; STATEMENTS OF ACKNOWLEDGEMENT</b>	<b>1357</b>
<b>2.</b>	<b>APOLOGIES FOR ABSENCE AND GRANTING OF LEAVE OF ABSENCE</b>	<b>1357</b>
<b>3.</b>	<b>PRIOR NOTIFICATION OF CONFLICTS OF INTEREST</b>	<b>1357</b>
<b>4.</b>	<b>CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 26 APRIL 2016 AND THE MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD ON 17 MAY 2016</b>	<b>1358</b>
<b>5.</b>	<b>VERBAL QUESTIONS FROM THE PUBLIC</b>	<b>1358</b>
<b>6.</b>	<b>PRESENTATIONS</b>	<b>1358</b>
<b>7.</b>	<b>PETITIONS</b>	<b>1358</b>
<b>8.</b>	<b>ADMISSION OF URGENT BUSINESS</b>	<b>1358</b>
<b>9.</b>	<b>PLANNING PERMIT APPLICATIONS</b>	<b>1359</b>
9.1	Planning Application PL15/025181 - Development of 1096 Doncaster Road Doncaster East for a four storey mixed used building comprising retail, office and two levels of residential consisting of eight apartments with associated ground and basement parking.	1359
9.2	Planning Application PL15/025773 65, 67 & 69 Turana Street, Doncaster - Construction of 17 three-storey dwellings and 2 two-storey dwellings Construction of seventeen (17) three-storey dwellings and two (2) two-storey dwellings	1416
<b>10.</b>	<b>PLANNING &amp; ENVIRONMENT</b>	<b>1469</b>
10.1	Proposed Sale of Tatterson Reserve	1469
10.2	Melbourne East Regional Sport and Recreation Strategy	1500
10.3	Protecting Victoria's Environment - Biodiversity 2036 - Council Submission (Sustainability)	1539
10.4	Review of the State's Native Vegetation Clearing Regulations - Council Submission (Sustainability)	1570
10.5	Amendment C104 - Westfield Doncaster - Seeking Authorisation for Public Exhibition	1600

<b>11.</b>	<b>ASSETS &amp; ENGINEERING</b>	<b>1749</b>
11.1	Tunstall Square Activity Centre - Road Closure and Consideration of Submissions	1749
11.2	Deviation of Springvale Road at Mullum Mullum Reserve (1-41 Springvale Road, Donvale)	1776
11.3	Roads Benchmarking Survey - January 2016	1782
11.4	Road Management Plan and Infrastructure Condition Audit - March 2016	1813
<b>12.</b>	<b>COMMUNITY PROGRAMS</b>	<b>1906</b>
<b>13.</b>	<b>CORPORATE SERVICES</b>	<b>1906</b>
13.1	Recreational Land - Charges in Lieu of Rates 2016-17	1906
<b>14.</b>	<b>CHIEF EXECUTIVE OFFICER</b>	<b>1914</b>
14.1	Appointment of Authorised Officer under the Planning and Environment Act 1987 – May 2016	1914
14.2	Record of Assembly of Councillors - May 2016	1917
14.3	Documents for Sealing - 31 May 2016	1929
<b>15.</b>	<b>URGENT BUSINESS REPORTS</b>	<b>1931</b>
<b>16.</b>	<b>NOTICES OF MOTION</b>	<b>1932</b>
16.1	Notice of Motion by Stephen O'Brien (Nom No.2/2016)	1932
<b>17.</b>	<b>QUESTIONS FROM THE PUBLIC</b>	<b>1933</b>
17.1	P. Jenkins, Templestowe	1933
17.2	D. Wolnizer, Lower Templestowe	1933
<b>18.</b>	<b>QUESTIONS WITHOUT NOTICE</b>	<b>1933</b>
<b>19.</b>	<b>CONFIDENTIAL REPORTS</b>	<b>1934</b>
19.1	Manningham Centre Association - New Agreement 2016 - 2032	1934

**MANNINGHAM CITY COUNCIL**  
**MINUTES OF THE ORDINARY COUNCIL MEETING**  
**HELD AT COUNCIL CHAMBER, CIVIC CENTRE**  
**ON**  
**31 MAY 2016**

---

The meeting commenced at 7:00 PM.

Present: Councillor Paul McLeish (Mayor)  
Councillor Dot Haynes (Deputy Mayor)  
Councillor Meg Downie  
Councillor Sophy Galbally  
Councillor Geoff Gough  
Councillor Jim Grivokostopoulos  
Councillor Michelle Kleinert  
Councillor Stephen O'Brien

Officers Present: Chief Executive Officer, Mr Warwick Winn  
Director Assets & Engineering, Mr Leigh Harrison  
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.

**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 disclosures of Interest.

**4. CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 26 APRIL 2016 AND THE MINUTES OF THE SPECIAL MEETING OF COUNCIL HELD ON 17 MAY 2016**

**MOVED: GRIVOKOSTOPOULOS**  
**SECONDED: O'BRIEN**

**That the Minutes of the Ordinary Meeting of Council held on 26 April 2016 and the Minutes of the Special Meeting of Council held on 17 May 2016 be confirmed.**

**CARRIED**

**5. VERBAL QUESTIONS FROM THE PUBLIC**

A question was asked by:-

- Mr D Wolnizer, Templestowe Lower – Garbage Bins and Amendment C109

**6. PRESENTATIONS**

There were no Presentations.

**7. PETITIONS**

There were no Petitions.

**8. ADMISSION OF URGENT BUSINESS**

There were no items of Urgent Business.

## 9. PLANNING PERMIT APPLICATIONS

### 9.1 Planning Application PL15/025181 - Development of 1096 Doncaster Road Doncaster East for a four storey mixed used building comprising retail, office and two levels of residential consisting of eight apartments with associated ground and basement parking.

Responsible Director: Director Planning & Environment

File No. PL15/025181

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

<b>Land:</b>	1096 Doncaster Road, Doncaster East (Lot 1 on TP257918T Vol 8162 Fol 521)
<b>Zone</b>	Commercial 1 Zone (C1Z) Design & Development Overlay 1 (DD01)
<b>Applicant:</b>	Morteza & Sima Aminian
<b>Ward:</b>	Koonung
<b>Melway Reference:</b>	48D1, 48D2
<b>Time to consider:</b>	14 June 2016

#### SUMMARY

*It is proposed to develop the land for a four storey, mixed use building comprising retail at ground level, office at first level and residential at levels two and three with associated basement and ground level car parking at 1096 Doncaster Road, Doncaster East. The site area is 678 square metres.*

*A total of eight (8) apartments are proposed, 132.4 square metres of retail floor space and 333.5 square metres of office floor space.*

*The proposal also seeks a car parking reduction pursuant to Clause 52.06, a waiver of the loading/unloading requirements pursuant to 52.07 and permission to remove the existing vehicular access from Doncaster Road pursuant to Clause 52.29.*

*A maximum building height of 14.7 metres is proposed across the eastern elevation. The maximum building heights across the front and rear elevations are generally 14 metres.*

*The application was advertised in September/October 2015 and a total of eleven (11) objections were received. Grounds of objection mainly relate to the reliance on the Council laneway for site access and insufficient car parking.*

*Following advertising, the development's car parking provision was raised as an issue for reconsideration by the permit applicant. On 12 April 2016, the permit applicant amended their proposal under section 57A of the Planning & Environment Act 1987 (the Act) to reduce the extent of the car parking reduction sought from five (5) car spaces to two (2) car spaces. These plans are now the decision plans.*

*Following an assessment against the Manningham Planning Scheme, the proposal is considered to be consistent with the aspirations of the Scheme. The proposal has also been considered and assessed against the Tunstall Square Structure Plan, March 2015, and deemed to be consistent with the objectives and strategies contained within.*

*It is therefore proposed to support the planning application, subject to conditions.*

## 1 BACKGROUND

- 1.1 The subject site is 1096 Doncaster Road, Doncaster East. It is legally described as Lot 1 on TP 257918T with Certificate of Title Volume 816 Folio 521
- 1.2 The site is situated on the south side of Doncaster Road, at its corner with a laneway servicing the rear of the Tunstall Square (West) Neighbourhood Activity Centre.
- 1.3 The site consists of one rectangular allotment with a frontage to Doncaster Road of 19.82 metres and a maximum depth of 34.57 metres. The site has a total land area of 678 square metres.
- 1.4 A single storey, brick building with tiled pitched roofing is currently situated on the site. A brick, flat roof carport is positioned adjacent to the eastern boundary. The site is presently used for office purposes by an insurance broker firm.
- 1.5 Access to the site is presently via both a crossover and driveway positioned along the western side of the property and the Council laneway.
- 1.6 Car parking is positioned both forward and to the rear of the building. With the exception of the driveway area, a solid brick fence encloses the site's frontage. Low level landscaping is provided in the section between the fence and title boundary. An electricity/light pole is situated in the nature strip forward of the site. A further light pole is located adjacent to the eastern boundary.
- 1.7 The site is burdened by a 2.44 metre drainage and sewerage easement which is situated along its southern, rear boundary. Some scattered trees are situated within the easement providing a natural screen to the property to the south.
- 1.8 The site has a gentle fall from front (northern boundary) to back (southern boundary). Along the eastern boundary this consists of a level difference of 1 metre, while along the western boundary this is closer to 600mm.
- 1.9 Boundary fencing of the site is of varying heights, materials and conditions.
- 1.10 The site is not burdened by any covenants or Section 173 Agreements.
- 1.11 The site has abutments with the following properties:

Direction	Address	Description
West	1094 Doncaster Road, Doncaster East	Comprises a two storey, sheer wall, office building with a curved facade presenting to the Elvie Street intersection. A series of dense shrubs planted forward of the building provides

Direction	Address	Description
		a dense screen of the first level of the building to Doncaster Road. This continues along the Elvie Street frontage in which large canopy trees are featured. Undercroft style, car parking is provided at the rear of the building via a crossover along Elvie Street.
South	2 Elvie Street, Doncaster East	The single storey, brick dwelling on the lot is used for non-residential purposes presently accommodating a Physiotherapy and Pilates clinic. An open air car park is situated to the rear of the dwelling accessed via a crossover at the northern end of the frontage. The accessway abuts the northern boundary. Vegetation wraps around the perimeter of the car park area providing a visual screen to the subject site.
North	Doncaster Road Reservation	The land forming part of the Doncaster Road reservation under the jurisdiction of VicRoads.
East	Tunstall Square laneway	The Council owned laneway has a 6 metre width and facilitates two way vehicle movements. It provides rear of shop access to the western group of premises within the Tunstall Square Neighbourhood Activity Centre.

1.12 Adjoining lots comprise a variety of land use zones, as follows:

1.12.1 The adjoining lot to the west and land to the east are zoned Commercial 1 Zone (C1Z) and affected by the Schedule 1 to the Design and Development Overlay (DD01).

1.12.2 Land to the south is contained within a General Residential Zone 2 (GRZ2) and affected by the Schedule 8 to the Design and Development Overlay (DD08).

1.12.3 Land within the road reservation to the north is zoned Road Zone Category 1 (RDZ1).

1.13 The character of the surrounding area is in transition. While several nearby properties along Doncaster Road and surrounding streets remain post war brick or brick veneer, apartment developments have been approved in the immediate area and are emerging in the streetscape. The most notable examples in this neighbourhood include the four storey apartment



development at 1040-1044 Doncaster Road, Doncaster East and the three storey residential development at 51-53 Talford Street, Doncaster East.

- 1.14 The site is also clearly influenced by its location within the Tunstall Square Neighbourhood Activity Centre. The site is identified as being within the Activity Centre for the purpose of the Tunstall Square Structure Plan.
- 1.15 The site is also highly affected by its position on Doncaster Road - a six lane, primary arterial road separated by a central median strip responsible for carrying a high volume of vehicular traffic. It presently has a 70km per hour speed limit along the frontage of the site. Under the jurisdiction of VicRoads, the road is a busy arterial for the public transport network.
- 1.16 A bus lane is provided immediately forward of the site within the southernmost lane along Doncaster Road. Peak hour bus lanes operate in both directions and bus services are available from the bus stop situated on Doncaster Road (on the east side of the Council laneway) within 10-15 metres. Bus services accessing this route include Routes 207, 280, 282 and 907.
- 1.17 On-street parking is not possible along Doncaster Road or along the adjoining laneway. There is some restricted parking situated within Elvie Street (to the west of the site) and short-term parking opportunities within the Tunstall Square car park.

#### **Planning History**

- 1.18 There is no prior permit history for the subject site.
- 1.19 As part of this permit application, the proposal was considered by the Sustainable Design Taskforce on 28 May 2015. A number of issues were raised with the permit applicant, including the issue of the extent of the car parking reduction sought, reliance on the Council laneway to service the development and a number of suggestions relating to improving internal operation and amenity.
- 1.20 On 12 April 2106, the application was amended pursuant to Section 57A of the Act. The only change made via the amendment has been to introduce mechanical car stackers into the building to increase the number of on-site car parking spaces from 21 to 24 spaces.
- 1.21 As a consequence of this change, the extent of the car parking reduction for which planning permission is sought has been decreased from a total of five (5) to two (2) car spaces.
- 1.22 The application was not re-advertised, pursuant to Section 57B of the Act, as the changes to the plans are an improvement with the proposal reducing its reliance on off-site car parking. It is noted that all original objections stand.

## **2 PROPOSAL**

- 2.1 It is proposed to demolish the existing buildings on the site and remove all vegetation, to construct a four storey, mixed use building with associated basement car parking.
- 2.2 An overview of the Section 57A/decision plans now follows:

#### **Retail Use**

- 2.3 At ground level, two separate retail premises are proposed at the northern end of the development described on advertised plans as “Retail 1” and “Retail 2”. Collectively, the total retail floor space is 132.4 square metres with “Retail 1” to be 86.9 square metres and “Retail 2” to be 45.5 square metres.
- 2.4 The retail spaces have activated frontages to Doncaster Road accessible by both direct openings from the paved area immediately forward and via the common foyer (which separates the two spaces).
- 2.5 A communal WC facility is provided adjacent to the stairwell and lift.

#### **Office Use**

- 2.6 At first floor level, two separate office premises are proposed on either side of a central foyer, described on advertised plans as “Office 1” and “Office 2”. Collectively, the total office floor space is 333.5 square metres with “Office 1” to be 159.7 square metres and “Office 2” to be 173.8 square metres.
- 2.7 Balconies are proposed to the north of each office premises, as follows:
- 2.7.1 Office 1 – 17.2 sqm
- 2.7.2 Office 2 - 20.02 sqm.
- 2.8 One communal balcony (58.9 sqm) is proposed to the south side of both office spaces. This balcony extends along the width of the site and projects out by 1.46 metres from the southern wall.
- 2.9 Communal WC facilities (male and female) are also provided at this level.
- 2.10 A total of fifteen (15) car spaces are proposed to be shared between the office and retail uses.

#### **Residential Use (Levels 2 and 3)**

- 2.11 Eight (8) residential apartments are proposed within the building four, (4) at each level. The dwelling mix encompasses:
- 2.11.1 7 x 2 bedroom apartments (Apartments 1-7);
- 2.11.2 1 x 3 bedroom apartment (Apartment 8).
- 2.12 The apartments vary in floor area between 73 and 106 square metres.
- 2.13 A total of nine (9) car spaces are proposed for the residential use. Each two bedroom apartment is provided with one car space. The single, three bedroom apartment is allocated two spaces within a car stacker.

#### **Car Parking & Access**

- 2.14 Car parking is proposed across one and a half levels, including an undercroft style parking level to the south of the retail premises (as shown on the ground floor plan) and a basement car park directly beneath (as shown on the basement floor plan) .
- 2.15 At ground floor, a total of eleven (11) car spaces are proposed, including one disabled car space. With the exception of the disabled car space, all other spaces are proposed at 4.9 metres (long) by 2.6 metres (wide). A communal bin store area is proposed adjacent to the disabled car space.
- 2.16 At the basement level, a total of thirteen (13) car spaces are to be provided. Six of the thirteen car spaces are provided within a car stacker arrangement.

These spaces are located at the south-eastern end of the basement footprint. Plans indicate these car spaces are to be allocated as follows:

- 2.16.1 One car stacker (2 spaces) to Office 1
  - 2.16.2 One car stacker (2 spaces) to Office 2
  - 2.16.3 One car stacker (2 spaces) to Apartment 8 (3-bedroom apartment).
- 2.17 Eight (8) storage areas are provided at the basement level all of which exceed 6 cubic metres in size and will be secured by the use of roller shutter doors.
- 2.18 A bicycle storage room with eight (8) bicycle spaces is also proposed at this level.
- 2.19 Vehicle access is proposed via the Council laneway in the form of a 6.4 metres wide accessway. As it ramps down to the basement level, the internal ramp narrows to 3.5 metres before increasing in width to a maximum 6.4 metres.
- 2.20 It is proposed to close all vehicular access to Doncaster Road by the removal of the existing crossover.
- 2.21 A waiver of the loading/unloading requirement is sought as loading/unloading of goods associated with the development is proposed to occur from outside of the property boundary.

### **Building Setbacks**

#### **Basement**

- 2.22 Minimum building setbacks are as follows:
- 2.22.1 Northern boundary – 4.1m increasing to 4.8m;
  - 2.22.2 Southern boundary – 2.5 metres;
  - 2.22.3 Western boundary – 0 metres;
  - 2.22.4 Eastern boundary – 0 metres.

#### **Ground Floor**

- 2.23 Minimum building setbacks are as follows:
- 2.23.1 Northern boundary – 3.2m increasing to 3.9m;
  - 2.23.2 Southern boundary – 2.5 metres;
  - 2.23.3 Western boundary – 0 metres;
  - 2.23.4 Eastern boundary – 0 metres.

#### **First Floor**

- 2.24 Minimum building setbacks are as follows:
- 2.24.1 Northern boundary – 3.2m increasing to 3.9m;
  - 2.24.2 Southern boundary – 5.6 metres (exc. balcony, inc. balcony is 3.9m);
  - 2.24.3 Western boundary – 0 metres;
  - 2.24.4 Eastern boundary – 0 metres.

**Second Floor**

- 2.25 Minimum building setbacks are as follows:
- 2.25.1 Northern boundary – 5.7m (exc. balcony, inc balcony is 3.2m)
  - 2.25.2 Southern boundary – 3.9m (exc. balcony, inc balcony is 2.4m)
  - 2.25.3 Western boundary – 0 metres;
  - 2.25.4 Eastern boundary – 0 metres.

**Third Floor**

- 2.26 Minimum building setbacks are as follows:
- 2.26.1 Northern boundary – 5.7m (exc. balcony, inc balcony is 4.4m)
  - 2.26.2 Southern boundary – 4.4m (exc. balcony, inc balcony is 2.9m)
  - 2.26.3 Western boundary – 0 metres;
  - 2.26.4 Eastern boundary – 1.2 metres (exc. balcony, inc balcony is 0m).

**Building Heights**

- 2.27 The proposed maximum building height is 14.7 metres which occurs at a central location along the eastern elevation.
- 2.28 Across the Doncaster Road streetscape elevation (northern elevation), the proposed maximum building height is generally 14 metres.
- 2.29 Across the southern elevation, the maximum building height ranges between 13.1 metres (south-east corner) to 14 metres (south-west corner).

**Materials & Finishes**

- 2.30 Minimal information has been provided in respect of the proposed materials and finishes. It is apparent that the proposed building relies heavily on rendered finishes in a colour range consisting of white, brown and black. Aluminium composite cladding (in an orange tone) will be utilised in limited sections across the front (northern) and side (eastern) elevations.

**Other Matters**

- 2.31 The pedestrian entry to the building is via Doncaster Road. A series of steps about the front title boundary leading to a large paved area associated with the two retail spaces. Bicycle racks are positioned on either side of the building's covered entry.
- 2.32 A 1:14 disability ramp is also proposed accessible from the north-east corner of the site. At the north-west corner of the frontage, a fire services cabinet is proposed to be flanked by a raised planter bed in which two indicative canopy trees are proposed.
- 2.33 The proposed building has a site coverage of 79% and an impervious site coverage of 92%.
- 2.34 In support of the planning application, the following documentation has been submitted with the proposal:
- 2.34.1 Architectural drawings, as prepared by Paul Shaw & Associates, Revision BV, dated 11 April 2016;

- 2.34.2 Colour perspective drawings, as prepared by Paul Shaw & Associates, received by Council on 31 July 2015;
- 2.34.3 Feature Survey Plan, as prepared by JCA Consultants, 20 March 2015;
- 2.34.4 Planning Report, as prepared by SJB Planning, April 2015;
- 2.34.5 Traffic Impact Report, as prepared by Ratio, dated April 2015 and additional traffic related advice, dated 12 January 2016;
- 2.34.6 Sustainability Management Plan, as prepared by Efficient Energy Choices, dated 2 April 2015;
- 2.34.7 Waste Management Plan, as prepared by R B Waste Consulting Service, dated 14 April 2015.

### **3 PRIORITY/TIMING**

- 3.1 The statutory time for considering a planning application is 60 days. Having regard to the amended application pursuant to Section 57A, the statutory time is due to lapse on 14 June 2016.

### **4 RELEVANT LEGISLATION**

- 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. Before deciding on an application, the Responsible Authority must consider:
  - the relevant planning scheme, in this case being the Manningham 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; and
  - any significant social effects and economic effects which the responsible authority considers the use or development may have.
- 4.3 Section 61(4) of the Act makes specific reference to covenants. The subject site is not affected by any covenant.

### **5 MANNINGHAM PLANNING SCHEME**

#### **Zoning**

- 5.1 Pursuant to the Manningham Planning Scheme, the site is included in the Commercial 1 Zone (C1Z).
- 5.2 The purpose of the Commercial 1 Zone is:
- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
  - To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
  - To provide for residential uses at densities complementary to the role and scale of the commercial centre.
- 5.3 Pursuant to Clause 34.01-4, a planning permit is required to construct a building or construct or carry out works.
- 5.4 Clause 34.01-8 sets out the Decision Guidelines that a Responsible Authority must consider, in addition to the decision guidelines in Clause 65, the relevant ones to this application being:

**General**

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- The interface with adjoining zones, especially the relationship with residential areas.

**Buildings and Works**

- The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.
- The provision of car parking.
- The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.
- The storage of rubbish and materials for recycling.
- Defining the responsibility for the maintenance of buildings, landscaping and paved areas.
- Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.
- The availability of and connection to services.
- The design of buildings to provide for solar access.
- The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to a development of five or more storeys, excluding a basement.

**Overlays**

- 5.5 The site is also included in the Design and Development Overlay Schedule 1 (DDO1) under the provisions of the Manningham Planning Scheme.
- 5.6 The purpose of the Design and Development Overlay is:
- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
  - To identify areas which are affected by specific requirements relating to the design and built form of new development.
- 5.7 Pursuant to Clause 43.02-2, a planning permit is required to construct a building or construct or carry out works.
- 5.8 Buildings and works must be constructed in accordance with any requirements in a schedule to this overlay. A permit may be granted to construct a building or construct or carry out works which are not in accordance with any requirement in a schedule to this overlay, unless the schedule specifies otherwise.
- 5.9 Clause 43.02-5 sets out the Decision Guidelines that a Responsible Authority must consider, in addition to the decision guidelines in Clause 65, the relevant ones to this application being:
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
  - The design objectives of the relevant schedule to this overlay.
  - The provisions of any relevant policies and urban design guidelines.
  - Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
  - Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
  - Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
  - The layout and appearance of areas set aside for car parking, access and egress loading and unloading and the location of any proposed off street car parking
  - Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
  - Any other matters specified in a schedule to this overlay.
- 5.10 Schedule 1 to the DD01 refers to the Doncaster Road Strategy Area. At Clause 1, the Design Objectives of the DD01 are:

- To achieve good design outcomes.
- To improve the attractiveness of Doncaster Road and to ensure that new development enhances the visual amenity and role of Doncaster Road as a viewing corridor.
- To enhance the viability and vitality of commercial activities along Doncaster Road.
- To ensure that advertising signs are compatible with the style of the built form and do not create visual clutter.
- To enhance the residential environment and improve facilities for public transport, pedestrians and cyclists.
- To promote safe pedestrian and bicycle access.
- To improve traffic efficiency and safety.
- To protect and enhance the amenity and liveability of residential areas.

5.11 In respect of buildings and works, Clause 2 specifies new development must:

- Recognise the importance of Doncaster Road as a main viewing corridor.
- Be set back 5 metres from the Doncaster Road frontage or have a sufficient setback from the Doncaster Road frontage to create a consistent built edge and incorporate tree planting and landscaping to achieve a boulevard character (This does not apply to dwellings).
- Create distinctive identities for gateways.
- Ensure that car parking areas are kept to the rear of buildings if possible.
- Allow vehicles to exit the site in a forward direction.
- Protect the capacity of the road and promote public safety by minimising the number of access points to Doncaster Road.
- Create visual interest and be compatible with the neighbourhood character by providing:
  - Articulated building facades and highlighted building entries.
  - Façade materials that do not exceed 70 per cent glazing.
  - Building heights that are responsive to the heights of adjoining buildings and do not cause a significant loss of amenity to adjoining properties.
- The landscape design must integrate development with adjoining properties and provide an attractive environment and buffer to these properties.
- Planting within the building setback area must include a row of avenue trees.

**State Planning Policy Framework (SPPF)**



- 5.12 Clause 11.01-1 (Activity Centres) includes the objective to build up activity centres as a focus for high-quality development, activity and living for the whole community by developing a network of activity centres.
- 5.13 Clause 11.01-2 (Activity Centre Planning) includes the objective to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community.
- 5.14 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.*
- 5.15 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.
- 5.16 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.*
- 5.17 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.

- 5.18 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.*
- 5.19 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.*
- 5.20 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.*
- 5.21 Clause 16.01-5 (Housing affordability) seeks to deliver more affordable housing closer to jobs, transport and services.
- 5.22 Clause 18.01-1 (Integrated Transport: Land use and transport planning) seeks to create a safe and sustainable transport system by integrating land-use and transport.

- 5.23 Clause 18.02-1 (Movement networks: Sustainable personal transport) has the objective to promote the use of sustainable personal transport.
- 5.24 Clause 18.02-2 (Cycling) seeks to integrate planning for cycling with land use and development planning and encourage as alternative modes of travel. The clause includes several strategies to achieve this objective including to:
- Require the provision of adequate bicycle parking and related facilities to meet demand at education, recreation, shopping and community facilities and other major attractions when issuing planning approvals.
- 5.25 Clause 18.02-4 (Management of the road system) has the objective to manage the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.
- 5.26 Clause 18.02-5 (Car parking) seeks to ensure an adequate supply of car parking that is appropriately designed and located.

**Local Planning Policy Framework (LPPF)  
Municipal Strategic Statement (Clause 21)**

- 5.27 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 ageing 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.
- 5.28 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.
- 5.29 Clause 21.09 (Activity Centre and Commercial Areas) outlines that *principal, major and identified neighbourhood activity centres will be the focus of increased residential growth and development.*
- 5.30 In respect of Neighbourhood Activity Centres, it states:
- 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.*

5.31 Clause 21.09-4 Neighbourhood Activity Centres sets out the following objectives:

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

5.32 Clause 21.09-6 Commercial Areas contains the following 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.*
- 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 relate to:

- *Building energy management*
- *Water sensitive design*
- *External environmental amenity*
- *Waste management*
- *Quality of public and private realm*
- *Transport.*

#### **Local Planning Policy**

- 5.34 Clause 22.01 Design and Development Policy sets out the following objectives:

- *To ensure that the design, location and appearance of development respects the height and massing of surrounding development where this is a recognised and valued feature.*
- *To encourage contemporary architecture combined with innovative urban design and building techniques, where appropriate.*
- *To promote the siting of land uses and development, which reduces the need to travel and encourages multi-purpose trips.*
- *To retain existing vegetation where possible and ensure that a high standard of landscaping is achieved.*
- *To achieve a 'boulevard' character and well-defined built edge along Doncaster Road.*
- *To discourage development that restricts significant views from main roads.*
- *To achieve design, which is functional, safe, convenient, attractive, accessible and responsive to the site and surrounds.*
- *To facilitate the creation of functional and high quality built form and urban spaces.*
- *To encourage active street frontages.*
- *To ensure protection from unreasonable overlooking or overshadowing of abutting and nearby residential properties.*
- *To ensure that land used for vehicle access and parking is properly designed, constructed and drained.*

- 5.35 Clause 22.08 Safety Through Urban Design seeks to:

- *To provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham.*

- *To minimise opportunities for crime, through well designed and well maintained buildings and spaces.*
  - *To encourage the use of public spaces.*
  - *To improve accessibility by creating attractive, vibrant, walkable environments.*
  - *To discourage graffiti and vandalism.*
- 5.36 Clause 22.09 Access for disabled people has 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.*

#### **Particular Provisions**

- 5.37 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.*
- 5.38 In terms of the proposed retail use, car parking is required as follows:
- *4 car spaces to each 100 sq m of leasable floor area.*
- 5.39 The office use triggers the following car parking rate:
- *3.5 car spaces to each 100 sq m of net floor area.*
- 5.40 It is noted that definitions of leasable and net floor area, are contained at Clause 72 of the Scheme, as follows:
- Leasable Floor Area*  
*That part of the net floor area able to be leased. It does not include public or common tenancy areas, such as malls, verandahs, or public conveniences.*
- Net floor area*  
*The total floor area of all floors of all buildings on a site. It includes half the width of any party wall and the full width of all other walls. It does not include the area of stairs, loading bays, accessways, or car parking areas, or any area occupied by machinery required for air conditioning, heating, power supply, or lifts.*
- 5.41 Clause 52.06-8 outlines various design standards for parking areas that should be achieved.
- 5.42 Clause 52.07 (Loading and Unloading of Vehicles) seeks to set aside land for loading and unloading of commercial vehicles to prevent loss of amenity and adverse effect on traffic flow and road safety.
- 5.43 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.

- 5.44 Clause 52.34 (Bicycle Facilities) is applicable to this application. The statutory bicycle parking requirements are that in developments of four or more storeys, 1 bicycle space must be provided to each 5 dwellings (for residents) and 1 bicycle parking space for visitors is required for every 10 dwellings. While there are requirements for retail and office uses, these are not triggered in this instance due to the small size of these proposed uses.

#### **General Provisions**

- 5.45 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.*

#### **Other Relevant Documents**

##### **Tunstall Square Structure Plan, March 2015**

- 5.46 The Structure Plan for the Tunstall Square Neighbourhood Activity Centre was adopted in March 2015. The Plan establishes a preferred vision for the Tunstall Square Activity Centre for the next 20 years. The Plan states that it will:
- *Provide greater certainty for residents, businesses, landowners and investors about the future form and land use within the Centre*
  - *Manage change to ensure the ongoing sustainability and viability of the Centre as a place to live, work and do business.*
  - *Guide decision makers and other relevant key stakeholders at State and local government level regarding works and initiatives*
  - *Guide future land use and development in a way that is consistent with State and Local Planning policy*
  - *Direct Council resources to best serve the needs of the community.*
- 5.47 The Plan outlines that it will be used by Council
- *In the assessment of the planning permit applications and requests for Planning Scheme Amendments*
  - *To determine the application of local planning policy, zones and overlays in the Manningham Planning scheme*
  - *To support and plan for investment in public infrastructure within the Study Area.*

- 5.48 The subject site sits within the Study Area identified at Section 1.3 of the Plan.
- 5.49 The Structure Plan is organised into nine sections. Section 4 is titled Issues and Opportunities. Issues relevant to the application include: the Centre lacks a strong built form and identification presence from Doncaster Road (page 15) and the centre is a car dominated environment, both physically and visually (page 18).
- 5.50 At Section 6, the Structure Plan identifies a series of overarching objectives and strategies that will implement the vision for Tunstall Square.
- 5.51 Section 6.1.1. Housing (page 21) identifies that there is currently little or no housing within the commercial heart of the centre and there is the opportunity to provide for additional apartment style housing within the existing shopping centre where there is excellent access to shops, public transport and services and minimal residential interfaces.
- 5.52 As such, Objective 1 of the Plan seeks to provide a range of housing types to cater for the needs of the current and emerging population.
- 5.53 Section 6.2 Built Form (page 25) recognises that there are currently no restrictions on the height of buildings within the commercial part of the Study Area. The Plan states:
- Given that the commercial precinct is relatively flat, is reasonably self-contained, and has limited direct interfaces with residential properties; a built form of up to 16 metres (5 storeys) is proposed along Doncaster Road, with a form of up to 13.5 metres (4 storeys) proposed for specific sections of the commercial parts of the centre.*
- All buildings need to be of a high quality and designed so that the upper levels are 'stepped in' to minimise visual bulk and provide a reasonable transition to the adjoining residential properties.*
- 5.54 The Built Form Framework (Figure 4) identifies the site as one capable of accommodating a four storey building projected at having a maximum building height of 13.5 metres.
- 5.55 Objective 4 of the Plan seeks to provide for future redevelopment in selected locations within the commercial precinct of a design quality and height that reinforces the village atmosphere and has regard to the adjoining residential area.
- 5.56 Section 6.4.4 Car Parking (page 35) notes that the Centre experiences moderate to high parking demands interspersed with periods of higher congestion. The importance of ensuring that the efficiency of the operation of the car park is maximised is acknowledged.
- 5.57 Objective 9 of the Plan seeks to provide well designed car parking that is easy to find and access with minimal conflict with pedestrian, cyclists and public transport. Strategies to achieve this objective (as relevant to the application), include:
- *Optimise parking and improve pedestrian safety in the western car park*
  - *Encourage use of the Council laneway to provide access to additional car parking for private properties.*



## 6 ASSESSMENT

6.1 Having set out the planning policy and provisional framework of the Manningham Planning Scheme, an assessment of the proposal will now follow under the below headings:

- State Planning Policy Framework (SPPF)
- Local Planning Policy Framework (LPPF)
- Commercial 1 Zone (C1Z)
- Design and Development Overlay Schedule 1 (DD01)
- Particular Provisions
- Clause 65 Decision Guidelines

and against the Tunstall Square Structure Plan, March 2015.

### **State Planning Policy Framework**

6.2 The proposed development meets the aforementioned objectives and strategies of the State Planning Policy Framework. The proposal meets the community's needs for a mixed use development comprising residential apartment opportunities within an existing, established activity centre where higher density living is best located. Housing diversity is provided and it is considered that the built form successfully responds to its urban context with a high degree of integration provided with the Doncaster Road streetscape from where public bus transportation is readily accessible.

### **Local Planning Policy Framework**

6.3 The proposal is generally consistent with Council's Municipal Strategic Statement (MSS) and relevant local planning policies. The proposal facilitates additional residential living opportunities in an appropriate location in the midst of a range of community services, facilities and infrastructure.

6.4 The proposal features a number of the attributes sought by the MSS in respect to new development in Activity Centres (Clause 21.09), namely:

- It activates the Doncaster Road frontage by virtue of its integration with the streetscape and connectivity with the existing footpath network
- It provides an accessible building
- It offers on-site car parking and appropriate linkages to public transport
- It proposes a built form that does not cause any adverse amenity impacts
- It provides for some planting opportunities with the front and rear setbacks.

6.5 The proposal features a range of ecologically sustainable development initiatives as evidenced in the submitted Sustainability Management Plan to meet the requirements of Clause 21.10.

6.6 In respect to built form, the development responds favourably to the objectives of Clause 22.01 by:

- Its location within an Activity Centre which reduces car dependency and the need for multi-purpose trips;
- The scale and massing of the four-storey mixed-use building;
- Its adoption of a contemporary architectural style;
- Its positive relationship with the Doncaster Road frontage and well considered front setback layout which facilitates an activated frontage.

6.7 In regards to other relevant local planning policies (Clauses 22.08 and 22.09), it is considered that the design response is accessible to people of limited mobility by the provision of an appropriate ramp grade to enable access into the building. Once inside, all levels are serviced by lift. However, there are aspects of the detailed design that are considered likely to attract vandalism and graffiti. The proposed two-storey, white rendered wall along the eastern elevation presents as a “blank canvas” for this purpose. To avoid this likely ongoing maintenance issue for any future owners corporation, as well as to avoid this aspect of the building being an eyesore to all, it is proposed to require a permit condition that this wall be constructed of a durable material (for e.g. brick, glazed brickwork) and finished/treated appropriately. The wall must also not be finished in white (**Condition 1.18**).

### **Zoning & Overlay**

#### **Commercial 1 Zone (C1Z)**

- 6.8 The proposal is consistent with the three purposes of the C1Z.
- 6.9 Firstly, as stated above, the proposal is consistent with the objectives and strategies contained within the SPPF and LPPF.
- 6.10 Secondly, the proposed mixed use development seeks to compliment and enhance the existing vibrancy of the Tunstall Square Neighbourhood Activity Centre by providing additional retail and office floor space to further employment and economic development opportunities to support the Centre’s ongoing viability and attractiveness to existing and new patrons.
- 6.11 Thirdly, the inclusion of two levels of residential provides an appropriate number and level of diversity in apartment type to facilitate opportunities for future residents seeking to live within an activity centre environment. The overall scale is compatible with the existing and preferred character of the Tunstall Square Neighbourhood Activity Centre.
- 6.12 The proposal is generally consistent with the decisions guidelines of the Zone (Clause 34.01-8) due to:
- Its provision of on-site car parking (although it is noted that there is a shortfall of two statutory car spaces)
  - A waste room incorporated with the building footprint and the building’s waste to be privately managed
  - The ability for ongoing maintenance to be definitive and manageable having regard to the front setback layout and common property arrangement in respect of the car parking area

- The building's design maximises solar access, particularly for the retail and office uses which will benefit from a northerly aspect. The ground level layout seeks to facilitate a small, north-facing alfresco style space for both retail premises while the balconies to both office spaces at first level will provide a high level of amenity for office workers to enjoy this space which will in turn provide for passive surveillance opportunities.
  - The proposal is considered to positively comply with a number of the objectives, standards and decision guidelines of Clause 55 having regard to the building's integration with the streetscape, opportunities for canopy tree planting to soften the streetscape elevation, regard to off-site amenity impacts, on-site open space provision in the form of appropriately sized and dimensioned balconies, storage provision for all dwellings and solar penetration into the habitable room spaces of the majority of dwellings.
- 6.13 While the proposal does not meet the relevant standard at Clause 55.04-1 side and rear setback objectives, it is considered that it meets the objective - to ensure that the height and setback of a building from a boundary respects the existing and preferred neighbourhood character and limits the impact on the amenity of existing dwellings.
- 6.14 The site is within a commercial zoning where it adjoins a laneway to its eastern boundary and an existing two storey wall on its western boundary. There is considered to be no unreasonable amenity impacts as a result of constructing to the eastern boundary while the future development of the land to the west at 1094 Doncaster Road (also zoned commercial) is to be afforded the same opportunity as the current proposal to build to the boundary to four storeys. As such, the development is not considered to unreasonably prejudice the future development opportunities of the land to the west.
- 6.15 To the rear, the land is zoned for residential purposes but is presently used as a non-residential use (physiotherapy & pilates). As previously noted, an open air car park adjoins the boundary common with the site. As such, the amenity protection for the property to the south (No. 2 Elvie Street) is not as great as if it were used for residential purposes and private open space was to be directly impacted by the built form. So, while there will be some overshadowing implications caused by the development's rear wall heights, these are not considered to be so unreasonable as to warrant modifications to the building for this purpose, or on neighbourhood character grounds.
- 6.16 From an equitable development perspective, a permit condition will however, seek a minimum 4.5 metre wall setback to the common boundary with No. 2 Elvie Street to avoid the need to screen south facing habitable room windows and afford the adjoining lot the same opportunity if/when it redevelops (**Condition 1.16**). This figure is derived having regard to the 9m distance sought by the overlooking objective at Clause 55.04-6 of the Manningham Planning Scheme. The encroachment of the balconies associated with Apartments 2 & 6 into this 4.5m space is reasonable (without screening) as it is considered a future design response on the adjoining lot can take their positioning into account (and respond in their design to avoid a direct outlook).

**Schedule 1 to the Design and Development Overlay (DD01)**

- 6.17 The proposal is generally consistent with the requirements of Clause 2 of the DD01 and is consistent with the requirements of the decision guidelines of the DD0 and DD01 due to:
- The scale and massing of the built form considered to be “in keeping” with the desired character for Doncaster Road and the site’s contribution to the Tunstall Square Neighbourhood Activity Centre.
  - The building generating a high level of visual interest by virtue of an appropriate building height, the appropriate level of glazing (being less than the 70% sought), achievement of an articulated building facade and readily identifiable building entry.
  - The integration of car parking within the building rather than presenting as an eyesore in the front setback.
  - The design of car parking to enable egress in a forward direction.
  - It minimising the number of access points onto Doncaster Road (it proposes no crossovers) and thereby protects the capacity of the road and provides for public safety for users of the Doncaster Road footpath.
  - The provision for some planting, including canopy tree planting, within the front setback (although does not meet the requirement to include a row of avenue trees within the building setback).
- 6.18 The 5 metre setback requirement to the Doncaster Road frontage is not met by the proposal. At ground level, the minimum setback of the building to Doncaster Road is 3.2 metres (Retail 2) increasing to 3.9 metres (Retail 1). However, the proposed setback of Retail 2 is consistent with the existing setback of the building at 1094 Doncaster Road and thereby provides a consistent building edge, as sought by the DD01. On this basis, the proposed setback of the mixed use building is considered acceptable.

**Particular Provisions Assessment**

- 6.19 An assessment follows against the relevant particular provisions of the Scheme:
- Clause 52.06 Car Parking**
- 6.20 Prior to a new use commencing or a new building being occupied, Clause 52.06-2 requires the number of car parking spaces outlined at Clause 52.06-5 to be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the Responsible Authority.
- 6.21 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.
- 6.22 Visitor car parking is required at a rate of one car parking space for every 5 dwellings.

- 6.23 The proposal satisfies the residential occupant car parking requirement by providing one car space to each two bedroom apartment (Apartments 1-7) and two car spaces in a mechanical car stacker for Apartment 8. However, it does not provide the one (1) residential visitor car space required by the Clause.
- 6.24 Having regard to the net floor area of office proposed, the proposal is required to provide a total of eleven (11) car spaces. The proposal provides the required spaces in the form of two mechanical stackers (4 spaces) at the basement level and seven (7) spaces at the car park entry level. It is anticipated that the stacker spaces will be allocated to office staff, rather than visitors (**Condition 1.1**).
- 6.25 In regards to the retail use, a total of five (5) statutory car spaces are required. The proposal provides four (4), including a disabled car space. As such there is a shortfall of one retail (1) space.
- 6.26 Overall, the proposal now seeks a reduction in the provision of two (2) spaces: one being for the retail use and the other for the residential (visitor) use. An assessment as to the reasonableness of this request requires a consideration of the extensive list of requirements at Clause 52.06-6 of the Manningham Planning Scheme. This list includes: the Car Parking Demand Assessment submitted in support of the application which has regard to, among other things, opportunities for multi-purpose trips, short-term vs long-term stay requirements of the uses, bicycle parking provision, access to public transport, and any adverse economic impact a shortfall of parking may have on the economic viability of any nearby activity centre.
- 6.27 The Car Parking Demand Assessment, April 2015, prepared by Ratio Consultants, acknowledges parking occupancy to be “reasonably high” within the survey period (surveys were conducted between 8am to 9pm on a Friday and 11am to 4pm on a Saturday and found a maximum occupancy of 79% and 85%, respectively).
- 6.28 Notwithstanding the high “take up” of car parking within the Activity Centre, the parking surveys do confirm that there is available public spaces in the vicinity of the site at all times, including during peak times, to cater to any off-site visitor parking demand. This is a relevant consideration.
- 6.29 Also a relevant consideration is the position of the Doncaster Road bus stop at the doorstep of the entry to the development. The Doncaster Road bus service has a dedicated bus lane along Doncaster Road which provides westbound access to a range of facilities, including Westfield Doncaster and the Melbourne Centre Activities District. Such convenient and proximate access to one of the best bus services in the municipality presents itself as an important (and relevant) consideration.
- 6.30 The proposal's inclusion of a series of bicycle parking facilities both at ground entry level and within the basement is also relevant, as is the proposed development's accessibility to pedestrians.
- 6.31 It is considered that the installation of mechanical stackers into the building to reduce the extent of the car parking reduction sought has been an important and positive adjustment to the proposal since the application was advertised. By the quantum of on-site car spaces increasing, it has also affected their allocation with a full compliance now achieved for the office

use. Given the longer term-stay associated with an office use, this is considered to be an important change.

- 6.32 This is to be contrasted to the retail use which is more likely to have shorter term visitor demand and be “a multi-purpose trip” generator with visitors also likely to attend the conveniences within the Tunstall Square Activity Centre.
- 6.33 It is the view of the permit applicant’s traffic engineer, in relation to the retail reduction sought, that:
 

*“it is a common and acceptable outcome for all customer parking for retail tenancies of the size and location (within or near to an Activity Centre) to be accommodated in nearby on and off-street public parking locations, as proposed for this development”.*
- 6.34 It is also noteworthy that the opportunity should exist for residential visitors to utilise the office visitor spaces outside of office hours. Signage to this effect could be helpful and will be required by permit condition (**Condition 1.9**).
- 6.35 Therefore, having regard to the above relevant considerations, the proposed car parking reduction is considered reasonable. It is not considered that by supporting this reduction that Council is causing an adverse economic impact on the viability of the Activity Centre. Rather, it is considered that the overall proposal serves to enhance the vibrancy and economic vitality of the Activity Centre. It is considered the number of spaces and the nature of the spaces to be waived is critical in the decision to support the car parking reduction and in drawing to the ultimate conclusion that the waiver will not have an adverse effect on the Centre.
- 6.36 Clause 52.06-8 contains seven (7) design standards with which the proposal should comply:

Design Standard	Met/Not Met
1 - Accessways	<p><b>Met with conditions</b></p> <p>The access has been proposed to enable vehicles to exit the site in a forward direction.</p> <p>It is considered that the 6.4 metre wide aisle width serves as the required passing area for the purpose of this development. This view is shared by the permit applicant’s traffic engineer.</p> <p>A permit condition will seek clarification that the headroom clearance of the building satisfies the 2.1 metre requirement of the standard (<b>Condition 1.3</b>).</p> <p>The perforated metal screens on either side of the accessway should allow for a good level of transparency to ensure appropriate sightlines. However, a permit condition will seek the design detail of these screens to ensure a minimum 50% transparency. Furthermore, the need for a security door across the crossover will need to adopt a similar transparent design to ensure the site lines of exiting vehicles can be maximised. In conjunction with a requirement to install an amber warning light to alert</p>

	<p>motorists and pedestrians utilising the laneway (a suggestion of the applicant's traffic engineer), these measures in conjunction with one another are considered will ensure the access into and out of the proposed development will be safe and accessible (<b>Conditions 1.4, 1.5, 1.6</b>).</p>
2 – Car Parking Spaces	<p><b>Met with condition</b> Council's Engineering department has considered the size of proposed car parking spaces and aisle widths and considered them to be appropriate.</p> <p>Council's Engineers have raised concern with the location of car parking spaces 6, 7, 8 and 9 in relation to their proximity to the entry to the car park and in terms of the ability for these spaces to be used safely. It is considered with the adoption of the aforementioned requirements to improve the sightlines at the crossover point and the installation of an amber warning light to alert motorists and pedestrians along the laneway of an exiting vehicle (as discussed in the response to Design Standard 1), the concerns of Council's engineers with these spaces is considered to have been addressed.</p> <p>Council's Engineers seek the residential car parking spaces at the basement level to be made secure. This can be addressed by permit condition (<b>Condition 1.8</b>).</p>
3 - Gradients	<p><b>Met with condition</b> Council's Engineering department have raised no concern with any proposed entry grades associated with the internal accessway although a condition recommended by them seeks clarification of the grades within the car park. They have asked for a section to confirm this and the appropriateness of headroom clearance within (<b>Condition 1.11</b>).</p>
4 – Mechanical Parking	<p><b>Met with conditions</b> The proposed mechanical stackers will not be utilised by visitors to the building. They can be appropriately allocated to one residential apartment and the office use (occupiers, rather than visitors). A permit condition will confirm this by way of plan notation (<b>Condition 1.1</b>).</p> <p>Some further detail regarding the specifications associated with the design of the stackers will be sought by permit condition, including demonstration that head clearances accord with the requirement of this design standard (<b>Condition 1.10</b>)</p>
5 – Urban Design	<p><b>Met with conditions</b> The presentation of the accessway, as viewed from the public realm, is deemed to be appropriate. To achieve the</p>

	right balance between site permeability and security, a security door with an appropriate level of transparency will be required by permit condition. ( <b>Conditions 1.4, 1.5</b> ).
6 – Safety	<b>Met with conditions</b> Given the high useage of the laneway, and the potential for conflict with pedestrians and the range of vehicles that utilise the laneway, it is considered very important to implement some safety measures at the car park entry to ensure public safety as outlined above in the response to Design Standard 1. Ratio Consultants have proposed a number of measures which could be adopted by permit condition to achieve this outcome, including the installation of an amber warning light ( <b>Conditions 1.4, 1.5, 1.6</b> ).
7 – Landscaping	<b>Considered Met</b> Given the access occurs ‘at grade’ and directly from the existing Council laneway, the typical opportunity to achieve a landscaped vehicle accessway is not permitted by the design response. Due to the site’s commercial zoning and location of the accessway, this is not considered to be an issue in this application.

6.37 It follows from the above assessment that the proposal is generally compliant with the applicable design standards at Clause 52.06-8 of the Manningham Planning Scheme with areas of concern resolvable by permit condition.

**Clause 52.07 Loading and Unloading of Vehicles**

6.38 Clause 52.07 requires land used for the manufacture, servicing, storage or sale of goods/materials to set aside space for the loading and unloading of vehicles. Accordingly, the proposed two retail tenancies are required to provide a loading bay.

6.39 A permit may be granted to reduce or waiver this requirement for an on-site loading bay if either:

- The land area is insufficient
- Adequate provision is made for loading and unloading of vehicles to the satisfaction of the Responsible Authority.

6.40 As most retail tenancies of this size and in such locations rely on off-site loading (either along the road frontage or adjoining ROW), it is considered reasonable to permit this arrangement in this instance. While Doncaster Road accommodates a dedicated bus lane and clearway during the hours of 7am to 9am and 4pm to 7pm, there is scope outside of these hours for a vehicle to prop outside the Doncaster Road frontage and directly enter the ground level retail spaces. The eastern side of the Council laneway would also be available for short term parking by delivery vehicles in a similar manner that occurs with many of the other business serviced by this laneway.

6.41 It follows from the above that the proposed waiver of the loading/unloading requirement is reasonable in the circumstance.



**Clause 52.29 Land Adjacent to a Road Zone Category 1**

- 6.42 The closure of the current access to Doncaster Road is supported by the Roads Authority, who by way of background, provided preliminary advice to the permit applicant that they would not support access to the proposed mixed use development from Doncaster Road (given the adjacent laneway access). As such, the permit applicant embarked on a design response which relies on the Council laneway for site access. Standard conditions will be applied, as sought by VicRoads, to ensure the removal and reinstatement of the nature strip, kerb and channel. The removal of the crossover to Doncaster Road is also consistent with the DD01 which serves to reduce the extent of crossovers to Doncaster Road in the interests of pedestrian safety.

**Clause 65 Decision Guidelines**

- 6.43 Clause 65 states because a planning permit can be granted, does not imply that a permit should or will be granted. The Responsible Authority must decide whether the proposal will produce acceptable outcomes in terms of the decision guidelines of this clause. Before deciding on an application, the Responsible Authority is required to consider up to twelve items which include *“the matters set out in Section 60 of the Planning and Environment Act 1987”*, *“the orderly planning of the area”* and *“the effect on the amenity of the area”*.
- 6.44 Having regards to the decision guidelines of this clause, it is considered that the proposed development constitutes orderly planning and will not have an unreasonable effect on the amenity of the neighbourhood for reasons discussed throughout this report.

**Tunstall Square Structure Plan, March 2015**

- 6.45 A review of the proposal against the policy aspirations, statements and objectives as contained within the Tunstall Square Structure Plan reveals a scheme that is highly compliant with the Plan.
- 6.46 The Structure Plan, as outlined above, specifically seeks to facilitate a four-storey mixed use building encompassing a significant residential component on the subject site. While it is acknowledged that the overall maximum building height exceeds the recommended 13.5 metres, the overall building height of the proposal is generally no greater than 14 metres (across the Doncaster Road streetscape elevation) where it is considered that a minor (500mm) deviation above the height limit can be readily absorbed. A section of the building that projects to 14.7 metres across the eastern elevation similarly exceeds the height limit contained within the Structure Plan. This 1.2 metre projection above the 13.5 metre height provision within the Plan occurs as the design incorporates a skillion roof form at a central-to-southern section of the built form. While a condition could seek a reduction to the overall building height, it is considered this would come at the expense of the articulation of the building as the roofline has been designed to accentuate the built form and provide visual interest where it could have otherwise adopted a flat roof. It is also noted that the height of the roof in this location presents no amenity impacts to adjoining properties. At the rear of the building, the heights steps down to between 13.1-14 metres (at the fourth level) and 10.5 metres (at the third level) which provides for a level of transition across the site to the residential zoned land to the rear (south).

- 6.47 In terms of car parking provision, the Structure Plan makes some observations in relation to the operation and demand for car parking within the commercial core of the Activity Centre. Opportunities to improve the car parking layout are noted but there are no explicit statements that the car parking is at saturation or that there is a need to introduce more car parking into the Centre. Rather, the focus in relation to access and circulation are heavily steered towards reducing car dependency and improving the experience for pedestrians and cyclists within the Centre. As such, the car parking reduction sought by the proposal is not considered to be contrary to the Structure Plan.
- 6.48 Critically, the proposal's reliance on the Council laneway to facilitate access to the development's basement car park is consistent with the Structure Plan which specifically calls for the use of the Council laneway to provide access to additional car parking for private properties.

## 7 REFERRALS

- 7.1 VicRoads is the statutory referral authority under the Manningham Planning Scheme. On 10 September 2015, VicRoads advised Council that they have no objection to the proposed development subject to the inclusion of some standard conditions relating to the removal of the existing crossover to Doncaster Road.
- 7.2 The application was referred to a number of Service Units within Council the following table summarises their responses:

Service Unit	Comments
Engineering & Technical Services Unit (Drainage)	<ul style="list-style-type: none"> <li>Point of discharge is available for the site. All runoff is to be directed to the point of discharge subject to standard conditions.</li> <li>Requires the provision of an on-site stormwater detention system.</li> </ul>
Engineering & Technical Services Unit (Vehicle Crossings)	<ul style="list-style-type: none"> <li>Existing power pole needs to be relocated to facilitate vehicle access from the laneway.</li> <li>Existing crossover along Doncaster Road to be removed and reinstated.</li> </ul>
Engineering & Technical Services Unit (Access & Driveway)	<ul style="list-style-type: none"> <li>Proposed accessway serves more than 10 car spaces and the accessway is more than 50m long. Applicant is to provide a 5m wide and 7m long passing area at the entrance in accordance with Design Standard 1 of Clause 52.06-8.</li> <li>Car spaces 6, 7, 8 and 9 are constrained and manoeuvrability of these spaces will have impacts to the</li> </ul>

Service Unit	Comments
	<p>laneway’s operation.</p> <ul style="list-style-type: none"> <li>• Car spaces 7 and 8 are at blind aisles and should be reviewed to allow visibility within sight triangles having regard to pedestrian movement along the laneway.</li> <li>• The applicant is to provide a security door for the residential car park.</li> <li>• No stopping parking restrictions to be installed on the eastern wall of the building to prevent vehicular parking along the laneway close to the intersection with Doncaster Road at the cost of the developer.</li> <li>• “Give-way” line marking and associated signage to be installed at the intersection of the laneway and Doncaster Road at the cost of the developer.</li> <li>• There are no footpath provisions in the laneway to facilitate safe pedestrian movement between the development and the shopping area.</li> <li>• Requires public lighting along the laneway adjacent to the proposed development.</li> <li>• More details on plans to be provided – cross sections for the two ramps, headroom clearance, reduced levels along the driveway.</li> </ul>
<p>Engineering &amp; Technical Services Unit (Parking &amp; Traffic)</p>	<ul style="list-style-type: none"> <li>• The initial proposal to seek a car parking reduction in the order of 5 car parking spaces is not supported by Council’s engineers. (The waiver consisted of three spaces associated with the retail use and two spaces associated with the office component of the development. Noting that the proposed shops require short-term car spaces for customers while the office use required long term car parking spaces especially during week days, it was recommended that the applicant provide the entire car parking requirement within the development).</li> <li>• The applicant is required to</li> </ul>

Service Unit	Comments
	<p>demonstrate how and where loading and unloading operations for the proposed two shops are to be undertaken.</p> <ul style="list-style-type: none"> <li>Bicycle parking is satisfactory and in accordance with Clause 52.34.</li> </ul>
Engineering & Technical Services Unit (Waste Management)	<ul style="list-style-type: none"> <li>Confirms private waste collection and there be no bins left outside the development boundary or left unattended at any time on any street frontage for any reason.</li> <li>Requires the developer to adhere to the draft Waste Management Plan, as prepared by Waste Consulting Services, dated 14 April 2015.</li> </ul>
Engineering & Technical Services Unit (Construction Management)	<ul style="list-style-type: none"> <li>Requires a Construction Management Plan to be lodged as a condition of approval.</li> </ul>
Economic & Environmental Planning (Urban Design)	<ul style="list-style-type: none"> <li>Considers the proposal to be “mainly successful” in providing for an increased diversity of retail, commercial and residential tenancies into the Activity Centre.</li> <li>The size and general amenity of the apartments is considered to be good with the exception of the bedrooms looking into the light well and provides some specific recommendations on how this can be addressed/improved.</li> <li>Notes that the site is suitable for a 4-storey mixed use development of this scale while the height “<i>is considered within an acceptable margin from the recommended 13.5 metres</i>”.</li> <li>Identifies some issues concerning equitable development, particularly in relation to the encroachment of balconies into the rear setback. Recommends that setbacks to the southern boundary be increased to allow for equitable development of the neighbouring site.</li> <li>Recommends the relocation of proposed bicycle racks to avoid</li> </ul>

Service Unit	Comments
	<p>impeding pedestrian movement within the front setback.</p> <ul style="list-style-type: none"> <li>• Recommends securing access to the car park.</li> <li>• Highlights that there is a large reliance on painted and rendered finishes, the durability of which are questioned. It is recommended that more quality materials and finishes are utilised with embedded colour and texture.</li> <li>• The use of white render to the laneway facade is a significant concern.</li> <li>• The location of the windows in the laneway facade at the lower two levels should be more carefully considered having regard to internal amenity.</li> <li>• Recommends the removal of the white rendered recesses in favour of just the recesses across the western elevation (two uppermost levels).</li> <li>• Recommends requiring a detailed materials board/schedule to ensure the quality and longevity of the selected materials.</li> <li>• Seeks clarification of the treatment/approach to the car park entry, its impact on the laneway and the internal safety of the car park.</li> </ul>
Economic & Environmental Planning (Economic Development)	<ul style="list-style-type: none"> <li>• Concerned about the allocation of car parking spaces and access from the laneway at the back of the shops.</li> <li>• Notes that while access from the laneway is ideal in that it takes traffic off Doncaster Road, it presents as an issue as this laneway is used for delivery of goods and access to parking for the nearby businesses. Any permission to use the laneway needs to consider the needs of the businesses and retention of the right of access to these businesses.</li> </ul>
Economic & Environmental Planning (Sustainability Planner)	<ul style="list-style-type: none"> <li>• Requires some amendments to the submitted Sustainability Management Plan, as prepared by Efficient Energy</li> </ul>

Service Unit	Comments
	Choices, dated 2 April 2015, as outlined in the referral advice received on 10 May 2016. <b>(Refer Condition 3).</b>
Engineering & Technical Services Unit (Easements)	<ul style="list-style-type: none"> <li>Applicant has been granted Build Over Easement approval in accordance with the conditions in letter dated 16 July 2015.</li> </ul>

- 7.3 It is considered the above matters arising from the referral of the application to internal council departments can be, as considered appropriate by the assessing planning officer, applied as permit conditions to any decision to issue.

## 8 CONSULTATION

- 8.1 The planning application was placed on public notice for a three (3) week period which concluded on 4 October 2015. The public were notified by the sending of letters to adjoining and nearby properties and by the display of two (2) signs across each frontage.
- 8.2 Council has received eleven (11) objections from ten (10) properties/entities being:

Address
1094 Doncaster Road, Doncaster East
Apartment 28/1042 Doncaster Road, Doncaster East
4 Tunstall Square, Doncaster East
6 Tunstall Square, Doncaster East
10 Tunstall Square, Doncaster East
11 Tunstall Square, Doncaster East
21 Tunstall Square, Doncaster East
24 Tunstall Square, Doncaster East
141 Beverley Street, Doncaster East
Tunstall Square Traders Association, Manager.

- 8.3 The grounds of objection are:

### Grounds:

- Laneway
  - Impact to the laneway (including character of the lane way)
  - Additional traffic, including on the Council laneway

- Reliance on the Council Laneway for access (safety issues, restrictions to conducting business and precedent for further development)
  - Impact to the structural integrity of the Laneway during potential construction
  - Internal Amenity Impacts (as a consequence of Tunstall Square traders loading/unloading in the laneway)
  - Insufficiency of Public Notice (having regard to the extent of reliance on the Council laneway)
  - The removal of the accessway to Doncaster Road
- Lack of Car Parking Provision/Oppose Car parking reduction
  - Inappropriateness of the Waiver of the loading/unloading requirement
  - Overdevelopment of the site
  - Proposal's accordant with the Tunstall Square Structure Plan
  - Amenity implications of the construction to the property at 1094 Doncaster Road (shadow & access to light).
- 8.4 As evidenced by the above list of grounds, a key issue for owners and occupiers within and around the Tunstall Square Activity Centre is the proposed use and reliance of the Council laneway to facilitate access to the site. A summarised response to the laneway related concerns now follows:
- Laneway related concerns**
- 8.5 A number of the objectors have expressed a range of concerns (as listed above) relating to the proposed use of the Council laneway to facilitate access to the development site.
- 8.6 Noting that there is already existing access to the subject site from the laneway, it is further noted that there is no prohibition for a private land owner to seek to rely on the Council laneway for an intensified use of the land.
- 8.7 There is also no policy in the Planning Scheme that recommends against this approach. To the contrary, the Tunstall Square Structure Plan specifically calls for the use of the laneway to "provide access to additional car parking for private properties".
- 8.8 On that basis, it would seem that it is the very intention of the Structure Plan to facilitate access from the laneway in the way that the proposal seeks to do, and this is an approach supported by Council in its adoption of the Structure Plan. As such, concerns raised about additional traffic in the laneway, the shared use of the laneway with delivery vehicles and the potential for additional properties to propose a similar arrangement are not considered to be persuasive reasons to not support the proposed access via the laneway.
- 8.9 By contrast, the extensive public consultation informing the development of this Structure Plan, and the relatively recent adoption of this Plan (March 2015), are considered highly relevant reasons to support the development

site utilising the laneway, as proposed, as contemplated by the Structure Plan.

- 8.10 There are some technical concerns with the physical design of the access into and out of the site which will need to be addressed by permit condition. **(Conditions 1.4, 1.5, 1.14 and 1.15)**. These include: measures across the eastern elevation to ensure an appropriate level of transparency and traffic devices to facilitate safe entry and egress (as has been previously discussed). However, subject to the appropriate implementation of these measures, it is not considered unreasonable for the proposed development site to achieve access from its existing crossover along its eastern boundary in the manner proposed.
- 8.11 In terms of the other laneway related matters raised,
- There is no specific reason to suggest that the physical integrity of the laneway would be diminished as a consequence of any construction vehicles. A permit condition could seek to ensure that any such damage would be recoverable from the permit holder. Incidentally a Construction Management Plan requirement would be a condition of any permit to issue to ensure that the operation of the laneway was not impeded adversely as a consequence of any development of the site proceeding **(Condition 5, in particular Condition 5.3)**.
  - It is considered future residents would understand the physical context in which they find themselves in (i.e. adjacent to the laneway and have to accept its function) as part of activity centre living.
  - The removal of the access to Doncaster Road is supported by VicRoads. There is also planning policy support in the form of the DD01.
  - While not all owners and occupiers with a direct abuttal to the accessway were provided with an individual notice of the planning application, Council did directly notify a number of the immediately proximate owners and occupiers of the laneway and required two public notices on each of the frontages of the site for the notification period to alert interested parties to the proposal.
- 8.12 Other grounds of objection are also responded to, as below:
- Car Parking**
- 8.13 A number of the objectors have expressed their dissatisfaction with the proposal failing to provide the car parking requirement of the Manningham Planning Scheme, or in their individual views, the necessary level of car parking to support the proposed uses. Some objectors are calling for “more than the base minimum spaces” to be provided.
- 8.14 Since the proposal was advertised, as already discussed throughout this report, the proposal has been amended pursuant to Section 57A of the *Planning & Environment Act 1987* to reduce the extent of the car parking reduction from a total of five spaces to two spaces. While some objectors might agree this is an improvement, it is still recognised by Council officers



that this adjustment is unlikely to entirely appease residents, traders and property owners' concerns. However, for the reasons discussed in the Assessment section of this report, it is considered that the request to reduce the car parking provisional requirement of this proposal by two car spaces is not unreasonable having regard to the shortfall now affecting one residential visitor space and one retail visitor space. The proposal satisfies the car parking rate for each apartment occupant, based on the number of bedrooms, and meets the car parking requirement of the Planning Scheme for the proposed office use. Refer to Sections 6.26 to 6.37.

#### **Inappropriateness of the Waiver of the loading/unloading requirement**

- 8.15 Some objectors are concerned about the proposal not providing a loading/unloading bay associated with the retail use (there is no requirement for the residential or office uses to provide loading/unloading).
- 8.16 For the reasons discussed in the Assessment section of the report, it is considered the small footprint of the two retail premises would not pose an unreasonable strain on the abutting vehicle carriageways (either Doncaster Road or the laneway). Future delivery vehicles would need to obey parking restrictions as do all current delivery vehicles.

#### **Overdevelopment of the site**

- 8.17 It is not considered that the proposal presents an overdevelopment of the site. The Tunstall Square Structure Plan earmarks the site for a four-storey built form. While the overall building height marginally exceeds the 13.5 metres recommended by the Plan, this deviation is not a great departure from what the Plan contemplates for the site. Having regard to other considerations, including building setbacks and the design response itself, the scale of the proposal is considered to be compatible within its physical context while also meeting the planning requirements of the Scheme.

#### **Proposal's accordancy with the Tunstall Square Structure Plan**

- 8.18 The proposal has been carefully measured against the policy objectives and statements contained within the Tunstall Square Structure Plan. In terms of the mix of uses, four-storey scale of the building and point of access via the Council laneway, the proposal achieves a high level of compliance with the recently adopted Structure Plan. The minor exception is a slight deviation from the recommended overall maximum building height of 13.5 metres. For the reasons previously noted, this is not considered to be fatal to the application as the overall building height does not cause adverse amenity or negative streetscape impacts.

#### **Amenity implications of the construction to the western property boundary (shadow & access to light)**

- 8.19 The adjoining property to the west at 1094 Doncaster Road has expressed concern with the proposal's reliance on the common boundary and overshadowing and access to light implications.
- 8.20 Noting that the adjoining property is similarly zoned Commercial 1, is constructed to the common boundary with the site and has no windows or other openings facing the site, the proposed ground of objection is not considered to warrant adjustments to the proposed building.

## 9 CONCLUSION

- 9.1 It is considered appropriate to support the planning application, as amended pursuant to Section 57A of the Planning and Environment Act 1987, subject to changes. Changes will consist of amendments to the proposed development plans to address issues arising through the assessment, including a range of conditions to ensure safe access from/to the car park, an appropriate internal amenity arrangement, and improvements to the built form.
- 9.2 The scale of the built form is consistent with the desired four-storey vertical footprint contemplated by the Tunstall Square Structure Plan, March 2015 for the site. While tipping 14 metres, the building's overall height across is not considered to be unreasonable – a view shared by Council's Urban Designer. The compact nature of the building will ensure that the building projecting to a height of 14.7 metres across the elevation facing the laneway and 14 metres to other elevations does not create visual massing or other unreasonable amenity issues.
- 9.3 Having regard to the objectives of the Tunstall Square Structure Plan, including promoting a greater village style atmosphere in the Centre to be facilitated by the approval of mixed use residential development and actively seeking the use of the Council laneway to facilitate access to private properties, it is considered this proposal is consistent with the future aspirations for one of the municipality's largest Neighbourhood Activity Centres.
- 9.4 It is acknowledged that the proposal does not strictly satisfy the requirements of Clause 52.06 Car Parking with the proposal falling short by a total of two (2) car spaces. For the reasons discussed earlier in the report, this is not considered to be fatal to the application as the absence of a dedicated residential visitor space and one retail space can be alleviated by the general availability of car parking within Tunstall Square, the site's position at the doorstep of a west bound, bus service, provision for on-site bicycle parking and opportunities for the sharing of on-site car parking outside of the offices' operation.
- 9.5 It is the view of Council officers that the proposal presents no unreasonable off-site amenity impacts. Subject to some improvements to be required by permit condition, the mixed use building will generally afford a good level of internal amenity for future occupants and visitors.
- 9.6 It follows from the assessment in this report that the proposal achieves an acceptable level of compliance against the relevant considerations as expressed in the Manningham Planning Scheme and key Council strategic documents, in particular the Tunstall Square Structure Plan. As such, it is Council officers' recommendation that the proposal be supported, subject to conditions.

## RECOMMENDATION

**That having considered all objections A NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application No. PL15/025181 relating to 1096 Doncaster Road, Doncaster East for the development of the land for a four storey mixed use building (comprising retail, office and residential) with**

associated ground level and basement car parking, a reduction in car parking pursuant to Clause 52.06, waiver of the loading/unloading requirement pursuant to Clause 52.07 and removal of access to a road in a Road Zone Category 1 (RDZ1) pursuant to Clause 52.29 of the Manningham Planning Scheme and for no other purpose in accordance with the endorsed plans and subject to the following conditions

#### **Endorsed Plans**

1. **Before the use and development starts, amended plans must be submitted to and approved by the Responsible Authority. When approved, the plans will then form part of the permit. The plans must be drawn to scale with dimensions and two copies must be provided. The plans must be generally in accordance with the plans as prepared by Paul Shaw and Associates (Revision B) and received by Council on 12 April 2016, but modified to show:**

#### **Car Parking/Vehicle Access**

- 1.1. **The allocation of the car spaces to each office and retail Use (staff and visitor), which must include two (2) of the basement level mechanical stackers allocated to office staff, rather than office visitors. The number of car spaces attributed to the office use must accord with Clause 52.06 Car Parking of the Manningham Planning Scheme;**
- 1.2. **Removal of reference to the car parking areas as “residential” and “commercial”;**
- 1.3. **Demonstration that headroom clearance to the car park entry accords with Design Standard 1 of Clause 52.06 Car Parking;**
- 1.4. **The provision of a security door (adopting a minimum 50% transparency) across the entry to the car park;**
- 1.5. **The design detail of the car park enclosure (located on either side of the vehicle accessway) to be a minimum 50% transparent to the satisfaction of the Responsible Authority;**
- 1.6. **Details of a system comprising an amber warning light to be positioned adjacent to the car park entry/exit on the east side of the building programmed to “give warning” on the opening of the car park security door;**
- 1.7. **The provision of an intercom to enable visitor access to the car park;**
- 1.8. **A security door on the ramp to the basement level car park to provide additional security for the residential and office (non-visitor) car parking;**
- 1.9. **The provision of car park signage allocating car spaces accordingly and providing for the sharing of office visitor spaces (outside of office hours) with residential visitors;**
- 1.10. **The design detail and amended cross-section drawings to demonstrate the height clearance associated with the mechanical stackers to accord with Design Standard 4 of Clause 52.06 Car Parking;**

- 1.11. Amended cross-sectional drawings to demonstrate the head room clearance and vehicle access grades within the car park to be to the satisfaction of the Responsible Authority;
- 1.12. Details of basement ventilation, including the location of any exhaust intake or outlet required;
- 1.13. A plan notation that the removal or relocation of the power pole adjoining the eastern boundary of the site to facilitate car park access to be at the full cost of the permit holder and to the satisfaction of the relevant authority.
- 1.14. A plan notation that no stopping parking restrictions are to be installed on the eastern wall of the building on either side of the accessway at the full cost of the permit holder and to the satisfaction of the relevant authority.
- 1.15. A plan notation that "Giveaway" line marking and associated signage is to be installed at the intersection of the laneway and Doncaster Road at the full cost of the permit holder and to the satisfaction of the relevant authority.

#### **Built Form**

- 1.16. The setback of the southern wall of the building at levels 2 and 3 to be no less than 4.5 metres (excluding balconies) and any other consequential internal and/or external changes to the satisfaction of the Responsible Authority;
- 1.17. The deletion of the south facing balcony to Apartment 5 to optimise solar access to the adjoining bedroom;
- 1.18. A durable material and finish/treatment, such as Brickwork or glazed brickwork, to the two-storey "white rendered" wall along the eastern elevation to avoid it being a target for graffiti, requiring ongoing maintenance and presenting as an eyesore to the satisfaction of the Responsible Authority.
- 1.19. Removal of the colour treatment to the third and fourth level "recesses" across the western elevation;
- 1.20. A comprehensive colour schedule on all elevations to include details of all materials and colours, including all building and facade treatments, paving, retaining walls etc;

#### **Internal Amenity**

- 1.21. The windows to the lightwell to be operable and the lightwell to be open to the sky to allow for fresh air;
- 1.22. Obscured glazing to the lightwell to be up to a finished floor level of 2 metres and transparent above;
- 1.23. Acoustically rated glass to all window and door openings facing Doncaster Road and the Council laneway;
- 1.24. Deletion of the east facing windows to the retail premises;
- 1.25. Having regard to optimising internal amenity, reconsideration of the location and size of the east facing windows to the office premises;

**1.26. External shading treatments to east facing windows;****General**

- 1.27. The reduction in the number of bicycle spaces provided in the front setback to no more than two (2) spaces and the spaces to be located so as not to impede access to the retail premises;**
  - 1.28. Demonstration that all fire service and electrical cabinets (including substations) will be integrated into the architectural design, so as not to present as visually dominating elements across any streetscape;**
  - 1.29. The location of all air-conditioning units to be screened from public and private realms;**
  - 1.30. Retractable clotheslines to all ground level open spaces and balconies to limit their visibility to public and private realms;**
  - 1.31. An amended roof plan containing services (including air conditioning units, basement exhaust ducts, solar panels, hot water systems, etc) consistent with the ESD initiatives in the Sustainability Management Plan (including rainwater capture to be utilised for toilet and irrigation) and be screened to the satisfaction of the Responsible Authority.**
- 2. The development as shown on the approved plans must not be modified for any reason, without the written consent of the Responsible Authority.**

**Sustainability Management Plan**

- 3. Before the development starts or the issue of a building permit for the development, whichever is the sooner, two copies of an amended Sustainability Management Plan (SMP), prepared by a suitably qualified environmental engineer or equivalent must be submitted to and approved by the Responsible Authority. When approved the Plan will form part of the 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. The Plan must be generally in accordance with the plan prepared by Efficient Energy Choices, dated 2 April 2015, but modified to reflect the revised development plans (approved at Condition 1), provide all reference to the Manningham Planning Scheme and include the following:**
- 3.1. Energy Efficiency**
    - 3.1.1. Use of LED for lighting;**
    - 3.1.2. Solar gas booster hot water system with minimum energy savings of 30% for the residential dwellings;**
  - 3.2. Water**
    - 3.2.1. Overflow to detention via gravity flow;**
    - 3.2.2. An amended STEPS report that include solar hot water system in renewable system size, basins to be minimum 5 star WELS and the roof area connected to rainwater storage.**

4. **Prior to the occupation of any building approved under this permit, a report from the author of the SMP report, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the satisfaction of the Responsible Authority. The report must confirm that all measures specified in the SMP have been implemented in accordance with the approved Plan.**

#### **Construction Management Plan**

5. **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:**
  - 5.1. **Hours of demolition and construction to be to the satisfaction of the Responsible Authority;**
  - 5.2. **Adequate parking facilities for the anticipated number and type of construction workers to be detailed in plan form to the satisfaction of the Responsible Authority. The location of parking must be compliant with any applicable Council parking restrictions or with any relevant permissions granted by any private land owner (in the event of the use of private land);**
  - 5.3. **If the Council laneway is sought to be relied upon in any way in order for construction vehicles to access the site, a series of measures to be detailed to ensure that the operation and structural integrity of the laneway is not to be adversely impacted to the satisfaction of the Responsible Authority. Any physical damage to the laneway must be repaired and/or replaced at the full cost of the permit holder, and carried out to the satisfaction of the Responsible Authority at the direction of the Responsible Authority;**
  - 5.4. **Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;**
  - 5.5. **On site facilities for vehicle washing;**
  - 5.6. **Delivery and unloading points and expected frequency;**
  - 5.7. **A liaison officer for contact by residents and the Responsible Authority in the event of relevant queries or problems experienced;**
  - 5.8. **The movement of construction vehicles to and from the site must be regulated to ensure that no traffic hazards are created in and around the site;**
  - 5.9. **Measures to minimise the impact of construction vehicles arriving at and departing from the land;**
  - 5.10. **An outline of requests to occupy public footpaths or roads, and anticipated disruptions to local services;**
  - 5.11. **The processes to be adopted for the separation, re-use and recycling of demolition materials;**
  - 5.12. **The measures to minimise the amount of waste construction materials; the provision for 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);

- 5.13. The measures to minimise noise and other amenity impacts from mechanical equipment and demolition/construction activities, especially outside of daytime hours;
- 5.14. The provision of adequate environmental awareness training for all on-site contractors and sub contractors; and
- 5.15. An agreed schedule of compliance inspections.

#### **Waste Management Plan**

6. The Waste Management Plan, as prepared by Waste Consulting Services, dated 14 April 2015, must be complied with at all times to the satisfaction of the Responsible Authority.
7. The Management Plans approved under Conditions 3, 5 and 6 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

#### **Landscape Plan**

8. Before the development starts, a landscaping plan prepared by a landscape architect or person of approved competence must be submitted to the Responsible Authority for approval. Such plan must be generally in accordance with the plans approved under Condition 1 of this permit, and must show:
  - 8.1. Species, locations, approximate height and spread of proposed planting;
  - 8.2. A minimum of two (2) canopy trees (capable of reaching a minimum mature height of 8.0 metres) and one (1) canopy tree (capable of reaching a minimum mature height of 6.0 metres), within the front setback of the site. The trees must be a minimum height of 1.5 metres at the time of planting;
  - 8.3. Shallow rooted screen planting along the full length of the southern boundary to be capable of reaching a height at maturity of a minimum of four (4) metres. The trees must be a minimum height of 1.5 metres at the time of planting;
  - 8.4. A sectional detail of the canopy tree planting method which includes support staking and the use of durable ties.
9. Before the release of the approved plans under Condition 1, a \$5,000 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. Before the occupation of the dwellings, landscaping works as shown on the approved plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.

**Stormwater — On–Site Detention System**

11. The owner must provide onsite 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. 11 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.

**Drainage**

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.

**Basement Car Parking/Vehicle Accessways**

14. Before the occupation of the development, the areas set aside for the parking of vehicles, together with the aisles and access lanes as delineated on the endorsed plans must:
  - 14.1. be provided and completed to the satisfaction of the Responsible Authority prior to the commencement of the development hereby permitted;
  - 14.2. be line-marked, numbered and signposted and maintained as such at all times to the satisfaction of the Responsible Authority;
  - 14.3. be made available for such use at all times and not used for any other purpose;
  - 14.4. be properly formed to such levels that it can be used in accordance with the endorsed plan; and
  - 14.5. be drained and sealed with an all weather seal coat.
15. all basement parking spaces must be line–marked, numbered and signposted to provide allocation to each dwelling and visitors to the satisfaction of the Responsible Authority.
16. Visitor parking spaces must not be used for any other purpose to the satisfaction of the Responsible Authority.
17. Prior to occupation of the approved dwellings, any new or modified vehicular crossover must be constructed in accordance with the approved plans of this permit to the satisfaction of the Responsible Authority.



18. Any redundant vehicle crossover must be removed and the footpath, nature strip and kerbing reinstated to the satisfaction of the Responsible Authority.

#### Site Services

19. Unless depicted on a roof plan approved by this permit, no roof plant (includes air conditioning units, basement exhaust ducts, solar panels or hot water systems) which is visible to immediate neighbours or from the street may be placed on the roof of the approved building, without details in the form of an amending plan being submitted to and approved by the Responsible Authority.
20. If in the opinion of the Responsible Authority, roof plant proposed under the permit is acceptable subject to the erection of sight screens, such sight screen details must be included within any amending plan and must provide for a colour co-ordinated, low maintenance screen system with suitable service access to the satisfaction of the Responsible Authority.
21. 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.
22. All upper level service pipes (excluding stormwater downpipes) must be concealed and screened respectively to the satisfaction of the Responsible Authority.
23. No air-conditioning units may be installed on the building so as to be visible from public or private realm to the satisfaction of the Responsible Authority.
24. 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 site to the satisfaction of the Responsible Authority.
25. An intercom and an automatic basement door opening system (connected to each dwelling) must be installed, so as to facilitate convenient 24 hour access to the basement car park by visitors, to the satisfaction of the Responsible Authority.
26. A centralised TV antenna system must be installed and connections made to each dwelling to the satisfaction of the Responsible Authority.
27. No individual dish antennas may be installed on balconies, terraces or walls to the satisfaction of the Responsible Authority.
28. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.

#### Maintenance

29. In the event of excavation causing damage to an existing boundary fence, the owner of the development site must at their own cost repair or

replace the affected fencing to the satisfaction of the Responsible Authority.

30. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.
31. 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.
32. 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 buildings and adjacent properties to the satisfaction of the Responsible Authority.

#### **VicRoads Conditions**

33. All disused or redundant vehicle crossings must be removed and the area reinstated to the satisfaction of and at no cost to the Roads Corporation prior to the commencement of the use or the occupation of the buildings or works.
34. The proposed development requires reinstatement of disused crossovers to kerb and channel. Separate approval under the Road Management Act for this activity may be required from VicRoads (the Roads Corporation).

#### **Time Limit**

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

The Responsible Authority may extend these 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 and Environment Act 1987*.

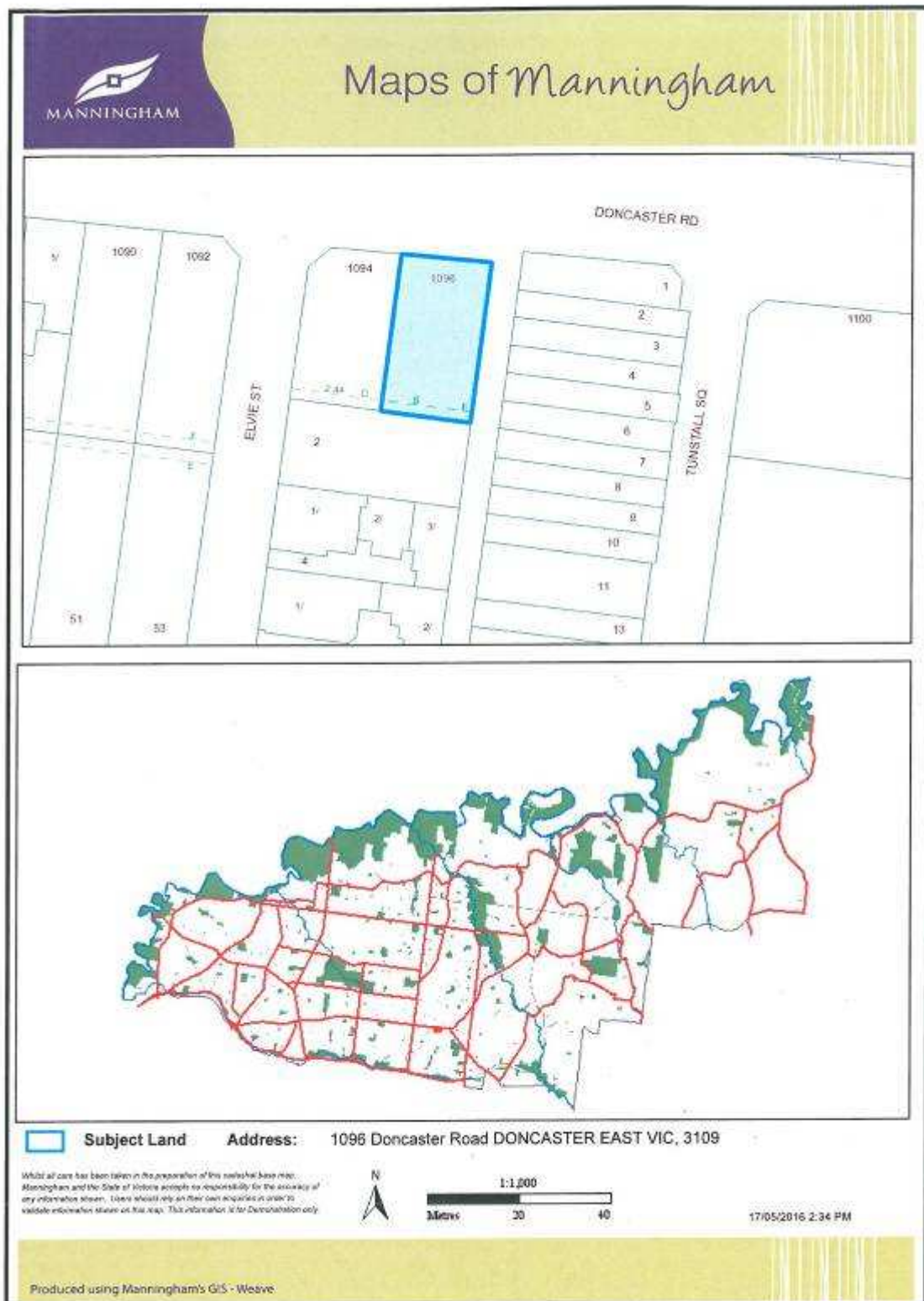
**MOVED: O'BRIEN**  
**SECONDED: HAYNES**

**That the Recommendation be adopted.**

**CARRIED**

"Refer Attachments"

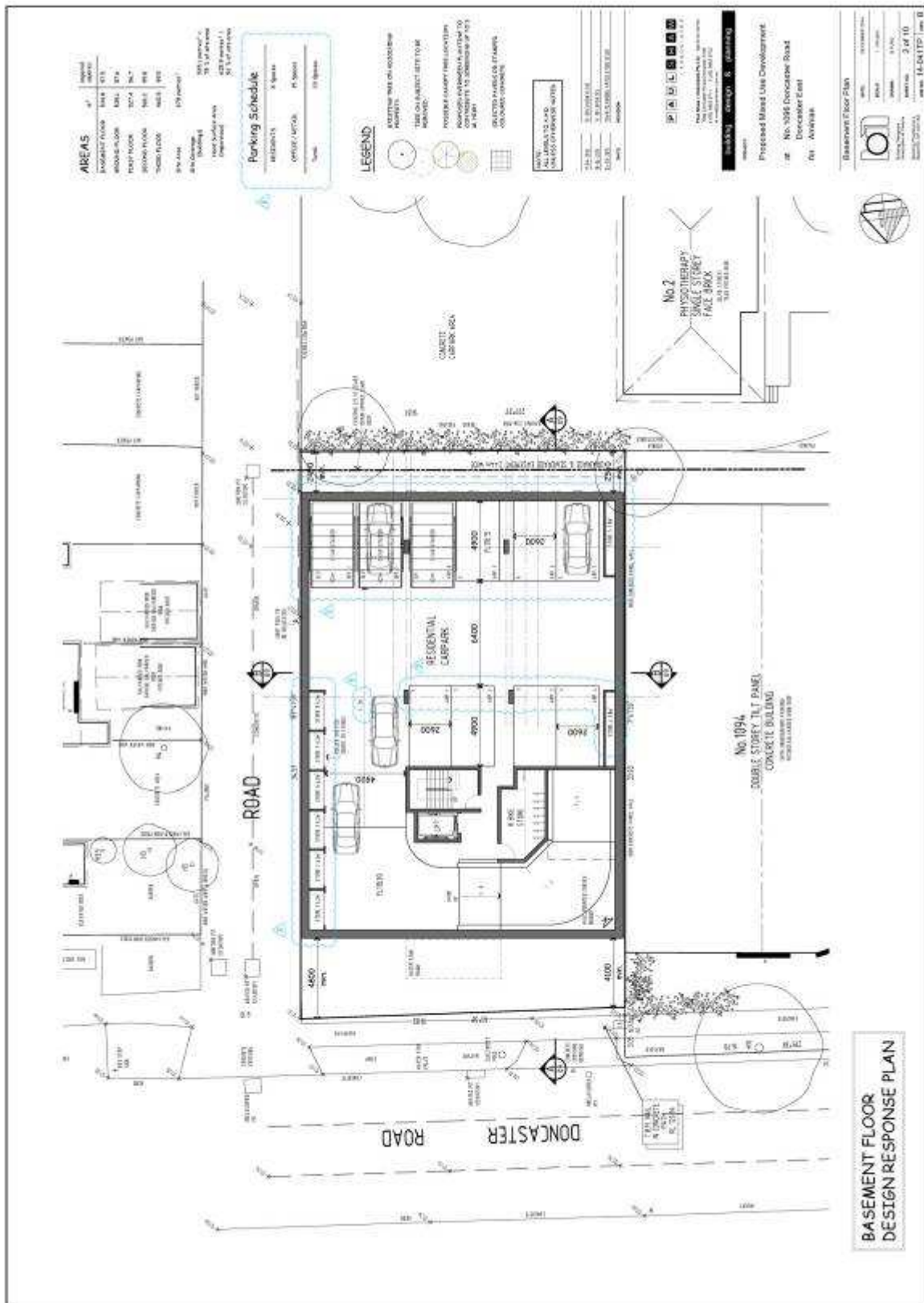
\* \* \* \* \*

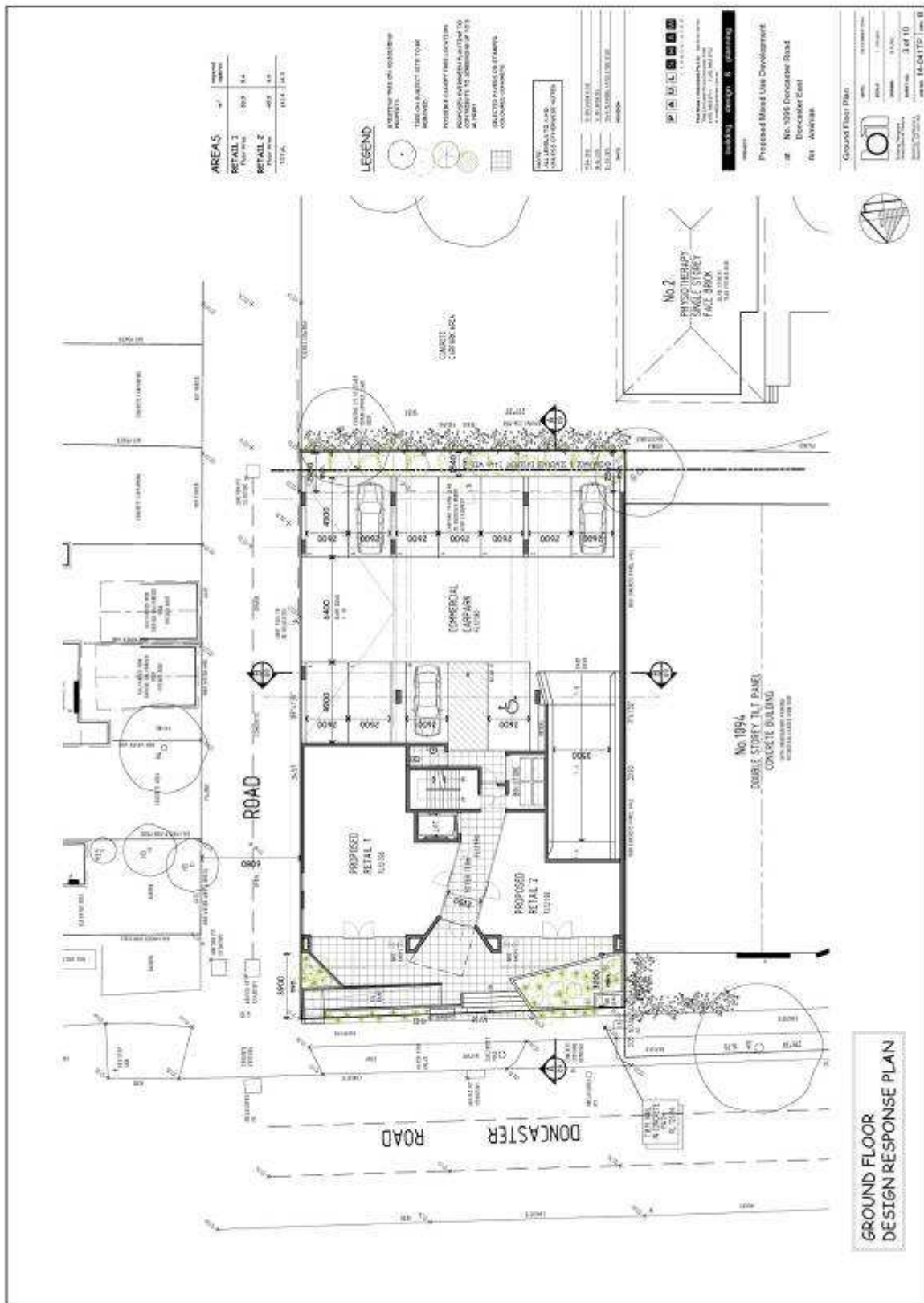












AREA	Area	Total Area
RETAIL 1	144.00	144.00
RETAIL 2	144.00	288.00
Other	1076.00	1464.00

**LEGEND**

CONCRETE WALL ON CONCRETE FOUNDATION

CONCRETE WALL ON RAISED CONCRETE FOUNDATION

POSSIBLE EXISTING WALL LOCATION

PROPOSED EXISTING WALL LOCATION

PROPOSED EXISTING WALL LOCATION TO BE DEMOLISHED

PROPOSED EXISTING WALL LOCATION TO BE DEMOLISHED AT 1:10

PROPOSED EXISTING WALL LOCATION TO BE DEMOLISHED AT 1:10

PROPOSED EXISTING WALL LOCATION TO BE DEMOLISHED AT 1:10

PROPOSED EXISTING WALL LOCATION TO BE DEMOLISHED AT 1:10

NO.	DESCRIPTION	DATE
1	ISSUED FOR TENDERS	12/05/16
2	ISSUED FOR TENDERS	12/05/16
3	ISSUED FOR TENDERS	12/05/16
4	ISSUED FOR TENDERS	12/05/16
5	ISSUED FOR TENDERS	12/05/16
6	ISSUED FOR TENDERS	12/05/16
7	ISSUED FOR TENDERS	12/05/16
8	ISSUED FOR TENDERS	12/05/16
9	ISSUED FOR TENDERS	12/05/16
10	ISSUED FOR TENDERS	12/05/16

**NO. 1094**

DOUBLE STOREY TILT PANEL CONCRETE BUILDING

12.00m x 12.00m

**NO. 2**

PHYSIO THERAPY SINGLE STOREY FACE BRICK TILT PANEL

12.00m x 12.00m

**GROUND FLOOR PLAN**

Scale: 1:100

DATE: 12/05/16

PROJECT: 1094

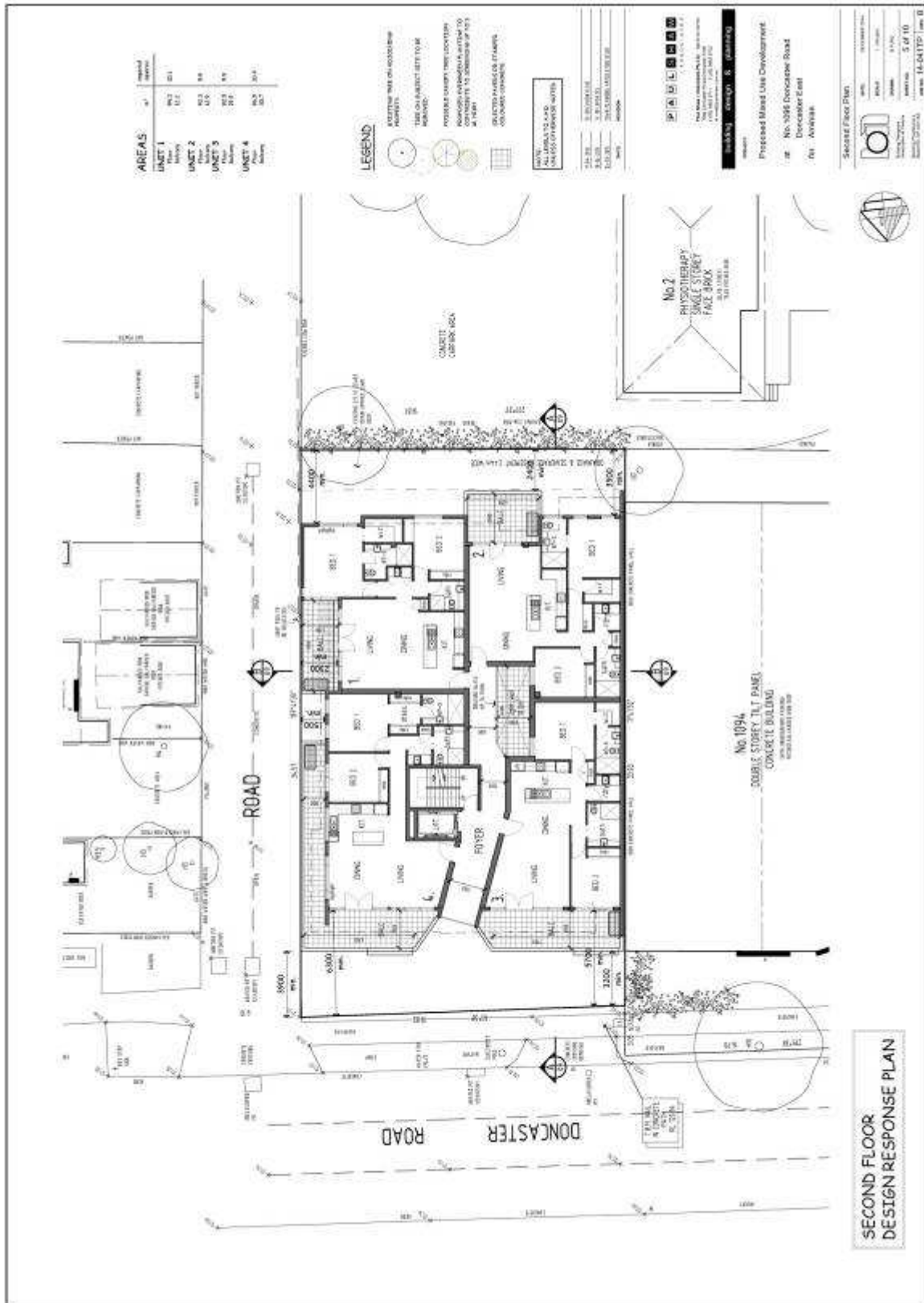
NO. 1094 DONCASTER ROAD DONCASTER VIC 3108

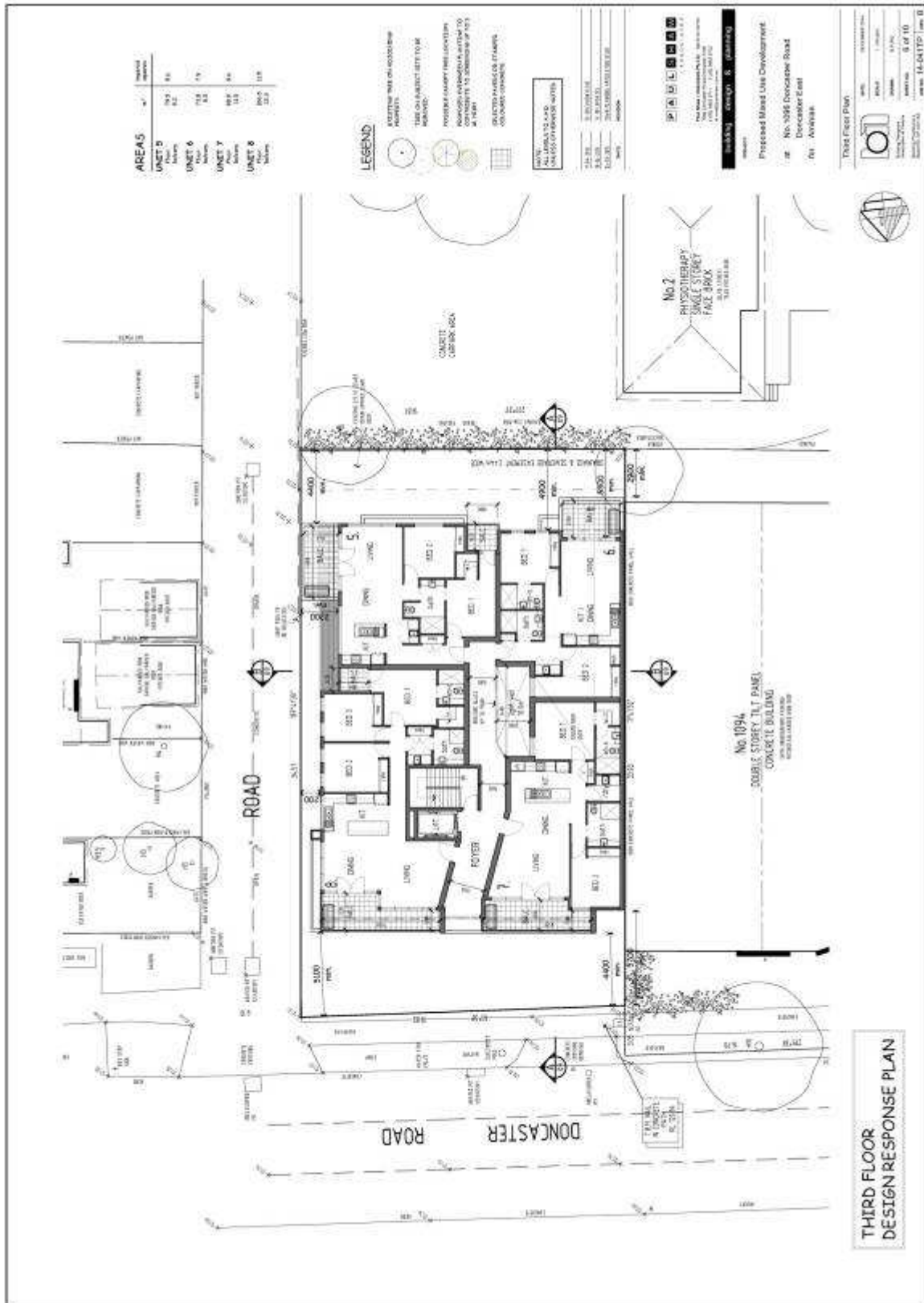
14-04-15

**GROUND FLOOR DESIGN RESPONSE PLAN**



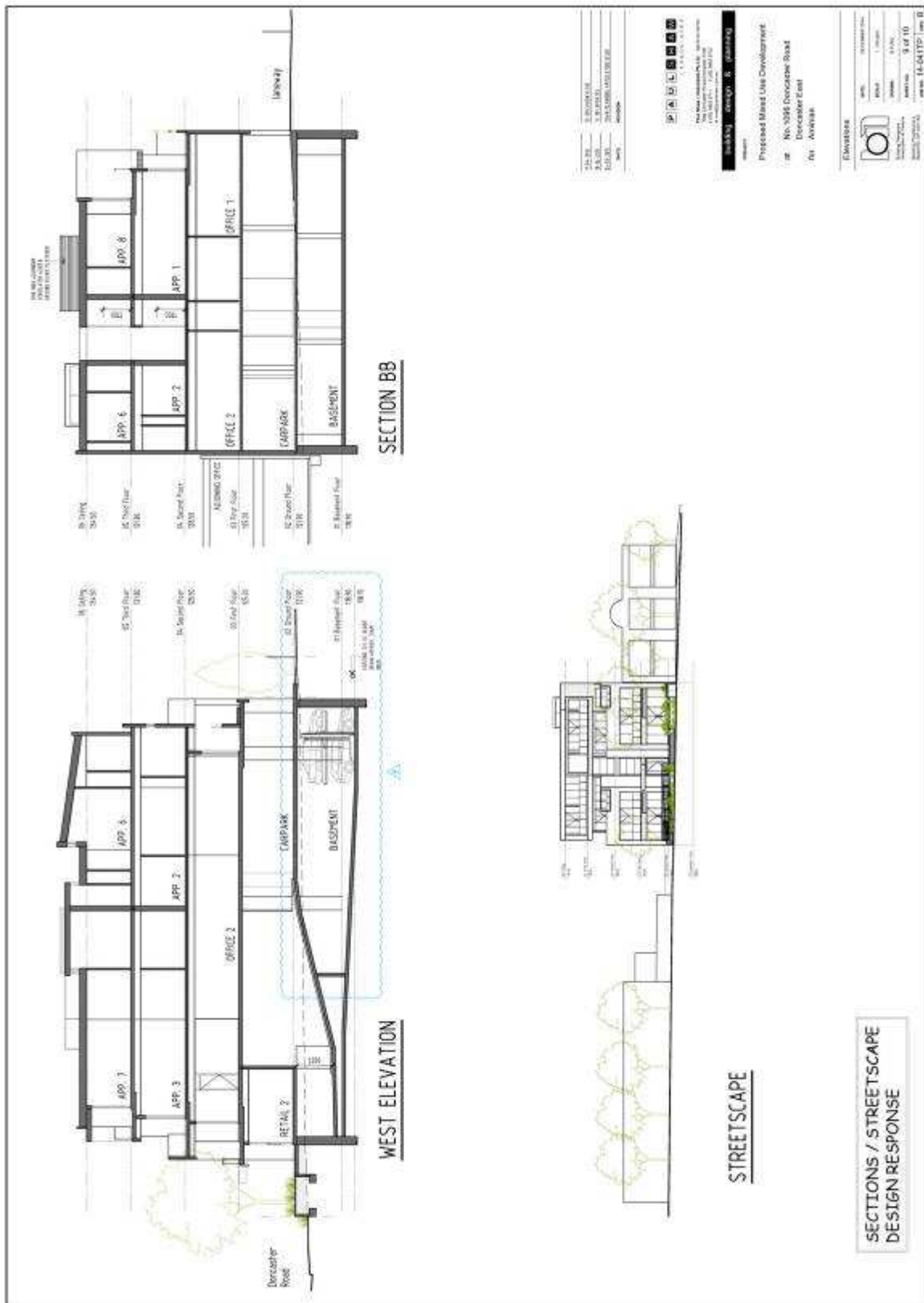












## 9.2 Planning Application PL15/025773 65, 67 & 69 Turana Street, Doncaster - Construction of 17 three-storey dwellings and 2 two-storey dwellings Construction of seventeen (17) three-storey dwellings and two (2) two-storey dwellings

Responsible Director: Director Planning & Environment

File No. PL15/025773

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

<b>Land:</b>	Lot 27 LP77091 Vol 8722 Fol 217 Lot 28 LP77091 Vol 8722 Fol 218 Lot 29 LP77091 Vol 8722 Fol 219
<b>Zone</b>	General Residential Zone Schedule 2 Design and Development Overlay Schedule 8
<b>Applicant:</b>	Bayland Properties Group
<b>Ward:</b>	Koonung
<b>Melway Reference:</b>	33 F12
<b>Time to consider:</b>	20 May 2016

### SUMMARY

*It is proposed to develop three residential lots known as 65, 67 and 69 Turana Street, Doncaster (total area of 2616.5m<sup>2</sup>) with seventeen three-storey and two, two-storey dwellings. Vehicle access will be via a 5.0m crossover and driveway from Turana Street.*

*The application was advertised and two (2) objections were received. Grounds mainly relate to traffic capacity of the common driveway, traffic capacity of Turana Street, overlooking, inadequate on-site car parking, loss of on-street parking and appropriateness of tandem car parking.*

*The report concludes that the proposal generally complies with the Manningham Planning Scheme, including Clause 55 and the provisions of Schedule 8 of the Design and Development Overlay and Clause 21.05 of the Municipal Strategic Statement. These provisions recognise that there will be substantial level of change in dwelling yields and built form on the site.*

*The proposed development provides for nineteen dwellings, with appropriate design details and articulation that respects the neighbourhood character and ensure the amenity impact of the adjoining properties is minimised.*

*It is recommended that the application be supported subject to a number of conditions.*

## 1 BACKGROUND

- 1.1 The site comprises of three separate parcels of land, namely Nos. 65, 67 and 69 Turana Street.
- 1.2 The property at No. 65 Turana Street is located on the south-eastern curvature of the court bowl and contains a single-storey, brick dwelling with a flat roof and an attached carport located adjacent to the eastern boundary. The dwelling has a front setback of 16.92m. Vehicle access is via a concrete driveway and crossover located adjacent to the eastern boundary. A swimming pool is located adjacent to the south-western corner of the property. The property is irregular in shape with a frontage of 13.47m and a depth of 54.23m, with an area of 907m<sup>2</sup>. The site is legally referred to as Lot 29 LP77091, Volume 8722, Folio 219.
- 1.3 The property at No. 67 Turana Street is located on the southern side of Turana Street and contains a two-storey, brick dwelling with a pitched roof, setback 13.57m from the street. A double garage is located in front of the dwelling. Vehicle access is via concrete driveway and crossover located adjacent to the eastern boundary. The property is irregular in shape, with a frontage of 12.75m and a depth of 50.43m, with an area of 862m<sup>2</sup>. The site is legally referred to as Lot 28 LP77091, Volume 8722, Folio 219.
- 1.4 The property at No. 69 Turana Street is located on the southern side of Turana Street and contains a single-storey, rendered finish dwelling with a flat roof, setback 10.63m. A double garage is located adjacent to the western boundary. Vehicle access is via a concrete driveway and crossover located adjacent to the western boundary. The property is regular in shape with a frontage of 16.81m, a depth of 50.23m and an area of 846m<sup>2</sup>. The site is legally referred to as Lot 27 LP77091, Volume 8722, Folio 219.
- 1.5 The site has a combined area of 2616m<sup>2</sup>. A 2.44m wide sewerage and drainage easement traverses the rear southern boundary on the three properties.
- 1.6 The site has abutments with three properties. Surrounding development is described as follows:

Direction	Address	Description
East	63 Turana Street	The property contains a single-storey, brick dwelling with a hipped, tiled roof with a front setback of 18.33m and a side setback of 1.96m from the common boundary. One habitable room window is orientated to the common boundary. A single carport is attached to the eastern side of the dwelling. Vehicle access is via a crossover and driveway located adjacent to the eastern boundary. Secluded private open space is located to the rear. Three large pine trees are located adjacent to the rear



Direction	Address	Description
		southern boundary fence.
West	71 Turana Street	The property contains a single-storey, brick dwelling with a pitched, tiled roof. The dwelling has a front setback of 9.0m and a side setback of 1.99m from the common boundary. Vehicle access is via a crossover and driveway located adjacent to the western boundary. A swimming pool is located to the rear. A pedestrian pathway, which links the Council Car Park is located to the western side of the property.
South	699 Doncaster Road	Immediately to the rear of the site is Council Car Park on Hummell Way and the Council Health Club building located to the north-western side of the property. A pedestrian pathway is located on the northern side, which traverses to Council Street to the north-west and a separate pathway to Turana Street to the north.
South-East	Doncaster Bowling Club	The Doncaster Bowling Club does not immediately abut the site. It adjoins No. 63 Turana Street. The club building is located to the south of the property with 34 designated car spaces located to the eastern side of the site on JJ Tully Drive.

- 1.7 The character of the area is in transition. While single detached brick dwellings are still common on many properties, an increasing number of lots are being developed with two or more dwellings townhouse style dwellings.
- 1.8 Turana Street is a local street within Council's jurisdiction. There is a 2-hour time limit on-street parking on the western side of Turana Street. The eastern side of Turana Street is a Permit Zone from 8am – 6pm Monday to Sunday (including Public Holidays). There is no parking on either side of the section of JJ Tully Drive, which intersects with Turana Street.
- 1.9 The site is well located to a range of services, with Schramms Reserve located 166m to the north-east, Council library, maternal and child health, child care centre and MC<sup>2</sup> located 631m on Doncaster Road and Westfield Doncaster Shopping Centre located 384m west of the site. A range of bus services are available along the sections of Doncaster Road and from Westfield Doncaster Shopping Centre. Doncaster Road is a major arterial

road with three lanes of traffic in each direction. Doncaster Road is a bus priority road, with designated bus lanes.

## 2 PROPOSAL

- 2.1 It is proposed to remove the existing buildings and to construct 17 three-storey townhouses (TH) and two two-storey townhouses.
- 2.2 Separate vehicle access is provided for TH1. Communal vehicle access will be provided for all remaining dwellings via a 5.0m wide crossover located adjacent to the eastern boundary.
- 2.3 TH1 and TH19 are the only two-storey dwellings and the remaining dwellings are all three-storeys in nature.
- 2.4 The development is broken into three separate built forms. TH1 – TH4 are located adjacent to the western boundary. TH5 – TH9 are located across the front of the site. TH10 – TH19 are located adjacent to the rear southern boundary. A tandem garage is provided for TH5 – TH19. A single garage is provided for TH1 – TH4.
- 2.5 With the exception of TH1 and TH19, the ground floor generally comprise of garages. The first floor comprise of open plan living areas with direct access to a balcony and the second floor comprise of bedrooms.
- 2.6 TH2 – TH4 contains two-bedrooms and TH1, TH5 – TH19 contain three-bedrooms.
- 2.7 Three visitor car spaces are provided and a bin collection area is provided adjacent to the eastern boundary.
- 2.8 The development has a site coverage of 47.7% and provides a density of one dwelling per 137.7m<sup>2</sup>.
- 2.9 The dwellings range in height between 5.24m (TH29 two-storey) – 9.89m (TH8 three-storey).
- 2.10 The development has the following setbacks to site boundaries:
  - Front Setbacks TH1, TH5 – TH9
    - Ground Floor – 6.2m – 7.1m
    - First Floor – 5.3m (to balcony) – 12.2m
    - Second Floor – 8.41m
  - Western Boundary TH1 – TH4
    - Ground Floor – 1.0m
    - First Floor – 2.3m
    - Second Floor – 3.0m
  - TH10- TH19
    - Ground Floor – 2.53m
    - First Floor – 2.60m
    - Second Floor – 2.62m
  - Eastern Boundary TH5 – TH9

- Ground Floor – 1.71m
  - First Floor – 1.71m
  - Second Floor – 3.58m
  - TH10 – TH19
    - Ground Floor – 1.02m
    - First Floor – 4.06m
    - Second Floor – 16.95m
  - Southern Boundary TH10 – TH19
    - Ground Floor – 2.62m
    - First Floor – 2.51m
    - Second Floor – 4.36m
- 2.11 The proposed development has a modern architectural design, which includes flat roofs and articulated facade presentation on all sides. The facades consist of a mix of face brick, render and timber cladding and architectural feature cladding, which consists of a mosaic of green shades in Weathertex.
- 2.12 The western wall on the Second Floor of TH2 –TH4 will entail a raked roof form. The balconies of all dwellings are provided with a projecting rendered portal frame in either a white or dark grey colour. TH7- 9 & TH16 – TH19 are located on No. 65 Turana Street, are constructed of brick, as required by the restrictive covenant.
- 2.13 No trees on site are proposed to be retained. A Southern Blue Gum (Tree 44) located within the Council land, adjacent to the pedestrian pathway will be protected in accordance with arborist report, prepared by Blue Gum, dated 7 October 2015. Trees 42 and 43 located at 71 Turana Street will be provided with tree protection measures in accordance with the Arborist Report.
- 2.14 A new 1.8m high timber paling fence is proposed on the eastern, western and southern boundary.
- 2.15 Documentation supporting the application included an Arborist Report, Traffic Impact Assessment, Waste Management Plan and a Landscape Plan.

### **3 PRIORITY/TIMING**

- 3.1 The proposal was not presented to Sustainable Design Taskforce meeting, due to its townhouse style form.
- 3.2 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 20 May 2016.
- 3.3 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.

- 3.4 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.
- 3.5 Section 61(4) of the Act makes specific reference to covenants. The subject site at 65 Turana Street is subject to a restrictive covenant, which requires any dwelling or dwellings to be enclosed by walls of brick or brick veneer. The affected dwellings at No. 65 Turana Street will be enclosed by brick walls.
- 3.6 It is further noted that the subject land is also not encumbered by any Section 173 Agreements.

#### **4 MANNINGHAM PLANNING SCHEME**

- 4.1 The site is included in the Residential Growth Zone, Schedule 2 under the provisions of the Manningham Planning Scheme.
- 4.2 A planning permit is required to construct two or more dwellings on a lot in the Residential Growth Zone.
- 4.3 The purpose of the Residential Growth Zone relates primarily to providing housing at increased densities, encouraging 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.
- 4.4 An assessment for buildings and works for two or more dwellings is required under the provisions of Clause 55 of the Manningham Planning Scheme.
- 4.5 The purpose of Clause 55 is generally to provide well designed dwellings with considered regard to internal amenity, while at the same time, maintaining the amenity and character of the locality, with particular emphasis on the amenity of adjoining residents.
- 4.6 The site is affected by the Design and Development Overlay Schedule 8 (DDO8) of the Manningham Planning Scheme
- 4.7 The Design Objectives of the DD08 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 subprecinct 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 subprecinct 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 subprecinct 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.*
- 4.8 Planning permission is required for buildings and works which must comply with the requirements set out in either Table 1 or Table 2 of the Schedule.
- 4.9 Being located within the Sub-Precinct A, the maximum allowable height for land more than 1800 square metres in area is 11 metres. A permit cannot be granted to vary the maximum building height.
- 4.10 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.

**State Planning Policy Framework**

- 4.11 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.*
- 4.12 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.
- 4.13 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.
- 4.14 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.
- 4.15 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.*
- 4.16 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.*
- 4.17 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.*
- 4.18 Clause 16.01-5 (Housing affordability) seeks to deliver more affordable housing closer to jobs, transport and services.

### **Local Planning Policy Framework (LPPF)**

#### **Municipal Strategic Statement**

- 4.19 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.

- 4.20 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.
- 4.21 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.
- 4.22 The site is within “Precinct 2 –Residential Areas Surrounding Activity Centres and Along Main Roads”.
- 4.23 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*
- 4.24 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.
- 4.25 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 1,800m<sup>2</sup>. 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 1800m<sup>2</sup>. 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 1800m<sup>2</sup> must all be in the same sub-precinct. In this sub-precinct, if a lot has an area less than 1800m<sup>2</sup>, 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.

4.26 The site is located within Sub-Precinct – A (DDO8-2).

4.27 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.*

4.28 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*
- 4.29 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.
- 4.30 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.*
- 4.31 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**

- 4.32 Clause 22.08 (Safety through urban design) applies to all land in Manningham. It endeavours 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.
- 4.33 Clause 22.09 (Access for disabled people) also applies to all land in Manningham. It seeks to ensure that people with a disability have the same level of access to buildings, services and facilities as any other person. The policy requires the needs of people with a disability to be taken into account in the design of all proposed developments.

#### **Particular Provisions**

- 4.34 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
- 4.35 Clause 52.06-8 outlines various design standards for parking areas that should be achieved.
- 4.36 Clause 52.34 (Bicycle Facilities) seeks to encourage cycling as a mode of transport and provide secure, accessible and convenient bicycle parking spaces.
- 4.37 Clause 55 (Two or More Dwellings on a Lot) 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.

#### **General Provisions**

- 4.38 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.

## **5 ASSESSMENT**

- 5.1 Council has, through its policy statements throughout the Planning Scheme and in particular by its adoption of Schedule 8 to the Design and Development Overlay over part of this neighbourhood, created a planning mechanism that has and will, in time, alter the existing neighbourhood character.
- 5.2 Council's planning preference is for higher density, multi-unit developments which can include apartment style developments on larger lots. This higher density housing thereby provides for the "preferred neighbourhood character" which is guided by the design elements contained within the Schedule 8 to the Design and Development Overlay, in conjunction with an assessment against Clause 21.05 and Clause 55 – Rescode. The resultant built form is contemplated to have a more intense and less suburban outcome.
- 5.3 A townhouse development across the site comprising of three separate built form is generally consistent with the broad objectives of Council's planning policy outlined at Clause 21.05 of the Manningham Planning Scheme. The policy encourages urban consolidation and diversity in built form in this specific location due to its capacity to support change given the close proximity of the Principal Activity Centre, and to public transport. The policy anticipates a substantial level of change from the existing character of primarily single dwellings.
- 5.4 The consolidation of three lots with a combined area of 2616m<sup>2</sup> also provides opportunities for increased development as the larger area allows for

increased setbacks to compensate for its larger scale in comparison to traditional medium density housing. Given the site area, the proposal is permitted an 11 metre maximum building height under the Design and Development Overlay Schedule 8.

5.5 An assessment of the proposal will be made based on the following clauses:

- Local Planning Policy Framework
- Schedule 8 to the Design and Development Overlay (DDO8)
- Clause 52.06 Car Parking
- Clause 55 Two or More Dwellings on a Lot
- Clause 65 Decision Guidelines

### **Local Planning Policy Assessment**

#### **Clause 21.05 Residential**

5.6 The development site is situated within Precinct 2 – Residential Areas Surrounding Activity Centres and Along Main Roads, where higher density is encouraged. Given the site is a consolidated lot with an area of 2616m<sup>2</sup>, a maximum building height of 11 metres is applicable. A maximum site coverage of 60% is also sought by this policy. The development has a site coverage of 47.7%, which is well within the maximum specified in the DDO8 and the dwellings have maximum building heights ranging from 5.24m – 9.89m, all well within the maximum 11.0m.

5.7 The proposal provides adequate setbacks to all boundaries, thereby providing spacing and separation to adjoining properties. The development is arranged in three, separate built forms, providing visual break and separation to the continuous built forms. Strong perimeter landscaping can be provided, in particular to sensitive interfaces to the eastern and western sides.

5.8 Dwellings TH1 and TH19 are the only two-storey dwellings for the development. The two-storey nature of these dwellings are intended to provide a transition to the two existing detached dwellings located at 63 and 71 Turana Street, which are located to the eastern and western side, respectively. The dwellings with the highest building height are located towards the front of the site, namely TH5 – TH9.

5.9 In addition to the modest building heights and site coverage, the design response on all elevations is considered reasonable, displaying architectural coherence, including the highlight feature being balconies provided with a projecting portal frame, rendered with either white or a dark grey. The external walls will be in brick, timber, a mosaic feature wall with flat roofs. Articulation is offered via a combination of stepping, graduation and the incorporation of balconies and varied materials, textures and finishes.

5.10 Overall, the design response is considered to be consistent with Council's policy expectations at Clause 21.05 Residential.

#### **Clause 21.10 Ecologically Sustainable Development**

5.11 Council's MSS outlines ESD requirements to be incorporated into larger developments within the municipality. It is considered that by the preparation of a Sustainability Management Plan and that minimal issues have arisen as

a result of its assessment by Council’s Strategic Sustainability Planner, the proposal offers a number of positive ESD measures.

**Clause 22.08 Safety through Urban design**

- 5.12 Council’s Local Planning policy at Clause 22.08 applies to all land in the municipality and therefore has a broad range of objectives and policy requirements in relation to the design of buildings, street layout/access, lighting and car parks.
- 5.13 While a number of items are not relevant to the application, a number of the requirements in relation to building design area, including *“Buildings be orientated to maximise surveillance of entrances and exits from streets”*, *“Public spaces are adequately illuminated and are subject to surveillance from overlooking windows”* and *“The location of building entrances and windows maximise opportunities for passive surveillance of streets and other public spaces”*
- 5.14 It is considered that the design response is consistent with the requirements of this clause with a concerted effort made to ensure that passive surveillance is provided to the pedestrian pathway to the rear of the site and that public and private realms interact.

**Clause 22.09 Access for Disabled People**

- 5.15 The Access for Disable People Policy is based on the Disability Discrimination Act and requires that persons with a disability have the same level of access to buildings, services and facilities as any other person. It requires that the design of new building account for the needs of persons of limited mobility.
- 5.16 The dwellings provide at grade access or minimal steps from Turana Street to the respective front entry. Stair lifts could be installed internally within the individual dwellings to assist people with limited mobility.

**Schedule 8 to the Design and Development Overlay**

- 5.17 In the tables below, Officers have used the term ‘Met’ where an objective and performance standard or policy requirement is achieved and ‘Met subject to conditions’ where the objective or performance standard or policy requirement has not been met and modifications are required.
- 5.18 The assessment is against the design requirements of the DDO8:

Design Element	Level of Compliance
<p><b>DDO8-1 (Sub-Precinct A)</b></p> <ul style="list-style-type: none"> <li>• 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</li> <li>• 11 metres provided the condition regarding minimum land size is met.</li> </ul>	<p><b>Met</b></p> <p>The site comprises of three consolidated lots, all within the Sub-Precinct A, with a total site area of 2616m<sup>2</sup>. Therefore, the maximum building height allowed is 11 metres.</p> <p>The dwellings have building heights ranging from 5.24m – 9.89m, all well within the maximum 11.0m.</p>

<p>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 site of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.</p>	
<ul style="list-style-type: none"> <li>Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser.</li> </ul>	<p><b>Met</b> TH1 will have a minimum front setback of 6.0m and TH9 will have a minimum front setback of 6.02m.</p>
<p><b>Form</b></p> <ul style="list-style-type: none"> <li>Ensure that the site area covered by buildings does not exceed 60 percent.</li> </ul>	<p><b>Met</b> The development will have a site coverage of 47.7%.</p>
<ul style="list-style-type: none"> <li>Provide visual interest through articulation, glazing and variation in materials and textures.</li> </ul>	<p><b>Met</b> The walls will entail brick, weatherboard, a feature wall with mosaic using Weathertext, rendered finish and balcony balustrades in aluminium and grey glass panels. The materials will be in a range of light and dark colours and the mosaic feature wall will be in different shades of green with light grey.</p>
<ul style="list-style-type: none"> <li>Minimise buildings on boundaries to create spacing between developments.</li> </ul>	<p><b>Met</b> No part of the dwellings will be located on the boundary.</p>
<ul style="list-style-type: none"> <li>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.</li> </ul>	<p><b>Met</b> TH1 and TH9 are two-storey dwellings, so that they provide a transition to the single-storey, detached dwellings located at 63 and 71 Turana Street.</p>
<ul style="list-style-type: none"> <li>Where appropriate, ensure that buildings are designed to step with the slope of the land.</li> </ul>	<p><b>Met</b> TH1 and TH10 -19 are benched into the land to respond to the slope of the land.</p>
<ul style="list-style-type: none"> <li>Avoid reliance on below ground light courts for any habitable rooms.</li> </ul>	<p><b>Met</b> No below ground light courts are proposed for habitable rooms.</p>
<ul style="list-style-type: none"> <li>Ensure the upper level of a two storey building provides adequate articulation to reduce the appearance of visual bulk and minimise continuous sheer wall presentation.</li> </ul>	<p><b>Met</b> The first floor level of TH1 and TH19 are adequately recessed from the respective ground floor area to avoid sheer walls.</p>

<ul style="list-style-type: none"> <li>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.</li> </ul>	<p><b>Met</b> TH2, TH3 &amp; TH4 have upper floors that comprise 84.6%, 87.5% and 87.9% of the ground floor area. It is considered that these dwellings are provided with adequate architectural interest to alleviate visual bulk and sheer wall presentation. The dwellings are provided with projecting portal frames to provide shade to the balconies and add depth. The raked roof on the western facades, in addition to the range of materials, adds visual interest and provides sufficient articulation. All remaining dwellings have upper floors that are well below 75% of the respective ground floors.</p>
<ul style="list-style-type: none"> <li>Integrate porticos and other design features with the overall design of the building and not include imposing design features such as double storey porticos.</li> </ul>	<p><b>Met</b> No imposing design features incorporated.</p>
<ul style="list-style-type: none"> <li>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.</li> </ul>	<p><b>Met</b> A 1.2m high masonry retaining wall is integrated with the southern ground floor wall of TH10 -19 and extends to the rear yard of TH19. The dwellings TH10 -19 are benched into the ground on the southern side to minimise the height of the finished floor levels.</p>
<ul style="list-style-type: none"> <li>Be designed to minimise overlooking and avoid the excessive application of screen devices.</li> </ul>	<p><b>Met</b> The dwellings have been designed and orientated to avoid excessive application of screening devices.</p>
<ul style="list-style-type: none"> <li>Ensure design solutions respect the principle of equitable access at the main entry of any building for people of all mobilities.</li> </ul>	<p><b>Met</b> Dwelling entries are provided with minimal steps and the stairs can be fitted with stair lift for people with limited mobility.</p>
<ul style="list-style-type: none"> <li>Ensure that projections of basement car parking above natural ground level do not result in excessive building height as viewed by neighbouring properties.</li> </ul>	<p><b>Met</b> The garages are located at ground level.</p>
<ul style="list-style-type: none"> <li>Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site.</li> </ul>	<p><b>N/A</b></p>

<ul style="list-style-type: none"> <li>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.</li> </ul>	<p><b>Met</b> The garages are located directly below the respective dwelling. The garages are well integrated with the dwellings, by utilising similar materials to complement the respective dwelling.</p>
<ul style="list-style-type: none"> <li>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.</li> </ul>	<p><b>N/A</b></p>
<ul style="list-style-type: none"> <li>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.</li> </ul>	<p><b>Met – subject to conditions</b> The walls of the dwellings are setback from the boundaries, to enable perimeter landscaping. The clotheslines for TH2 – 4 and TH10 -19 will need to be relocated to the internal fence, so that these areas can accommodate screen planting. A condition will be added to this effect. <b>(Condition 1.10)</b></p>
<ul style="list-style-type: none"> <li>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.</li> </ul>	<p><b>Met – subject to conditions</b> An air-conditioning condenser is proposed to be erected on the rooftop of each dwelling. A condition will require screening for the condenser to be erected in a complementary material. <b>(Condition 1.11)</b></p>
<p><b><u>Car Parking and Access</u></b></p> <ul style="list-style-type: none"> <li>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.</li> </ul>	<p><b>Met</b> Separate vehicle access for TH1 will be via the existing crossover located adjacent to the western boundary. A new 5.0m wide crossover and driveway will provide vehicle access for the remaining 18 dwellings. The new crossover is located between two street trees. It will be 2.5m from the tree on the western side and 3.0m from the tree on the eastern side.</p>



<ul style="list-style-type: none"> <li>Ensure that when the basement car park extends beyond the built form of the ground level of the building in the front and rear setback, any visible extension is utilised for paved open space or is appropriately screened, as is necessary.</li> </ul>	N/A
<ul style="list-style-type: none"> <li>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.</li> </ul>	<b>Met with conditions</b> The garage of TH1 is flush with the front wall. The garage should be setback a minimum of 1.0m from the front wall. A condition will be to this effect. <b>(Condition 1.7).</b>
<ul style="list-style-type: none"> <li>Ensure that access gradients of basement car parks are designed appropriately to provide for safe and convenient access for vehicles and servicing requirements.</li> </ul>	N/A
<p><b><u>Landscaping</u></b></p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> </ul>	<b>Met</b> The frontage of the site can accommodate three canopy trees with a spreading crown and a mature height of 8.0m.
<ul style="list-style-type: none"> <li>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.</li> </ul>	<b>Met with conditions</b> The clotheslines of TH2 – 4 and TH10 – 19 will need to be relocated to the internal fences so that screen plantings can be accommodated along the perimeter of the site. Provision should also be made for a 500mm wide landscape strip adjacent to the eastern wall of TH1 with associated relocation of the common driveway and crossover 500mm to the east. <b>(Conditions 1.9 &amp; 1.10).</b>

<p><b>Fencing</b></p> <ul style="list-style-type: none"> <li>• A front fence must be at least 50 per cent transparent.</li> <li>• On sites that front Doncaster, Tram, Elgar, Manningham, Thompsons, Blackburn and Mitcham Roads, a fence must:             <ul style="list-style-type: none"> <li>• not exceed a maximum height of 1.8m</li> <li>• be setback a minimum of 1.0m from the front title boundary</li> </ul> </li> </ul> <p>and a continuous landscaping treatment within the 1.0m setback must be provided.</p>	<p><b>N/A</b> No front fence proposed.</p>
---	--

5.19 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 respects the preferred neighbourhood character and responds to the features of the site.

5.20 Compliance is achieved in respect of the layout, built form, design, car parking, front fencing and opportunities for landscaping as articulated in the DD08.

**Clause 52.06 Car Parking**

5.21 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.

5.22 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 (5) dwellings.

5.23 The proposal requires 35 car spaces for residents and three (3) visitor car spaces. This number is provided.

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

Design Standard	Met/Not Met
1 – Accessways	<p><b>Met</b></p> <p>The new 5.0m wide crossover and driveway provides for a passing area with dimensions 5.0m by 7.0m. The passing area will enable two-way vehicle access. The driveway has been designed so that all vehicles for the development area able to exit the site in a forward direction. Clear sight lines are provided for the common driveway and for the driveway of TH1.</p>

2 – Car Parking Spaces	<p><b>Met</b></p> <p>Car parking spaces are provided in accordance with the design standard. Single garages have dimensions of 3.5m by 6.0m and tandem garages are 3.5m by 11.3m.</p> <p>The tandem car space of TH1 and the visitor car spaces are provided in accordance with the design standard.</p>
3 – Gradients	<p><b>Met</b></p> <p>The common driveway will have a grade of 1:10 for 7.0m and a grade of 1:8 and then to a grade of 1:16. The driveway grades are satisfactory and provided in accordance with the design standard.</p>
4 – Mechanical Parking	<b>N/A</b>
5 – Urban Design	<p><b>Met with condition</b></p> <p>The common driveway is located to the western side of the site. It will not dominate the streetscape. There is an existing street tree on either side of the driveway. There are adequate pervious surfaces on either side of the frontage to accommodate landscaping. The passing area and the letterboxes should be relocated 500mm to the east, so that a continuous landscape strip can be provided to the eastern side of TH1. A condition will be to this effect. <b>(Condition 1.9)</b></p>
6 – Safety	<p><b>Met</b></p> <p>There are lighting bollards proposed along the various length of the driveway, so that the area is clearly lit. There are numerous windows orientated to the driveway for passive surveillance.</p>
7 – Landscaping	<p><b>Met – with condition</b></p> <p>There are landscape pockets adjacent to garages between TH5 – 9 and TH10 – 19. It is considered that these curvilinear landscape pockets can be increased to allow for more substantial landscaping, to soften the appearance of the paved surfaces. TH 5 &amp; TH6 should also be moved forward, so that it is staggered from TH7 – 9, allowing for a larger curvilinear landscape pocket to the rear. <b>(Conditions 1.8 &amp; 1.12).</b></p>

### Clause 55 Two or More Dwellings on a Lot

- 5.25 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.

**Clause 55 Assessment – Two or more dwellings on a lot**

<b>OBJECTIVE</b>	<b>OBJECTIVE MET/NOT MET</b>
<p><b>55.02-1 Neighbourhood Character</b> 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><b>Met</b> As outlined in the assessment of the proposal against the policy requirements of the Schedule 8 to the Design and Development Overlay (DD08), it is considered that the proposed apartment development responds positively to the preferred neighbourhood character, and respects the natural features of the site and its surrounds.</p>
<p><b>55.02-2 Residential Policy</b> 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 can take advantage of public transport and community infrastructure and services.</p>	<p><b>Met</b> The application was accompanied by a written statement that has demonstrated how the development is consistent with State, Local and Council policy.</p>
<p><b>55.02-3 Dwelling Diversity</b> To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p><b>Met</b> The proposed development provides three, two-bedroom townhouses with single garages and 16 three-bedroom townhouses with tandem garages. There is variety in the overall dwelling size, orientation and the size and provision of private open spaces.</p>
<p><b>55.02-4 Infrastructure</b> 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><b>Met subject to condition</b> 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. <b>(Condition 12)</b>.</p>
<p><b>55.02-5 Integration with street</b> To integrate the layout of development with the street.</p>	<p><b>Met</b> The development is orientated to the site frontage. Direct pedestrian entry is provided from Turana Street to TH1, 5, 6, 7 &amp; 8. A pedestrian pathway is provided from the letterboxes to the common driveway.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<p><b>55.03-1 Street Setback</b> 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><b>Met subject to conditions</b> Pursuant to the DDO8 provision, the minimum front setback is 6.0m. TH1 has a minimum front setback of 6.0m and TH9 is 6.2m.</p>
<p><b>55.03-2 Building Height</b> To ensure that the height of buildings respects the existing or preferred neighbourhood character.</p>	<p>Pursuant to the DDO8 provision, the maximum building height is 11.0m. All of the dwellings are below the maximum building height. The maximum building height is 9.89m for Dwelling TH8.</p>
<p><b>55.03-3 Site Coverage</b> To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.</p>	<p><b>Met</b> The development will have a site coverage of 47.7%.</p>
<p><b>55.03-4 Permeability</b> To reduce the impact of increased stormwater run-off on the drainage system.  To facilitate on-site stormwater infiltration.</p>	<p><b>Met</b> The development will have a permeability of 27.76%.</p>
<p><b>55.03-5 Energy Efficiency</b> 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.</p>	<p><b>Met</b> With the exception of TH2 – 4, all dwellings will predominately have living areas with direct access to a shaded balcony to the north.</p>
<p><b>55.03-6 Open Space</b> To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</p>	<p><b>N/A</b> No communal open space provided.</p>
<p><b>55.03-7 Safety</b> To ensure the layout of development provides for the safety and security of residents and property.</p>	<p><b>Met</b> Dwelling entries for TH1 – 9 are visible from the street to provide passive surveillance. The ground floor secluded private open spaces are designed so that it cannot be accessed by the public. Garages are secure and are conveniently located to the respective dwellings.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<p><b>55.03-8 Landscaping</b> 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><b>Met with conditions</b> Trees identified as Trees 42 and 43 located on 71 Turana Street and Tree 44 located on Council land in the Applicant's arborist report will require tree protection measures consistent with the recommendations in arborist report (prepared by Bluegum, dated 7 October 2015). <b>(Condition 1.13)</b></p> <p>The clotheslines located within the rear yards of TH2- 4, TH10 -19 should be relocated to the internal dividing fence, so that a continuous landscape buffer can be established along the western and southern boundaries. <b>(Condition 1.10).</b></p> <p>The curvilinear landscape pockets between TH5 – 9 and TH10 -19 can be increased, so that substantial landscaping can be established in these pockets to soften the hard paved surface of the common driveway. Conditions will be to this effect. <b>(Conditions 1.8 and 1.12).</b></p> <p>It is considered that there are adequate pervious surfaces on site to accommodate canopy trees within the front yard and for perimeter landscaping. A condition will require the submission of a landscape plan and a landscape bond.</p>
<p><b>55.03-9 Access</b> To ensure vehicle access to and from a development is safe, manageable and convenient</p> <p>To ensure the number and design of vehicle crossovers respects the neighbourhood character.</p>	<p><b>Met</b> The provision for two crossovers over three properties is considered appropriate. The crossovers will occupy 18.6% of the frontage and will not result in the loss of on-street car parking spaces.</p>
<p><b>55.03-10 Parking Location</b> 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><b>Met</b> The garages are conveniently located to the respective dwellings. Stairs are provided within each garage for direct access to the main living areas above.</p> <p>There is unlikely to be any noise transfer from the use of the garages, as the individual dwellings will be appropriately constructed for domestic noise attenuation measures.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET																																											
<p><b>55.04-1 Side and Rear Setbacks</b> 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><b>Met</b> The development does not exceed the required setbacks.</p> <table border="1" data-bbox="815 459 1406 952"> <tr> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Western Boundary</td> <td colspan="3" style="background-color: black;"></td> </tr> <tr> <td>TH1</td> <td>2.2m</td> <td>2.46m</td> <td>✓</td> </tr> <tr> <td>TH2 -4</td> <td>1.9m</td> <td>3.0m</td> <td>✓</td> </tr> <tr> <td>TH10</td> <td>2.3m</td> <td>2.62m</td> <td>✓</td> </tr> <tr> <td>Eastern Boundary</td> <td colspan="3" style="background-color: black;"></td> </tr> <tr> <td>TH9</td> <td>3.3m</td> <td>3.5m</td> <td>✓</td> </tr> <tr> <td>TH19</td> <td>1.57m</td> <td>16.9m</td> <td>✓</td> </tr> <tr> <td>Southern Boundary</td> <td colspan="3" style="background-color: black;"></td> </tr> <tr> <td>TH10-19</td> <td>2.5m – 2.8m</td> <td>4.36m – 4.84m</td> <td>✓</td> </tr> </table>								Western Boundary				TH1	2.2m	2.46m	✓	TH2 -4	1.9m	3.0m	✓	TH10	2.3m	2.62m	✓	Eastern Boundary				TH9	3.3m	3.5m	✓	TH19	1.57m	16.9m	✓	Southern Boundary				TH10-19	2.5m – 2.8m	4.36m – 4.84m	✓
Western Boundary																																												
TH1	2.2m	2.46m	✓																																									
TH2 -4	1.9m	3.0m	✓																																									
TH10	2.3m	2.62m	✓																																									
Eastern Boundary																																												
TH9	3.3m	3.5m	✓																																									
TH19	1.57m	16.9m	✓																																									
Southern Boundary																																												
TH10-19	2.5m – 2.8m	4.36m – 4.84m	✓																																									
<p><b>55.04-2 Walls on Boundaries</b> 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><b>Not applicable</b> No walls on boundaries are proposed.</p>																																											
<p><b>55.04-3 Daylight to Existing Windows</b> To allow adequate daylight into existing habitable room windows.</p>	<p><b>Met</b> The western wall of TH3 and 4 is required to be located 2.2m from the edge of the two windows at 71 Turana Street. The western wall of TH3 and 4 complies with the standard.</p>																																											
<p><b>55.04-4 North Facing Windows</b> To allow adequate solar access to existing north-facing habitable room windows.</p>	<p><b>Met</b> There are no adjoining north-facing windows located within close proximity to the development.</p>																																											
<p><b>55.04-5 Overshadowing Open Space</b> To ensure buildings do not significantly overshadow existing secluded private open space.</p>	<p><b>Met</b> As demonstrated by the shadow diagrams submitted, there will be no additional overshadowing impact to adjoining secluded private open spaces at Nos. 63 and 71 Turana Street. At 9am, during the control period, there will be additional overshadowing to the eastern side of the dwelling at 71 Turana Street but this is a small pathway area. The adjoining secluded private open spaces will receive unencumbered sunlight during the equinox.</p>																																											

OBJECTIVE	OBJECTIVE MET/NOT MET
<p><b>55.04-6 Overlooking</b> To limit views into existing secluded private open space and habitable room windows.</p>	<p><b>Met subject to condition</b> The first floor west-facing windows of TH2-4 will be highlight windows and the second floor west-facing windows will be windows located within the raked roof. Therefore, the windows are orientated clear to the sky, with no downward views.</p> <p>The first floor east-facing windows of TH9 will be highlight windows, whereas the east-facing second floor windows of T19 have low sill heights and will have overlooking into the swimming pool and private open space at No. 63 Turana Street.</p> <p>A condition will require that the east-facing, first floor windows of TH19 be screened in accordance with the standard. <b>(Condition 1.5)</b></p>
<p><b>55.04-7 Internal Views</b> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.</p>	<p><b>Met</b> There is no internal overlooking between adjoining habitable room windows and secluded private open spaces.</p>
<p><b>55.04-8 Noise Impacts</b> To contain noise sources in developments that may affect existing dwellings.</p> <p>To protect residents from external noise.</p>	<p><b>Met</b> There are no external noise sources that may impact unreasonably on future residents.</p>
<p><b>55.05-1 Accessibility</b> To encourage the consideration of the needs of people with limited mobility in the design of developments.</p>	<p><b>Met</b> There is a limited number of steps to the dwellings' entries. The stairs within the dwellings can be installed with a stair lift to assist people with limited mobility.</p>
<p><b>55.05-2 Dwelling Entry</b> To provide each dwelling or residential building with its own sense of identity.</p>	<p><b>Met</b> A balcony overhangs each dwelling entry, acting as a porch for the entry. The entry design is appropriate and is well identified. The balconies above the entries provide a shelter and protection from the elements.</p>
<p><b>55.05-3 Daylight to New Windows</b> To allow adequate daylight into new habitable room windows.</p>	<p><b>Met</b> All habitable room windows and living areas are provided with a window clear to the sky.</p>



OBJECTIVE	OBJECTIVE MET/NOT MET
<p><b>55.05-4 Private Open Space</b> To provide adequate private open space for the reasonable recreation and service needs of residents.</p>	<p><b>Met</b> The dwellings for the development are provided with a combination of balconies and ground floor service areas. The development is provided with the following private open spaces:</p> <ul style="list-style-type: none"> <li>• TH1 – a balcony with 8m<sup>2</sup> and a dimension 1.7m</li> <li>• TH2 – TH4 – a balcony with 8m<sup>2</sup> and a dimension 1.8m, in addition to a service yard with an area between 10.6m<sup>2</sup> - 11m<sup>2</sup></li> <li>• TH5 -TH 9 – a balcony with 8m<sup>2</sup> and a dimension of 2.3m</li> <li>• TH10 – TH19 – a balcony with 8m<sup>2</sup> and a dimension between 1.85m – 2.1m, and a service yard area between 12m<sup>2</sup> – 17m<sup>2</sup>.</li> <li>• TH9, TH10 and TH19 are provided with a larger service yard as these dwellings are located at the perimeter of the site.</li> </ul> <p>All balconies have direct access from the living area, in addition to the size and dimensions provided meet the minimum requirements of the standard. The provision of 2.3m wide balconies for many of the larger townhouses is particularly positive.</p> <p>It is considered that the private open spaces provided will meet the recreational and service needs of the residents.</p>
<p><b>55.05-5 Solar Access to Open Space</b> To allow solar access into the secluded private open space of new dwellings and residential buildings.</p>	<p><b>Met</b> All balconies have a northern or eastern orientation.</p>
<p><b>55.05-6 Storage</b> To provide adequate storage facilities for each dwelling.</p>	<p><b>Met subject to conditions</b> All storages are provided within the garages. A condition will require a sectional diagram of the type of storage, including dimensions and storage capacity for each dwelling to be confirmed. <b>(Condition 1.16)</b>.</p>
<p><b>55.06-1 Design Detail</b> To encourage design detail that respects the existing or preferred neighbourhood character.</p>	<p><b>Met subject to conditions</b> The proposed architectural design is of a reasonable standard and offers a contemporary statement that responds</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	<p>positively to the preferred neighbourhood character.</p> <p>The varied materials palette, in addition to the articulated facades and the projecting portal frames for the balconies adds visual interest. The different textures and colours provides contrast and variety, whilst the mosaic architectural feature wall in Weathertex enhances the architectural presentation of the dwellings. Sufficient variety to window proportions and design detail is provided.</p> <p>The upper floor levels are adequately stepped from the ground floor walls to alleviate visual bulk. The development is provided with a high level of architectural coherence.</p> <p>A condition will require a schedule of materials and finishes with colour samples to be provided. <b>(Condition 1.15).</b></p>
<p><b>55.06-2 Front Fence</b> To encourage front fence design that respects the existing or preferred neighbourhood character.</p>	<p><b>N/A</b> No front fence is proposed.</p>
<p><b>55.06-3 Common Property</b> 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><b>Met</b> The driveway, letterboxes, visitor car spaces and bin collection area will be maintained by an Owners' Corporation. There are no apparent difficulties associated with future management of these areas.</p>
<p><b>55.06-4 Site Services</b> 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><b>Met subject to conditions</b> The site has access to all relevant services. Waste removal will be via a private contractor and a Waste Management Plan will be required. <b>(Condition 5).</b></p>

## 6 REFERRALS

- 6.1 The application was not required to be referred to any statutory referral authorities.
- 6.2 The application was referred to a number of Service Units within Council, the following table summarises their responses:

Service Unit	Comments
Engineering & Technical Services Unit (Drainage)	<ul style="list-style-type: none"> <li>• There is adequate point of discharge for the site. All runoff is to be directed to the point of discharge <b>(Condition 14)</b>.</li> <li>• Provide an on-site stormwater detention system. <b>(Condition 12)</b>.</li> <li>• Nos. 67 &amp; 69 are within the proposed SB03 overlay and a 200mm high sleeper or concrete retaining wall barrier is required for the southern boundary, commencing from the furthest south-east corner to a minimum length of 22m towards the east to avoid surface flow entering into the property. The barrier is required to be located on the ground, with the boundary fence located directly above it. <b>(Condition 1.1)</b></li> </ul>
Engineering & Technical Services Unit (Vehicle Crossing)	<ul style="list-style-type: none"> <li>• An existing pit is located within the crossover. The pit is required to be modified to a heavy duty pit lid or alternatively relocated to the satisfaction of the Responsible Authority. <b>(Condition 1.2)</b></li> </ul>
Engineering & Technical Services Unit (Access and Driveway)	<ul style="list-style-type: none"> <li>• The garages of Dwellings TH3 and TH4 have a level difference of 230mm side-by-side. The garages' level differences are required to be reduced to facilitate practical entry. <b>(Condition 1.3)</b>.</li> <li>• The common driveway is required to be modified so that it also accommodates the swept path diagrams of a waste truck, as shown on the diagrams prepared by Onemilegrid. <b>(Condition 1.4)</b>.</li> </ul>
Engineering & Technical Services Unit (Traffic and Car Parking)	<ul style="list-style-type: none"> <li>• No objection.</li> </ul>
Engineering & Technical Services Unit (Car Parking Layout)	<ul style="list-style-type: none"> <li>• No objection.</li> </ul>
Engineering & Technical Services Unit (Construction Management)	<ul style="list-style-type: none"> <li>• Submission of a Construction Management Plan. <b>(Condition 4)</b>.</li> </ul>
Engineering & Technical Services Unit (Waste)	<ul style="list-style-type: none"> <li>• Submission of a Waste Management Plan that is generally in accordance with the draft plan prepared by Leigh Design, dated 8 February 2016. <b>(Condition 5)</b>.</li> <li>• Private waste collection will be required.</li> <li>• No private waste contractor bin can be left outside the development boundary or on any street frontage for any reason.</li> </ul>

Service Unit	Comments
Strategic Projects Unit (Sustainability)	<ul style="list-style-type: none"> <li>• Submission of a Sustainability Management Plan that includes the following: <ul style="list-style-type: none"> <li><u>Indoor Environment Quality and Energy Efficiency</u> <ul style="list-style-type: none"> <li>○ Provide external adjustable shading to east and west facades to control summer glare while allowing winter solar gains to bedrooms in TH2, TH3 &amp; TH4;</li> <li>○ Provide external adjustable shading to east facade to bedrooms in TH19;</li> <li>○ Provide overhangs to north facade to control summer glare while allowing winter solar gains to TH1 and TH5-TH19.</li> </ul> </li> <li><u>Energy Efficiency</u> <ul style="list-style-type: none"> <li>○ Provide warm white LED fittings throughout due to cost parity to fluorescents (including T5s) which are becoming obsolete from higher OMR costs, reduced performance in low external temperatures and contain mercury.</li> </ul> </li> <li><u>Stormwater Management</u> <ul style="list-style-type: none"> <li>○ Ensure minimum roof catchment area of 50m<sup>2</sup> for each rainwater tank in accordance with the VBA Technical Solution Sheet 5.09 and Plumbing Regulations 2008. <b>(Condition 3)</b>.</li> </ul> </li> </ul> </li> </ul>
Economic and Environmental Planning Unit (Urban Design)	<ul style="list-style-type: none"> <li>• Adequate variety is provided in materials and colour palette.</li> <li>• Provisions for three new street trees. One to be in front of TH9.</li> <li>• Greater landscaping areas to be provided adjacent to front entries and garages, to enable small trees, by staggering the front setbacks of TH5 and 6. <b>(Condition 1.8)</b>.</li> <li>• Consideration to providing gates along the southern boundary to enable residents to access the adjoining pedestrian pathway on Council land.</li> <li>• Air conditioning condensers located on the rooftop of the dwellings located adjacent to the southern boundary will be visible when viewed from nearby buildings. Greater effort should be made to screen the visibility of these units. <b>(Condition 1.11)</b>.</li> <li>• Street numbers on the letterbox should not be plastic. <b>(Condition 1.18)</b>.</li> </ul>

- 6.3 As appropriate, the requirements of internal departments and external authorities will be added in the form of planning permit conditions or notes.

## 7 CONSULTATION

- 7.1 The planning application was placed on public notice for a three (3) week period which concluded on 23 March 2016. The public was notified by the sending of letters to nearby properties and by the display of three (3) signs at the site frontage.

- 7.2 Council has received two (2) objections from the following property:

Address
56 Turana Street, DONCASTER VIC 3108 (opposite of 69 Turana Street)
63 Turana Street, DONCASTER VIC 3108 (eastern adjoining property)

- 7.3 The following is a summary of the grounds upon which the above properties have objected to the proposal:

- Increased traffic
- Traffic safety
- Inadequate on-street parking
- Overlooking into dwelling at rear yard at 63 Turana Street
- Close proximity of bin enclosure to common boundary of 63 Turana Street
- Practicality of tandem garages
- Inadequate on-site visitor car spaces
- Provision for two-way vehicle movement within common driveway

- 7.4 A response to the above grounds is provided in the paragraphs below:

### **Increased traffic**

- 7.5 A Traffic Impact Assessment, prepared by Onemilegrid, date 2 November 2015. The report indicates that the development will generate 6 vehicle movements per day, per dwelling, with 10% occurring during the peak hours. Therefore, the development will generate 114 movements per days, including 11 vehicle movements during the morning and afternoon peak hours. This level of traffic is considered very low and is not expected to have an impact on the surrounding road network.

### **Traffic safety**

- 7.6 Council's Traffic Engineers and the Traffic Impact Assessment, provided by Onemilegrid, are of the view that the proposed development will not have any unreasonable safety impact to traffic on Turana Street.

### **Inadequate on-street parking**

- 7.7 The proposed development will not result in an increased demand for on-street parking, as adequate parking is provided for residents and visitors on site. The south side of Turana Street is a resident permit zone. The north side is time restricted.

**Overlooking into dwelling at rear yard at 63 Turana Street**

- 7.8 The ground floor east-facing windows of Dwelling T19 will be adequately screened by the new 1.8m high timber paling fence. The first floor, east-facing windows of T19 for the stairs and Southern Bedroom 2 are shown to be awning windows with obscure glazing. The overlooking diagram shows that these windows will have overlooking potential over the boundary fence. Therefore, a condition will be placed to require screening of the two, first floor east-facing windows of T19. **(Condition 1.5)**.

**Close proximity of bin enclosure to common boundary of 63 Turana Street**

- 7.9 Council's Waste Management Unit will require the submission of a Waste Management Plan, which will detail of waste collection methodology, including measures that minimise odour. Additionally, bin storage is provided in garages. The bin enclosure is a temporary holding area on collection day.

**Practicality of tandem garages**

- 7.10 Whilst not ideal for all situations, tandem car parking is an acceptable form of car parking and in Clause 52.06 of the Manningham Planning Scheme, provided it is designed appropriately. In this instance, the tandem car parking spaces are an appropriate size to provide future residents reasonable use of the garage and associated laundry and storage. Further the driveway is spacious and of sufficient width to provide easy turning and manoeuvring on site.

**Inadequate on-site visitor car spaces**

- 7.11 Pursuant to Clause 52.06, a minimum of 3 visitor car spaces is required. Clause 52.06-5 states that if the result in calculating car spaces is not a whole number, the required number is to be rounded down to the nearest whole number. Therefore, a minimum of 3 visitor car spaces is required (from 3.8).
- 7.12 The three common visitor car spaces are spaced out throughout the site to accommodate visitors visiting the site. One visitor space is located adjacent to the western wall of TH5, one to the southern wall of TH4 and one the eastern side of bin enclosure.

**Provision for two-way vehicle movement within common driveway**

- 7.13 Pursuant to Design Standard 1 of Clause 52.06, a passing area at the entrance is required. Two-way vehicle movement throughout the common driveway is not required by Clause 52.06 of the Manningham Planning Scheme. There is adequate space throughout the various lengths of the driveway to accommodate vehicle manoeuvres.

**8 CONCLUSION**

- 8.1 It is considered appropriate to support the application, subject to some minor design changes and the inclusion of suitable management plan conditions.
- 8.2 The construction of a well designed and visually interesting nineteen dwellings is consistent with the vision of the Manningham Planning Scheme, in particular Clause 21.05 Residential, Schedule 8 to the Design and Development Overlay (DDO8) and Clause 52.06 (ResCode). It will allow an

- increase in housing density and diversity in a location that has good access to services.
- 8.3 The proposal has also achieved an acceptable balance between considering the amenity of nearby properties and its attention to internal amenity of future occupants.
- 8.4 It is therefore considered appropriate to support the planning application, subject to changes to be required by conditions.

### **RECOMMENDATION**

**That having considered all objections A NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application No. PL15/025773 for the development and use of Nos. 65, 67 & 69 Turana Street, Doncaster (Lots 27, 28 & 29 LP77091 Vol 8722 Fol 217, 218 & 219) for the purpose of construction of seventeen (17) three-storey dwellings and two (2), two-storey dwellings and for no other purpose in accordance with the endorsed plan and subject to the following conditions:**

- 1. Before the development starts, two copies of amended plans drawn to scale and dimensioned, must be submitted to and approved by the Responsible Authority. When approved the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans submitted with the application (prepared by Bayland Property Group, dated 11 February 2016) but modified to show:**  
**Built Form**
  - 1.1. Provision for a 200mm high sleeper or concrete retaining wall as a form of barricade for the southern boundary of TH10, extending for a length of 22.0m, terminating at the end of TH13, to avoid surface flow entering into the property. The barricade is to be located on the ground, with the boundary fence located directly above it to the satisfaction of the Responsible Authority;**
  - 1.2. Modification of existing pit to a heavy duty pit lid or alternatively, relocated to the satisfaction of the Responsible Authority;**
  - 1.3. The level difference between the garages of TH3 and TH4 is reduced to allow proper functioning to the satisfaction of the Responsible Authority;**
  - 1.4. Modification of the common driveway to reflect the swept path diagrams of the a waste truck, as shown on the diagrams prepared by Onemilegrid (report dated 2 November 2015);**
  - 1.5. Screening to the first-floor, east-facing windows of TH9 and first floor-floor east facing windows of TH19 in accordance with Clause 55.04-6 – Overlooking of the Manningham Planning Scheme;**
  - 1.6. Provision for windows to the rear of garages for TH10 – 19, to provide passive surveillance to the service yards;**
  - 1.7. The garage of TH1 setback a minimum of 1.0m from the front wall of the townhouse, to the satisfaction of the Responsible Authority;**
  - 1.8. TH 5 & TH6 with a minimum front setback of 6.0m, so that it is staggered from TH7 – 9, to allow for a larger curvilinear landscape**

pockets to the rear, to the satisfaction of the Responsible Authority;

- 1.9. Provision for a 500mm wide landscape strip adjacent to the eastern wall of TH1, and associated relocation of letterboxes, common driveway and crossover 500mm to the east, to the satisfaction of the Responsible Authority;
- 1.10. Relocation of clotheslines for TH2- 4, TH10 -19 to the internal dividing fence, so that the rear service yards can provide for a continuous landscape treatment;
- 1.11. Screening for the air-conditioning condensers on the rooftop of all dwellings in a complementary material, to the satisfaction of the Responsible Authority;
- 1.12. Increase to the curvilinear landscape pockets adjacent to entries and garages, to accommodate a variety of plants, including small trees, to the satisfaction of the Responsible Authority;
- 1.13. Plan notations to show tree protection measures for Trees 42, 43 and 44 in accordance with recommendations in arborist report prepared by Bluegum, dated 7 October 2015;
- 1.14. Visitor car spaces must be lined-marked and delineated in a different materials and/or finish;
- 1.15. A schedule of materials and finishes with colour samples of all external walls, roofs, fascias, window frames, paving (including terraces, balconies,, stairs), fencing, privacy screens, roof top plant screens, retaining walls and driveway surfacing;

#### Site services

- 1.16. A sectional diagram detailing, the dimensions, type of storage and capacity for each dwelling, in accordance with Clause 55.05-6 – Storage of the Manningham Planning Scheme;
- 1.17. The material of the street number on the mailboxes must be of a suitable and durable material (and not plastic);

#### Endorsed Plans

2. The development as shown on the approved plans must not be modified for any reason, without the written consent of the Responsible Authority.

#### Sustainability Management Plan

3. Before the development starts or the issue of a building permit for the development, whichever is the sooner, two copies of an amended 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 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. The Plan must be generally in accordance with the plan prepared by Sustainable Development Consultants, dated October 2015 but modified to show the following:
  - 3.1. Indoor Environment Quality and Energy Efficiency



- 3.1.1. Provide external adjustable shading to east and west facades to control summer glare while allowing winter solar gains to bedrooms in TH2, TH3 and TH4;
- 3.1.2. Provide external adjustable shading to east facade to bedrooms in TH9;
- 3.1.3. Provide overhangs to north facade to control summer glare while allowing winter solar gains to TH1 and TH19.
- 3.2. Energy Efficiency
  - 3.2.1. Provide warm white LED fittings throughout.
- 3.3. Stormwater Management
  - 3.3.1. Ensure minimum roof catchment area of 50m<sup>2</sup> for each rainwater tank in accordance with the VBA Technical Solution Sheet 5.09 and Plumbing Regulations 2008.

#### **Construction Management Plan**

- 4. 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:
  - 4.1. A liaison officer for contact by residents and the responsible authority in the event of relevant queries or problems experienced;
  - 4.2. Hours of construction;
  - 4.3. Delivery and unloading points and expected frequency;
  - 4.4. On-site facilities for vehicle washing;
  - 4.5. Parking facilities/locations for construction workers;
  - 4.6. Other measures to minimise the impact of construction vehicles arriving at and departing from the land;
  - 4.7. Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;
  - 4.8. 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;
  - 4.9. An outline of requests to occupy public footpaths, road reserves, verges, or roads, and anticipated disruptions to local services;
  - 4.10. The measures to minimise the amount of waste construction materials;
  - 4.11. Measures to minimise impact to existing boundary and front fencing on adjoining properties;
  - 4.12. The measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours; and
  - 4.13. Adequate environmental awareness training for all on-site contractors and sub-contractors.

**Waste Management Plan**

5. Before the development starts, or the issue of a building permit for the development, whichever is the sooner, an amended Waste Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit. The Plan must generally be in accordance with the plan prepared by Leigh Design, dated 8 February 2016 but modified to provide for:
  - 5.1. A private waste contractor to undertake waste collection from within the site.
  - 5.2. No private waste contractor bins can be left outside the development boundary or left unattended at any time on any street frontage for any reason.
  - 5.3. Measures to control odour from bin enclosure.

**Management Plan Compliance**

6. The Management Plans approved under Conditions 3, 4 and 5 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.
7. Prior to the occupation of each dwelling, 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 detailed Landscape 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. Such plan must be generally in accordance with the approved plan, and must show:
  - 8.1. Any details as relevant or directed by any other condition of this Permit;
  - 8.2. A planting schedule detailing species, numbers of plants, approximate height, spread of proposed planting and planting/pot size;
  - 8.3. Location, species and number of proposed plantings;
  - 8.4. Surface treatments;
  - 8.5. Details of site and soil preparation, mulching and maintenance;
  - 8.6. A minimum of three (3) canopy trees, capable of reaching a minimum mature height of 8.0 metres, within the front setback of the site. The trees must be a minimum height of 1.5 metres at the time of planting;
  - 8.7. Screen planting adjacent to the eastern and western boundary, capable of reaching a mature height of 3.0 metres. The trees must be a minimum height of 1.5 metres at the time of planting;

- 8.8. Shallow-rooted, screen planting adjacent to the southern boundary, capable of reaching a mature height of 3.0 metres. The trees must be a minimum height of 1.5 metres at the time of planting;**

**The use of synthetic grass as a substitute for open lawn area within secluded private open space or a front setback will not be supported. Synthetic turf may be used in place of approved paving decking and/or other hardstand surfaces.**

- 9. Before the release of the approved plans 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. Before the occupation of the dwellings, landscaping works as shown on the approved plans must be completed to the satisfaction of the Responsible Authority and then maintained to the satisfaction of the Responsible Authority.**

#### **Street Tree**

- 11. Except with the prior consent of the Responsible Authority, the existing street trees must not be removed or lopped.**

#### **Stormwater — On-Site Detention System**

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

#### **Drainage**

- 14. 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.**
- 15. The whole of the land, including landscaped and paved areas must be graded and drained to the satisfaction of the Responsible Authority, to prevent ponding and to minimise overland flows onto adjoining properties.**

**Site Services**

16. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
17. All upper level service pipes (excluding stormwater downpipes) must be concealed and screened respectively to the satisfaction of the Responsible Authority.
18. Communal lighting must be connected to reticulated mains electricity and be operated by a time switch, movement sensors or a daylight sensor to the satisfaction of the Responsible Authority.
19. In the event of gas being supplied to the approved dwellings, the owner must liaise with the relevant service authority to determine an appropriately discrete location for the placement of gas meters to the satisfaction of the Responsible Authority. Where no such placement is possible, meters must be “banked” and provided with a neatly designed, durable screen surround (in stained timber, or dark coloured, perforated metal sheeting, for instance) to the satisfaction of the Responsible Authority.
20. Any air-conditioning unit erected on the walls, roofs or balconies of the approved dwellings must be so located, as to not adversely affect the amenity of the area by way of appearance/visual prominence to the satisfaction of the Responsible Authority. Where the Responsible Authority identifies a concern about visual appearance, appropriately designed/finished screening must be installed and maintained to the satisfaction of the Responsible Authority.
21. All plant and equipment that is not installed within the building 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.
22. Unless depicted on a Roof Plan approved under Condition 1 of this permit, no roof plant (includes air conditioning units, basement exhaust ducts, solar panels or hot water systems) which is visible to immediate neighbours or from the street may be placed on the roof of the approved buildings, without details in the form of an amending plan being submitted to and approved by the Responsible Authority.
23. Letterboxes must be designed and located to satisfy the requirements of Australia Post and to the satisfaction of the Responsible Authority.

**Access**

24. Prior to occupation of the approved dwellings, any new or modified vehicular crossover must be constructed in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.
25. Driveway gradients and transitions as shown on the plan approved under Condition 1 of this permit must be generally achieved through the driveway construction process to the satisfaction of the Responsible Authority.

26. Redundant crossovers must be removed and the footpath and kerb and channel reinstated to the satisfaction of the Responsible Authority.

#### Car Parking

27. Visitor parking spaces must not be used for any other purpose to the satisfaction of the Responsible Authority.

#### Earthworks

28. The extent and depth of cut and fill must not exceed that shown on the plans endorsed under Condition 1 of this permit without the written consent of the Responsible Authority.
29. 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.

#### Fencing

30. Prior to the occupation of the approved dwellings, all fencing must be erected in accordance with the plans endorsed under Condition 1 of this permit to the satisfaction of the Responsible Authority.

#### Maintenance

31. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.
32. Privacy screens, obscure glazing, replacement boundary fencing as shown on the approved plans must be installed prior to occupation of the dwellings to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of the obscure film fixed to transparent windows is not considered to be obscured glazing of an appropriate response to screen overlooking.

#### Time Limit

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

The Responsible Authority may extend these 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 and Environment Act 1987*.

MOVED: O'BRIEN  
SECONDED: GRIVOKOSTOPOULOS

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

\* \* \* \* \*

drawing schedule

- sheet no.
- TR01 SITE ANALYSIS
- TR02 DESIGN RESPONSE
- TR02.1 COVENANT COMPLIANCE
- TR03 GROUND FLOOR PLAN
- TR04 FIRST FLOOR PLAN
- TR05 SECOND FLOOR PLAN
- TR06 ROOF PLAN
- TR07.1 ELEVATIONS
- TR07.2 ELEVATIONS
- TR08.1 SHADOW DIAGRAMS
- TR08.2 SHADOW DIAGRAMS
- TR0.3 SHADOW DIAGRAMS
- TR09 COLOUR ELEVATIONS
- TR10 3D PERSPECTIVE VIEWS

project

19 townhouse development at  
65-69 TURANA STREET, DONCASTER

stage

15.031

B

Diary A  
Diary B, A

municipality

MANNINGHAM CITY COUNCIL

11/02/16



ID: 8026-54011 MANNINGHAM.COUNCIL | www.bayland.com.au | 148 BROADBENT ROAD, DONCASTER VIC 3108





South Elevation (10)



North Elevation (9)



East Elevation (11)

**MATERIAL COLOUR SCHEME**

1. Brickwork	2. Render	3. Gable End	4. Roof Tiles
5. Windows	6. Doors	7. Gutters	8. Downpipes
9. Fencing	10. Pathways	11. Driveway	12. Walls
13. Cladding	14. Siding	15. Paintwork	16. Stucco
17. Stone	18. Slate	19. Slate	20. Slate
21. Slate	22. Slate	23. Slate	24. Slate
25. Slate	26. Slate	27. Slate	28. Slate
29. Slate	30. Slate	31. Slate	32. Slate
33. Slate	34. Slate	35. Slate	36. Slate
37. Slate	38. Slate	39. Slate	40. Slate
41. Slate	42. Slate	43. Slate	44. Slate
45. Slate	46. Slate	47. Slate	48. Slate
49. Slate	50. Slate	51. Slate	52. Slate
53. Slate	54. Slate	55. Slate	56. Slate
57. Slate	58. Slate	59. Slate	60. Slate
61. Slate	62. Slate	63. Slate	64. Slate
65. Slate	66. Slate	67. Slate	68. Slate
69. Slate	70. Slate	71. Slate	72. Slate
73. Slate	74. Slate	75. Slate	76. Slate
77. Slate	78. Slate	79. Slate	80. Slate
81. Slate	82. Slate	83. Slate	84. Slate
85. Slate	86. Slate	87. Slate	88. Slate
89. Slate	90. Slate	91. Slate	92. Slate
93. Slate	94. Slate	95. Slate	96. Slate
97. Slate	98. Slate	99. Slate	100. Slate



South Elevation (13)



North Elevation (12)

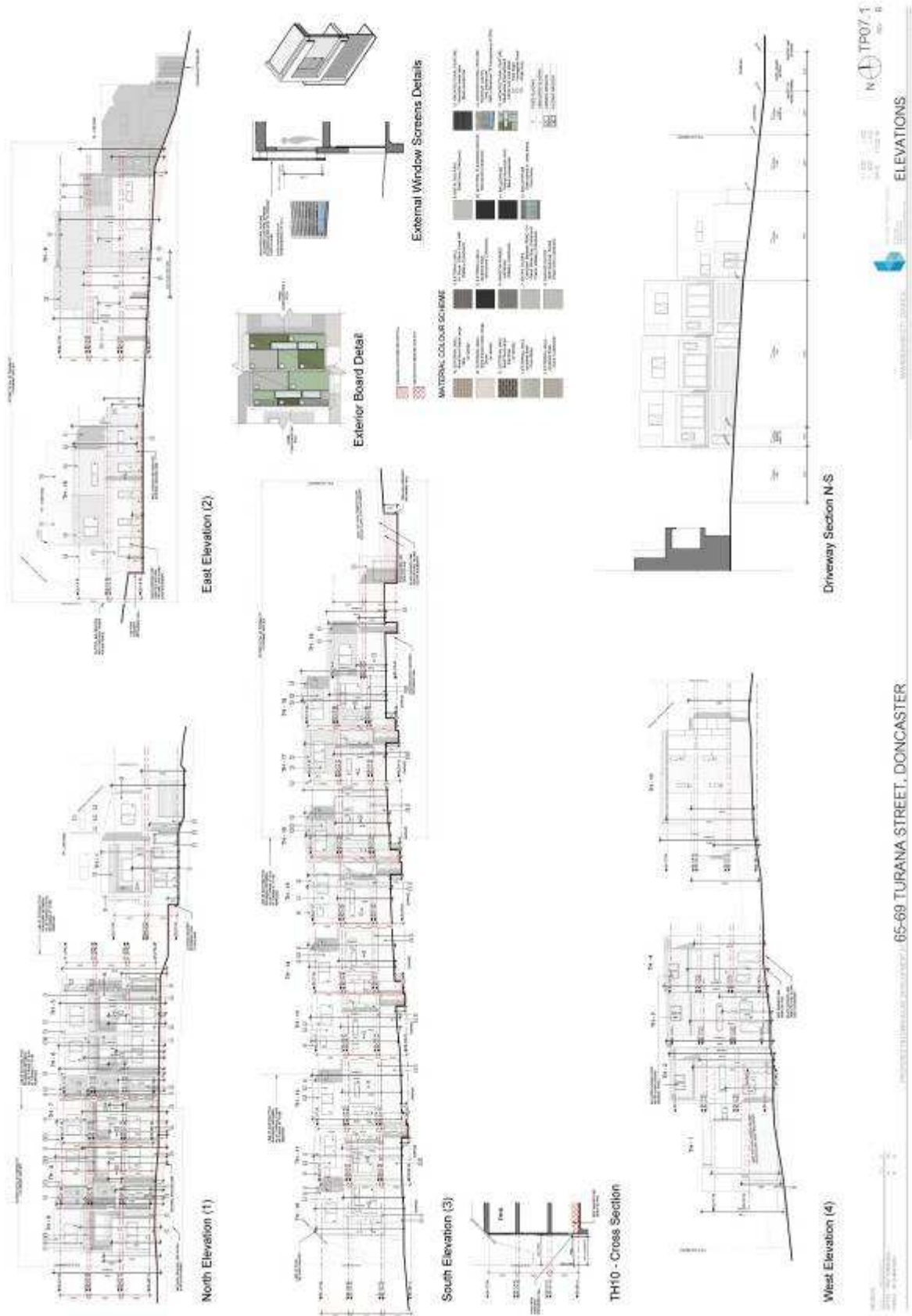


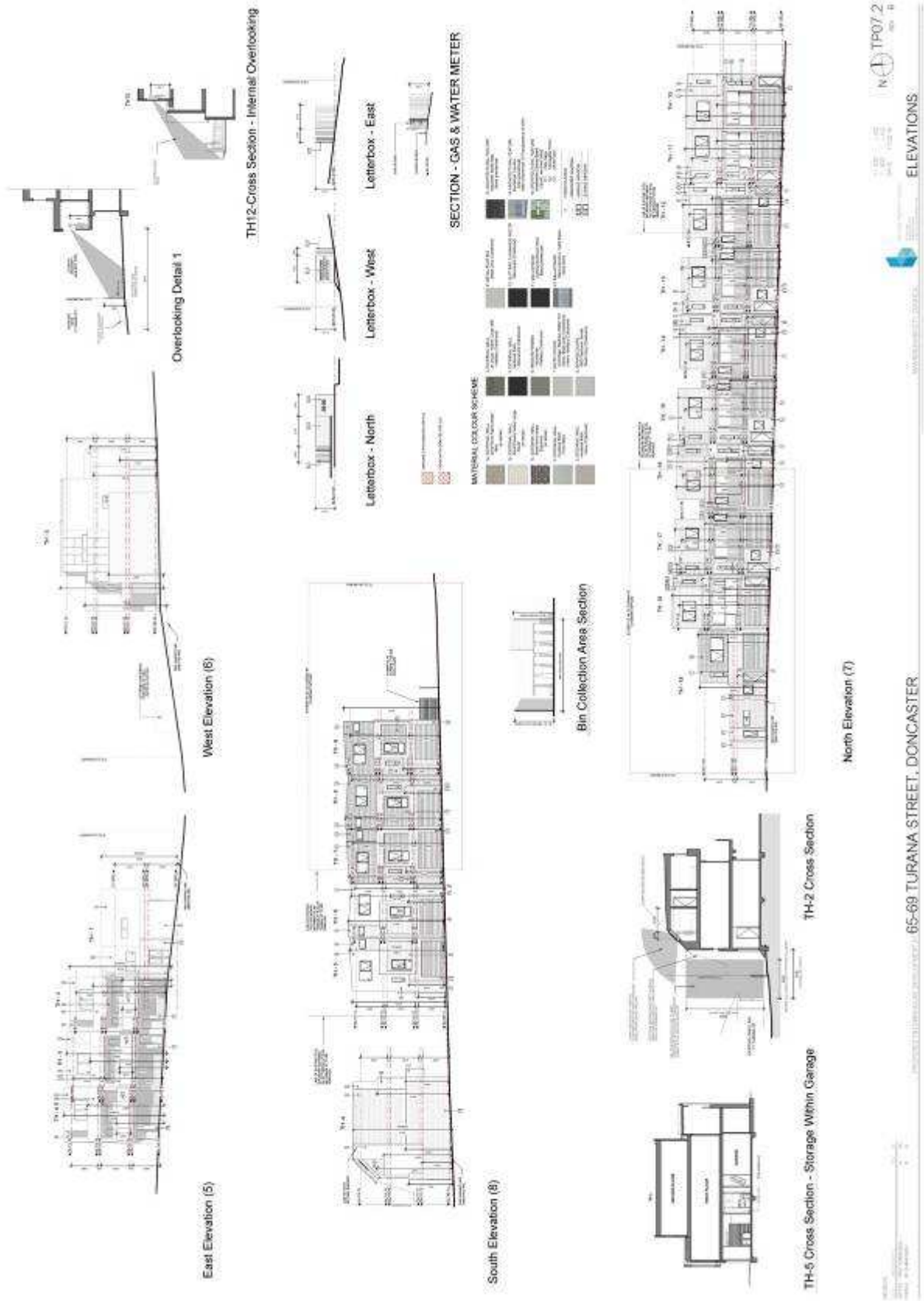








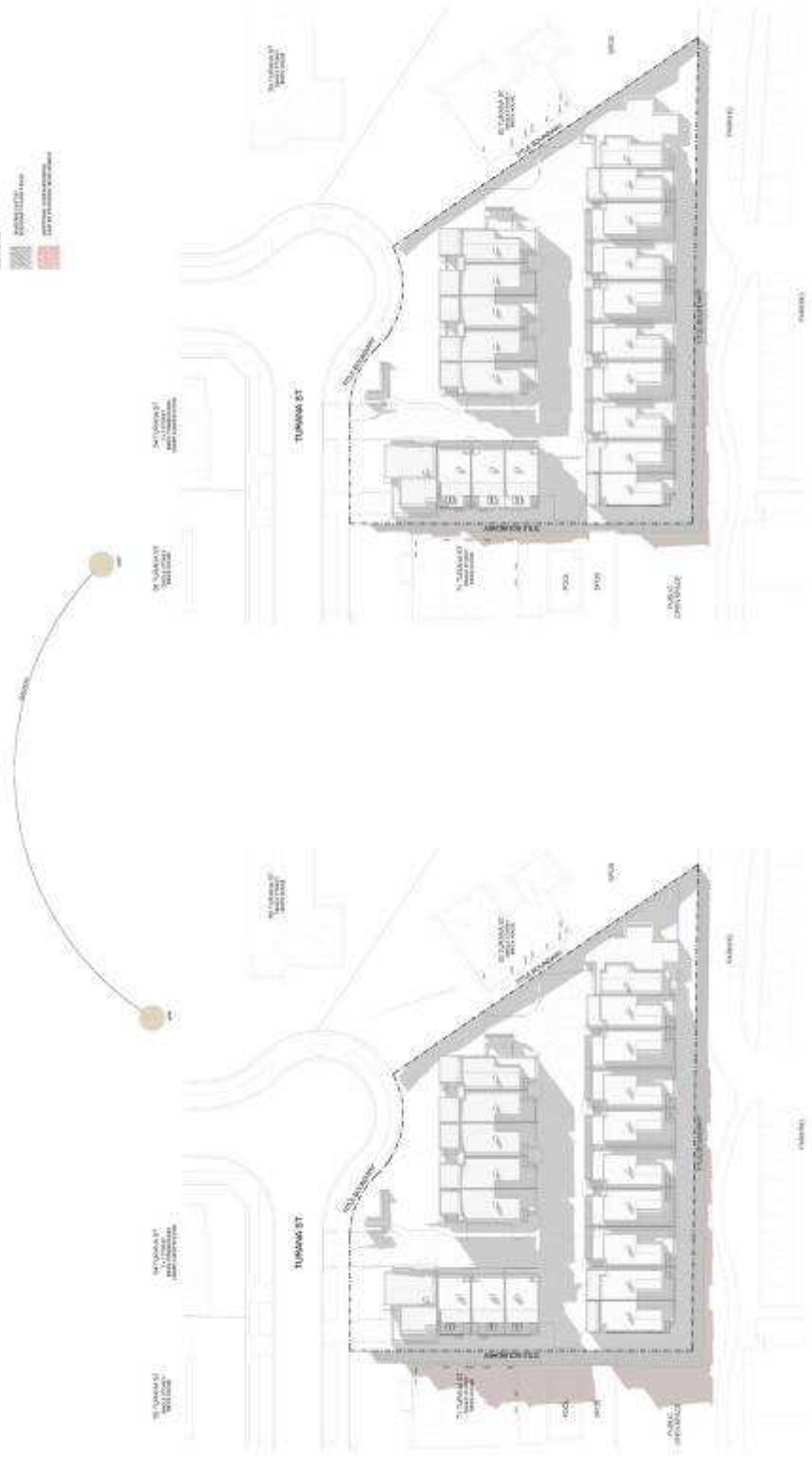




SHADOWS TAKEN AT SPRING EQUINOX 23RD SEPTEMBER

LEGEND

- EXISTING
- PROPOSED
- PROPOSED WITH SHADOWS



Shadow Diagram @ 11am

Shadow Diagram @ 9am

Scale: 1:1000  
North Arrow  
N  
TP08.1  
REV: 0

65-69 TURANA STREET, DONCASTER









North Elevation



East Elevation



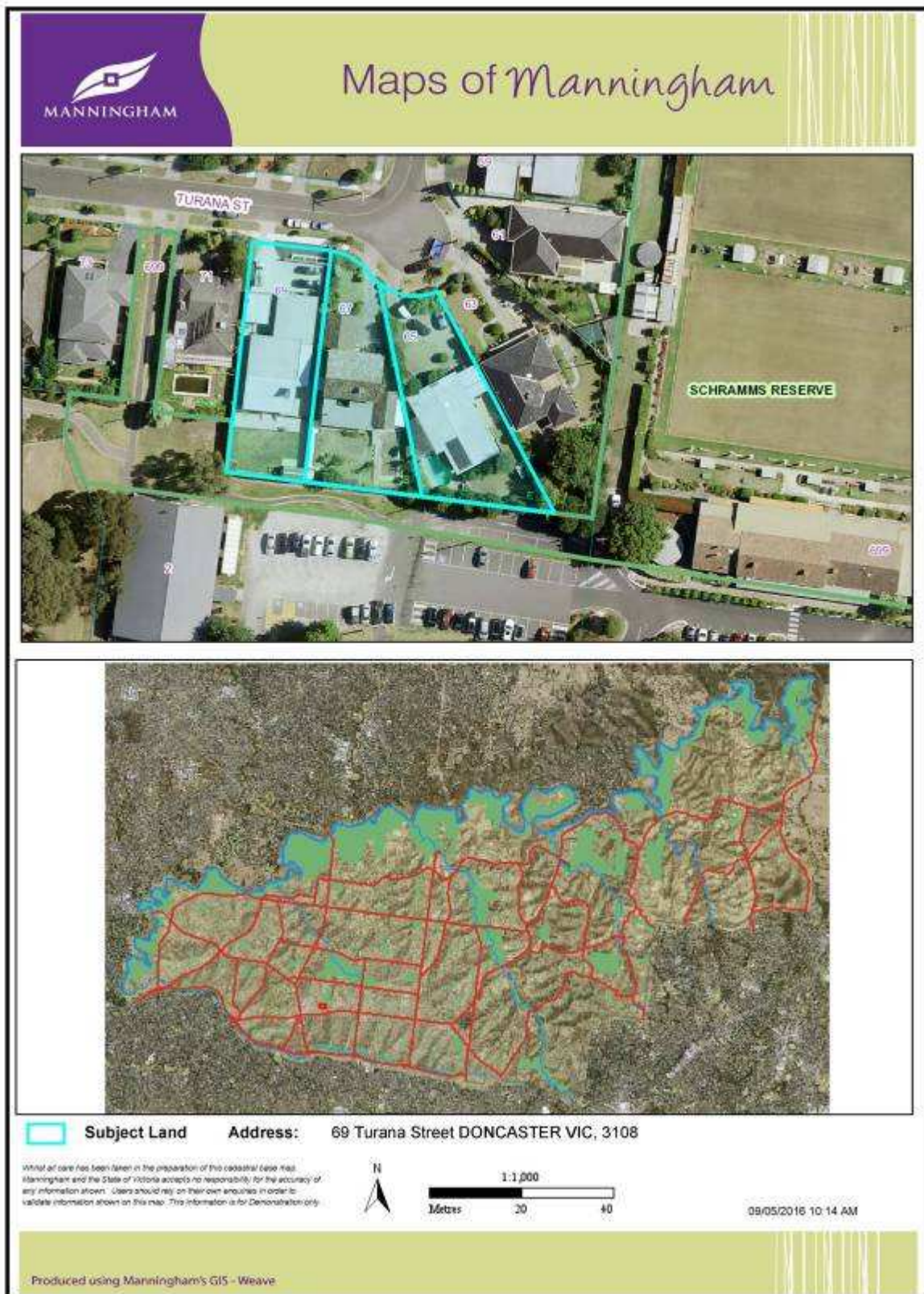
South Elevation

**MATERIAL COLOUR SCHEME**

1. Dark Grey	2. Light Grey	3. White	4. Dark Grey	5. Light Grey	6. White	7. Dark Grey	8. Light Grey	9. White	10. Dark Grey	11. Light Grey	12. White
13. Dark Grey	14. Light Grey	15. White	16. Dark Grey	17. Light Grey	18. White	19. Dark Grey	20. Light Grey	21. White	22. Dark Grey	23. Light Grey	24. White



West Elevation



## 10. PLANNING & ENVIRONMENT

### 10.1 Proposed Sale of Tatterson Reserve

Responsible Director: Director Planning & Environment

File No. T16/108

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 submissions received in response to the statutory processes associated with the release for sale of Tatterson Reserve, Templestowe (1,618m<sup>2</sup>).*

*At its meeting on 15 December 2015, Council resolved to commence the necessary statutory processes for the sale of land known as Tatterson Reserve in order to fund the purchase of public open space at 3-7A Glenvill Court, Templestowe (8,265m<sup>2</sup>). These processes were a planning permit to remove the reserve status (municipal reserve) from the land, as required under the Manningham Planning Scheme, and giving notice of Council's intention to sell the land as required under section 189 of the Local Government Act 1989.*

*Submissions to the two statutory processes were invited from the community during a six week period which closed on April 13, 2016. Thirty six objections (including two petitions with 77 and 18 signatories) have been received to the proposed sale and removal of reserve status. Oral submissions in support of ten written submissions were heard on 27 April, 2016 by a Committee of Council appointed under section 223 of the Local Government Act.*

*All the submissions oppose the removal of the reserve status and sale of the reserve. Reasons provided related to its current usage; the change to the neighbourhood character which would be caused; the difficulty for the elderly and those with disabilities to access other reserves nearby; the likelihood of inappropriate residential development; the validity of the processes for site selection and proposed sale; and the availability of other alternatives to fund the purchase of the Glenvill Court land.*

*This report recommends the sale of open space of least value as a financially sustainable means to fund the recent purchase of land located at 3-7A Glenvill Court, Templestowe.*

*Having considered the submissions received, Tatterson Reserve is still considered to be the reserve most appropriate to be released for sale. Factors related to its selection include its location in the same open space precinct; its small size and physical constraints for open space development; the availability of several other reserves within walking distance; and minimising the impact of future uses.*

## 1 BACKGROUND

- 1.1 Tatterson Reserve, situated at 1 Tatterson Court, Templestowe, is located in Green Gully Precinct (*Refer Attachment 1*).
- 1.2 At its meeting on 15 December 2015 Council resolved to commence the necessary statutory processes for its sale, to fund the purchase of public open space at 3-7A Glenvill Court, Templestowe, in accordance with Action 6 of the *Green Gully Linear Park Management Plan 2014*.
- 1.3 Existing Council budgets do not provide funds for a purchase of the scale of Glenvill Court and in a location not subject to growth. Accordingly, Council supported officers investigating options for sale of public open space of least value in the Green Gully Open Space precinct.
- 1.4 Several potential sites for sale were assessed having regard to the criteria specified in the *Open Space Strategy 2014*, Table 5: *Criteria to ascertain the comparative value of open space parcels*.
- 1.5 After due consideration, Tatterson Reserve was considered to be the reserve most appropriate to be released for sale, in the context of the purchase of land in Glenvill Court, and having regard to a range of factors including:
  - Proximity to the land being purchased, so that the benefits of the purchase could be experienced in the same local area.
  - Impact on the open space network – Tatterson Reserve is located within walking distance of several other areas of open space, including Falfield Reserve (213m) and Green Gully Linear Park, which includes Jenkins Park (270m) and Bronte Playspace (410m).
  - Reserve visitation – the use of a number of reserves in the area, including Tatterson Reserve, was monitored over a period of time, including various times of the day, week, and during both school holidays and the school term.
  - Site characteristics, including topography, site context and accessibility which limit opportunities for open space development of the site.
  - Reserve size (1,618m<sup>2</sup>) which was considered both in relation to minimising the loss of open space, and in consideration of the likely impact of urban development on the land.
  - Tatterson Reserve is the nearest separate developable parcel of Council owned land to 3-7A Glenvill Court. Located on the corner of Tatterson Court and Meredith Avenue the site is not prominent and is served by local roads only. As such, the site's development for residential use would have less impact on neighbourhood character than a more visually prominent location. The location, size, shape and topography of the land provides for residential development that is site responsive and respectful of local residential character. The site is not appropriate for non-residential uses allowable in the Residential Zone, having regard to traffic, amenity and local character impacts.
- 1.6 The arrangements for sale of Tatterson Reserve resolved by Council at its meeting on 15 December 2015 included:

- Applying for a planning permit and certificate to remove the reserve status from Tatterson Reserve pursuant to section 24A of the *Subdivision Act 1988*; and
  - Concurrently giving notice of Council's intention to sell Tatterson Reserve pursuant to sections 189 and 223 of the *Local Government Act 1989*.
- 1.7 Advertising of these processes occurred for a six week period from 29 February to 13 April, and included:
- A Notice of Application for Planning Permit erected on each street frontage of Tatterson Reserve;
  - A public notice of the Notice of Intention to Sell Land published in the *Manningham Leader* on Monday 29 February, 2016; and
  - A letter and related Fact Sheet posted to the owners of 181 properties located within 400 metres walking distance of Tatterson Reserve or within the original 1983 subdivision (refer to Attachment 2).
- 1.8 In response to the notification 37 submissions, including two petitions (*refer to Attachment 3*), have been received.
- 1.9 In response to queries raised during the exhibition period, additional information was provided on the Council website as an updated Fact Sheet (*refer Attachment 4*)
- 1.10 The petitions include an online petition containing 77 signatures (with an additional seven added after 19 April 2016) and a written petition with 18 signatures.
- 1.11 In accordance with the Council resolution of 15 December 2016, a Committee comprising the Mayor and Heide Ward Councillors was established under section 223 of the *Local Government Act 1989* to hear oral submissions in support of written submissions received in relation to the sale of Tatterson Reserve. The minutes of that meeting are included as *Attachment 5*.

## 2 PROPOSAL/ISSUE

### Consideration of Submissions

- 2.1 All of the submissions received have been regarded as objections to both the application for planning permit to remove the Reserve Status for Municipal Purposes from Tatterson Reserve and Council's Notice of Intention to Sell Tatterson Reserve.
- 2.2 Submissions have been received from 25 of the 181(13.8%) households advised in writing of the proposed sale.
- 2.3 The petition with 77 signatures included 30 from Templestowe, 11 from other suburbs in Manningham and 36 from outside Manningham.
- 2.4 The petition stated that: *"Parks are a vital and integral part in the physical in the physical and mental health of people's lives. No matter the reason, it is extremely unfair to enhance the neighbourhood character of one area by providing more open space and then completely diminish another by selling away its open space, especially when they are miles apart from each other. It's conveniently easy to sell one asset to pay for another asset. However*

*the real challenge is in finding ways to achieve your goals without the need to sell any assets owned and enjoyed by the public, especially a whole park. Smaller parks make it easier for our mature aged residents to access them. There are a number of residents in the immediate area who can only walk from their home to this park and back home. Selling this park will deny them access to any public open space. This alone should make your proposal untenable from your perspective. It certainly is regarded this way by those that rely on this park for their daily, if not, regular exercise. Spare the residents any further distress and allow them to keep Tatterson Reserve”.*

- 2.5 The petition with 18 signatures has two signatories from Templestowe, with one of these residing in the Green Gully Open Space precinct. The remaining signatories are from other parts of Manningham. This petition stated that “*we are aware that the Manningham Council has proposed to sell Tatterson Reserve situated in the Hemmingway Estate. We are not opposed to the purchase and extension of open spaces but are concerned and object to the loss of any green spaces with increasing higher density housing. Pocket parks are essential for residents of all ages to access open spaces easily and to enjoy spaces within a safe environment without the threat of heavy traffic and fast traffic speed. Tatterson Reserve is one of those. We sincerely hope that the Council would reconsider and find other options to fund the purchase of Glenvill Court”.*
- 2.6 The 35 other submissions (*Refer Attachment 3*) have been analysed and summarised into the following major common themes (listed by frequency):

Theme of Objection	Officers' Response
<p>1. <u>Usage of the reserve</u> 54% of submitters stated they use the reserve by themselves or with family.</p>	<p>Reports of usage by local residents are useful information, and contrast with recent visitation surveys that indicated minimal use.</p>
<p>2. <u>Change to neighbourhood character</u> 51% of submitters expressed concern regarding change to neighbourhood character associated with changed use of the land which would impact on local residents.</p>	<p>The small site has limited residential development potential, and is not in a prominent location. The site has few trees which do not offer a large canopy cover. Additional street tree planning could be provided to offset their loss.</p> <p>Any future development would be required to comply with the Victorian Government's ResCode provisions, including being considerate of neighbourhood character.</p> <p>A change from open space to residential use would be noticeable, but on this site will not result in a major change to streetscape character or local traffic.</p>
<p>3. <u>Sale of the reserve</u> 46% of submitters stated that reserved land should not be sold.</p>	<p>The sale of this reserve was required for the purchase of land for open space, and will result in an increase in the total amount of public open space to 6638m in this open space precinct. Refer to Section 1.5.</p>
<p>4. <u>Access to other reserves</u> 24% of submitters stated they were</p>	<p>Manningham is an ageing community, and its topography is an ongoing challenge. The <i>Open</i></p>

Theme of Objection	Officers' Response
aged local residents unable to walk to alternative reserves.	<i>Space Strategy</i> commits to provision of open space within 400 metres of all urban residences. 400 metres is a universally accepted standard for walkable distances, recognising that all communities include aged residents and variable topography. Falfield Reserve and Green Gully Reserve are located within 400 metres of Tatterson Reserve, and off-street car parking is available at nearby Jenkins Park in Green Gully.
5. <u>Future development of the land</u> 22% of submitters expressed concerns regarding future development of the land.	Future development potential was a consideration in the selection of appropriate land for sale. The small size of this reserve means future development will be residential in nature and limited in scale. Any future development would be required to comply with the Victorian Government's ResCode provisions. It would be anticipated that any proposed development would require a planning permit and an application for a permit. Surrounding residents would also have appeal rights at VCAT.
6. <u>Validity of the processes</u> 19% of submitters objected to or questioned the validity of the processes of site selection and sale.	Refer to Section 2.7 below.
7. <u>Distance between the location of land purchase and sale</u> 16% of submitters stated that the Glenvill purchase is not of benefit to residents in proximity to Tatterson Reserve.	<p>The <i>Open Space Strategy</i> recognises 15 open space precincts, which recognise landscape character, urban form, local communities, and barriers to pedestrian movement. Tatterson Reserve is located in the same Open Space Precinct as Glenvill Court.</p> <p>Green Gully Precinct is the best served of the 15 precincts in terms of open space within walking distance of residences.</p> <p>The Glenvill Court land is an important part of Green Gully Linear Park, which extends through the middle of the Green Gully precinct to within 400m of Tatterson Reserve, and includes paths, seating, lighting and play equipment at Jenkins Park and Bronte Playspace.</p> <p>Green Gully Linear Park is a District level reserve (public open space serving one or more suburbs). As such, it is available and intended to serve a catchment of one or more suburbs which includes the residents in proximity to Tatterson Reserve.</p>
8. <u>There is insufficient open space locally.</u>	The <i>Open Space Strategy</i> establishes clear standards for open space provision, and the Green Gully Open Space Precinct is the best



Theme of Objection	Officers' Response
10% of submitters expressed this view.	served of the 15 precincts against these standards. Tatterson Reserve is not located in a gap, nor would its loss as a reserve result in a new open space gap.
9. <u>Funding alternatives</u> 8% of submitters stated that alternative means of funding the purchase of land should be adopted instead.	Refer to Section 2.8 below.

2.7 The following issues were raised in submissions in relation to the validity of the processes for site selection and sale as referred to in Theme 6 above:

Issue	Officers' Response
<p><b>Concurrent statutory processes</b></p> <p>Current statutory processes do not allow the same level of investigation as separate processes.</p>	<p>As the submissions relate to the same matter, it was considered appropriate and necessary that these processes were run together to ensure transparency. An extended exhibition period of six weeks was provided. The statutory requirement for a Notice of Intention to Sell is 28 days. For a planning permit the statutory time is 14 days. All submissions were recorded as being in response to both the planning application and the notice of intention to sell.</p>
<p><b>Preliminary Impact Study</b></p> <p>Council should have conducted a preliminary impact study with local residents prior to the December 15 Council meeting.</p>	<p>Council does not have an endorsed policy or procedures around investigating sale of land, but there are processes requiring Council approval prior to public consultation. Consulting with multiple neighbourhoods regarding potential sale of a local reserve would have caused an unnecessary level of community angst.</p> <p>Potential impacts were a major consideration for each of the three sites assessed.</p>
<p><b>Compensation for devaluation</b></p> <p>The submitter's view is that purchasers of the subdivision lots 'effectively funded' the reserve, and as such that compensation should be considered.</p>	<p>The reserve was part of the overall subdivision and it is somewhat difficult to assess whether a 'premium' was paid by residents adjacent to the reserve. The argument as to whether properties would be 'devalued' is conjecture and unsubstantiated.</p>
<p><b>Council's Open Space Streetscape and Advisory Committee Advice</b></p> <p>Council's OSSAC recommended that Falfield Reserve be sold rather than Tatterson Reserve.</p>	<p>The Open Space and Streetscape Advisory Committee is not a decision making body. The advice of the community representatives was noted and communicated to Councillors.</p> <p>The proposal to sell a Council open space reserve to fund the purchase of 3-7A Glenwill Court was considered at the November OSSAC meeting. The</p>

Issue	Officers' Response
	<p>principle of sale of open space land to facilitate the purchase was supported. Four committee members supported selling Falfield Reserve. Three of the six community representatives suggested that Tatterson Reserve should be maintained as open space. These views were provided to Councillors prior to Council making the decision to commence the statutory process to sell Tatterson Reserve at 15 December Council meeting.</p> <p>Falfield Reserve could be selected as an alternative site to release for sale, in line with the views of some OSSAC members, but for the following reasons it is considered by Council officers to be a less appropriate option:</p> <ul style="list-style-type: none"> <li>• It would result in a greater loss of open space area.</li> <li>• Sale would result in a gap in open space provision against Council standards.</li> <li>• Development of this site would be more extensive and more visually prominent, resulting in increased change in neighbourhood character.</li> <li>• Due to the land's size and location on Serpells Road, the possibility exists for non-residential uses in this location, which was considered to have a greater impact than residential development.</li> <li>• For the same reasons it was also anticipated that Falfield Reserve could impact on residents from an area beyond its 400m walkable catchment.</li> <li>• Council valuation's suggested that this Reserve could attract greater funds than were needed to purchase 3-7A Glenvill Court. Several OSSAC members suggested this was a good reason to sell this reserve over a smaller one, however Council officers felt it was more appropriate to sell the minimum area and top up funds as required, rather than seek additional funds without a tangible purpose for surplus.</li> </ul>
<p>The proposal is not in accordance with section 20 of the <i>Subdivision Act</i> as the land purchase has already been funded.</p>	<p>While the purchase has been paid for, the funds have been borrowed from the Open Space Reserve. This is discussed in further detail in the final row of the next table, entitled '<i>Use of Open Space Reserve Funds.</i>'</p>
<p><b>Best Practice Guidelines</b></p> <p>Council has not complied with Local Government Best Practice Guidelines for the Sale, Exchange</p>	<p>Council has complied with the requirements of the June 2009 Local Government Best Practice Guidelines for the Sale, Exchange and Transfer of Land. Council has considered all matters relating to the land (to be sold) by considering, inter alia,</p>

Issue	Officers' Response
and Transfer of Land.	<p>potential sub-division and the current market strength for residential development sites (&amp; based on highest and best use of the site, if sold). Council also conducted a valuation of the land prior to the public advertising process in accordance with the LGA 1989. Any covenants /section 173 agreements would be part of the planning approval process should a sale occur.</p> <p>Council officers are confident that there has been no breach of any statutory process and that Council has acted with due diligence.</p>
<p><b>Usage as a Criteria</b></p> <p>Equating usage of a reserve with the reserve's value does not recognise the inherent value of the presence of open space, nor is that usage influenced by Council's lack of investment in recreational infrastructure.</p>	<p>It is a reasonable assumption that an undeveloped reserve is likely to experience less use than one with playspaces, seating etc.</p> <p>However, Council officers were obliged to utilise the criteria in Table 5 of the <i>Open Space Strategy</i>, which included usage and level of recreational development. These criteria recognise that the community is likely to have a stronger attachment to a reserve with existing recreational facilities and that the loss of reserves which are already developed is likely to have an impact on a greater number of local residents than those which do not have these facilities. As such, those which have not been developed can reasonably be predicted to have less value to the community than those already used more frequently.</p> <p>It should also be noted that the <i>Open Space Strategy</i> did not identify Tatterson as an appropriate site for recreational facilities beyond planting and seating, due to its size and the proximity of other, well developed reserves nearby.</p>
<p><b>Open Space Strategy</b> standards for open space provision were challenged: 2000m<sup>2</sup> minimum area and 400m walking distance standards were queried.</p>	<p>The 2000m<sup>2</sup> standard was established as a means of ensuring future contributions from development are of a better quality than those of the past, which were often simply one or two housing lots, rather than designed for use as open space. 2000m<sup>2</sup> was determined as likely to be larger than two housing lots, enabling open space to have a variety of recreational opportunities, capacity for large canopy trees, setback of facilities from adjacent roads, etc.</p> <p>400m is a universally accepted measure of walkable distance, correlating to the distance the average person covers in a five minute walk, and as such the distance within which communities expect to be able to access facilities and services, such as public transport and public open space. This measure has been developed with consideration for the varying ages and abilities of</p>

Issue	Officers' Response
	<p>every community.</p> <p>These standards have been endorsed in the <i>Open Space Strategy</i>, and Council officers are comfortable that these represent a sound minimum standard for open space provision. Tatterson Reserve's small size and location in proximity to a number of larger and better developed reserves were a factor in the decision that Tatterson was a reserve which could be sold, while still leaving a neighbourhood very well provided with open space.</p>
<p><b>Timing of advertising</b> over Easter and school holidays was questioned.</p>	<p>School and public holidays are always considered when preparing for public exhibition. Where consultation coincides with school holidays, public advertising is always extended to include standard term time. In this way, opportunities to receive public input is maximised, rather than postponing then simply advertising for the required minimum period. The two processes required a minimum of 14 and 28 days, but the advertising period was extended to six weeks.</p>
<p><b>Objection to consultation in the Green Gully Linear Park Management Plan</b> which showed support for the purchase of 3-7A Glenvill Court.</p>	<p>It was noted that while 80% of respondents (164 people) supported the purchase, they may not have done so if it was understood that this may be funded through sale of existing open space.</p> <p>This is a fair comment, but it is also worth noting that 15% were undecided and may well have given this response due to the potential funding implications. Only 5% of respondents did not think this land should be formalised as public open space.</p> <p>The funding model for purchase had not been determined in 2013 when the possibility of purchase was first raised. It was considered appropriate to determine community interest in various proposals around Green Gully before investing council resources on detailed planning.</p>

- 2.8 As described in Theme 7, two submitters proposed various alternative means of funding the purchase of the land at Glenvill Court, as follows:

Suggested Alternative	Officers' Response
<p>Sale of Council land other than open space.</p>	<p>This would require a comprehensive audit of all Council property and future land needs. The brief given to officers was to source property within the open space network.</p> <p>As a general principle, and over many years, Council has attempted to 'match' open space land sales with open space land purchases, thereby not</p>

Suggested Alternative	Officers' Response
	diluting Council's overall open space.
Borrowing funds.	Borrowing funds enables the initial purchase of an item, but does not address the real issue of funding as the source of interest and principal payments still need to be identified.
Seeking Federal or State government assistance, either financial or land for sale.	<p>Federal and State funds are available through various grant schemes for planning, infrastructure and programming, but not for the purchase of land for Council freehold.</p> <p>In the current economic climate, grant funds are harder to come by and generally focus more on strategic projects with Council contributions, rather than more local projects. Grant funds also are not allocated to projects that have been completed (such as the purchase of 3-7A Glenvill Court).</p>
Seeking funds from neighbouring Councils.	A purchase of this nature would not be co-funded by other municipalities, though that could be a possibility for regional projects.
Introducing a separate rate scheme or special levy.	As part of the Fair Go Rates system, Council may apply for a variation to increase rates beyond the advised rate cap (2.5% for 2016/17). The period to apply for a variation for the proposed 2016/17 Budget has closed and therefore the legislation does not provide any further opportunity for the proposed 2016/17 Budget.
Selling land prior to purchase.	<p>This is not an alternative funding mechanism but a matter of timing. Officers consider that it is more appropriate to be able to demonstrate a tangible gain when proposing a loss of open space.</p> <p>The period of time taken to follow the legislated process for Council to sell land in most cases precludes it from selling land prior to purchasing identified land.</p>
Selling land at an existing entrance to Green Gully Linear Park.	Reducing connectivity to the Green Gully Linear Trail would impact on the use and value of Green Gully Linear Park.
'Trimming': Selling a portion of a larger nearby park, such as Matisse or Fielding Reserves.	While the <i>Open Space Strategy</i> determines a minimum feasible open space area (2000m <sup>2</sup> ), this does not mean that larger areas are not necessary. Larger open spaces offer a great range of benefits, including more diverse recreational opportunities, retreat from urban surrounds and increased capacity for canopy trees. They typically attract greater visitation and longer periods of usage than

Suggested Alternative	Officers' Response
	<p>small reserves.</p> <p>The <i>Open Space Strategy</i> criteria for valuation of Council reserves assign higher value to larger open spaces.</p>
Use of Open Space Reserve Funds	<p>Council collects open space contributions from residential developers in Manningham in accordance with the <i>Subdivision Act</i>. The funds are generated from subdivisions of three or more lots. These contributions may be land or an equivalent financial contribution. However, as open space contributions relate to the additional population growth, which has resulted from new residential development, these funds are specifically used to expand open space opportunities in precincts that have been designated for substantial growth. The Green Gully Precincts is not an area which has or will experience significant residential development in the foreseeable future, and as such Council should not spend significant funds gained from open space contributions to purchase land in this precinct.</p> <p>Council's <i>Open Space Strategy</i> 2014 Part 1 has a specific objective: 1.3 "<i>Expand and improve open space in line with population increase</i>". This section sets out the areas that require additional open space and Objective 1.4 "<i>ensure the financial viability of open space network expansion and enhancement</i>."</p>

2.9 Other objections (raised by one or two objectors) were also submitted as follows:

2.9.1 *Council has recently developed a reserve at 28 Hemingway Drive.* This nearby property was vacant for many years and has been erroneously thought to be a public reserve by some locals. It has never been public land or in Council ownership.

2.9.2 *The Glenvill land purchase is not required as the land is undevelopable.* The Glenvill Court land purchase forms part of Green Gully Linear Park. The *Open Space Strategy* (2014) Part 1 recognises linear parks as highly valued due to their environmental values (particularly along rivers and creeks), as well as the opportunities they provide for walking, cycling and jogging in natural areas with connections to other amenities. This land has been used as open space for some years through the goodwill of the former owners, but this ongoing access could not be secured without purchase.

2.9.3 *Existing trees provide habitat offsetting loss of vegetation on neighbouring properties.* The existing trees could provide some habitat, but are small and not indigenous species.

Application for Planning Permit

2.10 The assessment of Application PL16/025968 follows.

<b>APPLICATION NUMBER:</b>
PL16/025968
<b>PROPOSAL:</b>
<ul style="list-style-type: none"> <li>• Removal of Reserve Status for Municipal Purposes from Reserve No. 1 on LP142927 Volume 9542 Folio 266 (Tatterson Reserve 1 Tatterson Court TEMPLESTOWE)</li> </ul>
<b>PERMIT TRIGGER:</b>
<ul style="list-style-type: none"> <li>• Clause 52.02 Easements, Restrictions and Reserves.</li> <li>• The only decision guideline in the controls is: <ul style="list-style-type: none"> <li>• <i>Before deciding on an application, in addition to the decision guidelines in clause 65, the responsible authority must consider the interests of affected people.</i></li> </ul> </li> </ul>
<b>PLANNING CONTROLS AND POLICY:</b>
<ul style="list-style-type: none"> <li>• Clause 32.08 – General Residential Zone 3</li> <li>• Clause 65.02 – Decision Guidelines</li> </ul>
<b>EXISTING CONDITIONS</b>
<ul style="list-style-type: none"> <li>• This report has given an overview of the subject site. Specifically relevant to the planning permits application is the following: <ul style="list-style-type: none"> <li>• The site was created as a reserve for municipal purposes on LP142927 when the land was originally subdivided around 1983. As a result, the site is owned by Council and is currently part of the Manningham City Council Open Space Network.</li> <li>• The site is approximately 1635 m2 and contains no structures. It is mostly lawn with a small number of trees scattered throughout.</li> <li>• On 15 December 2015, Council resolved at a meeting to purchase land at Glenvill Court and incorporate it as a Council owned municipal reserve into the Green Gully Linear Park. In order to fund the purchase of the land at Glenvill Court, Council also agreed to sell Tatterson Reserve based on a range of factors including size, usage, provision, proximity.</li> <li>• In order to sell the land, Council must acquire a planning permit to remove the reserve status. This application is being considered in conjunction with Council's Notice of Intention to sell process.</li> </ul> </li> </ul>
<b>REFERRALS:</b>
<ul style="list-style-type: none"> <li>• The application did not require referral to any servicing authorities or internal departments.</li> </ul>
<b>ADVERTISING and OBJECTIONS:</b>
<ul style="list-style-type: none"> <li>• The application was advertised concurrently with Council's intention to the sell the land. A Public Notice for the planning permit application was published in the Manningham Leader Newspaper on Monday 29 February 2016 and a copy of the notice was also sent to land owners within the vicinity of the reserve and those that were created as part of the original subdivision LP142927. A sign was also placed on site.</li> <li>• The submissions (objections) have been considered in light of the planning permit application as required under Clause 52.02 of the Manningham Planning Scheme. This report has provided an overview of the concerns, as well as a response. Refer to Sections 2.1 to 2.8.</li> </ul>
<b>OFFICERS COMMENTS:</b>
<ul style="list-style-type: none"> <li>• There are generally no planning concerns with the proposed removal of reserve status, as the assessment has occurred in the context of the Open Space Strategy (2014).</li> <li>• The land is reserved for Municipal Purposes and zoned for residential purpose (General Residential Zone Schedule 3) under the Manningham Planning Scheme. The land is not specifically identified as a reserve for public open space, nor has the land been zoned Public</li> </ul>

Park and Recreation Zone (PPRZ), been identified within Council's Open Space Network or Open Space and Tourism Plan at Clause 21.13 of the Manningham Planning Scheme.

- The removal of the reserve status has no relevance to the following decision criteria of Clause 65:
  - *The orderly planning of the area.* Council's Open Space Strategy ensures appropriate provision and quality of open space is provided to this neighbourhood.
  - *The effect on the amenity of the area.* The removal of the status has no impact. Further, the residential zoning of the land ensures future development is respectful of the surrounding neighbourhood.
  - *Factors likely to cause or contribute to land degradation, salinity or reduce water quality.* Not relevant.
  - *The extent and character of native vegetation and the likelihood of its destruction.* There is no indigenous vegetation on site.
  - *Whether native vegetation is to be or can be protected, planted or allowed to regenerate.* Not relevant.
  - *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.* There are no hazards associated with this parcel.

**RECOMMENDATION:**

That a Notice of Decision to Grant a Permit be issued for Removal of Reserve Status for Municipal Purposes from Reserve No. 1 on LP142927 Volume 9542 Folio 266 at Tatterson Reserve, 1 Tatterson Court TEMPLESTOWE VIC 3106.

Notice of Intention to Sell

- 2.11 Objective 1.4 of the *Open Space Strategy 2014* is to 'ensure the financial viability of open space network expansion and enhancement.'
- 2.12 Existing Council budgets do not provide funds for a purchase of this size. Accordingly Council officers have investigated options for sale of other public open space to fund this purchase. Funding mechanisms other than land sale are either not feasible or available, as discussed in responses to the submissions. Refer Section 2.7.
- 2.13 Tatterson Reserve is considered to be the reserve most appropriate to be released for sale, in the context of the purchase of land in Glenvill Court, having regard to a range of factors, including its location in the same open space precinct; its small size and physical constraints for open space development; and the availability of several other reserves within walking distance (four reserves are within 213- 410 metres).
- 2.14 The sale of Tatterson Reserve will also secure substantially more strategically important land for the open space network in a financially responsible manner, as it provides a net increase in public open space resulting in maximum community gain for minimal loss.
- 2.15 The purchase of 3-7A Glenvill Court and the sale of Tatterson Reserve would result in a net gain in area of public open space of 6,638m<sup>2</sup>. Net gain in open space has been maximised through selection of the smallest appropriate site for sale.

**3 PRIORITY/TIMING**

- 3.1 Should Council support the sale of Tatterson Reserve, it is anticipated that settlement could be effected in the fourth quarter of the 2015/16 financial year.



**4 POLICY/PRECEDENT IMPLICATIONS**

- 4.1 While the *Open Space Strategy* 2014 does not specifically identify any open space reserves for future sale, a key objective is 1.4: '*Ensure the financial viability of open space network expansion and enhancement.*' The Strategy provides criteria in Table 5 for ascertaining the comparative value of open space parcels.
- 4.2 The most recent open space reserve to be sold by Council was Herlihys Reserve, Templestowe in 2012.

**5 CUSTOMER/COMMUNITY IMPACT**

- 5.1 The submissions received confirm that some residents within close proximity to Tatterson Reserve consider that they would be negatively impacted by its proposed sale.
- 5.2 However, in the context of the purchase of land in Glenvill Court, Tatterson Reserve is considered to be the reserve most appropriate to be released for sale.
- 5.3 In addition securing the land at 3-7A Glenvill Court in public ownership has safeguarded open space values of the Green Gully Linear Park and Trail into the future, and still factoring in the sale of Tatterson Reserve, still resulted in a net increase in public open space of 6,638m<sup>2</sup> for the municipality.

**6 FINANCIAL PLAN**

- 6.1 Purchase of the property at 3-7A Glenvill Court has not been funded through Council's *Financial Strategy 2012-2023*.

**7 FINANCIAL RESOURCE IMPLICATIONS**

- 7.1 Funds for purchase of 3-7A Glenvill Court have been borrowed from Council's Open Space Reserve fund. This fund comprises financial contributions from residential developments of three or more lots, and as such it is appropriate that it be used to fund purchases and projects needed to address population increase in Manningham. Limited funds have been gathered from the Green Gully Open Space Precinct.
- 7.2 The purchase of 3-7A Glenvill Court is the last remaining major land purchase outside of growth areas within Manningham.
- 7.3 Part Two of the Open Space Strategy identifies four precincts (outside Doncaster Hill) in which significant development will occur and land acquisition for additional open space are required. This is a major investment for Council and the priority for use of funds gained from Open Space Developer Contributions.

**8 REGIONAL/STRATEGIC IMPLICATIONS**

- 8.1 The open space parcels proposed to be sold and purchased are both located in the Green Gully Open Space precinct, so the change in location and extent of open space will be confined to a single precinct.
- 8.2 The sale of Tatterson Reserve will not result in a gap in open space provision according to the standards set out in the *Open Space Strategy*.

## 9 CONSULTATION

- 9.1 The proposal to sell a Council open space reserve to fund the purchase of 3-7A Glenvill Court was considered at the November meeting of Council's Open Space and Streetscape Advisory Committee. The principle of sale of open space land to facilitate the purchase was supported by the Committee. Four committee members supported selling Falfield Reserve. Three of the six community representatives suggested that Tatterson Reserve should be maintained as open space. These views were provided to Councillors prior to Council making the decision to commence the statutory process to sell Tatterson Reserve at 15 December Council meeting.
- 9.2 Section 189 of the *Local Government Act 1989* required Council to give public notice of its intention to sell the land, and the opportunity, pursuant to section 223 of the Act, for a person to make a submission in that regard. In addition, notice of the application of the application for permit to remove the reserve status (municipal purposes) from the land was also given and submissions were invited and considered in relation to both statutory processes.

## 10 CONCLUSION

- 10.1 Council has acquired land located at 3-7A Glenvill Court in the *Green Gully Linear Park Management Plan 2014* and the *Open Space Strategy 2014*.
- 10.2 Tatterson Reserve has been assessed as being the most appropriate site for Council to sell to attain the necessary funds for purchase of the Glenvill Court site.
- 10.3 The sale of Tatterson Reserve will secure substantially more strategically important land for the open space network in a financially responsible manner, as it provides a net increase in public open space resulting in maximum community gain for minimal loss.

## OFFICERS' RECOMMENDATION

That Council:

- (A) **Confirms the sale of public open space to be the mechanism for funding the purchase of 3-7A Glenvill Court.**
- (B) **Agrees to the sale of the property known as 1 Tatterson Court, Templestowe to fund the purchase of 3-7A Glenvill Court;**
- (C) **Agrees that a Notice of Decision to Grant a Permit be issued for Removal of Reserve Status for Municipal Purposes from Reserve No. 1 on LP142927 Volume 9542 Folio 266 at Tatterson Reserve, 1 Tatterson Court ,Templestowe VIC 3106.**
- (D) **Authorises the Chief Executive Officer to set a reserve price for the sale of the land by way of public auction;**
- (E) **Authorises the Chief Executive Officer to execute any documents associated with the sale of the land;**

- (F) Authorises that the Common Seal of Council be affixed to the Transfer of Land and any other documents required to effect the sale and transfer of the land;**
- (G) Resolves that the Committee of Council established to hear and consider any submissions now be disbanded; and**
- (H) Notifies the submitters to the proposal in writing of Council's decision.**

**MOVED: GOUGH**  
**SECONDED: KLEINERT**

**That Council, having given consideration to the submissions received in response to the proposed sale of the property known as 1 Tatterson Court, Templestowe;**

- A. determines not to proceed with the sale;**
- B. requests the Chief Executive Officer to report on alternative funding sources for the purchase of land in the Green Gully Linear Park;**
- C. resolves that the Committee of Council established to hear and consider any submissions now be disbanded; and**
- D. notifies the submitters to the proposal in writing of Council's decision.**

**CARRIED**

#### **DIVISION**

A Division having been demanded the Council divided as follows:

**FOR (8):** Councillors Haynes, O'Brien, Grivokostopoulos, Downie, Gough, Kleinert, Galbally & McLeish.

**AGAINST (0):** Nil.

**THE MOTION WAS DECLARED CARRIED UNANIMOUSLY**

Attachment 1: Green Gully Precinct Map  
Attachment 2: Distribution Map  
Attachment 3: List of objections  
Attachment 4: Fact Sheet April 2016  
Attachment 5: Minutes of Council Committee

\* \* \* \* \*

Attachment 1: Green Gully Precinct Map



LEGEND	
	Open space
	Intermediate Residential Change Area
	Low Density Residential Area
	Activity Centre
	Future Open Space Land Acquisition (Mansfield City Council)
	Extent of Brook
	Existing link
	Potential future link
	School (Primary/Secondary)
	Regional Playground
	Proposed traffic lights
	Reserve
	Reserve with Playground
	Recommendation reference
	Area of future open space provision for medium density areas. (The actual location of new open space will be subject to further investigation as future development occurs)

1	Aloha Reserve
2	Apple Blossom Reserve
3	Bels Reserve
4	Bedervale Reserve
5	Birchgrove Reserve
6	Brooking Reserve
7	Falfield Reserve
8	Fielding Reserve
9	Green Gully Linear Park
9a	Jenkins Park
9b	Bronte Playspace
10	Hillcroft Reserve
11	Lamaea Reserve
12	Malsse Reserve
13	Mossdale Reserve
14	Noral Reserve
15	Pinewood Reserve
16	Porter Reserve
17	Ruffey Creek Linear Park
18	Serpents Community Reserve
19	Spring Valley Reserve
20	Tattersall Reserve
21	The Grange Reserve

ATTACHMENT 2



ATTACHMENT 3

Submission No.	Address	Verbal Submission
1	19 Tennyson Court, TEMPLESTOWE VIC 3106	No
2	4 Shute Close, TEMPLESTOWE VIC 3106	No
3	8 Tatterson Court, TEMPLESTOWE VIC 3106	No
4	11 Tatterson Court, TEMPLESTOWE VIC 3106	No
5	10 Tennyson Court, TEMPLESTOWE VIC 3106	Yes
6	8 Meredith Avenue, TEMPLESTOWE VIC 3106	No
7	34 Meredith Avenue, TEMPLESTOWE VIC 3106	Yes
8	9 Tatterson Court, TEMPLESTOWE VIC 3106	Yes
9	52 Shakespeare Drive, TEMPLESTOWE VIC 3106	No
10	10 Tatterson Court, TEMPLESTOWE VIC 3106	No
11	4 Tatterson Court, TEMPLESTOWE VIC 3106	No
12	11 Tatterson Court, TEMPLESTOWE VIC 3106	No
13	13 Tatterson Court, TEMPLESTOWE VIC 3106	No
14	13 Meredith Avenue, TEMPLESTOWE VIC 3106	No
15	13 Meredith Avenue, TEMPLESTOWE VIC 3106	No
16	13 Meredith Avenue, TEMPLESTOWE VIC 3106	No
17	13 Meredith Avenue, TEMPLESTOWE VIC 3106	No
18	13 Meredith Avenue, TEMPLESTOWE VIC 3106	Yes
19	13 Meredith Avenue, TEMPLESTOWE VIC 3106	No
20	5 Meredith Avenue, TEMPLESTOWE VIC 3106	n/a
21	PO Box 4130, DONCASTER HEIGHTS VIC 3109	No
22	21 Tatterson Court, TEMPLESTOWE VIC 3106	Yes
23	18 Tennyson Court, TEMPLESTOWE VIC 3106	n/a
24	6 Meredith Avenue, TEMPLESTOWE VIC 3106	No
25	20 Tatterson Court, TEMPLESTOWE VIC 3106	No
26	18 Tatterson Court, TEMPLESTOWE VIC 3106	No
27	2 Tatterson Court, TEMPLESTOWE VIC 3106	Yes
28	2 Shute Close, TEMPLESTOWE VIC 3106	n/a
29	4/412 Church Road, TEMPLESTOWE VIC 3106	No
30	12 Meredith Avenue, TEMPLESTOWE VIC 3106	Yes
31	16 Meredith Avenue, TEMPLESTOWE VIC 3106	Yes
32	50 Shakespeare Drive, TEMPLESTOWE VIC 3106	No
33	24 Hemingway Avenue, TEMPLESTOWE VIC 3106	Yes
34	18 Meredith Avenue, TEMPLESTOWE VIC 3106	Yes
35	Petition - 18 residents	No
36	7 Glenvista Place, TEMPLESTOWE VIC 3106	No
37	Petition - 77 residents	No

P:\Tattersons\Tatterson Reserve - Submissions\2

**ATTACHMENT 4**

**your say**  
**manningham**

# Proposed Sale of Tatterson Reserve to Fund the Purchase of Open Space in Glenwill Court, Templestowe

**FACT SHEET** April 2016

**Why is Council proposing to sell the land?**

Providing public open space is a priority for Manningham and, wherever possible, Council is committed to expanding its open space network. However limited funds are available to purchase additional areas of public open space.

At its meeting on 15 December 2015, Council formally resolved to purchase land at Glenwill Court and incorporate it as a Council owned municipal reserve into the Green Gully Linear Park. At this meeting, Council also agreed to the sale of Tatterson Reserve to fund the purchase of this land for open space as it would enable the purchase of the additional larger and more strategically significant open space in the nearby area. This will result in a net increase in Manningham's open space network of 6,621m<sup>2</sup> (more than 1.5 acres).

**What additional public open space is being purchased and why?**

Council is purchasing 8,256m<sup>2</sup> of vacant land in Glenwill Court, Templestowe.

The purchase of this land was identified as an action in the Green Gully Linear Park Management Plan adopted by Council in 2014 and Council's Open Space Strategy 2014. Acquiring the land is of strategic importance for the Green Gully Linear Park and a major priority for Manningham's open space network. The purchase will ensure the long term capacity, character and amenity of Green Gully Linear Park and will also provide certainty in relation to its ongoing management and maintenance.

During the public consultation associated with the development of the Green Gully Management Plan, there was significant community support for incorporating this land into Green Gully Linear Park.

Green Gully Linear Park is currently 18.7 hectares in size and 2.2 kilometres long; it is an important habitat corridor and includes walking and cycling trails and three playspaces.

**Where is Tatterson Reserve?**

Tatterson Reserve is an area of Council owned land of 1,635m<sup>2</sup> located at 1 Tatterson Court (corner of Meredith Avenue) in Templestowe.



[www.yoursaymanningham.com.au/tatterson-reserve](http://www.yoursaymanningham.com.au/tatterson-reserve)

### Why has Council selected Tatterson Reserve for sale?

Several factors were taken into account as part of Council's decision to sell Tatterson Reserve to fund the purchase of the land in Glenwill Court, including:

- Proximity to the land being purchased, so that the benefits of the purchase could be experienced in the same local area.
- Impact on the open space network – Tatterson Reserve is located within walking distance of several other areas of open space, including Falfield Reserve and Green Gully Linear Park, which includes Jenkins Park and Bronte Playspace.
- Reserve visitation – the use of a number of reserves in the area, including Tatterson Reserve, was monitored over a period of time, including various times of the day, week, and during both school holidays and the school term.
- Site characteristics, including topography, site context and accessibility.
- Reserve size – size was considered both in relation to minimising the loss of open space, and in consideration of the likely impact of urban development on the land.

Council considers that the sale of Tatterson Reserve will secure substantially more strategically important land for the open space network in a financially responsible manner, as it provides a net increase in public open space resulting in maximum community gain for minimal loss.

### How did Council decide that Tatterson Reserve was the reserve to be sold?

A range of factors were considered by Council officers to determine the reserve most appropriate for release for sale. A shortlist of three reserves was based on proximity to the land being purchased, size of the reserve and level of recreation facilities provided. Each of the three reserves was then assessed in further detail, including:

- **Proximity to the open space gain:** The area where land for open space was to be purchased was considered the most appropriate location to release land for other uses. The Green Gully precinct and nearby surrounds were the focus area.
- **Meeting open space standards:** The Open Space Strategy 2014 established standards for open space provision, detailed in *Guidelines 1 – Addressing Future Open Space Provision*. Based on these, the reserves that are considered priorities for retention include:
  - » Reserves larger than 2,000m<sup>2</sup>, which could result in new or increased gaps in open space provision.
  - » Reserves less than 2,000m<sup>2</sup>, which are located in an open space gap.
- **Calculation against criteria:** The Open Space Strategy Table 5. *Criteria to ascertain the comparative value of open space parcels* was applied.

- **Minimising the impact on existing open space and recreation opportunities:** This included consideration of:
  - » Minimising the amount of land to be sold
  - » Avoiding the sale of reserves which already have developed recreational facilities such as play equipment, sporting equipment or paths
  - » Avoiding the sale of well used reserves
  - » Proximity of alternative open space and recreation opportunities.
  - » Future open space and recreational potential.
- **Minimising the impact of future uses** involved consideration of the likely nature of future development, and associated visual, amenity and traffic impacts on the surrounding area, noting:
  - » Larger parcels are likely to have increased visual and traffic impacts and potentially support non-residential uses
  - » Visibility due to size, slope or aspect
  - » Relationship to other urban features such as transport routes, schools or other open spaces.

### What standards have been set for open space and how have they been determined?

Manningham's Open Space Strategy 2014 established the standards for open space, outlined in *Guidelines 1 – Addressing Future Open Space Provision*, on pages 37-38.

#### Walking distance – 400 metres

The average distance covered in a five minute walk is 400 metres, which is a standard for a reasonable walking distance universally accepted in Australia and many other areas throughout the world. Manningham's Open Space Strategy rigorously assessed these distances by walkable routes, rather than simply 'as the crow flies,' ensuring that gaps were accurately mapped.

#### Minimum size for open space – 2,000 m<sup>2</sup>

It was determined that 2,000m<sup>2</sup> is an appropriate minimum size for open space during the development. It ensures that future open spaces will be properly planned high quality spaces and also set a high but realistic benchmark for Council to work towards in improving standards of open space across Manningham.

Using these standards, gaps in open space provision have been mapped by measuring 400 metres from all open spaces larger than 2,000m<sup>2</sup>; any areas that were not within these standards are defined as a gap. This mapping assists Council and the community to understand the areas of open space need.

Manningham's Open Space Strategy rigorously assessed these distances by walkable routes, rather than simply 'as the crow flies,' as well as considering barriers to movement such as busy roads and waterways, thereby ensuring that gaps were accurately mapped.



### Which other reserves were considered for sale and why?

All reserves in the Green Gully precinct were assessed but only two reserves were considered for sale, including Falfield Reserve (2,550m<sup>2</sup>) and Tatterson Reserve (1,635m<sup>2</sup>). Corsican Reserve (1,637m<sup>2</sup>), in an adjoining precinct, was also considered as it is 1.1km from the land being purchased and due to its size.

The three reserves considered included:

- Corsican Reserve (1,637m<sup>2</sup>)
- Tatterson Reserve (1,635m<sup>2</sup>)
- Falfield Reserve (2,550m<sup>2</sup>)

In addition to the considerations outlined in the previous question *How did Council decide that Tatterson Reserve was the reserve to be sold?*, these reserves and nearby alternative reserves were surveyed to determine visitation levels. All reserves, plus three of the nearby playspaces, were visited over a period of four weeks, including various days, times and during school holidays and term times. Recorded visits are listed in the table below.

Reserve visits recorded 28 September – 25 October 2015				
Reserve	Number of days surveyed	Number of days with visitors	Total number of visitors	Average visitors
Jenkins Playspace	12	7	20	1.67
Lamoo Playspace	12	4	16	1.33
Bronte Playspace	12	6	32	2.67
Falfield Reserve	12	1	2	0.17
Tatterson Reserve	12	1	2	0.17
Corsican Reserve	12	2	4	0.33

#### Consideration of Corsican Reserve (1,637m<sup>2</sup>)

**Size:** This reserve is smaller than 2,000m<sup>2</sup>.

**Location:** This reserve is not located within the Green Gully Precinct and is 1.1km as the crow flies from Glenwill Court, across two major roads, so the correlation between open space loss and gain is poor. It is located outside, but in proximity to, the major residential growth anticipated along Reynolds Road.

**Recreational potential:** This is a fairly level site, currently allowing for ball play and ease of access. **Usage:** This reserve had twice the recorded visitation of either of the other reserves, currently being used by families for ball sports.

#### Consideration of Tatterson Reserve (1,635m<sup>2</sup>)

**Size:** This reserve is smaller than 2,000m<sup>2</sup>.

**Usage:** Two people were observed in Tatterson Reserve during this assessment period. By comparison, at Bronte Playspace 32 people were observed and at Jenkins Playspace 20 visitors were observed at comparable times. Both reserves are within walking distance of Tatterson Reserve.

**Provision:** This reserve is not located in an open space gap, nor would its sale result in a gap in open space provision according to Open Space Strategy standards due to its size.

**Proximity:** This reserve is the closest of the three to the land being purchased.

**Impact on existing open space and recreation opportunities:** This reserve was the best located of the three in terms of access to sizeable alternative open spaces. From this site, Falfield Reserve is a walkable distance to the south, and the 56,881m<sup>2</sup> Jenkins Park (which is currently being upgraded) and larger Green Gully Linear Park are a walkable distances to the east.

**Consideration of Falfield Reserve (2,550m<sup>2</sup>)**

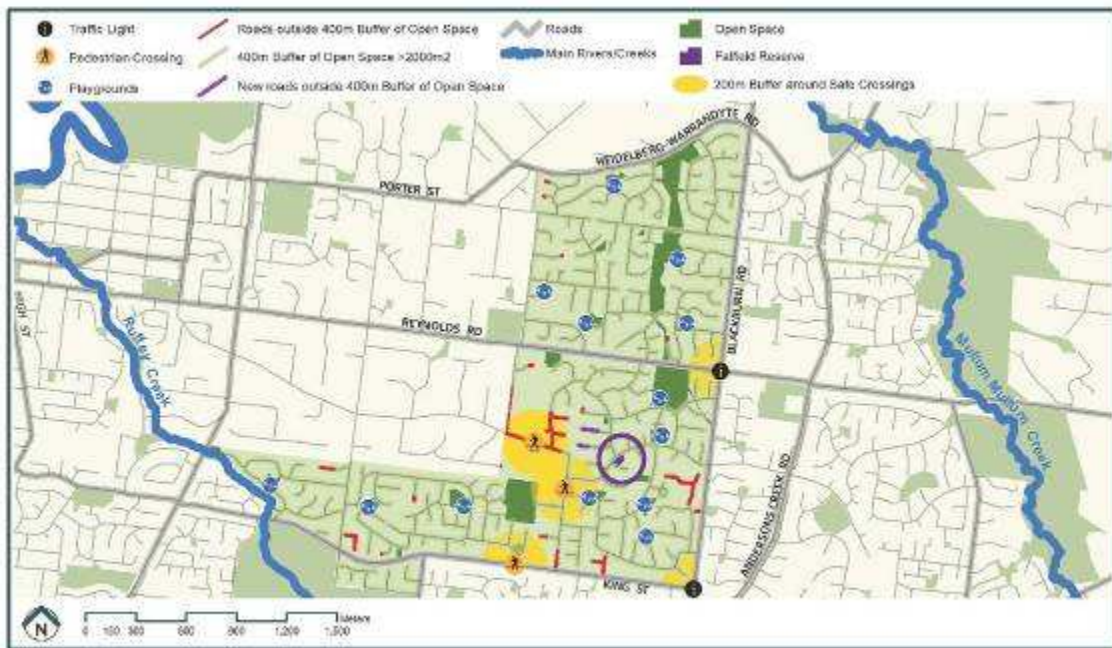
**Size:** This is the largest of the three reserves, and the only one which exceeds 2,000m<sup>2</sup>.

**Provision:** Sale of this reserve would result in a gap in open space provision for residents along Tennyson Court and Coleridge Court (being more than 400 metres from a reserve of 2,000m<sup>2</sup> or larger). Refer to the plan below.

**Impact of future uses:** Council officers had concerns that the development of this site would have a significant impact on the local area due to this reserve's large size, prominent location and aspect onto Serpells Road, and proximity to Serpell Primary School. Development of this site would likely be into a large unit development or non-residential use such as child care or medical facilities which could also result in significantly increased traffic movement in local streets.

**Future recreational potential:** Due to its size, proximity to Serpell Primary School and prominent location on Serpell Road, this reserve is considered to have the greatest long term recreational potential of the three.

**Ability to source funds:** Estimates indicated that Falfield Reserve would attract funds greater than those required for the purchase of 3-7A Glenvill Court.



Following the consideration of all these elements, Council officers recommended, and Council supported, that Tattersson Reserve is the most appropriate reserve for sale.

**How much will the purchase of 3-7A Glenvill Court cost?**

In November 2015 Council officers and the private land owner concluded negotiations for Council to purchase the 8,256m<sup>2</sup> property at 3-7A Glenvill Court. This was a private sale so the purchase price remains confidential.

**What is the estimated sale price of Tattersson Reserve?**

As set out in the "Notice of Intent to Sell Land" and subject to the statutory processes, the Tattersson Reserve land will be sold at public auction. Council's City Valuer will establish a reserve price for the land prior to the auction and the land will not be sold below the reserve price. It is anticipated that there should be little difference between the purchase and sale prices.

### What happens if the sale results in more funds than are needed for the purchase?

In investigating the sale of land, the most appropriate approach was to source near sufficient funds for purchase of 3-7A Glenwill Court, without seeking to produce a financial excess.

Council resolved on 15 December 2015 that should the sale price for Tatterson Reserve exceed the acquisition price for 3-7A Glenwill Court, any surplus funds would be preserved to fund future open space land purchases. If there is a shortfall between the sale and purchase, this shortfall will be drawn from the Open Space Reserve Fund.

### Why can't Council use open space contribution funds collected from developers?

Council collects open space contributions from residential developers in Manningham in accordance with the *Subdivisions Act*. The funds are generated from subdivisions of three or more lots. These contributions may be land or an equivalent financial contribution. However, as open space contributions relate to the additional population growth, which has resulted from new residential development, these funds are specifically used to expand open space opportunities in precincts that have been designated for substantial growth. The Green Gully Precinct is not an area which has or will experience significant residential development in the foreseeable future, and as such Council should not spend significant funds gained from open space contributions to purchase land in this precinct.

Council's Open Space Strategy 2014 Part 1 has a specific objective: 1.3 "Expand and improve open space in line with population increase". This section sets out the areas that require additional open space and Objective 1.4 "ensure the financial viability of open space network expansion and enhancement".

### Why was this land reserved at the time of the original subdivision?

Tatterson Reserve was created as a reserve for municipal purposes in the 1983 subdivision of the local area. This means Council can use it for any purpose, and it is not reserved exclusively for open space.

The former Hemingway Estate is now part of the wider suburb of Templestowe and is located in the Green Gully Open Space Precinct. Of the 15 precincts in Manningham's Open Space Strategy, Green Gully has the least gaps in open space provision, and the area of open space is set to increase with the purchase of 3-7A Glenwill Court.

### What is the Open Space and Streetscape Advisory Committee (OSSAC)?

The Terms of Reference of the OSSAC is to provide advice on the design and development of Manningham's public open spaces and streetscapes, and to oversee the implementation of the Open Space Strategy and Streetscape Character Study. The role of the Committee includes providing advice on the purchase and sale of open space.

It should be noted that this committee does not have the authority to make decisions on behalf of Council. The Open Space and Streetscape Advisory Committee (OSSAC) does not produce reports.

### What did the OSSAC have to say about the proposed sale?

The proposal to sell a Council open space reserve to fund the purchase of 3-7A Glenwill Court was considered at the November OSSAC meeting. The principle of the sale of open space land to facilitate the purchase was supported. Three potential open space reserves were considered for sale. Some committee members supported selling an alternate open space reserve. Three of the six community representatives suggested that Tatterson Reserve should be maintained as open space. These views were provided to Councillors prior to Council making the decision to commence the statutory process to sell Tatterson Reserve at the 15 December 2015 Council meeting.

### What other reserves are in the Green Gully Precinct?

The names and sizes of all the reserves in the Green Gully precinct are listed in the table below.

Reserve name	Area (m <sup>2</sup> )
Aloha Reserve	7,500
Apple Blossom Reserve	2,865
Bebs Reserve	914
Bedervale Reserve	2,685
Birchgrove Reserve	1,688
Browning Reserve	5,891
Falfield Reserve	2,550
Fielding Reserve	6,453
Green Gully Linear Park (including Jenkins and Bronte)	186,600
Hillcroft Reserve	5,000
Larnaca Reserve	5,500
Matisse Reserve	6,500
Mossdale Reserve	5,000
Noral Reserve	2,325
Pineview Reserve	4,034
Porter Reserve	1,113
Ruffey Creek Linear Park	94,809
Serpells Community Reserve	45,400
Spring Valley Reserve	7,000
Tatterson Reserve	1,823
The Grange Reserve	12,000
<b>TOTAL</b>	<b>407,450</b>

### What processes must Council follow to sell the land?

Council must complete two separate statutory processes:

#### Application for planning permit

- Under the Manningham Planning Scheme, a permit is required to remove the reserve status (municipal reserve) from the land.

Council is required to give notice of any such application. Council has sent letters to approximately 160 land owners in the vicinity of Tatterson Reserve, enclosing a copy of the Notice of Application for a Planning Permit, this fact sheet, and explaining the process for making a submission.

#### Notice of intention to sell land

- As Council intends to sell land, under section 189 of the *Local Government Act 1989*, it must give public notice of its intention to do so and people have the right to make a submission to Council on the proposed sale.

In relation to that process, a public notice was published in the *Manningham Leader* on Monday 29 February and a copy of that notice was also sent to the land owners in the vicinity as described above. Under that process, persons making a submission may request to be heard by a Special Committee of Council appointed at the December 2015 Council meeting to hear those submissions on 27 April 2016.

### What will happen to the land after it is sold?

The land will be sold at auction as a single lot. It is currently in a General Residential Zone Schedule 3 and is likely to be purchased for residential development. A planning permit would be needed to develop the land for more than one dwelling. This would be subject to a separate process which could include further public notification.

General Residential Zone Schedule 3 applies to residential areas with more recent housing to enable moderate housing growth while maintaining neighbourhood character. These areas are generally away from main roads and activity centres that provide some opportunity for additional dwelling density. While there is no maximum height limit, any application would need to comply with Victoria's residential design code ('Rescode') which nominates a maximum of nine metres, or 10 metres on sloping sites. The current planning zones have recently been reviewed and there are no plans to review or amend these from their current state.

### How can I make a submission?

Any person may make a submission to Council and any submission must:

- Specify whether the submission relates to the application for planning permit or the notice of intention to sell land or both
- Include your name, address and contact phone number during business hours and the address of the property, and
- If the submission relates to the notice of intention to sell the land, specify whether or not you wish to be heard by the Special Committee of Council appointed to hear oral submissions.

Any submission must be in writing and must be received by Council by Wednesday 13 April 2016 and can be lodged:

- By mail to the Director Planning and Environment, Manningham City Council, PO Box 1 Doncaster, Victoria 3108
- By email to [statutoryplanning@manningham.vic.gov.au](mailto:statutoryplanning@manningham.vic.gov.au)
- Online at [www.yoursaymanningham.com.au/tatterson-reserve](http://www.yoursaymanningham.com.au/tatterson-reserve)

### How will submissions be considered?

Each submission will be acknowledged in writing by Council and submitters will be informed about the next steps.

A Special Committee of Council has been established under section 223 of the *Local Government Act 1989* specifically to hear submissions relating to the proposed sale of the land.

The Tatterson Reserve Special Committee of Council will consist of the Mayor and three Heide Ward Councillors, that is:

- Cr Jennifer Yang (Mayor)
- Cr Geoff Gough
- Cr Jim Grivokostopoulos
- Cr Michelle Kleinert

The Special Committee will hear those submitters who have indicated that they wish to be heard. The Special Committee will meet on Wednesday 27 April at 7.00 pm in the Council Chamber at the Manningham Civic Centre, 699 Doncaster Road, Doncaster

The committee's report will be considered by Council, together with all the other submissions received. This is anticipated to be at the Council meeting on 31 May 2016. At that meeting, Council will make a decision in relation to both the application for the planning permit to remove the reserve status and the Notice of Intention to Sell.

### How do I find out more?

If you have any questions about Council's intention to sell the land, please call Anna Bunbury, Senior Open Space Planner on 9840 9323.

Should you have any further queries in relation to the application for planning permit process, please call Simone Boyd on 9840 9320 or visit [www.manningham.vic.gov.au/application-process](http://www.manningham.vic.gov.au/application-process). More information about the proposal is available at [www.yoursaymanningham.com.au/tatterson-reserve](http://www.yoursaymanningham.com.au/tatterson-reserve)

ATTACHMENT 5



# MINUTES

## Meeting of the Tatterson Reserve Sale (Submissions) Committee

### Meeting Details

Date of Meeting: Wednesday 27<sup>th</sup> April 2016

Time: 7.00pm

Venue: Koonung Room

699 Doncaster Road

Doncaster

Chairperson: Cr Yang (Mayor)

EMT203.doc  
Tuesday, 2 April 2002

---

**Tatterson Reserve Sale (Submissions) Committee 27 April 2016**

---

**1. Committee Members****2. Attendees****Committee Members:**

Cr Yang (Mayor)	Chairperson
Cr Gough (Heide Ward)	Member
Cr Grivokostopoulos (Heide Ward)	Member
Cr Kleinert (Heide Ward)	Member

**Other Councillors:**

Cr Haynes (Deputy Mayor, Koonung Ward) arrived 8.20pm

**Officers:**

Warwick Winn	Chief Executive Officer
Teresa Dominik	Director Planning & Environment
Vivien Williamson	Manager Economic & Environmental Planning

45 Residents were in attendance.

10 Residents spoke to their submission:

A and N Hinds  
C and P Nehme  
G Tham  
P Jenkins  
R and M Arulanantham  
P and J Mitchell  
J Ledingham  
L Moody  
S K Lee  
A Moxon

2 Residents spoke in support of their parents' submission:

J Hinds  
V Atme

**3. Apologies**

Graeme Wallace  
Kevin Ayre      Manager Financial Services

Late Apologies re previous confirmation to be heard:

Dane & Neda Jakolis  
Judy Cheney  
Marleine & Elias Harika

---

Tatterson Reserve Sale (Submissions) Committee 27 April 2016

---

**4. Disclosure of Conflicts of Interest**

There were no disclosures of conflict of interest.

**5. Committee Terms of Reference**

The Chair explained the purpose of the Committee. The purpose of the Committee is to provide the opportunity for persons to be heard in support of their submissions in accordance with Section 223 of the Act and report to the Council on the oral submissions made, including a summary of hearings.

The Chair also explained that the Committee has no authority to make final decisions and a further report will be provided to the next appropriate Council meeting on the submissions heard and the issues raised.

**6. Hearing of Submissions**

The Chair confirmed attendance of those registered to speak to their submissions and invited others to be added.

1.

Points highlighted from their detailed submission:

- have very recently moved into your municipality and purchased the house at 2 Tatterson Court, Templestowe which is directly next to Tatterson Reserve.
- moved to this area for the beautiful green spaces, the views, the privacy, the character: all of which will dramatically change with the development of the Reserve.
- see little relevance of purchasing additional space in the Linear Park area that is a reserve that serves the district area, by sacrificing a reserve that clearly services our neighbourhood area.
- Council needs to consider the alternative ideas that have been raised by some of our diligent neighbours.
- the Reserve allows different people with different backgrounds and cultures to meet and congregate in a mutual area. Losing this will take that opportunity away from our court and neighbouring houses.

2.

Points highlighted from their submissions:

- their children have grown up in this area and the park has been a special place to play, is ideal for cricket and other sports that can't be played at Jenkins or Green Gully.
- the reserve is a beautiful piece of land surrounded by many children and families, and is used for family gathering.
- the area is a quiet and peaceful neighbourhood with beautiful homes surrounding; the sale would destroy this.

---

**Tatterson Reserve Sale (Submissions) Committee 27 April 2016**

---

3.

Points highlighted from a number of her detailed submissions:

- supported points from previous speakers.
- raised concerns that when the Council sent out the notices to the 180 households in February, there were only 2 pages of information. The update with another 4 full pages was provided too late, so requested more time to add to her submissions.
- important that not a single person objected to acquiring new green space as the need for open space, for physical and mental health, scenery and streetscape was very important.
- Council consider that most people bought into the area for the Reserve.
- topography and distance to other parks in the area make them difficult to access.
- had personally observed, over many years, children playing in the Reserve, plus grandparents and grand children.
- had been informed that the Open Space and Streetscape Advisory Committee gave options for Council to raise funds including considering sale of other parks.

4.

Points elaborated on from his submission:

- purchased his home back in 1985 because of the parkland open space.
- he personally purchased, planted and looked after trees in the Reserve.
- elaborated on incidences that had occurred in the park and the many maintenance issues that had not been satisfactorily addressed.

5.

Points highlighted from their submission:

- concerned that the purchaser of the Reserve may be a developer planning high density housing. This type of housing would completely alter the look and peaceful and pleasant feeling of the neighbourhood, and negatively affect the value of properties.
- the Reserve was an important factor in the decision to buy their home.
- over the years the Reserve has been used by children and adults in the neighbourhood for relaxation and activities such as playing with remote controlled toys, flying kites, riding on roller blades and bicycles.
- Reserve is now important for grandchildren to have somewhere to play.
- only thing lacking was a couple of garden seats for the elderly to sit.

6.

Elaborated on their submission:

- moved in over 35 years ago and always believed the Reserve was there to stay.
- was a place for their children to run free and play with other children in the area.
- concerned that Council has done little to preserve the area in last 35 years.



---

**Tatterson Reserve Sale (Submissions) Committee 27 April 2016**

---

7.

Points highlighted from his submission:

- Council has failed to provide any level of comfort in respect to the future use and development of land at Tatterson Reserve.
- the future plan and/or restrictions and covenants need to be transparent in order to ensure maintenance of the high standards, values and character of the established surrounding residential area.
- Council has failed to show a business case that any/all funds raised by public auction (or private sale) would be adequate to purchase other similar land 5 times the area for an implied equal value.
- Council has failed to demonstrate any alternative funding options related to the sale of any other open space.

8.

Spoke to her submission:

- has been a resident for over 30 years and bought with understanding that the Reserve was part of the Estate.
- supported points from all previous speakers.
- concerned that values and character of the established surrounding residential area will be negatively impacted.

9.

Spoke to her submission:

- is a frequent user of the park with her son.
- the Reserve is a very important part of the neighbourhood.

10.

Spoke in support of parents submissions:

- was concerned that if park went he would not have anywhere to play as other parks too far away and not considered safe to go to by himself.
- was main reason he was looking forward to moving to the new house.

11.

Spoke to his submission:

- has lived in the area for nearly 31 years.
- sale would reduce the appeal and amenity of the area.
- Land being purchased is too far away to justify selling the Reserve.

12.

Spoke in support of parents' submission:

- Reserve was important place for children in the area to play and adults to have gatherings.
- against orderly planning to sell important open space.

**Tatterson Reserve Sale (Submissions) Committee 27 April 2016**

---

**7. Recommendations**

The Chair explained that minutes relating to proceedings of the oral submissions to this Section 223 Committee Meeting would be submitted to the 31 May 2016 Council Meeting. The full Council report will consider all submissions received together with recommendations for Council consideration.

The Chair explained that residents were most welcome to attend the Council meeting commencing at 7pm to hear the outcome, but should note that no further submissions can be made at the meeting.

The Meeting finished at 8.15pm.

## 10.2 Melbourne East Regional Sport and Recreation Strategy

Responsible Director: Director Planning & Environment

File No. T16/97

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 Council's endorsement of the Melbourne East Regional Sport and Recreation Strategy. Refer Attachment 1.*

*The Strategy was prepared as a collaboration between the Councils of Melbourne East, Sport and Recreation Victoria and Regional Development Australia (East).*

*The purpose of the Strategy is to facilitate a regional planning approach that supports the development of both current and new sport and recreation infrastructure for the Melbourne East Region for the next 20 years.*

*The Strategy provides an overview of the region, identifies the gaps in regional sport and recreation facilities and shared trails, and outlines the vision for the future provision of regional facilities in Melbourne's East, as well as including a framework to support the prioritisation, planning and delivery of regional facilities, and shared trails collaboratively and effectively.*

*The Strategy includes specific actions in relation to three priority areas for the region of governance and partnerships; knowledge and understanding of the region; and sustainable, flexible and efficient facility development, that are critical to the successful planning, funding and delivery of regional sports and recreation facilities.*

*High priority facility development projects for the region that are of particular relevance to Manningham include the provision of additional indoor sports courts at Mullum Mullum Reserve and the investigation of the demand for a Regional Paddle Sports Centre at Westerfolds.*

*Regional level sport and recreation facilities play an important role in contributing to the health and well being of communities, as they generally serve a broad catchment and cater for a diverse range of activities.*

*It is recommended that Council endorses the Melbourne East Regional Sport and Recreation Strategy.*

### 1 BACKGROUND

- 1.1 The Melbourne East Regional Sport and Recreation Strategy (the Strategy), included as Attachment 1, has been developed to support and guide Councils and stakeholders in the Melbourne East Region in the planning and delivery of regional level sport and recreation facilities and shared recreation trails.
- 1.2 The core project team responsible for development of the Strategy over the past year consisted of representation from the seven eastern Councils (Boroondara, Manningham, Monash, Maroondah, Whitehorse, Knox and the

Shire of Yarra Ranges), the Department of Transport, Planning and Local Infrastructure via Sport and Recreation Victoria (SRV), and Regional Development Australia (East).

- 1.3 The purpose of the Strategy is to facilitate a regional planning approach that supports the development of both current and new sport, and recreation infrastructure for the Melbourne East Region for the next 20 years.
- 1.4 The Strategy provides an overview of the region, identifies the gaps in regional sport and recreation facilities and shared trails, and outlines the vision for the future provision of regional facilities in Melbourne's East.
- 1.5 Also included in the Strategy is a planning framework to support Councils and other regional stakeholders to prioritise, plan and deliver regional facilities and shared trails collaboratively and effectively.
- 1.6 The Strategy investigates the issues and opportunities impacting the planning and provision of regional level facilities using information provided by the seven represented Councils, State Sporting Associations, State Government and other regional stakeholder groups.
- 1.7 The Strategy is supported by the background, research and consultation reports (Preliminary Situational Analysis and Key Findings Report and the State Sporting Association Consultation Findings Report).

## **2 PROPOSAL/ISSUE**

### **Strategy Objectives**

- 2.1 The key objectives of the Strategy are to:
  - Identify the vision and principles that will guide future planning and development of regional level sport and recreation facilities;
  - Develop a sustainable governance model to drive regional project delivery, improve stakeholder collaboration and create a structure for assessment and decision making;
  - Identify and map current and proposed regional level sport and recreation facilities and shared trails across the region;
  - Identify gaps in existing regional facility provision and recommend future development priorities that meet current and future demand; and
  - Develop regional project assessment criteria to support future project selection and prioritisation.

### **Findings**

- 2.2 The key findings which informed the development of the Strategy included:
  - There is a strong supply of regional level sports facilities and shared recreation trails in Melbourne's East catering for a range of formal and informal activity.
  - Some of Melbourne's East Region Councils are under ongoing financial pressure and are prioritising the renewal of existing community facilities over committing to regional planning and collaboration.

- Councils to provide facilities and services that serve their local communities and are constrained on the level of support they can provide to regional level projects.
- Those municipalities located in the outer east such as Yarra Ranges can offer different sport and recreation experiences than densely populated inner region municipalities due to having greater access to land and open space provision.
- Informal sport and recreation activities such as walking, swimming and gymnasiums are popular with adults in Melbourne's East.
- Structured sports such as basketball, netball, football, cricket and soccer have high participation rates, particularly in the junior category.
- Some State Sporting Associations have limited information to influence regional planning and support key projects.
- There is an adequate supply of swimming pools and athletics facilities to service current and future demand across Melbourne's East at a regional level.
- There is an appetite from state and local government to plan and collaborate on shared recreation trail development projects to service the region.

### **Gaps**

- 2.3 A number of gaps in the current provision of regional level sport and recreation facilities in Melbourne's East have been identified, including:
- The connection and development of shared recreation trails.
  - Fit for purpose indoor sports courts for basketball, netball and other compatible sports.
  - Development of specialised purpose built facilities for gymnastics.
  - A destination for adventure based activities that cater for the strong recreation market.

### **Priorities and Actions**

- 2.4 The Strategy focuses on three priority areas for the region that are critical to the successful planning, funding and delivery of regional sports and recreation facilities which are:
1. Governance and partnerships.
  2. Knowledge and understanding of the region.
  3. Sustainable, flexible and efficient facility development.
- 2.5 These priorities are supported by 23 recommended actions across the region.

### **Benefits for Melbourne East Councils**

- 2.6 The Strategy identifies a number of benefits that directly support sports and recreation development and participation across the Melbourne East region, including:
- Increased participation in sport and recreation activities;

- Provision of facilities that can accommodate future demand;
- Increased opportunities to bid for and host regional, state and national sporting events, resulting in economic benefits to communities;
- Provision of access to a wider range of quality facilities;
- Avoidance of duplication of facility provision across municipal boundaries; and
- Sports facilities are financially viable and sustainable.

### **Specific Opportunities for Manningham**

2.7 High priority facility development projects for the region include the provision of additional indoor sports courts at Mullum Mullum Reserve and the investigation of the demand for a Regional Paddle Sports Centre at Westerfolds Park are both actions particularly relevant to Manningham which are identified in the Strategy.

## **3 PRIORITY/TIMING**

- 3.1 Endorsement of the Strategy by the seven regional Councils is scheduled to occur during April and May and the City of Monash endorsed the Strategy at its April meeting.
- 3.2 All Eastern Region Councils will continue to meet regularly to discuss regional issues impacting the future provision of sport and recreation facilities and to implement the recommendations of the Strategy.

## **4 POLICY/PRECEDENT IMPLICATIONS**

- 4.1 All regional priorities will be reviewed regionally using the agreed project assessment processes and regional planning framework.

## **5 CUSTOMER/COMMUNITY IMPACT**

- 5.1 The Strategy identifies a number of benefits that directly support sports and recreation development and participation across the Melbourne East region, including:
- Increased participation in sport and recreation activities;
  - Provision of facilities that can accommodate future demand;
  - Increased opportunities to bid for and host regional, state and national sporting events, resulting in economic benefits to communities;
  - Provision of access to a wider range of quality facilities;
  - Avoidance of duplication of facility provision across municipal boundaries; and
  - Sports facilities are financially viable and sustainable.

## **6 FINANCIAL RESOURCE IMPLICATIONS**

- 6.1 All participating Councils will allocate appropriate levels of co-funding to implement some of the actions of the Strategy, including the proposed regional sports forum and State Sporting Associations data collection.

- 6.2 Funding the development of regional facilities is a challenge for local government in the current financial climate. The broad range of services that Councils provide and their limited financial capacity means they rely heavily on state, federal and commercial partnerships to deliver regional level projects.
- 6.3 Establishing strategic partnerships and improving collaboration across key sport, government and community stakeholder groups will provide more opportunities for Councils to secure funding for regional projects.

## **7 REGIONAL/STRATEGIC IMPLICATIONS**

- 7.1 The purpose of the Strategy is to facilitate an ongoing regional planning approach that supports the development of both current and new sport and recreation infrastructure for the Melbourne East Region for the next 20 years.

## **8 CONSULTATION**

- 8.1 In preparation for the development of the Melbourne East Regional Sport and Recreation Strategy, a range of consultation methods were undertaken to ensure the outcomes of the Strategy were evidence based and provided a clear picture of the future needs of the region. The following methods were used:
- An information session for State and Regional Sporting Associations and subsequent survey (33 peak sporting bodies participated in the survey) – December 2014.
  - Key internal stakeholder consultations with individual Councils – July – Sep 2014
  - An external reference Group that provided technical advice and a formal mechanism to consult with key sport and industry leaders and organisations which included the following organisations:
    - Aquatics and Recreation Victoria
    - Victorian Trails Committee
    - VicSport
- 8.2 Other regional stakeholders consulted included Parks Victoria; Melbourne Water; Melbourne Planning Authority; Bicycle Network Victoria, YMCA, Belgravia Leisure; and the Victorian Equal Opportunity and Equal Rights Commission.
- 8.3 An analysis of the consultation data was conducted and a consultation report is an appendix to the Strategy.

## **9 COMMUNICATIONS STRATEGY**

- 9.1 Following its adoption by all Melbourne East Councils, the Strategy will be distributed to all stakeholders.

## **10 CONCLUSION**

- 10.1 The Melbourne East Regional Sport and Recreation Strategy has been developed through detailed consultation and research to create a Strategy

that provides a snap shot of the current provision of regional facilities and identifies future priorities.

- 10.2 The development of a planning framework and a process for evaluating, assessing and prioritising regional projects that improves collaboration across local government areas and delivers regional facilities that support healthy and active communities is a key outcome of the Strategy.
- 10.3 The establishment and nurturing of strategic partnerships and improving collaboration across key sport, government and community stakeholder groups which will also provide more opportunities for Councils to secure funding for regional projects.

#### **OFFICER'S RECOMMENDATION**

**That Council:**

**(A) Endorses the Melbourne East Regional Sport and Recreation Strategy.**

**MOVED: HAYNES**  
**SECONDED: KLEINERT**

**That the Recommendation be adopted.**

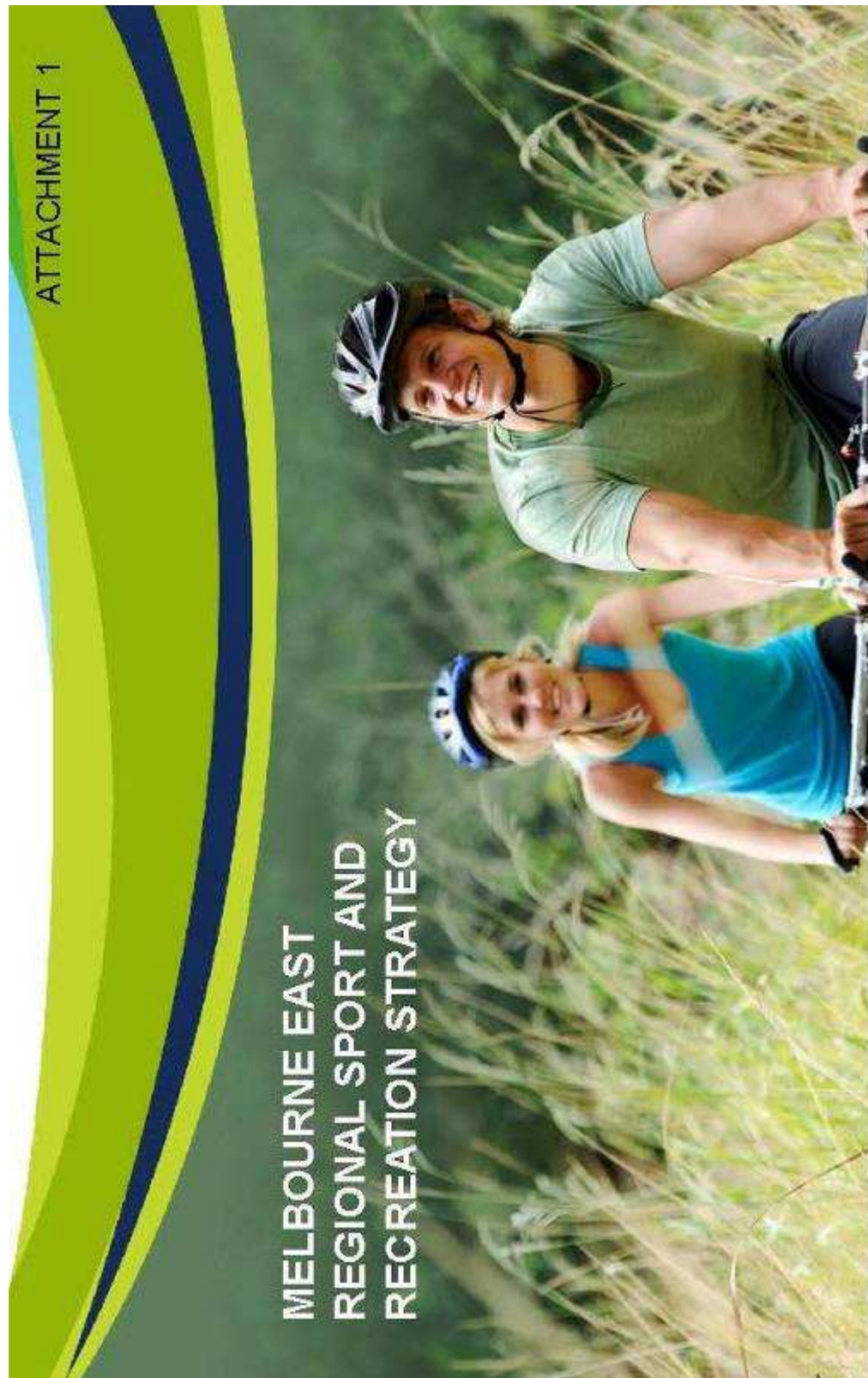
**CARRIED**

"Refer Attachments"

Attachment 1 - Melbourne East Region Sport and Recreation Strategy

\* \* \* \* \*







# Table Of Contents

<b>PART A: THE STRATEGY</b>	
Introduction	4
About the region	6
Executive Summary	8
Why we need a strategy	9
What we found	10
Regional influences	11
Vision and principles	12
Strategic priorities	13
<b>PART B: THE REGIONAL PLANNING FRAMEWORK</b>	
Introduction to the framework	21
Defining regional level facilities	23
Facility categories	24
Stages of regional facility development	25
Regional priorities	28
Summary of high priority projects	29
Priority regional trail connections	30
Recommended actions	32

## About this document

The Melbourne East Regional Sport and Recreation Strategy is delivered in two parts.

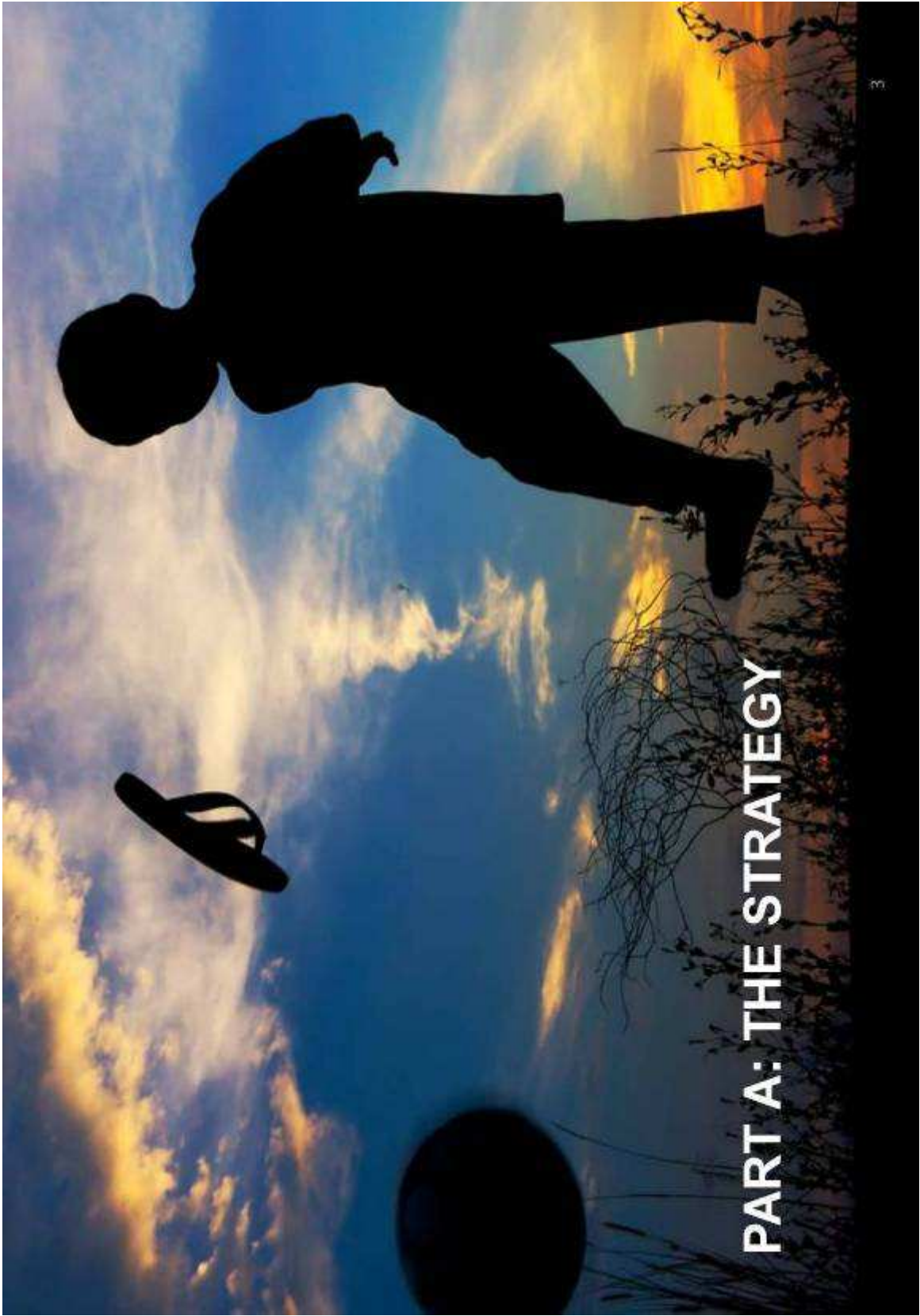
### Part A - The Strategy

Provides a summary overview of the region, identifies the gaps in regional sport and recreation facilities and shared trails, and outlines the vision for the future provision of regional facilities in Melbourne's East.

### Part B – Regional Planning Framework

Part B is a planning framework designed as a resource tool to support Councils and other regional stakeholders to prioritise, plan and deliver regional facilities and shared trails collaboratively and effectively. Other documentation developed which provides the evidence to support the strategy and framework include:

- Background, Research and Consultation Findings Report
  - Preliminary Situational Analysis and Key Findings Report
  - State Sporting Association Consultation Report
- These documents were delivered early in the process and are available separately.



## Introduction

### About this document

The Melbourne East Regional Sport and Recreation Strategy has been developed to support and guide Melbourne East Councils and stakeholders in the planning and delivery of regional level sport and recreation facilities and shared recreation trails.

Regional level sport and recreation facilities play an important role in contributing to the health and well being of communities, as they generally serve a broad catchment and cater for a diverse range of activities. This strategy investigates the issues and opportunities impacting the planning and provision of regional level facilities, using the information provided by the seven represented Councils, State Sporting Associations, State Government and other regional stakeholder groups.

The *Melbourne East Regional Sport and Recreation Strategy* identifies the current gaps in regional facility provision and provides clear strategic directions and a planning framework to assist stakeholders and funding providers to prioritise and develop regional projects.

The strategy is supported by the **Background, Research and Consultation Findings Report**. As part of the development of this strategy the following reports were also delivered and have been provided as appendices to the Background Report.

- Preliminary Situational Analysis and Key Findings Report
- State Sporting Association Consultation Findings Report

The following priority areas have been identified through the development of this strategy and require collective action from Councils and other regional stakeholders to enable the successful planning and future development of regional sport and recreation facilities and shared trails in Melbourne's East.

- **Governance and partnerships**
- **Knowledge and understanding of the region**
- **Sustainable, flexible and efficient facility development**



**REGIONAL LEVEL SPORT AND RECREATION FACILITIES PLAY AN IMPORTANT ROLE IN CONTRIBUTING TO THE HEALTH AND WELL BEING OF COMMUNITIES.**

4

## Introduction (cont.)

### Project governance

The following regional stakeholders were consulted and have influenced the development of the Melbourne East Regional Sport and Recreation Strategy:

#### PROJECT STEERING GROUP (PSG)

Provided high level strategic direction on key issues, opportunities, and responsible for the delivery of the final strategy.

- ▶ Seven Local Government Authorities
- ▶ Sport and Recreation Victoria
- ▶ Regional Development Australia

#### STATE SPORTING ASSOCIATIONS (SSAs)

Provided an opportunity for state and regional sporting associations to have input in to the development of the strategy.

- ▶ 33 peak sporting bodies participated in the development of this strategy.

#### EXTERNAL REFERENCE GROUP (ERG)

Provided technical advice and a formal mechanism to consult with key sport and industry leaders and organisations.

- ▶ Aquatics and Recreation Victoria
- ▶ Victorian Trails Committee
- ▶ VicSport

#### OTHER REGIONAL STAKEHOLDERS

- ▶ Parks Victoria, Vic Roads, Melbourne Water, Melbourne Planning Authority, Bicycle Network Victoria, YMCA, Belgravia Leisure, Victorian Equal Opportunity and Human Rights Commission.



## About the region

The Melbourne East Region connects the city to the bush. The seven Councils comprising the Cities of Boroondara, Manningham, Monash, Maroondah, Whitehorse, Knox, and the Shire of Yarra Ranges are linked by the Yarra River. Extensive waterways and parklands traverse from Melbourne's urban heart to the clean air and national parks, forests and gardens of the Yarra Valley and Dandenong Ranges.

Melbourne East includes developed residential areas and accommodates over 1 million people; includes major employment clusters and agricultural areas in the Yarra Valley, considered the food bowl and wine district of Melbourne. The diverse and unique green spaces provide the lungs to the city.

There is a diverse and unique network of regional sport, recreation and tourism experiences in Melbourne's East that are highly valued. The unique characteristics of the region offers further opportunities to expand this network to generate social, economic and environmental benefits.

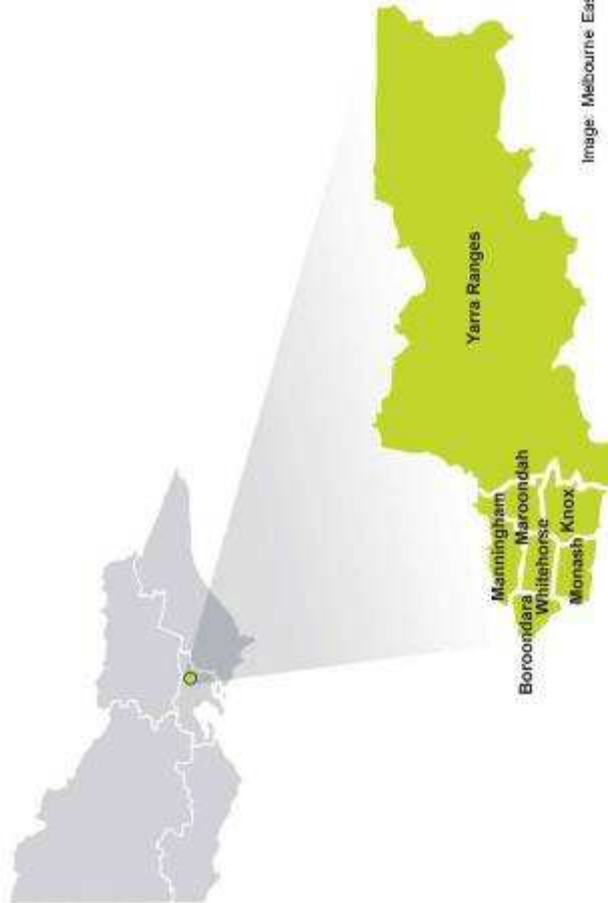
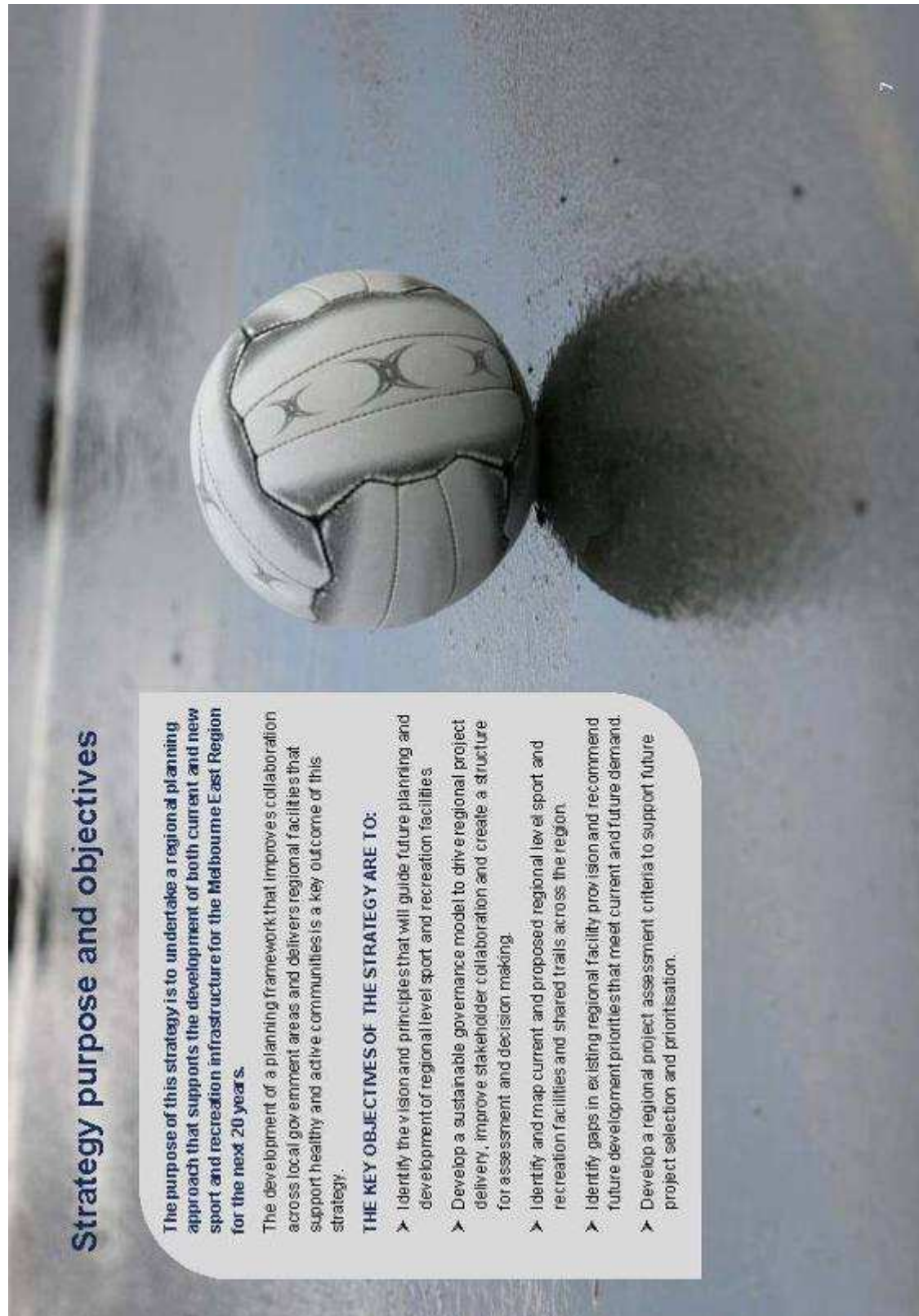


Image: Melbourne East Region

### KEY REGIONAL HIGHLIGHTS INCLUDE:

- 1.044 million people (24.5% of Melbourne population).
- Additional 140,000 by 2031 (55,000 aged 55 and over).
- 70 identified regional level sport and recreation facilities (including regional play spaces) catering for a range of activities.
- Approximately 25 regional trails and mountain bike tracks.
- Walking, jogging, cycling and swimming are the most popular recreation activities.
- Basketball, Australian Rules Football, netball, soccer and gymnastics are the highest participation sports.
- Adventure and lifestyle sports, badminton, table tennis and personal training are also popular.

Source: The above information is derived from ERASS and ABS, SSA participation data and consultation with local government officers and considers the current and future population of Melbourne's East.

A photograph of a soccer ball and a soccer cleat on a grassy field. The soccer ball is white with black and grey patterns. The cleat is black with white laces. The background is a blurred green field.

## Strategy purpose and objectives

The purpose of this strategy is to undertake a regional planning approach that supports the development of both current and new sport and recreation infrastructure for the Melbourne East Region for the next 20 years.

The development of a planning framework that improves collaboration across local government areas and delivers regional facilities that support healthy and active communities is a key outcome of this strategy.

**THE KEY OBJECTIVES OF THE STRATEGY ARE TO:**

- Identify the vision and principles that will guide future planning and development of regional level sport and recreation facilities.
- Develop a sustainable governance model to drive regional project delivery, improve stakeholder collaboration and create a structure for assessment and decision making.
- Identify and map current and proposed regional level sport and recreation facilities and shared trails across the region.
- Identify gaps in existing regional facility provision and recommend future development priorities that meet current and future demand.
- Develop a regional project assessment criteria to support future project selection and prioritisation.

## Executive Summary

**The delivery of the Melbourne East Regional Sport and Recreation Strategy is driven by the need to identify and plan for the development of new, and the renewal of existing, regional level facilities and shared trails that address the future needs of the region.**

A key aim of this strategy is to improve collaboration across local government areas on planning for regional level facilities, and to establish a governance model and project management structure involving stakeholders to help assess, prioritise and fund regional projects. Many of the current regional level facilities in Melbourne's East have been implemented by individual Councils without the knowledge and guidance of a regional strategy. This strategy aims to address the current gaps in the regional planning process, facilitate stakeholder collaboration and ensure future project delivery avoids unjustified duplication of facilities and maximises return on investment for the region. Melbourne's East Region has some unique characteristics that support the variety of sport and recreation activities offered. The region covers 2,964 square kilometres, extending from densely populated urban to less populated rural areas.

Higher density metropolitan municipalities such as Boroondara, Whitehorse and Monash offer different sport and recreation opportunities and experiences to some of the semi rural and rural areas of Maroondah and Yarra Ranges, creating a unique city to bush experience.

This strategy recognises the diverse needs of the region and provides recommendations which complement the existing landscape and geographical challenges and opportunities that exist across the region.

Local sport and recreation plans and participation trends for Melbourne's East were considered in the development of a planning framework that will guide the future provision of regional sport and recreation facilities and shared trails for the next 20 years.

Sport and recreation is highly valued across the region with walking, cycling, jogging and swimming the most popular recreation activities for adults. Participation in organised sports such as basketball, football and netball are high, with other sports such as soccer, gymnastics, table tennis and badminton currently placing significant demand on facilities. (Source: SSA participation data).

A number of gaps in the current provision of regional level sport and recreation facilities in Melbourne's East have been identified. These include:

- The connection and development of shared recreation trails.
- Fit for purpose indoor sports courts for basketball, netball and other compatible sports.
- Development of specialised purpose built facilities for gymnastics.
- A destination for mountain biking that caters for the strong recreation market.

Funding the development of regional facilities is a challenge for local government in the current financial climate. The broad range of services that Councils provide and their limited financial capacity means they will rely heavily on state, federal and commercial partnerships to deliver regional level projects.

Establishing strategic partnerships and improving collaboration across key sport, government and community stakeholder groups will provide more opportunities for Councils to secure funding for regional projects. This strategy recommends a governance model and project management structure to support future regional decision making, and a process for evaluating, assessing and prioritising regional projects. Projects that address the regional sport and recreation needs of residents and demonstrate the broader health, social and economic benefits to the region have been prioritised.



## Why we need a strategy

The development of a regional strategy for sport and recreation provision in Melbourne's East will address a range of issues which may otherwise prevent future successful project delivery.

- Gaps in the shared recreation trail network create opportunities to better connect and link trails and develop a comprehensive network of regional trails.
- There is currently no regional approach to identifying sport and recreation priorities for the region.
- There is no formal governance structure or advocacy platform to support the planning and development of regional level facilities.
- There is no alignment of stakeholder policies and strategic directions that supports a collaborative approach to investment.
- There is a lack of stakeholder collaboration on planning regional projects that meet broader sport and recreation needs.
- There is a gap in strategic partnerships across key stakeholder organisations including state and regional sporting groups, schools and government departments.
- The capacity and ability of Melbourne's East Region Councils to fund regional priorities as well as servicing local sporting needs is increasingly difficult. Councils are generally unable to exclusively deliver regional level facilities.
- The constraints on Councils working across borders, resulting in some duplication and oversupply of facilities across the region is evident.
- The need to provide a regional approach to regional facility planning and delivery that is consistent with peak sporting bodies, Councils and State Government.
- An ageing community with changing demographics will create a focus on accessible and affordable facilities with broader recreation objectives.

9



## What we found

Following is a summary of key findings identified through the development of the strategy and consultation with regional stakeholder groups. These high level findings have informed the strategic directions recommended for the region.

- There is a strong supply of regional level sports facilities and shared recreation trails in Melbourne's East catering for a range of formal and informal activity.
- Local Government rate capping will deliver increased financial pressure on East Region Councils, and is likely to result in Councils prioritising the renewal of existing community facilities over committing to regional projects.
- Councils exist to provide facilities and services that serve their local communities and are constrained on the level of support they can provide to regional level projects.
- Those municipalities located in the outer east such as Yarra Ranges can offer different sport and recreation experiences than densely populated inner region municipalities, due to having greater access to land and open space provision.
- Informal sport and recreation activities such as walking, swimming and gymnasiums are popular with adults in Melbourne's East.
- Structured sports such as basketball, netball, football, cricket and soccer have high participation rates, particularly in the Junior category.
- The quality of facility and participation information received from State Sporting Associations was mixed. The key sports have provided data that will support regional planning and key projects delivery.
- There is an adequate supply of regional swimming pools and athletics facilities to service current and future demand across Melbourne's East at a regional level.
- There is an appetite from state and local government to plan and collaborate on shared recreation trail development projects to service the region.

10

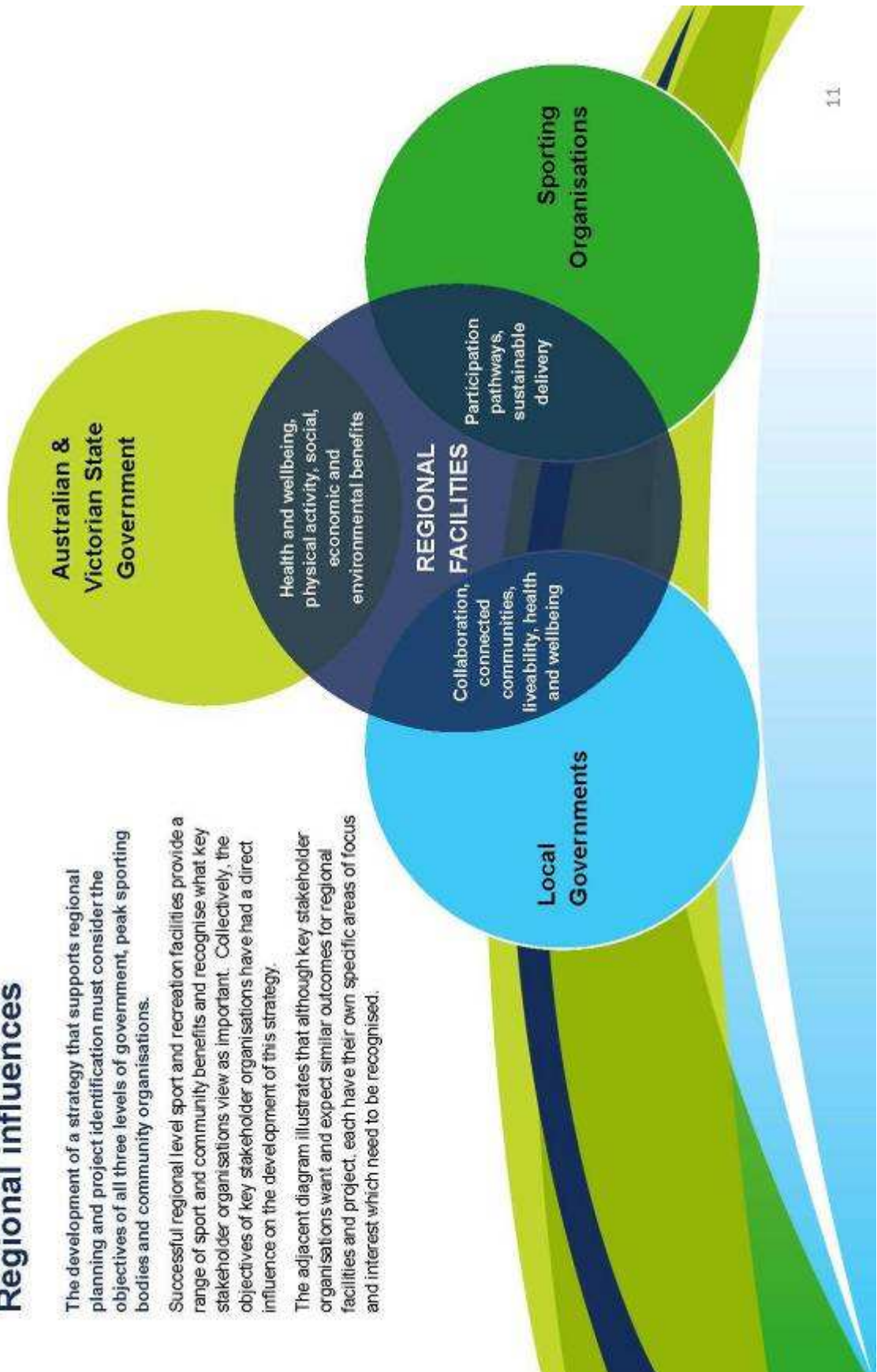


## Regional influences

The development of a strategy that supports regional planning and project identification must consider the objectives of all three levels of government, peak sporting bodies and community organisations.

Successful regional level sport and recreation facilities provide a range of sport and community benefits and recognise what key stakeholder organisations view as important. Collectively, the objectives of key stakeholder organisations have had a direct influence on the development of this strategy.

The adjacent diagram illustrates that although key stakeholder organisations want and expect similar outcomes for regional facilities and project, each have their own specific areas of focus and interest which need to be recognised.



## Vision and principles A way forward together –

### The vision for Melbourne's East is to:

Improve the health and wellbeing of the Melbourne East Region through the provision of high quality regional level sport and recreation facilities and experiences that meet a demonstrated need.

To help stakeholders achieve this vision the following principles have been developed. These principles will be used to guide the future planning, development and delivery of regional level facilities and shared trails.

- Support projects with a demonstrated Universal Design approach that deliver social, health, economic, tourism and environmental benefits to the region.
- Ensure alignment of community sport, government and stakeholder needs and objectives, and develop a collaborative environment that builds partnership opportunities.
- Provide facilities and shared trails that maximise participation and provide opportunities for residents and visitors to Melbourne's East to be more physically active.
- Support projects with an emphasis on participation in community recreation opportunities, and consider the regional level facility requirements for respective sporting associations.
- Invest in facilities that improve access and promote efficient service delivery and flexible multiuse outcomes.
- Recognise opportunities to upgrade and build the capacity of existing facilities to serve a broader regional catchment.
- Avoid duplication and over provision of regional level sport and recreation facilities and shared trails across the region.
- Support projects that have fully considered the local impact of a regional level facility.
- Provide increased opportunities to bid for and host regional, state and national sporting events, resulting in economic benefit to the region.

## Strategic priorities

The following strategic priorities have been identified for the region and are considered critical to the successful planning, funding and delivery of regional sport and recreation projects. It is recommended that all participating Councils in the region endorse these strategic priorities to ensure a collaborative approach to future regional planning.

### 1. GOVERNANCE AND PARTNERSHIPS

It is essential that the Melbourne East Region establishes a strong and sustainable governance structure that provides a process for decision making and helps to identify, prioritise and implement regional projects.

The proposed governance and project management structure will require Councils and other stakeholders to collaborate and invest resources into the regional planning process to ensure the objectives of the strategy are achieved.

The following key enablers have been identified to support the development of a sustainable governance structure and strategic partnerships that will drive regional planning and project delivery.

- A governance structure with a decision making authority informed by a Terms of Reference (refer proposed governance structure on page 17).
- Local council policies that support regional facility development.
- Regional stakeholder collaboration and resourcing.
- Strategic advocacy and alignment with state and national sporting bodies.

### 2. KNOWING AND UNDERSTANDING THE REGION

Recognising and responding to the region's unique attributes and continuing to challenge, assess and review identified priorities through the use of current sports participation, recreation trail and future population data will be a high priority for the region.

The strategy has identified the current suite of regional level sport and recreation facilities and shared trails and the gaps in regional facility provision. To ensure the identified facility gaps remain applicable to the region it is essential that the baseline trail usage and sport participation data collected as part of the strategy is kept up to date and reviewed annually.

The following key enablers are considered essential to ensuring regional stakeholders have the most current and accurate information about the region from which to make decisions.

- Understanding regional demand and projecting future trends.
- Responding to community change and diversity.
- Providing targeted participation opportunities for residents and visitors and utilising the region's unique places and characteristics
- Learning from previous projects and conducting ongoing research and data collection.
- Responding to ongoing change (climate, political, economic, demographic).
- Regular strategy review and refinement.

The strategy for the future planning and provision of regional level sport and recreation and shared trails will be underpinned by the above priorities. These priorities are supported by a list of recommended actions that can be implemented at the regional level.

The implementation of strategic priorities and associated recommendations requires stakeholders to play three important roles in their delivery:

**INITIATE** - refers to the commencement of planning and coordinating the scope and timing of action(s) to be delivered.

**DELIVER** - refers to the on-the-ground delivery of identified actions and the acquisition and management of key partner and stakeholder contributions.

**SUPPORT** - refers to the organisational support for action delivery through the provision of resources, people, skills, funding, equipment and/or promotional activities.



## STRATEGY 1

### GOVERNANCE AND PARTNERSHIPS - Develop a governance model and a collaborative project management structure to support future regional decision making.

Regional facility planning and development requires commitment and input from a range of stakeholder groups due to the size and scale of projects. A formal governance and decision making structure is essential in managing and driving successful project implementation.

Identification of regional priorities is only the first step in the cycle of regional project development. Creating a model of ownership and accountability amongst regional stakeholders is required to support a regional approach, and ensuring the future delivery of regional level sport and recreation projects are well planned and targeted to meet the needs of residents.

Developing and strengthening partnerships with key national and state sporting associations and all levels of government is important to supporting the delivery of regional projects, and to maximise the use and sustainability of regional facilities.

Formal adoption of regional priorities identified in this strategy is recommended to create a sense of ownership and to demonstrate each Council's ongoing commitment to regional planning and collaboration. Councils have agreed on a process for identifying and assessing regional projects and established a governance structure that involves individual Councils as the decision making authority, with other important regional stakeholder represented and informing the process.

The governance model utilises existing stakeholder groups to create a structure of engagement and decision making, and is designed to support future regional sport and recreation and shared trail planning and provision.

The existing Melbourne East Region Group of Councils (CEOs and Mayors) will be required to support and endorse regional projects, with individual Councils the final decision making authority on regional level project funding and delivery. A sport and recreation pillar has been established within the Melbourne East Region Group to provide a platform for key regional stakeholders to identify, assess, and nominate regional projects.

To help Councils prioritise regional projects and ensure a consistent approach to project development, a framework which includes a project assessment criteria and regional facility planning tool has been developed.

The assessment criteria is relative to the key characteristics and requirements for the development of sustainable, effective and efficient delivery of regional level facilities, and are designed to assess the benefits and impacts of new or existing facilities. The assessment criteria is provided as a planning tool and recognises the key stages of regional planning and delivery, along with the lifecycle of regional projects.

**Governance and partnerships – recommended actions**

NO.	ACTIONS	TIMEFRAME	STAKEHOLDER RESPONSIBLE		
			INITIATE	DELIVER	SUPPORT
1.1	East Region Councils to endorse the strategy and planning framework to ensure a collaborative approach to future regional planning.	Immediate	Individual LGA	Individual LGA	Regional PSG
1.2	Councils recognise the need for improved collaboration and allocate appropriate resources to ensure a commitment to ongoing participation in regional planning processes and working groups to support regional project planning and delivery.	High	Regional PSG	Individual LGA	Individual LGA
1.3	Review the Terms of Reference for the Melbourne East Region Project Steering Group to ensure it continues to operate effectively and provides leadership in the development of regional level sport and recreation projects.	High	Regional PSG	Regional PSG	Individual LGA
1.4	Ensure the Melbourne East Region Group of Councils includes sport and recreation as a key strategic pillar and that it acts as the governing body to support and endorse regional project proposals. Individual Councils will be the final decision making authority for projects within their municipality (refer proposed governance structure and key stakeholder framework provided on the page 17).	Ongoing	Regional PSG	East Region CEOs	Regional PSG
1.5	Strengthen relationships with the Department of Education and Training to enable opportunities for community access to existing and future sport and recreation facilities on Department of Education and Training land.	High	Regional PSG	Regional PSG	SRV
1.6	Establish partnerships with key organisations including Parks Victoria, Melbourne Water, Vic Roads, Bicycle Network Victoria, the Victorian Trails Committee, Bushwalking Victoria and Cycling Victoria to identify high priority recommendations for the development of the regional shared trail network.	Medium	Regional PSG	Regional PSG	SRV, VicTrack, DEWLP, Railtrails Australia, Active Transport Vic

**Governance and partnerships – recommended actions (cont.)**

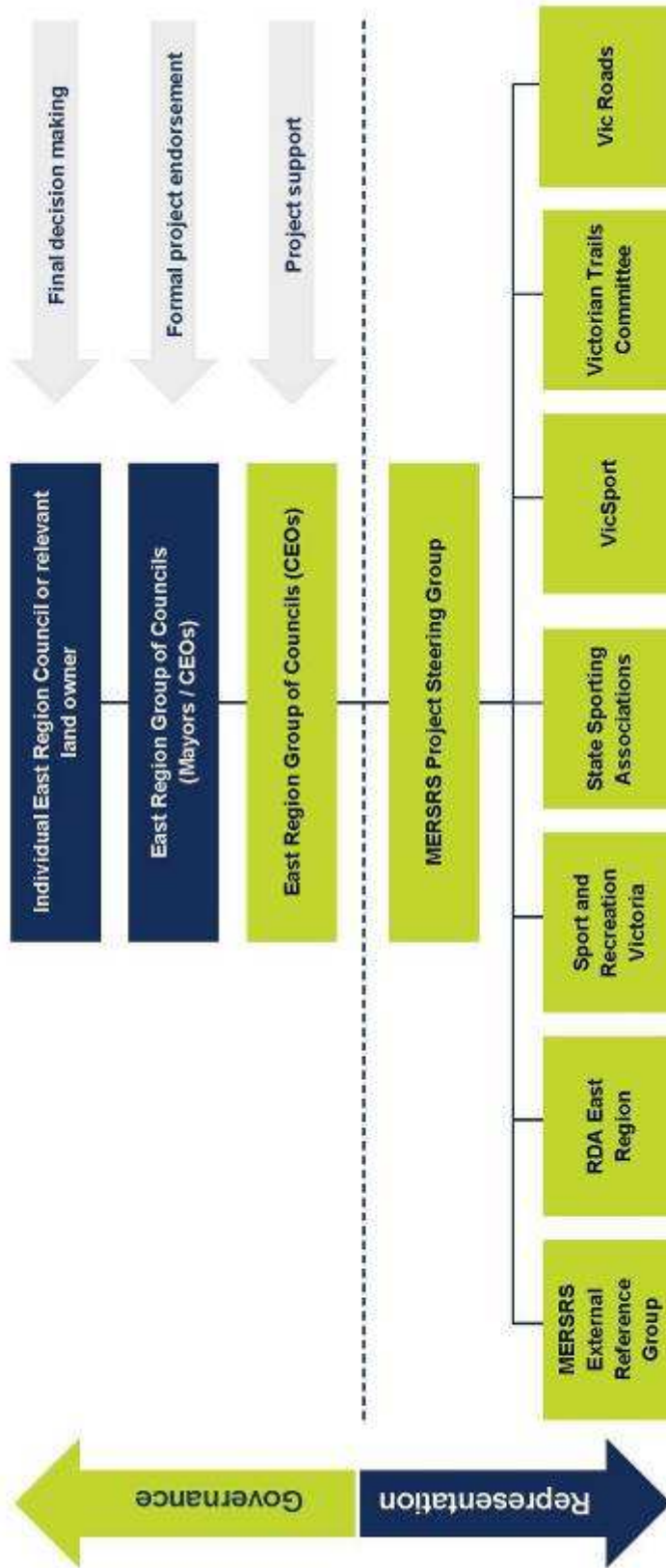
NO.	ACTIONS	TIMEFRAME	STAKEHOLDER RESPONSIBLE		
			INITIATE	DELIVER	SUPPORT
1.7	Improve collaboration and the sharing of participation and facility information with State Sporting Associations to ensure sport development priorities and needs are considered in all future regional projects.	Medium	Regional PSG	Regional PSG, SSOs	SRV
1.8	Through the active operation of the Melbourne East Region Project Steering Group, ensure ongoing collaboration across all seven Councils on future regional opportunities for sport and recreation. Integrate and share regional mapping information to ensure facilities are well planned into the future.	Medium	Regional PSG	Regional PSG	IE, NGIS
1.9	Continue to partner with Regional Development Australia (East Region) on the implementation of this strategy and advocate for federal and state government funding support to deliver regional projects.	Medium	Regional PSG	Regional PSG, RDA	RDA Committee

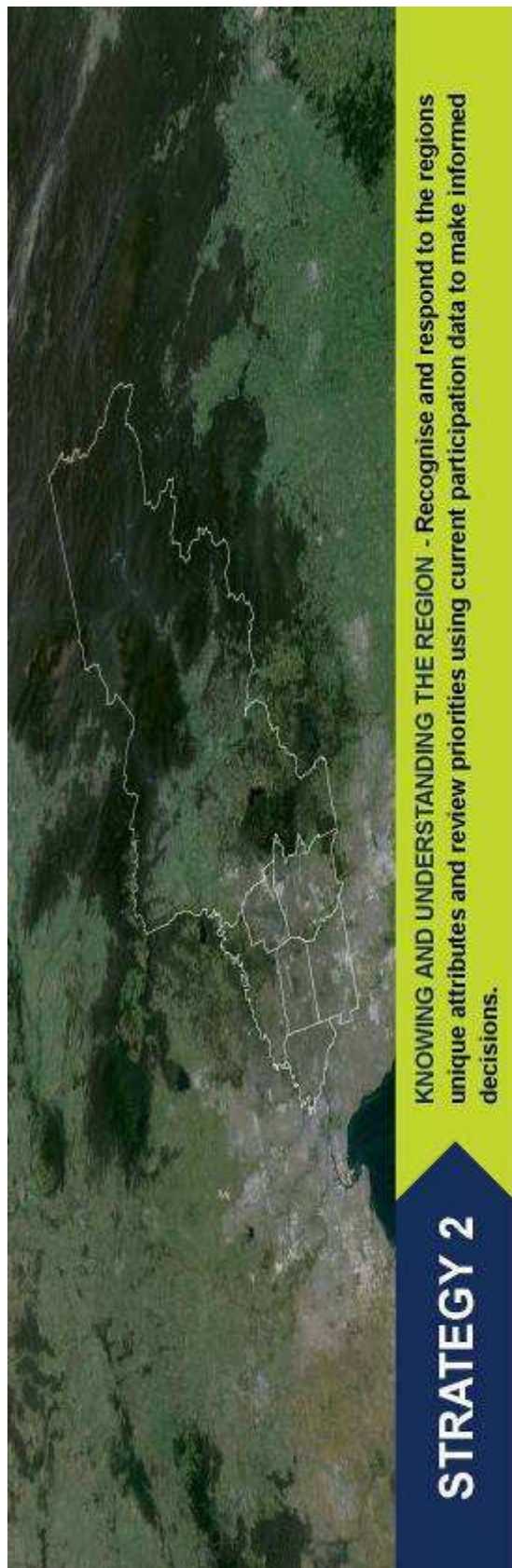


### Proposed governance structure and key stakeholder framework

The structure below recognises individual Councils as the final decision making authority where proposed regional sport and recreation facilities are located within their specific municipal boundaries.

The Eastern Region Group of Councils (CEOs) will be required to provide in principle support for regional project proposals following presentations from the Melbourne East Project Steering Group, with Mayors and CEOs asked to endorse projects before a final decision is made by the individual Council. A Terms of Reference will be used to define roles, responsibilities and membership of the Project Steering Group and the Eastern Region Group of Councils.





**STRATEGY 2**

**KNOWING AND UNDERSTANDING THE REGION - Recognise and respond to the regions unique attributes and review priorities using current participation data to make informed decisions.**

To continue to assess the relevance and appropriateness of regional priorities identified as part of this strategy, Councils and other stakeholders will need to respond and maintain an understanding of future changes to the region.

Understanding future trends, preferences and influences on sport and recreation provision and activity, and recognising the demographic and population changes that will impact regional planning and development, will be important to successful project implementation.

Through the development of this strategy regional facility needs and participation numbers for various State Sporting Associations were collected, analysed and mapped.

The ongoing review of regional sports participation numbers and strengthening partnerships with State Sporting Associations will be important to ensuring Councils are up to date with current issues, priorities and opportunities that influence the regional planning process.

Melbourne's East Region has a diverse mix of people and infrastructure which will require ongoing monitoring to ensure future facility development continues to respond to the needs of the region.

Understanding the size and unique characteristics of the region will be important when planning the location of future regional facilities and shared trails to ensure these facilities are providing the greatest benefit for sport and the community.

Large scale regional projects require significant financial investment which can only be justified if there is sufficient evidence that the project can address the health, social and economic benefits of the region.

It will be important for Councils to collaborate with a range of sport, government and community stakeholders to build a case for regional facility development which can be supported by clear evidence and have an understanding of the broader impacts for the region.

**Understanding the region – recommended actions**

NO.	ACTIONS	TIMEFRAME	STAKEHOLDER RESPONSIBLE		
			INITIATE	DELIVER	SUPPORT
2.1	All participating Councils to allocate appropriate levels of co-funding to service the below initiatives, including the proposed regional sports forum and SSA data collection.	Critical	Individual LGAs	Individual LGAs	Regional PSG
2.2	Commit to quarterly meetings of the Melbourne East Region Project Steering Group to enable Councils to discuss regional issues impacting the future provision of sport and recreation facilities. Review and develop regional priorities using the agreed project assessment processes and regional planning framework.	High	Regional PSG	Regional PSG	Individual LGAs
2.3	Through enhanced relationships with State Sporting Associations, develop a process of surveying and collecting participation and facility data for the region to monitor demand and analyse participation trends every three years. Maintaining current participation information will support future regional funding applications.	High	Regional PSG	Regional PSG, SSOs	SRV
2.4	Continue to engage with Vic Roads and Bicycle Network Victoria on the prioritisation of on and off road trail projects in Melbourne's East, and regularly collect current recreation trail usage data for the region (Bicycle Network Victoria Super Tuesday and Super Sunday).	High	Regional PSG	Individual LGAs	Vic Roads, SRV
2.5	Consider the regional impacts of current participation data being developed for organised sport by Federation University, in conjunction with Sport and Recreation Victoria and VicHealth (Sports Spatial). Results of the upcoming Australian Sports Commission AusPlay Survey (commencing in 2016-17) should also be incorporated into future regional sport and recreation planning.	Medium	Regional PSG	Regional PSG	SRV

**Understanding the region – recommended actions**

NO.	ACTIONS	TIMEFRAME	STAKEHOLDER RESPONSIBLE		
			INITIATE	DELIVER	SUPPORT
2.6	Maintain and update the regional sports participation and demographic data that is being used to create the online mapping program, and ensure ongoing access is provided to all Councils to support local and regional planning studies.	Ongoing	Regional PSG	Regional PSG	IE, NGIS
2.7	Facilitate an annual sport and recreation forum for the Melbourne East Region that brings together all relevant state and regional sport and recreation organisations to discuss current issues, participation trends and future facility development opportunities.	Medium	Regional PSG	Regional PSG, SRV	SSOs
2.8	Maintain contact with Regional Development Australia (East Region) officers regarding any specific research or project work relating to demographic or community change which is likely to influence the future development of sport and recreation facilities.	Medium	Regional PSG	Regional PSG, RDA	Individual LGAs



**PART B: THE REGIONAL  
PLANNING FRAMEWORK**

21

## Introducing the framework

**THE MELBOURNE EAST REGIONAL PLANNING FRAMEWORK HAS BEEN DEVELOPED AS A TOOL TO DRIVE THE REGION'S STRATEGIC PRIORITIES.**

The Melbourne East Region has its own unique characteristics, and with changing populations and new trends in sport and recreation, the development of a planning framework is crucial in reaching an agreed position as to how the region should respond.

There is a need for sport, government and community stakeholders to work together more effectively on planning and delivery of regional facilities, to ensure future provision is targeted, sustainable and successful. The delivery of regional projects require significant investment from a range of funding providers, so the development of a regional framework to guide future investment and provide the evidence to secure support from potential investors is vital.

The increasing demand for quality facilities from peak sporting bodies, regional associations, local community sporting groups and residents creates significant pressure on land owners and facility providers. Through improved collaboration and better understanding of the future needs for regional facilities, stakeholders can move towards an agreed vision for the region and deliver this vision using the regional planning framework.

The sport and recreation needs of the region and the role and function of existing regional level facilities have been considered in the development of the framework. The framework identifies and prioritises future regional level facilities and shared trail development that will be required to service the region for the next twenty years.

The key components of the framework are outlined in the following pages and are designed to guide the planning and development of regional level sport and recreation facilities and shared trails. Councils and regional stakeholders are encouraged to use this framework as a platform for collaboration and as a key resource when planning regional level facilities.



*The process for applying the regional framework*

22

## Defining regional level facilities

Reaching agreement on the definition of regional level sport and recreation facilities was a challenge throughout the development of the strategy as regional facilities mean different things to different people.

For instance, State Sporting Associations primarily view regional level facilities as venues for elite sport whereas government, in particular local government, see regional facilities as catering for a broad range of sport and community use.

For the purposes of this strategy regional level facilities are defined by their broad characteristics and benefits rather than one single component. A key outcome of the strategy is the delivery of a range of sport and recreation facilities and shared trails that provide the following key characteristics.

### SPORT AND RECREATION FACILITIES THAT ...

- Provide a range of participation outcomes which benefit the community, allow for a range of competitions (local, state and/or national), and have the ability to host medium to large scale events.
- Cater for a broad catchment across multiple municipal boundaries.
- Offer flexibility of use by one or more sports / activities.
- Deliver quality management and service levels that are maintained to a high standard.
- Consider the defined regional facility training and competition standards of the relevant Council or Councils, and State Sporting Associations.

### SHARED TRAILS THAT ...

























- Are integrated and connected across municipal boundaries.
- Provide infrastructure and amenities to support walking and cycling.
- Provide safe off road alternatives.
- Support both recreation and commuter use.

All regional facility gaps identified in this strategy have been assessed as meeting the above criteria.



### Facility categories

Regional level sport and recreation facilities and shared trails have been grouped into five categories to assist with prioritising future facility development opportunities. These categories were also used to support and identify the current gaps in regional facility provision.

AQUATICS	 swimming  diving
OUTDOOR SPORTS GROUNDS	 football  cricket  soccer  rugby league  croquet
RECREATION	 walking trails  playgrounds  cycling
INDOOR SPORTS	 basketball  netball  table tennis  gymnastics  badminton
ADVENTURE BASED ACTIVITIES	 hang gliding  mountain biking  skate/bmx  canoeing
OUTDOOR SPORTS COURTS & SPECIALIST SPORTS SURFACES	 hockey  baseball  tennis  equestrian  athletics



## Stages of regional facility development

There are six key stages involved in the planning, development and delivery of regional level facilities and shared trails.

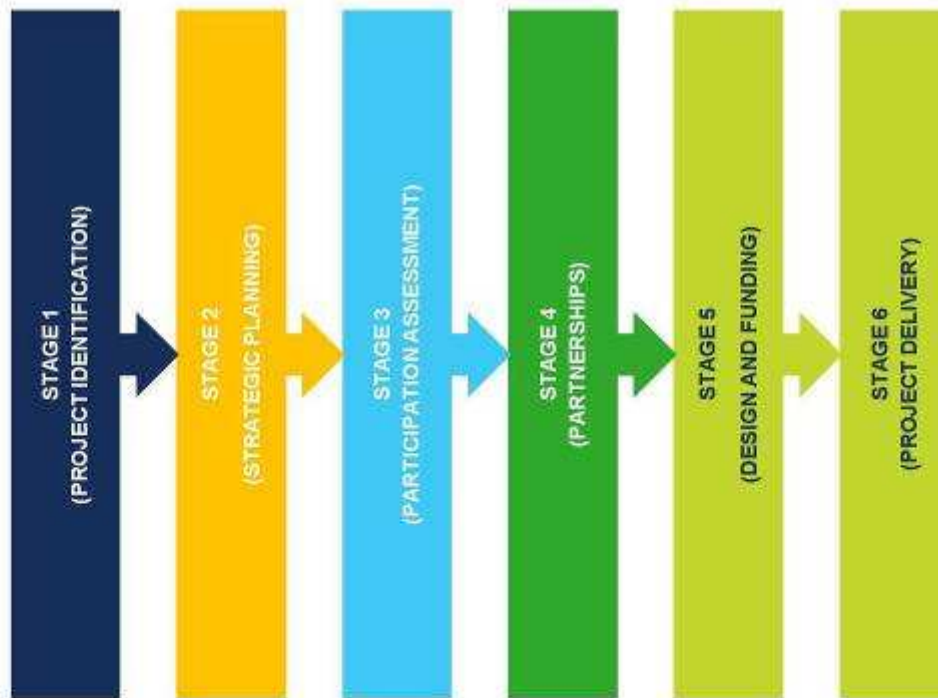
The first stage is to identify if the project is regional and will serve a regional function. Individual Councils will need to confirm that a project is regional by demonstrating that all of the key characteristics of a regional level facility or a shared trail have been met. Current regional facilities that require renewal or upgrade should also be tested against these key characteristics.

Once the project has been confirmed as regional it can then proceed to the second stage of strategic planning. This stage must demonstrate the strategic intent for the development of a regional level facility by at least one Council, and an understanding of the broad regional demand and likely health, community and economic benefits the project will provide to the region.

Stage 3 includes the development of formal documentation such as a regional planning study or benefits assessment that provides evidence and support for a regional level facility. The planning study must demonstrate how the project will increase participation, identify opportunities for multiuse, meet the future sport and recreation needs of the community and sporting organisations and identify the social, economic and environmental benefits of the project.

The focus of Stage 4 is to establish and confirm key strategic partnerships with a range of organisations that will benefit from the delivery of the project. Support from relevant sport, government and community organisations will be essential to securing appropriate funding and delivering a successful project.

The final two stages involve detailed design, funding, and project procurement and delivery. Stage 5 focuses on detailed design, approvals and finalising project funding, whilst Stage 6 is project construction, confirming management options and finalising usage agreements with stakeholders.



As part of the development of the strategy the current gaps in regional facility provision have been identified and are at different stages of development. All identified projects have been assessed to determine where they are positioned in the regional facility development lifecycle.

The information below provides the key stages of regional planning and development in further detail and the criteria used to assess projects. Stages have been colour coded to understand projects readiness for the identified projects listed on Page 29.

<p style="text-align: center;"><b>CONFIRMING A REGIONAL PROJECT</b></p>	<p><b>NEW OR EXISTING FACILITIES THAT:</b></p> <ul style="list-style-type: none"> <li>➤ Provide a range of participation outcomes which benefit the community, allow for a range of competitions (local, state and/or national), and have the ability to host medium to large scale events.</li> <li>➤ Cater for a broad catchment across multiple municipal boundaries.</li> <li>➤ Offer flexibility of use by one or more sports / activities.</li> <li>➤ Deliver high quality management and service levels and are maintained to a high level.</li> <li>➤ Consider the defined regional facility standards of local governments and state sporting associations for training and competition.</li> </ul> <p><b>TRAILS THAT:</b></p> <ul style="list-style-type: none"> <li>➤ Are integrated and connected across municipal boundaries.</li> <li>➤ Provide appropriate supporting infrastructure and amenities</li> <li>➤ Provide safe off road alternatives.</li> <li>➤ Support both recreation and commuter use</li> </ul>
<p style="text-align: center;"><b>STRATEGIC PLANNING</b></p>	<ul style="list-style-type: none"> <li>➤ Evidence of demand for a regional level facility identified by at least one LGA and supported by other LGAs and included in a corporate plan or strategy.</li> <li>➤ Will the project provide health and wellbeing, as well as social and community benefits to the region?</li> <li>➤ Evidence of demand for a regional level facility from NSOs, SSAs or relevant peak bodies and is consistent with current development guidelines.</li> </ul> <p><b>TRAILS THAT:</b></p> <ul style="list-style-type: none"> <li>➤ Has SRV or other relevant government agencies acknowledged the need for a regional level facility and does the project meet potential funding criteria?</li> <li>➤ Will the project create ongoing job opportunities and deliver economic benefits to the region?</li> <li>➤ Does the project demonstrate best practice and a commitment to ESD and Universal Design?</li> <li>➤ Have the infrastructure, construction and ongoing maintenance responsibilities of the asset been agreed?</li> </ul>

<p><b>PARTICIPATION ASSESSMENT</b></p>	<ul style="list-style-type: none"> <li>➤ Has there been an increase in local and regional participation in the relevant sport or activity over the past five years by one or more LGA?</li> <li>➤ Do current and future sport and recreation participation projections for the region warrant a regional level facility?</li> <li>➤ Will the project provide opportunities for multiuse and offer broad participation outcomes for both sport and the community?</li> </ul>	<ul style="list-style-type: none"> <li>➤ Do population and demographic projections for the region provide a strong participation market and support the development of a regional level facility?</li> <li>➤ Will the project provide a participation pathway from beginner to elite level?</li> </ul>
<p><b>PARTNERSHIP OPPORTUNITIES</b></p>	<ul style="list-style-type: none"> <li>➤ Have local sporting clubs, associations or relevant community groups been consulted and any impacts identified, and have these groups provided in principle support for the project?</li> <li>➤ Has dialogue commenced and in principle support received for the project from relevant SSA and NSO?</li> <li>➤ Are SRV or other relevant state or federal government agencies engaged in the process and given in principle support for a regional level project?</li> </ul>	<ul style="list-style-type: none"> <li>➤ Will the project increase partnership opportunities due to its proposed location, land ownership and community and commercial interests?</li> <li>➤ Have likely future management arrangements been identified and will this provide enhanced stakeholder support for the project?</li> </ul>
<p><b>DESIGN &amp; FUNDING</b></p>	<ul style="list-style-type: none"> <li>➤ Are the overall financial costs for the project known and has funding for the project been secured?</li> <li>➤ Does the project provide opportunities to seek external funding from a range of sources including government, commercial and the private sector?</li> <li>➤ Is the proposed site for future development available (and supported by in principle agreements or MOUs), and have schematic designs been endorsed by all stakeholders, including SRV?</li> <li>➤ Has the project design been developed using a Universal Design principle based approach?</li> </ul>	<ul style="list-style-type: none"> <li>➤ Has business and management planning with operational / programming and ongoing infrastructure maintenance obligations for the project been completed?</li> <li>➤ Have all project design components been completed and approved by key stakeholders and funding providers and is the project ready for tender?</li> </ul>

## Regional priorities

Prioritising and developing sustainable, flexible and efficient regional facilities and shared trails that meet the needs of the Melbourne East Region is a key outcome for stakeholders using the regional planning framework.

The Melbourne East Regional Sport and Recreation Strategy identifies the future sport and recreation needs of communities living in Melbourne's East. The regional planning framework, developed by the Project Steering Group, was used to help identify the facility development priorities identified on the following page. An overview of these projects was presented to the Eastern Region Group of Councils (CEO level) and have received in principle support to be included in the strategy.

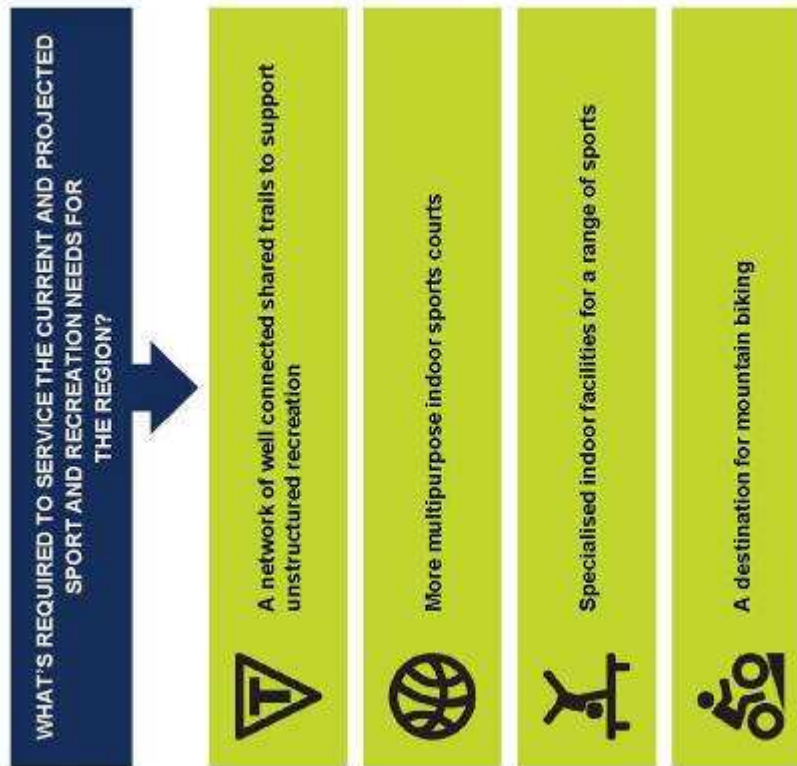
In accordance with the regional planning framework and project endorsement process, projects will be required to undergo a full assessment and be subject to a presentation to the Eastern Region Group of Councils (CEOs and Mayors) before final endorsement can be achieved.

High priority projects required to meet the future sport and recreation needs of Melbourne's East have been grouped into four broad categories to help guide future planning, development and decision making

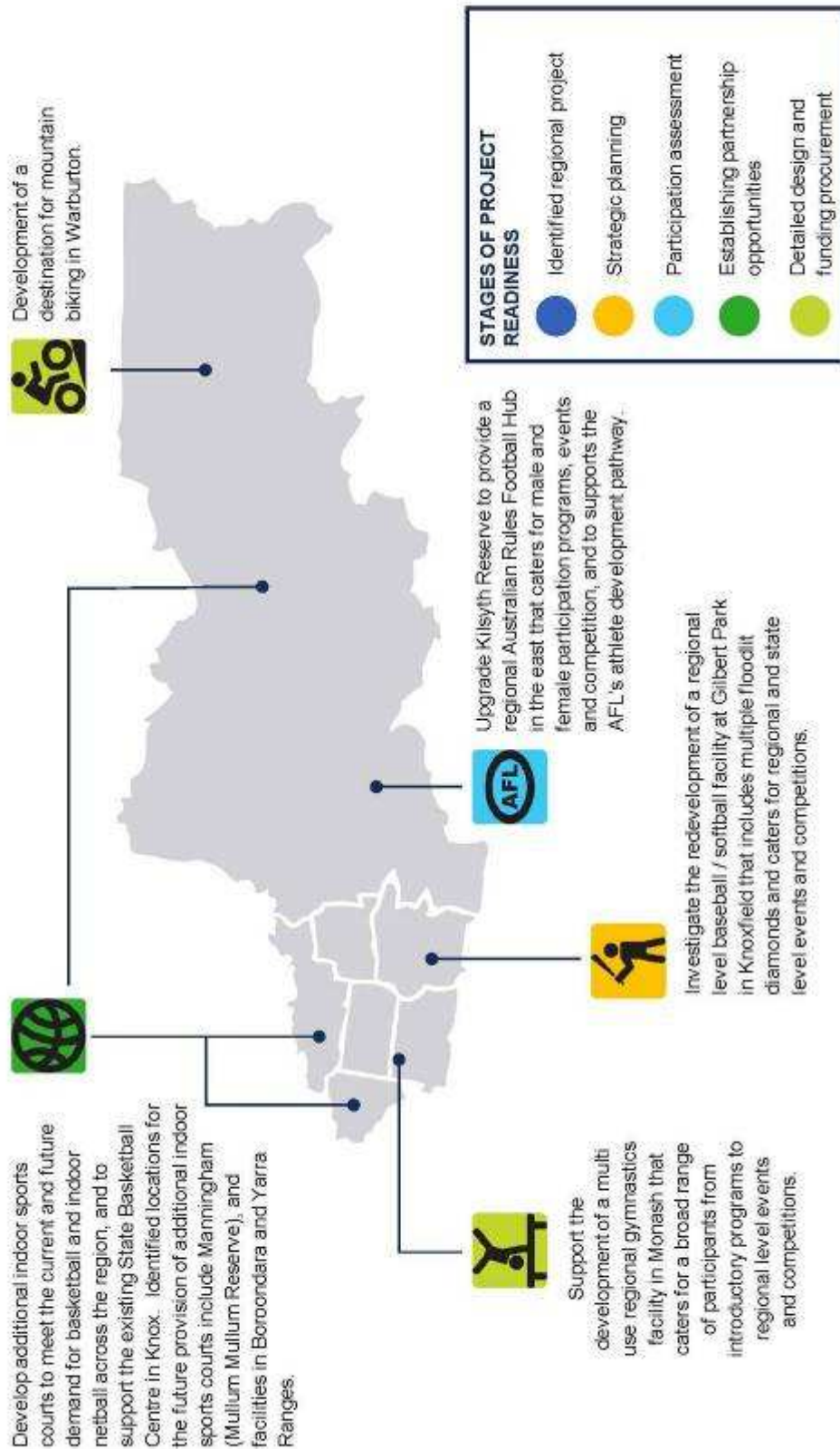
1. shared recreation trails
2. indoor sports courts
3. specialised indoor facilities
4. and a destination for mountain biking

Although other key regional sport and recreation facilities, such as aquatic centres and athletics tracks, are not considered high priorities, the renewal and upgrade of these facilities to meet local demand is recognised and will be required in the future.

Exploring opportunities to expand and increase the capacity of existing facilities to meet future regional demand for sport and recreation activities should be considered, and balanced with the need and opportunity for new facility development.



### Summary of high priority facility development projects



## Priority regional trail connections

The region has a widespread and extensive network of on and off-road trails. These trails are heavily used for commuting and recreation purposes and provide considerable social, physical and economic value to the region. The existing regional trail network is well supported by a capillary of connector trails that provide transport opportunities and access into other regional areas.

The map on the following page identifies the high priority gaps in the regional trail network for Melbourne's East. These projects were identified through consultation with a range of key stakeholders including local councils, Bicycle Network Victoria, Vic Roads, Parks Victoria, Melbourne Water and the Melbourne Planning Authority.

Recommended trail projects were based on information from the Principal Bicycle Network (PBN) data sourced directly from Vic Roads, and the bicycle participation data collected from Bicycle Network Victoria (Super Tuesday and Super Sunday data). A complete list of Vic Roads and Bicycle Network Victoria trail priorities were provided by these organisations and have influenced the development of future trail projects for Melbourne's East.

The recommended trail projects will require further investigation both locally and regionally to establish a final set of trail priorities. As well as prioritising the missing links of regional trails, there will also be an emphasis on renewing existing regional trails to ensure that they meet best practice and are fit for purpose now and in the future. The Project Steering Group will be required to develop a suitable project assessment criteria that considers current and proposed local trail strategies. Local trail priorities identified within each municipality are provided in the Background, Research and Consultation Findings Report.

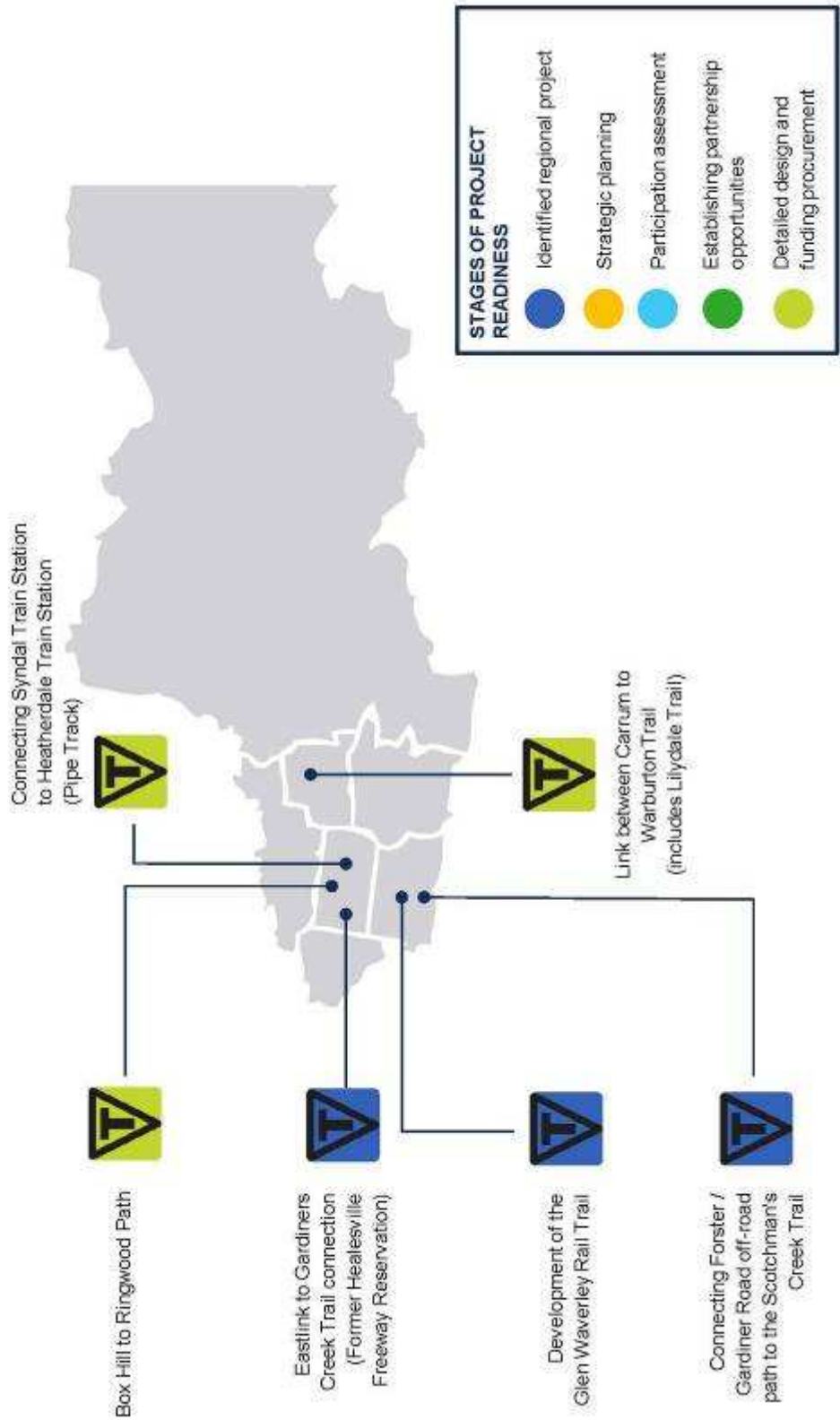
The ongoing improvement and development of the regional trail network in Melbourne's East should be a high priority for stakeholders and decision makers due to the significant benefits they provide to the region.

The usage of trails is rapidly increasing and whilst there are significant benefits from this, it can also lead to safety concerns between cyclists and pedestrians. Therefore more focus is required to proactively facilitate greater respect between cyclists and pedestrians to maximise the level of safety of all users.

A comprehensive map of the existing regional trail network in Melbourne's East is provided in the Background, Research and Consultation Findings Report, as well as Super Tuesday, Super Sunday and Strava participation maps.



**Priority regional trail connections (cont.)**



### Facility and shared trail development – potential projects

The following list of regional projects have been identified as important to meeting the future sport and recreation needs of the region. These projects are at different stages of development however all projects will be formally assessed and put will be put through the assessment (criteria) and governance framework before they can be considered for future funding support. It is acknowledged that projects will proceed through the assessment (criteria) and governance framework at different times depending on their level of readiness.

PROJECT NO.	POTENTIAL PROJECTS	TIMEFRAME	STAKEHOLDER RESPONSIBLE		
			INITIATE	DELIVER	SUPPORT
1	Develop a multi-use regional level gymnastics facility in Monash that caters for a broad range of participants from introductory programs to regional level events and competitions. A number of satellite gymnastic facilities will also be required across the region to meet current and future demand for the sport.	High	Monash	Monash	SRV, Regional PSG
2	Develop additional indoor multi-use courts to meet the current and future demand for basketball, indoor netball and other highball sports across the region. Projects include the development of indoor multi-use courts at Mullum Mullum Reserve in Manningham, and proposed facilities in Boroondara and Yarra Ranges.	High	Individual Council	Individual Councils	SRV, SSOs, Regional PSG
3	Upgrade Gilbert Park in Knox to a regional level baseball / softball facility that includes multiple floodlit diamonds and caters for regional and state level events and competitions.	Medium	Knox	Knox, SSOs	SRV, Regional PSG
4	Upgrade Kilisyth Reserve to provide a regional Australian Rules Football Hub in the east that caters for male and female participation programs, events and competition, and to support the AFL's athlete development pathway.	Medium	Yarra Ranges	Yarra Ranges, SSO	SRV, Regional PSG
5	Develop a destination for mountain biking in Warburton that meets the recreational and competition needs of mountain bikers.	Medium	Yarra Ranges	Yarra Ranges	SRV, Regional PSG



PROJECT NO.	ACTIONS	TIMEFRAME	STAKEHOLDER RESPONSIBLE		
			INITIATE	DELIVER	SUPPORT
6	<p>Further investigate the needs of recreation trail users through consultation with Bicycle Network Victoria, Vic Roads, Cycling Victoria, Victorian Trails Committee, Bushwalking Victoria, local cycling groups and land owners.</p> <p>Following this additional consultation, update the online trail maps and develop a customised project assessment tool to help confirm priority trail projects for the region that consider individual Council's Walking and Cycling Strategies and Integrated Transport Plans.</p>	Medium	Individual Council	Individual Councils	SRV, RDA
7	<p>Conduct further investigation into the future demand for a purpose built badminton and table tennis facility. Further detailed planning will be required as well as consideration of the findings from the City of Dandenong Table Tennis Strategy.</p>	Low	Regional PSG	Individual LGAs, SSOs	SRV, Regional PSG
8	<p>In partnership with Canoeing Victoria (CV), investigate the demand for a Regional Paddle Sports Centre at Westerfields Park to provide a venue for slalom training, competition and paddler skill development, and an education and administration hub for the sport.</p>	Low	Manningham	Manningham	SRV, CV, Regional PSG

### 10.3 Protecting Victoria's Environment - Biodiversity 2036 - Council Submission (Sustainability)

Responsible Director: Director Planning & Environment

File No. T16/104

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 a response to the State Government's 'Protecting Victoria's Environment – Biodiversity 2036 - Draft' (the Biodiversity Plan). Submissions are being sought by May 15<sup>th</sup> 2016, after which the final plan will be prepared. Following the completion of the final plan, the State Government proposes to produce the implementation document for the Plan.*

*The Biodiversity Plan sets a strong commitment and is structured with a Vision, two main goals, eleven principles and twenty-two priorities. However feedback is being sought on twenty six specific questions and therefore Council's response is formatted as feedback to these questions.*

*The Biodiversity Plan is a big step towards developing a potentially new direction for Victoria's natural environment, and to measurable and beneficial economic and environmental outcomes for the Manningham and Victorian community. It is a thorough and honest document addressing most of the key threats and challenges of managing and enhancing biodiversity for the future in the state of Victoria.*

*The Plan is a potential opportunity for the State Government to work collaboratively with all key stakeholders including local government and private landholders to increase permanent protection of important bushland including Melbourne's Green Wedges.*

*This report seeks endorsement of Attachment 1, as Manningham's submission to the State Government's, 'Protecting Victoria's Environment – Biodiversity 2036 - Draft'. In summary, the Plans Vision, Goals, Principles and Priorities are largely supported; however, the Plan does not contain any specific targets or actions for implementation or any detail on how the implementation is to be resourced. Therefore, until the Implementation Phase of the Plan is completed, it is difficult to determine the potential effectiveness and success of this document.*

#### 1 BACKGROUND

1.1 *'Protecting Victoria's Environment – Biodiversity 2036 – Draft' (the Biodiversity Plan) represents the Victorian Government's commitment to national and international biodiversity programs and agreements. The draft Biodiversity Plan documents can be accessed via:  
<http://haveyoursay.delwp.vic.gov.au/biodiversity-plan/documents>*

1.2 The Biodiversity Plan describes biodiversity as follows:

*Biodiversity encompasses all the components of the living world: the numbers and variety of plants, animals and other living things, including micro-organisms across our land, rivers, coast and ocean. It includes the*

*diversity of their genetic information, the habitats and ecosystems within which they live, and their connections with other life forms and the natural world.*

*Indigenous biodiversity refers to the living things that originate in and are characteristic of a particular place – such as Victoria.*

- 1.3 In 2010 the 196 signatory nations to the Convention on Biological Diversity, including Australia, adopted the international *Strategic Plan for Biodiversity 2011-2020*. This provides an overarching framework on biodiversity for all partners engaged in biodiversity management and policy development. In 2010, Australia delivered on its commitment to the convention by producing the Biodiversity Conservation Strategy 2010-2030.
- 1.4 The vision, goals and objectives of *'Protecting Victoria's Environment – Biodiversity 2036 – Draft'*, are consistent with those of the International Convention and of the *Australian Biodiversity Conservation Strategy 2010-2030*.
- 1.5 The draft Plan is also consistent with the relevant sections of the *Victorian Flora and Fauna Guarantee Act 1988 (FFG Act)*, which requires the preparation of a Flora and Fauna Guarantee Strategy. The *'Protecting Victoria's Environment – Biodiversity 2036'* will become this strategy when complete.
- 1.6 The 2013 State Government's, 'State of the Environment' Report was released, describing a concerning outlook for Victoria's environmental condition. It showed that many species were at risk from a range of pressures such as habitat loss, fragmentation and degradation. Combined with the added pressure of climate change, it was recommended that a state wide plan for managing Victoria's Biodiversity was urgently required. *'Protecting Victoria's Environment – Biodiversity 2036 - Draft'* was developed in response to that recommendation.
- 1.7 The Plan recognises the need for more cost-effective targeting of investments to protect threatened habitats and species, and better state wide information systems to track the health of the environment.

## **2 PROPOSAL/ISSUE**

- 2.1 Council officers have prepared a response to the State Governments, *'Protecting Victoria's Environment – Biodiversity 2036 - Draft'*, which is included as Attachment 1. Following is a summary of the key issues outlined in the response.
- 2.2 Resourcing
  - 2.2.1 The Plan explains many good initiatives but will be ineffective unless there is a long term financial commitment to adequately resource implementation for the long term.
  - 2.2.2 There is a lack of resourcing for environmental enforcement and the need to increase penalties to reflect the true 'natural capital' lost from illegal clearing of vegetation.
  - 2.2.3 There is a need for significantly more Catchment Management Officers to support local government and help co-ordinate more effective and efficient biodiversity and land management across land tenure.

- 2.2.4 The Biodiversity Plan team is encouraged to engage with Manningham and local government officers during finalisation of the document, the development and setting of the targets and the implementation of the Plan into the future.
- 2.3 Community engagement
  - 2.3.1 The importance of Melbourne's Green Wedges to protect biodiversity and provide exposure to nature for large human populations, needs to be included in the Plan.
- 2.4 Biodiversity and Land Management
  - 2.4.1 The document fails to offer adequate solutions for the largest loss of biodiversity – that is, the removal of native vegetation – either unpermitted or via the diverse and poorly defined native vegetation clearing exemptions including fuel reduction for fire management, which needs to be better measured and managed.
  - 2.4.2 There is a need to preserve biodiversity stepping stones and wildlife corridors, therefore Melbourne's Green Wedges should be a priority for protection.
  - 2.4.3 Increasing deer populations are a new pest animal management concern for Manningham, therefore it is important to identify this in the Plan and recommend a long term strategy for deer management across all land tenure in Victoria.
- 2.5 Research & Monitoring
  - 2.5.1 More research is urgently required to understand the relationship between genetic diversity, species adaptation and climate change, with clear management strategies on how to best manage declining biodiversity due to a rapidly changing climate.
  - 2.5.2 Whilst acknowledging that under climate change it may not be possible to save every species, the targets that will be set during the next phase of the Plan need to be visionary and reflect the scale of work that is needed to save Victoria's biodiversity.
- 2.6 Strategic Direction and Planning
  - 2.6.1 Although the Plan seeks to 'protect Victoria's environment' it only deals with flora and fauna and needs to include or acknowledge the interactions with: soil biodiversity, water, air and gases that surround the earth. The intent and extent of environmental protection the Plan aims to achieve is unclear.
  - 2.6.2 Biodiversity offsetting should be reintroduced. Current approach reduces opportunity for communities close to the loss site to connect with nature, disadvantaging the community and further eroding the values that community place on vegetation. In turn, this often results in increased vegetation removal. Manningham recommends that bioregional offsetting be reintroduced.
  - 2.6.3 Better protection of regional biodiversity hotspots is required, rather than just those reserves that are high enough in quality and extent to be added to National Reserve. This will increase species resilience in face of the changing climate.

- 2.6.4 There is a need for State Government direction in relation to stray and feral cats in urban and peri-urban areas.
- 2.6.5 The Plan does not adequately consider (or engage with) the significant role of Local Government in protecting biodiversity through, for example:
- Community extension and education work.
  - Reserve management.
  - Investment in private land conservation.
  - Strategic planning.
  - Most critically - its function as the Responsible Authority for most private and public land planning permit decisions.
- 2.6.6 It is important that the Plan is embedded into legislation and reported on regularly to the independent Commissioner for Environmental Sustainability every five years; to ensure that long term commitments for implementation can survive changes of government.

### **3 PRIORITY/TIMING**

- 3.1 Submissions in response to the draft Plan were due by May 15th 2016. Due to timing constraints, a Council resolution to support the Council officer response was not achievable prior to that date.
- 3.2 Following the completion of the Final Plan, the State Government will then produce the implementation document.

### **4 POLICY/PRECEDENT IMPLICATIONS**

- 4.1 The Plan demonstrates strong alignment with many of Manningham's strategies and plans including:
- *Manningham Green Wedge Strategy 2004*
  - *Green Wedge Action Plan 2011- 2020,*
  - *Healthy Habitats - Bushland Management Strategy for Council Managed Land 2012*
  - *Development Guide for areas of Environmental and Landscape Significance 2010,*
  - *Manningham Green Wedge Infrastructure – Site Responsive Design Guide 2013,*
  - *Municipal Public Health and Wellbeing Plan & Policy 2013,*
  - *Climate 2020 Action Plan 2009,*
  - *Carbon Abatement Plan 2014,*
  - *Securing the Future Plan 2012,*
  - *Open Space Strategy 2014,*
- 4.2 Environmental conservation has also been incorporated in the Municipal Strategic Statement, Local Policies, the Rural Conservation Zone and a suite of Environmental Significance Overlays, Vegetation Protection Overlays and other provisions in the Manningham Planning Scheme.

## 5 CUSTOMER/COMMUNITY IMPACT

- 5.1 The purpose of the *'Protecting Victoria's Environment – Biodiversity 2036 - Draft'*, is to ensure the future protection and enhancement of Victoria's Biodiversity for the Victorian community.
- 5.2 The number one Goal of the Plan is: *'To encourage more Victorians to value nature'*, by encouraging Victorians to:
- *'Connect with nature on a daily basis;*
  - *Raise the awareness of all Victorians about our State's natural environment and its cultural and economic importance; and*
  - *Encourage all Victorian's to take positive personal action to protect and preserve our natural environment. '*
- 5.3 Protection of Victoria's biodiversity is important to the Manningham community who value the City's natural landscapes, sites of historical and cultural significance and healthy biodiversity.
- 5.4 Protection of biodiversity is also significant for the Manningham community as being in nature is good for our minds and bodies with evidence that time spent in nature is linked to positive long-term health outcomes. The Manningham community values and also spends much of their recreation time in the outdoors, enjoying many of Manningham's parks, bike trails and walking paths, relaxing in the natural surrounds of the bush or along the Yarra River, and participating in Manningham's numerous recreational or environmental programs.
- 5.5 If well resourced, the Plan will also assist Manningham's many Green Wedge land holders to manage their land sustainably.

## 6 FINANCIAL RESOURCE IMPLICATIONS

- 6.1 The submission to the State Government has been prepared using existing resources in the Economic and Environmental Planning Unit. It is anticipated that any further input into the final Plan or the implementation document, will be undertaken using existing staff resources.
- 6.2 There are potential opportunities during the implementation phase of the Plan for Manningham Council to benefit from future investment into areas such as:
- Research and monitoring;
  - Community engagement and education;
  - Incentives for private landholders;
  - Climate adaptation planning; and
  - More informed collaborative approaches to biodiversity management across land tenure.

## 7 SUSTAINABILITY

- 7.1 The purpose of *'Protecting Victoria's Environment – Biodiversity 2036 - Draft'*, including its Vision, Goals, Principles and twenty-two Priorities, is to protect the sustainability of Victoria's biodiversity which aligns with all of Manningham's key sustainability and environmental policies, strategies and plans.

## 8 REGIONAL/STRATEGIC IMPLICATIONS

- 8.1 The Biodiversity Plan is an opportunity for the State Government to work collaboratively with all key stakeholders including local government, Parks Victoria, Catchment Management Authorities and private landholders to efficiently distribute resources and increase permanent protection of important bushland, including Melbourne's Green Wedges.
- 8.2 The Plan demonstrates strong alignment with many of Manningham's strategies and plans including: *Manningham Green Wedge Strategy 2004*, *Green Wedge Action Plan 2011- 2020* and *Healthy Habitats - Bushland Management Strategy for Council Managed Land 2012*. The Biodiversity Plan also supports the Manningham Planning Scheme including the Municipal Strategic Statement and the purpose of the Rural Conservation Zone and the suite of Environment Significance Overlays and other environmental provisions.

## 9 CONSULTATION

- 9.1 The Victorian Government has been seeking public input into the development of *'Protecting Victoria's Environment – Biodiversity 2036 - Draft'* over a two month period.
- 9.2 Submissions are being sought by May 15<sup>th</sup> 2016, after which the final Plan will be prepared.

## 10 CONCLUSION

- 10.1 The *'Protecting Victoria's Environment – Biodiversity 2036 - Draft'*, is a very thorough, honest and confronting document which addresses most of the key threats and challenges of managing and enhancing biodiversity for the future in the state of Victoria.
- 10.2 The Plan outlines a strong commitment for action and should be supported by Council with the proviso that the Implementation Plan needs to be just as ambitious, with the adequate resources and expertise to manage the many biodiversity management challenges now and into the future.

## OFFICER'S RECOMMENDATION

That Council:

- (A) Notes that the Council Officer response to the State Government's *'Protecting Victoria's Environment – Biodiversity 2036 - Draft'*, was forwarded to the Department of Environment, Land, Water and Planning on 15 May 2016.
- (B) Endorses Attachment 1 as Manningham's submission to the Department of Environment, Land, Water and Planning.
- (C) Notes that Attachment 1 will be resubmitted to the Department of Environment, Land, Water and Planning as Council's endorsed submission.

**MOVED: O'BRIEN**  
**SECONDED: DOWNIE**

**That the Recommendation be adopted.**

**CARRIED**

"Refer Attachments"

Attachment 1 – Manningham City Council's Response to Protecting Victoria's Environment – Biodiversity 2036 – Draft

\* \* \* \* \*



## ATTACHMENT 1

*Protecting Victoria's Environment, Biodiversity 2036 – Submission, May 2016*

---

**PROTECTING VICTORIA'S ENVIRONMENT****BIODIVERSITY 2036****MANNINGHAM CITY COUNCIL SUBMISSION – MAY 2016**

---

**Introduction**

Manningham City Council Officers have prepared a response to the public consultation draft Plan 'Protecting Victoria's Environment – Biodiversity 2036' (the Biodiversity Plan). As the consultation period has not aligned with Council's meeting cycle it will not be possible for this submission to be formally considered by Council until its meeting on 31 May 2106, after which Council's formal submission (with or without changes) will be submitted.

Manningham applauds such a thorough and honest document which addresses most of the key threats and challenges of managing and enhancing biodiversity for the future in the state of Victoria.

As one of Melbourne's 12 Green Wedge Councils, Manningham has a particular interest in the Plan as the municipality contains areas of state, regional and local environmental significance with rare and threatened species of botanical and zoological importance. Manningham also includes part of the environmentally significant Yarra River Corridor which includes the Yarra Valley Parklands and Warrandyte State Park, as well as many significant areas of native vegetation on private land.

The following submission responses are structured according to the format of the Plan and the requested feedback on 26 specific questions.

**Section 1 & Section 2**

Manningham Council supports the draft Plan's identification of the values of Victoria's biodiversity and the challenges that we face in conserving biodiversity into the future. In particular we strongly support the identification of the need to:

- *radically increase our efforts and investment in actions such as private land conservation, and*
- *take stronger action to reduce threats to biodiversity on public land.*

Manningham Council acknowledges that under climate change we may not be able to save everything. However, we advocate openness and transparency when decisions are made to

---

U:\ENVIRONMENT\BIODIVERSITY\Biodiversity Strategy submission 2016\Biodiversity State Strategy 2036 Submission 2016 05 06 .1

no longer attempt to save a species. We note that DELWP's position is very different from Zoos Victoria's 2014-2019 Wildlife Conservation Plan:

*We are committed to the recovery of 20 native threatened species all of which require urgent conservation intervention. We've promised that no Victorian terrestrial vertebrate species will go extinct on our watch. This is an enormous but necessary undertaking and will require Zoos Victoria to work through strategic partnerships whilst mobilising community support.*

We question that if Zoos Victoria can set such a visionary goal, why can't the State Government set a similar goal?

Manningham has concerns with the data that is shown within Figure 2 (Estimates of relative changes per year of native vegetation in Victoria) and questions the accuracy of the information shown. As far as we know, there has been no accurate tracking of loss of native vegetation through exemptions, or through unpermitted clearance. However, Manningham has conducted some monitoring of illegal and 'permitted' vegetation loss in the past and requires funding to continue the study of the ongoing vegetation losses over the past five years.

This issue has been covered in Council's response to the *Review of the Native Vegetation Clearing Regulations Consultation Paper*. There has also been very limited tracking of the removal of native vegetation for planning permits which have not been referred to the State Government. This may lead to significant under-reporting of native vegetation losses under the permitted clearing system. Furthermore, it remains unclear if native vegetation offsets are actually achieving gains in habitat hectares, given that habitat hectares have also been inconsistently tracked.

The impacts that climate change will have on Victoria's biodiversity need to be specifically communicated and brought into the climate change debate.

### **Section 3 – A Fresh Vision for Victoria's Natural Environment**

#### **Question 1 – What do you think of the proposed goals and objectives of this plan?**

##### **Goal 1 – 'To encourage more Victorians to value nature'.**

Manningham supports the draft Plan's vision and goal of encouraging more Victorians to value nature and ensuring that Victoria's natural environment is healthy, valued and actively cared for. This is extremely important because 'if people appreciate nature they are more likely to be motivated to protect it' (Arne Naess – Deep Ecology).

Manningham strongly agrees that it is important to have the backing of the public and the political structure, as this ensures that the steps needed to protect and improve biodiversity are able to be funded and maintained. However, the two goals need to be independent as it is vital that Goal 2 is achieved to meet our existing national and international obligations for the conservation of nature. It will be much more likely to achieve Goal 2 if Goal 1 is being implemented.

Protecting Victoria's Environment, Biodiversity 2036 – Submission, May 2016

Manningham supports the objectives for Goal 1, especially increasing the number of Victorians acting to protect nature. However, the word 'nature' in this context needs to be defined, as many people consider a manicured garden with a tree as 'nature', which will not necessarily translate to the general community wanting to protect indigenous biodiversity. Is it achievable to expect all Victorians to connect with nature daily?

Manningham recommends that the opportunities to promote spending time in nature are in low impact activities which generate biodiversity knowledge and care. Melbourne's Green Wedges are important areas for exposing the large populations of Melbourne to healthy biodiversity, along with local conservation reserves and parks.

Further clarification is required regarding which Victorian organisations are envisaged to increase their reporting on environmental performance (i.e. Government, community, business, environmental). Many non-environmental organisations are the ones that cause the greatest environmental impact and reporting of environmental performance by these organisations must be included if the Plan is to achieve this goal.

#### **Goal 2 – 'To ensure that Victoria's natural environment is healthy'.**

Goal 2 is supported by Manningham, however, this goal should be the highest priority. Therefore, it should become Goal 1 and 'To encourage more Victorians to value nature', should become Goal 2.

In order to be able to measure this Plan's success, the term 'healthy' in this context needs to be clearly defined and measurable and needs to include resilience. Victoria's biodiversity needs to be managed as a whole 'eco-system' and not just for individual high profile species. The Plan also needs to include and raise awareness of the importance of soil biodiversity and soil health.

Manningham supports the aspiration that '*Victorians understand that their personal wellbeing and the economic wellbeing of Victoria are dependent on the health of the natural environment.*' This is important for Victorians to understand, as the current focus would appear to be the economic wellbeing of State, ignoring the strong link and vital importance of personal wellbeing and protecting the natural environment.

Manningham also supports the Plan's **Vision** that:

*'Victoria's Biodiversity is healthy, valued and actively care for.'*

Manningham particularly acknowledges the emphasis on, '*actively cared for*' which is important to ensure a proactive approach to implementation.

Manningham would like to ensure that the measurable objectives within page 25 are made specific enough to be measurable. 'Increase' can mean different things to different people. The targets that will be set under this Plan need to be SMART – Specific, Measurable, Attainable, Relevant and Timely. Local Government and the public should have the opportunity to feed into the target-setting program.

U:\ENVIRONMENT\BIODIVERSITY\Biodiversity Strategy submission 2016\Biodiversity State Strategy 2036 Submission 2016 05 06 .3

*Protecting Victoria's Environment, Biodiversity 2036 – Submission, May 2016*

It is also important that more detail is included on how the vision and objectives will be achieved and resourced.

**Question 2 – What might they mean for you personally and professionally?**

N/A

**Question 3 – What might they mean for the organisation that you represent?**

The Plan's proposed goals and objectives will assist Manningham as an organisation by increasing the profile of environmental issues and the importance of protecting Melbourne's Green Wedges, as well as reinforcing the importance of the non-urban area of the municipality.

The Plan will provide stronger state government direction to support Local Government action and could assist in making the health of the natural environment and biodiversity a 'mainstream' concern. Therefore, these goals could assist in making everyone more accountable and ensure that impact assessments for all projects include the consideration of the natural capital.

It is possible that the Plan may ensure more environmentally appropriate future development. In addition, the Plan's goals may facilitate increased funding for the natural environment to ensure that existing reserves are managed appropriately and that future reserves can be created and managed. It will also assist Local Government in helping our communities to protect conservation values on private land.

The valuing of our natural environment may mean that the community collectively has more pride in our natural heritage which will create an atmosphere of engagement and enjoyment with the natural environment.

The goals and objectives can act as catalyst to better protect our natural assets, and for the community as a whole to develop a better understanding and a better connection with them. The Plan contains opportunities to link research about the benefit of natural areas to human health and wellbeing. These links must be made before local biodiversity is largely lost in urban and peri-urban areas such as Manningham's Green Wedge.

It is important that any surveys conducted to determine visitation rates for conservation reserves and waterways not only measure those managed by state agencies but also those managed by Local Government. These local conservation reserves and waterways are the ones that most people visit on a daily basis or weekly basis.

**Question 4 – Do you support the approach to target setting that focuses investment efforts on places in the landscape where the most cost-effective actions are possible?**

Manningham cannot comment on the approach until we have seen the new model created by the Arthur Rylah Institute for Environmental Research which seeks to determine cost effectiveness. In principle this approach is supported, but Manningham suggest that Local Government, relevant university academics and the Victorian Environmental Assessment

U:\ENVIRONMENT\BIODIVERSITY\Biodiversity Strategy submission 2016\Biodiversity State Strategy 2036 Submission 2016 05 06 .4

*Protecting Victoria's Environment, Biodiversity 2036 – Submission, May 2016*

---

Council be involved in setting targets and how a transparent process is to be conducted. University research partnerships need to be funded and established to assist with short and long term study in this area.

Local Government plays a key role in funding conservation activities on public and private land. It also plays an important role in creating connections between public land and community participation in conservation programs and therefore needs to be actively engaged with the implementation of the Plan.

Any target setting should include all spatial scales: a species with habitat within a small urban area supported by an active passionate community should not be disadvantaged by a landscape scale approach. Many species common or threatened rely on reserves of all spatial scales from small Council reserves, to wider habitat ranges like Warrandyte State Park.

#### **Section 4 - Principles of Protecting Victoria's Environment – Biodiversity 2036**

##### **Question 5 - What do you think of the principles of this plan? Which ones make sense, which ones do not?**

Principle 2 needs to include that humans are also part of the ecosystem and depend on it for the most basic human need of oxygen. Soil biodiversity and soil health are also vital to supply the nutrients we require in our food. It is also important to include the significant 'spiritual' value that the natural environment provides.

Manningham has concerns regarding the use and consistency of some of the terminology used in the principles and throughout the Plan.

For instance, there are numerous examples of species persisting, perhaps thriving, in highly 'unnatural' or modified areas. Owing largely to habitat degradation and pest animals, some species now rely more often on modified environments that would not meet the definition of native vegetation under the Permitted Clearing Regulations. There are species that rely on non-indigenous tree species or survive on farm land or in modified dams. There are also many species that are being supported in areas that are unlikely to be classified as 'in the wild'. This digression from 'healthy habitats' must also be acknowledged within the principles.

Manningham supports the acknowledgement of intrinsic values in guiding the Plan. More work must be done to enable Local and State Governments to add weight in decision-making for intrinsic values alongside those values that are considered to have obvious social or economic benefit.

We are highly unlikely to ever have 'complete' data. As such, Manningham strongly recommends that the third dot point in the eleventh principle should be reworded to read: 'we will consider the limitations and uncertainties while continually improving our knowledge.'

---

U:\ENVIRONMENT\BIODIVERSITY\Biodiversity Strategy submission 2016\Biodiversity State Strategy 2036 Submission 2016 05 06 .5

**Question 6 – Is it the right mix of principles to guide the plan's implementation?**

The 'living systems' principles as need more weight in the Plan. For example, there needs to be a qualitative statement regarding managing biodiversity to maintain and improve the 'extent' and 'quality' while increasing the available resources.

Manningham acknowledges that for some species, biodiversity protection can now only happen in 'non-natural' environments and that there are opportunities to bring species back into non-natural environments (e.g. street trees, parkland, gardens). We recommend that the Plan recognise this and include opportunities to manage species in this way.

**Question 7 – What principles might be missing from this plan?**Knowledge Principles

The statement under the knowledge principles appears to be incomplete. Manningham recommends stating what it is that we value about the knowledge.

Manningham recommends that a separate statement be included under the knowledge principles: 'we will continue to improve and invest in knowledge improvement'.

Living Systems Principles

Manningham recommends adding a qualitative statement regarding managing biodiversity to maintain and improve the 'extent' and 'quality' of native vegetation and fauna habitat.

**Section 5 – Healthy Environment for Healthy Victorians****Question 9 – What does a healthy environment look like to you?**

A healthy environment is one in which the landscape and waterways support a balanced diversity and abundance of naturally-occurring indigenous flora and fauna species, where natural functions can occur unhindered to provide vital ecosystem services that are critical for life, such as oxygen production, flowering, pollination, fruiting and seed set, carbon storage, nutrient cycling, healthy soil biota and water purification, which also means healthier people. A healthy environment is not overrun by pest plant and animals that impact on ecosystem function, nor is impacted upon by polluted stormwater and litter.

Healthy environments include a diversity of ages and vegetation types in a landscape-scale mosaic that provides hollow, links, corridors and stepping stones. These enable movement of animal species (and the seeds and pollen they carry) to ensure successful plant and animal breeding with diverse population genetics, and provide opportunities for fauna to escape wildfire or floods that occur at natural intervals and intensities. The functional health of such biolinks and islands is critical to species resilience and adaptability.

**Question 10 – What do you think the barriers are that prevent some people experiencing nature and utilising parks and open spaces? What could you, your community or the government do to encourage and provide more opportunities for all Victorians to spend more time in nature including disadvantaged parts of the community?**

Manningham supports the draft Plan's objective to 'increase the number of Victorians spending time enjoying nature'. There are well-established health and wellbeing benefits from contact with nature and community activities, such as organised tree planting and citizen science programs which also contribute to conservation efforts, build knowledge and increase community connections and custodianship. In the longer-term, community connections and custodianship facilitate the efficiency and efficacy of government environmental management, resulting in vastly improved environmental outcomes.

There are various barriers that prevent people from spending time in nature and enjoying their experiences. Further research into the socio-environmental drivers is critical for programs to achieve real outcomes, however there are several known barriers, including:

**Lack of time:** People are busy. Long hours and weekend work can make it difficult to prioritise spending time in nature especially if this requires significant travel time to get to a park or reserve. Providing opportunities to spend time in nature closer to home or work could reduce these barriers.

**Risk:** Some people are fearful of the natural environment and the risks, for example snakes, falling branches, fire and insects. Providing educational material based on fact to address common misconceptions is critical. Risk aversion in government can restrict the types of activities and initiatives that encourage the utilisation of parks, bush areas and open spaces.

**Cultural and language barriers:** Unless information on the natural environment is provided in multiple languages, it may remain inaccessible to many Victorians who do not have English as a first language.

**Poorly maintained natural areas:** If natural areas, especially in urban areas and 'points of contact', are poorly maintained and have poorly maintained or limited facilities, they may be seen as undesirable.

**Perception of nature as inappropriate in the urban context:** Some community members equate nature in the cities with brush tail possums and gum trees dropping leaves and branches. People need to be persuaded of the value of biodiversity in urban areas and the diversity of species that are worthy of protection.

**Social:** There is a trend towards a focus on structured organised 'indoor' activities and a lack of awareness and research regarding the benefits of spending time in nature.

**Lack of Resourcing:** Lack of resources for community engagement and custodian programs.

*Protecting Victoria's Environment, Biodiversity 2036 – Submission, May 2016*

Manningham already provides opportunities that enable the local community to spend time in nature. Unfortunately with financial constraints, some of these activities could be reduced in scope or discontinued in the future.

Beyond Local Governments activities, other ideas for encouraging Victorians to spend more time in nature include:

- Promoting and supporting bushwalking and walking clubs and other groups that offer programs in the natural environment. NGOs such as the Victorian National Parks Association (VNPA) offer diverse weekly walk program that caters for all levels of interest and ability.
- Reaching out to Culturally and Linguistically Diverse (CALD) communities by providing CALD rangers or education officers and brochures in languages appropriate to communities represented in the area.
- Restoring funding to Parks Victoria and Committees of Management for State-owned land including rangers, facilities, walking tracks, programs and interpretation that enable people of all abilities and level of engagement to experience the natural environment and our unique flora and fauna.
- Allowing opportunities for people in cities and large towns to interact with nature - workshops, walks, citizen science, bio-blitzes, native vegetation displays (e.g. the grassland display on the State Library steps).
- Encouraging nature play programs for families and 'green gyms' to appeal to fitness fanatics.
- Promoting ways that people can get involved.
- Providing natural areas as settings for festivals, events, and cultural activities such as music or theatre and activities such as mushroom collecting.

#### **Question 11 – How can we raise awareness of biodiversity across the community?**

There are various ways the Victorian Government can support its own agencies and other stakeholders to raise the level of community awareness of biodiversity.

##### **Communication**

- Providing clear and consistent messaging about the importance of protecting Victoria's biodiversity across the various Victorian Government departments and its agencies.
- Tapping into various media (print, digital, and social) to share stories about biodiversity in Victoria and places to experience nature, or how to get involved.
- Sharing resources such as Park Notes and mapping programs between State and Local Government, so community members see consistency in biodiversity management information on public land across the state.
- Using iconic species to promote the natural environment, connecting nature and community through photography.
- Using interesting and engaging science communicators to share stories and make information and research stories easily accessible to the general community. It is vital that stories are shared that make the link between biodiversity and ecosystem services that support life.

U:\ENVIRONMENT\BIODIVERSITY\Biodiversity Strategy submission 2016\Biodiversity State Strategy 2036 Submission 2016 05 06 .8



**Prioritising biodiversity protection in land-use decision-making and planning schemes**

- Currently, the native vegetation clauses in the Victoria Planning Provisions permit the removal of natural vegetation from particular areas and offsetting that vegetation elsewhere. This sends mixed messages to the community about the importance of biodiversity, and how the Victorian Government values natural vegetation, especially in urban and peri-urban areas. It also reduces opportunities for communities close to the loss site to connect with nature, disadvantaging the community and further eroding the values that community place on vegetation. In turn, this often results in increased vegetation removal. Manningham recommends that bioregional offsetting be reintroduced.
- Strategic planning of open spaces should consider the role of 'natural places' as well as active and passive open spaces.
- Strategic planning should require new developments to incorporate nature (indigenous plantings, water sensitive urban design) into developments.

**Supporting community action**

- Community groups and networks that are actively protecting biodiversity or engaging the community should be supported (and resourced). These groups include Landcare and 'Friends of' Groups that build skills and leadership in the community.

**Embedding an appreciation of nature from a young age**

- Children are naturally curious and have no preconceived ideas. Values learned early on often remain with children as they grow older. Great starting places are bush kinders and nature play, and resourcing Junior Ranger programs in Victoria's National Parks. Some schools use totem species of flora and fauna to spearhead their biodiversity activities. While the Victorian Government is to be applauded for continuing to fund Resource Smart AuSSI Vic, it needs to ensure that primary and secondary science curricula address biodiversity in the Australian context, in Australian classrooms and beyond.

**Embedding an appreciation of nature through life-long learning**

- All university degrees should include elements of sustainability education and biodiversity education.
- Libraries should have adequate funding to run activities at relevant times such as 'biodiversity month' and have ID books on local species to borrow.
- Culturally and Linguistically Diverse (CALD) groups should have opportunities to connect with and understand the natural environment.
- Government-funded environmental research should be free and publicly available.

## Section 6 – Linking our Society and Economy to the Environment

### Question 12 – What are you currently doing – personally and professionally to support and create a healthy and biodiverse natural environment?

Manningham Council has produced and implements the following plans and strategies that address the protection of biodiversity:

- *Manningham Green Wedge Strategy 2004*
- *Green Wedge Action Plan 2011- 2020*
- *Healthy Habitats - Bushland Management Strategy for Council Managed Land 2012*
- *Development Guide for areas of Environmental and Landscape Significance 2010*
- *Manningham Green Wedge Infrastructure – Site Responsive Design Guide 201*
- *Municipal Public Health and Wellbeing Plan & Policy 2013*
- *Climate 2020 Action Plan 2009*
- *Carbon Abatement Plan 2014*
- *Securing the Future Plan 2012*
- *Open Space Strategy 2014*

Environmental conservation has also been incorporated in the Municipal Strategic Statement, Local Policies, the Rural Conservation Zone and a suite of Environmental Significance Overlays, Vegetation Protection Overlays and other provisions in the Manningham Planning Scheme.

Manningham also delivers a large range of services and programs to manage the natural environment and support biodiversity health. These activities are grouped together below in relevant categories:

#### Biodiversity Management Programs

- Local Environment Assistance Fund (LEAF): Offers property owners with environmental values up to \$1000 matching dollar for dollar for environmental works (pest plants and animal control works, erosion control, revegetation works, fencing etc.) on their private land.
- Hot Spots - Priority Precinct Program: Council funded targeted weed control works on identified high priority 'Biosites' on private land.
- Support for the Middle Yarra Landcare Network: The Network includes four groups: Friends of Warrandyte State Park (FOWSP), Jumping Creek Catchment Landcare Group (JCCLG), Andersons Creek Catchment Area Landcare Group (ACCA) and Wonga Park Environment Group (WPEG), with a total membership of over 300 families. Council support includes planning, practical on-ground help, education, supervision and committee membership. Regular activities include nest box making, seed collection, plant propagation, planting, weeding, fence removal and site maintenance.
- Vegetation condition monitoring.
- Engagement in regional projects such as the EAGA biodiversity monitoring framework.

*Protecting Victoria's Environment, Biodiversity 2036 – Submission, May 2016*

- Undertaking research or contributing to research programs.

**Environmental Education Programs:**

- Environment Seminar Series and Walks: Manningham hosts a monthly environmental seminar series with an average of 40 attendees per seminar and five community educational field trips on local environmental treasures and issues. Manningham also conduct monthly nature walks with 182 walkers participating per annum.
- Waterwatch Program: Manningham has established a Waterwatch Monitoring Network which is a coalition of community volunteers established in 2007. In 2014/15 27 volunteers monitored 21 sites across Manningham.
- Kids Community Food Garden: This is a new place making initiative in the high density area of Doncaster Hill, that provides a place for residents to experience open space and community based food growing and harvesting.
- Smart Living program: A six week program of events around sustainable living with over 1300 people attending the series.
- Spring Outdoors: The Middle Yarra Spring Outdoors Program is a regional program of environmental events co-ordinated by Manningham, Nillumbik and Banyule Councils. It has been running since 2007 and in 2014/15, 38 activities were conducted with over 1200 people attending.
- Manningham Home Harvest Program: A monthly home gardening seminar series of 10 seminars with over 1400 people attending per year.
- Schools Sustainable Learning Program: The program is offered to all Manningham primary schools over 9 days involving 9 schools and delivered to approx 400 students per annum at Council's Currawong Bush Park Environment Centre. The modules covered include: Waste & Recycling, Ecology, Biodiversity and Environmental Leadership.
- Schools Sustainability Action Programs: These programs involve 85 participants per annum and is conducted at the school.
- Youth Leaders Sustainability Conference: The conference involves over 300 students from over 22 Manningham schools, who are trained to lead and assist the transition to a more resilient and sustainable community and roll out projects in their local community.
- Citizen Science Program: Manningham Council is commencing a Citizen Science program including training of community members to monitor frogs, bats, birds and arboreal mammals.
- Provision of nature play playgrounds.
- Walk to school programs.
- Exploring opportunities for bush kinder and bush playgroup programs.
- Running nature play programs for children and families during spring and autumn, including bush walks and cubby building.
- Established a nature play network for educators and community leaders
- Creation of Manningham Active Kids Facebook page to promote activity in natural spaces in Manningham
- Running a Junior Ranger Program.

U:\ENVIRONMENT\BIODIVERSITY\Biodiversity Strategy submission 2016\Biodiversity State Strategy 2036 Submission 2016 05 06  
.11

**Ongoing Management Activities:**

- Weed management on Council managed bushland reserves.
- Fencing of reserves.
- Fuel reduction burns.
- Regeneration burns.
- Fire risk assessments.
- Revegetation/renewal of vegetation sites.
- Seed collection and propagation.
- Removing dumped rubbish and green waste.
- Building new water sensitive urban design (WSUD) infrastructure and maintaining existing.
- Maintaining litter management traps.
- Liaising and forming partnerships with stakeholders (eg. Melbourne Water, CMA).
- Controlling pest animals.
- Managing Crown Land as Committee of Management.
- Provision of a walking and bike trail network through parks and along creek corridors.

**Planning and liaison activities:**

- Applying for project grants.
- Assessing planning applications.
- Strategic planning to ensure a 'Balance of City and Country' (as described in Manningham's logo).
- Embedding biodiversity in all relevant strategies, policies and plans.
- Participating in external working groups and networks.

**Question 13 – What else do you think you could do to support and create a healthy and biodiverse natural environment? What might help you to do this? What currently hinders you from doing this?**

State government and Federal Government political, financial and legal support is required to assist Local Government achieve the Plan's objectives, especially having regard to financial constraints which will make it even more difficult resource conservation activities over competing priorities.

There is also a lack of resources for enforcement or follow up to back planning decisions and a lack of support for enforcement at a state level. There also needs to be a review of the state government penalties for illegal clearing of vegetation, as the current fines do not reflect the true value of the biodiversity lost and are not a deterrent to wealthy developers or land owners.

General marketing, promotion and advertising which connects the broader community with the stories of natural environments would also be a very useful tool. This would best run at a state or regional level.

**Question 14 – What could businesses do to improve their environmental performance in relation to biodiversity? What might empower them to do this? What currently hinders them from doing this?**

There are many opportunities for businesses to engage in practices that contribute to biodiversity protection and enhancement. However there is little incentive for businesses to consider their environmental performance.

Opportunities exist to encourage businesses to make greater contributions, such as:

- incentives/tax breaks for supporting biodiversity projects or purchasing and managing land for conservation;
- the ability to make tax-deductible donations to local biodiversity projects;
- having businesses understand whole-of-life-cycle processes that impact on global and local biodiversity; and
- providing educational opportunities to address a lack of knowledge and recognition of biodiversity values and ways in which businesses can function efficiently and in a more sustainable way.

Volunteer programs such as those available through Conservation Volunteers Australia and National Tree Day enable businesses to give back to the community and contribute to nature conservation. Support for these activities needs to be fostered and expanded.

A requirement for triple bottom line annual reporting could also provide the motivation for businesses to identify how they make a contribution and where they can improve. Rewards for businesses that conduct such reporting would provide an incentive for participation.

**Question 15 – In addition to existing government, private and volunteer programs are there any other ways to help Victorian communities and local government agencies promote and create a healthy and biodiverse natural environment at local and regional levels?**

Manningham City Council works closely with volunteer groups within the municipality to achieve biodiversity outcomes, however, Government leadership at the state and national level is key to protecting our natural resources and limiting the impacts of climate change. It is vital that community is supported in their efforts to work towards healthy and biodiverse natural environments and strong leadership and clear government policies that prioritise biodiversity protection are imperative.

Manningham suggests the creation of a Local Government-affiliated agency that implements the Biodiversity Strategy and/or environmental legislation. Such an agency could be resourced by State Government or clusters of Local Governments to achieve environmental outcomes that support State and Local Governments, private and volunteer programs, as well as Victorian communities.

Other suggested actions include:

- Designing economic systems that drive decision-making processes to value environmental services and the intrinsic value of biodiversity.

- Developing data and GIS management systems that monitor change over time.
- Offering long term community funding models rather than inconsistent annual funding programs.
- Ensuring that all government funding programs consider biodiversity – for example, ensuring government grants do not support damaging business, or that community sports grants are awarded for applications that have biodiversity works elements.
- Encouraging businesses that rely directly on the environment to support and give back to that environment. For example, private nature-based tourism companies could pay levies that support the management of conservation assets, or private holiday accommodation that is near parks could become 'park registered' where a portion of their nightly rate is contributed to park management.
- Supporting the development and promotion of urban biodiversity tourism opportunities.

### Section 7 – Investing Together

#### Question 16 – What do you think of the idea to assist business and philanthropic sectors in protecting our environment?

The State Government needs to improve significantly its funding and investment in conservation activities. Whilst there is value in business and philanthropic sectors *assisting* to protect Victoria's environment, the State government should be the primary funding source. Philanthropic and business sector contributions should be complementary to government investment, but should not be expected to underpin protection of Victoria's environment.

Alternative models such as the one recently trialled by DELWP to match funding achieved through crowd-funding campaigns has showcased how the State Government can leverage support for biodiversity issues. This model may serve as a novel platform for business and philanthropic sectors to engage in funding the protection of Victoria's biodiversity.

More funding opportunities are required for strategic weed and pest animal removal programs, and programs that support natural regeneration and revegetation activities on private land. Additional funding opportunities are also required for regional pest animal programs, particularly those that target Indian Mynas, cats, deer, foxes and rabbits. Pest animal programs and implementation at the State Government level should be targeted to support threatened species and habitats, in addition to protecting high value agricultural areas.

Businesses should be encouraged to retain or create natural spaces within the land they own and/or manage for biodiversity outcomes. Such spaces would provide opportunities for the business' staff (including management) and visitors to connect with nature and serve as biodiversity stepping stones across often fragmented landscapes.

**Question 17 – Should we support any other approaches to this issue?**

Manningham considers that it is critical that the State Government investigates what approaches exist to 'invest together' and build partnerships. Co-investment approaches may include:

- Providing support and assistance to Not-for-Profit organisations to assist with streamlining costly inputs – such as data management systems, training, registration, HR and OHS costs to enable organisations to reallocate time and resources to delivering environmental outcomes.
- The promotion of business or philanthropic donations to Not-For-Profit organisations, rather than promoting investment in government projects.
- The promotion of 'General Corporate Social Responsibility' to Victorian businesses, to encourage investment by local businesses in local environments, preferably in collaborative partnerships.
- 'General Corporate Social Responsibility' could also encompass support for corporate volunteering in the community, and encourage businesses to volunteer time to environmental projects. Donated time could be a tax deduction.
- The creation of a streamlined, simple process for tax-free donations that are made in support of local environmental issues.
- A long-term funding strategy or income model could be derived from tourism. Private tourism companies, that often directly benefit from good quality natural environments for nature-based tourism, could potentially fund conservation works at all spatial scales. Examples of businesses that benefit from nature-based tourism may include horse/trail-riding, golf courses, bed and breakfast accommodation, and caravan parks.
- Encouraging the promotion of biodiversity at significant sporting and cultural events – such as the AFL Grand Final, Cup Day, Moomba.
- A Green Bonds scheme similar to a carbon price or Renewable Energy Certificate. Businesses consistently respond to market mechanisms that are designed to provide both incentives and disincentives. However the administration of any such scheme must be efficient and include embedded and robust governance processes.
- Support Local Government to provide rate reductions to land with biodiversity and environmental values.

**Question 18 – What do you think of actively introducing species to new locations, or actively mixing genes within populations, as part of adaptation to climate change?**

Ongoing research (including longitudinal studies) will be critical to our understanding of how species respond and adapt to changing climates and environments, and the development of evidence-based management approaches that incorporate species relocation or gene-mixing. Primarily, funding should be contributed to developing research and population/environmental management strategies of species in their known locations to maintain populations *in situ*. Movement of a species should be considered only when funding and research efforts are acceptable for adequate understanding of the biology and ecology of that species in its natural range. The approaches must be part of a comprehensive program that critically is supported by monitoring and an efficacious adaptive response framework. There will need to be a strong communication strategy backed by evidence-based decision-making to explain such an approach.

At the moment it is difficult to gain approval to reintroduce species lost from known historical locations. Resolving the policy framework for salvage and translocation of these species should be a priority, before funding and investment is provided to move species to 'new locations'.

The approaches suggested by Question 18 would need significant research for consideration of the following:

- Genetics and the potential for genetic pollution (including flowering synchronicity, pollination ecology, etc.).
- The potential for species being introduced to new locations to out-compete existing (indigenous) species.
- Implications on resource availability across the landscape, spatially and temporally.
- Whether actively-introduced species could become weeds in new landscapes in the future.
- How the target species may behave in the new environment to which it is introduced.
- The uncertain ways in which climate change could impact different landscapes.
- Existing and potential opportunities for natural movement to new locations.
- How resilience to climate change is achieved, including through natural genetic expression and evolution, and how these resilience mechanisms will respond to species relocation and genetic manipulation.
- University partnerships with practitioners and experts in the field need to be funded and established to help research, monitoring and provision of direction for such actions. Some species may need to be moved out of the state for long term preservation, therefore national and even international partnerships and knowledge sharing opportunities (such as the 'Managing Victoria's Biodiversity under Climate Change Symposium') are required.



**Section 8 – Better Smart Management of our Biodiversity****Question 19 - How do you think we should address the impacts of feral cat predation on wildlife in areas of high biodiversity value?**

Feral cats cause significant impact on our wildlife, however all feral animals that predate wildlife and/or impact wildlife habitat in high biodiversity areas should be considered as part of the Plan. This includes cats, foxes, pigs, horses, goats and deer.

Some actions that could assist with addressing the feral cat population and impact of feral cat predation include:

- Educating the community about the wildlife impacts of uncontrolled breeding and overpopulation of domestic cats.
- Undertaking genetic analysis of feral cats to determine sources of re-colonisation.
- Offering free or subsidised desexing of animals around areas of high biodiversity value.
- State Government introduction of night or 24 hour curfews across the state to help limit the breeding of more unwanted stray and feral cats in urban areas.
- Funding Council local laws officers in areas where Councils have placed cat controls or cat curfews.
- Trapping.
- Offering incentives and rebates for farmers who control feral animals on their land.
- Engaging the broader community about native wildlife and the impacts caused by cats. Bringing schools and community groups to places with re-established populations of native animals historically impacted by feral animals – e.g. Mt Rothwell, Woodlands Historic Park.

**Question 20a - What does environmental land stewardship mean to you and how might this help you manage the natural environment?**

Environmental land stewardship means that individuals and the community advocate for investing time, energy, dollars and resources into the protection, enhancement and management of natural areas and environmental assets. It means that people and organisations incorporate triple bottom line accounting into decisions made on land they own or manage.

Environmental land stewardship can enable biodiversity improvements at various scales: property, local, regional and state. Stewardship encourages people to plan long-term objectives for the land for which they are responsible. It can also facilitate provision of valuable tools to people to enable better protection of biodiversity values. Importantly, it can enable social change and reduce community isolation through programs that connect communities together, evidenced through successful land stewardship-based programs such as Landcare.

Successful land stewardship programs require a multi-disciplinary approach, where agronomists, water managers, biodiversity managers, governments, farmers, researchers, volunteers and others come together to learn from successes and failures that are occurring

*Protecting Victoria's Environment, Biodiversity 2036 – Submission, May 2016*

---

within the landscape, to provide long term strategic guidance for landscape protection. Land stewardship standards should be based on the values and views of the local and regional community and they should be used to assist with developing and implementing strategies.

There are many ways in which land stewardship programs can be improved, including:

- Spatial mapping of financial investment.
- Case studies on successful (and unsuccessful) programs, guidelines and processes.
- Streamlining grant application processes.
- Connecting grants into one application – e.g. Stream Frontage Program, Landcare, Council Grants.
- Strategic planning for investment and targeted landowner engagement.
- Better monitoring of program outcomes and outputs including setting monitoring standards so that knowledge gained can be collated and shared.

Manningham considers that one of the biggest issues facing Local Governments in encouraging land stewardship is inadequate management of adjacent publicly owned and managed land. There is a perception that if the government cannot prioritise or manage pest plant and animal control on public land, how could (why would?) private landowners do so?

**Question 20b - Do you think there could be some negative consequences of voluntary environmental land stewardship standards?**

Some potential negative consequences of voluntary environmental land stewardship standards may include:

- Some landowners may voluntarily commit to meeting standards and others may not, leading to inconsistency in environmental outcomes across the landscape.
- The need for long term stable and consistent funding of the program including implementation, compliance, commitment, code of practice, standards.
- The perception by non-participants that the environmental outcomes being achieved by participants are increasing bushfire / wildfire risk.
- The small risk of splitting and fragmenting communities against one another if not well managed.
- Ensuring there is a positive role of philanthropy and corporations.
- Market issues, for example potential depreciation from on-title agreements.

---

U:\ENVIRONMENT\BIODIVERSITY\Biodiversity Strategy submission 2016\Biodiversity State Strategy 2036 Submission 2016 05 06  
.18

**Question 21 – What do you think are the appropriate options to use to address the various impacts and drivers of decline?**

Manningham has serious concerns that the Plan fails to offer adequate solutions for the largest loss of biodiversity – that is, the removal of native vegetation – either unpermitted or via the diverse and poorly defined native vegetation clearing exemptions including fuel reduction for fire management.

**Question 22 – What type of regional land-use planning approach would you prefer to reconcile the trade-offs required at landscape scale as part of our adaptation to climate change?**

Trade-offs for biodiversity should not be considered as part of the response to adaptation to climate change. Retaining diverse habitats across a full range of climatic gradients, ecotypes and systems, connected across the landscape, is absolutely critical to enable adaptation and/or migration to occur. The ecological tolerance of species and communities is unknown; consequently, placing anthropic paradigms of which biodiversity values can be 'traded' may result in erroneous decisions and catastrophic consequences.

It is critical that strategic landscape-scale planning approaches are implemented to allow natural migration of species and communities across the landscape for 'rehousing' in response to climate change, particularly in coastal and alpine communities. There is also the risk that some species will have 'nowhere to go' in the wild. These species should still be maintained in botanical gardens and zoos for potential future reestablishment.

Notwithstanding, Manningham considers the following approaches are important for regional land use planning:

- A long term approach to strategic planning including zoning and overlays that allow protection of biodiversity and areas of strategic refuge for biodiversity *in perpetuity*.
- Incentives to use land in a way that sustains biodiversity.
- Increased support for agricultural production that incorporates biodiversity conservation.
- Taking a longer-term approach to strategic planning that reflects the broad range of social, economic and environmental objectives needed to protect biodiversity. Issues associated with 'whole of government' approaches to land use planning need to be considered and addressed, particularly with regard to strategic transport and social infrastructure.
- Setting targets for 'nature conservation' (e.g. 5-10% minimum) in new development areas, similar to the mandatory open space (passive and active) contributions.
- Giving consideration to whole of sector impacts of land use planning – not just the direct impact on native vegetation which may support threatened species. For example, the *State Environment Protection Policy (Waters of Victoria)* does not consider the impact of altered hydrological flows on biodiversity matters.
- Providing incentives for land uses that sustain biodiversity and increase support for agricultural production that incorporates protection of biodiversity.

*Protecting Victoria's Environment, Biodiversity 2036 – Submission, May 2016*

- Committing to sustainable and strategic development of Victorian cities and communities to limit urban sprawl and associated direct and indirect impacts on biodiversity.
- Ensuring water catchments and fertile areas suitable for food production are protected.
- Acknowledging the role that introduced species and non-indigenous habitats can provide threatened species.

**Question 23 - What do you think of the proposed approaches overall to manage Victoria's biodiversity? Which ones do you like and which do you have problems with? Are there any missing?**

The Plan seeks to 'protect Victoria's environment' but deals only with biodiversity. Our environment is comprised of five main components: the lithosphere (soil), hydrosphere (water), atmosphere (air), cryosphere (gases that surround the earth) and biosphere (living things, broadly: biodiversity). Certainly, protecting Victoria's environment would require more than biodiversity protection and management. At times, the Plan addresses other environmental elements (particularly water) but the intent and extent of environmental protection the document aims to achieve is unclear.

The document is a very high level view of the ways in which Victoria's environment and biodiversity could be protected. Specific approaches – 'solutions' – are not detailed so it is difficult to assess how the proposed approaches will help manage Victoria's biodiversity. What actions will be implemented to generate real improvements in the environment or, at least, biodiversity? How will this plan elicit reforms to the current, inadequate approach?

The Plan contains very few, defined actions or targets that we can use to consider the merits of the proposed approaches. Generally, Manningham considers the implementation of any sound environmental actions as an improvement. However, actions must be defined, targets must be strong, monitoring and auditing must be performed, and there must be government accountability for performance against targets. Manningham recommends that actions and targets, as well as the monitoring, auditing and accountability framework, should be the subject of a second round of consultation.

A critical gap in the Plan is an explanation of what expenditure currently is directed to biodiversity protection and how much increase in expenditure is needed to meet the aims and objectives of the Plan. Can the strategy be funded? Can the Plan be implemented? Is there a State Government commitment to fund and implement the Plan?

Manningham is concerned the Plan does not adequately consider (or engage with) the significant role that Local Government plays in protecting biodiversity through, for example:

- Community extension and education work.
- Strategic planning.
- Reserve management.
- Investment in private land conservation.
- Most critically - its function as the Responsible Authority for most private and public land planning permit decisions and enforcement.

U:\ENVIRONMENT\BIODIVERSITY\Biodiversity Strategy submission 2016\Biodiversity State Strategy 2036 Submission 2016 05 06  
.20

The Plan doesn't address the inadequate fines for non-compliance, which does not reflect the real economic value of the biodiversity lost and currently fails to create a bigger enough deterrent for offenders, especially developers and wealthy land holders.

The importance of Melbourne's Green Wedges is also missing from the Plan, and needs to be included as the Green Wedges preserve biodiversity on the fringe of the city that provide; much need clean air, protection of biodiversity, opportunities for human engagement with nature and linkages with the public reserve system.

The role of the Environment Protection Authority in protecting biodiversity also should be considered in the document which should also clearly state the role of the ports authorities, minerals, mines and forestry areas of Government in protecting and impacting on biodiversity.

Manningham is concerned with the use of the Melbourne Strategic Assessment (MSA) as an example of a successful regulatory framework for a strategic approach to biodiversity conservation in urban developments. The implementation of the MSA has been plagued by complex issues that are resulting in negative outcomes for several key threatened species. In addition, the MSA has resulted in low retention of local conservation values within new urban developments, reducing opportunities for residents to value nature or connect with nature on a daily basis. Thus, the MSA is an example of how a poor regulatory framework can fail to protect biodiversity, disconnect people from nature, and make it difficult to achieve Goal 1 of this plan. Manningham requests that the Melbourne Strategic Assessment Local Government Liaison Group is contacted prior to any future use of the EPBC Strategic Assessment Framework to discuss and learn from the ongoing biodiversity and social impacts of the MSA implementation.

**Question 24 – Where are the best opportunities to integrate biodiversity with other on-ground activities? What is the best way to build participatory community processes to generate ownership of biodiversity outcomes in local areas?**

Manningham suggests that the following opportunities be considered:

- Require all Crown Land leases and Committees of Management to report and monitor biodiversity actions and target-based outcomes.
- Require a percentage of all new developments to be retained for 'biodiversity areas' (see response to Q22).
- Provide Landcare, Local Government, Catchment Management Authorities, Committees of Management, Parks Victoria and DELWP with the resources they need (particularly on-ground staff, including in regional and rural areas) to assist and engage with communities to generate long-term ownership of biodiversity outcomes in local areas (ie. Catchment Management Officers).
- Require all State Government funding bids for infrastructure (e.g. bridges, new sporting facilities, train lines, etc.) to include a component of biodiversity protection or enhancement. Examples include using native species in landscaping, creating frog

*Protecting Victoria's Environment, Biodiversity 2036 – Submission, May 2016*

bogs, minimising stormwater run-off (WSUD), nature play spaces. This is critical to help Victorians connect with nature on a daily basis and come to value nature.

- Require the retention (or creation) of local biodiversity conservation reserves in strategic plans.
- Ensure that pest plant and animal control/regulations do not negatively impact on biodiversity – e.g. Serrated Tussock fields are habitat for several threatened reptiles, Sweet Pittosporum provides critical understorey habitat for many threatened woodland birds and Chilean Needle Grass supports Golden Sun Moth. It is vital that pest plant and animal regulation is dynamic and has mechanisms to adapt to local conditions and long-term approaches.
- Prioritise protection of Melbourne's green wedges – not only are the green wedges 'the lungs of Melbourne', they are critical opportunities for Victorians to connect with nature.
- Ensure that the future Metropolitan Open Space Strategy considers biodiversity as a key value of open spaces.
- Align public and private funding sources and programs to allow for combined investment in biodiversity protection activities.
- Provide funding for citizen science projects and programs, key mechanisms for engaging the community in participatory processes that increase connections with nature and contribute valuable information to research questions.
- Provide resources for indigenous nurseries and community 'Nature in Backyard' type programs.
- Provide people a chance to do 'hands on' conservation work.

**Question 25 – What would you like to see in a Regional Biodiversity Investment Prospectus?**

Manningham would like the Regional Biodiversity Investment Prospectus to include consideration of social benefits and opportunities when selecting sites for funding - not just modelled ecological values for threatened flora and fauna.

The Prospectus should provide opportunities to save all species, not just 'threatened' or 'at risk' species. Maintaining the integrity of common species is vital for long term ecological stability. The Prospectus should also include short-, medium- and long-term goals.

Given that Local Government provides incentives to private land biodiversity programs and funds significant biodiversity programs on Council-owned freehold land and land that it is a committee of management for, Manningham recommends that Local Government must be consulted on the methodology and inputs that drive the Regional Biodiversity Investment Prospectus prior to it being publicly released.

U:\ENVIRONMENT\BIODIVERSITY\Biodiversity Strategy submission 2016\Biodiversity State Strategy 2036 Submission 2016 05 06  
 .22

**Question 26 – What do you think is the best way to manage and respond to shocks or unforeseen events through the conservation planning process?**

Manningham regularly witnesses, manages and responds to significant shocks to local biodiversity. These include fire, drought and pollution events. Indeed, Local Government often is best placed to respond efficiently to environmental shocks and unforeseen events owing to strong community links, a high degree of local knowledge, and personnel and resources that are located close to any site.

Managing and responding to shocks or unforeseen events requires the conservation planning process to be better integrated across the various state and Local Governments, agencies and stakeholders so as to achieve improved, efficient, cost-effective emergency management and responses that consider biodiversity as a core value. This could be achieved under a *Biodiversity Conservation Act*, which also would provide a legislative framework for the implementation of this strategy. There should be a specific budget for emergency events and any consequent monitoring and management actions required to rehabilitate affected areas. Emergency Management Victoria should have to include biodiversity considerations in its emergency responses and within emergency recovery plans.

There should be facilitated community, government and 'expert' liaison groups that focus on recovery planning in each bioregion/DELWP region, which can plan for events, provide advice during these events and assist with recovery after events.

**Section 9 – Biodiversity Leadership Across Government Areas**

**Additional Question - How do we deliver and evaluate the success of the plan?**

Manningham notes that Section 9 did not include a question, however we consider the following is needed for Victoria to show leadership in biodiversity conservation:

- Provide full, long-term State Government commitment to fund implementation and evaluation of the plan to ensure protection of Victoria's environment (at least, biodiversity).
- Integrate the early consideration of biodiversity values and climate change implications into government decision-making.
- Provide adequate resources to collect robust, reliable baseline data to monitor changes over time.
- Continually seek and exploit opportunities to educate the community, industry, and government to encourage more Victorians to value nature and expect that Victoria's natural environment is healthy, now and in the future. Education is key to getting support and commitment for the successful delivery of the plan.
- Incorporate 'biodiversity' into day to day 'core business' activities of all areas of government and industry.
- Ministers need to advocate for biodiversity issues and values.
- There needs to be frequent public reporting. In particular, if a decision is made to 'let a species go' due to climate change this decision should be made obvious and known to the community. In this way, the community will come to understand that they can 'take positive personal action to protect and preserve our natural

environment'. Few people would be comfortable accepting extinction of a species. Rather, many would use that loss as a catalyst for personal change and demand a better future.

- Ensure that the *Flora and Fauna Guarantee Act* sets up a regulatory framework that will achieve the targets and aims of the Plan and provide strong enforcement ability.
- The State Government should set and achieve minimum standards for management of all land supporting high biodiversity values (e.g. rail reserves, road reserves, cemeteries, airports, Crown Land, State Forests, Council-owned freehold).
- Biodiversity protection and conservation should be proactive but when opportunities and significant risks arise there must be ability to respond quickly (e.g. following bushfires or disease outbreaks, the arrival of new invasive species, and favourable climatic conditions for recruitment).
- To ensure successful delivery of the plan, all stakeholders and implementers need to be involved in the setting of targets and achieving outcomes.
- Parks Victoria should be funded to be a leader in management of conservation areas. The reducing funds provided to Parks Victoria impacts on its ability to showcase the best of the biodiversity that Victoria has to offer and be present to engage the community, improve community perceptions/understanding of natural areas and facilitate connections between Victorians and nature. There are limitless opportunities for Parks Victoria to achieve these outcomes, for example through personal interaction, a regular engaging media presence, guided tours, education programs, etc.
- DELWP should be the leader of regional planning and implementation of biodiversity outcomes on public and private land. It should work in conjunction with Local Councils, community, water authorities and public land managers to design, implement and achieve these outcomes.
- The targets set within the next phase of the Plan should be S.M.A.R.T. goals within an action plan associated with each target and funding to achieve the aim. The targets and Action Plan should be developed in consultation with key stakeholders (including Local Government), and reported on and updated at least every 5 years.
- It is critically important that baseline data are collected in order to measure success. Collection of baseline data can commence immediately, prior to adoption of this strategy.

### Conclusion

Manningham City Council appreciates the opportunity to provide feedback in relation to *Protecting Victoria's Environment – Biodiversity 2036* and looks forward to the issues raised in this submissions being addressed in the final Plan.

Council urges the State Government to provide a long term financial commitment to appropriate resourcing of implementation of the Plan and to actively engage with Councils in the next stages of development of the Plan, including the setting of targets, and in implementing the Plan.



## 10.4 Review of the State's Native Vegetation Clearing Regulations - Council Submission (Sustainability)

Responsible Director: Director Planning & Environment

File No. T16/105

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 a response to the State Government's Consultation Paper for the Review of the Native Vegetation Clearing Regulations. The Review seeks to ensure the State Native Vegetation Clearing Regulations (including Clauses 12.01, 52.16, 52.17 and 66.02 of the Victoria Planning Provisions and incorporated document(s)) protect native vegetation*

*Since May 2015, the Department of Environment, Land, Water and Planning (DELWP) has undertaken extensive stakeholder liaison to attain a broad range of views on the current regulations through stakeholder and community workshops, surveys, and one-to-one meetings with groups that have an interest in the regulations. Stakeholders included the Victorian Farmers Federation, Environmental Farmers Network, Environmental Justice Australia, Minerals Council of Australia (Vic.), Municipal Association of Victoria, Hume City Council, City of Greater Bendigo, Trust for Nature, Urban Development Institute of Australia and the Victorian National Parks Association. Manningham Council Officers had the opportunity to provide feedback through representing Councils during this stakeholder liaison period.*

*As part of the next phase of consultation, DELWP has released a Consultation Paper that sets out proposed improvements to address key issues with the current regulations.*

*This report seeks endorsement of Attachment 1 as Manningham's submission to the State Native Vegetation Clearing Regulations. In general it is considered that*

*Generally, the proposed improvements detailed in the Consultation Paper will result in an improved regulatory system. The proposed improvements relate to quality improvements in data collection, database functionality, and modelling. The proposed improvements in ability for site-collected data to inform planning decisions; the proposed improvements that relate to increased resourcing and support for the implementation of the native vegetation clearing regulations; and the proposed improvements to increase State government support for Local Government enforcement and compliance to assist compliance with the State's native vegetation clearing regulations are also supported.*

*Submissions are due by 9<sup>th</sup> May 2016 however due to the timing of Manningham's Council meetings, a Council resolution to support the Council officer response will not be achievable by the required timeframe. Any changes to the submitted Council officer response resulting from this Council meeting will be forwarded to DELWP following the Council meeting on 31 May 2016.*

## 1 BACKGROUND

- 1.1 Manningham City Council is responsible for implementing the Victoria Planning Provisions, including standard clauses relating to native vegetation. The current native vegetation clearing regulations have been challenging to work with, and the State has decided to review the regulations within two years of the introduction of the regulations in response to widespread issues with the implementation of, and compliance with, the regulations.
- 1.2 The current native vegetation clearing regulations have compromised planning decisions. Principally, this results from issues with the modelling that informs planning decisions, and a lack of clarity, guidance and support relating to the technical aspects of the regulations.
- 1.3 Since May 2015, the Department of Environment, Land, Water and Planning (DELWP) has undertaken extensive stakeholder liaison to attain a broad range of views on the current regulations through stakeholder and community workshops, surveys, and one-to-one meetings with groups that have an interest in the regulations. Stakeholders included the Victorian Farmers Federation, Environmental Farmers Network, Environmental Justice Australia, Minerals Council of Australia (Vic.), Municipal Association of Victoria, Hume City Council, City of Greater Bendigo, Trust for Nature, Urban Development Institute of Australia and the Victorian National Parks Association. Manningham Council Officers had the opportunity to provide feedback through representing Councils during this stakeholder liaison period.
- 1.4 Following extensive consultation, the Minister for Environment, Land, Water and Planning has released the Consultation Paper for the Review of the Native Vegetation Clearing Regulations as Phase Two. Phase Two consultation is open to any interested parties.
- 1.5 The Consultation Paper draws together the key findings from the Review's first phase of consultation and feedback is being sought from stakeholders and the broader community about proposed improvements to the native vegetation clearing regulations.
- 1.6 The removal of native vegetation is primarily regulated by the Victoria Planning Provisions (VPP) which form the basis of all Planning Schemes.
- 1.7 The Review considers several components of the VPP, including:
  - Clause 12.01 State Planning Policy Framework for biodiversity
  - Clause 52.16 Native Vegetation Precinct Plan
  - Clause 52.17 Native Vegetation
  - Incorporated document – *Permitted clearing of native vegetation – Biodiversity assessment guidelines*
  - Clause 62.02-2 – Use and development referrals (Native Vegetation)
- 1.8 The Review does not consider:
  - the structure and wording of overlays; or
  - Clause 52.48 that considers bushfire protection exemptions around dwellings and fences.

- 1.9 The Consultation Paper is structured around identified key issues and proposed improvements associated with six key themes that the review is seeking to address, namely:
1. Native vegetation clearing policy.
  2. Permit process and decision making.
  3. Biodiversity information tools used in decision making and offsetting.
  4. Offset delivery.
  5. Exemptions.
  6. Compliance and enforcement.
- 1.10 Interested parties have been invited to make a submission to the Department of Environment, Land, Water and Planning (DELWP) by 9 May 2016.

## 2 PROPOSAL/ISSUE

- 2.1 Council officers have submitted a draft response (Attachment 1) to the Consultation Paper for the Review of the Native Vegetation Clearing Regulations.
- 2.2 Key issues outlined in Council's response include:
- Generally, the proposed improvements detailed in the Consultation Paper will result in an improved regulatory system.
  - The current system's reliance on modelling and the inaccuracies of the underpinning data sets has resulted in inconsistent, unfair and unclear planning outcomes. The proposed improvements that relate to quality improvements in data collection, database functionality, and modelling are welcomed. The improvements in ability for site-collected data to inform planning decisions are also supported.
  - Most often, Council is the Responsible Authority for planning decisions and generally is the end user of the native vegetation clearing regulations. The proposed improvements that relate to increased resourcing and support for the implementation of the native vegetation clearing regulations is also supported.
  - Support, guidance and resourcing of compliance, enforcement and monitoring under the current regulations have been limited. The proposed improvements to increase State government support for Local Government enforcement and compliance to assist compliance with the State's native vegetation clearing regulations are also supported.
  - The largely economic approach to native vegetation clearing presented in the current review does not adequately recognise that native vegetation is diverse, dynamic and not readily assessed by the lay person.
  - The proposed improvements may not enable successful implementation of the goals and priorities of the State Government's *Protecting Victoria's Environment – Biodiversity 2013*.
  - Opening the offset market to the catchment scale has resulted in a significant loss of vegetation and little effective offsetting of those losses within the municipality (or region).

- The principles of avoidance and minimisation need to be extended to 'other matters' such as local biodiversity matters, erosion, salinity and environmental landscape values to ensure that all applications are considered holistically.
- Supporting redesign of the vegetation standards.
- Supporting clarification of exemptions so that vegetation removal under exemptions is minimised and justified.

2.3 Future phases of consultation will invite submissions on implementation strategies for achieving the proposed improvements to the native vegetation clearing regulations. Council officers will make submissions during future stages to represent Council in achieving positive changes to assist Council's implementation of State native vegetation clearing regulations.

### **3 PRIORITY/TIMING**

3.1 Submissions are due to DELWP on Monday 9<sup>th</sup> May 2016.

3.2 Due to timing of Manningham's Council meetings, a Council resolution to support the Council officer response will not be achievable by the required timeframe. Any changes to the Council officer response resulting from this Council meeting will be forwarded to DELWP following the Council meeting on 31 May 2016.

### **4 CUSTOMER/COMMUNITY IMPACT**

4.1 The proposed improvements elucidated in the Consultation Paper seek to resolve issues with the implementation of planning controls that affect planning decision relating to the removal of native vegetation. The key improvements that will impact the community are:

- improved functionality of the models that determine application requirements;
- clearer definitions and guidance for exemptions for vegetation removal;
- improved functionality of the offset market; and
- increased support (including training) from the State for Council officers to facilitate consistent and timely planning decisions.

4.2 It is anticipated that the proposed improvements will provide greater consistency across Victoria in planning decisions and planning compliance and enforcement activities involving native vegetation removal.

### **5 FINANCIAL RESOURCE IMPLICATIONS**

5.1 The submission to DELWP has been prepared using existing resources in the Economic and Environmental Planning Unit. It is anticipated that any further input into the State Government's Review of the Native Vegetation Clearing Regulations (including implementation strategy) will be undertaken using existing staff resources.

5.2 The purpose of the *Review of the Native Vegetation Clearing Regulations* is to improve the process for assessing permit applications seeking to remove native vegetation and to guide consistent, fair and timely decision-making relating to the issuing of such permits. Proposed improvements such as

more support and guidance from the Department will reduce the financial and other resource costs for Council, which is responsible for implementation of the native vegetation clearing regulations.

## **6 SUSTAINABILITY**

- 6.1 The *Review of the Native Vegetation Clearing Regulations* aims to ensure that native vegetation clearance across the State is undertaken in a more sustainable manner, through improved decision-making processes, greater clarity on the intent of the regulations, increased compliance with the regulations, and improved offsetting rules and functionality.

## **7 REGIONAL/STRATEGIC IMPLICATIONS**

- 7.1 It is anticipated that the proposed improvements will provide greater consistency across the region (i.e. neighbouring municipalities) and Victoria in planning decisions and planning compliance and enforcement activities involving native vegetation removal.

## **8 CONSULTATION**

- 8.1 The review of native vegetation clearing regulations has been underpinned by extensive stakeholder consultation, including with Local Government. The proposed improvements detailed in the Consultation Paper clearly respond to widely held concerns with the current regulations and seek to achieve an improved, more consistent regulatory framework for planning decisions and compliance and enforcement action.
- 8.2 The Department will consider all relevant submissions to the Consultation Paper.
- 8.3 It is anticipated that there will be further consultation as the review progresses.

## **9 CONCLUSION**

- 9.1 The submission to the *Review of the Native Vegetation Clearing Regulations* lodged by Council officers generally supports the proposed improvements to the current regulations. The proposed improvements seek to improve the application and decision-making processes for permit applicants and Council. Increased resourcing and guidance from the Department will benefit community and Council.
- 9.2 Council's submission recommends some changes to the proposed improvements and the native vegetation clearing regulations to provide greater clarity to certain technical aspects of the regulations and to ensure greater consistency with planning outcomes, particularly across metropolitan Melbourne.
- 9.3 Further submissions during future consultation phases will be required to ensure the implementation strategy proposed to achieve the improvements detailed in the Consultation Paper actually will deliver improvements for Council and the community.

**OFFICER'S RECOMMENDATION**

**That Council:**

- (A) Notes that the draft Council officer response to the *Consultation Paper on the Review of the Native Vegetation Clearing Regulations* (Attachment 1) has been forwarded to the Department of Environment, Land, Water and Planning to meet the 9 May 2016 submission date.**
- (B) Endorses Attachment 1 as Manningham City Council's submission to the Department of Environment, Land, Water and Planning.**
- (C) Notes that Attachment 1 will be resubmitted to the Department of Environment, Land, Water and Planning as Council's endorsed submission.**

**MOVED: O'BRIEN**

**SECONDED: GOUGH**

**That the Recommendation be adopted.**

**CARRIED**

Attachment 1 – Manningham City Council's submission to the Review of the Victorian Native Vegetation Clearing Regulations

\* \* \* \* \*

ATTACHMENT 1

Manningham City Council  
699 Doncaster Road, Doncaster Victoria 3109 PO Box 1, Doncaster Victoria 3109  
t 03 9540 5333 f 03 9548 3110 e [manningham@manningham.vic.gov.au](mailto:manningham@manningham.vic.gov.au)



**Review of the Victorian  
Native Vegetation Clearing Regulations**

**May 2016**

**Submission by  
Manningham City Council**

**TABLE OF CONTENTS**

**1. INTRODUCTION .....4**

**2. GENERAL COMMENTS REGARDING THE REVIEW .....5**

**3. COMMENTS RELATING TO THE KEY THEMES IDENTIFIED IN THE REVIEW OF THE NATIVE VEGETATION CLEARING REGULATIONS .....7**

1. NATIVE VEGETATION CLEARING POLICY ..... 7

2. PERMIT PROCESS AND DECISION MAKING ..... 7

3. BIODIVERSITY INFORMATION TOOLS USED IN DECISION MAKING AND OFFSET RULES ..... 7

4. OFFSET DELIVERY ..... 8

5. EXEMPTIONS ..... 8

6. COMPLIANCE AND ENFORCEMENT ..... 9

**4. ASSESSMENT OF PROPOSED IMPROVEMENTS ..... 10**

1. CLARIFY THAT THE PRIMARY FOCUS OF THE REGULATIONS IS TO ENSURE AVOIDANCE OF NATIVE VEGETATION REMOVAL WHERE POSSIBLE ..... 10

2. CONSOLIDATE COMPREHENSIVE POLICY GUIDANCE FOR NATIVE VEGETATION REMOVAL ..... 10

3. DEVELOP GUIDANCE TO SUPPORT STRATEGIC PLANNING RELATING TO NATIVE VEGETATION PROTECTION AND MANAGEMENT ..... 11

4. IMPROVE MONITORING TO DETERMINE IF THE REGULATIONS ARE ACHIEVING THEIR OBJECTIVE AND MAKE THIS INFORMATION PUBLICLY AVAILABLE ..... 12

5. REDUCE THE LOW RISK-BASED PATHWAY THRESHOLD ..... 13

6. REPLACE THE NATIVE VEGETATION LOCATION RISK MAP WITH AN UPDATED MAP OF HIGHLY LOCALISED HABITATS ..... 14

7. REQUIRE AN AVOID AND MINIMISATION STATEMENT FOR ALL APPLICATIONS AND CONSIDER THIS IN DECISION MAKING ..... 15

8. REQUIRE AN OFFSET STRATEGY FOR ALL APPLICATIONS AND CONSIDER THIS IN DECISION-MAKING ..... 16

9. CHANGE TO TWO PATHWAYS, A 'LOWER ASSESSMENT PATHWAY' AND A 'HIGHER ASSESSMENT PATHWAY' ..... 16

10. PROVIDE CLEARER GUIDANCE ON WHEN TO REFUSE AN APPLICATION TO REMOVE NATIVE VEGETATION ..... 16

11. INCLUDE A DECISION GUIDELINE THAT ALLOWS COUNCILS TO CONSIDER LOCALLY IMPORTANT BIODIVERSITY WHEN ASSESSING APPLICATIONS ..... 16

12. ALLOW HABITAT CHARACTERISTIC INFORMATION COLLECTED AT THE SITE TO BE USED TO SUPPLEMENT THE MAPS OF A SPECIES HABITAT IN THE PERMIT APPLICATION PROCESS AND FOR OFFSET SITES ..... 17

13. INCREASE THE INFORMATION AVAILABLE ABOUT THE MAPS USED IN THE REGULATIONS AND IMPROVE THEIR ACCESSIBILITY ..... 17

14. PLACE GREATER EMPHASIS ON KEY AREAS OF HABITAT FOR DISPERSED SPECIES IN DECISION-MAKING AND OFFSET REQUIREMENTS ..... 18

15. DIFFERENTIATE BETWEEN THE BIODIVERSITY VALUE OF SCATTERED TREES FOR USE IN DECISION MAKING AND OFFSET REQUIREMENT DETERMINATION ..... 18

16. INCREASE THE USE AND FUNCTIONALITY OF THE CREDIT REGISTER ..... 19

17. SUPPORT THE DEVELOPMENT OF THE MARKET FOR LOW AVAILABILITY OFFSETS ..... 19



- 18. REQUIRE THAT ALL THIRD-PARTY OFFSETS ARE REGISTERED ON THE CREDIT REGISTER AND MEET ITS STANDARDS, INCLUDING STANDARDS FOR SECURING THE OFFSET ..... 20
- 19. REDESIGN THE REVEGETATION STANDARDS TO ENSURE DESIRABLE REVEGETATION CAN OCCUR..... 20
- 20. CREATE A FRAMEWORK FOR OFFSETTING ON CROWN LAND ..... 21
- 21. FORMALISE A SET OF EXEMPTION PURPOSES AND PRINCIPLES..... 21
- 22. CLARIFY WORDING OF EXEMPTIONS..... 22
- 23. PROVIDE GUIDANCE ON THE INTENT AND APPLICATION OF EXEMPTIONS..... 22
- 24. ADOPT A CONSISTENT APPROACH TO AGREEMENTS REFERENCED IN THE EXEMPTIONS..... 23
- 25. DEVELOP A COMPLIANCE AND ENFORCEMENT STRATEGY..... 23
- 26. PROVIDE GUIDANCE AND SUPPORT MATERIALS FOR COMPLIANCE AND ENFORCEMENT ACTIVITIES..... 23
- 27. IMPROVE INFORMATION GATHERING FOR COMPLIANCE AND ENFORCEMENT..... 24
- 28. PROMOTE CO-REGULATORY SUPPORT..... 24
- 29. REVIEW THE OVERARCHING COMPLIANCE AND ENFORCEMENT FRAMEWORK..... 24

## 1. Introduction

Manningham City Council welcomes the opportunity to comment on the consultation paper *'Review of the Native Vegetation Clearing Regulations'*. Manningham City Council is located 12km east of Melbourne and offers urban, peri-urban and rural properties in diverse landscapes, from highly modified urban contexts to more pristine bushland environments. Manningham City Council supports several threatened vegetation communities and many threatened flora and fauna species. Council has demonstrated commitment to protecting the municipality's biodiversity, including through active community engagement and education, incentives for private landholders to protect biodiversity values, responsible bushland management, and strong evidence-based strategic and statutory planning that reflects the values our community places on biodiversity. As the Responsible Authority for most planning permits that involve removal of native vegetation within the municipality, Manningham City Council has detailed insights into the implementation and implications of the State Government's current native vegetation clearing regulations. Thus, Council is well-placed to provide advice to the State Government regarding the proposed improvements resulting from the review of the current native vegetation clearing regulations.

## 2. General comments regarding the review

Manningham City Council (MCC) generally is supportive of proposed improvements resulting from the review of the Native Vegetation Clearing Regulations presented in the consultation paper released on Thursday 17<sup>th</sup> March 2016. The extent of consultation undertaken during development of the paper has resulted in some proposed improvements that will provide a much improved system of native vegetation clearing regulations compared to the current regulations, provided the implementation strategy is developed thoroughly, carefully and collaboratively. Council is pleased the review bases proposed improvements on the characteristics of a good regulatory system. Generally, MCC considers the proposed improvements in the six key themes will result in improvement to the regulations and awaits more detail of the implementation strategy.

Manningham City Council is among the key users of current and future regulations and is keen to see that the implementation process of any reforms also is improved. Also, it is important that the native vegetation clearing regulations interact cohesively and productively with key legislation and policies including *Protecting Victoria's Environment – Biodiversity 2036* (Biodiversity Strategy), the *Flora and Fauna Guarantee Act 1988* (FFG Act) and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Council notes that the review of the native vegetation clearing regulations focuses more on efficiency and cost effectiveness than on protection of Victoria's biodiversity, and so may not be consistent with principles identified in numerous Federal and Victorian Government legislation, policies and agreements, including:

- Intergovernmental Agreement on the Environment, signed in October 1990 by the Heads of Government of the Commonwealth, States and Territories of Australia, and representatives of Local Government in Australia, to provide a mechanism by which to facilitate better protection of the environment, including a cooperative national approach.
- National Framework for the Management and Monitoring of Australia's Native Vegetation 2001 Natural Resource Management Ministerial Council
- Australia's Biodiversity Conservation Strategy 2010–2030, prepared by the Natural Resource Management Ministerial Council
- The *Environment Protection Act 1970* (VIC)
- EPBC Act - Land Clearance - a Listed Key Threatening Processes
- FFG Act 1988 Action Statement No. 192 - Loss of hollow bearing trees from Victorian native forests
- Assessing the Effectiveness of Local Government Planning Scheme Controls in Protecting Native Vegetation in the Port Phillip & Western Port Region (2009) Report by Parson Brinkerhoff Australia Pty Ltd for Port Phillip and Westernport CMA.

The largely economic approach to native vegetation clearing presented in the current review does not adequately recognise that native vegetation is diverse, dynamic and not readily

assessed by the lay person. This approach over-simplifies a complex system and, in doing so, undermines the values that native vegetation provides to the community and the value that community should (or does) place on native vegetation. Notably, the proposed improvements may not enable successful implementation of the goals and priorities of the State Government's *'Protecting Victoria's Environment – Biodiversity 2036'*. Further, there is a risk that local biodiversity values within Manningham may be eroded. Without adequate funding and commitment to implementing the proposed improvements identified in the consultation paper, there is a great risk that the State Government of Victoria will continue to generate a net loss of native vegetation – and biodiversity - across the Victorian landscape.

Manningham City Council is willing to work with the State Government – including in a small working group involving Local Government officers - to facilitate the implementation of effective native vegetation clearing regulations and help achieve no net loss of native vegetation across the Victorian landscape. Council is able to assist with a range of tasks, including the development of the implementation strategy, formulation of the guidance document(s), development of an effective enforcement and compliance strategy, consideration of how to assess impacts of applications on local biodiversity, and review of the relevant exemptions in order to ensure the regulations can be implemented – ultimately, by Council – in an efficient way.

### **3. Comments relating to the key themes identified in the Review of the Native Vegetation Clearing Regulations**

#### **1. Native vegetation clearing policy**

It is vital the guidance material that is developed be included in one document and that the document be an incorporated document under Cl. 52.17 Native Vegetation of the Victorian Planning Schemes. Further, it is important that the State Government support municipal Councils to develop local overlays that will ensure local biodiversity priorities can be prioritised and protected.

#### **2. Permit process and decision making**

Protection of large, old and/or hollow trees is critically important for protection of Victoria's biodiversity. The contribution such trees make to Victoria's (and Manningham City Council's) biodiversity is significant and it is critical this contribution is recognised through adequate planning controls under Clause 52.17. Proposed improvement 15 seeks to address this to some extent but additional improvements are required. The proposed improvements do not adequately protect significant trees.

Reducing the threshold for higher risk-based pathway applications to 0.5ha or 7 trees is supported, however Council has identified that a lower threshold may be more appropriate in some areas of the municipality where vegetation quality or tree density is higher. Council is supportive of several aspects of the existing Biodiversity Assessment Handbook ('Handbook'), such as that subdivision to <0.4ha results in all native vegetation being considered lost. The inclusions should remain in the definitions. The method for calculating vegetation loss within defensible space is appropriate for treed vegetation, largely resulting in considering 100% loss in defensible space.

#### **3. Biodiversity information tools used in decision making and offset rules**

Council generally is supportive of the proposed improvements relating to the biodiversity information tools used in decision-making and offset rules, however the following points are critical if these tools are to be relied upon to: determine what constitutes significant biodiversity; determine what is a risk to that significant biodiversity; guide effective, fair and responsible decision-making relating to planning applications to remove native vegetation; and defend any decisions made using the tools.

- The tools need to be based upon the best information available – currently, significant (and very knowledgeable) groups within our community and within Local Government know that the Victorian Biodiversity Atlas (VBA) is plagued by gross

inaccuracies and is slow to incorporate data. Some data therefore are not submitted to the VBA. This severely compromises the quality of the information within the VBA and results in models that are not based on the best information and so are not sufficiently accurate to be used for decision-making purposes.

- A repeatable and documented process must be established as a result of this review which enables and requires DELWP to officially capture the situations where information in the tools is shown to be inaccurate and to provide a timely written response to Responsible Authorities documenting that the specific information in question is to be ignored (false positives) or utilised (false negatives).

#### **4. Offset delivery**

Council recognises that opening the offset market to the catchment scale was introduced to increase market functionality, however the impact on regional biodiversity has been significant. Since the introduction of the current Clause 52.17, most offsets for trees and other vegetation lost within Manningham have been achieved in grasslands in the western suburbs of Melbourne. This has resulted in a significant loss of vegetation and little effective offsetting of those losses within the municipality (or region). Therefore, Manningham City Council strongly recommends that bioregional offsetting be reintroduced.

#### **5. Exemptions**

Planning Schemes are public documents and therefore must be expected to be read by interested members of the public. Accordingly, guidance relating to exemptions under Cl. 52.17 should be provided as an incorporated document (or within the revised Biodiversity Assessment Handbook, already an incorporated document). The guidance is as much required by the general public (who generally do not seek advice on how to interpret exemptions) as it is by professional planners and others. The guidance will assist applicants and Council officers assessing applications, by providing clear guidance on the application of exemptions for their intended purpose.

The review of the Native Vegetation Clearing Regulations ideally would have incorporated a thorough review of the exemptions associated with Cl. 52.17 Native Vegetation. Specific exemptions under Cl. 52.17 that need urgent review and guidance include: emergency works, fencing, lopping/pruning and vehicle access from public roads. A prominent note appended to Cl. 52.17 should alert readers to check for local overlays that extinguish these exemptions in specified circumstances and areas.

Importantly, the interactions of the Clause 52.48 Bushfire Exemptions on native vegetation require serious consideration. Whilst Council understands a review of the Cl. 52.48 exemptions beyond the extent of the current review, the extensive impact on native vegetation from the bushfire exemptions cannot be ignored. Most critically, exemptions (Cl. 52.17 and/or Cl. 52.48) seriously compromise any accurate assessment of the contribution any permitted clearing of vegetation makes to Victoria's biodiversity, compromising the accuracy of decisions made by Council relating to applications to remove native vegetation.

**6. Compliance and enforcement**

There is much potential for improvement in this key theme, including funding, training, guidance, and departmental support and leadership.

#### **4. Assessment of Proposed Improvements**

##### **1. Clarify that the primary focus of the regulations is to ensure avoidance of native vegetation removal where possible**

Manningham City Council supports the application of the avoidance and minimisation principle for all applications. This ensures an equitable and consistent process.

Council requests the phrase 'where possible' is removed or that guidance is provided on what would equate to 'not possible'. What is the definition of 'where possible'? If the primary focus of the regulations is to ensure avoidance of native vegetation removal, such ambiguity must be removed either through rewording the improvement or providing detailed guidance.

The review document retains reference to 'significant contribution to Victoria's biodiversity', adopted from the existing native vegetation permitted clearing regulations. This is concerning as it remains unclear as to how the 'contribution' to Victoria's biodiversity is measured. The wording 'significant contribution to Victoria's biodiversity' should be removed, or if this is not possible then the phrase must be clarified. It is not clear from the proposed improvements what constitutes a 'significant' contribution to Victoria's biodiversity, what factors are considered in setting the threshold of what is considered 'significant', and how contribution would be measured. Based on the current system, within some Local Government areas including Manningham, little vegetation is considered to make a 'significant' contribution. If this approach continued, very few applications would require the avoidance of native vegetation. Clearly, this would not be an acceptable outcome for Manningham City Council and would (collectively) result in a significant impact on Victoria's biodiversity.

How will the assessment of the 'contribution to Victoria's biodiversity' be reflected in the proposed new system that is not based on 'risk' to Victoria's biodiversity?

Is this improvement suggesting the 3-step approach only applies if the vegetation proposed to be removed makes a significant contribution to Victoria's biodiversity? The wording of such statements is critical.

The principles of avoidance and minimisation need to be extended to 'other matters' such as local biodiversity matters, erosion, salinity and environmental landscape values to ensure that all applications are considered holistically. Such 'other matters' combine to impact on Manningham's and Victoria's biodiversity.

##### **2. Consolidate comprehensive policy guidance for native vegetation removal**

Manningham City Council strongly supports this proposed improvement. There is a lack of guidance about how to consider 'other matters' under C1. 52.17. Guidance material is critical



for effective, fair and consistent implementation of the Native Vegetation Clearing Regulations.

Other matters should include:

- ‘Cumulative impacts’ must be another ‘other matter’ in 52.17 e.g. cumulative impacts on native vegetation, erosion, salinity.
  - Cumulative impacts relate directly to significant impacts on Victoria’s biodiversity.
- *Flora and Fauna Guarantee Act 1988* (FFG Act) threatening processes that relate to native vegetation removal (i.e. loss of hollow-bearing trees).

Manningham City Council requests that guidance material be developed to assist Local Government to consider (and assess) ‘other matters’, including specific guidance about how to assess the cumulative impacts of small scale vegetation clearing. For example, the removal of one or two trees might not directly cause erosion, salinity or environmental landscape issues, but the cumulative effect of hundreds of applications to remove one or two trees may well result in such issues.

Determination of what vegetation clearing constitutes significant impact on species’ habitat is dependent on regular updates of maps (species habitat maps). It is critical that species habitat maps are updated regularly – ideally, the system would be live so permitted vegetation clearance from a species’ habitat was removed from the balance habitat to reveal a live, remaining extent of habitat. This would be valuable, however limited by a lack of knowledge of the extent and location of exempt and unpermitted vegetation clearance within species habitat. A (online) register of vegetation cleared under the exemptions would facilitate the tracking of remaining species habitat.

To facilitate consistent interpretation and application of the exemptions, the updated Biodiversity Assessment Handbook, or an alternative but incorporated document, would include the ‘guidance’. There also should be a solid commitment from the Department to regular updates (6-monthly, or annually) and the method in which they will undertake this, preferably including a panel/reference group with environmental, industry and Council representatives. Amendments to the Handbook could include ‘planning note’ style updates to ensure all information remains in one consolidated location. Notification of amendments to the Handbook must be communicated to Local Government, the general public and other stakeholders via the DELWP website and other communication channels.

### **3. Develop guidance to support strategic planning relating to native vegetation protection and management**

Manningham City Council acknowledges it is important to get the system right and is confident improvements can be achieved if the system is developed in consultation with Local Government. This is particularly important as Local Government is the end user.

Council requests that the State Government acknowledge and support the development of local overlays that protect local and regional biodiversity. In particular, Section 12 of the SPPFs could be updated in consultation with Local Government to bring it up to date and provide a more supportive framework for the development of local policies relating to biodiversity protection.

The process of planning scheme amendments needs to be simplified to facilitate Local Governments setting local biodiversity priorities. As stated on page 16 of the Consultation Paper, 'Many Councils also stated that the undertaking and updating their strategic plans to protect and conserve biodiversity was prohibitively expensive and not a priority.' Therefore, as well as providing guidance, DELWP needs to support local Councils by facilitating processes that help address these issues – such as simplifying and reducing resources required to implement the process of planning scheme amendments.

Council recommends a new streamlined approval process to facilitate development and implementation of Environmental Significance Overlays. Alternatively, additional schedules like 'local matters' could be introduced for implementation under Cl. 52.17.

#### **4. Improve monitoring to determine if the regulations are achieving their objective and make this information publicly available**

Manningham City Council strongly supports a state-wide system which records and monitors all vegetation that is avoided or removed and offset. In addition, Council strongly recommends such a system incorporates tracking vegetation removed under the exemptions (see below).

It is critical that a mechanism be introduced to monitor native vegetation cleared under clearing exemptions. A process for tracking exempt vegetation clearance is fundamental to success of the permitted clearing regulations – currently, there is no way to regulate exempt vegetation removal however, a simple online system or aerial imagery analysis could be useful. An online register system could be developed whereby people seeking to remove vegetation under exemptions would enter the address, location and extent of the clearing with no (or limited, almost instant) approvals process. This would prevent enforcement action erroneously being taken against legitimately exempt vegetation removal and would provide better opportunities to track the extent of threatened species habitat cleared, including that cleared under the exemptions. In this way, such a system would assist monitoring the implementation of the regulations and whether the regulations are achieving their objectives.

Council is supportive of improved monitoring but questions how this proposed improvement will be implemented. Council is concerned that the responsibility and economic/resource burden of achieving this (necessary) improvement will be transferred to Local Government. Council supports the State setting up a monitoring system and implementing it and acknowledges that MCC does not have the resources to set up or run a monitoring system, nor the ability to collect data about vegetation removal.

In particular, Council questions:

Who will fund improved monitoring? Currently, the reporting of vegetation loss falls on Local Government and there is little capacity for Local Government to increase monitoring efforts although there is widespread acceptance that there is a great need for improved monitoring. Increased funding and other support from the State may generate an improved system of monitoring using existing local government structures, processes and mechanisms. For example, there is already a tracking system for permits; this could be retrofitted reasonably simply to enable Council's statutory planners to input permitted vegetation loss to facilitate tracking permitted (and, therefore, exempt) vegetation loss. However, MCC could not resource this additional burden without assistance from the State. Is it the expectation that local government will undertake the monitoring or will DELWP take leadership?

Manningham City Council is concerned that the requirement for the monitoring or reporting of clearing under exemptions may be expected of Local Government, resulting in a prohibitive resource burden on Council operating in an increasingly constrained economic environment. Currently, residents are not required to notify Councils (and/or the State) when they clear native vegetation under exemptions, thus Local Government (and/or the State) do not have any knowledge of what vegetation is being cleared under exemptions. Such information could be estimated from aerial/satellite imagery (although complicated by unpermitted/illegal clearing), however Local Government is not resourced to undertake such analyses. Council considers aerial or satellite imagery analysis should be undertaken as part of monitoring efforts. Aerial or satellite imagery analysis needs to be funded by State Government owing to the high (prohibitive, in many Local Governments) cost of obtaining current imagery and analysing images, particularly in a rate-capping environment. The State Government should be tracking changes revealed by imagery analysis along with tracking the permits. This type of analysis can be broken down into any land tenure for further investigation, for example Local Government Area, Bioregion, CMA, etc. Such analysis also could be a tool to trigger enforcement action or investigation for substantial vegetation clearance.

The State could support Local Government to assist with monitoring efforts by forming a dedicated support team, particularly in the first 18 months of implementation of the reformed native vegetation clearing regulations. The department could offer workshops, training and grant-funded positions to assist Councils.

## **5. Reduce the low risk-based pathway threshold**

Manningham City Council generally is supportive of a reduction in the threshold for the low-risk based pathway, however it must be explicit that Council can refuse low risk-based pathway applications and, importantly, on what grounds Councils could refuse such applications under Cl. 52.17.

Council is concerned that the contribution (and the impact of cumulative losses) of locally significant biodiversity on the State's biodiversity has not been adequately factored into determination of risk-based pathways.

The suggested threshold of 0.5ha or seven trees is a significant improvement over the current threshold, however Council has identified that a 0.2ha threshold may be more appropriate in forest or woodland vegetation types where proposals to remove 0.2ha of native vegetation could represent removal of a significant number of trees. Thus, the thresholds may need to relate more closely to site-specific conditions such as vegetation community or local biodiversity attributes. Further, the threshold should consider other factors that may present a higher 'risk' to the State's biodiversity, for example: large old trees, threatened vegetation communities, etc.

Council reiterates that it is vital that applications for a permit under Cl. 52.17 with reduced low-risk thresholds can be refused by Council if an application does not address avoidance and minimisation principles or is not consistent with DELWP guidance about 'other matters'.

## **6. Replace the native vegetation location risk map with an updated map of highly localised habitats**

Manningham City Council is very supportive of the removal of the location risk map.

In relation to Biodiversity Tools, including the native vegetation location risk map and highly localised habitat maps, Council strongly considers the following points are critical if these tools are to be relied upon to determine what constitutes significant biodiversity; determine what is a risk to that significant biodiversity; guide effective, fair and responsible decision-making relating to applications to remove native vegetation; and defend any decisions made using the tools, then:

- The tools need to be based upon the best information available - the quality of the information within the VBA is seriously compromised, which results in models that are not based on the best information and so are not sufficiently accurate.
- A repeatable and documented process must be established as a result of this review which enables and requires DELWP to officially capture the situations where information in the tools is shown to be inaccurate and provide a timely written response to Responsible Authorities documenting that the specific information in question is to be ignored (false positives) or utilised (false negatives).

Council supports the use of highly localised habitats to a limited extent. However we are concerned that there are insufficient data relating to many rare or threatened species. We request that DELWP invest heavily in data collection/research efforts to gather more data for each rare or threatened species, prioritising species in areas of high vegetation clearance.

There is a critical and absolute need for improved resourcing to increase data submission and dataset curation/quality control, which are the bases for the maps (and therefore planning decisions). Council recommends that DELWP develop a new fast-tracked data entry system

or process. Many Councils, ecologists and other reliable sources have records of threatened species that have not been entered into the VBA/FIS and therefore are not currently informing DELWP biodiversity (risk, habitat, etc.) models. The current system for providing data to DELWP is time consuming and cumbersome. These data need to be entered simply and quickly and informing DELWP models in 'real time'. Council requests development and publication of a schedule or commitment to regular (6-monthly/12-monthly) updates of the modelled data. Having a published schedule of timeframes and/or deadlines for submission of data for inclusion into these scheduled updates would allow Local Government and local community groups to prepare adequately for these data submissions.

Also, Council is concerned that replacing physical site-based biodiversity assessments conducted by qualified consultants with modelled biodiversity values will result in *less* data being collected and submitted to the VBA, which in turn will result in *less* understanding of highly localised habitats, thus more erroneous, deleterious planning decisions and increased impacts on species with highly localised habitats.

Highly localised habitats do not represent habitats for every threatened species. Therefore, focussing on highly localised habitats will not prevent impacts on other threatened species. Council considers it critical that threatened EVCs (at least endangered and vulnerable) are included in considerations of planning applications under Cl. 52.17. Threatened Communities of Flora & Fauna as listed under the FFG Act also could be considered.

## **7. Require an avoid and minimisation statement for all applications and consider this in decision making**

Manningham City Council supports the requirement for an avoidance and minimisation statement for all applications.

This proposed improvement needs a proper framework and written explanation to ensure worthwhile implementation and outcomes. Council recommends DELWP provide detailed guidance about what constitutes sufficient avoidance and minimisation. The Handbook needs to define the principle of avoid and minimise, and give guidance to assist Council officers assessing avoid and minimisation statements. This support and guidance for decision-making will be vital for consistent outcomes across the state. This could facilitate achieving proposed improvement 1.

The rationale for this proposed improvement refers to steps taken to avoid or minimise their impacts on Victoria's biodiversity – it is vital that impacts on locally significant biodiversity are considered, as incremental losses to locally significant biodiversity manifest as gross impacts on the State's biodiversity.

**8. Require an offset strategy for all applications and consider this in decision-making**

Council strongly supports all applicants providing a strategy or description about how offset requirements will be satisfied. This proposed improvement will ensure applicants know up-front their future offset costs or land management requirements.

**9. Change to two pathways, a 'lower assessment pathway' and a 'higher assessment pathway'**

Council strongly supports this proposed improvement as it will result in a simpler process for all applicants, depending on the thresholds set for each category. The Responsible Authority should have the ability to determine the assessment pathway based on site-based information.

**10. Provide clearer guidance on when to refuse an application to remove native vegetation**

Council supports clearer guidance about when to refuse an application. There has been a lack of clarity from DELWP on how to consider 'other matters'. The current system is not driving effective environmental planning outcomes and needs to be improved, including through provision of clearer guidance.

Council's support for this proposed improvement depends on the definition of 'significant impact on Victoria's biodiversity'. It remains unclear how the significance of the contribution made by an area of native vegetation in Manningham to Victoria's biodiversity is calculated. It continues to be concerning that there are complex, untested hypotheses underpinning the assessment of contributions to Victoria's biodiversity. Indeed, incremental loss of native vegetation has a significant (catastrophic) impact on Victoria's biodiversity, yet is not considered in any way through the models or in decision-making under the current system. Assessing applications against the subject vegetation's contribution to Victoria's biodiversity is fraught and potentially misguided.

**11. Include a decision guideline that allows Councils to consider locally important biodiversity when assessing applications**

Manningham City Council generally is supportive of the inclusion of a decision guideline that allows Councils to consider locally important biodiversity when assessing applications but seeks clarity on the following:

- What test or measure would be used to determine locally important biodiversity?
- How would this interact with local planning controls (namely overlays)?
- Could this be as simple as a dot point in the MSS or a specific tree protection policy?
- In the absence of scientific studies how would Council measure the impacts to local biodiversity?

The decision guideline needs to clearly articulate how local biodiversity of importance should be referenced in local planning scheme(s) to provide increased protection.

**12. Allow habitat characteristic information collected at the site to be used to supplement the maps of a species habitat in the permit application process and for offset sites**

Council supports habitat data (e.g. hollows, logs, dead stags, foraging/nesting habitat, etc.) collected at the site being used as supplementary information for assessing permit applications and for determining offsets/offset sites. Regularly, suitable habitat for threatened species is discovered that is not reflected in the (modelled) species habitat maps.

Council considers there is a critical need to introduce mandatory standards to the ecological consulting industry. However, Council would not support changes that would exclude valuable data contributors that may not be 'suitably qualified ecological consultants', for example, Friends groups, Field Naturalists, local 'experts', or Council environment officers. Such contributors should be able to provide information that is able to be substantiated and verified either by the RA or an independent data review expert panel. Council does not support such information being collected solely by qualified consultant ecologists as this would favour those applicants who are able to afford expert ecologists.

This proposed improvement relates specifically to applications assessed under the proposed 'low assessment pathway' – the proposed improvement could link in/provide triggers for assessment of vegetation considered of high *local* significance that might otherwise not be assessed. It is important the system can operate to both increase and decrease habitat importance.

**13. Increase the information available about the maps used in the regulations and improve their accessibility**

Manningham City Council is strongly supportive of this proposed improvement but welcomes more information on how this will be achieved. At a minimum, the information provided must include the methodology used to generate the models and the limitations of use. Transparency is vital for trust in the system and for the ability to challenge (and defend) the system: Models and assumptions – which are scientifically formulated - should be published in a peer-reviewed journal, as the peer-review process validates the scientific bases that *should* underpin the models.

**14. Place greater emphasis on key areas of habitat for dispersed species in decision-making and offset requirements**

Council is supportive but welcomes more information on how this will be achieved. In particular, Council requests clear guidance about how these data will be collected, who will collect these data and how they will influence decision-making.

Greater clarity is required regarding how 'key areas of habitat' are defined: what constitutes 'key areas of habitat'?

Individual applications may not trigger specific offsets, however decision-making processes need to consider the cumulative impacts of vegetation/habitat loss on rare *and* threatened species. Some mechanism needs to be introduced to offset the impact of cumulative loss of habitat on rare and threatened species.

Section 3.2.5 specifically refers to EVCs – yet there is no mention of EVCs in proposed improvement 14 (including associated description or rationale). Council strongly recommends EVCs be included in this proposed improvement.

**15. Differentiate between the biodiversity value of scattered trees for use in decision making and offset requirement determination**

Manningham City Council is supportive of this proposed improvement but welcomes more information on how this will be achieved, including how to differentiate the biodiversity value of scattered trees in a way that will generate consistent interpretation and application, and appropriate and fair biodiversity and planning outcomes. Further, we request that it extends to all large and/or old trees. Currently an application to remove a small sapling is treated the same as an application to remove a large (and old) habitat tree. The current system easily allows large, old habitat trees (for example, those in excess of 100 years old) to be removed and 'offset' (though large, old habitat trees cannot truly be offset in General Biodiversity Equivalence Units, particularly when those units are purchased as grassland). Larger trees, particularly those of hollow bearing size and age, provide a much wider range of critical, irreplaceable ecosystem services than saplings. The removal of large, old trees must be carefully considered and there must be an explicit decision-making guideline that requires avoiding/minimising the removal of large and/or old trees.

Ecological Vegetation Class tree size benchmarks should be reintroduced as the benchmarks are a fully functional system that already exist and (generally) adequately account for tree size variation in different locations/EVCs. The benchmark system could be revised (if necessary) for use in the updated regulations. Different growth rates of different species still need to be considered (e.g. PPWPCMA Native Vegetation Plan).

Council requests the reintroduction of a separate offset option for scattered trees. Many Councils previously had success with the revegetation and protection offset table provided on page 57 of the Port Phillip and Westport Native Vegetation Plan. This table leads to easy



calculations of first party offsets or for purchasing offsets through an over-the-counter scheme.

Applications assessed under the proposed higher assessment pathway would require provision of additional, detailed information. However, it is important that similarly detailed information can be required for 'low assessment pathway' applications that seek to remove native vegetation (including large, old trees) from areas of higher local significance.

#### **16. Increase the use and functionality of the credit register**

Manningham City Council is supportive of this proposed improvement but welcomes more information on how this will be achieved.

Council requests that the offset tracking system be run and implemented by DELWP as Council does not have the resources to implement such a system.

#### **17. Support the development of the market for low availability offsets**

Manningham City Council is supportive of this proposed improvement but welcomes more information on how this will be achieved. Council strongly supports first party offsets as they improve local biodiversity, (generally) reduce offsetting costs for permit holders and keep offsets in the local area. They also encourage increased custodianship and environmental stewardship through compulsory land management (via offset management plans).

Council requests that first party offsets for scattered trees or small patches of vegetation be made more simple and accessible. Council supports the reintroduction of a simple replanting or protection and replanting ratio.

Currently, Council is observing most native vegetation offsets being achieved well beyond the municipality – and beyond the relevant bioregions. Indeed, since the introduction of the permitted clearing regulations, most vegetation permitted to be removed within the Port Phillip and Westernport Catchment has been offset at a conservation reserve in Little River. This site, whilst undoubtedly important, has little-no environmental correlation with the area within Manningham from which the vegetation being offset was removed. Manningham City Council strongly recommends that offsets must be located within the same municipality or Bioregion to improve the accountability and ecological relevancy of offsets, achieve no net loss and to ensure the retention of local biodiversity dynamics and landscape heterogeneity.

It is important to recognise the significant contribution different broad vegetation types (and specific EVCs) make to Victoria's biodiversity. For offsetting to begin to redress impacts on the State's biodiversity, it is critical that offsets must reflect the ecological contribution of the vegetation permitted to be removed.

Offset options need to be extended to help Councils offer small-scale offsets, provided a minimum standard is met to avoid failed offset plantings which undermine the intent of the security and perpetuity of offsets. The following should be considered:

- Including a revegetation/replacement planting on-site offset option.
- On-title protection for offsets generated for removal of more than four trees.
- The intent of a market-based system is that supply is driven by demand – DELWP supporting market development is counter-intuitive, and may encourage the removal of threatened (i.e. high risk/low-availability) vegetation.

**18. Require that all third-party offsets are registered on the credit register and meet its standards, including standards for securing the offset**

Manningham City Council is supportive of this proposed improvement but welcomes more information on how this will be achieved as this could generate bottlenecks in the system that slow down permit holders' ability to secure offsets and achieve permit compliance.

The cost of setting up and registering offsets on the Credit Register currently is expensive and may be prohibitive, acting as a disincentive to potential credit holders and impacting on market functionality.

A threshold could be added to this proposed improvement. For example, if one tree cleared generates an offset of five trees that are planted on a neighbour's property, the receiving site should be registered on the credit register but not necessarily subject to all the Credit Register standards. This may be based on extent of clearing or offset area/size thresholds.

**19. Redesign the revegetation standards to ensure desirable revegetation can occur**

Council considers a redesign of the revegetation standards is vital and is strongly supportive of this proposed improvement.

Prior to 2013, under the previous regulations, many permit holders opted to achieve offsets on their own property (first-party offsets) to reduce costs, improve amenity, attract native wildlife, etc. The Biodiversity Assessment Handbook currently contains a series of offset rules that are too limiting and impractical. Examples of rules that need to be reviewed and improved to achieve better offset outcomes include:

- No offsets are permitted within 150 metres of a building (not limited to the subject site) and
- Any revegetation must be 2+ hectares.

Council suggests that the 150 metre requirement be removed or reduced significantly, with the suitability of offset sites to be determined by Council in conjunction with the CFA based on site-specific considerations. Council sees value in revegetation of a size less than two

20

hectares (e.g. planting along degraded creek corridors or to link remnant patches) and recommends that the minimum two hectare revegetation requirement be removed.

Council strongly recommends the reintroduction of the revegetation option for scattered trees but welcomes more information on the following:

- How would the proposed revegetation option(s) interact with General Biodiversity Equivalence Units?
- Would they be an alternative? Or calculated to convert somehow to GBEUs?
- Could this calculation be generated as an output of NVIM? Such a system could involve inputting a potential offset revegetation site and NVIM generating the credit in GBEUs.

There needs to be a simple process to convert from GBEU offset obligation to revegetation. Council considers it appropriate that thresholds may well apply, above which revegetation is not an option.

## **20. Create a framework for offsetting on Crown land**

Manningham City Council is supportive of this proposed improvement but welcomes more information on how this will be achieved, in particular around the notion of 'additionality'.

The framework would need to be transparent and publicly available, such as inclusion of an interactive site where Crown offsets are mapped within public land and details of the management of these sites, over and above the standard management, is identified.

## **21. Formalise a set of exemption purposes and principles**

Manningham City Council strongly supports the clarification of exemptions so that vegetation removal under exemptions is minimised and justified. Council requests that the exemptions be reviewed and workshopped in conjunction with Local Government officers, who have direct understanding of the application and implications of the current exemptions and generally are responsible for communicating this information and providing advice to the public.

Council considers that new clearing under exemptions must be recorded. Given much of the clearing of native vegetation in the State occurs under exemptions (both under Cl. 52.17 and Cl. 52.48) (and therefore is not offset) this will provide a much clearer picture about the real state-wide biodiversity losses.

Although Council is supportive of tracking vegetation removed under exemptions, MCC requires details about how native vegetation clearances under exemptions will be recorded. Council does not have the resources to adequately track clearing under exemptions. Such a system would best be resourced and implemented by DELWP.

There is a critical need for further explanation/definition/guidance of the phrase 'new footprint permanent clearing'.

## **22. Clarify wording of exemptions**

Manningham City Council strongly supports clarifying the wording of exemptions within Clause 52.17. We also suggest that this be accompanied by simple, easy to follow diagrams that can be used by people seeking to remove native vegetation under exemption(s).

Council considers there is a critical need to work through each of the exemptions, in conjunction with Local Government, and to workshop with Local Government potential interpretations and unintended implications of any 'improved' wording of exemptions.

In many municipalities, the most commonly used exemptions are the Clause 52.48 Bushfire Exemptions. These exemptions are very broad and the wording is ambiguous. Whilst Council acknowledges it is beyond the scope of the current review to consider exemptions under Cl. 52.48, the impact of the interactions of the Cl. 52.48 exemptions on the objectives of Cl. 52.17 and Victoria's biodiversity is significant and warrants serious and urgent review.

Manningham City Council considers there is a need for an initial workshop with a stakeholder group (including relevant Local Government representatives) to consider the wording and rationale for each of the existing 30-plus Cl. 52.17 exemptions.

## **23. Provide guidance on the intent and application of exemptions**

Council supports this proposed improvement relating to the provision of guidance material about the intent and application of exemptions. We consider it vital that the Department 'develop guidance material about the application and intent of the exemption to assist Councils and proponents.' Critically, the Department needs to engage with Local Government to ensure guidance is targeted and useful. Therefore, we strongly recommend that DELWP works collaboratively with Councils to jointly develop this guidance material.

Council requests that the proposed guidance material also includes a checklist for consideration under Clause 52.17 (and Clause 52.48?), the *Flora and Fauna Guarantee Act 1988* and the *Environmental Protection and Biodiversity Conservation Act 1999*. This will ensure people seeking to remove native vegetation under Cl. 52.17 exemption(s) do not inadvertently breach other environmental regulations while exercising an exemption.

Guidance needs to be incorporated in the VPPs. Guidance could be included in the Biodiversity Assessment Handbook, so it is within an already-incorporated document. The Biodiversity Assessment Handbook could be extended to include a specific chapter on exemptions.

**24. Adopt a consistent approach to Agreements referenced in the exemptions**

Manningham City Council is supportive of this proposed improvement but welcomes more information on how a consistent approach to Agreements referenced in the exemptions will be adopted.

A detailed review of the existing exemptions is required, to assess what is working or not. The findings of the review would provide a solid basis for guidelines to developing agreements referenced in the exemptions in the future.

**25. Develop a compliance and enforcement strategy**

Manningham City Council strongly advocates the need for the State to develop a compliance and enforcement strategy relating to the implementation of Cl. 52.17. The compliance and enforcement strategy needs to ensure DELWP have capacity and ability to pay for consultant's reports and be expert witness, as required.

Council recommends the *Planning and Environment Act 1987* (P&E Act) be amended to allow DELWP officers to be authorised officers for the purposes of enforcing compliance under Clauses 52.16 and 52.17 on private property.

Council recognises there is a need for increased leadership from DELWP relating to compliance and enforcement of Cl. 52.17. In particular:

- More enforcement/enforcement support and advice is required on the ground
- Monitoring compliance and investigating enforcement issues via use of aerial or satellite imagery and/or remote sensing.

There is an urgent need to address serious issues in the system where, in some cases, it is cheaper to pay Planning Infringement Notice(s) (PINs) than it is to be compliant with a planning permit, including for applications involving the removal of native vegetation under Cl. 52.17. Council strongly recommends that PINs/fines need to increase significantly to act as an adequate deterrent and encourage compliance.

**26. Provide guidance and support materials for compliance and enforcement activities**

Council is supportive of this proposed improvement but welcomes more information on how this will be achieved.

It is vital that funding is provided for additional DELWP staff and resources to enable provision of guidance and support materials for compliance and enforcement activities. Currently, there is a critical shortage of guidance and support for Council, which is responsible for implementing compliance and enforcement activities under Cl. 52.17. It is

recommended that training is provided to Local Government compliance/enforcement staff with dedicated support resource staff at DELWP.

Adequate guidance, support and training for Local Government compliance/enforcement staff is critical to the success of the Native Vegetation Clearing Regulations. Council request that this proposed improvement is implemented immediately.

## **27. Improve information gathering for compliance and enforcement**

Manningham City Council is supportive of this proposed improvement but welcomes more information on how this will be achieved.

Council requests the State funds a specific Native Vegetation Enforcement Team within DELWP that is responsible for planning investigations relating to Cl. 52.17 and supporting Local Government in VCAT and the Magistrates Court, evidence gathering, public forums and submitting public notices on convictions relating to native vegetation enforcement to increase awareness of penalties associated with illegal native vegetation removal.

Dedicated (authorised) DELWP Enforcement Officers are required to provide consistent training to Local Government authorised officers on how to gather evidence and prepare for enforcement action in a replicable manner, to improve enforcement – and compliance - outcomes.

## **28. Promote co-regulatory support**

Council is supportive of this proposed improvement but welcomes more information on how this will be achieved.

This proposed improvement offers the opportunity to improve the interaction between Cl. 52.17, the FFG Act and the EPBC Act.

## **29. Review the overarching compliance and enforcement framework**

Council is supportive of this proposed improvement and welcomes a review of the overarching compliance and enforcement framework.

It is important that PINs/fines must be commensurate with the extent and condition of native vegetation that has been illegally cleared. Council considers it must be a mandatory requirement that vegetation cleared illegally is rehabilitated to the condition and extent of the vegetation prior to illegal clearing.

## 10.5 Amendment C104 - Westfield Doncaster - Seeking Authorisation for Public Exhibition

Responsible Director: Director Planning & Environment

File No. T15/154

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 consider a request, by Contour Consultants on behalf of the Scentre Group, for Council to prepare and exhibit an amendment to the Manningham Planning Scheme and to concurrently exhibit a Development Plan to facilitate a future expansion of Westfield Doncaster.*

*Amendment C104 proposes to (refer to Attachment 1):*

- Amend the Municipal Strategic Statement, Schedule 1 to the Activity Centre Zone, Schedule 1 to the Development Contributions Overlay, Schedule 1 to the Parking Overlay and the list of incorporated documents as they relate to Westfield Doncaster;*
- Delete the existing Schedule 1 to the Incorporated Plan (IPO1) as it currently applies to Westfield Doncaster and 1 Grosvenor Street, Doncaster; and*
- Apply a specific Development Plan Overlay (DPO4) to the whole of the Westfield Doncaster site and a Road Closure Overlay to the western end of the adjoining Westfield Drive.*

*The proposed Development Plan (refer to Attachment 2) includes:*

- A site analysis which summarises the strategic planning context for the site and analysis of existing conditions;*
- A development plan which outlines the strategies and plans for the future development of Westfield Doncaster; and*
- A summary of the economic benefits of the proposed development.*

*Both the Amendment and 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 with a retail rate of 4.09 spaces per 100sqm and a commercial rate of 3.5 spaces per 100sqm; and*

- *Improved public realm.*

*Importantly, the Development Plan Overlay exempts subsequent applications for planning permits from advertising and exempts third party appeal rights. This means that the amendment process is the only opportunity for interested parties to make a submission in relation to the proposed development of the site and the reason why it is important that the proposed Development Plan is exhibited at the same time as the Amendment.*

*During the exhibition period, nearby residents and other interested parties will be able to make a submission on the Amendment, the proposed Development Plan, or both. Council will not be able to make a decision on the Development Plan until the Minister for Planning makes a decision in relation to the Amendment.*

*This report recommends that Council seeks authorisation from the Minister for Planning to prepare Amendment C104 to the Manningham Planning Scheme, subject to some specific changes, and that subject to that authorisation, Council exhibits the Amendment concurrently with the proposed Development Plan, subject to some nominated changes to that document.*

## 1 BACKGROUND

### The Site

- 1.1 Westfield Doncaster (the Centre) is located at 619 Doncaster Road, Doncaster and forms part of the Doncaster Hill Activity Centre. Figures 1 and 2 identify the subject site and surrounds and zoning, respectively. It comprises 13.4 ha of land, and is located on the north-eastern corner of Doncaster Road and Williamsons Road, Doncaster. It is bounded by Westfield Drive to the north, Goodson Street to the north-east; Roseville Street and Tower Street to the east, Doncaster Road to the south and Williamsons Road to the west.



Figure 1. Subject site and surrounds





Figure 2. Zoning

- 1.2 The last major expansion of Westfield Doncaster was completed in 2008 and focussed primarily on the southern and central part of the site, and currently comprises:
- Retail floor-space of approximately 123,549sqm;
  - Non-retail floor-space of approximately 3,000sqm;
  - Myer and David Jones department stores;
  - Big W and Target discount department stores;
  - Coles and Woolworths supermarkets;
  - Various mini-major tenancies;
  - A Village Cinemas complex; and
  - An entertainment and dining precinct located at the southern end of the complex.
- 1.3 A bus interchange is located on the Williamsons Road frontage and it accommodates eight bus bays and services a number of routes.
- 1.4 The existing office tower makes up the highest built form on site with a maximum RL151.5 (9 storeys). It is located centrally on the site, close to the Williamsons Road frontage. Built form height elsewhere on the site generally ranges up to RL138.
- 1.5 A total of 4,782 car parking spaces are provided on the site at a current rate of 3.87 spaces per 100m<sup>2</sup> for retail (not including those additional spaces currently under construction, in a five level carpark in the eastern part of the

site, approved as part of Planning Permit PL13/23936). This will provide an additional 556 car parking spaces.

#### **Site context**

- 1.6 The subject site makes up most of Precinct 4 within the 58ha Doncaster Hill Activity Centre and extends to the northern edge of the Activity Centre.
- 1.7 Land to the north along Westfield Drive and to the east along Roseville Street outside the Activity Centre is generally characterised by residential development and is located within the General Residential Zone (GRZ2) and is also affected by Design and Development Overlay (DDO8-2). That area is identified for substantial change and a mandatory maximum building height of 11 metres applies on sites with a minimum of 1,800m<sup>2</sup>. If that condition cannot be met, the maximum building height is 9 metres or 10 metres on a sloping site.
- 1.8 Land to the west along Williamsons Road is located within Precinct 5 of the Doncaster Hill Activity Centre where mandatory building heights apply, ranging from 29 metres to 36 metres north-west along Williamsons Road.
- 1.9 Land to the north-west along Williamsons Road, beyond Precinct 5 of the Doncaster Hill Activity Centre boundary, is also outside the Doncaster Hill Activity Centre and is within the Residential Growth Zone (RGZ2) and affected by a Design Development Overlay (DDO8-1). That area is identified for substantial change and a maximum building height of 11 metres applies on sites with a minimum of 1,800m<sup>2</sup>. If that condition cannot be met, the maximum building height is 9 metres or 10 metres on a sloping site. However it is a discretionary control and can be varied with a permit.

#### **Existing Planning Scheme Zone**

- 1.10 Since 2009, the whole of the Doncaster Hill Activity Centre, including Westfield Doncaster, has been included within Schedule 1 to the Activity Centre Zone- Doncaster Hill Principal Activity Centre (ACZ1). The ACZ1 is based on the key requirements set out in the *Doncaster Hill Strategy* (October 2002, revised 2004).
- 1.11 Sub-precincts 4A and 4C of Precinct 4 relate to Westfield.

#### **Existing Planning Scheme Overlays**

- 1.12 The site is affected by a number of existing overlays:  
Incorporated Plan Overlay – Schedule 1 (IPO1)
- 1.13 Schedule 1 to the Incorporated Plan Overlay (IPO1) – *Westfield Shoppingtown Doncaster Concept Plan, September 1996* covers the whole site. The IPO1 requires development to be generally in accordance with the incorporated plan but also allows for a permit to be granted which is generally not in accordance with the incorporated plan.
- 1.14 The *Westfield Shoppingtown Doncaster Concept Plan, September 1996* is currently also listed as an Incorporated Document in the schedule to Clause 81.01.

Development Contributions Plan Overlay – Schedule 1 (DCPO1)

- 1.15 Schedule 1 to the Development Contributions Plan Overlay (DCPO1) applies to Doncaster Hill, including Westfield Doncaster. The DCPO1 allows Council to collect a monetary contribution or in-kind works from developers towards the provision of transport infrastructure, streetscape works, public art and social infrastructure within the activity centre.
- 1.16 For non-residential development, the approved DCP requires a contribution of \$855 per 121sqm of commercial floor-space or 19sqm of retail floor-space for Development Infrastructure (encompassing transport, streetscape and public art). This is the current rate for 2015/16 and will change each financial year, based on CPI. There is no contribution payable for community infrastructure.
- 1.17 However, there is currently an exemption applicable for Westfield Doncaster for:

*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 7IPO 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.*

- 1.18 The Centre now exceeds 90,000sqm of shop floor space therefore that exemption would no longer apply.

Parking Overlay – Schedule 1 (PO1)

- 1.19 The Parking Overlay (PO1) applies to the site however the *Doncaster Hill Parking Precinct Plan (2003)* specifically exempts Westfield Doncaster, as follows:

*It should be noted that Precinct 4 represents something of an anomalous situation in the context of this Parking Precinct Plan. Doncaster Shoppingtown has been the subject of many detailed traffic and parking studies and specific controls for development including traffic access and car parking requirements have already been incorporated within the Manningham Planning Scheme. As a consequence Doncaster Shoppingtown has been effectively deleted from Precinct 4 and subsequent analysis and discussion. (Source: Doncaster Hill Parking Precinct Plan (2003), by GTA Consultants, page 3)*

**Exhibited Planning Scheme amendment**

- 1.20 Amendment C109 to the Manningham Planning Scheme, which has recently been exhibited, seeks to revise or introduce a Land Subject to Inundation Overlay (LSIO) and the Special Building Overlay (SBO) to properties that may be subject to overland stormwater flow risk. Amendment C109 affects that part of the site proposed for future expansion of the Centre. Scentre Group has lodged a submission to Amendment C109 which will be considered at the next stage of Council's consideration of that amendment.

- 1.21 Amendment C109 will need to be considered in relation to future development of the site.

**Consultation prior to the request for amendment**

- 1.22 Since 2014, Contour Consulting on behalf of Scentre Group has worked closely with or consulted a range of key stakeholders, including VicRoads, Public Transport Victoria (PTV), Department of Economic Development, Jobs, Transport and Resources (DEDJTR), Department of Environment, Land, Water and Planning (DELWP) and Manningham Council officers, in the preparation/progression of Amendment C104, proposed Development Plan and related technical reports.

**2 PROPOSAL/ISSUE**

- 2.1 On 2 November 2015, Contour Consultants, on behalf of the Scentre Group, lodged a formal request to amend the Manningham Planning Scheme to change the planning controls that apply to the Westfield Doncaster site to facilitate a future expansion of the Centre. Since that date, officers have been undertaking a detailed review of the documentation prior to seeking authorisation from the Minister for Planning to publicly exhibit the Amendment.
- 2.2 As part of this planning scheme amendment request, Contour Consultants has also submitted a proposed Development Plan and accompanying technical reports, with a request that an amendment to the Manningham Planning Scheme be exhibited concurrently with the proposed Development Plan.
- 2.3 Both the proposed Amendment (refer to Attachment 1) and Development Plan (Attachment 2) are supported by a series of technical documents which have been provided to Council (refer to Attachment 3). Although technical documents would not be formally endorsed as part of the process, they provide important background information and justification for what is being proposed. These documents include:
- *Manningham Planning Scheme Amendment C104 Town Planning and Urban Context Report, Contour (April 2016)*
  - *Westfield Doncaster Urban Design Report, Tract Consultants & Land Design Partnership (April 2016)*
  - *Westfield Doncaster Economic Benefits Assessment, Urbis (March 2016)*
  - *Westfield Doncaster Acoustic Assessment, Acoustic Logic (April 2016)*
  - *Westfield Doncaster Development Plan Sustainability Commitments, Cundall (March 2016)*
  - *Westfield Doncaster Master Plan Integrated Transport and Access Plan, GTA Consultants (April 2016)*
  - *Westfield Doncaster Assessment of Potential Social Impacts, Urbis (April 2016)*
- 2.4 The proposed Amendment and 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 at street level, closer to Williamsons Road;
- Improvements to vehicular and pedestrian access to and within the Centre, including relocation of the existing main entrance from Williamsons Road further north towards Westfield Drive;
- An additional 7,430 car parking spaces, provided through a mix of on-site basement and multi-storey car parks with a retail rate of 4.09 spaces per 100sqm and a commercial rate of 3.5 spaces per 100sqm; and
- Improved public realm including a new public forecourt providing a more defined entry to the Centre.

### **Request for Amendment**

2.5 Amendment C104 proposes to make the following changes to the Manningham Planning Scheme (refer to Attachment 1):

- 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 adjoining the northern boundary of the Westfield site;
- Apply a Road Closure Overlay (RXO) 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; 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*'.

**Response to request for amendment**

- 2.6 The following part of the report assesses the proposed changes to the Manningham Planning Scheme, with corresponding officer responses and recommendations, where applicable.

Municipal Strategic Statement Clause 21.09 Activity Centres and Commercial Areas

- 2.7 Changes to the relevant sub-clauses contained within the Municipal Strategic Statement (MSS) are being proposed to update the title reference of the centre from 'Westfield Shoppingtown' to Westfield Doncaster' and other changes to identify high level objectives and strategies to facilitate the expansion of Westfield in accordance with a Development Plan.

*Officer Response:*

- 2.8 It is noted that the proposed changes to the relevant clauses contained within the Municipal Strategic Statement are limited to updating the title reference of the centre and other minor changes to identify high level objectives sought through the DPO4 and Development Plan. However some further changes are needed to ensure consistency with other parts of the Planning Scheme.

*Recommended Changes:*

**Amend sub-clause 21.09-2 to incorporate minor wording changes, including the reference to the gateway building to ensure it is consistent with requirements set out in ACZ1.**

Schedule 1 to the Activity Centre Zone (ACZ1)

- 2.9 Key changes to ACZ1 relate to reinforcing the future role of Westfield as envisaged through the Development Plan and amending the Framework Plan and sub-precinct 4A map and adding in reference to the Westfield Doncaster Development Plan in the application requirements.

*Officer Response:*

- 2.10 In assessing the appropriateness of the proposed changes to the ACZ1, including changes to the Framework Plan and Precinct Map, Council officers considered whether the changes would clarify the existing Doncaster Hill Activity Centre or Precinct 4 objectives, or remove requirements that are no longer relevant in the context of the changes proposed by the Development Plan.
- 2.11 The Doncaster Hill Framework Plan both at Section 1.0 of ACZ1 and the Precinct 4 map are proposed to be updated to identify the 'switch' between the location of the proposed bus interchange and the new public plaza/forecourt. These plans are proposed to be updated to more accurately identify the location of these uses in the Development Plan.
- 2.12 In complying with the Department of Environment, Land, Water and Planning (DELWP) public exhibition requirements, the maps will also need to clearly make the distinction between the existing and future conditions.
- 2.13 Two key changes being proposed to the ACZ1 relate to amending mandatory provisions guiding boulevard treatment and advertising signage. Whilst it is acknowledged that these amendments to ACZ1 are required to achieve the outcomes specified in the Development Plan, these exemptions need to be

clearly articulated within the ACZ1 to indicate that they only apply along Williamsons Road.

*Recommended Changes:*

- 2.14 Amend Doncaster Hill Framework Plan both at Section 1.0 of ACZ1 and the Precinct 4 map to distinguish between the existing conditions and future conditions relating to the location of the bus interchange and public plaza/forecourt.**

**Amend sub-clause 4.4 Advertising signs and boulevard requirements to ensure that the exemption from meeting the mandatory requirements only applies along Williamsons Road.**

Development Plan Overlay – Schedule 4 (DPO4)

- 2.15 As part of the last major expansion of the centre in 2008, Scentre Group has delivered all of the components of the existing Concept Plan (master plan) as identified in IPO1, and therefore an amendment to the Manningham Planning Scheme is required/considered appropriate prior to any further major expansion of the centre.
- 2.16 Under the provisions of the Development Plan Overlay, a permit cannot be granted for the subdivision, use or development of the site until a development plan has been prepared to the satisfaction of the responsible authority. Any permit granted must be in accordance with the development plan and include any conditions or requirements specified in a schedule to the overlay. The development plan may be amended to the satisfaction of the responsible authority.
- 2.17 The proposed DPO4 requires the preparation of a development plan including the following items:
- Site Analysis Plans
  - Built Form and Envelope Plans
  - Design Criteria
  - Landscape and Public Realm Concept Plan
  - Integrated Transport Plan
  - Staging Plan
  - Infrastructure and Contributions
- 2.18 The submission of the Development Plan to the Responsible Authority must also be accompanied by:
- Town Planning Report
  - Urban Design Report
  - Traffic and Transport Assessment Report
  - Environmental Sustainability Plan
  - Acoustic Engineering Report
  - Economic Report
  - Services/Infrastructure Report (Utilities)

- Social Impact Report

- 2.19 Importantly, a concept plan included in Schedule 4 to the DPO also identifies the key outcomes to be delivered by the Development Plan.
- 2.20 Under the provisions of the DPO4, planning permits would be required for the use and development of the site, however if an application is generally in accordance with an approved development plan, the application would be exempt from notice and review requirements of the *Planning and Environment Act 1987* (i.e. there would be no third party appeal rights of review at the application stage).

*Officer Response:*

- 2.21 Both the Incorporated Plan Overlay (IPO) and Development Plan Overlay (DPO) can be used in planning schemes to ensure that an overarching plan is prepared and approved for specific sites or areas, to guide future uses and development, usually where such development is to occur over an extended period of time and a holistic and integrated planning approach is preferred.
- 2.22 The DPO is typically applied to self contained sites where ownership is limited to one or two parties. It enables a Development Plan to be endorsed by Council rather than being formally included in the Planning Scheme as an incorporated document. The DPO is therefore more flexible in that it allows Council to approve changes to a Development Plan without the need for another amendment to the Planning Scheme.
- 2.23 Accordingly a Development Plan which is endorsed under the DPO tends to be more detailed than an Incorporated Plan because it can be varied without the need for a Planning Scheme amendment, although it is still subject to Council's satisfaction.
- 2.24 Within Manningham, the Development Plan Overlay planning tool was recently introduced as part of Amendment C101 in 2015 to guide the future redevelopment of the former Eastern Golf Course site.
- 2.25 Officers are generally satisfied with the structure and content of the DPO4 subject to the following changes:
- Minor wording changes in section 3.0 of the DPO4 to ensure the use of consistent terminology in referencing either 'Design Criteria' or 'Design Guidelines'; and
  - Amending the title of the Concept Plan in section 3.0 of the DPO4 to delete reference to the word 'indicative' and amending the Concept Plan in DPO4 to show:
    - Areas of active street front; and
    - Key building entries.
- 2.26 The DPO4 also requires a planning permit on the Westfield Doncaster site to include a condition that secures the provision of not less than 100sqm for community purposes through a section 173 agreement, further stating that *'The process of transfer or lease must be provided at no cost to Council.'* Refer also to Section 2.178-189 of this report addressing the recommendation for the youth hub/community space.



Whilst the inclusion of this provision by Scentre Group is to be commended, it is considered that further clarity is required in the DPO4 to clearly define Council's expectations as part of this proposal.

*Recommended changes:*

- 2.27 Amend Clause 2.0 'Conditions and requirements for permits' to add an additional dot point following the first paragraph:

***"A Green Travel Plan to support the reduction of requirements for staff parking on the site."***

- 2.28 Amend Clause 3.0 of DPO4 to ensure the use of consistent terminology in referencing 'Design Criteria' or 'Design Guidelines'.

- 2.29 In Clause 3.0 of DPO4 replace the title of the 'Indicative Concept Plan' to 'Concept Plan' and amend the plan to show areas of active street front and key building entries.

- 2.30 Amend Clause 2.0 of DPO4 to replacing the proposed wording under Conditions and requirements for permits:

***"A planning permit granted for the use or development of the land in accordance with the approved Development Plan, must 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. The Agreement must provide for the transfer or lease to the City of Manningham or its designated service provider of part of the building of an area of not less than 100sqm at ground floor level, near the bus interchange, for the purposes of use by Council or its designated service provider for community purposes. The process of transfer or lease must be provided at no cost to Council. Any planning permits required for the use of the tenancy, or other matters such as signage, are to be secured by Council or its designated service provider and are not the responsibility of the land owner."***

*with:*

***"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 no 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; and***
- ***signage is the responsibility of Council but must adhere to centre signage requirements; and***
- ***any other matters which the parties agree to.”***

Road Closure Overlay (RXO)

2.31 As part of the new Northern Access Road along Williamsons Road, it is proposed to prevent direct access from Westfield Drive to / from Williamsons Road. A Road Closure Overlay (RXO) is proposed to be applied to the western end of Westfield Drive.

2.32 The new northern access road will provide access into the centre and will provide resident access into Westfield Drive.

*Officer response:*

2.33 It is considered that the proposed application of the RXO is appropriate to formally identify the closure of Westfield Drive to / from Williamsons Road. Minor amendments will be required to the RXO map to account for the left turn slip lane at the western edge and at the eastern edge to allow for on-street vehicle parking west of the driveway at No. 1 Westfield Drive.

2.34 A carriageway easement for the general public will be required over the new Westfield Doncaster northern access road to ensure that access to Westfield Drive from Williamsons Road is maintained at all times.

2.35 As outlined in under Section 9 Communications Strategy in this report, an information session specifically for Westfield Drive residents will be provided during the public exhibition period.

*Recommended change:*

**2.36 Amend the western edge of the Road Closure Overlay (RXO) map to account for the left turn slip lane off Williamsons Road and amend the eastern edge to allow for on-street vehicle parking west of the driveway at No. 1 Westfield Drive.**

Development Contributions Plan Overlay – Schedule 1 (DCPO1)

2.37 As it relates to Westfield Doncaster, the following exemption is currently included in DCPO1:

*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 7IPO 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.*

2.38 It is proposed to retain DCPO1 but to make a minor revision to the text within the DCPO1, by amending the reference of 'Map 7IPO' (in the exemption above) to 'Map 7DPO'.

2.39 Having regard to the current proposal, Westfield Doncaster will exceed the leasable floor area specified in the exemption above, and will therefore be liable for development contributions.

*Officer response:*

2.40 This revision is considered minor and administrative, as it only reflects the change in the planning tool, namely that the IPO is being replaced by DPO as part of Amendment C104.

2.41 Irrespective of the minor text revision, it is important to note that this exemption will no longer be applicable given that Westfield Doncaster, as part of its current proposal, will exceed the leasable floor area specified in the exemption. Based on current indexation of the levies payable under the DCPO1, the development contribution payable by Scentre Group is likely to be in excess of \$2.8 million. Given that development contributions are payable as part of the planning permit process at a later time, it is likely that this amount will increase due to further indexation.

Car Parking Overlay – Schedule 1 (PO1)

2.42 Clause 52.06 Car parking sets out the minimum standard planning scheme requirements about the number and design of car parking spaces.

2.43 Clause 45.09 Parking Overlay enables variations to the standard requirements in Clause 52.06 for a particular area or precinct. These requirements override the requirements set out in Clause 52.06.

2.44 A planning permit can be issued to vary the car parking rates within the Parking Overlay, but this is assessed on a case by case basis.

2.45 It was noted in Section 1 of this report that whilst PO1 currently applies to the site by way of mapping, the provisions exclude Westfield.

2.46 As part of Amendment C104, it is proposed to amend the existing table within PO1 to identify minimum car parking rates for commercial (office) and retail (shop) uses within Westfield, as follows:

- Office - 3.5 spaces to each 100sqm of net floor space; and
- Shop - 4.09 spaces to each to each 100sqm of leasable floor area based on a whole of centre assessment.

2.47 It is also proposed to amend Clause 3.0 within the schedule to identify Westfield Doncaster site specific application requirements and decision guidelines for permit applications relating to car parking.

*Officer response:*

2.48 It is considered important that car parking rates for Westfield are given statutory weight through the relevant planning provisions of the Scheme so as to be used in the assessment of applications for any expansion of the centre.

2.49 The proposed rate for office at 3.5 for each 100sqm of net floor area is consistent with Clause 52.06 of the Manningham Planning Scheme, but

exceeds the current rate of 2.5 to each 100sqm of net floor area that is specified for office use within the balance of Doncaster Hill.

- 2.50 Since the request for amendment was first lodged for Council consideration the Scentre Group has committed to provide a proposed rate for shop of 4.17 spaces per 100sqm of leasable floor area based on full build out of the centre.
- 2.51 That proposed rate will exceed the existing parking rate of 3.87 spaces per 100sqm of leasable floor area (excluding the stage 1 car park). The Scentre Group has also agreed that the nominated parking rates will be maintained at each nominated stage of delivery of the Development Plan. That commitment needs to be included in the Schedule to the Parking Overlay.
- 2.52 A summary of the existing shop and future shop and office floor area car parking provisions are provided in Table 1 and Table 2, respectively. Table 3 provides a comparison between standard car parking standard rates within the Manningham Planning Scheme.

**Table 1. Existing Shop Car Parking Rates (including Stage 1 car park)**

Existing Conditions	123,549sqm	4,782	3.87 spaces per 100sqm	Rate applied to the existing built form
Completion of Stage 1 Car Park	123,549sqm	5,338	4.32 spaces per 100sqm	Car parking associated with no increase in floor area

**Table 2. Proposed Car Parking Rates**

Shop	166,549sqm	6,800	4.09 spaces per 100sqm	Based on a whole of centre assessment
Office	18,000sqm	630 spaces	3.5 spaces per 100sqm	
<b>Total</b>	<b>184,549sqm</b>	<b>7,430 spaces</b>	-	

**Table 3. Manningham Planning Scheme Parking Rates Comparison**

Shop	4 spaces to each 100sqm of leasable floor area	Not specified	4.17 spaces per 100sqm based on a whole of centre assessment
Office	3.5 spaces to each 100sqm of net floor	2.5 spaces to each 100sqm of	3.5 spaces to each 100sqm of net floor area

	area	net floor area	

- 2.53 As noted in Table 1, the Stage 1 car park is not associated with any increase in floor area and will increase the on-site car parking in the interim by 556 spaces. The car park is currently under construction and is anticipated to be operational by the end of 2016.
- 2.54 The 630 spaces for office use are proposed to be assigned to the gateway commercial tower at a rate of 3.5 spaces per 100sqm of net floor area.
- 2.55 Whilst the intent is to provide a rate of 4.09 spaces for shop use per 100sqm of leasable floor area at full build out, it is acknowledged that it is likely that the car parking rate will vary over time in accordance with the staged approach for the Development Plan. It is therefore considered appropriate to ensure that the staged development is managed by an agreement under section 173 of the *Planning and Environment Act 1987* in order to ensure that the required carparking rate is provided in a timely manner.
- 2.56 It is further noted that the reference to ‘shop’ should be included to provide clarity that the whole of centre assessment is based only the ‘shop’ use and not the combined assessment of all uses on site.
- 2.57 The inclusion of an Application Requirement in PO1 will ensure that, based on the staged nature of the future development of Westfield Doncaster that the car parking is provided in a timely manner.

*Recommended Changes:*

- 2.58 **Amend Clause 2.0 in PO1 to include reference to ‘shop’ in the measure for whole-of-centre assessment for shop in Precinct 4A (Westfield).**
- 2.59 **Amend the table in Clause 2.0 in PO1 to replace the rate of 4.09 for shop with 4.17 and to replace the measure with the following:**  
*“To each 100sqm of leasable floor area based on a whole-of-centre assessment at each nominated stage of the development.”*
- 2.60 **Amend Clause 3.0 in PO1 by replacing the following proposed wording within Application requirements and decision guidelines for permit applications:**  
*“Before deciding on an application, the Responsible Authority must consider the following decision guidelines:*  
*The staged nature of the future redevelopment of Westfield Doncaster as specified in an approved Development Plan and acknowledgement that the car parking rate will vary over time in accordance with this staged approach.”*  
*with*  
*“Before deciding on an application, the Responsible Authority must consider the following decision guidelines:*

*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 ensure that the required carparking rate is provided in a timely manner.”*

Schedule to Clause 81.01

- 2.61 The Schedule to Clause 81.01 Incorporated Documents is proposed to be amended to remove reference to the incorporated document ‘*Westfield Shoppingtown Doncaster Concept Plan 1996*’.

*Officer response:*

- 2.62 It is considered that this is a necessary procedural matter given that the IPO1 is to be removed.

**Proposed Development Plan**

- 2.63 The proposed *Westfield Doncaster Development Plan (2016)* (Development Plan) has been prepared in accordance with the provisions of DPO4 which specifies the requirements for a development plan.

- 2.64 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)

- 2.65 The 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.
- 2.66 Whilst the last major expansion of the centre focussed on the redevelopment of the southern and central parts of the site, this Development Plan seeks to develop land to the north, north-eastern and north-west of the site, linking in with the existing built form on the site.
- 2.67 The proposed 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

- 2.68 The proposed 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.
- 2.69 The heights in the 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

### **Response to Proposed Development Plan**

- 2.70 The following part of the report considers the key elements of the proposed Development Plan, with corresponding officer responses and recommendations, where applicable.

#### Gateway building/commercial tower form(s)

- 2.71 As part of the Development Plan, it is proposed to develop a building/commercial tower abutting Williamsons Road in the north-west corner of the precinct, to mark the gateway at the northern entry into Doncaster Hill.
- 2.72 A maximum height of RL166 applies to the tower form along Williamsons Road. This is proposed to be articulated as a 10-14 storey commercial tower above a two level podium, demonstrating an exemplary design response/strong architectural design response.
- 2.73 In terms of site context, the existing office tower in the Centre (set back from the Williamsons Road frontage), has a maximum height of RL151.5 (9 storeys). The proposed gateway tower would therefore be approximately 14.5 metres higher, (approximately 4 storeys).

#### *Officer response:*

- 2.74 Precinct Guidelines at section 5.4-4 of ACZ1 set out the following requirements in relation to gateway buildings within Precinct 4 which contain the Doncaster Westfield complex:

*Develop a unique gateway abutting Williamsons Road in the north-west corner of the precinct.*

- 2.75 Whilst the ACZ1 does not specify any maximum building height requirements to guide the 'gateway' commercial tower proposal, the land use and development objectives at Clause 2.0 encourage gateway buildings 'to act as markers with distinguishing architectural or urban design treatments'. Clause 2.0 also requires that the following objective is met:

*To ensure an appropriate transition in height both within the activity centre and to surrounding neighbourhoods.'*

- 2.76 The *Land use and development objectives* to be achieved at Clause 2.0 of the ACZ1 also include the following:

*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.*

- 2.77 Therefore, a key consideration in the assessment of this component of the Development Plan is the site context of the gateway building/commercial tower and its potential interface impacts both within the subject site and the surrounding area.
- 2.78 In addressing the interface issues, the Development Plan states that the tower form will be designed to maintain an acceptable level of sunlight to adjacent sites, namely the properties along the western side of Williamsons Road and the proposed public realm area located to the south of the subject site.
- 2.79 The proposed tower building is located to the south of one of the more sensitive interfaces along Westfield Drive but will not have any shadow impacts on the more sensitive interfaces north of Westfield Drive.
- 2.80 At the request of officers, the proponent has included shadow diagrams within the Development Plan to identify the impacts between the hours of 9am and 3pm at the equinox (refer to pages 32 and 33 of the Development Plan in Section 3.5 Built Form and Envelope Plans.
- 2.81 As the highest built form being proposed on site, and with its proximity with a sensitive interface and a mix of other uses, it is considered that the Development Plan at section 3.5 *Built Form and Envelope Plans* should include design rationale for the gateway building to assist in guiding the development as part of any future planning application.

*Recommended Changes:*

- 2.82 Amend the Development Plan at section 3.5 *Built Form and Envelope Plans* to include design rationale for the gateway building.**

Williamsons Road Interface

- 2.83 The existing character of the Centre, in the form of a two level podium with a defined edge along Williamsons Road is proposed to be extended to the north.
- 2.84 With the exception of a retail envelope with a maximum RL137 located centrally along the Williamsons Road frontage, the building envelope plan identifies an average podium height of RL127. This height average is lower than the existing podium heights along Williamsons Road, which range between approximately RL134 to RL138. An indentation in the envelope plan is shown for the provision of a public forecourt area and bus interchange.
- 2.85 A more urban character than that of the northern interface is to be achieved with the location of retail use frontages engaging with the Williamsons Road frontage, the bus interchange and new public forecourt. Extended blank walls are to be avoided, where possible.
- 2.86 The existing boulevard character is also proposed to be extended, providing key links to the Centre, for pedestrians and cyclists.



- 2.87 Landscaping treatments, comprising Canary Island Palms, which are consistent with the existing theme along Williamsons Road will be continued, where possible.
- Officer response:*
- 2.88 It is acknowledged that the Williamsons Road interface will be a prominent public edge with a consolidated mix of uses, including boulevard treatment, bus interchange, public forecourt with a defined main entry to the site, retail use frontages, end of trip cycling facilities and pedestrian links from the surrounding area.
- 2.89 This mix of uses addresses ACZ1 Precinct 4 objectives which seek:
- 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.*
- 2.90 A key consideration in the assessment of this interface is the potential overshadowing impact of the public forecourt area.
- 2.91 The overshadowing diagrams provided indicate that it is the two storey podium and not the commercial tower that will have the most impact on the overshadowing of the public realm, which will occur until early afternoon for much of the year.
- 2.92 Whilst this is not an ideal outcome, it is acknowledged that there needs to be a balanced approach in considering the mix of uses and the location and orientation of the space, accounting for the bus, which for traffic functional requirements will be utilising existing traffic signals.
- 2.93 It is noted that the Development Plan *Entry Forecourt* section on page 54 includes a commitment to design the adjacent building '*to provide reasonable access to sunlight to the forecourt and to reasonably minimise wind impacts on the space.*'
- 2.94 As noted in Section 2.9 to 2.14 of this report, the proposed changes to the ACZ1 seek to vary the mandatory boulevard treatments to accommodate the bus interchange and public forecourt area.

#### Roseville Street Interface

- 2.95 On the eastern side of the centre (north of Goodson Street), the Development Plan proposes the addition of two recessed levels of car parking at a maximum RL115.6 and maximum RL121 respectively, above the Stage 1 car park. The Stage 1 car park was approved as part of planning permit PL13/023936 in 2014, with a maximum RL107.6.
- Officer response:*
- 2.96 In acknowledging its sensitive residential interface with properties on the western side of Roseville Avenue, the Development Plan states that:
- Built form facing Roseville Avenue should provide an appropriate transition in height from the adjacent residential scale and limit where possible the visual impact of built form on viewlines from the surrounding public realm areas or streets. (page 52, Westfield Doncaster Development Plan)*

- 2.97 This commitment is reflected in Figure 71 which identifies that both of the additional levels of carparking are to be recessed, as well as addressing this interface with acoustic treatment and landscaping.
- 2.98 The additional levels of carparking are to be recessed at the north and along a significant portion of the eastern interface, with setbacks ranging from 6 metres along the eastern envelope (consistent with the Stage 1 carpark setback) and 16 and 17 metres from the boundary along the northern envelope.
- 2.99 Section plans have also been prepared to assess the viewlines from key vantage points from Roseville Avenue, to demonstrate that the visual impact of the additional levels of car parking will not be unreasonable.

#### Westfield Drive Interface

- 2.100 At the northern side of the centre at the interface with Westfield Drive, the Development Plan proposes a new access road. The new access road is addressed in detail in Figure 50 and 51, respectively.
- 2.101 The development along the southern side of the new access road is proposed to be used for a mix of retail and multi-storey car parking. Whilst the maximum building form heights along most of that boundary will range from RL121 to RL136, set back from the northern boundary by a minimum of 15 metres, the gateway commercial tower located on the north-west corner of the subject site, with a maximum of RL166, will be set back a minimum 53 metres from the site boundary.
- 2.102 The Westfield Drive interface of the site is proposed to be addressed with acoustic treatment and landscaping.
- 2.103 In addition to the existing service areas (loading bays) located at key points within the centre, the Development Plan proposes to include a new service area within the retail building envelope in close proximity to the Westfield Drive interface. A commitment is to be included so that the location, planning and design of that service area will ensure:
- minimal disruption and conflict with the surrounding pedestrian network and general vehicular movement;
  - minimal visual intrusion of the service area from the streetscape or public realm.

#### *Officer response:*

- 2.104 It is acknowledged that as part of this proposed expansion, there will be a number of considerations in relation to the treatment of the sensitive residential interface with Westfield Drive.
- 2.105 In acknowledging its sensitive residential interface with properties to the north along Westfield Drive, the Development Plan states that:

*The treatment of built form facing Westfield Drive should provide an appropriate transition in height from the adjacent residential scale. It should also consider the topographic variance between the site and Westfield Drive interface.* (page 46, Westfield Doncaster Development Plan)

- 2.106 The response to this interface is demonstrated in Figure 43 identifying varying built form heights and setbacks along the northern boundary. However, it is considered that the Development Plan at the *Westfield Drive Interface section* on page 46 should be amended to include an additional key component which would require articulation and modulation to break up built form mass, create visual interest and reduce overall visual bulk at the Westfield Drive interface.
- 2.107 The gateway building responds to the ACZ1 requirements to develop a unique gateway abutting Williamsons Road in the north-west corner of the precinct. However it is proposed to be set back a minimum of 53 metres from the site boundary.
- 2.108 The Development Plan acknowledges that the residential dwellings located to the north of the site along Westfield Drive are one of the nearest noise receivers, noting that the existing '*acoustic noise at the site is dominated by transportation noise.*'
- 2.109 It is proposed that acoustic barriers at a height of 4.5 metres will be used to mitigate noise impacts of the proposed access from Williamsons Road and landscaping with a mix of canopy and dense vegetation and ground level is proposed to enhance the visual amenity.
- 2.110 As the Westfield Drive properties are located to the north of the subject site they will not be impacted by overshadowing. This is demonstrated by the Envelope Plan Shadow Studies in Section 3.5 (pages 32-33) of the Development Plan.
- 2.111 With regards to the proposed location of the service areas within the retail built form, it is considered that an additional commitment is required to ensure that any noise impacts are managed appropriately with the hours of operation, noting that the intent of minimizing conflict with general vehicular movement may potentially result in trucks accessing the site out of retail hours.

*Recommended Changes:*

- 2.112 Amend Section 3.6 in the Development Plan under *Service Areas* to include a commitment to ensure that any noise impacts are managed by hours of operation.**
- 2.113 Amend Section 3.8 in the Development Plan under *Westfield Drive Interface* to include an additional key component which would require articulation and modulation to break up built form mass, create visual interest and reduce overall visual bulk at the Westfield Drive interface.**

Vehicular network / New access road

- 2.114 As identified in Figure 49, a key change proposed in the Development Plan is the relocation and upgrading of the existing main northern-most signalised Williamsons Road intersection to a proposed new intersection with Westfield Drive, identified as the proposed Northern Access Road.
- 2.115 This new intersection, including a left turn slip lane, will also provide access to basement level car parking off Westfield Drive.
- 2.116 Westfield Drive is proposed to be reconfigured to maintain resident access only. The proposed Road Closure Overlay (RXO) would be applied to the western end of Westfield Drive to prevent direct access from Westfield Drive

to / from Williamsons Road. On-street carparking would be retained along Westfield Drive as well as access and a turning circle for emergency and waste management vehicles.

2.117 Westfield Drive residents would still have access to the east along Westfield Drive via the existing and proposed internal centre road network, as well as access to the signalised Westfield and Williamsons Road intersection via the roundabout forming part of the proposed northern access road.

2.118 Other key changes proposed to the surrounding road network include:

- A new signalised intersection on Williamsons Road for exclusive public transport bus access (no car access);
- Retention of the existing signalised intersection to the south of the bus interchange on Williamsons Road; Revisions to traffic access at Frederick Street, including the removal of traffic signals and their replacement with a signalised pedestrian crossing facility; and
- Introduction of a third right turn lane from Williamsons Road (north) to Doncaster Road (west).

*Officer response:*

2.119 The vehicular access arrangements proposed as part of the Development Plan seek to provide for safe and efficient traffic movements within and around the Centre and to mitigate on-site and off-site traffic congestion during construction and at full build out, in accordance with the Development Plan.

2.120 This has been based on comprehensive traffic modelling work that has been undertaken in close collaboration with VicRoads and Council officers to assess the impacts both on-site and for the broader road network beyond the Westfield site.

2.121 It is considered that in the context of the proposed expansion and full build out of Doncaster Hill, that a number of the proposed works associated with the vehicular movement will benefit the centre by minimising conflict between cars and buses at the bus interchange and also provide for a more efficient traffic flow across the site and the broader road network.

Key changes to the road network are discussed in Section 3.6 of the Development Plan. Diagrams of each intersection showing the proposed works and any ancillary works to the local road network are shown in Figures 50, 51, 52, 53, 54 and 55.

2.122 The Development Plan notes on page 37 *Vehicular Network* that all the works identified in Figure 49 '...are to be delivered by Westfield in liaison with Council and VicRoads, subject to DCP negotiations and more detailed delivery arrangements.'

2.123 It is considered that roadworks that are required as part of the operation of the Centre are mitigation works and would not be subject to any credit against development contribution obligations.

#### Pedestrian and cycling networks

2.124 The proposed Development Plan sets out the facilities, services and activities proposed to be undertaken to help facilitate the options for people who choose to walk or cycle to and within the Doncaster Hill Activity Centre.

It also seeks to support public transport use (bus interchange), which typically requires people to walk or cycle either end of such a trip.

2.125 Key components of the pedestrian and cycling network, as identified in Figures 47 and 48 include:

- Improvements in the pedestrian crossings across Williamsons Road to align with pedestrian desire lines, including the proposed plaza forecourt and bus interchange;
- Replacement of the existing traffic signals at the junction of Doncaster Road and Frederick Street to provide dedicated pedestrian access, with the exception of access into the existing service area;
- Improvements to the existing pedestrian entry from the eastern side of the centre, aligned with Goodson Street;
- Provision of four (4) locations for new end of trip facilities; and
- Improved signage and wayfinding for the local bicycle links and facilities integrated into the wider Doncaster Hill bicycle networks.

*Officer response:*

2.126 It is considered that the importance of alternative modes of transport, including pedestrian and cycling networks has been acknowledged through commitments in the proposed Development Plan, including an increased number of formalised pedestrian signalised crossings and onsite networks. Prepared in consultation with Council officers and VicRoads, these networks reflect improvements to the pedestrian desire lines both off and on-site, to access key entry points into the Centre, and in particular the bus interchange.

2.127 These commitments respond to Clause 2.0 of the ACZ1 Land use and development objectives which include:

*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.*

2.128 Precinct 4 objectives of the ACZ1 at Section 5.4-2 also include the following:

*Encourage an enhanced pedestrian environment within the precinct.*

*To support and connect with the pedestrian link proposed for the Doncaster, Williamsons and Tram Roads intersection at the western end of the precinct.*

Car Parking / Parking Management

- 2.129 At present, the site provides approximately 4,782 on-site car parking spaces, provided through a mix of both surface car parks and multi-storey car parking buildings.
- 2.130 The Development Plan proposes to make modifications to vehicle access arrangements, which includes an increase to a total of 7465 parking spaces at the centre for cars, which includes a recent commitment by the Scentre Group to provide an additional 35 car spaces as part of the development.
- 2.131 These modifications are driven by the removal of at-grade car parking particularly to the north of the site, the revised traffic and entry conditions from Williamsons Road, and the extension of the retail centre built form to the northern boundary of the site.
- 2.132 Figure 56 identifies the proposed new car parking zones, which include:
- Two additional recessed levels of car parking above the approved (five level) Stage 1 car park to the east to the site;
  - Multi-deck car parking to the north of the eastern car park with an interface to Westfield Drive; and
  - Basement car parking along the Williamsons Road frontage and adjacent to Westfield Drive, accessed from the proposed northern access road.
- 2.133 Whilst the location of a proposed taxi area has not been shown, the Development Plan identifies criteria to be used in the assessment of any application.
- 2.134 The on-site car parking is currently managed through a ticketless fee based car parking system which is supplemented by an on-site electronic parking guidance system which improves efficiency and occupancy of car parking within the centre. The parking guidance system includes external dynamic signage advising patrons of parking vacancies along Williamsons Road. These systems are proposed to be extended to operate within the expanded centre.
- 2.135 An exemption from the mandatory requirements relating to signage in the ACZ1 to allow for signage within the five metre front setback line is being sought through changes to the ACZ1 along Williamsons Road, in the following context:
- Signs have primarily a directional role to guide road users to an appropriate vehicle entry for the site;
  - Shopping centre directional signs may include the primary tenancies serviced by that access location;
  - Signs may display car parking information;
  - Signs are integrated within the landscape setback and boulevard character of the road reserve but are able to be sited to fulfil their directional role and be visible to road users;

- Signs are illuminated where required, but within VicRoads guidelines to ensure that signs do not compromise the safety of the road network; and
- Signs are associated with the bus interchange, including any promotional sign forming part of the bus interchange infrastructure, such as on bus shelters.

*Officer response:*

- 2.136 It is considered that the management of car parking and access is one of the key challenges for the Centre and as part of the provision and management of on-site car parking, the Development Plan involves modifications to vehicle access arrangements as well as increased supply of car parking.
- 2.137 The assessment of car parking and subsequent parking rates is addressed in Section 2.42-2.60 of this report.
- 2.138 In relation to signage, it is considered appropriate to allow for signage along Williamsons Road to be exempt from the mandatory ACZ1 advertising sign requirements, where it improves efficiency and safety for drivers. However, it is considered that the Development Plan needs to be amended to require the preparation of an advertising signage package for each facade and entry point and to ensure that the exemption from the ACZ1 mandatory signage requirements only relates to directional signage for drivers, which may include primary tenancies.
- 2.139 The requirement for signage to be set back within the five metre front setback should continue to apply for all other parts of the site.

*Recommended change:*

- 2.140 Amend the Advertising Sign section of the Development Plan to require the preparation of an Advertising Signage Package for each façade and entry point and ensure that the exemption from the ACZ1 mandatory signage requirements only relates to directional signage for drivers, which may include primary tenancies.**

New bus interchange

- 2.141 As part of the Development Plan, it is proposed to alter the location and configuration of the existing bus interchange currently located in close proximity to the main entrance on the western side of the centre. The design of the new bus interchange has been undertaken in consultation with Public Transport Victoria (PTV), Transdev, VicRoads and Council officers.
- 2.142 Key features/changes intended as part of the new bus interchange, are as follows:
- Bus interchange to be relocated to the north of its current location along Williamsons Road and provided at street level;
  - An increase from eight to a total of nine bus bays (including one articulated bus bay) to be provided, including the inclusion of a bus bay for articulated buses;
  - A dedicated signalised intersection providing access to the bus interchange;

- Provision of full weather protection for bus patrons and other users of the space;
- A new dedicated area for bus driver amenities;
- Improved pedestrian access to the bus interchange and centre, including wayfinding signage;
- Clear and direct connections between the new entry forecourt and bus interchange;
- Incorporation of small-scale retail use(s), public transport and/or bicycle facilities into the design of the bus interchange to activate the area;
- Incorporation of an interactive wall, displaying transport and community information to activate the bus interchange; and
- Improved pedestrian and bus visibility to improve user safety; and
- Materials, lighting and acoustic treatments to provide a calm, pleasant and safe environment for all users.

*Officer response:*

2.143 The proposed improvements to the bus interchange which seek to:

- provide services to meet the current and future transport requirements of the local and regional community; and
- provide a range of complementary services integrated within the centre to support patrons and to provide an activated public space

respond appropriately to the ACZ1 Precinct 4 Guidelines which sets out the following requirement:

*Provide an integrated public transport interchange to support both Westfield Shoppingtown and the greater Doncaster Hill area in a prominent and easily accessible location. (Doncaster Hill Strategy, 2002, revised 2004, page 78)*

2.144 In addition to supporting the proposed improvements to the operation, accessibility and storage capacity of the interchange, Council officers also support the integration of new crossings designed to align with pedestrian desire lines, building entries and the public forecourt.

2.145 Since the preparation of the Strategy and the expansion of the centre in 2008, it is acknowledged that the patronage of bus services has increased both from local and regional catchments.

2.146 It is considered that the new design features will improve functionality and improve passenger and driver safety with the installation of a dedicated signalised intersection providing access to the interchange.

#### Public Realm

2.147 A key objective of the proposed works is to significantly improve, (where applicable and appropriate), the associated public realm and streetscape interfaces where the Centre meets the surrounding streets and road network.



- 2.148 The Development Plan seeks to continue to reinforce the character and identity of the centre, and the wider Doncaster Hill Activity Centre through works to support the boulevard nature of Williamsons Road, improvements to Westfield Drive, and creating greater opportunities for the activity within the retail centre to spill out and engage with the public realm and activity on the Street.
- 2.149 An exemption from complying with the mandatory boulevard and streetscape treatments is being sought through changes proposed to the ACZ1 along Williamsons Road to achieve the outcomes specified in the Development Plan, shown in a landscape cross-section showing the boulevard treatment including street planting, footpath and built form setbacks.

*Officer response:*

- 2.150 An exemption from complying with the mandatory boulevard and streetscape treatments is being sought through changes proposed to the ACZ1 along Williamsons Road is considered appropriate to achieve the outcomes specified in the Development Plan, shown in a landscape cross-section showing the boulevard treatment including street planting, footpath and built form setbacks.

- 2.151 This exemption should not apply in any other parts of the site.

Williamsons Road Entry Forecourt

- 2.152 A new entry forecourt or plaza space, located on Williamsons Road will delineate the main entry into the retail centre from Williamsons Road and the bus interchange.
- 2.153 A new public forecourt will be located to the north of the new bus interchange and will have an area of approximately 400sqm.
- 2.154 The forecourt will provide for a defined entry to the shopping centre and provide a transitional space between the bus interchange, the commercial precinct in the north-western part of the site, and a public amenity and meeting space. It will:
- Incorporate pedestrian access through the provision of footpaths that are wide enough to accommodate for outdoor seating and public realm spaces;
  - High quality and durable material for all public realm locations to provide a strong visual character appropriate to the contemporary architectural character.

*Officer response:*

- 2.155 The proposed new public urban space/plaza addresses a Precinct 4 objective at sub-clause 5.4-2 within the ACZ1, setting out the requirement:

*To create a number of significant externalised public urban spaces/plazas, which are well connected to the public transport interchange....'*

- 2.156 Whilst the proposed shift of the location of the public space from the south to the north side of the bus interchange (as currently identified in the Doncaster Hill Framework Plan both at Section 1.0 of ACZ1 and the Precinct 4 map), in itself is not a key strategic issue, ensuring that the space is well designed

and provides for an attractive, comfortable and strongly activated and functional space, is the primary objective to be achieved.

#### Landscaping

- 2.157 Landscaping treatments proposed as part of the Development Plan seek to be complementary to their function and purpose, including:
- landscaping at interfaces to provide soft barriers and protection to surrounding areas with respect to the visual, noise and operational requirements of the centre;
  - extension of landscaping themes that are in accordance with the Doncaster Hill streetscapes requirements;
  - extension of landscaping themes characteristic to the centre, including the Canary Island Palms along the Williamsons Road boulevard; and
  - landscaping which enhances the public forecourt experience as well as serving functional purpose through shade, separation of tenancies and vehicle areas.

#### *Officer response:*

- 2.158 It is noted that in addition to the new landscaping proposals, the 'Proposed landscape improvements for Westfield Doncaster' in Figure 61 identify an holistic approach to managing landscaping across the site, with a commitment to retain and enhance landscaping along the periphery of the existing parts of the centre.
- 2.159 Landscaping will be assessed in more detail at the planning permit stage.
- 2.160 It is noted that Section 3.7 *Public Realm and Landscaping* in the Development Plan identifies a commitment to reduce the heat island effect of hard spaces in the public realm and to provide shade to footpaths.
- 2.161 In addition to the '*Potential new upper level dining terrace comprising a roof garden*', it is considered that there is also a further opportunity to utilise the expansive roof top space and building surfaces associated with the proposed expansion to incorporate rooftop landscaping and/or green facades, to contribute toward reducing the urban heat island effect. while also promoting biodiversity.

#### *Recommended Change:*

- 2.162 Amend the Development Plan at Section 3.7 *Public Realm and Landscaping* to include a new commitment to consider additional rooftop landscaping and/or green facades, aimed at reducing the urban heat island effect, while also promoting biodiversity.**

#### Sustainability

- 2.163 The Development Plan commits to recognise the importance of achieving a strong sustainable outcome for the development to support Council's sustainability aspirations for Doncaster Hill. It will adopt an integrated and

holistic design approach that considers the triple bottom line view of sustainability.

- 2.164 It proposes to build on the Centre's previous environmental successes and best practice's sustainability design approach, to take a further step forward and achieve a 'National Excellence' outcome by demonstrating the potential to achieve a 5-Star Green Star rating or equivalent performance for the expanded retail centre as well as the proposed new commercial office development.
- 2.165 The expansion will target a greenhouse emission reduction of at least 25%, and will also support the Council's Water15 Sustainable Water Management Plan by adopting a strong approach to potable water conservation and include infrastructure for Yarra Valley Water recycled water.

*Officer response:*

- 2.166 Whilst Westfield Scentre Group's commitment to demonstrate beyond Best Practice with a **National Excellence** - 5 Star Green Star certification as part of the proposed expansion is acknowledged, it is noted that detailed design in the Sustainability Management Plan (SMP) will be assessed at the time of lodgement of any relevant application for planning permit. In accordance with the Doncaster Hill ESD Requirements Part C, it is a mandatory requirement that the SMP demonstrates as a minimum:
- The application of current best practice principles;
  - The use of emerging technology; and
  - A commitment to 'beyond' compliance throughout the construction period and subsequent operation of the building.
- 2.167 An example of current best practice principles in retail centres was reflected in Chadstone winning the first 5 Star Green Star for retail centres in Australia in 2010 from its redevelopment.
- 2.168 The SMP requirements shall be met by demonstrating **National Excellence** in providing a formal 5 Star Green Star rating. If a formal Green Star rating is not possible (due to expansion of existing facility) then an equivalent formal certification (to Council's approval) needs to be provided to demonstrate the commitment to **National Excellence**.
- 2.169 As the largest occupant in the Doncaster Hill Activity Centre, there is a great opportunity in the expansion of this facility to reflect the Scentre Group's sustainability commitments as outlined in the *Scentre Group Sustainability Report 2015*. This will demonstrate environmental performance as a key pillar of Scentre Group's approach to creating a sustainable business and its acknowledgement of Australia's requirements in the recent Paris Agreement as referenced on page 14 of that report.
- 2.170 In context with the response above, it is recommended to amend the Development Plan in section 3.9 *Ecologically Sustainable Development* with the following amended third and fifth paragraphs:
- It also intends to build on a best practice sustainability design approach, by taking a further step forward and achieve a 'National Excellence' outcome by achieving a 5-Star Green Star rating or equivalent performance for the expanded retail centre as well as the proposed new commercial office development. Noting that if obtaining a formal Green Star may not be*

*possible as the development reflects an expansion of the existing facility, then an equivalent formal 'National Excellence' rating by an alternative certification tool (to Council's approval) will be provided.*

*The expansion will target a greenhouse emission reduction of at least 25% as compared to a reference design through a combination of efficiency measures in the Cundall Sustainability Commitments report. It will also support Manningham Council's following policies and plans:*

- *Activity Centre Sustainability Management Plan Policy (Clause 22.13);*
- *Doncaster Hill ESD requirements Part C;*
- *Doncaster Hill Water Plan Information Pack (DHWIP); and*
- *YVW Third pipe initiative.*

- 2.171 It is also noted that the Development Plan at Section 3.9 *Ecologically Sustainable Development* under sustainability commitments themes omits referencing 'waste'. Whilst this reflects the themes identified in the accompanying 'Westfield Doncaster Development Plan Sustainability Commitments, Cundall (March 2016) technical report, it is considered that this theme will need to be addressed in the Development Plan and the associated technical report.

*Recommended change:*

- 2.172 **Amend the Development Plan in section 3.9 *Ecologically Sustainable Development* with the following amended third and fifth paragraphs:**

***It also intends to build on a best practice sustainability design approach, by taking a further step forward and achieve a 'National Excellence' outcome by achieving a 5-Star Green Star rating or equivalent performance for the expanded retail centre as well as the proposed new commercial office development. Noting that if obtaining a formal Green Star may not be possible as the development reflects an expansion of the existing facility, then an equivalent formal 'National Excellence' rating by an alternative certification tool (to Council's approval) will be provided.***

***The expansion will target a greenhouse emission reduction of at least 25% as compared to a reference design through a combination of efficiency measures in the Cundall Sustainability Commitments report. It will also support Manningham Council's following policies and plans:***

- ***Activity Centre Sustainability Management Plan Policy (Clause 22.13)***
- ***Doncaster Hill ESD requirements Part C;***
- ***Doncaster Hill Water Plan Information Pack (DHWIP);***
- ***YVW Third pipe initiative.***

- 2.173 **Amend the Development Plan at Section 3.9 *Ecologically Sustainable Development* under sustainability commitment themes to reference 'waste'. This theme will also need to be addressed in the associated *Westfield Doncaster Development Plan Sustainability Commitments, Cundall (March 2016) technical report.***

Acoustic Treatments

2.174 Scentre Group has identified a commitment in the Development Plan to ensure that the acoustic environment at the site *'which is dominated by transportation noise'* (page 56) will be addressed by the installation of acoustic treatments along:

- the northern boundary to Westfield Drive; and
- the rear of the properties along Roseville Avenue.

*Officer response:*

2.175 The identified acoustic treatment is based on the potential for the redevelopment of the properties adjacent to Westfield to develop (subject to a minimum lot size of 1,800sqm) to a mandatory maximum building height of 11 metres.

2.176 Whilst it is acknowledged that the intent of the acoustic treatments is to comply with technical industry standards, from a physical perspective, the proposed treatment includes:

- A 4.5 metre screen along the northern boundary of the site, with an opening to allow public pedestrian access; and
- Material options include either or a combination of precast concrete, Hebel, glazed walls, masonry walls, cement sheet, timber, landscape earth berms or similar materials.

2.177 Compliance with technical industry standards, in conjunction with achieving good urban design outcomes (detail and material choice), will be assessed at the planning permit stage.

Social Impact Assessment / Community Space

2.178 Prior to the lodgement of the request for amendment, Council officers requested that a Social Impact Assessment (SIA) to enable a better understanding of the social impact of the proposal. It was also important to understand the potential demand generated by the proposal for additional community facilities and services to mitigate any social impacts generated by the development.

2.179 The report (SIA) is based on the outcomes of desktop research, social planning analysis, a site visit and consultation with local community service providers nominated by Council. Overall, the report identifies that the proposed expansion will result in a Net Community Benefit including:

- Development of sustainable transport options (by increasing the provision and connectivity of bus services), reduced travel demand (by encouraging visitors to undertake multi-modal visits) and change travel behaviour (in accordance with Council's Doncaster Hill Mode Shift Plan);
- Provision of future traffic and transport infrastructure in a comprehensive, timely and equitable way; and
- Enhanced status of the Doncaster Hill Activity Centre, which will provide for an appropriate mix of uses and functions.

2.180 The Social Impact Assessment (SIA) notes that the additional workforce generated by the proposed development would require access to a range of services and facilities during the day, especially recreation and child care facilities.

2.181 The report also recommends the following:

- *Westfield further investigates the feasibility of providing additional services in the shopping centre, particularly allied, medical and dental services to complement the proposed office development;*
- *Westfield and YMCA discuss the opportunity of a youth incubator space with an electronic retail store within the centre; and*
- *Council investigates the feasibility of a youth hub at the proposed bus interchange incorporated as part of the proposed expansion.*

*(page 23, Westfield Doncaster Assessment of Potential Social Impacts, April 2016)*

*Officer Response:*

2.182 Officers are supportive of the recommendations in the SIA report that acknowledge that Scentre Group further investigates the feasibility of providing additional services in the shopping centre, including recreation and child care facilities, and more importantly a range of allied, medical and dental services and opportunities. It is acknowledged that Scentre Group will investigate these opportunities throughout this planning scheme amendment process and the subsequent planning permit process. It is important to note that the provision of services will be dependent on securing appropriate operators.

2.183 One of the recommendations relating to the provision of a youth hub has specific considerations/implications for Council:

*Council will need to work with local youth agencies including the YMCA to scope out the proposal in terms of size, staffing and financial feasibility. If the facility was feasible and could be funded, a suitable space would need to be designed into the bus interchange so that it is well located in terms of safety, accessibility and visibility. (page 22, Westfield Doncaster Assessment of Potential Social Impacts)*

2.184 Council's Access Equity and Diversity Strategy 2014-2017, October 2014 is a strategic framework to support Council in addressing diversity, access and social inclusion issues within Manningham. Action No. 25 identifies:

*Continue to work in partnership with the Manningham YMCA to provide a specified range of age-appropriate youth services, including: information, support and referral; school programs; non-school programs; youth counselling; participation and leadership initiatives; co-ordination and partnership initiatives; strategic development initiatives; an early intervention program; and to investigate youth health related initiatives.*

2.185 Scentre Group has identified the inclusion of a 100sqm community space within Westfield Doncaster in the DPO4 and the draft Development Plan. Refer to Section 2.30 of this report for recommended changes to DPO4.

- 2.186 In addition, a community space of at least 100sqm is specified on page 26 of the draft Development Plan. The following is further detailed on page 55:

*More specific social infrastructure outcomes for the site will include:*

- *Additional services in the shopping centre, particularly allied, medical and dental services to complement the proposed office development*
  - *A community space of at least 100sqm is to be provided through a Section 173 Agreement as a condition of future planning permits. This will be located within close proximity to the bus interchange to provide ready access.*
- 2.187 Since the request for amendment was lodged, Council officers have met with representatives of the Scentre Group to discuss an emerging need in the municipality for business incubator/co-working/innovation space. This type of facility would be a valuable asset within a regional activity centre such as Westfield and the Scentre Group has agreed to work with Council to provide an innovation hub that has a youth technology component.
- 2.188 During the exhibition period it will be important for Council to progress consideration of its needs in relation to this matter.

*Recommended change:*

- 2.189 Amend the Development Plan, Section 3.10, to replace the words ‘social infrastructure’ with ‘community infrastructure’ in both the heading and the third paragraph and to add the following paragraph:**

***“Council has identified an emerging need in Manningham for an innovation hub that includes business incubator, co-working, meeting and training spaces and the developer is committed working with Council to address that need.”***

#### Staging Plan

- 2.190 The Development Plan identifies that the expansion may be undertaken as part of six (6) key stages, noting that the staging has been defined to achieve the following objectives during construction:
- minimise disruption to the adjoining neighbours, existing retailers and the local street network, during construction;
  - maintain sufficient shopping centre access;
  - mitigate expected car parking deficiencies; and
  - ensure minimal impact on the environment.

*Officer response:*

- 2.191 It is noted that the staging plan is indicative only and will be subject to confirmation at the planning permit stage.

#### **Planning Scheme Amendment Process**

- 2.192 The planning scheme amendment process is expected to take a minimum of 12 months. It has the following key stages:

- Council resolution to request the Minister for Planning to authorise Council to prepare the Amendment;
  - Public exhibition, where residents and other interested persons have the opportunity to make a submission of support or objection;
  - Council consideration of submissions and decision whether to change or abandon the Amendment or to refer submissions to an independent panel appointed by the Minister for Planning;
  - If submissions are referred to an Independent Panel, submitters will have an opportunity to present their submission to an independent panel;
  - Council considers the Panel report and resolves to adopt, change or abandon the Amendment;
  - Submission of final amendment to the Minister for Planning for approval; and
  - Approval of the Amendment by the Minister for Planning.
- 2.193 In this case, it is proposed that Amendment C104 and the proposed Development Plan be exhibited concurrently so that the community can be better informed about how the Amendment relates to the future development of the site.
- 2.194 However, it will be difficult to differentiate between which submissions relate to the Amendment (i.e. the proposed planning controls) and which relate to the proposed Development Plan for the site.
- 2.195 A Directions Hearing has been pre-set for the week commencing 23 January 2017, with a Panel Hearing scheduled for the week commencing 1 March 2017 (refer to the Explanatory Report in Attachment 1)
- 2.196 An independent panel appointed to consider submissions to the Amendment would not have the powers to consider submissions to the proposed Development Plan. However, if Council were to decide to refer submissions received during the exhibition process to an independent panel, Council officers consider it would be beneficial to request the Minister to appoint an combined panel and advisory committee to consider submissions relating to both the proposed Amendment and Development Plan. This will be considered as part of a future report to Council.

#### **PRIORITY/TIMING**

- 2.197 Scentre Group has indicated that the progression of the amendment and subsequent redevelopment of the centre is a high priority. The Westfield Doncaster Development Plan identifies that the Development Plan is to be delivered in six (6) key stages.
- 2.198 Subject to Council endorsement, it is proposed to seek authorisation from the Minister for Planning to concurrently exhibit Amendment C104 to the Manningham Planning Scheme and the Development Plan, generally in accordance with the attached amendment documentation, as soon as possible.
- 2.199 Ministerial Direction No. 15 requires that an amendment is placed on public exhibition within 40 business days of receiving authorisation.



- 2.200 Whilst 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, similar to other significant and complex amendments considered by Council, it is proposed to exhibit Amendment C104 to the Manningham Planning Scheme, for a period of 6 weeks.

### **3 POLICY/PRECEDENT IMPLICATIONS**

- 3.1 The proposed Amendment supports and implements many of the policies of the State Planning Policy Framework, specifically Clause 11.01 (Activity Centres); 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).
- 3.2 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.
- 3.3 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 already 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).*

### **4 CUSTOMER/COMMUNITY IMPACT**

- 4.1 The proposed Development Plan has been lodged for Council's consideration at the same time as the request for the Amendment, so that Council, the community and other interested parties can ascertain how the site is proposed to be redeveloped.
- 4.2 Importantly, the Development Plan Overlay exempts subsequent permit applications from advertising and exempts third party appeal rights. This means that the amendment process is the only opportunity for the community and other interested parties to make a submission in relation to the proposed development of the subject site.
- 4.3 During the exhibition period, the community and other interested parties will be provided the opportunity to make a written submission on the Amendment, the proposed Plan, or both.
- 4.4 In the event that Council cannot resolve the concerns raised in submissions, then the Council can request the Minister for Planning to appoint an independent panel to consider the submissions.

## 5 FINANCIAL RESOURCE IMPLICATIONS

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

## 6 SUSTAINABILITY

- 6.1 Amendment C104 and the Development Plan are considered to be consistent with social, economic and environmental sustainability objectives.
- 6.2 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 and improvements to the bus service.

## 7 REGIONAL/STRATEGIC IMPLICATIONS

- 7.1 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.
- 7.2 The Westfield centre will perform an important role to underpin the profile and identity of Doncaster Hill as the centre continues to develop in future.
- 7.3 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.*
- 7.4 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.*

- 7.5 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.*

## **8 CONSULTATION**

- 8.1 It is proposed that the Amendment C104 will be placed on public exhibition for a period of 6 weeks, to provide the opportunity for all key stakeholders, including affected residents, to be informed of the proposed changes, attend information sessions and prepare submissions. The key elements of that consultation are described in Section 9 below.

## **9 COMMUNICATIONS STRATEGY**

- 9.1 The concurrent exhibition of the Amendment and the proposed Development Plan would include the following notification processes:
- Notice in the Government Gazette;
  - Notices in the Manningham Leader;
  - An article in Manningham Matters, if the timing meets its distribution dates;
  - Direct notification of the Amendment and the proposed Development Plan sent to all 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 will include, 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.
  - Information on Council's website, including Frequently Asked Questions;
  - Information available at the municipal offices and all local libraries;
  - Two (2) drop-in sessions, where display boards would provide information on all aspects of the Planning Scheme Amendment and proposed Development Plan; and
  - It is also proposed to have a specific information session(s) with residents from Westfield Drive.

**10 CONCLUSION**

- 10.1 Whilst there are some changes recommended to proposed Amendment C104 and the proposed Westfield Doncaster Development Plan, it is considered that subject to those changes it is now appropriate to seek authorisation from the Minister for Planning to prepare the Amendment and to concurrently exhibit the Amendment and Development Plan to seek community feedback.
- 10.2 Following the exhibition period Council will be able to review the submissions and make a decision in relation to the next stage of the process.

**OFFICER'S RECOMMENDATION**

That Council:

- (A) seeks the authorisation of the Minister for Planning under section 8A of the *Planning and Environment Act 1987* to prepare Amendment C104 to the Manningham Planning Scheme in accordance with Attachment 1, subject to the changes to the submitted Amendment identified in Attachment 4;
- (B) subject to authorisation of the Minister for Planning, exhibits Amendment C104 to the Manningham Planning Scheme in accordance with section 19 of the *Planning and Environment Act 1987* for a period of six (6) weeks; and
- (C) subject to authorisation of Amendment C104 by the Minister for Planning, seeks public comment on a proposed *Westfield Doncaster Development Plan (2016)*, concurrently with the exhibition of Amendment C104, subject to the changes to the submitted Development Plan identified in Attachment 4.

**MOVED: GOUGH**  
**SECONDED: O'BRIEN**

That the Recommendation be adopted.

**CARRIED**

"Refer Attachments"

Attachment 1 – Amendment Documentation

Attachment 2 – Development Plan

Attachment 3 – Accompanying Technical Reports are available to view or download from Council's website

Attachment 4 – Recommended changes to: Amendment C104 to the Manningham Planning Scheme submitted documents and Westfield Doncaster Development Plan

\* \* \* \* \*

**ATTACHMENT 1**

*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 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 Westfield 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; 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*'.

**ATTACHMENT 1****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:

**ATTACHMENT 1**

- 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*

**ATTACHMENT 1**

*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.

**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**

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

- Manningham City Council, 699 Doncaster Road, Doncaster; or
- On the Manningham website at <http://www.manningham.vic.gov.au>

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](http://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 **[insert submissions due date]**.

A submission must be sent to: Manningham City Council, PO Box 1, Doncaster VIC 3108 or via email: [manningham@manningham.vic.gov.au](mailto:manningham@manningham.vic.gov.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: Week commencing 23 January 2017
- panel hearing: Week commencing 1 March 2017



## ATTACHMENT 1

## MANNINGHAM PLANNING SCHEME

21.09  
15/09/2014  
C103

## ACTIVITY CENTRES AND COMMERCIAL AREAS

21.09-1  
19/08/2014  
C108

## 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.

## ATTACHMENT 1

## MANNINGHAM PLANNING SCHEME

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

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.

Formatted: Font: Not Italic.



**ATTACHMENT 1****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.

## ATTACHMENT 1

## MANSFIELDHAM PLANNING SCHEME

**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 Shoppingtown Doncaster~~ will be better integrated into Doncaster Hill Activity Centre and the surrounding community. Future developments ~~of~~ ~~at~~ ~~Westfield Shoppingtown Doncaster~~ 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

**ATTACHMENT 1****MANNINGHAM PLANNING SCHEME**

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.

**ATTACHMENT 1**

## MANSFIELD PLANNING SCHEME

**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.





## ATTACHMENT 1

## 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.



## ATTACHMENT 1

## 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 Mulhull Mulhull 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 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.

**21.09-2 Principal Activity Centre (Doncaster Hill)**

18082014  
C105

**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.
- To encourage the location of commercial and retail development within the Doncaster Hill Activity Centre.

## ATTACHMENT 1

## MANNINGHAM PLANNING SCHEME

- 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, handled 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.

**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.
- Encourage and facilitate the expansion of Westfield Doncaster in accordance with a Development Plan.
- Encourage and facilitate the establishment of a gateway / market building at the south-east corner of Williamsons Road and Westfield Drive.
- Support visual and capacity improvements to the Williamsons Road bus interchange facility.
- 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.

Formatted: Body Text

## ATTACHMENT 1

## MANNINGHAM PLANNING SCHEME

- 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.
- 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.

## ATTACHMENT 1

## MANNINGHAM PLANNING SCHEME

**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*).
- 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.
- 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.

## ATTACHMENT 1

## MANSFIELD PLANNING SCHEME

- Implementing mechanisms for the collection, disbursement and management of the Development Contributions Plan fund.

**21.09-3 Major Activity Centre (The Pines, Doncaster East)**19-06-2014  
C199**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.

**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.

## ATTACHMENT 1

## MANNINGHAM PLANNING SCHEME

**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.
- 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.



## ATTACHMENT 1

## MANNINGHAM PLANNING SCHEME

**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.
- 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*).

**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**

0195

**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.

**ATTACHMENT 1**

## MANSFIELD PLANNING SCHEME

**Objectives**

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

## ATTACHMENT 1

## 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 sign policy, Clause 22.07*).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.05*).
- 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.
- Preparing Special Rates and Charges Schemes to enhance Neighbourhood Activity Centres in accordance with the *Manningham Activity Centre Strategy* (2005).

## ATTACHMENT 1

## MANSFIELD PLANNING SCHEME

## 21.09-5 Local Activity Centres

19/06/2014  
C100**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.

**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*).

## ATTACHMENT 1

## MANSFIELD PLANNING SCHEME

- 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.

**21.09-6 Commercial areas**19/06/2014  
C105**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.

**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.

## ATTACHMENT 1

## MANNINGHAM PLANNING SCHEME

- 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.

**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 sign policy, Clause 22.07*).
- Using Local Policy to promote design that addresses public safety (*Safety through urban design policy, Clause 22.05*).

**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.

**21.09-7 Reference documents**

19/06/2014  
C106

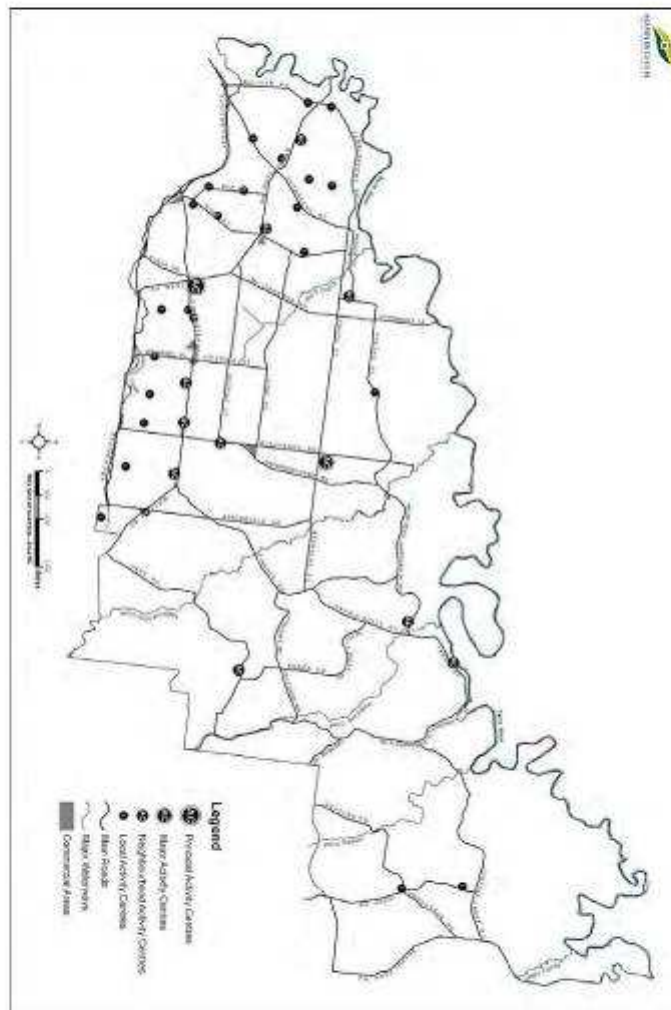
- Manningham City Council (2002) *Doncaster Hill Strategy*, Manningham City Council, Doncaster.
- Manningham City Council (2012) *Manningham Residential Strategy*, Manningham City Council, Doncaster.
- Manningham City Council (2004) *Doncaster Hill Sustainability Guidelines*, Manningham City Council, Doncaster.
- Manningham City Council (2011) *The Pines Activity Centre Structure Plan*, Manningham City Council, Doncaster.
- Manningham City Council (2005) *Manningham Activity Centre Strategy*, Manningham City Council, Doncaster.

ATTACHMENT 1

MANNINGHAM PLANNING SCHEME

- *Manningham City Council (1996) Manningham Centre Structure Plan*, Manningham City Council, Doncaster.
- *Manningham City Council (2003) Manningham City Council 2003-2006 Economic Development Strategy*, Manningham City Council, Doncaster.

Activity Centres and Commercial Areas Framework Plan 5



ATTACHMENT 1

MANSFIELDHAM PLANNING SCHEME

06/06/2014  
GCS  
**SCHEDULE 1 TO THE ACTIVITY CENTRE ZONE**

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

**DONCASTER HILL PRINCIPAL ACTIVITY CENTRE**

1.0  
03/06/2016  
C87  
**Doncaster Hill Framework Plan**



2.0  
17/06/2009  
UC58  
**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.



## ATTACHMENT 1

## MANSFIELDHAM PLANNING SCHEME

- 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.

**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 tree-lined 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.

**ATTACHMENT 1**

**MANSFIELD PLANNING SCHEME**

- 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.
- 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  
GCC

**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

## ATTACHMENT 1

## MANSFIELD PLANNING SCHEME

Use	Condition
	not limited to ground floor level.
<b>Home occupation</b>	
<b>Leisure and recreation (other than Open sports ground, Restricted recreation facility, Major sports and recreation facility and Motor racing track)</b>	
<b>Laundromat</b>	Must be located in Precincts 4 or 2A.
<b>Market</b>	Must be located in Precinct 1.
<b>Minor utility installation</b>	
<b>Office</b>	<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>
<b>Open sports ground</b>	Must be located in Precinct 1.
<b>Postal agency</b>	
<b>Railway</b>	
<b>Restricted recreation facility</b>	Must be located in Precinct 1.
<b>Shop (other than Adult sex book shop)</b>	Must be located in Precincts 4 or 2A.
<b>Tramway</b>	
<b>Any use listed in Clause 62.01</b>	Must meet requirements of Clause 62.01.
<b>Section 2 - Permit required</b>	
Use	Condition
<b>Adult sex bookshop</b>	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.
<b>Commercial display area</b>	
<b>Food and drink premises (other than Hotel and Tavern) – if the Section 1 condition is not met</b>	<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>
<b>Hotel</b>	Must be in conjunction with one or more other uses in section 1 or 2.
<b>Office – if the Section 1 condition is not met</b>	<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>

ATTACHMENT 1

MANSFIELD PLANNING SCHEME

Use	Condition
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.
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	
<b>Section 3 - Prohibited</b>	
<b>Use</b>	
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	

## ATTACHMENT 1

## MANSFIELD PLANNING SCHEME

**4.0 Centre-wide provisions**

02/06/2010

27

02/06/2010

CET

**Use of land**

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**

02/06/2010

CET

**Subdivision**

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**

02/06/2010

CET

**Buildings and works****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**

02/06/2010

CET

**Design and development****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.

## ATTACHMENT 1

## MANSFIELD 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.

## ATTACHMENT 1

## MANSFIELD PLANNING SCHEME

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, Williamsens Road and Tram Road, except for land in Precinct 4A (Westfield Doncaster), 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 will be detailed in a Development Plan prepared and approved pursuant to Schedule 4 of the Development Plan Overlay.

Formatted: Indent: Left: 2 cm, Hanging: 0.5 cm

Formatted: Indent: Left: 2 cm, Hanging: 0.5 cm, No bullets or numbering

**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, Williamsens Road and Tram Road, except for the land in Precinct 4A (Westfield Doncaster). For land in Precinct 4A (Westfield Doncaster), 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.

**ATTACHMENT 1**

## MANSFIELDHAM PLANNING SCHEME

- 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:

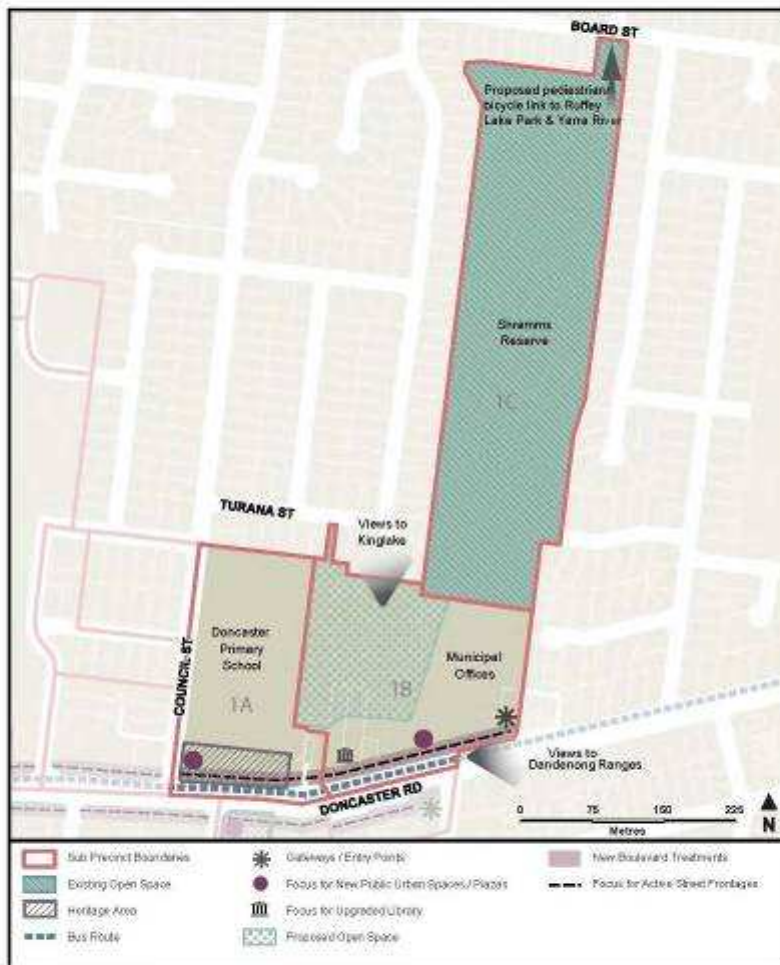
- Comply with the Australian Standard AS1428 Part 2 provisions for access and mobility;
- Provide a high level of accessibility at the principal front entry for any residential development; and
- Provide for side or rear access to parking areas on sites along Doncaster Road, where appropriate.



ATTACHMENT 1

MANNINGHAM PLANNING SCHEME

- 5.0 Precinct provisions  
03/06/2016  
CS7
- 5.1 Precinct 1: Civic and Education  
03/06/2016  
CS7
- 5.1-1 Precinct map  
03/06/2016  
CS7



**ATTACHMENT 1**

MANSFIELD PLANNING SCHEME

**5.1-2**  
17/09/2009  
VC99

**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**  
02/06/2010  
CE7

**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  
VC99

**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.

ATTACHMENT 1

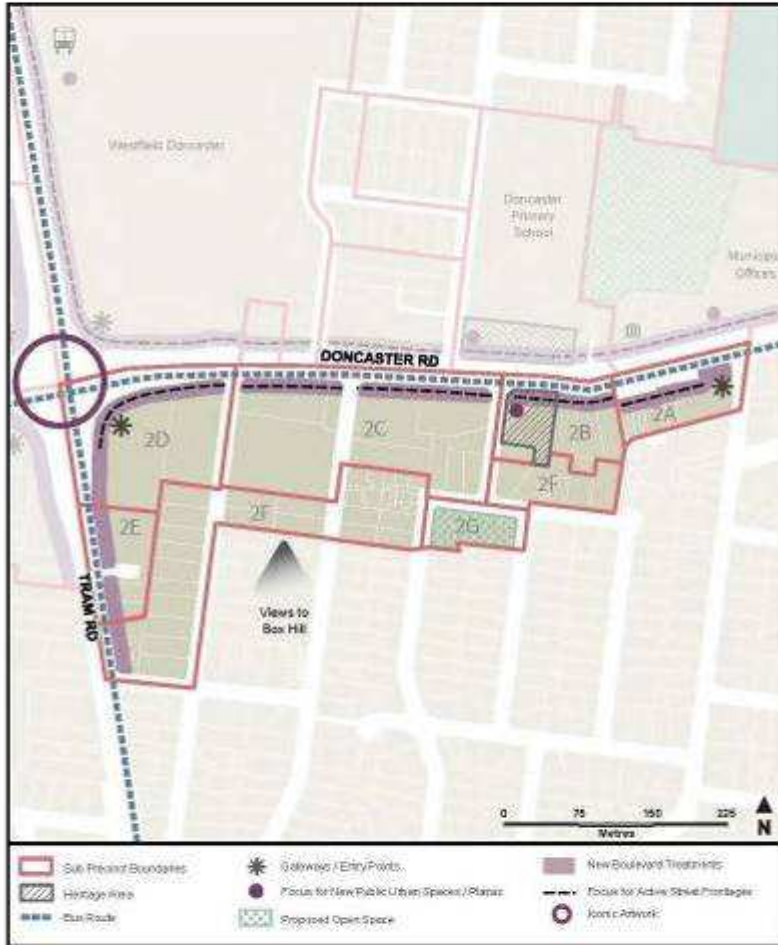
MANNINGHAM PLANNING SCHEME

5.2 Precinct 2: South East Doncaster Boulevard

03/08/2010  
CMT

5.2-1 Precinct map

03/08/2010  
CMT



**ATTACHMENT 1**

MANSFIELDHAM PLANNING SCHEME

5.2-2  
17/04/2009  
VCSS

**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  
02/04/2010  
DET

**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

## ATTACHMENT 1

## MANSFIELD 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

5.2-4  
17/08/2019  
VCOB

## 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.

ATTACHMENT 1

MANNINGHAM PLANNING SCHEME

5.3 Precinct 3: North East Doncaster Boulevard

03/06/2010  
CE7

5.3-1 Precinct map

03/06/2010  
CE7



## ATTACHMENT 1

## MANSFIELD PLANNING SCHEME

5.3-2  
17/09/2009  
VC09**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  
C17**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 lower edge from front boundary 4.5m from side boundaries 4.5m from rear boundary

5.3-4  
17/09/2009  
VC09**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  
VC09**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.

ATTACHMENT 1

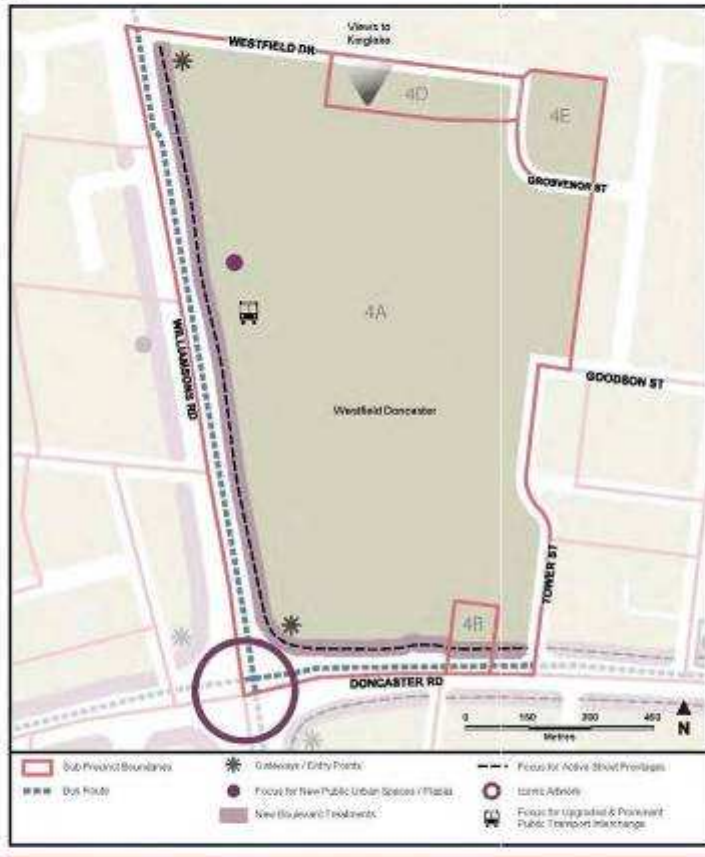
MARLBOROUGH PLANNING SCHEME

5.4 Precinct 4: Westfield Doncaster

03/06/2010  
CS7

5.4-1 Precinct map

03/06/2010  
CS7





**ATTACHMENT 1**

MANSFIELDHAM PLANNING SCHEME

5.4-2  
17/09/2008  
VC08

**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 Train 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  
02/06/2010  
DST

**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 lower 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  
17/09/2008  
VC08

**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.

ATTACHMENT 1

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.

Formatted: No bullets or numbering

5.5 Precinct 5: Williamsons Road West

5.5-1

Precinct map



**ATTACHMENT 1**

MANSFIELDHAM PLANNING SCHEME

5.5-2  
17/09/2009  
V029

**Precinct objectives**

- 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  
02/06/2010  
037

**Precinct requirements**

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	38m	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  
17/09/2009  
V029

**Precinct guidelines**

- 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.

ATTACHMENT 1

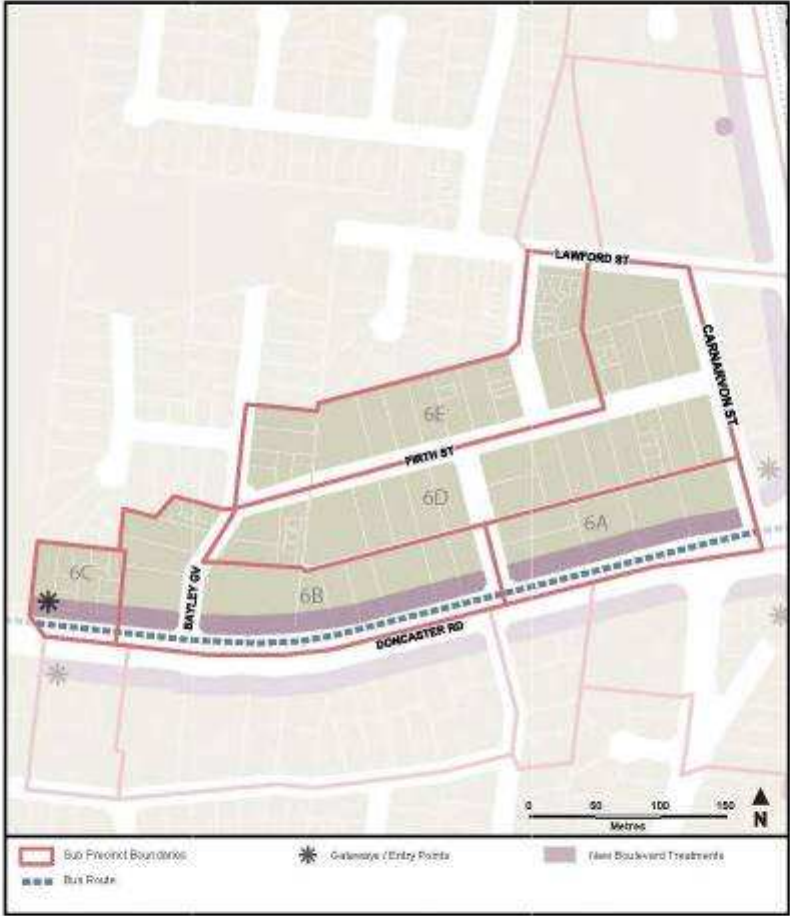
MANNINGHAM PLANNING SCHEME

5.6 Precinct 6: North West Doncaster Boulevard

03/06/2010  
DST

5.6-1 Precinct map

03/06/2010  
DST



## ATTACHMENT 1

## MANSFIELDHAM PLANNING SCHEME

5.6-2  
17/09/2009  
VC58

## 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  
02/06/2010  
CET

## 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 lower 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 lower edge to front boundary 4.5m from side boundaries 5m from rear boundary
6C	18m	3.5m above maximum height	5m to podium edge from front boundary 11m to front lower 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  
17/09/2009  
VC58

## 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.

ATTACHMENT 1

MANNINGHAM PLANNING SCHEME

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

5.7-1 Precinct map  
03/06/2010  
CSP



**ATTACHMENT 1**

MANNINGHAM PLANNING SCHEME

**5.7-2**  
17/09/2009  
VC99

**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  
CR

**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 8m to tower edge from front boundary 4.5m from side boundaries 4.5m from rear boundary
7B	28m	4.3m above maximum height	5-10m to front podium edge from front boundary 8m 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	3.8m 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**  
17/09/2009  
VC99

**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.

## ATTACHMENT 1

## MANSFIELD PLANNING SCHEME

## 6.0

02/06/2016  
COT**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.



## ATTACHMENT 1

## MANNINGHAM PLANNING SCHEME

- 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.

## ATTACHMENT 1

## MANSFIELD PLANNING SCHEME

- 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.

## 7.0

17/09/2008  
VJ208

## 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.

## 8.0

02/06/2010  
CE7

## 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.

## ATTACHMENT 1

## MANSFIELD PLANNING SCHEME

**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.

**ATTACHMENT 1**

**MANNINGHAM PLANNING SCHEME**

**9.0 Reference documents**

17/06/2005  
VCPB *Doncaster Hill Strategy (Manningham City Council, October 2002, Revised 2004); and  
Doncaster Hill Sustainability Guidelines (Manningham City Council, June 2004).*

## MANNINGHAM PLANNING SCHEME

1-20-  
C-

**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**

1-20-  
C-

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**

1-20-  
C-

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

- Construction Management Plan.
- Drainage Management Plan.
- Green Travel Plan and / or Active Travel Plan.
- Traffic and Car Parking Management Plan.

## MANNINGHAM PLANNING SCHEME

- 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 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*. The Agreement must provide for the transfer or lease to the City of Manningham or its designated service provider of part of the building of an area of not less than 100sqm at ground floor level, near the bus interchange, for the purposes of use by Council or its designated service provider for community purposes. The process of transfer or lease must be provided at no cost to Council. Any planning permits required for the use of the tenancy, or other matters such as signage, are to be secured by Council or its designated service provider and are not the responsibility of the land owner.

### 3.0 Requirements for development plan

-(120)-  
C-

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.
- 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.

## MANNINGHAM PLANNING SCHEME

**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:
  - 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

## MANNINGHAM PLANNING SCHEME

- 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**

- 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:**



## MANNINGHAM PLANNING SCHEME

- Assessment of the suitability of the proposed Built Form and Envelope Plans, having regard to the following:
  - The Design Guidelines
  - 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 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; materials; and emissions.
  - Incorporation of a '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:
  - 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.

## MANNINGHAM PLANNING SCHEME

**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



## ATTACHMENT 1

**45.04**19/01/2009  
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.

**45.04-1**19/01/2009  
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.

**45.04-2**19/01/2009  
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.*

## ATTACHMENT 1

## 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.

**2.0**19/01/2006  
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%
<b>TOTAL</b>	<b>\$32,547,783</b>		<b>\$13,218,329</b>	<b>41%</b>

## ATTACHMENT 1

## MANNINGHAM PLANNING SCHEME

## 3.0 Summary of contributions

19/01/2006  
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
<b>TOTAL</b>	<b>\$1239</b>	<b>\$855</b>	<b>\$900</b>	<b>None specified</b>	<b>\$2139</b>	<b>\$855</b>

## 4.0 Land or development excluded from development contributions plan

19/01/2006  
VC37

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.

**ATTACHMENT 1**

## 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 ~~74PO-72PO~~ 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.*

ATTACHMENT 1

MANSFIELD 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  
VC96

**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.

2.0  
19/04/2013  
VC99

**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.
<u>Office, if in Precinct 4A of the Activity Centre Zone (Westfield Doncaster)</u>	<u>3.5</u>	<u>To each 100sqm of net floor area.</u>
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.
<u>Shop, if in Precinct 4A of the Activity Centre Zone (Westfield Doncaster)</u>	<u>4.09</u>	<u>To each 100sqm of leasable floor area based on a whole-of-centre assessment.</u>

Formatted Table

3.0  
19/04/2013  
VC99

**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.

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



ATTACHMENT 1

MANNINGHAM PLANNING SCHEME

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

Formatted: Body text

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 staged nature of the future redevelopment of Westfield Doncaster as specified in an approved Development Plan and acknowledgement that the car parking rate will vary over time in accordance with this staged approach.
- 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.

Formatted: Body text, Bulleted + Level: 1 + Aligned at: 2 cm + Indent at: 2.63 cm

**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**

1804/2013  
VCSE

**Reference document**

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

## MANNINGHAM PLANNING SCHEME

## ATTACHMENT 1

28/10/2015  
VC101

## SCHEDULE TO CLAUSE 61.03

## Maps comprising part of this scheme:

- 1, 1DDO, 1ESO1, 1ESO, 1HO, 1LSIO, 1PAO, 1SBO, 1VPO
- 2, 2DDO, 2EAO, 2ESO1, 2ESO, 2HO, 2LSIO, 2PAO, 2SBO, 2SLO1, 2SLO5, 2SLO6, 2VPO
- 3, 3DDO, 3ESO1, 3ESO, 3HO, 3LSIO, 3PAO, 3SBO, 3WMO, 3SLO1, 3SLO3, 3SLO6
- 4, 4DDO, 4EMO, 4ESO1, 4ESO, 4HO, 4LSIO, 4WMO, 4PAO
- 5, 5EMO, 5ESO, 5HO, 5LSIO, 5WMO, 5SLO1, 5VPO
- 6, 6DDO, 6DPO, 6EAO, 6ESO1, 6ESO, 6HO, 6LSIO, 6SBO, 6SLO5, 6VPO
- 7, 7DCPO, 7DDO, 7ESO, 7DPO, 7EAO, 7HO, ~~7HO~~, 7LSIO, 7PAO, 7SBO, 7SLO5, 7SLO7, 7VPO, 7PO, 7RXO
- 8, 8DDO, 8EAO, 8ESO, 8HO, 8LSIO, 8PAO, 8SBO, 8WMO, 8SLO1, 8SLO5, 8SLO6, 8SLO7, 8SLO8, 8VPO
- 9, 9DDO, 9EMO, 9ESO1, 9ESO, 9HO, 9LSIO, 9SBO, 9WMO, 9PAO, 9SLO1, 9SLO6, 9VPO
- 10, 10EMO, 10ESO, 10HO, 10LSIO, 10WMO
- 11, 11DDO, 11ESO, 11HO, 11LSIO, 11SBO, 11SLO1, 11SLO6

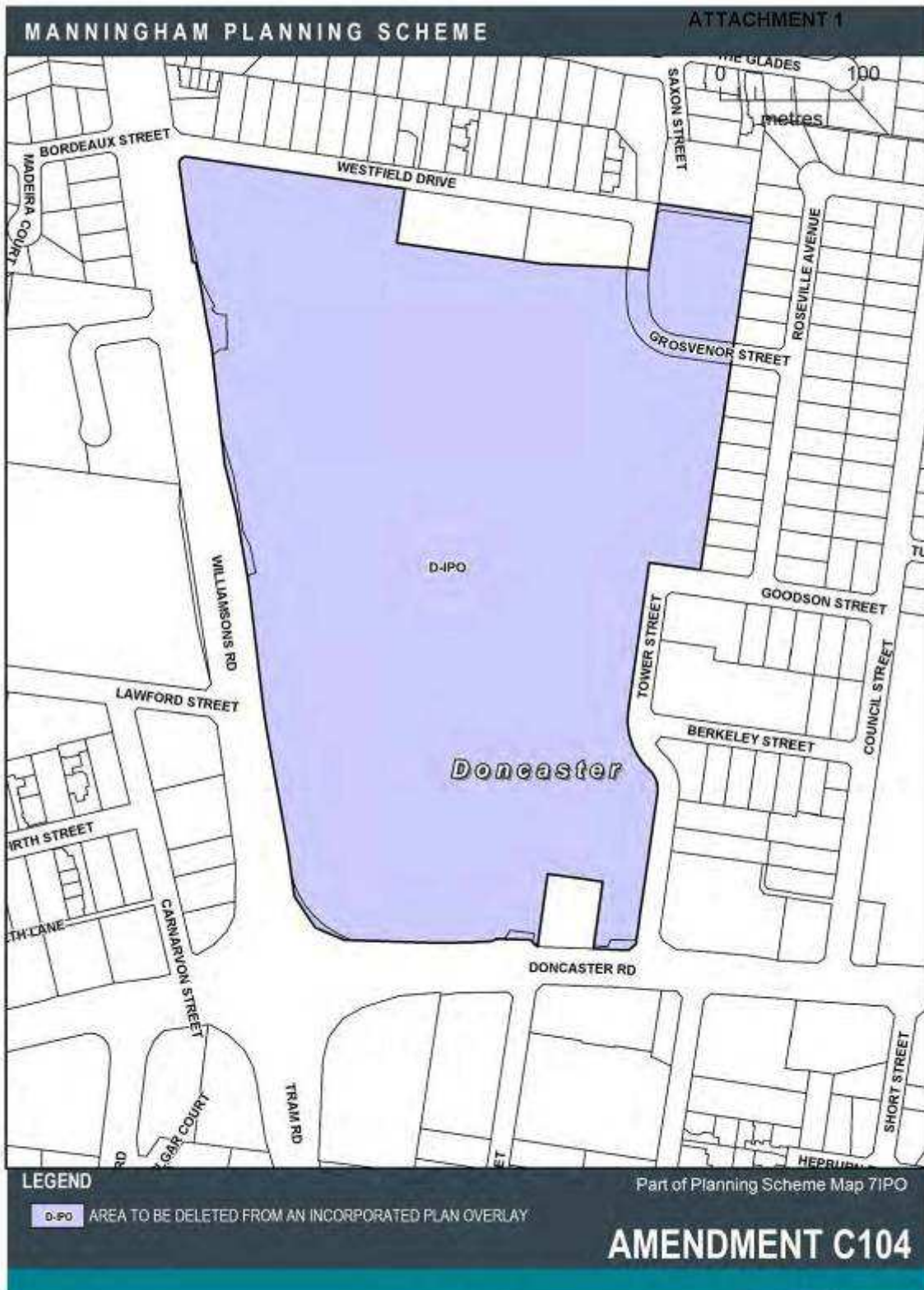
## MANNINGHAM PLANNING SCHEME

## ATTACHMENT 1

23/07/2015  
C106

## 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
<del>Westfield Shoppingtown Doncaster Concept Plan, September 1996</del>	<del>NPS1</del>

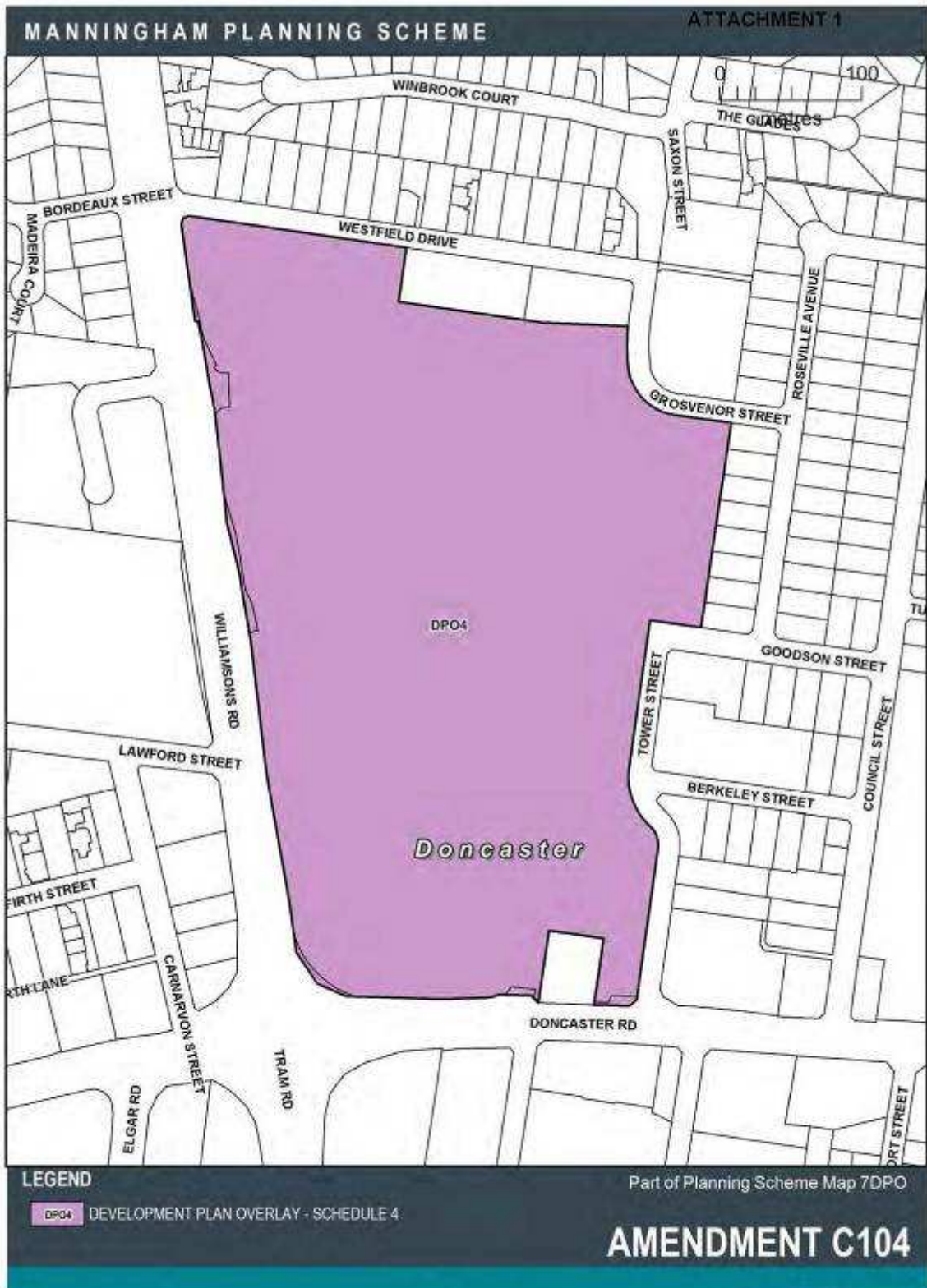


| Planning Mapping Services |  
| Planning Information Services |  
| Planning |



Department of  
Environment, Land,  
Water & Planning 

001

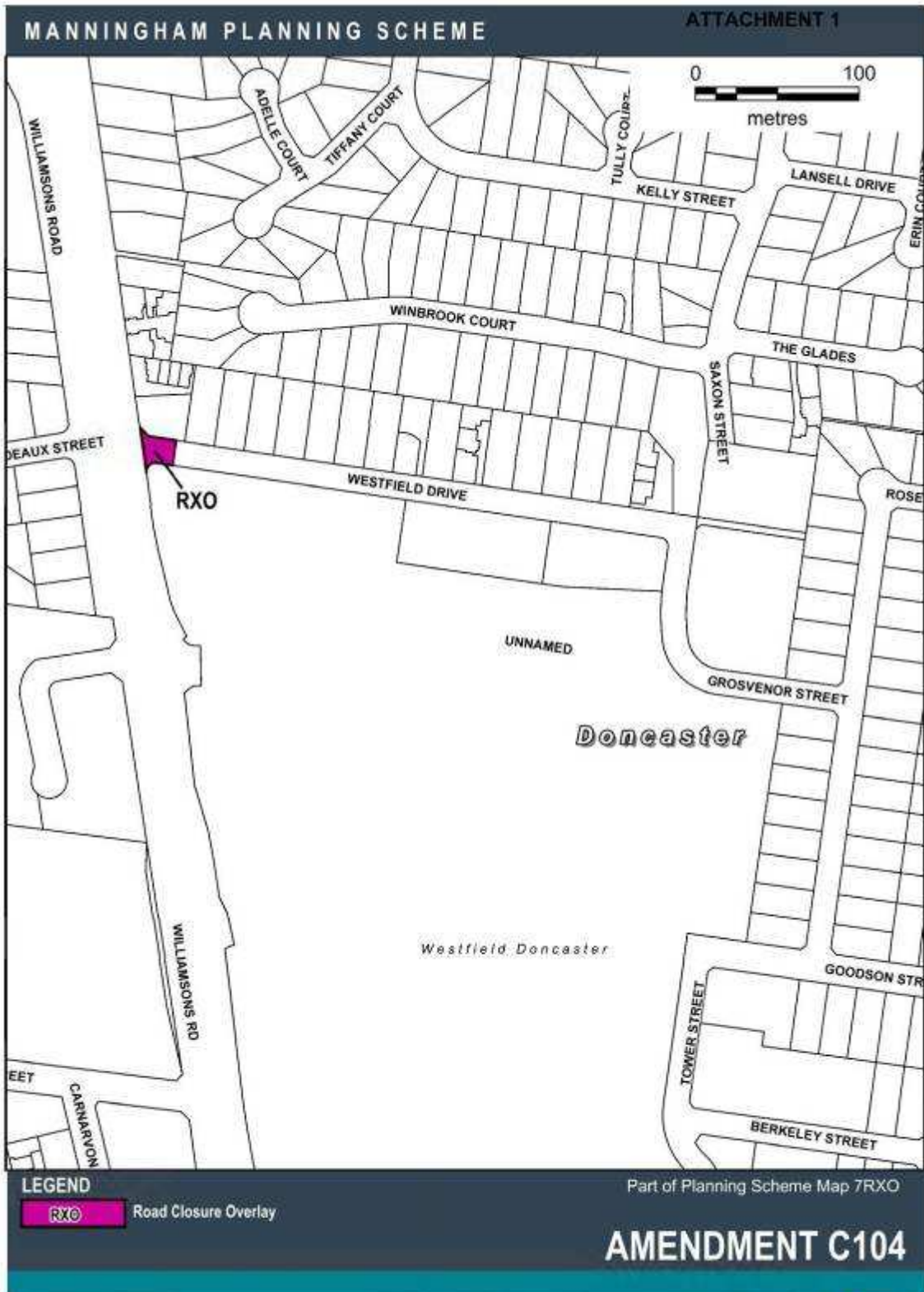


| Planning Mapping Services |  
| Planning Information Services |  
| Planning |



Department of  
Environment, Land,  
Water & Planning 

002

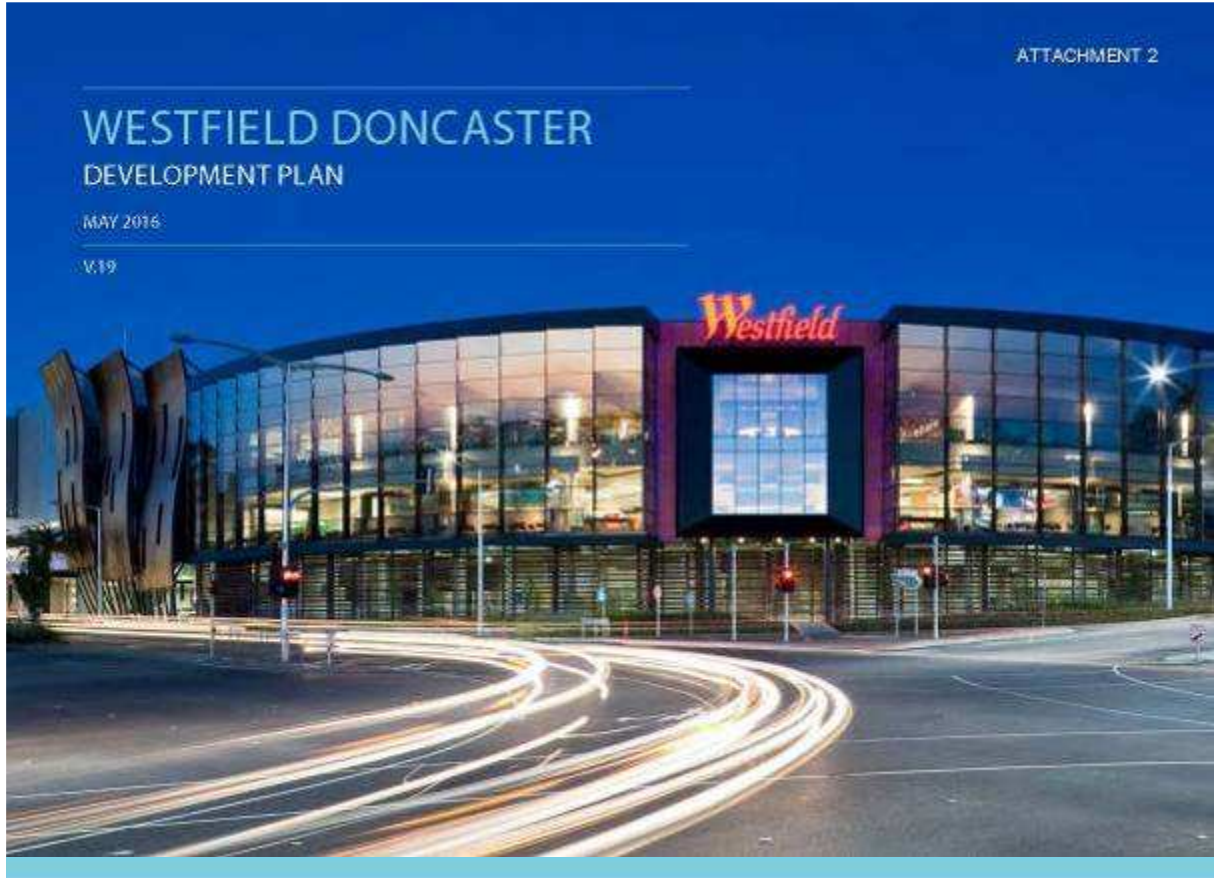


| Planning Mapping Services |  
| Planning Information Services |  
| Planning |



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

903



ATTACHMENT 2

# WESTFIELD DONCASTER DEVELOPMENT PLAN

MAY 2016

V.19

www.westfield.co.uk

Report Name	Westfield Doncaster Development Plan
Reference	15/0147-01/001
Revision	19
Prepared By	WJ
Reviewed By	WJ
Date of Issue	01/05/2016

#### © Westfield Doncaster

This document is a confidential document and is intended for the use of the Council only. It is not to be distributed outside the Council and should not be used for any other purpose without the prior written consent of Westfield Doncaster.

www.westfield.co.uk

#### Partners



Doncaster Science Group

## CONTENTS

<b>1</b>	<b>INTRODUCTION</b>	<b>3</b>
1.1	The Development Plan	3
1.2	Development Plan Structure	3
<b>2</b>	<b>SITE ANALYSIS</b>	<b>7</b>
2.1	Development Context	7
2.2	Planning Context	8
2.3	Site Features and Characteristics	32
<b>3</b>	<b>DEVELOPMENT PLAN</b>	<b>23</b>
3.1	Background	23
3.2	Urban Design Vision	23
3.3	Development Principles	24
3.4	Concept Plan	26
3.5	Public Open and Ecological Plan	28
3.6	Integrated Transport Plan	34
3.7	Public Realm and Landscapes	35
3.8	Development Criteria	36
3.9	Ecologically Sensitive Development	38
3.10	Socially Sustainable	38
3.11	Accessibility	38
3.12	Accommodation	38
3.13	Staged Plan	38
<b>4</b>	<b>ECONOMIC BENEFITS</b>	<b>59</b>
4.1	Summary of Economic Benefits	59







Figure 3 - Image of the new shopping centre

# 1. INTRODUCTION

## 1.1 The Development Plan

The Development Plan (DPP) is a statutory instrument that sets out the Council's strategic planning framework for the next 10 years. It is a key document in the Council's planning process and is subject to public consultation. The DPP is a key document in the Council's planning process and is subject to public consultation.

The Development Plan provides for the following:

- Strategic Vision
- Key Objectives and Outcomes
- Design Code
- Strategic Land Use, Urban Structure and
- Integrated Transport Plan
- Heritage Plan
- Infrastructure and Sustainability

The Development Plan also provides for the following:

- Urban Design
- Heritage
- Water Management
- Public Health and Wellbeing
- Economic Growth
- Environmental Issues
- Strategic Sustainable Development
- Transport and Access
- Access to Services
- Planning Tools

## 1.2 Development Plan Structure

The Development Plan is structured as follows:

- INTRODUCTION**
- SITE ANALYSIS**
- DEVELOPMENT PLAN**
- ECONOMIC BENEFITS**







**DOMESTIC WASTE STRATEGY (DRAFT REVISED 2016)**

The revised Domestic Waste Strategy (DWS) is a key part of the Council's (Woking) Local Waste Strategy (LWS) which was adopted in December 2015. It sets out the Council's strategy for the period 2016-2020 and is a key part of the Council's overall strategy for the period 2016-2020.

The revised DWS is a key part of the Council's overall strategy for the period 2016-2020 and is a key part of the Council's overall strategy for the period 2016-2020.

The revised DWS is a key part of the Council's overall strategy for the period 2016-2020 and is a key part of the Council's overall strategy for the period 2016-2020.

The revised DWS is a key part of the Council's overall strategy for the period 2016-2020 and is a key part of the Council's overall strategy for the period 2016-2020.

The revised DWS is a key part of the Council's overall strategy for the period 2016-2020 and is a key part of the Council's overall strategy for the period 2016-2020.



Figure 1: Domestic Waste Strategy 2016



Figure 2: The proposed Strategic Planning Zones for Woking town center

**2.3 Site Features and Characteristics**

**Location**  
The site is located in the town center of Woking, Surrey, and is bounded to the north by the A24 road, to the south by the A24 road, to the east by the A24 road, and to the west by the A24 road.

**Site Description**  
The site is a large, rectangular plot of land, approximately 100m by 100m, and is currently used for residential purposes. It is bounded to the north by the A24 road, to the south by the A24 road, to the east by the A24 road, and to the west by the A24 road.

**Site History**  
The site has a long history of residential use, dating back to the 19th century. It was originally developed as a residential estate, and has since been used for a variety of purposes, including residential, commercial, and industrial.

**Site Features**  
The site features a mix of residential and commercial buildings, including a large, modern office building, a smaller residential building, and a number of smaller, older buildings. The site is also characterized by its proximity to the A24 road and the town center.

**Site Characteristics**  
The site is characterized by its location in the town center, its proximity to the A24 road, and its mix of residential and commercial buildings. It is also characterized by its long history of residential use and its potential for development.

**Site Constraints**  
The site is subject to a number of constraints, including its proximity to the A24 road, its location in the town center, and its long history of residential use. These constraints may limit the types of development that can be undertaken on the site.

**Site Potential**  
The site has a high potential for development, particularly in the form of residential and commercial buildings. Its location in the town center and its proximity to the A24 road make it a highly desirable location for development.

**Site Context**  
The site is located in the town center of Woking, Surrey, and is surrounded by a mix of residential and commercial buildings. It is also located close to the A24 road, which is a major road in the area.

**Site Description**  
The site is a large, rectangular plot of land, approximately 100m by 100m, and is currently used for residential purposes. It is bounded to the north by the A24 road, to the south by the A24 road, to the east by the A24 road, and to the west by the A24 road.

**Site History**  
The site has a long history of residential use, dating back to the 19th century. It was originally developed as a residential estate, and has since been used for a variety of purposes, including residential, commercial, and industrial.

**Site Features**  
The site features a mix of residential and commercial buildings, including a large, modern office building, a smaller residential building, and a number of smaller, older buildings. The site is also characterized by its proximity to the A24 road and the town center.

**Site Characteristics**  
The site is characterized by its location in the town center, its proximity to the A24 road, and its mix of residential and commercial buildings. It is also characterized by its long history of residential use and its potential for development.

**Site Constraints**  
The site is subject to a number of constraints, including its proximity to the A24 road, its location in the town center, and its long history of residential use. These constraints may limit the types of development that can be undertaken on the site.

**Site Potential**  
The site has a high potential for development, particularly in the form of residential and commercial buildings. Its location in the town center and its proximity to the A24 road make it a highly desirable location for development.



Figure 3: Site Plan

10 | Woking Town Centre Strategic Planning Zones



**BALTOON**

The Baltoon CBD is a complex commercial development of mixed-use buildings, offices, retail, and public spaces. The development is a key component of the city's urban renewal strategy.

**Key Highlights**

- A new high-rise office building (150,000 sqm) is planned for the corner of Westfield Drive and Gosham Street. This project is a key component of the city's urban renewal strategy.
- A new mixed-use development (100,000 sqm) is planned for the corner of Westfield Drive and Finch Street. This project is a key component of the city's urban renewal strategy.
- A new public space (5,000 sqm) is planned for the corner of Westfield Drive and Bowmaster Road. This project is a key component of the city's urban renewal strategy.

**Address**

- A new mixed-use development (100,000 sqm) is planned for the corner of Westfield Drive and Finch Street. This project is a key component of the city's urban renewal strategy.
- A new public space (5,000 sqm) is planned for the corner of Westfield Drive and Bowmaster Road. This project is a key component of the city's urban renewal strategy.

**Development Overview**

- A new high-rise office building (150,000 sqm) is planned for the corner of Westfield Drive and Gosham Street. This project is a key component of the city's urban renewal strategy.
- A new mixed-use development (100,000 sqm) is planned for the corner of Westfield Drive and Finch Street. This project is a key component of the city's urban renewal strategy.
- A new public space (5,000 sqm) is planned for the corner of Westfield Drive and Bowmaster Road. This project is a key component of the city's urban renewal strategy.



Figure 20: A new high-rise office building at night, illuminated with warm lights.



Figure 21: A new mixed-use development with a curved facade and large glass windows.



Figure 22: A new public space with a paved walkway, benches, and greenery.

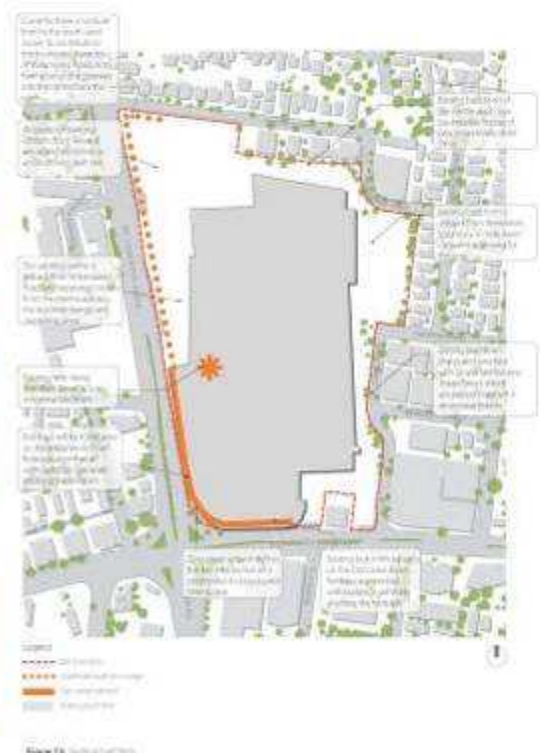


Figure 23: A detailed site plan of the Baltoon CBD development.

**Sitegroundwater (cont.)**

- During the final construction phase, the contractor will install a new drainage system to collect and remove any water that may be present.
- During the final phase of the construction, the contractor will install a new drainage system to collect and remove any water that may be present.
- During the final phase of the construction, the contractor will install a new drainage system to collect and remove any water that may be present.



Figure 14: Many of the features of the new building will be visible through the glass facade.

**ACCESSING BUILDING**

The building will be accessed from the north side of the site, via the existing access road. The building will be accessed from the north side of the site, via the existing access road. The building will be accessed from the north side of the site, via the existing access road.

- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.

The building will be accessed from the north side of the site, via the existing access road. The building will be accessed from the north side of the site, via the existing access road. The building will be accessed from the north side of the site, via the existing access road.



Figure 15: Proposed building footprint and site layout.

**Public Transport**

The building will be accessed from the north side of the site, via the existing access road. The building will be accessed from the north side of the site, via the existing access road. The building will be accessed from the north side of the site, via the existing access road.



Figure 16: A view of the street scene from the north side of the site.

**Site Access**

- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.
- The building will be accessed from the north side of the site, via the existing access road.



Figure 17: A view of the street scene from the north side of the site.



Figure 18: Proposed building footprint and site layout.

**TOPOGRAPHY**

**Topographic Features**

- The site is a relatively flat area with a slight rise towards the north and west.
- The site is located at the foot of the hills that form the eastern boundary of the site.

The site is relatively flat with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site. The site is relatively flat with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site.

**Site Location**

The site is located at the foot of the hills that form the eastern boundary of the site. The site is relatively flat with a slight rise towards the north and west.

- The site is located at the foot of the hills that form the eastern boundary of the site.
- The site is relatively flat with a slight rise towards the north and west.
- The site is located at the foot of the hills that form the eastern boundary of the site.
- The site is relatively flat with a slight rise towards the north and west.

The site is located at the foot of the hills that form the eastern boundary of the site. The site is relatively flat with a slight rise towards the north and west.



Figure 18: An aerial view of the site showing its location relative to the surrounding landscape and buildings.



Figure 19: Site plan showing building footprints, parking areas, and landscaping features.



Figure 23: A view of the landscaped area with tall grasses and a paved walkway.

**RUBIC KAYS**

The site is a relatively flat area with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site.

The site is a relatively flat area with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site.

The site is a relatively flat area with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site.

The site is a relatively flat area with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site.

The site is a relatively flat area with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site.

**LANDSCAPING**

The site is a relatively flat area with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site.

The site is a relatively flat area with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site.

The site is a relatively flat area with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site.

The site is a relatively flat area with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site.

The site is a relatively flat area with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site.

**Other Comments**

The site is a relatively flat area with a slight rise towards the north and west. The site is located at the foot of the hills that form the eastern boundary of the site.



Figure 24: A view of the paved walkway with a person walking, showing the site's accessibility.

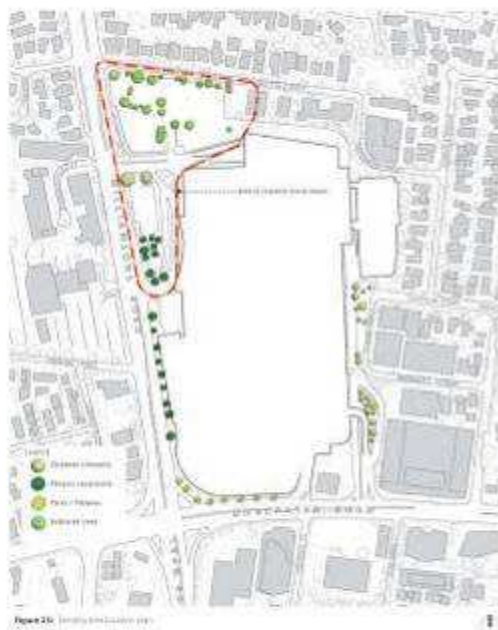


Figure 21c: Landscaping locations map.



Figure 21b: Existing large tree located in the parking lot area, which will be retained.



Figure 21b: The view of the building facade from the parking lot area.



Figure 21c: Landscaping area adjacent to the building facade.



Figure 21c: Landscaping area adjacent to the building facade.



Figure 21d: Landscaping area adjacent to the building facade.



Figure 21d: Landscaping area adjacent to the building facade.

HERACLES/2016



Figure 21a: Landscaping locations map.

Heracles/2016  
 The site plan shows the proposed landscaping locations for the development. The landscaping locations are shown in green and yellow. The landscaping locations are shown in green and yellow. The landscaping locations are shown in green and yellow.

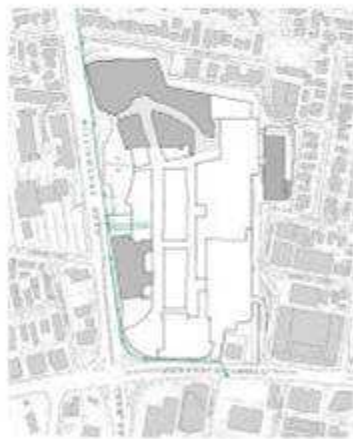


Figure 21b: Landscaping locations map.

Heracles/2016  
 The site plan shows the proposed landscaping locations for the development. The landscaping locations are shown in green and yellow. The landscaping locations are shown in green and yellow.



Figure 21c: Landscaping locations map.

Heracles/2016  
 The site plan shows the proposed landscaping locations for the development. The landscaping locations are shown in green and yellow. The landscaping locations are shown in green and yellow.



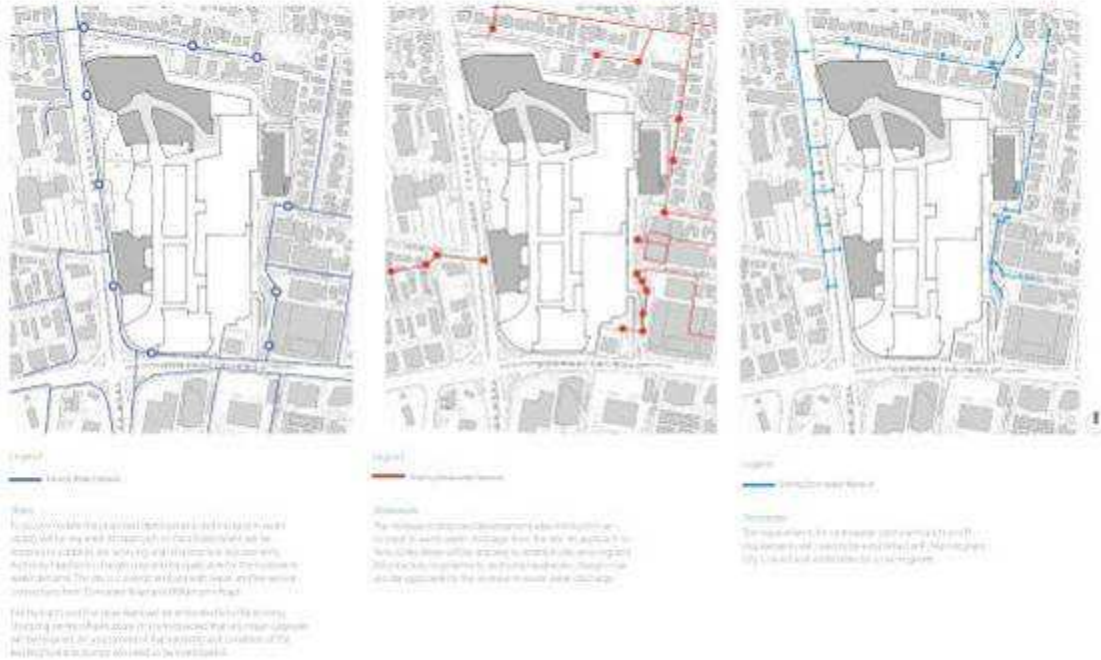




Figure 30: Doing well with business along the business street

### 3. DEVELOPMENT PLAN

#### 3.1 Background

The development plan is a key tool for the Council to guide and control the development of the town. It sets out the Council's vision for the town and the standards that should be achieved in the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

#### 3.2 Urban Design Vision

The Council's Urban Design Vision is to create a town that is attractive, functional and sustainable. It sets out the standards that should be achieved in the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

#### 3.3 Development Principles

The Council's Development Principles are to create a town that is attractive, functional and sustainable. It sets out the standards that should be achieved in the town.



"Celebrate the prominence of Doncaster Hill"

Recognise and celebrate the prominence of Doncaster Hill and its role in the town's identity.



"Improve better engagement of the complex with the surrounding area"

Improve the integration of the complex with the surrounding area through better design and landscaping.



"Make it easier and more enjoyable to move around the site by foot"

Improve the pedestrian experience by providing better footpaths and crossings.



"Secure the northern gateway to Doncaster Hill"

Secure the northern gateway to Doncaster Hill through better design and landscaping.



"Support high quality public realm"

Support high quality public realm through better design and landscaping.

#### Support high quality public realm

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

The Council will continue to work with the community to develop the plan and to ensure that it reflects the needs and aspirations of the town.

**"Support increased bicycle access to and around Davenport Mall"**  
 Support additional bicycle routes to the mall through the provision of bicycle racks and additional secure bicycle parking.

**"Enhance the efficiency and reliability of bus services to and from the complex"**  
 Support the expansion of bus services to the complex, including the provision of bus stop shelters, seating, and real-time arrival information.

**"Sensitize vehicles around the complex"**  
 Introduce vehicle sensors along the perimeter of the complex to monitor traffic flow and provide real-time feedback to drivers.

**"Increase off-street parking within the public realm"**  
 Introduce off-street parking spaces within the public realm, including the provision of secure bicycle parking and additional seating.

**"Revitalize the Williams Road corridor"**  
 Introduce high-quality landscaping and public art to revitalize the Williams Road corridor and improve the overall appearance of the area.

**"Make great places and spaces for shoppers, workers and local residents"**  
 Create a vibrant public realm with a mix of uses, including the provision of public seating, landscaping, and real-time arrival information.

**WHAT THE PROJECT DELIVERS**

The project will deliver a range of benefits to the community, including the provision of additional bicycle parking, improved bus services, and a more vibrant public realm. The project will also deliver a range of benefits to the business community, including the provision of additional off-street parking and improved access to the complex.

The project will also deliver a range of benefits to the environment, including the provision of additional landscaping and public art. The project will also deliver a range of benefits to the local economy, including the provision of additional jobs and the creation of a more vibrant public realm.

3.4 Concept Plan

The concept plan for the project is based on the following key principles: to provide a high-quality public realm, to improve access to the complex, and to create a vibrant public realm. The concept plan is based on the following key principles:

A key aim of the project is to provide a high-quality public realm, including the provision of additional landscaping and public art. The project will also deliver a range of benefits to the local economy, including the provision of additional jobs and the creation of a more vibrant public realm.

Objectives

- Provision of additional bicycle parking to support the use of bicycles as a mode of transport.
- Improvement of bus services to and from the complex, including the provision of bus stop shelters and real-time arrival information.
- Provision of additional off-street parking within the public realm.
- Revitalization of the Williams Road corridor through the provision of high-quality landscaping and public art.
- Creation of a vibrant public realm with a mix of uses, including the provision of public seating and real-time arrival information.

Key Features

- Provision of additional bicycle parking to support the use of bicycles as a mode of transport.
- Improvement of bus services to and from the complex, including the provision of bus stop shelters and real-time arrival information.
- Provision of additional off-street parking within the public realm.
- Revitalization of the Williams Road corridor through the provision of high-quality landscaping and public art.
- Creation of a vibrant public realm with a mix of uses, including the provision of public seating and real-time arrival information.

Key Features (continued)

- Provision of additional bicycle parking to support the use of bicycles as a mode of transport.
- Improvement of bus services to and from the complex, including the provision of bus stop shelters and real-time arrival information.
- Provision of additional off-street parking within the public realm.
- Revitalization of the Williams Road corridor through the provision of high-quality landscaping and public art.
- Creation of a vibrant public realm with a mix of uses, including the provision of public seating and real-time arrival information.

- Provision of additional bicycle parking to support the use of bicycles as a mode of transport.
- Improvement of bus services to and from the complex, including the provision of bus stop shelters and real-time arrival information.
- Provision of additional off-street parking within the public realm.
- Revitalization of the Williams Road corridor through the provision of high-quality landscaping and public art.
- Creation of a vibrant public realm with a mix of uses, including the provision of public seating and real-time arrival information.







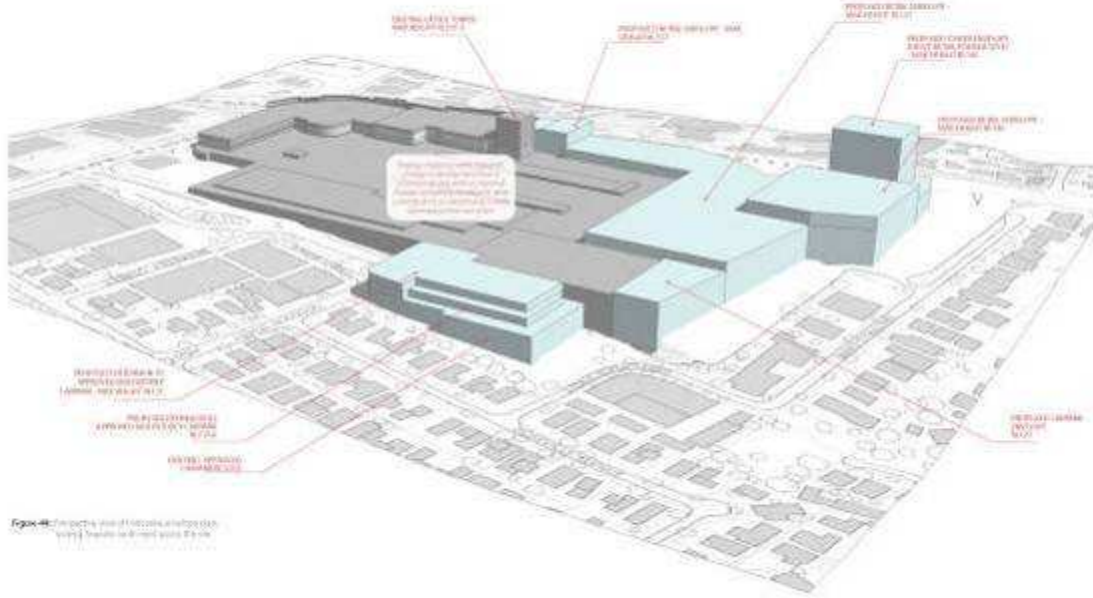


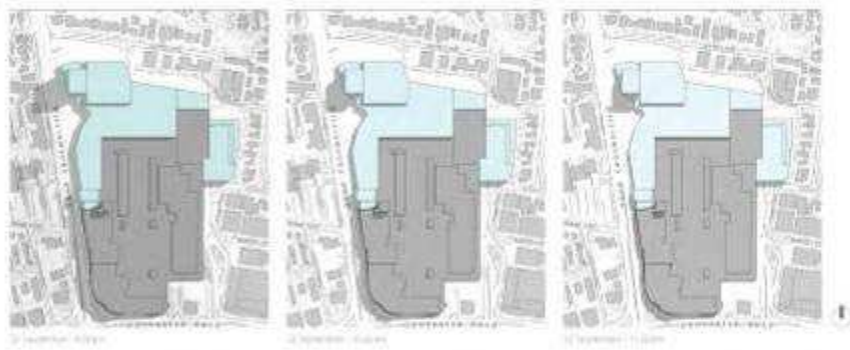
Figure 4B: The 3D view of the proposed building complex.

**ENVIRONMENTAL SHADOW STUDY**

The proposed building complex will be located on the east side of the main building. The proposed building complex will be a multi-story building with a modern design and will be located on the east side of the main building.

The proposed building complex will be located on the east side of the main building. The proposed building complex will be a multi-story building with a modern design and will be located on the east side of the main building.

The proposed building complex will be located on the east side of the main building. The proposed building complex will be a multi-story building with a modern design and will be located on the east side of the main building.





**PEDESTRIAN NOISE**

The task of the Committee is to provide a strategic overview of the proposed building footprint and its impact on the surrounding area, including the following:

- 1. Assess the proposed building footprint against the following:
    - Pedestrian Noise (Pedestrian Noise)
    - Pedestrian Noise (Pedestrian Noise)
  - 2. Assess the proposed building footprint against the following:
    - Pedestrian Noise (Pedestrian Noise)
    - Pedestrian Noise (Pedestrian Noise)
- The proposed building footprint is shown in the attached map. The proposed building footprint is shown in the attached map. The proposed building footprint is shown in the attached map.

- 3. Assess the proposed building footprint against the following:
  - Pedestrian Noise (Pedestrian Noise)
  - Pedestrian Noise (Pedestrian Noise)
- 4. Assess the proposed building footprint against the following:
  - Pedestrian Noise (Pedestrian Noise)
  - Pedestrian Noise (Pedestrian Noise)



Figure 43: Pedestrian noise assessment along the proposed building footprint.



Figure 44: Pedestrian noise assessment along the proposed building footprint.



Figure 45: Pedestrian noise assessment along the proposed building footprint.

**BIKE NETWORK**

The task of the Committee is to provide a strategic overview of the proposed building footprint and its impact on the surrounding area, including the following:

- 1. Assess the proposed building footprint against the following:
  - Pedestrian Noise (Pedestrian Noise)
  - Pedestrian Noise (Pedestrian Noise)
- 2. Assess the proposed building footprint against the following:
  - Pedestrian Noise (Pedestrian Noise)
  - Pedestrian Noise (Pedestrian Noise)

- 3. Assess the proposed building footprint against the following:
  - Pedestrian Noise (Pedestrian Noise)
  - Pedestrian Noise (Pedestrian Noise)
- 4. Assess the proposed building footprint against the following:
  - Pedestrian Noise (Pedestrian Noise)
  - Pedestrian Noise (Pedestrian Noise)



Figure 46: Bike network assessment along the proposed building footprint.





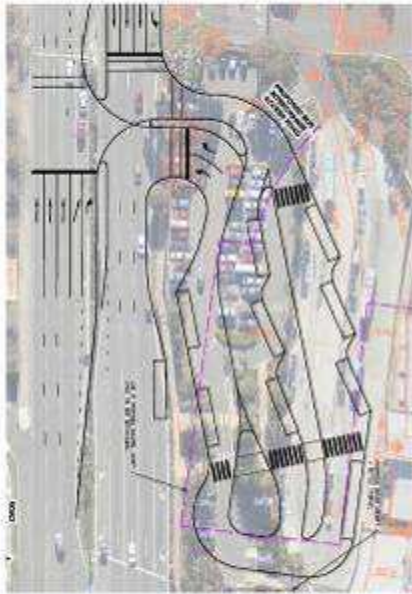


Figure 52: Traffic model based on proposed lane markings and proposed street lighting and street lighting



Figure 53: Address to Road and Street Lighting and Street Lighting



Figure 54: Address to Road and Street Lighting and Street Lighting



Figure 55: Address to Road and Street Lighting and Street Lighting



3.7 Public Realm and Landscaping

PUBLIC REALM

The objective of the proposed public realm is to provide a high quality, safe and attractive environment for the community. The public realm is defined as the area between the buildings and the street, including the sidewalks, pedestrian crossings, public art, street furniture, lighting, trees and landscaping. The public realm is an important part of the urban environment and it is essential that it is well designed and managed.



Figure 18: A high quality public realm is essential for a successful urban environment. The public realm is defined as the area between the buildings and the street, including the sidewalks, pedestrian crossings, public art, street furniture, lighting, trees and landscaping.



Figure 19: Outdoor cafe areas are an important part of the public realm. They provide a place for people to sit and enjoy the outdoors.

Proposed Public Realm and Landscaping

- The public realm is defined as the area between the buildings and the street, including the sidewalks, pedestrian crossings, public art, street furniture, lighting, trees and landscaping.
- The objective of the proposed public realm is to provide a high quality, safe and attractive environment for the community.
- The public realm is an important part of the urban environment and it is essential that it is well designed and managed.
- The proposed public realm includes the following elements:
  - Sidewalks: Wide, paved sidewalks with tactile paving for the visually impaired.
  - Pedestrian crossings: Zebra crossings with tactile paving and bollards.
  - Street furniture: Benches, litter receptacles, and public art.
  - Lighting: Modern, energy-efficient street lighting.
  - Trees and landscaping: Mature trees and plantings to provide shade and improve air quality.
  - Outdoor cafe areas: Seating and tables for outdoor dining.

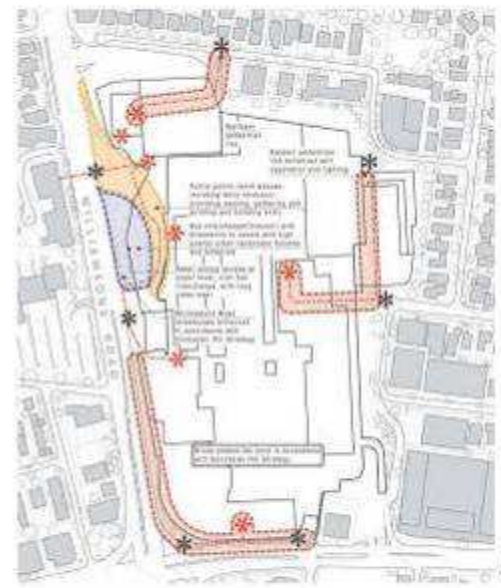


Figure 20: Proposed Public Realm and Landscaping. The plan shows the layout of the public realm and landscaping elements around the building complex.

LANDSCAPING

The objective of the proposed landscaping is to provide a high quality, safe and attractive environment for the community. The landscaping is defined as the area between the buildings and the street, including the sidewalks, pedestrian crossings, public art, street furniture, lighting, trees and landscaping.

Proposed Landscaping

- The objective of the proposed landscaping is to provide a high quality, safe and attractive environment for the community.
- The landscaping is defined as the area between the buildings and the street, including the sidewalks, pedestrian crossings, public art, street furniture, lighting, trees and landscaping.
- The proposed landscaping includes the following elements:
  - Trees and landscaping: Mature trees and plantings to provide shade and improve air quality.
  - Street furniture: Benches, litter receptacles, and public art.
  - Lighting: Modern, energy-efficient street lighting.
  - Outdoor cafe areas: Seating and tables for outdoor dining.

Proposed Landscaping and Public Realm

- The objective of the proposed landscaping and public realm is to provide a high quality, safe and attractive environment for the community.
- The landscaping and public realm is defined as the area between the buildings and the street, including the sidewalks, pedestrian crossings, public art, street furniture, lighting, trees and landscaping.
- The proposed landscaping and public realm includes the following elements:
  - Sidewalks: Wide, paved sidewalks with tactile paving for the visually impaired.
  - Pedestrian crossings: Zebra crossings with tactile paving and bollards.
  - Street furniture: Benches, litter receptacles, and public art.
  - Lighting: Modern, energy-efficient street lighting.
  - Trees and landscaping: Mature trees and plantings to provide shade and improve air quality.
  - Outdoor cafe areas: Seating and tables for outdoor dining.

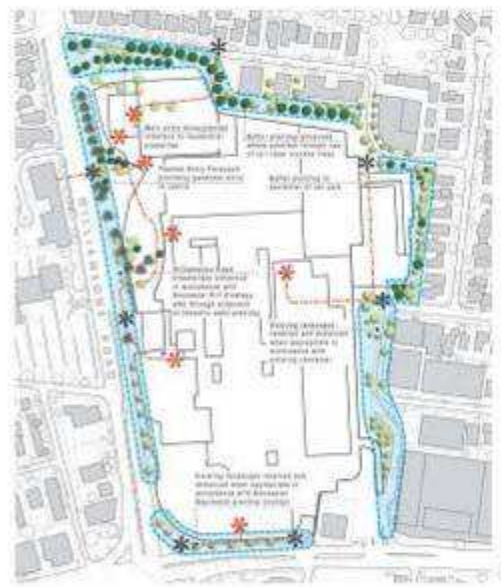


Figure 21: Proposed Landscaping and Public Realm. The plan shows the layout of the landscaping and public realm elements around the building complex.

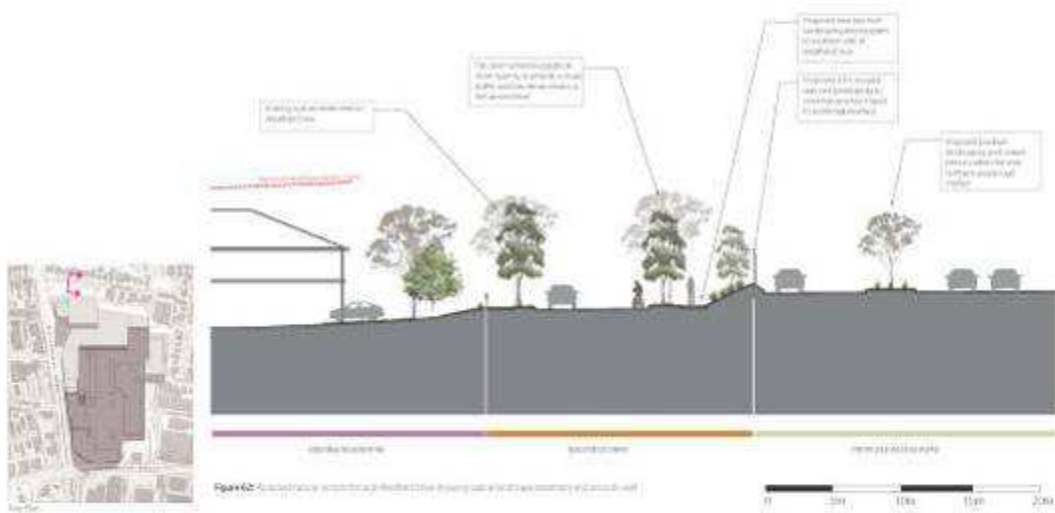


Figure 62: Aerial view and cross-section of a residential development showing a mix of building heights and landscaping.

3.8 Development Criteria

The residential development is a mix of building heights and landscaping. The following development criteria are proposed for the residential development.

WEIGHTED DIFFERENCE

Single and dual storey residential buildings and dual storey residential buildings with a maximum height of 10m. The following development criteria are proposed for the residential development.

The following development criteria are proposed for the residential development.

- The maximum height of the residential development shall be 10m.
- The maximum height of the residential development shall be 10m.
- The maximum height of the residential development shall be 10m.

- The maximum height of the residential development shall be 10m.
- The maximum height of the residential development shall be 10m.
- The maximum height of the residential development shall be 10m.

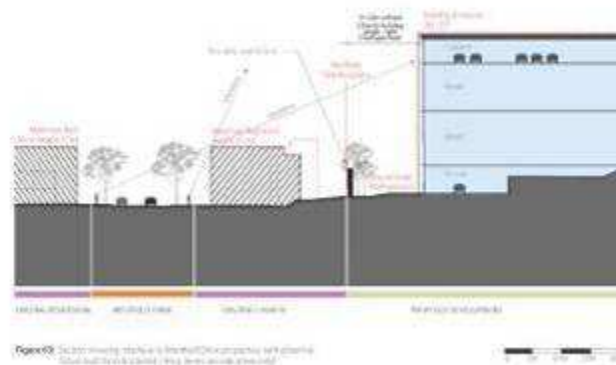


Figure 63: Aerial view and cross-section of a residential development showing a mix of building heights and landscaping.

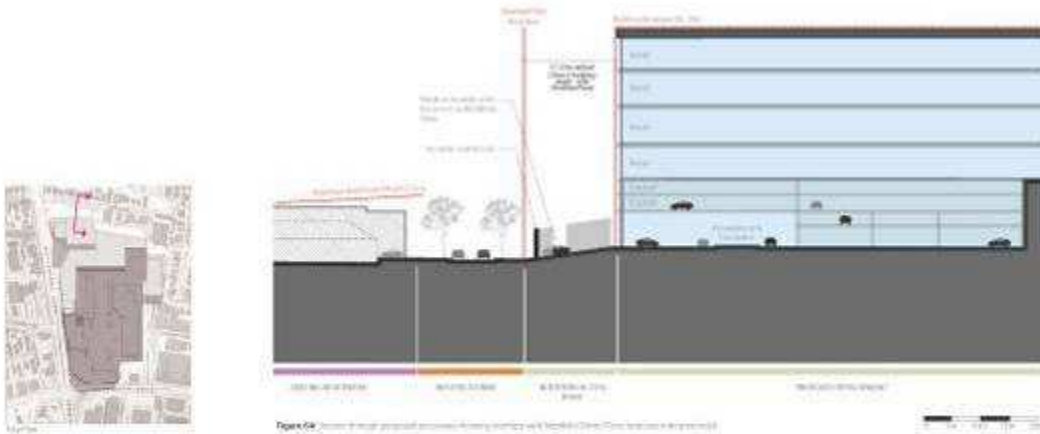


Figure 58. Section through proposed commercial building showing a cross-section of the building.

The above design and building control of the site is subject to approval of the Council and the relevant regulatory authorities. The Council will determine the appropriate zoning and the relevant regulatory authorities will determine the appropriate building control requirements.

The Council will also determine the appropriate zoning and the relevant regulatory authorities will determine the appropriate building control requirements.

The Council will also determine the appropriate zoning and the relevant regulatory authorities will determine the appropriate building control requirements.

The Council will also determine the appropriate zoning and the relevant regulatory authorities will determine the appropriate building control requirements.



Figure 59. Proposed commercial building showing a cross-section of the building.

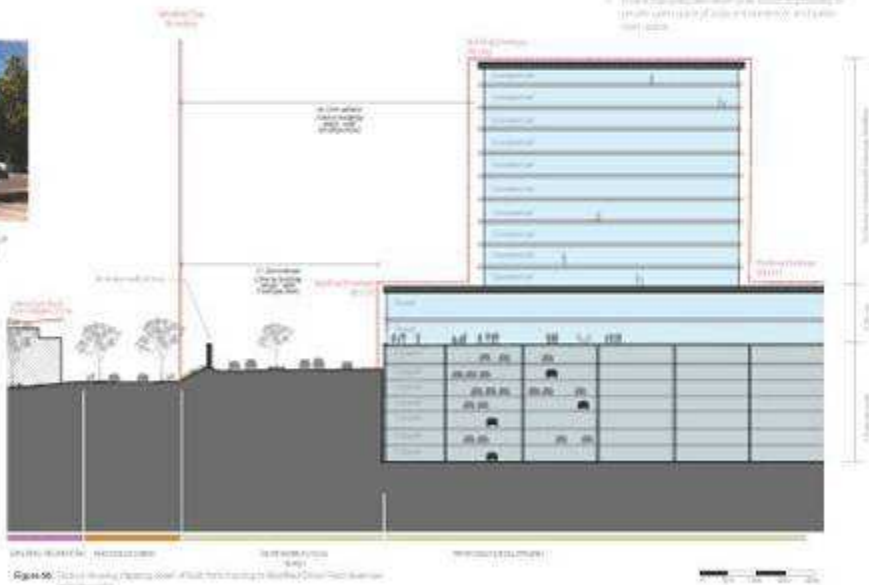


Figure 60. Section through proposed commercial building showing a cross-section of the building.

**WILLOWBROOK STORAGE**

Willowbrook Storage is a proposed 100,000 sqm, multi-level parking structure located on the corner of Phillip Street and Phillip Street, adjacent to the existing Willowbrook Storage structure. The proposed structure is a multi-level parking structure with a total capacity of 1,000 vehicles. The structure is proposed to be built on a site of approximately 1.5 hectares. The structure is proposed to be built on a site of approximately 1.5 hectares. The structure is proposed to be built on a site of approximately 1.5 hectares.

The proposed structure is a multi-level parking structure with a total capacity of 1,000 vehicles. The structure is proposed to be built on a site of approximately 1.5 hectares. The structure is proposed to be built on a site of approximately 1.5 hectares. The structure is proposed to be built on a site of approximately 1.5 hectares.

- The proposed structure is a multi-level parking structure with a total capacity of 1,000 vehicles.
- The structure is proposed to be built on a site of approximately 1.5 hectares.
- The structure is proposed to be built on a site of approximately 1.5 hectares.
- The structure is proposed to be built on a site of approximately 1.5 hectares.

- The proposed structure is a multi-level parking structure with a total capacity of 1,000 vehicles.
- The structure is proposed to be built on a site of approximately 1.5 hectares.
- The structure is proposed to be built on a site of approximately 1.5 hectares.
- The structure is proposed to be built on a site of approximately 1.5 hectares.

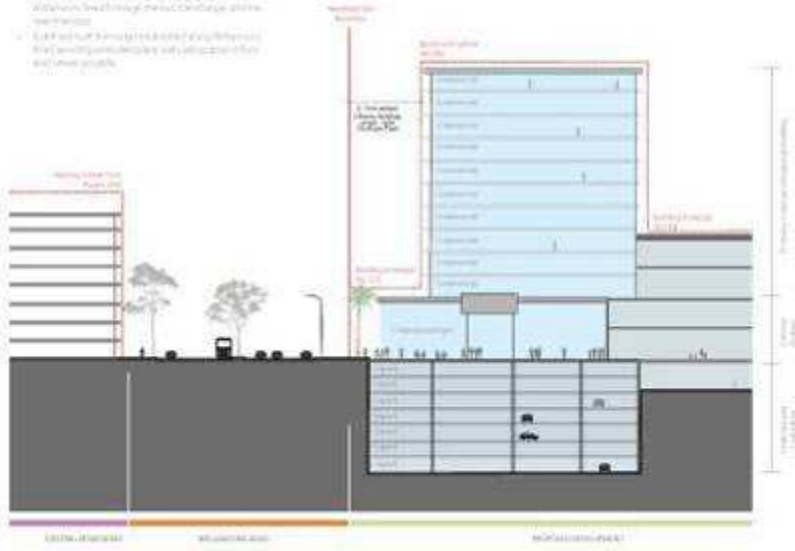


Figure 57: Proposed section through proposed structure of Willowbrook Storage structure. Scale: 1:100. (Note: This is a simplified representation of the drawing content.)

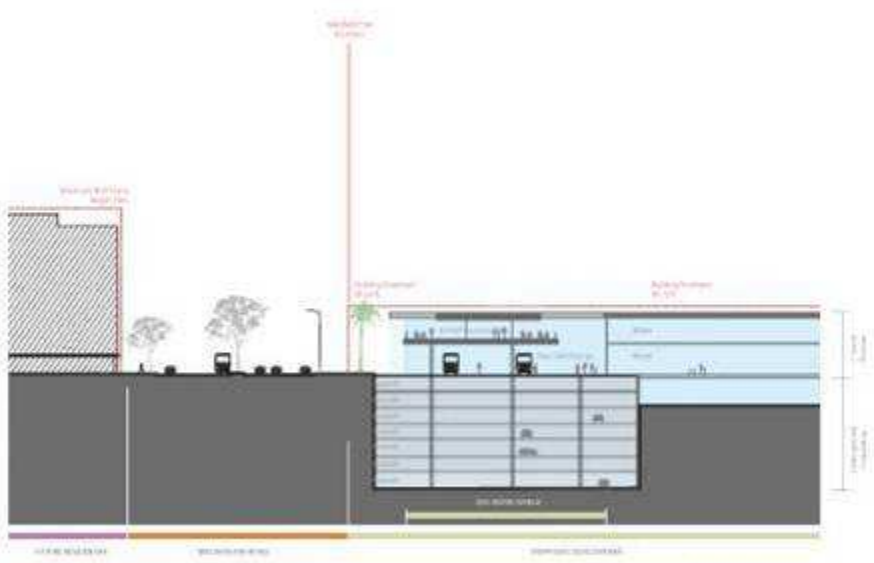


Figure 58: Proposed section through proposed structure of Willowbrook Storage structure. Scale: 1:100. (Note: This is a simplified representation of the drawing content.)









### 3.13 Staging Plan

- The development will be constructed in a staged manner to ensure the site is developed in a timely and efficient manner.
- To ensure the development is completed in a timely manner.
- To ensure the development is completed in a timely manner.
- To ensure the development is completed in a timely manner.
- To ensure the development is completed in a timely manner.
- To ensure the development is completed in a timely manner.

- Phase 1: Initial site preparation and infrastructure works.
- Stage 1: Initial site preparation and infrastructure works.
- Stage 2: Initial site preparation and infrastructure works.
- Stage 3: Initial site preparation and infrastructure works.
- Stage 4: Initial site preparation and infrastructure works.
- Stage 5: Initial site preparation and infrastructure works.
- Stage 6: Initial site preparation and infrastructure works.

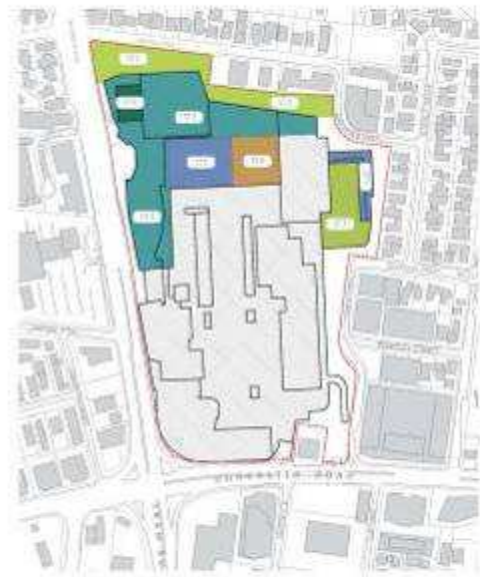
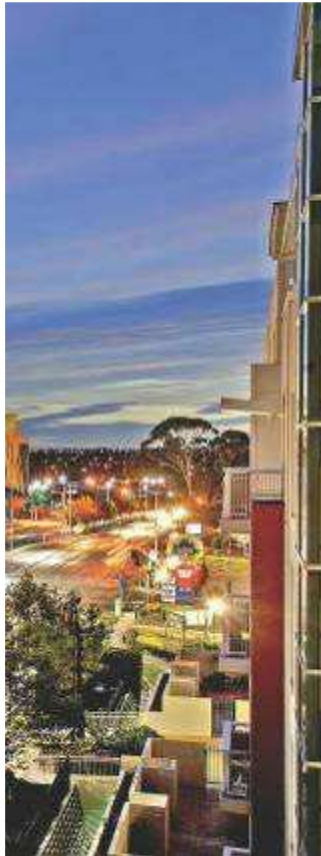


Figure 19: General site plan





### 4. ECONOMIC BENEFITS

The City Council has a responsibility to identify and support economic development opportunities that will benefit the community and the region. The City Council has a responsibility to support economic development opportunities that will benefit the community and the region. The City Council has a responsibility to support economic development opportunities that will benefit the community and the region.

The City Council has a responsibility to identify and support economic development opportunities that will benefit the community and the region. The City Council has a responsibility to support economic development opportunities that will benefit the community and the region. The City Council has a responsibility to support economic development opportunities that will benefit the community and the region.

The City Council has a responsibility to identify and support economic development opportunities that will benefit the community and the region. The City Council has a responsibility to support economic development opportunities that will benefit the community and the region. The City Council has a responsibility to support economic development opportunities that will benefit the community and the region.



Figure 10: The City Council's economic development strategy. Figure 11: The City Council's economic development strategy.

The City Council has a responsibility to identify and support economic development opportunities that will benefit the community and the region. The City Council has a responsibility to support economic development opportunities that will benefit the community and the region. The City Council has a responsibility to support economic development opportunities that will benefit the community and the region.

- 1. The City Council has a responsibility to identify and support economic development opportunities that will benefit the community and the region.
- 2. The City Council has a responsibility to identify and support economic development opportunities that will benefit the community and the region.
- 3. The City Council has a responsibility to identify and support economic development opportunities that will benefit the community and the region.
- 4. The City Council has a responsibility to identify and support economic development opportunities that will benefit the community and the region.
- 5. The City Council has a responsibility to identify and support economic development opportunities that will benefit the community and the region.

## ATTACHMENT 3

The accompanying technical reports are available from

[Council's website](#)

**ATTACHMENT 4**

**Recommended changes to Amendment C104 to the Manningham Planning Scheme submitted documents**

No.	Planning Provision	Recommendation
1.1	Clause 21.09	Amend sub-clause 21.09-2 to incorporate minor wording changes, including the reference to the gateway building to ensure it is consistent with requirements set out in ACZ1.
1.2	Activity Centre Zone – Schedule 1	Amend Doncaster Hill Framework Plan both at Section 1.0 of ACZ1 and the Precinct 4 map to distinguish between the existing conditions and future conditions relating to the location of the bus interchange and public plaza/forecourt.
1.3	Activity Centre Zone – Schedule 1	Amend sub-clause 4.4 Advertising signs and boulevard requirements to ensure that the exemption from meeting the mandatory requirements only applies along Williamsons Road.
1.4	Development Plan Overlay – Schedule 4	Amend Clause 2.0 Conditions and requirements for permits to add an additional dot point following the first paragraph: "A Green Travel Plan to support the reduction of requirements for staff parking on the site."
1.5	Development Plan Overlay – Schedule 4	Amend Clause 3.0 of DPO4 to ensure the use of consistent terminology in referencing 'Design Criteria' or 'Design Guidelines'.
1.6	Development Plan Overlay – Schedule 4	In Clause 3.0 of DPO4 replace the title of the 'Indicative Concept Plan' to 'Concept Plan' and amend the plan to show areas of active street front and key building entries.
1.7	Development Plan Overlay – Schedule 4	Amend Clause 2.0 of DPO4 to replacing the proposed wording under Conditions and requirements for permits: "A planning permit granted for the use or development of the land in accordance with the approved Development Plan, must 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. The Agreement must provide for the transfer or lease to the City of Manningham or its designated service provider of part of the building of an area of not less than 100sqm at ground floor level, near the bus interchange, for the

**ATTACHMENT 4**

No.	Planning Provision	Recommendation
		<p><i>purposes of use by Council or its designated service provider for community purposes. The process of transfer or lease must be provided at no cost to Council. Any planning permits required for the use of the tenancy, or other matters such as signage, are to be secured by Council or its designated service provider and are not the responsibility of the land owner."</i></p> <p><i>with:</i></p> <p><i>"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:</i></p> <ul style="list-style-type: none"> <li><i>• 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)</i></li> <li><i>• the facility is to be finished to the extent ready for internal fit out by Council at its own cost;</i></li> <li><i>• the facility is to have all utilities available and connected;</i></li> <li><i>• the facility is to be used for community purposes;</i></li> <li><i>• the transfer or lease as the case may be must be at no ongoing cost to Council other than a peppercorn consideration or peppercorn rent as the case may be;</i></li> <li><i>• no outgoings are to be charged to the facility save for the utilities;</i></li> <li><i>• any planning permits required for the use of the facility are the responsibility of Council to obtain; and</i></li> <li><i>• signage is the responsibility of Council but must adhere to centre signage requirements; and</i></li> <li><i>• any other matters which the parties agree to."</i></li> </ul>
1.8	Road Closure Overlay (RXO)	Amend the western edge of the Road Closure Overlay (RXO) map to account for the left turn slip lane off Williamsons Road and amend the eastern edge to allow for on-street vehicle parking west of the driveway at No. 1 Westfield Drive.
1.9	Parking Overlay – Schedule 1 (PO1)	Amend Clause 2.0 in PO1 to include reference to 'shop' in the measure for whole-of-centre assessment for shop in Precinct 4A (Westfield).

**ATTACHMENT 4**

No.	Planning Provision	Recommendation
1.10	Parking Overlay – Schedule 1 (PO1)	<p>Amend the table in Clause 2.0 in PO1 to replace the rate of 4.09 for shop with 4.17 and to replace the measure with the following:  <i>“To each 100sqm of leasable floor area based on a whole-of-centre assessment at each nominated stage of the development.”</i></p>
1.11	Parking Overlay – Schedule 1 (PO1)	<p>Amend Clause 3.0 in PO1 by replacing the following proposed wording within Application requirements and decision guidelines for permit applications:  <i>“Before deciding on an application, the Responsible Authority must consider the following decision guidelines:                      The staged nature of the future redevelopment of Westfield Doncaster as specified in an approved Development Plan and acknowledgement that the car parking rate will vary over time in accordance with this staged approach.”</i>                      with  <i>“Before deciding on an application, the Responsible Authority must consider the following decision guidelines:                      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 ensure that the required carparking rate is provided in a timely manner.”</i></p>



## ATTACHMENT 4

Recommended changes to Westfield Doncaster Development Plan

No.	Page Number	Recommendation
2.1	28	Amend the Development Plan at section 3.5 <i>Built Form and Envelope Plans</i> to include design rationale for the gateway building.
2.2	42	Amend Section 3.6 in the Development Plan under <i>Service Areas</i> to include a commitment to ensure that any noise impacts are managed by hours of operation.
2.3	44	Amend Section 3.7 in the Development Plan under <i>Public Realm and Landscaping</i> to include a new commitment to consider additional rooftop landscaping and/or green facades, aimed at reducing the urban heat island effect, while also promoting biodiversity.
2.4	46	Amend Section 3.8 in the Development Plan under <i>Westfield Drive Interface</i> to include an additional key component which would require articulation and modulation to break up built form mass, create visual interest and reduce overall visual bulk at the Westfield Drive interface.
2.5	55	Amend the Advertising Sign section of the Development Plan to require the preparation of an Advertising Signage Package for each façade and entry point and ensure that the exemption from the ACZ1 mandatory signage requirements only relates to directional signage for drivers, which may include primary tenancies.
2.6	55	Amend the Development Plan in section 3.9 <i>Ecologically Sustainable Development</i> with the following amended third and fifth paragraphs: <i>It also intends to build on a best practice sustainability design approach, by taking a further step forward and achieve a 'National Excellence' outcome by achieving a 5-Star Green Star rating or equivalent performance for the expanded retail centre as well as the proposed new commercial office development. Noting that if obtaining a formal Green Star may not be possible as the development reflects an expansion of the existing facility, then an equivalent formal 'National Excellence' rating by an alternative certification tool (to Council's approval) will be provided.</i> <i>The expansion will target a greenhouse emission reduction of at least 25% as compared to a reference design through a combination of efficiency measures in the Cundall Sustainability Commitments report. It will also</i>

ATTACHMENT 4

No.	Page Number	Recommendation
		<p>support <i>Manningham Council's following policies and plans:</i></p> <ul style="list-style-type: none"> <li>• <i>Activity Centre Sustainability Management Plan Policy (Clause 22.13)</i></li> <li>• <i>Doncaster Hill ESD requirements Part C;</i></li> <li>• <i>Doncaster Hill Water Plan Information Pack (DHWIP);</i></li> <li>• <i>YVW Third pipe initiative.</i></li> </ul>
2.7	55	<p>Amend the Development Plan at Section 3.9 <i>Ecologically Sustainable Development</i> under sustainability commitment themes to reference 'waste'. This theme will also need to be addressed in the associated <i>Westfield Doncaster Development Plan Sustainability Commitments, Cundall (March 2016)</i> technical report.</p>
2.8	55	<p>Amend the Development Plan, Section 3.10, to replace the words 'social infrastructure' with 'community infrastructure' in both the heading and the third paragraph and to add the following paragraph:  <i>"Council has identified an emerging need in Manningham for an innovation hub that includes business incubator, co-working, meeting and training spaces and the developer is committed working with Council to address that need."</i></p>
<p><b>Matters not addressed in Council report but to be actioned prior to exhibition</b></p>		
2.9	Page 8	Amend Planning Context to ensure it reflects the exhibited documents
2.10	Page 26	Review legend descriptions for bus interchange
2.11	Page 37	Amend Figure 49 to identify the Westfield Drive road closure
2.12	Page 41	Amend Figure 56 and to identify the proposed car park to the north-west of the eastern carpark and to correctly identify the stage 1 carpark, and as required in any other figures.
2.13	Page 46	Consistent with Figure 63, identify ground level RLs on section plans with topographical variations
2.14	Pages 26, 28, 32, 33 & 54	Address disparity between the building envelope extent (as depicted in the shadow analysis on page 32:33 and other key Figures 32, 39, 40 and 43) and the footprint of publically accessible open space as depicted by Figure 80, being that the extent of space is greater in the public realm concept.
2.15	Page 54	Amend Figure 74 Public Realm Concept Plan to identify the formalised end of trip bike facilities consistent with Figure 48
2.16	Page 55	Amend the list of themes under Sustainable Design Response to include reference to 'Waste'.

**ATTACHMENT 4**

No.	Page Number	Recommendation
2.17		Undertake other minor amendments to address inaccuracies, typographical errors and to ensure consistency in information labeling, legends and maps in the information.

## 11. ASSETS & ENGINEERING

### 11.1 Tunstall Square Activity Centre - Road Closure and Consideration of Submissions

Responsible Director: Director Assets and Engineering

File No. T16/107

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 at its meeting on 15 December 2015 endorsed the implementation of the statutory process to permanently close the roadway between Beverley Street and the Tunstall Square west carpark (as shown in Attachment 1), also formerly known as Shaw Street, to through traffic, and resolved to form a Committee of Council to consider public submissions on the road closure, in accordance with the provisions of Section 223 of the Local Government Act 1989.*

*Council officers subsequently initiated the necessary statutory procedures to call for submissions in respect of the potential closure of Tunstall Square road in accordance with the relevant provisions of the Local Government Act 1989 on 29 February 2016. An Engagement and Community Plan (Attachment 2) was developed and implemented, which included publication of an invitation to make submissions in the *Manningham Leader* on 29 February 2016, mail out to properties within the catchment, (including traders), installation of signage at Tunstall Square and publication on Council's website calling for on-line submissions. The subject road was also closed to traffic temporarily as a trial for two weeks, to demonstrate potential activation of the plaza space and to engage the community on the road closure proposal.*

*Community consultation was undertaken over a period of six and a half weeks. The period for submissions from the community closed on 13 April 2016.*

*Council received 67 submissions in respect of the proposal (of which 66 were submitted within the statutory time frame and one was a late submission), with 43 in support and 4 submissions either incomplete or vague. A total of 20 submitters were opposed to the proposed road closure, including a submitter who only made an oral submission. A summary of the submissions and issues raised by the submitters, and corresponding officer comments, are detailed in Attachment 3.*

*Submitters to the proposal were also given the opportunity to present their submissions in person before a Committee of Council on 27 April 2016. 4 of the 67 submitters opted to present their submissions to the Committee of Council. However, only 2 persons attended the submitters meeting, 1 of whom presented in support of his written submission and another who attended without notice or making an earlier written submission.*

*The majority of issues raised by the submitters relate to potential impacts of the proposal on traffic movement, parking, access and congestion.*

*Having considered all relevant matters to the proposal, and taking into account the submissions received, as well as minimal traffic impacts on the existing access arrangements along Tunstall Road, the community's desire to create a community gathering space, the need to facilitate and encourage safe pedestrian and sustainable transport access to the Centre from Beverley Street, and improving the amenity of the centre, it is recommended that Council resolve to declare the section of Tunstall Square road, between Beverley Street and the western car park to be a shopping mall and restrict the entry of motor vehicles into the mall, in accordance with the provisions of Section 207, Clause 11, Schedule 11 of the Local Government Act 1989.*

*It is further recommended that Council notify the submitters to the proposal in writing of Council's decision, and that physical closure of the road proceed in tandem with the plaza development.*

## **1 BACKGROUND**

- 1.1 Council's Tunstall Square Structure Plan was adopted by Council in March 2015, following extensive community consultation.
- 1.2 Both the urban design analysis and stakeholder and community consultation undertaken during the development of the Structure Plan, which included distribution of feedback forms to 1,800 property owners, identified the lack of a community gathering space in Tunstall Square as a key issue.
- 1.3 Consequently, Action P2 of the Structure Plan is to '*Close the one way roadway connecting Beverley Street to the central carpark on the western side of Tunstall Road and undertake streetscape improvements to transform it into a community gathering space and public plaza*'.
- 1.4 In response to the Access and Movement Structure Plan theme, there is also a need to facilitate and encourage sustainable transport access and provide safe pedestrian access to the centre from Beverley Street and other access points. A shared path link from the south via Beverley Street to the Centre is identified in Council's Bicycle Strategy.
- 1.5 At its meeting on 15 December 2015, Council resolved in part to commence the statutory process under the provisions of Sections 207, 207A, 223 and Section 11, Schedule 11 of the Local Government Act 1989, to close the one-way road in Tunstall Square, (formerly known as Shaw Street), between Beverley Street and the carpark on the western side of Tunstall Road, (a shown in Attachment 1), for the purposes of developing a public plaza.
- 1.6 In accordance with the provisions of Section 223 of the Local Government Act 1989, a public notice was placed in the local newspaper on 29 February 2016, advertising the proposed closure and inviting submissions to the proposal.
- 1.7 Community engagement initiatives undertaken to inform and consult the community about the proposal are detailed in the Community and Engagement Plan, provided in Attachment 2 of this report. The Plan includes a mail out, publication of the proposal on Council's websites, on site signage, local media and community drop-in sessions during a trial closure of the road.
- 1.8 During the consultation period, Council temporarily closed the subject section of road for a period of two weeks, for the purposes of community engagement regarding the development of the proposed public plaza, should the road closure proceed.

- 
- 1.9 During the trial, traffic count surveys were conducted to determine the traffic impacts of closing the road on the Tunstall Road access points to the western car park.
- 1.10 Traffic impact assessment surveys were conducted before and after the trial road closure on Friday 19 and Saturday 20 February 2016, and Friday 4 and Saturday 5 March 2016, respectively. The surveys were conducted between 9.00am and 1.00pm and 3.00pm and 7.00pm on Friday 19 February and Friday 4 March also between 10.00am and 3.00pm on Saturday 20 February and 5 March 2016.
- 1.11 The results from these surveys confirm the consultant advice that the road closure will have minimal impacts on the performance of the Tunstall Road access points.
- 1.12 SIDRA\* analysis shows that the road closure will only have minimal impacts to the other access points with slight variances in the average delay of vehicles at the southern car park access from Tunstall Road.  
\* SIDRA –Signalised and unsignalised Intersection Design and Research Aid - traffic engineering software
- 1.13 In practical terms, the road closure is not anticipated to result in discernible impacts on the performance of other car park access points.
- 1.14 Community consultation commenced on 29 February 2016. Submissions closed on Wednesday, 13 April 2016.
- 1.15 Council received sixty seven (67) submissions in total, sixty four (66) submissions being received within the statutory time period, with one late submission.
- 1.16 Twenty (20) submissions, (including one late submission and one oral submission made in the absence of a written submission) objected to the proposal, forty three (43) were in support and there were four (4) submissions which were either incomplete or unable to be categorised as to whether they supported or were opposed to the proposal.
- 1.17 A summary of the submissions and issues raised by the submitters and corresponding officer comments are detailed in Attachment 3.
- 1.18 VicRoads and service authorities were also notified of the proposal and requested to provide comments.
- 1.19 Submitters to the proposal were also given the opportunity to appear in person to present their written submissions before a Committee of Council.
- 1.20 Four (4) submitters objecting to the proposal opted to present their submissions to the Committee of Council.
- 1.21 A Submissions Hearing was held on 27 April 2016, involving Councillors Haynes and Downie, Council officers and two submitters.
- 1.22 Only 1 of the 4 submitters who had booked in to address the Committee attended the hearing of submissions. 1 other individual attended the hearing without notice or making a prior written submission.
- 1.23 A summary of the issues presented at the hearing of submissions are detailed below:
- 1.1.1 Mr Savoria of Warrandyte, spoke in support of his written submission and objected to the road closure proposal citing the following concerns.
- Questioned the motivation for the proposal and why the issue of the road closure has been raised repeatedly despite it being rejected by traders twice previously.
  - There is a need for more parking bays at Tunstall Square.

- Does not support the proposal to create a plaza.
  - If the proposal proceeds, he would like to see the plaza centrally located within the shopping precinct on the west side of Tunstall Road.
- 1.1.2 Mr Shedden attended the hearing without notice and lodged his objection to the road closure proposal citing the following reasons.
- Potential displacement of traffic currently using the roadway from Beverley Street to the access points in Tunstall Square and the potential for increased congestion on Tunstall Road.
  - Owners of shops should have more say in the outcome.
  - Questioned the amount of use the plaza receive, particularly during the colder months.
  - Raised concerns regarding the ongoing maintenance and cleanliness of the area.
  - Parking should be made more available to the public.
- 1.24 The current road closure proposal has arisen from consultation associated with the adopted Structure Plan for the Centre, which identified a lack of community gathering spaces in the Centre and supporting the proposal to close the road for the development of a public plaza.
- 1.25 Council officers have assessed opportunities to locate the plaza at the Centre. In order to provide a plaza, of comparable size to the area of the former Shaw Street site at the western end of the central walkway, it would necessitate loss of parking facilities.
- 1.26 The proposed plaza site at the former Shaw Street within the extents of the road closure offers the following benefits.
- This location is away from the main trading area, enhancing public safety outcomes due to its location away from traffic movements and the parking area.
  - The proposed road closure has minimal impact on the existing parking facilities or access to these facilities.
- 1.27 Traffic surveys undertaken before and during the temporary road closure confirm that there will be negligible impact on the operational characteristics of the access points along Tunstall Road, as a result of traffic displacement associated with the proposed road closure.
- 1.28 In response to Council's request for comments from the service authorities regarding the road closure proposal, Multinet Gas and Yarra Valley Water indicated that subject to access arrangements being maintained to their respective assets, they had no objection to the proposal. No responses were received from telecommunications and the electricity distributor, Transdev, Victoria Police, CFA, Metropolitan Fire Brigade, Ambulance Services or the State Emergency Service.
- 1.29 VicRoads in a letter dated 12 January 2016 confirmed that they have no objection to the proposed road closure.
- 1.30 Having considered all relevant matters to the proposal, including the submissions received in response to the road closure proposal, minimal traffic impacts on the existing access arrangements along Tunstall Road, the community's desire to create a community gathering space, the need to

facilitate and encourage safe pedestrian and sustainable transport access to the Centre from Beverley Street and improve the amenity of the centre, it is considered appropriate that Council proceed with the formal closure of Tunstall Square roadway (formerly known as Shaw Street), between Beverley Street and the western car park.

## **2 PROPOSAL/ISSUE**

- 2.1 It is proposed that Council resolve to declare the section of Tunstall Square road, between Beverley Street and the western car park to be a shopping mall and restrict the entry of motor vehicles into the mall, in accordance with the provisions of Section 207, Clause 11, Schedule 11 of the Local Government Act 1989.
- 2.2 Physical closure of the road is proposed to proceed in tandem with the plaza development, following consultation regarding the plaza design.
- 2.3 It is further proposed that Council notify the submitters to the proposal in writing of Council's decision.

## **3 PRIORITY/TIMING**

- 3.1 Physical closure of the road should proceed in tandem with the plaza development.
- 3.2 Development of the public plaza requires further consultation with stakeholders, development of engineering plans, procurement and construction. In order to minimise disruption to trade during the Christmas trading period, officers will target completion of construction by the end of November 2016.

## **4 POLICY/PRECEDENT IMPLICATIONS**

- 4.1 Council has powers under Section 207 of the Local Government Act 1989, over roads and traffic. These powers are primarily set out in Schedules 10 and 11 of the Act.
- 4.2 Clause 11 of Schedule 11 of the Act, Powers of Councils over Traffic, states the following:

*11. Powers concerning shopping malls*

*A Council may declare a road, or part of a road, to be a shopping mall and may prohibit or restrict the entry of motor vehicles into any such mall.*

- 4.3 The actions under Schedule 11 do not trigger a requirement for gazettal through the Government Gazette.

## **5 CUSTOMER/COMMUNITY IMPACT**

- 5.1 The traffic report and results from the trial closure indicate that, while the proposed road closure will cause minor inconvenience to shopping centre customers approaching from Beverley Street, the traffic impacts of the proposed road closure on car park access and egress and trade will likewise be minor. It is noted that the majority of the Centre's customers access the centre from the north along Tunstall Road.
- 5.2 The creation of a new public plaza and improvements in the public realm will provide a focal point and encourage greater community interaction. The road closure will also facilitate improved pedestrian and bicycle connections to the popular Koonung Creek Linear Trail.



- 5.3 Public safety will be enhanced through the removal of a conflict point between traffic and pedestrians at the northern end of the proposed road closure.

## **6 FINANCIAL RESOURCE IMPLICATIONS**

- 6.1 The funds required to implement the proposed road closure and the development of a public plaza will be sourced from the Neighbourhood Activity Centres Capital Works budget.

## **7 CONSULTATION**

- 7.1 Actions identified in the Communications and Engagement Plan (Attachment 3) have been implemented as part of the consultation associated with the proposed road closure.
- 7.2 Consultation with the Tunstall Square traders, land owners and other parties will be undertaken as appropriate, to facilitate input into the development of the public plaza.

## **8 COMMUNICATIONS STRATEGY**

- 8.1 Residents who made a submission will be notified in writing of Council's decision and the reasons for the decision on the closure of the road.
- 8.2 Notification of the proposed physical road closure will be issued to relevant stakeholders a minimum of two weeks prior to implementation.

## **9 CONCLUSION**

- 9.1 At its meeting of 24 November 2015, Council confirmed its endorsement of the Tunstall Square Structure Plan (March 2015), including Action P2 relating to the closure of the one-way roadway connecting Beverley Street to the central car park on the western side of Tunstall Road and development of a public plaza.
- 9.2 The majority of respondents to action P2 as part of the exhibition of the Structure Plan were supportive.
- 9.3 Traffic studies, and more recently a traffic survey during the trial closure of the subject road, indicate that from a traffic perspective, the proposed road closure would have minimal impact on access to the Centre.
- 9.4 Benefits arising from the road closure would include facilitation of the development of a public plaza and improved safety through the removal of a conflict point between traffic and pedestrians.
- 9.5 The majority of submitters to the proposed road closure support the proposed road closure.
- 9.6 It is considered appropriate that Council proceed with the closure of the road, in accordance with the statutory requirements of the Local Government Act 1989.

## **OFFICER'S RECOMMENDATION**

**That:**

- (A) Council formally resolve to declare the section of Tunstall Square road, between Beverley Street and the western car park to be a shopping mall and restrict the entry of motor vehicles into the mall, in accordance with the**

provisions of Section 207, Clause 11, Schedule 11 of the Local Government Act 1989.

- (B) Physical closure of the road proceed in tandem with the plaza development, following consultation regarding the plaza design.
- (C) Council notify the submitters to the proposal in writing of Council's decision.

**MOVED: GALBALLY**  
**SECONDED: HAYNES**

**That the Recommendation be adopted.**

**CARRIED**

"Refer Attachments"

\* \* \* \* \*



Attachment 2

Trim No: D16/26674

### Tunstall Square – Closure of Beverley Street Engagement and Communications Action Plan

The following plan outlines the activities planned to inform and consult the community about Council's intention to close Beverley Street in Tunstall Square to create an urban plaza. Community members will have the opportunity to make a submission during the exhibition period, which is planned for February and March 2016. The activities planned for this period include:

Engagement and/or Communication Tool	Key Actions	Timeline	Responsibility
Mail out – to approximately 1,000 local residents, traders and property owners.	<p>The mail out will be addressed and will include:</p> <ul style="list-style-type: none"> <li>• Letter</li> <li>• Public notice</li> <li>• Your Say Manningham submission form with reply paid details</li> </ul>	<p>To be posted w/c 22 February:</p> <ul style="list-style-type: none"> <li>• Printed: Monday 22 February</li> <li>• Addressed/posted: Wednesday 24 February</li> </ul>	CRM/ETS/EEP
Your Say Manningham consultation portal	<p>A dedicated Your Say Manningham page will provide an opportunity for the community to make their submission as part of the statutory process, via an online submission form. It will also offer information on the proposed closure, frequently asked questions along with any supporting imagery, plans and artist impressions.</p> <p>The website address will be included on all communications as a primary information source.</p>	<p>Page to be published: Wednesday 24 February</p>	CRM/EEP
On site signage	<p>To promote the exhibition period and how the community can get involved:</p> <ul style="list-style-type: none"> <li>• Sign to be erected on site at Tunstall Square</li> <li>• Poster to be included in Rotary Walk notice board, including imagery, plans</li> </ul>	<p>Week commencing Monday 29 February</p>	CRM/EEP

Attachment 2

Trim No: D16/26674

Engagement and/or Communication Tool	Key Actions	Timeline	Responsibility
Manningham Matters	and artist impressions. Manningham Matters February 2016 (distributed 15 February) to include a brief story and direct the community to Your Say Manningham consultation portal.	Distributed 15 February	CRM/EEP
Manningham Leader	Promotion in the Manningham Leader to include <ul style="list-style-type: none"> <li>• Public Notice</li> <li>• Inclusion in Council's regular half page advertisement</li> </ul>	Public Notice – 29 February Half page ad – 29 February, 13 March	CRM/EETS
Media release	Media release to promote the exhibition period and how the community can get involved to be distributed to local newspapers Manningham Leader, Weekly Review and Warrandyte Diary. Media release will be uploaded onto the website news centre.	To be distributed Wednesday 24 February	CRM
Manningham website	A website slider to be included on the front page of the Manningham corporate website linking to the Your Say Manningham website.	Thursday 3 March	CRM

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>OBJECTIONS</b>			
No	Owner	Address	Comments
1.	Domenico Savoria	WARRANTDYTE	<p>I do not approve of the closure. A shopping centre should have as many entries and exits to the centre. The Tunstall Square Shopping Centre was not designed for a public plaza. Reason, it does not have enough land to do so. Also submissions have been given to Council and also a submission with 83% of landlords was submitted. Also with 73% of tenants wanting to keep Shaw Street open. And I submit Shaw Street to be kept open.</p>
2.	Joseph Savoria	DONCASTER EAST	<p>I am opposed to the streets continued closure. The traders and freehold owners have voted unanimously (85%+) against its closure. The Council simply does not have unwavering support for its closure and hence the street should be re-opened until a position of majority can be reached between the community, freehold and traders.</p>
3.	Chooi-Nee Low	DONCASTER EAST	<p>1. Instead Shaw Street should be open to enable traffic to come out from the car park into Beverley Street as there is</p>

**Officer Comments**

While it is acknowledged that petitions were received prior to the recent consultation and submissions period. Recent community submissions indicate majority support for the closure of the former Shaw Street. Traffic Analysis conducted by independent traffic consultants indicate that the traffic displaced through the closure of the former Shaw Street can be readily accommodated through the remaining three car park access points off Tunstall Road. The Beverley Street entrance can be re-allocated to provide more generous space for pedestrians and a meeting place in the precinct and improved sustainable transport access, with minimal impacts on access to the Centre.

Council has received submissions indicating majority support for the former Shaw Street closure from residents and customers who wish to see this space turned into a safe and relaxing community use space. Customers are looking for safe pedestrian walkways, tranquil rest spaces and child friendly play areas. Many of these submissions seek safe pedestrian access around the shopping centre, particularly given concerns regarding traffic incidents and near misses which have occurred at this entrance to the car park. The majority of submissions relating to the closure of this vehicular access point have been in support of the closure and support the transformation of this area into a community meeting and leisure space.

1. The adequacy or otherwise of parking facilities at the Centre is not relevant to the proposed

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>OBJECTIONS</b>			
No	Owner	Address	Comments
			<p>a lot of congestion for traffic to turn from Tunstall Square Road. Parking issues are already turning me off shopping there so this is just the thing that will make me consider shopping elsewhere. I am surprised that the traders did not object. How many traders will actually benefit from the closure? In actual fact Shaw Street should be widened.</p>
			<p><b>Officer Comments</b></p> <p>closure of the former Shaw Street. According to the traffic study undertaken, the proposed road closure will have minimal impact on access to the available parking facilities via Tunstall Road as there are only up to 66 vehicles per hour currently utilizing this access. The traffic study further confirms that Tunstall Road has adequate capacity for the existing traffic volumes and the minor increase in traffic displaced as a result of the proposed road closure.</p> <p>Provision of a car park exit to Beverley Street and widening of Shaw Street to provide for two-way traffic would potentially further exacerbate pedestrian and vehicle safety issues as a result of increased traffic movements and conflict at this location.</p> <p>2. Council has received submissions indicating majority support for the former Shaw Street closure from residents and customers who wish to see this space turned into a safe and relaxing community use space. Customers are requesting safe pedestrian walkways, tranquil rest spaces and child friendly play areas. Many of these submissions seek safe pedestrian access around the shopping centre, particularly given the traffic incidents and near misses which have occurred at this entrance to the car park.</p>
4.	Alfredo Di Censo		<p>2. The area is too small to be considered a plaza. What a waste of ratepayers money. Look at other areas either Jackson Court or High Street where there are a lot of existing eateries. Turning those areas into plazas will have a more positive impact on additional space for footpath trading and events.</p> <p>Letters have previously been forwarded to all traders on the western side of Tunstall Road and</p>

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

OBJECTIONS		
No	Owner	Address
		DONCASTER EAST
		<p>businesses. It will make Tunstall Road, which is already congested, more difficult to service the future increase in traffic. Council are bullying the traders again after twice having the proposal defeated. Why? Who are you looking out for? Damaging the flow of traffic will discourage customers and cause financial loss to small business. Council have wasted too much money and time on this closure. The so called benefits are minimal to our centre and residents. The executive part of Council have not presented the full facts and have caused Councillors to have already made a decision. The department members should be sacked and lose their jobs because they are incompetent.</p> <p>Like Westfield, Tunstall Square is an important part of the Birmingham area. Why has Council increased the traffic lane to make access greater for Westfield and closing access at Tunstall Square. The lack of consultation with the Traders Association is disgusting and shows lack of trust of Council by traders and residents.</p>
		<p>the broader community, inviting submissions in respect of the statutory road closure process. A trial closure and community event was also undertaken as part of the consultation process. Council has received an overwhelming amount of submissions from residents and customers who wish to see this space turned into a safe and relaxing community use space. Customers are looking for safe pedestrian walkways, tranquil rest spaces and child friendly play areas. Many of these submissions seek safe pedestrian access around the shopping centre, particularly given the traffic incidents and near misses which have occurred at this entrance to the car park.</p> <p>As part of the statutory process, Council will consider all submissions prior to determining whether to proceed with the proposed closure. According to the traffic study undertaken, the busiest access point for traffic overall is the northern access point to the eastern car park where the left-in and right-out movements dominate. The proposed road closure will have minimal impact on access to the available parking facilities via Tunstall Road as there are only up to 66 vehicles per hour currently utilizing this access. The traffic study further confirms that Tunstall Road has adequate capacity for the existing traffic volumes and the minor increase in traffic displaced as a result of the proposed road closure.</p> <p>The submitters reference to access improvements at Westfield are unclear.</p>



Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>OBJECTIONS</b>			
No	Owner	Address	Comments
5.	Annemarie Savonia	WARRANTDYTE	<p>The battle between pleasing both the traders and community is a no win position for all parties, however, as a freehold owner in Tunstall Square for the last 50 years, it appears the view of the freehold owners and traders is not being heard. Having such an open space is not something the traders requested and I have grave concerns when we make decisions to support the community view at the expense of the financial owners of the centre. It's very easy for those that live within close proximity to the square to put forward proposals about increasing public space, as they do not consider what the primary asset and primary reason for the success of the square has been over the last 50 years. Our family ran a business in the centre for 27 years and the primary asset is the car park, for it is the major reason people come to Tunstall Square. It's easy to find a close car park in close proximity to the shops, enabling busy parents and visitors that do not live close by, the ability to enjoy Tunstall Square as much as those that live on its door step. The majority of the community that visit Tunstall Square, have to drive to get there. They are not interested in putting views forward or responding to community engagements sessions regarding Tunstall Square. However lets be assured that should accessibility to the car park become frustrating and harder to navigate, they will make the simple decision of finding somewhere else to shop. What makes matters worse is that in isolation and yes, for many times of the year, the centre could do with an additional ingress to the centre, however my concerns relate to the busy times of the year when this lane way is key to providing enough options for shoppers to access the central car park. Not only does it provide additional convenience for shoppers it also helps to distribute traffic congestion away from Tunstall Road – in</p>
			<p><b>Officer Comments</b></p> <p>Council has received an overwhelming amount of submissions from residents and customers who wish to see this space turned into a safe and relaxing community use space. Customers are looking for safe pedestrian walkways, tranquil rest spaces and child friendly play areas. Many of these submissions seek safe pedestrian access around the shopping centre, particularly given the high amount of traffic incidents and near misses which have occurred at this entrance to the car park.</p> <p>Improving access to the Centre for sustainable transport modes in the context of surrounding redevelopment is a sound strategy to best manage demand for limited car park resources and assist access, trade and the future sustainability of the Centre.</p> <p>All stakeholders have been advised of the opportunity to provide a submission and put forward their concerns or views on this issue.</p>

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>OBJECTIONS</b>			
No	Owner	Address	Comments
			<p>particular during the busy times of the year such as Christmas, Easter etc. As development in the immediate area increases, as a result of the number of apartment buildings going up, congestion will increase as well. Removing options that we have today may have long term detrimental impacts on the centre which have not been factored into the narrative of this discussion. We don't want the centre to incur large expenses, required to repurchase land in order to resolve traffic management issues in the future, as this has happened before within Manningham. As a result, I am <b>OPPOSED</b> to the road closure including the waste of time effort that continually is spent on this matter. Should you have any questions regarding the submission, please contact me on 0417 325 930</p>
6.	Chandra Bhute	DONCASTER EAST	<p>I am against the proposal for closing the access to Tunstall shopping centre from Beverly Street</p>
7.	Jennifer Moodie	DONCASTER EAST	<p>We object to the closure of Shaw Street and development of this area as a public plaza for the reasons outlined below:</p> <ol style="list-style-type: none"> <li>1. The development of a public plaza will only benefit a small number of traders and especially <u>one</u> coffee shop.</li> </ol>
			<p>According to the traffic study undertaken, the proposed road closure will have minimal impact on access to the available parking facilities via Tunstall Road as there are only up to 66 vehicles per hour currently utilizing this access. The traffic study further confirms that Tunstall Road has adequate capacity for the existing traffic volumes and the minor increase in traffic displaced as a result of the proposed road closure.</p> <p>There is no proposal to sell any land as part of the proposed road closure.</p>
			<p>No reasons given. Noted.</p>
			<ol style="list-style-type: none"> <li>1. Council has received an overwhelming amount of submissions from residents and customers who wish to see this space turned into a safe and relaxing community use space. Customers are looking for safe pedestrian walkways, tranquil rest spaces and child friendly play areas. Many of these submissions seek safe pedestrian access around the shopping centre, particularly given the high amount of traffic incidents and near misses which have occurred at this entrance to the car park.</li> <li>2. Feedback from the trial closure consultation demonstrates very strong customer support to</li> </ol>

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>OBJECTIONS</b>			
No	Owner	Address	Comments
			<p>it, failing to meet the objective of a meeting place.</p> <p>3. The climate/weather position of this plaza is such that it will be windy, suffer excessive shade and be dark and cold especially in winter.</p> <p>4. Traffic flow into the west side car park has not been addressed. Congestion in particular the southern entrance, which is narrow and insufficient to safely allow ingoing and outgoing traffic. It will only be exacerbated and has potential for accidents. The northerly entrance to this west side car park is congested by the close proximity to the intersection with Doncaster Road. There is a one way outward exit for this west side car park, encouraging safe traffic flow and it is logical to retain an inward only entrance at Shaw Street to balance car flow through the car park.</p>
			<p>Officer Comments</p> <p>continue with the closure and subsequent use of this space for leisure purposes.</p> <p>3. Usage will vary according to weather conditions and the amount of active versus passive activation of the space.</p> <p>4. The traffic impacts of closing Shaw Street have been assessed in a report prepared by independent traffic consultants. The findings from the report indicate that:</p> <ul style="list-style-type: none"> <li>a. The majority of traffic to/from the western car park is relatively evenly dispersed between each of the three Tunstall Road access points without significant queues or delays. Most traffic arrives / departs from / to the north.</li> <li>b. According to the traffic study undertaken, the proposed road closure will have minimal impact on access to the available parking facilities via Tunstall Road as there are only up to 66 vehicles per hour currently utilizing this access.</li> <li>c. The busiest access point for traffic overall is the northern access point to the eastern car park where the left-in and right-out movements dominate.</li> <li>d. The Beverley Street entrance could be re-allocated to provide more generous space for pedestrians in the precinct, with minimal resulting impacts to vehicles.</li> </ul> <p>5. Noted</p>
			<p>5. Interestingly, the sign indicating Shaw Street disappeared some time ago.</p>

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>OBJECTIONS</b>			
No	Owner	Address	Comments
8.	Tran Yap	DONVALE	<p>I do not support the closure of Shaw Street. The area is too small to be a pedestrian mall. On the week that the road was closed, hardly anyone noticed or made use of the 'green area' created by the closure. It will be a waste of money and to very little or of NO benefit at all to Tunstall Square. I would support that the money be allocated for the closure be used for other more useful amenities. Shaw Street, as it is, should remain.</p>
9.	Angela Stuart	DONCASTER EAST	<p>Doncaster/Templestowe used to be no flats etc. The corner of Doncaster and Manningham is a monster blight on the landscape shutting out any views etc. When do we say stop, all is good. Tunstall Square is great as is. Please don't close the road.</p>
10.	Judy Warren	DONVALE	<p>I would not like to see the closure of Shaw Street from Beverley Street. It will only add to the congestion on Tunstall Road with vehicles entering and exiting the shopping centre on either side and extending lines waiting for the green light at Doncaster Road. In addition, I feel we have an excellent choice of cafes etc. to meet friends and linger if desired. Otherwise, I cannot see people wanting to spend more time than necessary around the shops. You may meet a friend unexpectedly but you chat and move on.</p>
			<p><b>Officer Comments</b></p> <p>Council has received an overwhelming amount of submissions from residents and customers who wish to see this space turned into a safe and relaxing community use space. Customers are looking for safe pedestrian walkways, tranquil rest spaces and child friendly play areas. Many of these submissions seek safe pedestrian access around the shopping centre, particularly given the traffic incidents and near misses which have occurred at this entrance to the car park. The majority of submissions relating to the closure of this vehicular access point have been in support of the closure and support the transformation of this area into a community meeting and leisure space. Feedback from the trial closure demonstrates very strong customer support to continue with the closure and subsequent use as a leisure space.</p> <p>Noted, however, comments not relevant to the road closure.</p> <p>The majority of submissions relating to the closure of this vehicular access point have been in support of the closure and support the transformation of this area into a community meeting and leisure space.</p> <p>The proposed closure has no bearing on the performance of the Doncaster Road intersection. It will only result in redistribution of traffic to the</p>

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>OBJECTIONS</b>			
No	Owner	Address	Comments
11	Mary Clarke	DONCASTER EAST	My husband and I would like to vote in favour of keeping Tunstall Square as it is now. We think it would be a huge mistake to limit the exiting traffic to Tunstall Road. At the moment, the exiting traffic moves very smoothly onto Doncaster Road when the Tunstall Road lights allow.
12	Peggy Petty	DONCASTER EAST	I don't like the road being permanently closed, but have no objections to it being done for one-off events. I feel a gathering space providing the opportunity for people to meet needs seating and possible tables apart from being associated with any coffee shops or restaurants. Tables and chairs where people can sit together and have a coffee, food or simply use their own water bottle as can be done in food courts in indoor shopping centres is more inclusive. The large area at the end of the walkway (currently being used by the \$2 shop) is in a more suitable location for a gathering area and would not need to have any roads closed.
13	John Asaad – Tunstall Deli	DONCASTER EAST	Shaw Street has always been an easy and safe entrance to Tunstall Square. I have not experienced any incident to prove otherwise all these years. Shaw Street has always been a positive access to the centre and I think it should stay open. We should always make it easy for our customers to get to Tunstall Square and not make it difficult.
14	Lindsay Banks	DONVALE	I think car access is important and maybe clearer walkways would help.

Officer Comments
remaining three Tunstall Road access points to the western car park.
Noted. Shaw Street currently only allows inbound traffic entering the car park. The proposed closure has no bearing on the Doncaster Road / Tunstall Road intersection.
Feedback from the trial closure demonstrates very strong customer support to continue with the closure and subsequent use as a leisure space. The Shaw Street location offers an open space that is separated from the parking area, footpath trading and which is secluded from passing vehicular traffic, facilitating a safe childrens play area and meeting space. The provision of public plaza of comparable area to Shaw Street near the \$2 Shop would necessitate loss of parking spaces.
The Centre can still be accessed via the remaining three two-way access points along Tunstall Road. The traffic study indicates that the closure will result in minimal impacts on access to the Centre.
The proposed closure will facilitate enhanced pedestrian and cyclist access to the Centre. According to the traffic study undertaken, the proposed road closure will have minimal impact on access to the available parking facilities via Tunstall Road as there are only up to 66 vehicles per hour currently utilizing this access.

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>OBJECTIONS</b>			
No	Owner	Address	Comments
15	Mary Steryos	TEMPLESTOWE	I strongly oppose the closure of Shaw Street in any manner. The closure will impact the thoroughfare and greatly reduce clientele for the area.
16	Joan Mahng	DONCASTER EAST	I object on the following grounds: 1. Traffic flow: This area should have been made an additional exit to mirror the one into Doncaster Road next to the service station. 2. The owner of the two businesses detailed below, will be the unwitting beneficiary of the closure as there will be more foot traffic in the area. Ownership of the hole in the wall coffee shop and the Indian Restaurant are owned by a single person's legal entity which could be construed as a conflict of interest.
17	Claudia Raspa	EAST DONCASTER	I find it convenient to cut through rather than go out into busy Tunstall Road. Tunstall Road is fast becoming a nightmare of speeding cars.
18	Richard	DONCASTER EAST	The Mayor's statement in the Marningham Leader of the 7 <sup>th</sup> March, stating that the closure will support local businesses by attracting more visitors and encouraging shoppers to stay longer is utter rubbish and a feeble attempt to justify a totally
			<b>Officer Comments</b> According to the traffic study undertaken, the proposed road closure will have minimal impact on access to the available parking facilities via Tunstall Road as there are only up to 66 vehicles per hour currently utilizing this access. The traffic study further confirms that Tunstall Road has adequate capacity for the existing traffic volumes and the minor increase in traffic displaced as a result of the proposed road closure. 1. Provision of an exit at this location would potentially further exacerbate the pedestrian safety issues encountered at the junction between the road and car park. 2. Community members including all traders have had equal opportunity to make submissions in respect of the road closure proposal. No parties have unduly influenced any previous Council decision relating to this issue and Council will only determine this matter following consideration of all submissions. There is no evidence to suggest a speeding issue in Tunstall Road. Recent works have included the installation of a raised pedestrian crossing in Tunstall Road linking the eastern and western sides of the Centre, effectively limiting vehicle speeds. The results of the consultation associated with the proposed road closure indicate that • A total of 67 submissions were received. • Of the 67 submissions, 20 were opposed to

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>OBJECTIONS</b>			
No	Owner	Address	Comments
19	<b>LATE SUBMISSION</b> Cynthia Blundell	DONVALE	<p>unwanted proposal! The local businesses DON'T want it and it WILL certainly cause traffic problems, which will discourage people from staying longer or make them go elsewhere instead. It is often touted that residents want it closed but I have never seen the results of any survey on this matter. How many actually want this done, as opposed to those who do not?</p> <p>The traffic into Tunstall Square is already horrific. So the closure of Shaw Street will only make this worse. I personally use this entrance most times and I find that exiting into Tunstall Road very hazardous, so I often exit through the other end of Shaw Street. I live in Tunstall Road and have done for 55 years.</p> <p>Accidents:</p> <ul style="list-style-type: none"> <li>I have been backed into while waiting to get out of the Coles side 5 times whilst stationary.</li> <li>Also while stationary at the pedestrian crossing going towards Doncaster Road. That time the driver said 'I was looking at the dress shop and did not realise the traffic had stopped'.</li> <li>Whilst driving down Tunstall Road and just before the pedestrian crossing towards my home a car kept driving out of the exit from the Coles side straight into me.</li> </ul>
			<p><b>Officer Comments</b></p> <ul style="list-style-type: none"> <li>the proposed road closure.</li> <li>A further 43 supported the proposal.</li> <li>The remaining 4 submissions neither clearly supported nor opposed the proposal.</li> </ul> <p>According to the traffic study undertaken, the proposed road closure will have minimal impact on access to the available parking facilities via Tunstall Road as there are only up to 66 vehicles per hour currently utilizing this access. The traffic study further confirms that Tunstall Road has adequate capacity for the existing traffic volumes and the minor increase in traffic displaced as a result of the proposed road closure.</p> <p>The car park east of Tunstall Road is a privately owned car park. It is recommended that incidences occurring within this car park be brought to the attention of the agency responsible for the management of this car park for appropriate action to be taken to mitigate any identified problem.</p>

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>SUPPORT</b>				
No	Owner	Address	Comments	Officer Comments
1	Peter Tarnawski	DONCASTER EAST	I fully support the closure of what was previously Short Street to effect the creation of a public plaza area at Tunstall Square. It's our main shopping centre where we support the Fruit shop, Bakeries, Butchers, News Agent, Cafes & others as much as possible. My wife & I have patronized Tunstall Square for decades & have long thought the "Short" street entrance/driveway should be closed in favour of a public area. Vehicles using the Driveway have at times created problems for cars entering from Tunstall Road and have at times presented some danger to pedestrians. Planning & Clearly marking directions for carpark entries & exits could make the process more straightforward & with "Short" street closed provide a safe & pleasant environment for people to enjoy - presenting more of a feeling of Community so sadly lacking in this day & age. This is a great initiative - I've wanted something like this for years, and it's better late than never. I do hope the final landscaping will be similar to the temporary arrangement, which looks good.	
2	Leslie Holmes	DONCASTER EAST	Looks great. Close it!!	
3	Ralph Geerling	MONTMORENCY		
4	Steve Korkoneas	DONVALE	(1) Removal of the 4 trees at the entrance of the plaza (2) Unless High Tea & Cube cafe are paying for the outdoor areas, removal of both areas (3) Removal of any trees/bark etc on either side (4) Having as much space available b/w either side of "shaw street" to safely manage pedestrian traffic (5) Removal of the two car spots on the other side of the closure to allow room for vehicles turning left to exit with ease as it is sometimes difficult to turn left when existing. With the increase of traffic this will be a safety issue or making it "one way" as you enter from Tunstall road. (6) No smoking in the "plaza" (7) Fixed tables and chairs on the perimeter to allow individuals to sit and enjoy the "plaza" (8) Fixed roof structure to allow outdoor events in case of bad weather Overall a great idea in permanently shutting the entrance from Beverley Street. I have seen many vehicles entering the wrong way and trying to exit from Beverley street entry if you require any clarification, please contact me on 0408 803 883. Thank you & Kind Regards Steve Korkoneas	
5	Shelley Tarnawski	DONCASTER EAST	I am IN FAVOUR of the road closure. I attended the "event" day and saw its potential. Using this narrow lane for cars just creates a confined, hard area ending in another junction for congestion within the carpark. If the carpark had a thought out and clearly	



Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>SUPPORT</b>				
No	Owner	Address	Comments	Officer Comments
			marked traffic flow system, then the internal workings would operate much more efficiently. Having a "greened" focal point within the centre not only creates a relaxing space for shoppers, it has the potential to facilitate community involvement with a calendar of events and activities. The more regularly this occurs the more people look forward to it and anything that draws people into the centre has an obvious flow-on effect to businesses. I like the open area that has been created and feel that any green space (no matter how small) is becoming more important as our localities become more densely built-up. Keep the road closed.	
6	Geraldine D'orval	DONVALE	I think the closure of this rd and the grass walkway is a great improvement and makes a very relaxing area in the busy shopping precinct but more importantly it is a much safer area with cars not entering between the shops	
7	Elizabeth Atkinson	DONVALE	The closure of the road will provide a safer environment for all shopping at Tunstall Square. I have on many occasions witnessed cars failing to observe and slow down at the pedestrian crossing and using the road as a speedy short cut to avoid traffic in Tunstall Road. I saw the temporary closure last Wednesday 16th March and many people both young and elderly were making very positive comments about how lovely the area looked with the big trees in pots and the artificial turf. The more elderly people also made comments about how much safer they felt as they could slowly cross to the other side of the shopping centre without the fear of being hit by a car. A few ladies asked a local shop keeper if she had a petition they could sign to keep the road closed. Despite Wednesday being an extremely hot day, the area itself was quite cool because of the artificial turf. Several young children were happily ( and safely) playing on the grass whilst their parents had a coffee. I urge you to keep the road closed and retain the lovely landscaping.	
8	Peter Wilmott	DONCASTER EAST	I support the closure	
9	Annalisa Gunano	DONCASTER EAST	No problem closing that particular entrance, however, I don't think that by doing the closure it makes Tunstall Square a plaza. It will only benefit the coffee and the cake shop more. I would not go down to the end to have a coffee or cake because those two shops have seating already. It will not benefit the top end of shops, plus cars will still enter from the corner and it will still be the same old Tunstall Square.	

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>SUPPORT</b>				<b>Officer Comments</b>
<b>No</b>	<b>Owner</b>	<b>Address</b>	<b>Comments</b>	
10	Ron McBain	DONVALE	I agree with the proposed public plaza concept. However, for the space to operate to it's full potential, the area would have to be roofed to allow usage all year round regardless of the weather.	
11	John Mercer	DONCASTER EAST	The present bus stop on the west side of Tunstall Road is sometimes an impediment to traffic going to Doncaster Road and other entrances to Tunstall Square parking areas. By moving the bus stop to the present four parking places in Tunstall Road at No. 43 and joining the space between each two spaces, little else would be required to make a more suitable bus stop.	
12	Joan Lang	DONCASTER EAST	This road we use all the time, but it won't matter too much to go around to Tunstall Road to park. We just hope this will not take up too much car parking space, as it is often hard to find a space now at certain times.	
13	Peter and Suzi Lee	DONCASTER EAST	We support the closure of Shaw Street for several reasons: 1. Safety aspect – very dangerous for pedestrians crossing that roadway even with pedestrian crossing marking 2. Would make a wonderful retreat for people to relax, read and enjoy the pleasant surroundings. 3. Not necessary to have access as already access in Donvale Road.	
14	Michael Chiodo	DONCASTER EAST	I am in favour of plaza proposal in Shaw Street in Tunstall Square. I think that it will be much safer without cars coming through and it will be great for the shoppers at Tunstall Square to catch up with friends.	
15	Carole Chiodo	DONVALE	I am in favour of the closure. Currently it being open is dangerous. It will create a better environment to be open as a plaza for the community to enjoy.	
16	Rob Cook	DONVALE	Agree to the closure and green area. Opposing car park could also be turned into a larger green area / park facility to complete the area and provide a better outlook for businesses and the consumers.	
17	Corey Lim		Very supportive of this proposal. Maybe include more tables for coffee or just a walking mall with plants.	
18	No name	DONVALE No Address	Fantastic idea! This road is not necessary and this is a great opportunity to make a public plaza. This will be great for shoppers and make the centre even better.	
19	No name	No Address	We live in Tunstall Road with one child. We are very happy to see there is a public plaza.	

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>SUPPORT</b>				
No	Owner	Address	Comments	Officer Comments
			that will take over Shaw Street. The area has been providing some activities including painting that entertains my daughter a lot. Also, people who live within the area could have fun together. We prefer the new public plaza. Hope it will be there in the future. It's a great idea. Please never open it again.	
20	Damien Churton	DONVALE		
21	Bronte Howell	DONCASTER EAST	I think it is a safer option and allows shop owners and families to gather and it looks nice and clean.	
22	No name	No Address	Terrific layout and a good amenity for families. Nice to see green space. Safer for families and pedestrians. I was a regular driver on this little alley and now it has improved, I have no problem driving 200-300 metres more to access parking	
23	No name	No address	Excellent. Could you please ban smoking too?	
24	Serona Moroney	DONVALE	Having an outside area where you can sit is a great idea. Not having top worry about cars coming out of the street is also a benefit. I support closing the road and making a public area.	
25	No name	No Address	Good idea. Great area for added events. A lot safer too	
26	Kevin Edwards	DONCASTER EAST	I think that it is wonderful. It opens up the area with green and colours. It's also lovely to sit quietly on the bench provided. My vote is for the area to be closed to road traffic	
27	No name	No Address	Should have done this 10 years ago. More space for Havell and High Tea Inn, plus a great benefit for Cube. Two thumbs up!	
28	Riva Isobel	DONCASTER	Closing off Shaw Street would be a great idea. Creates an interest in the square	
29	Eugene Goy	DONVALE	Mock up road closure looks fine. Could do shade sails. Would consider more parking – 2 <sup>nd</sup> storey on the main car park with playground on top Or Beverly Street car park 2 <sup>nd</sup> storey car park with playground/field on top. Water fountain would be a good idea	
30	Robyn and Charles Irvine	DONCASTER EAST	We believe that the closure of Shaw Street will have no significant negative impact on the traders and visitors to Tunstall Square. If anything, opening up a communal space for public use can only improve pedestrian flow, community use etc.	
31	Anji Harrwell		Close it. The space could be so much better utilised as an activated space or outdoor	

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>SUPPORT</b>				
No	Owner	Address	Comments	Officer Comments
32	No name	MONTROSE No Address	dining. The road is narrow, dangerous, superfluous and ugly. Best idea ever. We have been coming here to Haveli, High Tea Inn and coffee shop for many years and this is a great enhancement	
33	Anthony and Hetty Zagors	MITCHAM	Good idea. Close Road. Unnecessary access. Can enter via Tunstall Square. Create Load Zones.	
34	Jacqueline Holmes	DONVALE	The closure of Shaw Street is much needed. It is unnecessary for this to be a road/access into Tunstall, with the road and entry point just around the corner. In fact, this road is quite dangerous with people/drivers entering it the wrong way and being located so close to a pedestrian crossing which is used a lot. Also, the idea of having somewhere pleasant to sit is welcomed. There is no other place to sit away from the car parks and congestion of traffic. But, no more shops are needed. Too many parking issues already	
35	Coco Churton	DONVALE	I think that we should close down Shaw Street. If we close it down it will be a safer environment for kids so they don't have to worry about cars. We can also have barbecues and things like that in an open area instead of in a tight closed up area. These are the reasons I think Shaw Street should be closed	
36	Kathleen A. Smith	DONCASTER EAST	Regarding the potential closure of Shaw Street off Beverley Street, Tunstall Square to traffic, I think this is a good idea and I support same. I also think a new public plaza and gathering place would also be an advantage for Tunstall Square	
37	Jennifer Camplin	DONCASTER EAST	The space is better utilised by the community and gives much nicer ambience to the area as there is no other outside area for children to play and the community to sit. My main reason for supporting the closure is safety many times I have seen cars coming out of the street into the car park unseen by other cars looking for a parking space. It has a high risk factor of a pedestrian or another car having a collision. I think the Council should remove such risks. Thank You	
38	Danielle Churton	DONVALE	Keep the road closed!!! I think the communal area is fantastic. Keep the area green. A little haven. It will make Tunstall unique, less of a concrete jungle. Road is a waste of space	
39	Mary Jane Cockerill	DONVALE	The closure of the Tunstall Square Road is a good idea. It is a safer environment for shoppers especially children. I wasn't sure at first but after the traffic stopped it was a pleasant surprise how calmer it was without having to worry about traffic, a nice area to	

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>SUPPORT</b>				
No	Owner	Address	Comments	Officer Comments
40	Joanne Wood	DONVALE	sit as well I think closing the road is a great idea. There are a number of restaurants and cafes that front the road. By closing the road and making it a mall it will increase the dynamics of the restaurant area with a greater amount of outdoor dining space in summer and ensuring the safety of children who's parents frequent the space.	
41	Lisa Trovato	DONVALE	Having recently enjoying the temporary community space with my three year old daughter, we were extremely disappointed to see it gone so quickly! What a wonderful use of space it was and a permanent space like this would just be amazing. As it stands now that side entry accessible by cars is an accident waiting to happen as pedestrians and cars fail to see/notice each other. There are plenty of other entry points to Tunstall so closure wouldn't deter shoppers. Please make an outdoor community space permanent as it is what Tunstall Square needs!	
42	Bruce Leister		I object to creating a public plaza – keeping parts fenced off, for exclusive use of shops. I agree to creating a public plaza and having tables and chairs for shop customers to sit at, but remove the fences, have the area flexible and open. Have it like 'food courts' at shopping centres – common tables and chairs spread around. The grass gives a nice feel, not sure how it will look after use – stuff spilt and dropped – will shade cloth be installed?	
43	Goolia Dastur		I would like to say how impressed I was with the improvement to the landscaping of the area at the Beverley Street end of Tunstall Square outside the Westpac Bank and surrounding shops. The artificial turf and advanced trees in tubs provided a pleasant and relaxed atmosphere to enjoy other than the asphalted and common area as was the case. This small but effective rearranging of this area provided a break from the main car parking area. The general rearrangement of the whole car parking area is to be commended and I hope the area I have referred to becomes a permanent fixture.	

Attachment 3

Trim No: D16/23968  
**Tunstall Square Road Closure**  
**Submissions closed on 13 April 2016**  
**Summary of Submissions and Officer Comments**

<b>UNDECIDED</b>				
No	Owner	Address	Comments	Officer Comments
1	Eric Jeffrey	DONCASTER EAST	Dear Marningham Council, our business, Donvale Optical, is in the Shaw Street precinct and consequently we have a direct interest in what happens to this area. We would like to make the following points regarding the potential closure of Shaw Street. 1. This closure should not go ahead if the majority of traders on the west side of Tunstall Road are against the closure. 2. have Council done an appropriate traffic study especially with regard to the increased traffic in Tunstall Road? If the decision is to proceed to closure: 1. we need to see detailed plans to ensure a high quality design and the highest standard of construction. 2. We require specific dates for commencement and completion of construction phase. 4. We need assurances of minimum disruption to our business during the construction phase. 4. The area once complete needs to be made a strictly no smoking zone.	
2	Justin Santiago	TEMPLESTOWE	Not quite sure what is meant by 'making a Submission' as there is no explanation about it. Can this please be explained clearly as to what the submission is about?	
3	Tunstall Square Traders Inc	DONCASTER	On behalf of Tunstall Traders Inc;	
4	Ursula Paariyann	DONVALE	No comments provided	

## 11.2 Deviation of Springvale Road at Mullum Mullum Reserve (1-41 Springvale Road, Donvale)

Responsible Director: Director Assets and Engineering

File No. T16/111

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

*This report recommends that Council resolve to give public notice under section 223 of the Local Government Act (LGA) 1989 of its intention to finalise at law, the deviation of Springvale Road (south of Reynolds Road) to the west of Mullum Mullum Reserve (1-41 Springvale Road, Donvale).*

*The deviation is pursuant to clause 2 of Schedule 10 of the LGA and Council obtained the consent of the Minister for Environment, Climate Change and Water (The Minister) required pursuant to clause 2(2) of the LGA on 19 April 2016.*

*The road deviation was physically undertaken in or around 1982, but, for unknown reasons at the time, was not concluded at law, and, as such, a redundant parcel of road reservation remains within the Council reserve.*

*This report recommends that Council give public notice, and in the event that no submissions are received, that Council deviate the road and publish notice of the deviation in the next available edition of the Victoria Government Gazette.*

*Simultaneously, it is convenient to rectify a long-standing but minor anomaly at the Western end of Parklands Close.*

## 1 BACKGROUND

### In relation to the deviation of Springvale Road

- 1.1 It is proposed that Council discontinue the road shown hatched on the attached plan, being part government road on Crown Allotment 2010 ('Old Road').
- 1.2 On or around 1981 The City of Doncaster & Templestowe (Council's predecessor) acquired Council's Land for the purposes of the deviation of Springvale Road.
- 1.3 Council's predecessor resolved at its meeting on 5 October 1982, that Council's Land (shown cross-hatched on the attached plan) should be declared a public highway and that 'the existing section of Springvale Road between Reynolds Road and the point where the deviation commenced should be able to be closed'.
- 1.4 Accordingly, the new alignment was declared to be a public highway by Gazette 106 dated 3 Nov 1982, page 3624. As a public highway it is now a road within the meaning of the Road Management Act 2004. It has also been

proclaimed as an Arterial Road for which VicRoads is the coordinating road authority.

- 1.5 Legal advice provided to Council officers advises that 'it is apparent that Council's intention in this report was to conduct a road deviation pursuant to section 524 and 526 of the Local Government Act 1958'.
- 1.6 Legal advice further clarifies that 'Section 526(2) and (3A) of the 1958 Act have the effect of vesting Crown land on which a deviated road was formerly located in the local Council', and 'this is analogous to the effect of section 207B(2A) and clause 2 of Schedule 10 of the LGA of 1989'.
- 1.7 Correspondence between Council's predecessor and the Chief Executive of Lands from the Conservation, Forests and Lands Department, dated 27 August 1984, requested that the Old Road be closed as a part of the deviation of Springvale Road.
- 1.8 Council's predecessor was advised, in correspondence dated 29 March 1985, that the Department of Conservation, Forests and Lands was prepared to proceed with the closure and deviation of the Old Road, subject to the further advice of the Melbourne and Metropolitan Board of Works.
- 1.9 The deviation of the Old Road onto Council's Land was never finalised at Law.
- 1.10 On 10 June 2015 Council's solicitors, under instruction, wrote to the Department of Environment, Land Water & Planning (DELWP) seeking ministerial consent, as required under clause 2(2) of Schedule 10 of the LGA, to finalise the deviation of Springvale Road.
- 1.11 Ministerial consent to the proposed deviation was provided on 19 April 2016.

#### **In relation to the Western end of Parklands Close**

- 1.12 The southern tip of Mullum Mullum Reserve, at the convergence of the old and new alignments of Springvale Road, is occupied by a roadway forming the western end of Parklands Close. This land, shown by dot filling on the attached plan, should be proclaimed as a road.
- 1.13 Council has power to proclaim this triangle as a road under section 11(1) of the Road Management Act 2004. Such a proclamation must be published in the Government Gazette, but does not require exhibition.

## **2 PROPOSAL/ISSUE**

#### **In relation to the deviation of Springvale Road**

- 2.1 Council now proposes to complete the deviation pursuant to section 207B(2A) and clause 2 of Schedule 10 of the LGA.
- 2.2 Clause 2(3) of Schedule 10 of the LGA states that 'before starting work to give effect to a deviation, the Council must publish a notice in the Government Gazette describing the deviation'. Legal advice provided to Council officers and to DELWP, dated 26 October 2015, advised that this requirement under the Local Government Act of 1989 did not exist when the road was physically deviated, thus 'giving effect' to the deviation, in or around 1982.
- 2.3 Further, a precedent exists in the deviation of a road undertaken by Moorabool Shire Council and published in Government Gazette no. G24, dated 18 June 2015.



- 2.4 Legal advice is that, giving consideration to the above, the requirements of clause 2(3) of Schedule 10 of the LGA are not relevant in this case. This position was considered and accepted by the Minister's delegate within DELWP in providing his consent to the proposed deviation, dated 19 April 2016.

**In relation to the Western end of Parklands Close**

- 2.5 Simultaneously, it is proposed that the triangle at the southern tip of Mullum Mullum reserve, which serves as the western end of Parklands Close, be gazetted as a road pursuant to section 11(1) of the Road Management Act 2004.

**3 PRIORITY/TIMING**

- 3.1 In accordance with clause 2 of Schedule 10 and section 223 of the LGA, it is proposed that Council publish a public notice advising of the proposed deviation.

**4 CUSTOMER/COMMUNITY IMPACT**

- 4.1 The proposal to finalise the deviation at law is likely to have no discernible impact on the community's continued use of Springvale Road, as the deviation was physically concluded in the early 1980s.
- 4.2 The effect of the deviation is to remove the encumbrances upon Council in its management of the Mullum Mullum Reserve for the benefit of the community.
- 4.3 The proposal to declare the triangle at the southern tip of Mullum Mullum reserve as a road is likely to have no discernible community impact, because it already functions as a road, being the western end of Parklands Close.

**5 FINANCIAL PLAN**

- 5.1 The Old Road bisecting the Mullum Mullum Reserve is currently Crown Land, with the status of a Government Road.
- 5.2 Under section 207B(2A) of the LGA the Old Road will revert to fee simple (freehold) land vested in Council after the deviation of the Old Road onto the Council's Land. Accordingly, Council is not required to purchase the Old Road from the State of Victoria.
- 5.3 The proclamation of the triangle at the southern tip of Mullum Mullum reserve as a road will have no financial impact.

**6 CONSULTATION**

- 6.1 Council is required to give the public notice in accordance with clause 2 of Schedule 10 of the Act, and to consider any submissions received in accordance with section 223 of the LGA.

**7 CONCLUSION**

**In relation to the deviation of Springvale Road:**

- 7.1 The finalisation of the deviation of Springvale Road to the west of Mullum Mullum Reserve (1-41 Springvale Road, Donvale) is necessary to provide Council the ability to freely manage the reserve for the benefit and betterment of the community.

- 7.2 In order for Council to finalise the deviation of Springvale Road at law, concluding a process commenced in the early 1980s, it is required to comply with the statutory provisions under the LGA.
- 7.3 It is recommended that Council authorises the commencement of the statutory procedures in accordance with section 223 and clause 2 of Schedule 10 and 223 of the LGA, and subject to the completion of those procedures, resolve to deviate the Old Road onto Council's Land pursuant to clause 2 of Schedule 10 of the LGA.

**In relation to the western end of Parklands Close:**

- 7.4 The proclamation of the triangle at the southern tip of Mullum Mullum reserve as a road will cause the legal status of this land to correspond to its long-standing physical configuration.
- 7.5 It is recommended that the Chief Executive Officer be authorised to publish the necessary notice in the Government Gazette

**OFFICER'S RECOMMENDATION**

**That in relation to Springvale Road:**

1. Council resolves to give public notice, pursuant to clause 2 of Schedule 10 and section 223 of the *Local Government Act 1989*, of its intention to discontinue the land shown single hatched on reference drawing 7879-GAZ(V2), being part Government Road on Crown Allotment 2010 ('Old Road'), and concurrently deviate the Old Road onto the land shown cross hatched on reference drawing 7879-GAZ(V2), being part of the land contained in certificate of title volume 9471 folio 746, and the whole of the land contained in certificate of title volume 9471 folio 745.
2. The public notice stipulate that persons may make a submission on the proposed discontinuance and deviation in accordance with section 223 of the *Local Government Act*, and that written submissions must be received within 28 days of the date of the publication.
3. Council further resolves that, if submissions are received under section 223 of the *Local Government Act*, Council establish a Special Committee of Council comprising the Mayor and the Mullum Mullum Ward Councillors, to hear and consider any submissions received in accordance with section 223 of the *Local Government Act 1989*.
4. Council further resolves that, should no submissions be received:
  - 4.1. Having followed all the required statutory procedures pursuant to clause 2 of Schedule 10 and section 223 of the *Local Government Act 1989*, it deviates the Old Road and by publishing a notice of the deviation in the next available edition of the *Victoria Government Gazette*; and
  - 4.2. Delegates to Council's Chief Executive Officer the power to sign any transfer of land or other document required to obtain title to the Old Road in Council's name.

**That in relation to the Western end of Parklands Close:**

- 5 Council proclaims the triangle at the southern end of Mullum Mullum Reserve to be a road pursuant to section 11(1) of the Road Management Act 2004, and authorises the Chief Executive Officer to publish the necessary notice in the Government Gazette.**

**MOVED: DOWNIE  
SECONDED: KLEINERT**

**That the Recommendation be adopted.**

**CARRIED**

“Refer Attachment”

\* \* \* \* \*



## 11.3 Roads Benchmarking Survey - January 2016

Responsible Director: Director Assets and Engineering

File No. T16/17

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

*This report considers the outcomes of the annual roads maintenance and infrastructure benchmarking survey of Manningham against five (5) other municipalities, carried out during January 2016. A detailed and comprehensive road benchmarking survey report is attached.*

*The roads infrastructure benchmarking survey is solely an initiative of Council, which has been conducted annually since 2000 and provides valuable trend data, and is a key exercise in assisting with the prioritising of Council's resources.*

*The results indicate that Manningham continues to present its roads at a high standard in comparison to other councils and is generally performing well in the areas of pot hole and drainage pit maintenance, and in the overall cleanliness of local roads.*

*Overall, Manningham rated top 3 in 6 of the key road infrastructure performance categories. However, although the survey rated Manningham's performance as equal best in line marking and sign maintenance, and second best in the presentation of garden beds, performance was found to be somewhat inconsistent in these areas.*

*It is recommended that the report and benchmarking survey outcomes be noted, including the resultant outcomes and improvement opportunities to raise the overall level of performance in relation to the standard of maintenance of roads throughout Manningham.*

### 1 BACKGROUND

- 1.1 An external consultant, Gilbert Consulting, and Council's Asset Co-ordinator carried out a roads maintenance benchmarking survey of six (6) municipalities. The councils surveyed were the Cities of Manningham, Whitehorse, Monash, Maroondah, Knox and Banyule.
- 1.2 The roads benchmarking survey was carried out on 19<sup>th</sup> and 20<sup>th</sup> of January 2016.
- 1.3 Roads infrastructure benchmarking surveys have been conducted annually since 1999, and the results of the key elements inspected have been compared over this period. In addition, the results for Manningham over the past surveys have been compiled, to assist in identifying any key trends or

issues that may require further analysis, and to assist with resource prioritisation. The surveys are an initiative of Manningham.

- 1.4 The main objective of the benchmarking survey exercise is to determine the overall performance, from a community perspective, of each council surveyed in terms of road infrastructure maintenance, and to establish an appropriate visual benchmark on which to compare the overall performance and urban amenity with that of Manningham.
- 1.5 The road infrastructure benchmarking survey is assessed by a “windscreen” survey of approximately 30km of local roads in each municipality, and includes the following key elements: road pavement, signs, line marking, side entry pits, garden beds and overall tidiness.

## 2 PROPOSAL/ISSUE

- 2.1 It is proposed that the report and roads benchmarking survey outcomes be noted, and that the proposed improvement opportunities be endorsed for action, to enhance the overall level of performance in relation to the presentation of roads throughout Manningham.

## 3 ISSUE

- 3.1 A summary of the survey results for Manningham, and the comparisons of performance against the other councils surveyed, is outlined in the following table:

### Road Infrastructure

(The following table summarises the number of incidents/ratings recorded for the various performance categories within the road infrastructure survey. The lower the number of recorded incidents, the better the performance, and conversely, the higher the rating, the higher the standard of maintenance/presentation at the time of the survey).

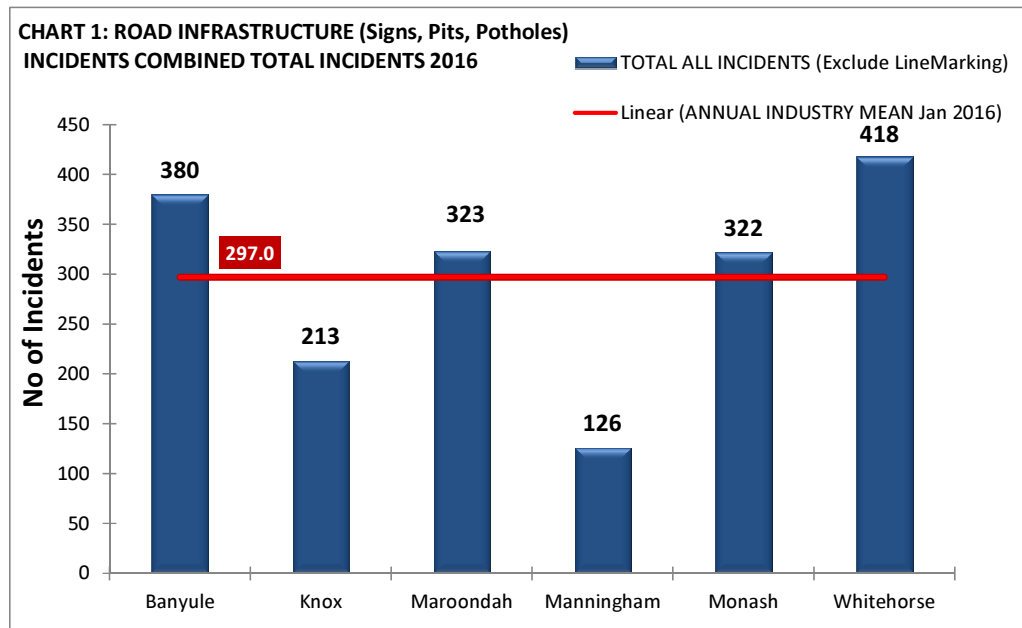
No. of Incidents / Standard Rating				
Road Infrastructure (30 km) Performance Categories	Manningham Results	Average Results (All Councils)	Best Results (All Councils)	Worst Results (All Councils)
No. of Signs Incidents	99	248	99	367
No. of Side Entry Pits Incidents	18	36	18	57
No. of Potholes Incidents	9	14	7	28
Line Marking Rating	3.5	3.3	3.5	3.1
Garden Beds Rating	3.6	3.4	3.7	3.1
Overall Tidiness Rating (local roads)	3.8	3.8	3.9	3.6

Note: Ratings are scored out of a maximum of 5 points.

- 3.2 The results indicate that Manningham continues to present its roads at a high standard in comparison to other councils and is generally at or above the benchmark mean in a number of performance categories, with a relatively low number of road infrastructure incidents recorded. Overall, Manningham rated top 3 in 6 of the key road infrastructure performance categories.
- 3.3 Whereas the results generally reveal that Manningham is performing well in the areas of pot hole and drainage pit maintenance, and in the overall cleanliness of local roads, the long term trends indicate that Manningham's performance was found to be somewhat inconsistent in the areas of line marking, sign maintenance and garden beds, despite rating top and second top in these.
- 3.4 Whilst there has been a slight decrease in performance compared to the 2015 line marking results, Manningham's 2016 results are now equal with the five year industry benchmark mean for this group of councils. Although there has been an improvement from earlier surveys, some inconsistencies and variances in performance were observed, particularly the need to maintain the quality of line marking at acceptable visibility standards. Refer to the table at paragraph 3.9 for management's response.
- 3.5 The 2016 survey has recorded a slight decline in the performance of garden beds compared to last year's results, with evidence in the field of less consistent performance between the garden beds inspected. Whilst Manningham continues to be above the five year industry mean, it is proposed that a review of garden bed standards and practices be undertaken to address the downward trend in performance and improve the overall consistency in the presentation of garden beds. Refer to table at paragraph 3.9.
- 3.6 In terms of signs, the 2016 survey recorded a decrease in the number of sign incidents compared to the 2015 results, but above the Manningham five year mean. The number of bent/broken/twisted signs and leaning/bent poles was the major contributor to this increase. Whilst Manningham continues to be lower than the average five year industry mean indicating a higher focus and performance in sign maintenance compared to other councils, it is proposed that a review of sign maintenance standards and practices be undertaken. Refer to table at paragraph 3.9.
- 3.7 The following is a summary of Manningham's performance in comparison to the other councils surveyed, including trends over past surveys:
- **Signs** - Lowest number of incidents recorded, with a downward trend in performance over past three surveys, but with a slight improvement in 2016 compared to 2015.
  - **Garden Beds** - Continuation of improvement in performance over previous surveys, although slight decline in the overall presentation of garden beds in 2016 compared to 2015.
  - **Side Entry Pits** - Decrease in incidents and lowest number of incidents compared to other councils.
  - **Line Marking** - Achieved an equal highest rating, which is an improvement on previous surveys, however, inconsistencies were found in the standard of line marking with a continued downward trend in performance.

- **Potholes** - Overall number of potholes continues to be low, with a slight increase in the number of incidences recorded in the 2016 survey.
- **General Tidiness** - Continuation of improvement in performance over last three surveys, with 2016 rating being the highest of last five surveys.

3.8 Chart 1 below shows that Manningham had the lowest number of road infrastructure incidents recorded and well below the Annual Industry Mean. In 2015, Manningham was also the lowest.



3.9 Two improvement opportunities/recommendations have been identified, as a result of the roads benchmarking survey, to meet the needs and reasonable expectations of the community and improve the overall standard of maintenance of roads throughout Manningham. The following is a summary of the recommended action plan and management response:

Recommended Action	Management Response
1. The drop of performance in signs be examined and the inspection and intervention maintenance standards and practices be reviewed.	Agreed.
2. The drop of performance in garden beds be examined and the maintenance standards and practices be reviewed to obtain better consistency.	Agreed.



<p>3. A review of line marking be undertaken to address the inconsistency in service delivery, particularly the need to keep the quality of the line marking at acceptable visibility standards.</p>	<p>Following a review of line marking programs and resourcing in 2012, additional funds were allocated in the operating budget to bolster resources required to improve the line marking on roads throughout the municipality.</p> <p>Council's main roads (link and collector) were initially targeted during this time, as a part of an ongoing program.</p> <p>It will take approximately 5 years to complete the entire municipality based on current funding allocations. At the time the road benchmarking audit was undertaken in January, the impact of these works had not been fully realised, and the results would vary depending on whether the audit was done in an area that had been targeted under the current line marking program.</p> <p>It should be noted, however, that Manningham's 2016 results are now equal to five year Industry Mean and there has been a vast improvement in performance compared to previous surveys.</p>
--	--

3.10 The appearance of Council's roads is well regarded, and historically, Manningham's performance over time has rated well in comparison to other councils.

#### **4 BEST VALUE**

4.1 The survey provides a comprehensive urban amenity benchmark to assist in comparing Manningham's overall performance and amenity, in regard to road infrastructure maintenance, and enables comparisons with other councils surveyed.

#### **5 FINANCIAL RESOURCE IMPLICATIONS**

5.1 The road infrastructure benchmarking survey is provided for within the Assets and Engineering Directorate budget.

#### **6 CONSULTATION**

6.1 The relevant service unit managers have been consulted in regard to the outcomes and improvement opportunities that have been identified, as a result of the benchmarking survey.

#### **7 CONCLUSION**

7.1 The annual road benchmarking survey, involving the Cities of Manningham, Whitehorse, Monash, Knox, Maroondah and Banyule, continues to provide Council with a practical means of measuring its performance against similar

councils. It also enables trends to be identified and effective process improvements to be implemented, to improve the consistency in performance.

- 7.2 The January 2016 survey results have shown that reasonable maintenance standards are being achieved in most areas, although some challenging trends are emerging, especially in relation to line marking standards and sign incidents.
- 7.3 The survey has identified some improvement opportunities in regard to the overall level of performance and standard of maintenance of roads throughout Manningham, and the relevant Service Unit Managers have responded with corrective actions.

#### **OFFICER'S RECOMMENDATION**

**That Council:**

- (A) Receive and note the report.**
- (B) Note the improvement opportunities identified in the report, to improve the overall level of performance in relation to the standard of maintenance of roads throughout Manningham.**

**MOVED: KLEINERT**  
**SECONDED: GRIVOKOSTOPOULOS**

**That the Recommendation be adopted.**

**CARRIED**

"Refer Attachments"

Manningham Road Benchmarking Report - January 2016 (D16/22769)

\* \* \* \* \*



# **Manningham Road Benchmarking Report**

**January 2016**

Prepared by  
Gilbert Consulting  
with Manningham City Council

*Report Version:*  
150316 V1

Manningham Road Benchmarking Report 2016 150316 V1.docx

---

## CONTENTS

<b>CONTENTS</b> .....	<b>3</b>
<b>1. OBJECTIVE</b> .....	<b>4</b>
<b>2. MAINTENANCE ITEMS SURVEYED</b> .....	<b>4</b>
<b>3. COUNCILS SURVEYED</b> .....	<b>4</b>
<b>4. METHODOLOGY</b> .....	<b>4</b>
4.1 ROAD INFRASTRUCTURE .....	4
<b>5. ASSESSMENT CRITERIA</b> .....	<b>5</b>
5.1 INCIDENT RECORDING .....	5
5.2 VISUAL RATING ASSESSMENTS .....	6
<b>6. LIMITATIONS OF THE SURVEY</b> .....	<b>8</b>
<b>7. SURVEY RESULTS</b> .....	<b>8</b>
7.1 SUMMARY TABLE INCIDENT & RATING ASSESSMENTS JANUARY 2016 .....	9
7.2 TOTAL INCIDENTS OVERALL - JANUARY 2016 .....	10
7.3 SPECIFIC ROAD INFRASTRUCTURE CATEGORY RESULTS .....	10
<b>8. SUMMARY INFRASTRUCTURE ITEM ASSESSMENTS DECEMBER 2011 TO JANUARY 2016</b> .....	<b>14</b>
8.1 TOTAL INCIDENTS – SIGNS, PITS AND POTHOLES .....	14
8.2 GARDEN BEDS .....	15
8.3 DRAINAGE – SIDE ENTRY PIT INCIDENTS .....	15
8.4 POTHOLES .....	16
8.5 LOCAL ROAD CLEANLINESS .....	16
8.6 LINE MARKING .....	17
<b>9. MANNINGHAM ASSESSMENT TRENDS DECEMBER 2011 – JANUARY 2016</b> .....	<b>18</b>
9.1 TOTAL INCIDENCES – SIGNS, PITS AND POTHOLES .....	18
9.2 LINE MARKING .....	18
9.3 DRAINAGE PITS .....	19
9.4 GARDEN BEDS .....	20
9.5 ROAD TIDINESS/CLEANLINESS .....	21
9.6 SIGNS .....	21
<b>10. CONCLUSION</b> .....	<b>22</b>
10.1 SUMMARY COMPARISON WITH FIVE OTHER COUNCILS .....	22
10.2 SUMMARY PERFORMANCE OVER A PERIOD OF TIME .....	23
10.3 KEY RECOMMENDATIONS .....	25

## 1. OBJECTIVE

To determine the overall performance, from a "community" perspective, of six (6) councils in terms of road infrastructure maintenance and to compare that performance with the performance of Manningham based on a visual "driver" perspective, "to view the streetscape (road and nature strip) as would a member of the community driving along that road".

The two key outcomes sought are to:

Compare Manningham's performance with previous years and to ascertain the level of consistency or change in performance from year to year; and

Compare Manningham's performance against five (5) other similar Victorian (metropolitan) councils to ascertain the relativity between their respective performances.

## 2. MAINTENANCE ITEMS SURVEYED

The Road infrastructure survey included:

- Road pavement - potholes;
- Signs;
- Line marking;
- Side entry pits;
- Garden bed maintenance (within road reserves); and
- Overall tidiness (street cleaning, extent of litter and overall appearance).

## 3. COUNCILS SURVEYED

The six councils surveyed were the cities of Manningham, Whitehorse, Monash, Knox, Maroondah and Banyule.

## 4. METHODOLOGY

### 4.1 Road Infrastructure

The Road infrastructure was assessed by a "windscreen survey" undertaken by two persons in the one vehicle. The key components of the road infrastructure survey of each council involved:

- Travelling along thirty (30) kilometres of road under the care and management of the Council in each municipality (this information was obtained from each Council's Road Management Plan to ensure all are local roads and provide greater consistency between Council's surveyed);
- Random selection of a wide variety of roads including residential, commercial/ industrial, collector and local roads within each municipality;
- Recording the number of "incidents" and assessment of line marking, garden bed maintenance and overall tidiness against specified Assessment Criteria outlined in Section 5;

- The inclusion of the infrastructure elements of intersecting road in the vicinity of the intersection that are clearly visible from the road being assessed; and
- Assessments carried out by persons experienced in infrastructure maintenance and management and independent of the Manningham maintenance operations.

As recommended in the previous report, only those roads as designated within each Council's Road Register were surveyed. This ensured that all roads selected are maintained by each council and eliminate any potential inconsistencies for maintenance responsibilities between councils surveyed.

## 5. ASSESSMENT CRITERIA

The two methods of assessing performance were by:


- Recording the number of "incidents" in each road infrastructure category; and
- Visually assessing and recording performance against agreed assessment criteria for the following elements:
  - Line marking;
  - Landscape (garden bed); and
  - Overall tidiness.

### 5.1 Incident Recording

The criteria used within each municipality for assessing the comparative performance of the road infrastructure for incidents, is set out in the following table:

Performance Categories	Performance Criteria
<b>SIGNS</b>	
Leaning Poles	Poles with leans of approximately 3 degrees (> 50mm lean over length of 2000mm) or more from the vertical.
Twisted/broken or bent signs	Twisted signs included signs facing wrong way on pole and/or the sign itself twisted. Broken signs include those broken and part of the sign remains or sign has been removed from its position and lying on the ground/pavement. Bent signs included obvious deformation of the sign even if still legible.
Missing Signs	A pole without a sign or a bracket fixed to a pole but no sign.
Graffiti on sign	A sign defaced by stickers, writing, spray paint etc
Faded/Dirty sign	A sign difficult to read due to faded lettering/symbol and/or build-up of dirt, rust etc.

Page 5 of 25

Performance Categories	Performance Criteria	
<b>SIDE ENTRY PITS</b>		
Blocked Inlet	Inlet pit throat blocked by more than 50% of opening.	
Broken lintel	Lintel structure broken/damaged/deformation	
<b>PAVEMENT - POTHOLES</b>		
Greater than 300mm diameter	Pothole in road surface greater than 300mm in diameter and greater than 25mm deep.	
Less than 300mm diameter	Pothole in road surface less than 300mm in diameter and greater than 25mm deep.	




**Note:** Bus Stop signs and poles are excluded from the survey, as the maintenance responsibility between municipalities for these items is not consistent.



### 5.2 Visual Rating Assessments

For the assessment of Line marking, landscape elements and the overall tidiness, a score rating system of 5 (best) to 1 (worst) was used. The following tables identify the assessment criteria and the corresponding rating for that element.

<b>GENERAL TIDINESS (Overall street cleanliness &amp; litter rating):</b>		
5. Excellent	No Litter and overall street very neat and tidy	
4. Very Good	Little (not unsightly)	
3. Good	Scattered amounts of unsightly litter	
2. Fair	Significant amounts of unsightly litter	
1. Poor	Excessive amounts of unsightly litter	



GARDEN BEDS (rating):		
5. Excellent	Healthy plants, dense cover and no weeds and /or litter	
4. Very Good	Healthy plants with some weed growth and /or litter	
3. Good	Plants with some distress and/or some weed growth and /or litter	
2. Fair	Plants with significant distress and/or weed growth and /or litter	
1. Poor	Plants with excessive distress and/or weed growth and /or litter	

LINE MARKING (Extent of fading/broken)		
5. Excellent	Highly visible with continuous line marking with no breaks.	
4. Very Good	Clearly visible with continuous line marking with no breaks.	
3. Good	Visible with little or no breaks due to paint loss/cracked, repair works to road surface	
2. Fair	Some line marking areas with poor visibility in daylight and/or some breaks due to paint loss/cracked, repair works to road surface	
1. Poor	Either very difficult to see in daylight and requires painting or non-existent and/or with significant number of breaks due to paint loss/cracked, repair works to road surface	

## 6. LIMITATIONS OF THE SURVEY

The following lists the limitations of the survey and the results presented in this report:

- The evaluation of the Road Infrastructure was from a "windscreen" survey;
- The performance criteria (standards of each Council) may not match the individual council's required performance/standard;
- Survey undertaken over two consecutive day period and weather conditions may vary;
- Survey does not assess or make comment on the adequacy of the infrastructure; and
- The number of incidents or ratings recorded for each category is a score for that sample and may not reflect as a percentage the total infrastructure in that category.

## 7. SURVEY RESULTS

The surveys were undertaken during 19<sup>th</sup> and 20<sup>th</sup> January 2015 with fine weather conditions consistent over the two days except for some light rain early on the 20<sup>th</sup>.

The results have been divided into three sections as follows:

- Section 7.1 – Summary Table Incident & Rating Assessments January 2015;
- Section 7.2 – Total Incidents Overall – up to and including January 2016; and
- Section 7.3 – Specific Road Infrastructure Category Results - January 2016.

To assist in making comparisons with all previous year assessments, an overall **Industry Mean** has been calculated and provided on each of the Charts utilising data from the past five (5) survey years (Dec 2011 to January 2016).

In Section 7, an Annual Mean for January 2016 results has also been included to assist in determining relevant performance for that year.

### 7.1 Summary Table Incident & Rating Assessments January 2016

The following table summarises the various incidents recorded within the survey of each of the municipalities. It identifies the various key elements of signs, garden beds, side entry pits, line marking, potholes and overall general tidiness results with their sub-elements where relevant.

Municipality	Length Surveyed km	SIGNS (No)				GARDEN BEDS (Rating Later/ weeks plants)	SIDE ENTRY PITS			LINE MARKING (Rating Faded/ Broken Lines)	POTHOLES (No)		TOTAL ALL INCIDENTS (Exclude Line/markings)	TOTAL KM			Ave GENERAL TIDINESS/km Condition	
		Poles Broken/ Twisted/ Sign	Missing Sign	Graffiti/ on Sign	Faded/ Dirty Sign		TOTAL SIGNS	Blocked Inlet >50%	Broken Limited		TOTAL SIDE ENTRY PITS	>300mm		<300mm	Urban Roads Local	Urban Roads Council		Urban Roads Local
Banyule	30.0	180	4	79	21	303	3.1	46	11	57	3.1	2	18	20	380	30.0	0.0	3.8
Knox	30.0	114	0	28	25	167	3.7	33	5	38	3.5	1	7	8	213	30.0	0.0	3.8
Maroondah	30.1	172	1	56	35	264	3.3	40	6	48	3.4	0	11	11	323	30.1	0.0	3.7
Manningham	30.1	92	0	7	0	99	3.6	14	4	18	3.5	0	9	9	126	30.1	0.0	3.8
Monash	30.0	213	3	26	43	285	3.3	25	5	30	3.3	1	6	7	322	30.0	0.0	3.9
Whitehorse	29.9	278	0	46	43	367	3.3	12	11	23	3.4	0	28	28	418	29.9	0.0	3.8

Table 1: Summary Table Incident & Rating Assessments January 2016

For those areas where ratings are used, e.g. Garden Beds, Line marking and General Tidiness, the higher the rating, the higher (better) the performance.

In the other areas, the lower the number of recorded incidents, the higher (better) the performance.

### 7.2 Total Incidents Overall - January 2016

In terms of the total number of incidents at each municipality identified during the survey (excluding ratings for line marking, garden beds and overall tidiness of the road infrastructure inspected), the following charts identify the various assessments for each municipality recorded during the survey period. These incidents include Signs (bent/twisted, missing, graffiti and faded), Pits (blocked and broken) and Potholes (small & large).

The lower the number of recorded incidents indicates better performance overall within each category assessed.

Chart 1 shows that Manningham had the lowest number of road infrastructure incidents recorded, closely followed by Knox and then Monash and Maroondah.

Manningham and Knox are all well below the Industry Mean. In 2015 Manningham was also the lowest. Whitehorse recorded the most incidents, which was a large increase from 2015. Both Banyule and Whitehorse are well above the Industry Mean. These have significantly higher number of recorded incidents, which would be clearly visible to the local community and road users within these municipalities.

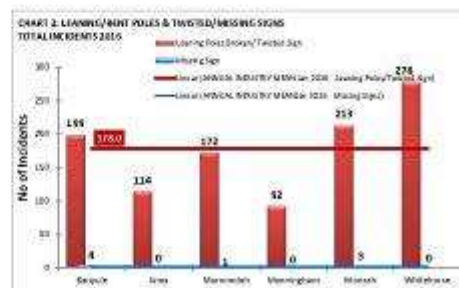


### 7.3 Specific Road Infrastructure Category Results

The Table in Section 7.1 shows the comparative performances of various road infrastructure based on the number of incidents or ratings in each category. The following summarises the various assessments within each specific category for each municipality in alphabetical order.

#### 7.3.1 Total Sign Incidents (leaning poles, bent/twisted, missing signs)

Based on these results, Chart 2 indicates that Manningham had the lowest number



of recorded sign incidents followed closely by Knox and then Maroondah, all three below the industry Mean. Banyule, Monash and Whitehorse are all above the Industry Mean. Manningham recorded equal lowest with Knox in 2015. As in previous surveys missing signs were very rare.

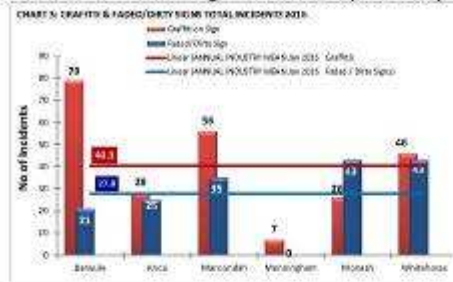
Whitehorse recorded a significantly high number of sign incidents. From a driver and pedestrian aspect, signs are very evident and based on the results above the Whitehorse community would see significantly more incidents within their community. In addition the community perception would be of differing maintenance values (Level of Service) between the six councils.

### 7.3.2 Total Sign Incidents continued - (Graffiti and Faded/Dirty Signs)

A further analysis and breakdown of the total number of sign incidents, specifically reviewing the number of graffiti and faded signs incidences recorded as indicated in Chart 3.

In terms of graffiti, which is directly impacted upon by the level of community activity, Manningham had the lowest number recorded with Banyule registering the highest incidences of graffiti. Maroondah and Whitehorse also had relatively high numbers of graffiti incidences and were above the Industry Mean.

In terms of faded/dirty signs, Manningham recorded zero (0) incidents, while Monash and Whitehorse had equally significantly higher incidents of dirty/faded signs. Faded/dirty signs are an activity not generally influenced by the community, such as occurs with graffiti. The number of incidents recorded generally indicates the level of focus (maintenance) placed on this issue by those councils.



### 7.3.3 Garden Beds (weeds/litter and plant healthiness)

These results are based on the visual assessment undertaken of garden beds within road reserves surveyed (generally centre medians, centre of roundabouts or at intersections), it should be noted that *“the lower the rating, the poorer the condition of the garden beds”*.



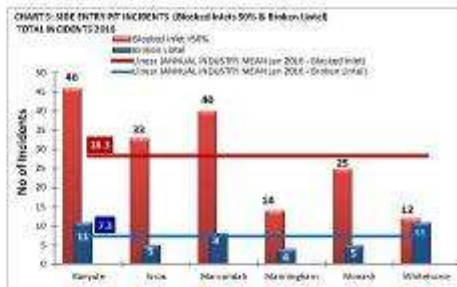
Chart 4 indicates that the garden beds within road reserves for Knox and Manningham were rated the best with the remaining four councils rating below the Industry Mean.

However, overall a lower standard was observed with the Industry Mean dropping to a lower level than in 2015. This may have been due in part to the long spell of dry weather leading into and over the summer period.

The garden beds assessed during the inspections indicate Banyule had the lowest rating garden beds and were generally in poorer condition with more distressed plants and higher evidence of weeds.

### 7.3.4 Pits (Blocked Inlets > 50% & Damaged Lintels)

As indicated in **Chart 5**, Whitehorse followed closely by Manningham had the least number of recorded blocked pits.



Overall the total number of blocked pit incidences has continued to decrease from the peak recorded in 2013 of a total 381 incidences, to 208 in 2015 and 170 this 2016 audit.

In terms of broken lintels/damaged pits Manningham, Knox and Monash had limited numbers indicating high focus on this area. Banyule and Whitehorse

had higher numbers of incidences and along with Maroondah were above the Annual Industry Mean. The total number of broken pits recorded this survey maintained a downward trend recording less than 2015 indicating an increased focus on this issue.

The decrease in the number of blocked pits within Manningham has steadied at a lower level since the 2013 survey of 54 incidences, but is still higher than Dec 2011 of 4 incidences and an increase of one (1) higher than 2015.

The 2011 results were considered at that time due to the positive impact of Council's asset renewal/maintenance programs increased the sizing of pit openings, and although the 2016 score is one higher than 2015, it indicates the program may be achieving the desired result. It however should be noted that weather conditions can have a significant impact on blocked pits.

### 7.3.5 Line Marking

**Chart 6** (note the lower the rating the poorer condition) highlights that Banyule recorded the lowest rating and was below the Industry Mean. Knox and Manningham had the highest ratings.

Even though the linemarking is in good condition, with Whitehorse the only council to improve on the 2015 results, a lower Annual Industry Mean for 2016 resulted. This indicates that overall linemarking maintenance has declined in the other councils, including Manningham, since 2015. The rating system records all roads inspected that have line marking and assesses the overall condition of that linemarking per road inspected. The small difference in average condition between the highest and lowest council (except for Banyule) indicates that the condition of the line marking remains reasonably consistent, although this year more faded lines were noticeable and this would be readily observed by the community both during the day and night.

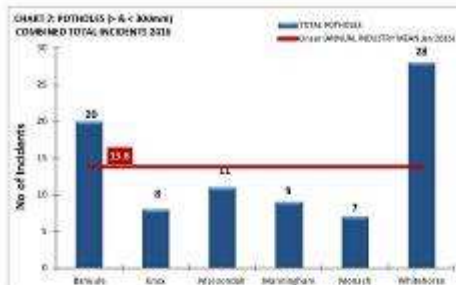
The line marking in Banyule remained lower than all other Council's. It was noted that in many instances the linemarking was borderline between a good or lesser result as it was beginning to fade and at the point where it will need attention to maintain a good score.



### 7.3.6 Potholes (>&< 300 mm diameter &> 25mm deep)

There were a significant number of potholes identified in Banyule and Whitehorse, as evidenced in Chart 7. Although these are significantly higher than the other Councils surveyed, Banyule was the only council to achieve a decrease since 2015. All other councils, including Manningham, had higher numbers of incidences except for Monash which was unchanged. Overall there has been an increase in the total number of incidences with a 62 in 2015 compared to 2016 with a total of 83 incidences.

Monash had the least potholes with 7 closely followed by Knox, 8 potholes then Manningham, 9 potholes. Although the total number of potholes is low, the overall increase in the number of potholes since 2015 is concerning and reflective of the need for a higher maintenance/renewal focus in all municipalities.



### 7.3.7 Overall General Tidiness



The cleanliness within the overall road network (local and collector roads) predominantly focusses on the cleanliness of the kerb and channel and the extent of debris/litter within the road reserve (note the highest score of 5 indicates no litter, the lower the rating the poorer the overall tidiness)

Factors such as the extent of leafy trees, slope of channel and recent rainfall has a direct impact on the results within this aspect. In terms of tidiness, Chart 8 highlights that Monash was the best followed closely by Manningham, Knox and Whitehorse equally second best, all rating at or above the Industry Mean. In some areas, particularly Banyule, the amount of general litter and leaf litter was very evident.

## 8. SUMMARY INFRASTRUCTURE ITEM ASSESSMENTS DECEMBER 2011 TO JANUARY 2016

Benchmarking assessments (surveys) have been undertaken within the six (6) municipalities, generally on an annual basis since April 1999. Whereas some aspects of the surveys have been improved (e.g. condition rating of line marking and the introduction of garden bed assessment), the overall survey methodology remains consistent and provides an excellent base to compare performances over a long period.

Whilst information from 1999 is available, it was considered more beneficial to review the past five (5) year surveys to provide more meaningful comparisons. The Charts and Industry Mean compare the past five (5) surveys (December 2011 - January 2016) to better highlight recent trends.

### 8.1 Total Incidents – Signs, Pits and Potholes

From a community perspective, signs, pits and potholes are the most obvious for comment and recognition of their councils focus on road infrastructure maintenance. Chart 9 summarises the total number of recorded incidents during the recent January 2016 survey and aligns these with the results of the previous four (4) surveys for each municipality.

As evidenced in the above Chart, there are significant variations in recorded



incidents over the five-year period. Over the four years prior to this survey there was a general steady increase in the overall number of incidences recorded plateauing in 2015. This year has seen a further increase in the overall number with the Industry Mean being 193.4 in 2013, 224.9 in 2014, 224.2 in 2015 and 241.6 in the 2016 survey.

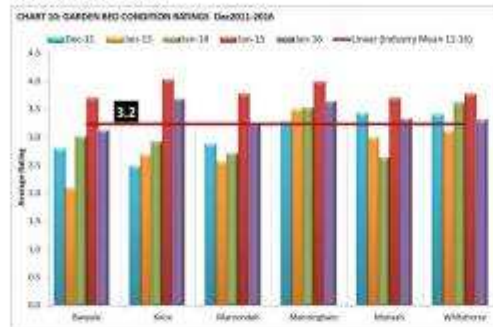
It was noted that the number of incidents was greater for Knox, Maroondah, Monash and Whitehorse compared to 2015 and a decrease for Banyule and Manningham. Manningham attained a 13% decrease from 142 to 126 incidences over the last two survey periods.

Manningham continues to exhibit significantly less incidents than all other councils indicating a higher focus on maintenance/renewal of these very visible, key infrastructure items.



### 8.2 Garden Beds

A review of the garden bed ratings (litter/ weeds/plant conditions/ mulch etc), as per **Chart 10**, indicates that all six (6) councils declined from the 2015 survey. Banyule and Maroondah showed the greatest decline since 2015, falling below the Industry Mean.

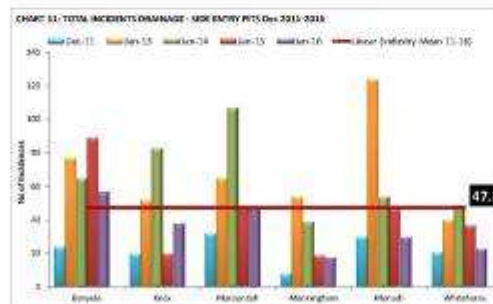


Maroondah, Monash and Whitehorse remain above the Industry Mean by 0.1 point, with Knox and Manningham rating well above the Industry Mean. The overall decline in garden bed ratings indicates an upgrading in the quality of bed maintenance is required for all councils. The Industry Mean has steadily increased from 3.0 (2014) to 3.2 (2015 & 2016) but has not yet reached the 3.3 (2000) when

garden bed assessments were introduced. The warmer weather has clearly had an impact and observations of distressed plants, litter and weeds in the field also indicate better focus and increased level of service towards garden bed maintenance/presentation is required. As observed over past surveys damage to garden beds caused by vehicles and further an increase in use of hard standing areas is still evident.

### 8.3 Drainage – Side Entry Pit Incidents

In terms of road drainage side entry pits incidents, **Chart 11** highlights that between the five (5) surveys there appears to be a general reversal of the past trend of increases since 2014 in the number of incidents with all councils except Knox, experiencing a decrease in incidents since the last survey.

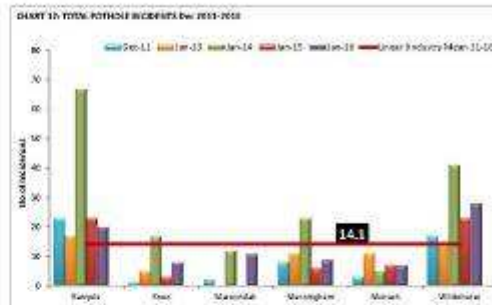


Banyule experienced the largest decrease with Manningham the smallest decrease, although coming off the lowest 2015 figure, and Maroondah remaining the same since the last survey. The trend, except for Knox and Maroondah (remaining the same), is heading towards the low number of incidences of December 2011. Knox's increased score resulted from more debris in the entry to

the pits whereas Banyule and Whitehorse had the equal highest number of broken lintels. Manningham and Whitehorse have the cleanest pit entrances whilst Manningham, Knox and Monash have lower numbers of broken lintels indicating Manningham has the best overall maintenance service. Manningham continues to be a consistent, high performer, in this area.

### 8.4 Potholes

Overall, the number of potholes evident within the five (5) councils road systems assessed (30kms each) was significantly higher than in January 2015 with a total 62 (2015) and 83 (2016), **Chart 12**.



Banyule was the only Council to exhibit a decrease with Monash remaining the same in incidents. All other councils, including Manningham, experienced a slight increase in the number of pothole incidents compared to last year.

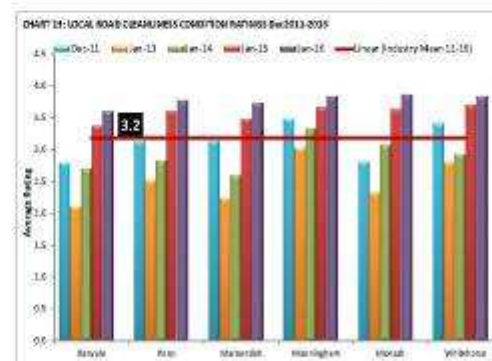
The Industry Mean of 14.1 is higher than the 13.6 of 2015 with four of the six councils below the Industry Mean. Although Banyule and Whitehorse are above the

Industry Mean, Banyule continues to show improvement compared with the 2014 and 2015 surveys.

Maroondah, a standout in 2015 with no incidents, this year had 11 incidents. Monash remains the most consistent performer. The overall increase in potholes, despite the mild weather, indicates that fewer funds are most likely being directed to renewal and maintenance in this area.

Whilst in the 2014 survey the number of potholes in the majority of councils had increased and concern was expressed that it may indicate a significant shift with changes in inspection programs and appropriate resource allocations to maintain low levels of potholes, it would appear that trend which was in reverse, may now have plateaued. The Road Management Act and the requirement to inspect and repair have certainly kept up the focus on road maintenance in previous years, but the 2016 results generally show this has slipped a little.

### 8.5 Local Road Cleanliness



The local road cleanliness assessment is based on the higher the score the cleaner the road eg rating of 5 indicates excellent condition with no visible litter.

Chart13 indicates that all councils continued the trend of higher ratings with the 2016 ratings being higher than 2015, which in turn were higher than 2014 and 2013. This is an excellent result.

All councils remain above the Industry Mean which was first achieved in 2015. The Industry Mean has also increased from 3.0 (2015) to 3.2 (2016). Manningham continues to be rated above the Industry Mean indicating consistent performance over many years.

In 2013 it was thought the poorer results appeared to be an aberration rather than a trend. The 2014, 2015 and 2016 results have continued the improvement trend confirming that the 2013 results were most likely an aberration.

### 8.6 Line Marking

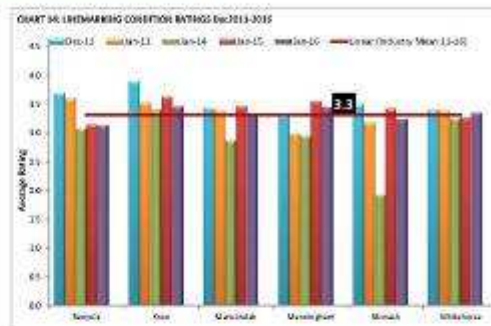


Chart 14 highlights that line marking ratings which improved in 2015, declined in 2016 except for Whitehorse which showed an improvement. With the exception of Banyule all other councils still remained at or above the Industry Mean. The 2016 industry Mean however remains the same as 2014 and 2015 at 3.3.

Whitehorse's performance remains the most consistent and this year they lifted their rating above the Industry Mean.

Knox and Manningham are the better performers in 2016 with both 0.2 above the Industry Mean.

## 9. MANNINGHAM ASSESSMENT TRENDS DECEMBER 2011 – JANUARY 2016

To give a better understanding of Manningham's performance over the past five (5) surveys Dec 2011, Jan 2013, Jan 2014, Jan 2015 and Jan 2016, the following information is provided. To assist in this assessment the Industry Mean in addition to Manningham's Mean has also been compared to the various assessments to better understand where Manningham results are compared to the other five (5) councils.

### 9.1 Total Incidences – Signs, Pits and Potholes



Over the past five (5) years, the total number of incidents within Manningham steadily increased peaking at 2014, with a decreasing trend in 2015 and again in 2016. All scores have remained well below the overall Industry Mean.

As evidenced in Chart 15, the Manningham Mean

continues to be significantly lower than the Industry Mean in the number of total incidents recorded each year.

Whilst the overall results for Manningham, compared to other councils is good, it is also pleasing that the earlier trend of a significant rise in incidents has now reversed over the last two years with total incidents now less than recorded in 2013.

### 9.2 Line marking



Line marking performance, Chart 16, indicates an improvement in the downward trend observed in 2014, and for the last two years better than the Dec 2011 results which were previously reported to appear as an "aberration". Even though there is a drop in performance from 2015 to 2016, the Manningham

Mean which in 2015 remained below the Industry Mean with a score of 3.1 compared with 3.3 is now equal at 3.3.

However, the level of service in line marking needs to be closely monitored to ensure that the downward movement in 2016 is halted.

Similar to 2015 it was observed that there were a number of instances of varied performance as some sections of a road appeared good but within the same road some sections were fading.

Evidence in the field indicates substantial variations in performance between roads inspected, although compared to previous years no roads scored were considered

poor to fair. For example line marking in Blackburn Road, Carbine Street and Leslie Street were considered excellent to very good with scores of 4.5, with 47% of road sections considered very good scoring (4) and 40% of road sections rated very good to good scoring (3.5 & 3), while 0% were considered poor or fair, a score of (2.5, 2, 1.5 & 1).

This variation has also occurred in previous surveys.

Overall, the performance compared to previous surveys revealed more constant good line marking. However there is room for improvement by ensuring the lines are repainted at frequencies that intervene before they fade and become unserviceable. As recommended in previous Benchmarking reports, it is again recommended that due to the importance of line marking there is room for further improvement in the line marking and a thorough examination of the line marking standards, schedules and resources to occur. It is also recommended that the review of line marking to determine the frequency of relining (based on road hierarchy) and subsequent cost and that the required level of service be considered by Council as part of the budget process.



Faded Line Marking - Grant Olsen Avenue

### 9.3 Drainage Pits



**Chart 17** indicates a positive trend with a continuous decline in the number of drainage pit incidents from the peak in Jan 2013 to the 2016 results.

It is noted that the pit incidents reduction trend from 2013 to 2016 coincides with the continuous improvement in street cleanliness ratings over the same period, as per Section 9.5.

The Manningham results have improved in the past three surveys

with the Manningham Five (5) year Mean remaining well below the higher number of incidents for the Industry Mean.

It is important that inspection processes and the approach to cleaning pit openings continues which has rendered the improvements, continues.



Blocked Pit – Derreck Avenue -

### 9.4 Garden Beds



The results from January 2016, as per **Chart 18**, indicate a lack of consistent performance over past five surveys with the garden bed rating trending upwards to 2015 and a decline in 2016. However the Manningham Mean has increased from 2015 (3.3) to 2016 (3.6) remaining higher than the Industry Mean (3.2).

Although there has been a decline in the 2016 garden bed rating, it has not fallen below the Manningham Mean.

There was overall evidence in the field of a less consistent performance between garden beds inspected.

Of fourteen (14) garden beds inspected eight (8) achieved a high rating between excellent to very (4<sup>1/2</sup> & 4), four (4) rating as very good to good (3.5 & 3), indicating improved maintenance, but with room for further improvement with Grant Olsen Avenue (score 1.5) and Sheahans Road (score 2.5), the lowest scores.



Excellent Garden Bed – Santa Rosa Blvd - Manningham



Poor Garden Bed – Grant Olsen Ave - Manningham

### 9.5 Road Tidiness/Cleanliness



Chart 19 highlights the overall cleanliness ratings for local roads respectively over the past five (5) surveys. In this survey no arterials were inspected and all roads inspected were listed within each council's road register as local roads. This provided for greater consistency between Council's surveyed.

Results from this survey indicate a trend of continued improvement in the overall cleanliness each year from Jan 2013, with the 2016 rating being the highest of the last five surveys. This is considered a very good trend and sets the challenge to continue the upward move.

The Manningham Five (5) Year Mean remains better than the Industry Mean for that period.

### 9.6 Signs



Chart 21 highlights that the total number of sign incidents identified at each survey were remaining relatively consistent over the first three (3) surveys, with a higher peak in 2015, reducing again in 2016. The 2016 survey recorded a significant number of sign incidents which are above the Manningham 5 Year Mean. The number of

bent/broken/twisted signs and leaning/bent poles was the major contributor to this high number.

The Manningham mean continues to be significantly lower than the average Annual Industry Mean indicating higher focus and performance in sign maintenance compared to other councils.

However there is room for improvement by ensuring the signs are inspected and intervention maintenance undertaken so they are more serviceable and presentable.

## 10. CONCLUSION

Since 1999, sixteen (16) road infrastructure surveys have been undertaken utilising the concept of assessing "through community eyes" as to how the council present their infrastructure from a "road user" (driver) perspective.

The assessment of road infrastructure items such as potholes, signs, line marking, storm water side entry pits, garden beds within road reserves and general road/street tidiness was based on the following methods of assessment:

- The number of incidents recorded; and
- Infrastructure condition ratings based on specified criteria.

This process reflects the condition of the visible infrastructure as expected to be observed by the many users of these roadways (residents and visitors) either as motorists, cyclists or pedestrians and reflects on the "delivered level of service" for each category

Arguably the inspection process is how a "member of the public" would view the level of performance of the council having regard to these visible elements and allow them to reflect on the "level of service" the council engages in presenting their road infrastructure to the community.

The two (2) key objectives of the benchmarking project were to compare Manningham performance to similar councils and to ascertain its own relative performance over a period of time.

### 10.1 Summary Comparison with Five Other Councils

The following is a synopsis in regards to comparing Manningham and the other five (5) councils in the survey.

**Signs:** Continues to have the lowest number of sign instances and graffiti on sign incidents. However, there was a significant upward trend in the number of sign incidents recorded in 2015, decreasing in the 2016 survey. Very good performance.

**Garden Beds:** A decline in performance compared with the 2015 survey. Rated second to Knox (equal high performer with Knox in 2015), with generally greater consistency between garden beds, although still room for improvement to redress the overall decline. Overall, good performance.

**Side Entry Pits:** Decrease in incidences from 2015 and remains the lowest incidences compared to other councils in survey. The results are considered very good.

**Line Marking:** Achieved an equal highest rating with Knox, which is the same ranking as the previous survey in 2015. Although a slight decrease in condition rating from the previous year, this result is considered good performance.

**Potholes:** Generally "middle of the pack" with an increase in the number of incidences recorded in 2016 compared with 2015. Significantly lower than two (2) other councils, just below one (1) council and a little than two (2) councils surveyed. Very good performance.

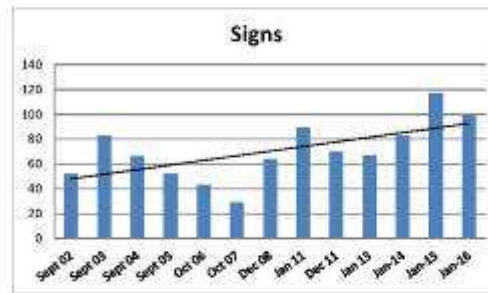
**General Tidiness:** Performs very well in local road cleanliness with consistently highest average rating, with a further slight increase in rating from 2015. In this 2016 survey Manningham rated equal second highest, compared to the highest in 2015. Overall, performance very good.



### 10.2 Summary Performance Over a Period of Time.

In terms of comparing Manningham's performance over time the following provides a synopsis of that performance and trends of these thirteen (13) surveys.

**Signs:** Trend for an increase in incidents over previous three surveys with a decline in incidents in 2016. Overall trend is still upwards in incidents since 07, whereas 03 to 07 saw steady improvement.



**Garden Beds:** Jan 16 results generally on par with previous few years except for improvement rating spike in 2015. Over thirteen, surveys a slight increase in performance.



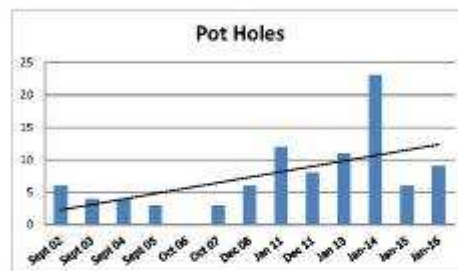
**Side Entry Pits:** A large decrease in incidents since 2013 and 2014 surveys. Overall downward trend continued with 2016 having a further decrease in the number of pit incidents, although a very slight change.



**Line marking:** The 2016 results were very good, although slightly down on 2015. Indicate consistency with maintaining higher rating, but some improvement required. The overall trend is still downwards.



**Potholes:** Overall number of potholes continues to be low, with a slight increase in 2016 on the large decrease on potholes survey in 2015 compared with 2014 survey. However the trend over the thirteen (13) surveys still indicates an increasing trend in the number of potholes. This is mainly due to the large upward spike in 2014.



**General Tidiness:** Local Roads generally consistent performance rating with further improvement in 2016. There is still a marginal downward trend in performance, even with the improved performance rating in 2015 and 2016.



Overall, the January 2016 survey indicates Manningham continues to perform reasonably well when compared to the other councils although some challenging trends are emerging especially in relation to sign incidents, need to maintain linemarking and garden beds.

In terms of signs, with 2016 recording the second highest number of of twisted/ bent signs and leaning poles (with the highest recorded in 2015) it is recommended that maintenance standards and practices be reviewed and improved.

In terms of line marking, although there has only been a slight decrease in standard compared with the 2015 survey, as with previous surveys there remains the issue of some inconsistency in service delivery, particularly the need to keep the quality of the line marking at acceptable visibility standards.

### 10.3 Key Recommendations

The "Road Benchmark Survey Infrastructure Performance" survey, involving the cities of Manningham, Whitehorse, Monash, Knox, Maroondah and Banyule continues to provide Council with a practical means of measuring its performance against similar councils. It also enables trends to be identified and effective process improvements implemented to improve the consistency in performance.

The following are the key recommendations:

1. The drop of performance in signs be examined and the inspection and intervention maintenance standards and practices be reviewed;
2. The drop in performance in garden beds be examined and the maintenance standards and practices be reviewed to obtain better consistency; and
3. A review of line marking be undertaken to address the inconsistency in service delivery, particularly the need to keep the quality of the line marking at acceptable visibility standards.

## 11.4 Road Management Plan and Infrastructure Condition Audit - March 2016

Responsible Director: Director Assets and Engineering

File No. T16/54

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

*This report presents a review of the outcomes of an annual audit of Council's compliance with Manningham's Road Management Plan (RMP) and infrastructure assets condition audit for the 2015 calendar year.*

*A detailed and comprehensive RMP Compliance Audit report and an Infrastructure Assets Audit Condition report, prepared by an external consultant, Dennis Hunt & Associates, are attached.*

*Independent RMP and infrastructure asset audits have been conducted since 2002, to assess Council's operational compliance with Manningham's RMP, and of the infrastructure maintenance services provided by the Engineering Operations and Parks & Recreation Service Units.*

*The consultant has assessed Council's performance as satisfactory, and has concluded that Council is generally operating in compliance with Manningham's RMP, except for bridges and traffic signals.*

*Available data indicates that approximately 54% of all identified works requests for relevant asset categories are generated internally, which is reflective of a more proactive approach to identifying maintenance works. This proactive approach minimises the need for community reporting of hazards and defects, and enhances Council's reputation and customer satisfaction.*

*It is also noted that system improvements have been implemented with the Reflect MMS and mobile computing devices.*

*It is recommended that the report and audit compliance outcomes for the period ending December 2015 be noted, including the improvement opportunities and recommendations to improve Council's compliance with the RMP and overall level of performance, in relation to the asset condition of road and park infrastructure.*

### 1 BACKGROUND

1.1 An independent audit of Council's compliance with Manningham's Road Management Plan (RMP), and of the infrastructure maintenance services provided by the Engineering Operations and Parks & Recreation Service Units has been undertaken by an external consultant, Dennis Hunt & Associates, for the 2015 calendar year.

- 1.2 Independent RMP and infrastructure asset audits are undertaken annually, to assess Manningham's compliance with its RMP and infrastructure maintenance services.
- 1.3 These audits have been conducted since 2002, and they provide valuable information to assist in determining whether Council is complying with Manningham's RMP, and to assess the overall performance in relation to the management of its infrastructure assets.
- 1.4 The 2015 RMP compliance audits were conducted via an examination of inspection practices, work activities, response times, and performance report records in Council's Customer Feedback System (CFS), Maintenance Management System (Reflect MMS), Excel and Word files, service plans, work instruction sheets and various supporting reports.
- 1.5 The following activities were assessed against the requirements of the RMP:
  - Road Condition Assessments / Routine Maintenance Inspections;
  - Repair and Maintenance Works;
  - Temporary Works; and
  - RMP Administrative Requirements.
- 1.6 The infrastructure assets condition audit was based on a survey of a sample of the road, car parks, shopping centres, and reserves infrastructure, which included the following asset categories:
  - local access, collector and link roads;
  - arterial roads (service roads & landscape areas only)
  - car parks;
  - parks and reserves; and
  - major shopping centres and adjoining median strips.
- 1.7 The inspections of roads and streets were conducted as a 'windscreen' survey. The car parks, parks and reserves and shopping centres were inspected as a 'walk-through' survey.

## **2 PROPOSAL/ISSUE**

- 2.1 It is proposed that the report and audit outcomes for 2014 be noted, including the resultant improvement opportunities and recommendations to improve Council's compliance with the RMP and overall level of performance, in relation to the asset condition of road and park infrastructure.  
RMP Compliance Audit
- 2.2 In order to determine whether response times and work standards comply with the requirements of the RMP, records of activities and defects were assessed by interrogation of Council's Customer Feedback System (CFS) and Reflect Maintenance Management System (MMS), and from discussions held with Council staff.
- 2.3 Council's CFS is primarily used to record and track external requests, although it does log some internal requests, whilst Reflect is an operational

tool, used to log internally identified work, and to program and record all identified works.

- 2.4 CFS KPI performance reports were interrogated across a sample of all relevant asset categories, to determine the level of compliance with respect to response times. Over a 12 month period, out of 1,844 recorded requests, 199 requests were recorded as 'out of time', which represents a level of compliance of approximately **89.0%**. This result is slightly down on the previous audit result (90%), and marginally below the overall target level of compliance of **90%**.
- 2.5 Whilst the level of compliance was below 90% due to a number of 'in time' results being down in a few categories, this can be partly attributable to the low record number of requests being received for Road Maintenance - Concrete, Guardrail and Bridges.
- 2.6 The following Reflect MMS records from over the previous 12 month period show a total of 5,600 work requests (54.4% internal and 45.6% external). Total request numbers are down on the previous year (6,066), which is reflective of a more proactive approach to identifying maintenance works, as well as the increased use of electronic data collection, increased use of Reflect, and general improvement in overall response times. This proactive approach by Council officers minimises the need for community reporting of hazards and defects, and enhances Council's reputation and customer satisfaction levels.

WORKS REQUESTS SUMMARY 2015

Category	TOTALS						
	CFS Internal	MMS Internal	No. Internal	No. External	Total	Internal %	External %
Roads/Signs/Furniture	242	754	996	581	1,577	63%	37%
Footpaths	61	1,534	1,595	354	1,949	82%	18%
Drainage	144	120	264	777	1,041	25%	75%
Street Sweeping	14	4	18	260	278	6%	94%
Litter/Rubbish/Animals	172	3	175	580	755	23%	77%
<b>ENG OPS SUMMARY</b>	633	2,415	3,048	2,552	5,600	<b>54.40%</b>	<b>45.60%</b>

- 2.7 It is difficult to achieve the required response rate in all asset categories, particularly in peak periods when heavy rains, flooding and/or wind storms contribute significantly to workloads. The Engineering Operations Unit is internally resourced for normal conditions, supplemented with contract resources to meet peak period demands and to perform specialist services as required.
- 2.8 A sample of 30 CFS completed works, on a range of assets, was also identified, and a visual inspection was undertaken, which found that the majority of requests, with the exception of two, had been satisfactorily completed to an acceptable standard.
- 2.9 Whilst Council's performance has been assessed as satisfactory, and is generally operating in compliance with Manningham's RMP, except for bridges and traffic signals.

- 2.10 Reflect is currently being used to record defects and for program works for bridges and traffic signals. With recent changes in staff, Council officers are currently receiving training for level 1 bridge inspections, but have not yet received their certification from the Australian Road Research Board (ARRB). As a result, bridge inspections were not completed for the 2015 calendar year and were, therefore, assessed as non compliant. The inspections will proceed immediately following certification of the Council officers. The audit results are, therefore, a 'point-in-time' result.
- 2.11 Traffic signal inspections are currently undertaken by a contractor on a quarterly basis, and at the time of the audit the completed inspection reports were not available. As a result, the traffic signal inspections were assessed as non compliant. The matter is currently being followed up with the contractor and a process will be put in place to ensure that any future inspection reports are also recorded electronically. Again, this is a 'point-in-time' result.
- 2.12 A number of improvement opportunities and recommendations have been identified in the audit, and a summary of the issues raised, and resultant action plan, is outlined below:

<b>Recommended Action</b>	<b>Management Response</b>	<b>Timeframe for Action</b>
1. That Council investigate the feasibility of electronic transfer of CFS records to 'Reflect' to eliminate the current administrative duplication.	The possible integration of the CFS with Reflect is currently on hold pending the outcomes of the imminent replacement of Council's Asset Management System, which is due to be awarded.	30 June 2016
2. That Council review current agreements and areas of responsibilities with adjoining municipalities regarding maintenance activities on boundary roads.	A review of boundary road agreements is currently well advanced with adjoining municipalities (Maroondah, Yarra Ranges and Whitehorse)	30 September 2016
3. That additional road category reports be developed in the GIS to enable improved inspections monitoring for RMP	A review of reporting information in the GIS is currently underway to assist in streamlining the inspection	30 September 2016

compliance.	monitoring process.	
4. That traffic signal inspections be recorded electronically and invoices/reports made available as proof of compliance with RMP.	Outstanding invoices and traffic signal inspection reports are currently being followed up with the contractor and a process will be put in place to ensure that any future inspection reports are recorded electronically.	30 June 2016
5. That level 1 bridge inspections be carried out immediately following certification of Council staff who are currently receiving training.	Council officers are currently receiving training for level 1 bridge inspections, but have not yet received their certification from the ARRB. Level 1 inspections will proceed immediately following certification.	30 June 2016
6. That the current map based system of recording pit inspections be conducted electronically and recorded in 'Reflect' to improve inspection monitoring.	The recording of pit inspections electronically in Reflect is currently on hold pending the outcomes of the imminent replacement of Council's Asset Management System.	30 June 2016
7. That additional staff training on recording issue locations for CFS requests be considered.	Ongoing staff training and guidance will be provided on the recording of CFS requests.	30 June 2016

2.13 The 2015 RMP audit also assessed the process for updating / amending Manningham's Public Roads Register.

2.14 Council's Asset Coordinator amends and updates Manningham's Public Roads Register as required, in accordance with the Council policy that was approved by Council on 28 September 2010.



- 2.15 Whilst the Roads Register is an attachment to the RMP, it is a separate document that can be amended or updated under delegation, to avoid the need to implement formal procedures under the Road Management Act, in order to amend the RMP and Roads Register.
- 2.16 Since the last audit, the Asset Coordinator has made 9 changes to the Public Roads Register under delegated authority, and the details have been updated and recorded on the Register as a part of the current reporting process, to provide an audit trail for compliance with the RMP and Road Management Act. The details are summarised in 6.7 of the attached RMP Compliance Audit report.
- 2.17 Reflect has been fully implemented for approximately 2 years and is currently being used for all defect inspections and minor programmed works. The implementation of the system involved major change to existing work flow processes that was managed within existing resources.
- 2.18 Some enhancements have been made to Reflect to assist appropriate data capture utilising mobile computing devices, and in regard to reporting requirements.

#### Infrastructure Assets Condition Audit

- 2.19 The infrastructure assets condition audit found that the infrastructure maintenance services currently being provided by the Engineering Operations and Parks & Recreation Service Units meets Council's required service standards. The service also continues to compare favourably with local government industry standards for infrastructure asset maintenance.
- 2.20 The overall weighted average score for infrastructure maintenance activities was 3.99, or 99.65%. The results from the audit are above the acceptable score of 98%, which is above the required service standards, and is similar to the previous audit carried out in February 2015.
- 2.21 In terms of overall score assessment, a score of 4.0 equates to a performance standard or degree of compliance of 100%. In practice 100% compliance is extremely difficult to achieve in infrastructure maintenance contracts, partly due to the reactive works component, and 98% is typically accepted as satisfactory performance.
- 2.22 The overall score trend has generally been maintained above the required standard since these infrastructure audits were first conducted in 2002. In addition to this year's overall result being above the required standard, the average audit scores for all asset categories were also found to be above the required standard, which is a commendable effort, especially given the adverse weather conditions at the time of audit and the overall age of the assets inspected.
- 2.23 The following table provides a summary of the 2015 calendar year audit results by asset category:

ASSET CATEGORY	No of Audit Records	AVE SCORE	%
Car Parks	1,126	3.98	99.47
All Council Roads	3,550	3.99	99.82

Parks & Reserves	419	3.96	98.99
Shopping Centres	121	4	99.90
<b>Overall Score</b>	<b>5,216</b>	<b>15.93</b>	<b>99.65</b>

- 2.24 A couple of improvement opportunities and recommendations have been identified, and a summary of the issues raised in the audit and the resultant action plan is outlined below:

<b>Recommended Action</b>	<b>Management Response</b>	<b>Timeframe for Action</b>
1. That the ownership (lease) and maintenance responsibility for the car park located at the rear of the service station at Donburn shopping centre be investigated at this car park is not being maintained to an acceptable standard	<p>Following recent legal advice on the current agreement with BP Australia, and in particular, the maintenance of the car park at the rear of the service station at 300-304 Blackburn Road, it has been determined that lease only extends to the front parcel of land (service station) and not the rear car park, and therefore Council is responsible for the maintenance of the car park.</p> <p>Action has been taken to include the car park on Council's regular street sweeping and maintenance program.</p>	<b>Completed</b> - 11 March 2016
2. That the GIS be updated to reflect the sale of reserve allotments previously owned by Council, ie. Herlihys Road Templestowe and Burge Court Doncaster East.	Action will be taken to reconcile Council's open space data with the spatial data in the GIS, and to implement a process to ensure that any future updates or changes to the GIS are made in a timely manner.	30 June 2016

**3 CUSTOMER/COMMUNITY IMPACT**

- 3.1 The principal outcome from the audits will be to improve the level of compliance with Manningham's RMP and overall performance in relation to the management of Council's infrastructure assets and delivery of services.

**4 FINANCIAL RESOURCE IMPLICATIONS**

- 4.1 The RMP and infrastructure asset condition audits are provided for within the Engineering Operations and Parks & Recreation budgets

**5 CONSULTATION**

- 5.1 The relevant service unit managers have been consulted in regard to the outcomes and recommendations identified in the audits.

**6 CONCLUSION**

- 6.1 The RMP and infrastructure assets condition audits provide valuable information to assist in determining whether Council is complying with Manningham's RMP, and to assess the overall performance in relation to the management of its infrastructure assets.
- 6.2 The information will be useful to assist Council in improving its overall performance in relation to the management of its infrastructure assets and the adequacy of service levels, where appropriate

**OFFICER'S RECOMMENDATION****That Council:**

- (A) **Note and receive the report.**
- (B) **Note the satisfactory compliance with Manningham's Road Management Plan and Infrastructure Assets Condition Audit for the 2015 calendar year.**
- (C) **Note the improvement opportunities and recommendations from the audit outcomes, to improve Council's compliance with the Road Management Plan and overall performance in relation to the management of its infrastructure assets.**
- (D) **Note the actions of the Asset Coordinator, in exercising delegated authority, to update and amend Manningham's Public Road Register.**

**MOVED: GOUGH**  
**SECONDED: GRIVOKOSTOPOULOS**

**That the Recommendation be adopted.**

**CARRIED**

"Refer Attachments"

- Road Management Plan Compliance Audit March 2016 (D16/22672)
- Infrastructure Assets Condition Annual Report March 2016 (D16/22673)

\* \* \* \* \*



**MANNINGHAM CITY COUNCIL  
ROAD MANAGEMENT PLAN  
COMPLIANCE AUDIT**

**March 2016**



## Report Contents

<b>1. Executive Summary</b> .....	<b>3</b>
<b>2. Introduction</b> .....	<b>5</b>
2.1 Audit Process .....	6
<b>3. Road Condition Assessments/ Routine Maintenance Inspections</b> .....	<b>6</b>
3.1 Audit Methodology .....	6
3.2 Summary Compliance Assessment .....	7
<b>4. Response Times &amp; Work Standards</b> .....	<b>10</b>
4.1 WORK STANDARDS .....	12
4.1.1 Summary Compliance Assessment .....	13
<b>5. Repair &amp; Maintenance Works</b> .....	<b>15</b>
5.1 Audit Methodology .....	15
5.2 RMP Service level .....	15
5.3 MCC process .....	15
5.4 Summary Compliance Assessment .....	15
<b>6. Plan Administrative Requirements</b> .....	<b>16</b>
6.1 Audit Methodology .....	16
6.2 Road Management Act Requirements .....	16
6.3 Summary Compliance Assessment .....	16
6.4 Asset Management System .....	17
6.5 Customer Feedback System (CFS) .....	18
6.6 GIS System .....	18
6.7 Public Roads Register .....	18
6.8 Boundary Roads .....	19
<b>7. Appendices</b> .....	<b>20</b>
7.1 Asset Defects Categories Response Times for CFS .....	20
7.2 CFS Site Inspections Photos .....	25
7.3 Road Management Plan – Supporting Documentation .....	34
7.4 Public Roads Register Updating/Amending Process Map & Procedure .....	35
7.5 Inspection Programs Status Chart .....	37
7.6 CFS KPI Compliance Status Summary .....	39
7.7 InterPlan Engineering Operations Unit Services Performance Reports .....	40

## **1. Executive Summary**

Dennis Hunt & Associates have completed an audit of Manningham Council's compliance with the Road Management Plan for the 2015 calendar year.

The audit was conducted via interrogation of inspections, activities, defect, response time, and performance report records in Council's Customer Feedback System (CFS), Asset Management Systems, excel files, Engineering Operations Service Unit Plan, Roads and Footpaths Levels of Service document (specification), Work Instruction Sheets and Engineering Operations CID KPI reports. In addition interviews were conducted with key personnel responsible for the delivery of the services described in the Road Management Plan.

A review was undertaken of the processes used to undertake required asset inspections, recording and reporting.

A sample (~30) of CFS completed works on a range of assets were identified and a visual inspection undertaken to confirm whether works were actually completed and that they were undertaken to a satisfactory standard.

Council reports, asset management systems and other documents were interrogated to determine compliance with RMP Administrative requirements.

Manningham Council is generally operating in compliance with Council's adopted Road Management Plan in all maintenance categories except for Bridges and Traffic Signals.

Independent Road Management Plan audits are normally undertaken annually to assess Council's operational compliance with its Road Management Plan and to undertake asset condition assessment of the infrastructure maintenance services provided by the Assets & Engineering Directorate.

A review of the last 12 months of Inspection programs, response times, reports and other records reveals that Manningham's maintenance services are generally operating in compliance with the service levels and key performance indicators adopted by Council as part of its Road Management Plan

### **Recommendations**

1. That Council investigate the feasibility of electronic transfer of CFS records to "Reflect" to eliminate the current administrative duplication.
2. That Council review current agreements and areas of responsibilities with adjoining municipalities regarding maintenance activities on boundary roads.
3. That additional reports (i.e. Road category search field) be developed in "Weave" to enable improved inspections monitoring and RMP compliance.
4. That Traffic signal inspections be recorded electronically and invoices/reports made available as proof of compliance with RMP.
5. A Traffic signal inspections summary report for 2015 be obtained and outstanding Contractor invoices and/or reports be followed up as proof that inspections have been carried out.
6. That level 1 bridge inspections be carried out immediately following certification of Council staff who are currently receiving training.
7. That the current map based system of recording pit inspections be conducted electronically and recorded in "Reflect" to enable improved inspections monitoring and RMP compliance.

*Manningham City Council* *Road Management Plan Compliance Audit*

- 8. That additional staff training on recording issue locations for CFS requests be considered.

## **2. Introduction**

Dennis Hunt and Associates were engaged to undertake an audit of Council's compliance with Manningham City Council's Road Management Plan in conjunction with an Infrastructure Asset Condition Audit for the 2015 calendar year.

The objective of the engagement is to carry out an audit to assess the level of compliance of Council's Engineering Operations unit with the Manningham Road Management Plan (RMP).

The data and information to be reviewed was limited to a maximum period of twelve months.

The following activities were assessed against the requirements of the RMP:

- **Road Condition Assessments / Routine Maintenance Inspections** – periodic surveys and regular inspections are undertaken to assess and monitor the condition of the road network as part of the day-to-day maintenance of the road network, to monitor asset condition against intervention standards and asset safety.
- **Repair and Maintenance Works** – routine maintenance and repair works are undertaken within a specified reasonable period of time having regard to intervention levels and works programs.
- **Temporary Measures** – Where an unsafe condition or potential risk is determined by response to customer complaint, officer report or maintenance report, an inspection will be carried out and temporary works will be undertaken to reduce the risk of an incident until such time as maintenance or repair works can be completed.
- **Plan Administrative Requirements** – review and updating of the plan in accordance with the Act (e.g. Annual review of Road Management Plan and updating of the Public Roads Register).

The following infrastructure assets located on the nominated roads identified on the Public Roads Register were assessed in terms of maintenance activities:

- Road Surface and Pavement Structure;
- Footpath;
- Kerb & Channel/Open Drains;
- Car Parks;
- Bridges & Major Culverts;
- Traffic Signals;
- Street Furniture & Structures;
- Guide Posts and Line marking;
- Street Trees; and
- Traffic Control Signs.



**2.1 Audit Process**

The audit was conducted via the following activities:

Records of activities and defects were assessed by interrogation of Council's Customer Feedback System (CFS), "Reflect" maintenance management system and "Weave" GIS system via electronic reports. Performance reports were interrogated across relevant asset categories to determine the level of compliance with respect to Response Times.

The processes used to undertake required asset inspections, recording and reporting were reviewed.

A sample (~30 No.) of recently completed CFS completed works on a range of assets were identified and a visual inspection undertaken (including photos) to confirm whether works were actually completed and that they were undertaken to a satisfactory standard.

The visual inspections were carried out on the following asset categories:

Category	Sub-Category
• Drainage Maintenance	Pit Lid/ Surround
• Road Maintenance	Asphalt - Pot Hole Patching
	Signs

Council reports, asset management systems and other documents were interrogated to determine compliance with RMP Administrative requirements.

**3. Road Condition Assessments/ Routine Maintenance Inspections****3.1 Audit Methodology**

Pavement condition reports and summaries for Access/ Link and Collector Roads were interrogated to assess inspection and recording compliance with the RMP.

A copy of the Inspection Programs Status Chart is included in Appendix [7.5](#).

Routine maintenance Inspections are now largely electronic recordings which are automatically downloaded into "Reflect".

A summary of the results are detailed in the following table for each asset category:

Manningham City Council Road Management Plan Compliance Audit

3.2 Summary Compliance Assessment.  
Table 1.

CATEGORY	RMP Requirements	AUDIT PROCESS	PROCESS	COMPLY?	COMMENTS
<b>ACCESS ROADS</b>					
<b>Routine Maintenance / Defects</b>	Annual	Check hard copy records of Pavement condition reports & Summaries over 12 month period. Check "Reflect" records on screen. Check inspection records from Interplan Organisation Performance Report	Municipality divided into 12 areas and inspected on a monthly basis. Electronic inspection and defect recording carried out and transferred onto Reflect maintenance management system. Works instructions and programs are then generated electronically onto excel sheets to provide a means of programming and reporting	YES	Process now better streamlined and standardised by use of field data recording equipment Footpaths and Roads defects currently being recorded and implemented as part of the Reflect MM System All footpath condition & defects are being recorded electronically including asphalt & gravel paths onto Reflect MM system. Additional inventory data identified by Condition Assessment Survey retained in spreadsheets and available through Weeve GIS. Not added to AssetLife pending new AMS.
<b>Condition Assessment Survey</b>	Three Yearly	Sight reports of last survey	Assessment undertaken with multi-camera survey vehicle	YES	3 Yearly condition inspections carried out by contractor and recorded onto GIS system as temporary measure until Asset Life replacement software is operational. Last survey completed 2013.
<b>LINK/ COLLECTOR ROADS</b>					
<b>Routine Maintenance / Defects</b>	3 Times / Year	Check electronic records and printouts generated from "Reflect".	Roads divided into major segments B/T intersections. Electronic inspection and defect recording carried out and transferred onto Reflect MM system. Works programs are then generated electronically onto excel sheets to provide a means of programming and	YES	Includes footpaths inspection. Defects are recorded electronically onto "Reflect". 3 Yearly condition inspections carried out by contractor and recorded onto GIS system as temporary measure until Asset Life replacement software is operational. Additional inventory data identified by Condition Assessment Survey retained in spreadsheets and available through Weeve

Manningham City Council		Road Management Plan Compliance Audit			
CATEGORY	RMP Requirements	AUDIT PROCESS	PROCESS	COMPLY?	COMMENTS
Condition Assessment Survey	Three Yearly	Sight reports of last survey	Assessment undertaken with multi-camera survey vehicle reporting	YES	GIS. Not added to AssetLife pending new AMS.  3 Yearly condition inspections carried out by contractor and recorded onto GIS system as temporary measure until Asset Life replacement software is operational. Next survey scheduled for 2017.
<b>FOOTPATHS, K&amp;C, NATURESTRIP</b>	Neighbourhood Activity Centres (Major Shopping centres) 4/Year Local Activity Centres 2/Year Community Store – 1/Year	Check "Reflect" electronic records of "Footpath Condition reports" over 12 month period and inventory details for shopping centres.	Municipality divided into 12 areas and inspected on a monthly basis. Condition and defects data recorded for each area (Inspection date, steps (10-25) (25+), replacements, pit lids, lintels, K&C, nature strips. Footpaths are walked as part of inspection.	YES	Defects records for footpaths are downloaded to Reflect MM system for ready access and for works programming on area by area basis. Condition ratings for Asphalt footpaths are recorded in Asset Life Asset Management system
<b>CARPARKS</b>	Neighbourhood Activity Centres (Major Shopping centres) 4/Yr Commercial 2/ Yr Community Facilities - Annually	Check "Asset Life" electronic records of "Car park condition reports" over 12 month period.	Field inspections carried out manually using field sheets against list of car park assets. Field sheets are then recorded electronically onto excel sheets to provide a means of programming and reporting.	YES	Condition data currently uploaded from excel sheets to "AssetLife". Excel files used to sort by condition ratings to generate works programs "Reflect" software being used to record hazards/ defects and program works.
<b>BRIDGES &amp; MAJOR CULVERTS</b>					
<b>Routine Maintenance</b>	Level 1 Inspections 6 Monthly for Road Bridges Annually for Park Bridges	Check hard copy records of inspections over 6 month period. Check "Reflect" inspection reports.	Maintenance inspections carried out manually using field sheets. Asset details are recorded onto AssetLife and defects/actions recorded onto "Reflect" Works programs are generated from	NO	"Reflect" software used to record hazards/defects etc, program works and provide an inspection history. Council staff are currently receiving training but have not yet received their certification from ARRB. Inspections are to proceed immediately following certification. Level 1 inspections not

Dennis Hunt & Associates Pty Ltd RMP Compliance Audit Report-March 2016 12/04/16

<i>Manningham City Council Road Management Plan Compliance Audit</i>					
CATEGORY	RMP Requirements	AUDIT PROCESS	PROCESS	COMPLY?	COMMENTS
<b>Condition Assessment</b>	Level 2 Inspections 3 Yearly for all Bridges	Check hard copy records of last inspection.	'Reflect' for implementation. Visual Structural inspection undertaken every 6 months in Apr/Oct. Level 2 Bridge inspections carried out 2 yearly by contractor.	YES	completed for 2015 calendar year.  Level 2 Bridge inspections last conducted October 2014.
<b>TRAFFIC SIGNALS</b>	3/Yearly	Interview Council staff & view quarterly traffic signal inspection reports by council's contractor	Council contractor undertakes inspection of signals 3/year and prepares a report on findings. Identified works are completed by the contractor.	NO	Traffic Signal inspections recorded manually on hardcopy. Inspection conducted quarterly by contractor.
<b>DRAINAGE &amp; PIT CLEANING</b>	Link & Collector Rds - 3 / Year Access Rds - Annually	Interview Council staff and inspect drainage programs and maps	Work requests are accumulated and carried out on Sundays. Local roads bounded by arterials are inspected as groups/areas. Total municipality is completed over an approximate twelve-month period and recorded onto Municipal Maps.	YES	Pits covered by annual inspection cycle and recorded manually. Need to incorporate into Asset Life. New map-based program in place. After each area is inspected and cleaned, any pits requiring further work (e.g. flushing) are programmed for future work. Quarterly interplan report prepared which does not confirm whether inspection programs have been completed. Drainage network recorded on GIS. Some areas receive additional inspections/cleaning due to leaf falls during winter/spring on as-needed basis. Problem drainage areas have been mapped to assist with inspections and monitoring.

Notes:

1. Inspections were completed for all areas across all road categories for the prior calendar year per the RMP. Inspections across the board for 2016 calendar year are currently running on schedule except for Area 2 Access Roads & Footpaths which is 90% complete for Feb 2016.
2. Traffic signal inspections still recorded manually. At the time of writing the report, the Contractor has yet to provide his summary report for 2015 detailing inspections carried out. The responsible manager is currently following up with the Contractor. Contractor invoices and/or reports should be made available as proof that inspections have been carried out.

#### 4. Response Times & Work Standards

In order to determine whether response times and work standards comply with the requirements of the RMP, records of activities and defects were assessed by interrogation of Council's Customer Feedback System (CFS) , "Reflect" MM System and discussions held with Council staff.

The RMP Response times for each Asset category are included in Appendix [7.1](#).

These response times are programmed into Council's CFS and Reflect MMS to enable summary performance reports to be generated.

Council's CFS is primarily used to record external requests whilst the Reflect MMS is used to record internal requests and program works.

CFS KPI performance reports (See Appendix [7.6](#)) were interrogated across all relevant asset categories linked to the Road Management Plan to determine the level of compliance with respect to Response Times. Over a 12-month period out of 1844 recorded requests 199 were recorded as Out of Time which represents a level of compliance of 89% which is slightly down on the previous year (90%) and just below the target level of compliance of 90%.

The following % in time activities were below the target level of compliance of 90%:

Category	Received	In Time	Out of Time	% in Time
Road Maintenance - Asphalt - Pothole Patching	114	122	8	89%
Road Maintenance - Concrete	14	11	3	78%
Drainage Maintenance - Street Pit	287	250	37	87%
Footpath Maintenance - Concrete	293	229	64	78%
Roadside Maintenance - Guardrail	4	3	1	75%
Roadside Maintenance - Signs	319	281	38	88%
Road Maintenance - Bridge	16	13	3	81%

Whilst the % in time results are well down in a number of activities such as Road Maintenance – Concrete, Footpath Maintenance – Concrete; Roadside Maintenance – Guardrail and Road Maintenance – Bridge the lower than expected figures could be explained in part by the low record numbers for Road maintenance – Concrete, Guardrail, and Bridges.

The following combination of CFS and Reflect records over the previous 12-month period shows a total of 5600 requests (54% Internal/ 46% External). Total request numbers are down on the previous year which is reflective of a more proactive approach to maintenance works as well as the increased use of electronic data collection as well as a general improvement in response times.

*Manningham City Council**Road Management Plan Compliance Audit*

2015	TOTALS						
	CFS Internal	MMS	No. Internal	No. External	Total	% Internal	% External
Roads/Signs/Furniture	242	754	996	581	1577	63%	37%
Footpaths	61	1534	1595	354	1949	82%	18%
Drainage	144	120	264	777	1041	25%	75%
Street Sweeping	14	4	18	260	278	6%	94%
Litter/Rubbish/Animals	172	3	175	580	755	23%	77%
<b>ENG OPS SUMMARY</b>	<b>633</b>	<b>2415</b>	<b>3048</b>	<b>2552</b>	<b>5600</b>	<b>54.4%</b>	<b>45.6%</b>

Performance reports against the RMP response times have been setup in the GIS "Weave" program and detailed performance reporting is now operational. Following a review of the inspections records against Road Categories reporting capabilities of "Weave" it was found to be unsatisfactory. It would be beneficial to have to capability in "Weave" to produce such reports to enable improved inspections monitoring and RMP compliance.

In reality, it is very difficult to achieve the required response rate in all asset categories due to limited Council resources and other factors outside of Council's control such as adverse weather conditions (Wind storms, flooding etc)/non-programmed works etc).

It was noted that the CFS requests generally provide sufficient detail in accurately describing the issue location and closure reason, however a small number of records did not accurately record the Issue Location but did provide some additional location information in the request description. This problem could be rectified through additional staff training and feedback.

A sample (~30) of CFS completed works on a range of assets were identified and a visual inspection undertaken to confirm whether works were actually completed and that they were undertaken to a satisfactory standard.

To aid in the assessment process, a summary of the response target performance for each of the asset categories listed in the RMP generated for the past 12 month period via a report from the CFS was prepared to determine compliance with the RMP. A suitable format report has now been generated which allows for the input of a data-range and variable nominated asset categories.

A full list of the Customer Service KPI's for the last twelve months is included in [Appendix 7.6](#).

It should also be noted that the infrastructure amenity audits undertaken in conjunction with this RMP compliance audit indicate the standard of workmanship and general asset condition to be consistently above an acceptable required standard in comparison with similar Municipalities.

A review has been undertaken of the CFS KPI's to better reflect the service standards listed in the RMP.

Service level condition assessments and inspection frequencies have been simplified in the RMP to ensure a level of consistency with the Road Maintenance Specification and other Council recording and reporting systems.

The majority of requests that are minor in nature are fully actioned within the set response times however for major items such as road sealing, grading etc. it is not feasible to have the works completed within the set CFS response time. The KPI's utilised reflect the target response time to carry out an initial inspection and actioning of minor/emergency works only (e.g. 48hrs) as the required action may vary depending upon the severity of the defect (i.e. immediate if emergency/safety issue, or placement on a works program, no action etc.).

Whilst a normal request involving physical works would not normally require a formal response, in the case of "no action required" or where the works need to go onto a works program, the resident should be notified either verbally and/or via a standard letter and recorded in the CFS where the resident has specifically requested they be notified. An inspection of the CFS request form indicates the inclusion of advice if return call to requester is required, and provision for the action officer to record an outcome.

#### **4.1 WORK STANDARDS**

The following table summarises the results of visual inspections carried out to confirm whether works were actually completed and that they were undertaken to a satisfactory standard.

Manningham City Council Road Management Plan Compliance Audit

4.1.1 Summary Compliance Assessment

Inspection carried out on 22<sup>nd</sup> March 2016.

Request ID/ PhotoID	Cat/Sub-Cat	Location	Description	Completed ?	Standard (1-5)	Comments
16446004/01	Drainage Maintenance - Pit Lid/Surround	3 St Georges Ave, Templestowe	Broken Pit insert/surround	NO	1	Not completed or re- broken
16448363/02	Drainage Maintenance - Pit Lid/Surround	9 Clarke St, Templestowe	Broken Pit insert/surround	YES	4	Satisfactory
16448559/03	Drainage Maintenance - Pit Lid/Surround	11 Louisa Place, Templestowe	Broken Pit insert/surround	YES	4	Satisfactory
16443450/04	Road Maintenance - Pot hole patching	46 Newmans Rd, Templestowe	Repair pothole	YES	4	Satisfactory
16444984/05	Road Maintenance - Pot hole patching	Newmans Rd, Templestowe	Repair pothole	YES	4	Satisfactory
16449769/06/ 07	Road Maintenance - Signs	54 Foote St, Templestowe	Replace faded sign	YES	4	Satisfactory - Incorrect location
16447922/08	Drainage Maintenance - Pit Lid/Surround	11 Andromeda Way, Templestowe Lower	Broken Pit insert/surround	YES	4	Satisfactory
16448047/09	Road Maintenance - Pot hole patching	10 Jacana Ave, Templestowe Lower	Repair pothole	NO	4	Scheduled for sealing. Resident notified
15442408/10/ 11	Drainage Maintenance - Pit Lid/Surround	19 Janet St, Templestowe Lower	Broken Pit insert/surround	YES	4	Satisfactory
16443406/12	Drainage Maintenance - Pit Lid/Surround	15 Gertrude St, Templestowe Lower	Broken Pit insert/surround	YES	4	Satisfactory
16448235/13	Drainage Maintenance - Pit Lid/Surround	High St/Delfield Dr, Templestowe Lower	Broken Pit insert/surround	YES	4	Satisfactory
16448366/14	Drainage Maintenance - Pit Lid/Surround	41 Estelle St, Bulleen	Broken Pit insert/surround	YES	4	Satisfactory
16445845/15/ 16	Road Maintenance - Pot hole patching	20 Range View Terrace, Bulleen	Repair pothole	YES	4	Satisfactory
16442839/17	Drainage Maintenance - Pit Lid/Surround	39 Bordeaux St, Doncaster	Broken Pit insert	YES	4	Satisfactory



Manningham City Council		Road Management Plan Compliance Audit				
16446369/18/19	Drainage Maintenance - Pit Lid/Surround	12 Larkspur Ave, Doncaster	Broken Pit insert/surround	YES	4	Satisfactory
16444304/20	Drainage Maintenance - Pit Lid/Surround	2 Kersey Pl, Doncaster	Broken Pit insert/surround	YES	4	Satisfactory
16449536/21	Road Maintenance - Signs	7 Idinia Crt, Doncaster	Replace worn sign	YES	4	Satisfactory
16449550/22	Road Maintenance - Signs	15 Firth St, Doncaster	Bent sign	YES	4	Satisfactory
16446772/23	Road Maintenance - Pot hole patching	3 Dianne St, Doncaster East	Repair potholes	YES	4	Satisfactory
16443663/24	Road Maintenance - Pot hole patching	41 Beverley St, Doncaster East	Repair potholes	YES	4	Satisfactory
16443321/25	Road Maintenance - Pot hole patching	22 Amdura Rd, Doncaster East	Repair potholes	YES	4	Satisfactory
16449870/26	Road Maintenance - Signs	2 Haig Crt, Doncaster East	Replace worn sign	YES	4	Satisfactory
16447805/27	Drainage Maintenance - Pit Lid/Surround	5 Pushkin Crt, Doncaster East	Broken Pit insert/surround	YES	4	Satisfactory
16450033/28	Road Maintenance - Signs	17 Leslie St, Donvale	Damaged sign	YES	4	Satisfactory
16448620/29	Road Maintenance - Pot hole patching	47 Harris Gully Rd, Warrandyte	Repair potholes	YES	4	Satisfactory
16448859/30/31	Road Maintenance - Pot hole patching	218 Tindals Rd, Warrandyte	Repair potholes	YES	4	Satisfactory
16449518/32/33	Road Maintenance - Signs	17 Knees Rd, Park Orchards	Broken Sign	YES	4	Satisfactory
16449749/34	Road Maintenance - Signs	17 Knees Rd, Park Orchards	Replace broken sign	YES	4	Satisfactory

The inspection of randomly selected work sites has revealed that most requests have been satisfactorily completed to an acceptable standard. CFS Site Inspections Photos are included in 7.2 CFS Site Inspections Photos.

## **5. Repair & Maintenance Works**

### **5.1 Audit Methodology**

Review of RMP, Road Maintenance Service Agreement (specification), CFS, Work Instruction Sheets, Electric Line Clearance Management Plan, and six monthly Engineering Operations Unit Service Plan Advisory Reports.

### **5.2 RMP Service level**

Routine maintenance and repair works are undertaken within a reasonable period of time having regard to intervention levels and works programs.

The Road Maintenance Service Agreement sets out specific service levels to be provided in the delivery of repair and maintenance works. The specification provides a Workload Indicator and corresponding Performance Criteria for each activity undertaken.

The reference in the RMP to the former Maintenance Service Agreement has been changed to a more generic Road Maintenance Specification reference.

### **5.3 MCC process**

Key Performance indicators have been established and form part of the RMP documentation. These KPI's are reported on in the six monthly reports against Engineering Operations Unit Service Plan.

Six monthly condition audits are undertaken by Council staff and consultants to determine compliance with required standards and to identify areas requiring additional intervention. Performance and Status reports are presented to the Directors and CEO.

Street tree maintenance operations are largely carried out in accordance with the Electric Line Clearance Management plan and reviewed annually. The existing CFS is used extensively to record inspections, develop programs and report on compliance.

### **5.4 Summary Compliance Assessment**

The InterPlan software system is used for recording and reporting on compliance with set KPI performance targets.

For the calendar period 01/01/2015 to 30/12/2015 the Interplan report on service performance for the Engineering Operations Unit is included in Appendix [7.8](#).

In summary the attached tables indicate general compliance with the nominated service targets in all areas.

KPI's adopted by Council are now incorporated into the Road Management Plan (RMP) for easy reference and a document reference register is kept under the control of the Assets Co-ordinator. The RMP sets out all required service standards and KPI's and is currently under review. A Benchmarking audit with similar Municipalities has recently been undertaken by Dennis Hunt & Associates Pty Ltd.

## **6. Plan Administrative Requirements**

### **6.1 Audit Methodology**

Council's Asset Coordinator was interviewed and requested to provide a response to the deficiencies identified in the previous audit conducted in February 2015.

The coordinator's response and accompanying documentation was reviewed and assessed against the requirements of the Road Management Act.

In addition Council's Asset Management and recording systems were inspected and evaluated to determine whether sufficient information was being recorded and that adequate programming and tracking reports were able to be generated.

### **6.2 Road Management Act Requirements**

Section 54 of the Road Management Act 2004 sets out the procedure for making and amending a Road Management Plan, including the giving of public notice, 28 day allowance for receipt of submissions, publication of the notice in the Government Gazette, daily newspaper generally circulating in the area.

In addition the Road authority must conduct a review of its Road Management Plan every 4 years. In accordance with the Road management (General) Regulations 2005, the next review is scheduled to be completed by May 2017, to coincide with the preparation of the Council Plan within the period of 6 months after each general election of incoming municipal councils.

### **6.3 Summary Compliance Assessment**

The Road Management Plan (RMP) is maintained at Council's Depot and a copy kept at the Civic Centre by Council's Asset Coordinator. The documentation is included in Appendix [7.3](#).

An inspection of the provided documentation indicates that Council has complied with the requirements of the Road Management Act.

Council adopted its RMP on 30<sup>th</sup> November 2004 and an update was adopted by Council on 9 June 2009 in accordance with the requirements of the Road Management Act.

A further review was carried out in August 2012 to align with a review of Council's Asset Management Plans (AMP's) that was undertaken as part of a community consultation process.

Public notices were placed in the Manningham Leader on the 6<sup>th</sup> June 2012 and the Government Gazette on the 7<sup>th</sup> June 2012 advising of Council's intention to review its RMP.

The process involved seeking feedback from the community on the levels of service contained within the AMP's and RMP, and the outcomes, including the extent of any changes and potential impacts on the Manningham community, was reported back to Council as part of the adoption of revised AMP's and updated RMP on 28 August 2012.

The Asset Coordinator has prepared the following status report on outstanding Actions/Recommendations that were identified in previous audits to improve Council's compliance with the RMP:

Recommendation	Status
That a linkage be established between CFS and 'AssetLife' to easily capture CFS requests and to consolidate recording and reporting systems.	On hold and is subject to the replacement of the AM System
That the RMP and Footpath Inspection Guidelines include a requirement for the inspection of Community Store Activity Centres - once a year to reflect the new inspection program.	Manningham's RMP and Footpath Inspection Guidelines include a hierarchy classification for the inspection of Neighbourhood and Local Activity Centres. Community Store Activity Centre's (single shop fronts) are not identified as part of the shopping centre hierarchy and are currently included with footpaths, which are inspected annually. It is proposed that the hierarchal classification for shopping centres be extended to include Community Stores as part of the next review of Manningham's RMP in 2017.

#### 6.4 Asset Management System

As previously reported, 'AssetLife' Asset Management System is currently used to assist Council in tracking the maintenance, recording, monitoring and reporting of activities and programs on infrastructure assets.

The "AssetLife" system is currently under review due to a series of company 'buy outs' and changes in ownership. The current owner has indicated that they intend to develop new advanced asset management software that will incorporate some aspects of 'AssetLife' functionality and other asset management software systems acquired by the company. This has resulted in AssetLife having limited enhancement opportunities, with the main focus on the development of new software and has, therefore, restricted Council's ability to further develop the system and integrate it with other third party software systems and mobile devices.

The Asset Management Steering Committee has considered several options to address this matter and it has become apparent that, in order for Council to meet its current and future asset management needs and requirements, Council should investigate the purchase and installation of a new corporate asset management system to manage Council's assets.

Funding has been provided in the 2015/16 Capital Works Program for the replacement of 'AssetLife' with an AMS solution that has life cycle and predictive modelling capabilities, and the ability to integrate with other corporate systems and 3<sup>rd</sup> party applications.

The project is being managed by IT as a part of the Project Management Office function, and will be implemented in accordance with Council's Procurement Policy. The tender for the replacement of the AMS was advertised in December 2015 and responses are currently being assessed from prospective suppliers of software systems. The replacement of the AMS is scheduled to be completed by 30 June 2016.

As an interim measure, Council purchased a works management software system called 'Reflect', to assist with programmed maintenance and inspection activities for road and park infrastructure assets. The future use of 'Reflect' will be assessed once the new AMS is implemented with the intention of utilising the works management functionality in the AMS, or alternatively, to continue with 'Reflect' in its current format and integrate with the AMS.

At present, "Reflect" does not fully integrate with Councils' CFS which leads to an administrative duplication in recording the works orders and completion information (i.e. Records from CFS must be manually transferred onto "Reflect").

### 6.5 Customer Feedback System (CFS)

Council records all incoming customer requests using its Customer Feedback System (CFS), which is a web-based application developed by Open Office Solutions.

### 6.6 GIS System

Council has a web based corporate GIS System called 'Weave', which has linkages to Finance One, AssetLife and CFS. Reflect records can now be viewed in the GIS.

### 6.7 Public Roads Register

Two copies (one counter copy, one master) of the Manningham Public Roads Register, which forms part of the Road Management Plan documentation required under the Road Management Act, is maintained and updated by the Asset Coordinator. The Asset Coordinator has delegated authority under section 304 of the Road Management (General) Regulations 2005 to authorise the alteration of the Public Roads Register to include, remove or alter details of public roads. Following any changes to the roads data, the Asset Co-ordinator updates the Register and records of the relevant details and the outcomes are reported to Council annually, as part of the normal performance reporting process.

Since the last audit, the Asset Coordinator has made 9 changes to the Public Roads Register under delegated authority and the details have been updated and recorded on the Register. The following is a summary of the approved amendments to the Roads Register:

Amend No	Description	Amendment Date	Comments
17	Inclusion of Road (ROW) on Manningham's Public Roads Register.	24 April 2015	Notification by Council's Engineering Operations Unit of an existing road (ROW) that provides ingress/egress to properties at numbers 3 -11 Blair Road Warrandyte. This road was not included on Manningham's Public Roads Register when Council adopted its Road Management Plan on 30 November 2004.
18	Inclusion of Road on Manningham's Public Roads Register.	5 November 2015	Notification by Council's Statutory Planning Unit of a new road (subdivision) that was recently created at Jasper Court, Donvale. This newly constructed road was not included on Manningham's Public Roads Register when Council adopted its Road Management Plan on 30 November 2004.
19	Inclusion of Road on Manningham's Public Roads Register.	18 November 2015	Notification by Council's GIS/GPS Unit of an existing road at Athenaeum Way, Doncaster. This road was not included on Manningham's Public Roads Register when Council adopted its Road Management Plan on 30 November 2004.
20	Removal of Road on Manningham's Public Roads Register.	19 November 2015	Notification by Council's GIS/GPS Unit that Sidney Road, Warrandyte is not a public road, but a private road that was incorrectly included on Manningham's Public Roads Register when Council adopted its Road Management Plan on 30 November 2004.
21	Inclusion of Road on Manningham's Public Roads Register.	23 November 2015	Notification by Council's GIS/GPS Unit of an existing unnamed service road in Everard Drive, Warrandyte that provides access to No 4 Everard Drive. This road

<i>Manningham City Council</i>		<i>Road Management Plan Compliance Audit</i>	
			<p>was not included on Manningham's Public Roads Register when Council adopted its Road Management Plan on 30 November 2004.</p> <p>The Roads Register has been updated accordingly to reflect this change.</p>
22	Inclusion of Road on Manningham's Public Roads Register.	23 November 2015	<p>Notification by Council's GIS/GPS Unit of an existing unnamed service road in Knees Road, Park Orchards that provides access to No's 43 - 47 Knees Road. This road was not included on Manningham's Public Roads Register when Council adopted its Road Management Plan on 30 November 2004.</p> <p>The Roads Register has been updated accordingly to reflect this change.</p>
23	Inclusion of Road on Manningham's Public Roads Register.	14 December 2015	<p>Notification by Council's GIS/GPS Unit that the section of Minter Court between the western boundary of No 1 Minter Court, Park Orchards and the court bow, is not a public road, but a private road that was incorrectly included on Manningham's Public Roads Register when Council adopted its Road Management Plan on 30 November 2004.</p> <p>The Roads Register has been updated accordingly to reflect this change.</p>
24	Inclusion of Road on Manningham's Public Roads Register.	14 December 2015	<p>Notification by Council's GIS/GPS Unit that an existing section of road in McKeon Road, Donvale was not included on Manningham's Public Roads Register when Council adopted its Road Management Plan on 30 November 2004.</p> <p>The Roads Register has been updated accordingly to reflect this change.</p>
25	Removal of Road on Manningham's Public Roads Register.	14 December 2015	<p>Notification by Council's GIS/GPS Unit that Rubens Place, Doncaster is not a public road, but a private road that was incorrectly included on Manningham's Public Roads Register when Council adopted its Road Management Plan on 30 November 2004.</p> <p>The Roads Register has been updated accordingly to reflect this change.</p>

### 6.8 Boundary Roads

Following the completion of Internal Information sessions with Council staff an Infrastructure Maintenance Responsibilities Matrix table has been prepared.

Council has in place previously established letters of agreement with adjoining Municipalities regarding maintenance activities on boundary roads; however these agreements have not been reviewed and brought up to date for a number of years.

This matter will be considered in conjunction with Councils' review of its Road Management Plan scheduled to be completed by May 2017.

7. **Appendices**

7.1 **Asset Defects Categories Response Times for CFS**

*Manningham City Council**Road Management Plan Compliance Audit*

CATEGORY	SUB-CATEGORY	RESPONSE TIME (DAYS)	
		EXTERNAL REQUEST	INTERNAL REQUEST
<b>Footpaths</b>	Concrete - Steps (25i-mm)	30	90
	Concrete - Steps (10 - 25mm)	30	90 + 6 defects/St
	Concrete - Slab replacement	30	90
	Concrete - Crossing damage	30	90
	Concrete - Spoon drains	30	90
	Asphalt - Cracking	20	50 (C3) / Sched (C2)
	Asphalt - Potholes/edges	20	45
	Gravel - Washouts	20	90
	Gravel - Insufficient material	20	90
	Pavers - Missing/broken/fitted/loose	30	90
	Reinstatements	30	30
	Weed growth	20	45
	Building damage	30	90
	Cleaning required	20	30
	Service Authority Pit	30	90
	Other	30	90
<b>Road Maintenance</b>	Sealed Pavement - Potholes	5	20
	Sealed Pavement - Major patching	Schedule	Schedule
	Sealed Pavement - Edges	5	30
	Sealed Pavement - Cracking	Schedule	Schedule
	Unsealed Pavement - Rough surface	20	45
	Unsealed Pavement - Potholes	20	45
	Unsealed Pavement - Shoulders	20	45
	Pavers - Subsidence/heaving	30	90
	Pavers - Missing/damaged pavers	30	90
	Pavers - Loose pavers	30	90
	Spills - Oil		2
	Spills - Paint	10	20
Spills - Concrete	2	2	
Reinstatements	20	90	



*Manningham City Council Road Management Plan Compliance Audit*

CATEGORY	SUB-CATEGORY	RESPONSE TIME (DAYS)	
		EXTERNAL REQUEST	INTERNAL REQUEST
<b>Drainage Maintenance</b>	Blocked U/G drain – Road	5	20
	Blocked U/G drain – Easement	5	20
	Blocked U/G drain – Reserve	5	20
	Blocked Pits	5	10
	Broken Pits - Lid/Surround	25	25
	Broken Pits – Lintel	25	90
	Broken Pits_ Repair	25	90
	House Drain Connection	5	5
	Kerb & Channel - Lifted/Sunk	25	90
	Kerb & Channel - Broken/Missing	25	90
	Open Drains – Cleaning	20	50
	Open Drains - Vegetation control	20	40
	Cross-over Drains - Street - Blocked	30	30
	Cross-over Drains - Street - Broken	30	60
	Cross-over Drains - Driveway - Blocked	30	30
Cross-over Drains - Driveway - Broken	30	60	
<b>Drainage Investigation</b>	Locating Drains	5	10
	Seepage – Investigation	15	40
	Seepage – Repair	25	60
	CCTV Inspection	30	45
<b>Rubbish/Litter</b>	Dumped - Manual collection	5	10
	Dumped – Crane	5	10
	Dumped – Loader	5	10
	Dead Animals – Small	5	5
	Dead Animals – Large	5	5
	Rubbish Bins – Overflowing	4	5

*Manningham City Council* *Road Management Plan Compliance Audit*

CATEGORY	SUB-CATEGORY	RESPONSE TIME (DAYS)	
		EXTERNAL REQUEST	INTERNAL REQUEST
	Spilled Debris - Manual collection	5	10
	Spilled Debris - Crane	5	10
	Spilled Debris - Loader	5	10
	Posters - Remove		3
<b>Nature Strips</b>	Subsidence - Large (>100mm deep)	5	10
	Subsidence - Small (<100m_m deep)	5	20
	Damage - Service Authorities	10	30
	Damage - Builders/others	10	30
	Obstructions		
<b>Bridges</b>	Structural Damage - Inspection required	10	10
	Signs - Missing/damaged	10	30
	Guardrail - Damaged	10	20
	Handrail - Damaged	10	20
	Vegetation - Remove/trim	10	20
	Graffiti - Remove	10	20
<b>Linemarking</b>	Worn - Centrelines/Edge Lines	20	50
	Worn - Raised vehicle humps	20	50
	Worn - Pedestrian crossings	20	50
	Worn - Statcons	20	20
	Worn - Traffic Islands	20	50
	Worn - RABs	20	50
	Worn - Symbols	20	50
	Missing - Centrelines/Edge Lines	20	30
	Missing - Raised vehicle humps	20	40
	Missing - Pedestrian crossings	20	30
	Missing - Statcons	20	20

*Manningham City Council**Road Management Plan Compliance Audit*

CATEGORY	SUB-CATEGORY	RESPONSE TIME (DAYS)	
		EXTERNAL REQUEST	INTERNAL REQUEST
	Missing – Traffic islands	20	40
	Missing_RABs	20	40
	Missing – Symbols	20	40
	RRPMs – Replace	20	50
<b>Signs</b>	Missing	30	50
	Leaning post	30	30
	Damaged	30	50
	Obscured	30	30
	Rotated	30	30
	Cleaning required	30	50
	Faded	30	50
	Remove/Redundant		
<b>Traffic Signals</b>	Signal Faults	10	10
	Damaged	10	10
<b>Street Furniture</b>	Damaged	20	50
	Missing	20	50
	Install	20	3-0
	Remove	20	50
	Cleaning Required	20	50
<b>Street Sweeping</b>	Reseals	10	10
	Leaves	10	20
	Gravel	10	10
	Debris	10	10
	Grass Cutting	10	10

7.2 CFS Site Inspections Photos



Manningham City Council Road Management Plan Compliance Audit



*Manningham City Council* *Road Management Plan Compliance Audit*









Manningham City Council Road Management Plan Compliance Audit



25



26



27



28







**7.3 Road Management Plan – Supporting Documentation**

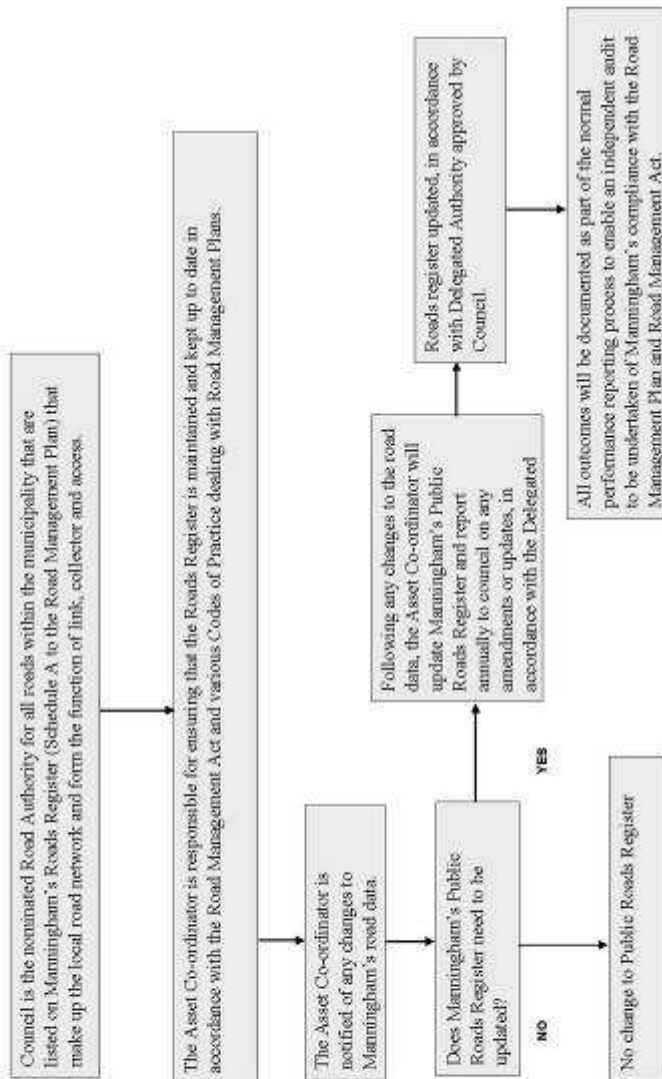
(Maintained by Asset Co-ordinator)

The following is a list of current documentation and supporting information relating to Council's Road Management Plan:

- Council Report relating to the development of Council's Road Management Plan – 28 September 2004.
- Official notices relating to Council's Intention to Make a Road Management Plan – 'Manningham Leader' 6 & 13 October 2004 and 'Local Paper' 3 November 2004.
- Notice of Intention to Make a Road Management Plan – Government Gazette 30 September 2004.
- Council Report relating to the adoption of Council's Road Management Plan – 30 November 2004.
- Official notice relating to the adoption of Council's Road Management Plan – 'Manningham Leader' 8 December 2004.
- Notice of Adoption of Council's Road Management Plan – Government Gazette 9 December 2004.
- Correspondence relating to Maintenance Agreements of Municipal Boundary Roads (Maroondah, Whitehorse and Yarra Ranges).
- Council Report relating to the Maintenance of Arterial roads Under State (VicRoads) Jurisdiction – 14 December 2004.
- Road Management Plan Summary Sheet outlining details of Road Management Act and Council's Road Management Plan – 15 December 2004.
- Issue Briefing Note to advise Councillors on status of Road Management Plan – 15 December 2004.
- Road Management Act Works Maintenance Agreement between VicRoads and Council – 20 April 2005.
- VicRoads Road Management Plan Final Draft – July 2004
- Manningham Maintenance Service Specification – 18 April 2006.
- Manningham's Road Asset Management Plan – 28 September 2004.
- Procedure for updating/Amending Manningham's Public Roads Register (Includes Flowchart and Delegation Memo).
- Key Performance Indicator Data – to assess the effectiveness and responsiveness of maintenance in relation to-
  - Trees;
  - Sealed Pavements;
  - Unsealed Roads;
  - Open drains;
  - Signs & Street Furniture;
  - Concrete Footpaths;
  - Underground Drains;
  - Street Sweeping;
  - Disposal of Rubbish;
  - Customer Service (Correspondence and Customer Requests); and
  - Financial Performance.

**7.4 Public Roads Register Updating/Amending Process Map & Procedure**  
**Process Map for Updating/Amending Manningham's Public Roads Register**

“Attachment A”  
 Process Map for Updating/Amending Manningham's Public Roads Register





### **Procedure for Updating/Amending Manningham's Public Road Register**

Council's Asset Coordinator has delegated authority to amend and update Manningham's Public Roads Register, as required, in accordance with Council policy.

This authority was approved by Council on 28 September 2010 under the Instrument of Delegation, which allows for Council to delegate to the Asset coordinator specific duties and functions in relation to the Road Management Act.

Council is the nominated Road Authority for all roads within the municipality that are listed on Manningham's Roads Register (Schedule A to the Road Management Plan) that make up the local road network and form the function of link, collector and access.

Whilst the Roads register is an attachment to the Road Management Plan, it is a separate document that can be amended or updated under delegation to avoid the need to implement formal procedures under the Road Management Act to amend the plan and Roads Register.

The Asset Co-ordinator is responsible for ensuring that the Roads Register is maintained and kept up to date in accordance with the Road Management Act and various Codes of Practice dealing with Road Management Plans.

This involves the various Service Units responsible for updating Council's Asset management system "AssetLife", notifying the Asset Co-ordinator of any changes to Manningham's road data.

Following any changes to the road data, the Asset Co-ordinator will update Manningham's Public Roads Register and report annually to council on any amendments or updates, in accordance with the delegated authority.

All outcomes will be documented as part of the normal performance reporting process to enable an independent audit to be undertaken of Manningham's compliance with the Road Management Plan and Road Management Act.

Document2

Manningham City Council Road Management Plan Compliance Audit

7.5 Inspection Programs Status Chart

Dennis Hunt & Associates Pty Ltd RMP Compliance Audit Report-March 2016 12/04/16





**7.6 CFS KPI Compliance Status Summary****Engineering Operations**

by Category - SubCategory	Received 12 months	In Time	Out of Time	% In Time
Road Maintenance - Asphalt	130	122	8	94%
Road Maintenance - Asphalt - Pothole Patching	114	102	12	89%
Road Maintenance - Bridge	16	13	3	81%
Road Maintenance - Concrete	14	11	3	78%
Road Maintenance - Gravel	67	66	1	98%
Road Maintenance - Line Marking	53	53	0	100%
Road Maintenance - Street Sweeping	274	260	14	95%
Sub Category total	668	627	41	94%
Drainage Maintenance - Pit Lid / Surround	139	132	7	95%
Drainage Maintenance - Street Pit	287	250	37	87%
Sub Category total	426	382	44	90%
Footpath Maintenance - Concrete	293	229	64	78%
Roadside Maintenance - Guardrail	4	3	1	75%
Roadside Maintenance - Roadside / Street Furniture	134	123	11	92%
Roadside Maintenance - Signs	319	281	38	88%
Sub Category total	457	407	50	89%
<b>Total received:</b>	<b>1844</b>	<b>1645</b>	<b>199</b>	<b>89%</b>

Manningham City Council Road Management Plan Compliance Audit

7.7 InterPlan Engineering Operations Unit Services Performance Reports

Dennis Hunt & Associates Pty Ltd RMP Compliance Audit Report-March 2016 12/04/16

**Manningham City Council**

**Service Unit Quarterly Progress Against Operational Plan**

**Period:** 01/06/15 - 30/06/15

**Quarter:** June

**Engineering Operations**

**Engineering Operations**

<b>Theme:</b>	<b>6 Council Leadership and Organisational Performance</b>			
<b>Goal.:</b>	<b>6.2 An efficient organisation that aims to continuously improve service delivery to benefit community outcomes.</b>			
	<b>ACTIONS</b>	<b>STATUS</b>	<b>% COMP</b>	<b>PROGRESS COMMENTS</b>
	<b>Strategic Objective 6.2.1 An efficient organisation that aims to continuously improve service delivery to benefit community outcomes</b>			
	6.2.1.5 Asset condition inspections to be completed and documented as programmed for each asset class in accordance with RMP	Completed	100%	Q1: Inspection programs are on schedule for Access, Link and Collector roads and footpaths. Footpath inspections in parks and reserves have been completed for areas 11 and 12. Major shopping centre inspections were completed in September. Q2: Scheduled inspections for Access roads (areas 10, 11 & 12) and Link and Collector roads completed. Commercial car parks completed. Footpath inspections in parks and reserves have been completed for areas 1 & 2. Local and Neighbourhood Activity Centres inspected during the period Q3: Scheduled inspections for Access roads (areas 1 and 2) and Link and Collector roads completed. Community car parks completed. Footpath inspections in parks and reserves have been completed for area 3. Local and Neighbourhood Activity Centres inspected during the period. Q4: Area 6 local access roads completed. Commercial car parks, local activity and neighbourhood activity centres completed.
	6.2.1.10 Mechanical sweeping of 6 activity centres on a fortnightly basis.	Completed	100%	Q1: Footpath sweeping in activity centres continues on schedule. The next high pressure wash is scheduled to take place in October. Q2: Mechanical sweeping of footpaths in shopping centres continues in accordance with the program. Some quality issues with
				RESP. OFFICER: Systems Management Coordinator START/COMP DATE: 1/07/2014 30/06/2015

high pressure cleaning in two centres have been resolved by the contractor. The contractor's performance will continue to be monitored.

Q3: Mechanical sweeping of footpaths in shopping centres continues as per program. High-pressure cleaning due to take place from mid-April. Audits of areas to be undertaken to monitor standard of work carried out by contractor.

Q4: Mechanical sweeping of footpaths continues to be on program. High pressure cleaning is due again in October. Auditing will be ongoing to monitor contractor performance.

**Manningsham City Council**

**Service Unit Quarterly Progress Against Operational Plan**

Period: 01/12/15 - 31/12/15

Quarter: December

**Engineering Operations**

**Engineering Operations**

**Theme: 2 Enjoy and Protect Our Natural Spaces**

**Goal: 2.3 We proactively seek innovative solutions to address the effects of climate change and work together to protect the environment**

ACTIONS	STATUS	% COMP	PROGRESS COMMENTS	RESP. OFFICER	START/COMP DATE
Strategic Objective 2.3.1 We proactively seek innovative solutions to address the effects of climate change and work together to protect the environment					
2.3.1.1 2015_16 Easement drains cleared as programmed	In Progress	50%	Drainage crews have been progressively working through CFS requests and internally sourced work from ETS and Parks. Additional contractor resources have been engaged to assist where budget permits to assist with GPT's and easements with difficult access.	Systems Management Coordinator	1/07/2015 30/06/2016

**Theme: 5 Everything we Need is Local**

**Goal: 5.1 Accessible services and facilities for people of all ages and abilities**

ACTIONS	STATUS	% COMP	PROGRESS COMMENTS	RESP. OFFICER	START/COMP DATE
Strategic Objective 5.1.1 Accessible services and facilities for people of all ages and abilities					
5.1.1.10 2015_16 Street sweeping completed as programmed (all residential areas generally every six weeks)	In Progress	50%	Street sweeping is being completed in accordance with programs. An increase in leaf fall during the dry summer has impacted the service demand. The suction pit cleaner/sweeper has been utilised to meet the increased demand.	Systems Management Coordinator	1/07/2015 30/06/2016

**Manningham City Council** **Road Management Plan Compliance Audit**

5.1.1.11 2015_16 Litter collected as per program	In Progress	50%	Programmed work has continued in accordance with schedules. Additional contract resources will be utilised throughout Jan/Feb to deal with litter 'hot spots'. Eng Ops and Parks to consider coordination of litter collection and roadside grass cutting to improve cleanliness standard. There has been an increase in dumping of asbestos materials during the last quarter of 2015. Eng Ops is working with Local Laws to address this problem.	Systems Management Coordinator	1/07/2015 30/06/2016
5.1.1.12 2015_16 Mechanical sweeping of six activity centres on a fortnightly basis	In Progress	50%	Program has continued in accordance with schedule. An additional sweep was carried out prior to Christmas due to increased shopping activity. The next high-pressure wash is programmed for April 2016.	Systems Management Coordinator	1/07/2015 30/06/2016

**Goal :** 6.2 An efficient organisation that aims to continuously improve service delivery to benefit community outcomes.

ACTIONS	STATUS	% COMP	PROGRESS COMMENTS	RESP. OFFICER	START/COMP DATE
<b>Strategic Objective 6.2.1 An efficient organisation that aims to continuously improve service delivery to benefit community outcomes</b>					
6.2.1.6 Routine inspection and cleaning of on road drainage pits.	Completed	100%	Q1: Crews have been continuing to respond to customer requests through July, August and September. Further heavy rains in early September have resulted in a number of reactive works. When completed crews will return to proactive maintenance. Q2: Crew continuing to respond to reactive requests following heavy rains in September. Additional resources have been engaged to assist with backlog of requests. Q3: Crew continuing to deal with reports from the public via CFS and MMs. Pro-active pit cleaning taking place whilst on-site. Areas completed recorded on mapping system, currently in Area 108 Q4: Crews have continued to carry out proactive drain cleaning works along with other requests generated from both the public and internal units.	Systems Management Coordinator	1/07/2015 30/06/2016
6.2.1.7 Street sweeping completed as programmed (all residential areas generally every six weeks).	Completed	100%	Q1: Street sweeping program continues to be completed as per schedule. Some issues around development sites following rainfall and grass cutting clean-up have diverted resources at times. The night shift is also on schedule, including car parks. Q2: The street sweeping continues to be completed as per schedule on both day and night shift operations. Q3: Road sweeping continues to be completed as per schedule on	Systems Management Coordinator	1/07/2015 30/06/2016

*Manningham City Council* *Road Management Plan Compliance Audit*

both day and night shifts. Some improvement made to programming on laneways in residential areas.  
 Q4: Street sweeping activities have continued on track as per programs schedules. Heavy autumn leaf fall was removed during the scheduled sweeping and prioritised as needed.

**Goal.:** **6.2 An efficient organisation that aims to continuously improve service delivery to benefit community outcomes.**

ACTIONS	STATUS	% COMP	PROGRESS COMMENTS	RESP. OFFICER	START/COMP DATE
<b>Strategic Objective 6.2.1 An efficient organisation that aims to continuously improve service delivery to benefit community outcomes</b>					
6.2.1.8 Easement drains cleared as programmed.	Completed	100%	Q1: Additional easements identified as requiring regular maintenance to be recorded and added to schedule for proactive works when resources allow. Q2: Crews are continuing to complete reactive works. Additional contractor resources have been engaged to assist with the backlog of works. Q3: Crews continue to work through reactive drainage requests and repair works. Additional resources engaged to assist. Easements that are identified during maintenance works are added to program for regular cleaning per year. Q4: Drainage crews continue to work proactively cleaning high maintenance easement drains along with the routine easement drain cleaning.	Systems Management Coordinator	1/07/2015 30/06/2016

6.2.1.9 Litter collected as per program.	Completed	100%	Q1: Collection of roadside litter continues as per program. Some increased reports of dumped items and illegal posters have been experienced. Works to be recorded in the Maintenance Management System in the coming months. Q2: Roadside litter and dumped material has increased during the summer holiday period. Programmed litter collection continues on an eight-week cycle. Re-allocated resources are now assisting with the litter collection. Will be recorded in the MMS following implementation of training. Q3: Roadside litter and, in particular, dumped waste has continued to increase. Litter collection continues on an 8-week cycle. Working with Waste/Local Laws with the use of CCTV units across known "hot spots". Also, assisting with the use of signage as part of campaign. Q4: Roadside litter collection is still meeting its program dates.	Systems Management Coordinator	1/07/2015 30/06/2016
--	-----------	------	---	--------------------------------	----------------------



Quantity of dumped litter continues to increase.

**Goal.:** 6.2 An efficient organisation that aims to continuously improve service delivery to benefit community outcomes.

ACTIONS	STATUS	% COMP	PROGRESS COMMENTS	RESP. OFFICER	START/COMP DATE
<b>Strategic Objective 6.2.1 An efficient organisation that aims to continuously improve service delivery to benefit community outcomes</b>					
6.2.1.143 2015_16 Routine inspection and cleaning of on road drainage pits	In Progress	50%	Crew continuing to deal with reports from the public via CFS and MMS. Proactive pit cleaning taking place whilst on site. Areas completed recorded on mapping system.	Systems Management Coordinator	1/07/2015 30/06/2016



**INFRASTRUCTURE ASSETS  
AUDIT CONDITION  
ANNUAL REPORT**

**March 2016**



**Report Contents**

- 1. Executive Summary ..... 3**
- 2. Introduction..... 5**
- 3. Infrastructure Auditing..... 5**
  - 3.1 Audit Summary ..... 5
  - 3.2 Summary by Asset Type ..... 6
  - 3.3 Asset Types ..... 8
- 4. Defects Comments Report..... 10**
- 5. Asset Performance Graphs ..... 20**
- 6. Audit Database Reports ..... 21**
- 7. Audit Photographs ..... 22**
- 8. Inspection Maps ..... 27**

### **1. Executive Summary**

Dennis Hunt & Associates have completed the annual asset condition audit report of the infrastructure maintenance services provided by the Engineering Operations and Parks and Recreation service units based on the audit data collected and provided by Dennis Hunt & Associates.

The audit indicates that the asset maintenance service is currently being delivered above the required Service Standards. The service continues to compare favourably with general Local Government industry standards for infrastructure asset maintenance.

The overall score for infrastructure maintenance activities was **3.99 or 99.65%** which is similar to the previous audit carried out in February 2015. The overall score result is above the acceptable score of 98%, and considered within the limits of the auditing process.

The average result over the last twelve months is **99.65%** which is above the acceptable standard. The overall score trend has generally been maintained above the required standard since these Infrastructure Asset Audits were first conducted in 2002 which is a commendable effort by the Infrastructure Maintenance department. The score trend is being maintained at an acceptable level taking into account a number of factors such as aging infrastructure, adverse weather conditions etc.

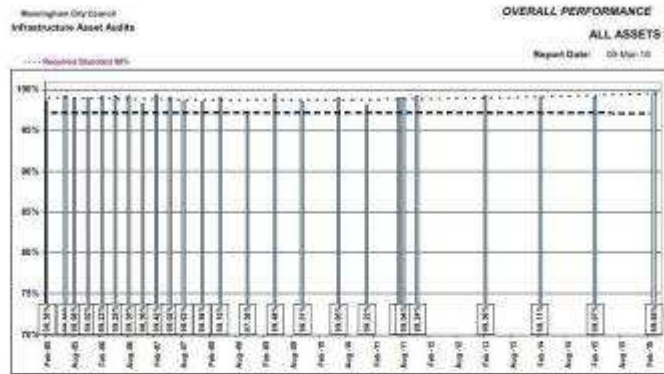
I am pleased to report that in addition to the overall result being above the required standard, the average audit scores for the ALL asset categories were also found to be above the required standard.

I believe this is the first time that all asset categories have been above the required standard and a credit to the Infrastructure Maintenance Department.

The overall results of this audit are considered very satisfactory given the weather conditions at the time of audit and the overall age of the assets inspected.

The following overall scores trend graph shows a gradual performance improvement over the last 5 years.

**ANNUAL AUDIT RESULTS**



**Recommendations**

1. That the ownership(lease) and maintenance responsibility for the Carpark located at the rear of the service station at Donburn Shopping centre be investigated as this carpark is not being maintained to an acceptable standard.
2. That the GIS field auditing maps be updated to reflect the recent sale of reserve allotments formerly owned by Council.

## 2. Introduction

Dennis Hunt and Associates were engaged by Manningham Maintenance to produce an amenity audit report on asset condition of a sample of the road, car parks, shopping centres, and Reserves infrastructure based on survey information collected over the period 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> of March 2016.

The audit included the following asset categories:

- Council Access, Collector & Link Roads
- Arterial Declared Main Roads (Service Roads & Landscape areas only)
- Car Parks
- Parks and Reserves
- Councils' six major Shopping Centres & Strips

The inspections of roads and streets were conducted as a "windscreen" survey. Car parks, parks and reserves, and shopping centres were inspected as a "walk-through" survey.

## 3. Infrastructure Auditing

### 3.1 Audit Summary

The following tables provide a summary of the audit results for assets by category and assets by type. The overall assessment of scores provided a performance score of 99.65%, which is above the acceptable standard of 98%.

Detailed reports are included in Section 3.3 of this report.

Table 1 – Summary by Asset Category.

ASSET CATEGORY	No of Audit Records	AVE SCORE	%
<i>Manningham Maintenance</i>			
Car Parks	1126	3.98	99.47
All Council Roads	3550	3.99	99.82
Parks & Reserves	419	3.96	98.99
Shopping Centres	121	4.00	99.90

This audit was conducted over three days, collected 5381 records over 12 City Works Regions and is considered to be a representative sample of Council infrastructure assets.

In terms of an overall score assessment, a score of 4.0 equates to a performance standard or degree of compliance of 100%. In practice 100% compliance is extremely difficult to achieve in infrastructure maintenance contracts, partly due to the reactive works component, prevailing weather conditions, available resources etc. 98% is typically accepted as satisfactory performance.

Table 2 lists performance by asset type, and identifies the service unit responsible for each type. For some asset types the responsibility lies with more than one provider, eg: furniture – park / street / shopping centre.

## 3.2 Summary by Asset Type.

Table 2.

ASSET TYPE	Engineering Operations	Parks & Recreation	FEB 2015 RESULT (Ave %)	FEB 2016 RESULT (Ave %)	CHANGE FROM LAST AUDIT	PERFORMANCE STANDARD FOR FEB 2016
Footpaths (Shopping Centres & Parks)	✓	✓	97.97%	98.70%	↑	Exceeds Std
Furniture	✓	✓	98.38%	99.25%	↑	Exceeds Std
Garden Beds		✓	98.83%	99.44%	↑	Exceeds Std
Grass Mowing		✓	99.95%	100%	↑	Exceeds Std
Guardrails (4 records not representative)	✓		NA	100%	↑	Exceeds Std
Guide Posts	✓		97.22%	99.50%	↑	Exceeds Std
Litter Collection	✓	✓	99.49%	99.90%	↑	Exceeds Std
Open Drainage	✓		100%	100%	↑	Exceeds Std
Playgrounds		✓	99.43%	99.52%	↑	Exceeds Std

ASSET TYPE	Engineering Operations	Parks & Recreation	FEB 2015 RESULT (Ave %)	FEB 2016 RESULT (Ave %)	CHANGE FROM LAST AUDIT	PERFORMANCE STANDARD FOR FEB 2016
Sealed Road Pavement	✓		98.10%	99.31%	↑	Exceeds Std
Signs	✓	✓	99.58%	99.84%	↑	Exceeds Std
Street Sweeping	✓		97.42%	99.18%	↑	Exceeds Std
Trees		✓	100%	99.89%	↓	Exceeds Std
Urban Drainage	✓		99.26%	99.75%	↑	Exceeds Std
Number of Records			4250	5381		
<b>Manningham Maintenance Overall</b>			99.07%	99.65%	↑	Exceeds Std

**3.3 Asset Types****3.3.1 Footpaths (98.70%)**

*Footpaths were found to be generally in good condition however a number of parks contained asphalt footpaths with minor weed intrusion and surface cracking. Some isolated sections of concrete footpaths were also in poor condition with cracks and minor steps. These footpaths although not hazardous require urgent attention or major reconstruction costs will be incurred.*

*Footpaths were generally found to be in good condition at Shopping Centres and Car Parks. Some isolated damaged paths were found in carparks, however these defects were not of a hazardous nature.*

**3.3.2 Furniture (99.25%)**

*The furniture in most reserves was found to be in good condition. A number of reserves were observed to contain old weathered furniture (seats in particular) that require cleaning and/or painting as well as general repairs. Shopping Centre furniture was generally well maintained.*

**3.3.3 Garden Beds (99.44%)**

*The garden beds in reserves were generally in good condition and free from weed growth considering the recent hot weather. However a small number of damaged and dying/dead plants/trees were observed and some isolated reserve garden beds contained extensive weed growth. Garden beds in car parks and shopping centres were generally in good condition with only minor instances of weeds, damaged and dying/dead plants.*

**3.3.4 Grass Mowing (100%)**

*Grass cutting was considered overall to be very good with no reserves observed to have high grass growth.*

*Grass trimming was also generally considered to be at or above standard.*

**3.3.5 Guard Rails (100%)**

*Only 4 guard rails were recorded in this audit and this small a number is not considered a representative sample.*

**3.3.6 Guide Posts (99.50%)**

*Whilst the majority of guide posts were found to be in good condition there was a small number of missing, damaged, broken or bent posts. Reflective markers were generally intact and in good condition.*

**3.3.7 Playgrounds (99.52%)**

*Playground equipment was generally in very good condition. A small number of playgrounds required raking under swings with diminished soft fall material. A number of playgrounds have had new artificial soft fall pads installed under swings which have proved to be very effective and reduce on-going maintenance.*



**3.3.8 Litter Collection (99.90%)**

*Litter control was generally excellent. Only minor instances of litter and debris were evident at some car parks and reserves. There was only one observed instance of dumped rubbish at Blackburn Rd Shopping Centre (Car park at rear of BP service Station).*

**3.3.9 Open Drainage (100%)**

*Only minor instances of grass/weed growth was observed which may result in flooding/ culvert blockages if not attended to. Culverts/pipes were generally in good condition.*

**3.3.10 Sealed Road Pavement (99.31%) - (including line marking)**

*Pothole patching, edge condition/gravel shoulders were considered to be in acceptable condition; however a small number of rural road pavements have severe edge breaks that require attention. Channel edges/weed grass was considered above standard with only minor instances of weed growth and edge damage that require attention. Centre line marking overall condition was considered to be at standard with only a small number of faded centre lines observed. Statcon markings were generally in good condition. Only a few minor instances of faded/ worn parking bays were observed in a small number of car parks.*

**3.3.11 Signs (99.84%)**

*Signs were generally in good condition. Observed defects were of a minor nature and were generally graffiti, bent signs or posts. Some reserve signs were faded or graffitied. The incidence of defects was low across all asset categories. All other regulatory signs were found to be in good condition.*

**3.3.12 Street Sweeping (99.18%)**

*Pavement cleanliness in roads and streets was generally considered to be maintained at an acceptable standard with only minor occurrences of debris and fallen leaves.*

*Car parks mechanical sweeping were generally to standard with only minor instances of debris and leaves in areas where mechanical sweeping is not possible.*

**3.3.13 Trees (99.89%)**

*Street trees were generally in excellent condition probably due to the higher than average rainfall experienced during the months prior to undertaking the audit. Some minor incidents of fallen tree branches were observed in parks but do not cause any hazard to pedestrians. Overall, trees were in good condition.*

**3.3.14 Urban Drainage (99.75%)**

*Overall, stormwater pits were found to be in good condition with only a small number of storm water pits with cracked and/or broken lids or spalled lintels. A small number of pit entries were observed to be blocked by leaves and debris.*

**4. Defects Comments Report**

UNITID	DATE	ASSET_TYPE	COMMENT
<b>CAR PARKS</b>			
CP000071	03-03-16	FP1	Cracked/broken - not hazardous
CP000041	03-03-16	GB1	Damaged/dying/dead plants
CP000328	03-03-16	GB1	Damaged/dying/dead plants
CP000400	02-03-16	FN2	Damaged/loose fixings
CP000398	02-03-16	FN2	Damaged/missing components
CP000057	02-03-16	SR3	Displaced k & ch
CP000028	01-03-16	SR3	Displaced k & ch
CP000041	03-03-16	SR3	Displaced k & ch
CP000355	02-03-16	SR3	Displaced k & ch
CP000356	02-03-16	SR3	Displaced k & ch
CP000070	03-03-16	SR3	Displaced k & ch
CP000030	01-03-16	SR3	Displaced k & ch
CP000398	02-03-16	SR3	Displaced k & ch
CP000400	02-03-16	SR3	Displaced k & ch
CP000022	01-03-16	SR3	Edge breaks
CP000034	03-03-16	SR4	Fading/worn parking bays
CP000035	03-03-16	SR4	Fading/worn parking bays
CP000041	03-03-16	SR4	Fading/worn parking bays
CP000328	03-03-16	SR4	Fading/worn parking bays
CP000022	01-03-16	SR4	Fading/worn parking bays
CP000039	03-03-16	SR4	Fading/worn statcon
CP000071	03-03-16	TR2	Low branches would hinder machinery
CP000070	03-03-16	TR2	Low branches would hinder machinery
CP000061	02-03-16	SW1	Noticeable presence of debris
CP000210	02-03-16	SW1	Noticeable presence of debris
CP000209	02-03-16	SW1	Noticeable presence of debris
CP000015	01-03-16	SW1	Noticeable presence of debris
CP000281	01-03-16	SW1	Noticeable presence of debris
CP000039	03-03-16	SW1	Noticeable presence of debris
CP000003	01-03-16	SW1	Noticeable presence of debris
CP000300	01-03-16	SW1	Noticeable presence of debris

*Manningham City Council**Infrastructure Asset Auditing*

UNITID	DATE	ASSET_TYPE	COMMENT
CP000041	03-03-16	SW1	Noticeable presence of debris
CP000339	01-03-16	SW1	Noticeable presence of debris
CP000041	03-03-16	LT1	Noticeable presence of litter
CP000328	03-03-16	LT1	Noticeable presence of litter
CP000028	01-03-16	UD1	Pit entry more than 50% obstructed
CP000021	01-03-16	UD1	Pit entry more than 50% obstructed
CP000328	03-03-16	UD1	Pit entry more than 50% obstructed
CP000339	01-03-16	UD1	Pit entry more than 50% obstructed
CP000030	01-03-16	UD1	Pit entry more than 50% obstructed
CP000041	03-03-16	SS1	Plate fading/weathered
CP000041	03-03-16	SS2	Sign Missing
CP000328	03-03-16	SW1	Significant presence of debris
CP000041	03-03-16	SR1	Surface break-up
CP000022	01-03-16	SR1	Surface break-up
CP000071	03-03-16	FP1	Cracked/broken - not hazardous
CP000041	03-03-16	GB1	Damaged/dying/dead plants
CP000328	03-03-16	GB1	Damaged/dying/dead plants
CP000400	02-03-16	FN2	Damaged/loose fixings
CP000398	02-03-16	FN2	Damaged/missing components
CP000057	02-03-16	SR3	Displaced k & ch
CP000028	01-03-16	SR3	Displaced k & ch
CP000041	03-03-16	SR3	Displaced k & ch
CP000355	02-03-16	SR3	Displaced k & ch
CP000356	02-03-16	SR3	Displaced k & ch
CP000070	03-03-16	SR3	Displaced k & ch
CP000030	01-03-16	SR3	Displaced k & ch
CP000398	02-03-16	SR3	Displaced k & ch
CP000400	02-03-16	SR3	Displaced k & ch
CP000022	01-03-16	SR3	Edge breaks
CP000034	03-03-16	SR4	Fading/worn parking bays
CP000035	03-03-16	SR4	Fading/worn parking bays
CP000041	03-03-16	SR4	Fading/worn parking bays
CP000328	03-03-16	SR4	Fading/worn parking bays
CP000022	01-03-16	SR4	Fading/worn parking bays

<i>Manningham City Council</i>		<i>Infrastructure Asset Auditing</i>	
<b>UNITID</b>	<b>DATE</b>	<b>ASSET_TYPE</b>	<b>COMMENT</b>
CP000039	03-03-16	SR4	Fading/worn statcon
CP000071	03-03-16	TR2	Low branches would hinder machinery
CP000070	03-03-16	TR2	Low branches would hinder machinery
CP000061	02-03-16	SW1	Noticeable presence of debris
CP000210	02-03-16	SW1	Noticeable presence of debris
CP000209	02-03-16	SW1	Noticeable presence of debris
CP000015	01-03-16	SW1	Noticeable presence of debris
CP000281	01-03-16	SW1	Noticeable presence of debris
CP000039	03-03-16	SW1	Noticeable presence of debris
CP000003	01-03-16	SW1	Noticeable presence of debris
CP000300	01-03-16	SW1	Noticeable presence of debris
CP000041	03-03-16	SW1	Noticeable presence of debris
CP000339	01-03-16	SW1	Noticeable presence of debris
CP000041	03-03-16	LT1	Noticeable presence of litter
CP000328	03-03-16	LT1	Noticeable presence of litter
CP000028	01-03-16	UD1	Pit entry more than 50% obstructed
CP000021	01-03-16	UD1	Pit entry more than 50% obstructed
CP000328	03-03-16	UD1	Pit entry more than 50% obstructed
CP000339	01-03-16	UD1	Pit entry more than 50% obstructed
CP000030	01-03-16	UD1	Pit entry more than 50% obstructed
CP000041	03-03-16	SS1	Plate fading/weathered
CP000041	03-03-16	SS2	Sign Missing
CP000328	03-03-16	SW1	Significant presence of debris
CP000041	03-03-16	SR1	Surface break-up
CP000022	01-03-16	SR1	Surface break-up
CP000071	03-03-16	FP1	Cracked/broken - not hazardous
CP000041	03-03-16	GB1	Damaged/dying/dead plants
CP000328	03-03-16	GB1	Damaged/dying/dead plants
CP000400	02-03-16	FN2	Damaged/loose fixings
CP000398	02-03-16	FN2	Damaged/missing components
CP000057	02-03-16	SR3	Displaced k & ch
CP000028	01-03-16	SR3	Displaced k & ch
CP000041	03-03-16	SR3	Displaced k & ch
CP000355	02-03-16	SR3	Displaced k & ch

*Manningham City Council**Infrastructure Asset Auditing*

UNITID	DATE	ASSET_TYPE	COMMENT
CP000356	02-03-16	SR3	Displaced k & ch
CP000070	03-03-16	SR3	Displaced k & ch
CP000030	01-03-16	SR3	Displaced k & ch
CP000398	02-03-16	SR3	Displaced k & ch
CP000400	02-03-16	SR3	Displaced k & ch
CP000022	01-03-16	SR3	Edge breaks
CP000034	03-03-16	SR4	Fading/worn parking bays
CP000035	03-03-16	SR4	Fading/worn parking bays
CP000041	03-03-16	SR4	Fading/worn parking bays
CP000328	03-03-16	SR4	Fading/worn parking bays
CP000022	01-03-16	SR4	Fading/worn parking bays
CP000039	03-03-16	SR4	Fading/worn statcon
CP000071	03-03-16	TR2	Low branches would hinder machinery
CP000070	03-03-16	TR2	Low branches would hinder machinery
CP000061	02-03-16	SW1	Noticeable presence of debris
CP000210	02-03-16	SW1	Noticeable presence of debris
CP000209	02-03-16	SW1	Noticeable presence of debris
CP000015	01-03-16	SW1	Noticeable presence of debris
CP000281	01-03-16	SW1	Noticeable presence of debris
CP000039	03-03-16	SW1	Noticeable presence of debris
CP000003	01-03-16	SW1	Noticeable presence of debris
CP000300	01-03-16	SW1	Noticeable presence of debris
CP000041	03-03-16	SW1	Noticeable presence of debris
CP000339	01-03-16	SW1	Noticeable presence of debris
CP000041	03-03-16	LT1	Noticeable presence of litter
CP000328	03-03-16	LT1	Noticeable presence of litter
CP000028	01-03-16	UD1	Pit entry more than 50% obstructed
CP000021	01-03-16	UD1	Pit entry more than 50% obstructed
CP000328	03-03-16	UD1	Pit entry more than 50% obstructed
CP000339	01-03-16	UD1	Pit entry more than 50% obstructed
CP000030	01-03-16	UD1	Pit entry more than 50% obstructed
CP000041	03-03-16	SS1	Plate fading/weathered
CP000041	03-03-16	SS2	Sign Missing
CP000328	03-03-16	SW1	Significant presence of debris

*Manningham City Council**Infrastructure Asset Auditing*

UNITID	DATE	ASSET_TYPE	COMMENT
CP000041	03-03-16	SR1	Surface break-up
CP000022	01-03-16	SR1	Surface break-up
<b>ROADS</b>			
Cliveden Ct	02-03-16	UD2	Cracked/broken lid
Hermann Ct	02-03-16	UD2	Cracked/broken lid
Yeoman Ct	03-03-16	UD2	Cracked/broken lid
Savaris Ct	03-03-16	UD2	Cracked/broken lid
Lisbeth Av	03-03-16	UD2	Cracked/broken lid
Wooddale Gv	03-03-16	UD2	Cracked/broken lid
Young St	03-03-16	UD2	Cracked/broken lid
Iolanthe Cl	03-03-16	SS4	Damaged/Bent Sign
Dellfield Dr	01-03-16	SR3	Displaced k & ch
RD_UnNamed_23	03-03-16	SR3	Displaced k & ch
Watties Rd	02-03-16	SR2	Edge Breaks
Obriens La	02-03-16	SR2	Edge Breaks
Ians Gv	01-03-16	SR2	Edge Breaks
Heather Gv	01-03-16	SR3	Edge breaks
Vincent Rd	03-03-16	SR2	Edge Breaks
McEwan Rd	03-03-16	SR2	Edge Breaks
Dellfield Dr	01-03-16	SR2	Edge Breaks
Monckton Rd	02-03-16	SR2	Edge Breaks
Newmans Rd	02-03-16	SR2	Edge Breaks
Toppings Rd	02-03-16	SR2	Edge Breaks
Websters Rd	02-03-16	SR2	Edge Breaks
Websters Rd	02-03-16	SR2	Edge Breaks
Berringa Rd	03-03-16	SR2	Edge Breaks
Berringa Rd	03-03-16	SR2	Edge Breaks
RD_UnNamed_17	01-03-16	SR2	Edge Breaks
RD_UnNamed_12	01-03-16	SR2	Edge Breaks
Arundel Rd	03-03-16	SR2	Edge Breaks
Vasey Gv	03-03-16	SR4	Fading/worn centre/edge lines
Amys Gv	03-03-16	SR4	Fading/worn centre/edge lines
Cliveden Ct	02-03-16	SR4	Fading/worn centre/edge lines

<i>Manningham City Council</i>		<i>Infrastructure Asset Auditing</i>	
<b>UNITID</b>	<b>DATE</b>	<b>ASSET_TYPE</b>	<b>COMMENT</b>
Rangeview Rd	03-03-16	SR4	Fading/worn centre/edge lines
Sturdee Rd	03-03-16	SR4	Fading/worn centre/edge lines
Wooddale Gv	03-03-16	SR4	Fading/worn centre/edge lines
Young St	03-03-16	SR4	Fading/worn centre/edge lines
Websters Rd	02-03-16	SR4	Fading/worn centre/edge lines
Citiview Ct	01-03-16	SR4	Fading/worn centre/edge lines
Websters Rd	02-03-16	SR4	Fading/worn centre/edge lines
RD_UnNamed_17	01-03-16	SR4	Fading/worn parking bays
RD_UnNamed_12	01-03-16	SR4	Fading/worn parking bays
Arundel Rd	03-03-16	SR4	Fading/worn statcon
Barak St	01-03-16	SR4	Fading/worn statcon
Websters Rd	02-03-16	SR4	Fading/worn statcon
Watties Rd	02-03-16	TR2	Low branches would hinder machinery
Milton Cl	02-03-16	SW1	Noticeable presence of debris
Ardgower Ct	01-03-16	SW1	Noticeable presence of debris
Saville Ct	01-03-16	SW1	Noticeable presence of debris
Airds Rd	01-03-16	SW1	Noticeable presence of debris
Linton Av	01-03-16	SW1	Noticeable presence of debris
Long Valley Way	02-03-16	SW1	Noticeable presence of debris
Rangeview Rd	03-03-16	SW1	Noticeable presence of debris
Sturdee Rd	03-03-16	SW1	Noticeable presence of debris
Young St	03-03-16	SW1	Noticeable presence of debris
Kelvinside Dr	01-03-16	SW1	Noticeable presence of debris
Obriens La	02-03-16	SR4	Other
Hermann Ct	02-03-16	SR3	Other
Vincent Rd	03-03-16	SR1	Other
RD_UnNamed_17	01-03-16	SS1	Plate fading/weathered
RD_UnNamed_12	01-03-16	SS1	Plate fading/weathered
RD_UnNamed_28	01-03-16	SR1	Pothole(s)
Briar La	02-03-16	GP1	Repaint
Villanova Ct	03-03-16	SS2	Sign Missing
Hermann Ct	02-03-16	SR1	Surface break-up
RD_UnNamed_27	01-03-16	SR1	Surface break-up
RD_UnNamed_23	03-03-16	SR1	Surface break-up

*Manningham City Council**Infrastructure Asset Auditing*

UNITID	DATE	ASSET_TYPE	COMMENT
RD_UnNamed_19	01-03-16	SR1	Surface break-up
RD_UnNamed_17	01-03-16	SR1	Surface break-up
RD_UnNamed_12	01-03-16	SR1	Surface break-up
RD_UnNamed_11	01-03-16	SR1	Surface break-up
Hillview Pde	01-03-16	SR3	Weed growth
Graeme Ct	01-03-16	SR3	Weed growth
Parkview Pl	01-03-16	SR3	Weed growth
Louise Ct	01-03-16	SR3	Weed growth
Paul St	01-03-16	SR3	Weed growth
RD_UnNamed_12	01-03-16	SR3	Weed growth
Cliveden Ct	02-03-16	UD2	Cracked/broken lid
Hermann Ct	02-03-16	UD2	Cracked/broken lid
Yeoman Ct	03-03-16	UD2	Cracked/broken lid
Savaris Ct	03-03-16	UD2	Cracked/broken lid
Lisbeth Av	03-03-16	UD2	Cracked/broken lid
Wooddale Gv	03-03-16	UD2	Cracked/broken lid
Young St	03-03-16	UD2	Cracked/broken lid
Iolanthe Cl	03-03-16	SS4	Damaged/Bent Sign
Dellfield Dr	01-03-16	SR3	Displaced k & ch
RD_UnNamed_23	03-03-16	SR3	Displaced k & ch
Watties Rd	02-03-16	SR2	Edge Breaks
Obriens La	02-03-16	SR2	Edge Breaks
Ians Gv	01-03-16	SR2	Edge Breaks
Heather Gv	01-03-16	SR3	Edge breaks
Vincent Rd	03-03-16	SR2	Edge Breaks
McEwan Rd	03-03-16	SR2	Edge Breaks
Dellfield Dr	01-03-16	SR2	Edge Breaks
Monckton Rd	02-03-16	SR2	Edge Breaks
Newmans Rd	02-03-16	SR2	Edge Breaks
Toppings Rd	02-03-16	SR2	Edge Breaks
Websters Rd	02-03-16	SR2	Edge Breaks
Websters Rd	02-03-16	SR2	Edge Breaks
Berringa Rd	03-03-16	SR2	Edge Breaks
Berringa Rd	03-03-16	SR2	Edge Breaks



*Manningham City Council**Infrastructure Asset Auditing*

UNITID	DATE	ASSET_TYPE	COMMENT
RD_UnNamed_17	01-03-16	SR2	Edge Breaks
RD_UnNamed_12	01-03-16	SR2	Edge Breaks
Arundel Rd	03-03-16	SR2	Edge Breaks
Vasey Gv	03-03-16	SR4	Fading/worn centre/edge lines
Amys Gv	03-03-16	SR4	Fading/worn centre/edge lines
Cliveden Ct	02-03-16	SR4	Fading/worn centre/edge lines
Rangeview Rd	03-03-16	SR4	Fading/worn centre/edge lines
Sturdee Rd	03-03-16	SR4	Fading/worn centre/edge lines
Wooddale Gv	03-03-16	SR4	Fading/worn centre/edge lines
Young St	03-03-16	SR4	Fading/worn centre/edge lines
Websters Rd	02-03-16	SR4	Fading/worn centre/edge lines
Citiview Ct	01-03-16	SR4	Fading/worn centre/edge lines
Websters Rd	02-03-16	SR4	Fading/worn centre/edge lines
RD_UnNamed_17	01-03-16	SR4	Fading/worn parking bays
RD_UnNamed_12	01-03-16	SR4	Fading/worn parking bays
Arundel Rd	03-03-16	SR4	Fading/worn statcon
Barak St	01-03-16	SR4	Fading/worn statcon
Websters Rd	02-03-16	SR4	Fading/worn statcon
Watties Rd	02-03-16	TR2	Low branches would hinder machinery
Milton Cl	02-03-16	SW1	Noticeable presence of debris
Ardgower Ct	01-03-16	SW1	Noticeable presence of debris
Saville Ct	01-03-16	SW1	Noticeable presence of debris
Airds Rd	01-03-16	SW1	Noticeable presence of debris
Linton Av	01-03-16	SW1	Noticeable presence of debris
Long Valley Way	02-03-16	SW1	Noticeable presence of debris
Rangeview Rd	03-03-16	SW1	Noticeable presence of debris
Sturdee Rd	03-03-16	SW1	Noticeable presence of debris
Young St	03-03-16	SW1	Noticeable presence of debris
Kelvinside Dr	01-03-16	SW1	Noticeable presence of debris
Obriens La	02-03-16	SR4	Other
Hermann Ct	02-03-16	SR3	Other
Vincent Rd	03-03-16	SR1	Other
RD_UnNamed_17	01-03-16	SS1	Plate fading/weathered
RD_UnNamed_12	01-03-16	SS1	Plate fading/weathered

<i>Manningham City Council</i>		<i>Infrastructure Asset Auditing</i>	
<b>UNITID</b>	<b>DATE</b>	<b>ASSET_TYPE</b>	<b>COMMENT</b>
RD_UnNamed_28	01-03-16	SR1	Pothole(s)
Briar La	02-03-16	GP1	Repaint
Villanova Ct	03-03-16	SS2	Sign Missing
Hermann Ct	02-03-16	SR1	Surface break-up
RD_UnNamed_27	01-03-16	SR1	Surface break-up
RD_UnNamed_23	03-03-16	SR1	Surface break-up
RD_UnNamed_19	01-03-16	SR1	Surface break-up
RD_UnNamed_17	01-03-16	SR1	Surface break-up
RD_UnNamed_12	01-03-16	SR1	Surface break-up
RD_UnNamed_11	01-03-16	SR1	Surface break-up
Hillview Pde	01-03-16	SR3	Weed growth
Graeme Ct	01-03-16	SR3	Weed growth
Parkview Pl	01-03-16	SR3	Weed growth
Louise Ct	01-03-16	SR3	Weed growth
Paul St	01-03-16	SR3	Weed growth
RD_UnNamed_12	01-03-16	SR3	Weed growth
<b>SHOPPING CENTRES</b>			
SC000007	01-03-16	FP1	Cracked/broken - not hazardous
<b>RESERVES</b>			
PK0001	03-03-16	FP1	Cracked/broken - not hazardous
PK0038	01-03-16	FP1	Cracked/broken - not hazardous
PK0080	01-03-16	FP1	Cracked/broken - not hazardous
PK0091	03-03-16	FP1	Cracked/broken - not hazardous
PK0226	02-03-16	FP1	Cracked/broken - not hazardous
PK0239	01-03-16	FP1	Cracked/broken - not hazardous
PK0310	03-03-16	FP1	Cracked/broken - not hazardous
PK0026	01-03-16	TR1	Damaged branches
PK0239	01-03-16	GB1	Damaged/dying/dead plants
PK0001	03-03-16	FN2	Damaged/loose fixings
PK0038	01-03-16	FN2	Damaged/loose fixings
PK0091	03-03-16	FN2	Damaged/loose fixings
PK0226	02-03-16	FP2	Edge encroachment
PK0253	02-03-16	SS3	Graffiti
<i>Dennis Hunt &amp; Associates Pty Ltd</i>		<i>InfraRpt FEB 2016 DHA</i>	
		<i>09/03/16</i>	

*Manningham City Council**Infrastructure Asset Auditing*

UNITID	DATE	ASSET_TYPE	COMMENT
PK0001	03-03-16	TR2	Low branches would hinder pedestrians
PK0001	03-03-16	FP2	Minor infiltration
PK0310	03-03-16	FP2	Minor infiltration
PK0310	03-03-16	SS3	Obscured by tree
PK0001	03-03-16	SS3	Plate fading/weathered
PK0019	02-03-16	SS3	Plate fading/weathered
PK0038	01-03-16	SS3	Plate fading/weathered
PK0040	02-03-16	SS3	Plate fading/weathered
PK0239	01-03-16	SS3	Plate fading/weathered
PK0303	02-03-16	SS3	Plate fading/weathered
PK0356	03-03-16	SS3	Plate fading/weathered
PK0038	01-03-16	PG2	Requires raking under swings
PK0001	03-03-16	SS4	Sign Missing
PK0253	02-03-16	GS1	Significant long & uneven growth
PK0001	03-03-16	GB1	Some untidy/unhealthy growth
PK0001	03-03-16	TR1	Some untidy/unhealthy growth
PK0001	03-03-16	FN1	Weathered/flaking paint
PK0038	01-03-16	FN1	Weathered/flaking paint
PK0091	03-03-16	FN1	Weathered/flaking paint
PK0293	02-03-16	FN1	Weathered/flaking paint
PK0321	01-03-16	FN1	Weathered/flaking paint

**5. Asset Performance Graphs**

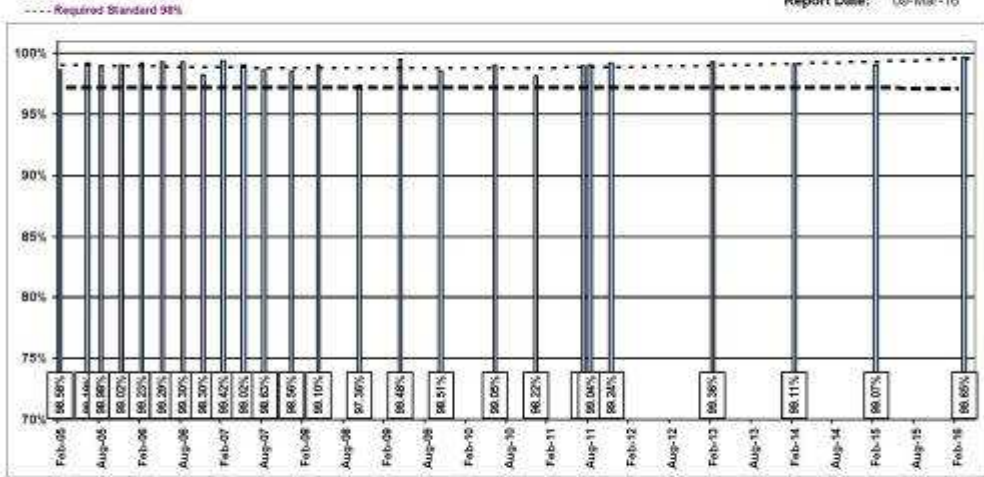
- Overall Performance – All Assets
- Overall Performance – By Asset Type

Manningsham City Council  
Infrastructure Asset Audits

OVERALL PERFORMANCE

ALL ASSETS

Report Date: 03-Mar-16

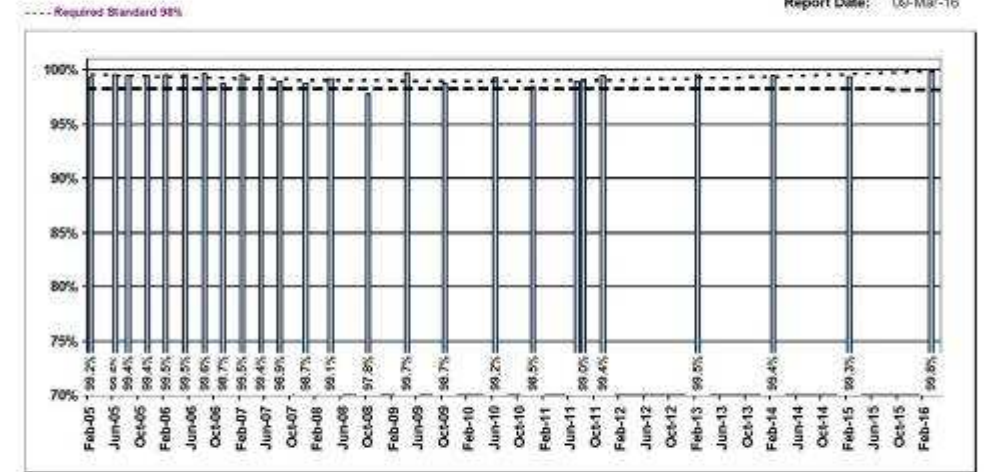


Manningsham City Council  
Infrastructure Asset Audits

OVERALL PERFORMANCE

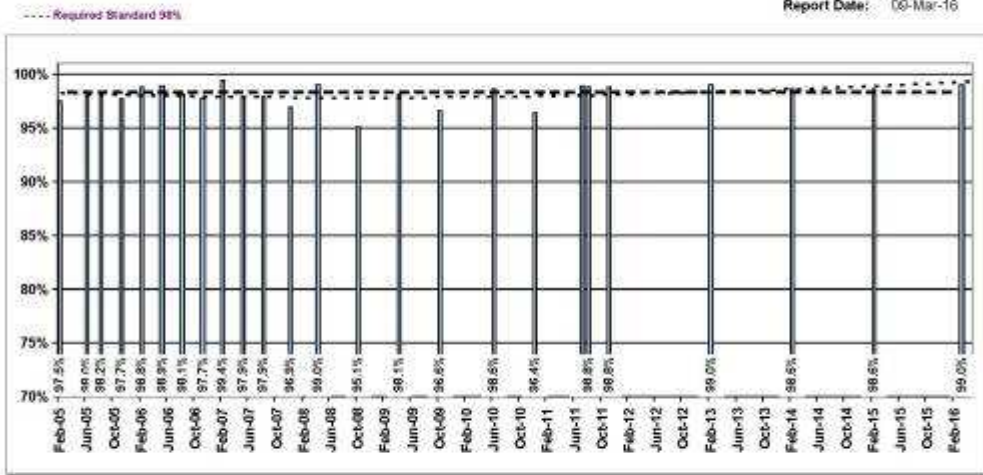
ALL COUNCIL ROADS

Report Date: 03-Mar-16



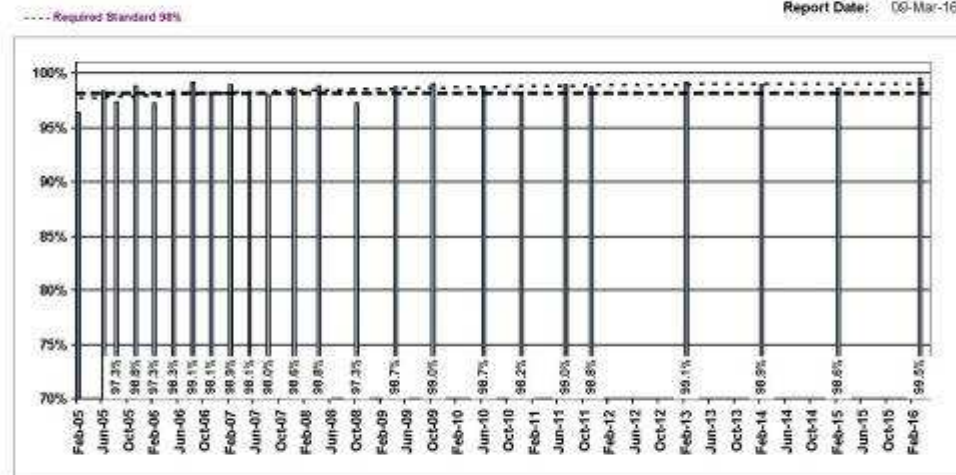
Manningsham City Council  
Infrastructure Asset Audits

**OVERALL PERFORMANCE**  
**PARKS AND RESERVES**  
Report Date: 03-Mar-16



Manningsham City Council  
Infrastructure Asset Audits

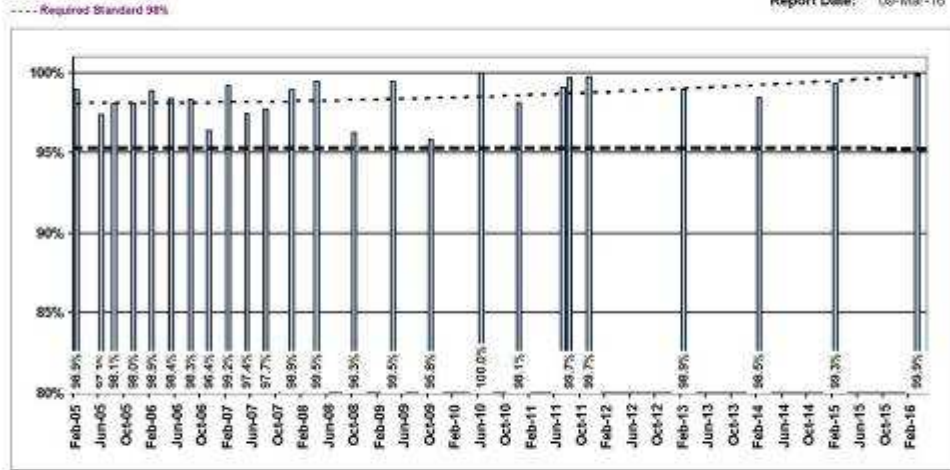
**OVERALL PERFORMANCE**  
**CAR PARKS**  
Report Date: 03-Mar-16



Mullinghnan City Council  
Infrastructure Asset Audits

**OVERALL PERFORMANCE**  
**SHOPPING CENTRES**

Report Date: 03-Mar-16



**6. Audit Database Reports**

Database reports attached:

- Audit Report 1 - Activity Summary – All Assets
- Audit Report 2 - Activity Summary – Car Parks
- Audit Report 3 - Activity Summary – Parks & Reserves
- Audit Report 4 - Activity Summary – Council Roads
- Audit Report 7 - Activity Summary – Shopping Centres



Audit Report 1 - ACTIVITY SUMMARY

**OVERALL ASSESSMENT**

March 2016

<b>Footpaths</b>			
Cracks Steps	3.92		
Weeds/Grass	3.97		
		<b>3.95</b>	<b>( 106 ) 98.70%</b>
<b>Furniture</b>			
Condition	3.97		
Minor Repairs	3.97		
		<b>3.97</b>	<b>( 166 ) 99.25%</b>
<b>Garden Beds</b>			
Plants/Mulch/Weeds	3.98		
		<b>3.96</b>	<b>( 112 ) 99.44%</b>
<b>Grass Mowing</b>			
Grass Height	4.00		
Edge Trimming	4.00		
		<b>4.00</b>	<b>( 619 ) 100.06%</b>
<b>Playgrounds</b>			
Equipment & Furniture	4.00		
Softfall	3.96		
		<b>3.98</b>	<b>( 26 ) 99.52%</b>
<b>Litter Collection</b>			
Roadside / Park Litter	3.99		
Dumped Rubbish	4.00		
		<b>4.00</b>	<b>( 250 ) 99.90%</b>
<b>Open Drainage</b>			
Clear / Shape / Free flowing	4.00		
Culvert/ Pipe Repairs	4.00		
		<b>4.00</b>	<b>( 115 ) 100.00%</b>
<b>Sealed Road Pavement</b>			
Pothole Patching	3.99		
Edge Cond./Gravel Sholder	3.98		
Ch. Edge / Weeds Grass	3.97		
Linemarking/RRPM's	3.95		
		<b>3.97</b>	<b>( 1218 ) 99.31%</b>
<b>Signs</b>			
Regulatory - Condition	4.00		
Reg. - Minor Repairs	4.00		
General - Condition	3.99		
Gen. - Minor Repairs	4.00		
		<b>3.99</b>	<b>( 1093 ) 99.84%</b>
<b>Street Sweeping</b>			

Audit Report 1 - ACTIVITY SUMMARY

Report Date: 09-Mar-16

	Street Sweeping	3.97		
<b>Trees</b>			<b>3.97</b>	<b>( 349 )</b>
				<b>99.18%</b>
	Condition	4.00		
	Clearances	3.99		
			<b>4.00</b>	<b>( 704 )</b>
				<b>99.89%</b>
<b>Urban Drainage</b>				
	Clear Entry	3.99		
	Lids	3.99		
			<b>3.99</b>	<b>( 594 )</b>
				<b>99.75%</b>
<b>Guide Posts</b>				
	Functional	3.98		
			<b>3.98</b>	<b>( 25 )</b>
				<b>99.50%</b>
<b>Guardrails</b>				
	Condition	4.00		
			<b>4.00</b>	<b>( 4 )</b>
				<b>100.00%</b>
<hr/>				
	<b>Overall Average Score:</b>	<b>3.99</b>	<b>( 5381 )</b>	<b>99.65%</b>

<b>Audit Report 2 - ACTIVITY SUMMARY</b>
--

**CAR PARKS**

March 2016

<b>Footpaths</b>				
Cracks Steps	3.98			
Weeds/Grass	4.00			
		<b>3.99</b>	<b>( .46 )</b>	<b>99.73%</b>
<b>Furniture</b>				
Condition	4.00			
Minor Repairs	3.96			
		<b>3.98</b>	<b>( .56 )</b>	<b>99.55%</b>
<b>Garden Beds</b>				
Plants/Mulch/Weeds	3.97			
		<b>3.97</b>	<b>( .50 )</b>	<b>99.25%</b>
<b>Grass Mowing</b>				
Grass Height	4.00			
Edge Trimming	4.00			
		<b>4.00</b>	<b>( .42 )</b>	<b>100.00%</b>
<b>Litter Collection</b>				
Roadside / Park Litter	3.99			
Dumped Rubbish	4.00			
		<b>3.99</b>	<b>( 152 )</b>	<b>99.84%</b>
<b>Open Drainage</b>				
Clear / Shape / Free flowing				
Culvert/ Pipe Repairs				
			<b>( 0 )</b>	
<b>Sealed Road Pavement</b>				
Pothole Patching	3.99			
Edge Cond./Gravel Sholder	4.00			
Ch. Edge / Weeds Grass	3.93			
Linemarking/RRPM's	3.95			
		<b>3.97</b>	<b>( 287 )</b>	<b>99.22%</b>
<b>Signs</b>				
Regulatory - Condition	3.99			
Reg. - Minor Repairs	3.99			
General - Condition	4.00			
Gen. - Minor Repairs	4.00			
		<b>3.99</b>	<b>( 182 )</b>	<b>99.87%</b>
<b>Street Sweeping</b>				
Street Sweeping	3.91			
		<b>3.91</b>	<b>( 75 )</b>	<b>97.83%</b>
<b>Trees</b>				
Condition	4.00			
Clearances	3.98			

Audit Report 1 - ACTIVITY SUMMARY

Report Date: 09-Mar-16

---

		<b>3.99</b>	<b>( 100 )</b>	<b>99.75%</b>
<b>Urban Drainage</b>				
Clear Entry	3.96			
Lids	4.00			
		<b>3.96</b>	<b>( 126 )</b>	<b>99.50%</b>
<b>Guide Posts</b>				
Functional			<b>( 0 )</b>	
<b>Guardrails</b>				
Condition			<b>( 0 )</b>	
<hr/>				
<b>Car Parks Average Score:</b>	<b>3.98</b>	<b>( 1126 )</b>	<b>99.47%</b>	

Audit Report 3 - ACTIVITY SUMMARY

**PARKS & RESERVES**

March 2016

<b>Footpaths</b>			
Cracks Steps	3.84		
Weeds/Grass	3.92		
		<b>3.88</b>	<b>( 38 )</b>
			<b>97.04%</b>
<b>Furniture</b>			
Condition	3.91		
Minor Repairs	3.95		
		<b>3.93</b>	<b>( 58 )</b>
			<b>98.28%</b>
<b>Garden Beds</b>			
Plants/Mulch/Weeds	3.95		
		<b>3.95</b>	<b>( 20 )</b>
			<b>98.75%</b>
<b>Grass Mowing</b>			
Grass Height	3.99		
Edge Trimming	4.00		
		<b>3.99</b>	<b>( 72 )</b>
			<b>99.83%</b>
<b>Playgrounds</b>			
Equipment & Furniture	4.00		
Softfall	3.96		
		<b>3.98</b>	<b>( 26 )</b>
			<b>99.52%</b>
<b>Litter Collection</b>			
Roadside / Park Litter	4.00		
Dumped Rubbish	4.00		
		<b>4.00</b>	<b>( 72 )</b>
			<b>100.00%</b>
<b>Open Drainage</b>			
Clear / Shape / Free flowing			
Culvert/ Pipe Repairs			
			<b>( 0 )</b>
<b>Signs</b>			
Regulatory - Condition	4.00		
Reg. - Minor Repairs	4.00		
General - Condition	3.84		
Gen. - Minor Repairs	3.98		
		<b>3.92</b>	<b>( 81 )</b>
			<b>97.95%</b>
<b>Trees</b>			
Condition	3.97		
Clearances	3.99		
		<b>3.98</b>	<b>( 72 )</b>
			<b>99.48%</b>
<b>Urban Drainage</b>			
Clear Entry			
Lids			
			<b>( 0 )</b>
<hr/>			
<b>Parks &amp; Reserves Average Score:</b>	<b>3.96</b>	<b>( 419 )</b>	<b>98.99%</b>

**Audit Report 4 - ACTIVITY SUMMARY**

**ALL COUNCIL ROADS**

March 2016

<b>Footpaths</b>				
Cracks/Steps			( 0 )	
Weeds/Grass				
<b>Furniture</b>				
Condition	4.00			
Minor Repairs	4.00			
		<b>4.00</b>	( 28 )	<b>100.00%</b>
<b>Garden Beds</b>				
Plants/Mulch/Weeds	4.00			
		<b>4.00</b>	( 29 )	<b>100.00%</b>
<b>Grass Mowing</b>				
Grass Height	4.01			
Edge Trimming	4.00			
		<b>4.00</b>	( 499 )	<b>100.10%</b>
<b>Litter Collection</b>				
Roadside / Park Litter	4.00			
Dumped Rubbish	4.00			
		<b>4.00</b>	( 2 )	<b>100.00%</b>
<b>Open Drainage</b>				
Clear / Shape / Free flowing	4.00			
Culvert/ Pipe Repairs	4.00			
		<b>4.00</b>	( 115 )	<b>100.00%</b>
<b>Sealed Road Pavement</b>				
Pothole Patching	4.00			
Edge Cond./Gravel Sholder	3.97			
Ch. Edge / Weeds Grass	3.98			
Linemarking/RRPM's	3.95			
		<b>3.98</b>	( 873 )	<b>99.47%</b>
<b>Signs</b>				
Regulatory - Condition	4.01			
Reg. - Minor Repairs	4.00			
General - Condition	4.00			
Gen. - Minor Repairs	4.00			
		<b>4.00</b>	( 779 )	<b>100.00%</b>
<b>Street Sweeping</b>				
Street Sweeping	3.98			
		<b>3.98</b>	( 255 )	<b>99.51%</b>
<b>Trees</b>				
Condition	4.00			
Clearances	4.00			

		<b>4.00</b>	( 510 )	<b>99.98%</b>
<b>Urban Drainage</b>				
Clear Entry	4.00			
Lids	3.98			
		<b>3.99</b>	( 432 )	<b>99.80%</b>
<b>Guide Posts</b>				
Functional	3.98			
		<b>3.98</b>	( 24 )	<b>99.48%</b>
<b>Guardrails</b>				
Condition	4.00			
		<b>4.00</b>	( 4 )	<b>100.00%</b>
<hr/>				
<b>All Roads Average Score:</b>		<b>3.99</b>	( 3650 )	<b>99.82%</b>

<b>Audit Report 7 - ACTIVITY SUMMARY</b>
--

**SHOPPING CENTRES**

March 2016

<b>Footpaths</b>				
Cracks/Steps	3.95			
Weeds/Grass	4.00			
		<b>3.98</b>	<b>( 22 )</b>	<b>99.43%</b>
<b>Furniture</b>				
Condition	4.00			
Minor Repairs	4.00			
		<b>4.00</b>	<b>( 20 )</b>	<b>100.00%</b>
<b>Garden Beds</b>				
Plants/Mulch/Weeds	4.00			
		<b>4.00</b>	<b>( 10 )</b>	<b>100.00%</b>
<b>Grass Mowing</b>				
Grass Height	4.00			
Edge Trimming	4.00			
		<b>4.00</b>	<b>( 4 )</b>	<b>100.00%</b>
<b>Litter Collection</b>				
Roadside / Park Litter	4.00			
Dumped Rubbish	4.00			
		<b>4.00</b>	<b>( 22 )</b>	<b>100.00%</b>
<b>Signs</b>				
Regulatory - Condition	4.00			
Reg. - Minor Repairs	4.00			
General - Condition	4.00			
Gen. - Minor Repairs	4.00			
		<b>4.00</b>	<b>( 24 )</b>	<b>100.00%</b>
<b>Street Sweeping</b>				
Street Sweeping	4.00			
		<b>4.00</b>	<b>( 1 )</b>	<b>100.00%</b>
<b>Trees</b>				
Condition	4.00			
Clearances	4.00			
		<b>4.00</b>	<b>( 18 )</b>	<b>100.00%</b>
<b>Urban Drainage</b>				
Clear Entry				
Lids				
			<b>( 0 )</b>	
<hr/>				
<b>Shopping Centres Roads Average Score:</b>	<b>4.00</b>	<b>( 121 )</b>	<b>99.90%</b>	



**7. Audit Photographs**

	
<b>Standard Carpark Bays</b>	<b>Standard Centre Line</b>
	
<b>Standard pavement centreline</b>	<b>Standard furniture</b>
	
<b>Standard Shopping Centre Footpath</b>	<b>Standard Signage</b>

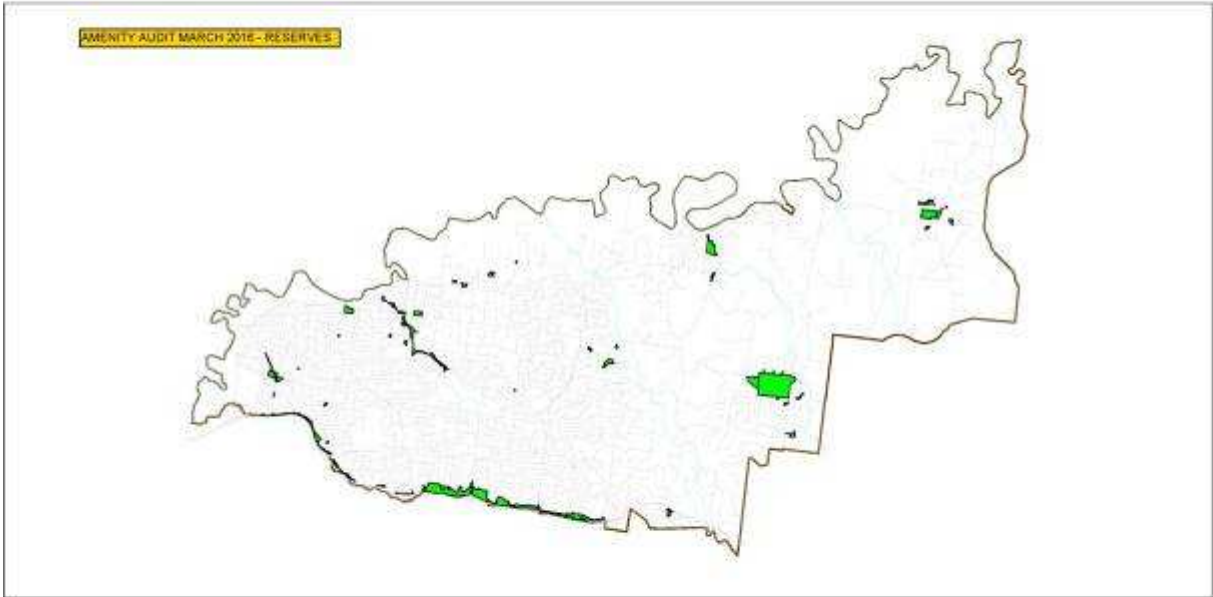
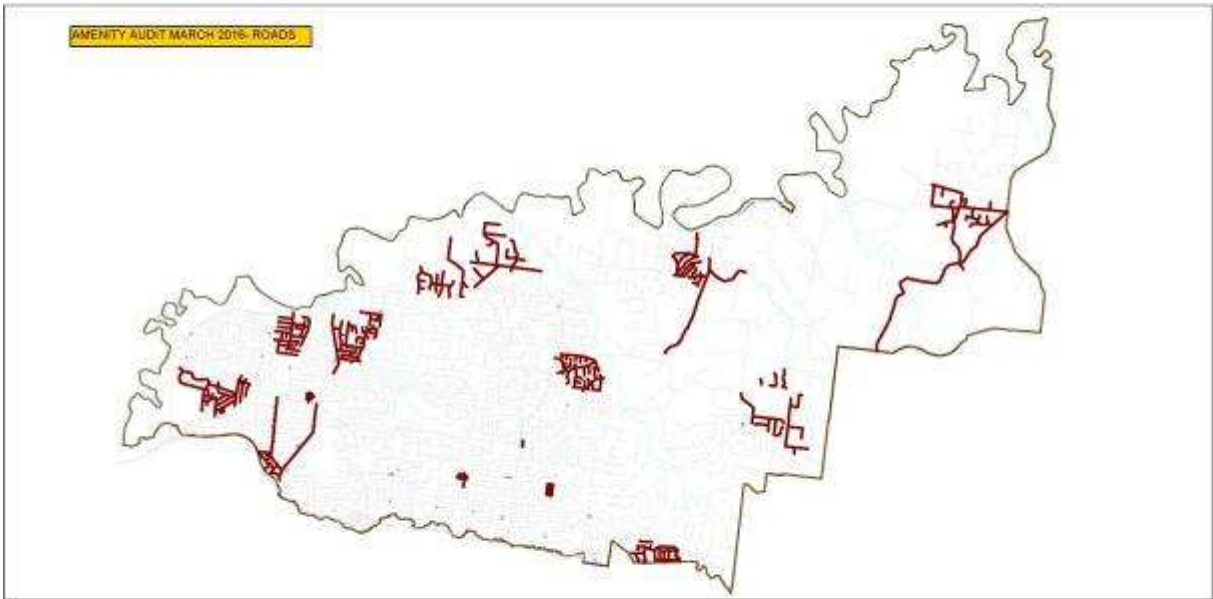
<b>Damaged Bollards</b>	<b>Faded Linemarking</b>
	
<b>Pavement Cracking</b>	<b>Fallen Tree</b>
	
<b>Graffiti Sign</b>	<b>Channel Weeds</b>
	
<b>Faded Carparking Signage</b>	<b>Faded Statcon Markings</b>

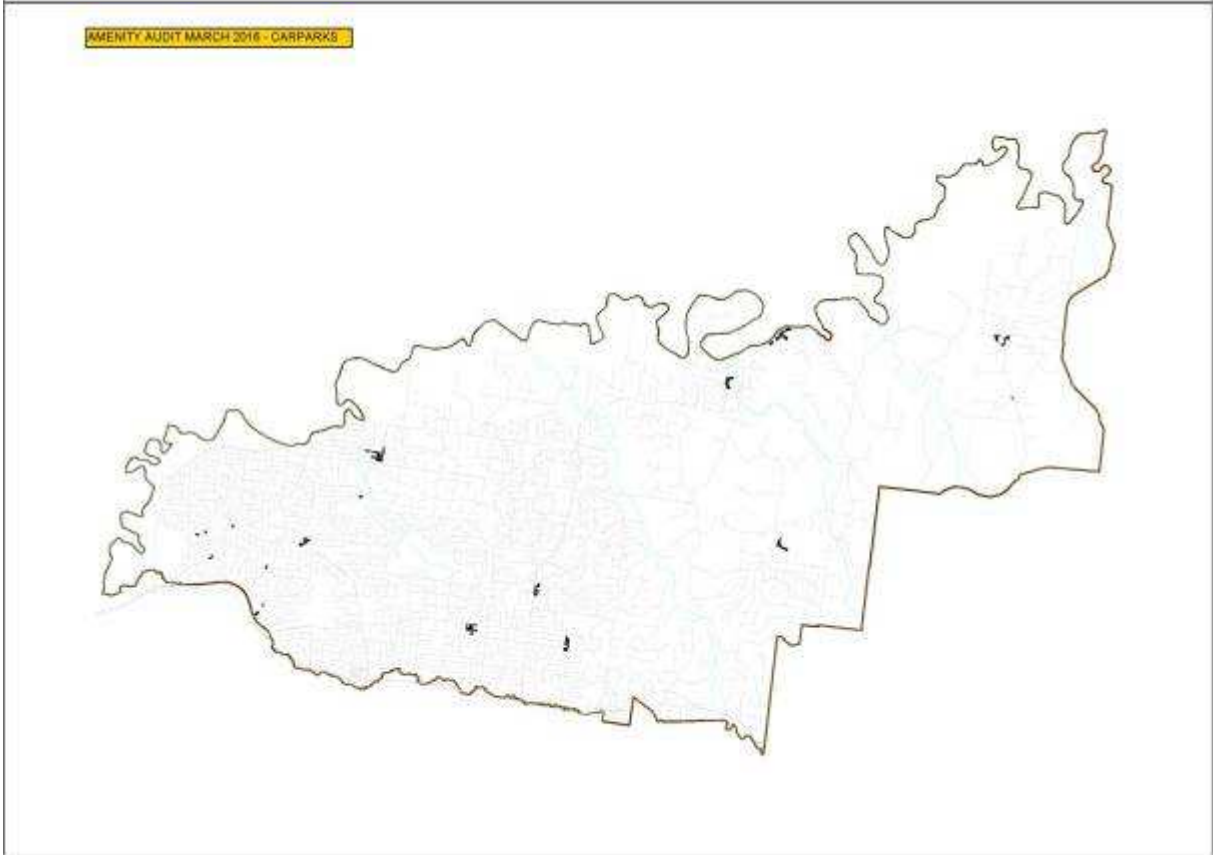
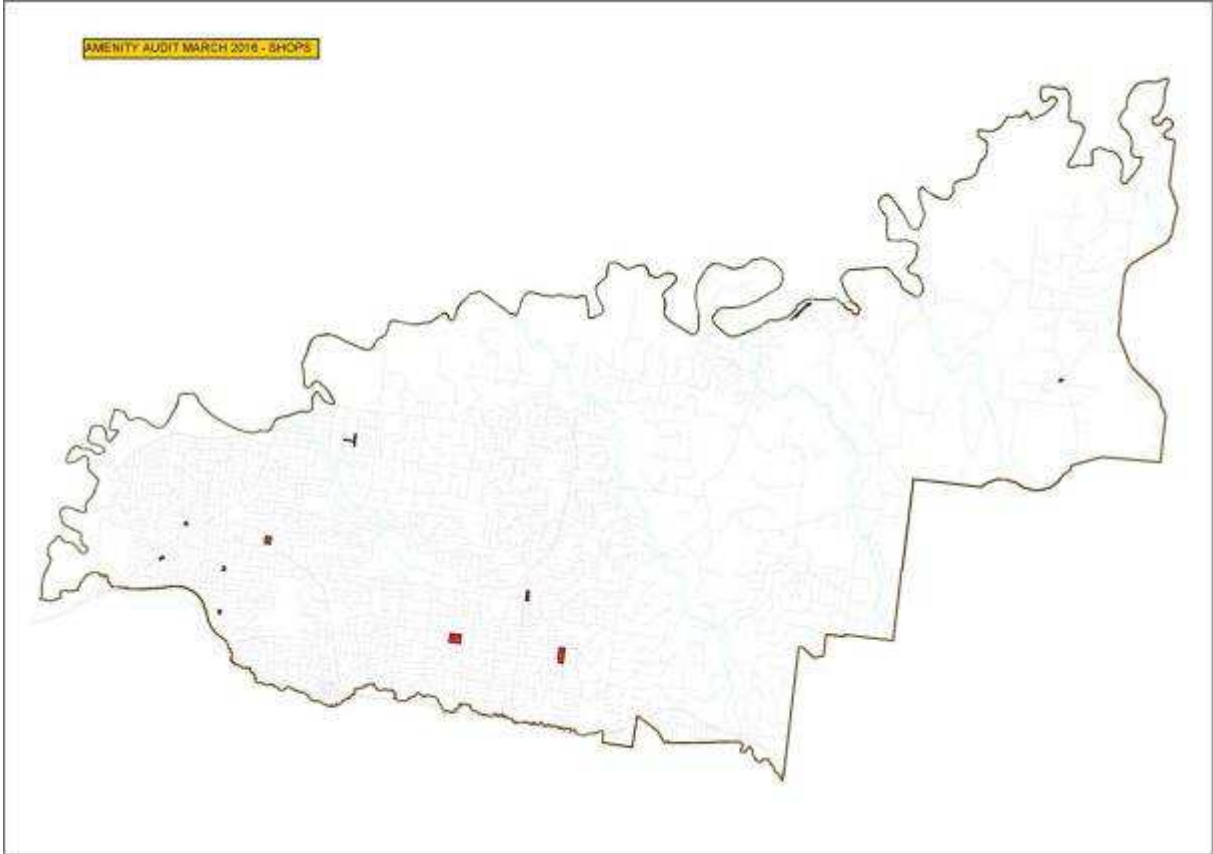
 <p>2016/03/23 08:50</p>	 <p>2016/03/23 08:53</p>
<b>Edge Breaks</b>	<b>Damaged Pit Insert</b>
 <p>2016/03/02 08:16</p>	 <p>2016/03/02</p>
<b>Weathered Furniture</b>	<b>Playground swing softfall</b>
 <p>2016/03/01 10:54</p>	 <p>2016/03/03 08:33</p>
<b>Blocked Pit Entry/ Litter</b>	<b>Footpath Weed Infiltration</b>

<p><b>Dead/dying garden bed plants</b></p>	<p><b>Channel leaves/debris</b></p>
<p><b>Tree Root damage</b></p>	<p><b>Dead /dying Trees</b></p>
<p><b>Car Park K&amp;C debris</b></p>	<p><b>Damaged Furniture</b></p>

	
<p><b>Car park Tree Root damage</b></p>	<p><b>Graffiti/ damaged Sign</b></p>
	
<p><b>Faded Reserve Sign</b></p>	

**8. Inspection Maps**







## 12. COMMUNITY PROGRAMS

There were no Community Programs reports.

## 13. CORPORATE SERVICES

### 13.1 Recreational Land - Charges in Lieu of Rates 2016-17

Responsible Director: Director Shared Services

File No. T16/82

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

*Properties classified as Recreational Land under the Cultural and Recreational Lands Act 1963 must be levied a charge in lieu of rates that is determined in accordance with that Act. As a new valuation is about to be returned to Council, it is appropriate to review the charges for each classified property.*

#### 1 BACKGROUND

- 1.1 The Cultural and Recreational Lands Act 1963 (the C&RL Act) enables Council to provide financial support to rateable properties that are used for out-door sporting, recreational or cultural purposes and vested in, or operated by, not-for-profit organisations.
- 1.2 That support is facilitated by section 4(1) of the C&RL Act, which allows Council to set a charge in lieu of rates that Council thinks reasonable having regard to the services provided by Council in relation to such lands and having regard to the benefit to the community derived from such recreational lands.
- 1.3 The Council conducted a review in 2014 of the cost/benefit principles and values of recreational lands and determined to continue with the principles and values.
- 1.4 This approval is again recommended for 2016.
- 1.5 The 2016 review confirmed that apart from the Eastern Golf Club ceasing to be in occupation of their land on Doncaster Road following settlement of the sale of that land to Mirvac on 30 June 2015, there were no other movements in the type or number of Recreational Lands from those identified in the 2014 review.
- 1.6 There are 17 properties considered to be Recreational Lands within the municipality, being
  - Minor Clubs:
    - Tennis Clubs (10);

- Bowls Clubs (4); and
- Hockey Clubs (1).

Major Clubs:

- Veneto Social Club; and
  - Yarra Valley Country Club.
- 1.7 In 2014 it was determined by Council that the benefit to the community from the listed Minor Clubs was considered greater than the cost of services by Council. The level of volunteers offsets the cost to Council and the benefit of volunteers is a saving to Council in the provision of services. Therefore the Charges in Lieu of Rates was set at \$0 for all Minor Clubs. This approach is again supported for the 2016 review.
- 1.8 In relation to the Major Clubs the following table provides an outline of the historical Charges in Lieu of Rates from 2012 and that proposed for 2016/17.

Charges in lieu of Rates	2012/13	2013/14	2014/15	2015/16	2016/17 (Proposed)
General Rate increase		+6%	+5%	+4.5%	+2.5%
Veneto Club	\$13,708	\$14,530	\$15,943	\$16,069	\$15,518 -3.4%
Yarra Valley Country Club	\$13,708	\$14,530	\$15,943	\$15,051	\$14,597 -3.0%
Total	\$27,416	\$29,060	\$31,886	\$31,120	\$30,115 -3.2%

- 1.9 The reduction in the \$ value for charges in lieu of rates relates to the fact that the valuation of these properties has increased by a lower percentage compared to the average increase for all properties, therefore the equivalent general rate charge is less than if the 2.5% average increase for all properties was applied to the existing charge in lieu of rates for these properties (and in this case results in a reduction on 2015/16).
- 1.10 It is proposed that Council apply the cost/benefit principles and values established in 2014 for the 2016/17 year based on all the land identified as Recreational Lands.
- 1.11 Services provided by Council:
- the facilities provided by Council;
  - the services available to the community at large; and
  - services specific to the Club.
- 1.12 Benefits were reviewed in terms of:

- volunteer services
- benefits to the community at large; and
- open space benefits.

1.13 As part of the current review Council has the opportunity to further consider the factors outlined in section 4(1) of the C&RL Act in relation to setting charges in lieu of rates. Under that section Council sets the charges as it thinks reasonable:

**“having regard to the services provided by the Council in relation to such lands”** and

**“having regard to the benefit to the community derived from such recreational lands.”**

In recognition of the legislation, and to assist Council in its deliberations, Council reviewed each property classified as Recreational Land following receipt of a rental and property questionnaire in relation to the 2016 general revaluation.

1.14 The list of classified properties has also been reviewed, and includes ten tennis clubs, four bowling clubs, and a hockey club and excludes the two basketball clubs that, because they are not used for “outdoor sporting ... activities”, do not qualify for classification under the C&RL Act:

<b>Property No.</b>	<b>Club</b>	<b>Address</b>
731907	Bulleen Tennis Club	284 Thompsons Road, Lower Templestowe
725769	Currawong Tennis Club	25 Springvale Road, Donvale
43688	Doncaster Bowling Club	Rear 699 Doncaster Road, Doncaster
725751	Doncaster Hockey Club	7 Springvale Road, Donvale
503032	Doncaster Tennis Club	802-804 Doncaster Road, Doncaster
725760	Donvale Bowls Club	11 Springvale Road, Donvale
731952	Donvale Tennis Club	36 Mitcham Road, Donvale
38902	Greythorn Bowling Club	7 Gregory Court, Bulleen
732474	Park Orchards Tennis Club	568 Park Road, Park Orchards
732438	Serpell Tennis Club	7A Burleigh Drive, Templestowe
732447	South Warrandyte Tennis Club	64 Croydon Road, Warrandyte South
255770	Templestowe Bowling Club	1-3 Swilk Street, Templestowe
732429	Templestowe Park Tennis Club	94 Porter Street, Templestowe
10108	Veneto Club	191 Bulleen Road, Bulleen

732456	Warrandyte Tennis Club	12 Taroona Avenue, Warrandyte
732465	Wonga Park Tennis Club	6 Old Yarra Road, Wonga Park
200634	Yarra Valley Country Club	9-15 Templestowe Road, Bulleen

- 1.15 The Greythorn Bowling Club, Veneto Club and Yarra Valley Country Club are each on privately-owned land, whilst the other clubs are situated on Council land, with varying degrees of support being provided by Council.
- 1.16 Other than the sale of the Eastern Golf Club, there are no other changes to the list of Recreational Land when compared to the 2014/15 list.

## 2 PROPOSAL/ISSUE

- 2.1 The C&RL Act requires that Council sets charges in lieu of rates having regard to the services it provides to the recreational lands and the community benefit to the community derived from the recreational lands.
- 2.2 Services provided by Council have been considered under three categories, namely:-
- facilities provided by Council,
  - services to the community at large that the Club partakes, and
  - services specifically provided to the Incorporated Club.
- 2.3 In relation to facilities provided by Council on Council land such as playing surfaces, club houses, car parks and the like: these are part of Council's obligation to provide opportunities for the ratepayers to participate in recreational activities. These assets always remain the property of Council and as such, the provision of such facilities is a community benefit and not a benefit specific to the incorporated body engaged to manage and operate the facilities on Council's behalf.
- 2.4 All Clubs are able to avail themselves of Council services that are generally made available to members of the Manningham community. As such the value of the service can be equated to the average annual cost to ratepayers evidenced through an average rate bill of \$1,726 per annum.
- 2.5 Where Clubs are provided with specific services in excess of those that are provided to the community in general then these have been valued at cost to Council.
- 2.6 All of the recreational lands in Manningham are operated on a not-for-profit basis where access to the recreation facilities is through membership rights and fees or charges. The only facilities which are generally open to non-members are those available to guests at gaming and dining facilities at the Veneto Club and Yarra Valley Country Club.
- 2.7 In all instances where access to recreational facilities is through membership fees and charges the benefit to the community needs to be assessed having regard to both the value placed on the recreation by the user and the cost borne by the participants. In this environment it is considered that the benefit of the services consumed is equivalent to the value paid to partake, there is equal value and therefore no net community benefit arising from fee paying

opportunities. It is acknowledged that there is private benefit from the undertaking of recreation but this is not a factor in consideration under the C&RL Act.

- 2.8 In considering the net benefit to the community it is appropriate to consider the value of volunteer services. In the minor clubs (tennis, bowls and hockey) where there is a high level of volunteerism the “free input” of volunteerism creates a net value, or benefit, to the user equivalent to the value of the volunteer labour. The value of volunteerism is therefore considered as a net benefit to the community.
- 2.9 The areas occupied by the two major clubs, the Veneto Club and the Yarra Valley Country Club are on extensive private land. However, the community benefit of the open space is restricted since a person has to be a member of the Club, or an invited guest, to gain access to the open space area. Nevertheless, the presence of open space adds to the amenity of the area and has an environmental benefit.
- 2.10 In the case of the Veneto Club (5.2 hectares) and Yarra Valley Country Club (21.8 hectares) this land is such that the area has severe development restrictions and will most likely remain open space. The land’s classification as Recreational Land is not a determining factor because, if it ceased to be Recreational Land, it would continue to be open space.
- 2.11 The Eastern Golf Club that previously occupied 41.1 hectares of land was sold to Mirvac on 30 June 2015 and subsequently the recreational land use ceased and the land became rateable as from 1 July 2015. Council received back rates from Mirvac based on the methodology prescribed under the C&RL Act, such basis being the value of the land immediately after such lands ceasing to be recreational land.
- Mirvac through its lawyers, however, have subsequently objected to the level of valuation as adopted by Council.
- Council is currently defending its assessment based on two independent valuations assessed immediately after the land ceased to be recreational land, and not on the basis of the historic level of statutory value (as at 1 January 2014). Council’s legal adviser has confirmed our approach is appropriate.
- 2.12 The review shows that there is need for a uniform approach in assessing the services provided by Council and community benefits and that the nature of the Recreational Lands and their management impact the community benefits.
- 2.13 Council is required by the C&RL Act to apply charges in lieu of rates that it “thinks reasonable”. Having regard to the similar nature of minor clubs that provide tennis, bowls and hockey, it is reasonable that these clubs be treated similarly since they all have similar operations, level of volunteerism, provide membership-based services and do not occupy large areas of open space.
- 2.14 On balance, and having regard to the level of direct services provided to Minor Clubs, and their net contributions to the community, it has been concluded that the net benefits to the community attributable to the value of volunteer services exceeds the consumption of direct and indirect Council services and that it is therefore reasonable that their charges in lieu of rates be \$0.
- 2.15 The land occupied by the Veneto Club and Yarra Valley Country Club is not dependant on its classification as Recreational Land to remain open space. Further, the value of volunteer services is a statutory requirement under their

gaming licences and is claimed as an offset to the taxes they would otherwise be required to pay. They do not operate facilities on behalf of Council and the size and scale of the operations enable them to employ staff, and meet expenses normally associated with commercial operations. The 2016 review therefore concludes that the Veneto Club and Yarra Valley Country Club should continue to have Charges in the order of those levied for the past years and it is proposed that the Charges in lieu of rates be set at \$15,518 and \$14,597 respectively for 2016/17.

### **3 PRIORITY/TIMING**

- 3.1 The policy for charges in lieu of rates for Recreational Land needs to be adopted prior to determination on the draft budget.

### **4 CUSTOMER/COMMUNITY IMPACT**

- 4.1 The outcome of Council's determination will be advised to the Clubs, together with their property classifications and the basis for proposed charges in lieu of rates for the coming financial year.
- 4.2 In addition, those Clubs occupying land deemed to be Recreational Land will receive annual Rate Notices that will disclose charges in lieu of rates.
- 4.3 They will also be advised that the C&RL Act provides that, when such properties cease to be Recreational Lands, they will be liable for back-rates for up to ten years based on the value of the property at the time it ceases to be classified. This only applies to land in private ownership.

### **5 FINANCIAL RESOURCE IMPLICATIONS**

- 5.1 Properties classified as Recreational Land paid \$31,120 in charge for 2015/16. It is proposed that the seventeen properties classified as Recreational Lands under the C&RL Act be charged a total of \$30,115 in 2016/17.

### **6 CONSULTATION**

- 6.1 Rental and Property Questionnaires were sent to the seventeen properties and discussions were held with some clubs to clarify the process and to assist them in providing the required information for the 2016 revaluation.
- 6.2 Completed rental and property questionnaires have been received from the clubs surveyed. The common theme that is evident is that honorary committees of management of these clubs provide social and sporting activities to several thousand adults and children, many of whom are Manningham residents. They are not-for-profit organisations and consequently provide facilities and services consistent with the costs to members.

### **7 CONCLUSION**

- 7.1 Fourteen of the seventeen classified properties maintain Council's assets under lease arrangements and provide sporting and social activities on a voluntary basis. These Clubs are seen to contribute voluntary services for the benefit of the community, and the value of such services is in excess of Council's services to the Clubs. The proposal is therefore that the ten tennis clubs, four bowls clubs and the hockey club not be levied charges in lieu of rates in recognition of their community contribution.

- 7.2 The Clubs with gaming machines apply the value of their contributions, gifts and volunteer services funded from gaming revenue as a community contribution under State legislation to satisfy their gaming licences and, therefore, have no further claim for community benefit from their operations. In addition the open space associated with their facilities would unlikely be developed if it ceased to be Recreational Land, so there is little additional benefit from this aspect.
- 7.3 The review of Charges for the Veneto Club and the Yarra Valley Country Club recommends that their Charges in Lieu of Rates each be set at \$15,518 and \$14,597 respectively for 2016/17.

#### OFFICER'S RECOMMENDATION

**That Council declare the following properties to be Recreational Lands under the provisions of the Cultural and Recreational Lands Act 1963, and in consideration of the services provided by Council to the Recreational Lands and of the benefit to the community derived from such Recreational Lands, levy the following Charges in Lieu of Rates for 2016-17:**

Property No.	Club	Address	Charges in Lieu of rates for 2016/17
731907	Bulleen Tennis Club	284 Thompsons Road, Lower Templestowe	Nil
725769	Currawong Tennis Club	25 Springvale Road, Donvale	Nil
43688	Doncaster Bowling Club	Rear 699 Doncaster Road, Doncaster	Nil
725751	Doncaster Hockey Club	7 Springvale Road, Donvale	Nil
503032	Doncaster Tennis Club	802-804 Doncaster Road, Doncaster	Nil
725760	Donvale Bowls Club	11 Springvale Road, Donvale	Nil
731952	Donvale Tennis Club	36 Mitcham Road, Donvale	Nil
38902	Greythorn Bowling Club	7 Gregory Court, Bulleen	Nil
732474	Park Orchards Tennis Club	568 Park Road, Park Orchards	Nil
732438	Serpell Tennis Club	7A Burleigh Drive, Templestowe	Nil
732447	South Warrandyte Tennis Club	64 Croydon Road, Warrandyte South	Nil
255770	Templestowe Bowling Club	1-3 Swilk Street, Templestowe	Nil
732429	Templestowe Park Tennis Club	94 Porter Street, Templestowe	Nil
10108	Veneto Club	191 Bulleen Road, Bulleen	\$15,518
732456	Warrandyte Tennis Club	12 Taroona Avenue, Warrandyte	Nil

732465	Wonga Park Tennis Club	6 Old Yarra Road, Wonga Park	Nil
200634	Yarra Valley Country Club	9-15 Templestowe Road, Bulleen	\$14,597
		<b>Total 2016-17</b>	<b>\$30,115</b>

**MOVED: HAYNES**

**SECONDED: O'BRIEN**

**That the Recommendation be adopted.**

**CARRIED**

\* \* \* \* \*



**14. CHIEF EXECUTIVE OFFICER****14.1 Appointment of Authorised Officer under the Planning and Environment Act 1987 – May 2016**

Responsible Manager: Acting Manager Strategic Governance

File No. EF15/28870

The ultimate destination for this report is: COUNCIL AGENDA

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

**SUMMARY**

*In accordance with section 188(2)(c) of the Planning and Environment Act 1987, Council is required to authorise appropriately qualified Officers for the purpose of enforcing the Planning and Environment Act. It is proposed to appoint a newly employed Statutory Planning Officer as an Authorised Officer under this Act. The Appointment is detailed on the attached sample Instrument of Appointment and Authorisation and will be recorded in the Authorised Officers Register kept pursuant to Section 224 of the Local Government Act 1989 and made available for public inspection.*

**1 BACKGROUND**

- 1.1 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 Acts, regulations or local laws which relate to the functions and powers of the Council. This is normally done under the delegated authority of the Chief Executive Officer and allows the appointed Council Officers to carry out their functions under a variety of statutes.
- 1.2 The Planning and Environment Act 1987 regulates enforcement and is reliant on authorised officers acting on behalf of the Responsible Authority.
- 1.3 The Planning and Environment Act 1987, unlike the Local Government Act, in most cases does not permit appointments to be made by the Chief Executive Officer and therefore it is necessary for the Council to make these appointments by formal resolution.
- 1.4 In order to legally undertake the duties of his office the nominated Officer needs to be appointed as an Authorised Officer pursuant to the Planning and Environment Act 1987. The attached Instrument of Appointment and Authorisation will come into force immediately upon its execution under the Seal of Council and signed by the Mayor and Chief Executive Officer.
- 1.5 The appointment also allows for the Officer to institute proceedings for offences against the Acts and regulations described in the Instrument of

Appointment and Authorisation under section 232 of the Local Government Act 1989.

## 2 PROPOSAL/ISSUE

- 2.1 It is proposed to appoint the following Statutory Planning Officer as an Authorised Officer pursuant to Section 147(4) of the Planning and Environment Act 1987. The Officer is:-
- Patrick Armstrong, Planning Investigations Officer, Statutory Planning Unit.
- 2.2 The appointment will remain in force until varied or revoked by Council or the Officer ceases employment with Council.

## 3 CONCLUSION

- 3.1 The Instrument of Appointment and Authorisation documents are in accord with the format recommended by Maddocks.
- 3.2 The Officer has already been appointed by the Chief Executive Officer as an Authorised Officer under the Local Government Act 1989.
- 3.3 Both appointment forms 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 sample Instrument of Appointment and Authorisation (Attachment 1), Council resolves that:**

- A. The member of Council staff referred to in the above report be appointed and authorised as set out in the Instrument;**
- B. The Instrument comes into force immediately the Common Seal of Council is affixed to the Instrument and remains in force until Council determines to vary or revoke it or the Officer ceases employment with Council; and**
- C. The Common Seal of the Council be affixed to an Instrument of Appointment.**

**MOVED: DOWNIE**  
**SECONDED: GRIVOKOSTOPOULOS**

**That the Recommendation be adopted.**

**CARRIED**

"Refer Attachment"

\* \* \* \* \*

ATTACHMENT 1

**Instrument of Appointment and Authorisation  
(Planning and Environment Act 1987)**

In this instrument "officer" means -

**Patrick Armstrong, Investigations Officer, Statutory Planning**

**By this instrument of appointment and authorisation** Manningham City Council -

- 1. under section 147(4) of the *Planning and Environment Act 1987* - appoints the officers to be an authorised officer for the purposes of the *Planning and Environment Act 1987* and the regulations made under that Act; and
- 2. under section 232 of the *Local Government Act 1989* authorises the officers generally to institute proceedings for offences against the Acts and regulations 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 authorised by a resolution of the Manningham City Council on 31 May 2016.

The Common Seal of        )  
Manningham City Council    )  
Was hereunto affixed        )  
In the presence of:         )

Mayor .....

Chief Executive .....

Date: .....

## 14.2 Record of Assembly of Councillors - May 2016

Responsible Manager: Acting Strategic Governance

File No. EF15/29450

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible 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 21 March and 15 April 2016 (both dates inclusive). They are:-*

- *Committee for Manningham Centre Association lease/sub-lease on 10 May*
- *Committee for Tatterson Reserve on 27 April*
- *Committee for Tunstall Square Laneway closure on 27 April*
- *Council Municipal Fire Prevention Committee on 20 May*
- *Integrated Transport Advisory Committee on 9 May*
- *Meeting Briefing Session on 26 April*
- *Municipal Emergency Management Planning Committee on 20 May*
- *Strategic Briefing Sessions on 19 April and 17 May*
- *Sustainable Design Task Force on 28 April*

### 1 BACKGROUND

1.1 An Assembly of Councillors (Assembly) is defined in the Local Government Act 1989 and means 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 listed in the summary to this report and shown attached be noted and incorporated in the minutes of this Council Meeting.**

**MOVED: KLEINERT  
SECONDED: GRIVOKOSTOPOULOS**

**That the Recommendation be adopted.**

**CARRIED**

"Refer Attachments"

\* \* \* \* \*

Record of an Assembly of Councillors

Manningham City Council

## **S223 Submissions Committee**

**Meeting Date:** 10 May 2016.

**Venue:** Council Chamber, City Office, 699 Doncaster Rd, Doncaster.

**Starting Time:** 6.30pm.

1. **Appointment of Committee Chairperson**
2. **Attendance & Apologies**  
Cr Stephen O'Brien (Committee Chairperson);  
Cr Sophy Galbally; and  
Cr Michelle Kleinert
3. **Conflict of Interest – Disclosure**  
There were no disclosures of any conflict of interest.
4. **Consideration of Public Verbal Submissions for the lease of 383 Manningham Road and sublease of 371 Manningham Road, Doncaster to the Manningham Centre Association**

The Meeting concluded at 6.48pm.

Record of an Assembly of Councillors

Manningham City Council

## **S223 Submissions Committee**

**Meeting Date:** 27 April 2016  
**Venue:** Koonung Room, Civic Offices, 699 Doncaster Rd, Doncaster  
**Starting Time:** 7.00pm

**1. Attendance**

Cr Jennifer Yang (Mayor)	Chairperson
Cr Gough (Heide Ward)	Member
Cr Grivokostopolous (Heide Ward)	Member
Cr Kleinert (Heide Ward)	Member
Cr Haynes (Koonung Ward)	Observer

**2. Conflict of Interest – Disclosure**

There were no disclosures of any conflict of interest.

**3. Hearing of oral submissions in support of written submissions in relation to the proposed sale of Tatterson Reserve.**

\*\*\*\*\*

Record of an Assembly of Councillors

Manningham City Council

**Tunstall Square Road Closure  
(Submissions) Committee**

**Meeting Date:** Wednesday, 27 April 2016  
**Venue:** Doncaster Room, MC2  
687 Doncaster Road, Doncaster  
**Starting Time:** 6:30pm

**Attendance & Apologies**

**Councillors in Attendance**

Cr Dot Haynes (Chairperson)  
Cr Meg Downie

**Officers in Attendance**

Roger Woodlock  
Subash Nanoo  
Vijay Vijayakumar

**Other Committee Members in Attendance**

**Apologies Received From**

Cr Sophy Galbally

**Disclosure of any Conflict of Interest**

No disclosures were made.

**Items Considered:**

1. Attendees
2. Apologies
3. Purpose of Meeting
4. Disclosure of Conflicts of Interest
5. Committee Terms of Reference
6. Hearing of Verbal Submissions
7. Recommendations

**Finishing Time:** 7:25pm

\*\*\*\*\*

Completed By:-  
Name ..... Title ..... Date .....



Record of an Assembly of Councillors

Manningham City Council

**Municipal Fire Management Planning COMMITTEE**

**Meeting Date:** 20 May 2016  
**Venue:** Council Chamber, Manningham City Council  
**Starting Time:** 08:15am

**Attendance & Apologies****Councillors in Attendance**

Meg Downie

**Other Committee Members in Attendance**

Jamie Hansen (Chair), Damien Bale, Tony McCoy, Russell Langley

**Officers in Attendance**

Jeff Young, Helen Napier, Gavin Tyler

**Disclosure of any Conflict of Interest**

There were no disclosures made.

**Items Considered:**

- Pilot process of burning green waste at Council's Garden Waste Facility
- Distribution of Garden Waste vouchers for upcoming season
- Fire Management Plan – new draft guidelines
- Fire display garden in Warrandyte

**Finishing Time:** 9:45am

\*\*\*\*\*

Record of an Assembly of Councillors

Manningham City Council

**INTEGRATED TRANSPORT ADVISORY COMMITTEE**

**Meeting Date:** Monday 9 May  
**Venue:** Function Room 3  
**Starting Time:** 6.00 p.m.

**Attendance & Apologies**

Councillors in Attendance:

Cr Paul McLeish &amp; Cr Jim Grivas

Other Committee Members in Attendance:

Cynthia Pilli, Stuart McKenzie, Christos Kativelis, Liz Taylor &amp; Timothy Benedict

Officers in Attendance

Leigh Harrison, Roger Woodlock, Frank Vassilacos, Liz Lambropoulos &amp; Teresa Dominik.

**Disclosure of any Conflict of Interest**

None.

**Items Considered:**

1. Member Introductions
2. Introductory Presentation on Transport in Manningham
3. Brain Storming of Ideas for Transport Advocacy
4. Future Meeting Dates for 2016
5. Other Business

- *This was the first meeting of this Committee. Most of the meeting was spent introducing members and discussions on the history of transport in Manningham, and member suggestions for how to operate the Committee moving forward.*

**Finishing Time:** 7.55 p.m.

\*\*\*\*\*

Record of an Assembly of Councillors

Manningham City Council

### **Council Meeting Briefing Session**

**Meeting Date:** 26 April 2016.  
**Venue:** Council Chamber, City Office, 699 Doncaster Rd, Doncaster.  
**Starting Time:** 6.30pm.

#### Present & Apologies

Councillor Jennifer Yang (Mayor)  
Councillor Dot Haynes (Deputy Mayor)  
Councillor Meg Downie  
Councillor Sophy Galbally  
Councillor Geoff Gough  
Councillor Jim Grivokostopoulos  
Councillor Michelle Kleinert  
Councillor Paul McLeish  
Councillor Stephen O'Brien

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

1. Opening Prayer & Statements of Acknowledgement
2. Prior notification of conflicts of interest
3. Confirmation of minutes of the ordinary meeting of council held on 29 march 2016 and the confidential minutes held on 29 march 2016
4. Verbal questions from the public
5. Manningham City Council Food Security Plan 2016-2021
6. Koonung Park Draft Management Plan - Endorsement for Public Exhibition
7. Draft Lawford Reserve Plan - Endorsement for Consultation
8. Planning Scheme Amendment GC42 – Environmentally Sustainable Development Policy- Consideration of Submissions
9. Amendment C102 - Montgomery Street Proposal to Rezone Land - Consideration of Panel Report and Adoption of Amendment
10. 2015-2016 Capital Works Program - End of March Status Report
11. Progress Report - Live Well in Bulleen Community Strengthening Project
12. Regional Kitchen Restructure - Shareholder Agreement
13. Appointment of new community representatives for Advisory Committees - Access & Equity, Open Space & Streetscape, Integrated Transport, Arts
14. Adoption of proposed 2016/2017 Annual Budget and proposed Strategic Resource Plan 2016-2020 for public exhibition.
15. Financial Status Report - March 2016
16. Delegations - Update April 2016
17. Quarterly Organisational CEO Report - Quarter 3 (January - March) 2016
18. Record of Assembly of Councillors - April 2016
19. Documents for Sealing - 26 April 2016
20. Notice of Motion by Councillor G Gough (Nom No.1/2016)
21. Questions Without Notice

The Meeting ended at 8.39pm.

\*\*\*\*\*

## **Municipal Emergency Management Planning Committee**

**Meeting Date**        20 May 2016  
**Venue**                Council Chambers – Municipal Offices  
**Starting Time**        10.00am

### **Attendance & Apologies**

**Councillors in Attendance** – Councillor Meg Downie

**Officers in Attendance** – Helen Napier, John O'Brien, Leigh Harrison.

**Other Committee Members in Attendance** – Jeanette Lacy, Pauline Bradley, Tony McCoy, Damien Bale, Greg Mitchell, Kevin Morrish, Shane Murphy, Brian Hillier, Geoff Darlison, Jamie Hansen, Jan Mattrow, John Gawne Russell Langley, Gerabeth Abbott, Marguerite Bissett, Michelle Jordan, Luke Perry, Lawson Chan.

**Apologies Received From** – Richard Bramham, Caroline Brown, Eddy Holman, Jeff Young, Adrian Mullens, Andrew Haywood, Andrew Mills, Dan White, David Alexander, Diana Ferguson, Greg Kennedy, Houa Tia, Jan Loughman, John Chaplain, Juanita Haisman, Mick Stephenson, Mike Cusack, Nando Castauro, Peter Higgins, Roger Woodlock, Roy Marshall, Tammy Garrett, Vicki Miller, Vivien Williamson, Esther Daniel Gavin Tyler, Malcolm Foad, Noel McMahon, Peter Maw, Bill McGillivray, Phil O'Connell, Mark Kennedy, Stuart Stuart, Amber Thorgersen.

### **Disclosure of any Conflict of Interest**

No disclosures were made.

### **Items Considered:**

1. Apologies
2. Confirmation of Minutes
3. Actions Arising From Previous Minutes
4. Correspondence
5. General Business Items
6. Sub Committee Reports
7. Agency Reports
8. Other / General Business

**Finishing Time**        12.00pm

\*\*\*\*\*

Record of an Assembly of Councillors

Manningham City Council

## **Strategic Briefing Session**

**Meeting Date:** 19 April 2016.  
**Venue:** Council Chamber, City Office, 699 Doncaster Rd, Doncaster.  
**Starting Time:** 6.35pm.

The meeting commenced at 6.35pm.

### **1. Attendance & Apologies**

#### **Councillors in Attendance**

Cr Jennifer Yang (Mayor), Cr Meg Downie, Cr Sophy Galbally, Cr Geoff Gough,  
Cr Jim Grivokostopoulos, Cr Dot Haynes (Deputy Mayor), Cr Michelle Kleinert (left 9.42pm) and  
Cr Paul McLeish.

#### **Apologies from Councillors**

Cr Stephen O'Brien

#### **Executive Officers Present**

Warwick Winn, Chief Executive Officer  
Leigh Harrison, Director Assets & Engineering  
Teresa Dominik, Director Planning & Environment  
Malcolm Foard, Manager Social and Community Services  
Philip Lee, Director Shared Services

#### **Other Officers in Attendance**

Rob Ball, Place Maker Bulleen Community Strengthening Project.  
Jan Loughman, Social and Community Services Coordinator.  
Anissa Gracie, Community Safety Officer, Social and Community Services Unit.  
Kevin Ayre, Group Manager Financial Services.  
Greg Cleave, Executive Officer-Cultural Services.  
Jill Colson, Acting Manager Strategic Governance.  
Peter Thomson, Co-ordinator Governance, Strategic Governance Unit.

### **2. Conflict of Interest – Disclosure**

There were no disclosures of a conflict of.

### **3. Identification of Confidential or Sensitive Issues**

### **4. Communications & Media Report**

### **5. Forward Agenda**

### **6. Progress Report Live Well in Bulleen Community Strengthening Project**

### **7. Community Safety in Manningham**

### **8. Changes to Local Government Act regarding Councillor Conduct**

### **9. Adoption of proposed 2016/2017 Annual Budget and Proposed Strategic Resource Plan 2016-2020 for Public Exhibition**

### **10. Financial Status Report - March 2016**

### **11. Traffic Management Plans for Community-Run Events**

### **12. Local Government (Electoral) Regulations 2016 – Discussion Paper**

### **13. Delegations Update – April 2016**

### **14. Capital Works Status Report End of March 2016**

### **15. Quarterly Organisational CEO Report - Quarter3 (January - March) 2016**

### **16. Other Matters**

The meeting concluded at 10.01pm.

\*\*\*\*\*

Record of an Assembly of Councillors

Manningham City Council

## **Strategic Briefing Session**

**Meeting Date:** 17 May 2016.  
**Venue:** Council Chamber, City Office, 699 Doncaster Rd, Doncaster.  
**Starting Time:** 7.00pm.

1. **Attendance & Apologies**  
**Councillors in Attendance**  
Cr Paul McLeish (Mayor), Cr Dot Haynes (Deputy Mayor), Cr Jim Grivokostopoulos, Cr Michelle Kleinert, Cr Geoff Gough, Cr Sophy Galbally, Cr Stephen O'Brien  
  
**Apologies from Councillors**  
Cr Meg Downie  
  
**Executive Officers Present**  
Warwick Winn, Chief Executive Officer  
Teresa Dominik, Director Planning & Environment  
Leigh Harrison, Director Assets & Engineering  
Chris Potter, Director Community Programs  
Philip Lee, Director Shared Services  
  
**Other Officers in Attendance**  
Roger Woodlock, Manager Engineering & Technical Services  
Liz Lambropoulos, Traffic & Transport Engineer  
Vivien Williamson, Manager Economic & Environmental Planning  
Lydia Winstanley, Senior Strategic Planner  
Paul Goodison, Co-ordinator Landscape & Leisure  
Mark Milinkovic, 3D Data Spatial Officer  
Jill Colson, Acting Manager Strategic Governance  
Michael Simentriadis, Governance Officer, Strategic Governance Unit
2. **Conflict of Interest – Disclosure**  
There were no disclosures of conflict of interest.
3. **Identification of Confidential & Sensitive Issues**
4. **Communications & Media Report**
5. **Forward Agenda**
6. **Amendment C104 – Westfield Doncaster – Seeking Authorisation for Public Exhibition**
7. **Tunstall Square Activity Centre – Road Closure and Consideration of Submissions**
8. **Recreational land – Charges in Lieu of Rates 2016-17**
9. **Protecting Victoria's Environment – Biodiversity 2036 – Council Submission**
10. **Deviation of Springvale Rd at Mullum Mullum Reserve**
11. **Proposed Sale of Tatterson Reserve**
12. **Melbourne East Regional Sport and Recreation Strategy**
13. **Review of the State's Native Vegetation Clearing Regulations – Council Submission**
14. **Other Matters Not Listed**
  - 14.1 **AFL Ambassador**
  - 14.2 **Mitchell Street Site**
  - 14.3 **Amendment C109 – Peer Review**
  - 14.4 **VCAT Determination Re Doncaster Rd/Blackburn Rd (Wesley) Site**
  - 14.5 **Amendment C109 – Continuing Resident Enquiries**
  - 14.6 **Pokies Play You Alliance**

The meeting concluded at 9.51pm.

Record of an Assembly of Councillors

Manningham City Council

**SUSTAINABLE DESIGN TASKFORCE**

**Meeting Date:** 28 April, 2016  
**Venue:** Heide Room, Council Offices  
**Starting Time:** 7.30 am

**Attendance & Apologies****Councillors in Attendance**

Cr Stephen O'Brien, Cr Meg Downie

**Other Committee Members in Attendance**

Noel McKernan (Architect)

**Officers in Attendance**

Vivien Williamson (Manager, EEP), Environment), Mandy Banks (Snr Urban Designer), Jeff Gower (Manager, Statutory Planning), Lloyd Lee (Strategic Sustainable Planner), Subash Nanoo (Engineer)

**Apologies**

Bryan Millar (Architect), John Macdonald (Architect), Teresa Dominik (Director Planning &amp; Environment, Cr Geoff Gough, Simon Brink (Engineering Services), Cr Michelle Kleinert, Cr Jennifer Yang, Cr Geoff Gough, Cr Jim Grivokostopoulos

**Disclosure of any Conflict of Interest**

None declared.

**Item to be Considered:**

52 Manningham Road, Bulleen (Heide Ward)

**Finishing Time:** 9.00 am

\*\*\*\*\*

### 14.3 Documents for Sealing - 31 May 2016

Responsible Director: Acting Manager Strategic 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 R S Z Zhang  
1 Joyce Court, Doncaster**

**Community Services Lease  
Council and Early Childhood Management Services Inc  
Part 96-106 Swanston Street, Templestowe Lower**

**Community Services Lease  
Council and Manningham Toy Library Inc  
Part 96-106 Swanston Street, Templestowe Lower**

**Lease – Section 17D of the Crown Land (Reserves) Act 1978  
Council and Warrandyte Tennis Club Inc & Department of Environment, Land, Water  
and Planning  
Part Crown Allotment 8 Section 10, Township of Warrandyte, Parish of Warrandyte  
(Taroon Avenue, Warrandyte)**

**Agreement to Grant an Easement  
Council and N D S Wise & K E Porter  
8 Edgar Avenue, Wonga Park**



**Creation of Easement  
Council and N D S Wise & K E Porter  
Part Certificate of Title Volume 8272 Folio 530  
8 Edgar Avenue, Wonga Park**

**MOVED: GRIVOKOSTOPOULOS  
SECONDED: DOWNIE**

**That the Recommendation be adopted with the addition of the following agreements:**

**Consent Agreement to Build Over an Easement  
Section 173 of the Planning and Environment Act 1987  
Council and Y Zhao  
21 Curnola Court, Doncaster**

**Community Services Lease  
Council and Moresby Avenue Child Care & Early Learning Centre Inc  
6-8 Moresby Avenue, Bulleen**

**CARRIED**

\* \* \* \* \*

**15. URGENT BUSINESS REPORTS**

There are no Urgent Business Reports.

**16. NOTICES OF MOTION****16.1 Notice of Motion by Stephen O'Brien (Nom No.2/2016)**

**“That Council requests the CEO to:**

- 1. Write to all declared candidates for the seat of Menzies in the Federal election seeking a written statement by no later than June 20 on their policy positions as they relate to City of Manningham. Such responses are to be published in full on the Council website.**
- 2. Facilitate a candidates forum to be held at an event room at the Civic Centre on an evening the week beginning Tuesday June 14, chaired by an independent facilitator whereby Councillors ask the Candidates a list of issue questions pertaining to the City of Manningham.**
- 3. Prepare a report for the June council summarising the written statements (if supplied) from the various candidates.”**

**MOVED: O'BRIEN  
SECONDED: GALBALLY**

**“That Council requests the CEO to:**

- 1. Write to all declared candidates for the seat of Menzies in the Federal election seeking a written statement by no later than June 20 on their policy positions as they relate to City of Manningham. Such responses are to be published in full on the Council website.**
- 2. All questions to be agreed to by Councillors and the Executive Team prior to the proposed forum at an SBS.**
- 3. Facilitate a candidates forum to be held at an event room at the Civic Centre on an evening the week beginning Tuesday June 14, chaired by an independent facilitator whereby Councillors ask the Candidates a list of issue questions pertaining to the City of Manningham.**
- 4. Prepare a report for the June council summarising the written statements (if supplied) from the various candidates.”**

**LOST**

**DIVISION**

A Division having been demanded the Council divided as follows:

**FOR (4):** Councillors O'Brien, Kleinert, Galbally and McLeish.

**AGAINST (4):** Councillors Haynes, Grivokostopoulos, Downie and Gough.

**THE MOTION WAS DECLARED LOST UPON THE CASTING VOTE OF THE MAYOR**

*A motion was passed during the debate to grant Cr Gough an extension of his speaking time.*

**17. QUESTIONS FROM THE PUBLIC****17.1 P. Jenkins, Templestowe**

- Q1 If it is agreed that the sale of Tatterson Reserve is no longer required to fund purchasing another block of land, then can the application to change the parkland status, so it will not come up again at a later date.

*The Chief Executive Officer advised that any decision on any future rezoning of the land would be a decision that Council would need to make and it may wish to do so in the future.*

*The Director Planning and Environment clarified that Council would not now be proceeding with the planning permit, now the land will not be sold.*

**17.2 D. Wolnizer, Lower Templestowe**

- Q1 I asked for a public meeting with all submitters to the flood overlay being advised. Does no reply mean that Council is not prepared to front the public on this matter?

*The Chief Executive Officer stated that if Council choose to hold a public meeting on this matter then a public meeting can be held but at this stage there is no proposal to do so.*

*The Director Planning and Environment added that Council is in the early stages of a statutory process and Council has directed Officers to extend the period of exhibition, so we have provided additional information, still taking submissions and encouraging people to come in for one on one sessions and this process is continue now.*

- Q2 Given the refusal of the CEO to meet over their concerns and the inaccurate comments in the press by the Director of Planning and Environment; given the concerns raised with the local press and local politicians, why shouldn't Council now conduct a public meeting in order to proceed with legal action to halt this flood overlay scheme?

*The Chief Executive Officer advised that this question and been dealt with in the previous answer by the Director Planning and Environment.*

**18. QUESTIONS WITHOUT NOTICE**

Questions were asked by Councillors on various issues that did not require direct Council action, these can be heard on the audio for the Council Meeting on Council's website.

**19. CONFIDENTIAL REPORTS****19.1 Manningham Centre Association - New Agreement 2016 - 2032**

*This matter has been declared confidential by the Chief Executive Officer pursuant to S77(2)(c) of the Local Government Act 1989. The relevant ground for making this declaration pursuant to S 89 (2) of the Act is that the information contained in the report concerns contractual matters and disclosure of its contents may be prejudicial to the interests of the Council and/or other parties.*

**MOVER: HAYNES**  
**SECONDER: O'BRIEN**

**That the Council consider the confidential report in a closed Council Meeting session as the relevant ground for making this matter confidential is that the information contained in the report concerns contractual matters and disclosure of its contents may be prejudicial to the interests of the Council and/or other parties.**

**CARRIED**

The Meeting was closed to the Public at 8.40pm and was re-opened at 8.42pm.

The Council resolved that the following resolution of Council made in the closed session be recorded in the open session of the Council Meeting minutes.

**MOVED: O'BRIEN**  
**SECONDED: HAYNES**

**That Council**

- (A) Having considered verbal and written submissions on the proposed Lease Premises: Part 383 Manningham Road, Doncaster; and Sub-Lease Premises: 371 Manningham Road, Doncaster, resolve to proceed with the Lease and Sub-Lease;**
- (B) Endorse the Deed of Termination; Option Deed; Lease Premises: Part 383 Manningham Road, Doncaster; and Sub-Lease Premises: 371 Manningham Road, Doncaster with associated Annexure and Schedules as attached, in order to enable the new arrangements with the Manningham Centre Association to commence on 1 July 2016;**
- (C) Authorise the CEO to execute the Deed of Termination and Option Deed;**
- (D) Authorise that the Common Seal of Council be affixed to the Lease, Premises: Part 383 Manningham Road, Doncaster and Sub-Lease premises: 371 Manningham Road, Doncaster; and**

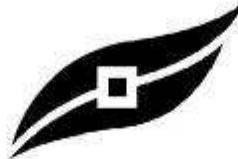
- (E) **Publish this resolution and the minutes of the S223 Submissions Committee Meeting held on 10 May 2016 in the open section of the Council Meeting minutes but all other documents remain confidential pursuant to S89(2)(d) and (h) of the Local Government Act 1989.**

**CARRIED**

“Refer Attachment”

- Minutes - S223 Submissions Committee May 2016

# MINUTES



**MANNINGHAM**  
BALANCE OF CITY AND COUNTRY

---

Minutes of the Submissions Committee Meeting held on 10 May 2016 to hear submissions in relation to the lease of 383 Manningham Road and sublease of 371 Manningham Road, Doncaster, to the Manningham Centre Association.

---

This Meeting is an Assembly of Councillors

# MINUTES

(CST164)

MANNINGHAM CITY COUNCIL



**MCA Lease and Sub-lease S223 Submissions Committee**  
**10 May 2016**

The Meeting opened at 6.30pm.

**1. Appointment of Committee Chairperson**

The Director Community Programs, Mr Chris Potter advised that due to the resignation from Council of Cr Jennifer Yang the Committee needed to appoint a Chairperson.

Mover: Galbally

Seconder: Kleinert

**That Cr S O'Brien be appointed as the Committee Chairperson.**

**CARRIED**

**2. Attendance**

Cr Stephen O'Brien (Chairperson); Cr Sophy Galbally and Cr Michelle Kleinert.

Cr Dot Haynes and Cr Paul McLeish were in attendance as observers.

**3. Conflict of Interest – Disclosure**

No conflicts of interest were disclosed.

**4. Manningham Centre Association - lease of 383 Manningham Road and sublease of 371 Manningham Road, Doncaster**

Council received two written submissions concerning the above matter. The submitters are:-

- Mr Graeme Macmillan, Blackburn.
- Mr David Wolnizer, Templestowe Lower.

Both submitters requested to be heard in support of their submissions in accordance with S223 of the Local Government Act 1989.

**Mr G Macmillan, Blackburn (Submission No 1 attached)**

Mr Macmillan addressed the Committee requesting Council not to enter into a lease or sub-lease with the Manningham Centre Association for the properties in Manningham Road, Doncaster. His submission is summarized as follows:-

- By entering into the two proposed leases considerable public resources would be lost to Manningham ratepayers;
- The proposal is a failure to observe proper process under Victorian procurement regulations;
- The leasing would prolong the option to return all ratepayer's assets currently managed by the Association to Council; and

2



MANNINGHAM CITY COUNCIL



**MCA Lease and Sub-lease S223 Submissions Committee**  
**10 May 2016**

- The proposed lease terms would extend the tenure of the Association for a further 15 years and deprive ratepayers of valuable resources that should be used to the benefit of the Manningham community.

Mr Macmillan contended that because the Association has always been, and in substance still is, part of Council, any terms within the leases cannot be at arm's length or considered of a commercial nature as they constitute internal transfers.

Mr Macmillan also expressed concern that Council has previously declared this matter confidential and decided in camera by Council.

Mr Macmillan claimed that as he has lodged a Freedom of Information application to discover the details of the proposed lease and sublease on the basis that they should be public information the Submitters Meeting should not be held until after the details of the lease are released and the leases should not be declared "commercial in confidence".

**Mr David Wolnizer, Templestowe Lower (Submission No 2 attached)**

Mr Wolnizer addressed the Committee in support of his submission for Council to not enter into a lease or sub-lease of the two properties to the Manningham Centre Association. His submission is summarized as follows:-

- The leasing of the properties would constitute a significant loss of revenue and resources and deprive Council of many millions of dollars which could be used better elsewhere; and
- Most councils have exited the residential aged care market because there are specialist suppliers capable to providing excellent services.

The Chairperson thanked both submitters for addressing the Committee and expressing their views. He also stated that minutes of these proceedings along with a report on both written submissions will be presented for determination to the whole Council at its meeting on the 31 May, 2016.

**5. Close of Meeting**

The Meeting closed at 6.48pm.

\*\*\*\*\*

MANNINGHAM CITY COUNCIL



**MCA Lease and Sub-lease S223 Submissions Committee**  
**10 May 2016**

Attachment 1

*Graeme Macmillan*

4<sup>th</sup> May 2016

Mr Warwick Winn

Chief Executive Officer

Manningham City Council

699 Doncaster Road

DONCASTER VIC 3108

Dear Warwick,

**Submission that Council should *not* enter a lease on land and buildings known as 383 Manningham Road, Doncaster and should *not* enter a sub-lease on land and buildings known as 371 Manningham Road, Doncaster with the MCA**

In response to an advertisement that appeared in the Manningham Leader of 4<sup>th</sup> April, 2016 regarding the proposed lease and sub lease on the above properties to the Manningham Centre Association (MCA), I submit that Council does *not* enter into the lease and sub lease as it will represent a loss of considerable public resources to Manningham ratepayers, is a failure to observe proper process under Victorian procurement regulations and unnecessarily prolongs the option to return all ratepayer's assets currently managed by the MCA to Council.

The proposed lease terms will extend the tenure of the MCA for a further 15 years and therefore deprive ratepayers of valuable resources that should otherwise be used to the benefit of the Manningham community. I have conducted previous detailed correspondence with Mr Joe Carbone, your immediate predecessor, on the background to my concerns on this matter. Briefly, I contend that because the MCA has always been, and in substance still is, part of Council, any terms within the leases cannot be at arm's length or considered of a commercial nature as they constitute internal transfers. The "sale of business" agreement undertaken in 2012 between Council and the MCA which purportedly transferred the residential aged care business to the MCA is a sham because there was no independent valuation undertaken, and was not subject to a public tender process as is required under Victorian procurement regulations.

4

MANNINGHAM CITY COUNCIL



**MCA Lease and Sub-lease S223 Submissions Committee**  
**10 May 2016**

The purchase consideration of \$100 paid by the MCA for the considerable assets of the aged care residential nursing home transferred, including the Commonwealth bed licences previously valued at around \$8 million in Council's balance sheet and subsequently \$12 million in cash, made that transaction's commerciality a total fiction.

Of great concern is the manner in which Council has attempted to hide the loss of ratepayer's resources from public scrutiny. The matter has been declared confidential and decided in camera by Council, yet involves what is essentially the gifting of around \$30 million dollars of valuable resources to an organisation that is not accountable to Council or Manningham ratepayers under the *Local Government Act 1998* requirements.

I have previously pointed out that Council issued *materially false and misleading financial statements* in that the MCA accounts were not consolidated as required under prevailing accounting standards. This is a most serious deficiency which hid the true cost and value of the aged residential aged care business. Had Council been a company subject to *Australian Corporations Law*, councillors, Council officers and auditors would have been subject to sanctions from the Australian Securities and Investments Commission (*Centro Properties Trust case – ASIC vs Healey [2011] FCA 717*).

I have lodged a Freedom of Information request in relation to discovering the details of the proposed lease and sub lease on the basis that it should be public information. I have not received any response to my request, and therefore any meeting of a Committee of Council should not be held until after details of the leases are released. To claim it is "commercial in confidence" is incorrect given that the transaction involves giving away a considerable sum of public resources. Manningham residents should at least be made aware of the magnitude of this loss.

In the correspondence received from Mr Joe Carbone of the 14 May 2015 and 5<sup>th</sup> October 2015, and from comments of councillors, much attention has been paid to the current services provided through the MCA entity as being of great benefit to the current nursing home residents and other related service recipients. While this well may be true, it is totally irrelevant to the central argument that the proposed leases will effectively gift away the considerable ratepayer's resources which have been invested in the residential aged care business over the past 30 years. At the very least, there must be open public scrutiny to establish whether there are better community alternatives to the present arrangements.

While many want to believe the MCA is separate from Council, it has always been controlled by and part of Council. You cannot effectively lease (sell) something to yourself and expect people to believe it is an independent transaction.

I wish to appear in person at the Committee of Council determining whether these leases should be entered into.

Yours sincerely,

MANNINGHAM CITY COUNCIL



**MCA Lease and Sub-lease S223 Submissions Committee**  
**10 May 2016**

Graeme Macmillan

Former councillor, Mullum Mullum Ward 2008 – 2012

**Attachment 2**

██████████  
Lower Templestowe,

VIC. 3107

4<sup>th</sup> May 2016

Mr Warwick Winn

Chief Executive Officer

Manningham City Council

699 Doncaster Road

DONCASTER VIC 3108

Dear Mr Winn,

I respectfully submit that Council should not enter a lease covering land and buildings known as 383 Manningham Road, Doncaster and should not enter a sub-lease on the land and buildings known as 371 Manningham Road, Doncaster with the Manningham Centre Association (MCA)

The Manningham Council should not enter into a lease or sub-lease of properties with the MCA as proposed because it constitutes a significant loss of revenue and resources and deprives the Manningham Budget of many millions of dollars which could be used better elsewhere.

Most Councils have exited the residential aged care market because there are specialist suppliers now capable of providing excellent services. A recent example is Monash Council that undertook a closed tender of their residential aged care facilities and successfully transferred them to a private service provider. The resources freed by the sale are now being used effectively for the wider community.

Likewise, I am concerned that false and misleading information was provided to Councillors upon which they relied to approve the wasteful replacement of garbage bins in this city. It is also alarming that the reasons for replacing the bins, as given to

6

MANNINGHAM CITY COUNCIL



**MCA Lease and Sub-lease S223 Submissions Committee**  
**10 May 2016**

ratepayers by the telephonists employed by the Council is also untrue, and what might best be regarded as spin.

Manningham is widely regarded as a wealthy Council, but wastage and decisions shrouded in secrecy should no longer be tolerated, and some austerity measures need to be implemented in order that Council can deliver better services to ratepayers without inappropriate rate increases.

I would like the opportunity to appear at the Committee of Council considering these leases.

Yours sincerely,

David Wolnizer

Resident

The meeting concluded at 8:43pm.

---

Chairman  
CONFIRMED THIS 28 JUNE 2016

\* \* \* \* \*