

MANNINGHAM

Ordinary Meeting of the Council

MINUTES

Date:	Tuesday, 22 May 2018
Time:	7:00pm
Location:	Council Chamber, Civic Centre 699 Doncaster Road, Doncaster

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**MANNINGHAM CITY COUNCIL
MINUTES OF THE ORDINARY MEETING OF THE COUNCIL
HELD ON 22 MAY 2018 AT 7:00PM
IN COUNCIL CHAMBER, CIVIC CENTRE
699 DONCASTER ROAD, DONCASTER**

The meeting commenced at 7:00pm.

PRESENT: Councillor Andrew Conlon (Mayor)
Councillor Michelle Kleinert (Deputy Mayor)
Councillor Anna Chen
Councillor Sophy Galbally
Councillor Geoff Gough
Councillor Dot Haynes
Councillor Paul McLeish
Councillor Paula Piccinini
Councillor Mike Zafirooulos

OFFICERS PRESENT: Chief Executive Officer, Mr Warwick Winn
Director Assets & Engineering, Mr Leigh Harrison
Director Shared Services, Mr Philip Lee
Executive Manager People & Governance, Ms Jill Colson
Director City Planning, Mr Angelo Kourambas
Acting Director Community Programs, Lee Robson

**1 OPENING PRAYER AND STATEMENTS OF
ACKNOWLEDGEMENT**

The Mayor read the Opening Prayer & Statements of Acknowledgement.

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

There were no apologies.

3 PRIOR NOTIFICATION OF CONFLICT OF INTEREST

The Chairperson asked if there were any written disclosures of conflict of interest submitted prior to the meeting and invited Councillors to disclose any conflict of interest in any item listed on the Council Agenda.

There were no disclosures made.

4 CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

MOVED: CR ANNA CHEN
SECONDED: CR MICHELLE KLEINERT

That the Minutes of the Ordinary Meeting of the Council held on 24 April 2018 be confirmed.

CARRIED

5 PRESENTATIONS

5.1 Christian Li - Yehudi Menuhin International Competition Winner

The Mayor acknowledged the outstanding achievement of Christian Li, a local Manningham student. In a world first, 10 year old violinist Christian became the youngest ever winner of the prestigious Yehudi Menuhin International Competition.

The Yehudi Menuhin International Competition for Young Violinists is the leading international music competition for violinists under the age of 22. As joint competition winner, Christian will be given the opportunity to perform in concerts and music festivals around the world.

6 PETITIONS

6.1 Petition - Proposed Construction of Porter Street Templestowe west of Blackburn Road (Heide Ward)

COUNCIL RESOLUTION

MOVED: CR PAULA PICCININI
SECONDED: CR MIKE ZAFIROPOULOS

That the Petition with 119 signatories proposing the construction of Porter Street, Templestowe west of Blackburn Road from Templemore Drive to Clendon Court to improve the safety of all Porter Street users and improve access to Green Gully Linear Park be received and referred through to the appropriate Officer for consideration.

CARRIED

7 PUBLIC QUESTION TIME

There were no questions from the public.

8 ADMISSION OF URGENT BUSINESS

8.1 Appointment of Authorised Officer - Planning and Environment Act 1987

COUNCIL RESOLUTION




MOVED: CR PAUL MCLEISH
SECONDED: CR MICHELLE KLEINERT

That Council admits for consideration as part of item 15 the following item of Urgent Business: Appointment of Authorised Officer – Planning and Environment Act 1987.

CARRIED

9 PLANNING PERMIT APPLICATIONS

9.1 Planning Application PL17/027661 at 463-535 Doncaster Road, Doncaster for the use and development of the land with a two-storey restricted recreation facility (health club)

File Number:	IN18/175
Responsible Director:	Director City Planning
Applicant:	Urbis Pty Ltd
Planning Controls:	Residential Growth Zone, Schedule 1 (RGZ1); Development Plan Overlay, Schedule 3 (DPO3); Environmental Significance Overlay, Schedule 5 (ESO5); and Heritage Overlay, Schedule 43 (HO43)
Ward:	Koonung
Attachments:	<ol style="list-style-type: none">1 Decision Plans ↓ 2 Statement of Heritage Significance ↓ 3 Legislative Requirements ↓ 

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 463-535 Doncaster Road, Doncaster and recommends approval of the submitted proposal subject to amendments that will be addressed by way of permit conditions. The application is being reported to Council given that it is a Major Application (with a development cost of more than \$5 million).

Proposal

2. The proposal involves the use and development of a two-storey restricted recreation facility (health club) comprising an indoor and an outdoor swimming pool, a gym and illuminated tennis courts. The proposal also includes the partial demolition of a building in a heritage overlay, with the structural remediation, repair, conservation and reconstruction works to the two-storey heritage building.
3. The land has a total area of approximately 11,000 square metres. The proposal has a site coverage of 23% and a maximum building height of 10.23 metres. A total of 172 car parking spaces are provided within a basement level and at ground level. Three bicycle spaces are provided.

Advertising

4. Notice of the application was given over a three-week period which concluded on 18 April 2018.
5. One objection has been received. The objection identities concerns relating to the design response to the heritage building, visual bulk and impact on the existing heritage building.

Key issues in considering the application

6. The key issues for Council in considering the proposal relate to:
 - State and Local Planning Policy Frameworks (SPPF and LPPF);
 - Use;
 - Design, built form and heritage;
 - Car parking, access, traffic and bicycle facilities; and
 - Objector concerns.

Assessment

7. The development of the land for a two-storey health club is consistent with the relevant objectives of State and local planning policies of the Manningham Planning Scheme (the Scheme), including the requirements of the Residential Growth Zone, Schedule 1 (RGZ1) and supporting policy relating to the Tullamore Estate.
8. The proposed development features a contemporary design, which subject to conditions, meets the purpose of the intent of the zone, the Eastern Golf Course Development Plan and the decision guidelines of all applicable overlays, resulting in a development that will not adversely affect the significance of the heritage place.
9. The proposal demonstrates a design approach that finely balances the need to:
 - retain, restore and provide a genuine end-use for the Tullamore homestead;
 - retain a protected tree;
 - establish a visual link between the homestead and the off-site stables building; and
 - provide a development and use that is sympathetic, complementary and integrated with the homestead, within an overall landscape setting.

Conclusion

10. The proposal is in accordance with the broad requirements of the Eastern Golf Course Development Plan, as it relates to the existing heritage building. This report concludes that the proposal complies with the relevant planning policy in the Scheme and should be supported, subject to conditions requiring modest design changes to the proposal and the submission of management plans for Council approval.
11. It is recommended that the application be supported, subject to conditions.

COUNCIL RESOLUTION

MOVED: CR SOPHY GALBALLY
SECONDED: CR MICHELLE KLEINERT

That Council:

- A. Having considered the objection issue a NOTICE OF DECISION TO GRANT A PERMIT in relation to Planning Application PL17/027661 at 463-535 Doncaster Road, Doncaster for the use and development of the land with a two-storey restricted recreation facility (health club) comprising an indoor and an outdoor swimming pool, a gym and illuminated tennis courts, and partial demolition of a building in a heritage overlay, subject to the following conditions –**
- 1. Before the development starts, amended plans drawn to scale and dimensioned, must be submitted to the satisfaction of and approved by the Responsible Authority. When approved the plans will then form part of the permit. The plans must be generally in accordance with the decision plans prepared by dwp Australia, Job No. 503510, Revision D dated 27 February 2018, but modified to show the following:**

Design and built form

 - 1.1 Details of measures to soften the presentation of the exposed sections of the northern concrete wall of the basement. These walls must be ‘feature’ walls to achieve a high-quality aesthetic. This may or may not include the use of vertical garden elements, and sections of vertical timber or perforated Corten screens and must include the wall surface itself, having regard to ‘Allotment Boundaries Adjacent to Road Reserves’ from the approved Eastern Golf Course Development Plan.**

Car parking, access and bicycle facilities

 - 1.2 The access to the at-grade car park off the proposed new road to be constructed in a future stage of the Tullamore subdivision modified in accordance with the swept path analysis plans shown in the Traffic and Transport Assessment report prepared by Cardno, dated 14 August 2017, including the widening of the accessway;**
 - 1.3 Provision of a total of 22 bicycle parking spaces in accordance with Clause 52.34 (Bicycle facilities), including the design of spaces and signage;**
 - 1.4 Allocation of bicycle parking for staff and visitors detailed on plan and in a schedule;**
 - 1.5 All car parking space and accessway width dimensions, including for the tandem car parking spaces, demonstrated to comply with Design Standard 2 of Clause 52.06-9 (Car Parking) of the Manningham Planning Scheme;**

Plan notations

- 1.6 Location and size of a solar component for the hot water system, in accordance with the approved SMP.
- 1.7 Location and size of a 12kW PV system, in accordance with the approved SMP.
- 1.8 Notations indicating the size and location of rainwater tanks and connection to toilets, pool top-up, bin wash and irrigation connection.
- 1.9 A schedule listing all sustainability features/commitments applicable to the approved development, as described in the approved Sustainability Management Plan; and
- 1.10 All recommendations and design changes as required by the sustainability management plan, acoustic report, disability access report, detailed reconstruction drawings and any other report approved under conditions of this permit.

Endorsed Plans

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

Construction Management Plan

3. Before the development starts, a Construction Management Plan (CMP) must be submitted via email and approved by the Responsible Authority. When approved the plan will form part of the permit. The Construction Management Plan is to be prepared in accordance with the template within Council's CMP Guidelines. The CMP must address:
 - 3.1 Element A1: Public Safety, Amenity and Site Security;
 - 3.2 Element A2: Operating Hours, Noise and Vibration Controls;
 - 3.3 Element A3: Air Quality and Dust Management;
 - 3.4 Element A4: Stormwater and Sediment Control and Tree Protection (also as per the specific requirements of this permit);
 - 3.5 Element A5: Waste Minimisation and Litter Prevention; and
 - 3.6 Element A6: Traffic and Parking Management.

Council's Works Code of Practice (June 2016) and Construction Management Plan Guideline (June 2016) are available on Council's website.

Sustainability Management Plan

- 4. Before the development starts, or the issue of a building permit for the development, whichever is the sooner, an amended Sustainability Management Plan 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 use of the restricted recreation facility (health club). The Plan must be generally in accordance with the plan prepared by Sustainable Built Environments Melbourne, dated 30 November 2017, but modified to show the BESS report submitted as a finalised report.**

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 be generally in accordance with the submitted draft Waste Management Plan prepared by Low Impact Development Consulting, dated 23 June 2017. The developer must ensure that the private waste contractor can access the development and the private waste contractor bins. No private waste contractor bins can be left outside the development boundary at any time on any street frontage for any reason.**

Acoustic Report

- 6. Before the development starts, or the issue of a building permit for the development, whichever is the sooner, the Acoustic Report prepared by Acoustic Logic, dated 20 November 2017, must be approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit.**

Disability Access

- 7. Before the development starts, or the issue of a building permit for the development, whichever is the sooner, a Disability Access Plan that implements the recommendations of a Disability Access Audit, prepared by a suitably qualified person that demonstrates compliance with the relevant Australian Standards for access, including AS1428 Part 2, 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 include but not be limited to:**
 - 7.1 Vehicular and pedestrian access into the building;**
 - 7.2 The provision of tactile indicators;**
 - 7.3 The provision of braille indicators for the lifts;**
 - 7.4 The use of contrasting paving materials to assist the vision impaired;**

7.5 All emergency exits; and

7.6 All car parking areas.

Management Plan Compliance

8. The plans approved under Conditions 3, 4, 5, 6 and 7 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.
9. Before the approved use starts, a report from the author of the Sustainability Management Plan approved pursuant to this permit, or similar qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures/commitments in the Sustainability Management Plan approved under Condition 4 of this permit, and the third pipe requirements, have been implemented in accordance with the approved plans and the planning permit.

Heritage demolition and reconstruction

10. Before the demolition or the development starts, the statement of conservation practice prepared by Ray Tonkin, dated November 2017 and the associated structural engineering report prepared by MacLeod Consulting, dated February 2016, must be approved to the satisfaction of the Responsible Authority. When approved, the plan will form part of the permit.
11. Before the development starts, or the issue of a building permit for the development, whichever is the sooner, detailed reconstruction drawings for works to house Tullamore must be prepared by an experienced conservation architect, supported as necessary by professional engineering advice, and must be submitted to and approved by the Responsible Authority. This documentation must be informed by available evidence of the original form of the homestead and in particular the verandah, which will form a significant component of the reconstruction works, as provided in the statement of conservation practice prepared by Ray Tonkin, dated November 2017 and the associated structural engineering report prepared by MacLeod Consulting, dated February 2016.
12. The scope of works related to the demolition and reconstruction of the existing heritage building and associated structures, must be completed in accordance with the detailed reconstruction drawings approved under Condition 11 of this permit and the approved statement of conservation practice prepared by Ray Tonkin, dated November 2017 and the associated structural engineering report prepared by MacLeod Consulting, dated February 2016. The works must be documented and supervised by an appropriately qualified conservation architect, to the satisfaction of the Responsible Authority.

Landscape Plan

13. Before the development starts, an amended landscaping plan must be submitted to the Responsible Authority for approval. The plan must be generally in accordance with the approved site layout plan and the decision plans prepared by mdg, Job No. 1658A dated 21 December 2017, but modified to show:
 - 13.1 Species, locations, approximate height and spread of proposed planting, including within road reserves;
 - 13.2 Details of soil preparation and mulch depth for garden beds and surface preparation for grassed areas;
 - 13.3 Fixed edge strips for separation between grassed and garden areas and/or to contain mulch on batters;
 - 13.4 A sectional detail of the canopy tree planting method which includes support staking and the use of durable ties;
 - 13.5 All canopy trees and screen planting to be at least 1.5 metres in height at the time of planting;
 - 13.6 Advanced planting comprising canopy trees along Doncaster Road and Heritage Boulevard boundaries; and
 - 13.7 Tree Protection Zones and recommendations notated on plan for the *Quercus robur* (English Oak) tree, as derived from the Arborist report prepared by Galbraith & Associates, dated 16 August 2017.
14. Any dead, diseased or damaged plants must be replaced as soon as practicable, to the satisfaction of the Responsible Authority.

Landscape Bond

15. Before the release of the approved plans for the development, a \$15,000 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.

Completion and Maintenance

16. Before the use commences the following works must be completed generally in accordance with the approved plans and to the satisfaction of the Responsible Authority:
 - 16.1 All driveways, bicycle and car parking areas fully constructed, with appropriate grades and transitions, line marked and/or signed and available for use;

16.2 Redundant vehicle crossovers must be removed and the footpath, nature strip and kerbing reinstated; and

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

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

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

19. The landscaping as shown on the approved landscaping plan must be maintained by replacing any dead, diseased, dying or damaged plants as soon as practicable and not using the areas set aside for landscaping for any other purpose, to the satisfaction of the Responsible Authority.

20. If required 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.

Tree Protection

21. The *Quercus robur* (English Oak) tree must be retained to the satisfaction of the Responsible Authority by providing an appropriate tree protection zone, maintaining the tree and undertaking works within this tree protection zone only in accordance with the Arborist report prepared by Galbraith & Associates, dated 16 August 2017.

22. All Tree Protection Zones on the subject land must be:

22.1 Established and defined prior to the commencement of any construction works and associated fencing/signage must not be removed until works in the affected area have been fully completed to the satisfaction of the Responsible Authority;

22.2 Constructed in accordance with Australian Standard (4970-2009) titled "Protection of trees on development sites", and clearly marked "no-go zone/vegetation protection zone".

23. The following actions must not be undertaken in any Vegetation Protection Zone as identified on the approved plan, unless strictly in accordance with the Arborist report prepared by Galbraith & Associates, dated 16 August 2017, to the satisfaction of the Responsible Authority:

23.1 The storage of materials or equipment;

23.2 The disposal of any contaminated waste water;

23.3 The use of a tree for temporary attachment of wiring or such like;

23.4 Open cut trenching, or excavation works (whether or not for the laying of services); and

23.5 Changes to the soil grade level.

Stormwater – On-site detention (OSD)

24. The owner must provide on-site storm water 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:

24.1 Be designed for a 1 in 5 year storm; and

24.2 Storage must be designed for 1 in 10 year storm.

Construction Plan (OSD)

25. Before the development starts, a construction plan for the system required by Condition 24 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

26. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.

27. 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.

Roadworks

28. Before the development starts, a functional layout plan must be submitted to and approved by the Responsible Authority and will then form part of the permit. The plans must be dimensioned to show:

28.1 The left turn deceleration lane on the east approach on Members Drive, (into the basement carpark).

28.2 A traffic management device (to be agreed to by Council's Engineering and Technical Services Unit) at the intersection of Members Drive, Archer Road and the driveway into the basement carpark of the development.

28.3 Vehicle crossover details from the Proposed Road into the at-grade car park.

29. Before the works start:

29.1 A supervision fee equal to 2.5% of the cost of construction of the road and drainage works must be paid to the Responsible Authority.

29.2 A plan-checking fee equal to 0.75% of the cost of construction of the road and drainage works must be paid to the Responsible Authority.

29.3 A maintenance deposit equal to 5% of the cost of construction of the road and drainage works must be lodged with the Responsible Authority and retained thereafter for a minimum of three months.

29.4 A schedule of costs for the construction of road and drainage works must be submitted to the Responsible Authority.

30. Subsequent to the approval of the functional layout plan, detailed engineering design must be submitted to the Responsible Authority for approval.

31. Prior to the commencement of use or occupation of the development approved by this permit, the access works shown on the approved functional layout plan and detailed design plans must be completed to the satisfaction of VicRoads and at no cost to Council.

Use

32. Except with the prior written consent of the Responsible Authority, the restricted recreation facility may only be open to customers on Monday to Sunday between 5:30am and 10:00pm.

33. All delivery and collection of goods must be conducted within the subject land and within the operating hours approved under this permit.

34. All noise emanating from commercial premises within the building must comply with the State Environment Protection Policy N-1 (Noise from commerce industry and trade) and in the event of the Responsible Authority receiving justifiable complaints regarding noise from such sources, the onus will be on the owner of the development site to prove compliance with the relevant policy to the satisfaction of the Responsible Authority.

35. The façade must not be covered by promotional or other film or signage that reduces transparency of the interface, to the satisfaction of the Responsible Authority.
36. The use of the land must not adversely affect the amenity of the neighbourhood, including through:
- 36.1 The transport of materials, goods or commodities to or from the land;
- 36.2 The appearance of any buildings, works or materials; and
- 36.3 The emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or the presence of vermin;
- to the satisfaction of the Responsible Authority.
37. Rubbish, including bottles and packaging material, must at all times be stored within the building and screened from external view. All waste collection and recycling collection to be undertaken in accordance with Council requirements and the approved waste management plan.

Lighting

38. The development must be provided with external lighting capable of illuminating access to each car parking space, storage, rubbish bin, recycling bin, pedestrian walkways, stairwells, lift, dwelling entrances and entry foyer. Lighting must be located, directed, shielded and of limited intensity so that no nuisance or loss of amenity is caused to any person within and beyond the site, to the satisfaction of the Responsible Authority.

Underground Services

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

Permit Expiry

40. This permit will expire if one of the following circumstances applies:
- 40.1 The development is not started within four (4) years of the date of this permit;
- 40.2 The development is not completed within eight (8) years of the date of this permit; and
- 40.3 The use is not commenced within two (2) years of the development being completed.

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

PROCEDURAL MOTION

Moved: CR GEOFF GOUGH
Seconded: CR ANNA CHEN

That Councillor Haynes be permitted an extension of time to speak in accordance with clause 44.6 of the Manningham City Council Meeting Procedure Law 2017.

CARRIED

PROCEDURAL MOTION

Moved: CR GEOFF GOUGH
Seconded: CR DOT HAYNES

That Councillor Chen be permitted an extension of time to speak in accordance with clause 44.6 of the Manningham City Council Meeting Procedure Law 2017.

CARRIED

THE SUBSTANTIVE MOTION WAS PUT AND LOST

1. BACKGROUND

- 1.1 A pre-application advice request was submitted to Council on 13 October 2016. Council obtained heritage advice that was distributed to the applicant.
- 1.2 The application was submitted to Council on 31 August 2017 and the proposal was presented to the Sustainable Design Taskforce meeting on 28 September 2017. A request for further information was sent on the same date. Issues raised include the visual heritage connection between the heritage building and the stables to the east, integration of the development with the heritage building and the wider estate, vehicle access, car parking and landscaping.
- 1.3 All requested further information was received by Council on 28 February 2018.
- 1.4 Notice of the application was given over a three-week period which concluded on 18 April 2018.
- 1.5 The statutory time for considering a planning application is 60 days, which lapsed on 28 April 2018.

- 1.6 The land title is affected by two Section 173 Agreements related to Tullamore Estate as a whole. Agreement AL849013P requires the preparation, implementation and carrying out of a land management plan. Agreement AM749778C establishes requirements for development, including siting and setbacks, retaining walls and fencing. The proposal will not breach the Agreements.

2. THE SITE AND SURROUNDS

The Site

- 2.1 The subject site forms part of the larger Tullamore Estate (formerly known as the Eastern Golf Course) and is located on the northern side of Doncaster Road, at the intersection with Heritage Boulevard, which is the entrance to Tullamore Estate.
- 2.2 The site has an area of approximately 11,000 square metres, with approximate boundary dimensions of 122 metres to the southern Doncaster Road frontage, 67 metres to the eastern Heritage Boulevard side road, 114 metres to the northern Members Drive side road and 106 metres to the western boundary.
- 2.3 The site contains house 'Tullamore', a two-storey brick and render heritage villa. The house has been enveloped by a series of single storey additions on all sides. Most recently, the buildings were used as the golf club house for the Eastern Golf Course. Access to the site is currently via a crossover and driveway at the western end of the frontage to Doncaster Road. The existing building is set back 20 metres from the Doncaster Road frontage, with the central, two-storey heritage building set back a further 18.5 metres.
- 2.4 House Tullamore and the associated stables building (which is located approximately 185 metres east of the subject site) were constructed in 1886-7 by Sir Thomas Naghton FitzGerald and were designed by well-known architect Lloyd Taylor. This place is of local historical significance as remnants of FitzGerald's country property and for its associations with FitzGerald, subsequent owner, William Stutt and with the architect. Heritage Overlay, Schedule 43 applies to the house, surrounding land, the stables building, the area of land between these buildings, as well as an English Oak tree to the west.
- 2.5 The site is not affected by any easements. The topography is undulating, generally rising from the west to east by 3 to 4 metres. Vegetation is located around the existing building, including the heritage English Oak tree, which is located approximately 44 metres west of the heritage building.

The Surrounds

2.6 The site has the following abuttals:

Direction	Address	Description
North	Three residential properties including 22, 24 and 26 Members Drive	Land to the immediate north is within Stage 4 of Tullamore Estate. Two of the three residential properties opposite have been developed with double storey dwellings.
East	Higher density area of Tullamore Estate	Land to the immediate east is within an area of Tullamore Estate designated for higher density development. A part five, part-six storey apartment building is currently under construction at the intersection of Doncaster Road and Heritage Boulevard. To the north of the apartment building is a green belt, incorporating the stables heritage building.
South	460, 462, 464, 466, 468, 470, 472, 474, 476 Doncaster Road and 1 Pettys Lane	Land to the immediate south of Doncaster Road predominantly comprises existing single and two-storey housing stock on allotments with an average area of 600 square metres, with the exception of 1 Pettys Lane, which is a consolidated 1,900 square metre lot that has been redeveloped with a four-storey apartment building.
West	Stage 5 Tullamore Estate	Land to the immediate west is within Stage 5 of Tullamore Estate. This stage is currently in the early stages of infrastructure construction, including the continuation of the previously completed section of Members Drive that is to the immediate north of the subject site.

2.7 Tullamore Estate comprises six stages. Road infrastructure is in place for Stages 1, 2 and 3 (southern, central and eastern areas, respectively) with construction occurring for Stages 4 and 5 (western area). Stage 6, to the north, is currently undergoing planning assessment for its subdivision layout. Housing development is predominantly complete within Stage 1, in the southern section of the estate, while some dwellings have been constructed in Stages 2 and 3. The estate will comprise approximately 800 new dwellings and new public open space.

- 2.8 Land within Tullamore Estate and all land in the immediate vicinity that has an abuttal to Doncaster Road is zoned Residential Growth. Other surrounding residential land is zoned General Residential, with the exception of land located 400 metres to the east, within the Activity Centre Zone. The Doncaster Hill Principal Activity Centre forms a central hub of residential, commercial, retail and recreational facilities.
- 2.9 The site abuts Doncaster Road, an arterial road with three lanes of traffic in both directions, including a designated bus lane. The bus lane on the northern side of Doncaster Road converts to a deceleration lane providing access to the entrance to Tullamore Estate via Heritage Boulevard. The intersection of Doncaster Road and Heritage Boulevard is signalised to provide ingress and egress to the estate. A roundabout adjacent to the north-eastern corner of the subject site, at the intersection of Heritage Boulevard and Members Drive, can provide vehicle access along the northern boundary of the site.
- 2.10 In terms of public transport, the subject site is well serviced by bus routes operating along Doncaster Road, connecting activity centres and residential areas within the municipality to Melbourne's Central Business District. Major bus interchanges are situated at Doncaster Park and Ride within 700 metres walking distance west of the site and at the Westfield Doncaster complex within 1.4 kilometres walking distance to the east. In addition to having access to the numerous retail, restaurant and entertainment venues within the shopping centre, the site is well serviced by other community and local facilities and parks.

3. THE PROPOSAL

- 3.1 It is proposed to develop the land with a two-storey restricted recreation facility (health club) comprising an indoor and an outdoor swimming pool, a gym and four illuminated tennis courts, with car parking provided within one basement level as well as at ground floor, occupying part of the existing at-grade car park. The proposal also incorporates the demolition of the existing single storey buildings that surround the existing two-storey house Tullamore. This will then allow the structural remediation, repair, conservation and reconstruction of the retained house Tullamore.
- 3.2 Ancillary uses include a crèche for a maximum 20 children that occupies 165 square metres, an administration and staff area occupying 130 square metres, a kitchen and bar occupying 95 square metres and a retail tenancy occupying 35 square metres. All uses are integrated with the club and are not intended to operate independently. Proposed hours of operation are from 5:30am to 10:00pm daily. A total of 10 staff would be on the premises during operating hours.

Submitted plans and documents

- 3.3 The proposal is outlined on the plans prepared by dwp Australia, Job No. 503510, Revision D dated 27 February 2018 and landscape plans prepared by mdg, Job No. 1658A dated 21 December 2017. Refer to Attachment 1.
- 3.4 The following most recently updated reports were submitted to support the application:
- planning report prepared by Urbis, dated 27 February 2018;
 - heritage impact statement prepared by Ray Tonkin, dated May 2017;

- statement of conservation practice prepared by Ray Tonkin, dated November 2017;
- arboricultural report prepared by Galbraith & Associates, dated 16 August 2017;
- waste management plan prepared by Low Impact Development Consulting, dated 23 June 2017;
- traffic report prepared by Cardno, dated 14 August 2017 and an addendum letter dated 27 February 2018;
- acoustic report prepared by Acoustic Logic, dated 20 November 2017; and
- sustainability management report prepared by Sustainable Built Environments Melbourne, dated 30 November 2017.

3.5 An additional document of relevance for this application is the Statement of Significance, Eastern Golf Club - Tullamore, 463 Doncaster Road, Doncaster, prepared by Lovell Chen, dated 2013, revised 2014. Refer to Attachment 2.

Development summary

3.6 A summary of the development is provided as follows:

Land Size:	11,000m ²	Maximum Building Height:	10.236m
Site Coverage:			
Area of uses:		Street setback to Doncaster Road (south)	Basement – 39m Ground and first floor – 4.81m
• Gymnasium:	1,300m ²	Setback to Heritage Boulevard (east)	Basement – 5.145m Ground and first floor – 5.12m
• Swimming pools:	1,155m ²	Setback to Members Drive (north)	Basement – 0.47m Ground and first floor – 45m
• Tennis courts:	2,550m ²		
• Kitchen and bar:	95m ²		
• Lounge/dining:	595m ²		
• Crèche:	165m ²		
• Office:	130m ²		
• Retail:	35m ²		
Total car parking spaces:	172	Setback to western boundary	Basement – 0.24m Ground and first floor – 49.77m
• Ground level:	38		
• Basement:	134		

Design layout

3.7 The proposed building is located in the south-eastern corner of the site. The ground level of the building comprises an indoor swimming pool, with associated spa and sauna areas, together with change rooms, a central kitchen and bar with associated lounge and dining area, a crèche and a small retail component. The ground floor of house Tullamore is incorporated into the development as a separate lounge and dining area.

3.8 The first floor of the new building comprises a gym and administration area. The first floor of the house Tullamore is also proposed for gym related uses and a board room, but will remain separate from the first floor of the proposed building, with access provided only by a stairwell from the ground floor below.

- 3.9 External to the buildings at ground level, an outdoor swimming pool and four tennis courts occupy the northern portion of the site over the basement car park. The central area of the site, to the west of house Tullamore, is set aside for landscaped garden, including the retention of the heritage-protected English oak tree. The south-west portion of the site is set aside for an at-grade car park, including a refuse and delivery area.

Pedestrian and vehicle access and layout

- 3.10 Pedestrian entry is provided on the western side of the building. The entry is accessible from the at-grade car park, a pedestrian path from the Doncaster Road footpath, or from Members Drive, via a path that runs through the basement.
- 3.11 Two vehicle access points are proposed. Access to the basement car park is from Members Drive, providing 134 car parking spaces. Access is also provided to the at-grade car park from a future road along the western boundary, to be constructed as part of Stage 5 of the Tullamore Estate development plan. This car park provides an additional 38 car parking spaces. A total of 172 car parking spaces are provided on site. The existing accessway from Doncaster Road will be made redundant.

Landscaping

- 3.12 Canopy trees are proposed around the perimeter of the site, with dense planting to be provided along the northern boundary in an attempt to conceal basement walls that project above natural ground level. The landscape design is intended to integrate with the landscape outcome being provided to the public realm of Tullamore Estate. Within the site, the existing English oak heritage tree will provide a primary landscape feature.

Design detail

- 3.13 The proposed building features a contemporary architectural design, which combines high levels of glazing broken up with varied materials, including vertical metal cladding and translucent glazing.

4. LEGISLATIVE REQUIREMENTS

- 4.1 Refer to Attachment 3.
- 4.2 A permit is required under the following Clauses of the Manningham Planning Scheme:
- Clause 32.07-2 (Residential Growth Zone) – use of the land for a restricted recreation facility;
 - Clause 32.07-7 (Residential Growth Zone) – buildings and works associated with a Section 2 Use (restricted recreation facility);
 - Clause 42.01-2 (Schedule 5 to the Environmental Significance Overlay) – construction or carrying out of works associated with a tennis court; and
 - Clause 43.01-1 (Heritage Overlay) – demolish or remove a building and to construct a building or construct or carry out works.

5. REFERRALS

External

5.1 There are no applicable determining or recommending referral authorities.

Internal

5.2 The application was referred to a number of Service Units within Council. The following table summarises the responses:

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> No objection subject to conditions that have been included in the recommendation including the provision of onsite storm water detention.
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> No objection subject to conditions that have been included in the recommendation including the removal and reinstatement of any redundant vehicle crossovers.
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> No objection subject to access to the at-grade car park, off the proposed new road to be constructed in a future stage of the Tullamore subdivision, modified in accordance with the swept path analysis plans shown in the Traffic and Transport Assessment report prepared by Cardno, dated 14 August 2017.
Engineering & Technical Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> No objection subject to a traffic management device at the intersection of the basement and Archer Road to safely manage traffic movement through this intersection and a functional layout plan requiring a footpath along Members Drive along the northern property boundary of the development to connect Heritage Boulevard and the proposed road to future stages of development of the Tullamore Estate. In response, the need for a footpath on the southern side of Members Drive is not considered necessary as there are multiple routes a pedestrian could take to get to the eastern side of the estate or to Doncaster Road. A footpath would also significantly reduce the amount of landscaping to be applied to screen the basement wall that projects from natural ground level. There is a more pressing need for landscape screening to soften the building in this location than there is for pedestrian access.
Engineering & Technical Services Unit – Car Parking Layout	<ul style="list-style-type: none"> No objection.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> No objection subject to a requirement for the provision of a construction management plan.

Service Unit	Comments
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> No objection subject to conditions that have been included in the recommendation including the requirement for private waste collection.
Engineering & Technical Services Unit – Easements	<ul style="list-style-type: none"> No objection.
Strategic Projects Unit – Sustainability	<ul style="list-style-type: none"> No objection subject to a requirement for the submission of an amended Sustainability Management Plan and details provided on plan to correspond with the management plan.
City Strategy Unit – Heritage	<ul style="list-style-type: none"> No objection – Heritage matters are considered later in the report.
City Strategy Unit – Environmental	<ul style="list-style-type: none"> No objection subject to the recommendations in the submitted arborist report being undertaken. This has been included in the conditions of approval.
City Strategy Unit – Urban Design	<ul style="list-style-type: none"> No objection subject to a requirement to soften the presentation of the northern concrete wall of the basement. This has been included in the officer recommendation.

6. CONSULTATION / NOTIFICATION

- 6.1 Notice of the application was given over a three-week period, which concluded on 18 April 2018, by sending letters to nearby properties and displaying three signs on site.
- 6.2 One objection was received. Although the objector did not identify an affected address, the concerns raised are related to heritage and the public realm. The grounds of the objection are summarised as inappropriate design response to the heritage building, visual bulk and impact on the existing heritage building.
- 6.3 A response to the grounds of objection are included in the assessment section of this report.

7. ASSESSMENT

- 7.1 The proposal has been assessed against the relevant state and local planning policies, the zone and overlay and the relevant particular provisions and general provisions of the Scheme.
- 7.2 The following assessment is made under the headings:
- State and Local Planning Policy Frameworks (SPPF and LPPF);
 - Use;
 - Design, built form and heritage;
 - Car parking, access, traffic and bicycle facilities; and
 - Objector concerns.

State and Local Planning Policy Frameworks (SPPF and LPPF)

- 7.3 At the SPPF and LPPF levels, policy emphasises Tullamore Estate as a key redevelopment site within Manningham and metropolitan Melbourne. The Eastern Golf Course Development Plan (Development Plan) has been implemented through local policy at Clause 22.17 (Eastern Golf Course Key Redevelopment Site Policy), with finer assessment tools provided through the implementation of the zone and overlay controls.
- 7.4 The primary consideration for any application within Tullamore Estate is whether the proposed development is “generally in accordance” with the approved Development Plan. The Development Plan describes built form and design outcomes and objectives, and the requirement that an application be generally in accordance with the Development Plan therefore builds in a certain degree of flexibility to allow the proposal to be refined during the ongoing design and development phases. The determining factor in terms of whether the proposal is generally in accordance with the Development Plan is therefore how the proposed built form, design and particulars of development respond to the objectives set out in the Development Plan.
- 7.5 The Development Plan recognises this site will be redeveloped. This is to be combined with the restoration of the Tullamore homestead, to include suitable car parking facilities and be integrated within an overall landscape setting. Complementary uses associated with this development and restoration of the heritage building may be considered and be the subject of future planning assessment, which is the case through the consideration of this application. This application is considered generally in accordance with the Development Plan as it demonstrates an approach that finely balances the need to:
- retain, restore and provide a genuine end-use for the Tullamore homestead;
 - retain a protected tree;
 - establish a visual link between the homestead and the off-site stables building; and
 - provide a development and use that is sympathetic, complementary and integrated with the homestead, within an overall landscape setting.
- 7.6 Policy also emphasises the need for non-residential uses to be located in appropriate residential areas. The use of the site for the purpose of a restricted recreation facility is appropriate within the zoning of the land and the strategic context of the site. The site’s location places it within very good proximity to access to public transport and existing services.

Use

- 7.7 A restricted recreation facility land use requires a permit within the Residential Growth Zone. The use is defined in the planning scheme as:

Land used by members of a club or group, members' guests, or by the public on payment of a fee, for leisure, recreation, or sport, such as a bowling or tennis club, gymnasium and fitness centre. It may include food and drink for consumption on the premises, and gaming.

- 7.8 All of the aspects that make up the use of this proposal are integrated with the restricted recreation facility. No individual aspect of the use will operate independently. For instance, the crèche will not operate as an independent child care centre. Instead, members may leave their child under supervision at the crèche while they attend the swimming pool. The use of a restricted recreation facility is considered suitable under the zone as it is of a scale and intensity that is compatible with the wider residential area and serves local community needs.
- 7.9 The use will provide community based facilities on a site that abuts a Road Zone and provides vehicular access off a separate road. The site is readily and safely accessible by public transport, bicycle and pedestrian networks. The site's location nearby the Doncaster Hill Activity Centre and at the entrance to the Tullamore Estate, places it in a position that enables it to serve the wider community.
- 7.10 The site is placed in a position where although it is highly accessible, it also provides substantial setbacks to the closest dwellings within Tullamore Estate. This provides the opportunity for the use to operate at a higher intensity, with the benefit of minimal off-site amenity impacts.

Design, built form and heritage

- 7.11 The design, height, setbacks and appearance of the proposed building and associated outdoor features are well considered having regard to the heritage significance of the site, which is detailed in the statement of significance. Refer to Attachment 3 for details. The heritage significance of this site relates to the Tullamore homestead, its visual connection to the off-site stables building and an English oak tree. Specific details of the scope of the structural remediation, repair, conservation and reconstruction works to the retained house Tullamore are described in the submitted statement of conservation practice.
- 7.12 The proposal incorporates the demolition of buildings within the heritage overlay, as distinct from the demolition of heritage building itself. Demolition is limited to the single storey buildings that surround the two-storey Tullamore homestead. The demolition of these unsympathetic buildings is required to reinstate the original heritage fabric, forming an essential part of restoring the heritage significance of this building, which is currently obscured by these single storey additions. A **condition** will require the proposed works to repair and conserve the heritage building as set out in the submitted scope of works to be undertaken, with the works documented and supervised by a suitably qualified conservation architect. The proposal will deliver significant benefits to the heritage place, including a suite of repair, conservation and reconstruction works (notably the reconstruction of the former verandah).
- 7.13 The heritage issues that arise with the application are related to the siting and form of the proposed new building relative to the retained and conserved heritage building. It is recognised that the environs of Tullamore and its presentation were previously significantly compromised by the unsympathetic golf club additions and the proposal has been assessed having some regard for these existing conditions. Both in this context and considering the design and siting of the heritage building, there is no expectation that unimpeded views would be provided to the house from all sides.

- 7.14 New buildings must be considered in the context of their impact on the significance of the heritage place. The design of the new building has demonstrated that the location, bulk, form and appearance will not adversely affect the significance of the heritage place. The new building, while attached to the heritage building on the south-eastern side at ground level, will be separate from the upper floor. The integration of the heritage and new buildings ensures that the heritage building will be utilised in the future. If the building were to be isolated, its usability would likely be limited, which is discouraged by policy.
- 7.15 Considering the context by which the heritage building is currently viewed, being surrounded by single storey additions, the proposal will result in a significant improvement, with a clear view to the heritage place from those angles it will be viewed. Importantly, the Tullamore homestead was never sited to be prominently viewed from Doncaster Road as it does not present to this interface. There will however, be a direct view to the south-western part of the heritage building from Doncaster Road, together with a view from the building to the heritage Oak tree. By providing a contemporary architectural style to the new building, the heritage building will be distinct without its heritage significance being diluted. A visual connection will also be maintained to the stables building to the east.
- 7.16 The purpose of the visual connection between the Tullamore homestead and the stables is to allow for an understanding of the relationship between the buildings and the origins and significance of this heritage place. The proposal purposefully locates its outdoor swimming pool on the northern side of the building to ensure that the two storey built form does not prevent this visual connection. The location of the building is also guided by the apartment development to the east that is currently under construction, as there would be no advantage in siting the proposed building further south than views would allow past the apartment building. The siting of the proposed building reasonably balances the need to redevelop the site while maintaining a reasonable visual connection between the heritage and stables buildings. Historically, there was a path between the two buildings in the location of the existing vegetated strip. Several conditions on the permit for the apartment building (PL16/026791) provide for a pedestrian path along this strip between the stables and Tullamore homestead.
- 7.17 The proposal provides a significant area around the existing heritage Oak tree, including substantial separation at both basement and ground levels, in accordance with recommendations stipulated in the submitted arborist report. Importantly, a clear connection is made between the tree and house Tullamore, whereby the tree is the main feature in the landscape setting.
- 7.18 Vegetation removal is required to facilitate the development of the tennis courts on the northern portion of the site. This vegetation removal has been approved by a previous permit. The tennis courts are designed to predominantly follow the line of the outer basement wall, including along the northern interface, where the basement wall projects above natural ground level. The tennis courts comply with the relevant sections of the *Development Guide for Areas of Environmental and Landscape Significance*, 2011. The interface of the basement and tennis courts to the north has been designed to rely upon screen planting. Given that some areas of these exposed walls are within 1 metre of curvilinear northern title boundary, a **condition** will require greater detail of the screening treatment to these walls.

Car parking, access, traffic and bicycle facilities

Car parking and access

- 7.19 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 in Table 1 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.
- 7.20 The car parking rate and the total number of spaces required for each use is tabulated below. The scheme requires a total of 118 car parking spaces for the proposed uses. The provision of 172 spaces exceeds this requirement by 54 car parking spaces. However, the car parking requirement does not take into account the gym use, which is not specified in Clause 52.06-5. In this case, the number of car parking spaces provided for this use must be provided to the satisfaction of the responsible authority. It is considered that the excess 54 car parking spaces that will be provided on site can provide car parking spaces for the gym and that this amount is satisfactory.
- 7.21 As the proposal is for an integrated club where no one use is intended to operate independently, there is no requirement to allocate car parking for specific uses within the car parks. For instance, the crèche is an ancillary use, as club members are expected to drop their children off while they utilise other facilities. The crèche service is only available to members attending the club. Similarly, the retail shop will be selling items such as sports equipment for use at the facility, and it would therefore be unlikely to be a destination trip. Despite these uses being included in the car parking assessment, functionally these ancillary uses are not anticipated to generate any additional car parking demand. Staff parking has been allocated on the plan. The car parking layout is well considered, providing for disability access within the at-grade car park, while the majority of parking spaces are provided within the basement.

Use	Area/ Number	Car parking requirement	Spaces required
Swimming pools	1155m ²	5.6 to each 100m ² of the site	64
Tennis court	4 courts	4 to each court	16
Child care centre	20 children	0.22 to each child	4
Office	165m ²	3.5 to each 100m ² of net floor area	5
Shop	35m ²	4 to each 100m ² of leasable floor area	1
Food and drink premises	700m ²	4 to each 100m ² of leasable floor area	28
Gymnasium	1300m ²	N/A	N/A
Total			118 spaces

7.22 An assessment against the relevant car parking design standards at Clause 52.06-9 of the Scheme is provided in the table below:

Design Standard	Assessment
1 – Accessways	<ul style="list-style-type: none"> • A condition will require the 5.3m wide passing area at the basement entrance to be widened to minimum 6.1 metre by 7 metre passing area. • All vehicles are able to exit the site in a forwards direction. • An adequate visibility splay area is provided along the exit lane. • Within the basement, a 4 metre internal radius is provided at changes of direction.
2 – Car Parking Spaces	<ul style="list-style-type: none"> • Car parking spaces appear to be provided in accordance with the requirements, however a condition will require that all dimensions are provided to demonstrate compliance with this standard. • Two sets of tandem spaces are proposed. A condition will require they be allocated to staff only.
3 – Gradients	<ul style="list-style-type: none"> • The existing access road provides appropriate driveway gradients. All other driveway gradients have been assessed as compliant with the standard.
5 – Urban Design	<ul style="list-style-type: none"> • The development utilises existing access road infrastructure, which will not dominate the landscape. • Parking areas are all incorporated into the basement levels and will not be visible from the street.
6 – Safety	<ul style="list-style-type: none"> • Pedestrian access is clearly separated from the roadway within the basement.
7 – Landscaping	<ul style="list-style-type: none"> • Landscaping is well-placed around the entrance to the basement.

Traffic

7.23 The submitted traffic report suggests a conservatively high traffic generation of approximately 348 vehicles per hour (i.e. all parking spaces were turned over once within one hour during the PM peak) and the signalised intersection would operate satisfactorily under proposed conditions. The traffic consultant has previously undertaken the design and modelling of the signalised intersection at Doncaster Road and Heritage Boulevard, showing that queuing and degree of saturation to be acceptable. Assumptions included that two-thirds of traffic movements would be via the signals, while the remainder of vehicles would approach via the local network, split up between internal movements, Burgundy Drive, Bordeaux Street, Fairway Road and Somerville Street. Once internal traffic is split up in various directions and inbound and outbound movements, the report indicates the traffic impact is likely to be negligible on the surrounding local streets.

- 7.24 The submitted traffic report considers that no future infrastructure works would be required as the traffic associated with this development has already been adequately addressed through the original traffic volume planning.
- 7.25 Overall, the traffic generated as a result of the proposed use and development, is considered to be generally compliant with the broader policy objectives of encouraging sustainable transport modes.

Bicycle Facilities

- 7.26 The submitted traffic report has considered the bicycle parking rate for ancillary uses including the shop and food and drink premises, equating to a bicycle parking requirement of 3 spaces. Shower requirements are considered met given the abundance of change room facilities within the building. However, the assessment has not taken into account the bicycle requirement for the primary use, being a restricted recreation facility (nested under minor sports and recreation facility). As this is a specified use in this clause, it is considered that this is the only use to be assessed for bicycle parking, and not the spaces required for the ancillary uses.
- 7.27 The bicycle parking rate and the total number of spaces required for employees and patrons of a restricted recreational facility is tabulated below. Only three bicycle spaces are provided adjacent to the building entry. This results in a shortfall of 19 bicycle spaces. Given the proposed use is a health centre, it is considered that the full amount of bicycle spaces should be provided, as it will encourage members to use alternative forms of transport. A **condition** will require an additional 19 spaces to be provided in accordance with Clause 52.34. This will likely require an expansion of the basement to the south, either between the heritage building and the English oak tree (allowing for its tree protection zone) or to the south of the pool plant room. It is agreed that no additional change rooms are required as the change room facilities provided are fit for purpose.

Purpose	Area/ Number	Bicycle space requirement	Spaces required
Employees	10	1 space for every 4 employees	3
Patrons	3,740m ²	1 space to each 200m ² of net floor area	19
Total			22

Objector concerns

- 7.28 A response to the grounds of objection is provided in the below paragraphs:

Inappropriate design response to the heritage building

- 7.29 The new building adopts a contemporary design and materiality unrelated to the heritage building. This is a deliberate approach that is supported by Council's heritage advisor as it allows the heritage building to be distinct, maintaining its identity and significance, which will be contrasted by the new building.

Visual bulk

- 7.30 The obscuring of views from the main frontage on Doncaster Road to the south and east is acceptable, particularly as house Tullamore is not oriented to address Doncaster Road. Views will be opened out from Doncaster Road to the south-west. The demolition of the unsympathetic additions will likely provide a clearer view to the heritage building from Doncaster Road than has previously been available.
- 7.31 The location and extent of physical connection between the new building and the heritage building is also considered acceptable, including having regard to the unsympathetic buildings surrounding the heritage house at present. Deliberate design decisions have been made to provide significant viewing angles to the heritage building, to provide a connection to the associated stables building and provide for the retention of the heritage English oak tree to form a prominent landscape feature of the grounds.

Heritage significance

- 7.32 House Tullamore is of local historical significance. The development is considered to adequately respond to this significance for the reasons outlined in this report.

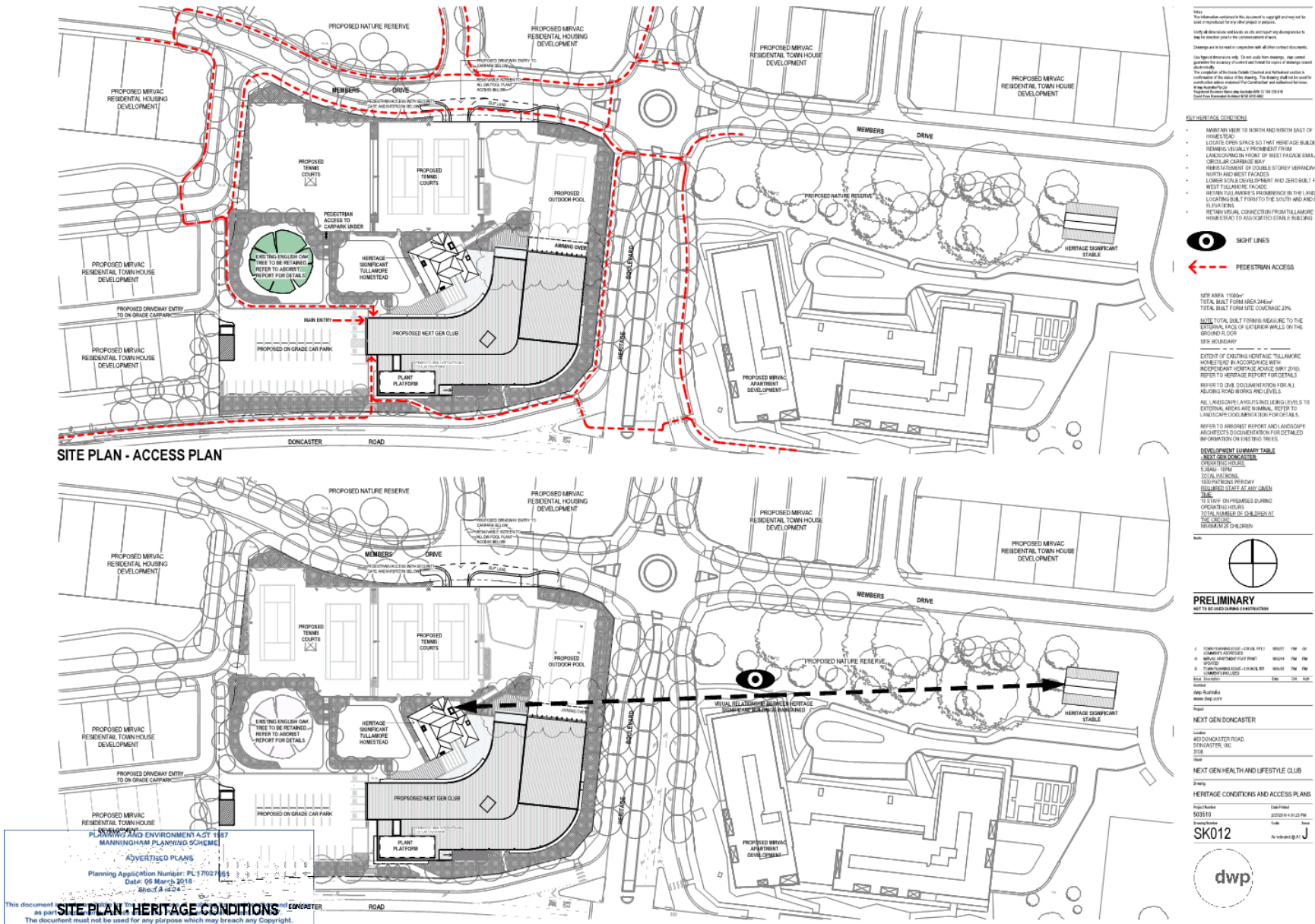
8. CONCLUSION

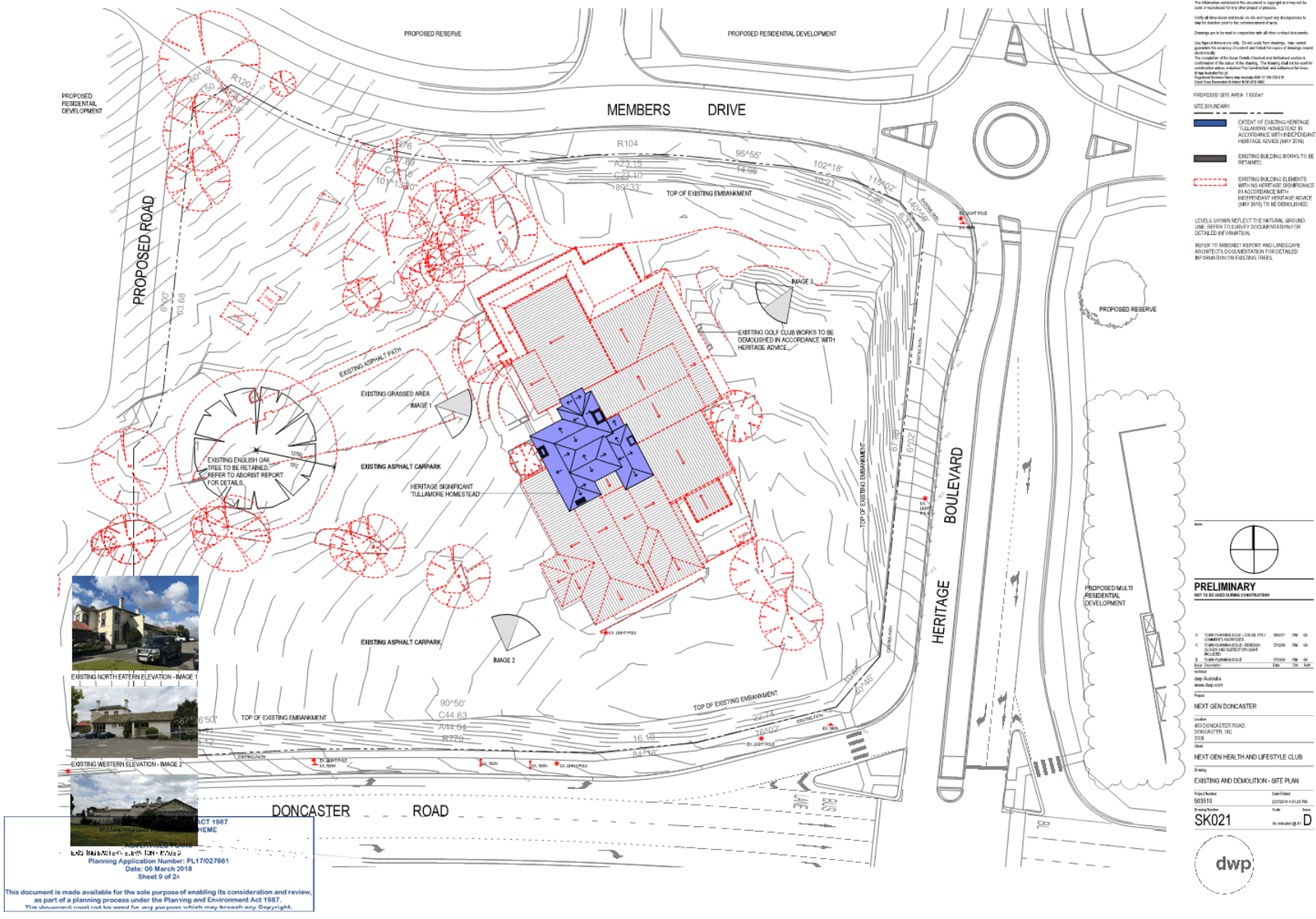
- 8.1 It is recommended that the application be supported, subject to conditions.

9. DECLARATION OF CONFLICT OF INTEREST

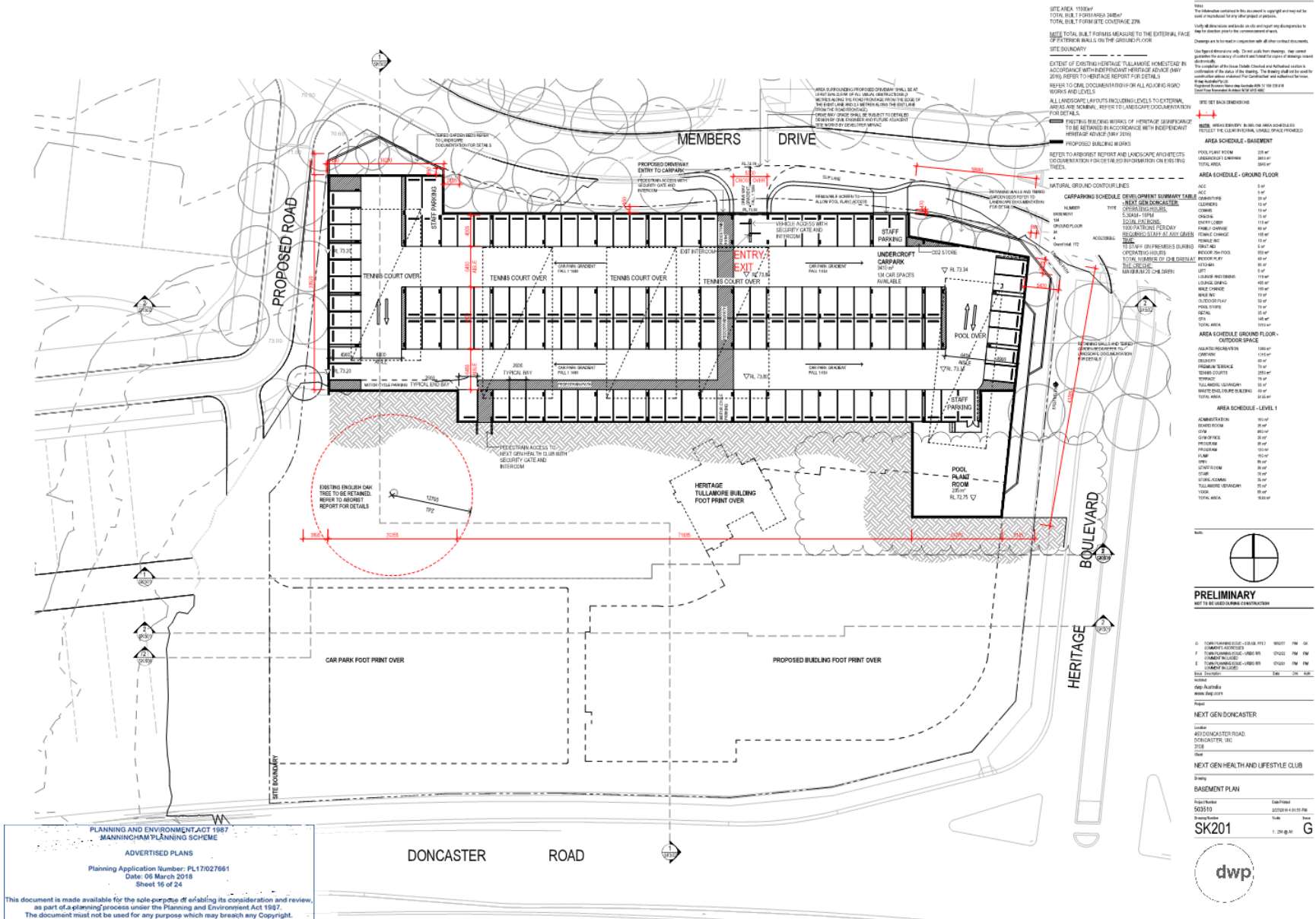
- 9.1 No officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.

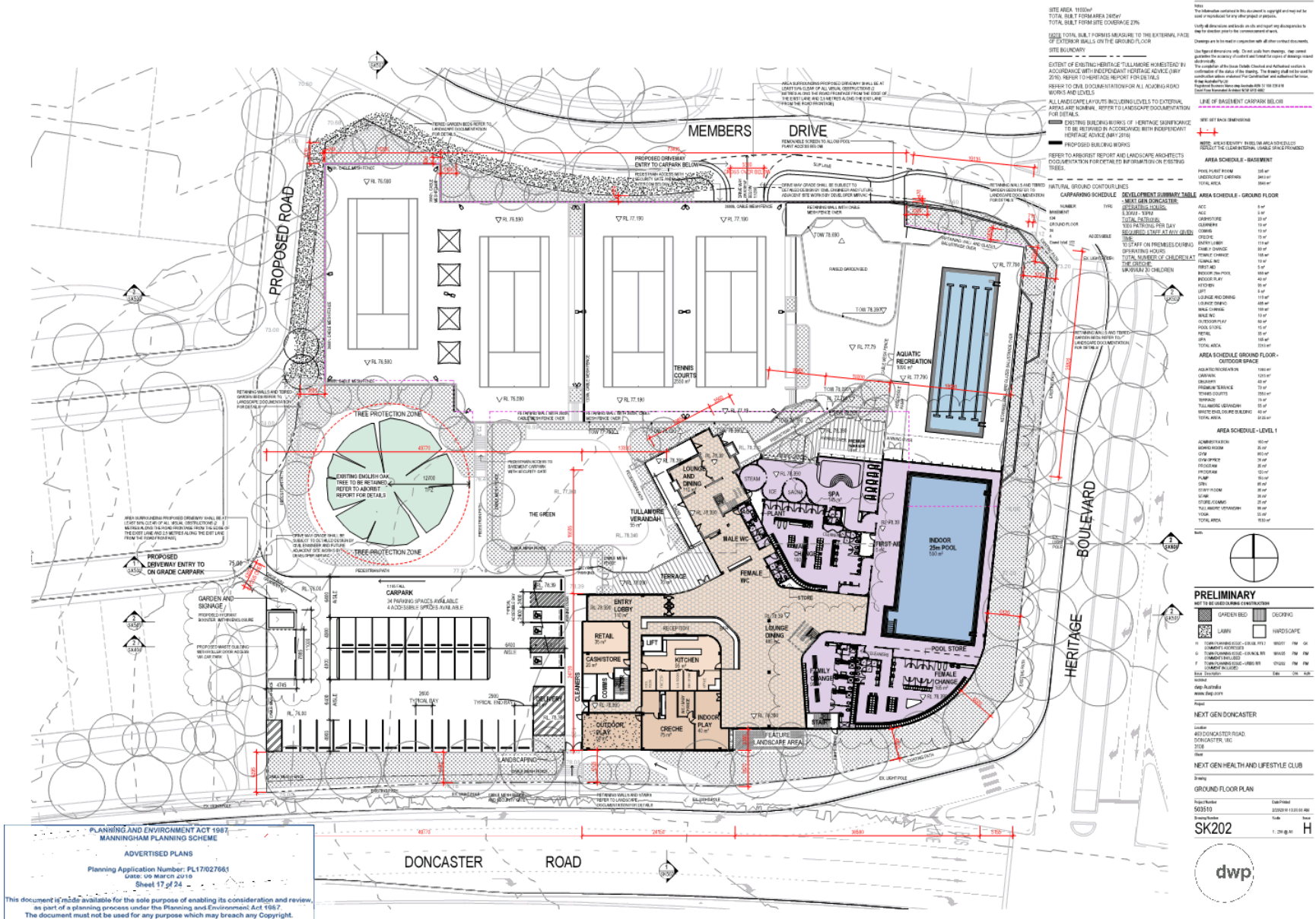






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SITE AREA 11000^m²
TOTAL BUILT FORM AREA 2400^m²
TOTAL BUILT FORM SITE COVERAGE 21%

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DEVELOPMENT SUMMARY TABLE

NUMBER	TYPE	AREA (m ²)
1	OFFICE	1000
2	RETAIL	500
3	CAFÉ	300
4	KITCHEN	200
5	LOUNGE	400
6	INDOOR POOL	2500
7	OUTDOOR POOL	2500
8	TENNIS COURT	200
9	CARPARK	1000
10	GARDEN	500
11	TREE PROTECTION ZONE	1000
12	LANDSCAPE	1000
13	WALKWAY	500
14	BIKEWAY	200
15	STAIRS	100
16	LIFT	100
17	TOILETS	100
18	CHANGE ROOMS	100
19	LOCKERS	100
20	STORAGE	100
21	RETAIL STORE	100
22	POOL STORE	100
23	POOL CHANGE	100
24	POOL ENTRY	100
25	POOL EXIT	100
26	POOL DECK	100
27	POOL FENCE	100
28	POOL LIGHTS	100
29	POOL HEATING	100
30	POOL FILTER	100
31	POOL PUMP	100
32	POOL ELECTRICAL	100
33	POOL PLUMBING	100
34	POOL TILING	100
35	POOL GLASS	100
36	POOL BALCONY	100
37	POOL TERRACE	100
38	POOL FURNITURE	100
39	POOL LIGHTING	100
40	POOL SAFETY	100
41	POOL MAINTENANCE	100
42	POOL REPAIRS	100
43	POOL REPLACEMENT	100
44	POOL UPGRADES	100
45	POOL ACCESSORIES	100
46	POOL DECORATION	100
47	POOL SIGNAGE	100
48	POOL MARKING	100
49	POOL BOUNDARIES	100
50	POOL PERIMETER	100
51	POOL ZONING	100
52	POOL REGULATIONS	100
53	POOL STANDARDS	100
54	POOL COMPLIANCE	100
55	POOL CERTIFICATION	100
56	POOL INSPECTION	100
57	POOL TESTING	100
58	POOL REPORTING	100
59	POOL RECORDS	100
60	POOL ARCHIVES	100
61	POOL BACKUP	100
62	POOL RESTORE	100
63	POOL RECOVERY	100
64	POOL CONTINGENCY	100
65	POOL DISASTER	100
66	POOL PREPAREDNESS	100
67	POOL RESPONSE	100
68	POOL RECOVERY	100
69	POOL IMPROVEMENT	100
70	POOL MODERNIZATION	100
71	POOL RENOVATION	100
72	POOL RECONSTRUCTION	100
73	POOL REPAIRS	100
74	POOL MAINTENANCE	100
75	POOL INSPECTION	100
76	POOL TESTING	100
77	POOL REPORTING	100
78	POOL RECORDS	100
79	POOL ARCHIVES	100
80	POOL BACKUP	100
81	POOL RESTORE	100
82	POOL RECOVERY	100
83	POOL CONTINGENCY	100
84	POOL DISASTER	100
85	POOL PREPAREDNESS	100
86	POOL RESPONSE	100
87	POOL RECOVERY	100
88	POOL IMPROVEMENT	100
89	POOL MODERNIZATION	100
90	POOL RENOVATION	100
91	POOL RECONSTRUCTION	100
92	POOL REPAIRS	100
93	POOL MAINTENANCE	100
94	POOL INSPECTION	100
95	POOL TESTING	100
96	POOL REPORTING	100
97	POOL RECORDS	100
98	POOL ARCHIVES	100
99	POOL BACKUP	100
100	POOL RESTORE	100

PLANNING AND ENVIRONMENT ACT 1987
MANNINGHAM PLANNING SCHEME

ADVERTISED PLANS
 Planning Application Number: PL17/027661
 Date: 10 March 2018
 Sheet 17 of 24

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PRELIMINARY

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[Symbol] GARDEN BED [Symbol] DECKING
 [Symbol] LAWN [Symbol] HARDSCAPE

1. 100% COMPLETED - 100% FINISHED
 2. 75% COMPLETED - 75% FINISHED
 3. 50% COMPLETED - 50% FINISHED
 4. 25% COMPLETED - 25% FINISHED
 5. 0% COMPLETED - 0% FINISHED

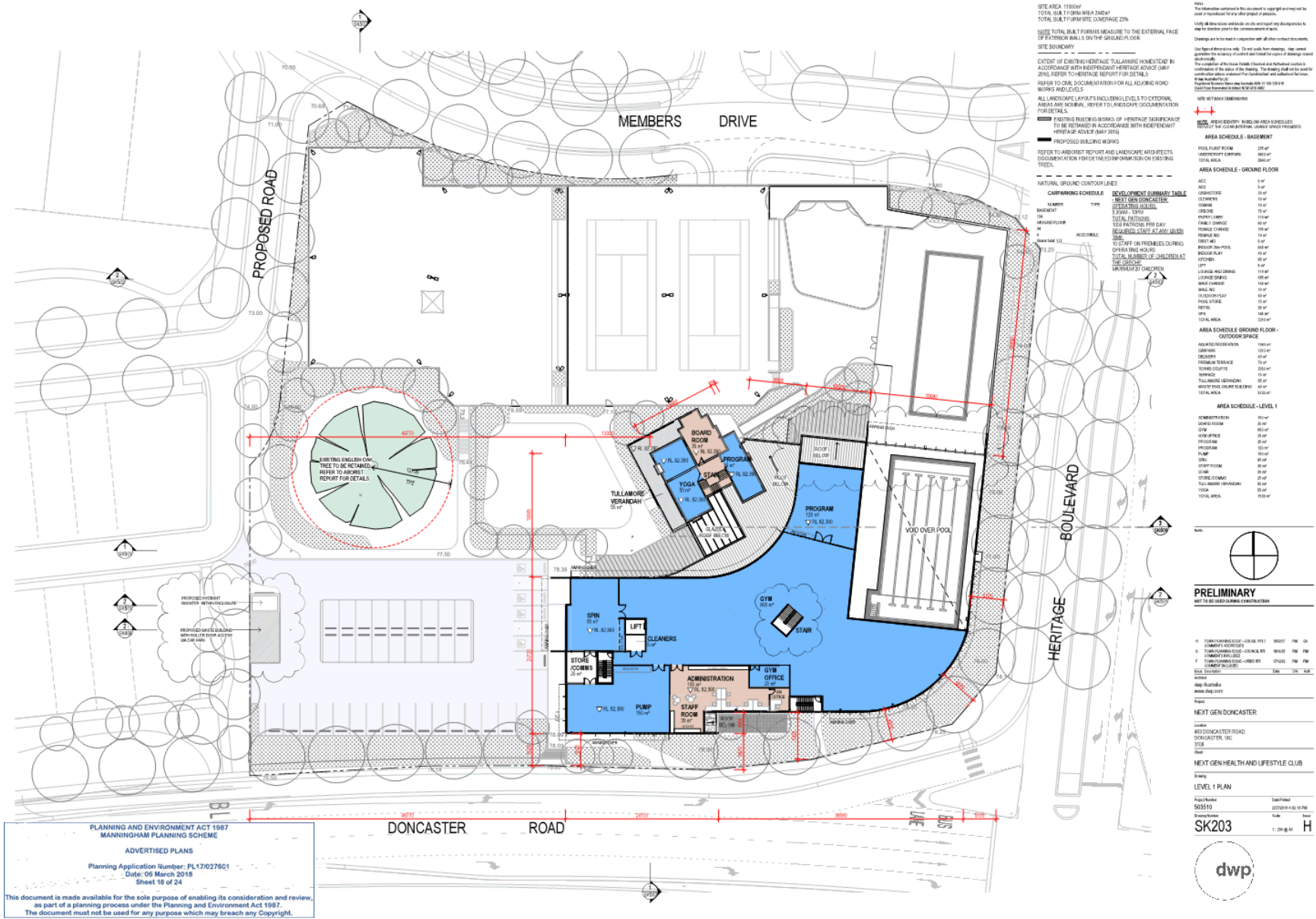
Scale: 1:200
 Date: 10 March 2018
 Author: [Name]
 Designer: [Name]
 Checker: [Name]

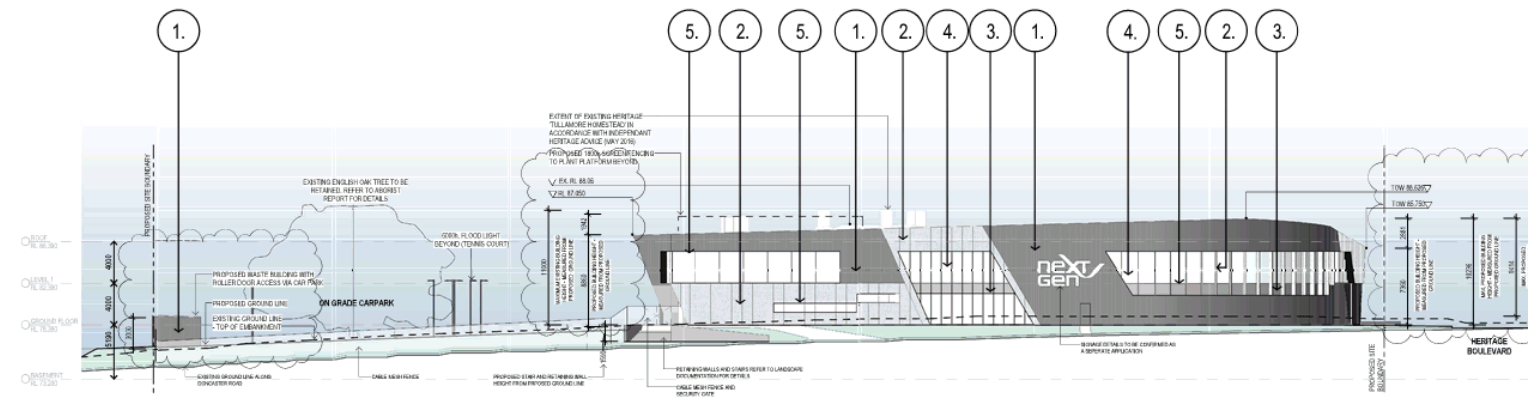
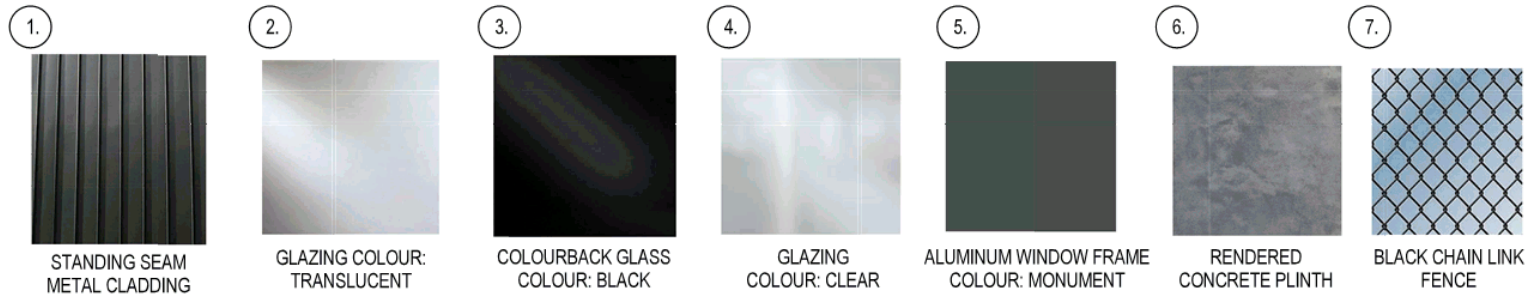
NEXT GEN DONCASTER
 Location: 455 DONCASTER ROAD, DONCASTER, VIC 3108
 State: VIC

NEXT GEN HEALTH AND LIFESTYLE CLUB
 Drawing:

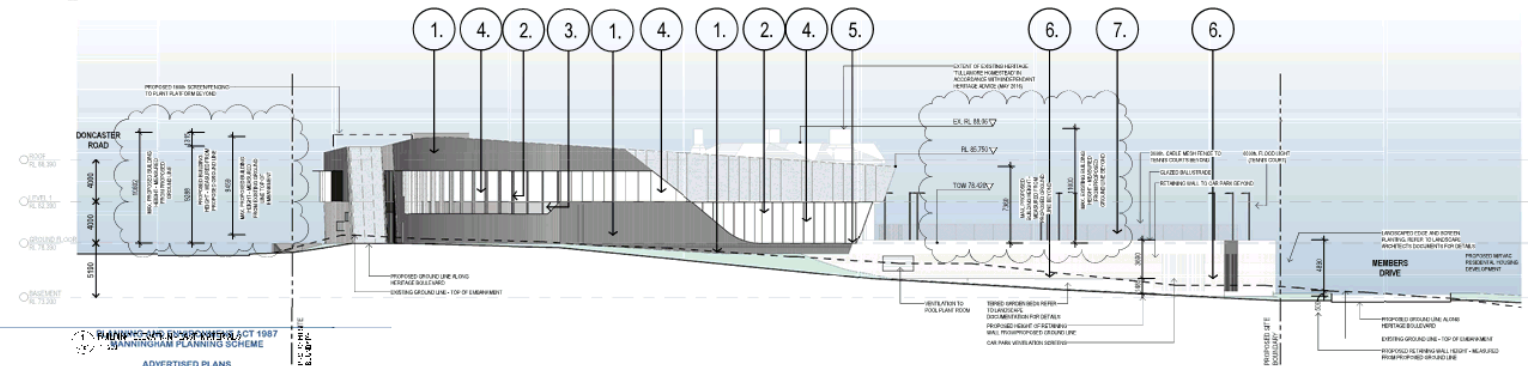
GROUND FLOOR PLAN
 Sheet No: 17 of 24
 Date: 10 March 2018
 Scale: 1:200
 Author: [Name]
 Designer: [Name]
 Checker: [Name]

SK202
 Scale: 1:200
 Date: 10 March 2018





1. BUILDING ELEVATION - SOUTH MATERIALS
1:100



2. BUILDING ELEVATION - NORTH MATERIALS
1:100

Notes
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 All dimensions and levels are in metres unless otherwise stated.
 All drawings are to be read in conjunction with all other contract documents.
 The Engineer does not warrant, or make any representation, nor accept any liability for the accuracy of content and format for copies of drawings issued electronically.
 The completion of the State Public Checklist and Authorisation section is a condition of the issue of this drawing. The drawing shall not be used for any other project or purpose without the written consent of the Engineer.
 Proposed Project Name: Next Gen Health and Lifestyle Club
 150 Doncaster Road
 Doncaster VIC 3084
 Date: 05 March 2018

Site Area: 11,000m²
Total Built Form Area: 3,166m²
Total Built Form Site Coverage: 29%

Notes:
 1. EXISTING HERITAGE TULLAMORE HOMESTEAD IN ACCORDANCE WITH HERITAGE ACT 1987 REFER TO HERITAGE REPORT FOR DETAILS.
 2. EXISTING ENGLISH OAK TREE TO BE RETAINED REFER TO ARBORIST REPORT FOR DETAILS.
 3. REFER TO CHAL DOCUMENTATION FOR ALL ADDITIONAL ROAD WORKS AND LEVELS.
 4. ALL LANDSCAPE LAYOUTS INCLUDING LEVELS TO EXTERNAL AREAS ARE NUMERICAL. REFER TO LANDSCAPE DOCUMENTATION FOR DETAILS.
 5. REFER TO ARBORIST REPORT AND LANDSCAPE ARCHITECTS DOCUMENTATION FOR DETAILED INFORMATION ON EXISTING TREES.

PRELIMINARY
 NOT TO BE USED FOR CONSTRUCTION

11 DONCASTER ROAD, DONCASTER VIC 3084
 12 DONCASTER ROAD, DONCASTER VIC 3084
 13 DONCASTER ROAD, DONCASTER VIC 3084
 14 DONCASTER ROAD, DONCASTER VIC 3084

Site Location: Doncaster VIC 3084

www.dwp.com.au

NEXT GEN DONCASTER
 465 DONCASTER ROAD, DONCASTER, VIC 3084

NEXT GEN HEALTH AND LIFESTYLE CLUB
 Drawing

ELEVATIONS - MATERIALS

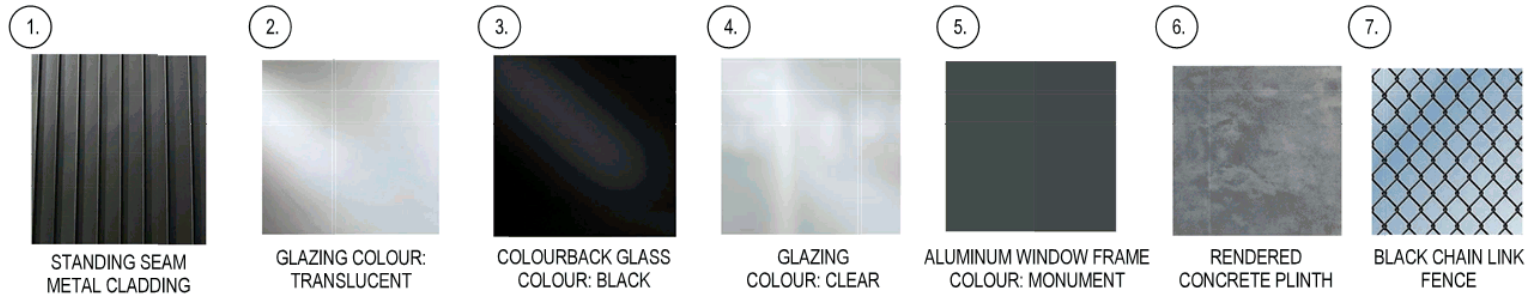
Project Number: 593510 Date: 05/03/2018
 Drawing Number: SK401 Scale: 1:100 Sheet: H

dwp

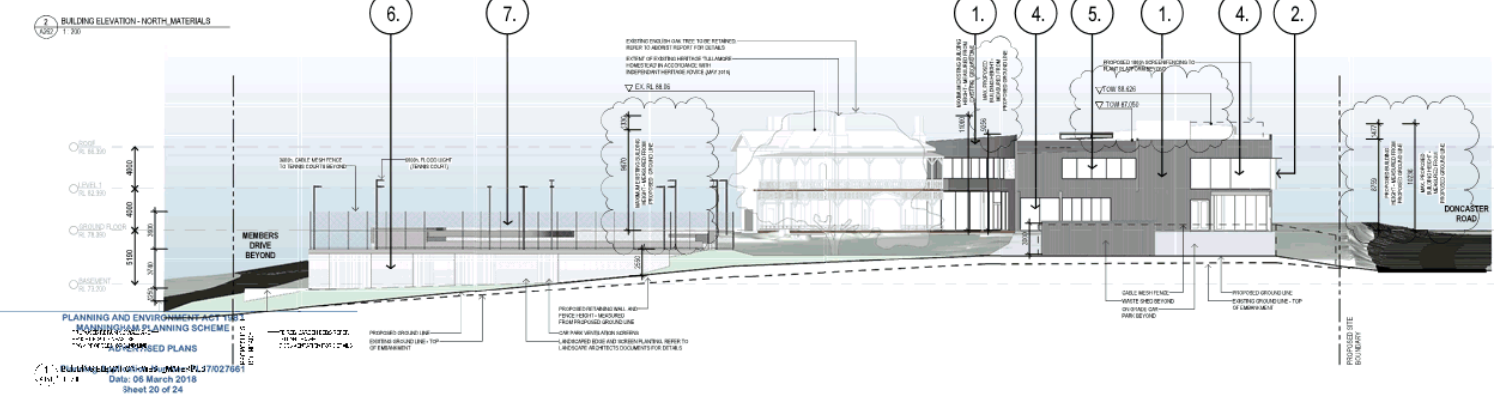
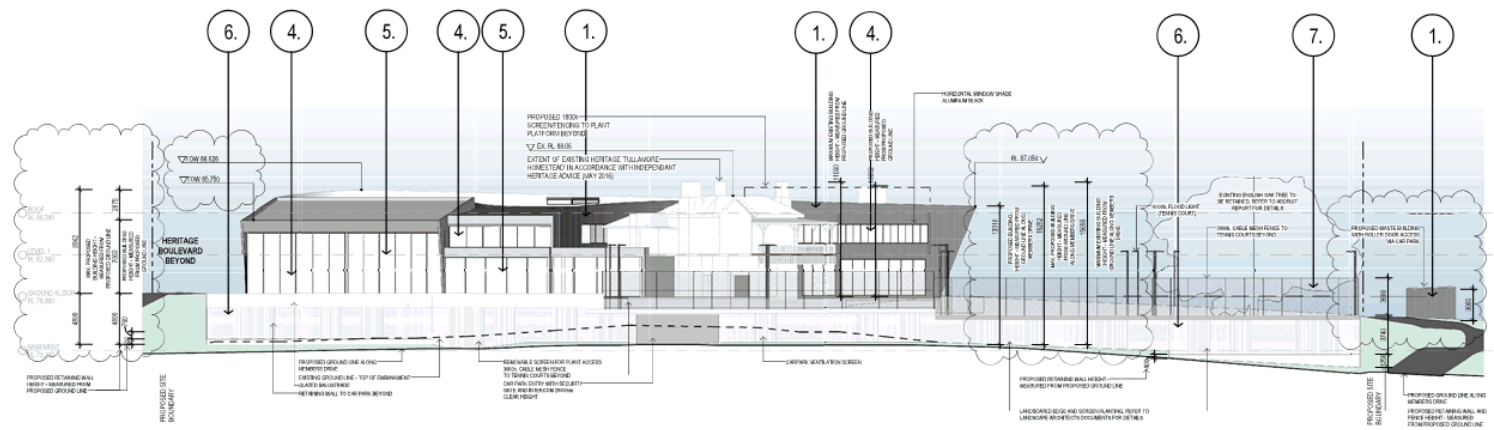
PLANNING AND ENVIRONMENT ACT 1987
 ADVERTISED PLANNING SCHEME

Planning Application Number: PL17027661
 Date: 05 March 2018
 Sheet 19 of 24

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1. STANDING SEAM METAL CLADDING
 2. GLAZING COLOUR: TRANSLUCENT
 3. COLOURBACK GLASS COLOUR: BLACK
 4. GLAZING COLOUR: CLEAR
 5. ALUMINUM WINDOW FRAME COLOUR: MONUMENT
 6. RENDERED CONCRETE PLINTH
 7. BLACK CHAIN LINK FENCE



PLANNING AND ENVIRONMENT ACT 1987
 PLANNING SCHEME
 1. BUILDING ELEVATIONS - MATERIALS
 Date: 05 March 2018
 Sheet 20 of 24

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 The copyright of these drawings remains with the architect and shall be used for the purposes of the project only. The drawings shall not be used for any other project without the written consent of the architect.
 Proposed building name: 505510 SK402
 Date: 05 March 2018
 Sheet 20 of 24

SITE AREA: 1150sqm
 TOTAL BUILT FORM AREA: 2487sqm
 TOTAL BUILT FORM SITE COVERAGE: 21%

NOTE: TOTAL BUILT FORM AREA MEASURE TO THE EXTERNAL FACE OF EXTERIOR WALLS ON THE GROUND FLOOR.

SITE BOUNDARY

EXTENT OF EXISTING HERITAGE TULLAMORE HOMESTEAD IN ACCORDANCE WITH HERITAGE REPORT FOR DETAILS REFER TO HERITAGE REPORT FOR DETAILS

REFER TO CAL DOCUMENTATION FOR ALL EXISTING ROAD WORKS AND LEVELS

ALL LANDSCAPE LAYOUTS INCLUDING LEVELS TO EXISTING AND NEW TERRAIN, REFER TO LANDSCAPE DOCUMENTATION FOR DETAILS.

REFER TO ARCHITECT REPORT AND LANDSCAPE ARCHITECTS DOCUMENTATION FOR EXISTING INFORMATION ON EXISTING TREES.

PRELIMINARY
 NOT TO BE USED FOR CONSTRUCTION

J	CONTRACTOR	505510	SK402
H	CONTRACT ADDRESS	505510	SK402
G	CONTRACT ADDRESS	505510	SK402
F	CONTRACT ADDRESS	505510	SK402

Site Location: 505510 SK402

Client: Next Gen Doncaster

Address: 405 DONCASTER ROAD, DONCASTER, VIC 3108

Project: NEXT GEN HEALTH AND LIFESTYLE CLUB

Drawn: [Name]

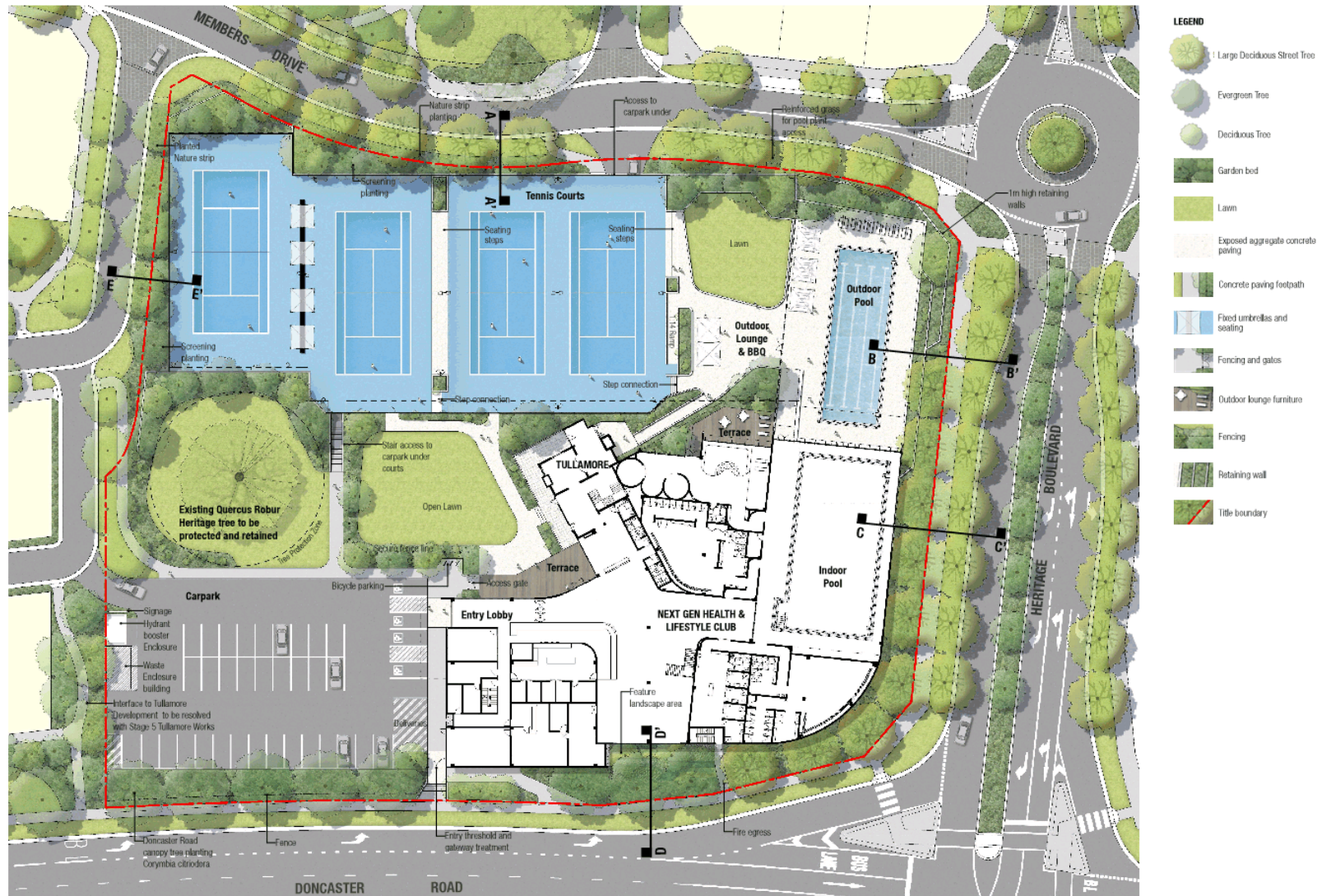
ELEVATIONS - MATERIALS

Project No: 505510
 Date: 05/03/2018

Scale: 1:200
 Date: 05/03/2018

SK402

dwp



PLANNING AND ENVIRONMENT ACT 1987
 MANNINGHAM PLANNING SCHEME
 ADVERTISED PLANS
 Planning Application Number: PL17027661
 Date: 06 March 2018
 Sheet 1 of 2

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Next Gen Doncaster
Health and Lifestyle Club – Landscape Concept Plan

1658A-LSK01[B] 21.12.2017 SCALE 1:250 @ A1

J:\Eastern Golf Club\Next Gen Club\5. DesignDrawings\0\Design\Next Gen Club Landscape Concept.indd



DESIGN INTENT

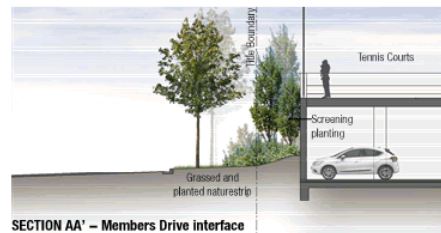
The proposed landscape treatments will complement the health club development buildings, the retained Tullamore heritage homestead and the broader Tullamore development so forming a memorable, balanced and distinct landscape that builds on the existing site character and context.

The key landscape elements include street interfaces, pedestrian connections and amenity spaces associated with the club facilities including seating terraces and outdoor lounge spaces, an outdoor swimming pool and tennis courts. Part of the landscape works will be constructed over structure.

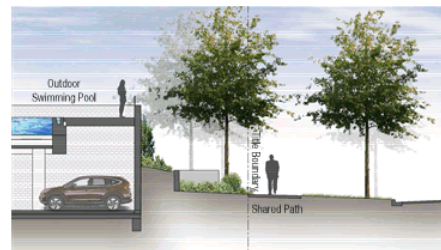
The heritage, character and landscape values of the site will be reinforced with the retention and integration of the Tullamore homestead Heritage Tree, *Quercus robur* (English Oak), reinforcement of views and the incorporation of interpretive information so that there is understanding of the heritage value.

The interface with Doncaster Road will be enhanced with canopy tree and understorey planting along the frontage, as per the requirements of the Development Plan. The tree species to be used within the 5m setback is *Corymbia maculata* (Lemon Scented Gum). The planting zone continues along Heritage Boulevard and the other street interfaces; the plantings will contribute to greening of the internal streetscapes and will ground the new buildings in the landscape setting.

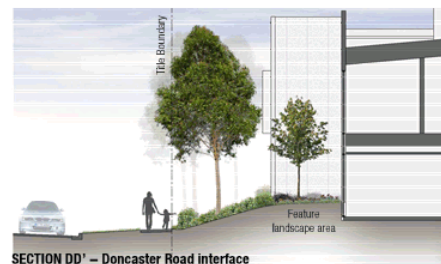
BUILDING INTERFACE SECTIONS



SECTION AA' – Members Drive interface



SECTION BB' – Heritage Boulevard and Outdoor Pool



SECTION DD' – Doncaster Road interface

Site entry points will be clear and legible including a sense of address to the building entries with provision for access and circulation requirements for pedestrians and vehicles, including pedestrian access from the Doncaster Road footpath to the club entrance.

The landscape character is somewhat formal and manicured, using hard and soft materials that build on the materials and character of the broader development that has already been agreed with Manningham Council.

Internal terraces and outdoor lounge spaces associated with the tennis courts and pool areas are provided for active recreational, passive and social uses for members of the club. These communal spaces have a semi-formal layout with clipped hedges, layered planting and upright trees.

The hard landscape materials have been selected to be robust and long wearing and are intended to provide a high quality finish, with a refined character. The pedestrian walkways would be insitu concrete and key access points to the building would have highlight paving areas. Paving to the terraces and outdoor lounge spaces would be a combination of finishes to define the outdoor 'rooms'. These finishes may include exposed aggregate concrete, pre-cast concrete paving, stone unit paving and timber decking. Retaining walls would be either insitu concrete or masonry with a rendered finish or stone cladding.

PLANTING

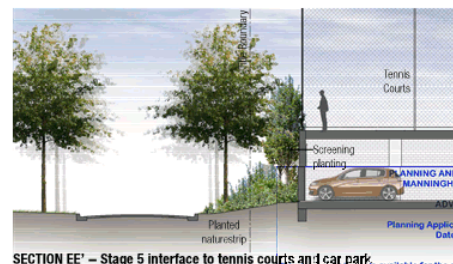
Planting selection will be made from the following plant palette, with the specific plants chosen to be appropriate to the scale of the garden bed areas, aspect and microclimate conditions including shade and exposure. The palette includes species with differing size and form that will contribute to a layered planting effect, including backdrop and screening planting as well as highlight species.

Taller walls on the north and north west boundaries may include climbing plants for additional greening and softening of the built form. Garden bed planting within title and the adjacent street nature strip will maximize screening of the carpark.

For areas where planting will be over structure, soil zone will be achieved through construction of raised planter beds. These garden beds range in size to ensure that appropriate soil volumes are achieved for the plant species proposed. For each tree, the available soil volume ranges from approximately 7-12m³ above the structural slab. All garden bed planters will include a minimum soil depth of 400mm with associated drainage layers, drainage outlets and an automatic irrigation system. For planters with trees, soil depth will increase to a minimum of 900mm and maximum of 1200mm.



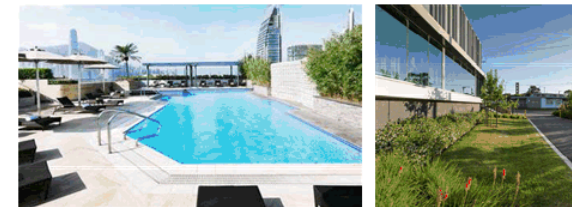
SECTION CC' – Heritage Boulevard and Indoor Pool building



SECTION EE' – Stage 5 interface to tennis courts and car park

PLANT PALETTE

Botanical Name	Common Name	Specified Mature Size (H x W)	No. per m ²
<i>Quercus robur</i>	English Oak	12.0 x 7.0m	N/A
<i>Quercus palustris</i>	Pin Oak	12.0 x 6.0m	N/A
<i>Prunella coccinea</i> "Cherrybird"	Ornamental Pear	11.0 x 4.0m	N/A
<i>Tilia cordata</i> "Greenstar"	Greenstar Linden	9.0 x 6.0m	N/A
<i>Platanus latifolia</i> "Londrina"	Kananka	9.0 x 7.0m	N/A
<i>Amelanchier alnifolia</i>	Burley's Red Chokeberry	12.0 x 6.0m	N/A
<i>Amelanchier alnifolia</i>	Nature's Hanger	10.0 x 5.0m	N/A
<i>Amelanchier alnifolia</i>	Common	8.0 x 5.0m	N/A
<i>Crataegus spinescens</i>	Common Hawthorn	7.5 x 5.0m	N/A
<i>Agave americana</i> "Fasciata"	White Crisp Yucca	6.0 x 4.0m	N/A
<i>Agave americana</i> "Fasciata"	Pink Crisp Yucca	6.0 x 4.0m	N/A
<i>Salix serotina</i>	Box Hedges	1.0 x 1.0m	0.75m c/s
<i>Metrosideros polymorpha</i>	David Hill Christmas Tree	1.2 x 1.0m	1.0m c/s
<i>Erigeron annuus</i> "Redhead"	David Hill Pink Weeping	1.2 x 1.0m	0.75m c/s
<i>Westringia myrsinoides</i>	Myrsinoides Weeping	1.5 x 1.5m	1.0m c/s
<i>Callistemon luteo-olivaceus</i>	Little John Bottlebrush	1.0 x 1.0m	5/m ²
<i>Cornus alba</i> "Lemon-Lime"	White Dogwood	0.5 x 0.5m	4/m ²
<i>Doxantha coccinea</i>	Spice Lily	1.0 x 1.0m	N/A
<i>Styracaceae</i> "White"	White Magnolia	0.5 x 0.5m	5/m ²
<i>Hebe</i> "Spiral"	Hebe	1.0 x 1.0m	4/m ²
<i>Psychotriaspermum junceoides</i>	Star Jasmine (Weeping)	0.75 x 0.75m	4/m ²
<i>Westringia myrsinoides</i>	Prostrate Native Rosemary	0.5 x 1.0m	4/m ²
<i>Arthropodium ciliatum</i> "Majesty Bay"	Majesty Bay	0.75 x 0.75m	4/m ²
<i>Callistemon luteo-olivaceus</i>	Little John	1.0 x 1.0m	4/m ²
<i>Lonicera sarracina</i> "Lime Twist"	Lime Twist	0.5 x 0.5m	5/m ²
<i>Jurinea horridula</i> "Taylors"	Creeping Juniper	0.2 x 1.0m	4/m ²
<i>Podocarpus neriifolius</i>	White Flowering Gum	0.75 x 0.75m	4/m ²
<i>Crataegus</i> "White"	White Hawthorn	0.1 x 0.2m	5/m ²



IMAGERY OF THE CHARACTER AND STYLE OF THE LANDSCAPE PROPOSAL

Next Gen Doncaster
Health and Lifestyle Club – Landscape Design Intent
 1658A-LSK02[B] 21.12.2017 SCALE 1:100 @ A1
 J:\Easton Golf Club\West Gen Club\Design\Drawings\Design\West Gen Club Landscape Concept.indd

**EASTERN GOLF CLUB -
TULLAMORE**

463 DONCASTER ROAD
DONCASTER

Prepared for
Manningham City Council

2013 revised 2014

LOVELL CHEN
ARCHITECTS & HERITAGE CONSULTANTS

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enquirv@lovellchen.com.au

1.0 Introduction

This report has been prepared at the request of the Manningham City Council. It comprises a review of the present Heritage Overlay HO43 in the Manningham Planning Scheme (Eastern Gold Club – Tullamore, 463 Doncaster Road, Doncaster), as shown in Figure 1.

The primary purpose of the report is to comment on a proposal to reduce the extent of the Heritage Overlay (HO) as part of Amendment C101 to the Manningham Planning Scheme, which also proposes a rezoning of the broader site, changes to other overlays and the application of a Development Plan Overlay and Schedule to the site.

Currently, the HO applies to the full extent of the Eastern Golf Course. The HO schedule notes that external paint and tree controls apply. The stables building is listed in the schedule as an outbuilding for which the exemptions from notice and review provisions at Clause 43.01-1 do not apply.

The report comments on the following, as requested by Council:

- The extent of protection required around each identified heritage element (Tullamore, the stables, and three individual trees)
- Whether there is a need for a visual connection, and to what extent, between individual elements, in particular Tullamore and the stables, the stables and Doncaster Road and Tullamore and Doncaster Road.
- The recommended alignment of the HO based on the above.

The report concludes with a new statement of significance for HO43 (refer section 5.5). The citation for Tullamore, prepared by Lovell Chen, is attached at Appendix A.

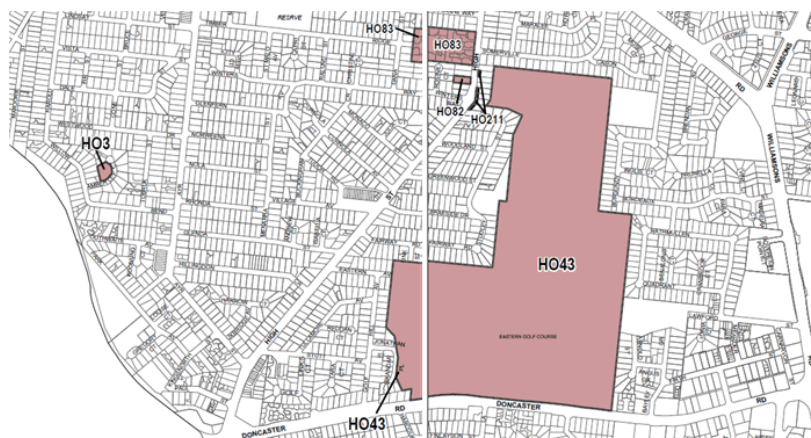


Figure 1 Eastern Golf Club "Tullamore", identified as HO43 in the Heritage Overlay to the Manningham Planning Scheme.
Source: Manningham Planning Scheme.

The report has been prepared on the basis of a review of documents as listed in this report, together with a site visit and limited historical research. A limited inspection of the clubrooms (former Tullamore) was undertaken, however the interiors of the stables were not inspected.

2.0 Historical notes

The following chronological notes draw upon the historical maps, plans and aerial photographs at Figure 5 - Figure 12 to consider the historical as well as the visual and contextual relationship between the significant elements in the Eastern Golf Club "Tullamore", identified as HO43 in the Heritage Overlay to the Manningham Planning Scheme.

- Tullamore, 12 roomed house, constructed in 1887 as a country house for distinguished surgeon Dr. Thomas FitzGerald (Figure 2). Stables (Figure 4) and caretakers cottage also constructed at this time. Homestead and stables designed by prominent Melbourne architect Lloyd Tayler.
- Plans of 1912 and 1913, prior to the development of the golf course, appear to show a track between the Tullamore homestead and the stables building, and the primary driveway entrance to the property (south-west of the homestead) off Doncaster Road. Refer Figure 5, Figure 6.
- Golf course opened in 1924, with extensive tree planting and formation of fairways. Tullamore homestead converted to clubhouse. Single storey extension added to the east and change rooms to the south.¹
- By 1931, the track between the clubhouse and stables building is still evident, lined by a small number of trees. A track to the stables building is also evident from the secondary entrance to the property (south-east of the clubhouse) off Doncaster Road. Refer to the aerial at Figure 7.
- In 1936, a new layout to the golf course to the design of H B Falconer established.²
- By 1945, the track to the stables from Doncaster Road is no longer evident, by this time the existing fairway had been established. The track between the clubhouse and stables is still evident, with addition tree planting along the alignment of the track. Refer to the aerial at Figure 8.
- More alterations to the clubhouse were undertaken between 1948 and 1964, including a single storey addition to the north.³
- The c.1950s and 60s aerial images likewise show the track between the clubhouse and stables, with more extensive vegetation along the alignment of the track by the 1960s. Refer to the aerials at Figure 9, Figure 10)
- Between 1964 and 1970, the carpark south of the clubhouse expanded, encompassing the garden area between the entry drive and the southern property boundary.⁴
- Recent aerial shows the extent of the car park to the south of the clubhouse. The alignment of the original driveway entrance to Tullamore (south-west of the clubhouse) is still evident, but has been incorporated into the car park, and the secondary entrance (south-east of the clubhouse) is no longer evident. The track between the clubhouse and stables is no longer evident, with a large number of mature trees along the entire alignment of the track. Refer to Figure 11, Figure 12.

¹ Meredith Gould Architects Pty Ltd, *The Doncaster site of the Eastern Golf Club Conservation Analysis and Policy*, p. 27.

² Meredith Gould Architects Pty Ltd, *The Doncaster site of the Eastern Golf Club Conservation Analysis and Policy*, p. 28.

³ Meredith Gould Architects Pty Ltd, *The Doncaster site of the Eastern Golf Club Conservation Analysis and Policy*, p. 28.

⁴ Meredith Gould Architects Pty Ltd, *The Doncaster site of the Eastern Golf Club Conservation Analysis and Policy*, p. 28.



Figure 2 Early view of Tullamore homestead, showing the original two-storey timber verandah to its north and west sides.
Source: The History of the Eastern Golf Club, p. 9.



Figure 3 View to the golf course clubrooms from the car park. The west elevation of the Tullamore homestead is evident, surrounded by the later single-storey additions. The original verandah has also been removed.



Figure 4 South and east elevations of the stables building.

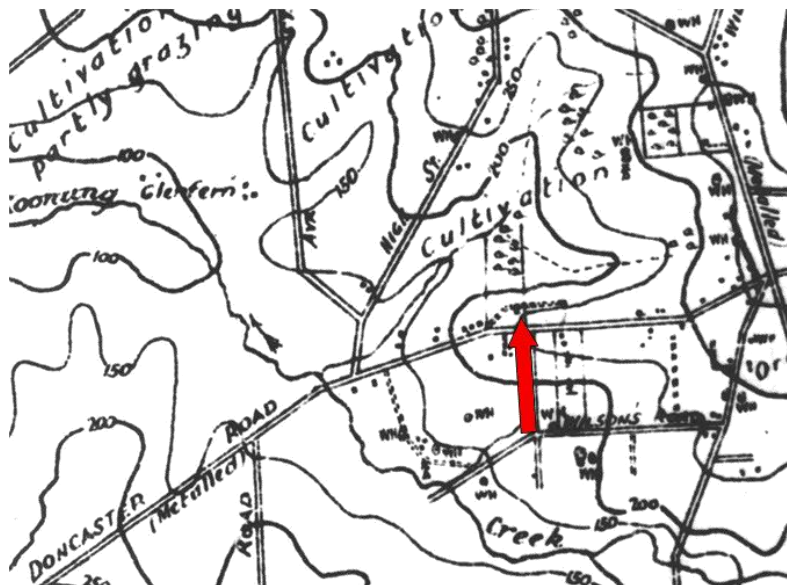


Figure 5 1912 plan of Doncaster Road and surrounding area. There appears to be a track between the Tullamore homestead and stables (indicated).
Source: Heidelberg, Doncaster & Eltham Manoeuvre Area, 18/10/1912, State Library of Victoria Maps Collection.

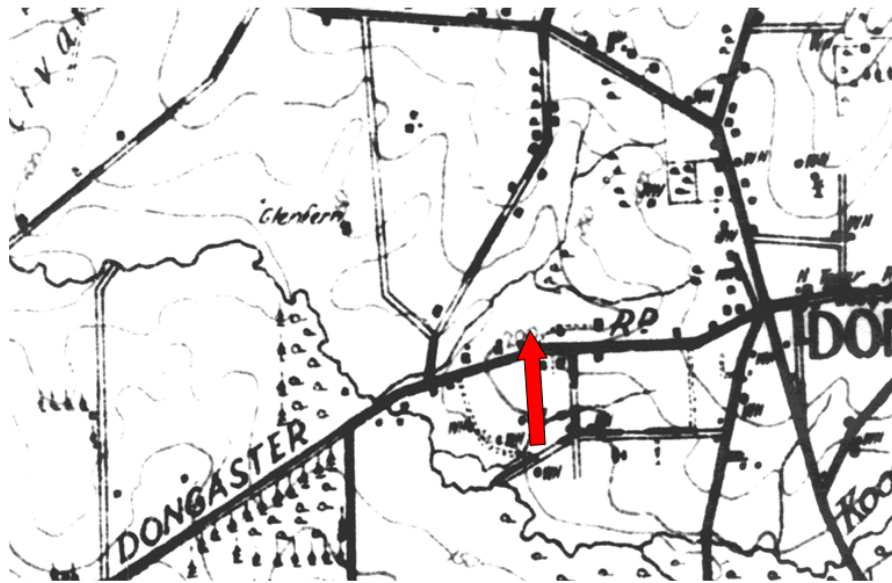


Figure 6 1913 plan of Doncaster Road and surrounding area. The track between the Tullamore homestead and stables (indicated) also appears on this plan. Source: Map of Heidelberg District, 12/03/1913, State Library of Victoria Maps Collection.

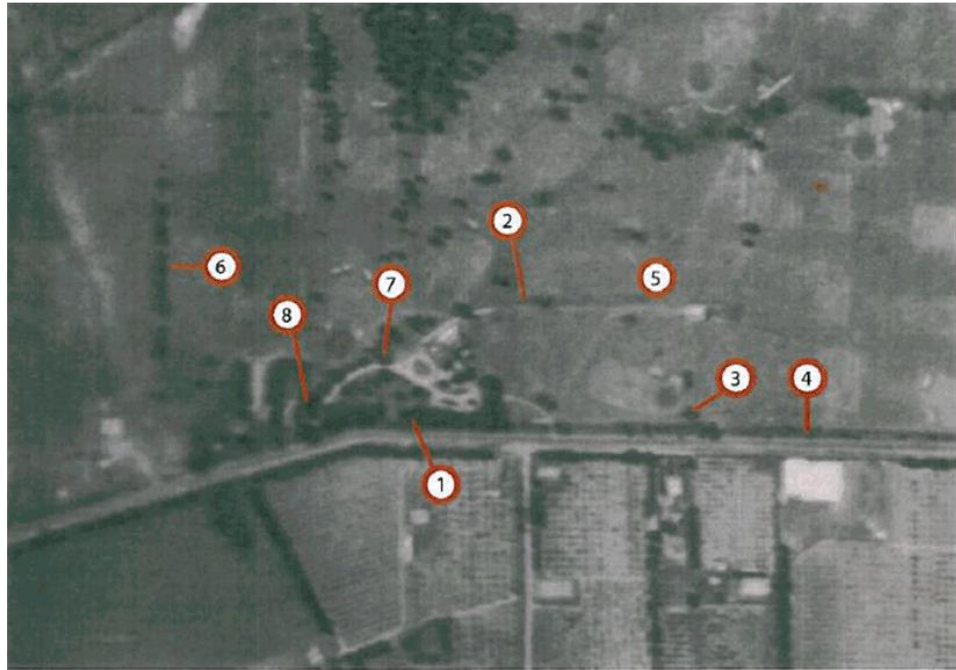


Figure 7 1931 aerial image of the southern portion of the golf course. A track between the Tullamore homestead (in use by this time as the clubhouse) and stables is evident in this image, as is a second track to the stables from the secondary entrance off Doncaster Road. (NB. The numbers shown relate to plantings identified in the original report).
Source: John Patrick, Amendment C86 Manningham City Council, Eastern Golf Course, 463-535 Doncaster Road, Doncaster.



Figure 8 1945 aerial image of the southern portion of the golf course. The clubhouse and stables building are visible in the centre of the image. The track to the stables from Doncaster Road has been removed by this time to accommodate the establishment of the fairway.
Source: University of Melbourne Map Collection Melbourne 1945 Photo-Maps.

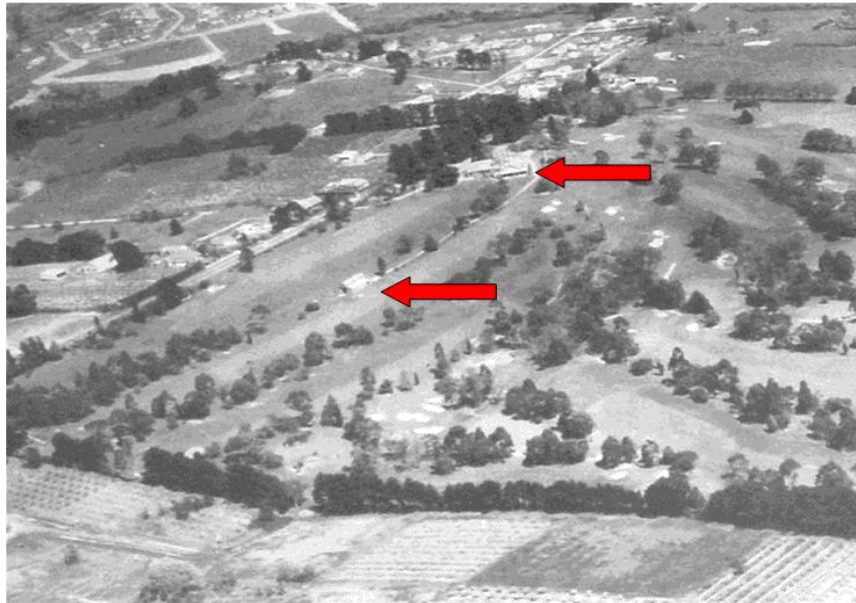


Figure 9 c. early 1950s aerial image of the southern portion of the golf course (north is at right). The clubhouse and stables building are indicated.
Source: The History of the Eastern Golf Club, p. 18.



Figure 10 c. early 1960s aerial image of the southern portion of the golf course.
Source: The History of the Eastern Golf Club, p. 19.



Figure 11 September 2013 aerial image of the Eastern Golf Course.
Source: www.nearmap.com



Figure 12 Detail of the 2013 aerial showing the clubhouse, stables and three identified trees (indicated).
Source: www.nearmap.com

3.0 Heritage Overlay HO43

The current HO43 (Figure 1) is based on the 1991 Doncaster and Templestowe heritage study prepared by heritage consultants, Context Pty Ltd with R Peterson and B Stafford. The Context study is a reference document at Clause 21.11 of the Planning Scheme. It contains a place-specific citation for the property which assessed the house, Tullamore, the stables and 'some plantings and site features' as of local historical significance as remnants of the 'country property; established in 1887 by Thomas FitzGerald, demonstrating the lifestyle available to professional men in the nineteenth century and later for its association with William Stutt'. The citation does not contain any detail on significant trees or site features, though it does reference surviving 'windbreak plantings and dam system'.

3.1 Amendment C86

The issue of the extent and nature of HO43 was recently the subject of further consideration as part of Amendment C86 to the Manningham Planning Scheme (2011). This amendment sought *inter alia* to introduce a new local planning policy, the Eastern Golf Course Policy, which is at Cl. 22.17 of the Planning Scheme (Eastern Golf Course Key Redevelopment Site Policy).

At that time, Meredith Gould was commissioned by Council to prepare a Conservation Analysis and Policy for the site as a whole. The Gould report contained more detailed historical analysis and assessment, well beyond the limited information included in the Context citation.

While Amendment C86 did not propose a change in the HO arrangements on the site, the Gould report did make recommendations on this issue.

The main conclusions of the Gould report as related to the extent of the HO were as follows:

- The HO boundaries should be amended to define a 'Tullamore Homestead precinct' comprising the 1887 house, its crescent driveway, the stables, the track between the stables and house; associated trees 24, 27, 27, 51, 52, 53, 54, 55, 58, 59, 61 and a defined area of land.
- A second HO or series of HOs should be defined to include 'the collection of parcels of land defined by the TPZ for each of the trees recorded on the Tree Data Sheets as detailed' in the report.
- A number of other detailed policy recommendations were included in this report but these were the principal recommendations related to the extent of HO controls.

As noted, Amendment C86 did not propose any change to the HO arrangements on the site. In considering the proposed new local policy, however, expert evidence was considered in relation to heritage and the Panel commented on the heritage values of various elements on the site.⁵ The Panel found that the site:

Has a number of elements of heritage value that should be retained and preserved on that basis, namely 'Tullamore', the stables and the three nominated trees.

The Panel also found that the policy:

should be specific, not only that these historic elements should be conserved, but in terms of the two buildings, why they should be preserved and the extent of land around them that is necessary to ensure

⁵ Manningham Planning Scheme: Amendment C86 Report of the Panel, 17 May 2011.

that their context is not compromised by unsympathetic landscaping, buildings or other works in close proximity.

The Panel recommended amendments to the policy as follows:

- Protect the existing Club House 'Tullamore' and stables as identified in the Doncaster and Templestowe 'City of Doncaster and Templestowe Heritage Study' Context Pty Ltd, Peterson, R, Stafford, B (1991) Manningham City Council Heritage Study, Context.
- Retain and apply a Tree Protection Zone to trees number 4, 27 and 82 as identified in the Conservation Analysis and Policy, Meredith Gould Architects Pty Ltd (2011)
- Allocate open space and/or roads and/or allotment boundaries so that reasonable development is possible without intrusion into any Tree Protection Zone (TPZ)
- Site open space and/or roads so that the house and stables are visually connected.

The policy as it was eventually included in the Planning Scheme contains the above but with two additional provisions:

- Encourage the retention of trees and groups of trees of heritage significance. Identified periods of significance are:
 - Pre-homestead indigenous trees
 - Mature, possibly self-sown indigenous trees
 - Homestead plantings (c. 1885-1920 approx)
 - Early golf course plantings (1920 to WW2 approx)
 - Post WW2 plantings up to the 1970's [sic] with cultural landscape values.
- Locate open space, roads and allotment boundaries so that the heritage buildings have an open landscape context and are visually prominent.

4.0 Amendment C101

4.1 Introduction

As proposed by Urbis on behalf of Mirvac, Amendment C101, *inter alia*, proposes the extent of HO43 be amended and reduced in area. The proposal is for a non-contiguous HO43 comprising the following:

- The 1886 house, Tullamore, with a 10m curtilage of land (measured from the alignment of the original external walls of the house);
- The stables building with a 10m curtilage (measured from the external walls of the building); and
- Tree nos 4 (River Red Gum, refer Figure 13), 27 (English Oak, Figure 14), 82 (Bunya Bunya Pine, Figure 15) – it is assumed that the mapping includes a Tree Protection Zone for each of these.

Changes are also proposed to the HO schedule to describe these elements.

It is noted that Amendment C101 also proposes other changes that would have the potential to influence the heritage outcomes on this site including the Development Plan Overlay and Schedule, and that the documentation for the amendment also includes a proposed Development Plan. It is further noted that Development Plan itself contains an assessment

of heritage issues and notes the response to the requirements of the existing HO and the local policy (refer section 3.7).

Related to this issue, the Amendment documentation includes a report by Bryce Raworth which supports the proposed reduction in the HO, based on evidence he presented to the Panel for Amendment C86. It is not clear whether Mr Raworth's recommendation for the reduction in the HO area also assumes the requirements as set down in the Development Plan Overlay and Schedule or the contents of the Development Plan itself (see, for example, the reference at 3.7 to the retention of a visual and landscape link between the Tullamore homestead and stables building).

While it is recognised that these provisions are to a degree relevant, they have not been considered in detail in this review. Rather, the comments provided here focus on the issue of an appropriate reduced extent of the HO based solely on the significance of the site and its historical and physical characteristics.

5.0 Comment on the Heritage Overlay

5.1 Significance

There have been a number of assessments of the significance of the place.

The HO was applied to the site based on an assessment (Context 1991) that the place was of significance for its surviving nineteenth century fabric, as evidence of a country property established by a prominent and wealthy member of the professional class, and for its historical associations with Thomas FitzGerald and subsequent owner William Stutt. This assessment is considered to be an appropriate one.

Following this original assessment, the HO was applied in a wholesale manner to the site in its entirety with no detailed commentary on significant elements beyond the house and stables, other than for including a general reference to other site features (trees and dams). This has led to a lack of clarity around what is significant, though it was clear that the later golf club use was not considered in the Context assessment to contribute to significance.

Meredith Gould (2011) drew the conclusion that later phases of development on the site (relating to the golf club use) were also significant.

Bryce Raworth's assessment of the site in reports prepared in 2011 and 2013 is more consistent with the Context assessment, ie: that its significance is related to its nineteenth century origins and fabric, and specifically the main house and stables building.

Comment:

It is the conclusion of this review that the site is of historical significance in the local context essentially for the reasons set out in the Context assessment of 1991, as a remnant of a late nineteenth century country residence including its ability to reflect aspects of such country properties, for its association with the eminent surgeon Thomas FitzGerald and to a lesser extent with William Stutt. Both the stables and the house were designed for FitzGerald by prominent Melbourne architect, Lloyd Tayler and this is also of interest.

The significance of the site is discussed further below at 5.4.

The private golf club use of the site is of local historical and social interest given the length of the association of the Eastern Golf Club with the site (1924-present). These values are strongly associated with the history and activities Club itself, however, and given the club's impending relocation from the site, they are not considered to warrant recognition in terms of the heritage values of the place or in terms of an alternative extent of HO43. Additionally, it is commented that the re-use and development of the site by the Club has resulted in changes that in many respects are unsympathetic to an appreciation of the nineteenth

century form of the place, particularly the major alterations and additions to the house, and the changes to the driveway and other landscape features. In relation to the broader course plantings, these are a valued characteristic of the site but are not considered to be of heritage significance.

5.2 Significant elements

The following buildings are considered to be of significance as associated with the heritage place:

- Tullamore (excluding the golf club additions) (Figure 3)
- Stables (Figure 4)

In relation to trees, this assessment relies on the findings of the Panel for Amendment C86, which considered evidence in relation to the significance of the mature trees on the site. No additional assessment of trees was undertaken, though a sequence of aerial photographs was reviewed. The Panel found that three trees were of significance for heritage reasons as follows:

Tree 4	River Red Gum (Figure 13)
Tree 27	English Oak (Figure 14)
Tree 82	Bunya Bunya Pine (Figure 15)

These were the trees identified as of individual significance in the Gould Conservation Analysis.

5.3 Setting and curtilage

The original HO was applied to the site in its entirety in a way whereby the boundaries did not specifically reflect the heritage values of the place assessed nor the location of elements that contribute to those values. Conversely in reducing the HO, care needs to be taken to ensure that sufficient land is retained in the HO to ensure appropriate management of the heritage values. The HO should include all elements which contribute to the significance of the place but beyond this, should also include land associated with the place that requires management in order to retain and interpret the significance of the place.

This is consistent with the explanation of the importance of setting as defined in the *Burra Charter* (Definitions, Article 1.12) as 'the area around the place which may include the visual catchment'. The Charter's Conservation Principles for 'setting' (Article 8) expand on the definition:

Conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place.

New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.

The Explanatory Notes to the Burra Charter provide more detail:

Aspects of the visual setting may include use, siting, bulk, form, scale, character, colour, texture and materials.

Other relationships, such as historical connections, may contribute to interpretation, appreciation, enjoyment or experience of the place.

In a similar vein, the 'heritage curtilage' for a building, complex or site has been defined by the former Heritage Office of the Department of Urban Affairs and Planning, New South Wales, as:

... the area of land (including land covered by water) surrounding an item or area of heritage significance which is essential for retaining and interpreting its heritage significance. It can apply to either:

- o land which is integral to the heritage significance of items of the built heritage; or
- o a precinct which includes buildings, works, relics, trees or places and their setting.⁶

In summary, heritage curtilages should include all significant elements and establish an area which is necessarily managed to ensure the maintenance of heritage significance.

Identification of land to be included within a heritage curtilage (or an HO) does not preclude change within this area; rather that any change needs to be managed so as not to adversely impact on setting, presentation or significance of the place.

In considering the application of these principles to the Tullamore site, as noted, a limited review of historical aerials and photographs and documents, including maps was undertaken.

In reviewing the history of Tullamore, it is evident that this is a place where significant change has occurred and where the legibility of the site is compromised. In the first instance, the immediate setting to the main house (Tullamore) has undergone significant change, not only through the impact of the alterations and additions at ground floor level (compare Figure 2 with Figure 3, see also Figure 16) but also the substantial removal or obscuring of the original principal 'crescent' drive and arrival loop to the west of the house through the development of the carpark, and the removal of other drives and paths around the house, and of early garden plantings and features. The substantial tree plantings to Doncaster Road that are evident on the 1931 aerial (refer Figure 7) have also been removed with the widening of the road. The landscaping associated with the golf course use (mature tree plantings edging grassed fairways) is unrelated to the earlier layout of the place.

Similarly, the stables building now sits in a context which is quite changed, with fairways to either side, including changes to the levels around the building, and the establishment of dense fairway buffer planting to the west and east (Figure 17). There does remain some evidence of the track from the house to the stables (Figure 20). While no nineteenth century plans have been located, the track appears to be shown on the 1912-13 plans and the 1931 aerial at Figure 7 and this element survives at least in terms of its broad alignment, albeit with extensive tree planting having occurred in this location.

⁶ Heritage Office, *Heritage Curtilages*, Department of Urban Affairs and Planning, New South Wales, 1996, p.3.



Figure 13 Tree 4, River Red Gum (*Eucalyptus camaldulensis*) located just outside the west property boundary.



Figure 14 Tree 27, English Oak (*Quercus Robur*) located to the west of the clubrooms.



Figure 15 Tree 82, Bunya Bunya Pine (*Auracaria Bidwillii* – in the centre of the image) located on Doncaster Road, opposite (to the south) of the stables.



Figure 16 View to the clubrooms from the north-east. The first floor of the original homestead is visible above the later single-storey additions.



Figure 17 Stables building in the existing context with fairways to the north and south.



Figure 18 View from the stables along the south side of the trees, the house is visible in the distance.



Figure 19 View from the east towards the stables and house.



Figure 20 View along the track from the stables to the house, largely obscured by trees



Figure 21 View from the house towards the stables, obscured by fairway buffer planting



Figure 22 View across the fairway towards the stables

5.4 Recommended extent of H043

The proposal to reduce the extent of the Heritage Overlay to a 10 metre curtilage around the extent of the original homestead of 'Tullamore', and 10 metre curtilage around the extent of the external stable walls and three individual trees is not supported in full.

As noted, the significance of this place derives from its origins as a country property established by the eminent surgeon, Thomas Naghton FitzGerald. FitzGerald loved horses and was a skilled four-in-hand driver himself. He bred racehorses at Tullamore and raced his horses under the name T Naghton. Both the stables and the house were designed for FitzGerald by prominent Melbourne architect, Lloyd Tayler.

There is clearly a close historical relationship between the two buildings, as the two surviving nineteenth century structures on the site, albeit the visual and functional relationships between the two have been partly obscured by the clubhouse additions and the changes to the landscape layout and use of the site (, see Figure 18, Figure 19). In particular, the more recent fairway buffer planting west of the stables has obscured views between the buildings (see also Figure 21, Figure 22) and from a heritage perspective, desirably this would be removed or thinned. There remains some evidence of the track which from the house to the stables, albeit this is now an informal vehicle track with no evidence of earlier fabric or surfacing and is no particular significance in its own right (Figure 20).

On the basis of this historical relationship and the ability of the two buildings to reflect important aspects of the history of the place, it is considered important that the potential for a visual link between the two buildings be maintained, allowing the continued opportunity to perceive the historical relationship between them. That is not to say that there are particular views between the buildings that are important historically or in terms of the design or presentation of either building or the property as a whole. Rather, the purpose of maintaining the opportunity for a visual link between the two buildings is to allow for an understanding of the origins and significance of the place.

It is therefore recommended that the reduced HO boundary include an area of land with a limited curtilage around both the house and the stables be designated (based on a set-off in the order of 15m off the north side of the original extent of the house, and a 10m curtilage around the stables). In addition, it is proposed that an area of land between the two buildings be included in the HO. This will allow for the management of the immediate setting of both buildings and the space between them generally with general reference to the alignment of the track between the two buildings. It is further recommended that an area land to the south of the original and house extending to Doncaster Road be included within the reduced HO, to allow for a consideration of any impacts on the closer views to the house from this main road. It is not considered necessary to include a large area of land to the south of the stables as this building does not have a visual presence on Doncaster Road.

In recommending this curtilage and reduced extent of the HO, it is noted that this is recommended as a zone where heritage is to be considered, one which is to be managed under the provisions of the HO and with reference to the local planning policy framework for heritage. It is not to suggest that development is precluded within this zone, only that heritage should be a key consideration in contemplating change.

In relation to the trees on the site, these have been assessed by others (Meredith Gould Architects, 2011) as significant specimens in their own right and as warranting the application of the HO on this basis. Three trees have been identified as of individual significance:

- Based on size and maturity, an assessment has been made that the Bunya Bunya Pine on Doncaster Road (tree 82) dates from the nineteenth century

and may mark the location of an earlier cottage constructed by David Mitchell.

- The English Oak to the west of the house (tree 27) is likely to be a remnant planting from the crescent drive.
- The River Red Gum (tree 4) just east of the property boundary has been assessed by Meredith Gould as of local significance in its own right and as a possible pre-settlement survivor, but is noted on the tree data sheets in the same report as a mature indigenous tree, but not as homestead or pre-homestead planting.

Of these, the evidence seems reasonably clear that the Bunya Bunya Pine and the English Oak are both related to the nineteenth century Tullamore property. This was confirmed by John Patrick in evidence to the Panel for C86.⁷

The origins of the River Red Gum and another tree on Doncaster Road, identified by Mr Patrick, a Sugar Gum (tree 88) are less clear. Further assessment of these and an arboricultural assessment including estimate of likely age would be required to confirm whether they should be included in HO43.

Neither the Bunya Bunya Pine nor the English Oak are considered to have a particularly strong visual relationship to the buildings or to contribute to the setting of either building. In the case of the Bunya Bunya Pine it has been suggested that this may have been associated with the earlier cottage constructed by David Mitchell. While an early element on the site, and a tree which is a landmark on Doncaster Road, it stands as an isolated element and does not have a strong link to either the stables or the main house. The English Oak has a more direct link to the house in that it is thought to have formed part of the driveway plantings. In the context of the changes to the landscape in this part of the site, however, it appears as an isolated remnant.

On this basis, it is recommended these two trees be included in HO43 but mapped separately. Sufficient land is required around the trees to protect them (including a TPZ expanded to allow for future growth, based on an arboricultural assessment). The mapping at Figure 23 is nominal only.

⁷ John Patrick, Evidence on Amendment C86, March 2011, p. 5.



Figure 23 Proposed extent of HO43, not to scale

5.5 Statement of significance

A revised statement of significance has been prepared as follows. The full citation for Tullamore, prepared by Lovell Chen, is attached at Appendix A.

What is Significant

Tullamore was constructed in 1886-7 as the country residence of the eminent surgeon Sir Thomas Naghton FitzGerald (1838-1908), former president of the Medical Society of Victoria and highly respected throughout the British colonies. FitzGerald was knighted in May 1897, the first Australian to be honoured for eminence in the medical profession.⁸

FitzGerald purchased the land at Doncaster in 1886⁹ and in June and July of that year tenders for a villa residence, stables and outbuildings at Doncaster for Thomas Naghton FitzGerald were called by the prominent Melbourne architect Lloyd Tayler (1830-1900).¹⁰ The following year Lloyd Tayler also designed FitzGerald's private hospital in Lonsdale Street Melbourne (472-474 Lonsdale Street), one of the earliest of its kind. Tayler was also responsible for overseeing alterations to FitzGerald's city residence, Rostella (also in Lonsdale Street, 1869, demolished) in 1887.¹¹

FitzGerald called his country property 'Tullamore', after his Irish birthplace. He loved horses and was a skilled four-in-hand driver himself. FitzGerald bred racehorses at Tullamore and

⁸ C Macdonald, 'Sir Thomas Naghton FitzGerald', in Douglas Pike (ed.) *Australian Dictionary of Biography*, Vol. 4, Melbourne University Press, Melbourne, 1972, pp. 180-181.

⁹ Ratebook research contained in Meredith Gould Architects, *The Doncaster site of the Eastern Golf Course, Conservation Analysis and Policy*, for the City of Manningham, February 2011, p. 10-11.

¹⁰ *The Argus*, 2 June 1886, p. 3, 3 June 1886, p. 3, 1 July 1886, p. 3.

¹¹ Allom Lovell & Associates, *Waverley Terrace (formerly Lonsdale House), Conservation Management Plan* prepared for Multiplex Constructions, 2000, pp. 2, 18.

raced his horses under the name T Naghton. His most successful horse was Rhesus, which won the Victorian Grand National Hurdle Race in 1882. FitzGerald was a familiar figure at Flemington and was surgeon to the Victoria Racing Club for many years.¹²

After FitzGerald's death in 1908, the property was sold to William Stutt, local councillor, chairman of the racing club and former MP for South Grant, near Geelong.¹³

From 1924, but possibly earlier, the Eastern Golf Club took over the property, leasing it from the Stutt family. The new golf links which covered 78 acres 'facing a wide vista of open country towards Macedon' were opened by the Prime Minister Stanley Bruce in June 1924.¹⁴ The house was converted for use as clubrooms and extensive additions and alterations were constructed in a series of stages in the c.1920s, c. 1959, 1979, 1985 and 2002.¹⁵ The stables building was retained and adapted for use as a machinery shed from the c.1940s.¹⁶ Other buildings on the site and subsequently demolished included a caretaker's house to the east of the main house, also built for FitzGerald, and an earlier cottage to the east on Doncaster Road (thought to have been constructed by the builder David Mitchell).

The main house is a double-fronted two storey overpainted brick and render Italianate villa with a hipped roof clad in slate. The chimneys have heavy mouldings and mansard tops. The frieze has brackets, regularly spaced between panels with a cornice mould. There is a flat string course band at first floor level and flat quoins. The projecting left hand bay combines a hipped roof section, with a steeper gable-roofed projection, and side windows with pointed segmental heads and panels below. As constructed the house was in red brick with render dressings, all now overpainted. Sited to take advantage of the views from this elevated position to the north and west, the house had a prominent and elaborate two-storey timber verandah to its north and west sides. This has been demolished and the house has been partly subsumed by a series of single-storey additions on all sides. These works have had a major adverse impact on its presentation, though the upper sections of the house remain and are legible.

The stables is located some distance to the east. It is a substantial brick and timber building, also overpainted, with a central lantern form. Later doors have been added associated with the use of the building as a machinery shed.

There are three mature trees on the site that are likely to relate to the nineteenth century. The first of these is a fine Bunya Bunya Pine on Doncaster Road (*Auracaria Bidwillii*) which is thought possibly to have been associated with an earlier cottage on the site constructed by the well-known builder David Mitchell, and the second is an English Oak (*Quercus Robur*) located west of the main house and originally part of the driveway plantings to Tullamore. A mature River Red Gum (*Eucalyptus camaldulensis*) is located just outside the western property boundary and is likely to pre-date Tullamore.

12 C Macdonald, 'Sir Thomas Naghton FitzGerald', in Douglas Pike (ed.) *Australian Dictionary of Biography*, Vol. 4, Melbourne University Press, Melbourne, 1972, pp. 180-181.

13 I Green, 'Tullamore', Doncaster and Templestowe Historical Society Newsletter, Vol. 8, no. 2, November 1974, p. 7, *The Argus*, 14 May 1904, p. 16.

14 *The Argus*, 16 June 1924, p. 7.

15 *The History of the Eastern Golf Club*, pp. 32-35.

16 *The History of the Eastern Golf Club*, p. 32.

The impact of works associated with the golf course use has been to substantially alter the setting to the main house and the layout of the wider property, including the substantial loss of the original drive to the west, the removal of the original garden areas for carparking and clubhouse additions, and the introduction of fairways and buffer plantings for the course itself.

How is it Significant

Tullamore, at 463 Doncaster Road, Doncaster is of local historical significance.

Why is it Significant

The house Tullamore and the stables are of local historical significance as remnants of the country property established by the eminent surgeon Sir Thomas Naghton FitzGerald in 1886-7. While altered through a series of unsympathetic alterations and additions, the origins of the house as a Victorian villa remain evident. The stables building reflects FitzGerald's love of horses and his interest in breeding and racing which he pursued on this property. Despite some alterations, the stables building is also of significance as a good representative example of the later nineteenth century. The place is of historical significance for its association with FitzGerald and with the later owner William Stutt, a local councillor. While there are better and more intact examples of his work, the buildings are also of interest for their association with the prominent architect Lloyd Tayler.

The mature English Oak is thought to be a remnant of the original drive from the west (now massively altered and largely obscured), while the Bunya Bunya Pine on Doncaster Road is likely to date from the nineteenth century and is a fine example that is a landmark in this location. The mature River Red Gum (*Eucalyptus camaldulensis*) also appears to date from the nineteenth century and is of significance for its age and size.

APPENDIX A Heritage citation for Tullamore, prepared by Lovell Chen.


LOVELL CHEN

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LOVELL CHEN

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Name	Tullamore	HO no	HO43
Address	463 Doncaster Road, Doncaster	Survey Date	September 2013
Place Type	Former residence and stables	Date of Construction	1886-7
Builder	Unknown	Architect	Lloyd Tayler
		Extent of Overlay	
		Refer to HO mapping	

Heritage Status HV AHC NT Heritage Overlay

Statement of Significance

What is Significant

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FitzGerald purchased the land at Doncaster in 1886² and in June and July of that year tenders for a villa residence, stables and outbuildings at Doncaster for Thomas Naghton FitzGerald were called by the prominent Melbourne architect Lloyd Tayler (1830-1900).³ The following year Lloyd Tayler also designed FitzGerald’s private hospital in Lonsdale Street Melbourne (472-474 Lonsdale Street), one of the earliest of its kind. Tayler was also responsible for overseeing alterations to FitzGerald’s city residence, Rostella (also in Lonsdale Street, 1869, demolished) in 1887.⁴

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After FitzGerald’s death in 1908, the property was sold to William Stutt, local councillor, chairman of the racing club and former MP for South Grant, near Geelong.⁶

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towards Macedon' were opened by the Prime Minister Stanley Bruce in June 1924.⁷ The house was converted for use as clubrooms and extensive additions and alterations were constructed in a series of stages in the c.1920s, c. 1959, 1979, 1985 and 2002.⁸ The stables building was retained and adapted for use as a machinery shed from the c.1940s.⁹ Other buildings on the site and subsequently demolished included a caretaker's house to the east of the main house, also built for FitzGerald, and an earlier cottage to the east on Doncaster Road (thought to have been constructed by the builder David Mitchell).

The main house is a double-fronted two storey overpainted brick and render Italianate villa with a hipped roof clad in slate. The chimneys have heavy mouldings and mansard tops. The frieze has brackets, regularly spaced between panels with a cornice mould. There is a flat string course band at first floor level and flat quoins. The projecting left hand bay combines a hipped roof section, with a steeper gable-roofed projection, and side windows with pointed segmental heads and panels below. As constructed the house was in red brick with render dressings, all now overpainted. Sited to take advantage of the views from this elevated position to the north and west, the house had a prominent and elaborate two-storey timber verandah to its north and west sides. This has been demolished and the house has been partly subsumed by a series of single-storey additions on all sides. These works have had a major adverse impact on its presentation, though the upper sections of the house remain and are legible.

The stables is located some distance to the east. It is a substantial brick and timber building, also overpainted, with a central lantern form. Later doors have been added associated with the use of the building as a machinery shed.

There are three mature trees on the site that are likely to relate to the nineteenth century. The first of these is a fine Bunya Bunya Pine on Doncaster Road (*Auracaria Bidwillii*) which is thought possibly to have been associated with an earlier cottage on the site constructed by the well-known builder David Mitchell, and the second is an English Oak (*Quercus Robur*) located west of the main house and originally part of the driveway plantings to Tullamore. A mature River Red Gum (*Eucalyptus camaldulensis*) is located just outside the western property boundary and is likely to pre-date Tullamore.

The impact of works associated with the golf course use has been to substantially alter the setting to the main house and the layout of the wider property, including the substantial loss of the original drive to the west, the removal of the original garden areas for carparking and clubhouse additions, and the introduction of fairways and buffer plantings for the course itself.

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Why is it Significant

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The mature English Oak is thought to be a remnant of the original drive from the west (now massively altered and largely obscured), while the Bunya Bunya Pine on Doncaster Road is likely to date from the nineteenth century and is a fine example that is a landmark in this location. The mature River Red Gum (*Eucalyptus camaldulensis*) also appears to date from the nineteenth century and is of significance for its age and size.



Figure 1 West elevation of Tullamore, with later single-storey additions



Figure 2 View towards Tullamore from the east showing the clubhouse additions

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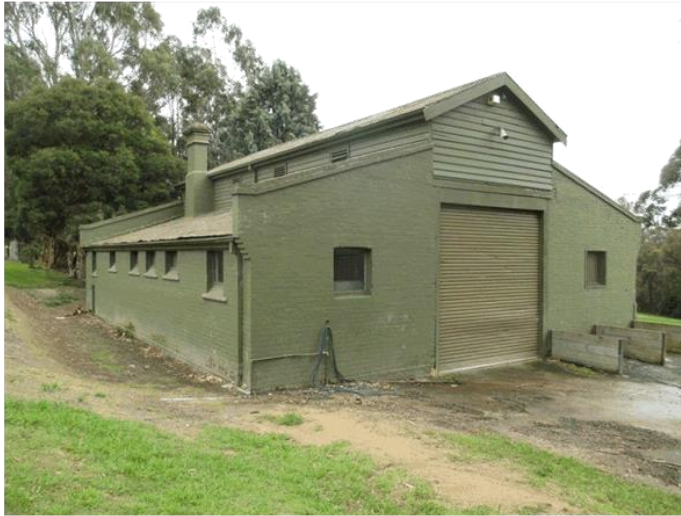


Figure 3 Tullamore stables building



Figure 4 English Oak tree to the west

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Figure 5 Bunya Bunya Pine tree on Doncaster Road, south of the stables.



Figure 6 River Red Gum tree east of the golf course property boundary.

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Endnotes

- 1 C Macdonald, 'Sir Thomas Naghton FitzGerald', in Douglas Pike (ed.) *Australian Dictionary of Biography*, Vol. 4, Melbourne University Press, Melbourne, 1972, pp. 180-181.
- 2 Ratebook research contained in Meredith Gould Architects, *The Doncaster site of the Eastern Golf Course, Conservation Analysis and Policy*, for the City of Manningham, February 2011, p. 10-11.
- 3 *The Argus*, 2 June 1886, p. 3, 3 June 1886, p. 3, 1 July 1886, p. 3.
- 4 Allom Lovell & Associates, *Waverley Terrace (formerly Lonsdale House), Conservation Management Plan* prepared for Multiplex Constructions, 2000, pp. 2, 18.
- 5 C Macdonald, 'Sir Thomas Naghton FitzGerald', in Douglas Pike (ed.) *Australian Dictionary of Biography*, Vol. 4, Melbourne University Press, Melbourne, 1972, pp. 180-181.
- 6 I Green, 'Tullamore', Doncaster and Templestowe Historical Society Newsletter, Vol. 8, no. 2, November 1974, p. 7, *The Argus*, 14 May 1904, p. 16.
- 7 *The Argus*, 16 June 1924, p. 7.
- 8 *The History of the Eastern Golf Club*, pp. 32-35.
- 9 *The History of the Eastern Golf Club*, p. 32.

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5. LEGISLATIVE REQUIREMENTS

5.1 PLANNING AND ENVIRONMENT ACT 1987 (THE ACT)

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.

Section 60 of The *Planning and Environment Act*, requires the Responsible Authority to consider the following before deciding on an application:

- *The relevant planning scheme;*
- *The objectives of planning in Victoria;*
- *All objections and other submissions which it has received;*
- *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.*

Section 61(4) of the Act makes specific reference to covenants. Under Section 61(4) of the *Planning & Environment Act 1987* the Responsible Authority must not issue a planning permit that would result in a breach of a registered restrictive covenant.

5.2 MANNINGHAM PLANNING SCHEME

Clauses of the Manningham Planning Scheme the Responsible Authority must consider:

- State Planning Policy Framework
- Local Planning Policy Framework
- Clause 32.07 Residential Growth Zone, Schedule 1
- Clause 42.01 Environmental Significance Overlay, Schedule 5
- Clause 43.01 Heritage Overlay, Schedule 43
- Clause 43.04 Development Plan Overlay, Schedule 3
- Clause 52.06 Car Parking
- Clause 52.34 Bicycle Facilities
- Clause 65 Decision Guidelines

Zone

Clause 32.07 Residential Growth Zone, Schedule 1

The purpose of the Residential Growth 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 provide housing at increased densities in buildings up to and including four storey buildings.*
- *To encourage a diversity of housing types in locations offering good access to services and transport including activity centres and town centres.*
- *To encourage a scale of development that provides a transition between areas of more intensive use and development and other residential areas.*
- *To ensure residential development achieves design objectives specified in a schedule to this zone.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

A permit is required to:

- Use of the land for a restricted recreation facility; and
- Construct a building or construct or carry out works for a restricted recreational facility.

The following decision guidelines apply to a non-residential use and development:

- *Whether the use or development is compatible with residential use.*
- *Whether the use generally serves local community needs.*
- *The scale and intensity of the use and development.*
- *The design, height, setback and appearance of the proposed buildings and works.*
- *The proposed landscaping.*
- *The provision of car and bicycle parking and associated accessways.*
- *Any proposed loading and refuse collection facilities.*
- *The safety, efficiency and amenity effects of traffic to be generated by the proposal.*

Overlays

Clause 42.01 Environmental Significance Overlay, Schedule 5

A permit is required to construct or carry out works associated with a tennis court.

The following decision guidelines are applicable to this permit requirement:

- *The extent to which the application complies with the Development Guide for Areas of Environmental and Landscape Significance, 2011.*

Clause 43.01 Heritage Overlay, Schedule 43

A permit is required to:

- Demolish or remove a building; and
- Construct a building or construct or carry out works.

The key purpose of this overlay is:

- *To ensure that development does not adversely affect the significance of heritage places.*

The following decision guidelines are applicable to these permit requirements:

- *The significance of the heritage place and whether the proposal will adversely affect the natural or cultural significance of the place*
- *Any applicable statement of significance, heritage study and any applicable conservation policy*
- *Whether the location, bulk, form or appearance of the proposed building will adversely affect the significance of the heritage place*
- *Whether the location, bulk, form and appearance of the proposed building is in keeping with the character and appearance of adjacent buildings and the heritage place*
- *Whether the demolition, removal or external alteration will adversely affect the significance of the heritage place*
- *Whether the proposed works will adversely affect the significance, character or appearance of the heritage place.*

Clause 43.04 Development Plan Overlay, Schedule 3

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- *Be generally in accordance with the development plan.*

- *Include any conditions or requirements specified in a schedule to this overlay.*

Schedule 3 to the Development Plan Overlay requires:

Any permit to subdivide, use or develop land should include, where relevant, conditions requiring the following:

- *The submission and then compliance with a Construction Management Plan prepared to the satisfaction of the Responsible Authority*
- *The preparation of a Sustainable Design Statement (SDS) or similar to the satisfaction of the Responsible Authority for any higher density development component of the Outline Development Plan in Map 1 to this Schedule.*

Eastern Golf Course Development Plan (September 2014)

Council approved the Eastern Golf Course Development Plan (DP) in September 2014. Permits in accordance with the DP have been issued, including the subdivision of various stages.

The most relevant sections of the DP for this proposal are:

- Section 2.3 Site Features and Characteristics
- Section 3.7 Heritage
- Section 3.8 Doncaster Road Urban Design Objectives
 - Built form
 - Car parking and Access
 - Landscaping
 - Fencing
- Section 3.8 Doncaster Road Location Specific Design Principles
- Section 3.11 Access and Circulation
- Section 3.11.6 Car parking
- Section 3.10 ESD

State Planning Policy Framework

The relevant sections of the state planning policy framework are as follows:

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.*

Clause 15.01-2 (Urban Design Principle) policy objective is:

- *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

The strategy to achieve this is to apply the listed strategies to development proposals for non-residential development or residential development not covered by Clause 54, Clause 55 or Clause 56.

The strategies include the application of design principles to the proposed development relating to context, public realm, safety, pedestrian spaces, landmarks, views and vistas, pedestrian spaces, heritage, energy and resource efficiency, architectural quality and landscape quality.

Clause 15.01-4 (Design for Safety) policy objective is:

- *To improve community safety and encourage neighbourhood design that makes people feel safe.*

The policy 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.

Clause 15.01-5 (Cultural Identity and Neighbourhood Character) policy objective is:

- *To recognise and protect cultural identity, neighbourhood character and sense of place.*

The clause includes several strategies to achieve this objective, including to:

- *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 by emphasising:*
 - *The underlying natural landscape character.*
 - *The heritage values and built form that reflect community identity.*
 - *The values, needs and aspirations of the community.*

Clause 15.02-1 Sustainable development: Energy and resource efficiency

The policy objective is:

- *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

The clause has the following strategies:

- *Ensure that buildings and subdivision design improves efficiency in energy use.*
- *Promote consolidation of urban development and integration of land use and transport.*
- *Improve efficiency in energy use through greater use of renewable energy.*
- *Support low energy forms of transport such as walking and cycling.*

Clause 15.03-1 Heritage: Heritage conservation

The policy objective is:

- *To ensure the conservation of places of heritage significance.*

The clause has the following strategies:

- *Identify, assess and document places of natural and cultural heritage significance as a basis for their inclusion in the planning scheme.*
- *Provide for the protection of natural heritage sites and man-made resources and the maintenance of ecological processes and biological diversity.*

- *Provide for the conservation and enhancement of those places which are of, aesthetic, archaeological, architectural, cultural, scientific, or social significance, or otherwise of special cultural value.*
- *Encourage appropriate development that respects places with identified heritage values and creates a worthy legacy for future generations.*
- *Retain those elements that contribute to the importance of the heritage place.*
- *Encourage the conservation and restoration of contributory elements.*
- *Ensure an appropriate setting and context for heritage places is maintained or enhanced.*
- *Support adaptive reuse of heritage buildings whose use has become redundant.*

Clause 18.01-1 Integrated Transport: Land use and transport planning

The policy objective is:

- *To create a safe and sustainable transport system by integrating land-use and transport.*

Clause 18.02-1 Movement networks: Sustainable personal transport

The policy objective is:

- *To promote the use of sustainable personal transport.*

Clause 18.02-2 Cycling

The policy objective is:

- *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.

Clause 18.02-4 Management of the road system

The policy objective is:

- *To manage the road system to achieve integration, choice and balance by developing and efficient and safe network and making the most of existing infrastructure.*

Clause 18.02-5 Car parking

The policy objective is:

- *To ensure an adequate supply of car parking that is appropriately designed and located.*

The policy is relevant to the proposal because the application seeks a reduction in the standard car parking requirement of the Scheme. The objective is to ensure an adequate supply of car parking that is appropriately designed and located. It is also required to allocate or require land to be set aside for car parking subject to the existing and potential modes of access including public transport, the demand for off-street car parking, road capacity and the potential for demand management of car parking. Proposals are also encouraged to facilitate the use of public transport.

Local Planning Policy Framework (LPPF)

Municipal Strategic Statement

Clause 21.03 Key Influences

This clause identifies that commitment to sustainability, heritage, transport and Doncaster Road are critical land-use issues that will challenge Manningham's future growth and sustainable development. With particular regard to heritage, the MSS identifies that the significance, value and contribution to the character of heritage places should be considered

in the planning process. Where possible, new developments and changing land uses should be sympathetic to the character of existing heritage assets. Ongoing encouragement is required to assist private owners to conserve heritage places where possible, so that they are kept for future generations to appreciate.

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 re-development 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.

Clause 21.05 Residential

This clause applies to all Residential Zones in Manningham. It specifically identifies that the Eastern Golf course site is an identified Key Redevelopment Site which offers urban consolidation opportunities in well serviced areas and localities.

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

The key economic development issues are:

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

Relevant objectives to address these issues include to encourage uses with a community service role to locate in close proximity to activity centres or other community based facilities and to ensure that business activities do not compromise the residential amenity and character of the neighbourhood.

Strategies to achieve these objectives include:

- *Ensure that the establishment of uses with a community service role do not compromise the amenity of the neighbourhood.*
- *Ensure that commercial uses are located within activity centres wherever possible*

Clause 21.10 Ecologically Sustainable Development

This clause highlights Council's commitment to ESD and outlines a number of ESD principles to which regard must be given. These include building energy management, water sensitive design, external environmental amenity, waste management, quality of public and private realm and transport.

Clause 21.11 Heritage

Manningham's cultural heritage reflects the historical development of the municipality. Many culturally significant buildings, precincts, trees, landscapes and sites of archaeological significance have been identified and documented through heritage studies of the municipality.

Council is committed to preserving and enhancing cultural heritage places in the municipality. Council will continue to identify cultural heritage assets and broaden the community's understanding and involvement in the protection, promotion and future conservation of these places. The challenge will be to effectively manage pressures to

develop sites of cultural heritage significance and encourage the retention of heritage fabric in development proposals.

Relevant objectives of this clause are to enhance cultural heritage through the retention and protection of significant buildings, precincts, trees and landscapes and to minimise impacts on heritage places as a result of changes to adjoining land uses and development.

Strategies to achieve these objectives include:

- *Identify and assess the cultural significance of heritage places and sites of archaeological significance.*
- *Discourage the demolition and destruction of heritage places.*
- *Encourage the retention of heritage fabric in development proposals.*
- *Encourage initiatives that preserve and enhance Manningham's cultural heritage.*

Local Planning Policy

Clause 22.03 Cultural heritage policy

This policy applies to cultural heritage places which are places of aesthetic, historical, scientific, architectural or social significance including individually significant buildings and places as well as individual trees, groups of trees, gardens and landscapes.

The objectives of this policy are:

- *To recognise, protect, conserve, manage and enhance identified cultural heritage places.*
- *To ensure that the significance of cultural heritage places involving the aesthetic, historic, scientific, architectural or social value of a heritage asset to past, present and future generations, is assessed and used to guide planning decisions.*
- *To encourage the retention of cultural heritage places and ensure that these places are recognised and afforded appropriate protection to enrich the character, identity and heritage of the municipality.*

The decision guidelines require the consideration of:

- *The extent to which the application meets the objectives and directions of this policy.*
- *The significance of the cultural heritage place.*
- *The views of Council's Heritage Advisor.*
- *Heritage studies and all available documentation.*

Where an application proposes the demolition or removal of a building or parts of a building, it is policy that the responsible authority considers:

- *The degree of its significance.*
- *The character and appearance of the building or works and its contribution to the architectural, social or historic character and appearance of the streetscape and the area.*
- *Whether the demolition or removal of any part of the building would contribute to the longer-term conservation of the significance of that building.*
- *Whether the demolition or removal is justified for the development of the land or the alteration of, or addition to a building.*

Where an application proposes alterations or additions to a building, it is policy that the responsible authority considers:

- *The degree of the building's significance.*
- *The effect of the new works upon the significance, character and appearance of a building or its streetscape contribution.*

- *The building's structural condition.*

Clause 22.05 Non-Residential uses in residential areas

This policy applies to non-residential uses in a Residential Growth Zone. This zone is encouraged to accommodate a range of non-residential uses that service local community needs.

Clustering of non-residential uses benefits the local community by allowing multi-purpose trips to be made, reducing car dependency and providing opportunities for social interaction.

Discretionary non-residential uses need to be responsive to the preferred character and amenity of their residential location through the encouragement of integration of non-residential uses as part of higher density development to avoid the underutilisation of land.

The objectives of this policy are:

- *To encourage uses with a community service role to be located within or in close proximity to activity centres, avoiding linear commercial development outside this area.*
- *To ensure that the siting, design, scale and appearance of development reflects either the existing or preferred residential and streetscape character.*
- *To retain existing vegetation where possible when sites are developed for non-residential purposes and ensure that a high standard of landscaping is achieved.*
- *To ensure the layout of buildings and outdoor areas meets the highest standards of accessibility.*
- *To provide for a high level of privacy and protection from unreasonable overlooking.*
- *To ensure that residential amenity is not detrimentally affected by the operation of non-residential uses including the effects of noise, car parking and traffic, light, odour and waste.*
- *To ensure that the location of the use does not adversely affect the role and function of the road network and that adequate provision is made for on-site car parking.*
- *To encourage the design of frontages of buildings at footpath level to offer visual interest, passive surveillance and opportunity for social interaction.*

Before deciding on an application the Responsible Authority will consider:

- *The extent to which the application meets the objectives and directions of this policy.*
- *The objectives of the Residential Growth Zone and relevant overlay provisions.*
- *The Municipal Strategic Statement (MSS), in particular Clauses 21.05.*
- *For sites within the Residential Growth Zone, how the proposal demonstrates its integration within apartment-style development on a minimum lot area of 1,800sqm.*

Clause 22.08 Safety through urban design

This policy applies to all land in Manningham. The objectives of this policy are:

- *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.*

Clause 22.09 Access for disabled people

This policy also applies to all land in Manningham. The objectives of this policy are:

- *To facilitate the integration of people with a disability into the community.*

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

Clause 22.17 Eastern Golf Course Key Redevelopment Site Policy

This policy applies to the Eastern Golf Course Key Redevelopment Site, located at 463 – 535 Doncaster Road, Doncaster. The objectives of this policy are:

- *To ensure that the redevelopment of this strategic site achieves a net community benefit, takes advantage of its excellent access to the Doncaster PAC and associated urban infrastructure and makes a significant contribution to local housing needs.*
- *To protect and conserve identified Manningham biosites as identified in 'Manningham Biosites Sites of (Biological) Significance Review', Manningham City Council (2004) and other areas of significant native vegetation and / or fauna habitats.*
- *To ensure that any future subdivision and development are situated in areas that will have limited adverse impact on existing environmental and cultural values.*
- *To promote a range of dwelling densities and housing types that meet the existing and future housing needs.*
- *To encourage a diversity of use and development focussed around walking, cycling and public transport as the preferred forms of access.*
- *To ensure that the road network provides for appropriate connections in the surrounding street network and minimises through traffic into the surrounding residential streets*
- *To provide an interconnected public open space network that incorporates natural heritage and cultural features including large old indigenous trees, remnant vegetation, habitat values and important features such as dams and gullies.*
- *To provide open space areas which contribute to meeting the projected recreational needs of future residents of the site.*
- *To provide pedestrian and bicycle access within the site and between key destination points and nearby community facilities beyond the site.*
- *To provide well designed subdivision and development that incorporate high architectural standards, implement innovative ESD features, and demonstrate best practice in environmental management.*
- *To provide built form and landscape outcomes that provide a transition between the subject site and the abutting residential properties.*
- *To ensure that downstream properties are not detrimentally affected by increased run off from development of the land.*

The policy requires that a Development Plan be prepared for the site that responds to the site's strategic context and site characteristics that specifically addresses: flora and fauna, heritage, open space, built form, access and circulation and ecologically sustainable development principles. Council approved the Eastern Golf Course Development Plan September 2014.

In relation to heritage, it is policy to:

- *Protect the existing Club House 'Tullamore' and stables as identified in the Doncaster and Templestowe 'City of Doncaster and Templestowe Heritage Study' Context Pty Ltd, Peterson R, Stafford B (1991) Manningham City Council Heritage Study, Context.*
- *Have regard to the Statement of Significance, 'Eastern Golf Club – Tullamore, 463 Doncaster Road,, Doncaster.' Lovell Chen (2013 – revised 2014), in the consideration of applications.*
- *Encourage the retention of trees and groups of trees of heritage significance. Identified periods of significance are:*
 - *Pre-homestead indigenous trees*
 - *Mature, possibly self-sown indigenous trees*
 - *Homestead plantings (c1885 – 1920 approx)*
 - *Early golf course plantings (1920 to WW2 approx)*

- *Post WW2 plantings up to the 1970's with cultural landscape values.*
- *Retain and apply a Tree Protection Zone to trees numbers 4, 27 and 82 as identified in "Eastern Golf Course Conservation Analysis and Policy", Meredith Gould Architects Pty Ltd (2011).*
- *Allocate open space and / or roads and / or allotment boundaries so that reasonable development is possible without intrusion into any Tree Protection Zone (TPZ).*
- *Site open space and / or roads so that the house and the stables are visually connected.*

Particular Provisions

Clause 52.06 Car Parking

A restricted recreational facility is a non-specified use, however car parking rates for a swimming pool, tennis court, child care centre, office, shop and food and drink premises are pursuant to Clause 52.06-5.

Where a use of land is not specified (gymnasium), before a new use commences, car parking spaces must be provided to the satisfaction of the responsible authority.

Clause 52.06-9 outlines various design standards for parking areas that should be achieved.

Clause 52.34 Bicycle Facilities

Pursuant to Clause 52.34-3, the following number of bicycle spaces are required for a restricted recreation facility:

- *1 space for every 4 employees for employees.*
- *1 space to each 200m² of net floor area for patrons.*






General Provisions

Clause 65 Decision Guidelines

This clause 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.*

9.2 Planning Permit No. PL15/025661 - 15 Andersons Creek Road, Doncaster East - Use and development of the land for a mixed use, high rise building and townhouse development

File Number:	IN18/193
Responsible Director:	Director City Planning
Applicant:	2BScene Design
Planning Controls:	Clause 32.04 Mixed Use Zone (MUZ)
Ward:	Mullum Mullum Ward
Attachments:	<ol style="list-style-type: none">1 Locality Map ↓ 2 Decision Plans ↓ 3 Legislative Requirements ↓ 4 Planning Assessment ↓ 5 Discussion Plan dated 3 May 2018 ↓ 

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 15 Andersons Creek Road, Doncaster East for the use and development of the land for a mixed use development, apartment building and townhouse development and recommends approval of the submitted proposal. The application is being reported to Council given that it is a Major Application (more than 15 dwellings and an estimated development cost of more than \$5 million).

Proposal

2. It is proposed to demolish the existing buildings on the land to construct the following:
 - A multi-level, mixed use building (part five/part six storeys) comprising twenty-one apartments and a ground level restaurant (210 square metres) atop basement car parking. At grade car parking is also proposed and will service the restaurant; and
 - Twenty-one three and four storey townhouses with associated garages.

Key issues in considering the application

3. The key issues for Council in considering the proposal relate to:
 - Policy (consistency with state and local planning policy);
 - Compliance with design, built form and landscaping considerations as informed by an assessment against the Higher Density Guidelines (Multi-level building) and Clause 55 (Townhouses);
 - Appropriateness of the car parking, access and traffic arrangement as informed by Council's Engineering department and VicRoads; and
 - Matters raised by objectors in opposition to the Planning Application.

Objector concerns

4. Thirty-three objections have been received in relation to the application, raising a wide range of issues which are identified/summarised as follows:
 - Insufficient setback and presentation to the western property boundary with 350 Blackburn Road, Doncaster;
 - Loss of Privacy;
 - Overdevelopment/Density/Out of Character/Building Height;
 - Design response;
 - Overshadowing;
 - Change of Use (Commercial to “mixed commercial and intense residential”);
 - Impact on Views;
 - Traffic Impacts;
 - Insufficient Car Parking Provision;
 - Insufficient Infrastructure Provision;
 - Drainage;
 - Waste Collection concerns;
 - Overpopulation of the area;
 - Noise and Air Pollution;
 - Environmental Impacts;
 - Increase in Crime;
 - Fire Risk; and
 - Devaluation of Surrounding/Nearby Properties.

Assessment

5. While officers note that there is some opposition to the proposal, the planning application is consistent with the objectives of the Manningham Planning Scheme. The Mixed Use zoning of the land contemplates the provision of housing at higher densities.
6. The proposed development features a high quality architectural presentation and is of a scale which is consistent with the intent of the Mixed Use Zone. The mixed-use building has been appropriately sited at the southern end of the site where it will have a striking streetscape presence, yet it be well removed from the residential properties that line the northern boundary. Against the residential interface, the townhouse component of the proposal provides generous setbacks, a relatively lower scale of built form and opportunities for landscaping to soften the interface. With some improvement, the development will achieve a well-balanced outcome in the context of on-site and off-site amenity considerations.

Conclusion

7. The report concludes that the proposal complies with the relevant planning policies in the Manningham Planning Scheme and should be supported, subject to conditions.
8. It is recommended that the application be supported, subject to conditions.

COUNCIL RESOLUTION

MOVED: CR PAUL MCLEISH
SECONDED: CR SOPHY GALBALLY

That Council:

- A. **Having considered all objections a NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application PL15/02661 for the use and development of the land for a mixed use, high rise building with a ground level restaurant and residential (apartments) above, associated residential dwellings (townhouses) and altered access to a road in a Road Zone Category 1 (RDZ1) on land at 15 Andersons Creek Road, Doncaster East subject to the following conditions:**

Amended Plans

1. **Before the development starts, two copies of amended plans, drawn to scale and dimensioned, must be submitted to the satisfaction of and approved by the responsible authority. When approved, the plans will then form part of the permit. The plans must be generally in accordance with the decision plans (prepared by 2bscene design, dated June 2017), but modified to show the following:**

VicRoads related conditions

- 1.1 **The revised location for the southernmost crossover in accordance with VicRoads' Condition 43. This must be generally in accordance with the Discussion Plan, dated 3 May 2018, as prepared by 2BScene Design but modified to:**
 - 1.1.1 **include a physical barrier (such as an extensive planter box with landscaping) between the raised driveway and restaurant entry space to the satisfaction of the Responsible Authority;**
 - 1.1.2 **maximise landscaping opportunities around the restaurant entry space to the satisfaction of the Responsible Authority;**
 - 1.1.3 **provide a terraced retaining wall/planter box treatment in the area to the south of the driveway;**
 - 1.1.4 **include swept path diagrams for all newly created car parking spaces demonstrating the ability for all vehicles to exit the site in a forward direction to the satisfaction of the Responsible Authority.**

1.2 Any other plan adjustments or notations to meet the requirements of VicRoads as outlined at Conditions 43-46 of this permit;

1.3 The Functional Layout Plan in accordance with Condition 43 of this permit;
Restaurant

1.4 The provision of amenities (WCs) within the restaurant;

Dwellings

1.5 Bedroom 2 of Dwellings 13 to 20 inclusive to be screened/redesigned in accordance with Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme to avoid direct views into the secluded private open spaces of Halycon properties;

1.6 Dwelling 21's living room window to be screened/redesigned in accordance with Standard B22 of Clause 55.04-6 of the Manningham Planning Scheme to avoid direct views into the adjoining secluded private open space;

1.7 Bedroom 1 windows of Dwellings 13 to 16, inclusive to be screened/redesigned to avoid unreasonable internal overlooking to the balconies of Dwellings 9 to 12 in accordance with Standard B23 of Clause 55.04-7 of the Manningham Planning Scheme;

1.8 The provision of an internal barrier between adjoining balconies to a minimum height of 1.7 metres above finished floor level;

1.9 The electric substation relocated outside of Dwelling 8's secluded private open space (This may occur by repositioning internal fencing and reducing the size of the open space area);

1.10 Modifications to the finished surface levels of the internal accessway adjacent to Dwellings 15-18, inclusive, or the FFLs of these dwellings, to provide a flow path and avoid internal flooding;

1.11 A plan notation that all habitable room windows to all apartments and townhouses be acoustically treated to protect residents from external commercial and traffic noise;

Basement Car Park

1.12 The location of an intercom system facilitating 24 hour access;

1.13 A minimum 6.4 metre wide aisle width to be provided at and within the basement to allow for two way vehicle movement;

1.14 The basement car park layout redesigned to enable all visitor car parking spaces to facilitate vehicles exiting the site in a forward direction with no more than three manoeuvres;

1.15 The two northernmost car spaces within the basement to be allocated as "Additional" or utilised as storage rooms;

- 1.16 Sectional details of storage provision for all apartments demonstrating a minimum capacity of 6 cubic metres;
- 1.17 A separate waste room for the restaurant use;
- 1.18 The provision of convex mirrors or alternative method of providing improved visibility for vehicles within the basement;
- 1.19 Access via the basement to the one metre landscape area adjacent to the western boundary for maintenance purposes (stairs to be provided as necessary);

Accessway

- 1.20 Visibility splays to be provided adjacent to each of the accessways in accordance with Design Standard 1 of Clause 52.06-9 of the Manningham Planning Scheme;
- 1.21 A painted centre line to both accessways;
- 1.22 A dark coloured, patterned concrete, aggregate or bitumen finish to the accessways and visitor car parking spaces that includes a different colour/treatment at points along the driveway to create visual interest and threshold treatments to calm the speed of vehicles to the satisfaction of the Responsible Authority;

General

- 1.23 Nomination of the exact location/s where the private waste collection vehicle will stop and undertake waste collection for all townhouses in accordance with the Waste Management Plan required by Condition 6 of this permit;
- 1.24 The location and type of communal lighting across the development to provide for safety;
- 1.25 An amended schedule of materials, colours and finishes to substitute the dark finish for the uppermost level of the mixed-use building with a lighter finish and this adjustment reflected on all elevation plans. The amended schedule must also include details of all driveway, paving, canopies, shading devices, louvres/screens, retaining wall, fencing and other finer grain detail to the satisfaction of the Responsible Authority;
- 1.26 Location and design detail of all service cabinets, letterboxes and all other infrastructure which must be sited so as not to impede vehicles and integrated into the development to the satisfaction of the Responsible Authority;
- 1.27 Details of any measures to limit smell pollution to the balconies and habitable room windows of the apartments;
- 1.28 The location of any clotheslines with secluded private open spaces or balconies (with associated screening devices to be provided);
- 1.29 Retention or removal of existing vegetation to be clearly labelled.

Endorsed Plans

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

Construction Management Plan

3. Before the development commences, two copies of a construction management plan (CMP) must be submitted to and approved by the responsible authority. When approved, the CMP will form part of the permit. The construction management plan must be prepared using council's CMP template to address the following elements referenced in council's construction management plan guidelines:

- 3.1 Element A1: Public Safety, Amenity and Site Security
- 3.2 Element A2: Operating Hours, Noise and Vibration Controls
- 3.3 Element A3: Air Quality and Dust Management
- 3.4 Element A4: Stormwater and Sediment Control and Tree Protection
- 3.5 Element A5: Waste Minimisation and Litter Prevention
- 3.6 Element A6: Traffic and Parking Management.

Sustainability Management Plan

4. Prior to the endorsement of plans pursuant to Condition 1 of this permit, two copies of an amended Sustainability Management Plan must be submitted to and endorsed by the Responsible Authority. The plan must demonstrate best practice in environmentally sustainable development from the design stage through to construction and operation using industry assessment tools.). When approved, the Sustainability Management Plan will form part of the permit. The plan must generally accord with the submitted SMP prepared by *EcoResults*, dated 24 June 2016 but modified by the following:
 - 4.1 An amended stormwater treatment strategy to demonstrate the stormwater quality objectives of Clause 21.10 of the Manningham Planning Scheme;
 - 4.2 The thermal performance rating (Energy 1.1) to achieve at least a 10% improvement on National Construction Code (NCC) minimum requirements for both the residential and non-residential component of the development;
 - 4.3 Bicycle parking to reflect provision on Condition 1 plans;
 - 4.4 External shading devices/techniques to be applied to the development to address solar penetration to north, east and west facing glazing.
5. Prior to the occupation of the dwellings, written confirmation from a qualified person or company must be submitted to the Responsible Authority to confirm that the sustainable design features/initiatives specified in the SMP have been satisfactorily implemented in accordance with the approved plans.

Waste Management Plan

6. Prior to the endorsement of plans pursuant to Condition 1 of this permit, two copies of an amended waste management plan must be submitted to and approved by the Responsible Authority. When approved, the Waste Management Plan will form part of the permit. The plan must generally accord with the submitted WMP as prepared by WasteTech Services (dated 9 May 2017) but modified by the following:
 - 6.1 Designation of the waste collection point for all townhouses;
 - 6.2 The inclusion of a statement that no private waste contractor bins will be left outside the property boundary or left unattended at any time on any street frontage for any reason; and
 - 6.3 Design and management details for a separate waste room for the restaurant use.
7. Management Plans approved under conditions 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

Engineering Construction Plan

8. Before the development commences, two (2) scaled copies of an Engineering Construction Plan (ECP) for the footpath forward of the property must be submitted to and approved by the Responsible Authority. Before the works start:
 - 8.1 A supervision fee equal to 2.5% of the cost of construction of the path must be paid to the Responsible Authority;
 - 8.2 A plan-checking fee equal to 0.75% of the cost of construction of the path must be paid to the Responsible Authority;
 - 8.3 A maintenance deposit equal to 5% of the cost of construction of the path must be lodged with the Responsible Authority and retained thereafter for a minimum of three months; and
 - 8.4 A schedule of costs for the construction of the path must be submitted to the Responsible Authority.

Landscape Plan

9. Before the development commences, two copies of a landscape plan must be submitted to the Responsible Authority for approval. When approved, the Landscape Plan will form part of the permit. The plan must be generally in accordance with the Landscape Plan submitted with the application (as prepared by Landscapes By Design, Revision D, dated 23 June 2017) but modified to reflect all changes in accordance with Condition 1 of this permit and increase the density of planting throughout the development to the satisfaction of the Responsible Authority.

Landscape Bond

10. Before the release of the approved plans for the development, a \$15,000 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.

Completion and Maintenance

11. Before the occupation of any approved dwelling the following works must be completed generally in accordance with the approved plans and to the satisfaction of the Responsible Authority:
 - 11.1 All privacy screens and obscured glazing must be installed, noting that the use of obscure film fixed to transparent windows is not considered to be 'obscured glazing';
 - 11.2 All driveways, bicycle and car parking areas fully constructed, with appropriate grades and transitions, line marked and/or signed and available for use; and
 - 11.3 All landscape areas must be fully planted and mulched or grassed.
12. Once the permitted development has commenced it must be continued and completed to the satisfaction of the Responsible Authority.
13. Buildings, including screening, engineering works, fences and landscaped areas must be maintained to the satisfaction of the Responsible Authority.
14. The landscaping as shown on the approved landscaping plan must be maintained by replacing any dead, diseased, dying or damaged plants as soon as practicable and not using the areas set aside for landscaping for any other purpose, to the satisfaction of the Responsible Authority.

Stormwater – On-site Detention (OSD)

15. The owner must provide on-site storm water 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:
 - 15.1 Be designed for a 1 in 5 year storm; and
 - 15.2 Storage must be designed for 1 in 10 year storm.

Construction Plan (OSD)

16. Before the development starts, a construction plan for the system required by Condition 15 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.

Outfall Drainage

17. Unless otherwise determined by the Responsible Authority, before the development is completed the owner must construct outfall drainage works between the site and the junction pit in the easement at the rear of 350 Blackburn Road in accordance with an engineering construction plan approved by the Responsible Authority. Before the works start:

17.1 A supervision fee equal to 2.5% of the cost of construction of the drainage works must be paid to the Responsible Authority;

17.2 A plan-checking fee equal to 0.75% of the cost of construction of the drainage works must be paid to the Responsible Authority;

17.3 A maintenance deposit equal to 5% of the cost of construction of the drainage works must be lodged with the Responsible Authority and retained thereafter for a minimum of three months; and

17.4 A schedule of costs for the construction of drainage works must be submitted to the Responsible Authority.

Drainage

18. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor. A connection to Council maintained assets must not be constructed unless a Miscellaneous Works Permit is first obtained from the Responsible Authority.
19. 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.

Car Parking

20. Before the approved use or occupation of the approved development starts, the area set aside for the parking of vehicles and access lanes as shown on the approved plans must be:
- 20.1 Constructed, formed and sealed to approved levels;
- 20.2 Drained;
- 20.3 Line marked to indicate each car space, including the staff parking spaces;

- 20.4** Marked to show the direction of traffic along access lanes and driveways;
and
- 20.5** Marked to show the car space for a person with a disability designed to the relevant Australian Standard;
to the satisfaction of the Responsible Authority.
- 21.** Parking areas and access lanes must be kept available for these purposes at all times and must be maintained to the satisfaction of the Responsible Authority.
- 22.** Car park/driveway lighting must be provided to the satisfaction in accordance with the details shown on the approved plans to ensure that car parking areas and the associated pathways are illuminated during evening periods without any loss of local amenity and to the satisfaction of the Responsible Authority.
- 23.** Visitor parking spaces must not be used for any other purpose to the satisfaction of the Responsible Authority.
- 24.** Automatic garage door opening systems must be installed and maintained, so as to facilitate secure access to the allocated parking areas by residents, visitors and a rubbish collection contractor, to the satisfaction of the Responsible Authority.
- Use Conditions**
- 25.** Except with the prior written consent of the Responsible Authority, the restaurant must only operate on Monday, Wednesday to Sunday from 5pm to 10pm.
- 26.** Except with the prior written consent of the Responsible Authority, the number of patrons in the restaurant (including the outdoor area) must not exceed sixty (60) patrons.
- 27.** Except with the prior written consent of the Responsible Authority, the number of staff in the restaurant must not exceed seven (7) staff members.
- 28.** The exhaust system of any cooking area must be provided with filter devices capable of minimising the external emission of odours and airborne fat particles to the satisfaction of the Responsible Authority and such filter system must be maintained to the satisfaction of the Responsible Authority.
- 29.** The use and development must be managed so that the amenity of the area is not detrimentally affected to the satisfaction of the Responsible Authority through the:
- 29.1** Transport of materials, goods or commodities to or from the land;
- 29.2** Storage of goods and wastes;

29.3 Appearance of any building, works or materials and

29.4 Emission of noise, light, vibration, odour and dust.

- 30. Except with the prior written consent of the Responsible Authority, unloading and loading of goods for the permitted use must only be carried out on the land and between the hours of 7.00am and 6.00pm, to the satisfaction of the Responsible Authority.**

Noise

- 31. The operator of the use must ensure that patrons who depart the premises late at night, do so in a manner not likely to cause noise disturbance to nearby residents.**
- 32. All security alarms or similar devices installed on the land must be of a silent type to the satisfaction of the Responsible Authority.**
- 33. All external plant and equipment must be appropriately located and designed, to limit visual impact to the satisfaction of the Responsible Authority.**
- 34. All noise emanating from any mechanical plant (air conditioners, refrigeration plant, etc.) must comply with the State Environment Protection Policy N-1 and in the event of the Responsible Authority receiving justifiable complaints regarding noise from such sources, the onus will be on the owner of the development site to prove compliance with the relevant policy to the satisfaction of the Responsible Authority.**

Services

- 35. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.**
- 36. A centralised TV antenna system must be installed to each dwellings and connections made to each dwelling to the satisfaction of the Responsible Authority. No individual dish antennas may be installed on balconies, terraces, roofs or walls to the satisfaction of the Responsible Authority.**
- 37. Any reverse cycle air-conditioning unit, hot water boosters or other service plant erected on the walls of the approved building must be appropriately designed and finished with screening if necessary to minimise general visual impacts from off the site to the satisfaction of the Responsible Authority.**
- 38. All roof-top plant and services (including any hot water systems, but excluding solar panels) must be installed in appropriately screened areas, unless otherwise agreed in writing with the Responsible Authority.**

39. Unless sufficiently screened by roof parapets, all solar panels and any associated safety railings must be located away from the outer edges of the roof section upon which they are installed, so as to minimise general visual impacts from off the site to the satisfaction of the Responsible Authority
40. Any air-conditioning unit installed on a balcony or terrace must stand at floor level and be positioned to minimise general visual impacts from off the site, and unless otherwise agreed in writing with the Responsible Authority, no air-conditioning unit may be erected on an external wall to the satisfaction of the Responsible Authority.
41. Any clothes-drying rack or line system located on a balcony or terrace must be lower than the balustrade of the balcony or terrace to minimise general visual impact from off the site to the satisfaction of the Responsible Authority.
42. All building services and metering located in the front setback, including fire services, gas, water and electricity, must be installed in accordance with the approved plans and must be positioned in a discrete manner and be screened using cabinets, etc, that integrates with the overall building design to the satisfaction of the Responsible Authority.

VICROADS CONDITIONS (Conditions 43 - 46)

43. Prior to the commencement of works, amended plans to the satisfaction of VicRoads must be submitted to the Responsible Authority for endorsement. Once endorsed, the plans will form part of this permit. The amended plan(s) shall show:
 - 43.1 A fully dimensioned functional layout plan, generally as per Traffix Group Plan dated 25 October 2017, with southern most access point relocated northwards at least to the existing southern access point.
 - 43.2 Informal parking bays along the southern left turn short lane removed.
 - 43.3 Improvement to the alignment of southbound through lane.
 - 43.4 Works incidental to the construction of the turning lanes and the alignment of the foot path along the site frontage, but not limited to signs and modifications to drainage assets etc.
44. Prior to the commencement of any roadworks, the applicant must submit the detailed engineering design plans along with detailed design stage road safety audit to VicRoads for review and obtain written approval. The detailed design plans must be prepared generally in accordance with the approved functional layout plan and functional stage road safety audit;
45. Prior to the commencement of the use or the occupation of the buildings or works hereby approved, the access crossover and associated works, including service relocation, must be provided and available for use to the satisfaction of and at no cost to VicRoads and the Responsible Authority.

46. The preparation of functional layout plans, detailed engineering design and the construction and completion of all work must be undertaken in a manner consistent with current VicRoads' policy, procedures and standards and at no cost to VicRoads. In order to meet VicRoads' requirements for these tasks the applicant will be required to comply with the requirements documented as "Standard Requirements – Externally Funded Projects" and any other requirements considered necessary depending on the nature of the work.

UNITED ENERGY CONDITIONS (Conditions 47 - 48)

47. The applicant must enter into an agreement with United Energy for an extension and/or re-arrangement of the current electricity supply to lots on the land which may also require:

47.1 Establishing easement(s) internally or externally to the site; and/or

47.2 Providing site/s to locate substations.

48. The applicant must make a payment to United Energy to cover the cost of preparing such documentation and work.

Permit Expiry

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

49.1 The development is not started within four (4) years of the date of the issue of this permit; and

49.2 The development is not completed within eight (8) years of the date of this permit; and

49.3 The use is not commenced within four (4) years of the completion of the development.

The Responsible Authority may extend these times 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.

CARRIED

BACKGROUND

- 2.1 The planning permit application was received on 9 October 2015.
- 2.2 The proposal was considered by the Sustainable Design Taskforce on 26 November 2015.
- 2.3 The proposal has been modified through the course of the processing of the application and redesigned as a result of initial concerns posed by VicRoads.

- 2.4 Following a number of further information requests and extensions provided to lodge the requested material, the proposal was advertised across the end of July and the first two weeks of August 2017.
- 2.5 Thirty-three objections have been received in response to the advertised proposal.
- 2.6 On 5 March 2018, referral advice was received from VicRoads providing no objection to the application, subject to conditions.

3. THE SITE AND SURROUNDS

- 3.1 The Site is situated on the north-western side of Andersons Creek Road, Doncaster East. The site has an area of 5238 square metres and is irregular in shape.
- 3.2 A partially elevated, single storey building currently occupies the site and is used as two individual Asian restaurants. Restaurant parking surrounds the buildings and is presently accessed via two separate access points which are 78 metres apart.
- 3.3 The site is burdened by an electricity easement that extends along its northern boundary. The land within the easement has a significant downward slope towards the residential properties to the north.
- 3.4 The natural contours of the land fall from the south-western end to the north-eastern end. In some locations, the natural topography has been altered by the development that has occurred on the land, particularly associated with the spans of existing concrete surrounding the buildings on the land.
- 3.5 Existing vegetation on the site consists of some scattered shrubs around the perimeter of the car park area and existing building. There is also some native trees clustered at each of the western and eastern corners of the site.
- 3.6 The Certificate of Titles for the land are not unencumbered in respect of any restrictive covenants or Section 173 Agreements.
- 3.7 The site has abutments with the following properties being:
 - 7 Andersons Creek Road Doncaster East (to the south) used as a Mitre 10 hardware store/nursery;
 - 350 Blackburn Road, Doncaster East (to the west) constituting an Indoor Sports Centre;
 - 23 Andersons Creek Road, Doncaster East (to the north) occupied with an Asian restaurant; and
 - 5, 6, 7 and 8 Halycon Ct, Doncaster (also to the north) being four residential properties whose private open spaces adjoin the subject site.
- 3.8 At a broader level, the subject site is located within a mixed commercial area and on the perimeter of a residential area. Established pre-1985 residential subdivisions are located on both sides of Andersons Creek Road in the vicinity of the site.

- 3.9 Andersons Creek Road is a major arterial road under the jurisdiction of VicRoads. Bus services operate along both Andersons Creek Road and nearby Blackburn Road, including Central Melbourne bound routes 305 and 318.
- 3.10 The site is positioned approximately 300 metres to the Zerbe Reserve, 700 metres to the Donburn Neighbourhood Activity Centre, 700 metres to the Doncaster Primary School and within 2 kms of The Pines Major Activity Centre.

4. THE PROPOSAL

- 4.1 It is proposed to demolish the existing buildings and remove all vegetation on the on the subject land to construct the following:
- a multi-level, mixed use building comprising twenty-one apartments and a ground level restaurant (210 square metres) atop basement car parking; and
 - twenty-one townhouse with associated garages.
- 4.2 The multi-level building consists of four levels of residential apartments atop a basement and the ground level retail use.
- 4.3 The multi-level building is proposed to face Andersons Creek Road and is sited at the south-western end of the site. Its basement is excavated into the sloping embankment at the front of the building with vehicle access to the basement car park proposed at the rear of the building.
- 4.4 The townhouses are grouped in six pods and as to be situated as follows:
- Dwellings 1-3 and Dwellings 4-8, are to have a frontage to Andersons Creek Road;
 - Dwellings 9-12 are situated within the site, to the rear of the multi-level building with Dwelling 12 opposite the western boundary;
 - Dwellings 13 to 15, Dwellings 16 to 18 and Dwellings 19 to 21 are situated along the northern boundary.

Residential

Apartment Development Component

- 4.5 The apartment breakdown, totalling 21 apartments, is as follows:
- Level 1 – 7 x 2 bedroom apartments (Apartments 101 – 107);
 - Level 2 – 7 x 2 bedroom apartments (Apartments 201 – 207);
 - Level 3 – 5 x 2 bedroom apartments (Apartments 301 – 305); and
 - Level 4 – 2 x 3 bedroom apartments (Apartments 401 & 402).
- 4.6 Internally, the apartments vary in floor area between 70 and 137 square metres. Balcony sizes also vary considerably; 9 square metres up to 64 square metres.

- 4.7 The building is serviced by a central lift and stairwell that services all levels, including the basement levels. Centrally located lobbies and corridors provide access from the lift and stairwell at each level.

Basement

Car spaces are situated at the basement level in which 34 car spaces are proposed. All apartments are provided with one vehicle car space, except for Apartments 401 and 402 which are allocated two car spaces (Apartments 401 and 402 are the only three bedroom apartments). There are four dedicated residential visitor car spaces. It is noted there is a surplus of three car spaces for the residential use.

- 4.8 Storage is indicated at the front/rear of each space although type of storage (locker, cage, etc) has not been nominated.
- 4.9 Ten bicycle racks are provided adjacent to two sides of the lobby/lift area.
- 4.10 A waste room is provided at the northern end of the basement and waste chutes connecting to each residential level is shown. A separate recycling room is also proposed situated at the western corner of the basement.

Townhouse Development Component

- 4.11 Of the 21 townhouses, thirteen dwellings are three storeys in height while eight dwellings consist of four storeys.
- 4.12 The three storey townhouses are generally configured as follows:
- Ground floor – tandem, double garage, laundry and entry with ground level open space;
 - First floor – One bedroom and open planned living/dining/kitchen and balcony; and
 - Second floor – Two bedrooms and bathroom.
- 4.13 The four storey townhouses are generally configured as follows:
- Ground Floor – double garage, rumpus, laundry, bin storage;
 - First Floor – Entry, study, open planned living/dining/kitchen;
 - Second Floor – Two bedrooms and bathroom, study, balcony; and
 - Third Floor – Master Suite, balcony.
- 4.14 Two car spaces are provided to all townhouses in the form of a garage, except Dwelling 21 which has two bedrooms and is single car garage. Some garages are tandem parking (12 garages).
- 4.15 A total of four visitor spaces are available to the townhouses' visitors. All spaces are situated adjacent to Dwelling 9 and are grouped in pairs. Visitor Spaces 1 and 2 are located opposite Dwellings 16 and 17, while Visitor Spaces 3 and 4 are located opposite the mixed use building's waste collection/loading bay.

- 4.16 Ground floor plans include important details in respect of pedestrian pathways, retaining wall/planter box locations, lighting, and proposed finished surface level details.
- 4.17 A centrally positioned, internal playground is proposed as a key component of communal open space. The playground is located adjacent to Visitor Car space 3 and 4 and is to be surrounded by timber bollards.

Restaurant Use

- 4.18 A 210 square metre restaurant is proposed at the ground level and is proposed to cater to 60 patrons.
- 4.19 Hours of operation, as proposed, are:
- Monday, Wednesday to Sunday: 5pm –to 10pm; and
 - Tuesdays: closed.
- 4.20 Staff numbers are proposed to not exceed seven at any given time.
- 4.21 Internal and outdoor areas are proposed and details of internal layout, including kitchen area and indicative seating layout is provided. It is noted that the layout does not include amenities which would appear to be an oversight (**Condition required**).
- 4.22 A disability ramp (1:14 grade) is shown to facilitate accessible entry to the restaurant from a newly created footpath within the Andersons Creek Road reservation. At grade accessibility is easily achieved from the restaurant's car park.
- 4.23 Restaurant car parking constitutes twenty car spaces, including one disabled car space. This space is positioned immediately opposite the restaurant entry. Car spaces and the associated accessway are proposed of all-weather concrete incorporating wheel stops within parking bays. Areas dedicated to landscaping surround the restaurant car park. Two wall mounted visitor bicycle racks are proposed behind the restaurant's entry.

Vehicle Access

- 4.24 It is proposed to remove the existing two crossovers servicing the site and replace them with two new crossovers.
- 4.25 Both crossovers are proposed to be 6 metres wide and are to have a grade of 1 in 10 for the first five metres followed by steeper sections thereafter.
- 4.26 The southernmost crossover is proposed to service the restaurant use only. This crossover facilitates access to twenty car spaces (including one disabled car space).
- 4.27 The northernmost crossover will provide access to the residential uses, i.e. to the basement for the multi-level building and to the garages of the individual townhouses.

Landscaping

- 4.28 An interesting and varied landscape response has been proposed for the redevelopment site.
- 4.29 New canopy trees are proposed within the majority of all ground level secluded private open space areas. Canopy trees are a combination of native and exotic species with the use of Callery Pear trees proposed across the property's Anderson Creek Road frontage and adjacent to the ground level restaurant.
- 4.30 The use of hedge screen planting is proposed along the western property boundary in the one metre setback between the basement level and 350 Blackburn Road, Doncaster East.
- 4.31 Planter boxes and other smaller spaces throughout the redevelopment site are generally well provided for with future landscaping. A variety of species and densities are proposed.
- 4.32 Development plans appear to indicate the retention of some vegetation in the eastern tip of the land (although these trees are not reflected on the proposed landscape plan). Their retention or otherwise will need to be clarified by permit condition.

Design Detail

Multi-level building

- 4.33 The proposed building features a contemporary architectural design, incorporating a range of materials, colours and finishes to propose a highly visual and stimulating built form expression across all elevations. In particular, the facades utilises an impressive number of different cladding finishes encompassing:
- Silver/Grey Alucobond Cladding;
 - Natural Vertical Timber (Stain Finish) cladding;
 - Burnt Orange/Brown Vertical Ruukki Cor-ten Cladding;
 - Burnt Orange/Brown Vertical Perforated Ruukki Cor-ten Cladding;
 - and
 - Wintec UltraClad Aluminium Cladding.

Townhouses

- 4.34 The townhouses will generally draw on the same material schedule to provide continuity and integration with the multi-level building, although white render as a finish is to be introduced across some townhouses at second and third levels. Balconies are emphasised with burnt orange/brown perforated or vertical Ruukki cladding and several townhouses will be decorated with the use of either timber or Alucobond cladding.
- 4.35 As with the multi-level building, large areas of fenestration is proposed particularly at the townhouses' upper levels commensurate with the location of second or third level habitable spaces. Raked roofing is a characteristic of all townhouses and in combination with the variety of materials to the façade of townhouses, offers these dwellings with a very high level of articulation.

Submitted Plans and Documents

- 4.36 The proposal is detailed on the plans prepared by 2BScene Design, as amended in June 2017 and as received by Council on 3 July 2017). Refer to Attachment 2.
- 4.37 In addition to the architectural plans, the following documentation was submitted in support of the application:
- Town Planning Report (Clause 1 Planning, May 2017);
 - Traffic Engineering Assessment (*TraffixGroup*, dated February 2017);
 - Waste Management Plan (*WasteTech Services* dated 9 May 2017);
 - ESD Management Plan (*EcoResults*, dated 24 June 2016);
 - Arboricultural Report (*Landscapes By Design*, dated 24 August 2016); and
 - Landscape Plan (*Landscapes By Design, Revision D*, dated 23 June 2017).

5. LEGISLATIVE REQUIREMENTS

- 5.1 Refer to Attachment 3.
- 5.2 Under the Zone, a permit is required under the following Clauses of the Manningham Planning Scheme:
- Clause 32.04-2 (**Mixed Use Zone**), a permit is required to use the land as a restaurant, given the floor area proposed exceeds the Section 1 “as of right” area of 150 square metre.
 - Clause 32.04-6 (**Mixed Use Zone**), a permit is required to construct two or more dwellings on a lot.
 - Clause 32.04-8 (**Mixed Use Zone**), a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.
- 5.3 A planning permit is also required pursuant to Clause 52.29 Land Adjacent to a Road Zone, Category 1 for the proposed creation and alteration of access to the subject site from Andersons Creek Road. Pursuant to this clause, an application to create or alter access to Andersons Creek Road warrants a referral to the Roads Corporation under Section 55 of the *Planning & Environment Act 1987*.
- 5.4 Given the proposal was lodged prior to the gazettal of VC136, and there has been no formal amendments to the planning application pursuant to either Section 50 or Section 57A of the Planning and Environment Act 1987, the proposal has the benefit of the transitional provisions set out at Clause 32.04-6 of the Manningham Planning Scheme. As such, the high rise building component of the application is not subject to Clause 58 of the Manningham Planning Scheme but rather will be assessed against the Higher Density Guidelines.

6. REFERRALS**External****VicRoads**

- 6.1 The proposal was referred to VicRoads as a determining referral authority.
- 6.2 By letter dated 5 March 2018, VicRoads advise they are generally satisfied that the proposed use of two crossovers is reasonable and that the turn lane treatments accord with the Austroads Guide to Road Design Part 4A.
- 6.3 VicRoads requires four conditions to be applied to any favourable decision made by the Responsible Authority. These conditions call for, amongst other things, the southernmost access point to be relocated northwards to at least the location of the existing southern access point. The various engineering design plan requirements, crossover works and a general condition requiring compliance with VicRoads' policy, procedure and standards are to be adhered to.
- 6.4 While these conditions will be applied to Council's decision, the condition requiring the proposed crossover's relocation to the existing crossover has implications for the existing design response which will be returned to in the assessment section of the report.

United Energy

- 6.5 The presence of an electricity easement along the northern boundary of the site necessitates a mandatory referral to the relevant authority. In this instance this is United Energy.
- 6.6 By letter dated 1 August 2017, United Energy advise of no objection to the proposal subject to the inclusion of two (2) standard conditions relating to electricity supply. This will be conditioned accordingly.

Internal

- 6.7 The application was referred to a number of Service Units within Council. The following table summarises the responses:

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> No objection subject to conditions that have been included in the recommendation including the provision of onsite storm water detention and the construction of outfall drainage works to Council's approval. To prevent flooding, the provision of a flow path by alteration to garage levels or the proposed accessway levels immediately forward of townhouses 15 and 18 is also sought.
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> No objection subject to conditions that have been included in the recommendation including the removal and reinstatement of any redundant vehicle crossovers.

Service Unit	Comments
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> No objection subject to a Construction Plan being submitted regarding the proposed footpath along Andersons Creek Road, which has been incorporated into the recommendation.
Engineering & Technical Services Unit – Traffic	<ul style="list-style-type: none"> No objection
Engineering & Technical Services Unit – Car Parking Layout	<ul style="list-style-type: none"> No objection subject to some adjustments within the basement car park to increase the aisle width to at least 6.4 metres and appropriate modifications to improve visitor and the northernmost car spaces to enable vehicles to egress the site conveniently in a forward direction. Demonstrate the operability of the revised restaurant car park (as shown on the Discussion Plan, 3 May 2018) and modify particular car spaces, if required. These requirements have been adopted into the recommendation.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> No objection subject to a requirement for the provision of a Construction Management Plan which is recommended.
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> No objection subject to an amended Waste Management Plan being provided. This has been included in the recommended conditions of approval
Strategic Projects Unit – Sustainability	<ul style="list-style-type: none"> No objection subject to conditions that have been included in the recommendation
City Strategy Unit – Urban Design	<ul style="list-style-type: none"> No objection to the proposal

7. CONSULTATION / NOTIFICATION

7.1 Notice of the application was given over a three-week period, concluding on 15 August 2017, by sending letters to the owners and occupiers of nearby properties and displaying two large signs across the property's frontage.

7.2 To date, thirty-three objections have been received from the following properties:

- 350 Blackburn Road, Doncaster East;
- 2, 3, 5, 8, 11, 18, 23, 24 Halcyon Ct, Doncaster East;
- 18, 20, 47, 141 Andersons Creek Road Service Road (East);
- 4, 6 Ramsay Cl, Doncaster East;
- 7, 8 Dobell Pl, Doncaster East;
- 8, 19 Longstaff Ct, Doncaster East;

- 8 Catherine Ave, Doncaster East;
- 12 Streeton Lane, Doncaster East;
- 3, 7, 11 McCubbin Tce, Doncaster East;
- 56, 141 Landscape Drive, Doncaster East;
- 101, 126 Polaris Drive, Doncaster East;
- 8 Lambert Pl, Doncaster East;
- 10/17 Fullwood Pde, Doncaster East;
- 1 Roper Place, Doncaster East;
- 157 Mills Street, Albert Park;
- 37 Korroroit Creek Road, Caroline Springs;
- 37 Lillian Street, Bulleen;

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

- Insufficient setback and presentation to the western property boundary with 350 Blackburn Road, Doncaster;
- Loss of Privacy;
- Overdevelopment/Density/Out of Character/Building Height;
- Design response;
- Overshadowing;
- Change of Use (Commercial to “mixed commercial and intense residential”);
- Impact on Views;
- Traffic Impacts;
- Insufficient Car Parking Provision;
- Insufficient Infrastructure Provision;
- Drainage;
- Waste Collection concerns;
- Overpopulation of the area;
- Noise and Air Pollution;
- Environmental Impacts;
- Increase in Crime;
- Fire Risk; and
- Devaluation of Surrounding/Nearby Properties.

7.4 A response to the grounds of objection is included throughout the assessment section of this report.

8. ASSESSMENT

State planning policy

- 8.1 The development responds favourably to a number of the broad state provisions of the Scheme, including Clause 11.02 Urban Growth, 11.06 Metropolitan Melbourne, Clause 12 Environmental and Landscape Values, Clause 15 Built Environment and Heritage, Clause 16 Housing, Clause 17 Economic Development, Clause 18 Transport and Clause 19 Infrastructure.
- 8.2 Most relevantly, the proposed development generally achieves good architectural and urban design outcomes that contribute positively to the public realm and adequately consider the development context in accordance with the objectives of Clause 15 Built Environment and Heritage. Further consideration of the specific aspects of the design is provided under the subsequent assessment headings.
- 8.3 The inclusion of dwellings introduces a residential component to an existing commercial area, providing the opportunity for future residents to reside atop a commercial use within an immediately well-serviced area. The mixed use nature of the development, incorporating both commercial and residential uses, contributes to both economic well-being and housing diversity in an effective and efficient manner. The dwelling mix by way of apartment and townhouse style of housing is a further positive element of the proposal. In light of this, the development complies with the objectives of Clause 16 Housing of the Scheme.
- 8.4 For the above reasons, the proposal is considered to be broadly consistent with the State Planning Policy Framework.

Local Planning Policy

- 8.5 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 a location earmarked for higher density living which is well serviced by public transport.
- 8.6 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.
- 8.7 This increasing pressure for redevelopment 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
- 8.8 Clause 21.05 (Residential) outlines the vision for residential areas in Manningham, including land zoned Mixed Use. The overview acknowledges that managing change and growth is a key issue faced by Council. It identifies there will be a need for a greater mix of housing in the form of medium and higher density residential developments.

It notes that higher density housing will be encouraged in close proximity to activity centres and along major roads and transport routes.

- 8.9 The objectives which earmark well located sites for higher density must, however, also respond positively to their context, be well designed, site responsive and not adversely impact on neighbours, the surrounding environment and the streetscape.
- 8.10 Map 1 (Part 2) – Residential Character Precincts nominates the site as being located within Precinct 4 – post 1975 Residential Areas. However, the residential Framework Plan 1 excludes it from an area of incremental change.
- 8.11 In respect of the objectives at Clause 21.05-2 Housing, the proposal reinforces the state planning policy objectives and achieves a high level of compliance by serving to accommodate an increasing population through urban consolidation, the provision of housing choice, quality and diversity, providing higher density housing along main roads and providing affordable and accessible housing to enable residents with changing needs to stay within their local neighbourhood or the municipality.
- 8.12 Clause 21.09 (Activity Centres and Commercial Areas) applies to the site due to its identification as a commercial area. The proposal features a number of the attributes sought by the MSS in respect to new commercial development namely:
- It activates the Andersons Creek Road frontage by virtue of its integration with the streetscape and creation of a footpath in the road reservation immediately forward of the site;
 - It proposes an accessible building;
 - It offers on-site car parking and appropriate linkages to public transport; and
 - It provides for some planting opportunities with the front and rear setbacks.
- 8.13 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; and
 - Quality of public and private realm
 - Transport.
- 8.14 The proposal features a range of ecologically sustainable development initiatives as evidenced in the submitted Sustainability Management Plan to generally meet the requirements of Clause 21.10 (subject to conditions).
- 8.15 Clause 22.01 (Design and Development Policy) of the Scheme applies to all development within a Mixed Use Zone. This policy provides guidance for the scale, form and appearance of a development. The development responds favourably to the objectives of Clause 22.01 by virtue of:

- Its location on a major road serviced by public transport which reduces car dependency and the need for multi-purpose trips;
 - The scale and massing of the part five/part six storey mixed-use building which has been intentionally sited at the south-western corner of the land well removed from the residential properties across the northern interface of the site;
 - Its adoption of a contemporary architectural style combined with a range of building and architectural techniques which provide a high level of visual interest;
 - Its mixed use function which will offer a restaurant use at the ground floor which can be utilised by future residents;
 - Its proposal of townhouse style housing adjacent to the residentially zoned land to the north with appropriate measures applied to protect existing properties from unreasonable overlooking (subject to condition);
 - There being no shadow implication to any residential property;
 - The design response's engagement with Andersons Creek Road evidenced by the levels of the building meeting the natural ground levels across the property boundary and the plan details which illustrate various elements such as landscaping, pathways and other services to illustrate connectivity with the streetscape;
 - No significant vegetation loss; and
 - Careful consideration of vehicle access, car parking provision and the opportunities to ensure these are adequately drained. Permit conditions can be applied to ensure appropriate construction techniques are undertaken and implemented.
- 8.16 Clause 22.01 references the need for new development to respect the height and massing of surrounding development where this is a recognised and valued feature. Given the physical and planning contexts for the site, it is not considered that this site is one where the scale of built form around it needs to be recognised or replicated. Rather, the site is an underutilised parcel of land which is appropriately zoned to facilitate a high rise building.
- 8.17 There are also objectives in Clause 22.01 which make reference to views. The Clause calls to discourage development that restricts significant views from main roads. While some properties located on the south side of Andersons Creek Road will have their current view disturbed by the proposal to some extent, this has been limited by the span of the built form and its siting mainly opposite the Landscape Drive intersection.
- 8.18 The proposed restaurant within the building complies with the objectives of Clause 22.06 Eating and Entertainment Premises Policy of the Scheme. The location of the restaurant within an existing commercial area abutting a Road Zone is encouraged by all relevant policy. The floor space of 200 square metres and patronage of sixty (60) is considered acceptable particularly noting that the restaurant replaces two existing restaurants on the land. Car parking, traffic management and access have been considered and will be discussed later in this report.

- 8.19 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. While a number of items are not relevant to this application, a number of the requirements in relation to building design are, including *“Buildings be orientated to maximise surveillance of entrances and exits from streets”* and *“The location of building entrances and windows maximise opportunities for passive surveillance of streets and other public spaces”*. It is considered the design response is consistent with the requirements of this clause with a concerted effort made to ensure the public and private realms interact.
- 8.20 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. The design response here has engaged with this policy proposing ramped access into the foyer of the building from Andersons Creek Road and at grade access to the restaurant from the restaurant car park. Further, the townhouses have also been designed, where possible, to achieve at grade access although it is acknowledged this style of housing presents its challenges and is unlikely to be favoured by persons of limited mobility.

Clause 32.04 Mixed Use Zone

- 8.21 One of the key purposes of the MUZ is to provide for housing at higher densities. A further purpose is to encourage development that responds to the existing or preferred neighbourhood character of the area. In this Zone, a key challenge is to strike the right balance in order to facilitate an appropriate planning outcome. The Zone provides discretion as to whether or not a planning permit should issue for the restaurant and residential use as well as the residential development component (apartment and townhouses). In exercising this discretion, an assessment against the relevant guidelines (in this case *The Design Guidelines for Higher Density Residential Development 2004* and *Rescode – Clause 55 of the Manningham Planning Scheme*) is highly relevant and influential to the ultimate conclusion.

Mixed Use High Rise Building

- 8.22 The Design Guidelines for Higher Density Residential Development 2004 provide design criteria for assessing higher density developments of five or more stories. An assessment against the objectives contained within is set out at Attachment 4 of this report.
- 8.23 Overall, the building has been assessed as providing a high level of articulation, site responsiveness and amenity without creating any unreasonable off-site amenity impacts.

Townhouse Development

- 8.24 Clause 55 Two or More Dwellings on a Lot and Residential Buildings applies to an application to construct two or more dwellings on a lot, establishing the planning controls for on-site and off-site amenity through the application of objectives and standards. In this application, Clause 55 is applicable to the assessment of the townhouse component of the proposal. A full assessment of all objectives is set out at Attachment 4 of this report. It is considered appropriate to address in some detail the response to some Clauses, which now follows:

Clause 55.03-2 –Building Height

- 8.25 As there is no maximum building height specified in the Zone or the Schedule to the Zone (and there is no overlay applicable), the default height in Standard B7 is 10 metres on a sloping site (not mandatory). The Standard also refers to the provision of graduation between existing buildings and new buildings. Given the physical and planning contexts, it is considered that this site offers a unique opportunity to achieve development at a higher density. In the absence of a maximum building height, there is clearly discretion offered by the Scheme to exceed Standard B7 on an appropriate site, subject to the appropriate design response.
- 8.26 Given the setbacks offered by the townhouses on this site to all property boundaries, and the lack of consequential off-site amenity impacts due in part to these setbacks, it is considered acceptable to allow some of the townhouses to exceed the 10 metre height limit.
- 8.27 Height exceeding 10 metres occurs mainly across the internal elevations, and hence there will be limited external elevations where this occurs. It is noted that overall townhouse heights are in the range of 10.2 – 12.1 metres across the northern internal elevation. These same dwellings, however, reduce in height across the northern external elevation to no greater than 10.5 metres (Dwelling 20).
- 8.28 Building heights across the streetscape elevation are in the range of 9 metres to 10.7 metres above natural ground level.

Clause 55.03-3 – Site Coverage

- 8.29 The overall site coverage nominated by the architect as 66.1% is in excess of the default 60% specified by the Standard. However, the calculation of site coverage does include the high rise development which is considered to greatly increase that percentage and hence is not an accurate reflection of the coverage of the site generated by the townhouse component alone.
- 8.30 It is clear that there is sufficient space surrounding the proposed townhouses and for this reason, it is considered that the objective is met.

Clause 55.03-8 Landscaping

- 8.31 There are several positives of the landscape design response across the overall development.

- 8.32 Firstly, the front setback provides space in which to locate a number of canopy trees in the front gardens of Dwellings 1 to 8. The landscape plan submitted with the application illustrates the use of Callery Pears which is considered appropriate.
- 8.33 Secondly, perimeter landscaping opportunities are plentiful across the northern boundary (including in the triangular north-eastern corner) and the landscape plan has also capitalised on this space where a range of canopy trees of varying maturity heights and canopy spreads are proposed.
- 8.34 Thirdly, the one metre setback along the western boundary is proposed to accommodate a Red Robin hedge treatment for most of this boundary which is also considered appropriate. A permit condition should however be included to facilitate maintenance access from the basement. Condition required.
- 8.35 Fourthly, there is also some canopy and lower level planting provided adjacent to the internal driveway, abutting individual dwellings and around/within the playground space which further complements the overall landscape response for the site.
- 8.36 Council's Landscape Planner has reviewed the Landscape Plan and is satisfied it proposes an appropriate density and range of plants and trees to ensure the future built form is appropriately softened at key interfaces while enhancing the private spaces around and within the dwellings for future occupants and their visitors.

Clause 55.04-6 - Overlooking

- 8.37 A number of the townhouses across the development have the benefit of presenting to Andersons Creek Road and hence are well removed from adjoining properties to the north. Therefore, dwellings which are within 9 metres of the Halycon properties are limited to Dwellings 13 to 21 (across the northern boundary).
- 8.38 A review of the northern external elevation plan for Dwellings 13 to 21 shows that these properties have some screening measures applied to the ground level and first floor to mitigate overlooking to the north. At the uppermost level of these dwellings, the proposal has not applied screening measures to north facing bedroom windows and this is considered a matter that should be overcome by permit condition. To that end, a permit condition will require Bedroom 2 of Dwellings 13 to 20 inclusive be screened/redesigned in accordance with Standard B22 to avoid direct views into the secluded private open spaces of Halycon properties. In respect of Dwelling 21, the north facing outlook is to a living room which should also be conditioned to satisfy B22.
- 8.39 Balconies associated with Dwellings 7 and 8 have been reviewed but do not require screening. Dwelling 7's balcony overlooks the restaurant car park which is reasonable while Dwelling 8's balcony is more than 9 metres away from the boundary with 5 Halycon Court.
- 8.40 There is no overlooking concerns to the west where dwellings have limited fenestration across the western elevation. In any case, the outlook to the west is to the Indoor Play Centre car park which is not protected by this standard.

Clause 55.04-7 Internal Views

- 8.41 Given the configuration and internal layout of the development, a very close assessment to ensure there are no unreasonable internal views is critical to this application. A permit condition will be required to ensure that a physical barrier (1.7m high) is applied between all adjacent balconies to avoid internal overlooking.
- 8.42 The northern row of dwellings have an interface (within 9 metres) with the balconies associated with Dwellings 9-12 and Dwelling 4 to 7. As all of the balconies are unscreened, it is important to protect the privacy of the other dwellings by ensuring south facing bedroom 1 windows to the northern row of dwellings are obscured or highlight as they presently are not. A condition to this effect will also be included.

Clause 55.05-1 Accessibility

- 8.43 Given the townhouses are three and four storeys, they are unlikely to be a dwelling type that is suited to persons with limited mobility. However the apartments within the mixed use building would be better suited to persons of limited mobility, and for that reason, it is considered that the objective is satisfied.

Clause 55.06-1 Design Detail

- 8.44 The proposal demonstrates a high level of detailed design work to showcase its ability to be an appropriate addition to Andersons Creek Road. It provides interesting treatments to side and rear elevations to ensure that it will present both interestingly and respectfully to the private realm.
- 8.45 The use of an interesting and varied mix of materials, colours and finishes accentuates the level of articulation across all elevations. The combined use of five types of cladding in combination with elements of white render will provide a high level of visual interest (and contrast). A combination of cantilevering and recessing of upper levels relative to levels below has been employed in the overall design response to achieve a good level of articulation. The raked roofing also adds to the articulation and is considered an important design element in this development.
- 8.46 In terms of siting and massing, the level of separation between the two rows of dwellings across Andersons Creek Road (on either side of the accessway) is well balanced and offers important spacing to avoid a linear, continuous built form across the streetscape.
- 8.47 A similar approach has been adopted across the northern interface where the dwellings are separated into three pods achieving two significant visual breaks of 4.5 metres and 3 metres at the upper most level which is considered to be respectful of the preferred neighbourhood character (given the interface to residential immediately to the north).
- 8.48 It is observed that some garages sit forward of the front entry of the dwellings, but given the overhang of balconies at the level immediately above, the proposed entry and garage layout is considered acceptable. Furthermore, a high level of visual interest is offered at the pedestrian entry point by the variation in colours and materials provided at this human scale which offers a high degree of visual interest.

- 8.49 There is an opportunity to ensure the dwellings are complimented by their surrounds with a similar level of sophistication by capturing the finer grain detail in respect of materials and finishes to roadways, paths, fencing, privacy screening, retaining wall and other finishes, etc, and this can be applied as a condition of permit.

Clause 52.06 Car Parking

- 8.50 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.
- 8.51 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.
- 8.52 Visitor car parking is required at a rate of one car parking space for every 5 dwellings. Four visitor car spaces are provided for both the apartments and the townhouses.
- 8.53 In respect of the restaurant use, 0.4 car spaces is required per patron. The restaurant is proposed to accommodate 60 patrons, and therefore the car parking rate to satisfy the use is 24 car parking spaces. There are 20 car spaces provide at grade for restaurant patrons and a further four spaces provided in the basement of the mixed-use building which are nominated for restaurant staff. The proposed car parking provision satisfies Clause 52.06-5 of the Scheme.
- 8.54 The apartments' residents are all provided with one car parking space located within the basement. Apartments 401 and 402 being the only three bedroom apartments are provided with two car parking spaces each. Adjacent to these spaces, the residents are indicated to have access to a store although there is no further detail with regard to what this will appear like and how it will function. A permit condition can clarify this matter.
- 8.55 The apartment visitor spaces are provided opposite the vehicular entry and meet the requirements of the Clause in respect of their dimensions
- 8.56 Council's Approvals Engineer has reviewed the car parking arrangement in both the basement and for the townhouse component and deemed them generally acceptable subject to some changes (see referrals section of this report).
- 8.57 An assessment against the relevant design standards at Clause 52.06-9 of the Manningham Planning Scheme is contained at Attachment 4.

Clause 52.29 Land Adjacent to a Road Zone, Category 1

- 8.58 The views of the Road Authority have been sought in considering the appropriateness of the proposal, including its access arrangement. As outlined above, VicRoads have required an adjustment to the location of the southernmost crossover location which is intended to service the restaurant use.

- 8.59 VicRoads require the existing crossover to be utilised for the restaurant access, rather than the proposed crossover which is positioned less than three metres from the southern boundary. This condition has been reflected on the proposed decision as a Condition 1 requirement and the designer has provided a Discussion Plan in demonstration of how this adjustment can be made without compromising the overall development.
- 8.60 The 2bScene Design Discussion Plan, dated 3 May 2018, demonstrates that the design can be adapted to utilise the existing (southernmost) crossover. A copy of this plan is enclosed at Attachment 5 of this report.
- 8.61 There are some further improvements, however, which officers consider are necessary to ensure that safety considerations, car parking and design/landscaping improvements are incorporated. It is noted that the restaurant size decreases from 210 square metres to 178 square metres on the Discussion Plan but this does not affect the car parking rate which remains at 20 spaces based on a retained restaurant patronage of 60 persons.

Clause 52.34 Bicycle Facilities

- 8.62 In developments of four or more storeys, 1 bicycle space is required to each 5 dwellings (resident) and 1 bicycle space is required to each 10 dwellings (visitor). For the restaurant use, 1 space is required to each 100 square metres of floor area available to the public.
- 8.63 The proposal provides 6 wall mounted bicycle spaces within the basement, 10 bicycle spaces external to the building, adjacent to the basement entry, and a further two (2) spaces within the restaurant car park, thus exceeding the requirements of Clause 52.34.

Clause 65 Decision Guidelines

- 8.64 This Clause 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.
- 8.65 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”.

Other Relevant Considerations

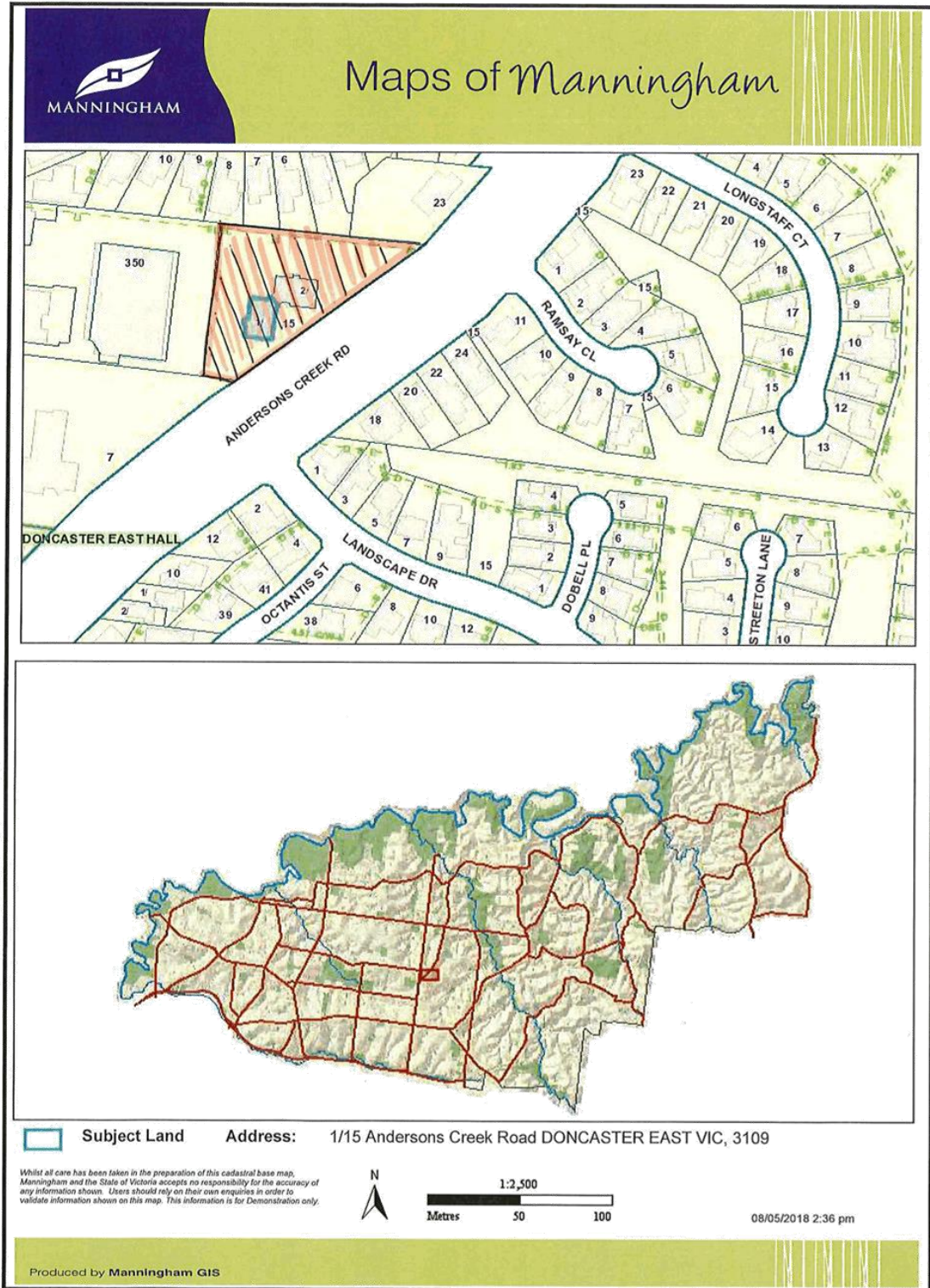
- 8.66 Waste and recycling will be stored in two separate, dedicated waste rooms positioned within the basement car park. The Waste Management Plan (WMP) provided with the application indicates waste and recycling bins will be collected from the onsite loading bay (located adjacent to the basement vehicle entry) by a private contractor's rear-lift vehicle during off-peak traffic periods. The Report specifies that collection staff shall have access to the bin store and will be responsible to transfer bins back to the relevant store post-collection. It is also considered appropriate for the restaurant to have a separate waste room from the residential. A condition to this effect will be included.
- 8.67 An external footpath has been proposed outside of the property boundary in the road reservation forward of the site. This is considered to be a positive element of the proposal but the details of the footpath construction and its particular positioning within the road reserve will need to be to greater detail. As a result, a permit condition will require a construction plan to be prepared to the satisfaction of the Responsible Authority. This Plan will also need to address how the remaining part of the road reservation will be finished. Condition required.

Objector Concerns

- 8.68 As outlined above, a range of issues have been raised by objectors to the planning application.
- 8.69 In the officers' assessment of the proposal, it is considered a number of the matters raised by objectors have been considered and responded to. These relate to objections relating to density/population, development footprint, building height and setbacks, visual bulk, architectural design, overshadowing, proposed land uses, impact on views and environmental impacts.
- 8.70 A range of conditions will be applied to ensure that objector concerns such as overlooking/loss of privacy, water flow/drainage, noise and air pollution are adequately addressed and managed.
- 8.71 Council's Engineers (and VicRoads, as relevant) have considered the traffic, access, car parking and waste collection implications of the development. Their adjustments will be conditioned and serve to address the issues raised by surrounding residents and property owners.
- 8.72 Some of the matters raised (such as the insufficiency of associated infrastructure provision) are outside the scope of this planning application or are unsubstantiated (increase in crime, fire risk, devaluation of surrounding/nearby properties).

9. DECLARATIONS OF CONFLICT OF INTEREST

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



PROPOSED (21) APARTMENTS WITH (1) RESTAURANT AND (21) TOWNHOUSES AT
15-21 ANDERSONS CREEK ROAD, DONCASTER EAST, VIC 3109

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ARTIST'S IMPRESSION - ANDERSONS CREEK ROAD STREETSCAPE



ARTIST'S IMPRESSION - PROPOSED APARTMENTS & RESTAURANT



ARTIST'S IMPRESSION - PROPOSED TOWNHOUSES & COMMON PLAYGROUND

2BSCENE DESIGN
 12/121 14th STREET, DONCASTER VIC 3109
 03 9450 0500 info@2bscene.com.au www.2bscene.com.au



DATE: 22/05/2018
 TIME: 10:00
 DRAWN BY: J.BU
 CHECKED BY: J.BU

CONTRACT NO: 15-21 ANDERSONS CREEK ROAD, DONCASTER EAST
 PROJECT NO: 15-21 ANDERSONS CREEK ROAD, DONCASTER EAST

TP 01 of 26

@B1

Cover Sheet

J. BU

15-21 Andersons Creek Road, Doncaster East

15-21 Andersons

TOWN PLANNING APPROVAL

PROPOSED APARTMENT AND TOWNHOUSES



- NEIGHBOURHOOD LEGEND**
1. Close walking distance to public transport facilities
- Bus route located on Baulston Road
 2. Walking distance to local recreational, shops, indoor sports centre, Mile 10, railway etc.
 3. 300m to Denker Reserve
 4. 700m to East Dencker Primary School
 5. 2.0km to the Eastern Freeway

- SITE OPPORTUNITIES**
- A. Site covers a large parcel of land approx. 5320m² in a MU Used Zone
 - B. Adjoining Eastern property has its car park area toward the side boundaries of the proposal.
 - C. Dealings with the neighbouring land in front, allowing flexibility with design of the proposed dwelling

- SITE CONSTRAINTS**
- A. Site is set far from South to North approximately 0.5 metres or more
 - B. Location of existing street trees and light poles
 - C. Privacy (to be excluded) private space to adjoining northern residence
 - D. Access to northern rear enclosed private space for future dwellings
 - E. Site elevation and retaining walls

TOWN PLANNING APPROVAL



DEVELOPMENT ANALYSIS

APARTMENT & RESTAURANTS	
Basement Area	1211m ²
Restaurant Area	210m ²

Apartment	Floor Area (m ²)	Balcony Area (m ²)
DW 01 - 3 Bed	101	62
DW 02 - 3 Bed	93	17
DW 03 - 3 Bed	69	14
DW 04 - 3 Bed	85	23
DW 05 - 3 Bed	74	24
DW 06 - 3 Bed	100	14
DW 07 - 3 Bed	93	9
DW 08 - 3 Bed	101	65
DW 09 - 3 Bed	93	15
DW 10 - 3 Bed	69	19
DW 11 - 3 Bed	66	19
DW 12 - 3 Bed	74	25
DW 13 - 3 Bed	100	13
DW 14 - 3 Bed	93	9
DW 15 - 3 Bed	96	62
DW 16 - 3 Bed	66	27
DW 17 - 3 Bed	66	32
DW 18 - 3 Bed	96	39
DW 19 - 3 Bed	99	21
DW 20 - 3 Bed	132	42
DW 21 - 3 Bed	120	49

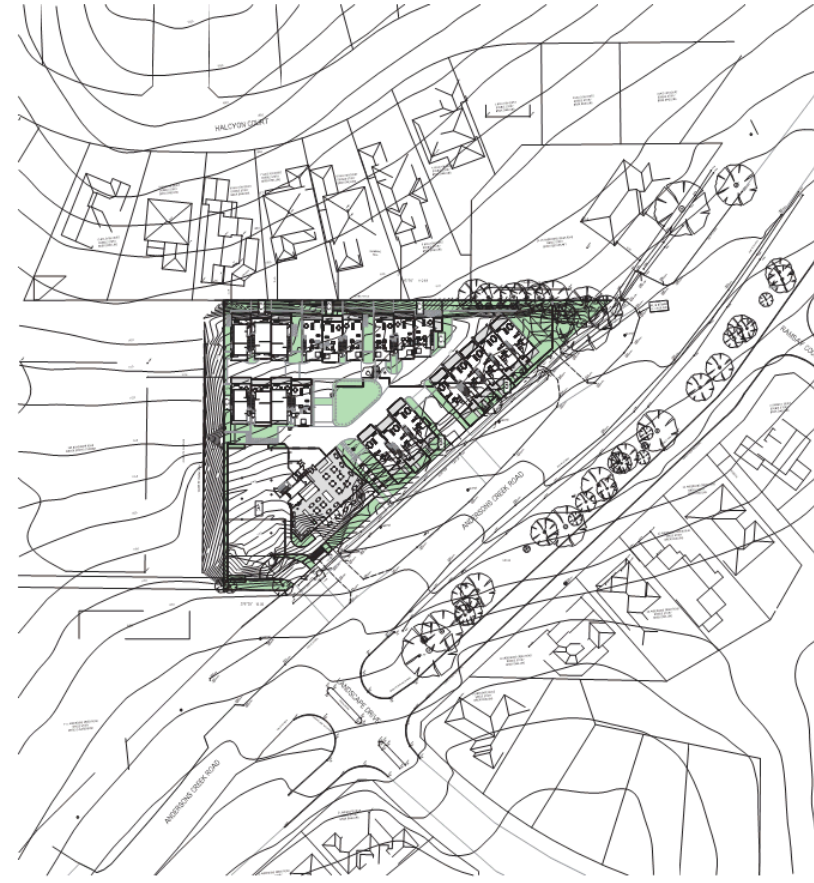
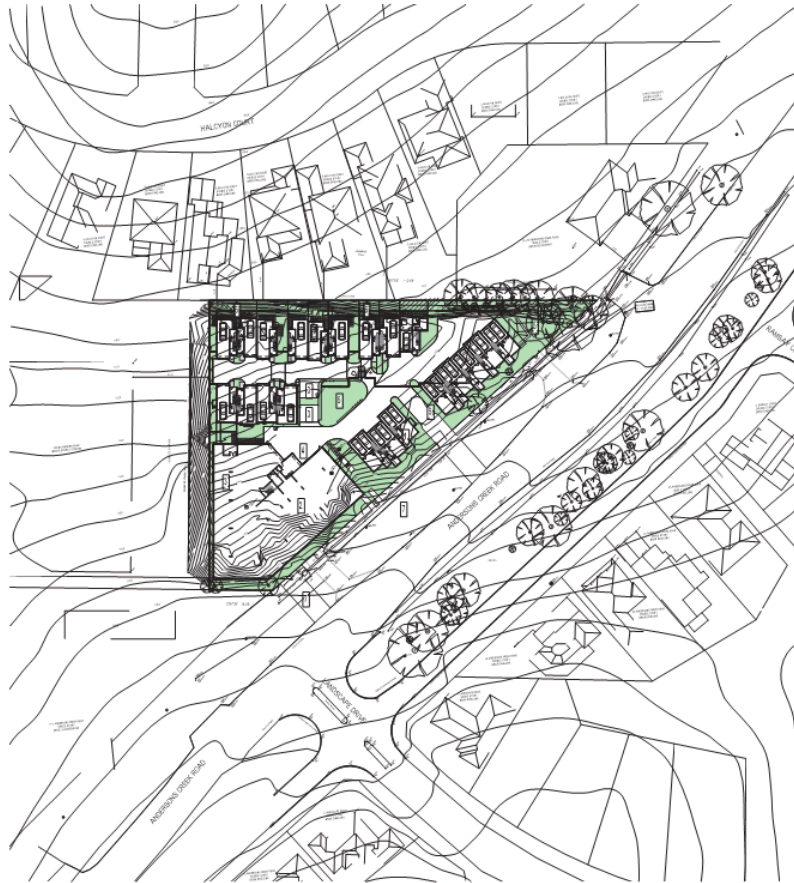
Dwellings	Ground (m ²)	First (m ²)	Second (m ²)	Third (m ²)	Balcony (m ²)	Total POS
DW 01 - 3 Bed	69	64	69	46	26	52
DW 02 - 3 Bed	68	64	59	47	24	48
DW 03 - 3 Bed	69	64	69	46	26	52
DW 04 - 3 Bed	69	64	69	46	25	52
DW 05 - 3 Bed	68	63	59	47	25	47
DW 06 - 3 Bed	68	63	59	47	26	53
DW 07 - 3 Bed	68	63	59	47	25	47
DW 08 - 3 Bed	69	64	69	46	25	180
DW 09 - 3 Bed	63	65	61	-	8	8
DW 10 - 3 Bed	62	64	47	-	8	8
DW 11 - 3 Bed	62	64	47	-	8	8
DW 12 - 3 Bed	63	65	61	-	8	8
DW 13 - 3 Bed	60	65	61	-	8	71
DW 14 - 3 Bed	59	64	47	-	8	36
DW 15 - 3 Bed	59	65	47	-	8	87
DW 16 - 3 Bed	59	65	47	-	14	46
DW 17 - 3 Bed	59	64	47	-	14	51
DW 18 - 3 Bed	60	65	61	-	14	92
DW 19 - 3 Bed	60	65	61	-	14	46
DW 20 - 3 Bed	59	64	46	-	14	45
DW 21 - 2 Bed	69	64	-	-	8	45

SITE AREA	5328m ²
BUILT ON AREA	2562m ²
DRIVEWAY AREA	671m ²
TOTAL IMPERVIOUS AREAS	3529m ²
SITE COVERAGE (%)	66.1%
SITE PERMEABILITY (%)	33.9%
CAR SPACES PROVIDED (RESIDENTS)	72
CAR SPACES PROVIDED (RESTAURANTS)	20
VISITOR CAR SPOTS	8
TOTAL CAR SPACES	100

TOWN PLANNING APPROVAL

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TP 03 of 26 | Scale: 1:250 @ 91 | Proposed Site Plan | J. Liu | 15-21 Andersons Creek Road, Dorsicksy East | 15-21 Andersons PROPOSED APARTMENT AND TOWNHOUSES



1 Design Response - Ground Floor
1:500

Design Response

1. Basement garages are hidden from Andrews Creek Road, dominance of garage and car parking is minimized.
2. Private and secure car parking for apartment residents.
3. Visitor car spaces provide convenient and safe access.
4. Loading & rubbish collection area provided.
5. Playground / recreational communal spaces provided for all residents.
6. Appropriate amount of landscape buffering to neighboring.
7. Proposed bus stop/shelter, one private for residents and the other only for restaurant access. Both have been designed to have convenient and easy access.

2 Design Response - First Floor
1:500

Design Response

- A. Restaurant car parking has been provided and has separate access from the residents.
- B. Additional private open spaces to residents, good amount of landscape area provided with highly articulated facades. 1.5m high front fence is proposed.
- C. Visual bulk minimized by pushing and pulling facade elements. Overlooking has been minimized by design or with screening (discussed outdoors).



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TP 04 of 26

1:500 @B1

Design Response - Ground & First Floor

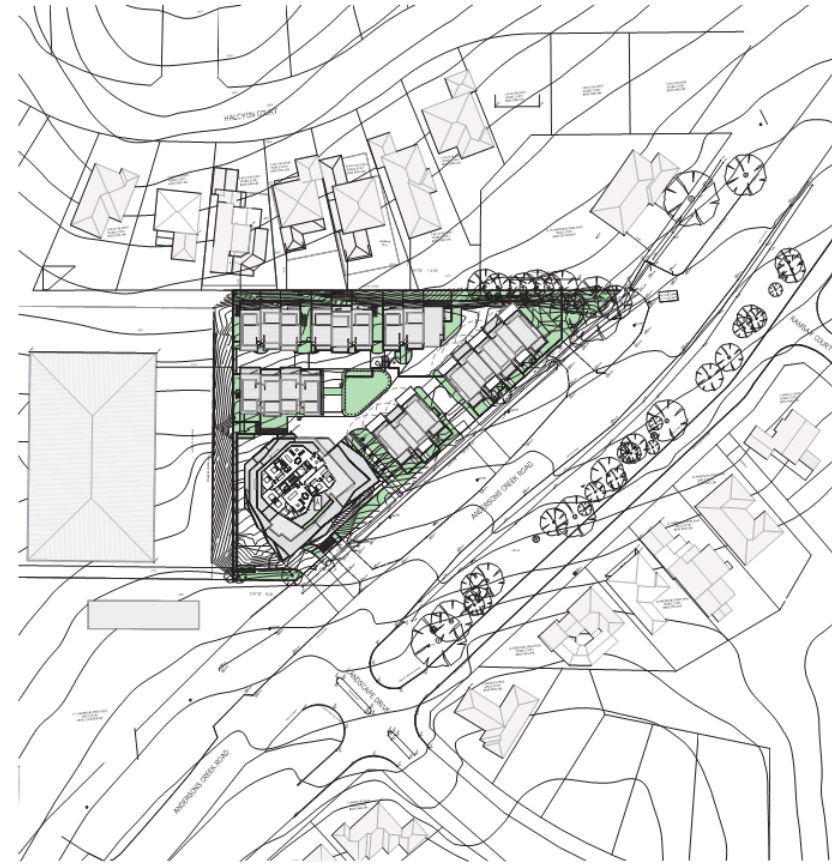
J. Wu

15-21 Andrews Creek Road, Darlington East

15-21 Andrews

PROPOSED APARTMENT AND TOWNHOUSES

TOWN PLANNING APPROVAL



1 Design Response - Second Floor
1:500

Design Response

- Development density is appropriate due to large lotter for garages and responding to site location. Being with close proximity to all facilities such as public transportation, shopping villages & local schools. Development will improve existing neighbourhood structure. This proposal will facilitate urban consolidation in an established urban area and will contribute to the improved usage of existing services and facilities. The form and height is comparable with the neighbourhood. The architecture and design complements the existing neighbourhood and will add additional value to the character of the street.
- The upper floor has been well articulated by the use of different materials, colours, parapet heights, roof heights and porch detailing have achieved a well balanced contemporary design.
- Overroding has been minimized by the design and careful placement of balconies and balcony windows.

2 Design Response - Level 4
1:500

Design Response

- Upper floor of apartments have been recessed them to loan walk, high articulated by different setbacks. Material and colours used to achieve a well balanced and clean contemporary design.



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SCALE: 1:500

PROJECT: TP 05 of 26
SHEET: 01 of 01

TP 05 of 26

1:500 @B1

Design Response - Second Floor & Level 4

J. BLU

15-21 Andersons Creek Road, Dorcasville East

15-21 Andersons

TOWN PLANNING APPROVAL

PROPOSED APARTMENT AND TOWNHOUSES





1 Apartment - Level 1
1:100



2 Apartment - Level 2
1:100



2BSCENE DESIGN
 15-21 ANDREWS CREEK ROAD, CORCORAN EAST
 15-21 ANDREWS CREEK ROAD, CORCORAN EAST
 15-21 ANDREWS CREEK ROAD, CORCORAN EAST



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 APPROVED BY: J. BLU

TP 08 of 26

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Apartment - Level 1 & 2

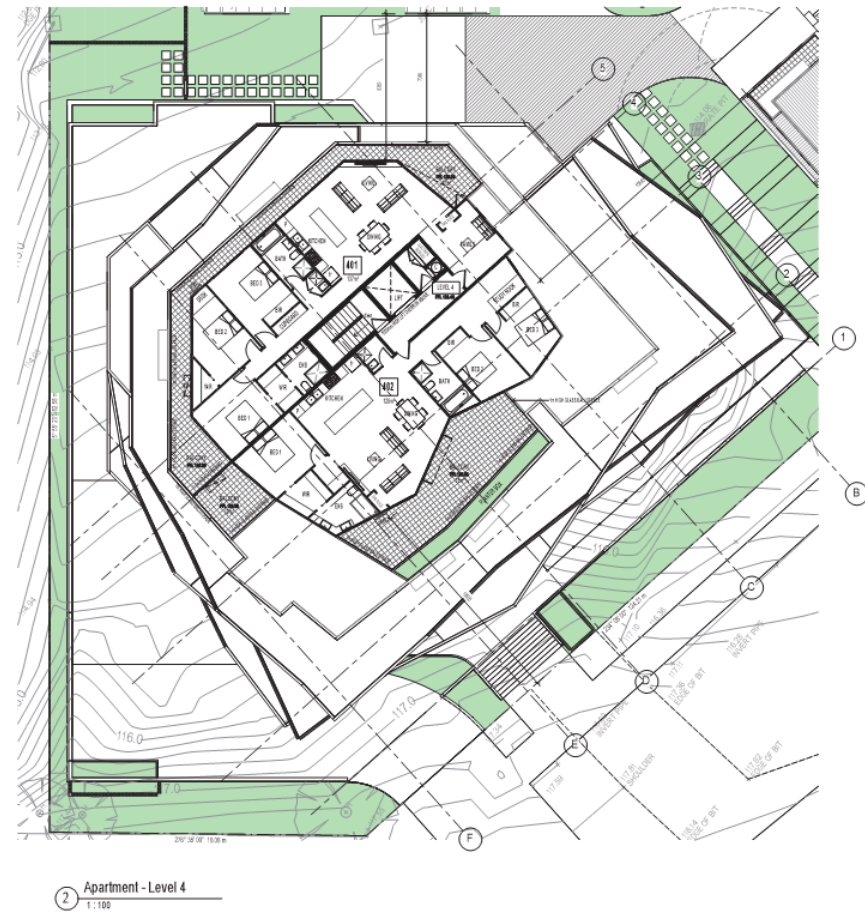
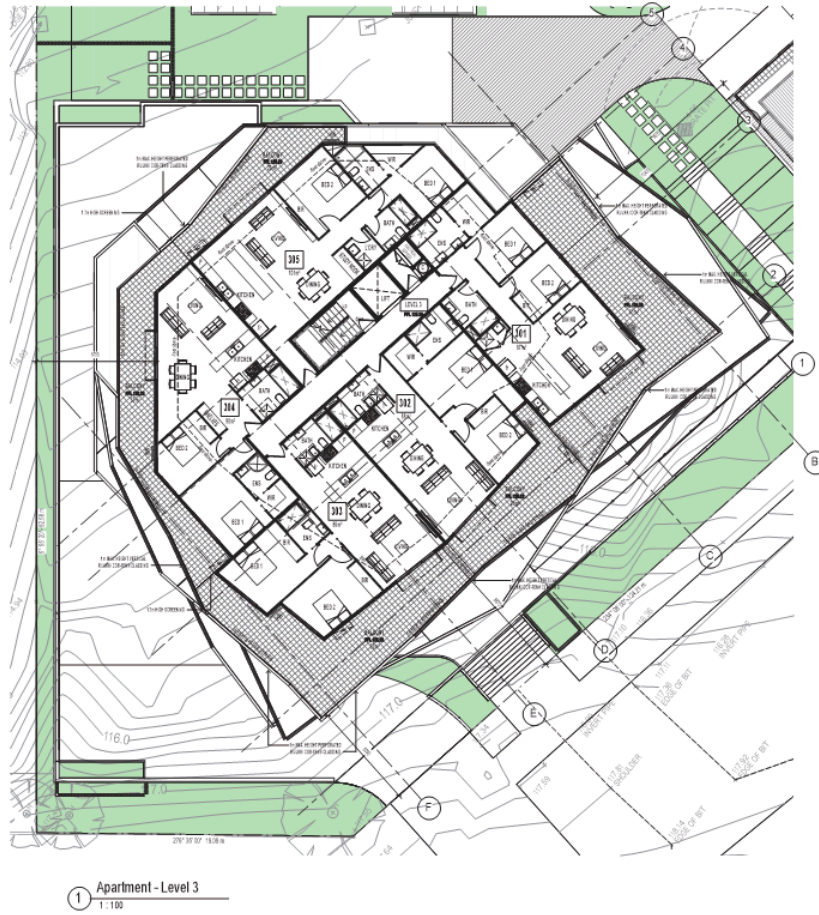
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15-21 Andrews Creek Road, Corcoran East

15-21 Andrews

PROPOSED APARTMENT AND TOWNHOUSES

TOWN PLANNING APPROVAL



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15-21 ANDREWS CREEK ROAD, CORCORAN EAST
15-21 ANDREWS CREEK ROAD, CORCORAN EAST



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TP 09 of 26

1:100 @B1

Apartment - Level 3 & 4

J. BU

15-21 ANDREWS CREEK ROAD, CORCORAN EAST

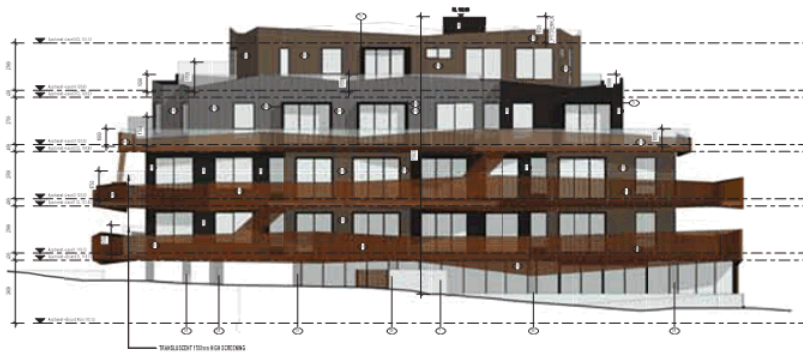
15-21 ANDREWS

TOWN PLANNING APPROVAL

PROPOSED APARTMENT AND TOWNHOUSES



3 South Elevation (Anderson Creek Road Streetscape)
1:200



1 Apartment - South Elevation
1:100



2 Apartment - North Elevation
1:100

MATERIAL SCHEDULE

01	VERTICAL BUSHING CORTENS CLADDING	07	COLORBOND FINISH GARAGE DOORS
02	PERFORATED PLANK CORTENS CLADDING	08	CONCRETE PANEL PAINTFINISH
03	WHITE ULTRACLOUD ALUMINIUM CLADDING	09	TRANSLUCENT GLASS BALUSTRADE
04	ALUCORBINO CLADDING	10	ALUMINIUM SHADING DEVICE PAINTFINISH
05	VERTICAL TIMBER CLADDING, STAIN FINISH	11	LARGE COMMERCIAL CLEAR GLAZING
06	RENDER TYPE 1 PAINTFINISH		

GLAZING NOTE
004 FIXED OBSCURED GLAZING

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Apartment - Elevations 1
J. Liu
15-21 Anderson Creek Road, Douglas Bay East
15-04-000004
PROPOSED APARTMENT AND TOWNHOUSES

TOWN PLANNING APPROVAL



3 West Sectional Elevation
1:200



1 Apartment - West Elevation
1:100



2 Apartment - East Elevation
1:100

MATERIAL SCHEDULE

01	VERTICAL ROUBIKO COR-TENO CLADDING	07	COLORBOND FINISH GARAGE DOORS
02	PERFORATED PLANKI COR-TENO CLADDING	08	CONCRETE PANEL PAINT FINISH
03	WHITE ULTRACLOUD ALUMINUM CLADDING	09	TRANSLUCENT GLASS BALUSTRADE
04	ALUCOBOND CLADDING	10	ALUMINUM SHADING DEVICE PAINT FINISH
05	VERTICAL TIMBER CLADDING, ETOA FINISH	11	LARGE COMMERCIAL CLEAR GLAZING
06	RENDER TYPE IV PAINT FINISH		

GLAZING NOTE
004 FIXED OBSCURED GLAZING

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TP 12 of 26
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Apartment - Elevations 2
J. Wu
15-21 ANDERSONS CORNER ROAD, DORSETVILLE EAST
15-DORSETVILLE
PROPOSED APARTMENT AND TOWNHOUSES

TOWN PLANNING APPROVAL



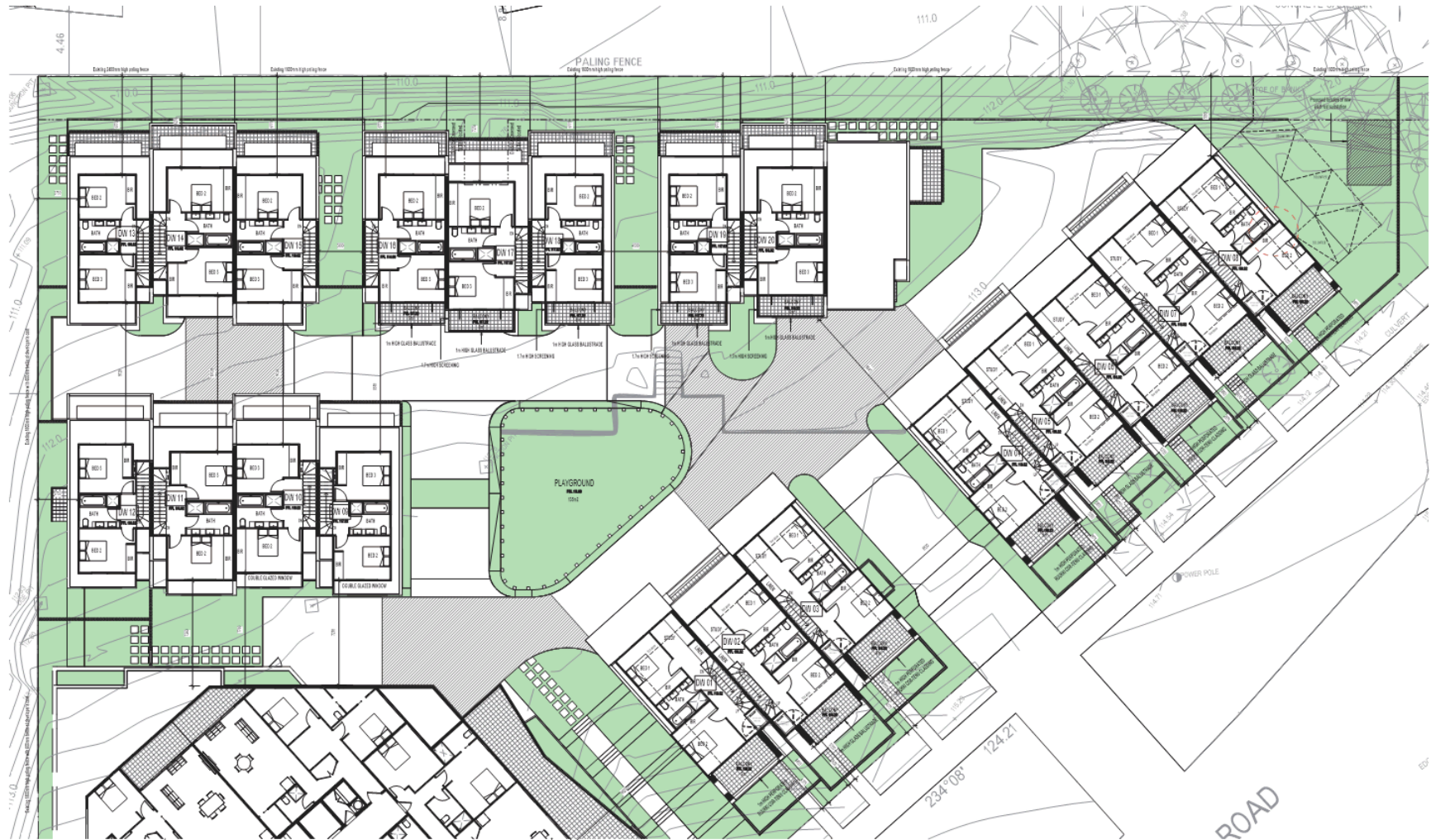
NOTE: ALL LANDSCAPING TO FOLLOW AS PER LANDSCAPE PLAN

COMMON LIGHTING LEGEND

20W LED STREET LAMP

TOWN PLANNING APPROVAL





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TP 15 of 26 1:100 @B1

Townhouses - Second Floor

J. Wu 15-21 Andrews Crown Road, Darcsley East 15-Darcsley PROPOSED APARTMENT AND TOWNHOUSES

TOWN PLANNING APPROVAL



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TP 16 of 26 1:100 © 2018

Townhouses - Third Floor

J. Liu 15-21 Andrews Creek Road, Coquitlam East 15-0406888 PROPOSED APARTMENT AND TOWNHOUSES

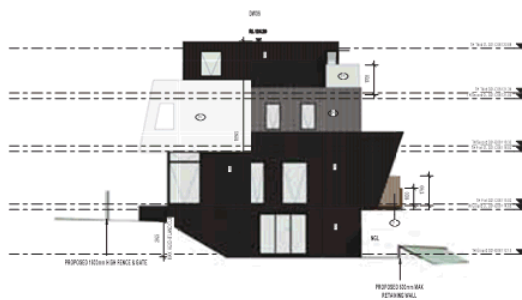
 TOWN PLANNING APPROVAL



1 Townhouse - North Internal Elevation (D01-D08)
1:100



2 Townhouse - South Elevation (D01-D08)
1:100



3 Townhouse - East Elevation (D08)
1:100



4 Townhouse - West Elevation (D01)
1:100

MATERIAL SCHEDULE

D1	VERTICAL RIBBED CONCRETE CLADDING
D2	PERFORATED RIBBED CONCRETE CLADDING
D3	WITTED LULLTRACED ALUMINUM CLADDING
D4	ALUCOBOND CLADDING
D5	VERTICAL TIMBER CLADDING, STAIN FINISH
D6	RENDER TO R1, PAINT FINISH
D7	COLORBOND FINISH GARAGE DOOR 1
D8	CONCRETE PANEL, PAINT FINISH
D9	TRANSLUCENT GLASS BALUSTRADE
D10	ALUMINUM BRANDING DEVICE, PAINT FINISH
D11	LARGE COMMERCIAL CLEAR GLAZING

GLAZING NOTE
D14 FIXED OBTURED GLAZING

TOWN PLANNING APPROVAL

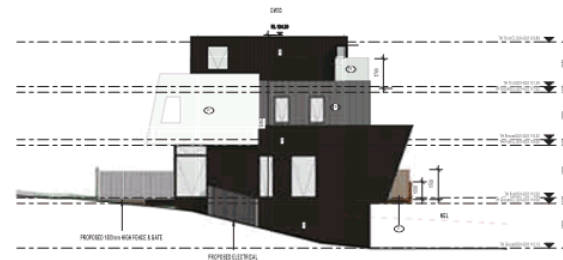
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TP 17 of 26
1:100 @B1

Townhouses - Elevations 1
J. BU 15-21 ANDRWS CNR ROAD, DARGAVILLE EAST 15-DARGAVILLE PROPOSED APARTMENT AND TOWNHOUSES



3 Townhouse - South Internal Elevation (D04)
1:100



4 Townhouse - North Internal Elevation (D03)
1:100

MATERIAL SCHEDULE

01	VERTICAL REBROOK CORTEX CLADDING
02	PERFORATED REBROOK CORTEX CLADDING
03	WHITE ULLTRACLAD ALUMINUM CLADDING
04	ALUCORNO CLADDING
05	VERTICAL TIMBER CLADDING, STAIN FINISH
06	RENDER TYPE (L) PAINT FINISH
07	COLORBOND FIMBY GARAGE DOORS
08	CONCRETE PANEL, PAINT FINISH
09	TRANSLUCENT GLASS BLOCKS FINISH
10	ALUMINUM BRACING DEVICE, PAINT FINISH
11	LARGE COMMERCIAL CLEAR GLAZING

GLAZING NOTE
004 FIXED OBSCURED GLAZING



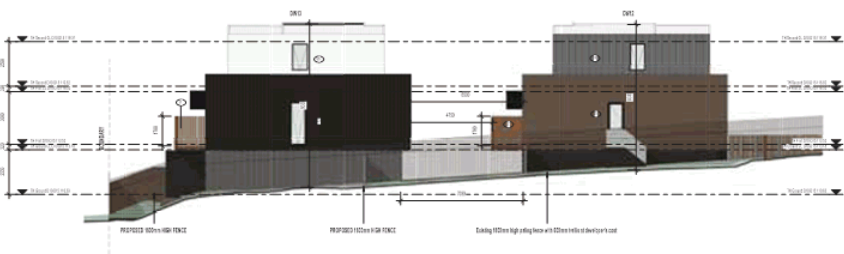
1 Townhouse - North Internal Elevation (D09-D12)
1:100



2 Townhouse - South Internal Elevation (D09-D12)
1:100



5 Townhouse - East Internal Elevation (D09)
1:100



6 Townhouse - West Elevation (D12 & D13)
1:100



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TP 18 of 26

Scale: 1:100 @ 01

Townhouses - Elevations 2

J. BU

15-21 Andersons Crown Road, Toronto East

15-21 Andersons

TOWN PLANNING APPROVAL

PROPOSED APARTMENT AND TOWNHOUSES



1 Townhouse - North Elevation (D13-D21)
1:100



2 Townhouse - South Internal Elevation (D13-D21)
1:100



3 Townhouse - East Internal Elevation (D21)
1:100

MATERIAL SCHEDULE

01	VERTICAL BRASSI COR-TEN® CLADDING
02	PERFORATED BRASSI COR-TEN® CLADDING
03	WHITE METALLIZED ALUMINUM CLADDING
04	ALUCLADDING CLADDING
05	VERTICAL TUBEK CLADDING, STAIN FINISH
06	RENDER TYPE VI, PAINT FINISH
07	COLORBOND FINISH GARAGE DOORS
08	CONCRETE PANEL, PAINT FINISH
09	TRANSLUCENT GLASS BALUSTRADE
10	ALUMINUM SHADING DEVICE, PAINT FINISH
11	LARGE COMMERCIAL CLEAR GLAZING

GLAZING NOTE
004 FIXED OR SHOWN GLAZING

TOWN PLANNING APPROVAL



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Townhouses - Elevations 3

J.M.B.

15-21 ANDERSONS CROWN ROAD, DOUGLASVILLE EAST

15-D14000004

PROPOSED APARTMENT AND TOWNHOUSES



1 Section 1
1:100



2 Section 1 Continued
1:100



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Sections 1

J. BLU

15-21 Andersons Creek Road, Corcairy East

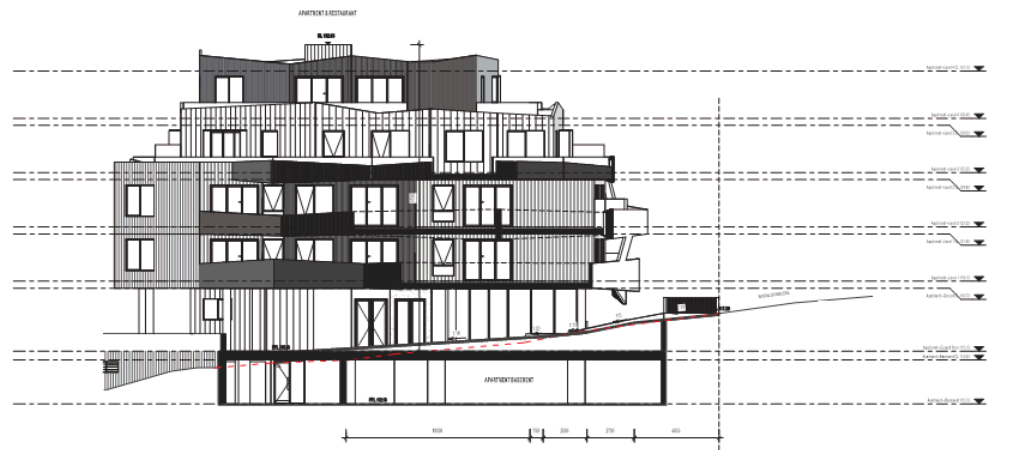
15-21 Andersons

TOWN PLANNING APPROVAL

PROPOSED APARTMENT AND TOWNHOUSES



1 Section 2
1:100



2 Section 3
1:100



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Sections 2

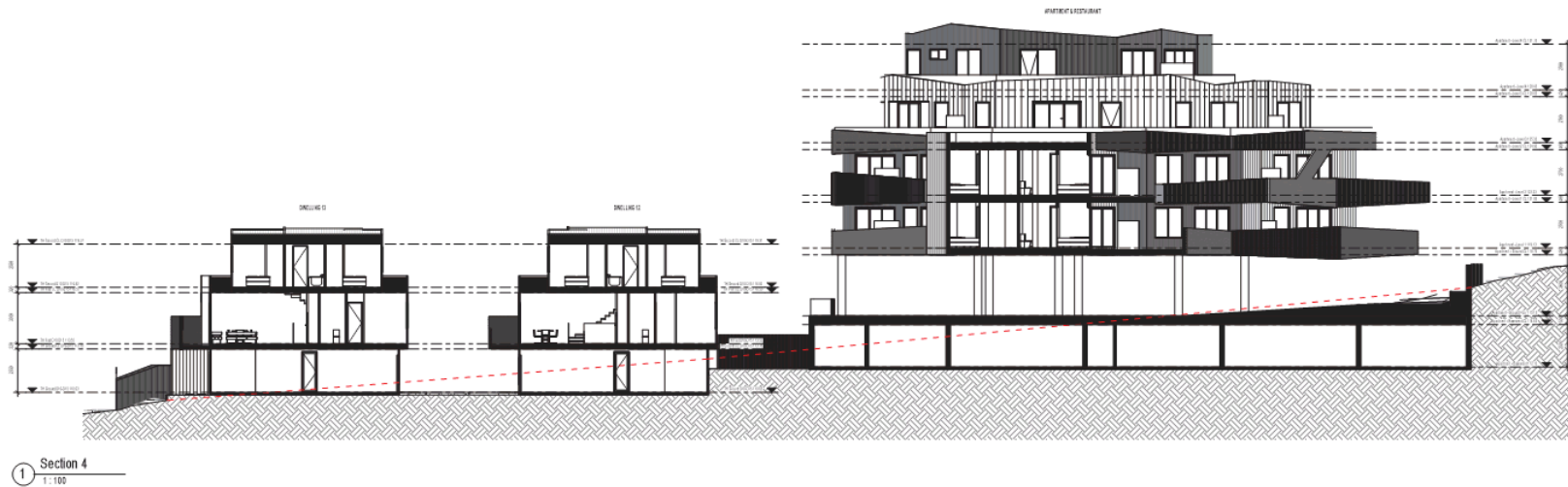
J. BU

15-21 Andrews Court Road, Dorchester East

15-21 Andrews

TOWN PLANNING APPROVAL

PROPOSED APARTMENT AND TOWNHOUSES



1 Section 4
1:100



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Sections 3

J. BU

15-21 ANDREW'S CREEK ROAD, TORONTO, ONT.

15-21 ANDREW'S

TOWN PLANNING APPROVAL

PROPOSED APARTMENT AND TOWNHOUSES





1 12 noon 22 September - Shadow Diagram
1:200

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TP 24 of 26

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Shadow Diagram 2

J. Wu

15-21 Andrews Creek Road, Corcoran East

15-21 Andrews

TOWN PLANNING APPROVAL

PROPOSED APARTMENT AND TOWNHOUSES



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Shadow Diagram 3

J. Liu 15-21 Andrews Creek Road, Coquitlam East 15-D-040808-0001
 15-D-040808-0001 PROPOSED APARTMENT AND TOWNHOUSES

TOWN PLANNING APPROVAL



ARTIST'S IMPRESSION - ANDERSON'S CREEK ROAD STREET SCAPE



ARTIST'S IMPRESSION - ANDERSON'S CREEK ROAD STREET SCAPE



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TP 26 of 26

@81

Photomontage

J. Wu

15-21 Andersons Creek Road, Corssakie East

15-21 Andersons

TOWN PLANNING APPROVAL

PROPOSED APARTMENT AND TOWNHOUSES

ATTACHMENT 3**LEGISLATIVE REQUIREMENTS****PLANNING AND ENVIRONMENT ACT 1987 (THE ACT)**

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.

Section 60 of The *Planning and Environment Act*, requires the Responsible Authority to consider the following before deciding on an application:

- *The relevant planning scheme;*
- *The objectives of planning in Victoria;*
- *All objections and other submissions which it has received and which have not been withdrawn;*
- *Any decision and comments of a referral authority which it has received;*
- *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.*

Section 61(4) of the Act makes specific reference to covenants. Under Section 61(4) of the *Planning & Environment Act 1987* the Responsible Authority must not issue a planning permit that would result in a breach of a registered restrictive covenant.

MANNINGHAM PLANNING SCHEME

Clauses of the Manningham Planning Scheme the Responsible Authority must consider:

- State Planning Policy Framework (SPPF)
- Local Planning Policy Framework (LPPF)
- Clause 32.04 Mixed Use Zone (MUZ)
- Clause 52.06 Car Parking
- Clause 52.34 Bicycle Facilities
- Clause 52.29 Land Adjacent to a Road Zone, Category 1
- Clause 55 Two or more dwellings on a lot and Residential Buildings
- Clause 65 Decision Guidelines

Zone**Clause 32.04 Mixed Use Zone**

The purpose of the MUZ is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

- To provide for housing at higher densities.
- To encourage development that responds to the existing or preferred neighbourhood character of the area.
- To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

Under the Zone, a permit is required under the following Clauses of the Manningham Planning Scheme:

- Clause 32.04-2 (**Mixed Use Zone**), a permit is required to use the land as a restaurant, given the floor area proposed exceeds the Section 1 “as of right” area of 150 square metre.
- Clause 32.04-6 (**Mixed Use Zone**), a permit is required to construct two or more dwellings on a lot.
- Clause 32.04-8 (**Mixed Use Zone**), a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.04-2.

Clause 32.04-6 sets out Transitional Provisions which are relevant to this application. As the application was lodged prior to the gazettal of Amendment VC136, Clause 58 Apartment Development is not applicable to the assessment of this application.

Pursuant to Clause 32.04-7, the requirements set out in the relevant standard of Clause 55 to the Manningham Planning Scheme applies.

Clause 32.04-13 sets out the Decision Guidelines under the Zone, those relevant to this application being:

- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- For two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55.

State Planning Policy Framework

The relevant sections of the state planning policy framework are as follows:

Clause 11 – Settlement

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

Clause 15 – Built Environment and Heritage

Clause 15.01-1 Urban design

The objective of this policy is:

- *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

Clause 15.01-2 Urban design principles

The objective of this policy is:

- *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

Clause 15.01-4 Design for safety

The objective of this policy is:

- *To improve community safety and encourage neighbourhood design that makes people feel safe.*

Policy guidelines

Planning must consider as relevant:

- *Safer Design Guidelines for Victoria (Crime Prevention Victoria and Department of Sustainability and Environment, 2005).*

Clause 15.01-5 Cultural identity and neighbourhood character

The objective of this policy is:

- *To recognise and protect cultural identity, neighbourhood character and sense of place.*

Clause 15.02-1 Energy and resource efficiency

The objective of this policy is:

- *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

Clause 16 – Housing

Clause 16.01-1 Integrated housing

The objective of this policy is:

- *To promote a housing market that meets community needs.*

Clause 16.01-2 Location of residential development

The objective of this policy is:

- *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.*

Clause 16.01-4 Housing diversity

The objective of this policy is:

- *To provide for a range of housing types to meet increasingly diverse needs.*

Clause 16.01-5 Housing affordability

The objective of this policy is:

- *To deliver more affordable housing closer to jobs, transport and services.*

Clause 18 - Transport

Local Planning Policy Framework (LPPF)

Clause 21.02 Municipal Profile**Municipal Strategic Statement****Clause 21.03 Key Influences**

This clause identifies that future housing need and residential amenity are critical land-use issues that will challenge Manningham's future growth and sustainable development. 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.

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 re-development 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.

Clause 21.10 Environmentally Sustainable Development

Council's Environmentally Sustainable Development Policy seeks to achieve best practice design, construction and operation for new development.

A number of considerations are to be made under the headings: key issues, objectives, and strategies relating to the following areas:

- Clause 21.10- 2 Energy Performance
- Clause 21.10-3 Water Sensitive design.
- Clause 21.10-4 External environmental amenity and internal healthy environment considerations
- Clause 21.10-5 Waste Management
- Clause 21.10- 6 Quality of Private and Public realm
- Clause 21.10-7 Transport
- Clause 21.10-8 Urban Ecology

Local Planning Policy

Clause 22.01 Design and Development Policy

Clause 22.06 Eating and Entertainment Premises Policy

Clause 22.08 Safety through urban design

Clause 22.09 Access for disabled people

Particular Provisions**Clause 52.06 Car Parking**

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

Clause 52.06-9 outlines various design standards for parking areas that should be achieved.

Clause 52.29 Land Adjacent to a Road Zone Category 1 (RDZ1) or a Public Acquisition Overlay for a Category 1 Road

The purpose of this provision is:

- To ensure appropriate access to identified roads
- To ensure appropriate subdivision of land adjacent to identified roads.

A permit is required to create or alter access to a road in a Road Zone, Category 1.

Clause 52.34 Bicycle Facilities

The purpose of this Clause is:

- To encourage cycling as a mode of transport
- To provide secure, accessible and convenient bicycle parkings spaces and associated show and change facilities.

Clause 55 Two more dwellings on a lot and residential buildings

The development of two or more dwellings on a lot must meet the requirements of this clause. An assessment against this clause is provided in Appendix 1 of this report.

General Provisions

Clause 65 Decision Guidelines

This clause 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.*

Attachment 4 - Planning Assessment

This Attachment outlines the Planning Officer's assessment against the following:

- Design Guidelines for Higher Density Residential Development 2004
- Clause 55 of the Manningham Planning Scheme (ResCode); and
- Clause 52.06 Car Parking of the Manningham Planning Scheme.

Design Guidelines for Higher Density Residential Development 2004

Requirement	Met/Not Met
Objective 1.1	<p>Met.</p> <p>While the building is proposed up to six storeys, it is considered that the height, form and scale of the building has been designed to respond to the site's context. This is particularly due to the benching of the two lower levels into the slope of the landform which falls away from the Andersons Creek Road frontage.</p>
Objective 1.2	<p>Met.</p> <p>Council considers the design response to be a carefully crafted and creative response which is considered to provide an aesthetically pleasing built form outcome. The building will be read as five storeys from the Andersons Creek Road streetscape elevation, but given the receding design of upper levels, will not visually dominate the public or private realm.</p>
Objective 2.1	<p>Met.</p> <p>The building will give the site a presence in the streetscape where this is presently lacking.</p> <p>Across the southern, Andersons Creek Road elevation, the building rises to 15.3 metres above natural ground level. This increases along the northern (internal) elevation to almost 19 metres. In the absence of maximum or preferred heights, the Planning Scheme provides discretion as to what height is allowable.</p> <p>The siting of the built form and its mass at the southern end of the site is considered particularly important in accepting the overall height, mass and scale of the built form. The site's significantly larger lot size and non-residential nature of properties to the south and west also further support the development at this height and scale.</p>
Objective 2.2	<p>Met.</p> <p>The development would see a departure to the scale of existing development but is considered appropriate. As southern lots are similarly zoned, their future redevelopment is foreseeable.</p>
Objective 2.3	<p>Met.</p> <p>It is acknowledged that the development will cast shadow across the road reservation and Andersons Creek Road. This in itself is not considered unreasonable noting that there is no protection in the Scheme from such</p>

Requirement	Met/Not Met
	an occurrence (as is the case, for example, along parts of Doncaster Road).
Objective 2.4	Met. The contemporary design and architectural language of the building proposed is appropriate to its commercial context and Council's Urban designer is satisfied with the level of articulation and visual interest provided by the building.
Objective 2.5	Met. The proposed development has been designed to ensure the amenity of the residential properties to the north, which are separated by the townhouse development, are protected.
Objective 2.6	Met. The proposal will provide for a high level of amenity, which will benefit both future occupants and adjoining land users.
Objective 2.7	Met. The proposal has been designed to address all interfaces of the site and to minimise the visual impact of the development along all site interfaces.
Objective 2.8	Met. The proposed building will provide passive surveillance from habitable rooms and balconies across all elevations which will assist with activation of not only the public realm across Andersons Creek Road but within the future development itself.
Objective 2.9	Met. In terms of privacy, the apartment building is well positioned on the site to avoid the need for the screening of windows and balconies from nearby properties. Consequently, it satisfies the objective and will achieve a high level of amenity for future residents.
Objective 2.10	Met The height of the building is not considered large enough to create adverse wind effects.
Objective 2.11	Met. There are no services shown atop the roof (this will be clarified by permit condition). Any services will need to be appropriately screened. It is noted that the lift overrun has been illustrated on the proposed development drawings.
Objective 3.1	Met. The proposal will be easily accessed by pedestrians who will enter the building from Andersons Creek Road. A newly created footpath to be constructed as a requirement of this permit will assist in this regard.
Objective 3.2	Met.

Requirement	Met/Not Met
	The proposal has been appropriately sited and integrated with the townhouse component of the application which also forms part of the approval sought.
Objective 3.3	Met. Car parking is appropriately concealed for residential apartment dwellers, their visitors and restaurant staff. "At grade" car parking is provided for the restaurant patrons which will be concealed by the overhang of the building at the south-east corner of the site. The proposal has achieved a good balance between providing accessible, visible parking for patrons and integrating car parking with the built form appropriately.
Objective 3.4	Met. The entries to the restaurant and apartment residential are separate which is appropriate.
Objective 3.5	Met. It is not considered that the car park entries will detract from the street. The basement car parking is entirely concealed from the streetscape elevation which is not a common occurrence, but is considered to be a positive design response. For the reasons discussed under Objective 3.3, the entry to the restaurant patron parking will not detract from the streetscape.
Objective 3.6	Met. There are no ground level, residential open spaces associated with the high rise building. The ground floor is to be used for the restaurant which will provide a high level of connectivity and engagement with the site frontage owing to large spans of glazing at the ground, commercial level to be complimented by outdoor seating immediately forward and appropriate landscaping.
Objective 3.7	Met. There are no front fences associated with the high rise building.
Objective 4.1	Met. The basement levels have been designed to accommodate adequate, safe and efficient vehicle movement and car parking. These items have been addressed in greater detail under the Clause 52.06 assessment.
Objective 4.2	Met. The development provides an appropriate and functional layout with regard to car parking, bicycle storage and pedestrian entries. The use of separate pedestrian and vehicle entries for the high rise building, located on different sides of the building, is considered to be a good outcome. The bicycle spaces are located within the basement and adjacent to the basement and this is satisfactory.
Objective 4.3	Not applicable.

Requirement	Met/Not Met
	This development is not considered to be of a scale where internal shared spaces are necessary.
Objective 4.4	<p>Met subject to conditions. In accordance with the comments from Council's Sustainability consultants, permit conditions will be included to maximise the energy efficiency of the development.</p> <p>Subject to these conditions, running and maintenance costs will be suitably minimised.</p>
Objective 4.5	<p>Met subject to conditions. In accordance with the comments from Council's Sustainability consultants, permit conditions will be included to ensure a suitably water efficient development.</p> <p>Subject to these conditions, water use will be suitably minimised.</p>
Objective 4.6	<p>Met with condition Service rooms and spaces are provided with the basement level. These are appropriately located to not impede the function of the basement and appear to be of an adequate size.</p> <p>Additional services may need to be mounted on the roof of the development. This will be confirmed by permit condition.</p>
Objective 5.1	<p>Met. While the proposal offers 19 of the 21 apartments as two bedrooms, it is noted that there is a good level of variation in the size, orientation and internal layout of these apartments.</p> <p>The remaining two apartments are three bedroom dwellings.</p> <p>This is considered to respond positively to the objective.</p>
Objective 5.2	<p>Met. The layout of the building appropriately responds to the surrounding characteristics of the site. This includes the siting of the residential levels above the restaurant level where residential amenity is potentially enhanced and sufficiently separated from the ground level commercial use (together with the use of the ground level for vehicle access).</p>
Objective 5.3	<p>Met. All dwellings have been designed to provide appropriate internal dimensions for habitable rooms and ensure minimum levels of daylight is received.</p> <p>Overall, the dwellings are of acceptable sizes, ranging between 70 square metres and 101 square metres (for the two bedroom dwellings) and up to 137 square metres (three bedroom dwelling).</p>

Requirement	Met/Not Met
Objective 5.4	<p>Met</p> <p>It is considered that all apartments will achieve a high level of internal amenity with high levels of access to natural light and ventilation.</p> <p>All habitable rooms will have the opportunity for adequate natural lighting and ventilation.</p> <p>The majority of apartments achieve multiple-aspects with single aspect dwellings limited to apartments 102, 103, 105, 202, 203, 205 and 302 (constituting less than one third of the overall yield).</p>
Objective 5.5	<p>Met with condition</p> <p>Storage is nominated in the basement although some clarity is necessary as to what this constitutes, e.g. storage rooms, chain mesh cages.</p> <p>Condition required.</p>
Objective 5.6	<p>Met.</p> <p>The high rise building is assessed as being of a high architectural quality and provides a high level of visual interest. It is considered the building will make a striking contribution to the Andersons Creek Road streetscape.</p>
Objective 6.1	<p>Met.</p> <p>The design and size of balconies in this apartment are varied and will provide future occupants with choice. All dwellings are provided with balconies of at least 9 square metres, with a minimum dimension of at least 1.6 metres.</p>
Objective 6.2	<p>Met.</p> <p>The basement levels and internal lobbies are appropriate. Separate entries are provided to the restaurant and apartment entrance.</p> <p>No other common or shared spaces are provided within the development, which is typical of a development of this scale.</p>
Objective 6.3	<p>Met.</p> <p>The development has maximised the northern interface for the provision of balconies, where possible.</p> <p>Whilst some balconies feature southern aspects only, this is considered to be acceptable given the constraints imposed by the orientation of the site.</p>
Objective 6.4	<p>Met.</p> <p>The secluded private open space areas have been appropriately located within the design of the development, with the balconies providing a high degree of articulation and providing connectivity to the ground level private and public realm.</p>
Objective 6.5	<p>Met.</p> <p>The design response offers greenery around the building, and given the relationship with the townhouse development, will provide for an appropriate permeable response.</p>

Requirement	Met/Not Met
Objective 6.6	Not applicable.

Clause 55 of the Manningham Planning Scheme

OBJECTIVE	OBJECTIVE MET/NOT MET
<p>55.02-1 - To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. To ensure that development responds to the features of the site and the surrounding area.</p>	<p>Met It is considered that the proposed townhouses will make a positive contribution to the preferred neighbourhood character by virtue of the scale, siting and overall design response offered by the proposal which includes substantial areas of green spaces surrounding the proposed built form. The townhouses will provide an appropriate transition from the scale of the mixed-use building to the residential zoned land to the north.</p>
<p>55.02-2 - To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. To support medium densities in areas where development can take advantage of public transport and community infrastructure and services.</p>	<p>Met The application was accompanied by a written statement that explained how, in the view of the permit applicant, the development accords with State, Local and Council policy. Council's assessment concludes that the proposal is an acceptable example of a higher density, built form outcome in a commercial area having regard to the SPPF and LPPF.</p>
<p>55.02-3 - To encourage a range of dwelling sizes and types in developments of ten or more dwellings.</p>	<p>Met The development proposes a good mix of three and four storey dwellings of various configurations.</p>
<p>55.02-4 - To ensure development is provided with appropriate utility services and infrastructure. To ensure development does not unreasonably overload</p>	<p>Met with condition 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.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
the capacity of utility services and infrastructure.	
55.02-5 - To integrate the layout of development with the street.	<p>Met</p> <p>A good level of integration is offered in the design response to Andersons Creek Road. Eight townhouses will all contribute to the activation of the streetscape by their front entry orientation, pedestrian path linkages and second level balconies.</p>
55.03-1 - 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>Met</p> <p>Given the existing (very open) site context, the proposed street setback to Andersons Creek Road is considered appropriate.</p>
55.03-2 - To ensure that the height of buildings respects the existing or preferred neighbourhood character.	Variation Acceptable – see main body of report
55.03-3 - To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site.	Variation Acceptable – see main body of report
<p>55.03-4 - To reduce the impact of increased stormwater run-off on the drainage system.</p> <p>To facilitate on-site stormwater infiltration.</p>	<p>Met</p> <p>The impervious surface calculation for the overall development at almost 34% is a good outcome for this site and will provide a sufficient area in which to absorb run-off.</p>
<p>55.03-5 - To achieve and protect energy efficient dwellings.</p> <p>To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy.</p>	<p>Met with condition</p> <p>The majority of dwellings have living areas and open space positioned to the north (or east or west, where north is not an option) to gain greatest solar exposure.</p> <p>It is considered that the designer has sought to maximise the northerly aspect to the extent possible with balconies to the southern row of dwellings provided at the uppermost level to achieve a northerly aspect (whilst also providing balconies at level one across this row to achieve compliance with a further objective of Clause 55 which is to activate and survey the street front).</p> <p>The assessment of the SMP has identified a shortcoming with respect to protecting future residents from excessive</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
	solar penetration across northern, eastern and western aspects. A permit condition will be applied to address this issue.
<p>55.03-6 – To integrate the layout of development with any public and communal open space provided in or adjacent to the development.</p>	<p>Met</p> <p>A centrally located playground space has been proposed as a common area around the internal road network.</p> <p>The location and design of this space will be highly visible upon entry into the development. Bollards have been installed to delineate this space and provide a physical safety barrier.</p> <p>In conjunction with traffic calming devices, it is considered this space will be a highly valued common area within the development.</p>
<p>55.03-7 - To ensure the layout of development provides for the safety and security of residents and property.</p>	<p>Met</p> <p>The proposal offers a high level of passive surveillance across the development evidenced by the extent of openings over common areas and the placement of balconies over both pedestrian and vehicle accessways.</p>
<p>55.03-8 - 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>Met with condition – see main body of report</p>
<p>55.03-9 - To ensure vehicle access to and from a development is safe, manageable and convenient</p> <p>To ensure the number and design of vehicle</p>	<p>Met</p> <p>The proposal will utilise a new 6 metre crossover to achieve access to all townhouses.</p> <p>Council's Engineers have considered the proposed vehicle access and deemed it to be suitable, subject to the provision of sight triangles to demonstrate that fencing or</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
crossovers respects the neighbourhood character.	any other treatments will not impede sight lines for exiting vehicles.
<p>55.03-10 - To provide convenient parking for resident and visitor vehicles.</p> <p>To avoid parking and traffic difficulties in the development and the neighbourhood.</p> <p>To protect residents from vehicular noise within developments.</p>	<p>Met</p> <p>The proposed visitor and residential car parking will be conveniently located and conveniently accessible for residents and visitors.</p> <p>Car spaces are integrated into the dwellings with a mix of double garages (some tandem style) provided. All four (4) visitor spaces are centrally positioned adjacent to the playground where they should be highly visible and accessible to all.</p>
55.04-1 - To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings.	<p>Met</p> <p>All townhouses are sufficiently setback in accordance with Standard B17.</p> <p>Across the northern interface, minimum ground level wall setbacks are mostly 5 metres (Dwelling 21 has a 4.5 metre setback) which increases to the uppermost levels to generally between 6.2 – 6.7 metres (one exception being Dwelling 8 with a 5.5 metre setback to the northern boundary).</p> <p>Given these generous setbacks, it is concluded that there won't be any unreasonable amenity impacts to properties within Halycon Court having regards to this standard.</p>
55.04-2 - 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>Not applicable</p> <p>There are no building walls on any boundary as part of the development. This is considered to be a positive outcome.</p>
55.04-3 - To allow adequate daylight into existing habitable room windows.	<p>Met</p> <p>There are no impacts to the habitable room windows of properties in Halycon Court as a result of any proposed dwelling.</p>
55.04-4 - To allow adequate solar access to existing	<p>Met</p> <p>There are no north facing windows given the site abuts the Andersons Creek Road reservation.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
north-facing habitable room windows.	
55.04-5 - To ensure buildings do not significantly overshadow existing secluded private open space.	<p>Met</p> <p>Given the site's location on the north side of the road, and the positioning of the townhouses within, there are no shadow implications to any nearby property.</p>
55.04-6 - To limit views into existing secluded private open space and habitable room windows.	<p>Met with conditions – see main body of report</p>
55.04-7 - To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development.	<p>Met with conditions – see main body of report</p>
<p>55.04-8 - To contain noise sources in developments that may affect existing dwellings.</p> <p>To protect residents from external noise.</p>	<p>Met with condition</p> <p>The obvious noise challenge to manage for the townhouse development is its interface with the mixed-use building.</p> <p>As previously mentioned, the restaurant car park is removed from the residential car park which is considered to be a positive outcome and will mitigate any noise resulting from the ground level residential use.</p> <p>Given the site's main road position, and abutting a range of commercial uses, it is considered appropriate to condition a double glazing or similar treatment to all habitable room windows across the development.</p>
55.05-1 - To encourage the consideration of the needs of people with limited mobility in the design of developments.	<p>Variation Acceptable – see main body of report</p>
55.05-2 - To provide each dwelling or residential building with its own sense of identity.	<p>Met</p> <p>A high degree of identity is provided to all townhouses, in particular those fronting Andersons Creek Road.</p> <p>Internally, all dwellings are provided with a covered entry and spacing around the entry point where landscaping is earmarked in all instances and which collectively will assist with the future amenity these spaces.</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
55.05-3 - To allow adequate daylight into new habitable room windows.	<p>Met</p> <p>All habitable room windows proposed throughout the 21 dwellings are located to face an outdoor space clear to the sky ensuring direct access to daylight.</p>
55.05-4 - To provide adequate private open space for the reasonable recreation and service needs of residents.	<p>Met</p> <p>All dwellings have at least one balcony with at least an area of 8 sqm, with a minimum 1.6m width and access from a habitable room, usually a living area.</p> <p>Approximately half of the dwellings are also provided with ground level, secluded, private open space at their rear which is a positive outcome and there is some variation in sizes and layout.</p> <p>It is noted that Dwelling 8 has a substantial area set aside for its secluded private open space which also includes the electricity substation. The substation needs to be positioned in a common area rather than within a private yard. A permit condition will require this adjustment.</p>
55.05-5 - To allow solar access into the secluded private open space of new dwellings and residential buildings.	<p>Met</p> <p>All dwellings achieve northerly orientated private open space which is an outstanding outcome.</p>
55.05-6 - To provide adequate storage facilities for each dwelling.	<p>Met</p> <p>All dwellings are to be provided with storage provision of approximately 6 cubic metres within their respective garages or subfloor areas.</p>
55.06-1 - To encourage design detail that respects the existing or preferred neighbourhood character.	<p>Met with condition – see main body of report</p>
55.06-2 - To encourage front fence design that respects the existing or preferred neighbourhood character.	<p>Met</p> <p>The design and height of proposed fencing to Andersons Creek Road is considered to be appropriate subject to it being set aside sight lines for exiting vehicles as has previously been discussed.</p>
55.06-3 - To ensure that communal open space, car	<p>Met with condition</p>

OBJECTIVE	OBJECTIVE MET/NOT MET
<p>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>The common areas, including the accessways and their associated landscaping will be maintained by an Owners' Corporation. There are no apparent difficulties associated with future management of these areas except the maintenance of landscaping along the western boundary would appear to present an access challenge.</p> <p>A permit condition will be applied to require access from the basement to enable maintenance along this boundary. Condition required.</p>
<p>55.06-4 - To ensure that site services can be installed and easily maintained.</p> <p>To ensure that site facilities are accessible, adequate and attractive.</p>	<p>Met with conditions</p> <p>Rainwater tanks have been shown below the surface of all garages.</p> <p>Letterboxes and clotheslines will need to be provided to all dwellings and appropriately located. Condition required.</p>

Clause 52.06 Car Parking of the Manningham Planning Scheme.

Design Standard	Met/Not Met
1-Accessways	<p>Met with condition - Accessways should demonstrate that they achieve the appropriate sightlines. Condition required.</p>
2 – Car Parking Spaces	<p>Met with condition – Council's Engineering department has considered the layout and size of proposed car parking spaces and aisle widths and raised some concerns which have been detailed in the referral section of this report.</p> <p>In consideration of the access arrangement into the basement it is considered the 4.8 metre wide access is not sufficient to allow for two way movement. In this important location at the basement entry, it is consider imperative to have the basement redesigned to facilitate a minimum 6 metre wide access. With the adjustments being made to the car parking in this general locale, it is considered this can be readily accommodated.</p>
3 - Gradients	<p>Met - Council's Engineers have assessed the trafficability of the proposal and consider it to be compliant with the relevant requirements of the Scheme and the Australian Standard.</p>
5 – Urban Design	<p>Met - The design around car accommodation for both the apartment and townhouse development presents appropriately from an urban design perspective.</p>

6 – Safety	Met with condition The vehicle access provides a safe arrangement to the townhouse development and basement entry, although an automatic door and intercom should be provided to ensure appropriate security and separation between the various residential housing and the restaurant use.
7 – Landscaping	Met - Landscaping of the accessways is considered to have been achieved to a high level.





① 3D View 1



② Apartment - Front View



2BSCENE DESIGN
 13514 144th Street, Surrey, BC V3R 0K6
 604.882.8822 | info@2bscene.com | www.2bscene.com



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City of Surrey
 Planning Department
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3D Apartment Views

J. Wu

15-21 Andrews Creek Road, Coquitlam East







15-21 Andrews

TOWN PLANNING APPROVAL

PROPOSED APARTMENT AND TOWNHOUSES

9.3 Planning Application PL17/027709 at 6, 7 and 8 Yolande Court Templestowe for the construction of nineteen, two storey dwellings, associated subdivision, removal and replacement of easements.

File Number: IN18/163
Responsible Director: Director City Planning
Applicant: Yolande Homes Pty Ltd and Campi Homes Pty Ltd
Planning Controls: General Residential 3 Zone
Ward: Heidi
Attachments:

1	Locality Map	↓	
2	Objector Map	↓	
3	Decision Plans	↓	
4	Legislative Requirements	↓	
5	Clause 55 Assessment	↓	
6	Clause 52.06 Assessment	↓	

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 6, 7 and 8 Yolande Court, Templestowe and recommends that Council refuses the application. The application is being reported to Council given that it is a Major Application (with a development cost of more than \$5 million).

Proposal

2. The proposal is for the development of land at 6, 7 and 8 Yolande Court, Templestowe (7,935sq.m) for a staged development and subdivision comprising:
 - The subdivision of 6 Yolande Court into 6 lots as shown on Plan of Subdivision PS816427N and the construction of a dwelling on each lot having an area under 500sq.m;
 - The construction of 13 dwellings on 7 and 8 Yolande Court with the subdivision of the land into two lots, (one containing Units 1 to 12 inclusive) and the other containing Unit 13, as shown on Plan of Subdivision PS816428L; and
 - The removal and creation of drainage easements as shown on Plan of Variation of Easement dated 6 September 2017.

Advertising

3. Notice of the application was given over a five week period which concluded on 28 February 2018.
4. To-date, 148 objections have been received.
5. The objector concerns are summarised as follows:
 - The removal of the majority of vegetation from the site;

- The design and built form of the dwelling are out of character with the residential neighbourhood, and the interface location with low density residential land to the rear;
- Off-site amenity including overlooking;
- Poor internal amenity; and
- The traffic generated on local streets including Mandella Street and the impact on parking associated with the nearby Templestowe Park Primary School.

Key issues in considering the application

6. The key issues for Council in considering the proposal relate to:
 - Whether the removal of significant canopy trees from the land (apart from the retention of two mature native trees within the Yolande Court streetscape) and the impact on neighbourhood character and amenity is reasonable;
 - Whether built form, including spacing between dwellings/units and neighbouring properties, respects neighbourhood character and provides reasonable amenity protection, landscaping and retention of vegetation;
 - Whether the wide driveway entry for 6 Yolande Court unreasonably pushes development to the eastern and southern boundaries;
 - Whether the private open space and building footprint for Unit 1, proposed driveway treatments and proposed drainage place unreasonable pressures on the ability to retain the two trees within the Yolande Court streetscape;
 - Whether the extent of excavation is site responsive to the undulating topography of the site and respects neighbourhood character and internal amenity; and
 - Whether consistency with state and local planning policy is achieved, in particular balancing urban consolidation objectives at Clause 16 with objectives for incremental change anticipated in Clauses 21.05 of the Manningham Planning Scheme.

Conclusion

7. The Development of this large infill site with detached and semi-detached dwellings is broadly consistent with the relevant objectives of state and local planning policies of the Manningham Planning Scheme (the Scheme) to achieve urban consolidation. Further, there is compliance with numerous tangible requirements of the General Residential Zone Schedule 1 (GRZ1), Clause 55 (Recode) and Clause 52.06 (Car Parking).
8. If the development had not included such significant vegetation removal and earthworks, pushing the development to the periphery of the site, the proposal would be consistent with the objectives seeking incremental change anticipated in Clause 21.05 of the Manningham Planning Scheme.
9. Officers have considered applying conditions to improve the development particularly in relation to vegetation retention and improved residential interfaces. However, this would result in a significant transformation of the application, beyond what can reasonably be undertaken in recommending that the application be approved. Having regard to this and the deficiencies with the proposal, it is recommended that the application not be supported.

COUNCIL RESOLUTION

MOVED: CR PAULA PICCININI
SECONDED: CR MICHELLE KLEINERT

That Council resolve the following:

Had an Application for Review against Council's Failure to make a decision not been lodged it would have resolved to Issue a Notice of Refusal for the development of the land at 6, 7 and 8 Yolande Court Templestowe for the construction of nineteen two storey dwellings, associated subdivision, removal and creation of easements subject to the following grounds:

1. The proposal does not adequately respect the established neighbourhood character due to the removal of significant amounts of vegetation on the land, both native and exotic species, with limited opportunities to landscape the site.
2. Earthworks, associated with relocating the drain and for dwellings and open space areas, removes vegetation from around the periphery of the site which is important in providing reasonable transition, softening of built form and amenity to surrounding properties.
3. The generous width of the access spine associated with the development on 6 Yolande Court, unreasonably pushes dwellings to the eastern and southern extremities of the land, resulting in loss of vegetation and significant earthworks.
4. Earthworks and retaining walls through the limited opportunities for landscaping, create maintenance issues (primarily for spaces above walls), limits service space and generate unreasonable amenity impact for future residents including poor outlook.
5. The design of Unit 1, including the location of its secluded private open space, and the proposed outfall drainage works required for the subdivision, places unreasonable pressures on the viable retention of the two canopy trees to be retained within the front setback.
6. The upper floor level windows on the development adjoining the southern and eastern boundaries requires additional screening measures to comply with Standard B21 of Clause 55.04-6 (Overlooking) of the Manningham Planning Scheme.
7. The driveway gradients between garages for Dwellings 11 and 12 and between the island at garage for Dwelling 4 and Dwelling 8 are too steep and do not comply with Clause 52.06-9 of the Manningham Planning Scheme.
8. The additional traffic associated with the development may adversely impact the operation of the already congested intersection of Hawtin Street / Porter Street, Templestowe.

CARRIED

2. BACKGROUND

- 2.1 The application was submitted to Council on 19 September 2017 following a request for pre-application advice.
- 2.2 A request for further information was sent on 3 October 2017 and raised preliminary concerns relating to drainage, extensive areas of paving for Common Property, improved landscaping and setback distances for dwellings from the eastern side boundary and southern rear boundary, depth of excavation and need to terrace private open space areas and overlooking issues.
- 2.3 All requested further information was received by Council on 15 December 2017.
- 2.4 Notice of the application was given over a five-week period which concluded on 28 February 2018.
- 2.5 The statutory time for considering a planning application is 60 days, which lapsed on 23 March 2018.
- 2.6 An Application for Review against failure to determine the application (within the prescribed period) has been lodged by the applicant on 10 April 2018 in the Major Cases List.
- 2.7 A Practice Day hearing was held on 18 May 2018. A Compulsory Conference (Mediation) is listed for 2 July 2018. A four day Hearing has been listed for 27 August 2018.
- 2.8 The land title is not affected by any covenants or restrictions.

3. THE SITE AND SURROUNDS

The Site

- 3.1 The site comprises three separate allotments and is situated on the southern side of Yolande Court, which is accessed via Mandella Street from Foote Street, near its intersection with Williamsons Road.
- 3.2 Yolande Court provides access to eight residential allotments, including five traditional sized residential lots (5 Yolande Court being 660sqm and the smallest). There are then three large lots on the southern side of the court which are subject to this application and have a total land area of 7935sqm:
 - 6 Yolande Court (2869sq.m);
 - 7 Yolande Court (2001sq.m); and
 - 8 Yolande Court (3065sq.m).
- 3.3 These lots have an interface with traditional sized residential lots to their east (Jacobena Place) and west (Mandella Street), and an interface with low density lots (Waites Court) to the rear southern boundary.
- 3.4 The land has frontage to Yolande Court of 57m, a depth varying between 50m and 110m, and a rear interface with the low density land of 165m. The land falls approximately 6-7m from the rear down to Yolande Court, but there is also some cross fall evident, particularly on No. 6. Yolande Court has an elevation of around 52AHD. The rear of the site has an elevation around 58AHD.

- 3.5 Each lot contains a single storey dwelling, pool and landscaped garden. The dwellings are located towards the rear of each lot on the highest portion on the land. No.6 also contains a tennis court.
- 3.6 No. 6 and No. 7 Yolande Court have significant tree cover, predominantly native species along the side and rear boundaries and within the front setback. No. 8 is the most sparsely treed.
- 3.7 An arborist report prepared by Galbraith and Associates, dated 27 March 2017, accompanies this application and identifies 190 trees on or in proximity to the site. In summary:
- The ages of the trees vary considerably, with the oldest trees being sizeable eucalypts (several species) of approximately 45 years;
 - There are four trees which are native to the local area, each of which has been planted including two Manna Gums over 20 metres high and located near the eastern boundary;
 - Trees 86 and 102 are being retained on No. 7 and include a large Victorian Blue Gum which has substantial prominence in the streetscape.
 - No trees are to be retained on lot 6; and
 - Of the larger neighbouring trees, the encroachment from any works such as retaining wall construction is less than 10% of the TPZ area, hence readily acceptable. The trees for which works are proposed near are numbers 130, 192 and 194.
- 3.8 The site is affected by drainage and sewerage easements of varying widths (2.44m to 3.05m). There are easements along the southern and eastern boundaries which are unused according to Council records. A third easement diagonally cuts through the subject land from the rear south-east corner down to the north-western side boundary, between the dwellings on No. 6 and No. 7 Yolande Court. This easement contains a large drain and a section of sewer pipe in 8 Yolande Court.

The Surrounds

- 3.9 The site has a direct abuttal with fourteen (14) properties, as follows:

Direction	Address	Description
West (Northwest)	Six residential properties comprising: 9 Yolande Court, Templestowe 44, 42, 40, 38, 36 Mandella Street Templestowe	Each property has an area between 721sq.m and 1241sq.m and is developed with either a single storey or double storey dwelling on each lot having hipped or gabled tile roofs. The dwellings are generally setback between 10-16.0m from the common boundary, with 9 Yolande Court (on the corner of Mandella Street) having a minimum setback of 3.0m. The dwellings are sited within landscaped gardens and lawn.

East	<p>Four residential properties comprising:</p> <p>14, 16 and 18 Jacobena Place Templestowe</p>	<p>Each property has an area between 779sq.m and 882sq.m and is developed with two-storey brick dwellings on each lot, with either a hipped or gable tile roof.</p> <p>The dwellings are setback between 8.5m and 10 metres from the common boundary, with the land between provided as private open space. Two of the properties have swimming pools. These properties are elevated above the subject land.</p> <p>The rear of these lots have some tree/shrub cover.</p>
South	<p>Four residential properties, primarily comprising 4 and 5 Waites Court Templestowe.</p> <p>However, 8 and 9 Pinewood Drive Templestowe also have short sections that intersect the boundary at the western end.</p>	<p>Each property has an area between 4378sqm and 5140sq.m, with detached dwellings on each. The dwellings in Waites Court are setback between 30.0m and 45.0m from the common boundary.</p> <p>The rear of the properties contain swimming pools and tennis courts with significant areas of lawn, gardens and scattered tree cover.</p> <p>These properties overlook the subject land.</p> <p>The land is zoned Low Density Residential.</p>
North	<p>5 Yolande Court Templestowe</p>	<p>The land has an area of 660.5sqm and developed with a single storey brick dwelling with carport, positioned in close proximity to the common boundary of No. 6 Yolande Court.</p>

4. THE PROPOSAL

4.1 The proposal is for the use and development of the land at 6, 7 and 8 Yolande Court Templestowe for the staged development and subdivision of the land comprising:

- The subdivision of 6 Yolande Court into 6 lots as shown on Plan of Subdivision PS816427N, and the construction of a dwelling on each lot having an area under 500sq.m.
- The construction of 13 dwellings on 7 and 8 Yolande Court with the subdivision of the land into two lots, (one containing Units 1 to 12 inclusive) and the other containing Unit 13, as shown on Plan of Subdivision PS816428L.
- The removal and creation of drainage easements.

- 4.2 It has been advised by the applicant that the separation of the approval in different staged components provides necessary flexibility for the two developers who currently own the land.
- 4.3 The proposal is outlined on the following plans and reports:
- Architectural plans prepared by Paul Shaw Architects dated 13 December 2017;
 - Drainage Plan prepared by Lanco Group dated 10 May 2017;
 - Arborist Report and subsequent Letter from Galbraith and Associates, dated 22 November 2017;
 - A Sustainable Management Plan prepared by Efficient Energy Choices dated 5 December 2017;
 - Revised Traffic Impact Assessment Report prepared by Quantum Traffic dated 14 December 2017; and
 - Green Travel Plan prepared by Quantum Traffic dated 14 December 2017;
 - Landscape Plan prepared by Hansen Partnership dated 15 December 2015.

Removal and Creation of Drainage Easements

- 4.4 It is proposed to remove the drainage and sewerage easements which run diagonally across the site, along the eastern boundary of 6 Yolande Court and along the southern boundary of 7 and 8 Yolande Court.
- 4.5 The easement along the southern boundary of 6 Yolande Court is to be retained, with a new easement created along the western boundary of 6 and extending into and across the frontage of 7 and 8 Yolande Court, to connect to the easement in 9 Yolande Court. This will free up the site for development and relocate easements towards lot boundaries.
- 4.6 The ability to successfully retain a mature native tree (Victorian Blue Gum with a Tree Protection Zone of 8.5m) within the frontage of 7 and 8 Yolande Court may be compromised by proposed outfall drainage works unless the drain is bored as recommended by the arborist.

Development at 6 Yolande Court

- 4.7 The key details of the proposed unit development of 6 Yolande Court are:
- The subdivision of 6 Yolande Court into 6 lots on either side of a Common Property central driveway, 3.0m in width with a hammerhead court, one indented visitor car parking space and a 6.0m wide crossover;
 - Construction of six, four-bedroom, double storey dwellings;
 - The ground floor levels are setback between 3.9m and 5.2m from the eastern side boundary and 3.2m from the southern rear boundary. Dwelling 1 is setback 8.0m from the Yolande Court frontage;

- The first floor levels are setback between 6.3m and 8.2m from the eastern side boundary and 3.8m from the rear southern boundary;
- The dwellings are excavated into the southern and south-eastern sections of the land. Retaining walls up to 1.9m in height are required along the eastern side of the dwellings (terraced in part and setback 1.0 from the boundary) and up to 1.6m in height along the southern side of the dwellings, (setback 2.1m from the boundary) and outside the easement;
- The ground floor internal configuration of each dwelling includes an open plan kitchen, dining and living room, a bedroom with walk in robe and ensuite, laundry and outdoor alfresco area. Dwellings 5 and 6 also have a second living room. The first floor includes an additional living room, some with separate study nook, master bedroom with walk –in-robe/ensuite and two other bedrooms;
- Each dwelling is provided an attached double garage with internal access to the dwelling. The garage is provided access to the central driveway via a 5m wide driveway;
- The private open space for each Dwelling varies from 75sq.m (Dwelling 1) to 189sq.m (Dwelling 6); and
- A garden area of 38.2%.

Development at 7 and 8 Yolande Court

4.8 The key details of the proposed 13 unit development are as follows:

- Construction of 12 units around a Common Property driveway that is 3.0m in width and meanders and curves to access three levels of site cut for development. It includes 4 visitor car parking spaces;
- Unit 13 at the front of the site is provided independent access to Yolande Court and is excluded from the initial construction of townhouses and subdivision. The applicant intends to use this portion of the land for a site office, storage and parking during the construction phase. The dwelling will be the last dwelling constructed on site;
- Earthworks results in three tiers for development across the site. Tier 1, to the rear of Unit 13, for Units 1, 2, and 3 at between 54 -55AHD. Tier 2, to the rear of Tier 1 for Units 4, 5, 6 and 7 at around 56AHD, and Tier 3, to the rear of the site for Units 8, 9, 10, 11 and 12 at between 57 - 58AHD. Retaining walls along future lot boundaries are the principal means of providing this;
- Construction of four three-bedroom units (Units 2, 3, 4 and 12) and nine four-bedroom units (Units 1, 5, 6, 7, 8, 9, 10, 11 and 13);

- The ground floor levels are setback between 2.5m and 4.0m from the southern, rear boundary due to the angular shape of the site, and between 1.0m and 2.5m from the western side boundary. Unit 13 has a setback of 7.6m from the Yolande Court frontage, with a garage wall on the western boundary. The first floor levels are setback between 3.5m and 5.0m from the southern, rear boundary and between 2.4m and 3.7m from the western, side boundary;
- The units are excavated into the southern portion of the site with retaining walls up to 2.0m in height required across the rear of Units 8, 9, 10, 11 and 12. There is some terracing of the retaining walls, having a 1.0m setback from the southern boundary, except in the vicinity of Units 9 and 10 where the retaining wall is setback 2.5m to address the Tree Protection Zone of a neighbouring tree;
- The ground floor internal configuration of each unit includes an open plan kitchen, living and dining room, 1 bedroom, a laundry and an outdoor alfresco area. The first floor internal configuration includes the remainder of the bedrooms and some have retreats and studies;
- Each dwelling is provided an attached double garage with internal access to the dwelling;
- Secluded private open space at ground level ranges from 50sq m to 140sqm;
- Four visitor car parking spaces located between Unit 3 and 13 (2 spaces) and between Unit 7 and 12 (2 spaces); and
- A garden area of 37.9%.

Staging of the Development

4.9 The development will occur in stages:

- A minor boundary realignment has been approved (Planning Permit PL/027260) slightly increasing the area of No. 6 Yolande Court and reducing the area of No. 7 Yolande Court (to the areas shown in Section 3 of this report);
- Approval of the Plan and Variation and Removal of Easements;
- Subdivision of 6 Yolande Court into 6 lots. The permission sought provides for the construction of dwellings on these lots at any time after;
- Subdivision for 7 and 8 Yolande Court into 2 lots;
- The construction of 12 dwellings-on 7 and 8 Yolande Court. The 13 units can be constructed on the separate title after completion of the 12 units; and
- Subdivision of the 12 dwellings (not part of this application).

5. PRIORITY/TIMING

- 5.1 The statutory time for considering a planning application is 60 days. The statutory time lapsed on 23 March 2018.
- 5.2 A VCAT Application for Review against failure to determine an application (within the prescribed period) has been lodged by the applicant on 10 April 2018.

6. LEGISLATIVE REQUIREMENTS

- 6.1 Refer to Attachment 4 (Planning and Environment Act 1987, Manningham Planning Scheme).
- 6.2 A permit is required under the following clauses of the Manningham Planning Scheme:
- Clause 32.08-3 (General Residential Zone Schedule 3) a planning permit is required for subdivision;
 - Clause 32.08-5 (General Residential Zone, Schedule 3) a planning permit is required to construct a dwelling on a lot between 300sqm and 500sqm in area;
 - Clause 32.08-6 (General Residential Zone, Schedule 3) a planning permit is required to construct two or more dwellings on a lot; and
 - Clause 52.02 (Easements, restrictions and reserves) a permit is required for the creation and removal of easements.
- 6.3 The application was lodged September 2017, and therefore the Mandatory Garden Area requirements introduced into the Manningham Planning Scheme in Amendment VC110 (on 27 March 2017) in Clause 32.08-4 of the General Residential Zone apply. This requires development to provide for at least 35% (for lots over 650sq.m) of 'Garden Area' at ground level as defined in Clause 72 of the Scheme (i.e. excluding driveways, car parking, roofed areas and spaces less than 1m wide). The plans indicate that the requirement is met.

7. REFERRALS**External referrals**

- 7.1 Referral comments from the servicing authorities associated with the subdivision component of the application are yet to be received.

Internal referrals

- 7.2 The application was referred to the following service units within Council and the table summarises their responses:

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	Point of discharge, outfall drainage is required to relocate the drain within the site.

Service Unit	Comments
	<p>There is an existing overland flow path that runs through the development across the tennis court on 6 Yolande Court towards the driveway of 7 Yolande Court. This will require a flood flow analysis to address development within the flow path.</p> <p>No objection subject to conditions.</p>
<p>Engineering & Technical Services Unit – Traffic, Access and Car Parking</p>	<p>No objection was identified with internal access and the number of car spaces being provided.</p> <p>However concern was identified with the impact of the development on the intersection of Hawtin Street and Porter Street resulting from the additional traffic generated.</p> <p>It was also identified that the driveway gradients between garages of Dwellings 11 and 12 are too steep and the driveway gradient change between the island at Dwelling 4 and Dwelling 8 is too steep.</p>
<p>Engineering & Technical Services Unit – Construction Management</p>	<p>No objection to the proposal subject to the submission of a Construction Management Plan.</p>
<p>Engineering & Technical Services Unit – Waste</p>	<p>No objection subject to waste from all the dwellings being collected by a private waste collector.</p>
<p>Engineering & Technical Services Unit – Easements</p>	<p>No objection was given. However, it is identified that formal consent to “Vary the Easement” and the submission of construction plans will need to be prepared and submitted.</p>
<p>City Strategy (ESD)</p>	<p>No objection to the proposal.</p>
<p>City Strategy (Environment)</p>	<p>The proposal does not trigger a permit or offsetting under the State’s Clause 52.17 as all of the vegetation is planted (exempt under Clause 52.17-7).</p>

8. CONSULTATION / NOTIFICATION

- 8.1 Notice of the application was given over a five-week period which included three weeks for the major project advertising. The advertising concluded on 28 February 2018.
- 8.2 The advertising consisted of sending letters to adjoining and nearby properties and displaying one large sign on each of the lot frontages.

- 8.3 One hundred and forty eight objections have been received from the following properties:

Yolande Court	1-2, 3, 4, 5, 9
Jacobena Place	1, 2, 5, 7, 8, 9, 10, 13, 14, 15,16, 17, 22, 26
Waites Court	4, 5
Mandella Street	4, 6, 9, 10, 11,12, 13, 22, 35, 39, 40, 41, 42, 43, 50, 50A
Pinewood Court	9
Stradmore Avenue	4, 5, 7, 15, 23, 24, 25, 29, 30, 31, 33, 41
Hawtin Street	15, 40, 43, 44 45, 51, 59, 60, 2/63, 64, 1/71, 74
Beale Crt	1, 6, 7, 9, 13, 15
Rutland Drive	4, 5, 10
Other properties in Manningham	269, 397 and 399 Church Rd Templestowe 6 Aloha Gardens Templestowe 4 Tuscany Rise Templestowe 28 and 30 Mahoney St Templestowe 1/281 Williamsons Rd Templestowe 1 Libra Crt, Templestowe 13 County Tce Templestowe 64 Glenair St Lower Templestowe 2B Hazel Dve Templestowe 44 Shakespeare Dve Templestowe 29 Ironbark Drive Templestowe 6 Lankester St Templestowe 8 Verdi Crt Templestowe 4 Duxson Dve Templestowe 166 Ayr St Templestowe 7 Bembooka Crt Templestowe 10a Lynne St Donvale 10 Glen Crt Templestowe 7 Rutland Ave, Templestowe 1/26 and 2/192Foote St, Templestowe 6 Fulview Crt Templestowe 36 Matisse Dve Templestowe 93 Wood St Templestowe 3 Durkin Crt Templestowe 30 Jocelyn Crt Doncaster east 30 Rosco Dve Templestowe 30 Porter St Templestowe 10 Octanis St Doncaster East

	73a Devon Drive Doncaster East 30 Jocelyn Crt Doncaster East 11 Louisa Place Templestowe
Outside Municipality	Montmorency, Rosanna, Mooroolbark

8.4 A location map of the objectors is provided in Attachment 2.

8.5 The grounds of objection are summarised as follows:

Built Form and Neighbourhood Character

- Loss of vegetation, impact on landscape and wildlife;
- Does not respect low density interface;
- Limited landscaping opportunities, especially along boundaries;
- Lower pitch of rooves to reduce overall building height;
- Site coverage excessive (over 60%) and garden area calculations include easements;
- Scale inappropriate especially in a General Residential 3 Zone;
- Inappropriate location not close to public transport or shopping centres/Activity Centres; and
- Does not meet ESD score of 25%.

Privacy/Overlooking

- Screening measures inadequate;
- Non-compliant with Rescode B17 and B22;
- Height of fencing is inadequate to prevent overlooking and privacy issues; and
- Any new fencing to be at developers cost.

Traffic and parking on local streets.

- Especially during school times creating safety issues;
- Congestion on local street network;
- Insufficient parking provided for each dwelling and visitors;
- Inadequate access for Waste collection; and
- Construction and delivery vehicles will congest streets.

8.6 A response to the grounds of objection is included in the assessment sections of this report.

9. ASSESSMENT

9.1 The proposal has been assessed against the relevant state and local planning policies, the zone, and the relevant particular provisions and general provisions of the Manningham Planning Scheme.

9.2 The assessment is made under the following headings:

- State and Local Planning Policy Frameworks (SPPF and LPPF);
- Vegetation removal and landscaping;

- Built form and On-site and Off-Site Amenity Impacts (Clause 55 assessment);
- Car parking, access and traffic (Clause 52.06 assessment); and
- Objector concerns.

State and Local Planning Policy Frameworks (SPPF and LPPF)

- 9.3 Key objectives of the SPPF and LPPF seek to increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land. This is encouraged in Clause 16 (Housing) and Clause 21.05-2 (Residential) policies within the Manningham Planning Scheme. The latter policy includes an objective to accommodate Manningham's projected population growth through urban consolidation, in infill developments and Key Redevelopment Sites.
- 9.4 The subject land is within Precinct 4 of Clause 21.05, which pertains to Post 1975 residential areas.
- This precinct includes areas that have been predominately developed since 1975 with a substantial amount of development occurring between late 1980s and the 1990s. Although some of the housing built in the 1970s is single storey, housing built in the 1980s and 1990s is predominantly double storey and in some instances three storeys. In this precinct there is minimal unit development. An incremental level of change is anticipated in this precinct.*
- 9.5 It is noted that the density of the proposed development is generally appropriate being; the 6 dwellings on Lot 6 at a density of 1 dwelling per 480sqm and the 13 dwellings on Lots 7 and 8 is at a density of 1 dwelling per 390sqm. The garden area for the development is also appropriate, approaching 40%.
- 9.6 While there is a strategic imperative for Council to encourage infill development where an opportunity exists, this is not in isolation to other relevant policies requiring new design to be appropriate for the physical and planning context. The proposed development must respond to neighbourhood character, the streetscape, provide high quality urban design and amenity, be energy efficient and protect off-site amenity for neighbours.
- 9.7 Through the assessment of the planning scheme and the consideration of the objections received, it becomes clear that there are some aspects of the development that are unreasonable in the current design. Particularly, insufficient regard has been given to the retention of canopy vegetation on the peripheries of the land (as well internally), the management of earthworks and the position of dwellings, which overall will ensure they unreasonably dominate views from surrounding properties. The development does not appropriately respect Neighbourhood Character in this regard.
- 9.8 In Clause 21.05 of the Scheme, a key challenge for Council is to achieve a balance between protecting environmental and landscape characteristics and accommodating changing housing needs. The provision of new housing is directed by strategies that protect and enhance landscape character, neighbourhood character and environmental values.

- 9.9 Within vegetated residential areas, maintenance of native tree cover (and particularly the locally indigenous species) is also important for facilitating wildlife movements, noting that some objectors have mentioned the presence of both native fauna and birds in their back yards.
- 9.10 This site with a combined area of 7,935sqm within the GRZ3 does provide an opportunity for a more intense level of residential development than its present use, being three dwellings with associated pools and tennis courts. However the planning and policy framework, its interface with a Low Density Zone to the south, and the GRZ 3 to the north, east and west indicates a more sensitive and moderate form of development is envisaged.
- 9.11 Although the proposed development may generally comply with many of the Clause 55 assessments in relation to maximum allowable height and setbacks, the development is not responsive to neighbourhood character and in terms of neighbouring amenity. It fails the first Standard in Clause 55, being Standard B1 Neighbourhood Character objectives. It is also considered to fail Standard B3 relating to Landscaping and the objective *to encourage the retention of mature vegetation on the site*.

Vegetation removal and Landscaping

- 9.12 The proposed development, through earthworks associated with relocating the drain through the property, general earthworks for dwellings and open space areas and the positioning of new dwellings, will result in the removal of significant amount of vegetation on the land, both native and exotic species, from the subject site.
- 9.13 The dwellings on the adjoining land, particularly in Jacobena Place and in Waites Court, are elevated above the subject land and there is a back drop of significant tree canopies for these properties. The dwellings in Waites Court are positioned a greater distance from the common boundaries and also overlook the land to the hills beyond, with several canopy trees within their boundaries and close to the common boundary.
- 9.14 Trees assessed in the arborist report prepared by Galbraith and Associates, dated 27 March 2017, as "Worthy of Retention" with a rating scale of 4-6 should be considered for retention and incorporated into a revised design for the development. This includes two Manna Gums (Tree Nos 35 and 39), Brittle Gum (Tree 56), Argyle Apple (Tree 52) and Apple Myrtle (Tree 123) and Swamp Mahogany (Tree 14). All of these trees with the exception of tree 14 are located adjacent to the eastern and southern boundaries of the land.
- 9.15 There is no specific requirement to relocate the drain to the rear boundary of No. 6 Yolande Court and require the removal of the vegetation along the rear boundary. Other options appear to exist to avoid conflict with established vegetation.

- 9.16 There is no specific requirement for extensive earthworks up to 2.0m in depth along the eastern boundary of No.6 Yolande Court which would result in the clearing of established vegetation from along this interface and providing landscaped areas above retaining walls that will be very difficult to maintain by future owners. It would appear some of the reasoning for the retaining walls and lack of sensitivity along the boundary, is due to the positioning of the dwellings and the placement of secluded open space with the interface, in order to retain generous driveway entry and proportions for the new dwellings.
- 9.17 The driveway access for development at No.6 Yolande Court is over 15.0m in width (between dwellings), where 7-9m is commonly provided within the development other developments, including the No. 7 and 8 Yolande Court proposal. Some of the front gardens of these dwelling are more generously proportioned compared with the rear open space, particularly as part of the rear open space is inaccessible. The generous entry proportions should be sacrificed to ensure an improved and usable interface to the rear of the dwellings.
- 9.18 Additional landscaping should be provided in the central driveway area through the reduced widths of driveways that make no attempt to narrow or transition from 4.8m wide at the garage entry to the 3.0m width driveway.
- 9.19 Along the rear boundary of the site, similar retaining walls are proposed, partly to protect the proposed drainage asset in the easement. The presence of the retaining walls within 2.1m of the boundary ensures all vegetation on the application site is lost.
- 9.20 At times, the setback of dwellings from retaining walls will generate a poor outlook and service yards which become quite difficult to use, creating dark and potentially damp areas. Access to clotheslines, bin storage, water tanks and to the top of the retaining walls for maintenance purposes or planting, becomes difficult to achieve.
- 9.21 A more reasonable landscape protection and the terracing of retaining walls is included in the proposal for 7 and 8 Yolande Court. This includes rebates in retaining walls that seek to protect a vegetation protection zone for a tree on the neighbouring site to the rear in Waites Court, and the protection of an existing screen of Pittosporums along the north western boundary at the interface of properties in Mandella Street.
- 9.22 However the rebate of the retaining wall at the rear of Units 9 and 10 may not be sufficient to ensure the protection of Tree 130 as it represents approximately 11.5% encroachment of its TPZ area.

Built Form and Amenity Impacts

- 9.23 The assessment of the proposal under Clause 55 - Two or more dwellings on a lot in the Manningham Planning Scheme is attached as Attachment 5.
- 9.24 The proposal generally responds appropriately to the Clause 55 requirements, except 55.02-1 – Neighbourhood Character and 55.03-8 – Landscaping.
- 9.25 As there is the inability to plant good screening vegetation, overlooking issues from neighbours in Jacobena Place into habitable rooms and private open spaces unless the fence heights are increased from new 1.9m.

Car parking, access and traffic

- 9.26 An assessment against the relevant car parking design standards in Clause 52.06-9 of the Manningham Planning Scheme is provided in Attachment 6.

Car Parking

- 9.27 Prior to a new use commencing or a new building being occupied, Clause 52.06-2 (Car Parking) requires that the number of car parking spaces outlined at Clause 52.06-6 be provided on the land or as approved under Clause 52.06-5 to the satisfaction of the Responsible Authority.
- 9.28 This clause requires resident car parking to be provided at a rate of 1 space for each dwelling with one or two bedrooms, and 2 spaces for each dwelling with three or more bedrooms. Visitor car parking is also prescribed at a rate of 1 car parking space for every five dwellings.
- 9.29 In relation to resident parking, the required provision is made through double garages for each dwelling. The visitor parking requirement is exceeded, as five spaces in total are provided. There is further opportunity for visitor parking also in some driveways.
- 9.30 The proposed parking provision complies with the requirements of the Manningham Planning Scheme. Council's Engineering and Technical Services Unit has raised no issue with the design of residential or visitor car parking.

Driveways and Access

- 9.31 The design of the driveways and crossovers is generally satisfactory. It is noted Council's Engineers have raised issues with gradients in a couple of location which would ordinarily be corrected via conditions.

Traffic & Car Parking

- 9.32 The proposal provides the necessary number of car parking spaces required to be provided on-site pursuant to Clause 52.06 Car Parking of the Manningham Planning Scheme.
- 9.33 Council's Engineers and Technical Services Unit has raised no issues with regard to parking, visitor parking, internal access, traffic or pedestrian safety within immediate proximity to the site or within the site, except for a couple of occasions where garage access is too steep. This would ordinarily be resolved through conditions. No issues are raised specifically in relation to school safety.
- 9.34 Council's Engineers have raised some deficiencies with the applicant's Traffic Impact Assessment (traffic generation figures).
- 9.35 Council's Engineering and Technical Services Unit does not have concerns with off-site traffic and safety impacts in the immediate proximity of the site. However the broader residential area has limited access onto main roads, which is a concern

- 9.36 All traffic associated with the development must travel west along Mandella Street to Hawtin Street and then along Hawtin Street to exit at Porter Street. Hawtin Street currently experiences significant traffic queues during the morning peak periods as it provides the only exit to Porter Street for vehicles wishing to travel west as right turns are prohibited from Hawtin Street into Foote Street.

Objector issues / concerns

Over-development of the land /Neighbourhood Character

- 9.37 This has been discussed at length in the Assessment Section of this report. The proposed development is not sufficiently respectful of neighbourhood character.
- 9.38 The proposal does provide suitable spacing and opportunities for landscaping around the eastern and southern sides of the development, for the residential interfaces including the low density zoned land adjoining to the south.
- 9.39 The development does not provide suitable setbacks from the rear and side boundaries, to enable effective landscaping, to retain significant vegetation and to establish canopy trees or large screening species of vegetation to replace the treed outlook the adjoining residents currently enjoy and which is prevalent in the area.
- 9.40 The removal of all significant canopy trees on the land (apart from the retention of two mature native trees within the front setback) does not respect neighbourhood character and amenity. This is also likely to impact on wildlife corridors and habitat.
- 9.41 The built form, including appropriate spacing between dwellings/units and neighbouring property boundaries does not respect neighbourhood character, offsite amenity, the ability to retain additional trees and improve landscaping opportunities throughout the development;
- 9.42 The wide driveway entry treatments for the 6 Yolande Court development pushes development to the eastern and southern boundaries.
- 9.43 The private open space and building footprint for Unit-1, proposed driveway treatments and proposed drainage may place unreasonable pressures on the ability to retain the two trees within the front setback.
- 9.44 The extent of excavation is not considered site responsive to the undulating topography of the site and impacts neighbourhood character and internal amenity.

Off-site amenity impacts

- 9.45 The proposed development is excavated into the south and south-eastern portion of the land and the overall building heights and amenity impacts from this have been reduced.
- 9.46 Overall, the requirements to limit overlooking in accordance with Standard B21 of Clause 55 are achieved, noting some of the elevations do not show the screening measures that are referred to on the floor plans, and boundary fence could be replaced where under 1.8m in height or where it is in poor condition. These would ordinarily be addressed via conditions.

- 9.47 The development is fully compliant with 'overshadowing' and 'daylight to existing windows' by a significant extent. The development will not result in any overshadowing to adjoining residential properties beyond the shadow cast by a boundary fence except at 9am where the carport of No.9 Yolande Court will be subject to additional shade.
- 9.48 The proposal has been assessed and is considered to meet the required side setbacks of Standard B17 of Clause 55.04-1 (Side and Rear Setbacks).
- 9.49 As a planning permit is not required to use land for more than one dwelling, residential noise are not matters that can be considered.

Traffic and Car parking

- 9.50 A response to this issue is discussed in Sections 9.32 to 9.36 inclusive above.

Construction Impacts

- 9.51 A Construction Management Plan would be required as permit condition for the construction phase of the development.
- 9.52 The applicant has proposed that the lot set aside for Unit 13 will be used for construction management purposes for car parking and facilities during construction phase which is positive.

Loss of Property Values

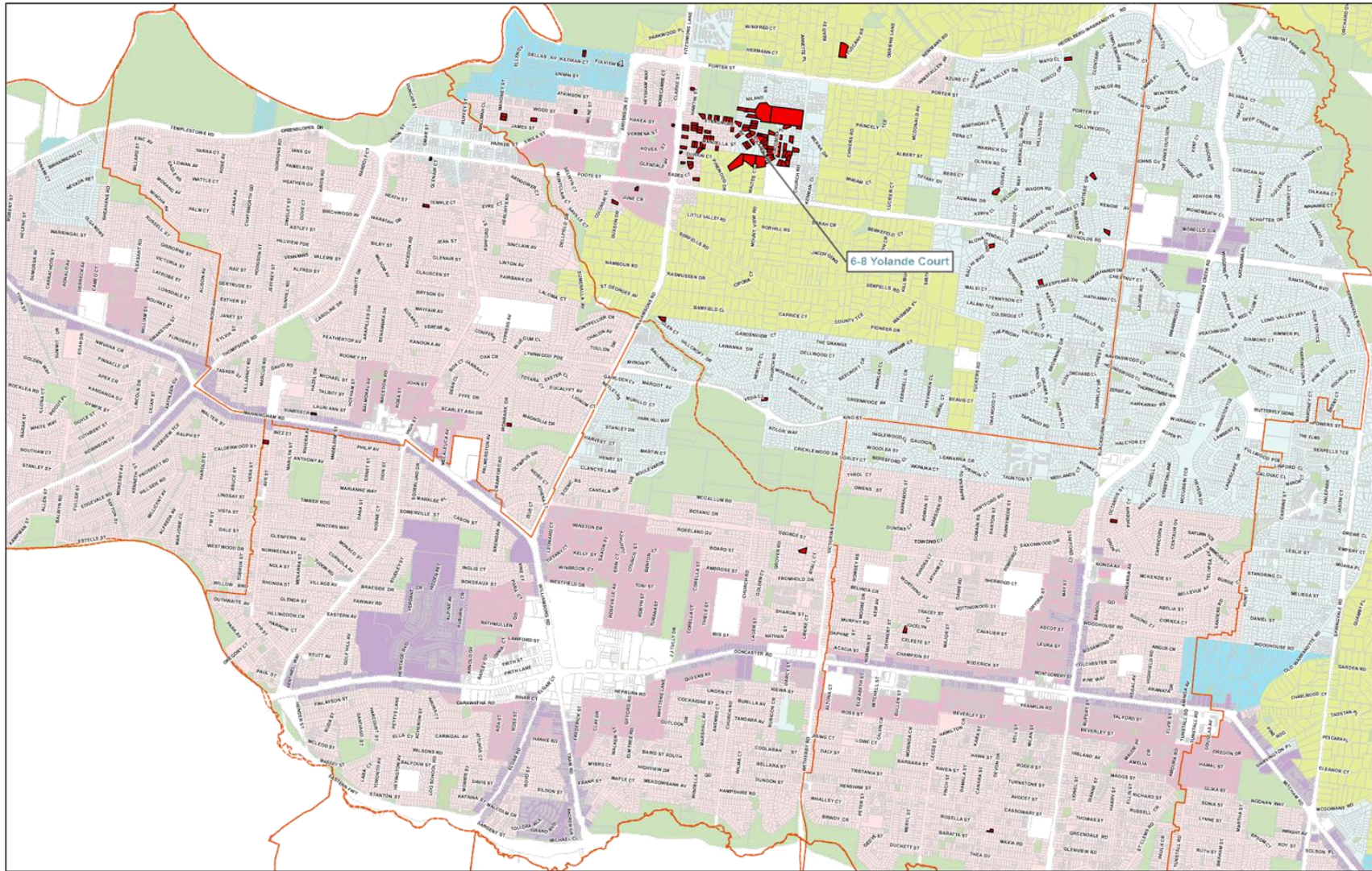
- 9.53 The impact on property prices is not a consideration of the planning permit application process. The Victorian Civil and Administrative Tribunal and its predecessors have generally found subjective claims that a proposal will reduce property values are difficult, if not impossible to gauge and of no assistance to the determination of a planning permit application. However it is acknowledged that these are concerns from local residents.

10. DECLARATION OF CONFLICT OF INTEREST

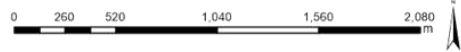
- 10.1 No officers involved in the preparation of this report have any direct or indirect conflict of interest in this matter.



 PL17/027709 6-8 YOLANDE COURT TEMPLESTOWE



The State of Victoria & Mansfield City Council do not warrant the accuracy or completeness of information in this product and any person using or relying upon such information does so on the basis that the State of Victoria & Mansfield City Council shall bear no responsibility or liability whatsoever for any errors, faults, defects or omissions in the information.

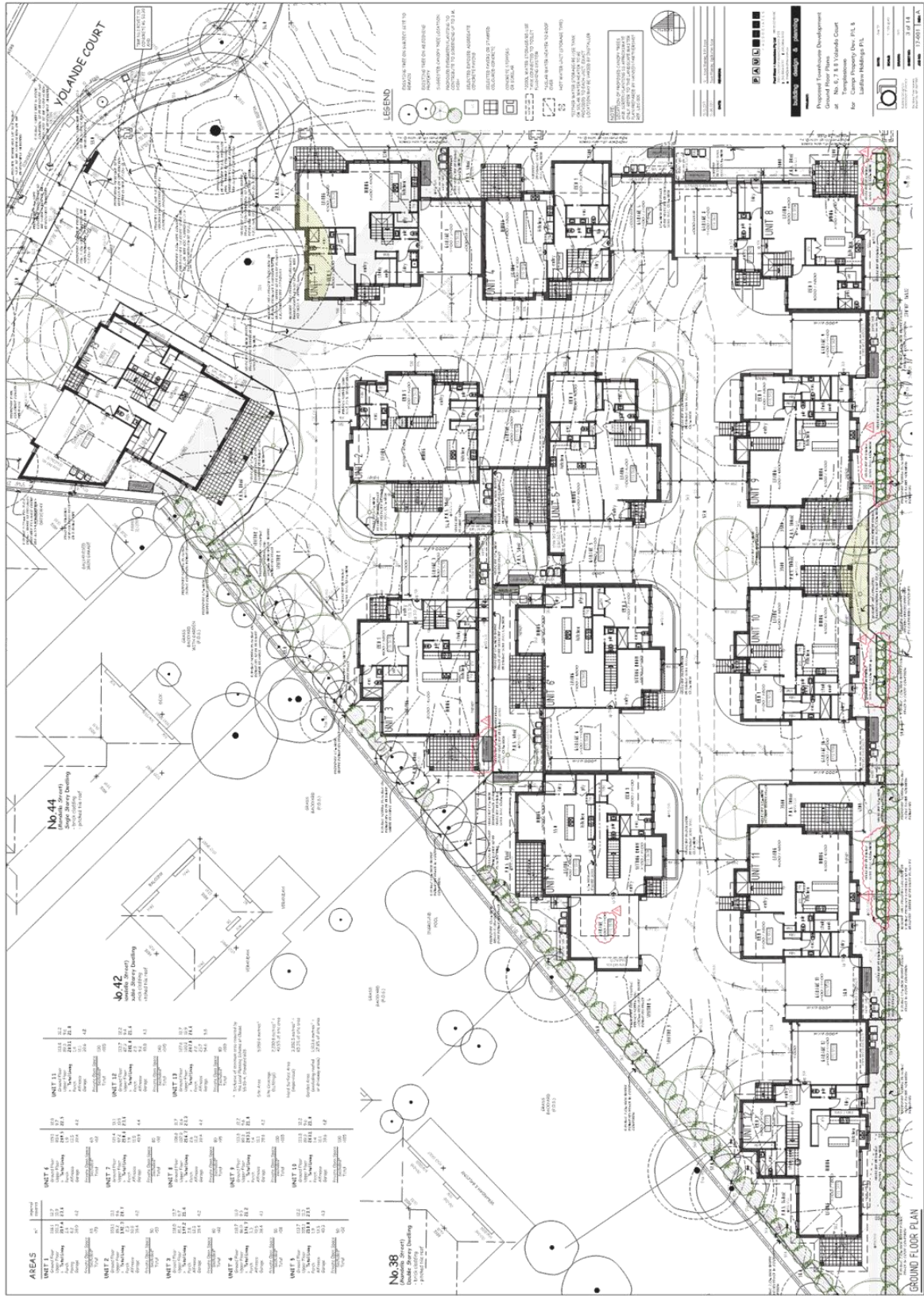


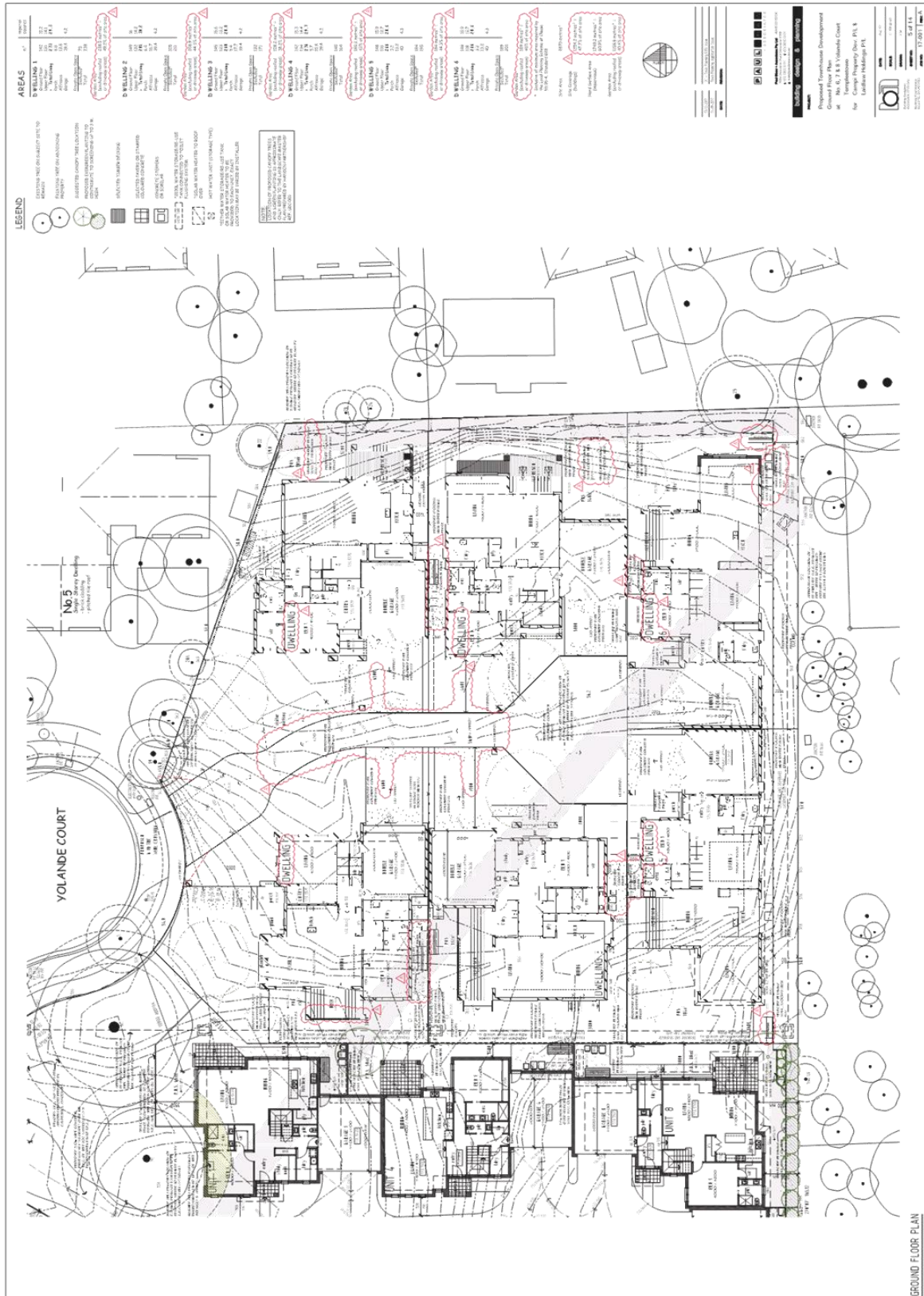
- Objectors
 - Suburb Boundaries
 - Open Space
- Planning Scheme Zones**
- GRZ1
 - GRZ2
 - GRZ3
 - NRZ1
 - NRZ2
 - NRZ3
 - LDRZ
 - RCZ1
 - RCZ2
 - RCZ3
 - RCZ4
 - RCZ5
 - RGZ1
 - RGZ2



DESIGN RESPONSE PLAN - GROUND FLOOR

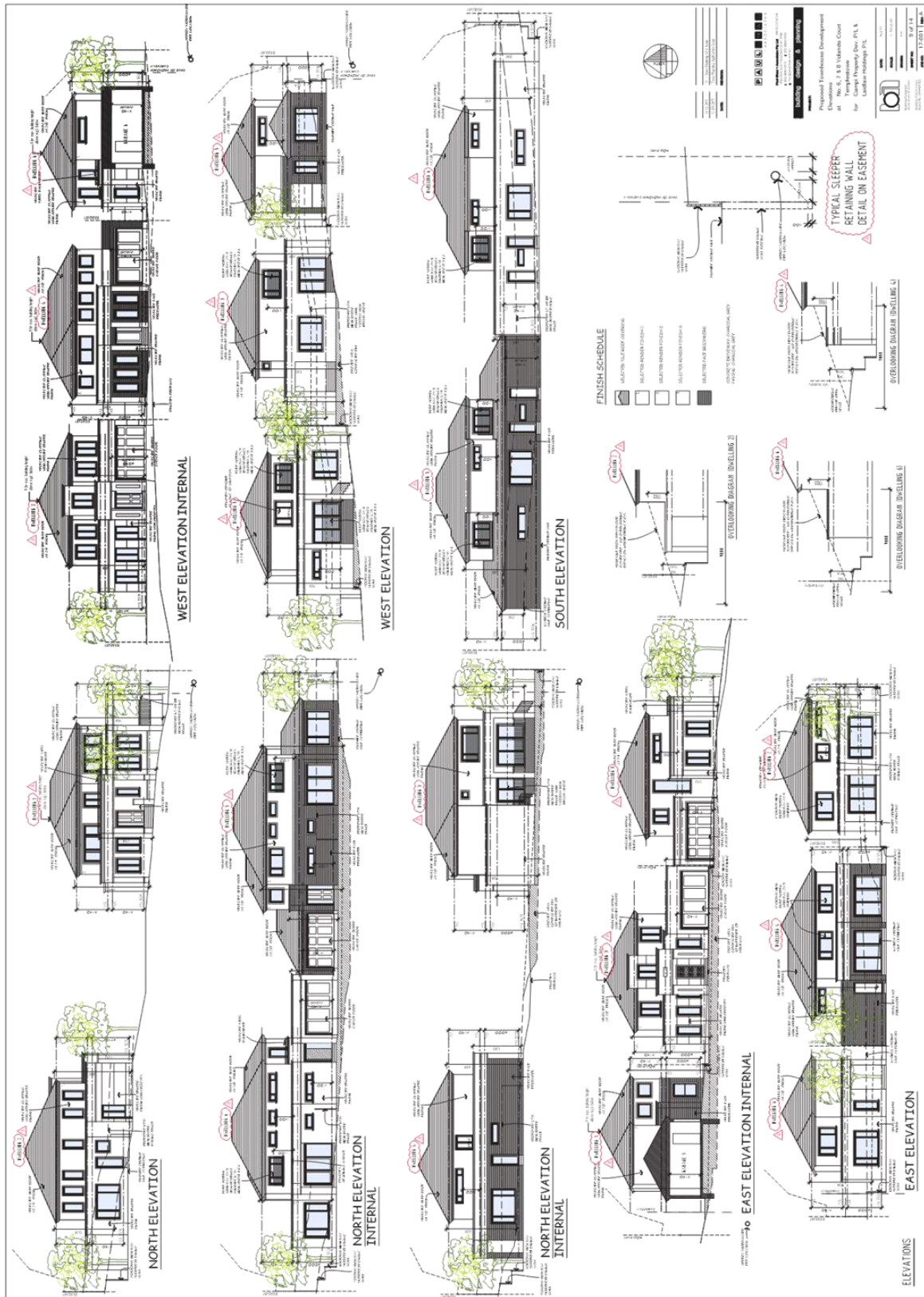


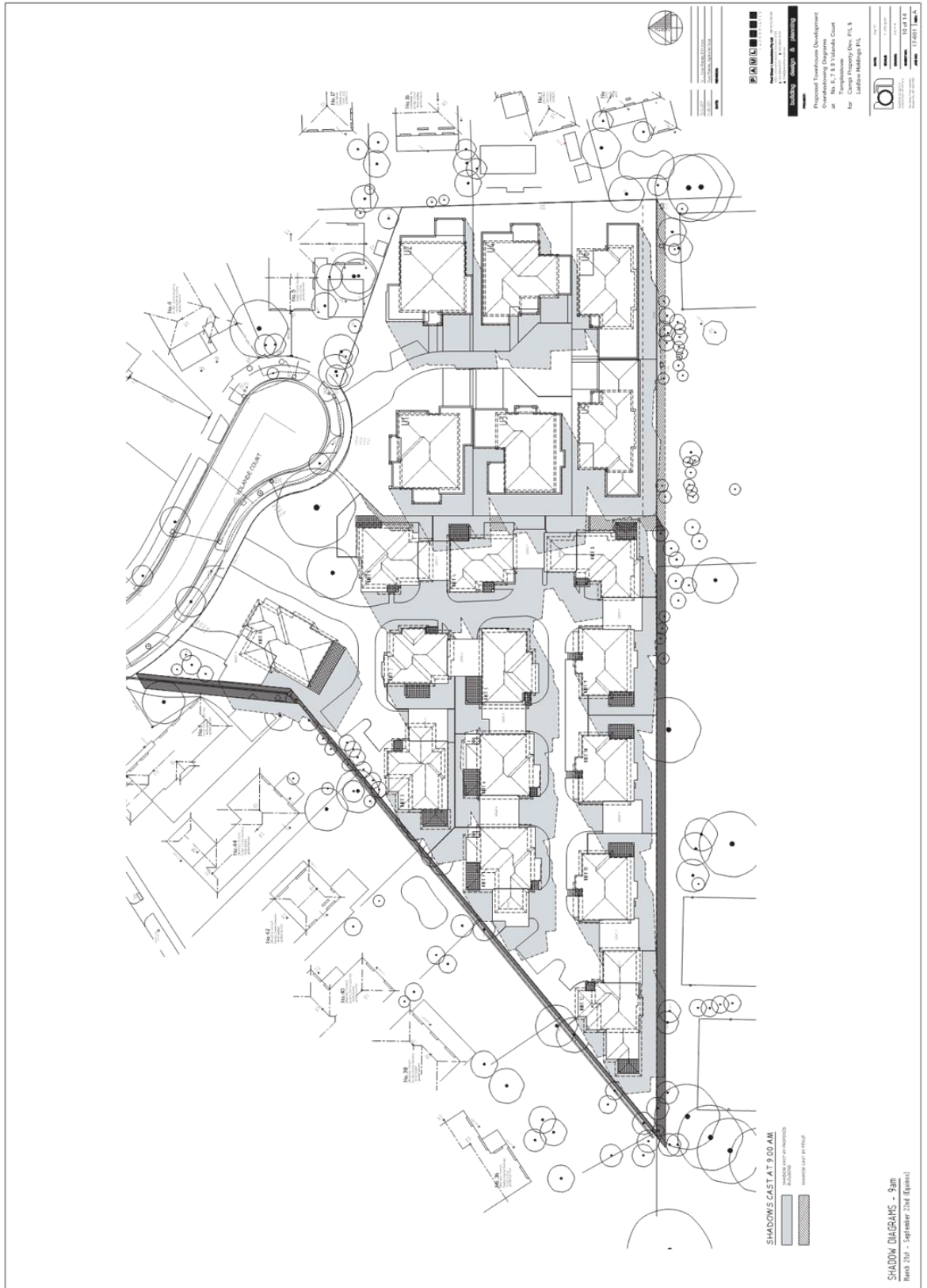


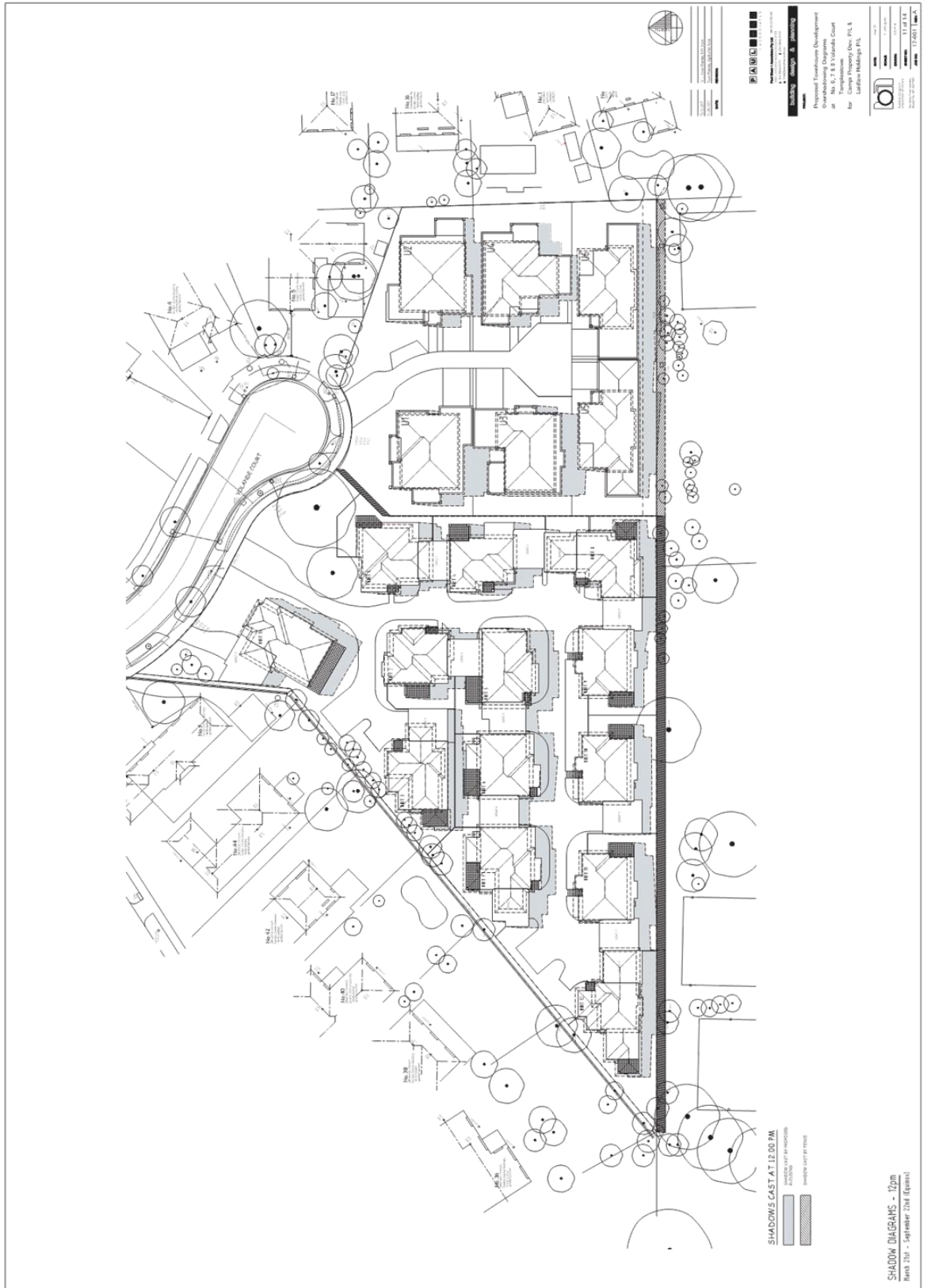






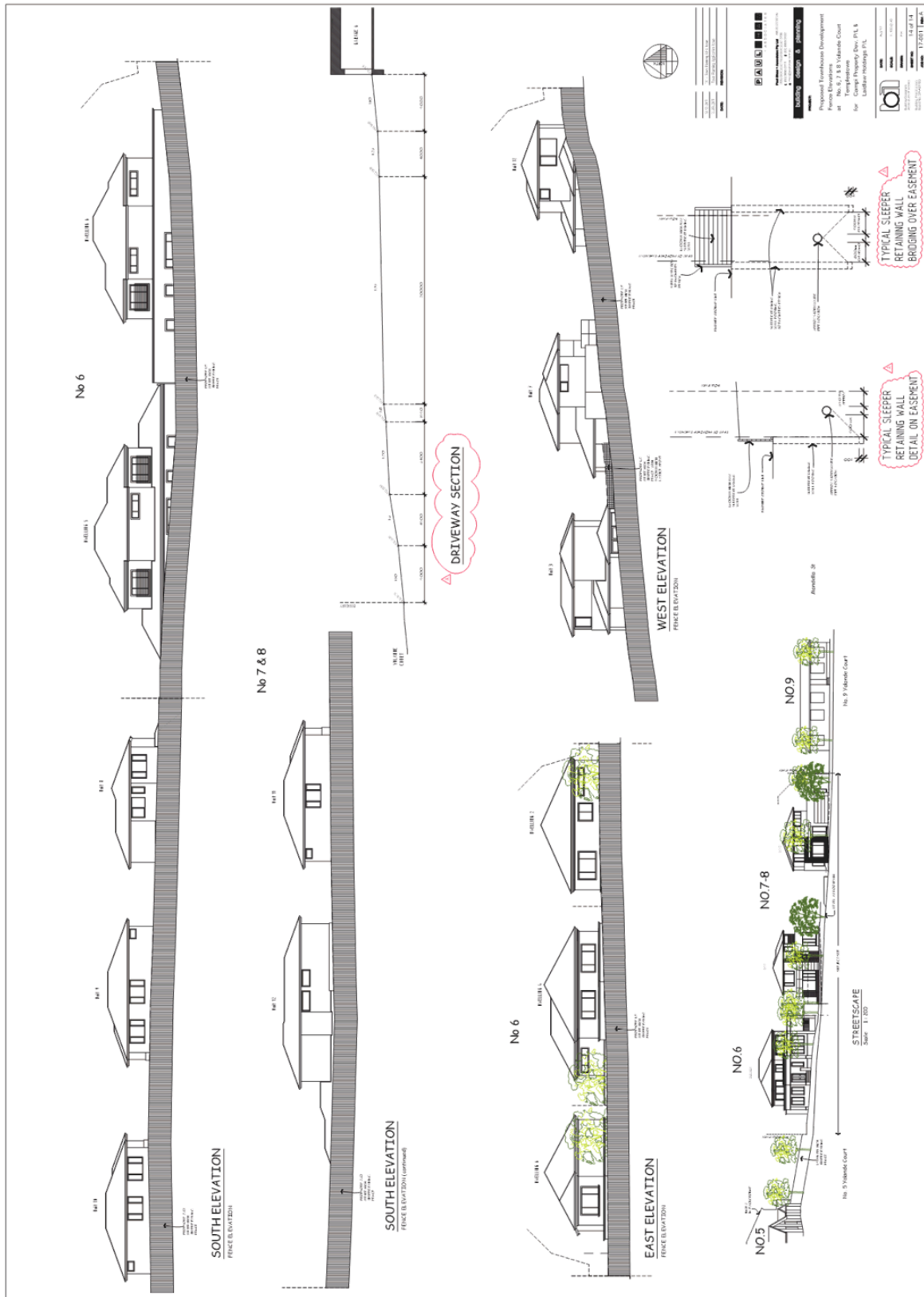






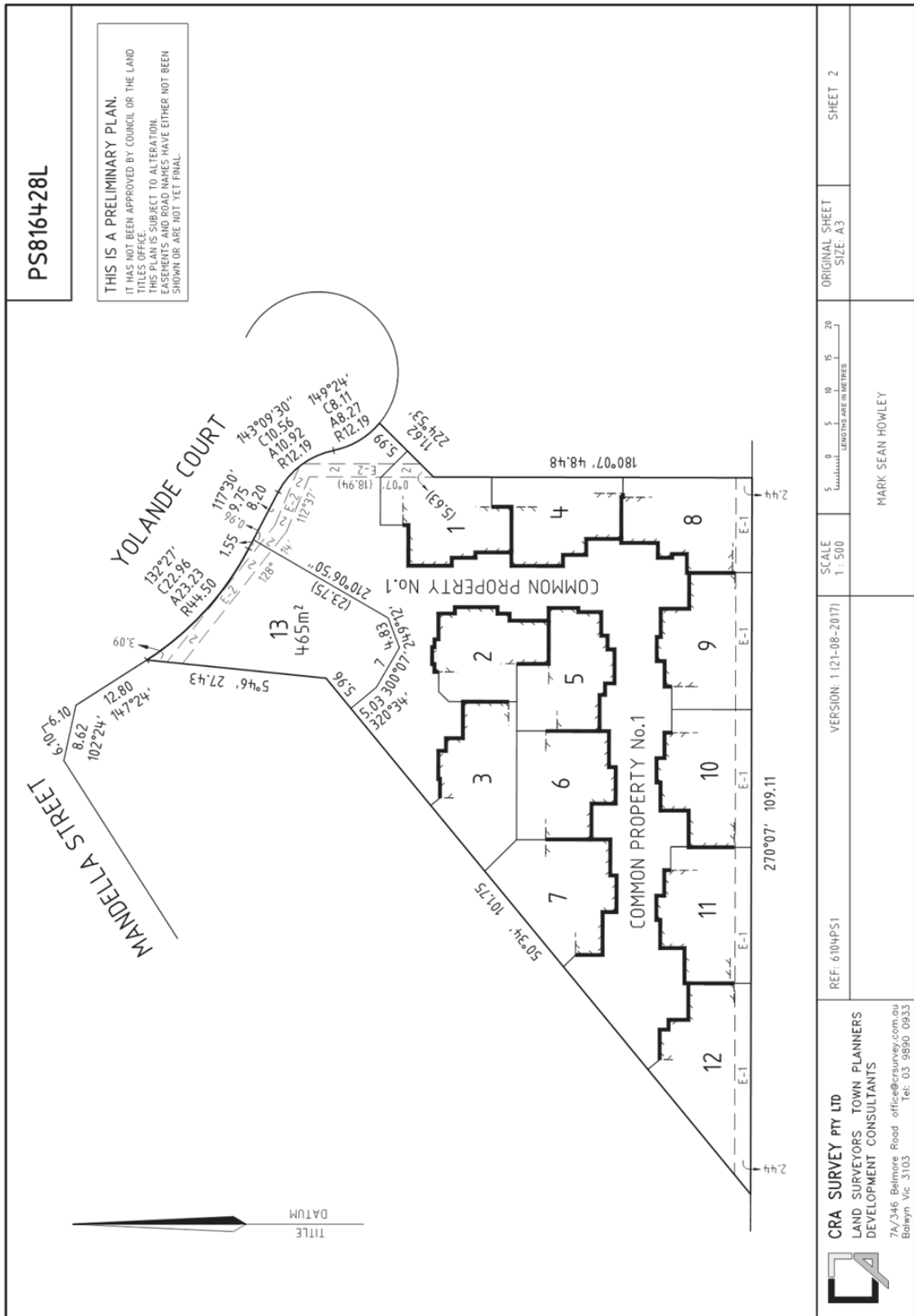







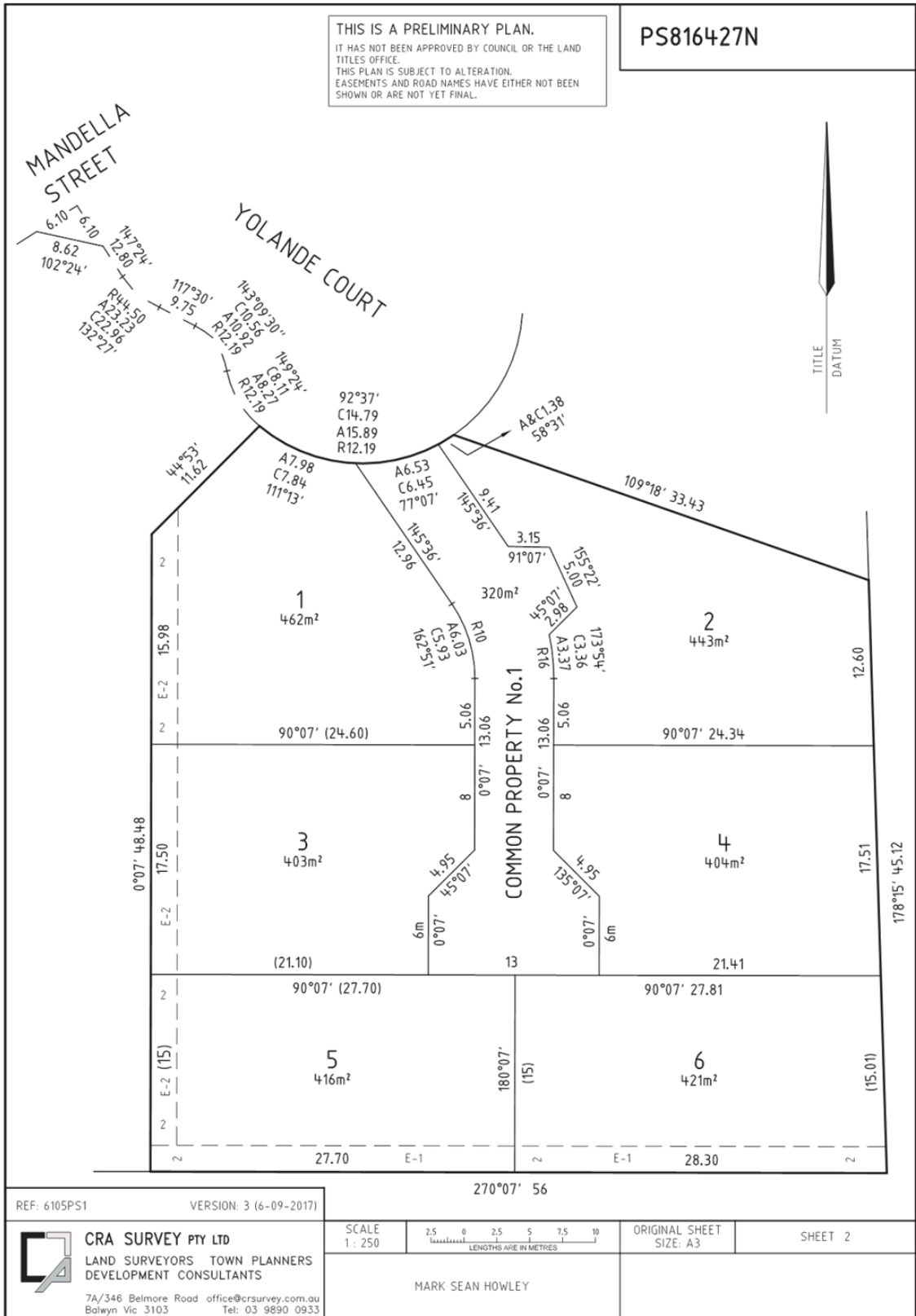



PLAN OF SUBDIVISION		EDITION 1	PS816428L
LOCATION OF LAND PARISH: BULLEEN TOWNSHIP: - SECTION: 13 CROWN ALLOTMENT: - CROWN PORTION: 10 (PART) TITLE REFERENCE: VOL FOL , VOL 8964 FOL 593 LAST PLAN REF: LOTS 1 ON PS807743D & 24 ON LP95419 POSTAL ADDRESS : 7 & 8 YOLANDE COURT (at time of subdivision) TEMPLESTOWE, 3106 MGA 94 CO-ORDINATES: E 336 150 ZONE 55 (of approx centre of land in plan) N 5 819 450 GDA 94			
VESTING OF ROADS OR RESERVES		NOTATIONS	
IDENTIFIER	COUNCIL/BODY/PERSON	BOUNDARIES SHOWN BY THICK CONTINUOUS LINES ARE DEFINED BY BUILDINGS LOCATION OF BOUNDARIES DEFINED BY BUILDINGS: EXTERIOR FACE OF WALL, SHOWN THUS: MEDIAN: ALL OTHER BOUNDARIES HATCHING WITHIN A PARCEL INDICATES THAT THE STRUCTURE OF THE RELEVANT WALL, IS CONTAINED IN THAT PARCEL. COMMON PROPERTY No 1 IS ALL THE LAND IN THE PLAN EXCEPT THE LAND IN THE LOTS. LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS. SEE OWNERS CORPORATION SEARCH REPORT(S) FOR DETAIL	
NIL	NIL		
NOTATIONS			
DEPTH LIMITATION: DOES NOT APPLY			
SURVEY: THIS PLAN IS BASED ON SURVEY STAGING: THIS IS NOT A STAGED SUBDIVISION PLANNING PERMIT NO: THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS: IN PROCLAIMED SURVEY AREA NUMBER:			
EASEMENT INFORMATION			
LEGEND: A - APPURTENANT EASEMENT E - ENCUMBERING EASEMENT R - ENCUMBERING EASEMENT (ROAD)			
EASEMENTS PURSUANT TO SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLY TO THE LAND IN THIS PLAN			
EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN
E-1	DRAINAGE & SEWERAGE	SEE DIAG.	LP 95419
E-2	DRAINAGE	2	INST.....
		LAND BENEFITED/IN FAVOUR OF	
		LOTS ON LP 95419	
		CITY OF MANNINGHAM	
THIS IS A PRELIMINARY PLAN. IT HAS NOT BEEN APPROVED BY COUNCIL OR THE LAND TITLES OFFICE. THIS PLAN IS SUBJECT TO ALTERATION. EASEMENTS AND ROAD NAMES HAVE EITHER NOT BEEN SHOWN OR ARE NOT YET FINAL.			
CRA SURVEY PTY LTD LAND SURVEYORS TOWN PLANNERS DEVELOPMENT CONSULTANTS 7A/346 Belmore Road office@crsurvey.com.au Balwyn Vic 3103 Tel: 03 9890 0933		REF: 6104PS1	VERSION: 1 (21-08-2017)
		MARK SEAN HOWLEY	
		SHEET 1 OF 2	



OWNERS CORPORATION SCHEDULE						PS816428L						
Owners Corporation No. 1			Plan No. PS816428L									
Land affected by Owners Corporation			Lots: ALL OF THE LOTS IN THE TABLE BELOW									
			Common Property No.: 1									
Limitations of Owners Corporation:			UNLIMITED									
Notations												
										Totals		
										Entitlement	Liability	
										This schedule	1200	1200
										Previous stages	0	0
										Overall Total	1200	1200
Lot Entitlement and Lot Liability												
Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability	
1	100	100										
2	100	100										
3	100	100										
4	100	100										
5	100	100										
6	100	100										
7	100	100										
8	100	100										
9	100	100										
10	100	100										
11	100	100										
12	100	100										
 CRA SURVEY PTY LTD LAND SURVEYORS TOWN PLANNERS DEVELOPMENT CONSULTANTS <small>7A/346 Belmore Road office@crsurvey.com.au Balwyn Vic 3103 Tel: 03 9890 0933</small>			SURVEYORS FILE REFERENCE: 6104PS1						SHEET 1			
			VERSION: 1 (21-08-2017)						ORIGINAL SHEET SIZE: A3			
			MARK SEAN HOWLEY									

PLAN OF SUBDIVISION		EDITION 1	PS816427N	
LOCATION OF LAND PARISH: BULLEEN TOWNSHIP: - SECTION: 13 CROWN ALLOTMENT: - CROWN PORTION: 10 (PART) TITLE REFERENCE: VOL FOL LAST PLAN REF: LOT 2 ON PS807743D POSTAL ADDRESS : 6 YOLANDE COURT (at time of subdivision) TEMPLESTOWE, 3106 MGA 94 CO-ORDINATES: E 336 190 ZONE 55 (of approx centre of N 5 819 425 GDA 94 land in plan)		COUNCIL NAME: CITY OF MANNINGHAM		
VESTING OF ROADS OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON		LOTS ON THIS PLAN MAY BE AFFECTED BY ONE OR MORE OWNERS CORPORATIONS. SEE OWNERS CORPORATION SEARCH REPORT(S) FOR DETAIL	
NIL	NIL			
NOTATIONS				
DEPTH LIMITATION: DOES NOT APPLY				
SURVEY: THIS PLAN IS BASED ON SURVEY STAGING: THIS IS NOT A STAGED SUBDIVISION PLANNING PERMIT NO: THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS. IN PROCLAIMED SURVEY AREA NUMBER.				
EASEMENT INFORMATION				
LEGEND: A - APPURTENANT EASEMENT E - ENCUMBERING EASEMENT R - ENCUMBERING EASEMENT (ROAD)				
EASEMENTS PURSUANT TO SECTION 12(2) OF THE SUBDIVISION ACT 1988 APPLY TO THE LAND IN THIS PLAN				
EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITED/IN FAVOUR OF
E-1	DRAINAGE & SEWERAGE	SEE DIAG.	LP 95419	LOTS ON LP 95419
E-2	DRAINAGE	2	INST.....	CITY OF MANNINGHAM
THIS IS A PRELIMINARY PLAN. IT HAS NOT BEEN APPROVED BY COUNCIL OR THE LAND TITLES OFFICE. THIS PLAN IS SUBJECT TO ALTERATION. EASEMENTS AND ROAD NAMES HAVE EITHER NOT BEEN SHOWN OR ARE NOT YET FINAL.				
CRA SURVEY PTY LTD LAND SURVEYORS TOWN PLANNERS DEVELOPMENT CONSULTANTS 7A/346 Belmore Road office@ersurvey.com.au Balwyn Vic 3103 Tel: 03 9890 0933		REF: 6105PS1	VERSION: 3 (6-09-2017)	ORIGINAL SHEET SIZE: A3
		MARK SEAN HOWLEY		SHEET 1 OF 2



OWNERS CORPORATION SCHEDULE						PS816427N						
Owners Corporation No. 1			Plan No. PS816427N									
Land affected by Owners Corporation			Lots: ALL OF THE LOTS IN THE TABLE BELOW									
Limitations of Owners Corporation:			UNLIMITED									
Notations												
										Totals		
										Entitlement	Liability	
										This schedule	600	600
										Previous stages	0	0
										Overall Total	600	600
Lot Entitlement and Lot Liability												
Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability	Lot	Entitlement	Liability	
1	100	100										
2	100	100										
3	100	100										
4	100	100										
5	100	100										
6	100	100										
 CRA SURVEY PTY LTD LAND SURVEYORS TOWN PLANNERS DEVELOPMENT CONSULTANTS <small>7A/346 Belmore Road office@craurvey.com.au Balwyn Vic 3103 Tel: 03 9890 0933</small>			SURVEYORS FILE REFERENCE: 6105PS1 VERSION: 3 (6-09-2017)						SHEET 1 ORIGINAL SHEET SIZE: A3			
			MARK SEAN HOWLEY									

PLAN OF VARIATION OF EASEMENT		EDITION 1		
LOCATION OF LAND PARISH: BULLEEN TOWNSHIP: - SECTION: 13 CROWN ALLOTMENT: - CROWN PORTION: 10 (PART) TITLE REFERENCE: VOL FOL , VOL FOL & VOL 8964 FOL 593 LAST PLAN REF: LOTS 1, 2 ON PS807743D & 24 ON LP95419 POSTAL ADDRESS : 6, 7 & 8 YOLANDE COURT (at time of subdivision) TEMPLESTOWE, 3106 MGA 94 CO-ORDINATES: E 336 160 ZONE 55 (of approx centre of land in plan) N 5 819 440 GDA 94		COUNCIL NAME: CITY OF MANNINGHAM		
VESTING OF ROADS OR RESERVES		NOTATIONS		
IDENTIFIER	COUNCIL/BODY/PERSON			
NIL	NIL			
NOTATIONS		PURPOSE OF PLAN: 1. TO REMOVE PART OF EASEMENT E-1 CREATED ON LP95419 2. VARIATION OF PART OF EASEMENT E-1 CREATED ON LP95419 3. TO CREATE EASEMENT E-2 GROUND FOR EASEMENT CREATION: CITY OF MANNINGHAM PLANNING PERMIT NO:		
DEPTH LIMITATION: DOES NOT APPLY				
SURVEY: THIS PLAN IS NOT BASED ON SURVEY STAGING: THIS IS NOT A STAGED SUBDIVISION PLANNING PERMIT NO: THIS SURVEY HAS BEEN CONNECTED TO PERMANENT MARKS: IN PROCLAIMED SURVEY AREA NUMBER:				
EASEMENT INFORMATION				
LEGEND: A - APPURTENANT EASEMENT E - ENCUMBERING EASEMENT R - ENCUMBERING EASEMENT (ROAD)				
EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITED/IN FAVOUR OF
E-1	DRAINAGE & SEWERAGE	SEE DIAG.	LP 95419	LOTS ON LP 95419
E-2	DRAINAGE	2	THIS PLAN	CITY OF MANNINGHAM
THIS IS A PRELIMINARY PLAN. IT HAS NOT BEEN APPROVED BY COUNCIL OR THE LAND TITLES OFFICE. THIS PLAN IS SUBJECT TO ALTERATION. EASEMENTS AND ROAD NAMES HAVE EITHER NOT BEEN SHOWN OR ARE NOT YET FINAL.				
CRA SURVEY PTY LTD LAND SURVEYORS TOWN PLANNERS DEVELOPMENT CONSULTANTS 7A/346 Belmore Road office@ersurvey.com.au Balwyn Vic 3103 Tel: 03 9890 0933		REF: 5938CE1	VERSION: 3 (6-09-2017)	ORIGINAL SHEET SIZE: A3
		MARK SEAN HOWLEY		SHEET 1 OF 2

ATTACHMENT 3

1 MANNINGHAM PLANNING SCHEME

State Planning Policy Framework

- 1.1 The following clauses are seen as the most relevant to the subject application
- 1.2 **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.
- 1.3 **Clause 15.01-4 Design for Safety** seeks to improve community safety and encourage neighbourhood design that makes people feel safe. The strategy identified to achieve this objective is to ensure the design of buildings, public spaces and the mix of activities contributes to safety and perceptions of safety.
- 1.4 **Clause 15.01-5 Cultural Identity and Neighbourhood Character** seeks to recognise and protect cultural identity, neighbourhood character and sense of place. Strategies towards achieving this are identified as follows:
- Ensure development responds and contributes to existing sense of place and cultural identity.
 - Ensure development recognises distinctive urban forms and layout and their relationship to landscape and vegetation.
 - Ensure development responds to its context and reinforces special characteristics of local environment and place.
- 1.5 **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.
- 1.6 **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.
- 1.7 **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.
- 1.8 **Clause 16.01-4 Housing Diversity** seeks to provide for a range of housing types to meet increasingly diverse needs. Strategies towards achieving this are identified as follows:
- Ensure housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.
 - Support opportunities for a wide range of income groups to choose housing in well serviced locations.
- 1.9 **Clause 16.01-5 Housing affordability** seeks to deliver more affordable housing closer to jobs, transport and services.
- 1.10 **Clause 18.02-5 Car parking** seeks to ensure an adequate supply of car parking that is appropriately designed and located.
- 1.11 **Clause 19.03-2 Water supply, sewerage and drainage** covers community service infrastructure and in particular calls for urban stormwater drainage systems to reduce peak flows, enhance flood protection and to reduce litter intrusion.

Municipal Strategic Statement (Clause 21)

- 1.12 **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.
- 1.13 This increasing pressure for re-development raises issues about how these changes affect the character and amenity of local neighbourhoods. In meeting future housing needs, the challenge is to provide for residential redevelopment in appropriate locations, to reduce pressure for development

in more sensitive areas, and in a manner that reasonably respects the residential character.

- 1.14 **Clause 21.05 Residential** applies to development in a General Residential Zone. This policy outlines the division of Manningham into four Residential Character Precincts. The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available.
- 1.15 **Clause 21.05-2 Housing** has the following relevant objectives:
- To accommodate Manningham's projected population growth.
 - To ensure that housing choice, quality and diversity will be increased to better meet the needs of the local community and reflect demographic changes.
 - To ensure that higher density housing is located close to activity centres and along main roads in accordance with relevant strategies.
 - To promote affordable and accessible housing to enable residents with changing needs to stay within their local neighbourhood or the municipality.
 - To encourage development of key Redevelopment Sites to support a diverse residential community that offers a range of dwelling densities and lifestyle opportunities.
 - To encourage high quality and integrated environmentally sustainable development.
- 1.16 The strategies to achieve these objectives include:
- Encourage the provision of housing stock which responds to the needs of the municipality's population.
 - Promote the consolidation of lots to provide for a diversity of housing types and design options.
 - Encourage and guide higher density residential development close to activity centres and along main roads identified as Precinct 2 on the Residential Framework Plan 1 and Map 1 to this clause.
 - Encourage development to be designed to respond to the needs of people with limited mobility, which may for example, incorporate lifts into three storey developments.
 - Support an incremental level of change that respects existing neighbourhood character in residential areas developed post 1975 identified as Precinct 4 on the Residential Framework Plan 1 and Map 1 to this clause.
 - Investigate the most appropriate suite of planning controls to achieve the desired outcomes for Key Redevelopment Sites.
- 1.17 **Clause 21.05-4 Built form and neighbourhood character** has the following objective:
- To encourage residential development that enhances the existing or preferred neighbourhood character of the residential character precincts as shown on Map 1 to this Clause.
- 1.18 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.

1.19 **Clause 21.10 Ecologically Sustainable Development** is relevant to this application. It outlines a number of objectives and strategies to address key areas of ecologically sustainable development under the following headings building energy management, water sensitive design, external environmental amenity, waste management, quality of private and public realm and transport.

Clause 22 Local Planning Policies

- 1.20 **Clause 22.08 Safety through urban design policy** includes the following objective:
- To provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham.
- 1.21 **Clause 22.09 Access for disabled people policy** includes the following objectives:
- To facilitate the integration of people with a disability into the community.
 - To ensure that people with a disability have the same level of access to buildings, services and facilities as any other person.

Clause 32 Residential Zones

- 1.22 **Clause 32.08 General Residential Zone** contains the following purpose statement:
- To implement the State Planning Policy Framework and the Local Planning Policy
 - Framework, including the Municipal Strategic Statement and local planning policies.
 - To encourage development that respects the neighbourhood character of the area.
 - To implement neighbourhood character policy and adopted neighbourhood character guidelines.
 - To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.
 - To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.

- 1.23 A planning permit is required to construct two or more dwellings on a lot within this zone. Clause 55 (ResCode) is the assessment tool for buildings of up to four storeys in height.
- 1.24 Schedule 3 to Clause 32.08 General Residential Zone relates to "Post 1975 Residential Areas" and contains no special requirements in relation to Clause 55 standards.
- 1.25 **Clause 55 Two or more dwellings on a lot and residential buildings** applies to the overall development and sets out various Objectives which must be met. Various Standards are provided as a method of achieving the required Objective.

Particular Provisions

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

General Provisions

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

- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimise any such hazard.

Attachment 5

Clause 55 – Two or more dwellings on a lot

- 1.1 The following assessment under the provisions of Clause 55 is provided and the analysis indicates that the proposal responds appropriately to the Clause 55 requirements, as follows:

Objective	Objective Met/Not Met
55.02-1 – Neighbourhood Character <ul style="list-style-type: none"> • To ensure that the design respects the existing neighbourhood character or contributes to a preferred neighbourhood character. • To ensure that development responds to the features of the site and the surrounding area. 	Not Met – Refer to Planning Assessment
55.02-2 – Residential Policy <ul style="list-style-type: none"> • To ensure that residential development is provided in accordance with any policy for housing in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. • To support medium densities in areas where development can take advantage of public transport and community infrastructure and services. 	Met The application was accompanied by a suitable written statement that demonstrated how the applicant considers the development to be consistent with State, Local and Council policy.
55.02-3 – Dwelling Diversity <ul style="list-style-type: none"> • To encourage a range of dwelling sizes and types in developments of ten or more dwellings. 	Met The proposed development provides for Four (4) three-bedroom dwelling, and Fifteen (15) four-bedroom dwellings. While it would be preferable for a larger range incorporating two and more three dwellings, the objective is considered met.
55.02-4 – Infrastructure <ul style="list-style-type: none"> • To ensure development is provided with appropriate utility services and infrastructure. • To ensure development does not unreasonably overload the capacity of utility services and infrastructure. 	Not Met – Refer to Planning Assessment
55.02-5 – Integration With Street <ul style="list-style-type: none"> • To integrate the layout of development with the street. 	Met The proposed development provides adequate pedestrian links and access from Yolande Court.
55.03-1 – Street Setback <ul style="list-style-type: none"> • To ensure that the setbacks of buildings from a street respect the 	Met The street setback meets the minimum setback requirements.

Objective	Objective Met/Not Met
existing or preferred neighbourhood character and make efficient use of the site.	
55.03-2 – Building Height <ul style="list-style-type: none"> • To ensure that the height of buildings respects the existing or preferred neighbourhood character. 	Met As the development is largely excavated into the sloping site, the proposal is below the 10m maximum building height.
55.03-3 – Site Coverage <ul style="list-style-type: none"> • To ensure that the site coverage respects the existing or preferred neighbourhood character and responds to the features of the site. 	Met The site coverage proposes a total site coverage of 43% which meets the 60% maximum.
55.03-4 – Permeability <ul style="list-style-type: none"> • To reduce the impact of increased stormwater run-off on the drainage system. • To facilitate on-site stormwater infiltration. 	Met The development proposes a total amount of permeable surface of 39.4% which complies.
55.03-5 – Energy Efficiency <ul style="list-style-type: none"> • To achieve and protect energy efficient dwellings. • To ensure the orientation and layout of development reduce fossil fuel energy use and make appropriate use of daylight and solar energy. 	Met
55.03-6 – Open Space <ul style="list-style-type: none"> • To integrate the layout of development with any public and communal open space provided in or adjacent to the development. 	Met The development is provided with suitable pedestrian links to the frontage.
55.03-7 – Safety <ul style="list-style-type: none"> • To ensure the layout of development provides for the safety and security of residents and property. 	Met The proposal would not result in unreasonable safety concerns to residents or visitors
55.03-8 – Landscaping <ul style="list-style-type: none"> • To encourage development that respects the landscape character of the neighbourhood. • To encourage development that maintains and enhances habitat for plants and animals in locations of habitat importance. • To provide appropriate landscaping. • To encourage the retention of mature vegetation on the site. 	Not Met – Refer to Planning Assessment
55.03-9 – Access	Met

Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To ensure the number and design of vehicle crossovers respects the neighbourhood character. 	<p>The proposal has three crossovers, with one existing crossover being retained for Unit 13 (*Yolande Court) and the other two crossovers being relocated and widened to accommodate the Common property access for the 6 dwelling and 12 unit development respectively</p>
<p>55.03-10 – Parking Location</p> <ul style="list-style-type: none"> To provide convenient parking for resident and visitor vehicles. 	<p>Met The visitor car parking spaces are considered appropriate in location and design.</p>
<p>55.04-1 – Side And Rear Setbacks</p> <ul style="list-style-type: none"> To ensure that the height and setback of a building from a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Met The development is largely excavated into the southern and eastern portions of the land which has reduced overall building heights. There</p>
<p>55.04-2 – Walls On Boundaries</p> <ul style="list-style-type: none"> To ensure that the location, length and height of a wall on a boundary respects the existing or preferred neighbourhood character and limits the impact on the amenity of existing dwellings. 	<p>Met There is only wall on a boundary being the garage for Unit 13, which complies</p>
<p>55.04-3 – Daylight To Existing Windows</p> <ul style="list-style-type: none"> To allow adequate daylight into existing habitable room windows. 	<p>Met</p>
<p>55.04-4 – North Facing Windows</p> <ul style="list-style-type: none"> To allow adequate solar access to existing north-facing habitable room windows. 	<p>Met There are no north facing windows within 3.0m of any proposed built form.</p>
<p>55.04-5 – Overshadowing Open Space</p> <ul style="list-style-type: none"> To ensure buildings do not significantly overshadow existing secluded private open space. 	<p>Met The submitted shadow diagrams demonstrate that shadows will not unreasonably impact adjoining properties.</p>
<p>55.04-6 – Overlooking</p> <ul style="list-style-type: none"> To limit views into existing secluded private open space and habitable room windows. 	<p>Met Standard B21 of Clause 55.04-6 (Overlooking). It is noted that some of the elevations for the 6 Yolande Court development do not reflect the screening measures that are referred to on the site plans. This could be addressed through plan changes, together with additional information the type of screens to be used if obscure glazing is not proposed.</p>

Objective	Objective Met/Not Met
55.04-7 – Internal Views <ul style="list-style-type: none"> To limit views into the secluded private open space and habitable room windows of dwellings and residential buildings within a development. 	Met Internal views through the development are proposed to be obscured by the use of screens, obscure glazing or use of highlight windows.
55.04-8 – Noise Impacts <ul style="list-style-type: none"> To contain noise sources in developments that may affect existing dwellings. To protect residents from external noise. 	Met
55.05-1 – Accessibility <ul style="list-style-type: none"> To encourage the consideration of the needs of people with limited mobility in the design of developments. 	Met The front entries for Units 9, 10 and 11 have up to 5 steps, however there is internal access from the garage into the ground floor.
55.05-2 – Dwelling Entry <ul style="list-style-type: none"> To provide each dwelling or residential building with its own sense of identity. 	Met
55.05-3 – Daylight To New Windows <ul style="list-style-type: none"> To allow adequate daylight into new habitable room windows. 	Met
55.05-4 – Private Open Space <ul style="list-style-type: none"> To provide adequate private open space for the reasonable recreation and service needs of residents. 	Met Each dwelling has an area of secluded private open space of 40sq.m or greater.
55.05-5 – Solar Access To Open Space <ul style="list-style-type: none"> To allow solar access into the secluded private open space of new dwellings and residential buildings. 	Met
55.05-6 – Storage <ul style="list-style-type: none"> To provide adequate storage facilities for each dwelling. 	Met Storage is provided in garages
55.06-1 – Design Detail <ul style="list-style-type: none"> To encourage design detail that respects the existing or preferred neighbourhood character. 	Met The double storey form, architectural form, building materials of the dwellings consider to respect the neighbourhood character.
55.06-2 – Front Fence <ul style="list-style-type: none"> To encourage front fence design that respects the existing or preferred neighbourhood character. 	Not applicable
55.06-3 – Common Property <ul style="list-style-type: none"> To ensure that communal open space, car parking, access areas and site facilities are practical, attractive and easily maintained. 	Met The communal access ways and landscaped areas are satisfactory. Maintenance of these areas will be at the cost of residents communally.











Objective	Objective Met/Not Met
<ul style="list-style-type: none"> To avoid future management difficulties in areas of common ownership. 	
<p>55.06-4 – Site Services</p> <ul style="list-style-type: none"> To ensure that site services can be installed and easily maintained. To ensure that site facilities are accessible, adequate and attractive. 	<p>Met</p> <p>Bin and recycling for is suitably located within private open spaces, some of which impede side access from the frontages to the rear.</p> <p>A private waste collection service is proposed.</p> <p>The mail boxes for 6 Yolande Court are located at each of the front entries and there is one central mail collection point on the Yolande Court frontage for the townhouse development.</p>

Attachment 6

Assessment of the design standards in Clause 52.06-9 of the Manningham Planning Scheme

Design Standard	Met/Not Met
1 – Access ways	Met The driveways within both the 6 lot development and the 13 townhouse development are a minimum of 3.0m in width. Passing bays are not required as the length of the access ways is less than 50m Vehicles are able to enter and leave the site in a forward direction, with the exception of Unit 13 which has direct access to Yolande Court. However there are adequate sightlines
2 – Car Parking Spaces	Met The garages and car parking spaces comply with the minimum dimensions required under this standard. The visitor car parking space for 6 Yolande Court is not 6.7m in length (only 6.1m) but there is sufficient area for maneuvering into the space.
3 – Gradients	Not Met – Refer to Planning Assessment The maximum driveway gradient and transitions between gradients comply with the standard, with the exception of the following: <ul style="list-style-type: none"> • driveway gradients between garages for Dwellings 11 and 12 are too steep and • Driveway gradient change between the island at garage for Dwelling 4 and Dwelling 8 is too steep at 1 in 3.5.
Mechanical parking	Met No mechanical parking proposed.
5 – Urban Design	Met The driveway will not be visually dominating within the streetscape given there are opportunities for landscaping.
6 – Safety	Met
7 – Landscaping	Not Met - Refer to Planning Assessment

9.4 Planning Application PL16/026934 at 1 & 2 Winbrook Court, Doncaster for the construction of nine, two-storey and part three-storey dwellings

File Number:	IN18/180
Responsible Director:	Director City Planning
Applicant:	Sky Hao C/- Sky Architects Pty Ltd
Planning Controls:	General Residential Zone Schedule 2, Design and Development Overlay Schedule 8-2
Ward:	Koonung
Attachments:	<ol style="list-style-type: none">1 Locality Map  2 Objector Map  3 Decision Plans  4 Legislative Requirements  5 Clause 55 and Clause 52.06 Assessments  

EXECUTIVE SUMMARY

Purpose

1. This report provides Council with an assessment of the planning permit application submitted for land at 1 & 2 Winbrook Court, Doncaster and recommends approval of the submitted proposal subject to amendments that will be addressed by way of permit conditions.

Proposal

2. The proposal is for the use and development of the land at 1 & 2 Winbrook Court, Doncaster for the development of the land with nine dwellings comprising of two buildings divided by a central driveway. The western building is two-storey in scale, and the eastern building is generally two-storeys, except for three dwellings which are three-storey in scale. A total of 19 car parking spaces are provided in undercroft garages, comprising 18 resident spaces and one visitor space off the central driveway to the rear of the western building.
3. The development is proposed in an intact suburban streetscape of detached, low-rise dwellings, generally with one dwelling per lot. It is noted that this would be the first development in the street that would implement the strategic objectives for urban consolidation, and medium density housing in accordance with the State and Local Planning Policy and the Design and Development Overlay Schedule 8.
4. The land has a total area of 1, 629 square metres, and comprises of two separate lots containing one existing single storey dwelling per lot. The proposal has a site coverage of 50%, Garden Area of 35%, a site permeability of 37% and a maximum building height of 10.4 metres.

Key issues in considering the application

5. The key issues for Council in considering the proposal relate to:
 - Compliance with the relevant State, Local Policy Frameworks (SPPF, LPPF);
 - Design and Built Form;

- Open space and landscaping;
- On-site (internal) amenity and Off-site amenity (Clause 55 assessment);
- Car parking, access, and traffic; and
- Objector concerns.

Objector concerns

6. At the time of writing, twenty-seven objections have been received, with multiple objections repeating the interests of five properties. Therefore, a total of seventeen properties are involved in the objections for the application. It is noted that of these twenty-two objections were for the original proposal, which was advertised in 2017. The current amended proposal was advertised in March 2018 with three new objections, and ten further objections were received. None of the original objections have been withdrawn. These objections are summarised as:
 - a) Over-development;
 - b) Design and Height of Building and Neighbourhood Character;
 - c) Traffic and Parking;
 - d) Infrastructure and Flooding;
 - e) Waste Collection;
 - f) Poor internal amenity;
 - g) Noise and Construction Phase issues; and
 - h) Overlooking of the J.W Thomson Reserve.

Conclusion

7. The proposed development features a contemporary design, which subject to conditions, meets the mandatory maximum building height prescribed for the overlay. The development complies with all the objectives and standards of Clause 55 of the Scheme, and provides sufficient resident and visitor car parking spaces in accordance with the requirements of Clause 52.06 of the Scheme.
8. The development of the land with a medium density terrace-style development, comprising two buildings is consistent with planning policies of the Manningham Planning Scheme (the Scheme), including the requirements of the General Residential Zone Schedule 2 (GRZ2) and the objectives of the Design and Development Overlay Schedule 8 (DDO8) subject to conditions, which will require minor changes to the building.
9. It is recommended that the application be supported, subject to the following conditions.

COUNCIL RESOLUTION

MOVED: CR DOT HAYNES
SECONDED: CR ANNA CHEN

That Council:

Having considered all objections, issue a **NOTICE OF REFUSAL** in relation to Planning Application PL16/026934 at 1 & 2 Winbrook Court, Doncaster for the construction of nine dwellings on the following grounds:

1. The proposed three-storey built form does not respect the existing or preferred neighbourhood character of the area, and the building height exceeds the maximum height requirements of Schedule 8 to the Design and Development Overlay of the Manningham Planning Scheme, by 400 mm (10.4 m) on a lot less than 1800 m².
2. The proposed development fails to address existing and preferred neighbourhood character objectives as it relies on balconies rather than at grade secluded private open space areas, reducing landscaping opportunities.
3. The development proposes an inappropriate visual response to J.W. Thomson Reserve due to its height and scale.
4. The increase in traffic and demand for on-street car parking will result in an unreasonable amenity impact for the residents of Winbrook Court.

DIVISION

Councillor Chen called a division and the Council divided as follows:

FOR (3): Councillors Anna Chen, Dot Haynes and Mike Zafiroopoulos.
AGAINST (6): Councillors Andrew Conlon, Michelle Kleinert, Sophy Galbally, Geoff Gough, Paul McLeish and Paula Piccinini.

THE MOTION WAS LOST

MOVED: CR PAUL MCLEISH
SECONDED: CR SOPHY GALBALLY

That Council:

Issue a **NOTICE OF DECISION TO GRANT A PLANNING PERMIT** in relation to Planning Application PL16/026934 at 1 & 2 Winbrook Court Doncaster for the construction of nine dwellings subject to the following conditions –

1. Before the development starts, two copies of amended plans (scale 1:100 and dimensioned, 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 generally in accordance with the decision plans prepared by Sky Architects Pty Ltd, Job No. S176, dated 7 March 2018, TP05-TP14, but modified to show the following:

- 1.1 Removal of timber paling fencing on the eastern boundary and redesign of retaining walls to provide no more than two entrances from the shared pedestrian path to J.W. Thomson Reserve;
- 1.2 The east boundary fence adjacent to the secluded private open space area of Unit 9 to be no higher than 1.8 metres and at least 70% transparent;
- 1.3 The internal boundary fence between the secluded private open space of Dwellings 4 and 9 relocated at least 3.4 m west;
- 1.4 The retaining wall at the southern end of the driveway relocated an additional one metre to the south;
- 1.5 The basement level and gyms to Dwellings 1, 2, 3 and 4 setback at least 4 metres from the western boundary;
- 1.6 Landscape beds between the western walls of Dwellings 1-4 and the paths;
- 1.7 Reduction in the width of the driveway to 3 metres within frontage of the lot, north of each building to provide for additional landscaping beds.
- 1.8 Fixed clotheslines to the secluded private open space of each dwelling, with obscure glazed balustrades along a minimal extent of each balcony to screen clotheslines and air conditioning units from view of the public realm;
- 1.9 Notation clearly indicating the retention of Tree 29, and retention of the natural ground level within 3.14 metres of the trunk of this tree (i.e. no excavation), and associated relocation of retaining walls and external stairs to the south, out of the Structural Root Zone of this tree;
- 1.10 The location, design and finish of mail boxes, building services and metering (including any fire services, gas, water and electricity), positioned in discrete manner and screened using cabinets etc. that are integrated with the overall building design to the satisfaction of the Responsible Authority.
- 1.11 Notation indicating permeable pavers to the shared pedestrian paths east and west of the dwellings;
- 1.12 Plan changes specified in the Sustainable Design Assessment submitted with the application as per Condition 3 of this permit.
- 1.13 Relocation of the power pole and relocation of the parking sign out of the proposed vehicle crossover and driveway;
- 1.14 Deletion of references to 'Saxon Street Reserve';

- 1.15 A materials, colours and finishes schedule (to be provided in colour) which must be fully compliant with the restrictive covenants registered to the Certificate of Title. The schedule must include details of all building and facade treatments, paving, fencing, screening and retaining wall treatments. The plans must be cited by a legal practitioner or property law expert and their confirmation that the plans accord with the restrictive covenants registered to the Title provided.
- 1.16 Modification of the overall building height so that no part of the building exceeds 10 metres in height above natural ground level; and
- 1.17 The layout of the development modified so that the required Garden Area under the General Residential Zone is met on each lot.

Endorsed Plans

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

Sustainable Design Assessment

3. The development must be constructed in accordance with the Sustainable Design Assessment approved and forming part of this permit (Project number 11672, dated 16 January 2018), and all of its requirements 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.

Completion

4. Before the occupation of the approved dwellings, landscaped areas must be fully planted and mulched or grassed generally in accordance with the approved plan and to the satisfaction of the Responsible Authority.
5. Privacy screens and obscure glazing as required in accordance with the approved plans must be installed prior to occupation of the building to the satisfaction of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority. The use of obscure film or spray fixed to transparent windows is not considered to be 'obscure glazing' or an appropriate response to screen overlooking.

Landscape Plan

6. 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 landscape concept plan LC2148 prepared by Memla Pty Ltd, dated 16 February 2018, and modified to show:

- 6.1. The retention of Tree 29 and relocation of stairs and retaining walls in accordance with Condition 1 of the permit;
- 6.2. Native canopy tree species to replacing exotic tree species;
- 6.3. Species, locations, approximate height and spread of proposed planting and the retention of existing trees and shrubs, where appropriate or as directed by any other condition of this Permit;
- 6.4. Details of soil preparation and mulch depth for garden beds and surface preparation for grassed areas;
- 6.5. Fixed edge strips for separation between grassed and garden areas and/or to contain mulch on batters;
- 6.6. A sectional detail of the canopy tree planting method which includes support staking and the use of durable ties;
- 6.7. A minimum of three (3) canopy trees, of a species indigenous to Manningham capable of reaching a minimum mature height of 8 metres, within the front setback of the site. The trees must be a minimum height of 1.5 metres at the time of planting;
- 6.8. A minimum of one (1) canopy tree of a native species, within the private open space of each dwelling, to be a minimum height of 1.5 metres at the time of planting;
- 6.9. Native, drought tolerant plants and screen plantings along the western and southern boundaries, to be a minimum height of 0.5 metres at the time of planting;
- 6.10. Native, drought tolerant plants along the eastern side boundary and shared pedestrian area, to be a minimum height of 0.5 metres at the time of planting, and not exceeding a height of 1.6 metres at maturity;
- 6.11. Planting within 2 metres along the frontage from the edge of the driveway and 2.5 metres along the driveway from the frontage to be no greater than 0.9 metres in height at maturity.

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.

Landscape Bond

7. Before the release of the approved plan for the development, a \$10,000 cash bond or bank guarantee must be lodged with the Responsible Authority to ensure the completion and maintenance of landscaped areas and such bond or bank guarantee will only be refunded or discharged after a period of 13 weeks from the completion of all works, provided the landscaped areas are being maintained to the satisfaction of the Responsible Authority.

Construction Management Plan

8. Before the development starts, two copies of a Construction Management Plan (CMP) must be submitted to and approved by the Responsible Authority. When approved, the CMP will form part of the permit. The Construction Management Plan must be prepared using Council's CMP Template to address the following elements referenced in Council's Construction Management Plan Guidelines:

- 8.1. Element A1: Public Safety, Amenity and Site Security;
- 8.2. Element A2: Operating Hours, Noise and Vibration Controls;
- 8.3. Element A3: Air Quality and Dust Management;
- 8.4. Stormwater and Sediment Control and Tree Protection;
- 8.5. Element A5: Waste Minimisation and Litter Prevention; and
- 8.6. Element A6: Traffic and Parking Management.

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

Management Plan Compliance

9. The Management Plan approved under Condition 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.

Drainage

10. The owner must provide on-site stormwater detention storage or other suitable system (which may include but is not limited to the re-use of stormwater using rainwater tanks), to limit the Permissible Site Discharge (PSD) to that applicable to the site coverage of 35 percent of hard surface or the pre-existing hard surface if it is greater than 35 percent. The PSD must meet the following requirements:
- 10.1. Be designed for a 1 in 5 year storm; and
 - 10.2. Storage must be designed for 1 in 10 year storm.
11. Before the development starts, a construction plan for the system required by Condition 7 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.
12. The stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor.

13. 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.

Vegetation and tree protection

14. No vegetation (including street trees), apart from that shown on the approved plan as vegetation to be removed may be felled, destroyed or lopped without the written consent of the Responsible Authority.
15. Except with the prior consent of the responsible authority, the existing street trees must not be removed or damaged.
16. The owner must ensure that contractors/tradespersons who install services or work near the vegetation to be retained on the land and adjoining properties (including J.W. Thomson Reserve) are made aware of the need to preserve the vegetation and to minimise impacts through appropriate work practice.

Site Services

17. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.
18. The relocation of the power pole must be undertaken with the written consent of the relevant service authority, as the developer's cost.
19. All upper level service pipes (excluding stormwater downpipes) must be concealed and screened respectively, to the satisfaction of the Responsible Authority.
20. Any PVC pipes serving rainwater tanks which are positioned against building walls must be painted to match the colour of roofline guttering, to the satisfaction of the Responsible Authority.

Completion and Maintenance

21. Before the occupation of any approved dwelling, the following works must be completed generally in accordance with the approved plans and to the satisfaction of the Responsible Authority:
 - 21.1. All privacy screens and obscured glazing must be installed, noting the use of obscure film fixed to transparent windows is not considered to be 'obscured glazing';
 - 21.2. All driveways, bicycle and car parking areas fully constructed, with appropriate grades and transitions, line marked and/or signed and available for use; and
 - 21.3. All landscape areas must be fully planted and mulched or grassed.
22. Once the permitted development has commenced it must be completed to the satisfaction of the Responsible Authority.

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

Permit Expiry

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

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

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

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

CARRIED

1. BACKGROUND

- 1.1 The planning application was originally submitted on 5 December 2016, for the construction of ten, three-storey dwellings. The Applicant has sought to address design and flooding issues, and the application was amended (prior to notice) under Section 50 of the *Planning and Environment Act 1987* on 9 August 2017 for an increased eleven, part two-storey and part three-storey dwellings, which was notified on 17 August 2017.
- 1.2 The Applicant subsequently has sought a further amendment to the application after notice under Section 57A of the *Planning and Environment Act 1987* on 9 October 2017 to address design issues, with the current design reducing the development back to nine dwellings which was re-submitted in 8 March 2018.
- 1.3 Notice of the application to adjoining properties and objectors was given over a two-week period which concluded on 28 March 2018.
- 1.4 The statutory time for considering a planning application is 60 days, which lapsed on 8 May 2018.
- 1.5 The land title is affected by two restrictive covenants, Restrictive Covenant E221703, and Restrictive Covenant 2050132.
- 1.6 Restrictive Covenant E221703 states that: *'Any building having external walls of any materials other than brick, brick veneer or stone...'* Restrictive Covenant 2050132 states that *'Any building other than a private dwelling house or dwelling houses with the usual outbuildings or garage.'*
- 1.7 The proposed development would be constructed of brick at ground floor level and finished in stone cladding on the upper levels. Subject to a conditional requirement that a detailed schedule of materials, colours and finishes table be provided that illustrates compliance with the covenant, it is considered that the above covenants will not be breached by the proposal. **Condition required.**

2. THE SITE AND SURROUNDS

- 2.1 The proposed site is comprised of two lots (Lots 2 & 3 on Plan of Subdivision 089025), situated on the southern side of Winbrook Court, west of the intersection of Saxon Street and J.W. Thomson Reserve.
- 2.2 The site has a combined frontage width of 39.27 metres (the northern boundary), metres, rear boundary length of 39.08 metres (the southern boundary), eastern boundary with a length of 39.67 metres, and western boundary with a length of 43.68 metres. The site has a total area of 1,629 square metres, and is not covered by an easement.
- 2.3 Each lot is occupied by a detached dwelling single storey in scale (with No. 1 Winbrook Court as split level), constructed of brick with hipped roofs of tile. Large, mature eucalyptus trees are located in the frontage of each lot, and to the rear of each dwelling.
- 2.4 Each lot has access to Winbrook Court via existing single width crossovers, which are separated by an island containing a power pole. The pole also contains a parking sign which indicates that there is permit parking only from Monday 8 am to Sunday 6 pm (including public holidays).
- 2.5 The topography rises to the rear of the site by 3 to 4 metres, with a 4.13 metre cross fall from west to east.

The Surrounds

- 2.6 The surrounds are as follows:

Direction	Address	Description
North	Nos.19-28, 22, 29, 30, 30A & 31 Winbrook Court	<p>Nos. 19-31 Winbrook Court contain single detached dwellings, one to two storeys in scale, constructed of brick with hipped or gable roof forms. These dwellings have large backyards to the rear of dwellings with established landscaping.</p> <p>No. 29 Winbrook Court is north west of the land, and is currently vacant but has permission (PL15/025474) to construct two, semi-detached two-storey dwellings constructed of brick with a hipped roof form of tiles.</p> <p>No. 30 and 30A Winbrook Court contains two detached double storey units.</p> <p>No. 22 Winbrook Court is north east of the site, opposite J.W. Thomson Reserve. The site contains a two storey dwelling constructed of brick with a hipped roof form oriented to Saxon Street.</p>
	10-12 Saxon Street	<p>Planning Permit PL13/023830 approved construction of six, two-storey brick dwellings at No. 10-12 Saxon Street, oriented around a shared driveway. The site is vacant.</p>

South	Westfield Drive and Grosvenor Street.	<p>The pattern of development in the street is similar to Winbrook Court, with the following exceptions:</p> <p>No. 27 Westfield Drive contains a two storey building comprising of four dwellings, attached with a shared driveway to the east.</p> <p>No. 33 Westfield Drive contains three attached dwellings with a shared driveway to the east, with a gable roof and dormers.</p> <p>No. 36-40 Westfield Drive contains a three storey dwelling comprised of 20 dwellings with basement car parking.</p> <p>Westfield Shopping Centre and associated car park are located 100-140 metres south west of the site. This forms part of the Doncaster Hill Activity Centre where high density housing development is sought.</p> <p>No. 1 Grosvenor Street is located 65 metres south east of the land, abutting J.W. Thomson Reserve. The site contains a three to ten storey apartment building with 185 dwellings and associated basement car parking.</p>
East	J.W. Thomson Reserve	The reserve contains large mature gum trees, a childrens playground and sealed paths providing access to Winbrook Court, Saxon Street, Westfield Drive and Grosvenor Street.
West	No. 3-14 Winbrook Court	The site contains single and double storey detached dwellings constructed of brick with hipped or gable roof form of tiles. Nos. 15-16 have roof forms of flat or shallow gables of steel. These dwellings have large backyards to the rear of dwellings with established landscaping.

3. THE PROPOSAL

- 3.1 It is proposed to clear the site of existing buildings and all but one *Eucalyptus cinerea* or Argyle Apple tree (Tree 29) in the north west corner to develop the land with two buildings separated by a central driveway. This would comprise of nine, two-storey to three-storey dwellings over an undercroft garages at sub-basement level, with pedestrian entrances to Winbrook Court and the side elevations.

Development summary

3.2 A summary of the development is provided as follows:

	Western Building	Eastern Building	Car spaces provided
Number of Dwellings:	Four: Units 1, 2, 3 & 4	Five: Units 5, 6, 7, 8 & 9	18 resident car spaces 1 visitor car space
Two Storey scale with garage at basement level:	Units 1, 2, 3 & 4	Units 5 & 6	Six double garages
Three Storey scale with garage at basement level:	n/a	Units 7, 8 & 9	Three double garages
Maximum Building Height:	6.4 m	10.4 m	
Number of Bedrooms:	<ul style="list-style-type: none"> • 3 bedrooms: • 1 • 4 bedrooms: • 3 	<ul style="list-style-type: none"> • 3 • 2 	<ul style="list-style-type: none"> • 2 per dwelling (8) • 2 per dwelling (10) • One visitor space
Dwelling Size (excluding garages and balconies):	Floor areas ranging from 106.7 m ² to 179.5 m ²	Floor areas ranging from 110.2 m ² to 145.3 m ²	

3.3 It is noted that the proposed location of the shared driveway and associated vehicle crossover requires relocation of a power pole. This would need to be undertaken at the developer's cost and with consent of the relevant power company. The proposed crossover would remove the existing vehicle crossover to No. 1 Winbrook Court, which will be reinstated with kerb and nature strip.

3.4 The buildings are proposed to be constructed of brick, with brown face brick generally at ground floor level, and upper levels finished in sandstone cladding or grey stone veneer with a flat roof form of Colorbond steel. Subject to a conditional requirement that a detailed schedule of materials, colours and finishes table be provided that illustrates compliance with the covenant, it is considered that the above covenants will not be breached by the proposal. **Condition required.**

Submitted plans and documents

3.5 The proposal is outlined on the plans prepared by Sky Architects, Job No. S176, dated 7 March 2018, TP05-TP14, and landscape plan prepared by Memla Pty Ltd, Job No. LC 2148 dated 16 February 2018. Refer to Attachment 1.

3.6 The following most recently updated reports were submitted to support the revised application:

- arboricultural report prepared by Consultant Arborist Paul Jameson of Bluegum, dated 27 February 2017;

- car parking and swept path report prepared by TTM Consulting Pty Ltd, dated 15 February 2018;
- sustainable design assessment prepared Horizon Pb Consultants, dated 17 January 2018;

4. LEGISLATIVE REQUIREMENTS

- 4.1 Refer to Attachment 4 (Planning & Environment Act 1987, Manningham Planning Scheme, other relevant legislation policy).

5. REFERRALS

External

- 5.1 There are no relevant external referral authorities.

Internal

- 5.2 The application was referred to a number of Service Units within Council. The following table summarises the responses:

Service Unit	Comments
Engineering & Technical Services Unit – Drainage	<ul style="list-style-type: none"> • No objection subject to conditions that have been included in the recommendation, including the provision of a stormwater retention system.
Engineering & Technical Services Unit – Vehicle Crossing	<ul style="list-style-type: none"> • No objection subject to conditions that have been included in the recommendation, including the removal of any redundant vehicle crossings and the footpath and nature strip reinstated
Engineering & Technical Services Unit – Access and Driveway	<ul style="list-style-type: none"> • No objection subject to conditions that have been included in the recommendation, including setting back the north facing retaining wall an additional metre to provide more convenient vehicle movements.
Engineering & Technical Services Unit – Traffic and Car Parking	<ul style="list-style-type: none"> • No objection to the proposal.
Engineering & Technical Services Unit – Car Parking Layout	<ul style="list-style-type: none"> • No objection to the proposal and no conditions required.
Engineering & Technical Services Unit – Construction Management	<ul style="list-style-type: none"> • No objection to the proposal subject to the provision of a construction management plan.
Engineering & Technical Services Unit – Flooding	<ul style="list-style-type: none"> • No objection

Service Unit	Comments
Engineering & Technical Services Unit – Waste	<ul style="list-style-type: none"> It was recommend that private waste collection is required. This is discussed later in the report.
Open Space Planner	<ul style="list-style-type: none"> No objection subject to conditions that have been included in the recommendation including the provision of appropriate fencing and pedestrian gates along the reserve.
City Parks	<ul style="list-style-type: none"> No objection subject to conditions that have been included in the recommendation including the protection of nature strip trees.

1. Waste Collection

- 5.3 The development is similar to a four to five unit development across two single width lots which typically do not require private waste collection. The street frontage would be a combined 39.27 metres which would be able to accommodate two bins per dwelling within the nature strip, and therefore a Waste Management Plan will not be required as Council waste collection is considered reasonable for the site.

6. CONSULTATION

- 6.1 Notice of the application was initially undertaken over a two-week period in August-September 2017, by sending letters to nearby properties and displaying a large sign on site. Twenty-two objections were received.
- 6.2 The current version of the plans (amended under Section 57A of the *Planning and Environment Act 1987*) were re-notified in March 2018, by sending letters to objectors and to adjoining properties.
- 6.3 Twenty-seven objections have been received to date, with multiple objections repeating the interests of five properties. The current amended proposal was advertised in March 2018 with three new objections, with 10 further objections received. None of the original objections have been withdrawn. There are a total of seventeen properties are involved in the objections for the application, the objections have been summarised in the executive summary.
- 6.4 A Consultation Meeting was held on 7 May 2018. The objectors concerns remain unresolved.

7. ASSESSMENT

- 7.1 The proposal has been assessed against the relevant state and local planning policies, the zone and overlay and the relevant particular provisions and general provisions of the Scheme.
- 7.2 The following assessment is made under the headings:
- State and Local Planning Policy Frameworks (SPPF and LPPF);
 - Design and Built Form
 - Open space and Landscaping;
 - On-site and Off-site amenity;

- Car parking, access and traffic;
- Objector concerns.

State and Local Planning Policy Frameworks (SPPF and LPPF)

- 7.3 Key objectives of the SPPF and LPPF seek to intensify Activity Centres as a focus for a higher density style of development and encourage increased activity as a way to achieve broader urban consolidation objectives.
- 7.4 The subject land is in the periphery of the Activity Centre Zone Schedule 1 (Doncaster Hill Precinct), being within 150 metres of the Westfield Shopping Centre. Winbrook Court is within the General Residential Zone Schedule 2 and the Design and Development Overlay Schedule 8-2 (DDO8), an area (Precinct 2, Sub-Precinct A) where Residential Policy at Clause 21.05 of the Manningham Planning Scheme anticipates medium housing density to provide a gradual transition in density and scale of multi-level apartments such as the existing apartment building at No. 1 Grosvenor Street, which is approximately 65 metres south east of the subject land.
- 7.5 The proposed development would be the first medium density development in Winbrook Court. However this is a reasonably modest development for a 1629 m² site, similar to a four to five attached townhouse development per lot given that the eastern and western buildings are within the lot boundaries of the two separate lots. The density and form of development is not dissimilar from a four attached townhouse development that has occurred at No. 27 Westfield Drive, south of Winbrook Court.
- 7.6 It is noted that the area is starting to change in its development pattern, with the following developments constructed in the nearby area:
- three units south of the land at No. 33 Westfield Drive;
 - seven units at No. 2 Saxon Street;
 - six units at 4-6 Saxon Street;
 - six units at No.10-12 Saxon Street; and
 - six units at No. 6 Hill Court.
- 7.7 Several of these developments have been constructed or are under construction on lots between 890 m² and 1800 m². The proposed increase in housing density is therefore considered reasonable given the policy context and emerging built form in the neighbourhood.
- 7.8 Local planning policy at Clause 22.12 (Environmentally Sustainable Development) of the Scheme seeks to encourage consideration of sustainable design principles with regard to energy performance, water resources, indoor environment quality, stormwater management, transport and urban ecology.
- 7.9 One measure indicated in the policy is for a Built Environment Sustainability Scorecard (BESS) Assessment with an overall score of at least 50% (Best Practice) and minimum scores in Energy (50%), Water (50%), IEQ (50%) and Stormwater (100%) categories in BESS. The proposed development achieves an overall BESS Score of 61%, with scores in each category exceeding the minimum scores.

7.10 **Permit conditions** will require sustainable design measures to be shown on the planning drawings, for example the location of all rainwater tanks, water efficient plant selections and drip irrigation, outdoor compost bin/s, outdoor clotheslines and notations showing double glazing to each dwelling. The plans show bicycle parking racks/mounts for each dwelling and for visitors. **Permit conditions** will require replacing exotic tree and plant species with native drought tolerant species.

Design, Built Form and Landscaping

7.11 The consideration of these issues at a micro level are driven through consideration of policy objectives at Clause 43.02 – Schedule 8 of the Design and Development Overlay as follows:

Clause 43.02 Schedule 8 to the Design and Development Overlay

Design Element	Level of Compliance
<u>Building Height and Setbacks</u>	Not Fully Met <ul style="list-style-type: none"> • Building height is more than 10 m (10.4 m). • A 6.0m front setback is achieved.
<u>Form</u>	Met <ul style="list-style-type: none"> • Site coverage is below 60%. • Upper levels well are articulated and there are no buildings on boundaries.
<u>Car Parking and Access</u>	Not Fully Met <ul style="list-style-type: none"> • One crossover per frontage proposed. • Garages to Units 1 & 6 not recessed at least 1.0m behind primary facades.
<u>Landscaping</u>	Met <ul style="list-style-type: none"> • Two canopy trees can be planted in the street frontage. • There is opportunity for screen planting along the side and rear boundaries as shown in the landscape plan.
<u>Fencing</u>	Met <ul style="list-style-type: none"> • No front fence is proposed.

7.12 The objectives of the DDO8 indicates support for two storey townhouse style dwellings with a higher yield within sub-precinct A, where the minimum land size of 1800 m² cannot be achieved. The proposed development generally complies with this objective as the majority of dwellings, and general appearance of the development is two-storeys. A third storey is supported in this context as:

- it is limited to three dwellings (Units 7, 8 and 9);
- is setback at least 17.9 metres from Winbrook Court;
- is recessed on the eastern, southern and western elevations;
- is less than 75% of the floor area of the lower levels of these dwellings; and
- primarily abuts a public open space reserve.

- 7.13 The overall building height of the eastern building would slightly exceed the building height limit of 10 metres in the DDO8 in the order of 400mm due to the slope of the land. This is located on the eastern elevation of Unit 7 which faces J.W. Thomson Reserve. Overall building height facing adjoining properties and Winbrook Court do not exceed the required building height and therefore a variation is recommended as this minor discrepancy in height would not be discernible in a park setting characterized by large eucalyptus trees. The buildings would be less than the maximum height in the General Residential Zone Schedule 2, which is 11 metres, and complies with the three-storey building limit in this zone.
- 7.14 The garages to Units 1 and 6 would not be recessed from the front wall of these dwellings, but are generally aligned with the front wall. A variation is supported as the garages are not oriented to the street, and their side walls would appear recessed due to the architectural features used to highlight the dwelling entrances and associated balconies, and through use of planters and landscaping. The highlight windows to the side wall of the garage to Unit 6 would also reduce the extent of blank wall facing the street.

Open space and Landscaping

- 7.15 The mandatory requirements for Garden Area in Clause 32.08-4 of the General Residential Zone have been met, with 35% of the site set aside as Garden Area.
- 7.16 The development does not adequately respond to the interface with J.W. Thomson Reserve at ground floor level, proposing a 1.9 metre high solid timber paling fence on the eastern boundary. **Permit conditions** will require removal of the fence and will require redesign of the shared pedestrian path to allow direct access to the reserve via 1-2 pedestrian gates. East facing fencing to Unit 9 on this elevation should not be constructed of paling fences, must not exceed 1.8 metres in height, and must be at least 70% transparent. This would improve engagement and passive surveillance of the reserve in line with Safer Design Guidelines in the state planning objectives.
- 7.17 **Permit conditions** will also require the retention of Tree 29, a *Eucalyptus cinerea* (Argyle Apple) in the north-west corner of No. 2 Winbrook Court. This is required as the plans do not clearly indicate retention of Tree 29, and show works that would adversely affect the tree, including excavation and retaining walls near the tree trunk.

A condition will require retention of natural ground level within 3.14 metres of the trunk (i.e. no excavation), and to relocate retaining walls and stairs south of the Structural Root Zone of the tree. Permeable pavers will be required along the pedestrian paths.

- 7.18 The transition in landscaping from J.W. Thomson Reserve and the site should be improved. The landscape plan does not show Tree 29, and features exotic tree species in the street frontage and east of the buildings, namely Chinese Elms, Ornamental Pears and Plane trees. **Permit conditions** will require native canopy tree species in these areas, and drought tolerant plants to provide a seamless and gradual transition from the reserve to the subject site in line with DDO8 objectives to soften and integrate the development into the neighbourhood, and to implement sustainable design measures in the BESS Assessment.

On-site and Off-site amenity

- 7.19 On-site and Off-site amenity impacts have been assessed in accordance with Clause 55 and meets all of the required standards (See Attachment 5). The design response does not impose unreasonable amenity impacts to adjoining dwellings.
- 7.20 Aspects of non-compliance primarily relate to the Building Height exceeding 10 metres, which has been discussed in the Built Form assessment and considered satisfactory; Open Space, due to the inadequate presentation and connection to J.W. Thomson Reserve has been discussed; and on-site amenity with regard to non-compliance with Clause 55.05-5 Solar Access to Open Space at Unit 9.
- 7.21 The secluded private open space area of Unit 9 is located south of the eastern building at natural ground level. The space would be setback less than the required setback at Standard B29 from the first and second floor walls in the order of 3-5 metres for part of the space. A variation is supported subject to **permit conditions** to relocate the internal boundary fence between the secluded private open space 3.4 metres west to provide additional space to Unit 9 opposite the driveway to provide solar access to the space.

Car parking and traffic

- 7.22 Car parking space provision and driveway design comply with the requirements of Clause 52.06 (Car Parking) of the Scheme. Refer to Appendices. Council's Engineering and Technical Services Unit recommended that the retaining wall at the end of the driveway be setback an additional 1 metre south to provide more convenient movements for the southern car space at Unit 9. This will be addressed by **permit conditions**.

Objector issues / concerns**Overdevelopment**

- 7.23 As outlined in the policy assessment of this report, the proposed development is of an appropriate scale and density for a site near the Activity Centre Zone, and is similar in scale and form to other approved developments in the wider neighbourhood.
- 7.24 The proposal satisfies the requirements of Clause 55 in respect to site coverage, setbacks, permeability, car parking, and open space provision and therefore the proposal is not considered to be an over development of the site.

State Government Policy, as well as Council Policy supports increased densities in areas with good access to public transport and other services. The proposed articulation, reduction in upper levels, mixture of building materials and proposed setbacks are considered to be sufficient to address visual bulk concerns.

Design and Height of Building and Neighbourhood Character

- 7.25 The height of the building is only marginally higher than the maximum recommended building height of 10 metres in the DDO8 (10.4 metres) and as discussed in the planning assessment is considered appropriate in its context.

- 7.26 The preferred neighbourhood character objectives as set out in the Design and Development Overlay Schedule 8 are generally met, with some design changes required to address J.W. Thomson Reserve, and to alter the landscape concept to respond to the park setting. The development is located across two lots and is generally two storeys high facing Winbrook Court. The sense of separation between the built forms, and two storey scale are generally consistent with the detached pattern of development in the neighbourhood. The contemporary form of architecture is encouraged by the DDO8, with the neighbourhood undergoing a transition from traditional low density dwelling forms to medium density, as seen in Saxon Street, Westfield Drive and Hill Court, Doncaster.
- 7.27 The side and rear setbacks generally exceed the minimum requirements at Standard B17 at Clause 55.04-1 of the Manningham Planning Scheme, as demonstrated in the table below.

	Ground Floor	First Floor	Second Floor
<u>West (side)</u>			
Rescode B17	1 m	1.84 m (max)	n/a
Proposed	3 m	3.74 m to 4.85 m	n/a
<u>East (side)</u>			
Rescode B17	1 m	2.84 m (max)	5.09 m (max)
Proposed	3 m	4.79 m	5.94 m to 7.68 m
<u>South (rear)</u>			
Rescode B17	1 m	1.67 m to 2.45 m	2.74 m - 4.24 m (max)
Proposed	3.1 m to 6.43 m	4.63 m to 8.62 m (max)	4.64m - 5.76m (max)

- 7.28 The proposed quality of the finishes (brick, stone cladding) is adequate, as the palette of building materials are limited to avoid breaching the restrictive covenant registered on the land.

Traffic and Parking

- 7.29 The proposed development satisfies Clause 52.06 of the Manningham Planning Scheme in respect to the provision of car parking. The development provides appropriate on-site car parking relative to the number of bedrooms in the existing and proposed dwellings. Each 3-4 bedroom dwelling is provided with two car parking spaces on the land in the undercroft garages. This complies with the requirements of Clause 52.06 (Car Parking) of the Scheme. One visitor parking space is required for every five dwellings in the Scheme – the visitor parking space has been provided on the land south of Unit 4, off the central driveway.
- 7.30 The concerns regarding potential visitors parking within the street, and potential obstruction of emergency and waste collection vehicles can be addressed through 'No Standing' Signs on one side of the street, given that this is an existing issue in the street.
- 7.31 Council's Engineering & Technical Services Unit has assessed the application and has raised no concerns regarding the impact of the proposal on the surrounding traffic network. The proposal provides for all its parking needs as set out in the Manningham Planning Scheme on site and would not be reliant on on-street parking.

- 7.32 The design of car spaces and driveways comply with the requirements of Clause 52.06-9 (Car Parking) of the Scheme, with the central driveway being 6.4 m wide adjacent to each garage. **Permit conditions** to set the retaining wall at the end of the driveway back 1 metre will address ease of movement issues with vehicle manoeuvres from Unit 9's garage.
- 7.33 **Permit conditions** will require reduction in the width of the driveway to 3 metres within frontage of the lot, forward of each building. This would provide for additional landscaping beds to soften the interface with Winbrook Court, minimising views down the central driveway and adjoining garages.

Infrastructure

- 7.34 The capacity of services in the area is a matter for the relevant servicing authorities. The applicant will be required to ensure appropriate connections at the subdivision stage. The application has also been referred to Council's Engineering & Technical Services Unit to assess the likely impact on drainage. Engineering & Technical Services have no objection subject to the installation of an on-site stormwater detention system.

Waste Collection

- 7.35 The development is similar to a four to five unit development across two single width lots which typically do not require private waste collection. The street frontage would be a combined 39.27 metres which would be able to accommodate two bins per dwelling within the nature strip, and therefore a Waste Management Plan will not be required as Council waste collection is considered reasonable for the site. The passage through the street could be addressed through 'No Standing' Signs.

Poor internal amenity from the size of dwellings and private open space areas

- 7.36 Each dwelling would provide at least three bedrooms with a main living area at ground floor level (Units 1-4) or first floor level (Units 5-9), with sufficient space for an open plan kitchen, dining, living room, a bedroom and a bathroom on that level. The upper levels have sufficient space for 2-3 bedrooms a family bathroom and master ensuite. The size of the dwellings is appropriate, and the secluded private open space areas (balconies and yards) exceed the requirements of Clause 55 of the Scheme. Balconies are more than 8 square metres and at least 1.6 m wide, and the yards are more than 3 m wide with at least 25 m² of secluded private open space. The dwellings have easy access to a reserve east of the site for additional recreational opportunities.

Noise and Construction Phase issues

- 7.37 Concerns have been raised regarding the potential noise generated from the dwelling/s after occupancy. The consideration of this planning application is confined only to the construction of the dwelling/s, the residential use of the dwelling/s does not require a planning permit and is not a planning matter. Residential noise associated with a dwelling is considered normal and reasonable in an urban setting. Some noise and other off site impacts are inevitable when any construction occurs. The developer will be required to meet relevant Local Law and EPA regulations regarding construction practices to ensure these impacts are mitigated. However in addition to these requirements a Construction Management Plan is recommended as a **permit condition**.

Overlooking of the J.W Thomson Reserve

7.38 As discussed in the assessment of open space and landscaping, State Planning Policy encourages passive surveillance of parks to create safer urban spaces.

Other matters

7.39 Other matters were raised that did not relate to the assessment of the planning merits of the application.

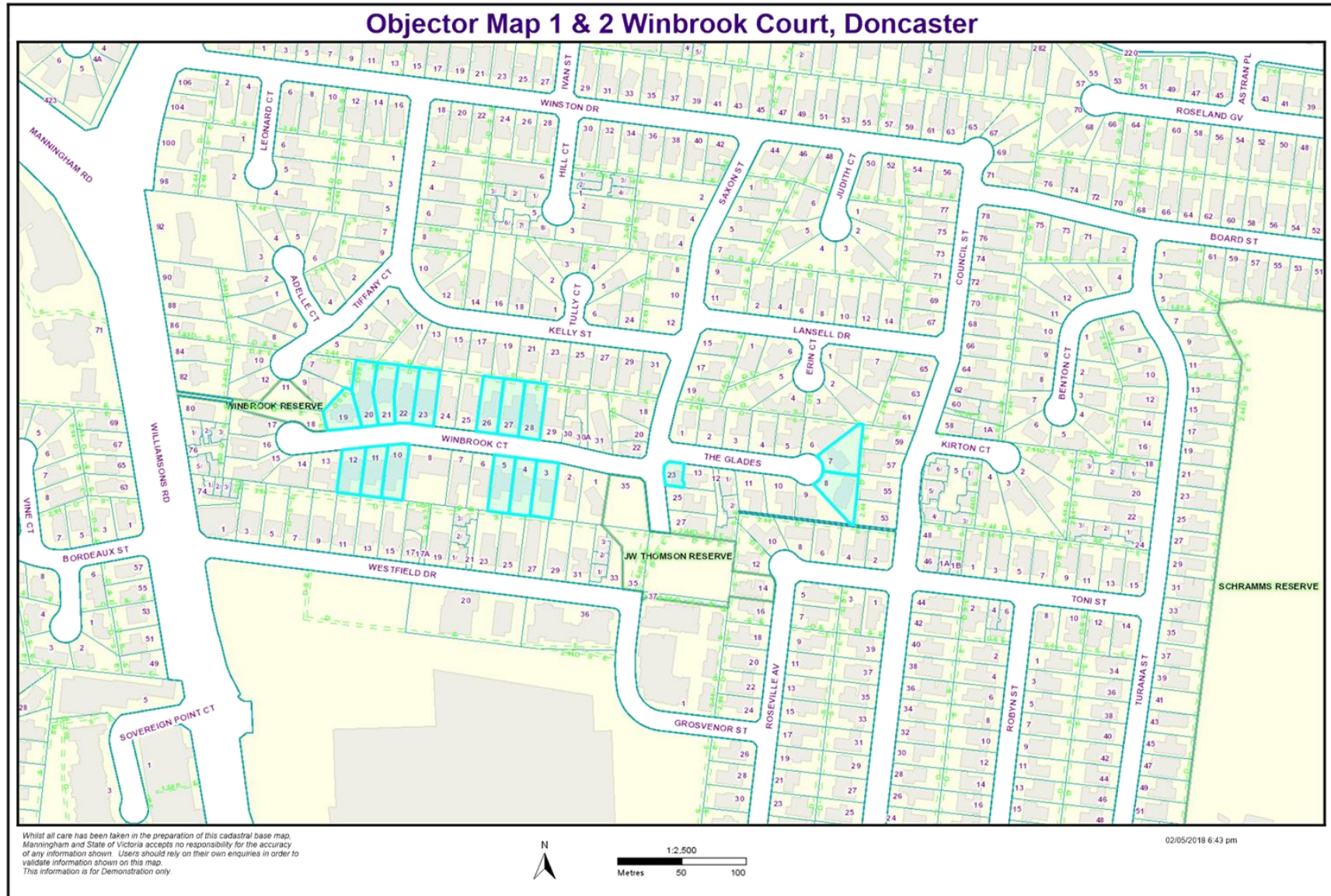
8. CONCLUSION

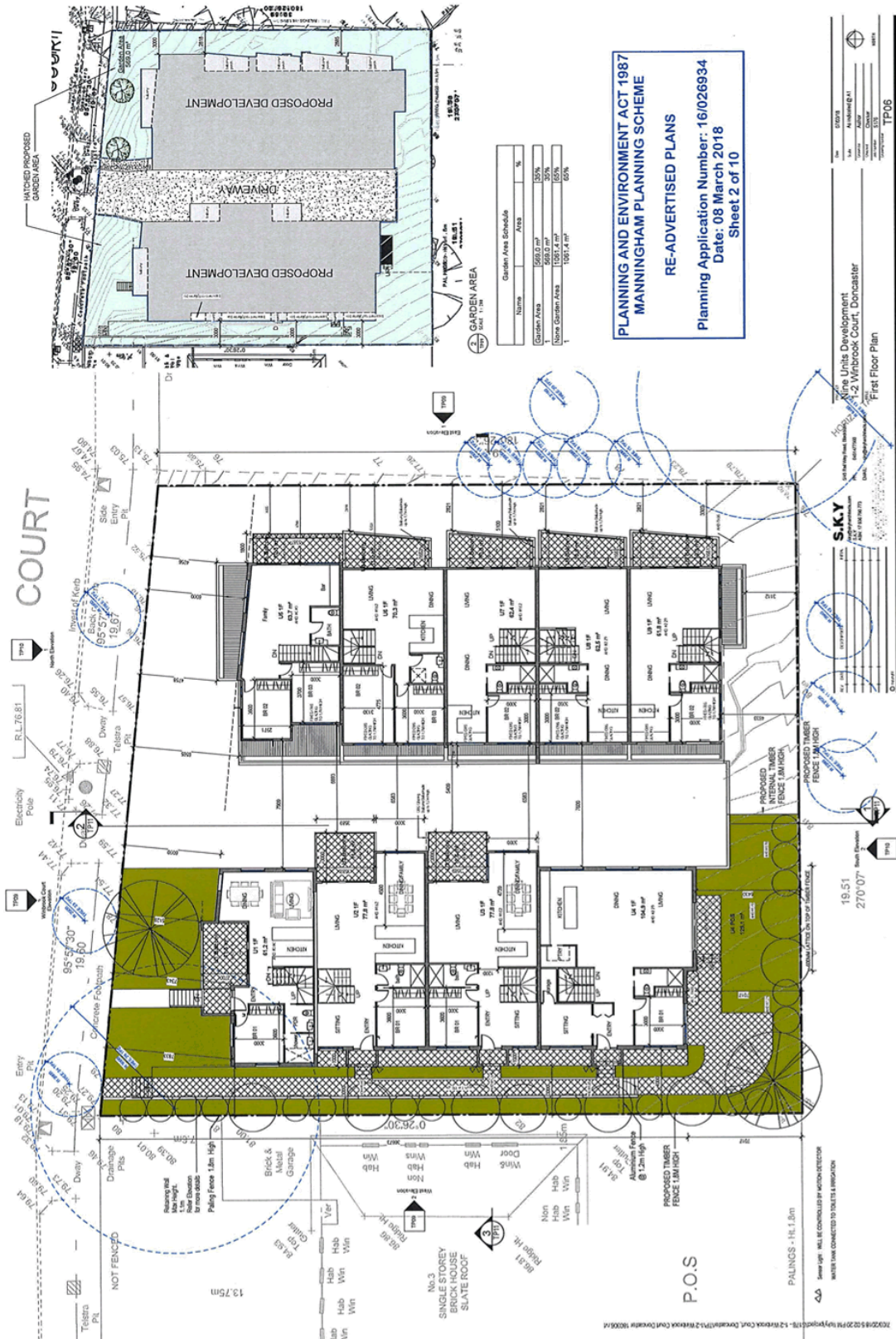
8.1 It is recommended that the application be supported, subject to conditions.

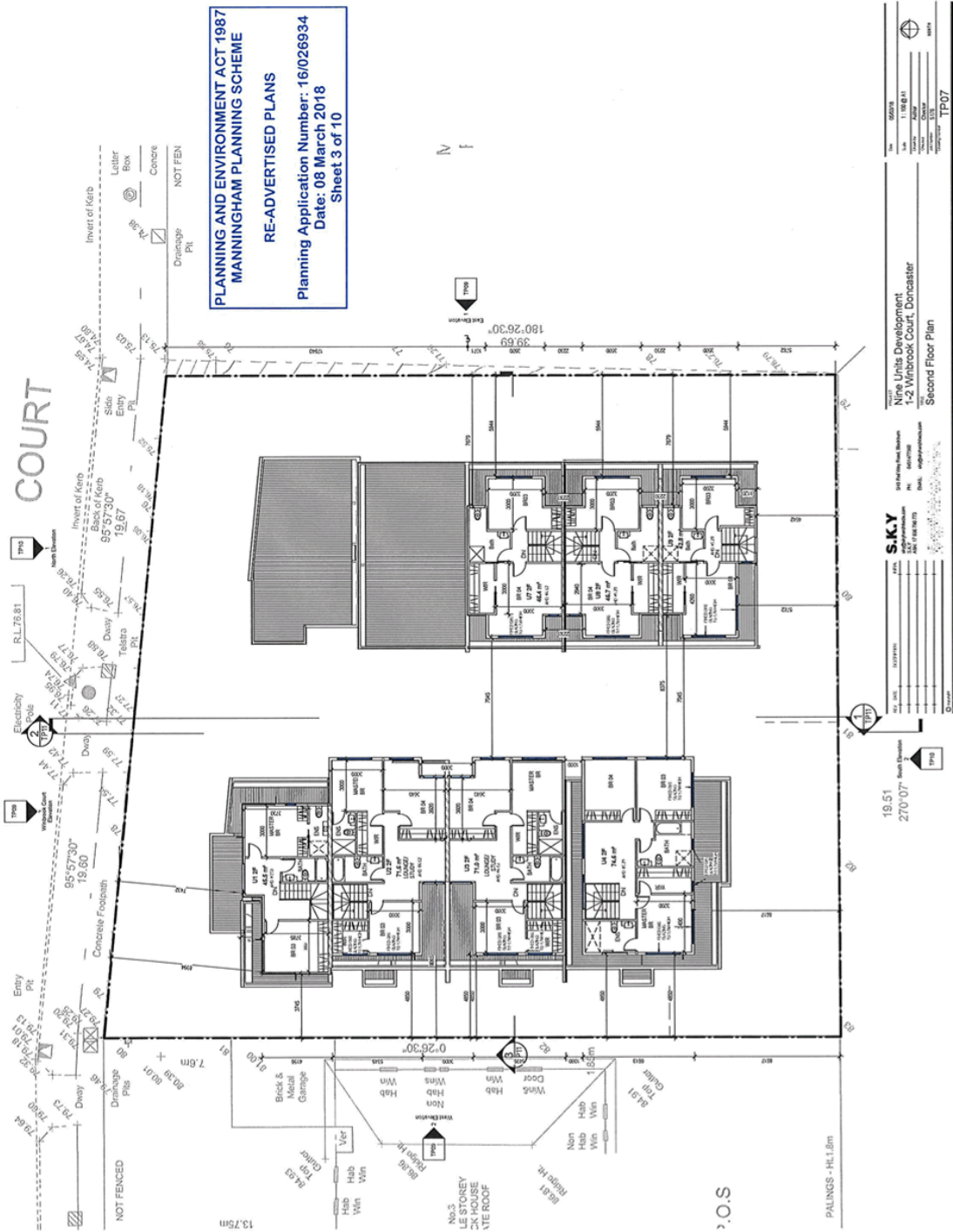
9. DECLARATION OF CONFLICT OF INTEREST

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









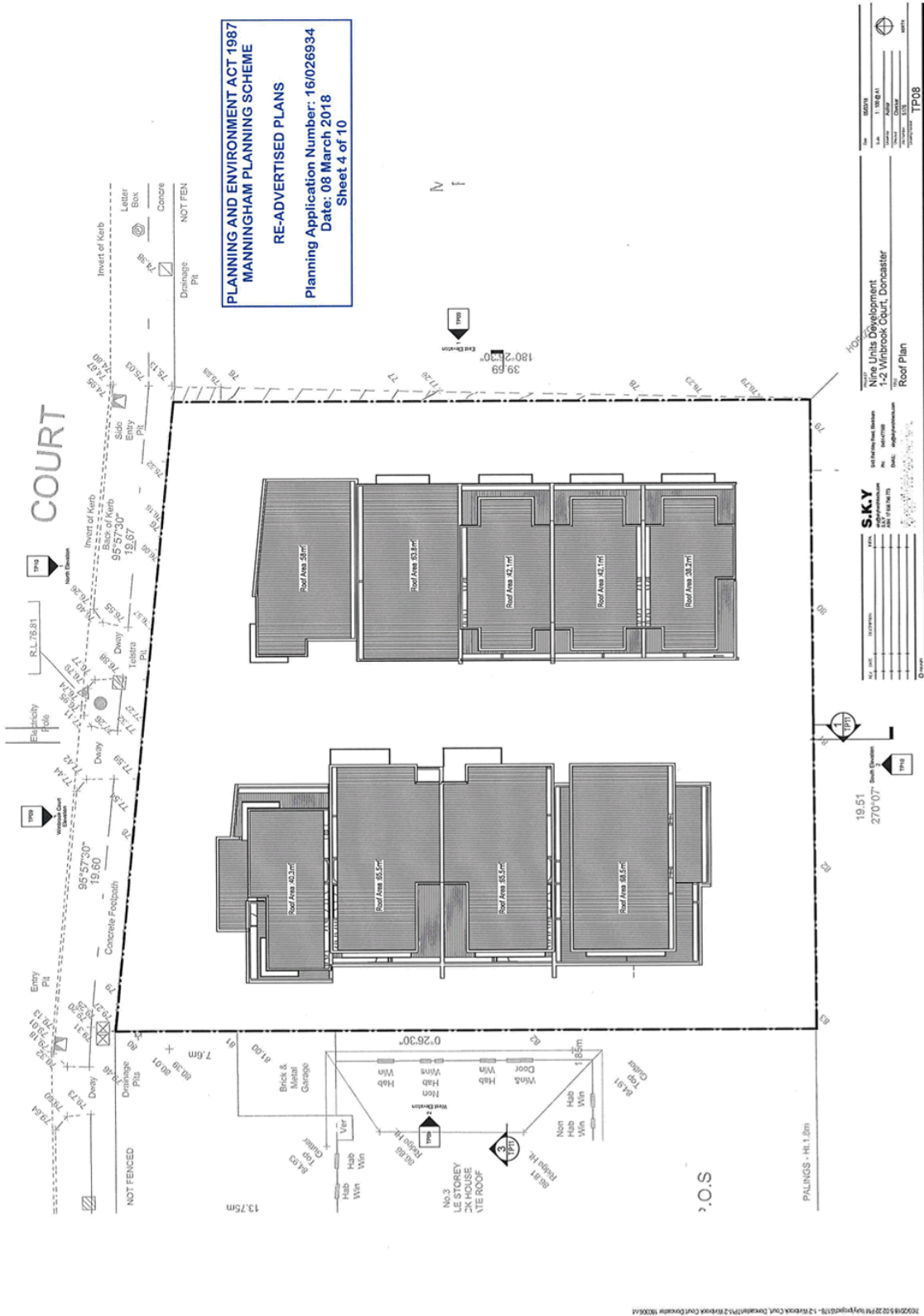
PLANNING AND ENVIRONMENT ACT 1987
 MANNINGHAM PLANNING SCHEME
 RE-ADVERTISED PLANS
 Planning Application Number: 16/026934
 Date: 08 March 2018
 Sheet 3 of 10

Site	11.100.01
Scale	1:100
Author	S.K.Y.
Checker	S.K.Y.
Project No.	16/026934
Sheet No.	3 of 10
Revision	
Drawn By	S.K.Y.
Checked By	S.K.Y.
Project Name	1-2 Winibock Court, Doncaster
Project Location	1-2 Winibock Court, Doncaster
Project Description	Second Floor Plan
Project Status	TP07

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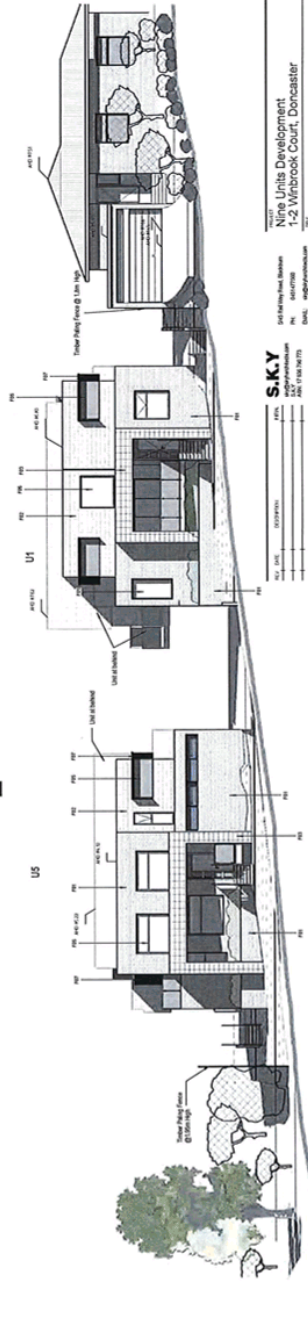
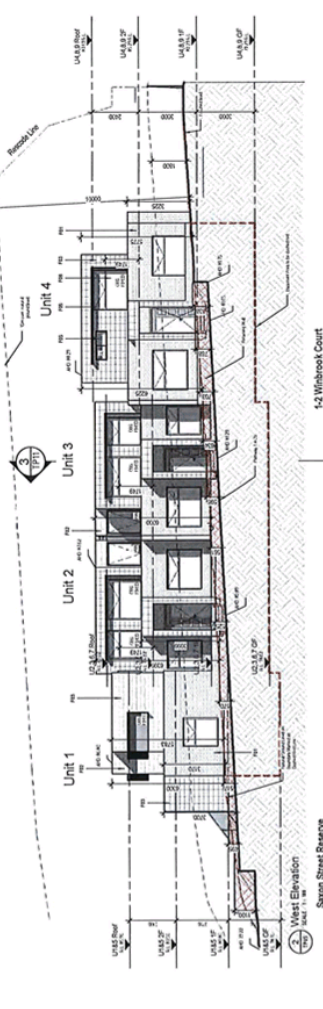
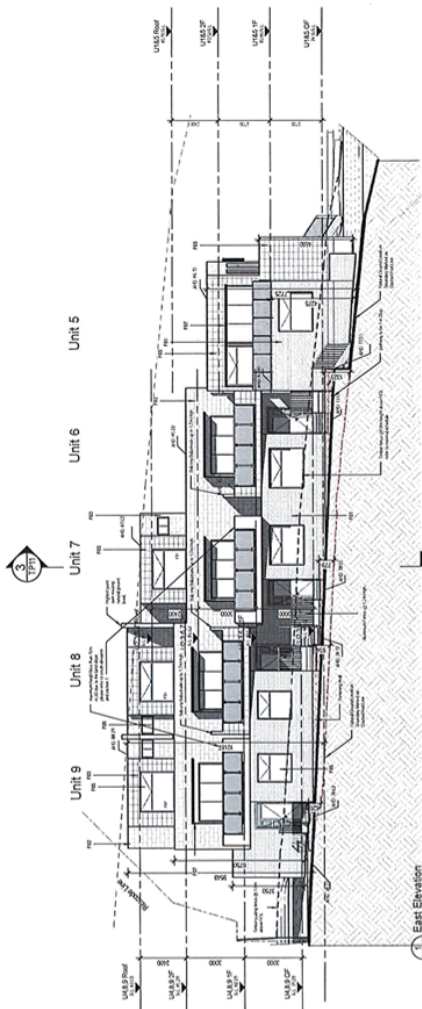
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Key Value	MATERIAL	Keynote Text
F01	PERFORATED BRICK - COLOUR: BRICK	
F02	STONE VENEER CLADDING - COLOUR: LIGHT GREY	
F03	SAND STONE CLADDING WALL	
F04	COLOURED ROOF - COLOUR: DARK GREY	
F05	GLASS - COLOUR: CLEAR	
F06	OBSCURE GLASS - POWDERCOATED ALUMINIUM FRAME IN GREY	
F07	METAL WEATHER PROTECTOR - COLOUR: BLACK	



S.K.Y.
 ARCHITECTS
 100-102 ST. JOHN'S STREET
 LEEDS LS1 4JH

TP09
 TITLE: Units Development
 1-2 Winbrook Court, Doncaster
 DRAWING: Elevations 1

NO: 000008
 DATE: 11/08/17
 DRAWN: [Name]
 CHECKED: [Name]
 APPROVED: [Name]

PLANNING AND ENVIRONMENT ACT 1987 - MANNINGHAM PLANNING SCHEME
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15th February, 2018

Jenny Huang
Sky Group
1 Wattle Valley Road,
CANTERBURY VIC 3126

Dear Jenny

**PROPOSED RESIDENTIAL DEVELOPMENT
1-2 WINBROOK COURT, DONCASTER
REVIEW OF CAR PARKING LAYOUT**

TTM Consulting (Vic) Pty Ltd has been requested by the Applicant to review the car parking layout for the proposed residential development at 1-2 Winbrook Court, Doncaster.

The subject proposal includes the provision of nine dwellings, with four 3-bedroom dwellings and five 4-bedroom dwellings. Each has provision for two car parking spaces located in a double car garage.

Swept path diagrams have been prepared using AutoTrack v11 for Unit 1, Unit 9, and the visitor parking space. These are key parking spaces which demonstrate the accessibility of all parking spaces in the development. The 'B85' design vehicle was used in the preparation of the swept path diagrams, the dimensions of which can be seen at the bottom of the diagrams attached in Appendix A.

TTM recommends alteration to the landscaped area at the rear of the accessway. The wheel track of the 'B85' design vehicle can be seen in Appendix A, Sheet 4 (red outline). The landscaping in this area should be kept clear of the wheel track, and only small flora should be planted in this area such that there are no solid obstructions (such as branches) over the height of 0.15 metres.

In preparing the swept path diagrams I have given consideration to the following :-

- The spaces in double car garages will be used by the same residents therefore they will be familiar with the most efficient and effective way to access their parking space.
- Vehicle overhang during manoeuvring into landscape areas is appropriate as this will not cause damage to the vehicle or vice versa.
- It is noted that AS2890.1 – 2004 considers that a 3 point turn entry and exit is appropriate for residential parking. It is also noted that vehicle sensors and reverse cameras are becoming a more common feature in vehicles thus giving drivers greater confidence to encroach the 300mm clearance if they are driving a larger vehicle than the 'B85' design vehicle used for the swept path diagrams.

Suite 9, 70-80 Wellington Street, Collingwood, Vic, 3066
Telephone: (03) 9419 0911 Fax: (03) 9415 9456 email: ttmconsulting.com.au web: www.ttmgroup.com.au
ABN 71 123 813 865

1-2 Winbrook Court, Doncaster

Review of Car Park Layout

Subject to TTM's recommended changes to the landscaped area, the swept path diagrams confirm that each space is accessible in 3 movements or less and that vehicles can enter and exit the site in a forward direction, which is acceptable for all day, residential parking as per AS2890.1:2004. Thus it is considered that the car parking layout is appropriate for this form of development.

The accessway is graded at 1:10 for over 5 metres from the site frontage and at 1:20 for the remaining length. This is compliant with the Planning Scheme 52.06-9 Design Standards for Ramp Gradients.

The floor levels are designed such that along the centre of each garage, the floor level matches that of the accessway. Due to the 1:20 grade of the ramp, there will be a level difference between the ramp and the garage at the sides of each garage. TTM recommends a slope grade of no more than 1:8 at the entrance of each garage to account for this level difference. The maximum level difference will be no more than 130mm for garages of 5.1 metres width; therefore the sloped area will intrude no more than 1.0 metre into the accessway on either side. Due to the shallow grade and low height of these sloped areas, they will not pose a structural hazard to vehicles driving over them.

The car parking layout for the proposed development at 1-2 Winbrook Court, Doncaster is appropriate.

Yours faithfully,
TTM Consulting (Vic) Pty Ltd



Peter Chan

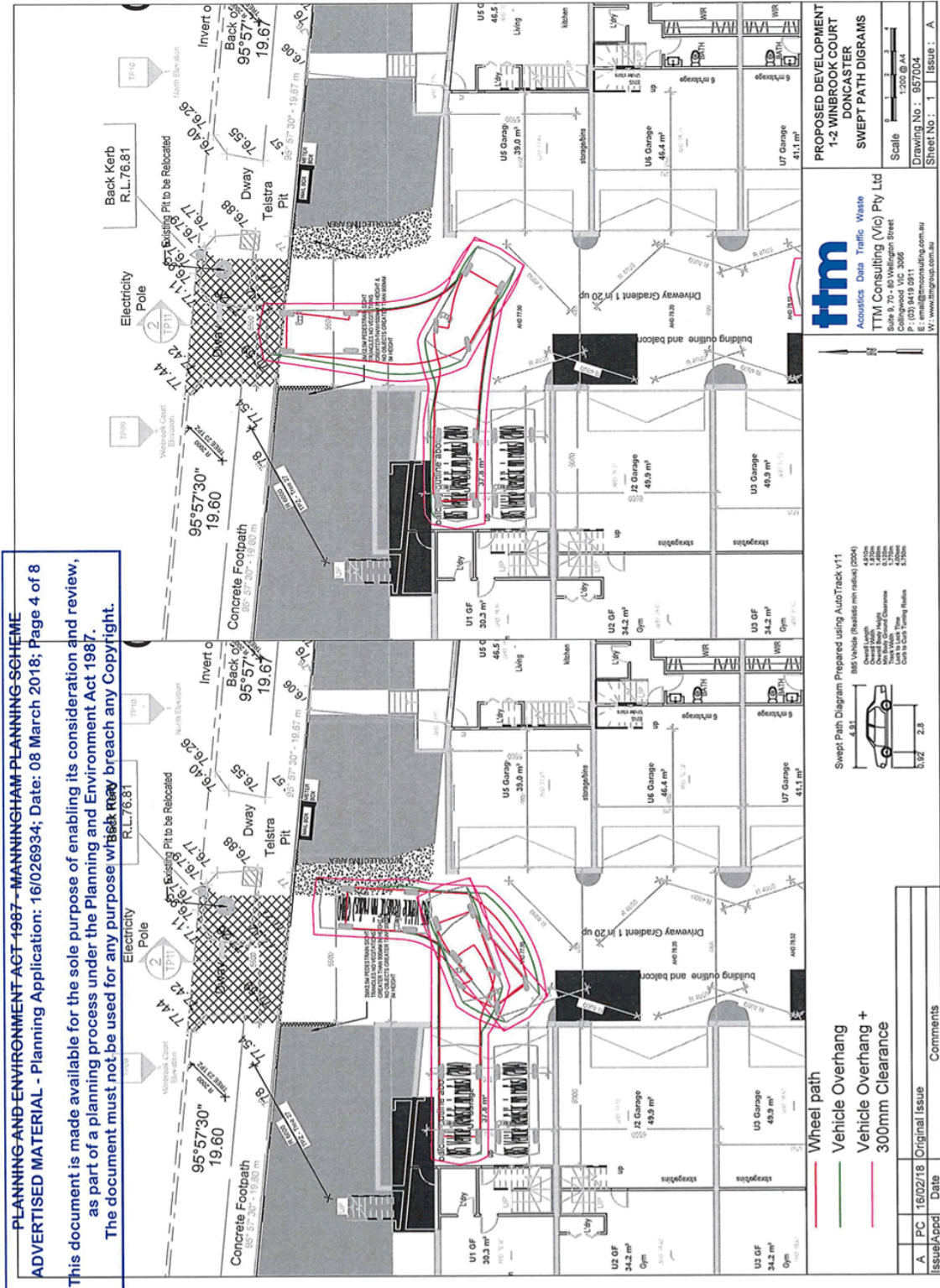
**PLANNING AND ENVIRONMENT ACT 1987 - MANNINGHAM PLANNING SCHEME
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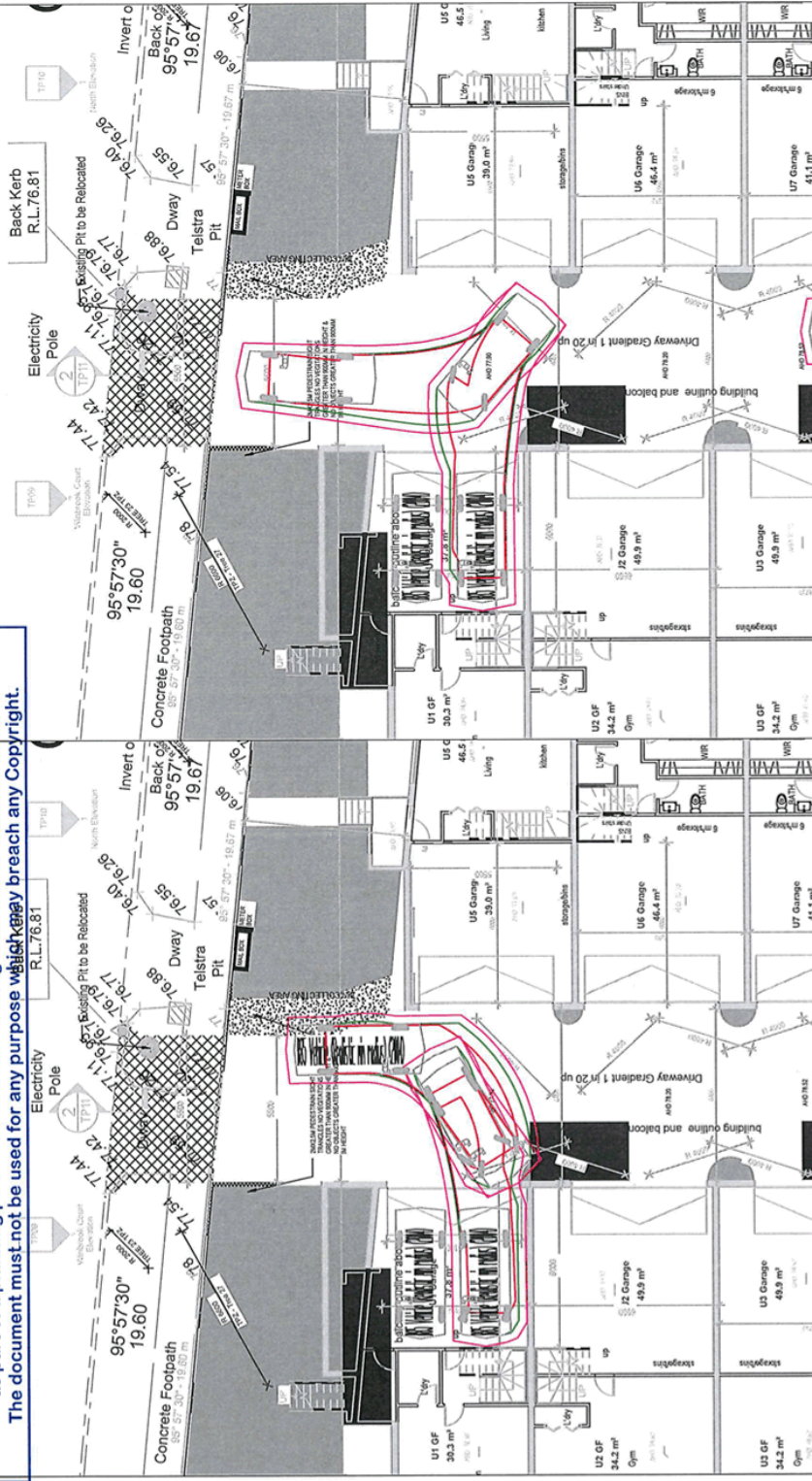
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APPENDIX A



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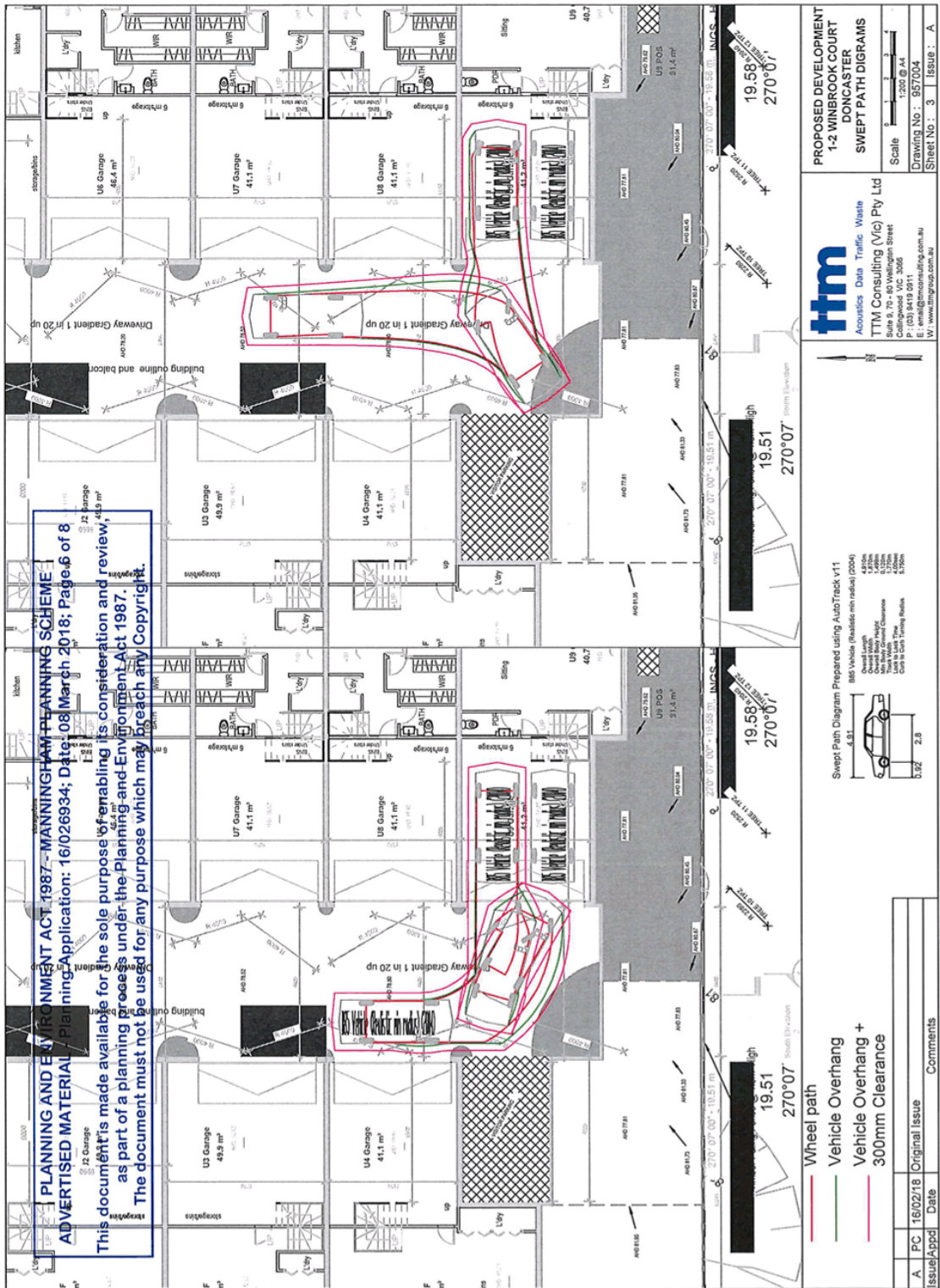
PROPOSED DEVELOPMENT
1-2 WINBROOK COURT
DONCASTER
SWEPT PATH DIAGRAMS

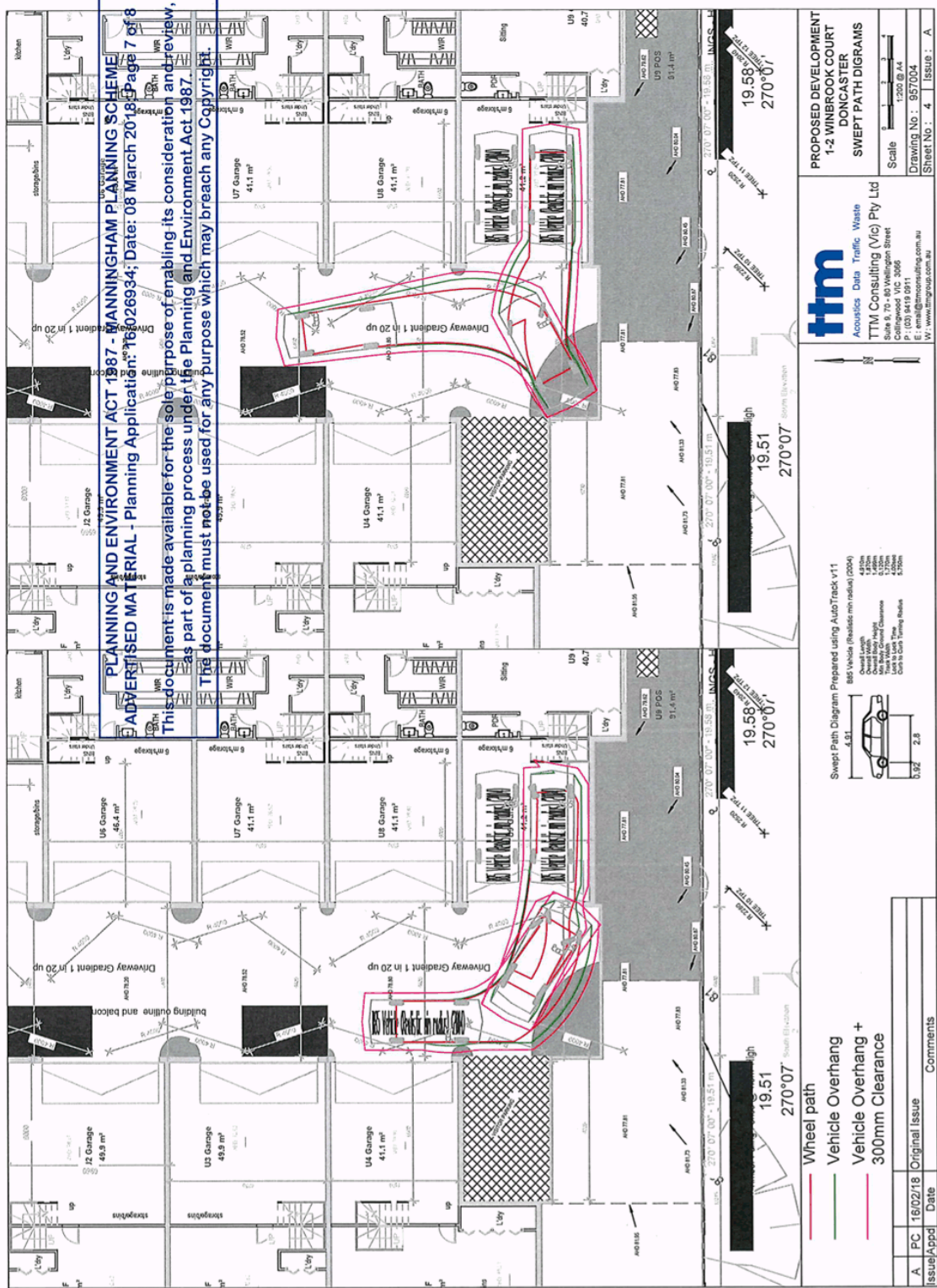
ftm
 Acoustics Data Traffic Waste
 TTM Consulting (Vic) Pty Ltd
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 Caulfieldwood, VIC 3086
 P: (03) 94 09 0911
 E: em@ttmconsulting.com.au
 W: www.ttmconsulting.com.au

Sweep Path Diagram Prepared using AutoTrack v11
 BUS Vehicle (radius mm radius) (2004)
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Scale: 1:200 @ A4
 Drawing No.: 16/026934
 Sheet No.: 2 Issue: A

Issue/Appd	Date	Original Issue	Comments
A	16/02/18	Original Issue	





PLANNING AND ENVIRONMENT ACT 1987 - MANNINGHAM PLANNING SCHEME
ADVERTISED MATERIAL - Planning Application: 16/026934; Date: 08 March 2018; Page 7 of 8
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PROPOSED DEVELOPMENT
 1-2 WINBROOK COURT
 DONCASTER
 SWEEP PATH DIAGRAMS

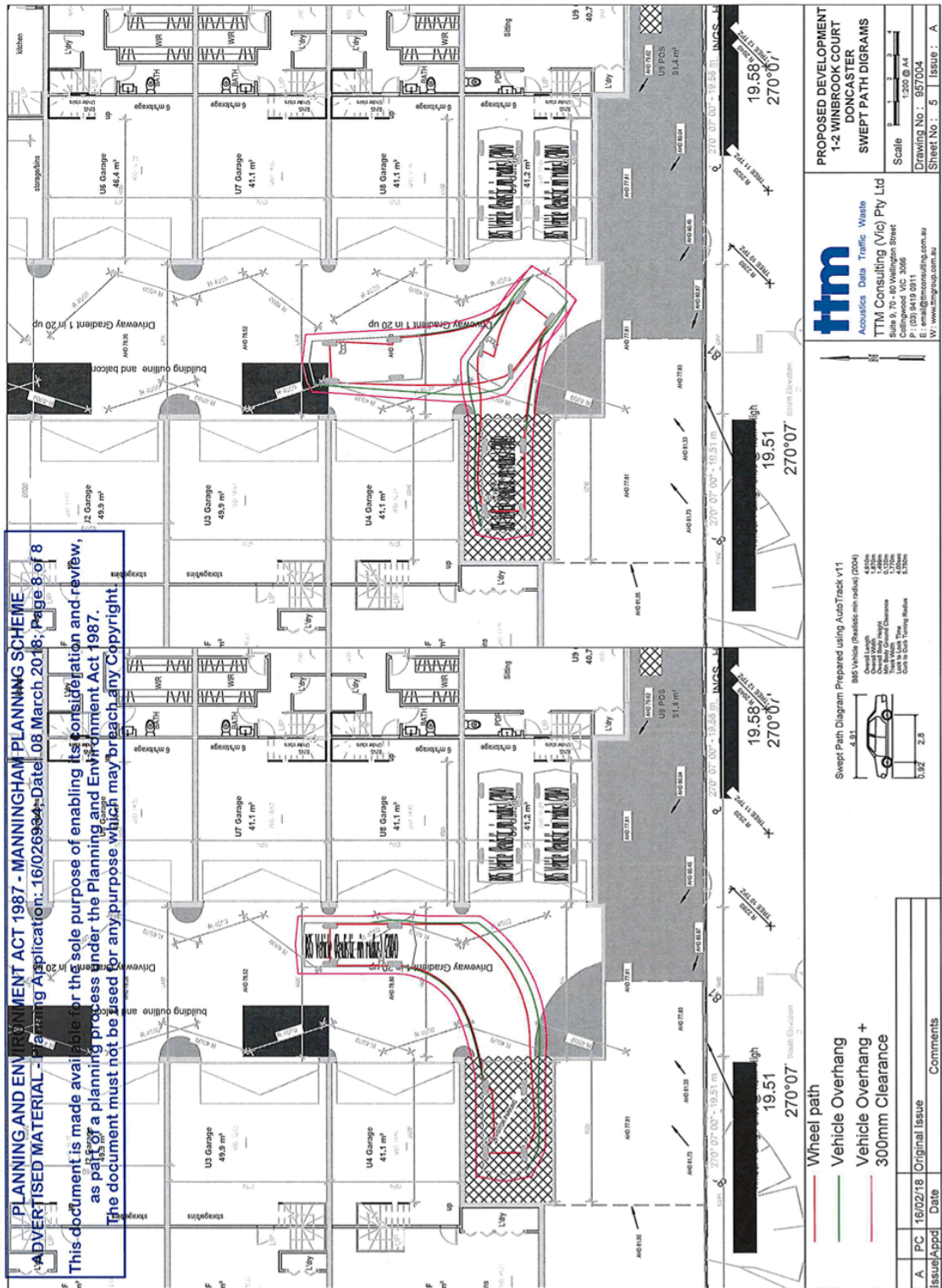
Scale 1:200 @ A4
 Drawing No.: 16/026934
 Sheet No.: 4 Issue: A

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 www.ttmgroup.com.au
 www.ttmconsulting.com.au

Sweep Path Diagram Prepared using AutoTrack v11
 185 Vehicle (Realistic) (radius) (2004)
 Overall Width 1.85m
 Overall Height 1.95m
 Max Wheel Overhang 0.35m
 Max Wheel Clearance 0.30m
 Lock to Lock Tire 0.30m
 Lock to Lock Wheel Hub 0.30m

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 19.51
 19.58
 270°07'

Issue/Appd	Date	Comments
A	PC 16/02/18	Original Issue



PLANNING AND ENVIRONMENT ACT 1987 - MANNINGHAM PLANNING SCHEME
ADVERTISED MATERIAL - Planning Application: 16/026999 - Date: 08 March 2018; Page 8 of 8

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5. LEGISLATIVE REQUIREMENTS

5.1 PLANNING AND ENVIRONMENT ACT 1987 (THE ACT)

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.

Section 60 of The *Planning and Environment Act*, requires the Responsible Authority to consider the following before deciding on an application:

- *The relevant planning scheme;*
- *The objectives of planning in Victoria;*
- *All objections and other submissions which it has received;*
- *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.*

Registered Restrictive Covenants & Section 173 Agreements

Section 61(4) of the Act

Section 61(4) of the Act makes specific reference to covenants. Under Section 61(4) of the *Planning & Environment Act 1987* the Responsible Authority must not issue a planning permit that would result in a breach of a registered restrictive covenant.

The subject land is affected by two registered restrictive covenants. The proposed development would not breach these covenants as the land use remains residential, and the building would be constructed of brick/stone materials.

Section 173 Agreement

The land is not affected by a Section 173 Agreement.

5.2 MANNINGHAM PLANNING SCHEME

Clauses of the Manningham Planning Scheme the Responsible Authority must consider:

- State Planning Policy Framework
- Local Planning Policy Framework
- Clause 32.08 General Residential Zone, Schedule 2
- Clause 43.02 Design and Development Overlay, Schedule 8 - 2
- Clause 52.06 Car Parking
- Clause 55 Two or more dwellings on a lot and Residential Buildings
- Clause 65 Decision Guidelines

Zone

Clause 32.08 General Residential Zone, Schedule 2

The purpose of the General Residential 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 encourage development that respects the neighbourhood character of the area.*
- *To implement neighbourhood character policy and adopted neighbourhood character guidelines.*
- *To provide a diversity of housing types and moderate housing growth in locations offering good access to services and transport.*
- *To allow educational, recreational, religious, community and a limited range of other non residential uses to serve local community needs in appropriate locations.*

A Planning Permit is required to construct two or more dwellings on a lot within this zone.

An assessment for buildings and works for two or more dwellings is required under the provisions of Clause 55 of the Manningham Planning Scheme.

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.

Overlay(s)

Clause 43.02 Schedule 8 to the Design and Development Overlay - 2

The design objectives are as follows:

- *To increase residential densities and provide a range of housing types around activity centres and along main roads.*
- *To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.*
- *To support three storey, 'apartment style', developments within the Main Road sub-precinct and in sub-precinct A, where the minimum land size can be achieved.*
- *To support two storey townhouse style dwellings with a higher yield within sub-precinct B and sub-precinct A, where the minimum land size cannot be achieved.*
- *To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive, taking into account the preferred neighbourhood character.*
- *To encourage spacing between developments to minimise a continuous building line when viewed from a street.*
- *To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties.*
- *To ensure developments of two or more storeys are sufficiently stepped down at the perimeter of the Main Road sub-precinct to provide an appropriate and attractive interface to sub-precinct A or B, or other adjoining zone.*
- *Higher developments on the perimeter of sub-precinct A must be designed so that the height and form are sufficiently stepped down, so that the scale and form complement the interface of sub-precinct B or other adjoining zone.*
- *To ensure overlooking into adjoining properties is minimised.*
- *To ensure the design of carports and garages complement the design of the building.*
- *To ensure the design of basement and undercroft car parks complement the design of the building, eliminates unsightly projections of basement walls above natural ground level and are sited to allow for effective screen planting.*
- *To create a boulevard effect along Doncaster Road and Manningham Road by planting trees within the front setback that are consistent with the street trees.*
- *To encourage landscaping around buildings to enhance separation between buildings and soften built form.*

Permit Requirement

- A permit is required to construct Buildings and Works pursuant to Clause 43.02-2 of the Overlay.

Building Height & Setbacks

- Any building or works must comply with the requirements set out in Table 1 and 2 of this Schedule.
- A permit cannot be granted to vary the condition regarding the minimum land size and configuration specified in Table 2 to this Schedule.
- A permit cannot be granted to vary the Maximum Building Height specified in Table 2 to this Schedule. This does not apply to:

- The rebuilding of a lawful building or works which have been damaged or destroyed.
- A building which exceeds the specified building height for which a valid building permit was in effect prior to the introduction of this provision.
- For the purposes of this Schedule, the Maximum Building Height does not include building services, lift over-runs and roof mounted equipment, including screening devices.
- For the purposes of this Schedule, balconies, terraces, and verandahs may encroach within the Street Setback by a maximum of 2.0m, but must not extend along the width of the building.

Sub-Precinct	Maximum Building Height	Condition regarding minimum land size	Street Setback
DDO8-2 Sub-precinct A	11 metres provided the condition regarding minimum lot size is met. If the condition is not met, the maximum height is 9 metres, unless the slope of the natural ground level at any cross section wider than eight metres of the building is 2.5 degrees or more, in which case the maximum height must not exceed 10 metres.	1800 square metres 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	<p>For one dwelling on a lot:</p> <ul style="list-style-type: none"> • Minimum front street setback is the distance specified in Clause 54.03-1 or 6 metres, whichever is the lesser. • Minimum side street setback is the distance specified in Clause 54.03-1. <p>For two or more dwellings on a lot or a residential building:</p> <ul style="list-style-type: none"> • Minimum front street setback is the distance specified in Clause 55.03-1 or 6 metres, whichever is the lesser. • Minimum side street setback is the distance specified in Clause 55.03-1.

The other design requirements under this schedule to the overlay are included under Section 8 of this report.

A Planning Permit is required to construct a building or construct or carry out works under this overlay.

5.3 State Planning Policy Framework

The relevant sections of the state planning policy framework are as follows:

Clause 15.01 Urban environment

Clause 15.01-1 Urban design

The objective of this policy is:

- *To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.*

Clause 15.01-2 Urban design principles

The objective of this policy is:

- *To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.*

Clause 15.01-4 Design for safety

The objective of this policy is:

- *To improve community safety and encourage neighbourhood design that makes people feel safe.*

Policy guidelines

Planning must consider as relevant:

- *Safer Design Guidelines for Victoria (Crime Prevention Victoria and Department of Sustainability and Environment, 2005).*

Clause 15.01-5 Cultural identity and neighbourhood character

The objective of this policy is:

- *To recognise and protect cultural identity, neighbourhood character and sense of place.*

Clause 15.02 Sustainable developmentClause 15.02-1 Energy and resource efficiency

The objective of this policy is:

- *To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*

Clause 16.01 Residential developmentClause 16.01-1 Integrated housing

The objective of this policy is:

- *To promote a housing market that meets community needs.*

Clause 16.01-2 Location of residential development

The objective of this policy is:

- *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.*

Clause 16.01-4 Housing diversity

The objective of this policy is:

- *To provide for a range of housing types to meet increasingly diverse needs.*

Clause 16.01-5 Housing affordability

The objective of this policy is:

- *To deliver more affordable housing closer to jobs, transport and services.*

5.4 Local Planning Policy Framework (LPPF)**Municipal Strategic Statement**Clause 21.03 Key Influences

This clause identifies that future housing need and residential amenity are critical land-use issues that will challenge Manningham's future growth and sustainable development. 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.

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 re-development 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.

Clause 21.05 Residential

This policy outlines the division of Manningham into four Residential Character Precincts. The precincts seek to channel increased housing densities around activity centres and main roads where facilities and services are available. 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.

The site is within “Precinct 2 –Residential Areas Surrounding Activity Centres and Along Main Roads”.

A substantial level of change is anticipated in Precinct 2. Whilst this area will be a focus for higher density developments, 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 in Precinct 1 – Residential Areas Removed from Activity Centres and Main Roads.

The three sub-precincts within Precinct 2 consist of:

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

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

Sub-precinct A (DDO8-2) is an area where two storey units (9 metres) and three storey (11 metres) ‘apartment style’ developments are encouraged. Three storey, contemporary developments should only occur on land with a minimum area of 1800m². Where the land comprises more than one lot, the lots must be consecutive lots which are side by side and have a shared frontage. The area of 1800m² must all be in the same sub-precinct. In this sub-precinct, if a lot has an area less than 1800m², a townhouse style development proposal only will be considered, but development should be a maximum of two storeys. All development in Sub-precinct A should have a maximum site coverage of 60 percent.

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

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

The site is located within **Sub-Precinct – A**.

Development in Precinct 2 should:

- *Provide for contemporary architecture*

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

Clause 21.05-2 Housing

The relevant objectives of this policy are:

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

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.*

Clause 21.05-4 Built form and neighbourhood character

The objective of this policy is:

- *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.*

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.*

Local Planning Policy

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.

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

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.

Clause 52.06-9 outlines various design standards for parking areas that should be achieved.

Clause 55 Two more dwellings on a lot and residential buildings

The development of two or more dwellings on a lot must meet the requirements of this clause. An assessment against this clause is provided within the Assessment Section of this report (Section 8.17).

General Provisions

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.

5.5 OTHER RELEVANT LEGISLATION AND POLICY

The following are relevant documents referenced in the Scheme that are particularly applicable to this application:

PL16/026934 1 & 2 Winbrook Court, Doncaster

Appendix 1

Clause 55 – Two or more dwellings on a lot

OBJECTIVE	OBJECTIVE MET/NOT MET
55.02-1 – Neighbourhood Character	Met: The development meets preferred neighbourhood character objectives in DDO8-2, as discussed in the Planning Assessment.
55.02-2 – Residential Policy	Met: The development complies with the strategic direction for urban consolidation at State Planning Policy and medium density development in Clause 21.05 of Local Planning Policy as discussed in the Planning Assessment.
55.02-3 – Dwelling Diversity	N/A: Less than 10 dwellings proposed.
55.02-4 – Infrastructure	Met: 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. There are no service supply issues in the subject neighbourhood.
55.02-5 – Integration With Street	Met: Each building would present to Winbrook Court. No front fencing is proposed (this is deemed to be appropriate).
55.03-1 – Street Setback	Met: The street setback of 6 metres complies with the requirements of DDO8.
55.03-2 – Building Height	Not Met: Refer to Planning Assessment.
55.03-3 – Site Coverage	Met: The site coverage of buildings is less than 60% (50%) which meets Standard B8.
55.03-4 – Permeability	Met: At least 20% of the site is comprised of pervious surfaces (37%).
55.03-5 – Energy Efficiency	Met: The proposed development achieves a BESS score of over 50%. Refer to Planning Assessment for discussion.
55.03-6 – Open Space	Not Met: Refer to Planning Assessment.
55.03-7 – Safety	Met: The entry to each unit would be visible from the street, however, the proposed layout would prevent use of the site as a public thoroughfare.
55.03-8 – Landscaping	Met: Refer to Planning Assessment.
55.03-9 – Access	Met: The placement of a single crossover to the frontage is a satisfactory result. The width of the accessway would not exceed 12.95 m (33% of 39.24 m) at a combined width of 5.5 m.
55.03-10 – Parking Location	Met: The double garages to each dwelling would be internally accessible.
55.04-1 – Side And Rear Setbacks	Met: The side and rear setbacks would comply with minimum setbacks at Standard B17, generally in excess of these requirements.
55.04-2 – Walls On Boundaries	N/A: No walls on boundaries are proposed.

OBJECTIVE	OBJECTIVE MET/NOT MET
55.04-3 – Daylight To Existing Windows	Met: The ground floor setbacks would exceed the minimum 1 metre setback from adjoining habitable room windows as required in Standard B19. Upper floor walls would be setback in excess of 3-4 metres from adjoining windows and comply with Standard B19.
55.04-4 – North Facing Windows	N/A: There are no 'north facing' windows within 3 metres of the boundary.
55.04-5 – Overshadowing Open Space	Met: The adjoining secluded private open space areas would receive at least 5 hours of sunlight to 40 m ² on 22 September in accordance with Standard B21. Shadows would generally be cast over side yards and existing fence shadows.
55.04-6 – Overlooking	Met: Habitable room windows and secluded private open space of adjoining dwellings would be screened by 1.8 m high timber paling fencing at ground level. Upper floor habitable room windows of the development within 9 metres distance of adjoining dwellings would be obscure glazed and fixed to a height of 1.7 m above finished floor level in accordance with the requirements of Standard B22.
55.04-7 – Internal Views	Met: Each balcony would be screened from view by 1.7 m high dividing fences, and yards would be separated by a 1.8 m high internal fence.
55.04-8 – Noise Impacts	Met: There are no unusual noise sources that may affect the dwellings.
55.05-1 – Accessibility	Met: Each dwelling is accessible off a shared pedestrian path with few steps into dwelling entrances.
55.05-2 – Dwelling Entry	Met: Each dwelling is provided with a porch.
55.05-3 – Daylight To New Windows	Met: All habitable room windows of the proposed dwellings face onto an outdoor space (clear to the sky) with minimum area of 3m ² and a minimum dimension of 1.0m, in accordance with Standard B27.
55.05-4 – Private Open Space	Met: Backyards to Units 4 and 9 would be at least 3 m wide and 40 m ² in area. Balconies would be at least 1.6 m wide and 8 m ² in area in accordance with Standard B28.
55.05-5 – Solar Access To Open Space	Not Met: Refer to Planning Assessment.
55.05-6 – Storage	Met: Each dwelling would have at least 6 m ³ of storage in the garage.
55.06-1 – Design Detail	Met: The buildings will be constructed of brick and partially finished stone cladding. The flat roof form would be consistent with the form of newer buildings/approved in the neighbourhood. The building materials are generally consistent with the emerging palette of materials used in the immediate streetscape. The design can be described as contemporary, which is encouraged in the DDO8.
55.06-2 – Front Fence	N/A: No front fence is proposed.

OBJECTIVE	OBJECTIVE MET/NOT MET
55.06-3 – Common Property	Met: The driveway and pedestrian accessway would be within Common Property and would be easily maintained.
55.06-4 – Site Services	Met: Refer to Planning Assessment. Some services, such as meters and clotheslines have not been shown on the plans.




Appendix 2

Clause 52.06 – Car Parking

Design Standard	Met/Not Met
1 - Accessways	Met: Driveway is at least 3 metres wide. Pedestrian visibility splays are unobstructed. Unit 9 would benefit from moving the retaining wall in the driveway to the south.
2 – Car Parking Spaces	Met: Eighteen resident car spaces are required (2 for each 3+ bedroom dwelling), this has been provided. One visitor car space is required for every five dwellings: this has been provided.
3 - Gradients	Met
4 – Mechanical Parking	Not applicable – No mechanical parking proposed.
5 – Urban Design	Met
6 – Safety	Met
7 – Landscaping	Met

10 CITY PLANNING

10.1 Draft Westerfolds Paddle Sports Plan - Stage Two Community Consultation

File Number:	IN18/197
Responsible Director:	Director City Planning
Attachments:	1 Westerfolds Paddle Sports Concept Plan May 2018 ↓ 
	2 Community feedback ↓ 
	3 Regional Paddle Sports Centre Concept Plan ↓ 

EXECUTIVE SUMMARY

The purpose of this report is to inform Council of the results of the first stage of community consultation in relation to the Westerfolds Paddle Sports Plan and to seek Council approval to commence a second stage of consultation in relation to the Plan.

Stage 1 of the community consultation took place from 2 March to 5 April and sought community feedback on the broad concepts for the proposed regional paddle sports facility and park improvements.

Over 200 people contributed to the consultation via responses to a survey, stories or ideas. Comments related to a number of themes, including (in order of numbers of references) accessibility; safety, lighting and signage; Main Yarra Trail; other facilities' maintenance; viewing; environmental and cultural; amenities; traffic and parking; club house; coaching and paddling; and fishing.

Discussion and feedback during the Stage 1 consultation has provided an insight as to how this part of Westerfolds Park is used and people's ideas have contributed to the design process.

It is proposed to conduct a second stage of community consultation for four weeks from 24 May. Feedback received during Stage 1 will inform this next stage.

Stage 2 of the consultation will include concepts of a proposed building to demonstrate siting, functionality and size. A concerted effort to gauge interest from other sporting and community organisations (local, regional or state level) will be made in an effort to propose a multi-use building rather than a building for the use of Canoeing Victoria and paddling clubs only.

Building concepts will be broad and shown as 'ideas' only, giving the community a feel for the size and use of a larger building than the existing storage and toilet building.

COUNCIL RESOLUTION

MOVED: CR PAULA PICCININI
SECONDED: CR MICHELLE KLEINERT

That Council:

- A. Note the outcome of Stage 1 of the community consultation relating to the Westerfolds Paddle Sports Plan.**
- B. Support the draft Westerfolds Paddle Sports Plan, including the proposed increase to the existing building footprint and other key access and landscaping infrastructure.**
- C. Support the second stage of community consultation with regard to Westerfolds Paddle Sports Plan, to be undertaken for four weeks from 24 May 2018; and**
- D. Note that the results of Stage 2 of the community consultation will be reported back to Council.**

CARRIED**2. BACKGROUND**

- 2.1 The Westerfolds Paddle Sports Plan forms part of a feasibility study that is funded through a Community Sports Infrastructure Fund grant from the Victorian Government (through Sport and Recreation Victoria), in partnership with Manningham Council, Nillumbik Council, Banyule Council, Canoeing Victoria and Melbourne Canoe Club. Parks Victoria and Melbourne Water (land managers) are also key stakeholders. Seeking funding for project delivery is not part of the feasibility study scope. Funding will be advocated on conclusion of the feasibility study.
- 2.2 The term 'paddle sports' refers generally to both kayaking and canoeing and the Plan relates to a part of Westerfolds Park and adjoining Fitzsimons Reserve in Templestowe which is not only popular with paddlers but also many other park visitors, including other Yarra River users and those using the Main Yarra Trail.
- 2.3 The final Plan will inform the feasibility study which will include a coordinated detailed site analysis and concept planning, including cost estimates, required for the development of a Regional Paddle Sports Centre on the Yarra River at Westerfolds Park.
- 2.4 The draft Plan includes the following building, on-water and landscaping components (refer Attachment 1):
 - New Regional Paddle Sports Building;
 - Public amenities (for recreation paddlers and Main Yarra Trail users);
 - Spectator viewing areas;
 - Improved access into the river for paddlers;
 - Main Yarra Trail (shared path) and car park improvements to reduce conflict between cyclists, pedestrians and paddlers; and
 - Consideration to the surrounding natural environment.

2.5 While the focus of the draft Plan (including a new building) is in Westerfolds Park, there are also landscape improvements proposed for the adjoining Fitzsimons Reserve which is owned and managed by Manningham Council with a currently estimated cost of \$535,000. These include:

- Reducing the conflict between paddlers, cyclists and pedestrians on a section of the Main Yarra Trail;
- New river entrance and sealed path;
- Improved car parking layout; and
- Minor landscaping to improve riverside viewing and officiating competitions.

Stage 1 Community Consultation

2.6 The first stage of community consultation in relation to the project was very broad as it introduced the project and proposed improvements. Feedback was sought and discussion was generated in the following ways:

2.6.1 Online consultation portal

- Your Say Manningham contained a number of features including site information and photos, FAQs, survey, interactive map, ideas page, stories page and a fly over with a 3D view of the area. Project partners provided links to this page from their corporate sites.

2.6.2 On site consultation sessions

- 98 people attended three on site consultation sessions at Westerfolds Park. People included paddlers, cyclists and other Main Yarra Trail users, nearby residents and other park users such as mountain bike riders, fishermen and swimmers.

2.7 The Project was advertised through onsite posters at Westerfolds Park and nearby trails, electronic media (websites, E-posters and Facebook pages, emails), print media (Leader newspaper, flyers), resident mail to Banyule residents out and a presentation to Manningham Access and Equity Committee.

2.8 The following groups were directly made aware of the opportunity to engage in the consultation process:

Interest Area	Group/ Organisation
Aboriginal	Wurundjeri Council
Residents	67 Banyule residents along the Yarra River
Sports clubs and community recreation organisations	Banyule, Nillumbik and Manningham
Paddling community	Canoeing Clubs, Australian Canoeing, schools
Yarra River	Yarra Riverkeepers

Interest Area	Group/ Organisation
Cycling	Bicycle User Groups (Manningham, Banyule and Nillumbik), Bicycle Network, Nillumbik Recreation Trails Advisory Committee
Open space	Open Space and Streetscape Advisory Committee (Manningham Council)
Environment	Friends of Yarra Valley Parklands, Friends of Eltham Lower Park, Native Fish Australia
Fishing	Victorian Recreation Fishing
Disability	Manningham Access and Equity Committee, Onemda, Australian Paralympic Committee
Walking (trails)	Victoria Walks, Nillumbik Recreation Trails Advisory Committee
Active recreation groups	Bushwalking Victoria, Orienteering Victoria
Westerfolds Park user groups	Bindaree Outdoor Education Services, DOGS of Vic, Leap into Nature, Westerfolds parkrun,
Events	Triathlon Victoria, Peak Adventure, Mildren Events, Elite Energy, Rapid Ascent
Politicians	Vicki Ward, Jenny Macklin, Matthew Guy, Kevin Andrews
Roads and services	VicRoads, SP Ausnet, MFB/CFA, Water Police Squad

- 2.9 The “Your Say” Manningham site received a total of 647 visits. Of these, 131 visitors were engaged (gave feedback), 273 visitors were informed (viewed photos, downloaded documents) and 527 visitors were aware of the project (visited at least one page). The majority of traffic (184) came through three Facebook posts, which included one boosted post). Refer to Attachment 2 for responses to the 135 completed surveys.

3. DISCUSSION / ISSUE

- 3.1 Engaged community members provided responses to surveys, wrote stories and suggested ideas on how to improve the site or how they use the site. The following provides a summary of the information received through the online consultation portal. Generally, feedback received confirmed how the park is used and the quality of facilities. However, it was learned during consultation that the river access is also used by swimmers, fishermen and stand up paddlers and the informal riverside tracks are popular with mountain bike riders.
- 3.2 204 people contributed to the conversation via comments on the survey, stories or ideas. Comments were categorised into 12 areas. The following table provides a summary of these comments:

Category	No. of Responses	Summary of Comments
Accessibility	52	<p>Providing the opportunity for people to get on the water who currently can't or have trouble such as young children, the elderly and those with mobility impairments.</p> <p>Safe stair and ramp access was a high priority, especially in the different seasons and water levels and for those carrying long boats.</p> <p>Bigger ramp/pontoon access and in more locations including upstream and under the bridge.</p> <p>Undertake design in consultation with paddlers.</p>
Safety, Lighting and Signage	40	<p>Safety – in and out of the water i.e. slippery steps and ramps. Vehicles in the car park and equipment left on the banks, ramps or paths i.e. trolleys or wheelchairs. Safety on the trail regarding conflict between cyclists and pedestrians, speed of cyclists, motor bike and quad bike activity, tree roots on the paths.</p> <p>Lighting –greater need in winter and on the slalom and flat water sections of the course. Lighting to improve safety of participants including lighting along the paths. NO lighting to minimise impact on wildlife.</p> <p>Wayfinding signage – maps/signage for rapids, roads, facilities, behavioural safety signage between cyclists and pedestrians. Dogs on leash.</p>
Main Yarra Trail	23	<p>Widening of the path especially under the bridge.</p> <p>Improved signage on the path to reduce rider/pedestrian conflict.</p> <p>Separated cycling and walking paths.</p>
Other Facilities	21	<p>Mountain bike trails, external trailer storage, seating, picnic areas, BBQ facilities, weather shelters, bins, drinking fountains, paths on water's edge and elevated board walks, wheelchair storage, space for setting up and removal of boats, pulley rope system out of the water, café/kiosk, gym equipment on the trail.</p>
Maintenance	14	<p>Grass and weeds, trail surfaces, rubbish removal, boardwalks, timber walkways, drainage, avoid erosion.</p>

Category	No. of Responses	Summary of Comments
Viewing	12	Develop under the bridge for seating and viewing. Better visibility to the rapids with platforms and clearing of scrubby bush.
Environmental and Cultural	10	Effects on wildlife, ensure separate access points to known wildlife areas, mitigate erosion and reinstate native vegetation, don't develop, leave it as it is. Develop Aboriginal and Cultural Heritage Centre for sport and community including indigenous education through signage.
Amenities	9	New amenities for public and for club use.
Traffic and Parking	7	Getting in and out of Westerfolds Park is difficult and dangerous. Traffic lights. Link the two car parks under the bridge, Closer car parking to the access points of the river, More car parking at Fitzsimons Reserve.
Club House	6	Clubhouse facility with members club rooms, secure storage of boats and equipment (club and public), hire of kayaks and canoes. Don't want more development.
Coaching and Paddling	6	Site is good for slalom and coaching, 2 on-water canoe polo fields, Improve slalom gates and wire system, white water course including rapids and surf waves
Fishing	4	Dedicated fishing spots, fishing jetty, Fishing lines and hooks don't mix well with paddlers and swimmers.

- 3.3 No images of the proposed building were shown in Stage 1 consultation in order to engage the community on the broader issues, including the interest of other community groups in using the proposed building. However, without visuals of the building's functionality or size, it was difficult for the community to engage. Therefore, Stage 2 of the consultation will have a greater focus on the building.
- 3.4 Community groups and sporting organisations will be directly contacted to express potential interest in a multi-use building. A building concept plan will be presented to the community to demonstrate functionality, footprint and siting and in order to emphasise that it is a broad concept only, the image will be presented as an 'idea' (Refer **Attachment 3**).

4. COUNCIL PLAN / STRATEGY

- 4.1 The Westerfolds Paddle Sports Plan study is aligned with the following:
- *Council Plan 2017 - 2021* delivering actions for Goal 1.1 – A healthy, resilient and safe community, specifically the following action area: A community where everyone aspires to optimal health and wellbeing; and
 - *Active For Life Recreation Strategy 2010-2025* - Action 4.5.5 – Collaborate with Parks Victoria, Melbourne Water, Canoeing Victoria and other providers to improve access and promote canoeing, kayaking and swimming in the Yarra River

5. IMPACTS AND IMPLICATIONS

- 5.1 The site of Canoeing Victoria's first designated regional paddle sports centre on the Yarra River in Templestowe provides a unique opportunity to service Melbourne's northern and eastern regions with an integrated community paddling facility. The facility will provide a centre for both multi-discipline competitive and recreational canoeing activities from introduction to high performance level.
- 5.2 The proposed centre will build on the regional priorities of the *Canoeing Victoria Strategic Facilities Plan 2015 for the North East Metropolitan Melbourne Region* and provide a significant opportunity to consolidate and improve paddling infrastructure at the site which is already a focus for community, education, recreational, competitive and commercial paddling activities.
- 5.3 In addition to facilities providing functions that meet the objectives of both the paddling community and the wider community, the proposed facilities will provide the opportunity to meet broader objectives. These include:
- Support for tourism: Paddling facilities at recreational and competition/event levels provide opportunities for domestic, interstate and international tourism, through trail use, state and national events and through commercial tours.
 - Partnerships support: Canoeing Victoria's education programs provide increased capacity to support the outdoor recreation and emergency services sectors through improved access to education, training and development opportunities.

6. IMPLEMENTATION

Finance / Resource Implications

- 6.1 No funding has been sought for delivery of the project at this stage. The endorsed Plan, which will include detailed costings, will enable future funding to be sought as recommended by the funding advocacy plan.

Communication and Engagement

- 6.2 Stage 1 of the community consultation is complete and Stage 2 which will include consultation on the draft plan is proposed to commence on 24 May for four weeks.

- 6.3 A detailed communications and engagement plan is being prepared for Stage 2 of the consultation. Additional interest groups and organisations and a large number of schools will be invited to engage. It is anticipated that promotion of Stage 2 of the consultation will be similar to how Stage 1 was advertised and promoted.

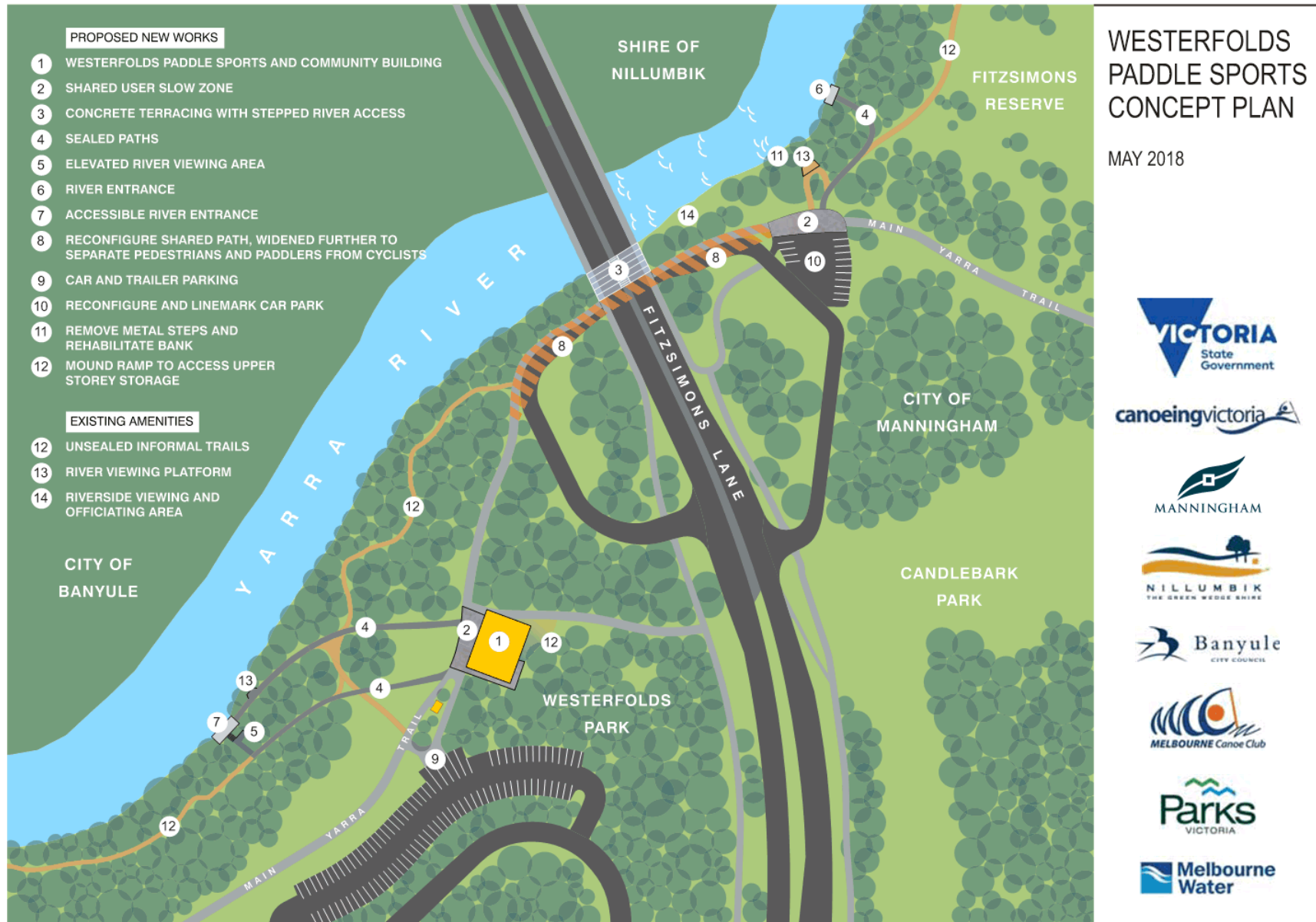
Timelines

- 6.6 The proposed timelines for the project are as follows:

- 24 May – 20 June 2018: Stage 2 community consultation
- August 2018: Consideration of submissions and endorsement of final plan

7 DECLARATIONS OF CONFLICT OF INTEREST

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



Project Report

23 September 2011 - 08 April 2018

Your Say Manningham Westerfolds Paddle Sports Plan



Visitors Summary



Highlights

TOTAL VISITS	647	MAX VISITORS PER DAY	74
NEW REGISTRATIONS	6	ENGAGED VISITORS	131
		INFORMED VISITORS	273
		AWARE VISITORS	527

Aware Participants	527	Engaged	131		
Aware Actions Performed	Participants	Engaged Actions Performed	Registered	Unverified	Anonymous
Visited a Project or Tool Page	527	Contributed on Forums	2	0	0
Informed Participants	273	Participated in Surveys	7	0	122
Informed Actions Performed	Participants	Contributed to Newsfeeds	0	0	0
Viewed a video	0	Participated in Quick Polls	0	0	0
Viewed a photo	60	Posted on Guestbooks	0	0	0
Downloaded a document	45	Contributed to Stories	2	0	0
Visited the Key Dates page	8	Asked Questions	0	0	0
Visited an FAQ list Page	11	Placed Pins on Maps	0	0	0
Visited Instagram Page	0	Contributed to Ideas	5	0	0
Visited Multiple Project Pages	141				
Contributed to a tool (engaged)	131				

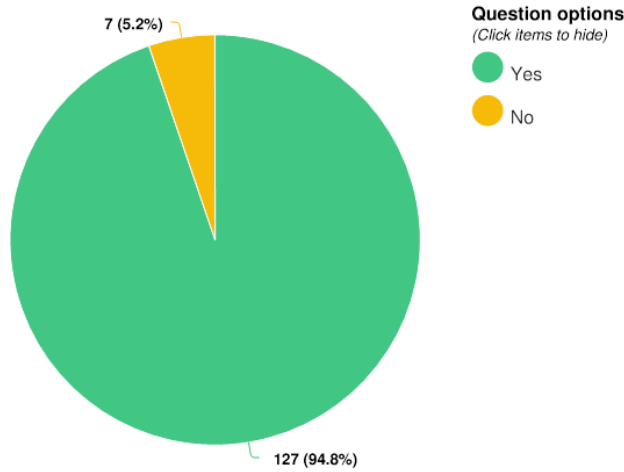
Your Say Manningham : Summary Report for 23 September 2011 to 08 April 2018

ENGAGEMENT TOOL: SURVEY TOOL

Start the survey now

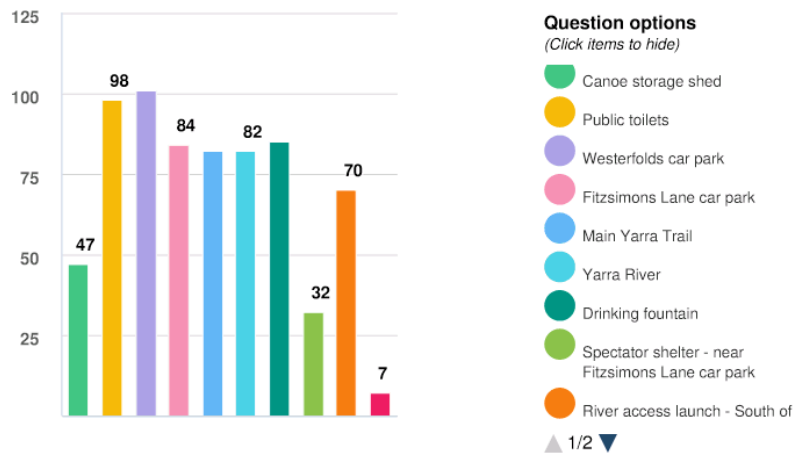
VISITORS	200	CONTRIBUTORS	129	CONTRIBUTIONS	137
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Do you visit Westerfolds Park?



Optional question (134 responses, 3 skipped)

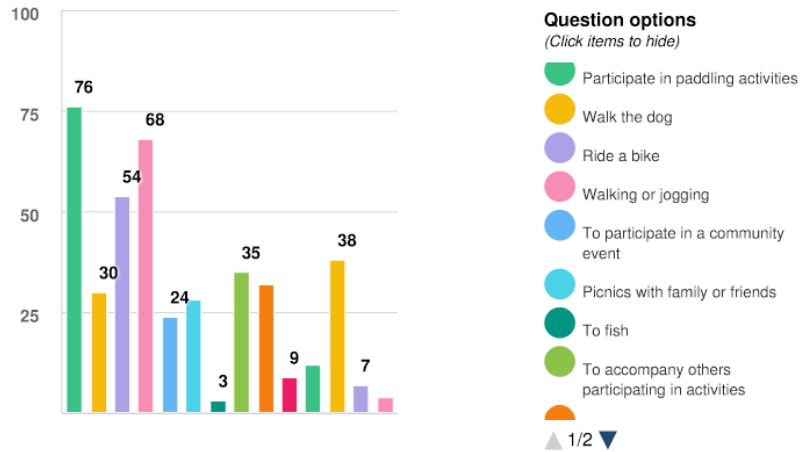
What facilities do you use? Please tick all that apply?



Optional question (137 responses, 0 skipped)

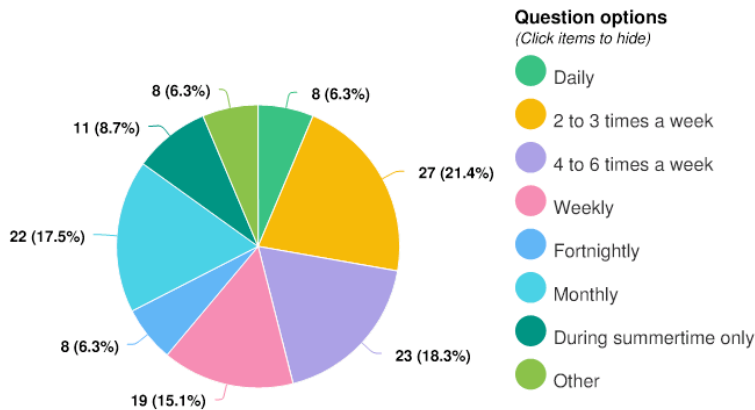
Powered by engagementhq

What are the main reasons you visit Westerfolds Park? Please tick all that apply?



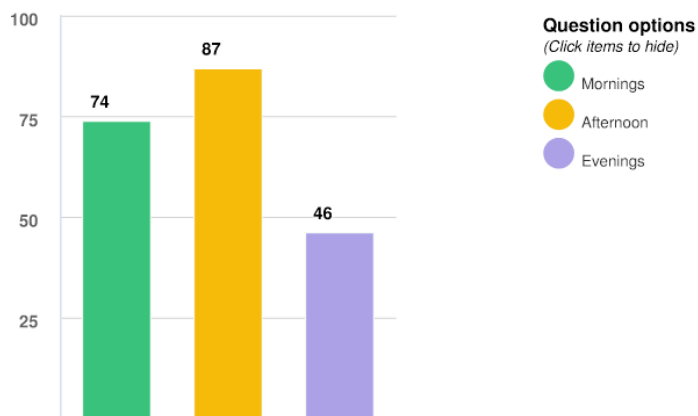
Optional question (137 responses, 0 skipped)

On average, how often do you visit?



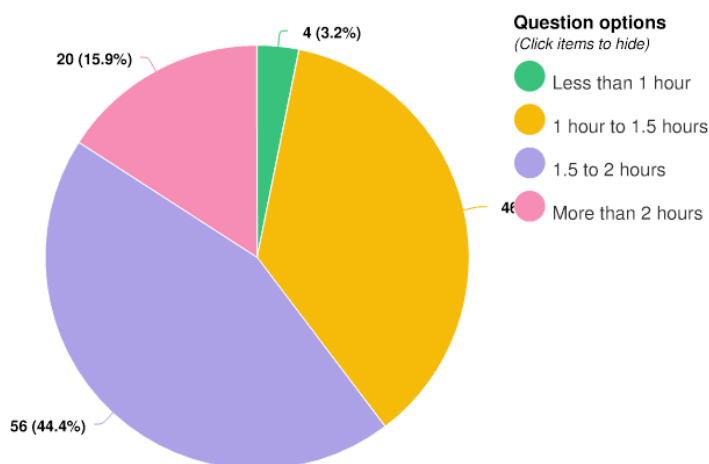
Optional question (126 responses, 11 skipped)

What time of day do you normally visit? Tick all that apply?



Optional question (137 responses, 0 skipped)

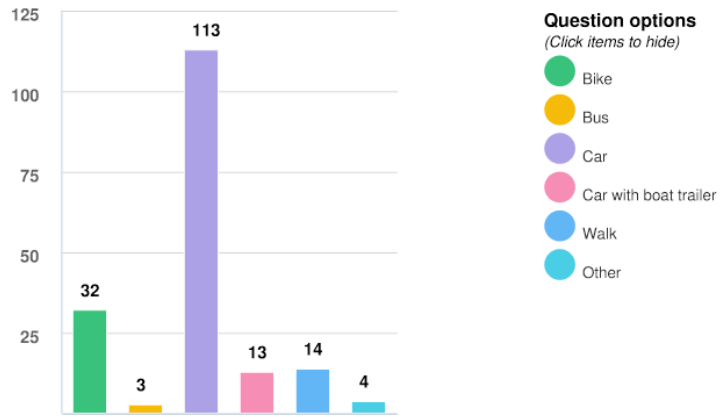
How much time do you spend at the site?



Optional question (126 responses, 11 skipped)

Your Say Manningham : Summary Report for 23 September 2011 to 08 April 2018

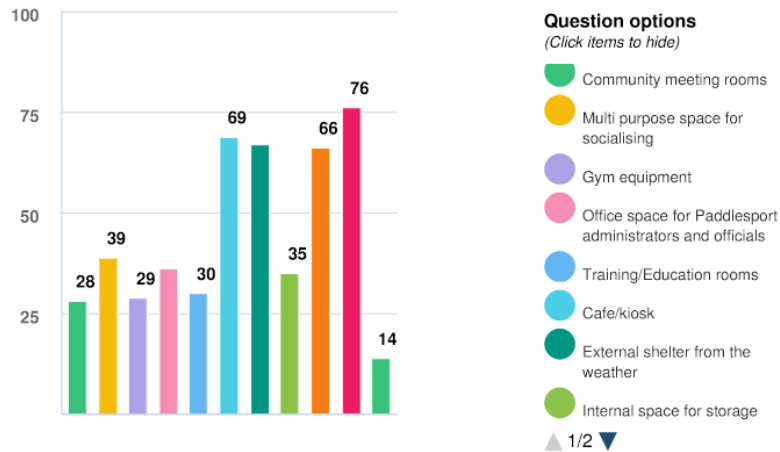
How do you normally travel to Westerfolds park?



Optional question (137 responses, 0 skipped)

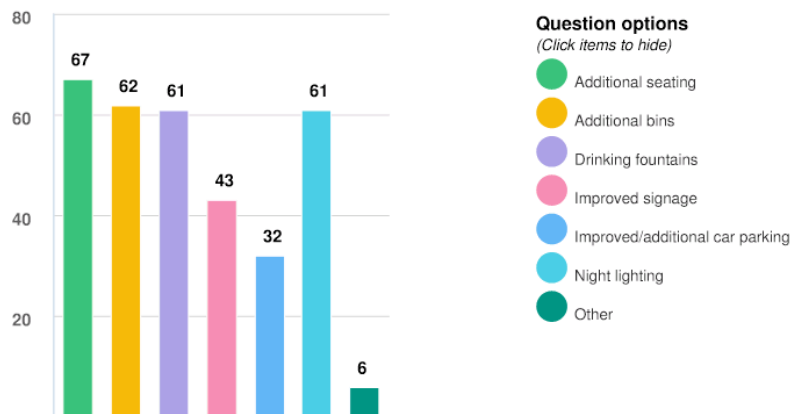
How would you rate the existing facilities at Westerfolds park?

What Building improvements would you like to see at Westerfolds Park?



Optional question (137 responses, 0 skipped)

What additional facilities or features would you like to see?

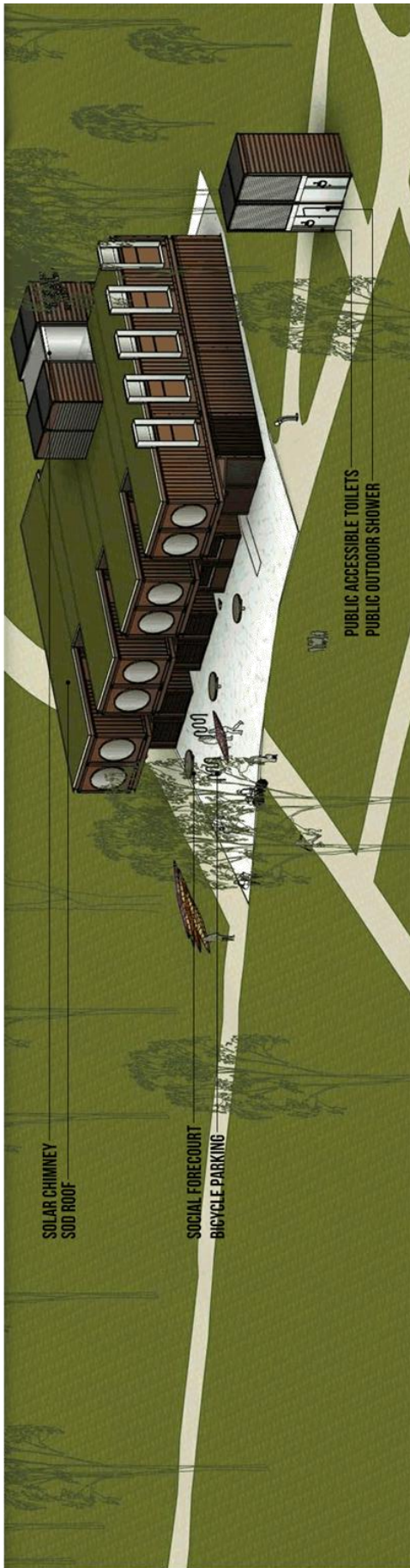


Optional question (137 responses, 0 skipped)

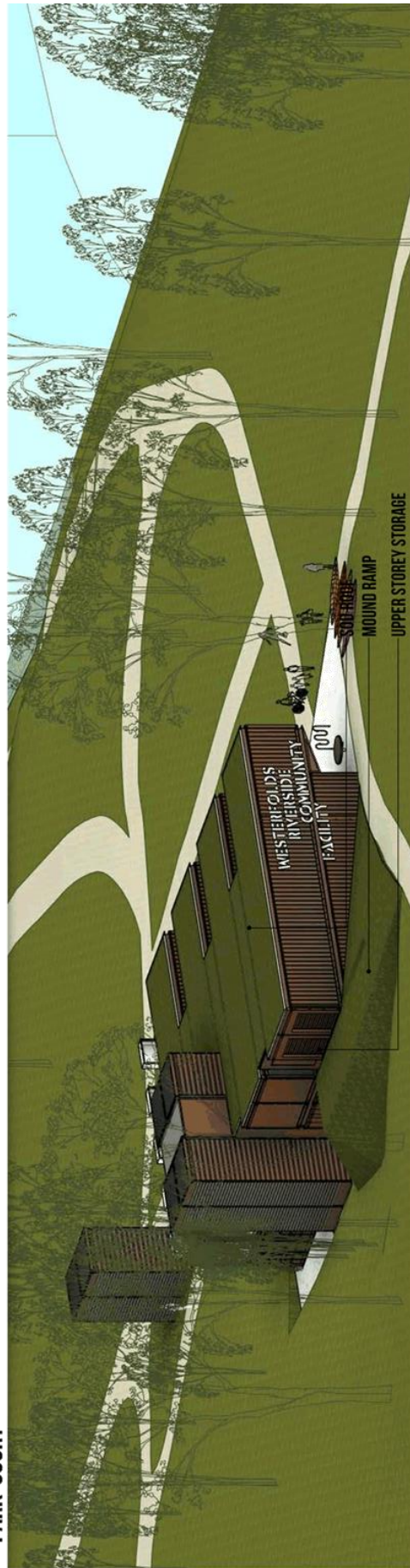


SCALE 1:200@A3 1:100@A1 0 1 2.5m

RIVER COURT



PARK COURT



itn
 CONSULTING ARCHITECTS
 111-113 BRIDGE STREET
 AUCKLAND 1010
 PH: 09 308 6900
 WWW.ITN.CO.NZ

**WESTERFOLDS
 RIVERSIDE COMMUNITY
 FACILITY**

MASSING 400

SKETCH DESIGN
 2018 APRIL 26



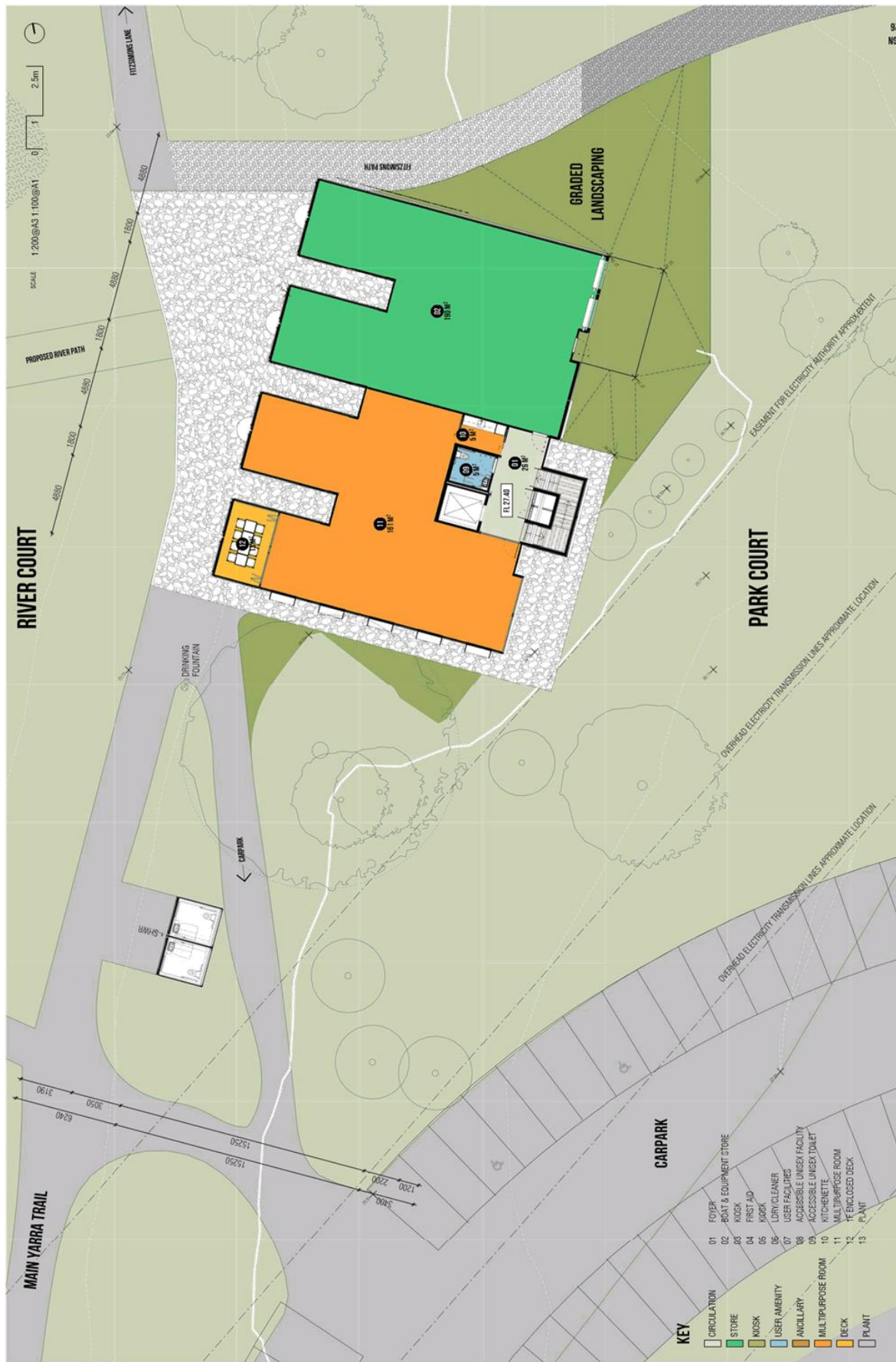
SKETCH DESIGN
2018 APRIL 26

201



PROPOSED GROUND FLOOR

**WESTERFOLDS
RIVERSIDE COMMUNITY
FACILITY**





10.2 Lions Park Draft Masterplan - Public Exhibition

File Number:	IN18/198
Responsible Director:	Director City Planning
Attachments:	1 Lions Park Draft Masterplan ↓ 
	2 Community Feedback ↓ 

EXECUTIVE SUMMARY

The purpose of this report is to seek Council's endorsement of the public exhibition of a draft master plan (refer to Attachment 1) for Lions Park, Warrandyte for a period of three weeks, to seek community feedback prior to finalisation of the Masterplan.

Lions Park is located on Council managed Crown land along the Yarra River between Federation Playspace and the Warrandyte Bridge and forms part of Warrandyte River Reserve. The area includes an existing car park, a former tennis court and a picnic shelter and tables, and has been informally maintained by the Warrandyte Lions Club for the past 33 years.

There is a need to redevelop this key community open space as the tennis courts are no longer used and the adjacent Warrandyte Bridge is currently being widened, with the former tennis courts being used as part of the works compound for the works.

It is anticipated that the bridge widening works being undertaken by VicRoads will be completed by September 2018. As part of VicRoads bridge project, re-establishment works will be provided for part of the site closest to the bridge. The draft Masterplan has been prepared to guide and co-ordinate those works with other improvements for the area. Full implementation of the Masterplan works will be reliant on some funding in Council's 2019/20 Capital Works Program.

Community consultation was undertaken for a three week period from 14 March to 3 April 2018. During that period, including at the Warrandyte Festival, community views were sought about the future of the area. A total of 104 responses were received from the survey and community 'ideas' board. Some of the major themes which emerged during that consultation period includes natural and environmental values; cultural values; recreation opportunities; community connectedness; provision of a Men's Shed; and provision of access for people with all abilities.

The draft Masterplan has been prepared in consultation with a Project Reference Group, comprising members of the Warrandyte Lions Club, Warrandyte Community Association, Warrandyte Historical Society, Warrandyte Business Association, interested residents, CFA, VicRoads, and Manningham Council.

In the draft Masterplan the area has been designed to enhance the amenity, usability and recreational opportunities for visitors to this focal point of the Yarra River in Warrandyte. Proposed works include removal of the former tennis court, carpark redesign and upgrade, additional picnic facilities, picnic settings and barbeques, improved path layout, expanded fire display garden, and additional park elements including furniture, drinking fountains, fencing, bollards, signage, natural landscaping and public art elements.

COUNCIL RESOLUTION

MOVED: CR PAUL MCLEISH
SECONDED: CR SOPHY GALBALLY

That Council:

- A. Notes the results from the initial community consultation on future uses and themes for Lions Park.**
- B. Endorses the public exhibition of the draft Lions Park Masterplan for a three week period during May 2018.**
- C. Notes that after reviewing feedback from the public exhibition, a further report will be presented to Council for endorsement of the final Lions Park Masterplan.**
- D. Notes that a Capital Works Business Case will be prepared for the upgrade works set out in the final Masterplan.**

CARRIED

2. BACKGROUND

- 2.1 Lions Park forms part of Warrandyte River Reserve and is located on Crown land Yarra River frontage managed by Council. It is adjacent to the regional Federation Playspace between the Kangaroo Ground- Warrandyte Bridge and the Warrandyte Bakery and forms the back drop to the Warrandyte Township.
- 2.2 *Manningham's Open Space Strategy (2014)* classifies the Warrandyte River Reserve as a linear park of regional significance, which forms part of the Yarra River habitat corridor. It is extensively used for informal recreation by both the local community and visitors and is one of Manningham's most popular parks to visit and is a major tourist destination in Manningham.
- 2.3 The site for the project comprises the area near the carpark, former tennis court and picnic shelter and tables, which have been informally maintained by the Warrandyte Lions Club for the last 33 years. The *Warrandyte River Reserve Management Plan (2005)* recommended that a development plan be prepared in consultation with the Lion's Club to improve pedestrian access, upgrade picnic facilities and formalise car parking of the site.
- 2.4 There is a need to redevelop this key community open space as the tennis courts are no longer used and the adjacent Warrandyte Bridge is currently being widened, with the former tennis courts being used as part of the works compound for the works.
- 2.5 It is anticipated that the bridge widening works being undertaken by VicRoads will be completed by September 2018. As part of VicRoads bridge project, re-establishment works will be provided for part of the site closest to the bridge. The draft Masterplan has been prepared to guide and co-ordinate those works with other improvements for the area. Full implementation of the Masterplan works will be reliant on some funding in Council's 2019/20 Capital Works Program.

Consultation

- 2.6 In order to inform development of the draft Lions Park Masterplan, community consultation was undertaken for a three week period from 14 March to 3 April 2018, seeking public comments about the future of the area.
- 2.7 Communication about the project included:
- A promotional display and 'ideas board' at the Warrandyte Festival on 18 March 2018.
 - Posters displayed at Lions Park and around the Warrandyte Township.
 - Surveys distributed at the Warrandyte Library, Warrandyte Bakery and the Warrandyte Community Centre.
 - A web-based version of the survey was available to the general public via Council's web-based site 'Your Say Manningham'.
 - Notices placed in 'The Diary' and an article in the Manningham matters.
- 2.8 A total of 101 responses were received from the survey and three contributed to the 'ideas board' at the Warrandyte Festival. Results of the survey are outlined in Attachment 2.

3. DISCUSSION /ISSUE

Community Feedback

- 3.1 Key results from the survey include:
- The Warrandyte River Reserve is extremely popular for recreation and physical activity that is highly valued for its natural attributes. The majority of respondents (79%) visit Lions Park three to five times per week.
 - All respondents supported upgrading Lions Park, but many felt strongly that it should reflect the Warrandyte character and natural river environment and not be overdeveloped.
 - The top three priorities for using Lions Park were to 'enjoy nature, river views and rest points' (70 respondents), 'picnic areas' (60 respondents) and 'paths and walking' (42 respondents).
 - The top three priorities for future features in the park were 'vistas to the river' (47 respondents), 'picnic table' (46 respondents) and 'barbeque' (33 respondents).
 - The majority of respondents live in Warrandyte (80 respondents) and the majority represented the 35 -49 age group (45%), There were also 19% in the 50-59 age group and 13% in the 25-34 age group.
- 3.2 Feedback from the community consultation has been a key influence in the development of the draft Masterplan. Community attitudes and opinions have been considered relating to the 'Warrandyte style', 'Vision' and 'Use' for the site. Major themes emerging from the initial community consultation include:

Natural and Environmental Values

- Maintain and enhance bushland/river character and the riparian vegetation of the Yarra River corridor.
- Promote indigenous planting theme.
- Maintain Warrandyte's rustic and rural character.

Cultural Values

- Enhance Wurundjeri connections to the land and river.
- Promote historic Warrandyte.
- Promote Warrandyte artistic precinct and community.

Recreation Opportunities

- Provide a place /space to encourage opportunities for informal recreation and physical exercise.
- Provide picnic/barbeque areas with river views and trees for shade.
- Provide more access to the Yarra River.
- Re-design car park to improve car parking and pedestrian safety.

Community Connectedness

- Provide a place for all ages, including access for people with all abilities.
- Provide an inviting place for people to socialise and meet friends and family in a natural environment.
- Provide informal small/private areas with seating area.

Provision of a Men's Shed

- Several respondents suggested that a Men's Shed be built at Lions Park. The site is located in a Land Subject to Inundation Overlay and construction of a building is unlikely to be supported by the Manningham Planning Scheme. Such a use would also be inconsistent with the Crown land reservation as a river frontage reserve.

Provision of access for people with all abilities

- Six respondents expressed that the area be accessible for all users, particularly the aged and people of all abilities. The provision of access has been considered for people with all abilities in the Masterplan, but in some areas steep topography may prevent suitable access.

Key Elements of the Draft Masterplan

- 3.3 The former tennis courts were informally maintained by the Warrandyte Lions Club for the last 33 years have fallen into disuse. The Club acknowledges that the tennis courts have been receiving little use in recent years, even before their condition deteriorated to the current level, and they are an underuse of a prime open space area.
- 3.4 The condition of the adjoining park infrastructure including carparking, picnic facilities, paths, fencing and landscaping has also deteriorated to the point that some action is needed to bring facilities up to standard.
- 3.5 The works proposed in the draft Masterplan (refer to Attachment 1) have been designed to enhance the amenity, usability and recreational opportunities for visitors to the river environment. Proposed works include:
- Removal of the former tennis court, carpark redesign and upgrade.
 - Additional picnic facilities including shelter, picnic settings and barbeques.
 - Better use of Taffy Jones ruin with picnic facilities and further art/heritage interpretation elements.
 - Improved path layout and pedestrian safety and better connection from Lions Park to the river path.
 - Expanded fire display garden.
 - Additional park elements including furniture, drinking fountains, fencing, bollards, signage and natural landscaping and public art elements.
 - Minor expansion of Federation Playspace including play elements for older children.
 - Inclusion of fitness elements within the area.
- 3.6 It is anticipated that the VicRoads works will be completed by September 2018. VicRoads has indicated that funding and re-establishment works will be provided for part of the site closest to the bridge. The draft Masterplan will guide and co-ordinate improvement opportunities for the area.
- 3.7 Full implementation of the Masterplan works will be reliant on some funding in Council's 2019/20 Capital Works Program.

4. COUNCIL PLAN / STRATEGY

- 4.1 *Manningham's Open Space Strategy (2014)* classifies the Warrandyte River Reserve as a linear park of regional significance with multiple functions including providing for informal recreation and is a major Yarra River habitat corridor.
- 4.2 The *Warrandyte River Reserve Management Plan (2005)* recommended that a development plan be prepared in consultation with the Lion's Club to improve pedestrian access, upgrade picnic facilities and formalise car parking of the site.

5. IMPACTS AND IMPLICATIONS

- 5.1 Proposed actions in the draft Masterplan will improve and enhance the overall accessibility, recreational use and amenity of the area. This will have positive impact on visitors to the area and encourage greater usage.
- 5.2 An increase in use of the area on the river reserve will have a positive impact on the health and wellbeing of users, increasing the level of physical activity and opportunities to connect with nature and their local community.
- 5.3 The proposed upgrade was well received in the initial community consultation and by all members of the Project Reference Group.
- 5.4 The draft Masterplan will maintain the existing number of off-street carparks as well as make up for any lost on-street carparks resulting from the VicRoads bridge project.

Environmental

- 5.5 The draft Masterplan will ensure that the ongoing management of the Warrandyte River Reserve remains environmentally sustainable, while continuing to balance provision of recreational opportunities and experiences and protection of indigenous flora and fauna.
- 5.6 Improving the indigenous vegetation will enhance the habitat link of the Yarra River corridor.

6. IMPLEMENTATION

Finance/Resource Implications

- 6.1 It is anticipated that the VicRoads works, including the upgrade to the park in the immediate vicinity of the bridge, will be completed by September 2018.
- 6.2 Full implementation of the Masterplan works will be reliant on some funding in Council's 2019/20 Capital Works Program.
- 6.3 The estimated capital cost to Council of implementing the draft Masterplan is \$450,000.
- 6.4 A Capital Works Business Case will be prepared for the upgrade works set out in the final Masterplan.

Communication and Engagement

- 6.5 The draft Masterplan has been prepared in consultation with a Project Reference Group, comprising members of the Warrandyte Lions Club, Warrandyte Community Association, Warrandyte Historical Society, Warrandyte Business Association, interested residents, CFA, VicRoads, and Manningham Council.
- 6.6 Community input was undertaken for a three week period from 14 March to 3 April 2018 seeking public comments about the future of the area.
- 6.7 The draft Masterplan will be placed on public exhibition for a three week period and will be promoted by:

- Posters will be displayed at Lions Park and around the Warrandyte Township.
- Surveys will be distributed at the Warrandyte Library, Warrandyte Bakery and the Warrandyte Community Centre.
- A web-based version of the survey will be available to the general public via Council's web-based site 'Your Say Manningham'.
- Notices placed in The Warrandyte Diary and an article in the Manningham Matters.

Timelines

- 6.8 After reviewing feedback form public exhibition, a further report will be presented to Council for endorsement of the final Lions Park Masterplan.
- 6.9 As part of the planning permit for the bridge works, VicRoads is committed to some re-establishment works in the part of the site closest to the bridge. It is anticipated that the VicRoads works will be completed by September 2018.
- 6.10 Construction works could commence in October 2018 but would be reliant for funding in the 2019/2020 capital works program for completion.
- 6.11 A Capital Works Business Case will be prepared for the upgrade works set out in the final Masterplan for implementation in the 2018/19 and/or 2019/20 Capital Works Program.

7. DECLARATIONS OF CONFLICT OF INTEREST

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

Draft Lions Park Masterplan, Warrandyte

May 2018



- Key**
- Existing tree
 - New tree
 - Garden beds
 - Grass
 - Picnic tables
 - Seat
 - Drinking fountain
 - New paths
 - Picnic areas
 - Shared road space

- 1 Remove fence to connect spaces between playspace and picnic area
- 2 Extend playspace when the playground is upgraded. Install grass as a temporary change
- 3 Install picnic table. Install artwork from the tennis club wall on Taffy Jones wall
- 4 Vehicle access provided for 207 Yarra Street building
- 5 New feature plaza and seating area
- 6 New seats to be installed along path

- 7 New shelter, BBQ, drinking fountain and picnic tables
- 8 Existing fire garden to remain
- 9 New carpark layout. Final spaces quantities to be determined in the detailed design
- 10 Existing shelter and BBQ to remain
- 11 New pedestrian path
- 12 Water Sensitive Urban Design treatment garden beds
- 13 Keep all native vegetation and the peppercorn tree. Staged transition to native tree canopy

- 14 New picnic area
- 15 New stairs connection
- 16 Open space grass area
- 17 New picnic area with river views
- 18 Investigate new ramp connection
- 19 New feature plaza and seating area
- 20 New stairs connection
- 21 Informal ampitheatre seating
- 22 New shelter, BBQ, drinking fountain and picnic tables

- 23 New stairs connection

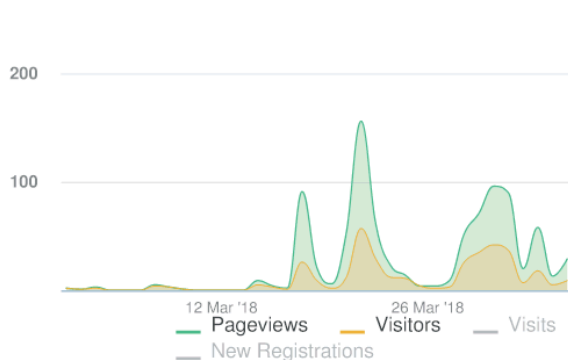
Also to be looked into:

- Exercise equipment will be investigated to be installed at a location along the Warrandyte River Reserve
- Fire garden stage 2 extension to be included in the landscape development
- Art projects referencing aboriginal history to be investigated.





Visitors Summary



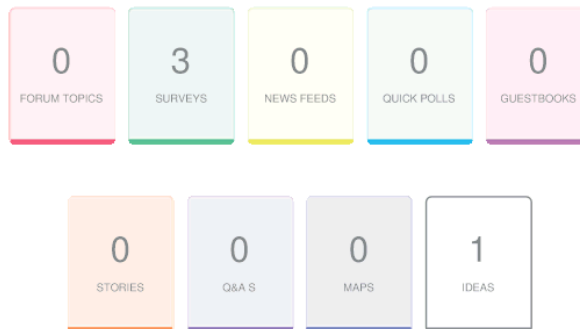
Highlights

TOTAL VISITS	394	MAX VISITORS PER DAY	57
NEW REGISTRATIONS	5	ENGAGED VISITORS	102
		INFORMED VISITORS	158
		AWARE VISITORS	349

Aware Participants	349	Engaged	102		
Aware Actions Performed	Participants	Engaged Actions Performed	Registered	Unverified	Anonymous
Visited a Project or Tool Page	349	Contributed on Forums	0	0	0
Informed Participants	158	Participated in Surveys	4	0	96
Informed Actions Performed	Participants	Contributed to Newsfeeds	0	0	0
Viewed a video	0	Participated in Quick Polls	0	0	0
Viewed a photo	18	Posted on Guestbooks	0	0	0
Downloaded a document	8	Contributed to Stories	0	0	0
Visited the Key Dates page	0	Asked Questions	0	0	0
Visited an FAQ list Page	7	Placed Pins on Maps	0	0	0
Visited Instagram Page	0	Contributed to Ideas	2	0	0
Visited Multiple Project Pages	61				
Contributed to a tool (engaged)	102				

Your Say Manningham : Summary Report for 23 September 2011 to 03 April 2018

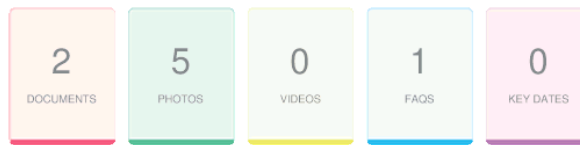
ENGAGEMENT TOOLS SUMMARY



Tool Type	Engagement Tool Name	Tool Status	Visitors	Contributors		
				Registered	Unverified	Anonymous
Survey Tool	Lions Park Upgrade	Published	141	4	0	96
Survey Tool	Draw your vision for Lions Park	Published	1	0	0	0
Survey Tool	Upload your own design	Published	0	0	0	0
Ideas	What is your vision for Lions Park?	Published	11	2	0	0

Your Say Manningham : Summary Report for 23 September 2011 to 03 April 2018

INFORMATION WIDGET SUMMARY



Widget Type	Engagement Tool Name	Visitors	Views/Downloads
Photo	Possible elements for Lions Park	9	9
Photo	Tennis Courts	7	7
Photo	Tennis Courts	7	7
Photo	Lions Park Did You Know	7	7
Photo	deleted photo from Your Vision for Lions Park	5	5
Photo	deleted photo from	1	1
Faqs	faqs	7	7
Document	Lions Park poster	5	6
Document	Draw your own Lions Park Plan	2	2
Document	deleted document from	1	1
Document	deleted document from	1	1
Document	deleted document from	1	1
Key Dates	Key Date	0	0

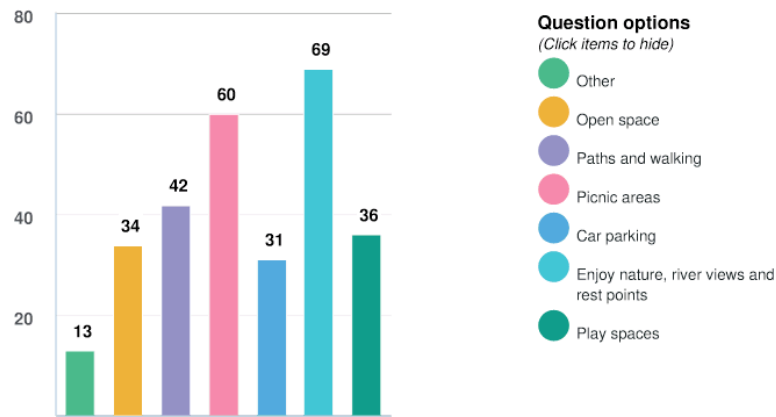
Your Say Manningham : Summary Report for 23 September 2011 to 03 April 2018

ENGAGEMENT TOOL: SURVEY TOOL

Lions Park Upgrade

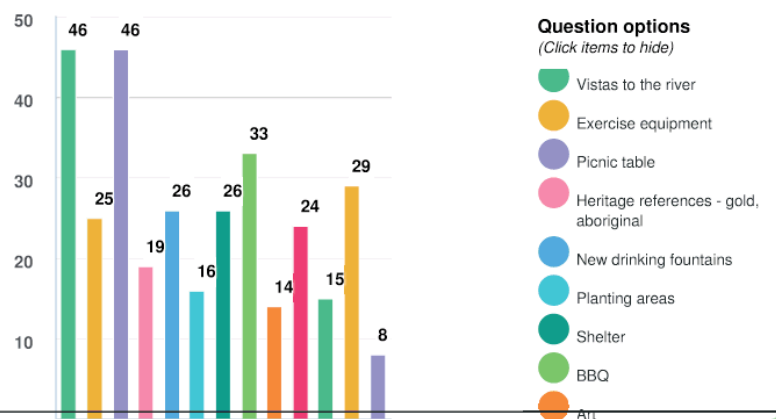
VISITORS	141	CONTRIBUTORS	100	CONTRIBUTIONS	109
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From the list below, please select your top three priorities for using the Lions Park area?



Optional question (109 responses, 0 skipped)

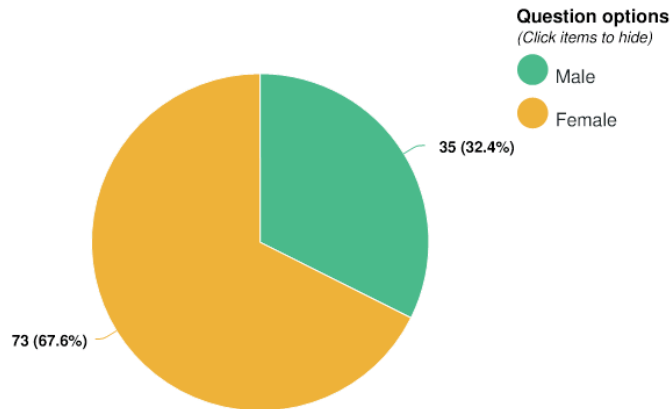
From the list below please choose your top three priorities for features you would like to see at Lions Park.



Page 4 of 7

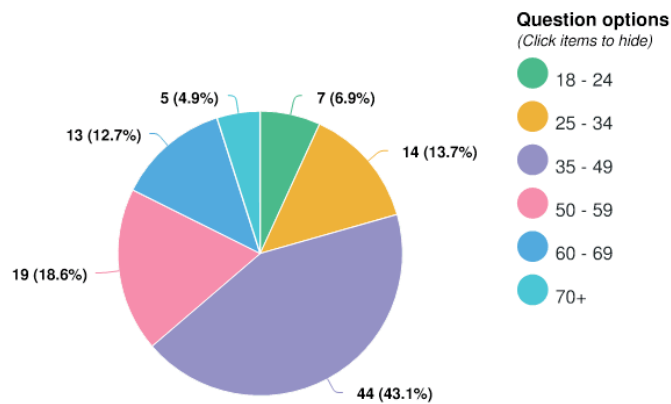


What is your gender



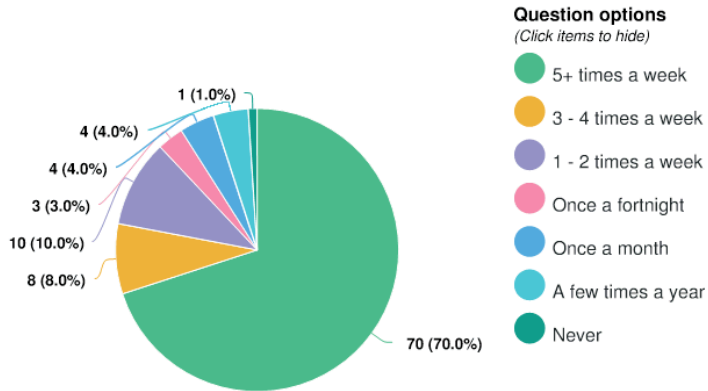
Optional question (108 responses, 1 skipped)

Into which age group do you fall?



Optional question (102 responses, 7 skipped)

How often do you visit the Warrandyte area?



Optional question (100 responses, 9 skipped)

- To my knowledge there is no pump track in the local are, Manningham or otherwise.
- Inspiration from Wombat Gully Park
- Community garden
- Community space
- That it is something for everyone.
- Dog zone - fully fence

11 ASSETS & ENGINEERING

11.1 North East Link - Memorandum of Understanding

File Number: IN18/192
Responsible Director: Director Assets and Engineering
Attachments: Nil

EXECUTIVE SUMMARY

The North East Link Authority (NELA) requires Council to enter into a Memorandum of Understanding, setting out the working arrangements between Council and the Authority.

COUNCIL RESOLUTION

MOVED: CR MIKE ZAFIROPOULOS
SECONDED: CR GEOFF GOUGH

That Council authorises the CEO to sign the Memorandum of Understanding, which sets out the working arrangements between Council and the North East Link Authority.

CARRIED

2. BACKGROUND

- 2.1 The North East Link Authority (NELA) is progressing with its design and development of the North East Link (NEL) project based on the State Government decision to adopt corridor Option A (through Bulleen).
- 2.2 It is acknowledged that at this time, Council's position remains to not support NELA's preferred alignment through Bulleen (Option A), subject to more details being provided. Accordingly, Council has requested that NELA provide further detailed information of the proposal, to enable Council to review and assess the impact of the project on the community, urban environment and landscape.
- 2.3 To further accommodate Council's input into the project design, NELA has requested that Council enter into a Memorandum of Understanding (MoU) with the Authority. The MoU sets to outline the guiding objectives for the co-operation, co-ordination and support that NELA and Council will commit to provide in relation to the Project.
- 2.4 While the Project will have a significant impact on Manningham, it does provide an opportunity to advocate for enhancements to achieve some benefits for the Manningham community. Upon execution of the MoU, a list of supporting projects can be further developed for consideration and submission to NELA, once greater detail on the project impacts is provided to Council.
- 2.5 It is therefore recommended that Council sign the MoU, to enable both parties to work collaboratively to achieve the best possible outcome for the Manningham community.

3. DECLARATIONS OF CONFLICT OF INTEREST

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

12 COMMUNITY PROGRAMS


There were no Community Programs reports.

13 SHARED SERVICES

There were no Shared Services reports.

14 CHIEF EXECUTIVE OFFICER

14.1 Manningham Quarterly Report, Quarter 3, 2018

File Number: IN18/194
Responsible Director: Executive Manager People and Governance
Attachments: 1 Manningham Quarterly Report, Quarter 3, 2018 [↓](#) 

EXECUTIVE SUMMARY

The Manningham Quarterly Report outlines key organisational indicators and many of the reporting requirements under the Local Government Performance Reporting Framework (LGPRF). The report also enables greater transparency to monitor and track key aspects of Council's performance for continuous improvement purposes.

COUNCIL RESOLUTION

MOVED: CR PAUL MCLEISH
SECONDED: CR MIKE ZAFIROPOULOS

That Council note the Manningham Quarterly Report for 1 January – 31 March 2018.

CARRIED

2. BACKGROUND

This report has been developed on a quarterly basis to promote transparency and to meet legislative requirements under the Local Government Act (1989), Planning and Reporting Regulations (2008) and the LGPRF.

3. REPORT SUMMARY

Capital Works Performance

- 3.1 58.3% of the overall Capital Works Program has been completed. Works for the period included the Manningham Templestowe Leisure Centre floor replacement, Wonga Park Boundary Fencing, Doncaster Hockey Club pitch surface replacement, Mullum Mullum Currawong Shade Sail replacement and Yarra Street "Pride of Place" streetscape works.
- 3.2 Reasonable progress has been made on the implementation of the Capital Works Program. A number of projects have been delayed due to scoping, consultation and approval delays.

Financial Performance

- 3.3 Council continues to be in a sound financial position and is committed to remaining focussed on being a financially sustainable Council. At the end of March 2018, Council's operating surplus shows an improvement of \$1.2 million against the mid-year budget forecasts. The favourable variance is chiefly due to higher than expected fees and charges (\$0.6 million) and continued emphasis on containing costs (\$0.4 million).

Corporate Performance

Council wins Award for 'Customer Experience Achievement of the Year'

- 3.4 Manningham Council has been recognised in dual achievements for the 'Citizen Connect Contact Centre' initiative at the Municipal Association of Victoria Technology Awards, held recently as part of the 'Transformers' conference.
- 3.5 Manningham was awarded 'Customer Experience Achievement of the Year' for its online approach to lodging, viewing and making payments for planning permits.
- 3.6 In addition the 'Citizen Connect contact centre' was awarded a high commendation for providing a centralised point of contact for 24 key processes encompassing a broad range of council services and functions.
- 3.7 Since launching this project in August 2017, 65 per cent of Manningham's calls are now resolved at the first point of contact (compared to 27 per cent before the Centre), with 80 per cent of all calls answered within 25 seconds. The project was also 'Highly Commended' for its proven success to improving service provision, learnings for other councils and overall efficiency for customers.

Focus: Statutory Planning

- 3.8 Quarter 3 continues to see improvement in the results for the processing of statutory planning applications:

Performance Indicator	Manningham	Metro Council Average
Median processing (gross) days for applications	75 days	98 days
Regular applications determined within 60 days	76%	55%
VicSmart applications determined within 10 days	92%	80%

Major Initiatives to deliver for the Council Plan 2017-2021

- 3.9 Fourteen major Initiatives have been identified across the Council Plan themes of Community, Places and Spaces, Environment, Economy and Well Governed. These will be delivered across the four years. For Quarter 3, thirteen of the Major Initiatives are either completed or on schedule for completion. Five of these are ahead of target for completion. All projects are being closely monitored to ensure successful completion.

4. DECLARATIONS OF CONFLICT OF INTEREST

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



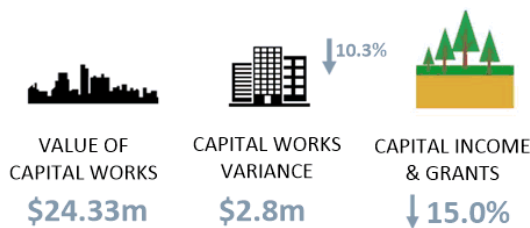
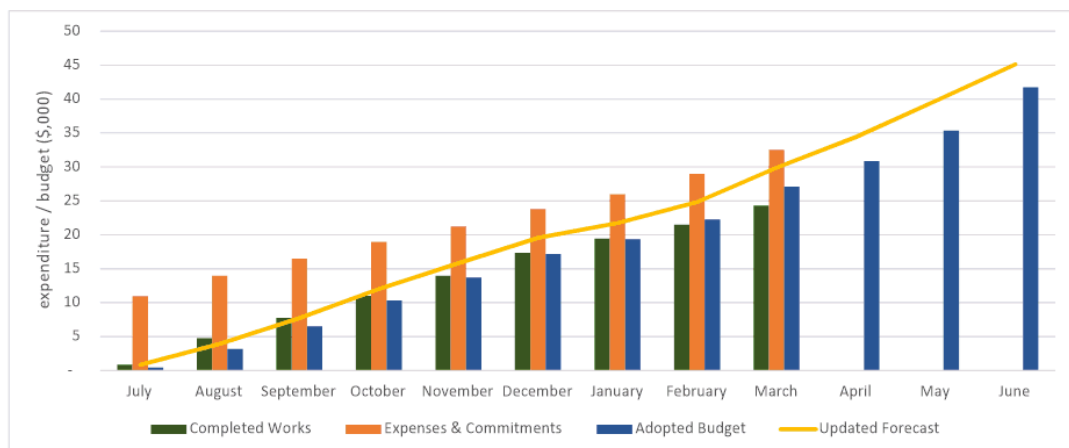
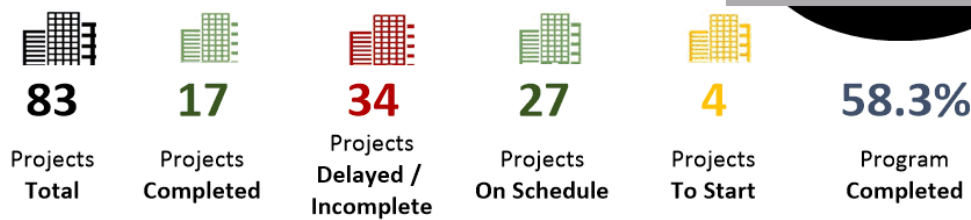
Manningham

Quarterly Report 2017/18

Quarter 3: January - March 2018

1. Capital Works

\$41.7m Adopted Budget
 \$3.4m Extra Funds
 \$45.13m Updated Forecast



Spotlight

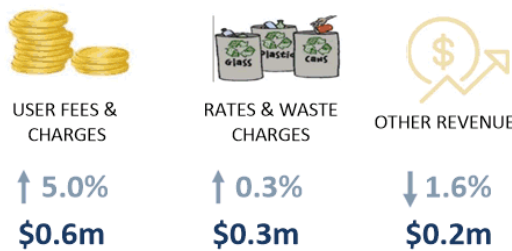
- Reasonable progress has been made on the implementation of the Capital Works Program. The Domeney Reserve Pavilion Upgrade, Citizen Connect Customer Relationship Management Phase 1, Advanced Design Fees, Jumping Creek Road Stage 1, Road Management Strategy Upgrades (King Street Stage 2), Road Management Strategy Traffic and Road Use (Oban Road), Bicycle Strategy Implementation (Taroona Avenue), Colman Park Pavilion Extension and Doncaster Tennis Club projects will not be completed due to scoping, consultation and approval delays.
- \$2.8m below adopted budget expenditure, due to a number of projects, which are lagging from a project expenditure prospective, but are expected to be completed.
- 15% variance in capital income reflects delays in receiving grants and income, for works to be undertaken this financial year.



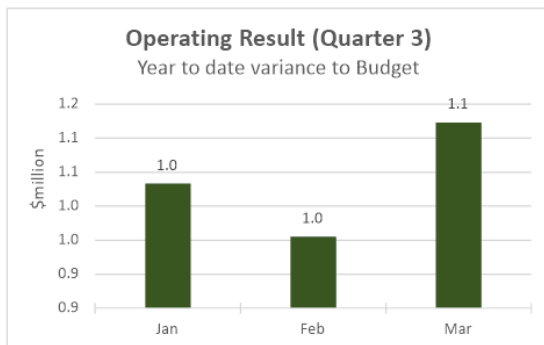
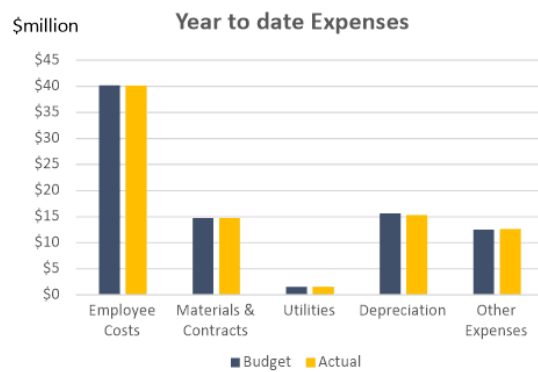
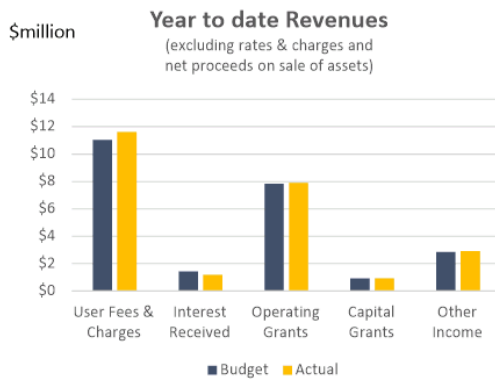
2. Finance

	Revenue	Expenses	Surplus
Budgeted	\$120.8m	\$84.8m	\$36.0m
Actual	\$121.6m	\$84.4m	\$37.2m

Revenue Variation



Expenses Variation



Spotlight

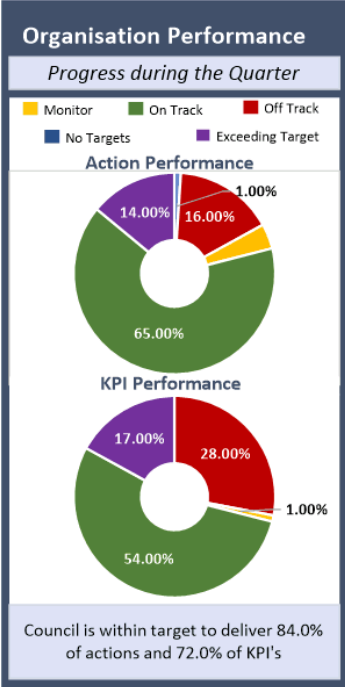
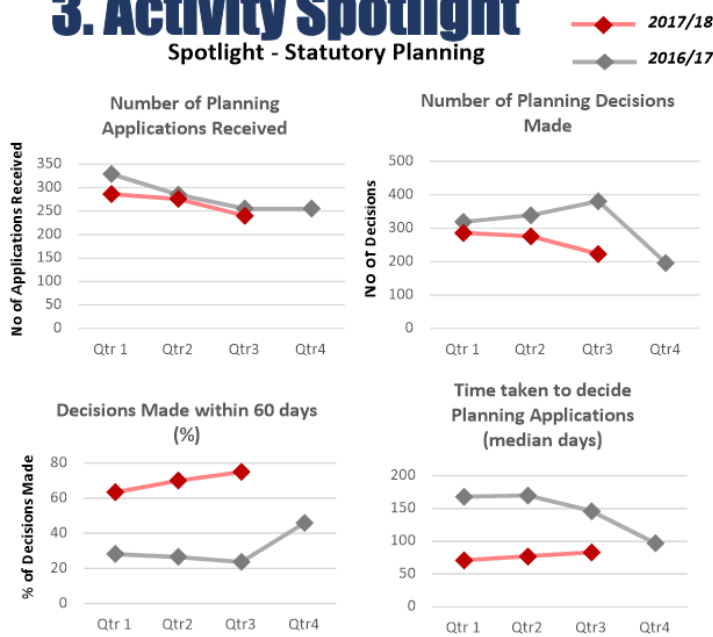
- At the end of March 2018, Council's operating surplus shows an improvement of \$1.2 million against the mid year budget forecast. The favourable variance is chiefly due to higher than expected fees and charges (\$0.6 million) and continued emphasis on containing costs (\$0.4 million).
- Council is on track to achieve the financial forecast as detailed in the mid year budget forecast.





3. Activity Spotlight

Spotlight - Statutory Planning



Performance Highlights

Manningham Council has been recognised in dual achievements for the Customer Experience Achievement Of The Year at the Municipal Association of Victoria Technology Awards, held recently as part of the 'Transformers' conference in Geelong.

A winning award was received for 'Online View, Payments and Lodgement'; recognising the innovative approach to lodging, viewing and making payments for planning permits.

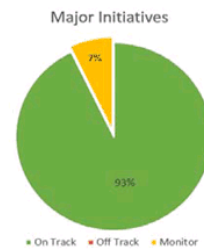
A high commendation award also went to the 'Citizen Connect Contact Centre' as a new centralised point of contact for 24 key processes across council services and functions. Since launching the Contact Centre project in August 2017, 65 per cent of Manningham's calls are now resolved at the first point of contact (compared to 27 per cent before the centre), with 80 percent of all calls answered within 25 seconds. The project was also 'Highly Commended' for its proven success to improving service provision, learnings for other councils and overall efficiency for customers.

Statutory Planning applications

Median gross processing days continues to fall and perform well against the metro average (75 days against metro average of 98 days for Quarter 3).

Major Initiatives to deliver for the Council Plan 2017-2021

14 Major Initiatives have been identified across the Council Plan themes of Community, Places and Spaces, Environment, Economy and Well Governed. These will be delivered across the four years. For Quarter 3, thirteen of the Major Initiatives are either completed or on schedule for completion. 5 of these are ahead of target for completion. Projects are being closely monitored to ensure successful completion.



4. Major Initiatives

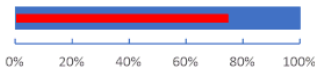
HEALTHY COMMUNITY

1.1 A healthy, resilient and safe community

1.2 A connected and inclusive community



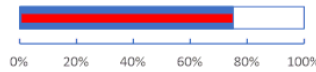
Healthy City Strategy 2017-2021



Adopted Healthy City Strategy 2017-2021 continues to be implemented with the design of Parenting Program series. A full progress report will be provided in June.



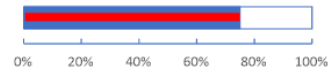
2017 – 2021 Access, Equity and Diversity Strategy



Draft Strategy and Action Plan are being finalised and are scheduled for presentation to Council by 30 June 2018.



Deliver female friendly facility upgrades in selected Pavilions



Upgrades continue to be delivered in time and budget. Current installations being completed at Schramms Pavilion and Doncaster (Leeds Street).

LIVEABLE PLACES AND SPACES

2.1 Inviting places and spaces

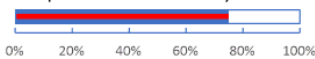
2.2 Enhanced parks, open space and streetscapes

2.3 Well connected, safe and accessible travel

2.4 Well utilised and maintained community infrastructure



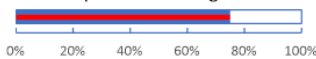
Ensure local planning is responsive to community need



Community consultation started with 4 focus groups held in Feb/March and Council's Advisory Committees. Online consultation to start in April. On track with schedule.



Implementation of Parks Improvement Program

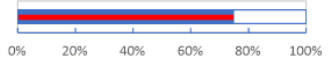


Program on schedule with:

- Installations continues at Lawford Reserve playspace, picnic and skate/basketball area.
- Detailed design of Petty's Reserve civil and recreation works to be completed by June 2018.



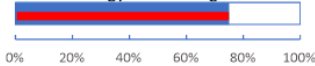
Roads Improvement Program



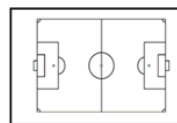
King Street (Stage 1) is near completion. Community consultation on Jumping Creek Road (Stage 1) continues. Preparing for further service alterations as the shared trail alignment has been finalised. Stage 1 land acquisition is underway and as is design for Stage 1A. Planning Permit application to be lodged in May 2018.



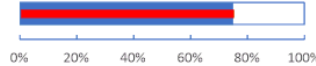
A new Integrated Transport Strategy for the region



The development of the Integrated Transport Strategy has been delayed due to the North East Link proposal and the anticipated impact on the transport network. A Transport Action Plan is being prepared in the meantime.



Mullum Mullum Stadium



Following a successful expression of interest for Mullum Mullum Stadium, works continue with the stadium is expected to be completed in May 2018.

Key: Monitoring Progress

Target █

Actual █

In the example above, the project is 50% complete (target of 20%)

Major Initiatives cont.

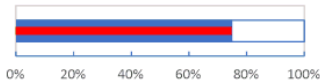
RESILIENT ENVIRONMENT

3.1 Protect and enhance our environment and biodiversity

3.2 Reduce our environmental impact and adapt to climate change



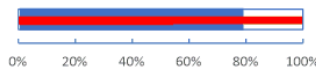
Upgrade Council Drainage



Design for 511 Ringwood Warrandyte Road easement drain nearing completion. Tenders closed for works in Amelia Crescent and Granard Avenue.



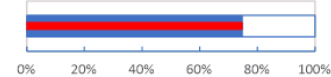
Bolin Bolin Billabong Water



The project has been delayed due to a number of unforeseen site conditions, the supply of a suitable clay liner for the storage basins, wet weather and commissioning of the power supply to the various sites. The project is set to be commissioned in April



Environmental education and awareness



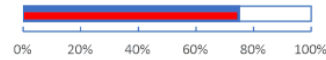
A successful program continued with 15 Nature Walks, Environment Seminar, Smarter Living, Sustainable Homes, Solar & batteries, Doncaster Hill Garden, Waterwatch and Currawong Bush Park School Education held for the community during the period.

VIBRANT AND PROSPEROUS ECONOMY

4.1 Grow our local business, tourism and economy



Grow the visitor economy, destinations and events



To attract visitors to the City, supporting local festivals including Kellybrook Cider Festival and Warrandyte Festival, as well as advocacy to local Members of Parliament

Manningham Business

- 30+ local retail centres, 9 neighbourhood activity centres, 1 major activity centre and 1 principal activity centre
- 13,000 local business in Manningham
- As the largest sector, retail employs nearly 5,000 people and generates over \$530 million to the local economy each year;
- Home based business account for 80 % of all businesses in Manningham

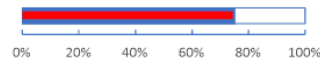
WELL GOVERNED COUNCIL

5.1 A financially sustainable Council that manages resources effectively and efficiently

5.2 A Council that values citizens in all that we do



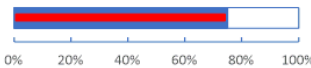
Long Term Sustainability of Council



The draft Annual Budget and Strategic Resource Plan, incorporating the Long Term Financial Plan budget principles is scheduled for exhibition from 26 April 2018. On track to achieve adoption by 30 June 2018.



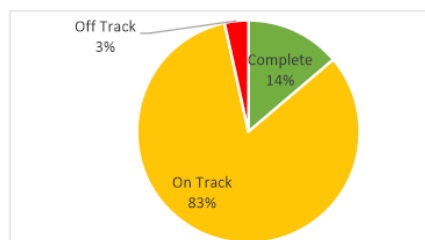
Citizen Connect



Implementation (Phase 1): Centralised Contact Centre by August 2017 is complete. Level of enquiries 'handled' by the Contact Centre up from less than 30% to 60%. Continue to build staff's capacity to deliver high quality customer service.

5. CEO Key Performance Indicators

97% of the CEO Performance Indicators have either completed or are on track for successful completion



● Complete ● On Track ● Off Track

Key Performance Indicator (KPI)	Measures	Status
Through our Citizen Connect program, we will make it easy for citizens to interact with us, find out information, request a service, provide feedback or report an issue	1. Implementation (Phase 1) Centralised Contact Centre by August 2017. ■ First Call Resolution (measured by increased % of enquiries handled by the Customer Service team - compared to switchboard model 2016/17) Target = 60% FCR by end 2017/18 (compared to below 30% in 2016/17) ■ Reduced abandoned call rate (calls to main number and service units) Target = 5% abandoned calls by end 2017/18 (compared to more than 20% abandoned calls 2016/17) 2. Customer Relationship Management by April 2019 <i>Note: Following delay with sourcing a suitable provider, project target revised and back on track for successful completion.</i> ■ Customer Experience Improvement Plan by December 2017	●
Plan for the health and wellbeing of the municipality	3. Adoption of Healthy City Strategy Action Plan 2017 – 2021 by 30 September 2017 ■ Action Plan developed in partnership with key stakeholders ■ Community Safety Month initiatives by November 2017 4. Deliver two initiatives on priority social issues, aligned to the Council Plan, by 30 June 2018 5. Prepare a Year 1 progress report by 30 June 2018 which demonstrates on schedule delivery of the plan.	●
Ensure Council’s communications channels are fit-for purpose for Manningham’s diverse CALD community	6. Review of channels undertaken, formulate actions and implement by 31 December 2017.	●
Adoption and implementation of access, equity and diversity strategy across the municipality	7. Adoption of the 2017 - 2021 Access, Equity and Diversity Strategy/ Action Plan (Inclusive Manningham Strategy) by 30 June 2018 ■ Action Plan developed with key stakeholders by 30 June 2018 ■ Plan and commence implementation of a new initiative encouraging social and economic inclusion by 30 June 2018	●
Communication and Engagement that encourages participation in decision making	8. A range of initiatives to achieve at least a 5% increase in the satisfaction rate, from 54% in 2016/17, with Council communication and engagement by 30 June 2018	●
Operational efficiency targets	9. Coordinate delivery of 2017/18 savings target of \$2.1 million by 30 June 2018 through improved efficiency, whilst maintaining service levels.	●
Capital Works programme phasing and delivery	10. Percentage of capital works budget carried forward 5% or less from adopted budget	●

CEO Key Performance Indicators cont.




● Complete ● On Track ● Off Track

Key Performance Indicator (KPI)	Measures	
Implementation of Parks Improvement Program	13. Implementation of Parks Improvement Program works: ■ Schramms Cottage Masterplan by December 2017 ■ Rieschecks Reserve (work on ground) by June 2018 ■ Domeney Reserve (Recreation Centre) by September 2018 ■ Lawford Reserve Management Plan (Stage 2) by June 2018	●
Deliver a new Integrated Transport Strategy for private and public transport in the region	14. Plan developed and commenced implementation of priorities by 31 December 2018. <i>The Action Plan and timelines are being reworked in alignment with the North East Link proposal to ensure the best transport outcomes.</i>	●
Improve connectivity through Road Improvement Program including upgrade of Council Link Roads	15. Staged works completed as programmed: ■ King Street by 31 December 2019 ■ Stage 1 Jumping Creek Road by 30 June 2021	●
Assist in addressing growing demand in indoor sports through completion of Mullum Mullum Stadium	16. Construction completed by 30 April 2018. Operation and use arrangements in place by 30 June 2018	●
Grow the visitor economy and create opportunities for visitor destinations and events within Manningham	17. Implementation of Greater Melbourne Destination Management and Visitor Plan by 30 June 2018	●
Ensure local planning is responsive to community need and aligned with local planning laws	18. Review of Manningham Planning Scheme by 30 June 2018. Please note: <i>The Victorian Government has revised the timeline for Councils to review Local Planning Schemes to allow for the State Government's Smart Planning Reform. The review is now due by 31 December 2018.</i>	●
Manage and maintain Bolin Bolin Billabong Facility to supply harvested stormwater for sports ground irrigation	19. Bolin Bolin Facility construction completed by 30 October 2017. <i>The project has been delayed due to a number of unforeseen site conditions, the supply of a suitable clay liner for the storage basins, wet weather and commissioning of the power supply to the various sites. The project is set to be commissioned by end of March 2018.</i> 20. Maximise Council's waste resource recovery rate to ensure that there is a reduction in landfill compared to 2016/17	●
Demonstrate leadership in sustainable and innovative environmental practices	21. Improve energy and carbon efficiency in Council owned and managed buildings to achieve reduced greenhouse emissions by 20% from 2009 levels by 2020. 22. By completing installation of 6,000 energy efficient LED street lights by 31 December 2017	●
Strengthen Governance framework to ensure robust processes in support of Council decision making	23. Draft Meeting Local Law reviewed and reported to SBS by October prior to consultation phase. Final law in place by 13 December 2017	●
Facilitate organisational renaissance in support of being the 'Best Council in Victoria' through launching and embedding values program and structural change as required	24. Values program launched by September 2017 25. Conduct a pulse survey by June 2018 with an increase in staff engagement from 2016/17 26. Review opportunity for a 360 type assessment process by 30 June 2018 – report to be presented to Councillors 27. Define what the "Best Council" looks like by 30 June 2018 – report to Councillors	●
Records Management modernisation	28. Public Records Office of Victoria (PROV) Percentage compliance at 68% by June 2018	●
Statutory Planning Permit (within 60 days)	29. 10% increase from 2016/17 baseline by June 2018	●

14.2 Record of Assembly of Councillors

File Number: IN18/196

Responsible Director: Chief Executive Officer

Attachments: 1 Strategic Briefing Session - 1 May 2018 [↓](#) 
2 Strategic Briefing Session - 8 May 2018 [↓](#) 
3 Heritage Advisory Committee - 9 May 2018 [↓](#) 

EXECUTIVE 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 an ordinary meeting of Council and those records are to be incorporated into the minutes of the Council Meeting.

COUNCIL RESOLUTION

MOVED: CR ANNA CHEN
SECONDED: CR MICHELLE KLEINERT

That Council note the Records of Assemblies for the following meetings and that the records be incorporated into the minutes of this Council Meeting:

- **Strategic Briefing Session – 1 May 2018**
- **Strategic Briefing Session – 8 May 2018**
- **Heritage Advisory Committee – 9 May 2018**

CARRIED

2. BACKGROUND

2.1 An Assembly of Councillors is defined in the Local Government Act 1989 as a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of the Council staff which considers matters that are intended or likely to be:-

2.1.1 The subject of a decision of the Council; or

2.1.2 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.

2.2 An advisory committee can be any committee or group appointed by council and does not necessarily have to have the term 'advisory committee' in its title.

2.3 Written records of Assemblies are to include the names of all Councillors and members of Council staff attending, a list of matters considered, any conflict of interest disclosures made by a Councillor and whether a Councillor who has disclosed a conflict of interest leaves

3. DISCUSSION / ISSUE

3.1 The Assembly records are submitted to Council, in accordance with the requirements of Section 80A of the Local Government Act 1989. The details of each of the following Assemblies are attached to this report.

- Strategic Briefing Session – 1 May 2018
- Strategic Briefing Session – 8 May 2018
- Heritage Advisory Committee – 9 May 2018

4. DECLARATIONS OF CONFLICT OF INTEREST

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

Record of an Assembly of Councillors

Manningham City Council

Strategic Briefing Session

Meeting Date: 1 May 2018
Venue: Council Chamber, Civic Office, 699 Doncaster Rd, Doncaster
Starting Time: 6.30pm

1. **Councillors Present:**
Councillor Andrew Conlon (Mayor)
Councillor Michelle Kleinert (Deputy Mayor)
Councillor Anna Chen
Councillor Sophy Galbally
Councillor Geoff Gough
Councillor Dot Haynes
Councillor Paul McLeish
Councillor Mike Zafiroopoulos

Apologies from Councillors:
Councillor Paula Piccinini

Executive Officers Present:
Warwick Winn, Chief Executive Officer
Jill Colson, Executive Manager People & Governance
Leigh Harrison, Director Assets & Engineering
Angelo Kourambas, Director City Planning
Lee Robson, Acting Director Community Programs

Other Officers in Attendance:
Helen Napier, Acting Recreation and Emergency Management Coordinator

2. **Disclosure of Conflicts of Interest**
No disclosures of conflict of interest were made.
3. **Items Considered**
3.1 Future Directions – Function Centre (confidential)
3.2 Garden Waste Disposal Options for Bushfire Prone Area Residents

The meeting ended at 8:00pm

Record of an Assembly of Councillors

Manningham City Council

Strategic Briefing Session

Meeting Date: 8 May 2018
Venue: Council Chamber, Civic Office, 699 Doncaster Rd, Doncaster
Starting Time: 6.30pm

1. Councillors Present:

Councillor Andrew Conlon (Mayor)
Councillor Michelle Kleinert (Deputy Mayor)
Councillor Anna Chen
Councillor Sophy Galbally
Councillor Geoff Gough
Councillor Dot Haynes
Councillor Paul McLeish
Councillor Paula Piccinini
Councillor Mike Zafiropoulos

Apologies from Councillors:

Nil

Executive Officers Present:

Warwick Winn, Chief Executive Officer
Jill Colson, Executive Manager People & Governance
Leigh Harrison, Director Assets & Engineering
Angelo Kourambas, Director City Planning
Lee Robson, Acting Director Community Programs

Other Officers in Attendance:

Carrie Bruce, Senior Governance Advisor
Malcolm Foard, Manager Social and Community Services
Bronwyn Morphet, Acting Coordinator Social Planning and Community Development

2. Disclosure of Conflicts of Interest

No disclosures of conflict of interest were made.

3. Items Considered

- 3.1 Manningham Youth Services Model (confidential)
- 3.2 Church of Christ Redevelopment
- 3.3 Review of Councillor Allowance and Support Policy
- 3.4 North East Link – Memorandum of Understanding
- 3.5 Draft Westerfolds Paddle Sports Plan – Stage Two Community Consultation
- 3.6 Lions Park Draft Masterplan – Public Exhibition
- 3.7 Manningham Quarterly Report – Quarter 3, 2018

The meeting ended at 8:50pm

Record of an Assembly of Councillors

Manningham City Council

Heritage Advisory Committee

Meeting Date: 9 May 2018
Venue: Koonung Room, Civic Office, 699 Doncaster Rd, Doncaster
Starting Time: 6.00pm

1. Councillors Present:

Councillor Paula Piccinini – Heide Ward

Apologies from Councillors:

Nil

Officers Present:

Fiona Ryan – Coordinator Strategic Planning
Paul Goodison – Coordinator Landscape and Leisure

2. Disclosure of Conflicts of Interest

No disclosures of conflict of interest were made.

3. Items Considered

- Confirmation of previous minutes
- Declaration of conflict of interest
- Actions from previous meeting (14 February 2018)
- Updates
- Other business
- Next Meeting Date

The meeting ended at approximately 7.05pm

D18/59631

14.3 Documents for Sealing

File Number: IN18/195
Responsible Director: Chief Executive Officer
Attachments: Nil

EXECUTIVE SUMMARY

The following documents are submitted for signing and sealing by Council.

COUNCIL RESOLUTION

MOVED: CR SOPHY GALBALLY
SECONDED: CR DOT HAYNES

That the following documents be signed and sealed:

**Consent to Build over an Easement
Agreement under Section 173 of the Planning and Environment Act 1987
Council and B A Ryan and S L Ryan
174 Macedon Road, Templestowe Lower**

**Consent to Build over an Easement
Agreement under Section 173 of the Planning and Environment Act 1987
Council and 7 Rooney Pty Ltd
7 Rooney Street, Templestowe Lower**

**Consent to Build over an Easement
Agreement under Section 13 of the Planning and Environment Act 1987
Council and Joffery Pty Ltd
43 Leslie Street, Donvale**

**Consent to Build over an Easement
Agreement under Section 173 of the Planning and Environment Act 1987
Council and J Zhou and L X Shi
4 Timothy Court, Templestowe**

CARRIED

2. BACKGROUND


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.

3. DECLARATIONS OF CONFLICT OF INTEREST

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

15 URGENT BUSINESS

15.1 Appointment of Authorised Officers - Planning and Environment Act 1987

File Number: IN18/213
Responsible Director: Chief Executive Officer
Attachments: 1 Instrument of Appointment and Authorisation - Alexandra Paraskevakis [↓](#) 

EXECUTIVE SUMMARY

In accordance with the Planning and Environment Act 1987(the Act), Council is required to authorise officers for the purpose of enforcing the provisions of the Act. It is proposed to appoint the Council officer detailed below as an Authorised Officer pursuant to Section 147(4) of the Act.

COUNCIL RESOLUTION

MOVED: CR DOT HAYNES
SECONDED: CR MICHELLE KLEINERT

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 instruments of appointment and authorisation, Council resolves that:

- A. the following Council officer be appointed and authorised as set out in the instrument shown in attachment 1:**
 - Alexandra Paraskevakis – Town Planner**
- B. the instrument will come into force immediately upon execution and will remain in force until Council determines to vary or revoke the Instrument or the officer ceases their employment with Council; and**
- C. the instrument be signed and sealed.**

CARRIED

2. BACKGROUND

- 2.1 The *Planning and Environment Act 1987* (the Act) regulates enforcement of the Act and is reliant on authorised officers acting on behalf of the Responsible Authority which is Council.
- 2.2 The Act, unlike the *Local Government Act 1989*, does not permit appointments to be made by the Chief Executive Officer and therefore in order for the officer to legally undertake the duties of their position under the Act, it is necessary for Council to make appointments by formal resolution.

- 2.3 The Instrument of Appointment and Authorisation, shown at attachment 1, has been prepared based on advice from Maddocks Lawyers and empowers the relevant officer to exercise those powers granted in the Instrument.
- 2.4 The appointment will come into force immediately upon its execution under the Seal of Council and will remain in force until varied or revoked by Council or the officer ceases employment with Council.
- 2.5 In addition to the appointment under the Act, Council pursuant to Section 224 of the Local Government Act 1989, may appoint any person other than a Councillor to be an authorised officer for the purposes of the administration and enforcement of most other Acts, Regulations or Local Laws which relate to the functions and powers of Council. This broader Instrument of Appointment and Authorisation has already been carried out, in respect to the designated officer, under the delegated authority of the Chief Executive Officer as the first part of a dual appointment process.
- 2.6 The appointment form will be recorded in the Authorised Officers Register that is required to be kept by Council and is available for public inspection.

3. DECLARATIONS OF CONFLICT OF INTEREST

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

**Instrument of Appointment and Authorisation
(Planning and Environment Act 1987)**

In this instrument "officer" means -

Alexandra Paraskevakis, 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 officer 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 officer 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 22 May 2018.

The Common Seal of)
Manningham City Council)
was hereunto affixed)
in the presence of:)

Mayor

Chief Executive Officer

Date:

16 COUNCILLORS' QUESTION TIME

16.1 Use of plastic bottles, cups and straws within the municipality

Councillor Galbally asked Council to consider a ban on plastic water bottles, plastic cups and straws at Council facilities. Further, she called for a report on the costs involved to place water fountains in all parks, along walking trails and in sporting grounds to encourage people to bring reusable water bottles. Councillor Galbally also asked if Council would consider advocating to local cafes and restaurants to ban water bottles and plastic straws and encourage the use of reusable cups. Councillor Galbally requested this matter to be listed for a future Strategic Briefing Session for discussion.

16.2 Risk Mitigation AusNet Services Infrastructure

The Mayor, Councillor Conlon asked the Chief Executive Officer if Council could write to AusNet Services to confirm that an appropriate level of mitigation is being implemented to reduce the risk of a reoccurrence of the infrastructure issues that led to the fire that occurred on 9 February 2014 in the Amersham Drive/Flannery Court area of Warrandyte. The fire was caused by the high voltage power line infrastructure owned by AusNet Services. Councillor Conlon further requested details on what mitigation works AusNet Services are currently implementing (in line with the Code of Practice and Regulations for Electrical Line Clearances) and a copy of any reported finding and/recommendations identified from the 2014 event. He requested that this matter be referred to a future Strategic Briefing Session for discussion.

16.3 Biodegradable Utensils at Council Funded Community Events

Councillor McLeish requested a report to come to a future Strategic Briefing Session for Councillors to consider the option of food vendors at Council funded community events being required to use biodegradable cutlery, plates and containers for dispensing food.

16.4 Update on Amendment C109

Councillor Gough requested an update on Amendment C109 at a future Strategic Briefing Session.

17 CONFIDENTIAL REPORTS

There were no Confidential reports.

The meeting concluded at 8:42pm

Chairperson
CONFIRMED THIS 26 JUNE 2018