

Planning Report

Tract

Development Plan Planning Report

Ivanhoe Tank Site

Prepared for Development Victoria

Overview

Background

Applicant / Owner	Development Victoria
Address	421 Upper Heidelberg Road, Ivanhoe
Lot Description	Lot 1 on Plan of Subdivision 822300.

Relevant Planning Provisions

Municipal Planning Strategy	Clause 02.01 – Context Clause 02.02 – Vision. Clause 02.03 – Strategic Directions
Planning Policy Framework	Clause 11 (Settlement) Clause 11.01-R (Settlement) Clause 11.03-1S (Activity Centres) Clause 11.03-1R (Activity Centres - Metropolitan Melbourne) Clause 11.03-1L-01 (Activity Centres) Clause 11.03-1L-02 (Heidelberg Major Activity Centre) Clause 15 (Built Environment and Heritage) Clause 15.01-1S (Urban Design) Clause 15.01-1R (Urban Design - Metropolitan Melbourne) Clause 15.01-1L-01 (Urban Design) Clause 15.01-1L-02 (Safer Design) Clause 15.01-2S (Building Design) Clause 15.01-2L-01 (Building Design) Clause 15.01-2L-02 (Environmental Sustainable Development) Clause 15.01-4S (Healthy Neighbourhoods) Clause 15.01-4R (Healthy Neighbourhoods - Metropolitan Melbourne) Clause 15.01-5S (Neighbourhood Character) Clause 16 (Housing) Clause 16.01-1S (Housing Supply) Clause 16.01-1S (Housing Supply – Metropolitan Melbourne) Clause 16.01-2S (Housing affordability) Clause 17 (Economic Development) Clause 17.01-1S (Diversified Economy)

	Clause 17.02-1S (Business) Clause 18 (Transport) Clause 18.02-1S (Sustainable personal transport) Clause 18.02-4S (Car parking)
Zone	Clause 32.07 - Residential Growth Zone – Schedule 4 (RGZ4)
Overlays	Clause 43.04 - Development Plan Overlay – Schedule 7 (DPO7) Clause 45.06 - Development Contributions Plan Overlay – Schedule 1 (DCPO1) Clause 45.09 - Parking Overlay – Schedule 2 (PO2)
Particular Provisions	Clause 52.06 – Car Parking Clause 52.17 – Native Vegetation Clause 52.29 – Land Adjacent to the Principal Road Network Clause 52.34 – Bicycle Facilities Clause 53.18 – Stormwater Management in Urban Development Clause 55 – Two or More Dwellings on a Lot Clause 58 – Apartment Developments
Strategic Planning Documents	Banyule Planning Scheme Plan Melbourne 2017-2050 Heidelberg Structure Plan

Quality Assurance

Planning Report

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Ivanhoe Tank Site

Project Number
317-0716-03-P-03-RP01

Revisions

Issue	Date	Description	Prepared By	Reviewed By	Project Principal
00	25/09/2023	Issue	Natasha Campbell	Caroline Graham	Andrew Robertson

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1 Introduction

1.1 Purpose

This report has been prepared by Tract Consultants Pty Ltd upon the instructions of **Development Victoria**. The purpose of the report is to accompany a Development Plan in accordance with Schedule 7 to the Development Plan Overlay (DPO7) for 421 Upper Heidelberg Road, Ivanhoe (the 'Site').

Specifically, DPO7 requires a Planning Report to demonstrate how the proposed Development Plan meets the requirements of the *Banyule Planning Scheme*.

Accordingly, this Planning Report demonstrates the following:

- Requirement for a Development Plan to be in accordance with the strategic directions, objectives and requirements of the *Banyule Planning Scheme*.
- Requirements for a Development Plan as included within Clause 4.0 of DPO7.
- Inclusion of the required documents, plans and report which form part of the Development Plan, including:
 - A Subdivision and Staging of Development Plan,
 - Built Form,
 - An Existing Conditions Plan,
 - A Tree Management Plan,
 - A Landscape Masterplan,
 - An Environmentally Sustainable Development Report,
 - A Housing Diversity and Adaptability Report,
 - A Transport and Traffic Management Report, and
 - An Environmental Site Assessment.

2 Planning Provisions

The following provisions of the *Banyule Planning Scheme* are considered relevant to this application.

2.1 Municipal Planning Strategy

Clause 02.01 – Context

The Municipal Planning Strategy identifies Heidelberg as a Major Activity Centre (MAC) that makes important contributions to the city's economy and provides a significant number and range of jobs to the broader region. With the expected population growth, increase to the median age, and decline of the average household size to approximately 2.4 persons in 2036, Banyule will need to satisfy housing demand against protecting the natural environment, residential amenity and neighbourhood character to meet the needs of the growing population.

Clause 02.02 – Vision

Banyule's vision is to (inter alia):

- *'Create a green, sustainable and vibrant place for a healthy, connected and inclusive community.*
- *Invest in, and support, activity centres and employment precincts.*
- *Protect the amenity and character of residential areas.*
- *Protect and enhance the natural environment.*
- *Provide quality public and open spaces.*
- *Conserve water and improve stormwater management.*
- *Plan for, and respond to, climate change'.*

Clause 02.03 – Strategic Directions

Banyule's Strategic Directions discuss the following relevant goals:

- **Clause 02.03-1 (Settlement)**
 - **(Activity Centres)** – the Heidelberg MAC provides important retail, personal, professional and business services to the community. Council's strategic directions for activity centres are to (inter alia):
 - *'Direct growth in housing, commercial activity and community facilities to Banyule's major activity centres.*
 - *Enhance the layout, local character, function and viability of neighbourhood activity centres'.*
 - **(Heidelberg MAC)** – the Heidelberg MAC provides an important convenience shopping role as well as a wide range of health care and professional services which complement the Austin and Warringal hospitals. Council's strategic directions for the Heidelberg MAC are to (inter alia):
 - *Support new development that does not constrain the floor space growth potential envisaged by the Heidelberg Structure Plan.*
 - *Identify opportunities for public realm improvements.*
 - *Facilitate an accessible and connected transport network that prioritises pedestrian movement.*
 - *Support change that enhances liveability, sustainability, social activity, the environment and local economic growth'.*

- **Clause 02.03-4 (Built Environment and Heritage)**
 - **(Neighbourhood Character)** - identifies the need to develop a preferred neighbourhood character that supports the significant change in population growth and the community's evolving housing needs. This policy also outlines the contribution significant and substantial trees and vegetation make to the desired future character of residential neighbourhoods. Council's strategic directions for neighbourhood character are to:
 - *'Encourage development that contributes to the preferred character of residential neighbourhoods in a manner that supports varying degrees of housing change.*
 - *Retain and plant Significant Trees, Substantial Trees and other vegetation to protect and improve neighbourhood character and streetscapes'.*
 - **(Safer Design)** – recognises that crime and the fear of crime can be reduced by the proper design and use of the built environment. Council's strategic direction for safer design is to *'create an attractive, well maintained built environment that minimises opportunities for crime and inappropriate behaviour to increase actual and perceived personal safety, and to encourage the use of public spaces'.*
 - **(Environmentally Sustainable Development)** – outlines the significant environmental benefits that can be achieved through the planning process by requiring environmentally sustainable design. Council's strategic direction for environmentally sustainable development is to *'encourage development that delivers more environmentally sustainable design and construction'.*
- **Clause 02.03-5 (Housing)**
 - **(Housing Supply)** – acknowledges the limited variety of housing types and demand for smaller sized homes and a decrease in demand for separate houses. Increasing housing diversity and adapting design will need to be prioritised to meet the needs of the broader community and can also help to redress long term social and economic costs. Council's strategic directions for housing supply are to (inter alia):
 - *'Direct housing growth to locations in or close to activity centres and the Principal Public Transport Network, and to strategic redevelopment sites, to satisfy housing demand.*
 - *Promote more affordable housing, including in the private rental market, crisis accommodation, student accommodation and public housing, that addresses the needs of those seeking to reside in Banyule.*
 - *Increase the diversity of housing types and the provision of more adaptable housing that meets the special needs of the broader community, including older persons with impaired mobility and those from culturally diverse backgrounds'.*
- **Clause 02.03-7 (Transport)**
 - **(Transport)** – recognises that residents in Banyule have a high dependency on private vehicles and many of the arterial roads are already congested. Expected population growth will increase travel demand and freight movements within and across the Banyule road network, with consequent adverse amenity and environmental effects. Council's strategic directions for transport are to (inter alia):
 - *'Support land use and development that will facilitate sustainable modes of transport and reduce the distances residents need to travel.*
 - *Reduce the detrimental effects of transport on amenity and the natural environment'.*

2.2 Planning Policy Framework

- **Clause 11 (Settlement)** - identifies the need for planning 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 11.01-R (Settlement)** - seeks to *'develop a network of activity centres linked by transport; consisting of Metropolitan Activity Centres supported by a network of vibrant major and neighbourhood activity centres of varying size, role and function'.*

- **Clause 11.03-1S (Activity Centres)** - seeks to 'encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.' Strategies to achieve this include:
 - 'Build up activity centres as a focus for high-quality development, activity and living by developing a network of activity centres that (inter alia): provides different types of housing, including forms of higher density housing.
 - Support the role and function of each centre in the context of its classification, the policies for housing intensification, and development of the public transport network.
 - Encourage a diversity of housing types at higher densities in and around activity centres'
- **Clause 11.03-1R (Activity Centres - Metropolitan Melbourne)** – aims to 'support the development and growth of Metropolitan Activity Centres by ensuring they (inter alia): are able to accommodate significant growth for a broad range of land uses'.
- **Clause 11.03-1L-01 (Activity Centres)** supports 'development that will improve the commercial viability of an activity centre and thereby reinforce the existing hierarchy of activity centres'.
- **Clause 11.03-1L-02 (Heidelberg Major Activity Centre)** outlines strategies for land identified within the Heidelberg Major Activity Centre Precinct. Council's general strategic directions include to (inter alia):
 - 'Provide a variety of dwelling sizes and types, including affordable housing and apartments in mixed-use buildings.
 - Design buildings at the interface with residential areas that respect the preferred neighbourhood character of the residential area.
 - Support uses that strengthen the convenience shopping role of the activity centre.
 - Encourage the preparation of master plans to guide the development of larger redevelopment sites that respond to the attributes of each site and the surrounding area'.

The Site is identified within 'Precinct 6: Residential Interface strategy' which includes the strategy to 'locate infill medium density residential development along Bell Street where convenient access to public transport and other services is available'.

- **Clause 15 (Built Environment and Heritage)** – identifies the need for planning to 'recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods'.
 - **Clause 15.01-1S (Urban Design)** aims to 'create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.'
 - **Clause 15.01-1R (Urban Design - Metropolitan Melbourne)** aims to 'create a distinctive and liveable city with quality design and amenity.'
 - **Clause 15.01-1L-01 (Urban Design)** seeks to 'design buildings that have active frontages and direct pedestrian access to abutting open space'.
 - **Clause 15.01-1L-02 (Safer Design)** applies to all land except for land within the Activity Centre Zone. This policy incorporates the following strategies:
 - 'Encourage a mix of uses that generate activity and facilitate the informal surveillance of public, and publicly accessible private, spaces.
 - Site and design developments and public spaces that provide for safe pedestrian movement between areas of activity, and to car parks and public transport stops, by:
 - Incorporating clearly defined and continuous paths of travel with unobstructed sightlines.
 - Providing appropriate lighting to increase personal security.
 - Eliminating areas of potential concealment and entrapment.
 - Maximising opportunities for informal surveillance.

- Clearly defining private, public and community spaces.
 - Utilise materials, colours, finishes, fixtures, landscaping and building forms that discourage graffiti.
- **Clause 15.01-2S (Building Design)** aims to 'achieve building design outcomes that contribute positively to the local context and enhance the public realm.'
- **Clause 15.01-2L-01 (Building Design)** encourages the integration of 'vegetation into the design of facades, rooftops and outdoor spaces of high density developments'.
- **Clause 15.01-2L-02 (Environmental Sustainable Development)** seeks to 'achieve best practice in environmentally sustainable development from the design stage through to construction and operation'.
- **Clause 15.01-4S (Healthy Neighbourhoods)** aims to 'achieve neighbourhoods that foster healthy and active living and community wellbeing.'
- **Clause 15.01-4R (Healthy Neighbourhoods - Metropolitan Melbourne)** aims to 'create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.'
- **Clause 15.01-5S (Neighbourhood Character)** seeks to 'recognise, support and protect neighbourhood character, cultural identity, and sense of place.'
- **Clause 16 (Housing)** outlines that 'planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure' and 'ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.'
 - **Clause 16.01-1S (Housing Supply)** seeks to 'facilitate well-located, integrated and diverse housing that meets community needs.' Strategies for achieving this outcome include the following:
 - 'Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.
 - Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.
 - Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types'.
 - **Clause 16.01-1S (Housing Supply – Metropolitan Melbourne)** seeks to 'manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are (inter alia) urban-renewal precincts and sites' and 'identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne'.
 - **Clause 16.01-2S (Housing affordability)** aims to 'deliver more affordable housing closer to jobs, transport and services.'
- **Clause 17 (Economic Development)** – highlights the need for planning to 'provide for a strong and innovative economy, where all sectors are critical to economic prosperity'.
 - **Clause 17.01-1S (Diversified Economy)** – seeks to 'strengthen and diversify the economy'.
 - **Clause 17.02-1S (Business)** – seeks to 'encourage development that meets the community's needs for retail, entertainment, office and other commercial services'.
- **Clause 18 (Transport)** – seeks to 'ensure a safe, integrated and sustainable transport system that (inter alia): provides access to social and economic opportunities to support individual and community wellbeing and facilitates economic prosperity'.
 - **Clause 18.02-1S (Sustainable personal transport)** seeks 'to promote the use of sustainable personal transport.'
 - **Clause 18.02-4S (Car parking)** seeks to 'ensure an adequate supply of car parking that is appropriately designed and located.'

2.3 Zoning

2.3.1 Clause 32.07 - Residential Growth Zone – Schedule 4

The Site is located within the Residential Growth Zone (RGZ) – Schedule 4 (RGZ4) 'North-West Corner of Upper Heidelberg Road and Forster Street, Ivanhoe'. Refer **Figure 1 – Zone Plan**.

The purpose of the RGZ is:

- *'To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *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.'*

The provisions of the RGZ that are most relevant to the Development Plan include:

Clause 32.07-1 (Design objectives)

This Clause specifies that a schedule to this zone must contain the design objectives to be achieved for the area. No design objectives are specified within Schedule 4 to the RGZ.

Clause 32.07-2 (Table of uses):

This Clause specifies the following land use permit requirements:

- Section 1 – Permit not required:
 - Dwelling – use of land for 'Dwelling (other than Bed and breakfast)' is a Section 1 – permit not required land use.
- Section 2 – Permit required:
 - Food and drink premises – use of land for 'Food and drink premises (other than Convenience restaurant and Take away food premises)' is a Section 2 – permit required land use.
 - Leisure and recreation – use of land for 'Leisure and recreation (other than Informal outdoor recreation and Motor racing track)' is a Section 2 – permit required land use.
 - Office – use of land for 'Office (other than Medical centre)' is a Section 2 – permit required land use provided the proposal meets the following conditions:
 - The land must be located within 100 metres of a commercial zone.
 - The land must have the same street frontage as the land in the commercial zone.
 - The leasable floor area must not exceed 250 square metres.
 - Retail premises – use of land for 'Retail premises (other than Food and drink premises, Market, Plant nursery and Shop)' is a Section 2 – permit required land use provided the use is associated with a use or development to which clause 53.23 (Significant residential development with affordable housing) applies.
 - Shop - use of land for 'Shop (other than Adult sex product shop, Bottle shop and Convenience shop)' is a Section 2 – permit required land use provided the proposal meets the following conditions:
 - The land must be located within 100 metres of a commercial zone or Mixed Use Zone.
 - The land must have the same street frontage as the land in the commercial zone or Mixed Use Zone.

The land use permit requirement will be confirmed as part of a future planning permit application.

Clause 32.07-3 (Subdivision):

This Clause specifies that a permit is required to subdivide land.

The subdivision permit requirement will be confirmed as part of a future planning permit application.

Clause 32.07-4 (Construction and extension of one dwelling on a lot):

Not applicable.

Clause 32.07-5 (Construction or extension of a residential building):

This Clause specifies that a permit is required to construct or extend a residential building.

An apartment development of five or more storeys, excluding a basement, must meet the requirements of Clause 58 - Better Apartments Design Standards (BADs)

An assessment against Clause 58 will be included as part of a future planning permit application.

Clause 32.07-6 (Requirements of Clause 54 and Clause 55):

The Clause brings into effect Clause 54 and Clause 55 which relate to one dwelling on a lot and two or more dwellings on a lot and residential buildings, respectively.

The provisions of these clauses do not apply to an application to construct or extend a development of five or more storeys, excluding a basement or to construct or extend a dwelling in a development of five or more storeys, excluding a basement. As such, the full provisions of these clauses do not apply to any future development. Refer to Clause 32.07-10 below.

Clause 32.07-7 (Residential aged care facility)

Not applicable.

Clause 32.07-8 (Buildings and works associated with a Section 2 Use):

This Clause specifies that a permit is required to construct a building or construct or carry out works for a use in Section 2 of Clause 32.07-2.

The buildings and works permit requirement will be confirmed as part of a future planning permit application.

Clause 32.07-9 (Maximum building height requirement for a residential building):

Pursuant to Clause 3.0 to RGZ4, a building must not be constructed for use as a dwelling or a residential building that exceeds the maximum building height of 12 storeys or 40 metres. A building may exceed the maximum building height by up to 1 metre if the slope of the natural ground level, measured at any cross section of the site of the building wider than 8 metres, is greater than 2.5 degrees.

The proposed building height nominated in the Development Plan does not exceed the maximum built height of 12 storeys or 40 metres.

Clause 32.07-10 (Buildings on lots that abut another residential zone)

This clause specifies that any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary. These clauses relate to energy efficiency, side and rear setback, walls on boundaries, daylight to existing windows, overshadowing open space and overlooking objectives.

The Site abuts land in the General Residential Zone and therefore the provisions of this clause apply.

Clause 32.07-11 (Application requirements):

This Clause specifies that an application must be accompanied by the following information, as appropriate:

- For a residential development of four storeys or less, the neighbourhood and site description and design response as required in Clause 54 and Clause 55.
- For an apartment development of five or more storeys, an urban context report and design response as required in Clause 58.01.
- For an application for subdivision, a site and context description and design response as required in Clause 56.
- Plans drawn to scale and dimensioned which show:
 - Site shape, size, dimensions and orientation.
 - The siting and use of existing and proposed buildings.
 - Adjacent buildings and uses.
 - The building form and scale.
 - Setbacks to property boundaries.
- The likely effects, if any, on adjoining land, including noise levels, traffic, the hours of delivery and despatch of good and materials, hours of operation and light spill, solar access and glare.
- Any other application requirements specified in a schedule to this zone.

If in the opinion of the responsible authority an application requirement is not relevant to the evaluation of an application, the responsible authority may waive or reduce the requirement.

Any future planning permit application will provide the necessary accompanying documentation.

Clause 32.07-12 (Exemption from notice and review):

This Clause specifies that an application to subdivide land is exempt from the notice requirements of section 52(1)(a), (b) and (d), the decision requirements of section 64(1), (2) and (3) and the review rights of section 82(1) of the Act. Any planning permit application that is generally in accordance with the endorsed Development Plan would also benefit from notice and review exemptions.

Clause 32.07-13 (Decision guidelines):

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

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.
- The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a Mixed Use Zone or Residential Growth Zone.

Subdivision

- The pattern of subdivision and its effect on the spacing of buildings.
- For subdivision of land for residential development, the objectives and standards of Clause 56.

Dwellings and residential buildings

- For the construction of one dwelling on a lot, whether the development is an under-utilisation of the lot.
- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.

- For the construction and extension of an apartment development of five or more storeys, excluding a basement, the objectives, standards and decisions guidelines of Clause 58.

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.

Any future planning permit application will have regard to the relevant decision guidelines.

Clause 32.07-14 (Signs):

This Clause specifies that sign requirements are at Clause 52.05. This zone is in Category 3.

Any future planning permit application, should it include signs, will be assessed against the provisions of Clause 52.05.

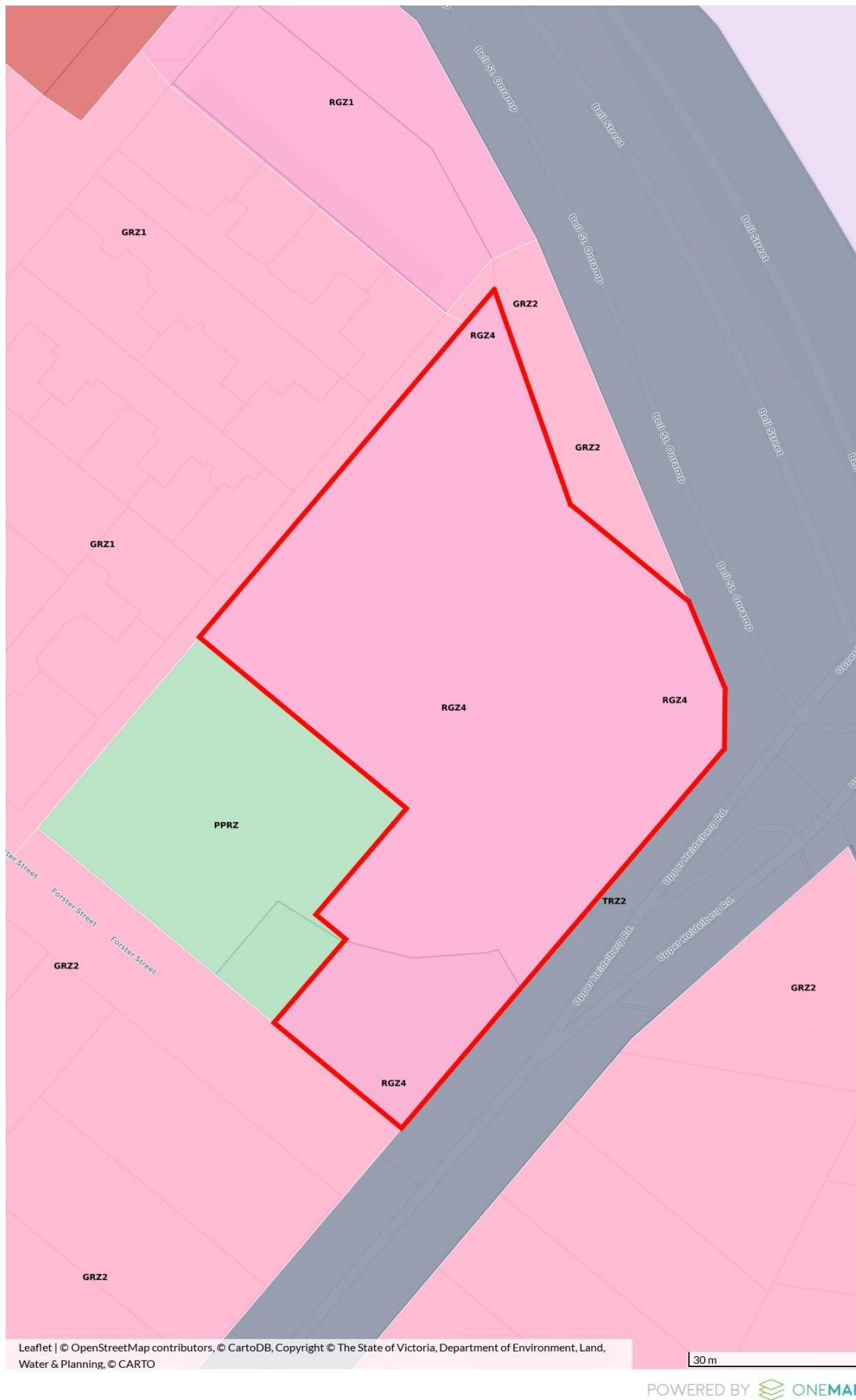


Figure 1 Zone Plan

2.4 Overlays

The Site is affected by the following overlays:

- Development Plan Overlay – Schedule 7
- Development Contributions Plan Overlay – Schedule 1
- Parking Overlay – Schedule 2

2.4.1 Clause 43.04 - Development Plan Overlay – Schedule 7

The Site is affected by the Development Plan Overlay (DPO)– Schedule 7 (DPO7) '*North-west corner of Upper Heidelberg Road and Forster Street, Ivanhoe*'. Refer **Figure 3 - Application of the DPO7**.

The purpose of the DPO is:

- *'To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.*
- *To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.'*

DPO7 - North-west corner of Upper Heidelberg Road and Forster Street, Ivanhoe

Schedule 7 applies to the North-West corner of Upper Heidelberg Road and Forster Street, Ivanhoe.

The objectives of DPO7 are to:

- *'Provide a treed canopy and natural vegetated appearance, that responds to the surrounding neighbourhood character.*
- *Create a positive interface with the adjacent public open space giving appropriate consideration to issues of safety and surveillance.*
- *Graduate buildings across the balance of the site with reference to analysis of shadow, visual amenity impacts and the character of the area.*
- *Provide an environmentally sustainable and efficient use of the site with a mix of dwelling sizes and types, good residential amenity, accessibility and safety.*
- *Improve local permeability through provision of new pedestrian/cycle pathways or new local street networks where appropriate that link to the existing networks'.*

A Development Plan must include various supporting documents and be generally in accordance with the concept plan in Figure 2 - DPO7 Concept Plan.

Refer to Section 2.5.6 of this report in relation to Standard B17, which is specified as applicable on the Development Plan Concept Plan from the eastern boundary of the ROW.

Refer to Section 3 of this report for an assessment against the DPO7.

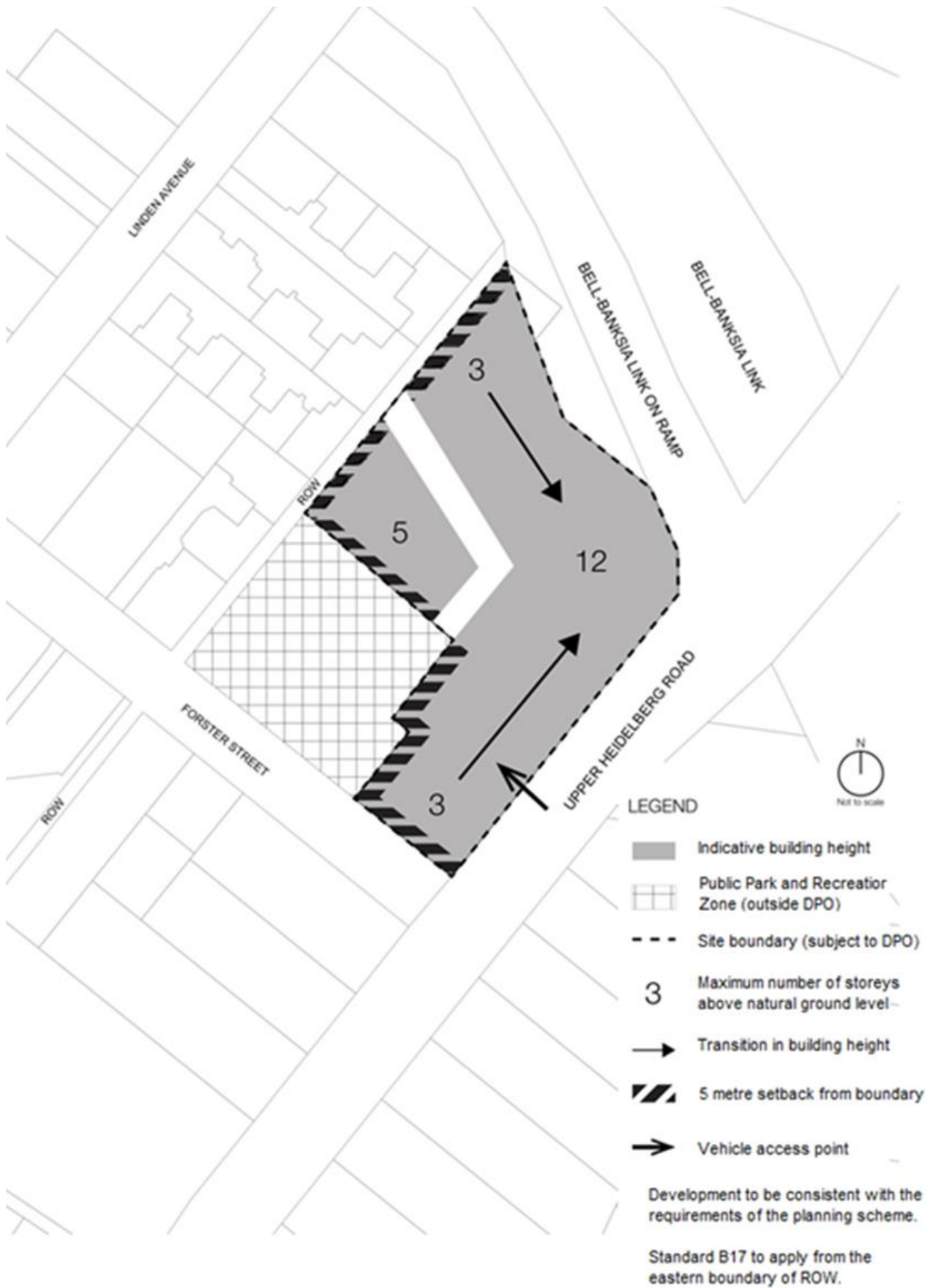


Figure 2 - DPO7 Concept Plan



Figure 3 - Application of the DPO7

2.4.2 Clause 45.06 - Development Contributions Plan Overlay – Schedule 1

The Site is affected by the Development Contributions Plan Overlay (DCPO) – Schedule 1 (DCPO1) ‘Banyule Development Contributions Plan’. Refer **Figure 4 – DCPO1 Plan**.

The purpose of the DCPO is:

- “To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which require the preparation of a development contributions plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.”

The Banyule Development Contributions Plan 2016-17 applies to all new development affected by the DCPO1.

The Site is included within Charge Area 18 of the DCPO1.

The development contributions will be managed as part of a future planning permit application.

2.4.3 Clause 45.09 - Parking Overlay – Schedule 2

The Site is affected by the Parking Overlay (PO) – Schedule 2 (PO2) ‘Heidelberg Precinct Core Area’. Refer **Figure 5 – PO2 Plan**.

The purpose of the PO is:

- ‘To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To facilitate an appropriate provision of car parking spaces in an area.
- To identify areas and uses where local car parking rates apply.
- To identify areas where financial contributions are to be made for the provision of shared car parking’.

The parking objectives of PO2 to be achieved are:

- ‘To appropriately manage the provision of car parking within the Heidelberg Precinct Core Area (shown on the planning scheme map as **PO2**).
- To improve both public car parking provision and sustainable transport infrastructure within the centre.
- To provide for the collection of financial contributions in lieu of parking waivers to contribute to the construction of publicly-accessible off-street parking facilities within the Heidelberg Precinct Core Area and other initiatives outlined in the Heidelberg Central and Bell Street Mall Parking Plan’.

The provisions of the PO that are most relevant to the Development Plan include:

Clause 2.0 to 32.07-2 (Permit Requirement):

This Clause specifies the following:

- A permit may be granted to vary the car parking requirements of PO2.
- A permit cannot be granted to reduce or waive the car parking requirements for uses specified in Clause 3 unless car parking credits exist for the Site.
- A permit cannot be granted to:
 - Reduce the minimum residential parking rates per bedroom based on:
 - Availability of car parking in the locality; or
 - Sharing of car parking spaces in mixed use developments.
 - Reduce the visitor car parking for dwellings based on:
 - Availability of car parking in the locality.
 - Reduce the supermarket, shop and office off-street car parking based on the availability of car parking in the locality.

The provision of car parking will be confirmed as part of a future planning permit application.

Clause 3.0 to 32.07-2 (Number of car parking spaces required):

This Clause specifies the following car and motor-cycle parking rates:

- Dwelling
 - 0.8 car space to each 1 or 2 bedroom dwelling (with studies or studios that are separate rooms counted as a bedroom), plus
 - 1 car space for visitors to every 10 dwellings or part for developments of 10 or more
- Motor-cycle parking rates
 - For all development requiring more than 20 car parking spaces, motor-cycle parking must be provided at a rate of 1 space for every 20 car spaces (prior to any dispensation of the car parking rate), unless the responsible authority is satisfied that a lesser number is sufficient.



Figure 4 – Application of the DCPO1



Figure 5 – Application of the PO2

2.5 Particular Provisions

2.5.1 Clause 52.06 – Car Parking

The purpose of Clause 52.06 is:

- *'To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.*
- *To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.*
- *To support sustainable transport alternatives to the motor car.*
- *To promote the efficient use of car parking spaces through the consolidation of car parking facilities.*
- *To ensure that car parking does not adversely affect the amenity of the locality.*
- *To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use'.*

Clause 52.06 applies to a new use commencing.

The provision of car parking will be confirmed as part of a future planning permit application.

2.5.2 Clause 52.17 – Native Vegetation

This clause requires a permit to remove, destroy or lop native vegetation, including dead native vegetation.

The Arborist Report prepared by TreeLogic states that any Victorian native vegetation within the Site will be exempt from a planning permit and requisite offset requirements under this clause given the Sites history of management as a water asset site and that all vegetation of Victorian native origin is assumed to be planted for amenity or ornamental purposes or as a result of direct seeding.

This will be confirmed as part of a future planning permit application.

2.5.3 Clause 52.29 – Land Adjacent to the Principal Road Network

This clause applies to land adjacent to a road (Upper Heidelberg Road) in the Transport Zone 2 (TRZ2) 'Principal Road Network'.

The purpose of Clause 52.29 is:

- *'To ensure appropriate access to the Principal Road Network or land planned to form part of the Principal Road Network.*
- *To ensure appropriate subdivision of land adjacent to Principal Road Network or land planned to form part of the Principal Road Network'.*

Pursuant to Clause 52.29-2, a permit is required to create or alter access or subdivide land adjacent to a road in a TRZ2.

The Development Plan proposes to create vehicle access to Upper Heidelberg Road.

The Clause 52.29 permit requirement will be confirmed as part of a future planning permit application.

2.5.4 Clause 52.34 – Bicycle Facilities

The purpose of Clause 52.34 is:

- *'To encourage cycling as a mode of transport.*
- *To provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities.'*

Pursuant to Clause 52.34-1, a new use must not commence until the required bicycle facilities and associated signage has been provided on the land. A permit may be granted to vary, reduce or waive the requirements of this clause.

The provision of bicycle facilities will be confirmed as part of a future planning permit application.

2.5.5 Clause 53.18 – Stormwater Management in Urban Development

The purpose of Clause 53.18 is:

- *‘To ensure that stormwater in urban development, including retention and reuse, is managed to mitigate the impacts of stormwater on the environment, property and public safety, and to provide cooling, local habitat and amenity benefits.’*

Pursuant to Clause 53.18-3, an application to construct a building or construct or carry out works:

- *‘Must meet all of the objectives of Clause 53.18-5 and 53.18-6*
- *Should meet all of the standards of Clause 53.18-5 and 52.18-6.’*

The Stormwater Management System will be confirmed as part of a future planning permit application.

2.5.6 Clause 55 – Two or more dwellings on a lot and residential buildings

This Clause is brought into effect by Clause 52.07-10 (Buildings on lots that abut another residential zone) which specifies that any buildings or works constructed on a lot that abuts land which is in a General Residential Zone, Neighbourhood Residential Zone, or Township Zone must meet the requirements of Clauses 55.03-5, 55.04-1, 55.04-2, 55.04-3, 55.04-5 and 55.04-6 along that boundary.

Refer to Section 3 of this report for an assessment of the proposed building envelope against the relevant provisions of Clause 55.

A full assessment against the relevant provisions of Clause 55 will be included as part of a future planning permit application.

2.5.7 Clause 58 – Apartment Developments

This Clause applies to an application to construct or extend an apartment development, or to construct or extend a dwelling in or forming part of an apartment development, if the apartment development is five or more storeys, excluding a basement, and is in the Residential Growth Zone.

The purpose of Clause 58 is:

- *‘To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage apartment development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage apartment development that is responsive to the site and the surrounding area’.*

A development must meet all of the objectives and should meet all of the standards of this clause.

An assessment against Clause 58 will be included as part of a future planning permit application.

2.6 Other Planning Considerations

2.6.1 Plan Melbourne 2017-2050

Plan Melbourne is the Victorian Government's metropolitan planning strategy that will guide the city's growth to 2050 (the 'Strategy').

The Strategy notes significant population growth, with Melbourne projected to grow by 3.4 million people (from a population of 4.5 million to almost 8 million) from 2017 to 2050.

The Strategy is structured with nine (9) principles which underpin a long-term vision, seven (7) outcomes, 32 directions and 90 policies.

In achieving the vision '*Melbourne will continue to be a global city of opportunity and choice*', the Strategy has regard to Melbourne's past, present and future to inform policy settings.

The vision identifies the 'National Employment and Innovation Clusters' (NEIC) as places of state significance that will be the focus for future investment and growth.

In particular, the Policy supports the development of clusters, due to their location along high-capacity transport networks to provide greater access to high-productivity jobs. Further, highlighting the importance of high levels of amenity to attract businesses and workers, including public transport, walking and cycling.

With respect to housing, the 'outcomes' sought by the Strategy include (inter alia):

- *Outcome 2 - Melbourne provides housing choice in locations close to jobs and services.*
- *Outcome 5 - Melbourne is a city of inclusive, vibrant and healthy neighbourhoods.*

Directions set out under Outcome 2 include (inter alia):

- *Direction 2.1 – Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.*
- *Direction 2.3 – Deliver more housing closer to jobs and public transport.*
- *Direction 2.4 – Facilitate decision-making processes for housing in the right locations.*
- *Direction 2.5 – Provide greater choice and diversity of housing.*

La Trobe National Employment and Innovation Cluster

The Site is identified within the La Trobe National Employment and Innovation Cluster. NEIC's are a concentration of linked nationally significant knowledge-based businesses and institutions that contribute to the national economy. The La Trobe cluster has strengths in education, research, health and retail.

The La Trobe cluster has approximately 28,700 jobs and has significant employment activities, including La Trobe University and its industrial surrounds, the Northland Shopping Centre and the Austin Biomedical Alliance Precinct, as well as other services and activities in and around the Heidelberg MAC.

The Heidelberg precinct has a significant presence of health services, training, and research institutions such as the Melbourne Brain Centre, Austin Health, the Olivia Newton-John Wellness and Cancer Centre and the Mercy Hospital for Women. Furthermore, land around the Northland Shopping Centre also has significant capacity to accommodate new jobs and housing.

2.6.2 Heidelberg Structure Plan (May 2010)

The Heidelberg Structure Plan (May 2010) is currently included as a Policy Document within the *Banyule Planning Scheme*. Notwithstanding this, the document is proposed to be superseded by the recently approved Heidelberg Structure Plan (April 2023) (outlined below), which provides more relevant guidance in relation to the Site.

2.6.3 Heidelberg Structure Plan (April 2023)

The updated Heidelberg Structure Plan (the 'Structure Plan') was approved by Banyule City Council in April 2023. The surrounding area is currently undergoing a significant period of change, with development in the future to be guided by the Structure Plan.

The Structure Plan builds on the vision of the previous 2010 version. The Structure Plan establishes a simple strategic framework to guide the evolution of Heidelberg as a State Significant health precinct and major activity centre.

Particularly, the Structure Plan is:

- *'A simplified long term strategic planning framework to guide growth in the Activity Centre over the next twenty years.*
- *A strategic basis for changes to the Banyule Planning Scheme including for the application of the Activity Centre Zone that will inform and guide planning permit applications and their assessment.*
- *A Place-based framework that will guide future work and investment in the centre'.*

The Heidelberg MAC is already a State Significant health precinct and cluster that is home to major public and private health institutions and other allied services. The Structure Plan seeks to support continued economic growth and more local jobs in Heidelberg, with housing playing an important role in enabling more people to live and work locally and to provide retail vibrancy and activity across the centre throughout the day and night. Specifically, future development of the centre will focus on encouraging greater levels of housing diversity, through a range of dwelling typologies to meet

the needs of the community. This is envisioned to include higher density apartments and flats and dwellings suitable for older members of the community.

Precinct 6 – Residential

The Structure Plan also includes further detailed actions for the precincts of the Heidelberg MAC. The Site is located in Precinct 6 'Residential', Sub-precinct 6A 'Residential High Density' and Sub-precinct 6B 'Residential Transitional'.

Precinct 6 is identified to offer more housing choice in locations with good access to local services and facilities, which will support a diverse population and expanded job opportunities in the La Trobe NEIC.

New development is expected to be of a high architectural standard and design quality to positively contribute to the public realm and streetscapes by complementing existing building styles of surrounding areas while protecting and enhancing neighbourhood character values and amenity.

Consultation on the draft Structure Plan was undertaken between September 2021 and October 2021, and subsequently approved by Council. The Structure Plan is proposed to be formalised in the Banyule Planning Scheme through Amendment C172.

3 Planning Assessment

3.1 Overview

When assessing the development plan against the *Banyule Planning Scheme*, it was determined that the following questions are key matters for consideration:

- Is the proposal consistent with Banyule's Planning Policy Framework?
- Is the proposal consistent with the purpose and provisions of the RGZ4?
- Is the proposal consistent with the purpose and provisions of the DPO7?

Each of these issues is discussed further below.

3.2 Is the proposal consistent with Banyule's Planning Policy Framework?

The proposed Development Plan is consistent with the various policies and provisions outlined in the *Banyule Planning Scheme*, including State, regional and local planning policy and the municipal strategic statement, while having regard to both the land use zone and overlay provisions affecting the Site as well as relevant particular provisions.

More particularly, the proposal is consistent with the relevant provisions of the MPS and PPF as:

- The proposed Development Plan enhances the Heidelberg MAC and the La Trobe NEIC by facilitating a mixed-use building that includes predominantly residential dwellings and an activated ground plane space. The proposal will contribute to the success of the centre as a retail, healthcare, and professional hub. By facilitating higher density housing in an advantageous location, the Development Plan aligns with urban consolidation policies and creates new opportunities for economic growth. Overall, the proposal is consistent with **Plan Melbourne**, the **Heidelberg Structure Plan** and **Clauses 02.02, 02.03-1, 11, 16 and 17**.
- The Development Plan addresses housing needs by enabling infill development and high-amenity affordable dwellings within an established urban area. The Development Plan considers the future housing needs of the community, including expected population growth, an aging population, and diverse backgrounds. Therefore, the proposal aligns with **Clauses 02.02, 02.03-5 and 16** aiming to create an inclusive community within a strategically significant location close to employment, health services, and transport.
- The proposed Development Plan aligns with **Plan Melbourne's** goal of creating 20-minute neighbourhoods. By increasing residential density and providing access to various shops, services, and public transportation options within walking distance, the Development plan facilitates a walkable lifestyle and reduces reliance on cars, supports community health and wellbeing, and aligns with **Clauses 02.02, 02.03-1, 02.03-4, 02.03-5, 02.03-7, 11, 15, 16, 17 and 18**.
- The Development Plan contemplates the incorporation of commercial spaces at ground level, that would support the broader economic and employment-related provisions of the PPF. By offering more local employment opportunities close to residential areas, the Development Plan would facilitate a positive contribution to the economic development of the Heidelberg MAC. These aspects of the proposal align with **Clauses 02.03-5, 11 and 17**.
- The Development Plan focuses on creating an attractive and high-quality public realm that integrates well with the surrounding environment. The proposal will be designed to include activation of the streetscape and enhance the public realm, local character, and sense of place. The Development Plan aims to maintain the existing amenity of the neighbouring properties and respect neighbourhood character while providing safe pedestrian movement and direct access to adjacent public open spaces. By encouraging integration of vegetation and outdoor public open spaces, the Development Plan respects and enhances the natural environment and landscape character, in line with **Clause 02.03-4 and 15**.

- The Development Plan prioritises environmentally sustainable development by encouraging best practices and reducing its ecological footprint. The Development Plan facilitates the future proposal to achieve high-quality built form and urban design outcomes that respond sympathetically to the characteristics of the Site and surrounding built form context. Furthermore, the proposal aligns with **Clause 02.02 and 15.01-21-02**, contributing positively to the environment and wider surroundings.
- The Development Plan facilitates the provision of high-quality and sustainable housing options in close proximity to existing services and amenities. By reducing future residents' reliance on private vehicles and providing infrastructure for sustainable modes of transport, the plan aligns with transportation goals of **Clauses 02.03-7 and 18**.

3.3 Is the proposal consistent with the purpose and provisions of the RGZ4?

The development plan is consistent with the purpose and requirements of the RGZ4 as:

- As outlined above the proposed Development Plan is consistent with the relevant policy provisions of the *Banyule Planning Scheme*. Specifically, the use of land for 'dwellings' is an as of right land use and is therefore encouraged under the scheme.
- The Development Plan specifically caters to residential land use at higher density, offering a variety of housing typologies including affordable housing. Its location within the Heidelberg MAC ensures convenient access to existing services and transportation options, fulfilling the goals of increased density in the area.
- The proposed Development Plan includes a maximum building height of 12 storeys in accordance with the building height requirements under Section 3.0 to RGZ4.
- The Development Plan aims to encourage the activation of various interfaces and promote integration with public open spaces. The ground plane and podium levels will accommodate 'flexible spaces' that will potentially include various uses permissible under the RGZ4, including but not limited to leisure and recreation facilities, food and drink premises, office, retail premises, shop, and ancillary dwelling amenities (outlined in Section 2.3.1). By doing so, it contributes to creating a vibrant ground plane that enhances the overall sense of place and fosters a strong community atmosphere.
- The building envelope as specified in the Development Plan provides a framework for the future development to accord with the provisions of the requisite Clause 55 requirements. Specifically:
 - Clause 55.03-5 (Energy efficiency): The building envelope has been designed to manage solar energy/access both for the development and surrounding existing dwellings, whilst balancing other design considerations such as sensitive interfaces and site orientation. A future planning permit application will provide greater detail in relation to Standard B10.
 - Clause 55.04-1 (Side and rear setback): Refer to Section 3.4.2 below in relation to Standard B17.
 - Clause 55.04-2 (Walls on boundaries): The building envelope does not contemplate any walls on boundaries.
 - Clause 55.04-3 (Daylight to existing windows): The building envelope has been sited and formed to minimise overshadowing impacts to surrounding dwellings. Refer to shadow diagrams.
 - Clause 55.04-5 (Overshading open space): The building envelope has been sited and formed to minimise overshadowing impacts to surrounding dwellings including private open space. Refer to shadow diagrams.
 - Clause 55.04-6 (Overlooking): The building envelope proposes a setback to the nearest adjoining dwellings on the western side of the ROW. This setback will minimise overlooking opportunities. Further overlooking mitigation measures will be resolved at the planning permit application stage, as required.

In conclusion, the proposed Development Plan demonstrates consistency with the purpose of the RGZ4 and any future planning permit application generally in accordance with the Development Plan is expected to make a positive contribution to the ongoing vitality and success of the Heidelberg MAC. Further, the Development Plan provides a framework for the future development outcome on the Site that will accord with the objectives and requirements of the RGZ4.

3.4 Is the proposal consistent with the purpose and provisions of the DPO7?

3.4.1 Overview

Section 4.0 of the DPO7 requires the Development Plan to generally accord with the various objectives, and requirements of DPO7 as well as incorporate recommendations from various required documentation.

Furthermore, a demonstration of how the Development Plan meets the requirement of the *Banyule Planning Scheme* is required.

3.4.2 Development Plan Requirements

Outlined below is a response to each objective and requirement outlined in DPO7, as well as each document, plan and report required to accompany the Development Plan and the response as to how and where it has been incorporated into the submitted Development Plan.

Objectives

DPO Objective	Response	DP Reference
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The DPO7 specifies the following objectives to be achieved for the area:

Provide a treed canopy and natural vegetated appearance, that responds to the surrounding neighbourhood character.	The Development Plan prioritises canopy tree planting along the sensitive interfaces of the ROW and the proposed Council park in order to ensure a suitable transition to these areas and residential beyond. Furthermore, the Development Plan incorporates the built form transitions as required by the DPO7, which will allow the future building to respect the surrounding neighbourhood character with lower built form at these interfaces.	Section 6
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Create a positive interface with the adjacent public open space giving appropriate consideration to issues of safety and surveillance.	<p>The Development Plan has been designed to strategically orientate the building envelope to respond to the interface to the adjacent proposed Council park.</p> <p>A seven (7) metre setback and two (2)/ three (3) storey form has been located adjacent to the park, providing an increase from the five (5) metre setback requirement and a significant reduction from the five (5) storey interface as shown within the DPO7 Concept Plan. This is to allow a more human-scale interface with the park and ensure overshadowing of the park is minimised.</p> <p>Furthermore, amenities and commercial uses are proposed along this interface to enhance passive surveillance and safety. As specified within the Development Plan, this interface is considered one of the highest priorities for activation and therefore, at the planning permit application stage, specific activated uses, façade treatments and landscape treatments will be resolved to ensure a suitable interface.</p> <p>Furthermore, above ground level, podium gardens for residents and private terraces will provide additional passive surveillance opportunities over the park.</p>	Section 4
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DPO Objective	Response	DP Reference
Graduate buildings across the balance of the site with reference to analysis of shadow, visual amenity impacts and the character of the area.	<p>The Development Plan has been designed in accordance with the DPO7 Concept Plan, where the taller portion of the building is oriented towards less sensitive interfaces, specifically the arterial roads to the north and east. The building gradually decreases in height towards the west and south, to respectfully respond to the existing lower scale character of the surrounding neighbourhood. As outlined above, the building envelope proposes a two (2) storey interface with, and a seven (7) metre setback to the proposed Council park to provide a suitable interface, minimise overshadowing and minimise visual amenity impacts.</p> <p>This approach enhances passive surveillance to the public realm including the proposed Council park and maximises sunlight access.</p>	Section 4.2.5
Provide an environmentally sustainable and efficient use of the site with a mix of dwelling sizes and types, good residential amenity, accessibility and safety.	The Development Plan has been developed to incorporate key ESD best practice principles, and facilitates the provision of high-quality and sustainable housing options in close proximity to existing services and amenities.	Section 4 and 7
Improve local permeability through provision of new pedestrian/cycle pathways or new local street networks where appropriate that link to the existing networks.	<p>The Development Plan seeks to improve local permeability for pedestrians by facilitating access to the proposed Council park, and improving upon existing pedestrian access along Upper Heidelberg Road through improved landscaping.</p> <p>Interaction with the ROW will also allow increased pedestrian movement, should Council accept the opening of to Bell Street for pedestrians.</p>	Section 9.2

Required Documents, Plans and Reports

DPO Requirement	Response	DP Reference (Volume 1) (Volume 2)
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Subdivision and staging of development to:

<ul style="list-style-type: none"> Indicate lot layouts, new streets, pedestrian and cycling paths. 	<p>Complies.</p> <p>The Development Plan provides an indicative Concept Plan which provides proposed building heights, and setbacks and is generally in accordance with the DPO7 Concept Plan.</p> <p>The proposal will be developed as a single lot and will be constructed in one stage.</p>	<p>Section 4.2.3 and 4.2.4</p> <p>Not Applicable</p>
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• Any proposed staging of development, including staging of infrastructure and open space delivery.	Complies. The Development Plan notes that the site will be constructed in one stage.	Section 4.2.3 Not Applicable
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Built form to:

• Achieve high quality development with appropriate articulation, scale proportions and setbacks with active interfaces with the public realm.	Complies. The Development Plan will facilitate a high-quality built form which responds to the <i>Banyule Planning Scheme</i> , existing and future surrounding residential, open space, commercial and health context.	Section 4.2.4 Not Applicable
• Three-dimensional building envelopes showing orientation and indicative uses.	Complies. The Development Plan incorporates three-dimensional building envelopes that show the indicative orientation and siting. The proposed building will be predominantly used for residential uses and will feature an activated ground plane with various amenities, and potential commercial spaces which will front the highest order areas such as Upper Heidelberg Road and the proposed Council park.	Section 4.2.5 and 4.2.7 Not Applicable
• Shadow diagrams of proposed building envelope ensuring that buildings do not significantly overshadow the abutting public open space between 11.00am and 2.00pm on 22 September.	Complies. The Development Plan includes shadow diagrams that demonstrate that the proposed building envelope does not significantly overshadow the public open space.	Section 4.2.8 Not Applicable

An **Existing Conditions Plan** which shows:

• Surrounding land uses and development, adjoining roads, pedestrian links, public transport routes, topography, existing canopy trees, vegetation, sensitive interfaces areas and development and social infrastructure.	Complies. The Development Plan includes a Site and Urban Context Analysis which outlines the sites' existing conditions and surrounding context.	Section 3 Not Applicable
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A **Planning Report** which demonstrates:

• How the proposal meets the requirements of the planning scheme.	Complies.	Not Applicable. Planning Report
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An **Integrated Transport and Traffic Management Plan**, which identifies:

<ul style="list-style-type: none"> Roads, pedestrian, cyclist and vehicle access locations, including communal or public car parking areas internal to the site including the likely impacts of the proposed development on the arterial and local roads and any mitigating works required such as offsite traffic management treatments. 	<p>Complies.</p> <p>The Development Plan outlines the existing site conditions and proposed pedestrian, cyclist and vehicle access locations, and notes that traffic generated by the proposed development is low and access arrangements are considered acceptable without the need for any traffic management or mitigation measures.</p>	<p>Section 9.1 and 9.2</p> <p>Integrated Transport and Traffic Management Plan</p>
<ul style="list-style-type: none"> Opportunities for access to, and use of, public and active transport modes. 	<p>Complies.</p> <p>The Development Plan outlines the external pedestrian, bicycle and public transport networks surrounding the site, and the active transport access points and bicycle storage which will facilitate active transport modes.</p>	<p>Section 3.5, 9.1.4 and 9.1.5.</p> <p>Integrated Transport and Traffic Management Plan</p>
<ul style="list-style-type: none"> Pedestrian and cycling linkages to key destinations outside the land. 	<p>Complies.</p> <p>The Development Plan outlines the pedestrian and cycling access points to the Site.</p>	<p>Section 9.1.4</p> <p>Integrated Transport and Traffic Management Plan</p>
<ul style="list-style-type: none"> Traffic and car parking management measures, as appropriate. Resident and visitor parking should be provided at basement level. 	<p>Complies.</p> <p>The Development Plan notes that traffic generated by the proposed development is low and access arrangements are considered acceptable without the need for any traffic management or mitigation measures.</p> <p>The Development Plan accommodates a two (2) level basement carpark that will be accessed via a ramp from the southern crossover.</p>	<p>Section 9.1.1 and 9.1.3</p> <p>Integrated Transport and Traffic Management Plan</p>
<ul style="list-style-type: none"> No vehicle access from Forster Street. 	<p>Complies.</p> <p>The Development Plan does not propose vehicle access to Forster Street.</p>	<p>Section 9.1.2</p> <p>Integrated Transport and Traffic Management Plan</p>

A **Landscape Masterplan** which shows:

<ul style="list-style-type: none"> Species selection throughout road reserves, along the land's key internal and external 	<p>Complies.</p> <p>The Development Plan sets out the indicative species envisioned for the Site, including</p>	<p>Section 6.4</p> <p>Landscape Masterplan</p>
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interfaces and within open spaces and car parking areas.	incorporating suitable indigenous plants and vegetation to enhance the natural ecosystem and support biodiversity. Further resolution of the planting palette will be resolved at planning permit stage.	
<ul style="list-style-type: none"> Delineation of public, communal and private open spaces and the treatment of these interfaces. 	<p>Complies.</p> <p>The Development Plan sets out the Indicative Landscape Masterplan which delineates public, communal and private open spaces and the potential treatment of these interfaces.</p> <p>Further resolution of the interface treatments will be resolved at planning permit stage.</p>	<p>Section 6.4 and 6.6.</p> <p>Landscape Masterplan</p>
<ul style="list-style-type: none"> Typical street cross sections. 	<p>Complies.</p> <p>The Development Plan includes four typical cross-sections to responds to the varying site interfaces.</p> <p>It is noted that no streets are proposed within the future development of the Site.</p>	<p>Section 6.6</p> <p>Landscape Masterplan</p>
<ul style="list-style-type: none"> The landscape concept for the site incorporating landscaped buffers and setbacks at residential interfaces, consisting of existing trees to be retained where possible, and/or replacement canopy trees and communal open space areas that are well designed. 	<p>Complies.</p> <p>The Development Plan sets out the Indicative Landscape Masterplan for the Site which seeks to retain existing trees where possible and proposes high-quality replacement trees and communal open space.</p> <p>The Landscape Masterplan seeks to create a vibrant and high amenity community that is closely integrated with the fabric of the surrounding neighbourhoods and streets.</p>	<p>Section 6.3</p> <p>Landscape Masterplan</p>
A Tree Management Plan which identifies:		
<ul style="list-style-type: none"> The existing trees to be retained, informed by the arboricultural assessment report. 	<p>Complies.</p> <p>The Development Plan outlines the indicative trees to be retained in accordance with the findings of the Arboricultural Report prepared by Tree Logic.</p>	<p>Section 5.2.1</p> <p>Arborist Report</p>
<ul style="list-style-type: none"> The methodology for protecting the identified trees. 	<p>Complies.</p> <p>The Development Plan indicates the Tree Protection Zone for trees proposed to be retained.</p> <p>As part of the future planning application, the methodology for trees marked for</p>	<p>Section 5.2.2</p> <p>Arborist Report</p>

retention should be to the satisfaction of the Responsible Authority.

An **Environmentally Sustainable Development Report** which identifies:

<ul style="list-style-type: none">Environmentally sustainable design principles to be incorporated into the development, including integrated water management, energy efficiency, climate responsive design, waste minimisation and improvements to urban ecology.	<p>Complies.</p> <p>The Development Plan incorporates a range of ESD principles which aim to effectively integrate sustainability and to provide occupant-focused spaces, reduce life-cycle carbon emissions, improve resource efficiency, and enhance natural systems in line with climate resilient principles.</p>	<p>Section 7</p> <p>Environmentally Sustainable Development Report</p>
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A **Housing Diversity and Adaptability Report** which provides:

<ul style="list-style-type: none">A demographic analysis of the types of people and households anticipated to live within the development based on the proposed dwelling design and bedroom mix.	<p>Complies.</p> <p>The Development Plan includes a demographic analysis of the City of Banyule.</p>	<p>Section 8.1.2</p> <p>Housing Diversity and Adaptability Report</p>
<ul style="list-style-type: none">For a range of dwelling types to cater for a variety of housing needs including the provision of up to 10 per cent of dwellings as affordable housing (as defined at section 3AA of the Planning and Environment Act 1987).	<p>Complies.</p> <p>The Development Plan caters for a variety of housing needs, including priority access for priority cohorts, a mix of dwelling options, aging in place, and provision of a minimum of 10% affordable housing.</p>	<p>Section 8.3.2</p> <p>Housing Diversity and Adaptability Report</p>

An **Environmental Site Assessment Report**:

<p>Prepared by a suitably qualified and experienced environmental professional. The assessment must make reference to the Department of Sustainability and Environment, General Practice Note - Potentially Contaminated Land, June 2005 and include:</p> <ul style="list-style-type: none">A description of previous land uses and activities on the land.An assessment of the level, nature and distribution of any contamination within, or in close proximity to, the land, if required).Details of any provisions, recommendations and requirements (including but not limited to, clean up, construction, ongoing maintenance or monitoring) required to effectively address and manage any contamination within the land (if required).	<p>Complies.</p> <p>The Development Plan outlines the previous land uses, level, nature and distribution of contamination including recommendations to address and manage any potential contamination.</p>	<p>Section 10</p> <p>Environmental Site Assessment</p>
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Should the environmental assessment reveal that an environmental audit of the site is necessary, before a sensitive use commences or before the construction or carrying out of buildings or works in association with a sensitive use commences, the applicant must provide either:

- A certificate of environmental audit in accordance with Part IXD of the Environmental Protection Act 1970, or
- An environmental auditor appointed under the Environment Protection Act 1970 must make a statement in accordance with Part IXD of that Act that the environmental conditions of that land are suitable for the sensitive use.

Not applicable.

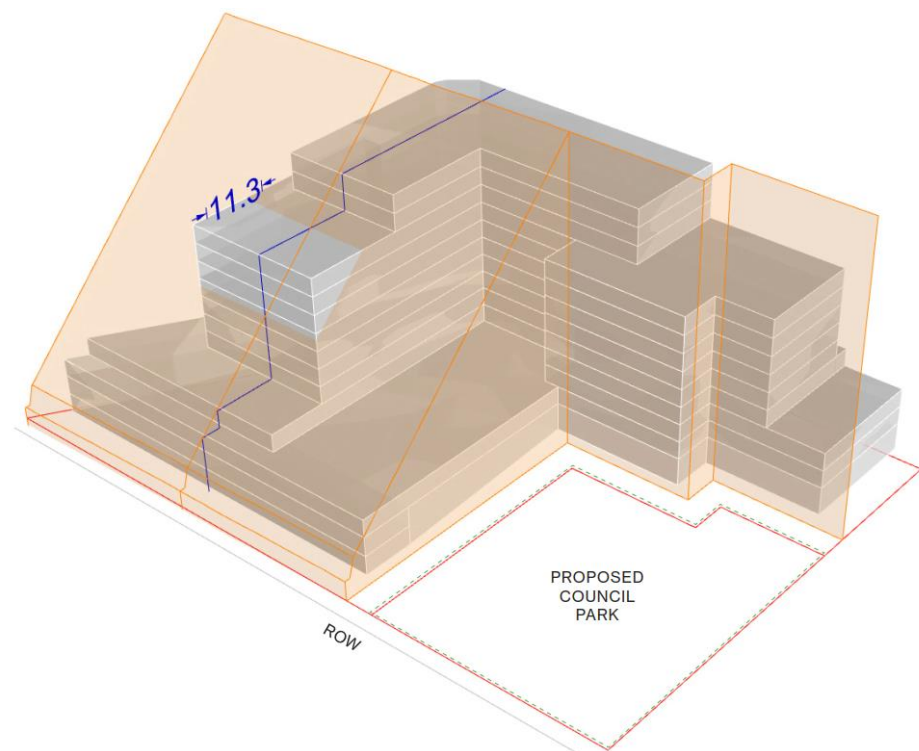
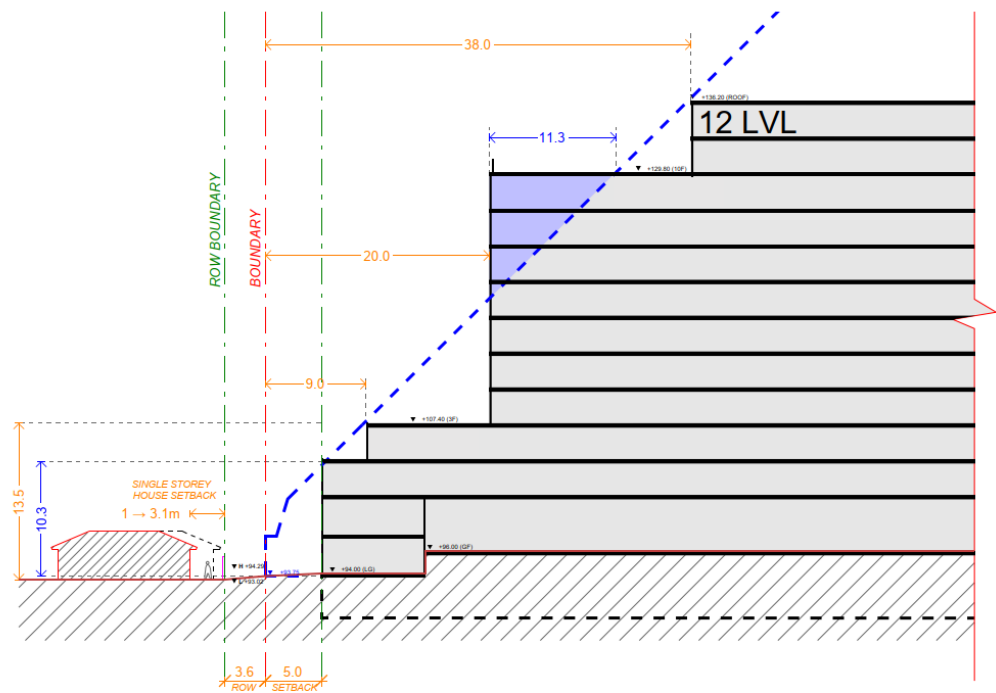
The Development Plan notes that a Preliminary Risk Assessment or Audit is not required for the site redevelopment.

Section 10.1.1

Environmental Site Assessment

Concept Plan

DPO Requirement	Response
A development plan must... be generally in accordance with the concept plan in Figure 1	<p>The proposed Development Plan and specifically building envelope has been designed generally in accordance with the DPO7 concept plan. Specifically:</p> <ul style="list-style-type: none"> • The building envelope incorporates building heights as specified within the concept plan, including a maximum of 12 storeys with three (3) storeys at the interfaces of the ROW and Forster Street. A reduced building height of two (2) storeys is proposed to adjoin the proposed Council Park. Suitable transitions are proposed to step down the form. • No vehicle access is taken from Forster Street, with all vehicle access proposed from Upper Heidelberg Road, as per the concept plan. • A minimum five (5) metre setback is proposed along all relevant interfaces, as per the concept plan. A seven (7) metre setback is included to the proposed Council Park which has been provided to accommodate both hard and soft landscaping, pedestrian pathways, and ensures suitable access to the park. Furthermore, the seven (7) metre setback has been provided to compensate for the lack of urban break. • Standard B17 is a valuable tool, but is not by itself determinative of what is or isn't an appropriate design outcome noting that a strict alignment of the B17 line often produces the classic "wedding cake" profile. The building envelope has been designed to have regard to the objective and standard of B17 in regard to the interface with the ROW. The building envelope incorporates three (3) storeys at the interface with the ROW in accordance with the building heights of the DPO7 concept plan as well as B17 requirement. Both at the lower and upper levels of the building envelope, the form has been designed to sit within the B17 setback requirement, as taken from the eastern side of the ROW. An encroachment into the B17 setback line is proposed 20 metres from the boundary. This encroachment is to avoid a "wedding cake" design, whereby the design and construction efficiency of the building is compromised as a result of tiered setbacks. The building envelope will allow for a more traditional podium/tower configuration whilst maintaining key design objectives of minimising overshadowing and visual bulk. The encroachment into the B17 setback requirement is sufficiently separated from the adjoining dwellings on the western side of the ROW, and is not considered to cause an unreasonable loss of amenity as a result, when compared to the concept plan included with the DPO7. Refer to Figures 6 and 7 below to demonstrate the minor encroachment.



4 Conclusion

This planning report accompanies the submitted Development Plan package in accordance with the requirements of DPO7.

As demonstrated within this assessment, considerable design and development has been undertaken by the project team to prepare a Development Plan that provides a framework for future planning permit applications to adhere to. Importantly, the submitted Development Plan has been prepared in accordance with the *Banyule Planning Scheme* and specifically, requirements set out in DPO7.

On balance, the Development Plan provides sufficient guidance for future detailed planning permit applications whilst providing the necessary flexibility in terms of design and housing needs commensurate with a project of this nature, scale and timeframe.