

## 6.0 Conclusion

### 6.1 Final Assessment

As discussed throughout this report, it is submitted that the Planning Scheme Amendment:

- Addresses all relevant PPF, LPPF and MSS policies,
- Responds to both state and local strategies that aim for consolidation and residential redevelopment opportunities in appropriate locations that are connected to transport, employment and services,
- Proposed the rezoning of land within the subject site that are not appropriately zoned for the intended use of the land,
- Enables the efficient and sustainable development of the subject site consistent with the Banyule Planning Scheme; and
- The proposal will have an overall net community benefit, and no significant impacts on the surrounding area.

As a result of the above, it is submitted that the proposed request is consistent with the relevant provisions of the Banyule Planning Scheme and relevant strategies.

**Appendix A. Clause 21.04 Land Use – Housing, Clause 21.06 Built Environment, Development Plan Overlay – Schedule 8 (DPO8) and Clause 52.02 Easements, Restrictions and Reserves**

**21.04**

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**21.04-1**

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**LAND USE**

**Housing**

**Key Issues**

The primary housing issues for the City are:

- Achieving a balance between the objectives of protecting residential amenity and providing for desired future neighbourhood character outcomes, on the one hand, and providing for urban consolidation and satisfying housing demand, on the other hand.
- Providing a suite of housing opportunities to ensure that households seeking to reside in Banyule have a choice as to housing type.
- Providing affordable housing, particularly in the private rental market, and encouraging the provision of crisis accommodation, well located student accommodation and public housing.
- Providing housing for older persons or those with impaired mobility particularly in locations close to public transport and local services, to reduce the risk of social isolation for occupants from the broader community.

**Objectives and Strategies**

**21.04-1.1**

**Objective 1 – New housing**

To guide new dwellings to preferred locations, including in Activity Centre Zones and strategic re-development sites, while continuing to promote appropriate urban consolidation to satisfy housing demand.

Strategies to achieve this objective include:

- Encourage housing growth to locate close to Activity Centres, Neighbourhood Centres and the Principal Public Transport Network.
- Protect residential amenity and provide for the desired future neighbourhood character of residential areas.
- Encourage the use and development of surplus land suitable for residential purposes.
- Promote the use and development of large residential sites.

**Objective 2 – Housing types**

To provide a greater diversity of affordable housing opportunities in appropriate locations, including in Activity Centre Zones to address the needs of those seeking to reside in Banyule.

Strategies to achieve this objective include:

- Encourage greater diversity of housing; in terms of layout, size, affordability and tenure.
- Increase the supply of public housing where there is an identified deficiency.
- Encourage a mix of public and private housing within well designed developments across the City.
- Support aged care services and housing providers for older persons, close to public transport and local services.
- Support student accommodation in appropriate locations close to a major education centre (other than a primary or secondary school), public transport and local services.
- Support the supply of crisis and transitional housing and associated services.

**Objective 3 – Housing affordability**

To improve housing affordability.

Strategies to achieve this objective include:

- Support affordable housing, particularly in locations with good access to public transport and services.
- Support the provision of affordable housing in the private rental market.

### **21.04-1.2 Implementation**

The Responsible Authority will implement the objectives and strategies for housing by:

- Applying appropriate zones and overlays in the Banyule Planning Scheme including:
  - The Residential Growth Zone for identified residential areas offering good access to services and transport including activities areas.
  - The General Residential Zone for residential areas that support moderate housing growth that respects the preferred future neighbourhood character of the area.
  - The Neighbourhood Residential Zone for residential areas where there are limited opportunities for increased residential development due to the valued existing neighbourhood character, heritage, environmental or landscape characteristics.
  - The Activity Centre Zone in the Greensborough Activity Centre and surrounds.

*Notes: Refer to clause 21.06 Built Environment for additional housing issues that relate to design, character and identity, sustainable design and housing change.*

### **21.04-2 Commercial**

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#### **Key Issues**

The primary commercial issues for the City are:

- The City is well served by a hierarchy of Activity Centres, Neighbourhood Centres that provide important retail, personal, professional and business services to the community and significant employment, and these centres need continued support.
- The viability and physical appearance of the larger strip shopping centres needs improvement.
- The future retail role of many local centres is limited and premises are often used for office and service business purposes. Residential use or redevelopment may be appropriate in centres where commercial viability cannot readily be influenced.
- Ad hoc office development should be discouraged.
- There are opportunities to protect and enhance the layout, appearance, function and viability of Activity Centres and Neighbourhood Centres, by improvements, buildings, works, signage and landscaping, using urban design criteria.

### **21.04-2.1 Objectives and Strategies**

#### **Objective 1 – Commercial economic development**

To support a diversity of viable, high-quality Activity Centres and Neighbourhood Centres offering a range of retail, business, entertainment, community and tourist-related goods, services and employment.

Strategies to achieve this objective include:

- Reinforce the existing hierarchy of retail and commercial centres in Banyule by allowing the development of existing centres to provide an improved and competitive level of service wherever this is supportable in terms of market (resident) demand and commercial viability.

## BANYULE PLANNING SCHEME

- Define a primary retail core for each major centre and discourage the establishment of non-retail uses at ground-floor level.
- Enhance Banyule's identified tourist assets.
- Encourage leisure and entertainment facilities in association with key Activity Centres and Neighbourhood Centres, in particular, the provision of a regional aquatic and leisure centre within the Greensborough Activity Centre.

### **Objective 2 – Consolidation of commercial uses**

To consolidate and enhance of the existing role of commercial centres in the municipality.

Strategies to achieve this objective include:

- Reinforce the regional status of Greensborough Activity Centre as the main shopping, business and entertainment centre, serving the north-east region of outer metropolitan Melbourne.
- Encourage businesses to fully utilise existing office space.
- Encourage larger-scale office development to locate in nominated areas within the Greensborough, Heidelberg and Ivanhoe Activity Centres.
- Facilitate projects that will support business growth, employment and service delivery.
- Encourage smaller office development in centres in such a way that retail roles are not fragmented.

### **Objective 3 – Commercial uses outside of Activity Centres**

To provide appropriate opportunities for business activities outside Activity Centres.

Strategies to achieve this objective include:

- Encourage tourism-related businesses based on Banyule's competitive strengths.
- Protect residential areas from unsuitable intrusions of non-residential uses that may have a detrimental impact on residential amenity.
- Encourage residents to work from home where the amenity of the neighbourhood will not be adversely affected.
- Identify large main road sites that may offer opportunities for new, regional retail functions which cannot be accommodated easily or economically in existing centres.
- Investigate alternative use or redevelopment of commercial centres which no longer perform a viable retail or service function.
- Encourage the transition of small, unviable shopping centres to non-retail uses – including office, service business and residential uses – where appropriate.

#### **21.04-2.2 Implementation**

The Responsible Authority will implement the objectives and strategies for Commercial by:

- Applying appropriate zones and overlays in the Banyule Planning Scheme including:
  - Commercial 1 or Activity Centre zoning of the retail core of all shopping centres.
  - Commercial 1 or Activity Centre zoning of nominated land within the Greensborough, Heidelberg and Ivanhoe Activity Centres for large-scale office development.
  - Commercial 2 zoning of land at Sherbourne Road, Briar Hill and Bell Street, Heidelberg Heights to support and encourage service business and peripheral sales.
- Progressing the development and implementation of structure plans for Activity Centres.

**21.04-3**08/10/2009  
C64**Industrial****Key Issues**

The primary industrial issues for the City are:

- Industrial areas in Banyule should be supported because it provides significant employment opportunities locally and regionally.
- Changes in employment patterns are affecting land use and development planning.
- The decline in manufacturing employment needs to be offset by growth in other industrial sectors.
- Links between industrial areas, La Trobe University and its technology precinct need to be promoted in order to foster business growth and development.
- Some industrial areas have traffic and parking problems, do not relate well to nearby residential areas and/or are visually unattractive.
- The environmental impacts of the industrial areas at Para Road and Heidelberg West on the adjacent waterways, Plenty River and Darebin Creek respectively, are of concern.
- The future of some areas zoned for industry requires investigation where they are not being used predominantly for industry, but for car yards and other peripheral sales.

**21.04-3.1****Objectives and Strategies****Objective 1 – Industrial economic development**

To provide a diversity of industrial opportunities, which maximise job opportunities.

Strategies to achieve this objective include:

- Discourage loss of industrially zoned land.
- Protect industrial areas from unsuitable intrusions that may have a detrimental effect on their efficient operation.
- Encourage innovative service business, industrial and technology-based land use and development.

**Objective 2 – Impacts of industrial uses**

To ensure that industry does not detrimentally affect the amenity and environment of the municipality.

Strategies to achieve this objective include:

- Protect residential areas from unsuitable intrusions of non-residential uses that may have a detrimental impact on residential amenity.
- Encourage changes to existing industrial uses adjacent to the Plenty River and Darebin Creek to minimise adverse environmental effects.
- Ensure that new industrial developments will not have the potential to pollute the Plenty River or Darebin Creek.

**21.04-3.2****Implementation**

The Responsible Authority will implement the objectives and strategies for Industrial by:

- Applying appropriate zones and overlays in the Banyule Planning Scheme including:
  - Industrial 1 zone for core industrial precincts.

- Industrial 3 zoning for those industrial areas which abut residential or environmentally sensitive areas.

## 21.04-4

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### Community Facilities

#### Key Issues

The primary issues for Community Facilities in the City are:

- The health and education sectors provide services and employment to the Banyule community and need to be appropriately supported.
- The Austin campus of the Austin and Repatriation Medical Centre has undergone redevelopment and associated off-site effects, especially relating to parking and ancillary uses need to be addressed.
- The development, expansion and closure of educational facilities need better planning and assessment.
- The current and future use of several large areas of land used for institutional or public purposes in Banyule warrant careful consideration due to their size and location.
- Banyule's natural, built and environmental qualities make it an attractive community facility and a tourist destination, but some of the infrastructure needed to attract and support tourist activity, in particular accommodation and convention and meeting facilities, is relatively undeveloped.

#### 21.04-4.1

#### Objectives and Strategies

##### Objective 1 – Availability of community facilities

To provide a wide range of high-quality cultural, health, educational and institutional uses, responsive to the existing and likely future needs of the community.

Strategies to achieve this objective include:

- Ensure that cultural, health, educational and institutional use and development is integrated and coordinated.
- Ensure that future development or expansion of all cultural, health, educational and institutional facilities is undertaken in accordance with approved master plans.
- Encourage the development of art and cultural activities and facilities within the municipality.
- Encourage the shared use of school facilities to maximise their value to the community.
- Encourage appropriate use and development of land no longer required for institutional purposes.
- Encourage prior consultation between the Council and the State government in relation to the proposed closure of any State school.

##### Objective 2 - Location

To provide facilities located so as to be easily accessible to users, but with minimal negative impact on the amenity of the surrounding area.

Strategies to achieve this objective include:

- Ensure that cultural, health, educational and institutional uses are located in accessible places according to need, but also that it has minimal impact on the amenity of the surrounding area.

##### Objective 3 – Recreational, cultural and leisure facilities

To provide recreational, cultural and leisure facilities and activities, that meets the community's needs and expectations, without causing detriment to the natural environment.

Strategies to achieve this objective include:

- Increase access to a broad range of art and cultural activities.
- Require open space to be provided on an appropriate scale and in appropriate locations in association with new subdivisions.
- Enhance the use and safety of walking and bike paths.
- Link walking and bike paths.
- Protect and enhance public open spaces and their attributes.
- Increase specific leisure opportunities for older people, women, people with disabilities and youth.
- Protect and enhance the visual amenity of open space.
- Discouraging inappropriate uses and development on land adjacent to open space.
- Encourage a linked system of high-quality, accessible public open spaces to maximise leisure and recreational opportunities.
- Encourage environmentally sensitive tourism which delivers economic benefits to the community and maximises the natural advantages of the Yarra Valley and Banyule's heritage.
- Encourage a range of tourism infrastructure and facilities to encourage tourism activity and optimise access to tourist facilities.
- Identify and plan for local social and community infrastructure needs.
- Support development that include social and community infrastructure that meets community needs.

### **21.04-4.2 Implementation**

The Responsible Authority will implement the objectives and strategies for Community Facilities by:

- Applying appropriate zones and overlays in the Banyule Planning Scheme including:
  - Relevant public use zones applied to Government schools, hospitals and institutions.
  - Development Plan Overlay (Private Educational Establishment) for private schools where considered necessary.
- Encouraging discussions between Council and relevant Government Departments and organisations with regard to change of use or redevelopment of institutional or educational sites.

**BUILT ENVIRONMENT****Key Issues**

The most prominent built environment issues for the City are:

- The provision of a safe, attractive and high quality built environment.
- The significant contribution that vegetation makes to the environmental quality and character of neighbourhoods is often overlooked or misunderstood.
- Significant trees, substantial trees and other vegetation make a contribution to the desired future character of residential neighbourhoods, identity of Activity Centres and Neighbourhood Centres, landscape character, streetscapes, habitat links and biodiversity.
- Residential neighbourhoods and Activity Centres on the west-side of the Plenty River have fewer trees than those on the east-side of the river.
- Various parts of the City will need to accommodate change, due to population growth and the community's changing housing needs, requiring a desired future neighbourhood character which supports more change in some parts of the City and limited change in other parts.
- Good quality design outcomes are needed to show the benefit of shop top, townhouse and apartment living lifestyles and mix-use living environments.
- Some new development fails to consider the broader role of significant trees, substantial trees and other vegetation as a contributor to; biodiversity, greenhouse gases absorption, water sensitive design and the shading of buildings and spaces.
- Poorly designed development, including subdivision, can erode the desired future neighbourhood character and a community's sense of place.
- Several areas in the City are subject to flood risk or have experienced drainage problems which need to be taken into account when planning for future development and redevelopment.
- Fire prevention measures are necessary in some areas in the vicinity of the Plenty River Gorge having a high to very high rating. Most of the City has a low to moderate fire hazard rating.
- The environmental benefits of buildings that include best practice design, construction and operation for environmentally sustainable design needs to be realised.
- The impact of the urban heat island effect can be managed by improving shade and shelter onto buildings and public places. Tree protection and further planting helps to manage this impact.
- Poorly designed housing contributes to long-term social and economic costs to the community. This includes:
  - More adaptable housing to meet the needs of all residents including those with impaired mobility and specific housing needs throughout their life.
  - A range of housing types are not evenly dispersed across the City, affecting the ability of residents to live locally.
  - Housing that meets the varied needs of occupants, including those from culturally and linguistically diverse communities.

**Objectives and Strategies****Objective 1 – Safe, attractive and high quality built environment**

To provide a safe, attractive and high-quality built environment.

Strategies to achieve this objective include:

- Encourage uniform signage and shop frontage, particularly within strip shopping centres.
- Encourage high standards of design for buildings, works, signage and landscaping.

## BANYULE PLANNING SCHEME

- Discourage industrial development that detracts from nearby areas of environmental quality and residential amenity.
- Manage the interface between industrial zones and other uses, including providing buffers where appropriate to reduce noise, dust, traffic, odours and nuisance.
- Promote an enhanced visual appearance within industrial areas.
- Encourage the viability and enhancing the local character of strip shopping centres.
- Encourage high quality architecture and urban design.
- Encourage development to have active frontages and direct pedestrian access to abutting parklands.
- Ensure that off-site stormwater discharges are controlled.
- Ensure that off-site waste water discharges are eliminated.
- Ensure that flood risk and fire hazard are considered in relation to land use and development.

### **Objective 2 – Character and identity**

To ensure that development respects and contributes to the desired future character of residential neighbourhoods and the identity of Activity Centres and Neighbourhood Centres, in a manner that supports varying degrees of housing change.

Strategies to achieve this objective include:

- Work towards undergrounding all telecommunication and electric cables.
- Encourage residents to care for street trees in consultation with Council.
- Promote high quality design in all new residential development that makes a positive contribution to the desired future neighbourhood character.
- Encourage the retention and planting of significant trees, substantial trees and other vegetation to protect and improve the landscape character, streetscapes, habitat links and biodiversity of the area.
- Support the removal of environmental weeds with replacement planting that is consistent with the landscape character of the area.
- Support residential development in accordance with the Residential Areas Framework which identifies varying degrees of housing change across the City's residential neighbourhoods, [strategic re-development sites](#), Activity Centres and Neighbourhood Centres.
- Encourage the development of larger sites, including former non-residential land which respects the desired future neighbourhood character and contributes to housing diversity.
- Discourage the subdivision of vacant land unless:
  - Planning approval for the dwelling development has been issued to demonstrate that it can overcome site constraints and respond to the desired future neighbourhood character, prior to a proposal for the subdivision of the land being made; or
  - It is a larger site, and the subdivision proposal can demonstrate that it can provide for future development that can overcome site constraints, respond to the desired future neighbourhood character, be in keeping with the surrounding subdivision pattern, and lead to the scale of development anticipated by the zone of the land.
- Establish a desired future neighbourhood character for public housing areas.

### **Objective 3 – Sustainable design**

To encourage a built form that delivers more environmentally sustainable construction.

Strategies to achieve this objective include:

- Encourage energy and resource efficiency, sustainable transport, pollution reduction, waste management, and improved stormwater quality for building design and site layout, building, infrastructure and landscaping.
- Minimise the potential impacts of water, air and noise pollution on Banyule's environment.
- Encourage new housing and improvements to existing housing to be environmentally sustainable by encouraging best practice design construction and operation solutions for energy use, water use, waste disposal and other environmental parameters.
- Support the retention of significant trees and the planting of trees and other vegetation.
- Encourage environmentally sustainable design principles in new buildings, works and refurbishments.
- Encourage tree protection and the planting of trees in locations that help to minimise the urban heat island effect by providing shade and shelter for dwellings and public spaces.

### Objective 4 – Housing change

To increase the diversity of housing types and promote new housing that meets the needs of the broader community in a manner that respects and contributes to the desired future character of residential neighbourhoods and identity of Activity Centres and Neighbourhood Centres.

Strategies to achieve this objective include:

- Encourage a substantial proportion of new housing to be located within or close to Activity Centres, strategic re-development sites and the Principal Public Transport Network particularly where there is high frequency and quality of public transport services in operation.
- Encourage a range of types and sizes of housing, particularly in areas located close to public transport, services and facilities.
- Encourage development to provide a wider range of household types particularly smaller sized dwellings, including those with only one bedroom.
- Protect existing areas within the Low Density Residential Zone to continue to provide low density housing types.
- Encourage design that meets the needs of people with impaired mobility and other special needs, or can be adapted to meet such needs.
- Encourage adaptation of existing larger format homes to accommodate multiple households and/or separate dwellings.
- Encourage development that is designed to promote social interaction and activity, including adaptable housing to suit particular needs of the local community.
- Encourage higher density developments to enable the greening of buildings and spaces by integrating vegetation into the design of facades, rooftops and spaces.
- Protect the existing and surrounding character of land adjoining key strategic redevelopment area known as Bellfield Precinct Redevelopment Site, by ensuring the land is developed as envisaged in the Bellfield Master Plan Design Guidelines (2019).

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### Residential Areas Framework

The following table provides guidelines to all forms of residential development. The Residential Areas referred to in the table are represented indicatively on the Residential Areas Framework Map. These guidelines are intended to be applied having regard to all relevant circumstances, including location, desired future neighbourhood character, site size and the varying degrees of housing change represented on the indicative map.

## BANYULE PLANNING SCHEME

Residential area	Vision
<b>Diversity</b>	These areas typically have the following characteristics: Within the business core of an Activity Centre or Neighbourhood Centre.

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## BANYULE PLANNING SCHEME

Residential area	Vision
	<ul style="list-style-type: none"> <li>▪ Some residential properties along streets that immediately surround the business core of an Activity Centre or Neighbourhood Centre.</li> <li>▪ <u>Have been identified as strategic re-development sites.</u></li> </ul> <p>They will provide for shop-top and apartment living in higher density mixed use and residential developments. These areas include strategic redevelopment sites that provide for higher density housing.</p> <p>Development will make a positive contribution to the identity of the Activity Centre or Neighbourhood Centre and the desired future character of surrounding residential neighbourhoods.</p> <p>In these areas people live close to train stations, transport interchanges, shops, services and nodes of employment. These areas include higher density and some medium housing opportunities.</p>
<b>Accessible</b>	<p>These areas typically have the following characteristics:</p> <ul style="list-style-type: none"> <li>▪ Within convenient walking distance to the business core of an Activity Centre or Neighbourhood Centre.</li> <li>▪ Are within convenient walking distance to the highest priority sections of the Principal Public Transport Network where higher frequency and quality of public transport services in operation.</li> </ul> <p>They will provide town house and other medium density living and some dispersed single dwellings. Some opportunities for higher density housing will also exist. These areas include strategic redevelopment sites that provide for medium density and a higher density housing component.</p> <p>Development must make a positive contribution to the desired future neighbourhood character, including opportunities for tree protection and planting.</p> <p>These areas also include:</p> <p><b>Heidelberg West</b></p> <p>Heidelberg West is renewing. Public housing sites will provide well-designed redevelopment opportunities. A new desired future neighbourhood character will support development opportunities, with a focus on Olympic Village, Bell Street Mall, public housing sites and larger properties, where there may be higher density opportunities as well.</p> <hr/> <p><b>East of the Plenty River (around the business core of Neighbourhood Centres)</b></p> <p>The residential area east of the Plenty River will continue to be characterised by tall trees, undulating landscapes and 2 storey dwellings that sit below the tree canopy. Town house and unit development will protect and enhance the vegetated character of the area.</p>
<b>Incremental</b>	<p>These areas are typically located further away from Activity Centres and the Principal Public Transport Network, where there is less convenient pedestrian access.</p> <p>They will provide for well designed single dwellings and medium density dwellings. As an exception, there will be limited opportunities for higher density housing at well located, large strategic redevelopment sites only. Typical attributes of a strategic redevelopment site in this area are:</p> <ul style="list-style-type: none"> <li>▪ Fronting an arterial road that forms part of the Principal Public Transport Network that is in operation.</li> <li>or</li> <li>▪ Within 5 minute walking distance (approximately 400 metres) to a Supermarket.</li> <li>or</li> <li>▪ Within 5 minute walking distance (approximately 400 metres) of a regional employment or education facility, such as a large public hospital, technology park, university or TAFE.</li> <li>▪ Large enough to make a significant contribution to the provision of a diversity of housing types in the area and space for the following:             <ul style="list-style-type: none"> <li>- Buildings and open spaces that provide a transition between abutting dwellings and any taller on-site building component.</li> <li>- Landscaping, including the planting of substantial trees, at streetscapes, boundaries and between buildings.</li> </ul> </li> </ul> <p>Development must make a positive contribution to the desired future neighbourhood character, including opportunities for tree protection and planting.</p>

Residential area	Vision
<b>Limited Incremental</b>	<p>These are located east of the Plenty River. They are characterised by tall trees, undulating topography and two storey dwellings that sit below the tree canopy.</p> <p>These areas will provide for sensitively designed single dwellings and some dispersed medium density dwellings that respect the valued attributes of the existing neighbourhood character, with an emphasis on protecting trees and creating new opportunities for vegetation.</p>
<b>Limited</b>	<p>These areas typically have one of the following characteristics:</p> <ul style="list-style-type: none"> <li>▪ Heritage attributes, including subdivisions that have recognised heritage significance.</li> <li>▪ Environmental attributes, such as significant landscapes, significant vegetation or higher flood risk.</li> <li>▪ Distinctive neighbourhood character attributes for single dwellings. In these locations land may be affected by single dwelling covenants or other legal agreements that limit additional dwellings.</li> </ul> <p>These areas support single dwellings with some limited opportunity for medium density housing, if designed to respect and be sensitive to the valued attributes of the existing neighbourhood character.</p>
<b>Low Density Residential</b>	<p>Low Density Residential Areas are found in the Low Density Residential Zone.</p> <p>These areas will provide well dispersed housing that contributes to the diversity of the housing stock in Banyule and continue to contribute to the aesthetic and environmental attributes of the Yarra River corridor.</p>

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### Implementation

The Responsible Authority will implement the objectives and strategies for the Built Environment by:

- Appropriate zones and overlays in the Banyule Planning Scheme, including:
  - Provisions included in the schedules to the Environmental Significance, Vegetation Protection and Significant Landscape Overlays.
  - Design and Development Overlays where there is a need manage change to the built form.
  - Urban Floodway Zone on land in the vicinity of waterways, and major flood paths which has the greatest risk and frequency of being affected by flooding.
  - Land Subject to Inundation Overlay on land adjacent to the Yarra River, Plenty River and Darebin Creek and their tributaries which is liable to flooding.
  - Special Building Overlay on land affected by overland flows in storm events that exceed the capacity of the underground drainage systems.
- Encourage appropriate signage in accordance with the Council’s Outdoor Advertising Policy.
- Using the Environmentally Sustainable Development Local Policy (22.05) when assessing relevant planning permit applications to encourage residential and non-residential proposals to address sustainable development principles and objectives.

### Further Strategic Work

Pursue the development of a development contributions scheme for the provision of local social and community infrastructure.

Identify further opportunities to apply appropriate zones that encourage more growth in the accessible areas around activity areas.

Identify further opportunities to apply the Neighbourhood Residential Zone in areas that require protection from increased residential development.

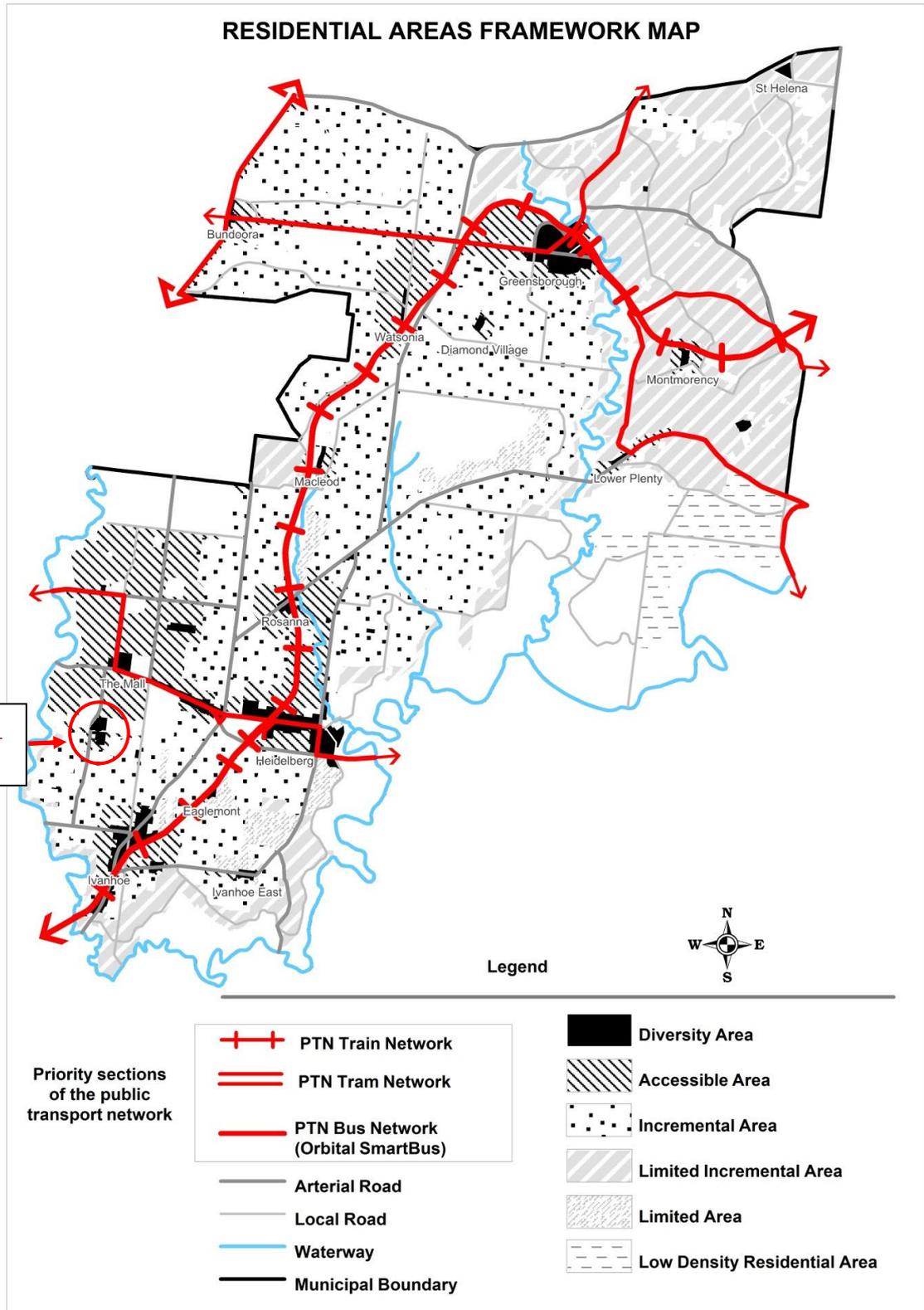
Review and refine the operation of the Residential Growth Zone, General Residential Zone and Neighbourhood Residential Zone.

**21.06-3 Background Documents**

- Bellfield Master Plan Design Guidelines (2019)

# BANYULE PLANNING SCHEME

Refine the Local Policy Planning Framework to reflect the further strategic work done.



Note: This map shows the indicative location of the Residential Areas described in the Residential Areas Framework.

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## SCHEDULE 8 TO CLAUSE 43.04 DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as **DPO8**.

### BELLFIELD PRECINCT REDEVELOPMENT SITE

This schedule applies to land at:

- 96, 98 and 100 Oriel Road (Precinct A)  
Lot 1 TP216496, Lot 1 LP111741 and Lot 1 TP216496
- 232 Banksia Street (Precinct B)  
2081 PP2856

#### 1.0 Objectives

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Proposed C--

To facilitate the redevelopment of the Bellfield Precinct Redevelopment site as envisaged in the *Bellfield Master Plan Design Guidelines (2019)*.

To deliver a high-quality integrated development that caters for a range of lot densities and housing choices that respond to and manage site features and constraints.

To create a positive interface with adjacent public open space giving appropriate consideration to issues of safety and surveillance.

To provide safe and integrated pedestrian and vehicular connections both within the development plan area and with neighbouring land.

#### 2.0 Requirement before a permit is granted

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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.

This does not apply if a schedule to this overlay specifically states that a permit may be granted before 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.

#### 3.0 Conditions and requirements for permits

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Proposed C--

The following conditions and/or requirements apply to permits:

- A construction management strategy must be submitted to and approved by the Responsible Authority which:
  - Details measures to be implemented to minimise adverse impacts during the development on environmental values including habitat, water quality, sites of biological and cultural significance and vegetation to be retained on site.
  - Details the measures to be implemented to minimise the generation of sediment on the site, the transport of sediment onto public roads and into drains and waterways and the generation of dust.
  - Shows the designation of tree protection zones for canopy trees to be retained on the land.
  - Shows the location of site offices, security fencing, cranes, off-street vehicle parking for construction and trades employees and construction vehicle routes.
  - Details the methods to be used for the collection and disposal of construction waste and the storage of construction materials.
  - Details of the hours of construction on the site.

All works conducted on the land must be in accordance with the approved Construction Management Strategy.

**4.0 Requirements for development plan**

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Proposed C--

A Development Plan must include the following requirements:

**GENERAL**

The Development Plan must be prepared to the satisfaction of the Responsible Authority.

The Development Plan must demonstrate the following:

- Be generally consistent with the *Bellfield Master Plan Design Guidelines (2019)* and development plan requirements specified in this schedule.
- Where the development will be undertaken in stages, a staging plan must be provided of the development, indicating lot layouts, new streets, pedestrian and cycling paths.
- Built form to achieve high quality development with articulation, scale proportions and setbacks with active interfaces with the public realm.

**CONCEPT PLAN**

The Development Plan must be generally in accordance with the Concept Plan forming part of this schedule to the satisfaction of the Responsible Authority.

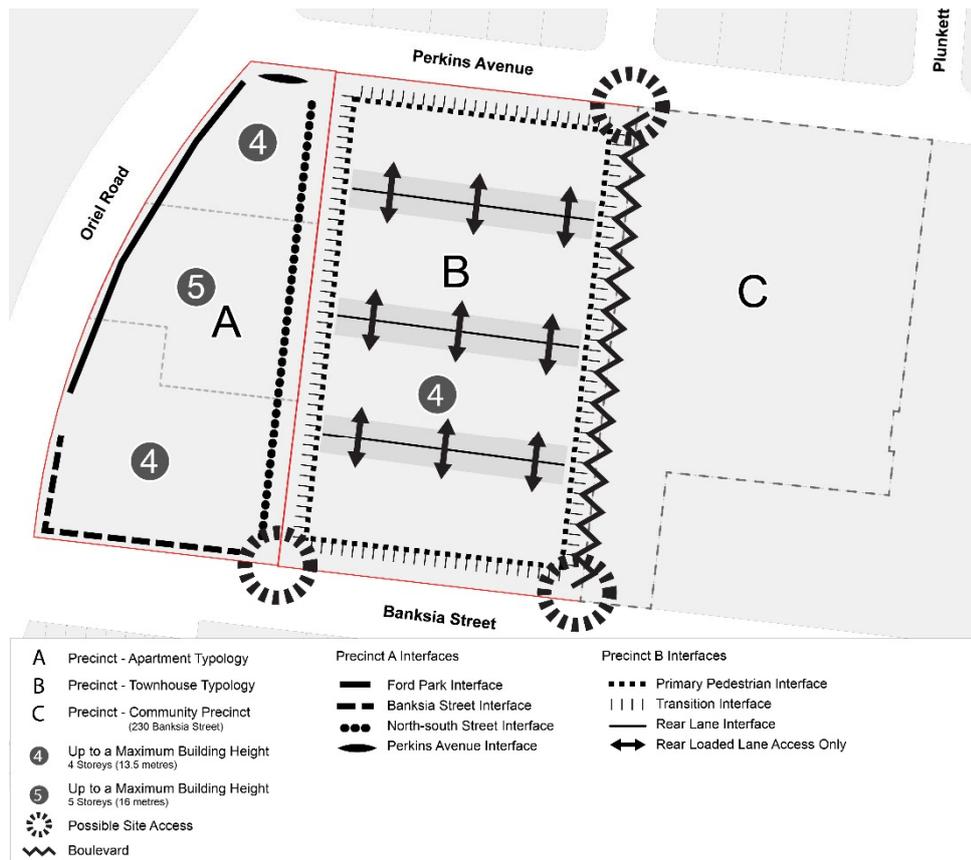


Figure 1 Concept Plan

**BUILT FORM AND SETBACKS**

The Development Plan should show:

- Buildings that do not exceed the ‘maximum building heights’ on the Concept Plan.
- Precinct A (Parks and Village Precinct):

- Apartment typology.
- Ford Park Interface set back at least 6 metres from Oriel Road property boundary to allow for tree planting.
- Banksia Street Interface to be set back at least 5 metres from Banksia Street property boundary to allow for tree planting.
- Perkins Avenue Interface to be set back at least 10 metres from Perkins Avenue property boundary to allow for a linear park.
- Precinct Street (North-south) Interface will be set back at least 9 metres from the eastern site boundary, to allow for a 3 metre wide pedestrian path, swale and open space.
- Built Height on corner of Oriel Rd and Banksia St to be up to a maximum of 4 storeys (13.5 metres).
- Built Height of central part of Precinct A (facing Oriel Rd) to be up to a maximum of 5 storeys (16 metres).
- Precinct B (Neighbourhood Precinct):
  - Townhouse typology.
  - Primary Pedestrian Interface to have at least 2 metre wide permeable open space.
  - Transition Interface to have a 1 metre zone which will not include built space, but may include balconies, pergolas, sunshades, and framing structures for plants.
  - Rear Lane Interface to allow for car access where garages are located.
- Setbacks and building heights to be generally in accordance with the specifications for each precinct, as described above and in the *Bellfield Master Plan Design Guidelines (2019)*.

## OTHER BUILT FORM REQUIREMENTS

The Development Plan should show:

- Visual bulk of buildings reduced through appropriate separation between buildings, the placement of balconies and use of discontinuous forms, articulated facades and varied materials, in accordance with the *Bellfield Master Plan Design Guidelines (2019)*.
- Active frontages facing onto all public open space through:
  - Provision of low and/or transparent fencing and landscaping to allow for passive surveillance.
  - Avoiding large expanses of blank wall, large service areas, garbage storage areas, car parking and co-located or continuous garage doors along ground floor frontages.
  - Provision of individual entry doors to ground floor dwellings that have frontages to a road or internal connection.
  - Building entries along the site boundaries that are highly visible from public pedestrian pathways and open spaces.
  - The placement of entries, windows and balconies to facilitate passive surveillance of streets, open spaces and pedestrian paths.
  - Living areas orientated with windows and balconies to have aspect towards open spaces (where appropriate).
  - The location of resident car parking spaces within basement levels or suitably concealed within or behind buildings, or behind architectural features.
  - Private open spaces at ground level raised up to provide both privacy and outlook.
- Cohesive architectural design throughout the site, with the use of high quality, durable and low maintenance materials and colours that blend in with the surrounding environment.

## LANDSCAPE AND OPEN SPACE

The Development Plan should show:

Precinct A:

- At least 25% of the plot must be deep soil to allow for the planting of trees to be consistent with State Governments minimum garden area requirements.

Precinct B:

- Each private lot to have at least 25% of its surface area as permeable open space
- Retention of all trees identified in the required Tree Management Plan as trees to be retained.
- Landscaped buffers and setbacks at residential interfaces, consisting of existing trees to be retained and/or replacement canopy trees.

## CIRCULATION AND ACCESS

The Development Plan should show:

- The provision of a north-south access road that allows for circulation of cars through the site, as well as access to Precinct A and B, and the community precinct at 230 Banksia Street.
- The location of pedestrian paths indicating circulation within and through the respective precincts and linkages from each of the respective precincts to nearby public open spaces, paths and roads.
- Location of on-site car parking for residents and visitors.
- Bicycle parking located at primary frontages in proximity to pedestrian access ways.

## REQUIRED DOCUMENTS, PLANS AND REPORTS

The following information is required to support a Development Plan and must be prepared to the satisfaction of the Responsible Authority:

- **A Site Context Analysis and Design Response** that includes, but is not limited to:
  - The urban context and existing conditions showing topography, the surrounding and on site land uses, buildings, noise sources, access points, adjoining roads, cycle and pedestrian network and public transport.
  - Views to be protected and enhanced, including views to and from the site.
  - Building envelopes including maximum building heights, building setbacks to all interfaces, and building depths.
  - The proposed built form edge and interface treatments to adjoining streets, and adjacent residential properties.
  - Conceptual elevations and cross-sections, indicating level changes across the site.
  - Shadow diagrams of both existing conditions and proposed shadows, demonstrating that the overshadowing criteria identified in this schedule can be met.
  - The mix of land uses and the location of these uses in each building or precinct.
- **A Services and Infrastructure Plan** that addresses, but is not limited to:
  - An assessment of the existing engineering infrastructure servicing the site and its capacity to service the proposed development.
  - A description of the proposed provision of all appropriate utility services to development parcels.
  - A stormwater drainage master plan, including the location of any on-site drainage retention facilities.
- **A Planning Report** which demonstrates how the proposal meets the requirements of the planning scheme.

- An **Integrated Transport and Traffic Management Plan** which identifies roads, pedestrian, cyclist and vehicle access, including parking areas internal to the site and other likely impacts of the proposed development on arterial and local roads and mitigating works required such as offsite traffic management treatments.
- A **Landscape Masterplan** which show a species selection along key internal and external interfaces, and a delineation of public, communal and private open spaces and the treatment of these interfaces.
- An **Arborist Report and Tree Management Plan** that identifies existing trees to be retained, and/or the replacement of canopy trees, including the methodology for protecting the identified trees.
- An **Ecologically Sustainable Development Plan** that demonstrates how development on the site will achieve best practice standards and incorporate innovative initiatives.

## SCHEDULE TO CLAUSE 52.02 EASEMENTS, RESTRICTIONS AND RESERVES

## 1.0

## Under Section 23 of the Subdivision Act 1988

Land	Easement or restriction	Requirement
<b>152 Weidlich Road, Eltham North described as Lot 125 on Plan of Subdivision No.132132 on Certificate of Title Volume 9375 Folio 406</b>	Restrictive covenant contained in Transfer No. H978305	Vary the restrictive covenant so that after the words: "...services relating to such roads and paths..." insert the words "... or unless that tree is the Eucalyptus polyanthemos which is the subject of Planning Permit Application P727/02."
<b>66 Glenard Drive, Eaglemont described as Lot 39 on Plan of Subdivision No. 6957 on Certificate of Title Volume 4945 Folio 988862</b>	Restrictive covenant contained in Instrument of Transfer No. 1170163	Vary the restrictive covenant so that after the words: "...more than one building..." delete the words "...and that roofed with tiles or slates and not otherwise..."
<b>166 Weidlich Road, Eltham North described as Lot 107 on Plan of Subdivision No. 132132 on Certificate of Title Volume 09339 Folio 011</b>	Restrictive covenant contained in Transfer No. H978293	Vary the restrictive covenant so that after the words: "...services relating to such roads and paths..." insert the words "... or unless that tree is the Eucalyptus rubida which is located at the rear of the dwelling."
<b>Part 7A Curzon Street, Ivanhoe described as Lot 1 on unregistered Plan of Subdivision No. PS630027Q being part of Lot 1 Title Plan 844180A in Certificate of Title Volume 9967 Folio 293</b>	Restrictive covenant contained in Transfer No. P368489H	Remove but only insofar as it affects Lot 1 on unregistered Plan of Subdivision No. PS630027Q being part of Lot 1 Title Plan 844180A in Certificate of Title Volume 9967 Folio 293
<b><u>98 and 98A Oriel Road, Bellfield described as Lot 1 on Plan of Subdivision No. 111741 on Certificate of Title Volume 11899 Folio 720 and Lot 1 on Title Plan 143931N Volume 11899 Folio 721</u></b>	<u>Restrictive Covenant contained in Instrument of Transfer No. GO55725 and PS35425K</u>	<u>The whole of the restriction is authorised for removal</u>

2.0

27/05/2019  
C154bany

**Under Section 24A of the Subdivision Act 1988**

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Land	Person	Action
Part 7A Curzon Street, Ivanhoe described as Lot 1 on unregistered Plan of Subdivision No. PS630027Q being part of Lot 1 Title Plan 844180A in Certificate of Title Volume 9967 Folio 293	Banyule City Council	Remove the Recreation Purposes reservation but only insofar as it affects Lot 1 on unregistered Plan of Subdivision No. PS630027Q being part of Lot 1 Title Plan 844180A in Certificate of Title Volume 9967 Folio 293

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**3.0**

19/01/2006  
VC37

**Under Section 36 of the Subdivision Act 1988**

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Land	Easement or right of way	Requirement
None specified		

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## Appendix B. Explanatory Report

## **BANYULE PLANNING SCHEME**

### **AMENDMENT C153**

#### **EXPLANATORY REPORT**

##### **Who is the planning authority?**

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

The Amendment has been made at the request of Banyule City Council.

##### **Land affected by the Amendment**

The Amendment applies to the land at 96, 98 and 100 Oriel Road, and 232 Banksia Street, Bellfield.

A mapping reference table is attached at Attachment 1 to this Explanatory Report.

##### **What the amendment does**

The Amendment seeks to undertake site specific zoning changes to align with the intended use of the land, as intended by Banyule City Council. The Amendment will rezone 96, 98 and 100 Oriel Road from Public Use Zone (Local Government) (PUZ6) and General Residential Zone (Schedule 1) (GRZ1) to Residential Growth Zone (Schedule 2) (RGZ2). The Amendment will also include the provision of a Development Plan Overlay Schedule 8 (DPO8) on these sites and the site adjacent at 232 Banksia Street. In addition, removal of Covenant number GO55725 and PS35425K on land at 98 and 98A Oriel Road.

The Amendment will allow for residential development on these sites, with community uses at 230 Banksia Street to replace those currently along Oriel Road.

The Amendment can be summarised by the below changes:

- Amend Clause 21.04 Land Use – Housing of the Municipal Strategic Statement to include reference to strategic re-development sites.
- Amend Clause 21.06 Built Environment, specifically Clause 21.06-1 Objectives and Strategies; Objective 4 – Housing Change; Clause 21.06-2 Residential Areas Framework and introduce Clause 21.06-3 Background Documents to make reference to strategic re-development sites, list the background document underpinning the introduction of Development Plan Overlay Schedule 8 (DPO8) the Bellfield Design Guidelines (2019) and make specific changes to the Residential Areas Framework Map to include 96, 98 and 100 Oriel Road, and 232 Banksia Street, Bellfield as a Diversity Area.
- The Amendment specifically makes changes to the Banyule Planning Scheme Ordinance
  - Insert Schedule 8 to the Development Plan Overlay (DPO8).
- The Amendment specifically makes changes to the Banyule Planning Scheme Zone and Overlay maps:
- Amend Map No 14 Zones to rezone 96, 98 and 100 Oriel Road, Bellfield from PUZ6 and GRZ1 to RGZ2.
- Amend Map No 14 DPO to add 96, 98 and 100 Oriel Road, and 232 Banksia Street, Bellfield.
- Deletion of Covenant GO55725 and PS35425K on land at 98 and 98A Oriel Road.

##### **Strategic assessment of the Amendment**

##### **Why is the Amendment required?**

The Amendment seeks to undertake site specific changes to zoning that will align with the intended use of the land and enable suitable development to occur at an underused site. This includes the

development of residential uses at 96, 98 and 100 Oriel Road and 232 Banksia, Bellfield. The intended land use at 230 Banksia Street is to provide community services and facilities.

The land is currently under-utilised following the decommissioning of La Trobe Secondary College on these sites. The proposed amendment will provide new residential diversity to the Banyule community, as well as the provision of additional community facilities.

The Amendment will provide social, economic and environmental benefits for the land and general area in its surroundings. The Amendment will allow for the site to be utilised to its full potential, providing new dwellings and community uses to the community, as well as supporting the aspirations of the La Trobe NEIC, and providing net community benefit by providing housing diversity where there will be an increase in employment and economic activity.

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

The amendment implements the objectives of planning in Victoria as outlined in Section 4 of the Planning and Environment Act 1987 through:

- Providing for the fair, orderly, economic and sustainable use, and development of land
- Securing a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria
- Protecting public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community
- Balancing the present and future interests of all Victorians.
- Ensuring sound, strategic planning and co-ordinated action at State, regional and municipal levels.
- Enabling land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels.
- Ensure that the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.
- Facilitating development that achieves the objectives of planning in Victoria and planning objectives set up in planning schemes.

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

Environmental effects: Environmental effects have been fully considered as part of the amendment process. The approval of the proposed amendment will have no significant effect on the environment.

Social effects: The Amendment will have positive social effects, as the proposed community uses at 230 Banksia Street will provide services and amenities to new and existing residents in the area.

Economic effects: The amendment is expected to have positive economic benefits for the centre and municipality generally. The amendment is providing community and residential amenity to an area which is identified as within the La Trobe National Employment and Innovation Cluster.

### **Does the Amendment address relevant bushfire risk?**

The site has not been identified as being subject to bushfire risk. No additional bushfire risk measures are required as a result of the proposed amendment.

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

### Ministerial Direction – The Form and Content of the Planning Scheme

The Amendment is consistent with Ministerial Direction for Form and Content of the Planning Scheme.

### Ministerial Direction No. 9 – Metropolitan Strategy

The Amendment is consistent with Ministerial Direction 9 Metropolitan Strategy. The Metropolitan Strategy (Plan Melbourne: Metropolitan Planning Strategy 2017-2050) includes a number of Outcomes, Objectives and Directions which have implications for the proposed Amendment.

### Ministerial Direction No. 11 – Strategic Assessment of Amendments

The Amendment meets the requirements of Ministerial Direction No 11 Strategic Assessment of Amendments.

### Ministerial Direction No. 15 – The Planning Scheme Amendment Process

Specifically, AN48: Ministerial Direction No.15 – The Planning Scheme Amendment Process. All process requirements to be met under this direction have been considered and met in the preparation of the amendment.

### Ministerial Direction No. 18 – Victorian Planning Authority Advice on Planning Scheme Amendment

The Amendment also meets the requirements of Ministerial Direction No. 18, which requires the advice of the Victorian Planning Authority on all planning scheme amendments. The VPA has provided a letter in response to the proposed planning scheme amendment stating they have no issues with the proposed Development Plan Overlay. There will be a further submission of information including the proposed Zone (RGZ2), DELWP zone maps and all other relevant documentation to the VPA. This is being sent to the VPA at the same time as lodgement of this Amendment to the Minister. We will forward any response from the VPA as soon as it's received.

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

The State Planning Policy Framework (SPPF) identifies principles of land use and Development Planning relevant to the current Amendment. The Amendment and subsequent rezoning would enable the efficient ongoing operation of the subject site which is consistent with the following State Planning Policies:

### **Plan Melbourne 2017-2050**

The proposed amendment accords with the following key outcomes, directions and policies of the State Strategic Plan - *Plan Melbourne 2017-2050*.

#### **Outcome 1**

*Melbourne is a productive city that attracts investment, supports innovation and creates jobs*

Two key **directions** to achieve this outcome include to: -

- *“Create development opportunities at urban renewal precincts across Melbourne.”*

The following **policies** will assist in the delivery to achieve Outcome 1: -

- *Policy 1.3.1 – Plan for and facilitate the development of urban renewal precincts.*

**Outcome 2**  
*Melbourne provides housing choice in locations close to jobs and services*

Four key **directions** to achieve this outcome include to: -

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

The following **policies** will assist in the delivery to achieve Outcome 2: -

- *Policy 2.1.2 – Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport.*
- *Policy 2.1.4 – Provide certainty about the scale of growth in the suburbs.*
- *Policy 2.2.3 – Support new housing in activity centres and other places that offer good access to jobs, services and public transport.*
- *Policy 2.4.1 – Support streamlined approval processes in defined locations.*
- *Policy 2.5.1 – Facilitate housing that offers choice and meets changing household needs.*

## Planning Policy Framework

**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 11-01-1S  
Settlement** Key strategies of relevant to this proposal includes:  
Promote and capitalise on opportunities for urban renewal and infill redevelopment.  
Develop compact urban areas that are based around existing or planned activity centres to maximise accessibility to facilities and services.

**Clause 15  
Built Environment and Heritage** *Planning is to recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.*  
*Planning should ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.*

**Clause 15.01-1S  
Urban Design** Seeks to ensure that urban environments are **safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.**  
Key strategies of relevant to this proposal includes:

- Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.
- Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.
- Ensure the interface between the private and public realm protects and enhances personal safety.
- Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.

**Clause 16  
Housing** *Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure.*  
*Planning should ensure the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space.*  
*Planning for housing should include the provision of land for affordable housing.*

**Clause 16.01-1S  
Integrated housing** Seeks to **promote a housing market that meets community needs.**  
Key strategies of relevant to this proposal includes:

- Increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.
- Ensure housing developments are integrated with infrastructure and services, whether they are located in existing suburbs, growth areas or regional towns.
- Facilitate the delivery of high quality social housing.

**Clause 16.01-2S**  
**Location of residential development**

Seeks to *locate new housing in designated locations that offer good access to jobs, services and transport.*

Key strategies of relevant to this proposal includes:

- Increase the proportion of new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.
- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.
- Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.
- Facilitate residential development that is cost effective in infrastructure provision and use, energy efficient, water efficient and encourages public transport use.
- Identify opportunities for increased residential densities to help consolidate urban areas.

**Clause 16.01-3S**  
**Housing Diversity**

Seeks to *provide for a range of housing types to meet diverse needs.*

Key strategies of relevant to this proposal includes:

- Ensure housing stock matches changing demand by widening housing choice.
- Facilitate diverse housing that offers choice and meets changing household needs through:
  - A mix of housing types.
  - Adaptable internal dwelling design.
  - Universal design.
- Encourage the development of well-designed medium-density housing that:
  - Respects the neighbourhood character.
  - Improves housing choice.
  - Makes better use of existing infrastructure.
  - Improves energy efficiency of housing.
- Support opportunities for a range of income groups to choose housing in well-serviced locations.
- Ensure planning for growth areas provides for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

The PPF provides a high-level strategic framework for land use and development. The policies outlined above enable planning at a municipal level and guide the formulation of local policies to implement good planning outcomes.

The planning scheme amendment proposed would rezone land that is currently under-utilised, and zoned as GRZ1 and PUZ6 to become RGZ2 to allow for residential redevelopment (under a DPO), while the PUZ6 land in the east of the site will provide new community facilities and services to the residents of the development as well as existing residents in the surrounding area. This complies with the PPF, as new housing development opportunities should be sought in established urban areas to reduce pressure on fringe development, and are located within established urban areas with access to jobs, services and public transport. This proposal would also include the provision of a diverse range of housing, including private, affordable and social housing.

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

The Amendment would be consistent with the LPPF by providing the community with housing diversity, as well as providing the community with new community facilities. Specifically, the proposed Amendment conforms to the following local planning policies.

**Clause 21.01  
Municipal Profile**

Identifies that Banyule has access to a significant number and range of jobs, particularly in the industrial, retail and public sectors. The area has access to a range of transport options including the Hurstbridge trainline, cross-city SmartBus routes and other bus routes, as well as links to major arterial roads.

Banyule's 2014 estimated residential population of 125,250 is expected to increase to 142,332 by 2031 (Victoria in the Future 2014). The largest population gains in the recent past have occurred in the north-west, north and west of the municipality, with the greatest losses in the east and south.

Households comprising couples with children are expected to remain the predominate household type to 2031, with a rise in the percentage of households comprising couple only and one person households.

Only 19.7% of the dwellings are medium or high density compared to 28% in Greater Melbourne. In recent years, growth has occurred most significantly in the numbers of medium density dwellings. This indicates a demand for smaller sized homes and a decrease in demand for separate houses. The distribution of the higher density housing has been highly dispersed with no particular concentrations occurring.

**Clause 21.04  
Land Use**

Issues related to housing in Banyule include:

- Achieving a balance between objectives of protecting residential amenity and providing for desired future neighbourhood character outcomes, and providing urban consolidation and satisfying housing demand.
- Providing a suit of housing opportunities to ensure that household seeking to reside in Banyule have a choice as to housing type.
- Providing affordable housing, particularly in the private rental market, and encouraging the provision of crisis accommodation, well locates student accommodation and public housing.
- Providing housing for older persons or those with impaired mobility particularly in locations close to public transport and local services, to reduce the risk of social isolation for occupants from the broader community.

Relevant objectives and strategies include:

- New housing, close to Activity centres, public transport routes and services and promoting the use and development of large residential sites.
- Diversity in housing types in appropriate locations, including, layout, size, affordability and tenure, and encouraging a mix of public and private housing within well-designed developments.
- Improving housing affordability by supporting affordable housing in locations with good access to public transport and services and the provision of affordable housing in the private rental market.

**Clause 21.06  
Built Environment**

Key issues identified for residential developments in the city of Banyule that relate to this proposal:

- The provision of a safe, attractive and high quality built environment
- Various parts of the City will need to accommodate change, due to population growth and the community's changing housing needs, requiring a desired future neighbourhood character which supports more change in some parts of the City and limited change in other parts.
- Good quality design outcomes are needed to show the benefit of shop top, townhouse and apartment living lifestyles and mix-use living environments.
- Some new development fails to consider the broader role of significant trees, substantial trees and other vegetation as a contributor to; biodiversity, greenhouse gases absorption, water sensitive design and the shading of buildings and spaces.

**Clause 21.08  
Local Place**

Identifies all areas of strategic significance within the municipality.

**National Employment Cluster – emerging**

- La Trobe

The MSS and LPPF provide guidance for local decision-makers regarding the interpretation and contextual application of the SPPF. It is proposed to amend Clause 21.04 Land Use – Housing to include reference to strategic redevelopment sites and the Bellfield Design Guidelines (2019).

As outlined above in the PPF, the planning scheme amendment proposed would rezone land that is currently under-utilised, and zoned as GRZ1 and PUZ6 to become RGZ2 to allow for residential redevelopment (under a DPO), while the PUZ6 land in the east of the site will provide new community facilities and services to the residents of the development as well as existing residents in the surrounding area.

The site is also within the La Trobe NEIC, an area of strategic significance within the municipality. The site is an emerging cluster area, with a focus on employment and education in health and research, as well as significant retail opportunities. The proposal would provide additional housing close to these sites within the cluster area, as well as provide additional community facilities for those who will be living and working in the precinct. The rezoning will provide additional housing and development opportunities, where there is access to jobs, transport and services.

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

The amendment makes proper use of the Victorian Planning Provisions, in this case the improved articulation of land use planning strategic directions and the rezoning of land.

This approach uses the most appropriate tools available in the Victoria Planning Provisions to revise planning directions and controls for the overall site.

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

Banyule City Council is the Responsible Authority for the area, and the amendment is being undertaken with its support. The views of relevant agencies will be sought and considered during the amendment process. Additionally, all interested parties will have the opportunity to comment and make submissions through the statutory exhibition process.

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

The proposal will not impact on any components of the transport system as defined in Section 3 of the Transport Integration Act 2010. Accordingly a full assessment of the proposal against the requirements of Section 25 of the Transport Integration Act 2010 is not required.

### **Resource and administrative costs**

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

There will be no substantive impact on the resources of the Responsible Authority.

### **Where you may inspect this Amendment**

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

Banyule Council Offices

Level 3, 1 Flintoff Street,

Greensborough

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.delwp.vic.gov.au/public-inspection](http://www.delwp.vic.gov.au/public-inspection).

[The following sections of the Explanatory Report are only applicable to exhibited amendments and should be removed at the adoption stage

### **Submissions**

Any person who may be affected by the Amendment [and/or planning permit] may make a submission to the planning authority. Submissions about the Amendment must be received by 17 November 2019.

A submission must be sent to:

<https://shaping.banyule.vic.gov.au/>

or PO Box 94, Greensborough VIC 3088

### **Panel hearing dates**

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

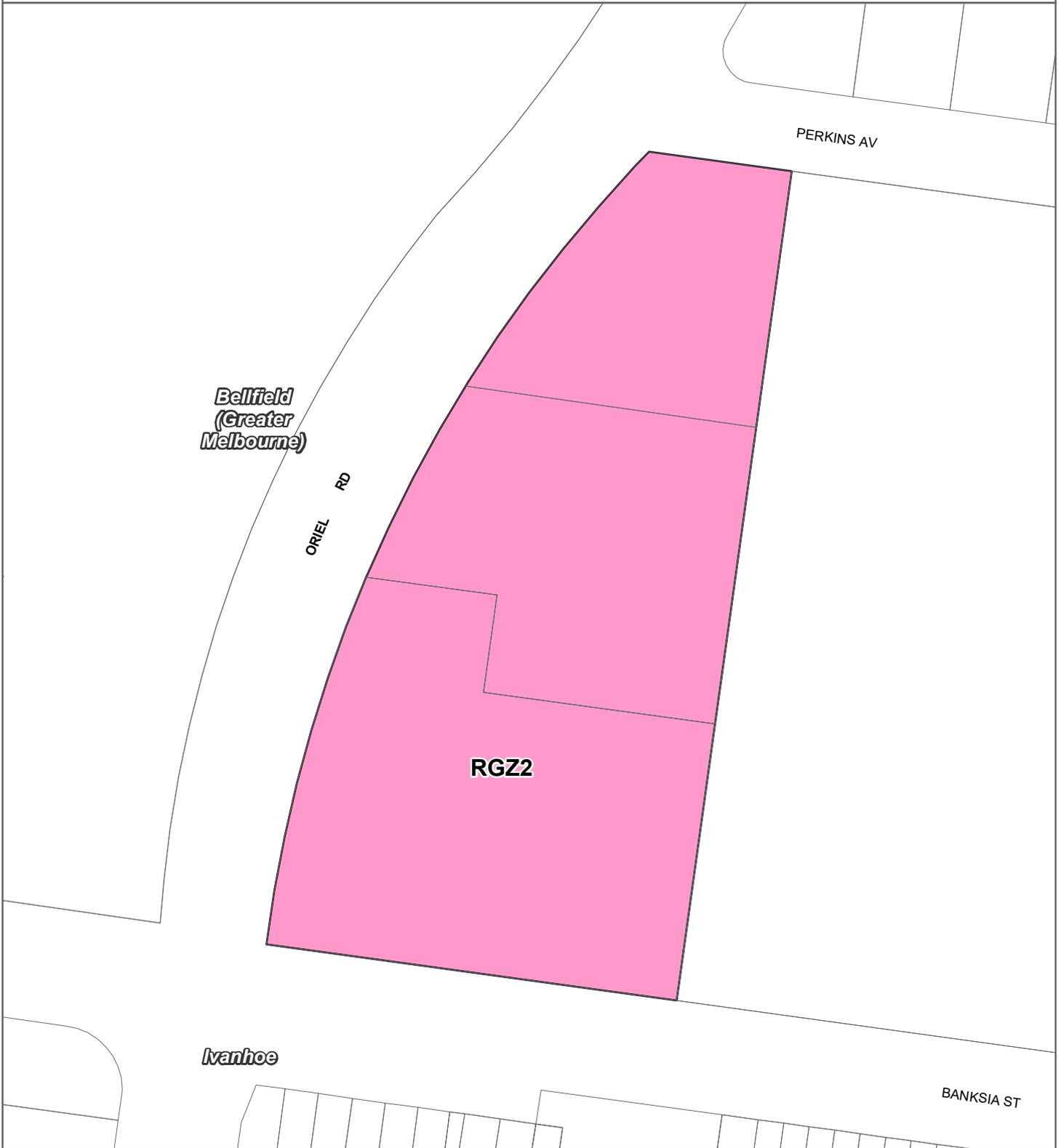
- directions hearing: 20 January 2020
- panel hearing: 17 February 2020

## ATTACHMENT 1 - Mapping reference table

### Mapping Reference Table

Location	Land /Area Affected	Mapping Reference
Banyule	Land bounded by Oriel Road, Perkins Avenue and Banksia Street	Banyule C153bany Map 14 Zones Banyule C153bany Map 14 DPO

# BANYULE PLANNING SCHEME - LOCAL PROVISION AMENDMENT C153



**LEGEND**

- RGZ - Residential Growth Zone
- Local Government Area

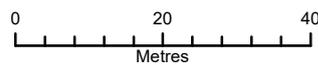


Part of Planning Scheme Map 14

**Disclaimer**

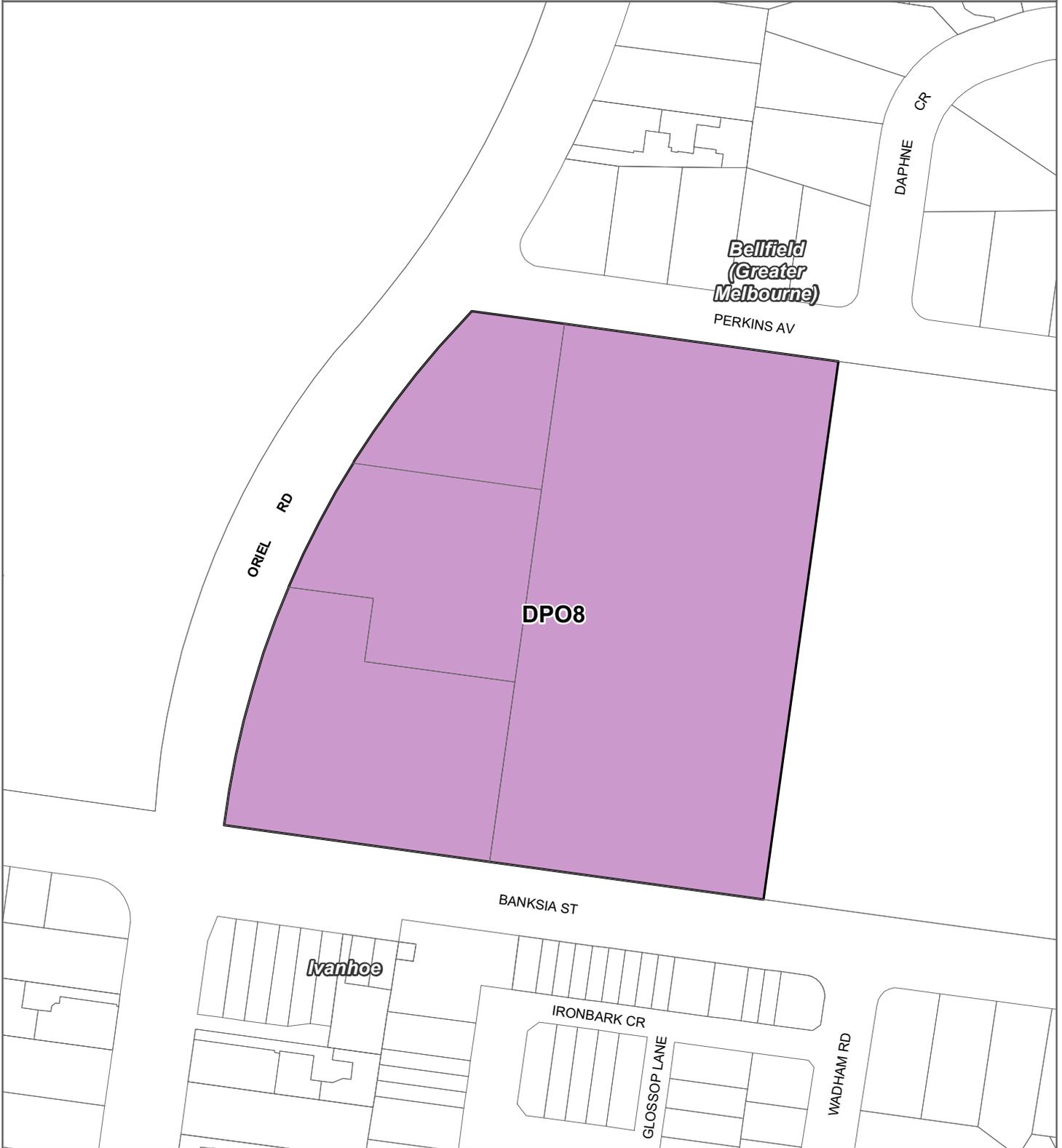
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Planning Group  
Print Date: 24/07/2019  
Amendment Version: 1



Environment,  
Land, Water  
and Planning

# BANYULE PLANNING SCHEME - LOCAL PROVISION AMENDMENT C153



**LEGEND**

- DPO8 - Development Plan Overlay - Schedule 8
- Local Government Area

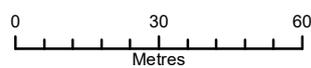


Part of Planning Scheme Map 14DPO

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Planning Group  
Print Date: 25/07/2019  
Amendment Version: 1



Environment,  
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and Planning

## Appendix C. Email from VPA (in accordance with Ministerial Direction No. 18)

## Laura Murray

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**From:** Walla Idris <Walla.Idris@banyule.vic.gov.au>  
**Sent:** Tuesday, 16 July 2019 3:51 PM  
**To:** Laura Murray  
**Cc:** Amy Harris; Scott Walker; Lucy Rasdell  
**Subject:** FW: Proposed Banyule Planning Scheme Amendment - Bellfield Redevelopment (96, 98 and 100 Oriel Road and 230 and 232 Banksia Street, Bellfield)

Hi Laura

Please see following comments from VPA regarding the Bellfield Redevelopment

Regards

**Walla Idris**

Development Planner

**Banyule City Council**

T (03) 9433 7731

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Banyule City Council is proud to acknowledge the Wurundjeri Woi-wurrung people as traditional custodians of the land and we pay respect to all Aboriginal and Torres Strait Elders, past, present and emerging, who have resided in the area and have been an integral part of the region's history.

---

**From:** Morris Edwards [mailto:Morris.Edwards@vpa.vic.gov.au]  
**Sent:** Tuesday, 16 July 2019 2:44 PM  
**To:** Walla Idris <Walla.Idris@banyule.vic.gov.au>  
**Cc:** Bonnie Mather <Bonnie.Mather@vpa.vic.gov.au>; Ilona Stuart <Ilona.Stuart@vpa.vic.gov.au>  
**Subject:** [EXTERNAL] Proposed Banyule Planning Scheme Amendment - Bellfield Redevelopment (96, 98 and 100 Oriel Road and 230 and 232 Banksia Street, Bellfield)

Good afternoon Walla,

Thank-you for submitting the proposed planning scheme amendment to the Banyule Planning Scheme to create the Bellfield Precinct Redevelopment Site Development Plan Overlay Schedule (DPO schedule), in accordance with Ministerial Direction 18 to the VPA.

The VPA understand that the amendment is in the preliminary phases of its preparation and that further work is to be undertaken on the documentation prior to Council seeking authorisation. Specifically, we note that the ordinance for the rezoning of the land is yet to be prepared and only the DPO schedule has been drafted.

Given Ministerial Direction 18 specifically applies to rezoning of land and not the application of an overlay, and the ordinance associated with the rezoning has not been prepared, the VPA are not able to provide advice on the amendment at this stage.

Notwithstanding the above, the VPA see merit in the proposed amendment, as pre-empted in your letter dated 2 July 2019, as it generally accords with the *La Trobe National Employment and Innovation Cluster, Draft Framework Plan, March 2017*.

Once the amendment documents have been drafted (including the explanatory report), please resubmit the amendment and we will formally respond, prior to authorisation in accordance with the Ministerial Direction 18.

If you have any queries please feel free to contact me.

Kind regards,

Morris

**Morris Edwards // Senior Planner - Planning Services**

Victorian Planning Authority

Level 25, 35 Collins Street, Melbourne VIC 3000

T: 03 8644 8802 // E: [morris.edwards@vpa.vic.gov.au](mailto:morris.edwards@vpa.vic.gov.au)



## Appendix D. Yield Analysis – Ethos Urban

## Memo

<b>To:</b>	Laura Murray
<b>From:</b>	Tania Crisafi
<b>CC:</b>	Larry Parsons
<b>Date:</b>	29 August 2019
<b>Re:</b>	Yield Analysis
<b>Project Number and Name:</b>	3190184: Bellfield Redevelopment Site

This memorandum is to assist with the represented yield estimated by the guidelines for the Bellfield Master Plan Design Guidelines 2019.

The site and the masterplan are shown in Figure 1 and Figure 2 below.



Figure 1 Site Aerial (Source: Nearmap)

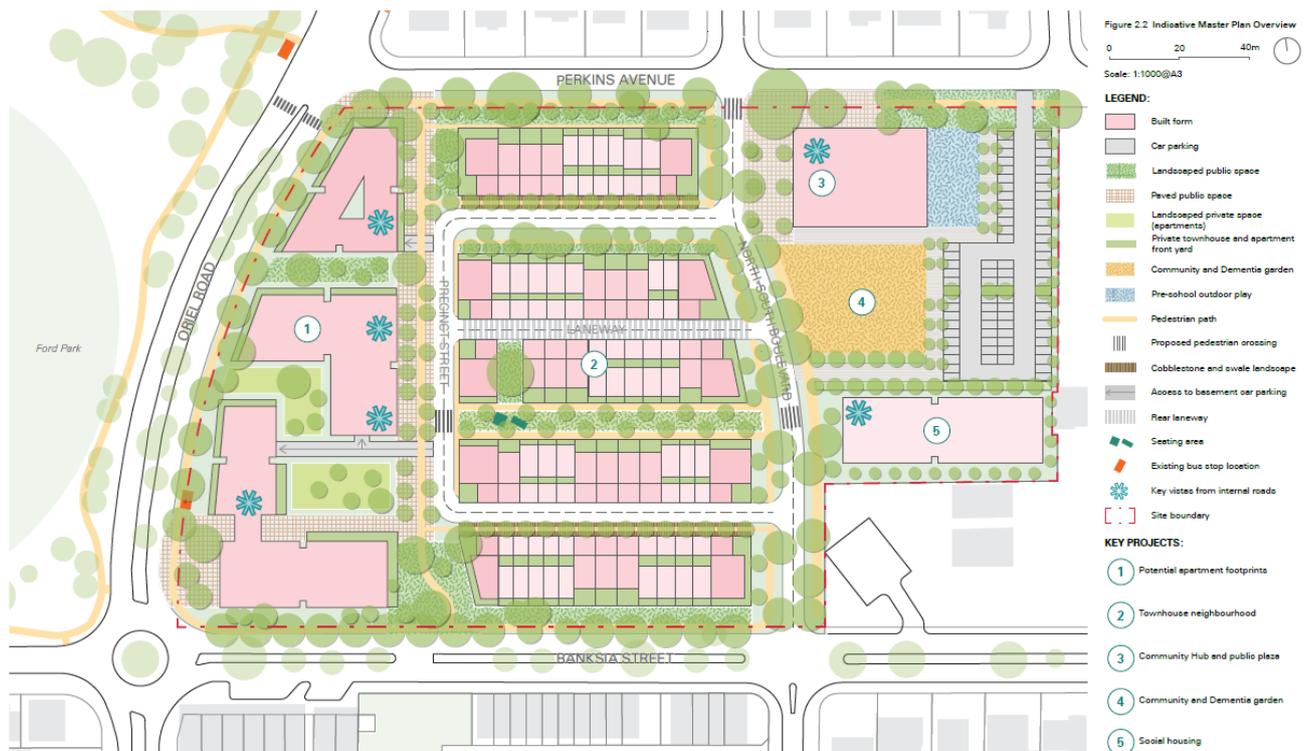


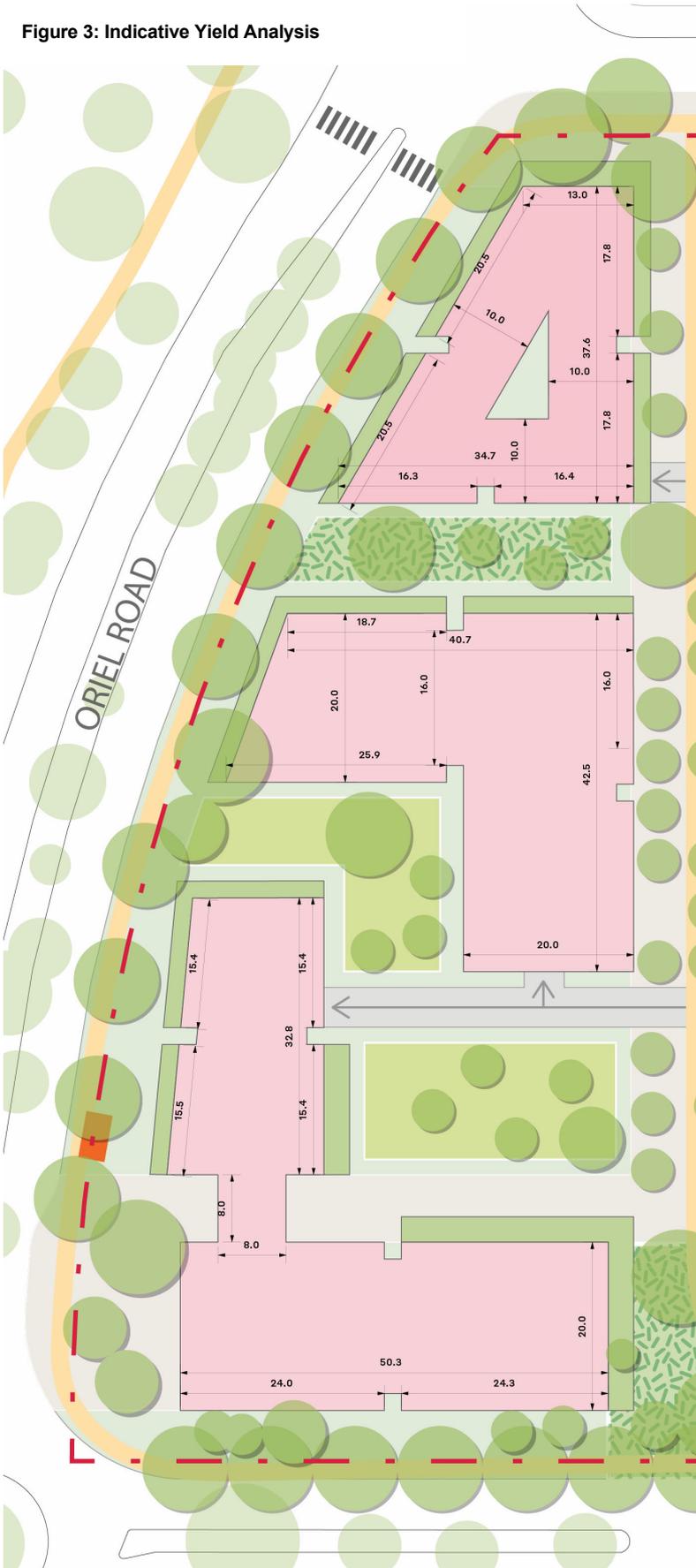
Figure 2 Indicative Master Plan (Source: Bellfield Master Plan Design Guidelines 2019)

The analysis regarding yield is limited to the three buildings bounded by Oriel Road, Perkins Avenue, Precinct Street and Banksia Street and the townhouses shown further east of these building up to North-South Boulevard. It is noted that the buildings beyond North-South Boulevard are earmarked for community uses.

The focus of this memorandum is quantifying the yield expectations within the buildings marked as 'potential apartment footprints'. It is noted that the lots to be developed within the 'townhouse neighbourhood' represents 122 lots.

Please see Figure 3 below which provides represented yield estimated by the guidelines included in the Bellfield Master Plan Design Guidelines 2019. This shows 161 apartment dwellings can be accommodated within Precinct 1 of Figure 2 above.

Figure 3: Indicative Yield Analysis



### Building A

8 apts/floor in 836 m<sup>2</sup>  
4 floors = 32 apts

### Building B

13 apts/floor in 1324 m<sup>2</sup>  
5 floors = 65 apts

### Building C

16 apts/floor in 1610 m<sup>2</sup>  
4 floors = 64 apts

**TOTAL of 161 apts**

\* Assuming 80m<sup>2</sup> average apartment with 20m<sup>2</sup> community Gross Floor Areas

## Appendix E. Traffic Impact Assessment – OneMileGrid

# ***Bellfield Masterplan***

## Transport Impact Assessment



190355TIA001E-F.docx

31 July 2019

## onemilegrid

ABN: 79 168 115 679

(03) 9939 8250  
56 Down Street

**COLLINGWOOD, VIC 3066**

[www.onemilegrid.com.au](http://www.onemilegrid.com.au)

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<b>File Name</b>	190355TIA001E-F.docx	<b>Reviewed by</b>	James Dear
<b>Prepared by</b>	Martin Kropiewnicki	<b>Signature</b>	
<b>Signature</b>		<b>Signature</b>	

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## CONTENTS

<b>1</b>	<b>INTRODUCTION.....</b>	<b>5</b>
<b>2</b>	<b>EXISTING CONDITIONS .....</b>	<b>5</b>
<b>2.1</b>	<b>Site Location .....</b>	<b>5</b>
<b>2.2</b>	<b>Planning Zones and Overlays.....</b>	<b>7</b>
<b>2.3</b>	<b>Road Network.....</b>	<b>9</b>
2.3.1	Oriel Road.....	9
2.3.2	Perkins Avenue .....	9
2.3.3	Banksia Street.....	10
<b>2.4</b>	<b>SmartRoads Road User Hierarchy Maps .....</b>	<b>11</b>
<b>2.5</b>	<b>Traffic Volumes .....</b>	<b>12</b>
<b>2.6</b>	<b>Crash History.....</b>	<b>14</b>
<b>2.7</b>	<b>Sustainable Transport .....</b>	<b>15</b>
2.7.1	Public Transport .....	15
2.7.2	Bicycle Facilities.....	16
2.7.3	Pedestrian Accessibility.....	17
<b>3</b>	<b>PROPOSED REZONING .....</b>	<b>18</b>
<b>3.1</b>	<b>General .....</b>	<b>18</b>
<b>3.2</b>	<b>Development Potential .....</b>	<b>18</b>
3.2.1	Land Uses .....	18
3.2.2	Vehicular Access.....	19
3.2.3	Internal Road Layout.....	19
3.2.4	Car Parking.....	20
3.2.5	Pedestrian and Bicycle Network.....	21
<b>4</b>	<b>DESIGN ASSESSMENT .....</b>	<b>22</b>
<b>4.1</b>	<b>Off-Street Carparking .....</b>	<b>22</b>
<b>4.2</b>	<b>Road Network.....</b>	<b>22</b>
<b>4.3</b>	<b>Pedestrian Crossings .....</b>	<b>22</b>
<b>4.4</b>	<b>Bicycle Parking .....</b>	<b>23</b>
<b>4.5</b>	<b>Emergency Vehicles .....</b>	<b>23</b>
<b>4.6</b>	<b>Loading and Waste Collection.....</b>	<b>23</b>
<b>5</b>	<b>BICYCLE PARKING .....</b>	<b>24</b>
<b>6</b>	<b>CAR PARKING .....</b>	<b>25</b>
<b>6.1</b>	<b>Recommended Parking Provision .....</b>	<b>25</b>
<b>6.2</b>	<b>Electric Vehicle Parking and Charging.....</b>	<b>26</b>
<b>6.3</b>	<b>Accessible Car Parking.....</b>	<b>26</b>
<b>7</b>	<b>TRAFFIC.....</b>	<b>27</b>
<b>7.1</b>	<b>Traffic Generation .....</b>	<b>27</b>
7.1.1	Apartments and Townhouses .....	27
7.1.2	Other Uses.....	27
<b>7.2</b>	<b>Traffic Distribution.....</b>	<b>27</b>
<b>7.3</b>	<b>Generated Traffic Volumes.....</b>	<b>28</b>
<b>7.4</b>	<b>Resultant Future Traffic Volumes .....</b>	<b>28</b>
<b>7.5</b>	<b>Traffic Impact .....</b>	<b>29</b>
7.5.1	Daily Traffic Volumes.....	29
7.5.2	Peak Hour Volumes.....	29
<b>7.6</b>	<b>Access Design.....</b>	<b>31</b>
7.6.1	Perkins Avenue .....	31
7.6.2	Banksia Street.....	31
<b>8</b>	<b>CONCLUSIONS.....</b>	<b>33</b>

## TABLES

Table 1	Banksia Street - Traffic Volume and Speed Surveys .....	12
Table 2	Perkins Avenue - Traffic Volume and Speed Surveys .....	12
Table 3	Oriel Road - Traffic Volume and Speed Surveys .....	13
Table 4	Public Transport Provision .....	15
Table 5	Site Facilities.....	17
Table 6	Clause 52.34 – Bicycle Parking Requirements .....	24
Table 7	Clause 52.34 – Bicycle Facility Requirements .....	24
Table 8	Recommended Parking Provision .....	25
Table 9	Accessible Parking Provision .....	26
Table 10	Anticipated Peak Hour Trip Generation .....	27
Table 11	Adopted Directional Traffic Distribution.....	28
Table 12	SIDRA Intersection Parameters .....	30
Table 13	Banksia Street / Wadham Road.....	30

## FIGURES

Figure 1	Site Location.....	5
Figure 2	Site Context (7 April 2019).....	6
Figure 3	Site Access Locations .....	7
Figure 4	Planning Scheme Zones.....	8
Figure 5	Principal Public Transport Network (PPTN) .....	8
Figure 6	Oriel Road, looking north from the subject site .....	9
Figure 7	Perkins Avenue, looking east from the subject site .....	10
Figure 8	Banksia Street, looking east from the subject site .....	10
Figure 9	SmartRoads Road User Hierarchy Map .....	11
Figure 10	Crash Locations & Severity .....	14
Figure 11	Public Transport Provision.....	15
Figure 12	Principal Bicycle Network .....	16
Figure 13	Pedestrian Walk-Time Map.....	17
Figure 14	Proposed Masterplan .....	18
Figure 15	Internal Road Network Layout.....	19
Figure 16	Public Car Parking Provision .....	20
Figure 17	Internal Pedestrian and Bicycle Network .....	21
Figure 18	Pedestrian Crossing Options (Pram Ramp on left, Flush Kerb on right) .....	22
Figure 19	Generated Traffic Volumes .....	28
Figure 20	Resultant Future Traffic Volumes .....	29
Figure 21	Option A Concept Layout .....	31
Figure 22	Option B Concept Layout .....	32

## APPENDICES

<b>APPENDIX A</b>	<b>SWEPT PATHS .....</b>	<b>34</b>
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# 1 INTRODUCTION

onemilegrid has been requested by Ethos Urban to undertake a Transport Impact Assessment of the proposed rezoning of 96-100 Oriel Road and 230-232 Banksia Street to allow for private and public housing, retail uses and community facilities on the site.

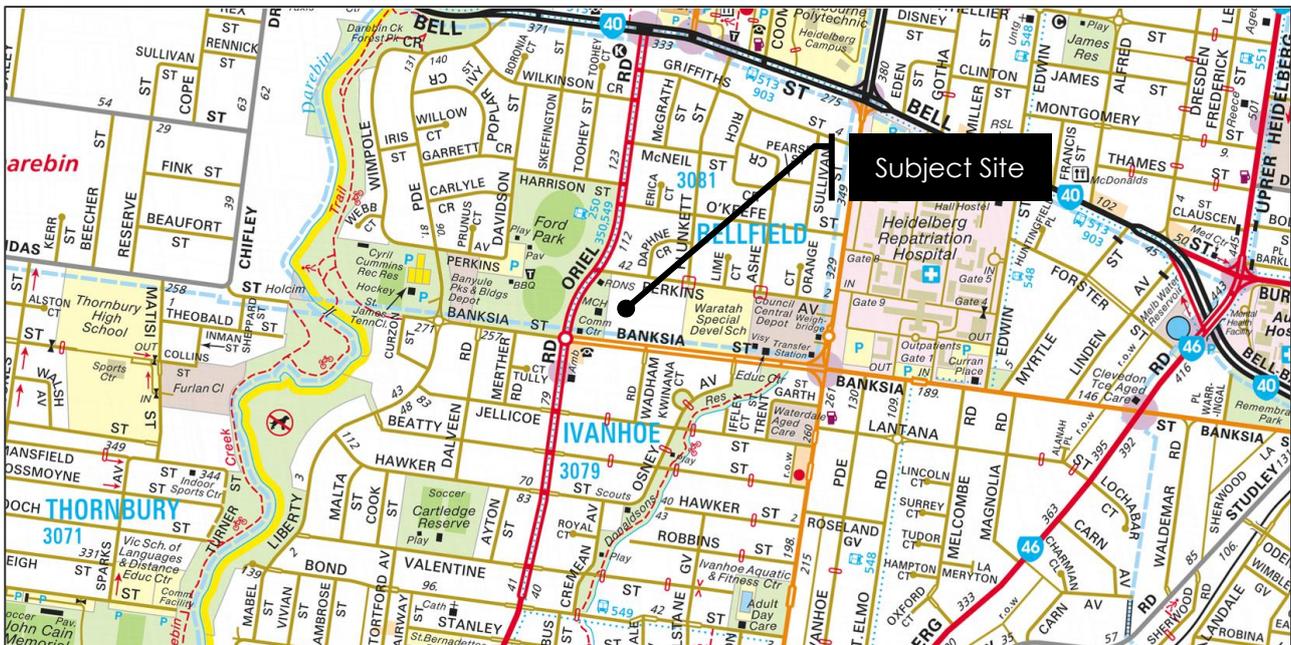
As part of this assessment, the subject site has been inspected with due consideration of the development proposal, traffic data has been sourced and relevant background reports have been reviewed.

## 2 EXISTING CONDITIONS

### 2.1 Site Location

The subject site is located to the east of Oriel Road and is bounded by Perkins Avenue to the north and Banksia Street to the south, as shown in Figure 1.

**Figure 1 Site Location**



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The site is irregular in shape and consists of five parcels which include 96-100 Oriel Road and 230-232 Banksia Street. Together the parcels have frontages to Banksia Street of approximately 195 metres, Oriel Road for approximately 168 metres and Perkins Avenue for approximately 215 metres, with a total site area of approximately 3.6 hectares.

The parcels addressed as 230-232 Banksia Street are currently vacant and were previously occupied by Banksia La Trobe Secondary School which has since been demolished. Additionally, 100 Oriel Road was previously occupied by Royal District Nursing Services but has recently been demolished.

Bellfield Community Hall and Community Garden occupies 96 Oriel Road, whilst 98 Oriel Road is currently operating as a workshop.

Both 98 and 100 Oriel Road are provided with left-in/left-out crossovers to Oriel Road which provide access to their respective on-site carparks.

Bellfield Community Hall and Community Garden has an existing left-in/left-out crossover on Banksia Street which provides access to the site carpark. An additional left-in/left-out crossover is provided on Oriel Road at the site frontage, however does not provide access to the site due to a fence.

Two fully-directional crossovers are provided along Perkins Avenue for the previous Banksia La Trobe Secondary School. Both crossovers provide access to an informal carpark which has 'No Parking' signs erected.

Land use in the immediate vicinity of the site is generally residential in nature, and includes Ford Park on the western side of Oriel Road and Waratah Special Development School along the sites eastern boundary.

An aerial view of the subject site is provided in Figure 2 and Figure 4.

**Figure 2 Site Context (7 April 2019)**



Copyright Nearmap

**Figure 3 Site Access Locations**



Copyright Nearmap

## 2.2 Planning Zones and Overlays

It is shown in Figure 4 that the site is located within the following Planning Scheme Zones of the Banyule Planning Scheme:

- Public Use Zone (PUZ6);
- General Residential Zone (GRZ1);
- Residential Growth Zone (RGZ2); and
- Public Use Zone (PUZ6).

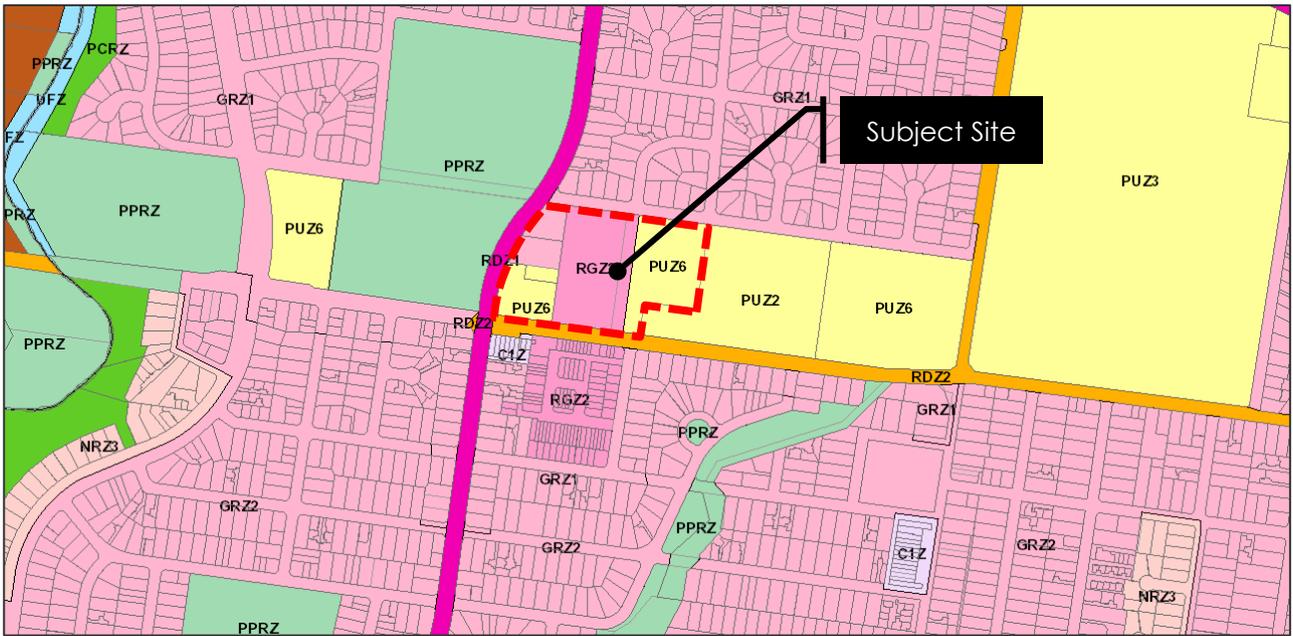
Oriel Road, which runs along the site's western boundary, is a designated Road Zone Category 1 (RDZ1) and Banksia Street, which runs along the southern boundary, is a designated Road Zone Category 2, both of which are subject to the requirements of Clause 52.29 of the Banyule Planning Scheme.

In addition, the site is subject to the following Planning Scheme Overlays:

- Special Building Overlay – Schedule 1 (SBO1)
- Vegetation Protection Overlay – Schedule 5 (VPO5)

It is noted that the above overlays do not impose any restriction in regard to traffic or parking.

**Figure 4 Planning Scheme Zones**



Furthermore, the site is located within the Principal Public Transport Network (PPTN) area as shown in Figure 5.

**Figure 5 Principal Public Transport Network (PPTN)**



## 2.3 Road Network

### 2.3.1 Oriel Road

Oriel Road is an arterial road generally aligned north-south, running between Bell Street in Heidelberg West, and Livingstone Street in Ivanhoe.

Oriel Road provides a single traffic lane and a bike lane in each direction separated by a central median adjacent to the site. Unrestricted kerbside parking is provided on both sides of the road.

A signed 60km/h speed limit applies to Oriel Road in the vicinity of the site

The cross-section of Oriel Road at the frontage of the site is shown in Figure 6.

**Figure 6 Oriel Road, looking north from the subject site**



Oriel Road is designated as a "Level 1 Sub Arterial" on Council's Road Register.

### 2.3.2 Perkins Avenue

Perkins Avenue is a local road generally aligned east-west, running between Oriel Road and Watervale Road.

Perkins Avenue provides a 6.5 metre carriageway width which facilitates traffic in both directions adjacent to the site. Kerbside parking is provided on both sides of the road, with the northern side restricted to 2-hour parking between 8:00am and 6:00pm, Monday to Friday.

The cross-section of Perkins Avenue at the frontage of the site is shown in Figure 7.

Perkins Avenue is designated as a "Level 2 Residential" on Council's Road Register.

**Figure 7 Perkins Avenue, looking east from the subject site**



### 2.3.3 Banksia Street

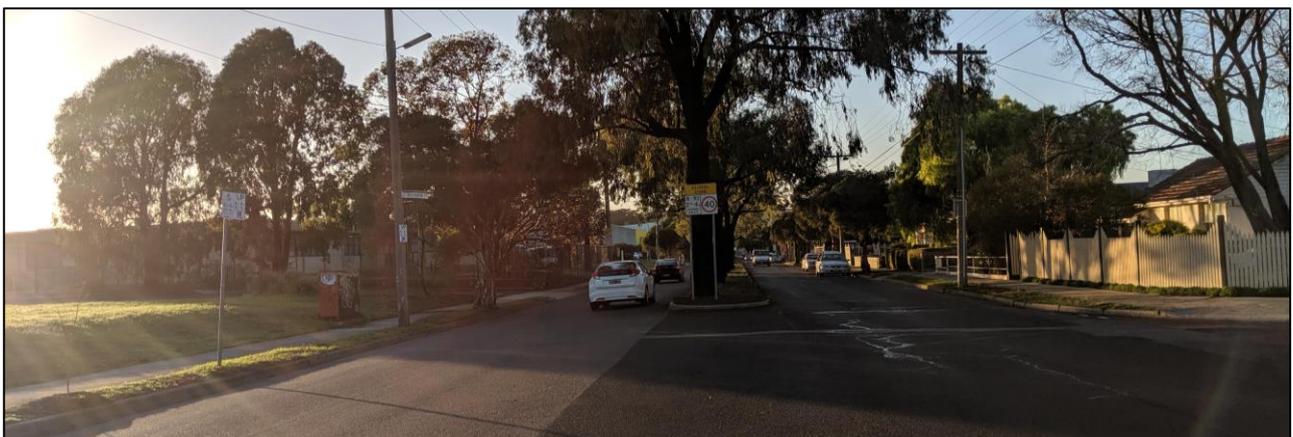
Banksia Street is generally aligned east-west, running between Curzon Street and the Yarra River. Further east of the Yarra River, Banksia Street continues as Manningham Road West.

Banksia Street provides a single traffic lane in each direction separated by a central median adjacent to the site. Unrestricted kerbside parking is provided on both sides of the road, except for the northern side adjacent to the school site which has 'No Stopping' restrictions between 8:00am and 9:00am, and 3:00pm and 4:00pm on school days.

A signed 50km/h speed limit generally applies to Banksia Street in the vicinity of the site, with a 40km/h school zone speed limit enforced on school days between 8:00am and 9:30am, and between 2:30pm and 4:00pm.

The cross-section of Banksia Street at the frontage of the site is shown in Figure 8.

**Figure 8 Banksia Street, looking east from the subject site**



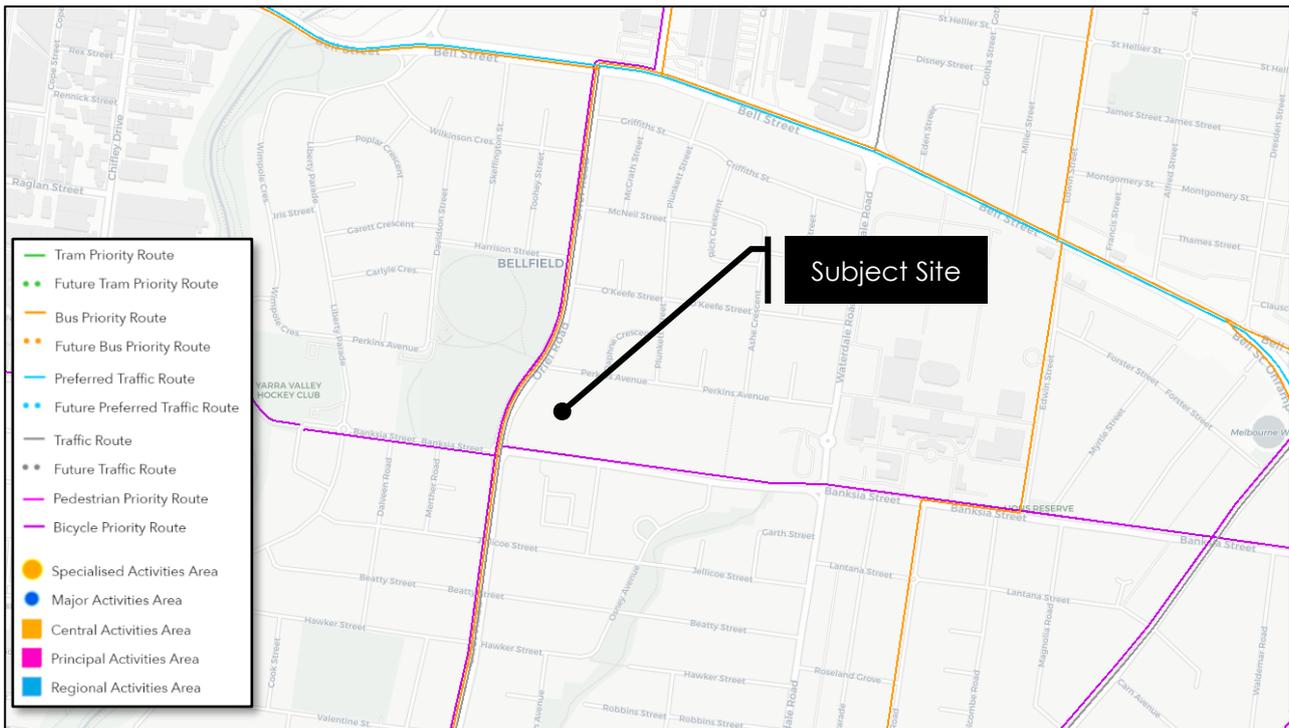
Perkins Avenue is designated as a "Level 1 Sub Arterial" on Council's Road Register.

## 2.4 SmartRoads Road User Hierarchy Maps

In mid-2011 VicRoads developed the SmartRoads Road User Hierarchy Maps which aim to 'manage competing interests for limited road space by giving priority use of the road to different transport modes at particular times of the day.'

The SmartRoads map, reproduced in Figure 9, identifies the priority modes on each major road in the vicinity of the site, and indicates that both Oriel Road and Banksia Street are Bicycle Priority Routes. In addition, Oriel Road is considered a bus priority route.

**Figure 9 SmartRoads Road User Hierarchy Map**



## 2.5 Traffic Volumes

Traffic volume, speed and classification surveys were undertaken by Trans Traffic Survey on behalf of **onemilegrid** on Banksia Street, Perkins Avenue and Oriel Road, for a one-week period from Saturday 1<sup>st</sup> June 2019 to Friday 8<sup>th</sup> June 2019 inclusive.

The results of the surveys are summarised in the tables below.

**Table 1 Banksia Street - Traffic Volume and Speed Surveys**

<i>Time Period</i>	<i>Direction</i>	<i>Traffic Volume</i>	<i>Average Speed (km/h)</i>	<i>85<sup>th</sup> Percentile Speed (km/h)</i>
AM Peak	Eastbound	338 vph	45.3	50.5
	Westbound	447 vph	39.7	44.4
	Both Directions	785 vph	42.5	47.5
PM Peak	Eastbound	409 vph	42.4	51.4
	Westbound	354 vph	40.2	45.1
	Both Directions	763 vph	41.3	48.3
Weekday Average	Eastbound	3,856 vpd	46.3	52.3
	Westbound	4,172 vpd	41.4	46.2
	Both Directions	8,028 vpd	43.8	49.3
7 Day Average	Eastbound	3,468 vpd	46.8	52.4
	Westbound	3,814 vpd	41.7	46.6
	Both Directions	7,282 vpd	44.2	49.5

**Table 2 Perkins Avenue - Traffic Volume and Speed Surveys**

<i>Time Period</i>	<i>Direction</i>	<i>Traffic Volume</i>	<i>Average Speed (km/h)</i>	<i>85<sup>th</sup> Percentile Speed (km/h)</i>
AM Peak	Eastbound	10 vph	34.7	41.2
	Westbound	14 vph	35.1	41.1
	Both Directions	23 vph	34.9	41.2
PM Peak	Eastbound	14 vph	36.4	43.9
	Westbound	15 vph	35.3	42.4
	Both Directions	29 vph	35.8	43.1
Weekday Average	Eastbound	144 vpd	37.6	42.8
	Westbound	156 vpd	34.9	40.3
	Both Directions	300 vpd	36.5	41.6
7 Day Average	Eastbound	146 vpd	36.5	42.0
	Westbound	146 vpd	34.3	39.3
	Both Directions	292 vpd	35.3	40.6

**Table 3 Oriel Road - Traffic Volume and Speed Surveys**

<i>Time Period</i>	<i>Direction</i>	<i>Traffic Volume</i>	<i>Average Speed (km/h)</i>	<i>85<sup>th</sup> Percentile Speed (km/h)</i>
AM Peak	Northbound	382 vph	50.0	54.9
	Southbound	425 vph	46.8	52.6
	Both Directions	807 vph	48.4	53.8
PM Peak	Northbound	523 vph	50.4	55.5
	Southbound	370 vph	44.4	51.5
	Both Directions	873 vph	47.4	53.5
Weekday Average	Northbound	5,285 vpd	50.8	56.2
	Southbound	4,422 vpd	48.1	54.1
	Both Directions	9,707 vpd	49.4	55.2
7 Day Average	Northbound	4,905 vpd	49.4	56.1
	Southbound	4,092 vpd	48.8	54.3
	Both Directions	8,997 vpd	49.1	55.2

As shown above, Banksia Street which is classified as a Level 1 Sub Arterial carries approximately 8,000 vehicles per day on weekdays, well within its designated capacity for 10,000-15,000 vehicles per day (defined within Council's Road Management Plan).

Perkins Avenue, a Level 2 Residential street, currently carries approximately 300 vehicles per day on weekdays, which is well within its capacity of 2,000 vehicles per day.

Oriel Road, also classified as a Level 1 Sub Arterial, carries approximately 9,700 vehicles per day on weekdays and is also running well within its capacity.

## 2.6 Crash History

Crash history information for the roads adjacent to the site have been obtained from VicRoads' "CrashStats" database, for the latest 5-year period (2013 – 2018 inclusive). This database includes all road crashes resulting in a police report resulting from injury or property damage.

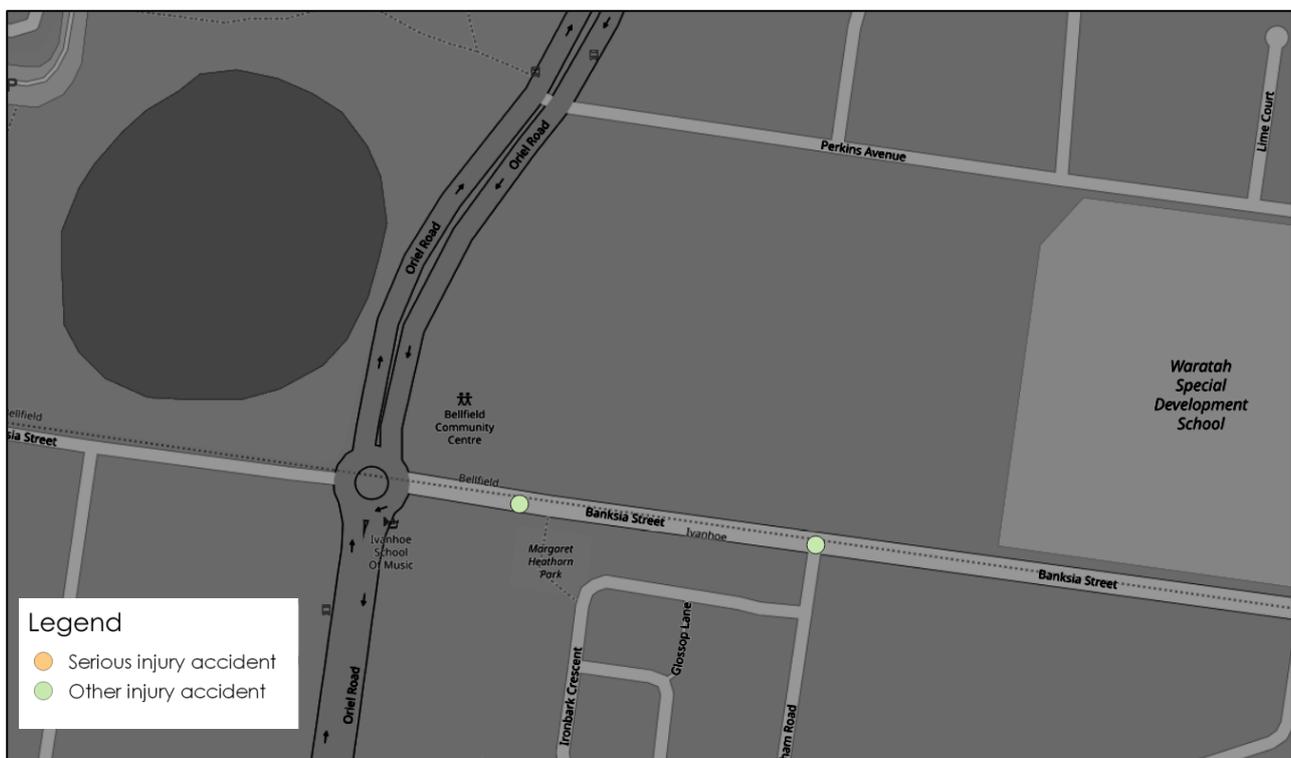
The crashes are categorised as follows:

- Fatal injury: at least one person was killed in the accident or died within 30 days as a result of the accident.
- Serious injury: at least one person was sent to hospital as a result of the accident.
- Other injury: at least one person required medical treatment as a result of the accident.

The crash information shows that there were a total of 2 crashes recorded over the 5-year period. Of these, one collision was with a fixed object and one was a vehicle veering off the carriageway. Both incidents resulted in 'other' injuries.

A view of these crash locations in context with the site location is provided in Figure 10 below.

**Figure 10** Crash Locations & Severity



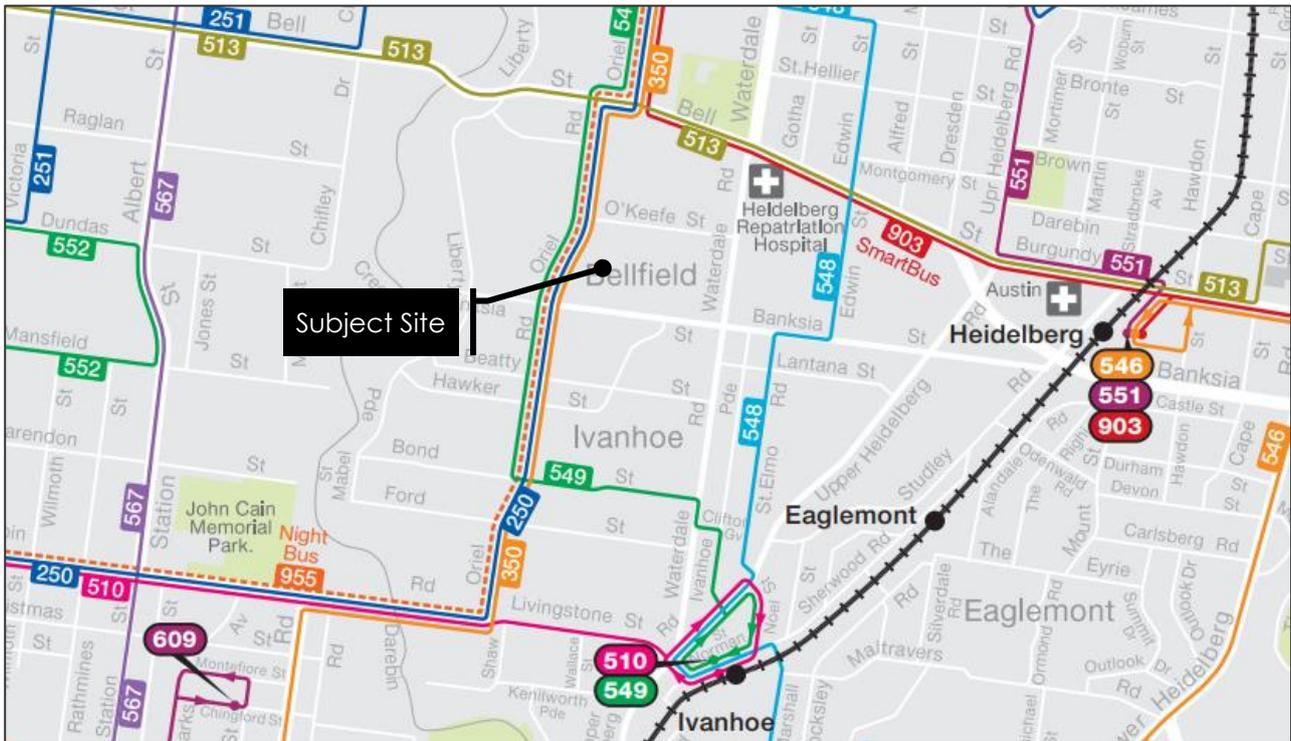
## 2.7 Sustainable Transport

### 2.7.1 Public Transport

The site has good public transport accessibility, with multiple bus services operating within the immediate vicinity of the site. Importantly, the 549 Ivanhoe – Northland bus service operates at the Oriol Road frontage and provides direct access to Ivanhoe Station. In addition, Heidelberg Station is located 1.8km east of the subject site. Both train stations provide fast and direct access to the CBD. Multiple bus services also provide access to La Trobe University which is located 4km north of the subject site.

The full public transport provision in the vicinity of the site is shown in Figure 11 and detailed in Table 4.

**Figure 11 Public Transport Provision**



**Table 4 Public Transport Provision**

Mode	Route No	Route Description	Nearest Stop/Station
Train		Hurstbridge Line	Heidelberg Station / Ivanhoe Station
Bus	250	City (Queen St) - La Trobe University	Oriol Road
	350	City - La Trobe University via Eastern Fwy	Oriol Road
	513	Eltham - Glenroy via Greensborough or Lower Plenty	Bell Street
	548	Kew (Cotham Road) - La Trobe University Bundoora	Banksia Street
	549	Ivanhoe - Northland via Oriol Road	Oriol Road
	903	Altona - Mordialloc (SMARTBUS Service)	Bell Street
	955	Night Bus - City - Brunswick - Ivanhoe - Bundoora - Mill Park - South Morang - Mernda	Oriol Road

## 2.7.2 Bicycle Facilities

The Principal Bicycle Network (PBN) is a “network of existing and proposed cycle routes identified to help people ride to major destinations around metropolitan Melbourne”. The PBN was originally established in 1994. VicRoads undertook an extensive review of the PBN between 2009 and 2012 and identified numerous improvements.

The PBN also includes Bicycle Priority Routes (BPR), which are priority sections of the PBN, and which are also included on the SmartRoads Road User Hierarchy plans, as shown in Figure 9.

The PBN in the vicinity of the site is shown in Figure 12, which indicates that Oriel Road and Banksia Street are identified cycle routes. Both these routes provide strong connections to cycling routes that provide access to the CBD.

**Figure 12 Principal Bicycle Network**





## 3 PROPOSED REZONING

### 3.1 General

It is proposed to rezone part of the subject site (96-100 Oriel Road) to allow for a number of uses that are not compatible with the current zoning.

The proposal will include two Development Plan Overlays which cover the residential areas and the community uses as outlined below.

### 3.2 Development Potential

To allow for an assessment of the implications of the proposed rezoning, a masterplan for the site has been prepared outlining the development potential. It should be recognised that any future development of the site will ultimately be subject to a future town planning application.

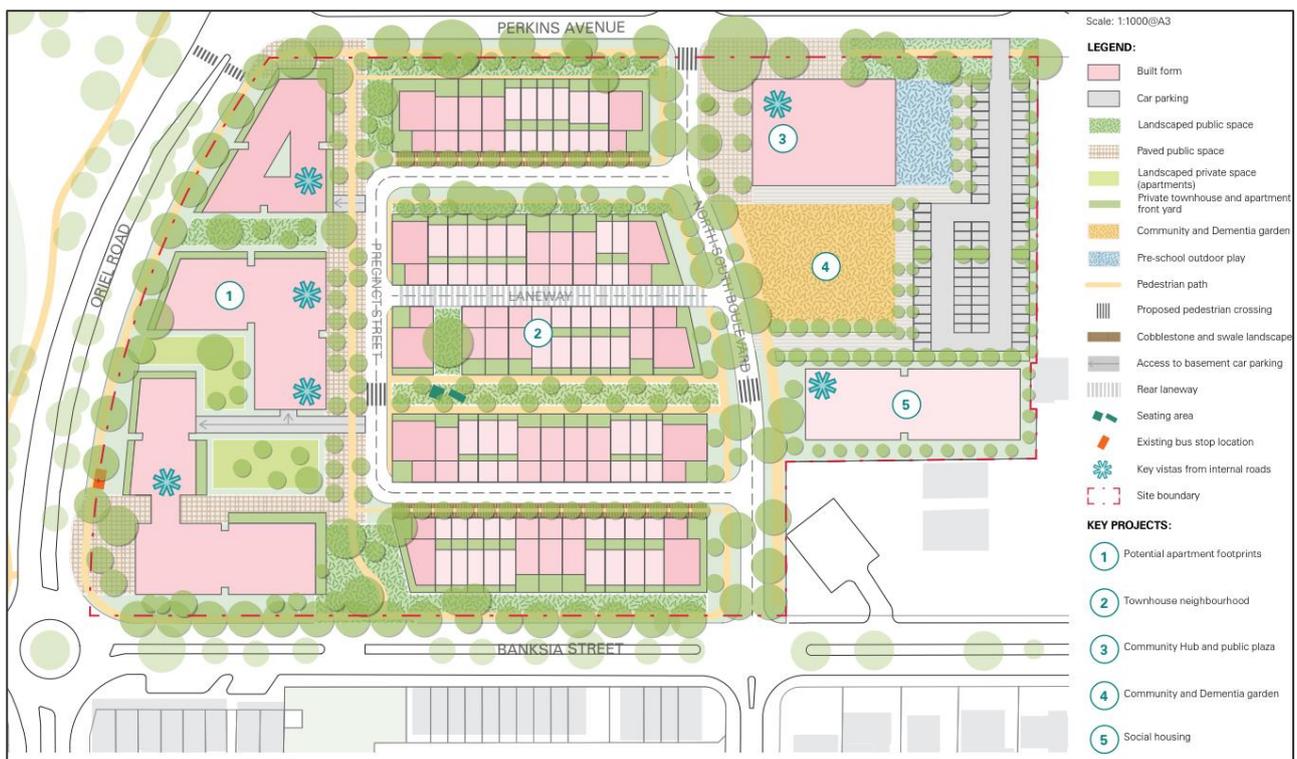
#### 3.2.1 Land Uses

The masterplan for the site shows the following development composition:

- Approximately 300 dwellings comprising of private apartments, public apartments and townhouses;
- Ground floor retail uses within the private apartment buildings along the Oriel Road frontage;
- A community facility located in the north-eastern corner of the site containing a child-care centre, education centre, café and a place of assembly; and
- Community and Dementia Garden.

A view of the indicative site layout is provided below in Figure 14.

**Figure 14 Proposed Masterplan**



### 3.2.2 Vehicular Access

Primary access to the site is provided from Banksia Street and Perkins Street, with creation of two new cross-intersections with Wadham Road/Banksia Street and Daphne Crescent/Perkins Avenue.

In addition, a fully-direction crossover is provided on Perkins Avenue providing access to an at-grade carpark for the community facilities.

### 3.2.3 Internal Road Layout

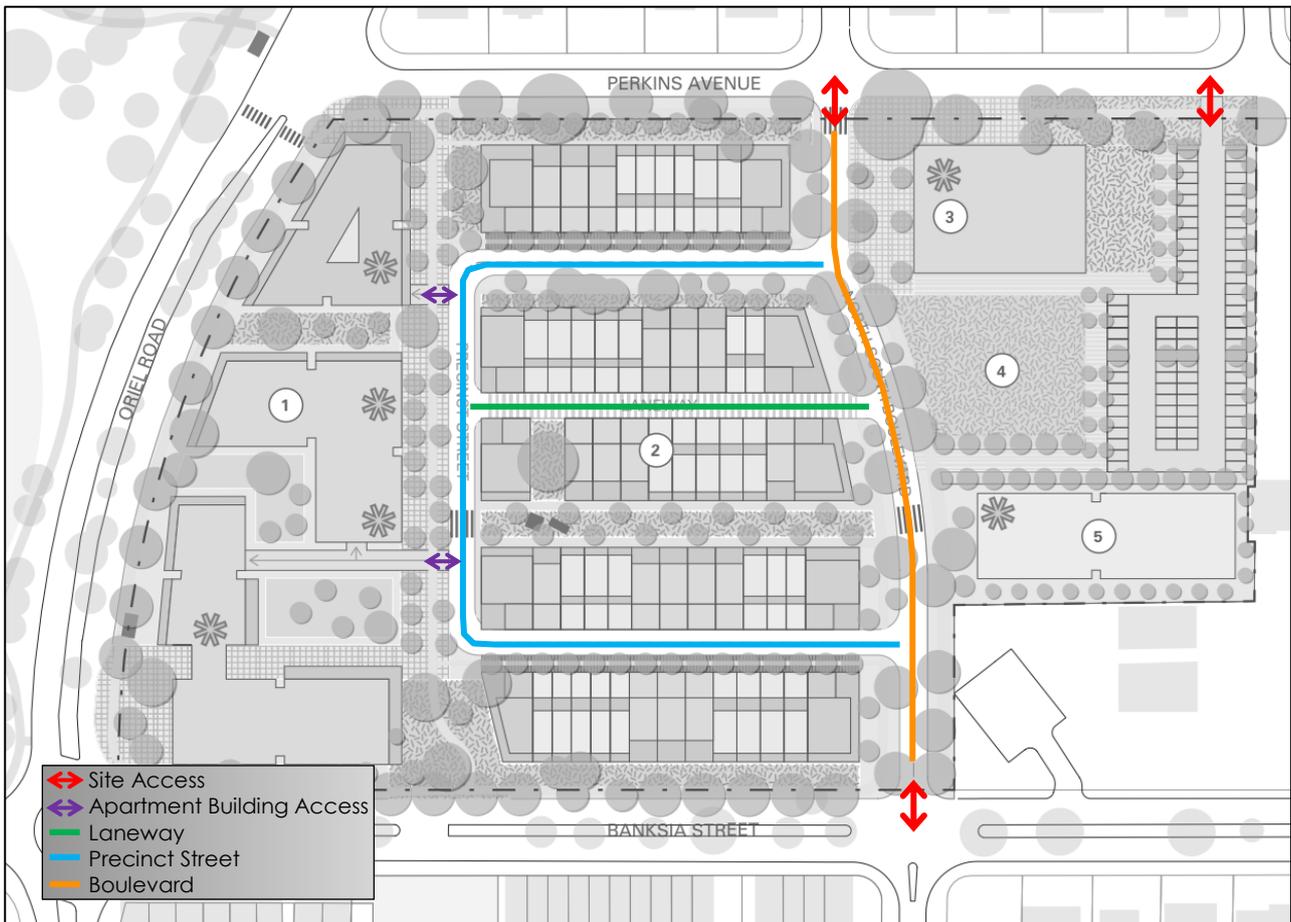
A north-south aligned boulevard bisects the site, operating as the primary site access, connecting Perkins Avenue and Banksia Street.

A network of lower-order roads link to the boulevard, and provide direct access to townhouse garages and apartment building car parking.

A laneway also provides for garage access to townhouses not provided direct road frontages.

A view of the indicative internal road layout is shown in Figure 15.

**Figure 15 Internal Road Network Layout**



### 3.2.4 Car Parking

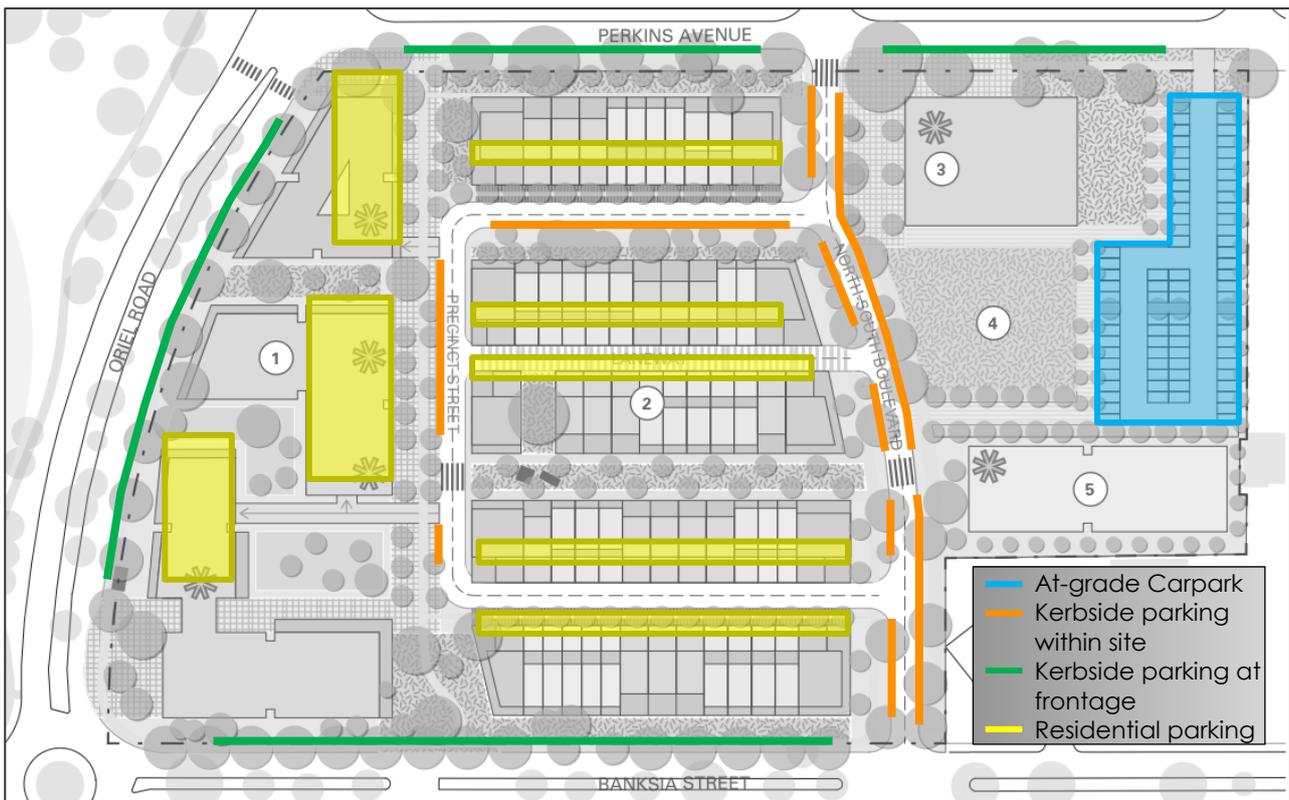
Car parking for the residences is provided in either individual garages (townhouses) or within car parking beneath the apartment buildings.

Additional car parking is provided in an at-grade car park for the community uses and public housing.

On-street car parking is provided internal to the site, on one or both sides of each internal street, and along each of the external road frontages.

The anticipated car parking locations are shown below in Figure 1.

**Figure 16 Public Car Parking Provision**



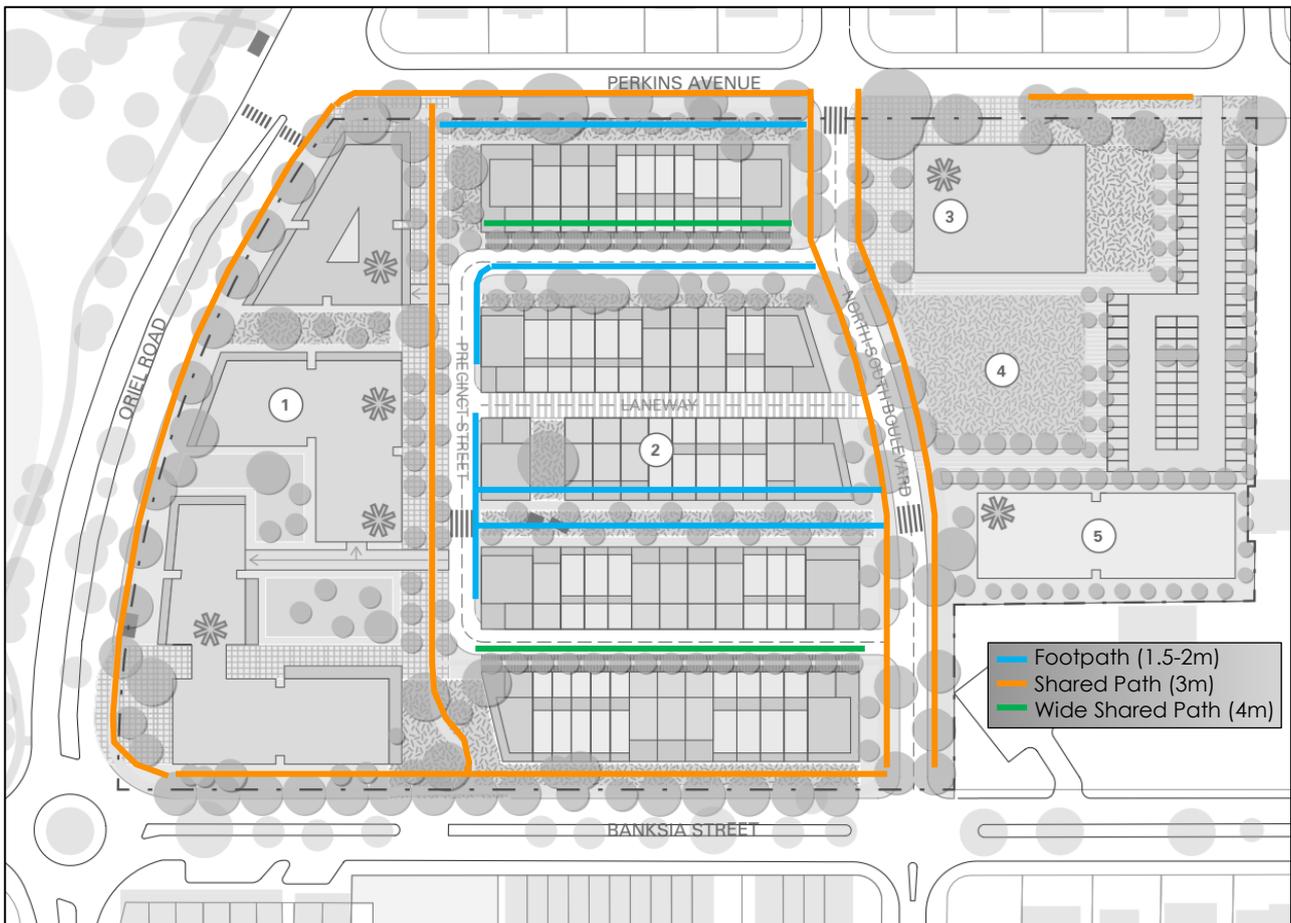
### 3.2.5 Pedestrian and Bicycle Network

The masterplan site layout provides a network of pedestrian and shared-user paths throughout, with footpaths on both sides of all roads, with the exception of the laneways (not required) and the southern leg of the precinct street. At this location, the footpath is instead provided at the site's external road frontage.

Shared paths are shown to be established along the site's frontages to Banksia Street, Perkins Avenue and Oriel Road. In addition, three north-south shared paths are shown to provide for permeability through the site.

The internal pedestrian and bicycle network is shown in Figure 17.

**Figure 17 Internal Pedestrian and Bicycle Network**



## 4 DESIGN ASSESSMENT

### 4.1 Off-Street Carparking

Car parking and associated accessways shall be designed in accordance with the Clause 52.06 requirements, or an appropriate variation from the Australian Standard for Off-Street Car Parking (AS2890.1). Accessible parking spaces shall be designed in accordance with the Australian Standard for Off-Street Parking for People with Disabilities (AS2890.6).

### 4.2 Road Network

It is recommended that the following minimum carriageway widths be provided along internal roads:

- Boulevard – 6 metres (3 metres each direction)
- Typical Street – 5.5 metres
- Laneway – 6 metres (to facilitate garage access)

Any on-street car parking should be provided in excess of these widths to ensure orderly and efficient traffic flow, or provided along one side of access streets in accordance with the requirements of Clause 56 of the Planning Scheme.

Parallel on-street parking spaces should have dimensions in accordance with Clause 52.06-9 of the Banyule Planning Scheme or the Australian Standard for On-Street Car Parking (AS2890.5). Whilst any angled or 90° parking spaces should be in accordance with the Australian Standard for On-Street Car Parking (AS2890.5).

### 4.3 Pedestrian Crossings

Zebra crossings are currently shown within the development, which are a “Major Traffic Control” item under VicRoads jurisdiction. These crossings are required to meet specific warrants in terms of pedestrian and traffic volumes, which may not be met on-site.

Any future town planning application should include an assessment on the appropriate crossing types within the development. This may include replacing the proposed zebra crossings with conventional pedestrian crossings such as a pram ramp or a flush kerb crossing as shown below.

**Figure 18 Pedestrian Crossing Options (Pram Ramp on left, Flush Kerb on right)**



## 4.4 Bicycle Parking

It is recommended that bicycle parking be provided throughout the site.

Individual bicycle racks should be installed in accordance with the Australian Standard for Bicycle Parking Facilities (AS2890.3), providing for bicycles of 1.2 metres height, 1.8 metres length and 500mm width, with a 1.5 metre width access aisle.

## 4.5 Emergency Vehicles

The internal road network has been designed to allow for circulation of an Ambulance Victoria emergency vehicle (6.05 metres). Swept path diagrams have been provided in Appendix A showing an ambulance vehicle circulating the internal road network without obstructing the 300mm clearance envelope on circulation.

To confirm the suitability of the road alignment for a fire truck, swept paths are attached in Appendix A demonstrating circulation through the site with a 12.5 metre length service vehicle.

It is noted that on-street parking may need to be limited where larger vehicles swept paths require the entire width of the roadway.

## 4.6 Loading and Waste Collection

Given the size of the expected retail tenancies along Oriel Road, it is not considered practical or necessary to provide an on-site loading bay. It is expected that the majority of deliveries will occur via small vans and utility vehicles, which can utilise the existing on-street parking at the Oriel Road frontage.

It is expected that any loading requirements associated with the community centre will be able to be facilitated within the proposed at-grade carpark along the sites eastern boundary, when using smaller delivery vehicles. Loading requirements which are unable to be accommodated within the carpark due to the size of the loading vehicle will be able to utilise the on-street parking on Perkins Avenue.

The residential component is not expected to have any major loading requirements apart from waste collection.

To confirm the suitability of the road alignment for a Council waste collection vehicle, swept paths are attached in Appendix A demonstrating circulation through the site with a 12.5 metre length service vehicle.

As above, on-street parking may need to be limited where larger vehicles swept paths require the entire width of the roadway.

## 5 BICYCLE PARKING

The bicycle parking requirements for the subject site are identified in Clause 52.34 of the Banyule Planning Scheme, which specifies the following requirements for the different components of the proposed development.

**Table 6 Clause 52.34 – Bicycle Parking Requirements**

Component	Requirement
Public and Private Dwellings (apartments only)	1 space per 5 dwellings for residents 1 space per 10 dwellings for visitors
Education centre	1 space per 20 employees 1 space per 20 full-time students
Place of Assembly	1 space per 1,500m <sup>2</sup> for employees 2 + 1 space per 1,500m <sup>2</sup> for visitors
Retail (includes food & drinks)	1 space per 300m <sup>2</sup> for employees 1 space per 500m <sup>2</sup> for visitors
Service Industry	1 space per 800m <sup>2</sup> for employees

It is recommended that bicycle parking is provided in accordance with the bicycle parking requirements identified above.

In addition to the above bicycle parking requirements, it is recommended to provide additional bicycle parking adjacent to the community and dementia garden in the order of 1 space per 200 m<sup>2</sup> for visitors.

Furthermore, where 5 or more employee bicycle spaces are provided, employee facilities are required in accordance with Clause 52.34 of the Banyule Planning Scheme, as identified below.

**Table 7 Clause 52.34 – Bicycle Facility Requirements**

Facility	Requirement
Showers	1 shower for the first 5 employee bicycle spaces; plus 1 to each 10 employee bicycle spaces thereafter

*Showers must have access to a communal change room, or combined shower and change room*

These requirements should be satisfied on-site.

## 6 CAR PARKING

### 6.1 Recommended Parking Provision

The car parking requirements for development of the site are identified in Clause 52.06 of the Banyule Planning Scheme. Clause 52.06 also identifies that where any part of the land is identified as being within the Principal Public Transport Network Area (as shown in Figure 5), the Column B car parking rates apply to the proposed development. As the site is located within the PPTN area, these Column B rates then apply.

It is noted that the Column B parking rates do not identify parking provision requirements for residential visitors. Furthermore, Clause 52.06 does not specifically identify alternative parking rates for public housing uses. Nevertheless, it is noted that Bellbardia and Tarakan public housing renewal sites within Banyule provide visitor parking at a rate of 0.1 spaces per dwelling, as well as resident parking rates based on the number of dwellings. It is suggested that these rates could be considered for the subject site.

With respect to private housing, oversupplying parking has the potential to undermine the encouragement being given to reduce car based travel in favour of public transport, walking and cycling. As a result, it is recommended that lower parking provision rates be applied for private housing on-site.

It is recommended that the remainder of uses be provided car parking in accordance with the Column B rates within Clause 52.06.

A summary of the recommended parking provisions is provided in Table 8 below.

**Table 8 Recommended Parking Provision**

<i>Use</i>	<i>Rate</i>	<i>Car Parking Measure</i>
Child Care Centre	0.22	to each child
Dwelling (social housing)	0.4	to each one bedroom dwelling for residents
	0.7	to each two bedroom dwelling for residents
	1.0	to each three bedroom dwelling for residents
Dwelling (private housing)	0.9	to each one bedroom dwelling for residents
	1.0	to each two bedroom dwelling for residents
	1.5	to each three bedroom dwelling for residents
Dwelling (all)	0.1	to each dwelling for visitors
Education centre	0.3	to each student that is part of the maximum number of students on the site at any time
Food & Drink premises	3.5	to each 100m <sup>2</sup> of net floor area
Place of Assembly	0.3	to each patron permitted
Shop	3.5	to each 100m <sup>2</sup> of net floor area

It should be recognised that Clause 52.06-7 of the Banyule Planning Scheme allows for car parking provisions to be varied on the basis of a Car Parking Demand Assessment. The car parking provision could be further varied from the demand level identified by the Car Parking Demand Assessment based on the decision guidelines outlined in the scheme. Any reduction from the statutory car parking requirements will be assessed as part of a future town planning application.

## 6.2 Electric Vehicle Parking and Charging

To encourage more sustainable private vehicle methods, it is recommended that provision for future electric vehicle charging be provided to all townhouse and apartment car spaces.

The provision for an electric vehicle charging point should be made in the public carpark for the Community Gardens and Community Hub.

## 6.3 Accessible Car Parking

The Building Code of Australia (BCA) specifies the minimum requirements for provision of accessible car parking.

Accessible parking should be provided in accordance with the table below.

**Table 9 Accessible Parking Provision**

<i>Use</i>	<i>Classification</i>	<i>Requirement</i>
Child Care Centre	Class 9B	one accessible car spaces for every 50 car parking spaces or part thereof for the first 1,000 spaces, and then 1 space per 100 car parking spaces or part thereof in excess of 1,000 spaces
Education centre	Class 9B	one accessible car spaces for every 50 car parking spaces or part thereof for the first 1,000 spaces, and then 1 space per 100 car parking spaces or part thereof in excess of 1,000 spaces
Food & Drink premises	Class 6	one accessible car spaces for every 50 car parking spaces or part thereof for the first 1,000 spaces, and then 1 space per 100 car parking spaces or part thereof in excess of 1,000 spaces
Place of Assembly	Class 9B	one accessible car spaces for every 50 car parking spaces or part thereof for the first 1,000 spaces, and then 1 space per 100 car parking spaces or part thereof in excess of 1,000 spaces
Shop	Class 6	one accessible car spaces for every 50 car parking spaces or part thereof for the first 1,000 spaces, and then 1 space per 100 car parking spaces or part thereof in excess of 1,000 spaces

## 7 TRAFFIC

### 7.1 Traffic Generation

#### 7.1.1 Apartments and Townhouses

Surveys undertaken by other traffic engineering firms at residential dwellings have shown that the daily traffic generation rates vary depending on the size, location and type of the dwelling, the parking provision and proximity to local facilities and public transport.

Medium to high density dwelling in inner areas generate traffic with rates between 3.0 and 6.0 movements per dwelling. Considering the good access to public transport and bicycle paths, it is expected that generation rates will be towards the lower end of the range.

Nevertheless, for the purposes of providing a conservative analysis, a daily rate of in the order of 6.0 movements per day per private dwelling will be adopted with 10% occurring during the peak hours.

Traffic generated by residential uses is typically tidal, with the majority of movements generated during AM peak hour occurring in the outbound direction and the majority of movements during the PM peak hour occurring in the inbound direction.

For the purposes of this assessment, the following directional splits will be adopted:

- AM Peak Hour: 80% outbound and 20% inbound; and
- PM Peak Hour: 40% outbound and 60% inbound.

Application of the above rates to a conservative 240 private dwellings equates to the following volumes detailed in Table 10.

**Table 10 Anticipated Peak Hour Trip Generation**

<i>Period</i>	<i>Outbound</i>	<i>Inbound</i>	<i>Total</i>
AM Peak Hour	115	29	144
PM Peak Hour	58	86	144

#### 7.1.2 Other Uses

The remaining uses on-site (retail, child care centre, education centre, café and a place of assembly) will generate some level of traffic, however noting that the ultimate mix and quantity of uses is not currently known, traffic generation is difficult to determine.

For the purposes of this assessment, a peak-hour traffic generation of 50 movements is assumed.

### 7.2 Traffic Distribution

Having regard to the location of the site in relation to the arterial road network, public transport facilities, schools, recreation and retail and employment precincts, the directional distribution shown below has been adopted.

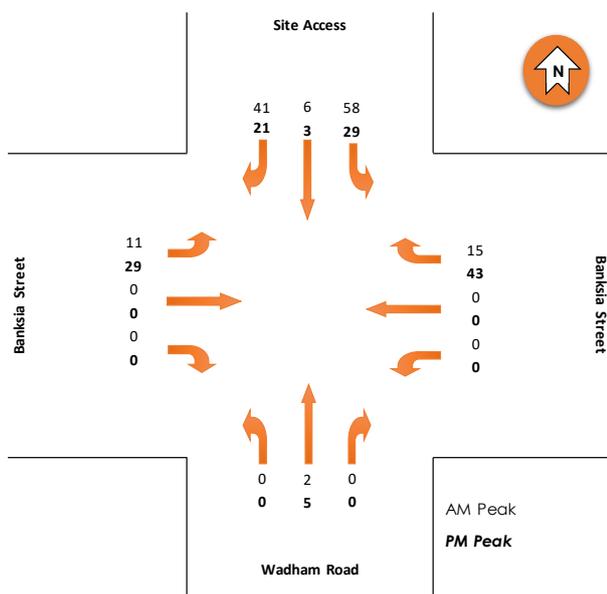
**Table 11 Adopted Directional Traffic Distribution**

Origin/Destination	Percentage
Perkins Avenue	10%
Banksia Street – East	35%
Banksia Street – West	50%
Wadham Road - South	5%

### 7.3 Generated Traffic Volumes

Based on the above, the following traffic volumes are expected to be generated by the masterplan at the intersection of the site with Banksia Street and Wadham Road.

**Figure 19 Generated Traffic Volumes**



It is considered that total traffic volumes generated to Perkins Avenue, in the order of 15 movements, will be readily accommodated without impact to queues or delays for other road users and has therefore been excluded from further analysis.

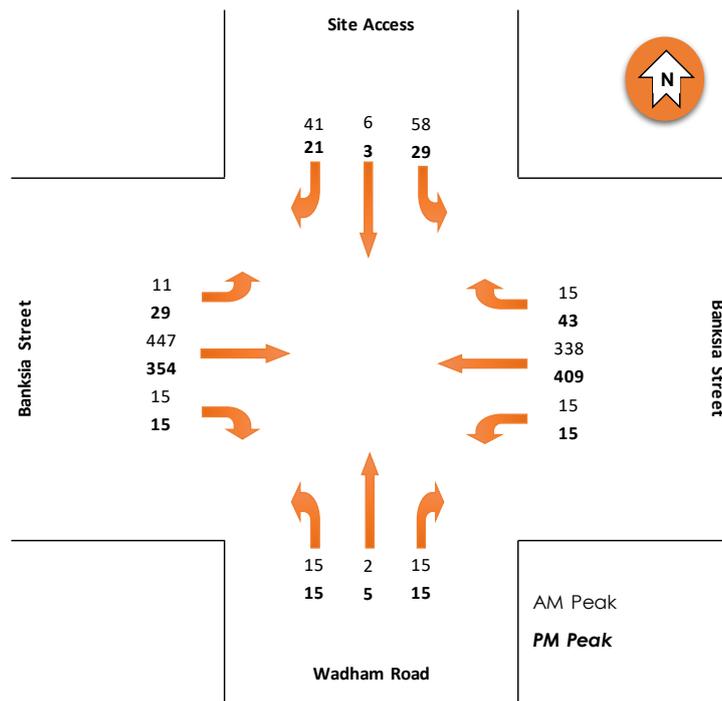
### 7.4 Resultant Future Traffic Volumes

Based on the above, the future intersection volumes at the Site Access/Wadham Road/Banksia Street intersection can be calculated by combining the existing volumes with the traffic anticipated to be generated by the proposed development.

It is noted that no traffic surveys were undertaken on Wadham Road, however based on site observations during peak periods, an estimated 15 movements have been applied to each turning movement into and out of Wadham Road.

The resultant peak hour traffic volumes are shown in Figure 20.

**Figure 20 Resultant Future Traffic Volumes**



## 7.5 Traffic Impact

Reviewing the volumes above, it is noted that a maximum of 58 vehicle movements per hour are expected for any one movement, equivalent to approximately one additional movement every minute.

Even when focussed into one access point, the traffic volumes generated by the proposed development are very low, and are expected to be easily absorbed into the surrounding road network.

### 7.5.1 Daily Traffic Volumes

As shown in Section 2.5, Banksia Street carries approximately 8,000 vehicles per day on weekdays, whilst Perkins Avenue currently carries approximately 300 vehicles per day on weekdays.

The masterplan of the site would be expected to generate in the order 1,300 daily vehicle movements to Banksia Street, and in the order of 200 movements to Perkins Avenue.

Classified by Council as a Level 2 Residential Street, Perkins Avenue has an environmental capacity for up to 2,000 vehicles per day, and will readily accommodate masterplan-generated traffic.

Banksia Street is classified by Council as a Level 1 Sub Arterial, with capacity for 10,000-15,000 vehicles per day. The addition of 1,300 daily vehicle movements to the 8,000 existing movements will remain well within its capacity.

### 7.5.2 Peak Hour Volumes

To assess the operation of the proposed intersection between Banksia Street, Wadham Road and the site access, the post-development traffic volumes presented in Figure 20 have been input into SIDRA Intersection, a traffic modelling software package.

Existing traffic volumes have also been assessed to identify the net increase attributable to development of the site.

The SIDRA Intersection software package has been developed to provide information on the capacity of an intersection with regard to a number of parameters. Those parameters considered relevant are, Degree of Saturation (DoS), 95th Percentile Queue, and Average Delay as described below.

**Table 12 SIDRA Intersection Parameters**

Parameter	Description														
Degree of Saturation (DoS)	The DoS represents the ratio of the traffic volume making a particular movement compared to the maximum capacity for that particular movement. The value of the DoS has a corresponding rating depending on the ratio as shown below.														
	<table border="1"> <thead> <tr> <th>Degree of Saturation</th> <th>Rating</th> </tr> </thead> <tbody> <tr> <td>Up to 0.60</td> <td>Excellent</td> </tr> <tr> <td>0.61 – 0.70</td> <td>Very Good</td> </tr> <tr> <td>0.71 – 0.80</td> <td>Good</td> </tr> <tr> <td>0.81 – 0.90</td> <td>Fair</td> </tr> <tr> <td>0.91 – 1.00</td> <td>Poor</td> </tr> <tr> <td>Above 1.00</td> <td>Very Poor</td> </tr> </tbody> </table>	Degree of Saturation	Rating	Up to 0.60	Excellent	0.61 – 0.70	Very Good	0.71 – 0.80	Good	0.81 – 0.90	Fair	0.91 – 1.00	Poor	Above 1.00	Very Poor
	Degree of Saturation	Rating													
	Up to 0.60	Excellent													
	0.61 – 0.70	Very Good													
	0.71 – 0.80	Good													
	0.81 – 0.90	Fair													
0.91 – 1.00	Poor														
Above 1.00	Very Poor														
It is noted that whilst the range of 0.91 – 1.00 is rated as 'poor', it is acceptable for critical movements at an intersection to be operating within this range during high peak periods, reflecting actual conditions in a significant number of suburban signalised intersections.															
Average Delay (seconds)	Average delay is the time delay that can be expected for all vehicles undertaking a particular movement in seconds.														
95th Percentile (95%ile) Queue	95%ile queue represents the maximum queue length in metres that can be expected in 95% of observed queue lengths in the peak hour														

The results of the analysis are provided below.

**Table 13 Banksia Street / Wadham Road**

Approach	DoS		Avg. Delay (sec)		Queue (m)	
	Existing	Future	Existing	Future	Existing	Future
AM Peak						
Wadham Road - South	0.044	0.063	10.4	10.3	1	1.5
Banksia Street - East	0.178	0.208	5.6	0.8	0	1.6
Site Access - North	-	0.232	-	14.3	-	6
Banksia Street - West	<b>0.258</b>	<b>0.264</b>	7.9	0.5	1.2	1.5
PM Peak						
Wadham Road - South	0.044	0.07	8.6	10.3	1	1.6
Banksia Street - East	<b>0.232</b>	<b>0.271</b>	0.2	1.2	0	4
Site Access - North	-	0.115	-	13.5	-	2.8
Banksia Street - West	0.208	0.225	0.5	0.9	1.3	1.7

As shown above the proposed uncontrolled cross-intersection is expected to operate under excellent conditions with negligible increases to the degree of saturation, average delays and queues.

## 7.6 Access Design

The masterplan contemplates creation of two cross-intersections with Wadham Road/Banksia Street and Daphne Crescent/Perkins Avenue. Discussion on the appropriateness of this arrangement is provided below.

### 7.6.1 Perkins Avenue

Noting the low traffic volumes recorded along Perkins Avenue (no more than 29 movements during the peak hours), and minimal traffic expected to be generated by development of the site, it is considered that creation of an uncontrolled cross-intersection will not materially impact on road safety or capacity.

The Perkins Avenue/Plunkett Street/Site Access cross-intersection that is shown on the Masterplan is considered acceptable.

### 7.6.2 Banksia Street

While analysis presented above indicates that the proposed access to Banksia Street will function satisfactorily in terms of capacity, queues and delays, the uncontrolled cross-intersection has potential to create confusion with priority, particularly for opposing right-turn movements from the site and Wadham Road, and creates multiple conflict points within the intersection.

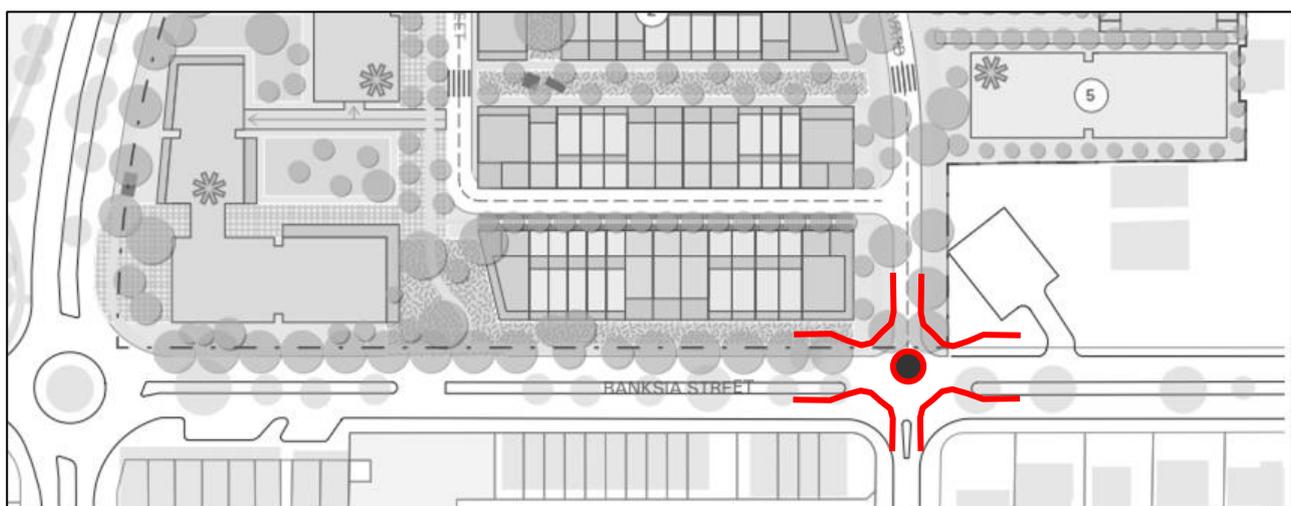
AS a result, it is recommended that consideration be given to modifying the access arrangements in accordance with one of the following options (or appropriate alternative).

#### 7.6.2.1 Option A

In order to reduce the number of conflicts, and resolve issues associated with priority at the cross intersection, it is recommended to provide a roundabout at the Bankkia Street access. This has an added benefit of providing for traffic calming and speed control, which will improve safety along the road.

A concept plan of this arrangement is shown below in Figure 21.

**Figure 21 Option A Concept Layout**



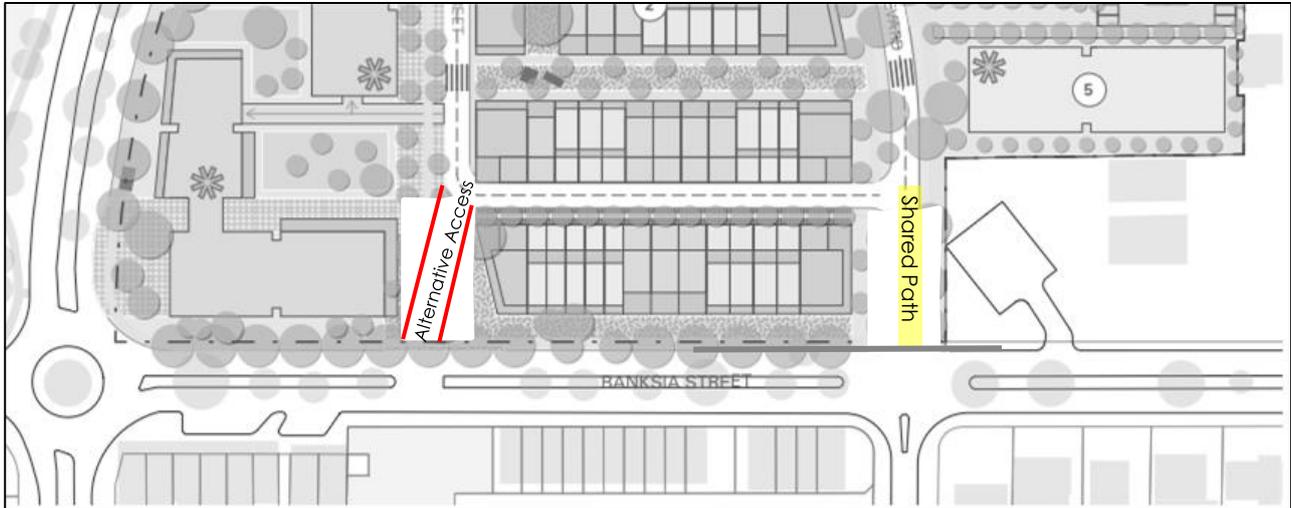
#### 7.6.2.2 Option B

Alternatively, the site access may be relocated further west to avoid creation of a cross-intersection, and instead provide a pedestrian and cyclist link through the site to connect with Wadham Road and Banksia Street.

The access to Banksia Street would provide for fully-directional movements due to the existing median break.

A concept plan of this arrangement is shown below in Figure 20.

**Figure 22 Option B Concept Layout**



## 8 CONCLUSIONS

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It is proposed to rezone 96-100 Oriel Road to allow for private and public housing, retail uses and community facilities on the site.

Considering the analysis presented above, it is concluded that:

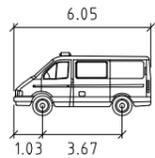
- The masterplan internal road layout is appropriate for the site;
- The masterplan access arrangements to Perkins Avenue are considered acceptable;
- The masterplan access arrangements to Banksia Street will function satisfactorily in terms of capacity, nevertheless, it is recommended to modify the proposed access to a roundabout or adopt Option B;
- The traffic generation by the masterplan is anticipated to have a negligible impact on the surrounding road network, and hence no upgrades are required to the surrounding roads;
- The car parking provision on-site should be provided in accordance with the recommendations in Section 6.1; and
- It is recommended to provide bicycle parking to meet the Planning Scheme requirements.

# Appendix A Swept Paths



CAD File: \\auvic03\Company\Projects\2019\190355\Drawings\190355SPA201.dgn

Date Plotted: 14-06-2019 09:39:04



**AMBULANCE VICTORIA**  
 meters

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Track	: 1.90
Lock to Lock Time	: 6.0
Steering Angle	: 37.5

**LEGEND**

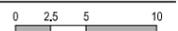
- DESIGN VEHICLE SWEEP PATHS SHOWN DASHED
- ..... 300mm CLEARANCE ENVELOPE SHOWN DOTTED



**onemilegrid**  
 TRAFFIC ENGINEERING

56 Down Street, Collingwood, VIC 3066  
 Email: info@onemilegrid.com.au Web: www.onemilegrid.com.au  
 Phone (03) 9939 8250

Scale: 1:500 @ A3



Drawing Title  
**230-232 BANKSIA STREET, BELLFIELD**  
**EMERGENCY VEHICLE ACCESS**  
**SWEEP PATH ANALYSIS**

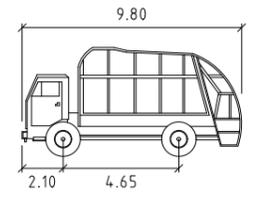
Designed DK	Approved JD	Metway Ref 31 E4
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Project Number 190355	Drawing Number SPA201	Revision A
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CAD File: N:\Projects\2019\190355\Drawings\190355SPA202.dgn

Date Plotted: 18-07-2019 13:17:46



<b>BCC GARBAGE 9.8m</b> meters	
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Lock to Lock Time	: 4.0
Steering Angle	: 35.8

**LEGEND**

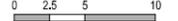
-----	DESIGN VEHICLE SWEEP PATHS SHOWN DASHED
.....	300mm CLEARANCE ENVELOPE SHOWN DOTTED



**onemilegrid**  
TRAFFIC ENGINEERING

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Email: info@onemilegrid.com.au Web: www.onemilegrid.com.au  
Phone (03) 9939 8250

Scale: 1:500 @ A3



Drawing Title  
**230-232 BANKSIA STREET, BELLFIELD  
9.8m WASTE VEHICLE ACCESS  
SWEEP PATH ANALYSIS**

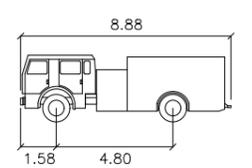
Designed	Approved	Metway Ref
DK	JD	31 E4

Project Number	Drawing Number	Revision
190355	SPA202	A



CAD File: N:\Projects\2019\190355\Drawings\190355SPA203.dgn

Date Plotted: 18-07-2019 13:23:22



MFB Ultra Large Scania meters  
Width : 2.50  
Track : 2.42  
Lock to Lock Time : 6.0  
Steering Angle : 41.3

**LEGEND**  
----- DESIGN VEHICLE SWEEP PATHS SHOWN DASHED  
..... 300mm CLEARANCE ENVELOPE SHOWN DOTTED



Scale 1:500 @ A3  
0 2.5 5 10

Drawing Title 230-232 BANKSIA STREET, BELLFIELD 8.8m FIRE TRUCK ACCESS SWEEP PATH ANALYSIS		
Designed DK	Approved JD	Midway Ref 31 E4
Project Number 190355	Drawing Number SPA203	Revision A

## Appendix F. Existing Covenant to be Removed

**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
Land Act 1958**

VOLUME 11899 FOLIO 720

Security no : 124077481885N  
Produced 16/05/2019 10:51 AM

**LAND DESCRIPTION**

Lot 1 on Plan of Subdivision 111741.  
PARENT TITLE Volume 09066 Folio 394  
Created by instrument AQ055281U 18/07/2017

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
BANYULE CITY COUNCIL of 1 FLINTOFF STREET GREENSBOROUGH VIC 3088  
AR627944A 07/11/2018

**ENCUMBRANCES, CAVEATS AND NOTICES**

COVENANT G055725 03/03/1976

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE LP111741 FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 98 ORIEL ROAD BELLFIELD VIC 3081

DOCUMENT END



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**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
Land Act 1958**

Page 1 of 1

VOLUME 11899 FOLIO 721

Security no : 124077481884P  
Produced 16/05/2019 10:51 AM

**LAND DESCRIPTION**

Lot 1 on Title Plan 143931N.  
PARENT TITLE Volume 09956 Folio 333  
Created by instrument AQ055281U 18/07/2017

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
BANYULE CITY COUNCIL of 1 FLINTOFF STREET GREENSBOROUGH VIC 3088  
AR627944A 07/11/2018

**ENCUMBRANCES, CAVEATS AND NOTICES**

COVENANT P354253K

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP143931N FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

Street Address: 98 ORIEL ROAD BELLFIELD VIC 3081

DOCUMENT END



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Document Assembled	<b>16/05/2019 10:54</b>

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\$53

G 55725

Robert T. Pitts  
TRANSFER OF LAND

G 55725  
REGD  
CG 55725

5.00 G RT T

1-56 422681 MAR-3-76

THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG being registered as the proprietor of an estate in fee simple in the land hereinafter described subject to the encumbrances notified hereunder IN CONSIDERATION of the sum of THIRTY SIX THOUSAND DOLLARS (\$36,000.00) DO TH HEREBY TRANSFER to CITY OF HEIDELBERG HANDICAPPED PERSONS BUREAU LIMITED the Registered Office of which is situate at the office of Grant & Co., Solicitors, 144 Upper Heidelberg Road, Ivanhoe all its estate and interest in ALL THAT piece of land being Lot 1 on Plan of Sub-division No. 111741 and being the whole of the land described in Certificate of Title Volume 9066 Folio 394 AND City of Heidelberg Handicapped Persons Bureau Limited for itself its successors assigns and transferees DO TH HEREBY COVENANT with The Mayor Councillors and Citizens of the City of Heidelberg its successors assigns and transferees registered proprietor or proprietors for the time being of the land comprised in the said Plan of Sub-division (other than the land hereby transferred) or any part or parts thereof that the City of Heidelberg Handicapped Persons Bureau Limited will not

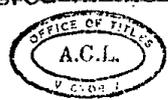
NOT CHARGEABLE WITH STAMP DUTY  
7 FEB 1976  
R. M. PHIBBS  
Comptroller of Stamps  
VICTORIA

- (1) erect construct or build or cause to be erected constructed or built on the land hereby transferred any building or buildings other than a building or buildings designed for or in connection with a sheltered workshop or workshops for handicapped persons; or
- (2) commence construction of any such building or buildings without the consent in writing of THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG to the plans and specifications thereof.

AND it is hereby requested that reference to the above covenants be noted on the said Certificate of Title.

Dated this 10 day of December One thousand nine hundred and seventy five.

A memorandum of the within instrument has been entered in the Register Book. CG136704



765  
GAY

Orig C/T

7/6/76



12/5/76




# Imaged Document Cover Sheet

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Document Type	<b>Instrument</b>
Document Identification	<b>AR627944A</b>
Number of Pages (excluding this cover sheet)	<b>2</b>
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**AR627944A**

# Transfer of Land

Section 45 Transfer of Land Act 1958

## Privacy Collection Statement

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

## 1. Land/s

### Land Title 1

Volume 11899 Folio 720

### Land Title 2

Volume 11899 Folio 721

## 2. Estate and Interest

FEE SIMPLE

## 3. Transferor/s

### Transferor

Name BEDFORD GROUP LTD

ACN 1 5 8 7 1 7 4 4 7

## 4. Transferee/s

### Transferee

Name BANYULE CITY COUNCIL

ACN

Australian  
Credit Licence

## 5. Manner of Holding

SOLE PROPRIETOR

## 6. Address/es of Transferee/s

### Address of Transferee

Unit Street No 1

Street Name FLINTOFF

Street Type STREET

Locality GREENSBOROUGH

State VIC Postcode 3088

## 7. Consideration

\$ 4,400,000

## 8. Covenants

NONE

## 9. Signing

The transferor transfers to the transferee their estate and/or interest in the land specified for the consideration, subject to any restrictive covenant set out or referred to in this transfer.

### Transferor

#### Certifications

1. The Certifier has taken reasonable steps to verify the identity of the transferor.

2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.

3. The Certifier has retained the evidence supporting this Registry Instrument or Document.

4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of BEDFORD GROUP LTD

Signer Name

Signer Organisation KAHNS LAWYERS

Signer Role AUSTRALIAN LEGAL  
PRACTITIONER

Signature



Execution Date

24/10/2018

**AR627944A**

# Transfer of Land

Section 45 Transfer of Land Act 1958

**Privacy Collection Statement**  
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## Transferee

### Certifications

1. The Certifier has taken reasonable steps to verify the identity of the transferee.
2. The Certifier holds a properly completed Client Authorisation for the Conveyancing Transaction including this Registry Instrument or Document.
3. The Certifier has retained the evidence supporting this Registry Instrument or Document.
4. The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant legislation and any Prescribed Requirement.

Executed on behalf of BANYULE CITY COUNCIL  
 Signer Name **NEIL ALAN MALCOLM**  
 Signer Organisation HUNT & HUNT LAWYERS  
 Signer Role AUSTRALIAN LEGAL PRACTITIONER  
 Signature



Execution Date **22/10/2018**

## 10. Lodging Party

Customer Code **1188V.**  
 Reference **9620369**

**4451941**



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Document Type	<b>Instrument</b>
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Titles Office Use Only

**REGD**  
**P354253K**

Lodged at the Titles Office by

RUSH & FAILLA

Code 1512P

**NEW TITLE**

**VICTORIA**

**TRANSFER OF LAND**

Subject to the encumbrances affecting the land including any created by dealings lodged for registration prior to the lodging of this instrument the transferor for the consideration expressed at the request and by the direction of the directing party (if any) transfers to the transferee the estate and the interest specified in the land described together with any easement hereby created and subject to any easement hereby reserved or restrictive covenant herein contained or covenant created pursuant to statute and included herein. (Notes 1-4)

Land (Note 5)

THE LAND DELINEATED ON ANNEXED "PLAN 1" AND MARKED "A" AND BEING PART OF THE LAND DESCRIBED IN CERTIFICATE OF TITLE VOLUME 9066 FOLIO 395

**NEW TITLE**

Consideration (Note 6)

SIXTEEN THOUSAND DOLLARS (\$16,000.00)

Transferor (Note 7)

THE MAYOR, COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

Transferee (Note 8)

CITY OF HEIDELBERG HANDICAPPED PERSONS BUREAU LIMITED of 98 Oriel Road, Heidelberg

Estate and Interest (Note 9)

Land interest in the fee simple

NOT TRANSFERABLE  
WITH  
STAMP DUTY  
14 AUG 2019  
COMPTROLLER OF STAMPS  
VICTORIA

Co-director of Directing Party (Note 10)

Comptroller of Stamps-Use Only

Creation (or Reservation) of Easement and/or Covenant (Notes 11-12)

Reservation of an easement for drainage purposes to the Transferor - see overleaf.  
~~Creation of easement for drainage purposes in favour of Melbourne & Metropolitan Board of Works - see overleaf~~  
Creation of Restrictive Covenant by the Transferee - see overleaf.

c/t 9066-395 (A-2 Res)

Area: 805m<sup>2</sup> (0.00)

3/4/190

29/8

T2 Office Use Only

A memorandum of the within instrument has been entered in the Register Book.



28/8/89 Approval No. T2/1

Reservation of an Easement for Drainage Purposes to the Transferor

The Transferor reserves to itself its successors and transferees of the land comprised in Certificate of Title Volume 9066 Folio 395 and each and every part thereof (other than the land hereby transferred) an easement for drainage purposes in the land delineated and shown hatched on the annexed Plan *Plan 1/11*

THE CORPORATE SEAL of THE MAYOR COUNCILLORS )  
AND CITIZENS OF THE CITY OF HEIDELBERG was )  
hereunto affixed in the presence of: )

[Signature] Town Clerk

[Signature] Councillor

[Signature] Councillor

THE COMMON SEAL of CITY OF HEIDELBERG )  
HANDICAPPED PERSONS BUREAU LIMITED was )  
hereunto affixed in accordance with its )  
Memorandum and Articles of Association in the )  
presence of: )



[Signature] Member of the Committee

Robert Kemmit Member of the Committee

[Signature] Secretary



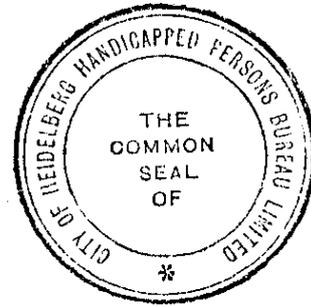
THE CORPORATE SEAL of THE MAYOR COUNCILLORS )  
AND CITIZENS OF THE CITY OF HEIDELBERG was )  
hereunto affixed in the presence of: )

[Signature] Town Clerk

[Signature] Councillor

[Signature] Councillor

THE COMMON SEAL of CITY OF HEIDELBERG )  
HANDICAPPED PERSONS BUREAU LIMITED was )  
hereunto affixed in accordance with its )  
Memorandum and Articles of Association in the )  
presence of: )



[Signature] Member of the Committee

Robert Kennick Member of the Committee

[Signature] Secretary



Restrictive Covenant

*Notes*  
The Transferee with the intent that the benefit of this Covenant shall be annexed to and run at law and in equity with the land comprised in Certificate of Title Volume 9066 Folio 395 ~~222~~ (other than the land hereby transferred) and that the burden of this Covenant shall be annexed to and run at law and in equity with the land hereby transferred DOTH HEREBY for itself and its transferees successors and assigns and as a separate Covenant COVENANT with the transferor and its transferees successors and assigns or other the registered proprietor or proprietors for the time being of the land comprised in Certificate of Title Volume 9066 Folio 395 (other than the land hereby transferred) that the transferee its transferees successors and assigns will not -

- (a) erect, construct or build or cause to be erected constructed or built on the land hereby transferred any building or buildings other than a building or buildings designed for or in connection with a sheltered workshop or workshops for handicapped persons; or
- (b) commence construction of any such building or buildings without the consent in writing of the transferor to the plans and specifications thereof

and this Covenant shall appear on the Certificate of Title to issue for the land hereby transferred and run with the land.

Date *The 19<sup>th</sup> day of July 1989.*

(Note 13)

Execution and Attestation

(Note 14)

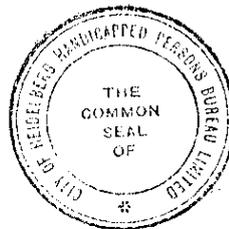
THE CORPORATE SEAL OF THE MAYOR, COUNCILLORS )  
AND CITIZENS OF THE CITY OF HEIDELBERG was )  
hereunto affixed in the presence of: )

*[Signature]*.....Town Clerk

*[Signature]*.....Councillor

*[Signature]*.....Councillor

The COMMON SEAL of CITY OF HEIDELBERG )  
HANDICAPPED PERSONS BUREAU LIMITED was )  
hereunto affixed in accordance with its )  
Memorandum and Articles of Association )  
in the presence of: )



*Robert Kernick*.....Member of the Committee

*[Signature]*.....Member of the Committee

*[Signature]*.....Secretary



# Imaged Document Cover Sheet

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Document Type	<b>Plan</b>
Document Identification	<b>TP143931N</b>
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TITLE PLAN		EDITION 1	TP 143931N
------------	--	-----------	------------

<p><b>Location of Land</b></p> <p>Parish: KEELBUNDORA          Township:          Section:          Crown Allotment:          Crown Portion: 3(PT)</p> <p>Last Plan Reference: LP 111741          Derived From: VOL 9956 FOL 333          Depth Limitation: NIL</p>	<p style="text-align: center;"><b>Notations</b></p> <p>ANY REFERENCE TO MAP IN THE TEXT MEANS THE DIAGRAM SHOWN ON THIS TITLE PLAN</p>
---	--

**Description of Land / Easement Information**

**ENCUMBRANCES**

AS TO THE LAND SHOWN MARKED "E-1"

THE EASEMENTS (IF ANY) EXISTING OVER THE SAME BY VIRTUE OF SECTION 98 OF THE TRANSFER OF LAND ACT

AS TO THE LAND SHOWN MARKED "E-2"

THE DRAINAGE EASEMENT RESERVED BY TRANSFER P354253K

*THE RIGHTS FOR SEWERAGE OVER THE LAND DELINEATED ON THE SHEET ANNEXED TO CREATION OF EASEMENT MADE BETWEEN THE PARTIES THEREIN DESCRIBED DATED THE 19<sup>TH</sup> JUNE 1989 AND FILED WITH APPLICATION N<sup>o</sup> 68658<sup>H</sup> SECTZ 6-3-92*

THIS PLAN HAS BEEN PREPARED FOR THE LAND REGISTRY, LAND VICTORIA, FOR TITLE DIAGRAM PURPOSES AS PART OF THE LAND TITLES AUTOMATION PROJECT

COMPILED: 15-09-1999  
 VERIFIED: AC

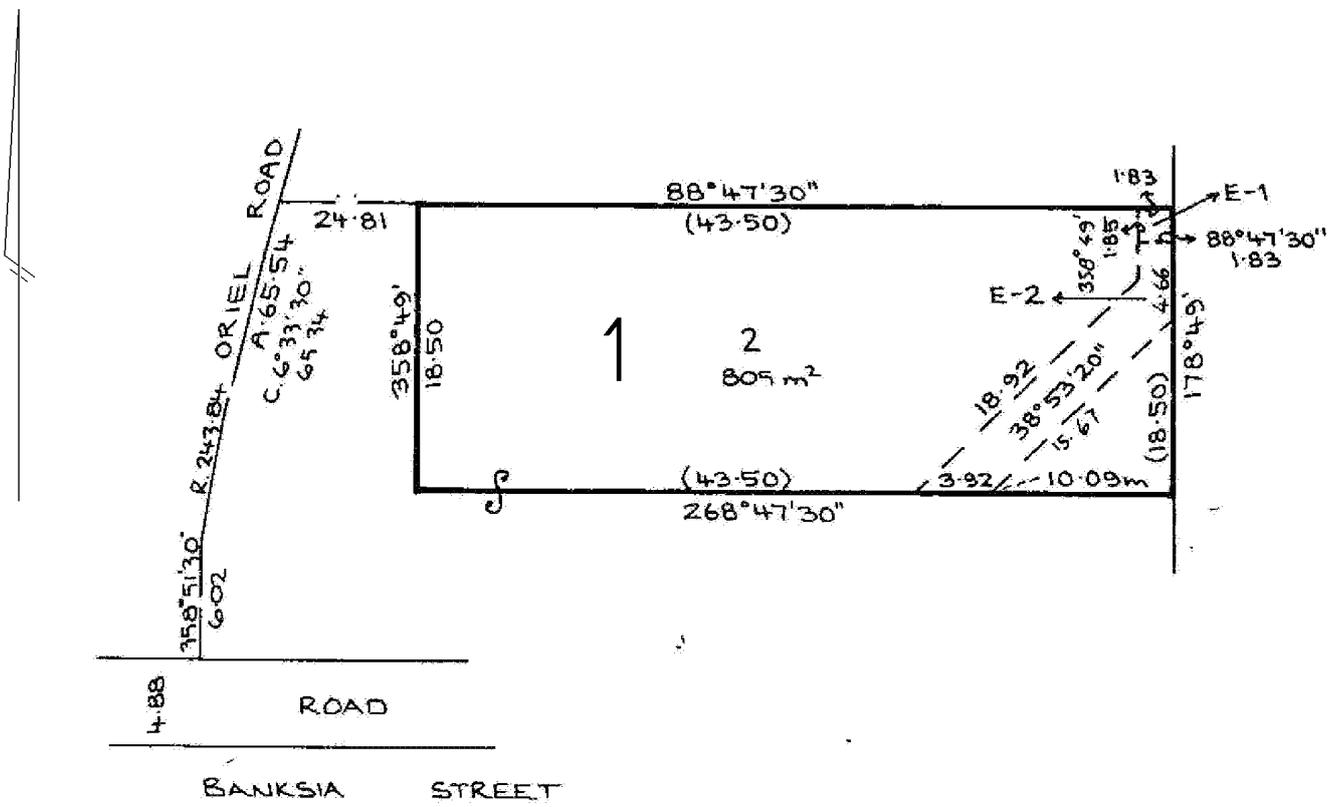


TABLE OF PARCEL IDENTIFIERS
WARNING: Where multiple parcels are referred to or shown on this Title Plan this does not imply separately disposable parcels under Section 8A of the Sale of Land Act 1962
PARCEL 1 = LOT 2 (PT) ON LP 111741



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**REGISTER SEARCH STATEMENT (Title Search) Transfer of Land Act 1958**

VOLUME 09066 FOLIO 395

Security no : 124077481951R  
Produced 16/05/2019 10:54 AM

**LAND DESCRIPTION**

Lot 1 on Title Plan 216496A.  
PARENT TITLE Volume 02830 Folio 835  
Created by instrument LP111741 03/01/1975

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor  
BANYULE CITY COUNCIL of 275 UPPER HEIDELBERG ROAD IVANHOE VIC 3079  
AN718863D 05/04/2017

**ENCUMBRANCES, CAVEATS AND NOTICES**

Any encumbrances created by Section 98 Transfer of Land Act 1958 or Section 24 Subdivision Act 1988 and any other encumbrances shown or entered on the plan set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP216496A FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 09848K BANYULE CITY COUNCIL  
Effective from 05/04/2017

DOCUMENT END



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# APPLICATION BY SUCCESSOR CORPORATION

Section 59A Transfer of Land Act 1958

Lodged by:

Name: BANYULE CITY COUNCIL

Phone: (03) 9490 4222

Address: P O Box 51 Ivanhoe VIC 3079

Customer Code: ~~9878K~~ 9848K

12/05/04/17



The applicant, being the successor in law to the registered proprietor, applies to be registered as proprietor of the estate and interest of the former body corporate in the land described.

Land: *(title, mortgage, charge or lease)*

SEE ATTACHED SCHEDULE

Applicant: *(full name and address including postcode)*

BANYULE CITY COUNCIL of 275 Upper Heidelberg Road Ivanhoe VIC 3079

Grounds of Application:

SUCCESSOR IN LAW TO THE REGISTERED PROPRIETOR

Registered Proprietor: *(full name(s) of former body corporate)*

SEE CERTIFICATE ATTACHED

Date: 27.03.17

Signature of Applicant



or

Signature of Australian Legal Practitioner  
under the *Legal Profession Act 2004*  
for applicant

.....

**59A**

THE BACK OF THIS FORM MUST NOT BE USED

AN718863D

05/04/2017 \$0 59



**CERTIFICATE PURSUANT TO SECTION 59A (2) OF THE TRANSFER OF LAND ACT 1958**

I, Simon McMillan certify that:

1. I am the Chief Executive Officer of Banyule City Council
2. The successor body is the successor at law to the body or bodies listed below ("the former body").
3. The property, rights or liabilities of the former body have been vested by operation of law in, or become the property, rights and liabilities of, the successor body.

Date: 27.03.17

Signed: [Signature]

Name(s) of former body or bodies:

- THE PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY
- THE SHIRE PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY
- THE SHIRE PRESIDENT, COUNCILLORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY
- THE PRESIDENT COUNCILLORS AND RATE PAYERS OF THE SHIRE OF DIAMOND VALLEY
- THE PRESIDENT COUNCILLORS & RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY
- SHIRE PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY
- THE PRESIDENT COUCILLORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY

**AN718863D**

05/04/2017

\$0 59



DIAMOND VALLEY SHIRE COUNCIL

PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY

THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

THE MAYOR COUNCILLORS & CITIZENS OF THE CITY OF HEIDELBERG

THE PRESIDENT COUNCILORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY

THE MAYOR COUNCILLORS AND RATEPAYERS OF THE CITY OF HEIDELBERG

THE PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF HEIDELBERG

HEIDELBERG CITY COUNCIL

MAYOR COUNCILLOR AND CITIZENS OF THE CITY OF HEIDELBERG

MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

THE MAYOR CONCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

STOCKS AND HOLDINGS (SALES) PTY LTD

THE MAYOR, COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

THE MAYOR COUCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

THE MAYOR COUNCILLORS AND CITIZENS OF THE THE CITY OF HEIDELBERG

THE MAYJOR COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

HEIDELBERGN CITY COUNCIL

8764/151	8785/293	8834/399	8903/693	8990/530	9114/278
8764/454	8785/294	8835/782	8903/892	8995/375	9114/651
8769/143	8785/295	8835/931	8906/633	8998/661	9128/618
8769/605	8785/481	8838/371	8906/726	8998/666	9132/281
8772/051	8788/276	8841/143	8907/689	9001/336	9135/451
8772/392	8788/277	8841/486	8907/690	9001/338	9144/110
8772/421	8790/253	8841/487	8909/905	9004/512	9144/244
8772/857	8790/937	8843/478	8912/096	9004/840	9144/839
8774/149	8790/958	8844/665	8912/975	9007/669	9144/840
8774/282	8792/117	8847/606	8913/134	9010/252	9147/652
8774/284	8792/810	8847/693	8913/290	9010/253	9147/653
8774/285	8792/903	8847/896	8919/150	9013/027	9148/849
8774/356	8795/455	8850/166	8919/660	9017/829	9153/171
8774/367	8795/961	8850/757	8922/001	9023/138	9173/571
8774/368	8797/626	8850/898	8922/002	9028/767	9173/715
8774/643	8797/635	8856/036	8922/003	9028/833	9173/716
8774/884	8797/636	8856/274	8922/633	9031/642	9173/717
8776/196	8797/766	8858/112	8922/758	9032/164	9173/749
8776/287	8797/767	8858/715	8930/293	9032/165	9187/776
8776/288	8797/772	8858/716	8930/889	9032/166	9189/298
8776/351	8797/867	8861/232	8933/999	9032/532	9193/430
8776/513	8800/109	8869/331	8934/493	9034/033	9193/606
8776/767	8800/407	8879/725	8934/494	9034/034	9203/409
8776/768	8800/709	8882/098	8938/637	9034/035	9214/611
8776/769	8802/382	8882/909	8938/638	9034/654	9231/798
8776/770	8802/383	8882/910	8939/377	9053/528	9239/108
8776/810	8803/376	8882/911	8939/739	9055/570	9249/662
8776/823	8803/759	8882/912	8942/327	9056/251	9262/506
8777/182	8803/908	8882/913	8943/606	9060/969	9268/716
8777/290	8808/028	8882/914	8948/113	9060/999	9268/717
8777/309	8808/717	8882/915	8950/586	9062/436	9271/777
8777/344	8810/811	8882/916	8954/803	9065/180	9271/779
8777/603	8812/576	8882/917	8955/295	9066/395	9271/780
8777/855	8814/753	8882/918	8955/484	9073/488	9271/781
8777/962	8820/064	8882/919	8958/840	9077/941	9271/782
8778/510	8820/227	8882/920	8962/828	9085/089	9271/783
8780/177	8820/340	8882/921	8963/463	9089/818	9271/784
8780/447	8820/632	8882/922	8963/464	9092/731	9278/752
8780/977	8824/201	8885/565	8963/465	9096/889	9287/967
8783/109	8824/559	8885/566	8963/467	9105/432	9290/075
8783/368	8824/560	8889/643	8967/313	9105/433	9290/845
8783/680	8824/794	8890/585	8967/314	9105/435	9297/678
8783/681	8824/979	8892/118	8967/626	9105/436	9307/701
8783/705	8827/575	8892/731	<del>8977/544</del>	9105/437	9310/109
8783/752	8831/254	8898/103	8978/520	9105/438	9310/110
8785/214	8831/848	8898/848	8978/661	9105/440	9310/300
8785/288	8833/555	8898/849	8978/704	9105/441	9310/508
8785/289	8833/589	8901/419	8980/354	9105/442	9310/509
8785/291	8833/628	8901/636	8980/494	9105/451	9310/643
8785/292	8833/661	8901/714	8983/995	9105/637	9310/791



*Ke 05/04/17*



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# APPLICATION BY SUCCESSOR CORPORATION

Section 59A Transfer of Land Act 1958

Lodged by:

Name: BANYULE CITY COUNCIL

Phone: (03) 9490 4222

Address: P O Box 51 Ivanhoe VIC 3079

Customer Code: ~~9878K~~ 9848K

12/05/04/17



The applicant, being the successor in law to the registered proprietor, applies to be registered as proprietor of the estate and interest of the former body corporate in the land described.

Land: *(title, mortgage, charge or lease)*

SEE ATTACHED SCHEDULE

Applicant: *(full name and address including postcode)*

BANYULE CITY COUNCIL of 275 Upper Heidelberg Road Ivanhoe VIC 3079

Grounds of Application:

SUCCESSOR IN LAW TO THE REGISTERED PROPRIETOR

Registered Proprietor: *(full name(s) of former body corporate)*

SEE CERTIFICATE ATTACHED

Date: 27.03.17

Signature of Applicant



or

Signature of Australian Legal Practitioner  
under the *Legal Profession Act 2004*  
for applicant

.....

**59A**

THE BACK OF THIS FORM MUST NOT BE USED

AN718863D

05/04/2017 \$0 59



**CERTIFICATE PURSUANT TO  
SECTION 59A (2) OF THE TRANSFER OF LAND ACT 1958**

I, Simon McMillan certify that:

1. I am the Chief Executive Officer of Banyule City Council
2. The successor body is the successor at law to the body or bodies listed below ("the former body").
3. The property, rights or liabilities of the former body have been vested by operation of law in, or become the property, rights and liabilities of, the successor body.

Date: 27.03.17

Signed: [Signature]

Name(s) of former body or bodies:

- THE PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY
- THE SHIRE PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY
- THE SHIRE PRESIDENT, COUNCILLORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY
- THE PRESIDENT COUNCILLORS AND RATE PAYERS OF THE SHIRE OF DIAMOND VALLEY
- THE PRESIDENT COUNCILLORS & RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY
- SHIRE PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY
- THE PRESIDENT COUCILLORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY

**AN718863D**

05/04/2017

\$0 59



DIAMOND VALLEY SHIRE COUNCIL

PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY

THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

THE MAYOR COUNCILLORS & CITIZENS OF THE CITY OF HEIDELBERG

THE PRESIDENT COUNCILORS AND RATEPAYERS OF THE SHIRE OF DIAMOND VALLEY

THE MAYOR COUNCILLORS AND RATEPAYERS OF THE CITY OF HEIDELBERG

THE PRESIDENT COUNCILLORS AND RATEPAYERS OF THE SHIRE OF HEIDELBERG

HEIDELBERG CITY COUNCIL

MAYOR COUNCILLOR AND CITIZENS OF THE CITY OF HEIDELBERG

MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

THE MAYOR CONCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

STOCKS AND HOLDINGS (SALES) PTY LTD

THE MAYOR, COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

THE MAYOR COUCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

THE MAYOR COUNCILLORS AND CITIZENS OF THE THE CITY OF HEIDELBERG

THE MAYJOR COUNCILLORS AND CITIZENS OF THE CITY OF HEIDELBERG

HEIDELBERGN CITY COUNCIL

8764/151	8785/293	8834/399	8903/693	8990/530	9114/278
8764/454	8785/294	8835/782	8903/892	8995/375	9114/651
8769/143	8785/295	8835/931	8906/633	8998/661	9128/618
8769/605	8785/481	8838/371	8906/726	8998/666	9132/281
8772/051	8788/276	8841/143	8907/689	9001/336	9135/451
8772/392	8788/277	8841/486	8907/690	9001/338	9144/110
8772/421	8790/253	8841/487	8909/905	9004/512	9144/244
8772/857	8790/937	8843/478	8912/096	9004/840	9144/839
8774/149	8790/958	8844/665	8912/975	9007/669	9144/840
8774/282	8792/117	8847/606	8913/134	9010/252	9147/652
8774/284	8792/810	8847/693	8913/290	9010/253	9147/653
8774/285	8792/903	8847/896	8919/150	9013/027	9148/849
8774/356	8795/455	8850/166	8919/660	9017/829	9153/171
8774/367	8795/961	8850/757	8922/001	9023/138	9173/571
8774/368	8797/626	8850/898	8922/002	9028/767	9173/715
8774/643	8797/635	8856/036	8922/003	9028/833	9173/716
8774/884	8797/636	8856/274	8922/633	9031/642	9173/717
8776/196	8797/766	8858/112	8922/758	9032/164	9173/749
8776/287	8797/767	8858/715	8930/293	9032/165	9187/776
8776/288	8797/772	8858/716	8930/889	9032/166	9189/298
8776/351	8797/867	8861/232	8933/999	9032/532	9193/430
8776/513	8800/109	8869/331	8934/493	9034/033	9193/606
8776/767	8800/407	8879/725	8934/494	9034/034	9203/409
8776/768	8800/709	8882/098	8938/637	9034/035	9214/611
8776/769	8802/382	8882/909	8938/638	9034/654	9231/798
8776/770	8802/383	8882/910	8939/377	9053/528	9239/108
8776/810	8803/376	8882/911	8939/739	9055/570	9249/662
8776/823	8803/759	8882/912	8942/327	9056/251	9262/506
8777/182	8803/908	8882/913	8943/606	9060/969	9268/716
8777/290	8808/028	8882/914	8948/113	9060/999	9268/717
8777/309	8808/717	8882/915	8950/586	9062/436	9271/777
8777/344	8810/811	8882/916	8954/803	9065/180	9271/779
8777/603	8812/576	8882/917	8955/295	9066/395	9271/780
8777/855	8814/753	8882/918	8955/484	9073/488	9271/781
8777/962	8820/064	8882/919	8958/840	9077/941	9271/782
8778/510	8820/227	8882/920	8962/828	9085/089	9271/783
8780/177	8820/340	8882/921	8963/463	9089/818	9271/784
8780/447	8820/632	8882/922	8963/464	9092/731	9278/752
8780/977	8824/201	8885/565	8963/465	9096/889	9287/967
8783/109	8824/559	8885/566	8963/467	9105/432	9290/075
8783/368	8824/560	8889/643	8967/313	9105/433	9290/845
8783/680	8824/794	8890/585	8967/314	9105/435	9297/678
8783/681	8824/979	8892/118	8967/626	9105/436	9307/701
8783/705	8827/575	8892/731	<del>8977/544</del>	9105/437	9310/109
8783/752	8831/254	8898/103	8978/520	9105/438	9310/110
8785/214	8831/848	8898/848	8978/661	9105/440	9310/300
8785/288	8833/555	8898/849	8978/704	9105/441	9310/508
8785/289	8833/589	8901/419	8980/354	9105/442	9310/509
8785/291	8833/628	8901/636	8980/494	9105/451	9310/643
8785/292	8833/661	8901/714	8983/995	9105/637	9310/791



*Ke 05/04/17*

**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
Land Act 1958**

VOLUME 11428 FOLIO 802

Security no : 124077482088S  
Produced 16/05/2019 10:59 AM

CROWN GRANT

**LAND DESCRIPTION**

Crown Allotment 2082 Parish of Keelbundora.

**REGISTERED PROPRIETOR**

Estate Fee Simple

Sole Proprietor

BANYULE CITY COUNCIL of 275 UPPER HEIDELBERG ROAD IVANHOE VIC 3079  
AN472724K 19/01/2017

**ENCUMBRANCES, CAVEATS AND NOTICES**

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP949254M FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 09848K BANYULE CITY COUNCIL  
Effective from 19/01/2017

DOCUMENT END



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**REGISTER SEARCH STATEMENT (Title Search) Transfer of  
Land Act 1958**

Page 1 of 1

VOLUME 11428 FOLIO 796

Security no : 124077482086U  
Produced 16/05/2019 10:59 AM

CROWN GRANT

**LAND DESCRIPTION**

Crown Allotment 2078 Parish of Keelbundora.

**REGISTERED PROPRIETOR**

Estate Fee Simple  
Sole Proprietor

MINISTER ADMINISTERING THE EDUCATION AND TRAINING REFORM ACT 2006 (SCHOOLS)  
of LEVEL 2 2 TREASURY PLACE EAST MELBOURNE VIC 3002

**ENCUMBRANCES, CAVEATS AND NOTICES**

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

**DIAGRAM LOCATION**

SEE TP949255K FOR FURTHER DETAILS AND BOUNDARIES

**ACTIVITY IN THE LAST 125 DAYS**

NIL

-----END OF REGISTER SEARCH STATEMENT-----

Additional information: (not part of the Register Search Statement)

**ADMINISTRATIVE NOTICES**

NIL

eCT Control 00244T DEPARTMENT OF EDUCATION AND TRAINING  
Effective from 27/03/2014

DOCUMENT END



# Department of Environment, Land, Water & Planning

## Electronic Instrument Statement

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Produced: 16/05/2019 11:02:16 AM

Dealing Number: AK988153C

Rectification Date: 27/03/2014

Rectification Category: Propr: Name/Address

Status: Registered

### RECTIFICATION

Raised By: DEPARTMENT OF EDUCATION AND TRAINING  
LEVEL 2 2 TREASURY PLACE  
EAST MELBOURNE VIC 3002

### Folio Affected CofT Supplied Controlling Party

Folio Affected	CofT Supplied	Controlling Party
11408/502	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11408/518	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11408/651	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11408/986	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11409/271	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11410/232	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11415/486	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11415/487	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11415/488	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11415/489	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11415/490	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11415/491	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11415/526	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11416/205	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11423/515	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11425/477	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11428/652	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11428/653	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11428/655	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11428/796	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11465/291	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11469/810	Yes	DEPARTMENT OF EDUCATION AND TRAINING
11469/828	Yes	DEPARTMENT OF EDUCATION AND TRAINING

### Details of Rectification

GOVERNMENT ELECTRONIC TITLE CONVERSION PROJECT

Statement End.



# Department of Environment, Land, Water & Planning

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Produced: 16/05/2019 11:02:18 AM

Dealing Number: AN472724K

Rectification Date: 19/01/2017

Rectification Category: Propr: Proprietorship

Status: Registered

### RECTIFICATION

Raised By: BANYULE CITY COUNCIL  
PO BOX 51  
IVANHOE VIC  
3079

Folio Affected	CofT Supplied	Controlling Party
11160/123	Yes	BANYULE CITY COUNCIL
11160/742	Yes	BANYULE CITY COUNCIL
11161/606	Yes	BANYULE CITY COUNCIL
11172/846	Yes	BANYULE CITY COUNCIL
11173/498	Yes	BANYULE CITY COUNCIL
11173/499	Yes	BANYULE CITY COUNCIL
11173/500	Yes	BANYULE CITY COUNCIL
11173/501	Yes	BANYULE CITY COUNCIL
11179/093	Yes	BANYULE CITY COUNCIL
11180/174	Yes	BANYULE CITY COUNCIL
11180/180	Yes	BANYULE CITY COUNCIL
11185/451	Yes	BANYULE CITY COUNCIL
11188/290	Yes	BANYULE CITY COUNCIL
11190/160	Yes	BANYULE CITY COUNCIL
11196/978	Yes	BANYULE CITY COUNCIL
11201/383	Yes	BANYULE CITY COUNCIL
11202/262	Yes	BANYULE CITY COUNCIL
11202/263	Yes	BANYULE CITY COUNCIL
11209/047	Yes	BANYULE CITY COUNCIL
11209/289	Yes	BANYULE CITY COUNCIL
11209/319	Yes	BANYULE CITY COUNCIL
11209/981	Yes	BANYULE CITY COUNCIL
11212/563	Yes	BANYULE CITY COUNCIL
11212/564	Yes	BANYULE CITY COUNCIL
11213/513	Yes	BANYULE CITY COUNCIL
11218/505	Yes	BANYULE CITY COUNCIL
11220/719	Yes	BANYULE CITY COUNCIL
11220/720	Yes	BANYULE CITY COUNCIL
11238/394	Yes	BANYULE CITY COUNCIL
11250/514	Yes	BANYULE CITY COUNCIL



# Department of Environment, Land, Water & Planning

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## Electronic Instrument Statement

11250/515	Yes	BANYULE CITY COUNCIL
11254/051	Yes	BANYULE CITY COUNCIL
11260/129	Yes	BANYULE CITY COUNCIL
11270/785	Yes	BANYULE CITY COUNCIL
11280/778	Yes	BANYULE CITY COUNCIL
11283/761	Yes	BANYULE CITY COUNCIL
11325/910	Yes	BANYULE CITY COUNCIL
11348/995	Yes	BANYULE CITY COUNCIL
11356/986	Yes	BANYULE CITY COUNCIL
11368/647	Yes	BANYULE CITY COUNCIL
11390/488	Yes	BANYULE CITY COUNCIL
11422/810	Yes	BANYULE CITY COUNCIL
11425/944	Yes	BANYULE CITY COUNCIL
11425/945	Yes	BANYULE CITY COUNCIL
11426/294	Yes	BANYULE CITY COUNCIL
11426/295	Yes	BANYULE CITY COUNCIL
11426/296	Yes	BANYULE CITY COUNCIL
11428/801	Yes	BANYULE CITY COUNCIL
11428/802	Yes	BANYULE CITY COUNCIL
11447/313	Yes	BANYULE CITY COUNCIL

Details of Rectification

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TO CONVERT PCT(S) TO ECT(S) FOR BANYULE CITY COUNCIL

Statement End.



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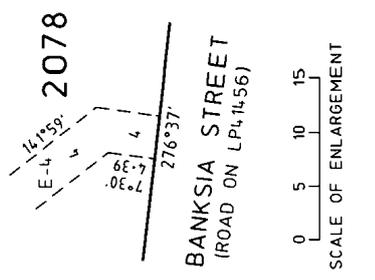
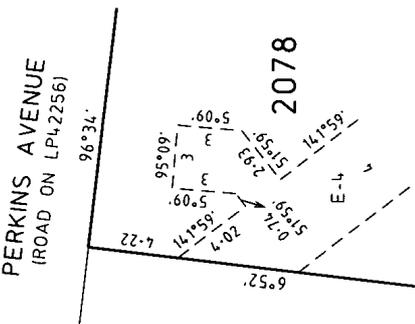
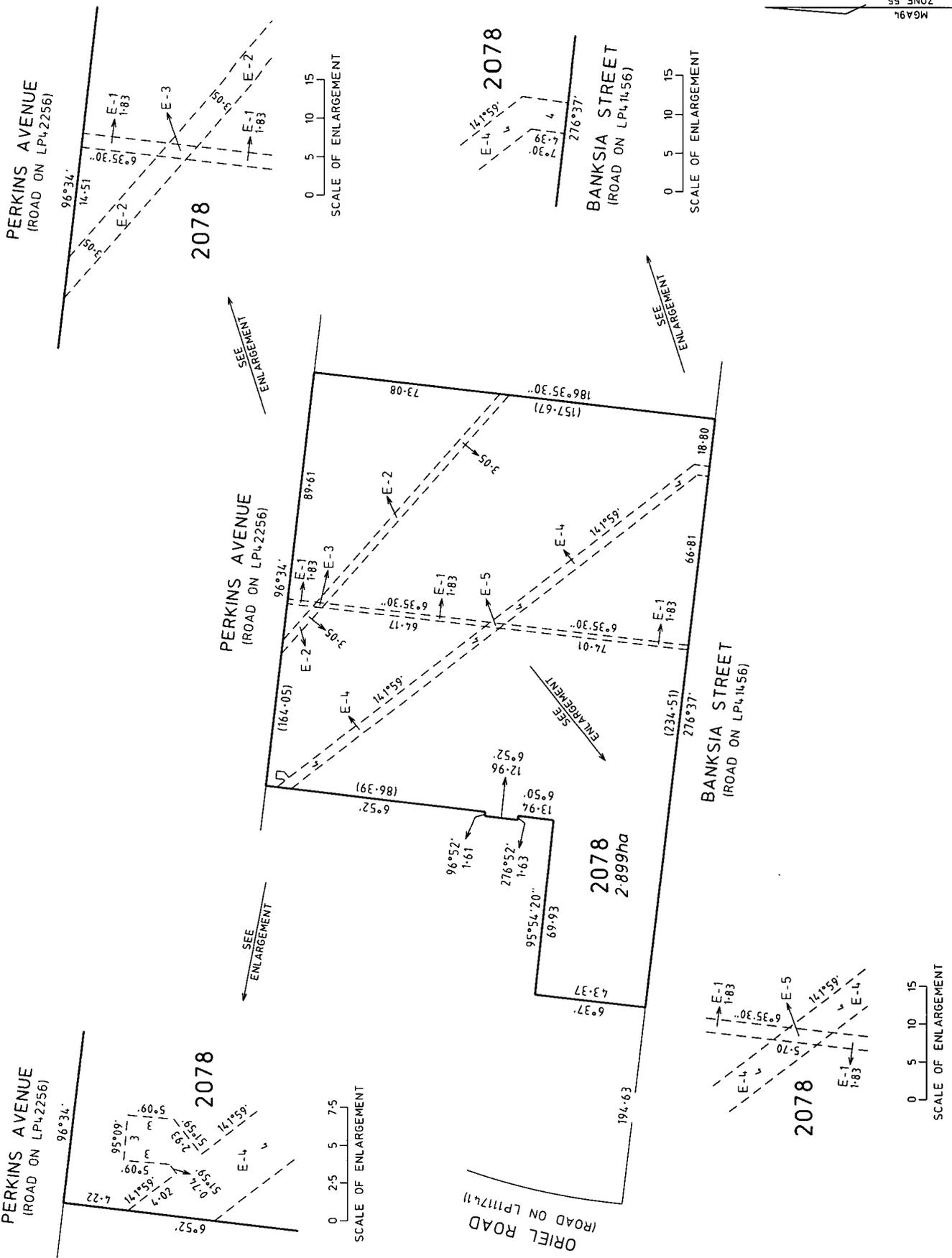
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TITLE PLAN

EDITION 1

TP 949255K



# TITLE PLAN

# TP 949255K

## RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS

The reservation to the Crown of:

- any minerals as defined in the *Mineral Resources (Sustainable Development) Act 1990* and petroleum as defined in the *Petroleum Act 1998* (the "reserved minerals");
- rights of access to any part of the land to search and obtain the reserved minerals; and
- rights of access to any part of the land for pipe-lines, works and other purposes necessary to obtain and convey the reserved minerals on and from the land;

The right to resume the said land for mining purposes under Section 205 of the *Land Act 1958*; and

The right of a licensee under the *Mineral Resources (Sustainable Development) Act 1990* or any corresponding previous enactment, to enter land and do work, within the meaning of that Act, and to erect and occupy mining plant or machinery on the land, in the same manner and under the same conditions and provisions as such licensee currently has on Crown land, provided compensation is paid under Part 8 of that Act for surface damage to the lands.

The full and free right and liberty of any authority or authorities of Our said State of Victoria empowered or authorised to make manage or maintain any drain or drains or sewer or sewers and its or their agents officers workmen servants and contractors at all times hereafter to make cut construct maintain repair and use as such authority or authorities may deem necessary or desirable all drains sewers and other like works for the free passage and running of storm and drainage waters sewerage and soil in upon over along or under that portion of the land hereby granted shown marked E-1, E-2, E-3 and E-5 on the said plan.

The right of the Municipal or other Authority having the management or control of water supply in the vicinity of the land hereby granted and its officers agents servants contractors and workmen to cut make and construct and from time to time use, maintain and repair a pipe line or channel for the purpose of conveying water in upon over under and along that portion of the land hereby granted shown marked E-1, E-3 and E-5 in the said plan.

The full and free right and liberty to and for any gas distribution company or gas transmission company as defined in the *Gas Industry Act 2001* or a licence holder under Part 3 of the Act and for any of their employees agents or contractors to enter on the land delineated and marked E-4 and E-5 and carry out thereon such works as are necessary or incidental to the transmission supply or distribution of gas through over along across or under the said land and for that purpose and to exercise all or any of the powers conferred on those parties by Section 148 of that Act.



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Document Type	<b>Plan</b>
Document Identification	<b>TP949254M</b>
Number of Pages (excluding this cover sheet)	<b>2</b>
Document Assembled	<b>16/05/2019 11:02</b>

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# TITLE PLAN

# TP 949254M

## RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS

The reservation to the Crown of:

- any minerals as defined in the *Mineral Resources (Sustainable Development) Act 1990* and petroleum as defined in the *Petroleum Act 1998* (the "reserved minerals");
- rights of access to any part of the land to search and obtain the reserved minerals; and
- rights of access to any part of the land for pipe-lines, works and other purposes necessary to obtain and convey the reserved minerals on and from the land;

The right to resume the said land for mining purposes under Section 205 of the *Land Act 1958*; and

The right of a licensee under the *Mineral Resources (Sustainable Development) Act 1990* or any corresponding previous enactment, to enter land and do work, within the meaning of that Act, and to erect and occupy mining plant or machinery on the land, in the same manner and under the same conditions and provisions as such licensee currently has on Crown land, provided compensation is paid under Part 8 of that Act for surface damage to the lands.

The full and free right and liberty to and for any gas distribution company or gas transmission company as defined in the *Gas Industry Act 2001* or a licence holder under Part 3 of the Act and for any of their employees agents or contractors to enter on the land delineated and marked E-1 and carry out thereon such works as are necessary or incidental to the transmission supply or distribution of gas through over along across or under the said land and for that purpose and to exercise all or any of the powers conferred on those parties by Section 148 of that Act.

The condition that Crown Allotment 2082 be used solely for Community purposes.