

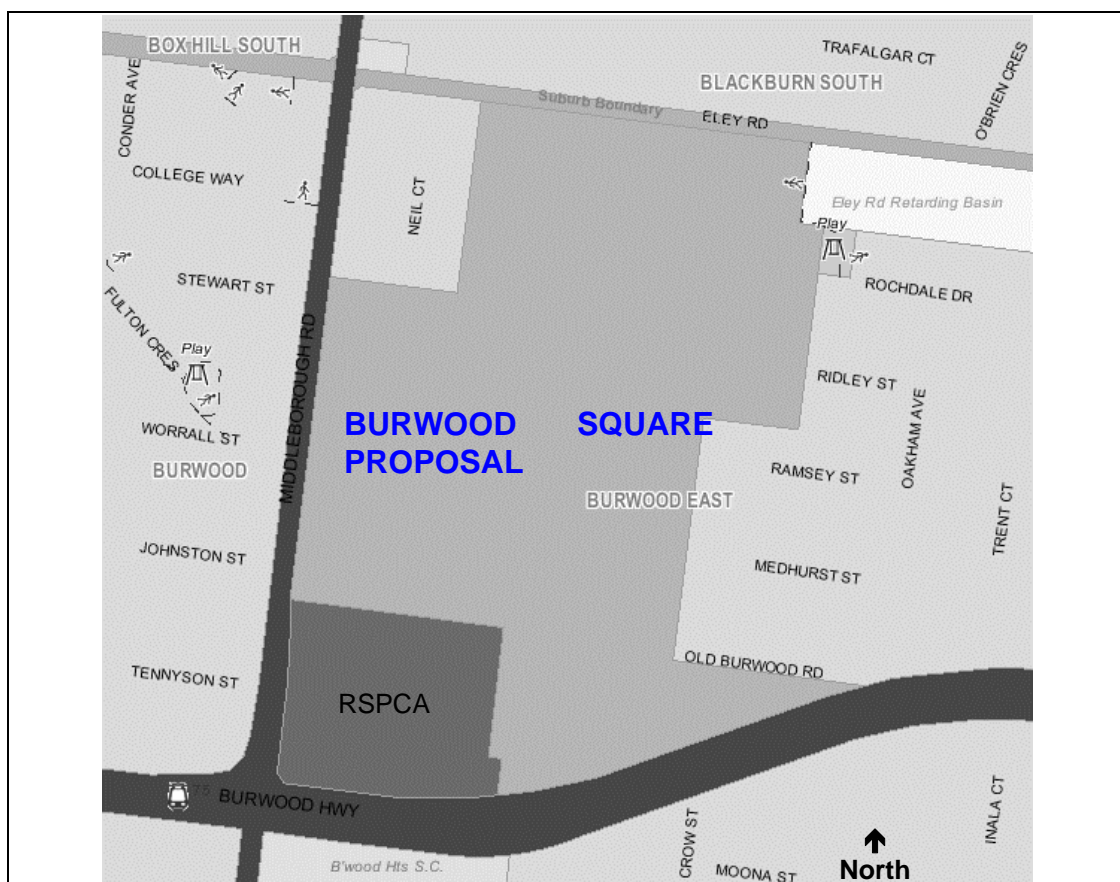
10.1.2 Burwood Square Development Plan

FILE NUMBER: 58 11 037

A Development Plan has been submitted by Burwood Developments Pty Ltd (a subsidiary of Reading Entertainment) for the former brickworks site as required under the Priority Development Zone that applies to the land. The Development Plan has been placed on display for community comment and 30 submissions were received, including comments from key State government agencies. At Council's request, the Priority Development Panel was appointed by the Minister for Planning to participate in the process and has provided valuable advice on the Development Plan and has facilitated the drafting of suitable conditions to address various issues. Having regard to the relevant planning controls, the Former Brickworks Site Framework Plan, the adopted Burwood Heights Activity Centre Structure Plan, the advice of the Panel and community comment, this report recommends that the Burwood Square Development Plan be approved subject to conditions.

MELWAYS REFERENCE 61 G5

Applicant:	Burwood Developments Pty Ltd (a subsidiary of Reading Entertainment)
Zoning:	Priority Development Zone - Clause 37.06, Schedule 1
Overlay:	Environmental Audit Overlay – Clause 45.03
Relevant Clauses	Clause 12.01 A More Compact City (SPPF) Clause 17.01 Activity Centres (SPPF) Clause 21.06 Housing (MSS) Clause 21.07 Economic Development (MSS) Clause 22.03 Residential Development (LPPF) Clause 22.06 Activity Centres (LPPF) Clause 22.13 Burwood Heights Activity Centre (LPPF) Clause 22.14 Former Brickworks Site (LPPF)
Ward:	Riversdale



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BACKGROUND

Melbourne 2030 identifies Burwood Heights as a Major Activity Centre and a structure plan was adopted on 21 August 2006 to provide a framework for future development and improvement of the broader Burwood Heights area located generally around the intersection of Burwood Highway and Middleborough Road.

The former brickworks site, owned by Reading Properties (Reading), is a 20.5 hectare key redevelopment site located within the activity centre with frontage to Burwood Highway, Middleborough Road and Eley Road. The site is critical to Burwood Heights reaching its potential as a Major Activity Centre and in fulfilling the objectives of *Melbourne 2030* by providing additional housing and a mix of activities near public transport and other key infrastructure.

During Council's structure planning process, Reading prepared a framework plan for future development of the former brickworks site. The Framework Plan expressed a vision for the site as follows:

The former brickworks site at Burwood Heights will be an integral and connected component of a new generation activity centre where the lifestyle, leisure, retail and employment needs of the community are met in a built environment that is exciting, engaging and diverse. (Framework Plan, p 9)

The Framework Plan includes five key principles:

- Reconnecting with the broader activity centre
- Diverse and usable public spaces
- Opportunities for genuine mixed-use development
- Sensitivity to adjoining development
- Multi-modal access and integration

Three key land use precincts are identified in the Framework Plan as follows:

- Precinct 1 – Mixed Use (Retail Focus);
- Precinct 2 – Mixed Use (Commercial, Entertainment and Leisure Focus); and
- Precinct 3 – Residential Focus.

The Framework Plan was endorsed by Council at its meeting on 18 July 2005 when it resolved to request that the Minister for Planning amend the Whitehorse Planning Scheme to rezone the former brickworks site to a Priority Development Zone and to introduce two interim local policies – one for the former brickworks site and another for the wider activity centre.

Amendment C63 to rezone the site and to introduce the two interim local planning policies was subsequently approved by the Minister for Planning on 23 February 2006 after receiving advice from the Priority Development Panel (PDP) in November 2005 to assist with his decision. The expiry date of the interim local planning policies was recently extended to 31 December 2008 (via Amendment C81 approved on 21 December 2007).

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The controls in the Priority Development Zone and the local planning policies were prepared in close consultation with the then Department of Sustainability and Environment and Reading. In correspondence to Council dated 18 July 2005, Reading states that:

We recognise that the proposed set of planning controls have been the result of comprehensive process where the interests of key stakeholders have been taken into account. ... We accept the set of planning controls as drafted and support their submission to the Minister for Planning The planning control framework that has been prepared will enable redevelopment of the site in a way that is consistent with the objectives of the wider Burwood Heights Major Activity Centre and Melbourne 2030 generally.

Planning Controls

There are a number of planning provisions that apply to the site as listed at the beginning of this report. These policies recognise the significance of the former brickworks site for major new development (including significant residential) in the Burwood Heights Activity Centre.

The two local policies that are most relevant are:

- Clause 22.13 – Burwood Heights Activity Centre
- Clause 22.14 – Former Brickworks Site

The main planning controls that are relevant to assessment of the Development Plan are contained in Schedule 1 to the Priority Development Zone at Clause 37.06. The schedule includes:

- overall objectives and objectives for each precinct which reinforce those contained within the Burwood Heights Activity Centre and Former Brickworks Site local policies
- a table of land uses
- requirements before a permit is granted
- requirements for a Development Plan; and
- other requirements appropriate to apply to the consideration of subsequent planning permit applications

The endorsed Former Brickworks Site Framework Plan report is a reference document in the Planning Scheme and there are also two incorporated plans in the Scheme that originate from that report being:

- the Former Brickworks Site Framework Plan; and
- the Former Brickworks Site Building Height Plan.

Burwood Heights Activity Centre Policy (CI 22.13)

This policy applies to all land generally around the Burwood Highway and Middleborough Road intersection and includes the former brickworks site.

The policy identifies a series of principles for use and development in the Burwood Heights Major Activity Centre as established through the structure planning process and are described under the following themes:

- Role and Function
- Movement
- Form
- Open Space and Environment
- Environmentally Sensitive Design (ESD)
- Residential Surrounds
- Facilitation and Development.

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The policy encourages the development of a mix of uses and an attractive, distinctive urban form of an intensity appropriate to the area's status as a Major Activity Centre but which also provides a sensitive transition to its lower density residential surrounds. The policy also promotes improved public transport, open space and accessibility in the Activity Centre, incorporation of ESD principles in future planning and development.

It is also policy to encourage use and development that "recognises the existing role of the Burwood Heights Shopping Centre ... and that complements the existing pattern of activity centres in the region".

Former Brickworks Site Policy (CI 22.14)

This policy gives effect to the Former Brickworks Site Framework Plan. Objectives of the policy are as follows:

- "To facilitate redevelopment of the Former Brickworks Site as an integrated and integral part of the wider Study Area.
- To ensure that use and development on the site complements the existing uses within and the ongoing role and function of the Burwood Heights Activity Centre and other existing activity centres in the region.
- To ensure that the scale and intensity of development that occurs on the site supports the infrastructure that is required for the redevelopment of the site
- To provide for land uses and development on the Former Brickworks Site that:
 - Strengthen the connections and networks within and to the Study Area, particularly for sustainable transport options.
 - Contribute to the establishment of a vibrant mixed use Study Area.
 - Provide diverse and usable public spaces.
 - Promote excellence in the design of new buildings and the public realm.
 - Encourage opportunities for residential development in all precincts.
 - Contribute to residential amenity.
 - Integrate effectively with the transport network, providing opportunities for multi-modal access.
 - Incorporate ecologically sustainable development principles.
 - Provide an appropriate level of community services that responds to the needs of the broader existing local population as well as future residents.
 - Promote increased public transport use and non car based travel.
 - Provide a local access network that supports sustainable travel, especially non-motorised travel for short trips."

A selection of key policy directions include encouraging use and development that:

Land Use and Function

- Achieves a diversity of commercial, entertainment and leisure, retail, residential and community land uses that support the function of Burwood Heights as a Major Activity Centre.
- Allows for a range of retail and commercial land uses that focus on lifestyle and leisure-based retail experiences.
- Provides for precincts with a retail and commercial focus, as shown on the Framework Plan, that are developed for a mix of uses and include a significant component of higher density residential in addition to cinemas, retail activities and office uses.
- Allows for entertainment facilities on the site. Such facilities could comprise cinemas, restaurants, cafes, sporting, amusement, entertainment and leisure activities, and specialty retail uses of a type that are consistent with a leisure, lifestyle and entertainment theme.

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- Encourages uses that generate activity over a 24-hour period in appropriate locations to support community safety and surveillance.
- Provides a range of higher density housing options that are responsive to local housing needs.
- Provides appropriate transitional land uses near the edges of the site to protect the amenity of adjoining residential development and activities on the RSPCA site.

Movement Systems and Access

- Designs the internal road link as a tree-lined boulevard that is pedestrian, bicycle and bus friendly, and contributes positively to the site's character and aesthetic quality.
- Creates vibrant streets and public places by maximising activation of land uses on all road frontages and to public spaces wherever possible.
- Promotes and enables access into and within the site by non-motorised transport modes, particularly walking and cycling, by providing a network of on-road and off-road paths.
- Supports any future improvements to public transport provision to or within the Former Brickworks Site including the potential for the establishment of a tram "super-stop" and modal interchange.

Built Form and Urban Design

- Provides buildings with architectural merit on the Burwood Highway and Middleborough Road frontages to mark the gateways to the site and landmark buildings at prominent locations in the central part of the site.
- Frames the Main Street concept and public spaces with active and articulated building frontages.
- Encourages buildings that allow for the vertical mixing of uses in appropriate locations.
- Achieves gradual transitions in building scale between new and existing residential development and the RSPCA that is sympathetic to the surrounding built form.
- Applies water sensitive urban design treatments across all parts of the site.

Economic Development

- Strengthens and broadens the economic base of the Study Area, the City of Whitehorse and the region generally.
- Supports the introduction of a range of retail and commercial uses that are consistent with the Major Activity Centre status of Burwood Heights and that complement the existing retail and commercial uses.
- Supports the focus of the retail precinct on a lifestyle, leisure and entertainment-based retail shopping experience.

Priority Development Zone (CI 37.06)

The Priority Development Zone is designed to facilitate major redevelopment in strategic locations in order to advance the objectives of Melbourne 2030. The Priority Development Zone is also intended to streamline planning processes and to help unlock investment potential for identified key sites of regional or State significance.

Schedule 1 to the zone applies specifically to the Former Brickworks Site. The Schedule includes the following key objectives for the development:

- To facilitate the development of the Former Brickworks Site and its evolution as an integral part of the Burwood Heights Study Area.
- To enable future use and development that complements existing retail within the region.

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- To provide opportunities for a range of housing, office, retail, entertainment, leisure and community uses in a mixed use development with residential in each precinct.
- To provide opportunities for sustainable travel and increased use of public transport.
- To provide an integrated network of roads and paths that improves local accessibility and permeability through the site for surrounding residents.
- To encourage high quality urban design that is responsive to the site's features and characteristics, as well as the wider Burwood Heights Study Area.
- To encourage the application of Ecologically Sustainable Design initiatives in all aspects of the site's design and development.
- To encourage development of the site in accordance with the following precinct objectives:
 - Precinct 1 – Mixed Use (Retail Focus)
 - To encourage a range of retail and commercial land uses that promote lifestyle and leisure-based retail experiences.
 - To ensure that retail and commercial development maximises activity to all key street frontages and public spaces.
 - To promote mixed use development.
 - To promote permeability in the layout of buildings and the design of the vehicle and pedestrian access network.
 - Precinct 2 – Mixed Use (Office, Commercial, Entertainment & Leisure Focus)
 - To encourage a range of office commercial, entertainment and leisure uses.
 - To create a commercial environment in which buildings are capable of accommodating a range of activities and land uses and which provide an appropriate transition to adjacent residential areas.
 - To allow for a range of residential densities within an integrated development.
 - To ensure that retail and commercial development promotes activity to all key street frontages and public spaces.
 - Precinct 3 – Mixed Use (Residential Focus)
 - To provide a range of housing forms and densities.

Requirement for a Development Plan

A Development Plan must generally be approved for the site before a permit can be granted for use or development. The Development Plan is intended to build on the concepts in the earlier Framework Plan and provide detail on uses, heights, built form and road networks and so on, to provide a sufficient level of detail to assess future planning permit applications.

The Development Plan must be generally in accordance with the Priority Development Zone and precinct objectives, the Burwood Heights Activity Centre and Former Brickworks Site Policies, the Former Brickworks Site Framework Plan report and the incorporated plans from that report.

The Schedule to the Priority Development Zone details what must be included in the Development Plan.

Each Development Plan must include information on proposed land uses, built form and urban design, building location and height, staging of development, movement networks, parking, open and public spaces, public transport facilities, integration of development, community facilities, loading and unloading facilities, ESD principles and, where required by the responsible authority, an economic assessment of proposed land uses.

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In addition, the Development Plan must include, where required:

- An Integrated Transport Plan
- An Environmental Management Plan
- An Open Space and Landscape Concept Plan
- A Staging Plan.

Before deciding to approve a Development Plan, the responsible authority must display the plan for public comment and take into account any public comments received. The responsible authority must make a decision, with or without conditions, on the Development Plan within 60 days after the completion of the display.

The Schedule also sets out guidelines for assessment of a Development Plan as well as requirements for section 173 agreements on landfill / site remediation, open space and transport.

Planning Process

A Development Plan was originally lodged for the site in November 2006. Review by officers of the submitted documents against the requirements of the Priority Development Zone triggered a request for further information from the proponent, followed by lengthy discussions with the proponent about the further information requirements over subsequent months.

An amended Development Plan was lodged on 11 September 2007 and was placed on display for public comment within 30 days as required under the Planning Scheme.

A team of consultants engaged to assist officers with assessment of the Development Plan, have provided advice on transport, economics, urban design, landscape, community facilities, ESD, geotechnical and planning matters.

At Council's request, the Priority Development Panel (PDP) was appointed by the Minister for Planning on 22 August 2007 to advise Council and the Minister on the Burwood Square Development Plan. The PDP's re-engagement in the process reflects the significance of the proposed development and the success of the PDP's involvement during Amendment C63. Specifically, the PDP's role is to provide advice on the following:

- The relationship between the Development Plan submitted to Council and the controls which were developed through the previous PDP process.
- How the Development Plan responds to any issues / concerns identified through the previous PDP process.
- Options to resolve any areas of contention remaining between the Council and the proponent.
- Review any draft conditions of approval proposed by Council, and recommend any other conditions of approval that may be warranted.
- Any other matter, issue or action which should be taken.

The PDP's investigations entailed review of the Development Plan, a series of workshops, various other meetings and a site inspection, and culminated in a report received on 18 December 2007, which was circulated to all Councillors.

Further to its advice, the PDP conducted meetings in January 2008 to assist with the drafting of possible conditions.

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PROPOSAL

The Burwood Square Development Plan, which as been has been submitted to Council for approval, consists of the following:

- Volume 1 – The Development Plan
- Volume 2 – Specialist Reports, 7 reports covering:
 1. Site analysis – physical services and infrastructure review
 2. Environment management plan
 3. Integrated transport plan
 4. Preliminary assessment of community infrastructure requirements and opportunities
 5. Arboricultural inspection and report
 6. Flora and fauna assessment
 7. Economic impact assessment

These documents have been previously circulated to Councillors and were available during the public consultation process.

The Development Plan for Burwood Square builds on the earlier Framework Plan, that was generally supported by the local community. The Development Plan describes Burwood Square as:

“... an exciting opportunity to revitalise an underutilised site within the Burwood Heights Major Activity Centre. The development will offer a vibrant mixed use centre, where residential, recreation, leisure, retail, employment and community activities are brought together in a lively, pedestrian friendly environment.

Burwood Square will be a dynamic mixed use centre focused on recreation and leisure activities that complement the range of services and facilities provided in other retail centres nearby. The Readings cinema complex and the urban plaza on the Main Street, which will be constructed in the first stage of development, will be the centrepiece for the entertainment precinct and will be the public realm focus for a range of dining and other leisure destinations.”

There are three activity precincts proposed across the site which are broadly consistent with the precincts identified in the earlier Framework Plan:

- Precinct A – A mix of retail, leisure, entertainment, commercial and community uses, including cinemas
- Precinct B – A mix of commercial, office and retail uses
- Precinct C – Mainly residential

Key elements of the Development Plan include:

- A new boulevard through the site (Main Street) to link Middleborough Road and Burwood Highway, and lined with uses such as shops, cafes and restaurants. Reading describes the intent for the Main Street environment as being similar to Bay Street, Port Melbourne or Lygon Street, Carlton.
- A new park with a lake in the northern residential precinct
- An urban plaza as a central focus and as a vibrant meeting and activity space
- High quality buildings fronting Middleborough Road and in a “campus style” setting along Burwood Highway
- Upgrade of surrounding intersections to manage traffic and new traffic signals at Middleborough Road / Main Street for the new link road
- Residential with scope for a range of housing types and densities

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- A transition of building height towards the edges of the site
- A walking and cycling network
- Scope for public transport improvements
- Use of Ecologically Sustainable Development principles
- Urban Design Guidelines for future buildings

The land use mix outlined in the Development Plan is as follows:

Residential	700 dwellings
Commercial (office)	20,000sq.m
Retail*	35,350sq.m
Non-Retail	3,900sq.m
Cinema	3,318 seats (17 screens)
Bowling	10 lanes
Restaurant Tavern	1,250sq.m
Gym	1,400sq.m
Childcare & Community Centre	1,400sq.m

(* retail includes shop, supermarket, discount department store, take-away food, etc)

Development is planned in four stages with stage 3 anticipated for completion by the year 2015/16 and the residential development thereafter in Stage 4. Stage 1 of the development by 2011/12 includes the following:

- Main Street and the urban plaza
- Cinema with 17 screens, ten pin bowling and gymnasium
- 21,751 sq metres of retail floor space with supermarket, discount department store (DDS) and a range of specialty shops

If approved, the Development Plan will provide the basis for future planning permit applications for use and development within the site.

CONSULTATION

Public Display

As required under the Priority Development Zone, the Development Plan was placed on display for community comment from 22 October to 16 November 2007. Thirty written submissions were received and feedback was obtained from information sessions at the Burwood Heights Shopping Centre (Saturday 27 October, 9am – 12 noon) and at the RSPCA (Wednesday 31 October, 4pm – 7.30pm). Copies of all written submissions have been provided to Councillors. Feedback is summarised as follows:

Local Community [15 written submissions; Approximately 120 to 150 people through the Shopping Centre marquee; 31 people at the RSPCA information session; and approx 130 visitors viewing the display documents at Forest Hill Service Centre]:

- Generally positive feedback / Strong support for the proposal and keen for it to proceed
- See the benefits of a focal point for the local community, but also seeking innovative design and uses on the site, and not “just another shopping complex”
- Concern about traffic impacts and the inadequacy of proposed traffic treatments along arterial roads, especially on Middleborough Road, but also along local streets such as Eley Rd and Crow St
- Concern about building heights being “out of character”, impacting on views and overshadowing

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- Impact of development at the interfaces – to the east, north / Neil Crt properties and west side of Middleborough Rd
- What type of shops will be there?
- Concerned about the amount of retail and the impact on small local businesses, and that the area does not need another supermarket and discount department store (DDS)
- Need stronger commitment to ESD principles
- Need to provide sufficient car parking and consider car share schemes
- The site should be renamed as “East” Burwood Square or “Brickworks”
- Questions about the timelines for commencement and completion
- Investment interest in business establishment or residences in the development
- Need “Smart Bus” stops on Middleborough Rd for disability access.

Other Shopping Centres [7 submitters]

- Burwood Square will be a sub-regional retail centre that is “*skewed towards conventional retailing, rather than leisure and lifestyle retail...*” This is inconsistent with the intended role and function of the centre and has significant implications for the retail hierarchy.
- 36,600 sq m of retail floor space is excessive and contradicts the intent of Schedule 1 of the PDZ requirement and the Priority Development Panel’s recommendations of November 2005. References are made to retail needing to complement rather than compete with existing centres, the limited scope for increased general retailing, recognition that the surrounding region is well served by existing centres and the expressed intention for retail to be lifestyle / entertainment / leisure-based on the site.
- Inconsistent with Council policies, in particular Clause 22.13 (Burwood Heights Activity Centre) and Clause 22.14 (Former Brickworks Site) and the Burwood Heights Activity Centre Structure Plan.
- Approval of the Development Plan with retailing of this type and scale is inappropriate and would pre-empt Council’s future decisions in the statutory process.
- “*Burwood Heights Shopping Centre should remain the daily needs focus*”
- General retailing should be limited to 3,000 sq m
- Concerns regarding the economic analysis provided in support of the submitted Development Plan.
- The retail impacts would exceed those stated in the EIA
- Staging - the large amount of core retail is in Stage 1 and 2 and well in advance of any residential which is not until Stage 4 (timeframe undetermined). This reflects a primary interest in the retail / commercial components. Any retail development should be in conjunction with or after the new residential component to justify its support.
- Forecast population increase is insufficient to warrant a new supermarket in the area.
- Insufficient justification for another DDS.
- Lack of commitment to achieve a wide mix of uses in each precinct as required under the Structure Plan.
- Residential use/development at Stage 4 is not consistent with Melbourne 2030.
- The Development Plan is dishonest and includes misleading statements.

Referrals and Agencies

A number of State government departments were asked to comment on the Development Plan including the Director of Public Transport, the Department of Infrastructure, VicRoads and the Environment Protection Authority (as required under section 5.0 of the schedule to Clause 37.06) as well as service agencies, Melbourne Water, the Metropolitan Ambulance Service, the Metropolitan Fire and Emergency Services Board, Victoria Police, Yarra Trams and Ventura Bus Lines. Eight (8) responses were received, and these indicated general support for the development. Comments included the following:

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- The Department of Infrastructure recommends the Integrated Transport Plan (ITP) give more attention to trip generation and measures of accessibility to and within the site, and to clarify aspirations for a transfer of mode choice to sustainable transport. It also notes that any re-routing of the Bus route 733 through the site is subject to further investigation by the Department.
- In its submission, VicRoads sought further information and / or permit conditions on a range of specific matters relating to the main intersections, traffic analysis and the proposed mitigating works. It also advises that lane widths on the arterial roads are to remain unchanged, that a speed limit of 50 km/h should apply to Main Street, that it does not support "left in" traffic at two of the secondary accesses, and that staging of works should relate to a traffic generation threshold. VicRoads advises that it should not be listed as a possible source of funding for any of the works.

A number of subsequent meetings have been held with VicRoads and further information has been supplied by the proponent to help refine and clarify VicRoads requirements.

- Expression of interest for an ambulance site within the development
- Melbourne Water acknowledges the onsite retarding basin and requires that post development flows be retarded back to pre-development conditions. Melbourne water also seeks further information on Water Sensitive Urban Design Initiatives proposed and has advised that a developer contribution will be required towards the local drainage scheme as well as an agreement to drain into Melbourne Water's assets.
- Yarra Valley Water advises that the existing sewerage system is not designed for the proposed development and surcharges during high stormwater flows. It seeks a sustainable solution that would contribute little or no additional flows to the sewerage system as part of an Integrated Water Management Plan. ESD options should also reduce potable water consumption.

Former Structure Plan Working Group

Community members of the former Working Group on the Burwood Heights Structure Plan reconvened to discuss the Development Plan on 25 October 2007. Discussion covered the following key issues:

- The relationship of buildings along the northern boundary of the RSPCA site
- Concern about the number of traffic signals along Middleborough Road between Canterbury Road and Burwood Highway and the need for signal coordination
- Whether there is sufficient space at the intersections for the proposed lane modifications
- Clarification that the timeframe for completion of Stages 1 to 3, being mainly the commercial components, is by 2015. Stage 4, being the residential component, is year 2015 and beyond. Consultants for Reading noting that delivery of the residential component is dependent on market forces.
- Lack of population estimates in the Plan. The existing shopping centre is concerned about the 700 dwellings not being proposed until stage 4 and urged Reading not to underestimate the potential and importance of the residential component.

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Priority Development Panel

As parts of its review of the Development Plan, the PDP conducted separate workshops on 3 and 4 December 2007 in relation to transport, economic and urban design / built form matters, with a further session on transport held on 6 December 2007. The workshops engaged members of the PDP, Council officers and its consultants, Reading and its consultants, peer reviewers as well as officers from the Department of Planning and Community Development, the Department of Infrastructure and VicRoads.

PDP's Findings:

The PDP's report was circulated to Councillors on 18 December 2007 and highlights the following:

- The project has evolved rather than changed from original expectations for redevelopment of the site. A degree of change as the project evolved is to be expected and anticipated.
- The overall development concept and mix of uses has potential to be an important exemplar for implementation of Melbourne 2030.
- The proposed combination of traditional retail with entertainment, dining, a town square and a significant central park, plus the residential and office, will provide a unique destination or a new 'place' for the eastern suburban sub-region.

Achieving mixed-use at all stages:

- The Development Plan shows residential development occurring in the final stage, beyond the year 2015. During the PDP's workshops Reading Properties confirmed an intention to make provision for residential use at all stages of the project.
- In accordance with the underlying rationale of the Melbourne 2030 Strategy to facilitate increased residential densities in and around activity centres, the project needs to integrate retail, commercial, recreational and residential development in all precincts and at all stages. Development should not proceed to the next stage without residential being constructed.
- Designation of Burwood Heights as a Major Activity Centre is predicated on its potential to achieve higher density residential development in a mixed use setting and Reading will need to demonstrate timely commitment to this important State objective.

Advice: The Development Plan is generally consistent with the objectives of the Priority Development Zone Schedule, provided a mix of uses, including residential, is delivered in all precincts and at all stages.

Retail – Economic Impact:

- There is an opportunity to support particular retail components in the development with the provision of an economic impact assessment.

Responding to its comments in the PDP's November 2005 report to the Minister on the Priority Development Zone controls, the Panel noted that the 3000sq.m as-of-right retail floor space did not derive from a belief that this was or should be the desirable upper limit. Rather, it allows the extent and nature of the retail components to be monitored in light of the project's lifestyle and recreation focus and can also serve as a means for ensuring that retail is delivered as part of a true, mixed-use format.

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- The unique, "place based" mixed-use nature of the proposed centre, compared with the more main-stream sub regional centres within the catchment, is sufficient to support a different and less localised catchment. Therefore, support can be found for a less conservative finding in relation to impacts on K-Mart Plaza and Burwood Heights and, on balance, the impact on these centres of a full-line supermarket and DDS at Burwood Square could be sustainable.
- The Panel is of the view that the proposal for the integrated public realm, higher density, mixed use and leisure/lifestyle based form and function can complement rather than compete with other centres in the region. The Burwood Heights shopping centre will be marginally impacted upon by the inclusion of a full-line supermarket, but the community benefits are likely to outweigh the losses.
- Council's structure plan recognises that the existing Burwood Heights shopping centre needs to evolve in response to the former Brickwork site's redevelopment and identifies the opportunity for Council to take a proactive role in working with land owners and tenants of the existing shopping centre to realise its potential as part of the broader Burwood Heights Activity Centre.

Note: Discussions with the Burwood Heights Traders Association on a proposed Masterplan project for the existing shopping centre have already been initiated.

Advice: The Development Plan should clarify the centre's leisure/recreation function, and make more detailed reference to the likely mix of retail and possible suites of elements. The Development Plan should also include a Reading Properties economic justification for the project to be underpinned by elements of traditional retail.

Advice: The Council must remain committed to providing development facilitation and place-making services to the existing Burwood Heights Shopping Centre's occupants so the centre's evolving prosperity can be assured.

Access and Transport:

- The Development Plan's responses to access and transport raise some whole-of government issues including:
 - the trade-off between improved pedestrian environments and VicRoads' aspirations for present levels of congestion on the arterial road network to be maintained or improved
 - the benefits and timing of providing local buses through the centre and integrating bus access into any new transport interchange on Burwood Highway
 - timely funding for all modes

Advice: Council and Reading should actively engage in the Department of Infrastructure's proposed review of local bus routes to ensure the development has direct bus linkage to nearby train stations

Urban Design:

- The project has the potential to be based on excellent urban design, but some key items need further addressing:
 - Explicit, as opposed to aspirational, urban design principles and detail to achieve sustainability - climate change reorientation eg Water Sensitive Urban Design (WSUD) and Ecologically Sustainable Development (ESD)
 - Far better detail on walkability within the whole Activity Centre, including the public transport interchange access
 - The interface and connections to adjacent residential areas, and buffer zones

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- The building heights anomaly must be removed, i.e. ground level is one floor
- The Development Plan should be more explicit in relation to connections from Main Street through the development to Ramsey and Medhurst Streets.
- Achieving a highly permeable environment is necessary to ensure that the site becomes part of the local community, as well as enabling mode shift to more sustainable transport modes

Other Advice:

- Council should consider requiring amendments to the Development Plan and that a consolidated Development Plan then be prepared that demonstrates:
 - Residential development in all precincts and developed in all stages
 - A Revised staging plan that articulates the range of uses in each precinct and the sequencing of construction
 - Permission for subsequent stages of the development to only proceed if the responsible authority is satisfied with the level of construction undertaken and whether it is achieving an integrated mix
 - Opportunities for a well designed interface and non-vehicle connections from east of the site through to Main Street
 - Statements about the vision and life of the centre as expressed in the Net Community Benefit Statement
 - Revised intersection geometry concept plans
 - Revise how building heights are referred to in the Development Plan so that ground level is a storey
 - A more definite commitment to achieving ESD outcomes.
- Council should commence its process to formally implement the structure plan into the planning scheme. This process could involve further amendment to the provision of the PDZ such as removal of requirement for notice and review for a supermarket, department store / discount department store and shops with a combined leasable floor area over 3000 sq m in light of any approvals that are made under the development plan, as well as strengthening the requirement for a possible future access to the east of the site to Medhurst and Ramsey Streets.

DISCUSSION

The proposal is generally consistent with the objectives of the Burwood Heights Activity Centre and Former Brickworks Site policies, and the Priority Development Zone.

The Development Plan has evolved as the result of much discussion and there is a wide understanding of the aspirations of all parties. The significance of the development, the opportunity it presents and the importance of timely progress with the planning process is well understood.

There is strong community support for the proposal and feedback to date has generally been positive, but some concerns do exist.

10.1.2

(cont)

Submissions are critical of the amount of retail proposed (36,600 sq metres) being significantly higher than the as-of-right provision for "shop" of 3,000 sq metres, the impacts of this on other centres and on the retail hierarchy in the region, and the economic analysis undertaken by the proponent. Predominantly, these concerns stem from a lack of confidence in the development delivering the lifestyle and leisure-based retail environment envisaged and previously promoted by Reading to the community in earlier planning processes (ie: something "different" and complementary to what is already offered in the region) where the actual amount of retail could be accepted. Instead parts of the community now see the proposal as 'just' another sub-regional shopping centre containing all the conventional retail components / anchors (ie: supermarket, DDS, etc).

Concern was also raised regarding the deferral of residential development to the final stage and whether the development will achieve a genuine mix of uses with residential in each precinct and a range of housing forms and densities, including higher density residential development as required under the planning scheme.

Submissions and assessment of the Development Plan also highlight a number of urban design concerns about the interface with / transition to adjacent residential areas, the extent of active street frontages, the impact of buildings on public spaces and commitment to achieving ESD principles, all of which are relevant to the planning scheme requirements.

Proposals in the Development Plan for an integrated network of roads and paths to improve local accessibility and permeability through the site for surrounding residents and to the wider activity centre are also not as robust as the planning scheme objectives envisage.

The various plans included throughout the Development Plan report are generally consistent with the site framework plan that has been incorporated into the planning scheme. However the following modifications have occurred:

- The alignment of Main Street has change marginally. It now provides a more regular alignment. This change is appropriate from a planning perspective.
- The plan reflects the change of emphasis in the location of major entertainment facilities such as the Cinema in Precinct A rather than Precinct B, and changing the emphasis on Precinct B to included greater emphasis on retail. No planning objection is seen to this change, provided that the mixed use nature of both Precincts A and B remain.

It is considered that the departures from the planning scheme requirements can be managed by the inclusion of additional work prepared by Reading and / or conditions on approval of the Development Plan. Some of these matters are covered in greater detail in the following sub-sections.

Land uses

The proposal relates to a very large site that holds significant redevelopment opportunities in the eastern suburban context. It is both encouraging and expected that the Development Plan seeks to include a wide range of uses while also striving to create a new, vibrant centre with attractive and functional public spaces as focal points.

The Development Plan satisfies that a wide range of uses is to be delivered on the site, but it is the quantum, type and staging of the residential component to achieve the right proportion / integration of residential in each precinct, with an emphasis on 'higher' rather than just 'medium density' residential, as well as the type and amount of retail development that requires further consideration.

10.1.2 (cont)

Reading has confirmed that it will include residential development in each precinct and further work is to be undertaken to define the quantum, type and staging of residential as part of the Development Plan. This is considered to be an appropriate response.

The retail component is further discussed below under Economic Impacts.

Economic Impacts

The significant economic benefit of the Burwood Square to the City of Whitehorse and the broader region is acknowledged. The project is proposed to be undertaken over approximately ten years and is expected to generate the following economic benefits:

- Project cost of \$600 million
- Completion value of \$1.0 billion
- Approximately 1508 permanent jobs
- Approximately 814 construction jobs
- Provision for over 1000 new residents

The most contentious issue relates to the impact of the proposed traditional retail component.

During the preparation of the Burwood Heights Structure Plan and the Framework Plan for the former brickworks site, the role and function of future development on the brickworks site was carefully considered. Particular attention was given to the retail role and provision, and the potential effects of retail development on the existing Burwood Heights Shopping Centre and on nearby East Burwood Plaza. The resultant wording included in the objectives and policies emphasised the need for retail facilities to focus on 'lifestyle and leisure' based activities to complement the strong entertainment role envisaged for the site, rather than on traditional retail elements.

The as-of-right "shop" floor space in the Priority Development Zone of 3,000 square metres was in response to these concerns, and 'supermarket' and 'department store (including discount department store)' uses were deliberately made permit required uses in the schedule to the Zone.

The retail component proposed is 36,600 square metres and includes a full-line supermarket and a discount department store. This is a considerably greater amount and with a larger component of traditional retail than was envisaged during the preparation of the Burwood Heights Structure Plan. However, the findings of the PDP highlight that evolution of the development from the original proposal is expected and is reasonable. Further work has been undertaken by the proponent on the mix of retail components to further illuminate the lifestyle / leisure based retail vision for the site and on Net Community Benefit. This additional work needs to be incorporated into the Development Plan.

The schedule to the Priority Development Zone does allow a planning permit application to be assessed for a larger retail component that includes a supermarket and a department store. That provision was specifically included in the schedule to enable an application for a larger retail component to be considered on its merits, following a full economic analysis. As the PDP notes, the 3,000 square metre "as-of-right" floor space was not envisaged as a cap to retail development, but rather a mechanism by which Council could monitor the amount, mix and delivery of retail on the site as development progressed.

10.1.2 (cont)

In its advice, the PDP has focussed on the role of built form in the creation of a 'lifestyle / leisure' based centre rather than on retail type. The Panel commented that the 'main street' and the mixed use character of the proposed development means that it will provide a 'lifestyle / leisure' environment and therefore a different offer to other centres in the region, and hence will complement rather than compete. This argument has merit but if approved, the development plan should also strengthen this with conditions seeking further economic justification about the scale, mix and timing of the retail component.

Urban Design and Built Form

Burwood Square has potential to be an exemplar or Melbourne 2030 in many respects, but particularly in terms of its built form, architecture and urban design, and how this translates to creation of a unique "place", a highly sustainable environment (ESD), and a great neighbourhood to live, work and recreate. The Development Plan contains the ambition and a genuine intent to deliver an outstanding physical environment and goes to considerable length to illustrate the vision through artists impressions, cross-sections and the like.

The inclusion of the Urban Design Guidelines (UDGs) assists greatly and is critical in understanding matters such as interface treatments, levels of activity, construction within building envelopes and how height is distributed across the site, etc. The UDGs are intended to provide a sufficient level of guidance to design and assess future applications within the site and need to be explicit and give confidence in the outcomes but without being overly prescriptive. Further work is required to reach the level of detail required of this important tool.

There are a number of concerns that have been highlighted in terms of urban design, built form and the UDG's, as follows:

- The treatment of interfaces with adjoining property such as the impact of building height, accessibility and amenity, especially to the east
- Main Street and plaza built form conditions and consideration of the 'human scale' of development (whether buildings overwhelm) and overshadowing of public spaces
- Building envelopes having potential to become single building footprints
- The impact of built form on the Burwood Highway 'wedge' and the need for greater confidence that buildings will be within a strong landscaped setting and have regard to the terrain and interfaces
- The building heights are misleading. The number of storeys needs to reflect the same number of levels (ie: ground floor is a storey)
- The Plan does not retain the possibility to explore the opportunity for pedestrian and open space links to the retarding basin to the east of the site on Eley Road as per the Structure Plan.
- The Plan does not retain an opportunity for pedestrian links in the future, through to Medhurst and Ramsey Streets to the east as per the Structure Plan.
- It does not provide the option for the significant upgrading of Middleborough Road, possibly by way of a road widening (potentially from Eley Road to Burwood Highway) or the introduction of a service road. If this option cannot be realized in the short term, then it may be appropriate to setback buildings a sufficient distance from the west side of Middleborough Road to retain the opportunity for this and improved pedestrian and cycle conditions in the longer term.
- Little detail is provided about the interface with the RSPCA and retaining a longer term opportunity to integrate these two major components of the activity centre (albeit perhaps only visually).
- Pedestrian amenity and degree to which active uses will be provided at ground level in the 'local roads' within Precinct A in particular, but also in Precinct B remains unclear.

10.1.2

(cont)

Conditions on approval of the development plan can address the need for further refinement of UDG's to clarify the above matters.

Transport and Access

VicRoads and the community have raised a number of concerns in relation to traffic generated by the proposal and the ability of the arterial roads to cope with the additional congestion. There are ongoing discussions with VicRoads and further work being undertaken by Reading on the traffic generation analysis and on the design of key intersections being Middleborough Rd / Eley Rd, Middleborough Rd / Main Street, Middleborough Rd / Burwood Highway and Burwood Highway / Main Street to reach agreement on acceptable outcomes for the arterial road network. Appropriate conditions will be included to reflect these discussions.

In regard to the arterial roads, the PDP discusses the objectives of *Melbourne 2030* to support higher density development in and around activity centres and the trade-off that is needed between the desire for improved environments to facilitate mode shift to public transport, walking and cycling and the aspirations for extra traffic lanes, etc to address congestion.

The need to ensure buildings are setback a sufficient distance from Middleborough Road to retain the opportunity to consider widening or reconfiguring Middleborough Road in the longer term is considered appropriate (refer Urban Design and Built Form above). While no conditions are proposed that relate to this issue, the proposed building setback in the UDGs allows for this and / or improved pedestrian and cycle environments in the longer term.

In terms of the local road network there is concern about the traffic impacts on Eley Rd, which already carries considerable volumes, and its capacity to absorb additional traffic generated from part of the residential area in Precinct C. Subject to further information being supplied by Reading on the quantum and type of residential development envisaged in Precinct C, it is desirable to minimise the level of residential development provided with direct access to Eley Road. A condition requiring a review of the Integrated Transport Plan will assess this matter.

Community concern in relation to access for through traffic and parking in Crow Street (located south of Burwood Highway) as a result of the development will be partly assisted by relocation of the eastern-most secondary access point to Burwood Highway to be further east and past the median break to Crow Street. Traffic heading east from the Burwood Highway / Main Street intersection will still be able to U-turn and access Crow Street.

Main Street, the new boulevard linking Middleborough Road and Burwood Highway, is an integral part of the development and the public space, urban design, activation and built form opportunities it creates. While intended to be a slower traffic environment, the width and connectivity of Main St linking the arterial road system, may make it conducive to 'rat-running'. A condition requiring a review of the Integrated Transport Plan will address this matter.

The Department of Infrastructure recognises the potential for a transport interchange on Burwood Highway to integrate tram and bus services, and confirms the role of the proponent in assisting with implementing public transport improvements as a necessary part of the development through concept design of the interchange, suitable design of Main to accommodate buses and contribution of funds. A future review of bus services in the region by the Department will consider the scope to re-route Bus route 733 through the site into the future. It is anticipated that both Council and Reading are expected to be involved in that review. These matters are included in conditions and a section 173 agreement which impose specific obligations on Reading with respect to these matters.

10.1.2

(cont)

Parts of the community are keen to see that there is sufficient car parking in the development. It is proposed that the parking rates in the planning scheme at Clause 52.06 be applied and that justification be provided in future planning applications for any car parking dispensation.

The Development Plan addresses pedestrian and cycle access however assessment of the plan and comments from the PDP indicate that walkability and permeability of the proposal needs improvement. If approved by Council, a walkability plan should be prepared to address pedestrian movement, site permeability and safety.

Open Space and Landscape

The Development Plan and Net Community Benefit Statement furnished during the course of the PDP investigations, acknowledge the critical importance of the green public open spaces, urban public spaces and landscape (existing and proposed) to the success and vibrancy of the development.

While community submissions passed limited comment on open space and landscape, this does not reflect a lack of interest in these components. These areas are of key importance to Council, be it the "green" public open space around the lake / retarding basin (which Reading intends be vested in and maintained by Council) or privately owned spaces that will be publicly accessible.

The Priority Development Zone requires a future Agreement under Section 173 of the Planning and Environment Act 1987 for these areas that is to include (amongst other things) arrangements with respect to associated works and ongoing maintenance of open space and the preparation of an Open Space Management Plan for controlling and maintaining open space and any water bodies.

Detailed design during the planning permit stage will be needed to consider appropriate facility provision, landscaping, ecology, street furniture / installations and public art, etc.

Specifically in regard to the Burwood Highway wedge and the edges of the site, the landscape value of vegetation also needs to be assessed before retention and removal of vegetation can be determined. The Development Plan includes an arborist report, and a flora and fauna assessment, neither of which assess the landscape value / visual contribution of the existing landscape.

Ecologically Sustainable Development (ESD)

There are a number of comments from Melbourne Water, Yarra Valley Water and Council's Engineering and Environmental Services Department that need to be reflected in the Environmental Management Plan report as requirements for future detailed planning stages or as section 173 agreements under the Planning and Environment Act 1987. These comments relate to requirements for Water Sensitive Urban Design, Integrated Water Management Plan, resolution of local stormwater issues and sewer capacity, etc.

In broader terms there are a number of ESD initiatives that are to be dealt with under the UDGs such as solar access in public spaces, pedestrian / cycle access for site permeability and building design, orientation and scale. ESD principles will also need to be applied to the next stage of detailed design for open spaces.

The Development Plan outlines a number of ESD initiatives that could be considered as part of the development. The PDP was critical of the lack of commitment to implementing ESD initiatives in the language used in the Development Plan and this needs to be improved to give greater confidence on ESD outcomes.

10.1.2

(cont)

Community Facilities

The Development Plan does not clearly identify community facilities needed as a result of the proposal. To a large extent, aside from the open space and trail / pathway provision, the identification of community facilities is premature until further work is undertaken on the future quantum, type and staging of the residential component (and to a lesser extent the visitor / employee base). This work will provide a better understanding of the future demographics of the new resident population in the context of the surrounding population and existing community facilities.

Council is therefore unable to take a position on other community facility requirements until this work is undertaken by the proponent and Council at the appropriate time, which will then allow Council to further consider, plan and budget for any facilities it may be expected to provide together with those provided through the development.

Staging of Development

The development plan provides information about the intended future staging of development.

The staging of development within precincts poses concern, particularly in terms of the timely delivery of residential components, given the difficulty of staging the construction of multi-level buildings with basement car parking and upper level residential uses etc. Normally such buildings would be built in one stage. Clarification of these issues could seek to ensure that the upper level residential and mixed use components of Precincts A and B are constructed as part of the initial stage of development, unless it can be assured in some way, that these elements of the project will definitely proceed.

In line with the PDP's advice, the Staging Plan needs to ensure what results is a truly mixed use development and that there is a mechanism for review of the integrated, mixed use outcomes in each precinct before proceeding to the next stage.

CONCLUSION

The intention is for the site's redevelopment to evolve as an integrated, accessible and not isolated part of the Burwood Heights Activity Centre, with a range of housing, office, retail, entertainment, leisure and community uses in a mixed use development, with residential in each precinct consistent with Melbourne 2030.

A key point of difference for the development is the physical form being a medium to high density mixed-use development in a 'main street' format, focussed on public realm with active frontages and with cinema-based entertainment and lifestyle retail as a major component and key driver of the retail uses. With additional bodies of work to clarify the lifestyle / leisure-based retail focus to be incorporated into the Development Plan, plus efforts by Council to facilitate the evolution of centres such as Burwood Heights Shopping Centre and East Burwood Plaza, as well as the further economic justification required as part of future planning permit applications, it is considered that the concerns about the economic impacts of the development can be addressed.

In terms of the physical layout of development on the former brickworks site, from a planning perspective, the development plan is consistent with the directions provided in planning policies, controls and background documents in relation to urban design, layout and other related matters. Many of these issues can be resolved through planning approval processes and refinement of the Development Plan documents.

10.1.2

(cont)

The critical issue in approving a Development Plan, is that unconditional approval of the plan will provide tacit Council support in the next stage of the approvals process (i.e. the permit application stage) for any matter that can be argued to be 'consistent' with the Development Plan. Therefore:

- it should not include any matter that Council is unlikely to support in the future, when a planning permit application is lodged; and
- it should include any matters that are important to be carried through into the ultimate development of the site.

Discussions held during the passage of the Development Plan have seen a number of issues resolved to date. These discussions have accelerated with facilitation by the PDP and there is a general acknowledgement that the proposal has evolved since completion of the earlier Framework Plan and that the natural progression of elements has not necessarily resulted in a departure from zone or policy objectives. Conditions to attach to the Development Plan have been drafted and refined taking into account advice from the PDP and the PDP has expressed its support for the proposed conditions.

Therefore, having regard to the objectives of the Priority Development Zone, local planning policies for the site and the broader Burwood Heights Activity Centre, the Burwood Heights Structure Plan, the site Framework Plan, the relevant decision guidelines contained in the planning scheme and comments sought, the Burwood Square Development Plan should be approved, subject to conditions to address the matters outlined in this report.

COUNCIL RESOLUTION

Moved by Cr Ellis, Seconded by Cr Allan

That Council:

- A Being the Responsible Authority, having placed the Burwood Square Development Plan on display for community comment in accordance with Section 5.0 of Schedule 1 to the Priority Development Zone at Clause 37.06 and sought the advice of the Priority Development Panel, recommend that the Development Plan comprising the Burwood Square Development Plan Volume 1 (September 2007, Revision 05) and Volume 2 Specialist Reports (September 2007) be approved subject to the following conditions:***

The Proponent must amend the Development Plan Volume 1 and Volume 2 and make any consequential changes throughout these documents as specified below:

Changes To Development Plan Volume 1

- 1. Amend Volume 1 of the Development Plan to:***
 - a. Include, in section 4, a summary from the Net Community Benefit Assessment prepared by Tract Consulting dated 7 December 2007 to provide more detailed statements about the vision and life of the centre.***
 - b. Refer, in section 11.1, to the likely mix of retail and the potential combination of elements and uses as described in the Table at page 12 of the Tract report of 25 January 2008.***
 - c. Refer, in section 11.1, to the economic justification of the project being underpinned by elements of traditional retail and how this will complement rather than compete with other centres in the region as described in the Pinnacle report of 25 January 2008.***
 - d. Refer, in section 11.5, to the Net Community Benefit Assessment dated 7 December 2007.***

10.1.2
(cont)

2. *Revise the Development Plan to show Residential development in all precincts.*
3. *Prior to use, development and subdivision (excluding site remediation and bulk excavation works) submit a report to the satisfaction of the Responsible Authority detailing:*
 - a. *The quantum and type of residential use.*
 - b. *The staging and timing of residential in each precinct of the development based on appropriate supporting economic and market analysis.*
 - c. *Appropriate triggers for the commencement and completion of residential in each precinct to ensure that the development is achieving the provision of residential development and an integrated mix of uses.*
4. *Amend the Development Plan to refer to a range of medium and higher density housing in Precinct C rather than just medium density housing.*
5. *Revise Development Plan throughout to clarify the definition of building height as including the ground floor as level 1.*
6. *In precinct A on Page 17 amend to read "community uses with opportunity for residential uses above commercial".*
7. *Amend the wording and legend on page 41 of the Development Plan to refer to "Maximum Building Envelope at ground level (excluding plaza and open space areas)" rather than building footprint.*
8. *Revise the Development Plan to show opportunities for non-vehicular connection from Main Street to the eastern boundary of the site to facilitate potential future connection to side streets.*
9. *Amend the Development Plan to provide a revised staging plan showing the integration of residential development into each precinct.*
10. *Delete the reference in Section 12 Implementation and Funding of the Integrated Transport Plan (p 65) identifying Council, Department of Infrastructure and VicRoads as possible sources of funding.*
11. *Amend the Urban Design Guidelines in Volume 1 of the Development Plan to:*
 - a. *Include an objective and guidelines under "building design" relating to Ecologically Sensitive Development (ESD) in Section 9.4.1.*
 - b. *"Provide suitable landscaping within the minimum 7m setback along the Middleborough Road frontage" in 9.4.2 (Interface Treatment)*
 - c. *Include an additional guideline in Neighbourhoods 1 and 2 (pages 45 and 50, Interface Treatment) to "ensure that the southern boundary with the RSPCA has an appropriate building and landscape interface."*
 - d. *Ensure that development in Neighbourhood 4 is respectful of the landscape contribution of existing trees in this area, and taking into account sensitivity to slope, transitions in building height and site coverage.*

10.1.2
(cont)

- e. *Be more explicit with the language used in the guidelines, so that words such as “encourage”, “promote”, “investigate” and “should” are replaced with “ensure” and “provide” and the like.*
- f. *Annotate the term “West Road” and “South Road” on relevant drawings.*
- g. *Amend the reference “investigate the opportunity to incorporate the installation public art ...” to read “develop a plan for the installation of public art ...”.*
- h. *In Neighbourhood 4:*
 - i. *Include an appropriate setback and interface treatment to Old Burwood Road.*
 - ii. *Reflect that there be no loading / unloading from Old Burwood Road.*
 - iii. *Amend the Neighbourhood 4 Plan to show the eastern most access to be located to the east of Crow Street. Note: This access also needs to be amended on all other relevant figures throughout the Development Plan.*
- i. *Include “Explore the provision of possible future connectivity from the west side of Melbourne Water’s retarding basin into the site” on Page 54 (Interface treatment) of the Development Plan and add a pedestrian/cyclist access arrow on page 15 (Figure 8).*
- j. *Amend Page 50 and Page 54 (Interface treatment) of the Urban Design Guidelines to indicate north/south permeability by pedestrians and cyclists along the eastern interface within the site.*
- k. *Amend the Development Plan to identify the potential for small building projections and isolated buildings to extend beyond the building envelopes identified for the urban plaza and open space.*

12. *Amend the Development Plan to include text in the landscape and urban design sections to include principles for street furniture in public spaces.*

Changes to Development Plan Reports Volume 2 (and any Consequential Changes this Generates for Figures and Text included in the Development Plan Volume 1)

13. *Include the following reports in Volume 2 of the Development Plan:*

- a. *Net Community Benefit Assessment, prepared by Tract Consulting, 7 December 2007*
- b. *VicRoads Metropolitan South East, Burwood Square, Revised analysis report, prepared by Arup Pty Ltd, Issued February 2008 (or subsequent edition)*
- c. *Principles for Viable Mixed Use Retail Development and Assessment of Use Mix report.*

Site Analysis – Report 1

14. *Clarify the inconsistency of the RLs and AHDs shown in Drawing # SKT-RF101, SKT-RF102 and the cross-sections 84180 p 2/2 to the satisfaction of the responsible authority.*

10.1.2
(cont)

Environmental Management Plan – Report 2

15. Amend the Development Plan Report to:

- a. *Include text in the Ecologically Sustainable Development section that states that the development will seek to meet or exceed all relevant Federal and State Government regulations with regard to energy and water conservation, passive design of buildings, waste management, water sensitive urban design and planning.*
- b. *Require that all buildings seek to exceed the minimum energy rating as specified in the Building Code of Australia.*

Integrated Transport Plan – Report 3

16. Prior to use, development and subdivision (excluding site remediation and bulk excavation works) revised intersection geometry plans, generally in accordance with ARUP plans dated 24 January 2008 shall be approved to the satisfaction of VicRoads.

17. Submit a Walkability Plan to the satisfaction of the Responsible Authority that shows better detail on walkability within the whole activity centre and including, but not limited to;

- a. *more complete pedestrian desire lines*
- b. *the nature of pedestrian access / permeability between and through building envelopes in the development*
- c. *connectivity through public spaces*
- d. *the opportunity for possible future pedestrian / cycle link between the site and adjoining Melbourne Water retarding basin*
- e. *pedestrian and cycle access opportunities to and from the site from adjoining streets - Middleborough and Eley Roads, Burwood Highway and local streets.*
- f. *The location of all paths and shared paths.*
- g. *Proposed pedestrian crossing points.*
- h. *Public transport access.*

18. Revise the Integrated Transport Plan to include updated traffic analyses and concept layouts to the satisfaction of the Responsible Authority and VicRoads.

Arborist Report – Report 5

19. Amend the Development Plan to acknowledge further assessment of the landscape value of vegetation that needs to be undertaken to identify trees to be removed and retained.

Economic Impact Assessment – Report 7

20. Amend the Development Plan Report to include a written statement describing the likely mix of retail and the potential combination of elements and uses in the development.

21. Provide an economic justification for the project being underpinned by elements of traditional retail and evidence of how this will complement rather than compete with other centres in the region and how it supports the leisure / lifestyle function.

10.1.2
(cont)

Agency Conditions

Dept of Infrastructure (DOI) - Public Transport

- 22. Unless otherwise agreed in writing with the Responsible Authority and the Department of Infrastructure, prior to the commencement of stage 1 the proponent must provide detailed concept designs for the Burwood Highway / Middleborough Road, Burwood Highway / Main Street / Safeway Access intersections, including options for the public transport interchange on Burwood Highway. The concept plans must detail:**
- a. the provision of a Disability Discrimination Act 1992 (DDA) Disability Standards for Accessible Public Transport 2002 (DSAPT) compliant transport interchange;**
 - b. the most desirable location for DDA compliant bus stops within and servicing the development site in the context of the emerging land uses, development sequencing, locality and transport interchange;**
 - c. direct pedestrian and cycle paths within and through the site plus connecting to the surrounding network emphasising a pro sustainable transport development; in consultation with the Department of Infrastructure, Vic Roads and Council.**
- 23. Unless otherwise agreed in writing with the Responsible Authority and the Department of Infrastructure, prior to the completion of stage 1 the proponent must engage with the Department of Infrastructure, the Responsible Authority and Vic Roads on the timing and funding for the transport interchange on Burwood Highway and bus services to and through the development site.**

Melbourne Water:

- 24. Prior to use, development and subdivision (excluding site remediation and bulk excavation works), the proponent must enter into a S173 agreement with Melbourne Water for payment of developer contributions towards the Fulton Road Drain Redevelopment Drainage Scheme (4883) / local drainage scheme.**
- 25. Amend Environmental Management Plan to note that the following needs to be completed as part of any future planning permits approvals process:**
- a) In relation to the impact of the Development Plan on Melbourne Water's Retarding Basin, the development must be designed to ensure that post development flows are retarded back to pre development conditions.**

10.1.2
(cont)

b) In relation to the WSUD initiatives:

- i. An electronic copy of the MUSIC model must be submitted before a formal response can be provided on the model.*
- ii. A typical cross section of a road incorporating a bioretention system must be submitted showing dimensions of the proposed systems.*
- iii. It is recommended that pretreatment is provided for runoff entering the sediment pond from Residential nodes 1 - 4. If this cannot be provided, then a turnover analysis is required in order to determine if algal blooms will be a problem in the sediment pond.*

Yarra Valley Water:

- 26. Prior to use, development and subdivision (excluding site remediation and bulk excavation works) the proponent must enter into an agreement with Yarra Valley Water and Melbourne Water pursuant to Section 173 of the Planning & Environment Act 1987 to prepare an Integrated Water Management Plan for the site which identifies a solution to the sewerage and water capacity constraints.**

Vicroads:

- 27. The following requirements from VicRoads are to be incorporated into the Section 173 Agreement (relating to Transport) required under Section 11.0 of the Schedule to the Priority Development Zone:**

- a) Provide staging details for the installation of traffic signals and road works to the satisfaction of VicRoads and the Responsible Authority.**
- b) Detailed functional layout plans, when submitted to VicRoads and the Responsible Authority for approval, must be generally in accordance with the functional layout plans (dated 24/01/08 drawing No SK21, SK22, SK23, SK24, SK25) prepared by ARUP, but modified as required to the satisfaction of VicRoads and Responsible Authority.**
- c) A Road Safety Audit (RSA) of the functional layout and detailed design layout stages must be undertaken in accordance with Austroads – Road Safety Audit (Second Edition, 2002) to the satisfaction of VicRoads and the Responsible Authority.**
- d) Functional layouts, traffic signal layouts and detailed engineering layouts must be approved to the satisfaction of VicRoads and the Responsible Authority. These layouts must be designed to be consistent with Ausroads and VicRoads guidelines.**
- e) The proponent must pay the full cost of all roadworks, drainage, road safety devices, service relocations, civil works, public lighting, traffic signals and any other associated costs, i.e.: all works to be complete at no cost to VicRoads or the Responsible Authority.**

10.1.2
(cont)

Development Plan Notes:

1. *Ensure that any overland flows impacted by the development are contained in a flood path to the satisfaction of the Responsible Authority.*
2. *Ensure that the timing and effect of the proposed drain diversion (currently located through the site from the rear of 17 Ramsey Street via a registered easement north to the Eley Road retarding basin) on the existing mounding and vegetation from Ramsey Street to the Eley Road retarding basin must be to the satisfaction of the responsible authority.*
3. *The proponent must lodge a formal application with the Responsible Authority to vary any existing drainage easement including detailed engineering drawings for consideration and approval. This information must be accompanied by a detailed catchment analysis. Please note that no approval will be given for any building over the existing or the revised easement.*

Department of Infrastructure:

4. *The proponent should be included in any review of local bus routes undertaken by the Department of Infrastructure in this locality with the view to service provision through the development site in the future.*
- B** *Advise the applicant, all submitters, the Priority Development Panel and the Minister for Planning of its decision.*
- C** *Thank the Priority Development Panel for its willingness to participate and its advice on the Development Plan.*

CARRIED UNANIMOUSLY