



Planning and Environment Act 1987

Panel Report

Manningham Planning Scheme

Amendment C96

'Review of DDO8 controls'

12 April 2013

Planning and Environment Act 1987

Panel Report pursuant to Section 153 of the Act

Amendment C96 to the Manningham Planning Scheme

'Review of DDO8 controls'

A handwritten signature in black ink that reads "Lester Townsend". The signature is written in a cursive style with a large initial "L" and "T".

Lester Townsend, Chair



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List of Abbreviations

DDO	Design and Development Overlay
DPCD	Department of Planning and Community Development
LPPF	Local Planning Policy Framework
MAC	Major Activity Centre
MSS	Municipal Strategic Statement
NAC	Neighbourhood Activity Centre
SPPF	State Planning Policy Framework
VPP	Victoria Planning Provisions

Executive Summary

Submissions to Amendment C96 to the Manningham Planning Scheme raise a number of important issues: housing policy, mandatory controls, parking requirements. Council has responded to these submissions on the basis of how the controls work in practice, and how they achieve Manningham's planning goals as part of a broader set of controls and policies. In response to broad assertions Council has provided detailed analysis.

I have some sympathy for residents affected by development in their area, but this development is not ad hoc; it is the result of carefully crafted policy. The impact on the individuals does not outweigh the broader net community benefit of Council's approach.

Specifically I have concluded that:

- Introducing a main road sub precinct is appropriate given how Schedule 8 to the Design and Development Overlay has been applied.
- The Amendment does not alter the overall boundaries of Schedule 8 to the Design and Development Overlay, and this is not a matter that can be considered as part of the Amendment.
- The combination of a clear policy setting with controls to provide parameters around the development supported by policy is a good planning approach.
- Council has provided a detailed justification of the merit of the mandatory controls and the controls will serve the purpose of providing incentive for site consolidation.
- Council has demonstrated that the proposed controls in combination with a clear policy setting can achieve significant development on consolidated lots.
- Council will be able to meet its future housing needs.
- The use of mandatory provisions is justified.
- Carparking provisions in the Manningham Planning Scheme are adequate to address parking issues.
- Height should generally be specified in metres, with an additional commentary on the number of storeys permitted to help communicate the intent or outcomes of controls.
- The introduction of a mandatory minimum lot size in sub precinct B is not warranted.
- The revised Schedule 8 to the Design and Development Overlay contains appropriate objectives around managing character.

Based on the reasons set out in this Report, I recommend that:

Amendment C96 to the Manningham Planning Scheme should be adopted as exhibited subject to the following modifications:

- 1 Council review the proposed wording in the Schedule 8 to the Design and Development Overlay relating to minimum lots size to test whether it will achieve its intention in practice.**
- 2 Clause 21.05-1 be modified to make reference to the need to ensure that a site with an area of 1,800 sqm is arranged in consecutive lots that are side-by-side to allow a reasonable development area.**

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- 3 Clause 21.05-1 be modified to specify a maximum site coverage of 60 per cent for all 3 sub-precincts rather than just specifying this requirement in the description of sub-precinct A as shown in the amendment documentation.
 - 4 Schedule 8 to the Design and Development Overlay be reviewed to determine whether the introduction of subheadings into the Design objectives will be useful in practice.
 - 5 Schedule 8 to the Design and Development Overlay be modified to include a design objective to limit below ground light courts so that living spaces have suitable access to natural light.
 - 6 Schedule 8 to the Design and Development Overlay objectives be modified as follows:
 - To ensure the design of basement and undercroft car parks, carports and garages complement the design of the building.
 - To ensure the design of basement and undercroft car parks complement the design of the building, eliminates unsightly projections of basement walls above natural ground level and are sited to allow for effective screen planting.
 - 7 Schedule 8 to the Design and Development Overlay be modified to provide an appropriate exemption for lift overruns.
 - 8 Schedule 8 to the Design and Development Overlay be modified to provide planning controls over services normal to a dwelling where they are part of a multiunit development, external to the building and located within 10 metres of a frontage.
 - 9 Schedule 8 to the Design and Development Overlay be modified to provide for a maximum height of 10 metres on sloping sites in the Main Road precinct.
 - 10 Schedule 8 to the Design and Development Overlay be modified to include a requirement:
 - Where appropriate, ensure that buildings are designed to step with the slope of the land.
 - 11 Schedule 8 to the Design and Development Overlay be modified to specify a maximum 60 per cent site coverage.
 - 12 Schedule 8 to the Design and Development Overlay be modified to amend the requirements under the heading 'Car parking and Access' to include a minimum 4 metre setback from the rear boundary as it relates to a basement carpark.
 - 13 Schedule 8 to the Design and Development Overlay permit requirements be modified as follows:
 - Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site.
 - Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking.

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- **Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established.**
- 14** Schedule 8 to the Design and Development Overlay maps be modified to show the sub precincts in the planning scheme maps, and delete the existing maps from the Design and Development Overlay schedule.

1 Background

1.1 The Amendment

Amendment C96 to the Manningham Planning Scheme (the Amendment), as exhibited, proposes to implement a number of actions from the *Manningham Residential Strategy* (2012) by:

- Updating policy at Clause 21.05;
- Updating Clause 43.02 Schedule 8 to the Design and Development Overlay (DDO8) to:
 - Introduce a new 'Main Road' sub-precinct where the preferred height limit (11 metres) and lot sizes (1,800m²) are maintained;
 - Change the provisions of sub-precinct A to provide for a mandatory requirement for height limits and minimum lot size: 11 metres for development on lots of 1,800 sqm or more; and 9 metres for development on less than 1800 sqm and 10 m on a sloping site;
 - Change the provisions of sub-precinct B by introducing a mandatory height of 9 metres and 10 metres on a sloping site; and
- Amending design and siting provisions in DDO8 to:
 - Minimise unsightly car basement projections;
 - Increase side setbacks to allow additional landscaping around buildings to improve the overall appearance of the building; and
 - Improve the overall design of a building to ensure that it is visually compatible within the streetscape.

The planning authority is Manningham City Council.

1.2 The Panel

This Panel was appointed under delegation on the 2 November 2012 pursuant to Section 153 of the *Planning and Environment Act 1987* to hear and consider submissions in respect of the Amendment.

The Panel consisted of Lester Townsend.

(i) Hearings and inspections

A Directions Hearing was held on 5 December 2012 at Manningham. The Panel Hearings were held on 27 and 28 February and 1 March 2013 at Manningham.

I inspected the areas affected by the Amendment making unaccompanied visits on several occasions.

(ii) Authorisation

On 23 April 2012 Council requested authorisation to prepare Amendment C96 to the Manningham Planning Scheme. Authorisation (No A02256) to prepare the Amendment was granted on 4 June 2012.

(iii) Exhibition

The Amendment was exhibited from 5 July 2012 to 17 August 2012 – a period of 6 weeks – with formal notices in:

- Manningham Leader on 4 July 2012; and
- Government Gazette on 5 July 2012.

Direct notification of the Amendment was sent to 8,230 property owners and occupiers affected by the Amendment, prescribed statutory authorities and other interested stakeholders.

Four ‘face to face’ sessions were held at the Council offices with residents and other interested stakeholders, where appointments were available with a Council officer to discuss the Amendment. Two sessions were held during the day, and two sessions were held in the evening. Approximately 50 people attended these sessions.

Information about the Amendment was also provided:

- in the April and July 2012 editions of Manningham Matters, which is a Council publication that is distributed to each household in the municipality;
- on the Council web-site;
- in the half page notices of the Manningham Leader on 4, 11, 18, 25 July and 1, 8 and 15 August 2012; and
- for viewing at the Manningham municipal offices and all branch libraries.

An article regarding the Panel Hearing was also published in the February 2013 edition of Manningham Matters.

(iv) Submissions

Submissions consisted of:

- 614 in the form of a proforma letter (not treated as a petition);
- 71 individual submission; and
- 3 submissions lodged by planning consultants on behalf of property owners.

Table 2 identifies the location of the submitters, noting that the greatest proportion of submission originated from Sub-precinct A.

Sub-precinct	No of Submissions ¹	per cent of Total Number
Main Road	31	5 per cent
Sub-precinct A	299	43 per cent
Sub-precinct B	179	26 per cent
Outside DDO8 area	179	26 per cent
Total	688	100 per cent

Note 1 Indicative only on account of some submissions making reference to more than one sub-precinct

Table 1 Location of Submitters by Sub-precinct

The Panel heard the parties listed in Table 2.

Submitter	Represented by
Manningham City Council	Lydia Winstanley and Natasha Swan.
Anthony Phillips	Mark Ellenbroek of SJB Planning
Carolyn Vimpani	
RAIDID	Leslie Clark.
Ty San	Karin Lepoutre of Urbis
Sam D'Amico of Ratio Consultants	
Franz Haidinger	
Frank Falconer	
Maurice Wilkinson	
Trevena Jaques	
John Reid	
Warren Welsh	
Susan Howard	
Edwin O'Flyn	
John Pantazopoulos	
Athina Lysikatos (Kyrkou)	

Table 2 Parties to the Panel Hearing

A list of all submitters is included in Appendix A.

2 What is Proposed?

2.1 Residential precincts in Manningham

Before 2007 the residential areas of Manningham were covered by the Residential 1 Zone with no specified height controls. During this time, townhouse, and to a lesser extent apartment development, occurred in an ad hoc manner across the urban areas of the municipality changing the character of suburbs.

Today, residential areas in the City of Manningham can be divided into four precincts:

- Residential Areas along surrounding activity centres and along main roads (Residential 1 Zone and DDO8 Sub precinct A);
- Residential Areas providing a transition between areas identified for development and the Residential 3 Zone (DDO8 Sub precinct B);
- Residential areas removed from activity centres and main roads – Residential 3 Zone; and
- Residential areas with predominant landscape features (various controls).

Residential Areas surrounding activity centres and along main roads

DDO8 'Residential Areas Surrounding Activity Centres and Along Main Roads' was introduced as part of Amendment C50 in 2007 and applies strategically as a 'blanket control' over properties surrounding activity centres and along main roads.

It has the following design objectives:

To increase residential densities and provide a range of housing types around activity centres and along main roads.

To encourage development that is contemporary in design that includes an articulated built form and incorporates a range of visually interesting building materials and façade treatments.

To encourage three storey, including 'apartment style', developments on larger lots.

To ensure new development is well articulated and upper storey elements are not unduly bulky or visually intrusive.

To ensure the scale, height and form of three storey developments are sufficiently stepped down at the perimeter of sub-precinct A to provide an appropriate and attractive interface to sub-precinct B, or other adjoining precinct, as identified on Map 1 to this Schedule.

To encourage spacing between developments to minimise a continuous building line when viewed from a street.

To ensure the design and siting of dwellings have regard to the future development opportunities and future amenity of adjoining properties.

To ensure overlooking into adjoining properties is minimised.

To ensure the design carports and garages complement the design of the building.

To ensure the design of basement car parks complement the design of the building and sited to allow for effective screen planting.

To create a boulevard effect along Doncaster Road and Manningham Road by planting trees within the front setback that are consistent with the street trees.

DDO8 controls have now been implemented for over five years and Council believes that it is timely to refine and strengthen the DDO8 controls having regard to past VCAT decisions and completed projects. Council believes that the current controls do not provide sufficient guidance for development and have inadvertently lead to ambiguity and at times a greater scale of development than was intended when the controls were introduced.

2.2 Manningham Residential Strategy 2012

On 27 March 2012, Council adopted the Manningham Residential Strategy 2012 which replaced the Manningham Residential Strategy 2002.

The Manningham Residential Strategy 2012 sets out Council's vision and objectives for growth management and identifies future actions to be undertaken over the next 20 years.

The new Strategy reaffirms Council's existing planning directions by:

- continuing to focus increased residential densities around the activity centres and along main roads;
- maintaining the Residential 3 Zone (and local policy) which is the most protective urban residential zone; and
- maintaining the lifestyle choice of the Low Density Residential Zone and the Non-Urban areas/Green Wedge.

In addition to the recently adopted Residential Strategy, Council also relies on other strategic justification to support the introduction of limited mandatory controls through demonstrating that:

- the anticipated future housing capacity needs can be accommodated within the limited mandatory controls; and
- examples of 'on the ground' development and applications to illustrate issues with the existing performance based controls.

2.3 What is proposed?

The Amendment applies to all land in the municipality affected DDO8 and proposes to change policy at Clause 21.05 and provisions in DDO8 to:

- introduce limited mandatory maximum building height and minimum lot size controls; and
- improve design objectives and permit requirements and guidance provided for the introduction of mandatory controls and to achieve other built form improvements.

The intentions of the proposed changes are:

- focussing apartment development along main roads;

- a stronger impetus to consolidate land in sub-precinct A that will allow greater side setbacks, more open space and landscaping and reducing amenity impacts on adjoining properties;
- a clearer differentiation between sub-precincts; and
- greater clarity and certainty for residents, applicants and decision makers.

The Amendment is not seeking to review or change the existing overall boundary of DDO8.

2.4 Details of the Amendment

(i) Precincts

DDO8 currently consists of two sub-precincts; Sub-precinct A and Sub-precinct B. The Amendment proposes a new 'Main Road' Sub-precinct.

Existing	Exhibited
<p>Sub-precinct A</p> <p>Surrounding activity centres.</p> <p>With a frontage to a designated main road.</p> <p>Properties removed from main roads but identified as appropriate for higher density development.</p>	<p>Main road</p> <p>These properties that have a frontage to a designated main road, but in some instances extend to include additional sites off the main road.</p> <hr/> <p>Sub-precinct A</p> <p>These properties surround the activity centres as well generally abutting properties within the Main Road sub-precinct, providing a transition in built form. These are the balance of the properties in Sub-precinct A that have not formed part of the Main Road Sub-precinct.</p>
<p>Sub-precinct B</p> <p>These properties generally abut properties within Sub-precinct A, providing a transition role with adjoining properties, primarily in the Residential 3 Zone.</p> <p><small>Council acknowledges that there are instances where Sub-precinct A abuts land in a Residential 3 Zone or where Sub-precinct B has main road frontage.</small></p>	<p>Sub-precinct B</p> <p><i>No change</i></p>

Table 3 Application of precincts

(ii) Heights and discretion

Maximum building heights and in some circumstances minimum lot sizes apply as discretionary controls. The controls are set up to encourage lot consolidation by allowing taller development on larger lots; this approach is working in practice.

Existing		Exhibited
Discretionary 11 metres for development on lots of 1,800 sqm or more. 9 metres for development on less than 1,800 sqm and 10 metres on a sloping site.	Main road precinct	Discretionary 11 metres for development on lots of 1,800 sqm or more; and 9 metres for development on less than 1,800 sqm.
	Sub-precinct A	Mandatory 11 metres for development on lots of 1,800 sqm or more; and 9 metres for development on less than 1,800 sqm and 10 metres on a sloping site.
Discretionary 9 metres and 10 metres on a sloping site.	Sub-precinct B	Mandatory 9 metres and 10 metres on a sloping site.

Table 4 Exhibited controls

(iii) Policy changes

In conjunction with DDO8, Clause 21.05 provides context and the explanation for the implementation of the Manningham Residential Character Guidelines (March 2005).

In relation to the properties affected by DDO8, Clause 21.05 articulates that apartment style development is to be directed to the main roads and larger sites in Sub-precinct A, with two storey unit developments more akin to the Residential 1 Zone (as guided by ResCode) at an increased scale, adjoin the Residential 3 Zone.

It is proposed to update Clause 21.05 (Residential) of the Municipal Strategic Statement to introduce the Main Road sub-precinct and strengthen the distinction between the Main Road sub-precinct and sub-precincts A and B, to provide clearer guidance regarding the form and scale of development that is encouraged in each sub-precinct.

It is also proposed to update Clause 21.16 Key References to replace reference documents 'Manningham City Council (2002), Manningham Residential Strategy, Manningham City Council, Doncaster' and 'Manningham City Council, MGS Architects (2005), Manningham Residential Character Guidelines, Manningham City Council, Doncaster' with updated documents.

(iv) Design and siting provisions

DDO8 contains a range of design objectives and permit requirements that support and provide guidance for the type of developments being sought within each of the sub-precincts.

Revisions to the design objectives in clause 1.0 seek to:

- Focus 'apartment-style' developments within the new Main Road sub-precinct and on larger lots in sub-precinct A;
- Promote a mix of two storey dwellings in the remainder of the DDO8 areas;

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- Manage the interface between the sub-precincts by ensuring that higher developments are sufficiently stepped down;
 - Eliminate unsightly projections of basement walls above natural ground level; and
 - Encourage landscaping around buildings.

Amend design and siting provisions to:

- Minimise unsightly car basement projections;
- Increase side setbacks to allow additional landscaping around buildings to improve the overall appearance of buildings; and
- Improve the architectural presentation and mitigation of visual bulk.

(v) Changes proposed during the hearing

A number of further refinements were discussed during the Hearing. I accept many of the changes as presented; for clarity I have made specific recommendations to include these changes (and some other changes) into the exhibited documents.

2.5 Ministerial Directions

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

The Ministerial Direction No 9 Metropolitan Strategy and Direction No 11 Strategic Assessment of Amendments are both applicable. This Amendment meets the requirements of both these Directions.

Ministerial Direction No 9 Metropolitan Strategy relates to Melbourne 2030 – Planning for sustainable growth. This Amendment is consistent with the directions and policies contained within this strategy.

The introduction of the Amendment into the Manningham Planning Scheme will provide a more efficient use of existing resources as it will enable residential development issues to be addressed in a consistent manner, providing clearer guidance and greater certainty for the community, developers, regulators and decision makers regarding the desired built form outcomes to be sought.

3 Identification of Issues

3.1 Summary of issues

Issues raised in submissions

A broad range of issues were raised in submissions, including matters questioning the fundamental policy basis of the Amendment.

Council submitted that Manningham's Statutory and Strategic Teams have a strong working relationship, and this is reflected in the collaborative approach to the on-going monitoring and review of the operation of the controls. This relationship, it was submitted, has placed Council in the unique position to receive consistent and timely feedback in relation to the operation of these controls which has led to the Amendment.

Since 2007, emerging development trends, escalating building and land costs have resulted in developers maximising the development potential of land within DDO8.

Council is experiencing developers using the controls to maximise development potential of land, often at the cost of design and amenity impacts, in particular side setbacks and accompanying landscaping.

Council is continuing to experience pressure for development that is considered to not be an appropriate transition to the adjoining residential areas. In addition, Council is experiencing very little distinction between the built form in Sub-precinct A and Sub-precinct B.

There have been several VCAT proceedings which have considered DDO8 since it was implemented into the Scheme in 2007 and a number of these were presented at the Hearing.

Two Manningham Planning Scheme Reviews undertaken by Council officers (the latest being in June 2012) have also identified several short-comings with the current DDO8 provisions.

3.2 Issues dealt with in this Report

The Panel considered all written submissions, as well as submissions presented to it during the Hearing. In addressing the issues raised in those submissions, the Panel has been assisted by the information provided to it as well as its observations from inspections of specific sites.

This Report deals with the issues under the following headings:

- Strategic justification
- Controls too restrictive
- Mandatory controls
- Refinements
 - Impact of parking and functionality of basements
 - Metres or storeys
 - Mandatory controls and lift overruns
 - Increased height on sloping sites
 - Mandatory minimum lot size of 1,800 sqm for multi dwelling development in Sub Precinct B

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- Consecutive lots
 - Impact on Character
 - 60 per cent site coverage
 - Rear setbacks
 - Sunken living areas
 - Undercroft car parking.
 - Use of Sub Headings in DDO8 Objectives
 - Mapping

4 Strategic justification

4.1 What is the issue?

A number of submissions questioned the logic behind Manningham's approach to managing housing development, and the impact of new housing development on the character of their suburb.

Submissions also sought to amend the overall DDO8 or sub-precinct boundary to exclude their property from DDO8 altogether, or to change which sub-precinct the property is included in.

4.2 Policy context of the issue

The State Planning Policy Framework (SPPF) encourages the consolidation of existing urban areas while respecting neighbourhood character. Manningham's approach to managing housing development needs to support this approach.

In the MSS Clause 21.05 'Residential' addresses all land zoned for residential purposes. Clause 21.05-1 identifies:

Managing change and growth in the residential areas of Manningham is a key issue facing Council. ...

Infill residential development and redevelopment of key strategic sites that consolidates the role of established urban areas and reduces developmental pressure in the areas with environmental values will be encouraged.

The continuing ability of our residential areas to accommodate the changing lifestyles and housing needs of current and future populations is becoming an increasingly important issue.

The MSS proceeds to identify that:

Higher density housing will be encouraged in close proximity to activity centres and along major roads and transport routes.

The MSS reinforces the important role played by the both the Manningham Residential Strategy and the Manningham Residential Character Guidelines as the key policy documents that seek to direct and manage the level of change.

The *Manningham Residential Strategy* (2012) is the strategic basis for Amendment C96. The Strategy, endorsed by Council in February 2002:

... sets new goals and priorities to manage residential growth until 2030. The Strategy builds on the strategic directions of the Residential Strategy (2002) and takes into consideration Manningham's changing demographic profile and emerging residential issues.

The preparation of an amendment to review and tighten the existing DDO8 controls was identified as short-term actions in the Strategy as:

Item 1.8: Revise Clause 21.05 (Residential section of the MSS), as it relates to Precinct 2 'residential areas surrounding neighbourhood activity centres and along main roads' and clarify the form of development that is encouraged within sub-precincts A and B. Pursue the introduction of a Main Road sub-precinct.

Item 2.1: Review the provisions outlined in the DDO8, and pursue the introduction of mandatory controls for building height and /or minimum lot size having regard to past VCAT decisions and completed projects, with the aim of providing greater clarity to the community, developers and decision makers, and improving the design and streetscape outcomes of apartment buildings.

4.3 Evidence and submissions

(i) Precinct boundaries and development

The Amendment introduces the Main Road sub-precinct but has not reviewed other sub-precincts boundaries, the overall DDO8 or Residential 3 Zone boundary.

Council submitted that making further boundary changes would require Council undertaking strategic work to justify any changes.

Council advised that there is no standard or uniform approach in applying the sub-precinct boundaries, but there are a number of influences that determined the sub-precinct boundaries.

Council advised that the key criteria that were applied in nominating both the overall DDO8 and the individual sub-precinct boundaries included:

- Topography;
- street layout;
- road widths;
- distance from activity centres, public transport networks, open space, community facilities and related services and facilities;
- existing planning controls; and
- scale, form and age of existing housing.

Mr Hogendijk made a range of submissions on the application of the DD08 boundary as it affects his property and opposing the concept of higher density development in Manningham.

Mr Clark on behalf of RAIDID provided a possible scenario for redevelopment within his neighbourhood and a similar submission was made in relation to Franklin Road. Council submitted that:

...it is not possible to predict the exact scale of the development that may occur in each area, but we note there are three separate current planning permits in Thiele Street as outlined in Council's submission and there is every possibility that differing scales such as these may occur within that area.

Mr Haidinger raised similar issues as Mr Clark in relation to the possible extent of development in his neighbourhood.

(ii) Demand for housing and scale of change

Mr Wilkinson questioned the validity of the evidence underpinning this Amendment and Council's *Residential Strategy 2012*. Mr Wilkinson referred to information presented by MacroPlan Australia at an information session as part of the review of the Residential Strategy. In particular, he raised the mismatch between what residents want in housing stock and what currently exists.

The MacroPlan Australia report identifies a number of aspects around existing and future housing choices. It was not disputed that the MacroPlan Australia survey showed that 93 per cent of residents surveyed felt that their existing dwelling met their current housing needs.

The MacroPlan Australia report outlined future intentions of these same residents as follows:

- 70 per cent of respondents did not want to move in the future from their home.
- 30 per cent accordingly did intend to move and of those:
 - 59 per cent wished to move to a detached house
 - 24 per cent wished to move to a villa unit or townhouse
 - 11 per cent into a retirement village or nursing home
 - 3 per cent into a flat or apartment
 - 3 per cent weren't sure.

The MacroPlan Australia report then noted that currently 93 per cent of dwellings in Manningham were detached dwellings and that therefore not all housing needs could be met.

(iii) New Residential Zones

DDO8 currently applies to substantial change areas of Residential 1 Zoned (R1Z) land, surrounding activity centres and along main roads. The limited mandatory controls proposed via the revisions to DDO8 are therefore proposed to apply to existing R1Z areas where there is a predominance of one and two storey dwellings.

Proposed reforms to the urban zones seek to introduce three new zones:

- Residential Growth Zone;
- General Residential Zone; and
- Neighbourhood Residential Zone.

Council's approach to managing housing is broadly consistent with the approach proposed by the new zones.

4.4 Discussion

There is an inherent conflict between a number of the submissions. On the one hand it is submitted that there is no inherent demand for the type of development proposed, and on the other development is happening and is undermining important aspects of neighbourhoods.

Certainly there is a need to strike a balance between catering for the housing choices of Manningham residents (and would-be residents) and preserving valued characteristics of an area. This is what Council has tried to do by identifying change areas.

I accept that this change falls more heavily on some areas, and hence some residents than others. To my mind three issues need to be considered in determining whether this is good public policy:

- whether there is a broad net community benefit from the approach of identifying change areas;
- whether the quantum of land identified for change is reasonable; and
- whether the impact on the properties directly affected is fair.

The approach of identifying change areas for higher density development is now a well-established practice in many municipalities. It is seen to have the following advantages:

- higher density housing can be established in areas close to services and transport;
- a variety of change areas can be established to create a wide choice of housing types in an area; and
- other areas of a municipality can be preserved for detached 'family' homes.

The new residential zones for Victoria propose better VPP tools to implement precisely this type of approach.

In Manningham's case careful research has underpinned its housing strategy and while there is always room for debate about the details, the overall quantum of land identified for change seems appropriate given the need to maintain a reasonable supply of development opportunities; there is little point in identifying a policy outcome if there are not sufficient viable development opportunities to allow the development industry to deliver those outcomes.

Deciding whether the impact on properties directly affected is fair, has two elements: the impact of development on the amenity of properties while people continue to live in the area, and any impact on house prices. One can't pretend that living in an existing property in change area is, of itself, desirable. The best one could hope for is that it is tolerable, and when one comes to move (and we all do eventually move) property values have not been depressed by the growth area nomination.

From the material before me it appears that the change areas in Manningham are encouraging development. I was not presented with evidence of 'planning blight' from the DDO8 designation; that is decreased property values and lack of investment. Rather development seemed to be proceeding at a reasonable rate.

Boundaries

Melbourne's population is growing and established areas that have a range of services and facilities can be good locations to cater for that growth. Only about four per cent of land in Manningham is set aside for potential apartment style development. Within the DDO8 area Council is clearly after a mixture of apartments and townhouses/villa units to meet housing demand.

The panel for Amendment C50 recommended:

That Areas along main roads and Areas proximate to activity centres be designated as areas of substantial change or a similar nominator.

That the areas along main roads be substantially reviewed and decreased to those parts proximate to an activity centre.

That the designation of 'Areas along Main Roads' be deleted from the amendment.

It would seem that as approved Amendment C50 did:

- delete the designation of 'Areas along Main Roads'; and
- use the same designation for areas along main roads and areas proximate to activity centres.

However, Amendment C50 did not decrease the areas along main roads 'to those parts proximate to an activity centre'. Without the substantial reduction in the Main Road precinct recommended by the panel for Amendment C50 the logic behind removing the Main Road precinct is undermined; it made sense to remove the main Road designation if it was not going to be applied. The fact that DDO8 was applied to main roads supports the reintroduction of a main road sub precinct.

It is noted that Action No 2.2 in the Manningham Residential Strategy (March 2012) identifies as a short term action the need to:

Review the boundaries of sub-precinct A of DDO8 to determine whether they should be altered to improve the interface with the abutting land which is in a Residential 3 Zone.

The Amendment is seeking to tighten the existing DDO8 controls. However, it is also important to note that the Manningham Residential Strategy also identifies a number of other actions to review aspects of DDO8, which could address some of the issues raised by submitters and Council.

The overall boundaries of DDO8 are not changed by Amendment C96. Panels are bound by the principles of natural justice; it would be contrary to natural justice to recommend changes to the boundary when these have not been part of the original Amendment without further notice and an opportunity for affected parties to make submissions. I do not think such an approach can be pursued at this stage (even if I did think it was appropriate) because Council has not carried out the strategic work to inform such a review.

4.5 Conclusions and recommendations

The Panels finds:

Introducing a main road sub precinct is appropriate given how Schedule 8 to the Design and Development Overlay has been applied

Amendment C96 does not alter the overall boundaries of Schedule 8 to the Design and Development Overlay, and this is not a matter that can be considered as part of the Amendment.

5 Controls too restrictive

5.1 What is the issue?

A number of submissions suggested that the proposed controls were more restrictive than areas outside of nominated change areas.

5.2 Evidence and submissions

Mr Ellenbroek on behalf of Anthony Phillips raised concerns about a perceived blanket ban on apartment style development in Sub Precinct B. Council reiterated the intent of the controls was to provide a transition from Sub Precinct B to the adjoining Residential 3 land.

Similar concerns were submitted by three separate planning consultants reinforcing, in Council's view, that the current controls are not providing sufficient guidance as to the scale of development that Council anticipates in Sub Precinct B.

Council responded that:

This submitter along with the other consultant submitters also suggests that the intended controls would be more restrictive than that permitted under the Residential 1 Zone. We assume this inference comes from an understanding that any proposed development in the Residential 1 Zone has an even chance of having a high density large scale development able to be considered, whereas the zone requires first and foremost a consideration of policy context which does not provide an open door to any form of development.

5.3 Discussion

I agree with Council that one cannot simply look at the maximum allowable under a control and presume that can be achieved on all land. Certainly the controls proposed by the Amendment are more restrictive than the controls under the zone – this is the whole point of the DDO. That does not make them inappropriate. What Council has done is set a clear policy direction for where it wants to see higher density development and then set some parameters round that development. One can't look at just half the picture; it makes no sense to look at the controls in absence of the policy, or look at the policy and presume development should be open slather.

5.4 Conclusions and recommendations

The Panel finds:

The combination of a clear policy setting with controls to provide parameters around the development supported by policy is a good planning approach.

6 Mandatory controls

6.1 What is the issue?

Mandatory controls in Victorian Planning Schemes are an exception. They need to be explicitly justified.

6.2 Policy context of the issue

Authorisation to prepare the Amendment was granted on the following basis:

The blanket use of mandatory controls where there are no exceptional circumstances is not usually encouraged by the Department of Planning and Community Development. However, the decision to authorise this amendment, which includes a mix of mandatory and discretionary controls, is made on the basis that:

- *the merit of the controls will be tested during the amendment process*
- *the mandatory controls may serve the purpose of providing incentive for site consolidation or alternatively directing more intensive forms of development to main roads or areas which not directly interface with Residential 3 Zone sites*
- *Council has demonstrated that by applying a 9m height control and not applying ResCode variations that development of greater density than the surrounding R3Z is still able to be achieved*
- *Council will still be able to achieve its future housing needs.*

Practice Note 59: The role of mandatory provisions in planning schemes (September 2010) observes:

Planning schemes based on the Victoria Planning Provisions (VPP) are predominantly performance based. Planning schemes specify the objective that needs to be achieved and provide a degree of freedom on how it is achieved.

Mandatory provisions in the VPP are the exception. The VPP process is primarily based on the principle that there should be discretion for most developments and that applications are to be tested against objectives and performance outcomes rather than merely prescriptive mandatory requirements.

Nevertheless, there will be circumstances where a mandatory provision will provide certainty and ensure a preferable and efficient outcome.

This practice note sets out criteria that can be used to decide whether mandatory provisions may be appropriate:

- Is the mandatory provision strategically supported?
 - Does the proposed measure have a sound strategic basis having regard to the planning objective to be achieved and the planning policy framework generally?
 - Does the proposed mandatory measure clearly implement a policy or achieve an objective rather than just being a prescriptive tool?
- Is the mandatory provision appropriate to the majority of proposals?

-
- Has the scope of the proposed mandatory provision been carefully considered to ensure that it will be appropriate in the vast majority of cases to limit the unnecessary loss of the flexibility and opportunity available in a performance based system?
 - Will the considered application of planning policy to be implemented by the proposed measure lead to the outcome prescribed by the measure in the vast majority of cases or is it merely one of a number of possible outcomes?
 - Does the mandatory provision provide for the preferred outcome?
 - Does a proposed mandatory provision resolve divergent opinions within the community as to a preferred outcome when a consistent outcome is necessary?
 - Does a proposed mandatory provision avoid the risk of adverse outcomes in circumstances where there is likely to be constant pressure for development inconsistent with planning policy?
 - Is there real evidence of development exceeding the proposed control?
 - Will the majority of proposals not in accordance with the mandatory provision be clearly unacceptable?
 - Will the majority of proposals not in accordance with the requirements fail to meet the objectives of the control?
 - Will the majority of proposals not in accordance with the requirements lead to unacceptable planning outcomes?
 - Will the mandatory provision reduce administrative costs?
 - Will the proposed mandatory provision reduce costs imposed on councils, applicants and the community to the extent that it significantly outweighs the benefit of a performance based provision?

6.3 Evidence and submissions

Council provided a detailed assessment of the use of mandatory controls against the Practice Note. Submitters did not refer to the Practice Note. Key elements of Council's assessment are set out below.

Does the proposed measure have a sound strategic basis having regard to the planning objective to be achieved and the planning policy framework generally?

Manningham has a long established and successful precedent of applying mandatory controls, and in particular mandatory maximum building heights:

- mandatory height controls have applied through the Doncaster Hill Principal Activity Centre since 2004; and
- the mandatory 9 metre height limit in the Residential 3 Zone (R3Z) introduced as part of Amendment C50 in 2007.

Council has successfully defended inappropriate development at VCAT and it is clear from the determinations that the policy objectives are clear and the policy intent is understood.

Council referred to numerous VCAT determinations to support this contention.

Does the proposed mandatory measure clearly implement a policy or achieve an objective rather than just being a prescriptive tool?

The mandatory controls are limited to substantial change areas and areas that provide a transitional role to the adjoining sub-precinct or residential area.

DDO8 has been drafted with clearly identified built form objectives and a range of provisions to strengthen the distinction between the Main Road Sub-precinct and Sub-precincts A and B. The mandatory controls proposed in sub-precincts A and B will help create a transition to the adjoining residential areas where an incremental level of change is identified.

Has the scope of the proposed mandatory provision been carefully considered to ensure that it will be appropriate in the vast majority of cases to limit the unnecessary loss of the flexibility and opportunity available in a performance based system?

Will the considered application of planning policy to be implemented by the proposed measure lead to the outcome prescribed by the measure in the vast majority of cases or is it merely one of a number of possible outcomes?

Council submitted that mandatory provisions will be appropriate to the majority of proposals. The uses reference to a number of proposed and constructed developments to demonstrate this.

Performance based controls will still apply to areas where the most intense development is encouraged, being along main roads.

Council submitted that:

... the consolidation of three residential lots, which equates to around 1,800 sqm will continue to provide a sufficient land area to achieve the DDO8 requirements. It is considered that this specified site area can provide opportunities for on-site car parking, for example a basement car park, whilst providing reasonable setbacks to allow for landscaping to be established, including canopy trees. Mandating the minimum lot size requirements in Sub-precinct A will assist in strengthening the distinction between the built form outcomes sought in each sub-precinct. Importantly, the tightening of controls will provide better opportunities for achieving the appropriate setbacks and landscaping, achieving increased yields, whilst also providing a suitable transition in built form with the adjoining residential areas.

A recent example to demonstrate this point is a development within Thiele Street, Doncaster. There have been three separate planning applications over three lots that demonstrate different outcomes:

- Planning Permit PL10/021464 was issued on 9 March 2011 and allowed for the construction of 7 dwellings in a two/three storey apartment building, with semi-basement car park, on a lot of 725 sqm;
- Planning Permit PL10/021603 was issued on 6 June 2011 and allowed for the construction of four two-storey dwellings above a semi-basement car park on a lot of 725 sqm; and
- Planning Permit PL12/022675 was issued on 25 February 2013, following successful mediation at VCAT. It covered the lots subject to the two permits above together

with an intervening lot. The permit allowed for the construction of a four storey apartment building comprising fifty (50) dwellings with basement and sub-basement car parking.

The ultimate permit has allowed for a substantial increase in dwelling yield and this has been achieved in a building form which improves the visual presentation of the building. In particular improved side and rear setbacks, better response to the topography of the site and reduce appearance of the car parking associated with the building.

Does a proposed mandatory provision resolve divergent opinions within the community as to a preferred outcome when a consistent outcome is necessary?

The range of submissions shows divergent opinions as to the outcomes necessary to achieve broader housing and planning goals.

Council considers that the current wording contained in Clause 21.05, in conjunction with the discretionary maximum building height and minimum lot size specified in DDO8 provides insufficient guidance as evidenced in the increasing number of applications for apartment-style dwellings, particularly in Sub-precinct B.

Does a proposed mandatory provision avoid the risk of adverse outcomes in circumstances where there is likely to be constant pressure for development inconsistent with planning policy?

Council submitted that based on the assessment of current applications, particularly within sub-precinct A and B, there is likely to be on-going pressure for development that is inconsistent with planning policy. A range of specific examples were presented to support this contention.

Is there real evidence of development exceeding the proposed control?

There is no doubt that development exceeding the proposed controls would be the subject to permit applications.

Will the majority of proposals not in accordance with the requirements lead to unacceptable planning outcomes?

Council has been monitoring the emerging trends as part of development applications. The Amendment seeks to review and refine the existing controls to ensure that the intent is clear in outlining and achieving Council's vision for built form outcomes in DDO8. Council is also aiming to avoid establishing an irreversible precedent of development that changes the character of an area.

Council submitted that mandatory controls will be an appropriate solution to providing clearer guidance for the development sector regarding the transitional role played by Sub-precinct B within an overall substantial change area.

Will the proposed mandatory provision reduce costs imposed on councils, applicants and the community to the extent that it significantly outweighs the benefit of a performance based provision?

Council submitted that the introduction of the mandatory controls will have a positive impact on achieving the range of objectives included in DDO8 and will provide clear direction to both the community and the development sector.

Council advised that the mandatory controls forming part of Activity Centre Zone Schedule 1 (Doncaster Hill) have provided a greater level of certainty for both the community and the development sector. Developers 'come to the table' with a clear understanding that maximum building heights and setbacks are non-negotiable as part of development applications.

Council provided a comparison is provided of the progress of two approvals within Doncaster Hill. One application where there was discretion and subsequent VCAT hearing took some 18 months to resolve. In contrast a similar permit subject to mandatory controls was issued four months after it was received.

6.4 Discussion

Council may not be experiencing a significant number of applications exceeding the maximum height limit, but the intent of the Amendment is to provide greater incentive for developers to consolidate sites in order to achieve increased yield per development.

As is obvious from the evidence and submissions Council has thoroughly addressed the issue of whether a mandatory control is warranted, whereas other submitters have not progressed beyond bald statements. There is no doubt that mandatory provisions are the exception rather than the rule in the Victorian planning system, but this does not mean there is no place for them. Practice Note 59 sets out the grounds for when they are appropriate, and a submitter who opposed such controls really ought to address the Practice Note and demonstrate how the tests are not met.

The Panel has carefully considered Council's response to the Practice Note, and broadly supports its conclusions.

The use of mandatory controls on the lot consolidation is likely to drive consolidation rather than limit the intensity of development. We know this from the experience of development in Thiele Street. Consolidation under the current controls can treble yield while reducing impacts on neighbours. This is a powerful driver of consolidation.

6.5 Conclusions and recommendations

The Panel finds:

Council has provided a detailed justification of the merit of the mandatory controls and the controls will serve the purpose of providing incentive for site consolidation.

Council has demonstrated that the proposed controls in combination with a clear policy setting can achieve significant development on consolidated lots.

Council will be able to meet its future housing needs.

The use of mandatory provisions is justified.

7 Refinements

7.1 Impact of parking and functionality of basements

(i) What is the issue?

Several submitters have identified specific car parking and traffic issues.

(ii) Evidence and submissions

Council notes the submitters' points in relation to the impacts of traffic and car parking. Council acknowledges that:

... as a result of increased housing densities, the existing road network has and will continue to carry increased traffic and have increased car parking demands. Council's engineers are continuously reviewing the operations of the municipality's local street network to ensure that it functions in a safe and efficient manner.

Mr Falconer raised issues about the function of basements on sites less than 1,800 sqm. Mr Falconer was also concerned that the number of basement levels was not a planning consideration and that poor car parking design meant on street spaces were used in preference.

(iii) Discussion

Without wishing to down play the annoyance of poorly managed on street car parking, the planning system has detailed provisions for the adequate provision of car parking and the proper design and layout of car parks. Car parking is something that should be able to be managed properly, and cannot be considered a fundamental reason not to support residential development in established areas.

The Manningham planning scheme states that:

Before deciding that a plan showing the location and provision of car parking is satisfactory, or whether a permit should be granted to vary any dimension or requirement, the responsible authority must consider as appropriate: ... Whether the layout of car spaces and accessways are consistent with the relevant Australian Standard for car parking.

Again, without wishing to dismiss concerns over the provision of functional car parking these issues are dealt with in the planning scheme, and controls do apply. Encouraging lot consolidation will make basement car parking designs more efficient.

(iv) Conclusions and recommendations

The Panel finds:

Carparking provisions in the Manningham Planning Scheme are adequate to address parking issues.

7.2 Metres or storeys

(i) What is the issue?

It was submitted that heights should be assessed in storeys.

(ii) Evidence and submissions

Council submitted:

The request to introduce the number of storeys in addition to the maximum building height i.e. maximum height of 9 metres and 2 storeys is problematic for several reasons. Clause 72 Definitions, defines a 'storey' as: 'That part of a building between floor levels. If there is no floor above, it is the part between the floor level and ceiling. It may include an attic, basement, built over car parking area, and mezzanine'.

Given that Manningham's topography is particularly hilly, many residential buildings incorporate basements, and in some cases mezzanine features, so whilst a dwelling may present as a two storey building, it is by definition of the Manningham Planning Scheme a three, or more, storey building.

(iii) Discussion

Specifying maximum building height in metres minimises ambiguity.

There is considerable debate about whether heights should be expressed in metres or storeys. Part of the confusion stems from the fact that a different floor to ceiling height might be appropriate in different circumstances, depending on use. Where protection of views or the creation of a consistent built edge is required then specification in metres is appropriate. When the issue is one of pedestrian-friendliness or maintaining low scale development, then perhaps specification in storeys is appropriate. In some cases, it may be necessary to specify both.

I note that the statutory provisions in the DDO8 control, and the Municipal Strategic Statement (Clause 21.05), make reference to number of storeys in addition to a maximum building height specified in metres. The use of storeys to give the community and designers a visual impression of the height of development that is promoted in each sub-precinct is appropriate.

For mandatory controls stipulating a maximum building height in metres is more precise and minimises ambiguity. In comparison, the word 'storey' is less specific, as the floor to ceiling heights of a building can vary considerably. For example, a building may be two storeys, but the floor to ceiling heights are such that the overall height may be greater than 9 or 10 metres.

(iv) Conclusions and recommendations

The Panel finds:

Height should generally be specified in metres, with an additional commentary on the number of storeys permitted to help communicate the intent or outcomes of controls.

7.3 Mandatory controls and lift overruns

(i) What is the issue?

Ms Vimpani raised concerns that the mandatory nature of the controls would prevent the inclusion of lifts, due to the overrun requirements protruding above the main building height.

(ii) Evidence and submissions

Council submitted:

We are interested in the views of the Panel in relation to this issue. Currently the Activity Centre Zone Schedule 1 has an exemption for service equipment. There is however no resolution from Council to support additional structures such as lift overruns in the DDO8.

Council notes that Clause 62.02 provides exemptions from permits for “services normal to a dwelling”. It is unclear whether the lift overrun could be ruled out as part of the building or whether it is in fact it is classified as “services normal to a dwelling”.

(iii) Discussion

Ms Vimpani raises an important issue. It is difficult to know how much of a constraint the height controls will be in practice on the provision of lifts. An appropriate exemption, that might consider whether the lift overrun was located on an outside wall or in the middle of the roof area should be inserted into DDO8 to avoid any unforeseen adverse outcomes.

(iv) Conclusions and recommendations

The Panel recommends:

Schedule 8 to the Design and Development Overlay be modified to provide an appropriate exemption for lift overruns.

7.4 Increased height on sloping sites

(i) What is the issue?

The provision of a higher height limit for sloping site was subject to a number of submissions.

(ii) Evidence and submissions

Mr D’Amico from Ratio Consultants supported the inclusion of the 10 metre allowance for sloping sites in Main Road precinct of the DDO. Council also supported the submitters recommendation that the words ‘or greater’ be deleted as a condition of the minimum lot in Tables 1 & 2 as it is superfluous.

Ms Lysikatos requested that the DDO8 be amended to remove the allowance for additional height on sloping land.

(iii) Discussion

Building Height is defined in the VPP as:

The vertical distance from natural ground level to the roof or parapet at any point.

Building height limits follow the slope of the land, and so on sloping sites a higher limit is needed to allow buildings to achieve a reasonable floor to ceiling height without excessive excavation. This is accepted practice.

(iv) Conclusions and recommendations

The Panel recommends:

Schedule 8 to the Design and Development Overlay be modified to provide for a maximum height of 10 metres on sloping sites in the Main Road precinct.

Schedule 8 to the Design and Development Overlay be modified to include a requirement:

- **Where appropriate, ensure that buildings are designed to step with the slope of the land.**

7.5 Mandatory minimum lot size of 1,800 sqm for multi dwelling development in Sub Precinct B

(i) What is the issue?

Ms Lysikatos requested the introduction of a mandatory minimum lot size of 1,800 sqm for all multi dwelling development in Sub Precinct B.

(ii) Evidence and submissions

Council considers this would be undesirable as it would preclude site by site smaller scale medium density dwelling development, which seems at odds with the development character of Glendale Avenue, which has a large number of units currently.

(iii) Discussion

I agree with Council that flexibility may be needed in Precinct B given its role as a transition, and given the current pattern of development in the precinct areas.

(iv) Conclusions and recommendations

The Panel finds:

The introduction of a mandatory minimum lot size in sub precinct B is not warranted.

7.6 Consecutive lots

(i) What is the issue?

The Panel asked Council to consider the issue of whether the mandatory lot size needs to be achieved with consecutive lots.

(ii) Evidence and submissions

The site area of 1,800 sqm is meant to encourage the consolidation of three side-by-side house lots to create a large, more or less rectangular site that lends itself to efficient development.

It is clear that if a site of 1,800 sqm did not consist of side-by-side lots that many of the opportunities that come from the larger parcel in terms of functionality of the basement, space for landscaping and ability to step development to the rear would be lost.

The amended version of the DDO8 and Clause 21.05-1 presented at the Hearing (Appendix A) has included wording in relation to how this may be resolved.

(iii) Discussion

I agree with Council that the clear aim of the controls is to support consolidation of adjoining side-by-side lots and it is in these situation that the increased lot size and more rectangular shape gives the better planning outcomes.

I am not sure that the words proposed by Council are fully appropriate and I believe they would benefit from being 'road tested'.

(iv) Conclusions and recommendations

The Panel recommends:

Council review the wording in proposed Schedule 8 to the Design and Development Overlay relating to minimum lots size to test whether it will achieve its intention in practice.

Clause 21.05-1 be modified to make reference to the need to ensure that a site with an area of 1,800 sqm is arranged in consecutive lots that are side-by-side to allow a reasonable development area.

7.7 Impact on Character

(i) What is the issue?

Concern was expressed about the impact of development on the character of areas.

(ii) Evidence and submissions

Submitters have identified:

- The need to protect or respect the existing neighbourhood character;
- The need to limit development to 2 storeys, particularly in side streets and courts; and
- Support for higher density development along Main Roads.

Mr Haidinger provided examples of recent developments that he considered did not respect the existing character of neighborhoods in reference to Franklin Road, Doncaster East, because they did not respect the scale and form of surrounding development or alternatively the architectural style.

Mr Haidinger submitted:

We accept that change is inevitable but would like to see:

- *greater focus on neighbourhood character for new developments*
- *buildings that blend in with the existing style and meet the needs of a growing community*
- *greater consideration for existing residents when new development proposals are considered*
- *clear and logical thinking on the impact of higher density development in the area.*

Mr Reid submitted that:

It is a sad reflection that the quality of design is so low that even the enormous redevelopments in China, or Germany, have far better residential character.

Council summated that:

Franklin Road does provide an excellent example of the varied development likely as a result of existing conditions. It is clear that there is some, albeit limited opportunities for substantial redevelopment, as much of the neighbourhood has already been transformed by medium density dwellings.

Council submitted:

The submitters issue regarding the need to protect the existing neighbourhood character and the request to limit development to 2 storeys is essentially seeking to change the area in which they live from an area of substantial change to that of an area of incremental change, more akin to the Residential 3 Zone. This request is contrary to the policy directions of the Manningham Residential Strategy (March 2012).

Ms Lysikatos raised issues in relation to the unsightly plant equipment located at the front of the apartment building at the corner of Foote Street and Anderson Street.

Services normal to a dwelling do not require a planning permit, however the visual impact of plant in the front setback is an ongoing issue. Council's preference would be to amend the DDO8 in the future relating to this issue.

(iii) Discussion

DD08 does not have respect of existing character as an explicit objective. Mr Haidinger has submitted that it should.

I agree with the proposition that depending on the neighbourhood, there are two broad approaches to respecting character:

- respecting the scale and form of surrounding development; and
- respecting the architectural style of surrounding development.

All development should respond to its context, but it is not clear to me that in areas identified for change that building need to respect the existing character. Clearly they should be attractive and contribute to a valued future character, but it is not clear how much they need to respect exiting character. Council may well seek to create a new character that

relates to the new forms of development being constructed. Certainly buildings should be attractive – at a domestic scale the key to achieving this seems to be an articulated built form and incorporates a range of visually interesting building materials and facade treatments. Thinking carefully about where services are placed is also key to achieving attractive development. New forms of development bring new challenges and the placement of fire service booster housings and gas metres on some contemporary development is clearly been done without any consideration of their aesthetic impact of impact on landscaping. As a community we might have different views on what is attractive, but the placement of services on some contemporary developments would surely be universally condemned as ugly.

(iv) Conclusions and recommendations

The Panel finds:

The revised Schedule 8 to the Design and Development Overlay contains appropriate objectives around managing character.

The Panel recommends:

Schedule 8 to the Design and Development Overlay be modified to provide planning controls over services normal to a dwelling where they are part of a multiunit development, external to the building and located within 10 metres of a frontage.

7.8 60 per cent site coverage

(i) What is the issue?

The issue of 60 per cent site coverage was raised at the Hearing.

(ii) Evidence and submissions

Council submitted that by including the 60 per cent site coverage in our MSS they are sending a clear policy message in relation to the discretion to approve development with higher site coverage than the standard.

(iii) Discussion

It is noted that Clause 21.05-1 of the Amendment refers to maximum site coverage of 60 per cent relating to sub-precinct A.

Clause 54.03-3 outlines the requirements for consideration of site coverage under ResCode. This would apply to all development under DDO8. There is also capacity to vary site coverage through the Schedule to the Residential 1 Zone, however there would seem no point to specify 60 per cent in the schedule as this is the current standard.

A permit can be issued to vary a standard and the first decision guideline requires Council to consider the following:

- Any relevant neighbourhood character objective, policy or statement set out in this scheme.

Including a 60 per cent site coverage requirement in DDO8 would remove any confusion that this standard was still meant to apply in the substantial change areas. Development is

encouraged, but it is development in a suburban setting and the site coverage limit would allow for landscaping in keeping with the residential nature of the areas.

(iv) Conclusions and recommendations

Clause 21.05-1 be modified to specify a maximum site coverage of 60 per cent for all 3 sub-precincts rather than just specifying this requirement in the description of sub-precinct A as shown in the amendment documentation.

Schedule 8 to the Design and Development Overlay be modified to specify a maximum 60 per cent site coverage.

7.9 Rear setbacks

(i) What is the issue?

Council sought the view of the Panel in recommending how to deal with rear setbacks under different development typologies, lot configuration and topography and taking into account any other relevant matters.

(ii) Evidence and submissions

Council officers currently rely on the existing design objectives and policy guidelines in DDO8, in conjunction with ResCode (Clause 55.04) in the assessment of rear setbacks of buildings.

Council considers that the various objectives and policy guidelines in DDO8 play a valuable discretionary role in achieving rear setback outcomes that are beyond the requirements specified in ResCode, particularly the requirement for a minimum 4 metre setback from the rear boundary as it relates to a basement car park.

Council advised that this requirement had been inadvertently deleted as a part of drafting of the Amendment controls, but Council resolved at its 16 October 2012 meeting to support reinstatement of that requirement (AM C96 Action 5).

(iii) Discussion

Retaining a provision that is part of the current DDO8 but not exhibited as part of the revised DDO8 is not a concern. The removal of the provision was not intended to 'balance' some other change, and I can see no difficulty in not proceeding with that part of the exhibited amendment that sought to (albeit inadvertently) remove the setback provision/

(iv) Conclusions and recommendations

The Panel finds:

Schedule 8 to the Design and Development Overlay be modified to amend the requirements under the heading 'Car parking and Access' to include a minimum 4 metre setback from the rear boundary as it relates to a basement carpark.

7.10 Sunken living areas

(i) What is the issue?

(ii) Evidence and submissions

Council shared the concerns raised by Mr Clark on behalf RAIDID in relation to the issues of sunken living spaces and the subsequent access to light issues and the space required for landscaping. Council's exhibited DDO8 has includes provisions addressing each of these matters.

Council would support the use of stronger language such as 'must' instead of encourage as we believe greater certainty could be achieved. We understand that there is a conflict inherent with this language as a permit could still be sought to vary any of the design requirements, other than the mandatory height and lot size. We are however interested in the views of the Panel in relation to the language.

(iii) Discussion

Having living spaces sited below natural ground level does not achieve a high amenity standard for occupants, particularly if the living space is located on the south side of a building. There may however be circumstances where having living or part living spaces below natural ground level may be appropriate.

Clause 55.04 provides amenity guidelines for two or more dwellings on a lot. It addresses amenity issues such as walls on boundaries, daylight to new and existing windows, north facing windows, overshadowing to private open space and overlooking.

Including an additional design objective in DDO8 to limit below ground light courts would help ensure suitable access to natural light for living spaces was properly considered.

(iv) Conclusions and recommendations

The Panel recommends:

Schedule 8 to the Design and Development Overlay be modified to include a design objective to limit below ground light courts so that living spaces have suitable access to natural light.

7.11 Undercroft car parking

(i) What is the issue?

(ii) Evidence and submissions

Whilst not a submitter, Ms Lok attended the hearing and was provided the opportunity to be heard by the panel and raise a query in relation to the removal of reference to undercroft car parking.

In response to this query Council has reviewed the provisions.

The Panel requested that Council consider the issue of undercroft parking as raised in submissions. Council considers that reference should be made to this sort of car parking to ensure the design of development is managed. The amended version of the DDO8 and Clause 21.05 presented at the Hearing included points in relation to this.

(iii) Discussion

I agree with Council's approach. While undercroft parking can be an appropriate solution in some instances at grade car parking should not replace rear or side landscaped setbacks.

(iv) Conclusions and recommendations

The Panel recommends:

Schedule 8 to the Design and Development Overlay objectives be modified as follows:

- To ensure the design of basement and undercroft car parks, carports and garages complement the design of the building.
- To ensure the design of basement and undercroft car parks complement the design of the building, eliminates unsightly projections of basement walls above natural ground level and are sited to allow for effective screen planting.

Schedule 8 to the Design and Development Overlay permit requirements be modified as follows:

- Ensure basement or undercroft car parks are not visually obtrusive when viewed from the front of the site.
- Integrate car parking requirements into the design of buildings and landform by encouraging the use of undercroft or basement parking and minimise the use of open car park and half basement parking.
- Ensure the setback of the basement or undercroft car park is consistent with the front building setback and is setback a minimum of 4.0m from the rear boundary to enable effective landscaping to be established.

7.12 Use of Sub Headings in DDO8 Objectives

(i) What is the issue?

The Panel requested Council to attempt to group the various objectives of the DDO8 to relate more logically to the Design Requirements. An amended version of the DDO8 demonstrating this possibility was presented at the Hearing.

(ii) Evidence and submissions

Council presented a revised DDO with subheadings.

(iii) Discussion

The use of subheadings as presented by Council appears to be useful, but should be checked with the planners who need to use the scheme on a day to day basis.

(iv) Conclusions and recommendations

The Panel recommends:

Schedule 8 to the Design and Development Overlay be reviewed to determine whether the introduction of subheadings into the Design objectives will be useful in practice.

7.13 Mapping

(i) What is the issue?

(ii) Evidence and submissions

During the exhibition period it was identified by Council officers that the property owners of 1 Rosamond Street and 174 Blackburn Road, Doncaster East were not notified during the public exhibition period.

On 17 August 2012, Council notified the property owners, advising that this matter would be raised with the Panel to seek direction on the approach to address the anomaly.

Following the exhibition period, it was identified through a planning application process that similar anomaly also had occurred for 2 Kenneth Street, Doncaster.

The Manningham Planning Scheme identifies these properties as being affected by DDO8, but the sub-precinct maps forming part of Schedule 8 to the Design and Development Overlay do not identify either of the properties at a sub-precinct level.

The property owners were also inadvertently not notified as the Amendment mailing database was created using maps forming part of Schedule 8 to the Design and Development Overlay.

(iii) Discussion

Showing the precincts on the planning scheme map rather than a map in the schedule to the DDO would avoid any future mapping anomalies and provide upfront clarity regarding the sub-precinct affecting any given property.

The Port Phillip Planning Scheme has a couple of examples of DDOs that have been mapped in this fashion.

(iv) Conclusions and recommendations

The Panel recommends

Schedule 8 to the Design and Development Overlay maps be modified to show the sub precincts in the planning scheme maps, and delete the existing maps from the Design and Development Overlay schedule.

Appendix A List of Submitters

No	Name
1	Marisa McCague
2	Warren Welsh
3	Keiron Whibley
4	Basile Sepsakos
5	Antoinette & Joseph Galea
6	Adrienne Heath
7	Francis and Helen Godden
8	Phil & Brigitta Rovtar
9	Pat & Don Petterson
10	Shirley Conway
11	Mrs B Meraviglia- Crivelli
12	Department of Sustainability and Environment
13	D J Brewer
14	Mr Edwin O'Flynn
15	Mr Chin Ven Wu
16	Mr D R Douglas & Mrs C M Douglas
17	Mr J & Mrs M Gentile
18	Mr J & Mrs W Thomson
19	Ms Janeece Lee
20	RAIDID
21	Ms Christine Regan
22	Mr J K and Mrs E M Mercer
23	Ms M Polendakis
24	Amar and Devinder Singh
25	Narelle Taylor
26	K C Thian
27	Les & Joan Frazer
28	Gary & Joy J O'Rorke
29	David & Annette Battle
30	Mr Colin Vaughan

No	Name
31	Margaret Spence
32	Mr D & Mrs H Coulson
33	Mr Arthur J Fitzgerald
34	Mr N O & J L Reynolds
35	Mrs Gay O'Brien & Mr Edward O'Brien
36	Mr Daniel McMahon
37	C Hionis
38	Ms L Peterson
39	Mr P & Mrs E Savage
40	Mr Vincent Spillane
41	Mr Stuart Forsaith
42	Mr Alan & Lorraine Peacocke
43	Mr Gordon & Mrs Mary McFadyen
44	Mr Barry & Mrs Judith Donnison
45	Ms Nanette Humphries
46	Mr James Guo
47	Mr Peter & Mrs Suzanne Lee
48	Mr Kevin Yung
49	Mr Peter Treacey
50	Ms Joanne Ridge
51	Mr Alex Ngo
52	Ms Barbara Kynakakis
53	Mr Neil P Williams
54	Ms Joanne Whitty
55	Ms Marie Dimstas
56	Ms Lynette Torrens
57	Mr Neil Smythe
58	Ms Fiona Scott
59	Ms E Dargan
60	Mr Nicholas Sibbing

No	Name
61	Mr Pep & Nicole Angarano
62	Win and Julie
63	Mr G & Mrs N Funston
64	Mr Frank Kemp
65	Ms Amy Jewell
66	Mr Peter Bartlett
67	Felix and Anna Di Pietrantonio
68	Mr Robert & Mrs Fiona Brown
69	Mr J du Plessis
70	Ms Antonia Zuccala
71	Mr R H Buckland
72	Ms Julie Preston
73	Ms Angelin Marisa Martin
74	I L Pritchard
75	Don O'Flynn
76	Giovanni Lionello
77	Edward Secker
78	P & J Lane
79	Edward Hopkins
80	Marise Mercandel
81	A Oatley
82	E Avjioglu
83	June D'Souza
84	Jennifer Morris
85	E Livaditis
86	Sydney Wright
87	Barbara Mayfield
88	Antoinette Cleary
89	Les Youie
90	Phil Cook
91	S Raymond
92	Peter Kent
93	Joy West
94	Emelio Violidis

No	Name
95	Kevin O'Brien
96	V M Hagg
97	Lothar Lanz
98	E Thorton
99	Joan C Mahnig
100	B McKillen
101	Anna Pawtel
102	Elizabeth Phillips
103	Fiorella Glarich
104	June M Hawes
105	Ms Liliana Velick
106	Mr Peter Dugan
107	Aveline Loh
108	Greg Dusting
109	Christine Denny
110	Neil Gray
111	David & Amber Burke
112	John & Jennifer Bey
113	John Reid & Val Reid
114	Iola Chan
115	Andrew & Colleen Ralph
116	Frank Faulisii and Family
117	Rod Omond-Smith and Family
118	Hossein Zargarbashi
119	Stephen Liong
120	Concetta Gigliotti & Joe Montuoro
121	Richard Atme
122	Margaret Anton
123	Cavidan Turemis
124	J G Erwin
125	Barbara & Gareth Mann
126	Gavin Chau
127	C Dewer
128	M R Chandler

No	Name
129	K Maddison
130	Kevin Smith
131	Margaret Kovacic
132	Clive & Vicki Roberts
133	Jean Cox
134	Denise Kennedy
135	Frank & Maureen Tongue
136	E & J Mahoney
137	Arthur Cairncross
138	Ruth Plumb
139	Joy Newton
140	Kevin & Jillian McMahon
141	Sophie Haritonidis
142	Ms Lauris Owens
143	Craig Gathergood
144	Joan P Livingston
145	John William Ryan
146	Noel & Dawn Wright
147	M Tiemens
148	Kylie Batten
149	Frank & Sandra Martel
150	Rob Tarquinio
151	Graeme Creed
152	Glenda Kelly
153	Robin Whitchurch
154	Francesco Erle
155	John & Jean Dagley
156	Vlado & Pavlina Pavlovska
157	Michael Ivanusic
158	Heddwyn & Jennifer Thomas
159	Peter and Angela Sepsakos
160	Shirley & Ray Boxshall
161	Nick Zoides
162	M C Sinclair

No	Name
163	P Mok
164	Mrs Maffei
165	AD Middleton
166	The Wong Family
167	A W Hoskins
168	Margaret Godfrey
169	Mandy & Frank Kapotis
170	Yvonne Anagnostidis
171	Norma & Frank Ferguson
172	Shirley Smith
173	F M Smith
174	Ian Parker & Helen Kringas
175	Oscar Raits
176	J Walker
177	Mike Stanmore
178	Mario Bucci
179	Raffaella & Vincenzo Fiorito
180	Janine Bucci
181	A Sirninger
182	Angelo Bolzonello
183	R & D Hoglund
184	P & N Jorgensen
185	King Ho Chan
186	Zoya Pavloff
187	Michael J Ratcliffe
188	G & J Guest
189	Pei Hong Gong
190	Heather, Audrey, Todd & Darren McCarthy
191	Ron & Noelene Bunn
192	Walter Chan & Yim Fong Chan
193	Ashley Cooper
194	Helen Wolfe
195	Barry J Heath

No	Name
196	Laura Nanni
197	J & N Petrilli
198	Lola Maretta Johanson
199	Y B & L S Reynolds
200	Giovanna & Francesco Barravecchio
201	K G Mok
202	Elizabeth Kyriakidas
203	G Thompson
204	G Kapelevis
205	J & L Heap
206	Rodney Moroney
207	Renee Papoulis
208	Anne Galli
209	Maisie Rogers
210	Joan Lang
211	Patricia & John Ward
212	Olga Tsatsis
213	Rosa , Joe & Jacinta Miot
214	Evangelos & N Kotsopoulos
215	Frank De Blasiis
216	Patricia Mayner
217	V A Spagnol
218	Dean Ireland
219	Myriam Cairncross
220	X & A Makris
221	X & L M Chen
222	Brian & Elaine Pierson
223	Tina & Evan Tong
224	M & S Elliott
225	Bill & Roberta Glover
226	Ivola Coia
227	Keith & Annette Campbell
228	Shatman Lichtenstein
229	K & L Fraser

No	Name
230	Mary Zikos
231	Barbara Sculley
232	Joan McCombe
233	Frank Milazzo
234	A Quattrocchi
235	Christos, Maria & Cristina Constantinidis
236	Sofia & John Sementriadis
237	Cecelia Henderson
238	Doug Smith
239	G & D Henriksen
240	Sara & Peter Edgcumbe
241	Ronald J Edwards
242	Frances Dunlop
243	Lorrie Welsford
244	Theofanis Sovolos
245	Maria Nanni
246	Margaret Dobnan
247	Derrise Bailey
248	A Morrison
249	W & M Tuckey
250	M J Zalacos
251	Brian Donovan
252	Joanna Hong
253	Steven Lam
254	Sharon P T Lim
255	Mr Valentino & Mrs Isabella Cerminara
256	Irena McKenzie
257	Jim Pyliotis
258	Mirta Bonelli
259	Graeme Bryant
260	Sharon & Karl Gup
261	Douglas & Darbana Mackrill

No	Name
262	Gregory Mills
263	Robert J Storey
264	Ruth Strok
265	John Kourouvanis
266	Fotini Kyriazis
267	L Collins
268	Franca De Simone
269	Neil McDonald
270	Leong Chin
271	Geoff & Carolyn Lockwood
272	Grantley Roberts
273	Liu Zhi Wey
274	Gavan Elliott
275	R F Crockett
276	Julie Nixon
277	Robyn & Robert Neilson
278	Ray Sands
279	B Prescott
280	Brian & Cristina Addison
281	Edwin M Mifsud
282	Alfred & Elizabeth Ann Ong
283	Robin Droogleever
284	Spiro Kalanters
285	Raiston G Wood
286	Toula Apostolakas
287	Roger McDonald
288	R W & S C Rodger
289	Sue Fabian
290	Aurora Palnic
291	Cathy Tsonis
292	Ley Thomas
293	Gary Flewker-Barker
294	Vikki Brereton
295	Liu Zhang

No	Name
296	Meghan Butler Fleming
297	Glenn & Sharyn Grandy
298	Robert Anderson
299	Narelle Cormack
300	Cheri Rhys-Jones
301	Jenny Blathras
302	Risio Tebelopoulos
303	Kelly Hirst
304	Elianne Kizk
305	Dino Gacovski
306	E Budge
307	S Niazian
308	Lesley & Neville Wright
309	Filomena Scalzo
310	Bruce McDonald
311	Margaret Mabbitt
312	Mary Angeli
313	E & R Authier
314	Peter Cocker
315	Mr & Mrs Banerjee
316	Judith Gaskell
317	Karina Davidson
318	E I & B M Cutts
319	J, A, M & L Bonavia
320	Maggee Ho
321	J W & M A McCubbin
322	Anthony Martinico
323	N Vallar
324	J Kozma
325	Ruth, Warwick & N & B Bardon
326	N & T Tsatsias
327	Franz W Schlechta
328	Esmond Chan
329	N & C McClelland

No	Name
330	S E Lim
331	Margaret Stewart
332	John Pantazopoulos
333	Stephen Chapman
334	Jacqueline Weir
335	Mary Jollie & Brent & Sarah Goodwin
336	Aaron Hegaly
337	Tony K & Stella Ma
338	Mr Tom Mitchell
339	Bruce Osborn
340	Ms Judy Yeoh
341	Y P Wong & L S Wan
342	M & C Bacic
343	C & M Stagoll
344	Ms Wendy Cox
345	Leon & Faye Lucas
346	Sue Tanner
347	T & M Seddon & Leslie Yang
348	J Sonnemans
349	George Zarb
350	Michael Lu & Sherry Xie
351	Eddie Liu
352	Liz Plummer
353	Ina Sonnenmoer
354	Elizabeth Thompson
355	Mara Bakas
356	Maria & Amedeo Silvestri
357	Carla Spadafora
358	Allison Friar
359	Leondra Martin
360	Lawrence Chong
361	Stella Papazissis
362	Mr & Ms Scalamera
363	Sarah Yong

No	Name
364	Janet McManis
365	N Anagnostakos
366	Frank & Rose Futsek
367	Peter & Cheryl Wyatt
368	J K & M F Harrison
369	Sal & Wal Maquire
370	Lyn Drysdale
371	R N Wakeman
372	George & Kathy Smiles
373	Mark Goluzza
374	John Harrison
375	P L Yee
376	Tahli Freeman
377	Jenny Smirks
378	Melville Wong
379	Mr Ralph & Mrs Susan Howard
380	Melissa & Rod Elliott
381	Clifford New
382	Sue O'Shea
383	S K Kung
384	Helen Barker & Ken Baker
385	June Bolton
386	M P & S R Marshall
387	Mrs L & Mr N Manyatis
388	Brian Wild
389	E Savvides
390	David J O'Connor
391	Shireen Juriansz
392	Marisa Rosato
393	Kitty Lo
394	F Whittman
395	Hugh Baker
396	Angela Wharton
397	Pierre Russo

No	Name
398	David & Dapane Ruth Reid
399	Len & Joyce Chalkley
400	P A McCrory
401	K Hodges
402	Ms Sylvia Thomas
403	Parivash Payman
404	J Thurlow
405	Mrs Linda Bodey
406	Ms Marie Carey
407	Ms Angela Gregor
408	Mr George Aristidopoulos
409	Lai C Yee
410	Maria Fouras
411	N A DeRango
412	D, V M & N Giannakoulis & J Zebedes
413	The Giannakoulis family
414	Ms Marianne Lubbe & M & N James
415	A Goranitis
416	Ms Mary Wilkins
417	Ms Vicki Kallis
418	Mr Warwick Ward
419	Ms Judy Laker
420	P Skamagias
421	Ms Beryl Maddock
422	Ms Ines Papcini
423	Robert & Yvonne Byron
424	T Seddon
425	Dahpne Tija
426	Tony Tang & Yi Bin
427	Mr Greg Ross
428	Mr Andrew Tiras
429	Michael Wood
430	Mr Tin Li

No	Name
431	Dalip Penu
432	Adele & Kevin Khoo
433	Shuzhen Xu
434	Mr Adrian Ziccone
435	Joan Clarke
436	Mr Joseph Ng
437	P Gates
438	Noel & Nicole Sumner
439	Ms Mary Marcello
440	Ms Elaine Camesi
441	Ms Jane Kim
442	Ms Heather Lindsay
443	A Blyberg
444	Mr Ken Jones
445	C Sotio
446	Ms Olivia Chan
447	Chris Stampoultzis
448	Mr Alphonse Benoit
449	Mr D Mancuso
450	Mr A Nitsos
451	G Walter
452	Ms Shirley F Delzoppo & Ms Margaret M Jennings
453	Ms Cathy Hai Ou Xia
454	Ms Carmel Deacon
455	Mr Alan Bell
456	B Aberline
457	Ms Shirley E Holt
458	Ms Lisa Viti
459	Ms H Farrugia
460	Ms Queenie Lam
461	Ms Karen Farrell
462	Mr Jozsef Asztalos
463	B Bonollo

No	Name
464	Ms Trevena Jaques
465	Mr Gordon Hanks
466	Mr John Beirouty
467	Ms Patricia Anderson
468	Mr K & Mrs L Kahwagi
469	Mr Frank DeAngelis
470	Ms Olive V Howard
471	Ms Susie Bunn
472	Ms Judi Millar
473	Ms Mary Hartley
474	Mr Gregory Schinas
475	Ms M Maltezos
476	Ms Thora Carne
477	Ms V McLaine
478	Ms Aldene Glenister
479	Mr John Lewis
480	Ms Dawn Walker
481	Mr J & Mrs T Greig
482	Mr J Monelli & family
483	Ms Giuseppina Zoretto
484	Mr Graeme Maddaford & Ms June Webster
485	Ms Margaret Walton
486	Ron Jensen
487	A & G Mylonas
488	Mrs S Paton
489	Mr K & Mrs J Warren
490	Mr L & Mrs B Reid
491	I R Walton & J N Gleeson
492	Ms Bertilla Dal Bo
493	M J Morrison
494	DM & IP Turnbull
495	Frank Falcon
496	Mr Ronald So

No	Name
497	Ms Carolyn Vimpani
498	Phi N Nguyen
499	Mr Michael Kok
500	Mr Terence Morton
501	Mr Ken Owen
502	Chris Dirchalidis
503	G & C Tsouvallas
504	Ms Wilma McNaught
505	Mr Louis Andriopoulos
506	Mrs Daniela Kustura
507	Ms D P O'Gelsby
508	Mr John M Wilkins OAM RFD
509	B S Ong Tan & Anne Ong Tan
510	Ms Doris Beasy
511	Mr A Bonanno
512	Ms Diane Gabriel
513	L J Collins
514	Valda & Roxene Carroll
515	Mark & Tanya Wells
516	Pembe Mehrnet
517	Halim D'Andra & Tan Honi
518	Jennifer Gorba
519	Alice Kotis
520	Muriel Davies
521	Robyn Lockyer
522	Lina DiGiovine
523	Sai Yee Fung
524	Michelle Kao & Li Hsin Ho
525	Ngaur Tang
526	Tony Pierrakos
527	Jane Kim & Ki Ho Hong
528	Franz Haidinger
529	Allan & Norma Gray
530	Yong Xiang Luo & Wei Biao Tan &

No	Name
	Shirley
531	Timothy, Virginia & Ophelia
532	Andrew Hewitt & Johanna McPhail
533	Bin Huai
534	Roslyn Williams
535	Peter Mudge
536	Audrey McIntosh
537	Carmel Dunn
538	Eva Wong
539	Klein Breteler
540	Yeek Peh Khaw
541	Ruth Pilens
542	Mr Tang
543	J Nitsos
544	Giovanni Bertolin
545	B Herbert
546	B & N Mathys
547	Geoffrey Pizzey
548	Michael Karaeleftheriadis
549	Effie, Justin & Priscilla Saropoulos
550	<i>Withdrawn</i>
551	Rebekah Di Pada
552	<i>Withdrawn</i>
553	Persetoni Saropoulos
554	Adam Karaeleftheriadis
555	Justin Stapleton
556	Michael Nicolazzo
557	Tanya Alagiozidis
558	Jess & Marli Cornelissen
559	Elyse Cornelissen
560	Sue Cornelissen
561	Daniel Dukovic
562	James Angelopoulos
563	Antonia Ioannou

No	Name
564	K Robinson
565	Ms Priscilla & John Roger
566	L & M Mitsis
567	Lola Brown
568	Yvonne Kitch
569	Joseph Pulvirenti
570	Lai Yock Owyong
571	Andrew & Christine Hogendijk
572	Gaetano & Michelle Scutella
573	Professor Charters and Mrs Charters
574	A & A Lysikatos
575	D J & H J Mourney
576	Roberta McKibben
577	Cynthia Pilli
578	Kay Perkins
579	S Kalogerakis
580	C A & P F Wilsmore
581	Ellen Addison
582	The Rising Sun Company P/L
583	Elizabeth Anne McLaren
584	Rod Ting & Irene Yin
585	Bruce and Ellen Easton
586	N Manyatis
587	W N Rennie
588	Ben Tzirkas, BKN Projects P/L
589	Julie Dudley
590	George & Elizabeth Guiver
591	Roy Carmichael
592	G & D Furmston
593	Yuk Yiu Lau
594	Zelda Breitzel
595	P Kyrkov
596	Joan Donohoe
597	Patricia Agosta

No	Name
598	Michael Dimond
599	Angela & Dominic Fusca
600	LeeAnne Collins
601	Peter Choy
602	Kathryn Anderson
603	Earle Ludekens
604	Mani & Sam Borg
605	Christine Vasilopoulos
606	V Klioumis
607	M & C Manzie
608	Walter, Giulia, Andrew & Benjamin Costa
609	John Hook
610	Serguei Soutine
611	Gordon & Rosie Low
612	Bill Trenfield
613	Maria Kefalas
614	Michael & Joan O'Callaghan
615	Anne Howley
616	E Pichurr
617	V I Pound
618	Barbara Bowman
619	Monika Cruz
620	Angelique Giacomini
621	Valerie Mallison
622	C Ciavarella
623	Lida Giovannetti
624	L Clasby
625	Diane Maglitto
626	Rosemary Buxton
627	Hazel Ferguson
628	B & V King
629	Patrick & Fay Ward
630	Sing Han Hii

No	Name
631	Marie Hankin
632	Richard Janicki
633	L M Hosie
634	Mario Cesarin
635	Mr William J Duligall
636	L H Clark
637	Enrico Fiorito
638	Alan & Joan Wilson
639	Lynley & Anthony Nimmo
640	Ralph Johnston
641	Velga Lapins & Gary Osborn
642	Valija Lapins
643	C Saliba
644	Althea Pollock
645	N M Gedye
646	Johnny L Saerang
647	Desmond Fitzsimons
648	L Palmer
649	Vladimir Stanisavjevic
650	J R Osbourne
651	Andrew Tully
652	Patrick Hanrahan
653	Michael O'Sullivan
654	Umberto De Pino
655	J Razos
656	Susan Whitton
657	Les DeBortoli
658	Peter & Jennette Fitzgibbon
659	Ray Howe
660	Helen Nicolaou
661	Gillian Riley
662	E J Whelehan
663	Francis Beady
664	V Johnston

No	Name
665	Ronald Robertson
666	Joanne Rice
667	Lesly Hancock
668	Judy Hullick
669	Jacob & Jenny Kerseboom
670	L & L Bertuola
671	Michelle Sammann
672	Patricia Kenny
673	W F Waters
674	Francis & Robert Thorton
675	Denis J Johnston
676	Y Warburton
677	David & Carole McNamara

No	Name
678	Meaghan & Adrian Ventura
679	Lena D'Abaco
680	Chris Louandos
681	Jinyu King, Ella & Longyao Li, Meifang Lin, M & M Li, Ya Yu Li, Mingdian Li
682	Rolin & Annette Dosser
683	S & J McLean
684	Rhea Bernau
685	Peter Maurice Wilkinson
686	Urbis for Ty San
687	Ratio Consultants for a number of property owners
688	SJB Planning for Anthony Phillips