

## 8. PLANNING PERMIT APPLICATIONS

### 8.1 Planning Application PL12/022631 for Tram Road Reserve 2-18 Tram Road, Doncaster – Use and development of land for a Utility Installation (Recycled Water Treatment Plant)

Responsible Director: Director Planning & Environment

File No. PL12/022631

Neither the responsible Director, Manager or the Officer authoring this report have a conflict of interest in this matter.

<b>Land:</b>	Lot 1 TP 131068U Vol 08172 Fol 376
<b>Zone</b>	Public Park and Recreation Zone (PPRZ)
<b>Applicant:</b>	Yarra Valley Water
<b>Ward:</b>	Koonung
<b>Melway Reference:</b>	Map 47 E3
<b>Time to consider:</b>	7 August 2012

#### SUMMARY

*It is proposed to construct a treatment plant within Tram Reserve, Doncaster, to create a source of recycled water to be supplied to new development in the Doncaster Hill area and the Eastern Golf Course site. This includes the creation of a level site, buildings and works including a treatment building and storage tank within the site, and an access driveway to Grange Park Avenue.*

*A presentation was made at pre-application stage to the Sustainable Design Task Force on 29 September 2011 and, for information purposes, to the Strategic Briefing Session on 20 March 2012.*

*The application was advertised and 207 objections have been received at the reporting date. Grounds mainly relate to intrusion in parkland, proximity to dwellings, noise, odour, loss of property value, traffic, other health risks and that other sites could have been chosen.*

*It is understood that the application is the result of a very detailed site selection process by the applicant and a thorough consideration of the amenity issues. Once completed, with associated vegetation replacement, the proposed plant will have minimal visual intrusion, with no functional loss of parkland. The information provided with the application supports that it has been designed to minimise noise and odour to imperceptible levels from any adjoining dwelling.*

*It must also be noted that a separate Works Approval application has been made to the Environment Protection Authority (EPA). The EPA will assess all environmental amenity issues with particular scrutiny. A determination on this Works Approval is*

*expected in October 2012. Referral correspondence from the EPA states that no objection is offered to this application, subject to a permit condition requiring an EPA Works Approval prior to the commencement of any works on site. The planning application process and the Works Approval process are independent approval processes, each subject to objection and appeal rights.*

*It is proposed to support the application.*

## **1. BACKGROUND**

### **The Site**

- 1.1. The subject site is located within the Tram Road Reserve, at the rear of 2 - 18 Tram Road in Doncaster. The reserve is located immediately east of the intersection of Tram Road and the southern end of Whittens Lane, and immediately north of the Eastern Freeway. This reserve is approximately two hectares (20,000 square metres) in area and has a broad triangular shape, being bounded by the rear boundary of dwellings on Whittens Lane to the north-west and in Grange Park Avenue along half of the north-eastern boundary.
- 1.2. The Eastern Freeway on-ramp bounds the site to the south. Koonung Creek provides a nominal boundary to the east, although this reserve is essentially the western component of the larger Koonung Creek linear park. A walking and cycling track is located along the length of this larger linear park, connecting Tram reserve to the larger eastern open space area.
- 1.3. Entry to the reserve is from three primary locations:
  - 1.3.1 From the east via the walking / cycling path along the linear park.
  - 1.3.2 From the north between 32 and 36 Grange Park Avenue.
  - 1.3.3 From the west at the corner of Tram Road and the Eastern Freeway.
- 1.4. The subject site is known as Lot 1 TP131068U (Vol 09062 Folio 160). The land is owned by the City of Manningham. The Certificate of Title is affected by covenant J891388 (21 November 2001). The easement created by this covenant is for the Gas and Fuel Corporation of Victoria and covers the access way from Grange Park Avenue. The easement will not affect the proposal, as access will remain to the Gas and Fuel Corporation assets.
- 1.5. The Tram Road Reserve falls by 20 metres from its highest point at the north-eastern end the site to the level field in the centre of the site. This steeper area is currently planted with native vegetation. The primary users of the Tram Road Reserve are local residents, including those who use the path forming part of the Koonung Creek Linear Park. The reserve is signed as a leash-free area for dogs. There is a cricket pitch within the reserve, which is no longer in use.

### Site Surrounds

- 1.6. The reserve abuts 21 properties. Surrounding development is described as follows:

Direction	Address	Description
Northeast	30-44 Grange Park Avenue	Single and two storey detached dwellings. Rear boundary of all properties abut the reserve. Setbacks to the site vary from 22 metres at the closest point to 100 metres.
South	Eastern Freeway on-ramp	A significant vegetation buffer exists between the grassed recreation component of the reserve and the freeway reserve.
East	Koonung Creek	The reserve is the western end of the Koonung Creek linear park.
West	2-24 Whittens Lane	Single and two-storey detached dwellings. Recent multi-unit development (four dwellings per lot at 12, 16-18 and 24 Whittens Lane). Rear boundary of all properties abut the reserve. Setbacks to the site vary from 25 metres at the closest point to 62 metres.

- 1.7. The neighbourhood surrounding the reserve is characterised by the predominance of single and two-storey detached dwellings. Limited redevelopment of single lots to create multi-unit development is occurring in local streets, most notably Whittens Lane.

### History

- 1.8. On 21 October 2008, a Memorandum of Understanding (MOU) was jointly signed by the Chief Executive of Manningham City Council and the Managing Directors of Melbourne Water and Yarra Valley Water. The purpose of this MOU was:
- “to document an agreed set of principles and a program designed to consider and implement long term and sustainable planning for water management within the Doncaster Hill Activity Centre.”
- 1.9. The MOU was premised on the mutual understanding that such sustainable planning could only be achieved by cooperation between the three parties to achieve integrated solutions for the three main components of urban water management, these being water supply, sewerage and stormwater.

- 1.10. With the MOU acting as an in-principle framework, the parties agreed to produce an Integrated Urban Water Management Strategy for the Doncaster Hill Area with an emphasis on better delivery of sustainability outcomes than the traditional infrastructure planning process.
- 1.11. The parties jointly commissioned a detailed conceptual study to explore a range of water management options, including standard potable water connection, mandated efficiency, rainwater harvesting and recycled water. Options that provided the most water savings and created the greatest reductions in greenhouse gas emissions were favoured. Providing recycled water was one of these favoured options.
- 1.12. Yarra Valley Water undertook further detailed analysis and determined that a recycled water solution was viable, and subsequently chose to invest in recycled water.
- 1.13. The future availability of recycled water was announced in early 2010. Subsequent to this announcement, a number of developments which were commencing construction included the necessary plumbing to accept recycled water.
  - 1.13.1 Yarra Valley Water took steps to mandate the parts of the Doncaster Hill Activity Centre and the Eastern Golf Course as recycled water areas.
  - 1.13.2 In July 2010 Council adopted recommendations that required the inclusion of recycled water in all new developments as part of the Planning permit process.
- 1.14. The conceptual study identified the Eastern Golf Course as a potential site to locate a treatment plant. Yarra Valley Water have completed further detailed assessment and concluded there were technical issues which precluded the use of this site.
- 1.15. Yarra Valley Water have advised that his assessment included the following considerations:
  - The RWTP requires approximately 580kL/day of flow coming into the plant to produce 350kL of Class A recycled water.
  - For this volume to be achieved, there must be sufficient flow left in the sewer to meet required scouring velocities in the sewer (minimising the risk of sewer blockages downstream);
  - There must also be sufficient flow to carry the waste sludge away from the RWTP.
  - In addition, the sewer also needs a large 'base flow', a minimum flow 24 hours per day to allow a constant flow into the RWTP.
- 1.16. By contrast, and after more detailed assessment recently conducted, Yarra Valley Water have advised that the maximum flow in the largest sewer flowing through the Eastern Golf Course is around 428kL per day, and is insufficient to provide enough water to produce the required volumes of Class A recycled water.
- 1.17. Yarra Valley Water also advise that, even after making allowances for additional sewer flow based on growth projections, it is unlikely that there will be sufficient flow to allow waste sludges to be returned to the sewer without

compromising the operation of the downstream sewer network. Upgrading the main sewer infrastructure would not resolve this issue. Enlarging the diameter of the main sewer pipe in this location would do nothing to improve the flow rate.

- 1.18. A subsequent initial request was received by Council from the Managing Director of Yarra Valley Water on 12 April 2011 enquiring regarding the potential use of the Tram Road reserve for a recycled water treatment facility.
- 1.19. The central consideration for locating the plant at this location was the location of the nearby Koonung Creek Trunk sewer which comfortably met all the above criteria.
- 1.20. It was noted in initial correspondence that a site selection process had originally identified the following four potential locations:
  - Tram Road Reserve
  - Eastern Golf Club
  - Doncaster Road Park and Ride
  - Ruffey Lake Park
- 1.21. Reasons for the selection of Tram Road Reserve are discussed in the assessment Section 6 of this report.
- 1.22. The response from Council was to apprise Yarra Valley Water of the initial planning framework and concerns, including amenity issues that would arise from the location of a facility in any proximity to dwellings. It was also noted that the potential inclusion of such a facility was referenced in the draft Koonung Creek Linear Park Management Plan.
- 1.23. The significance of the proposal in the context of the MOU was acknowledged and to this end it was recommended that the design be further modified to better respond to amenity issues, and in particular that a Community Consultation Strategy be developed and implemented prior to the lodgement of a planning permit application. To this end, direct consultation with the local area, prior to the lodgement of the planning application, was conducted by Yarra Valley Water.

#### **Preliminary Community Consultation**

- 1.24. A timetable of the ten key dates of the preliminary community consultation conducted by Yarra Valley Water is outlined below. In summary, these dates encompass:
  - 1.24.1 An initial mail out on 17 August 2011 to affected properties.
  - 1.24.2 Two door knocking sessions on 5 and 12 September 2011 to 60 properties in proximity to the proposed site.
  - 1.24.3 An invitation sent to 190 properties to attend any / all of three public information sessions.
  - 1.24.4 Conducting three information sessions on Saturday 8, Wednesday 12 and Saturday 15 October 2011. The first two were held at the Council offices, the third on the site at a marquee erected in the reserve.

- 1.24.5 A follow-up mailout sent on 18 November 2011 to the 190 properties highlighting the central concerns.
  - 1.24.6 A site visit to the Yarra Valley Water Brushy Creek treatment facility in Croydon on 21 January 2012 for those who expressed interest at the public information sessions.
  - 1.24.7 A final mail out on 10 February 2012 to 190 properties notifying residents of the impending planning permit application. The planning application was lodged on 20 February 2012.
- 1.25. All recently approved development in Doncaster Hill has required the implementation of the Recycled Water Scheme in building design. Completed developments which have a third pipe plumbed in and ready to receive Class A water include:
- The Pinnacle at 632 Doncaster Road
  - The Madison at 91 Tram Road
  - The Haven (Loddon Mallee Affordable Housing) at 95 Tram Road
  - Council's Community Hub (MC<sup>2</sup>)
  - 7-11 Berkeley Street (currently under construction)

## 2. PROPOSAL

- 2.1. Pursuant to the commitments made as described above, it is proposed to supply new residential development in the Doncaster Hill area (the "Mandated Area" as shown in the Map Attachment A) with Class A recycled water for all functions within a dwelling or commercial area for which this standard of water is acceptable. This commonly includes toilet flushing, washing machines and outdoor taps.
- 2.2. Separate to the inclusion of recycled water, new developments are still required to comply with a number of stormwater management standards which require that stormwater quality be improved to meet best practice standards prior to leaving the site, and require that any additional flow is controlled to pre-development levels.
- 2.3. For this reason, it must be noted that a rainwater tank will still be required in each new development, but will need only be a much smaller capacity, limited to on-site detention (with local landscape irrigation options), and will not require pumps to take the water above ground level.
- 2.4. Class A water is produced by the diversion of sewage from the local sewer network to a treatment facility. At the proposed facility the sewage will be treated via a series of processes as described below, and then directed to the Doncaster Hill area and the Eastern Golf Course site, via a dedicated "third pipe" and fed to the frontage of each development site. Each dwelling (and commercial use) within a new development will be required to be plumbed with a dedicated third pipe (purple in colour) to all fixtures using Class A water.
- 2.5. The pipe network of a water authority can be laid and maintained without the need for planning approval. These works are exempt pursuant to Clause 62 of the Manningham Planning Scheme (as a Minor Utility Installation), exempting these works from planning approval.

- 2.6. The Recycled Water Treatment Plant (RWTP) component proposed in Tram Reserve is termed a "Utility Installation" in the Manningham Planning Scheme. This component requires a planning permit and involves the buildings and works described below:
- 2.6.1 Earthworks including a cut of approximately 4.0 metres into the steeper portion of the site to create a level area of 73 x 29 metres (2,117 square metres in area). A retaining wall would be built into this cut along the northern boundary. This rectangular site is 75 metres south-west of the Grange Park Avenue entry.
- 2.6.2 Being diagonally offset from property boundaries, the site is 25 metres from the rear of 14 Whittens Lane and 60 metres southward of the rear of 22 Whittens Lane.
- 2.6.3 A vehicular access to this site is to be created from Grange Park Avenue. This will be in the form of a graded crushed rock surface four metres in width and unfenced for the total of 75 metres in length from the street to the site entry.
- 2.6.4 Native vegetation will be required to be removed to create the site. This includes a Paperbark located in the nature strip in Grange Park Avenue, and 0.185 of a hectare of Grassy Valley Forest on the slope adjoining the rear boundary of dwellings in Whittens Lane. This specifically includes a stand containing two tree species (Red Box and Blackwood) and weeping and wallaby grasses.
- 2.6.5 The Flora and Fauna Assessment supplied with the application indicated that the removal of this vegetation will require offset planting, but that no flora of conservation significance was observed, as there is mostly planted vegetation and a high cover of weed species. Replacement planting in accordance with the Net Gain requirements supplied in this assessment is also part of the proposed works. These include screening plants along all boundaries to minimise visual impact. (Shown in plan Attachment B). Nominal planting is indicated on the plans and would be reinforced with a required landscape plan should a permit be issued.
- 2.6.6 Buildings and works within the footprint of this site including:
- A treatment plant building measuring 15 metres by 40 metres, with a maximum height of 5.5m, clad in green colourbond. This building is in the north-west portion of the site against a 4.0 metre high retaining wall. This will allow the appearance of being "built-in" to the hillside.
  - A recycled water storage tank, 6.0 metres high and 12.5 metres diameter (700,000 litre capacity), made of welded steel and painted green. This tank is designed to hold two days supply of recycled water.
  - A ventilation stack in the north-west corner of the site, 15 metres high, 320mm metre in diameter at the highest point and coloured green.
  - Associated infrastructure, including an emergency generator inside a fully enclosed acoustic cover 2.7 metres high and painted green, an electricity transformer kiosk supplied by the relevant power authority, a process balancing tank, odour control unit and a bunded chemical delivery storage area.

- An open paved area allowing for parking and vehicle movements within the site. Once operational, only one light utility vehicle is expected to visit the site once daily. A chemical delivery truck would visit the site once per month.
- Perimeter fencing in standard black PVC coated cyclone wire, 2.1 metres high. A lockable access gate in the same material will be located in the south-east corner of the site.

**Operation**

- 2.7. The treatment plant has been designed to produce 350,000 litres per day of Class A recycled water. This is the equivalent of saving an Olympic-size swimming pool (2,500,000 litres or 2.5 mega litres) worth of potable drinking water every week which would otherwise be used for toilet flushing, laundry and outdoor taps. With this saving, household drinking water use within the Doncaster Hill area and Eastern Golf Course supplied by this recycled water will reduce by one third.

**Sewage treatment:**

- 2.8. Sewage will be extracted from the existing Koonung Creek main sewer via an underground pump station. The incoming sewage is screened and initially treated in a Membrane Bioreactor (MBR). Naturally occurring organisms are used in a controlled environment to treat the sewage, which is then passed through a very fine membrane filter to separate the waste from the clear water.
- 2.9. All wastewater from the treatment plant will be returned to the sewer, so there will be no impact on the nearby creek. Odours from this process are passed through an internal odour control unit and then through to the ventilation stack. The treatment plant will be fully enclosed within a building, approximately 15m x 40m (600m<sup>2</sup>). The sewage treatment tanks within the building will be fully covered. An odour modelling report has been provided with the application and these impacts will be discussed in the assessment.

**Recycled Water Treatment:**

- 2.10. The clear water from the MBR is passed through another very fine membrane filter (Ultrafiltration) to provide physical disinfection and further filtering. The water then passes through an Ultraviolet disinfection unit that uses ultraviolet light to disinfect the water, and chlorine is then added to the water to provide chemical disinfection.

**Class A Water Delivery / Reticulation System:**

- 2.11. Treated water will be stored in a water tank and pumped to the Doncaster Hill / Eastern Golf Course areas as required through a dedicated "third" pipe. This pipe is intended to move underground from the reserve through Grange Park Avenue, to Whittens Lane, Elm Tree Road, Gifford Road, Hepburn Road and Short Street Tram Road to Doncaster Road, then serving the Doncaster Hill / Eastern Golf Course area.
- 2.12. Class A is the highest grading given by EPA Victoria and the Department of Health for treated water reclaimed from the sewerage system. Approval from both the EPA and Department of Health is required prior to operation of the

treatment plant through a separate regulatory process. Continuous monitoring and quality assurance systems are proposed to be in place at the treatment plant to maintain this Class A grading.

- 2.13. The treatment plant is intended to operate 24 hours per day. The design allows continuous operation even during maintenance. Residual effluent or sludge is returned directly to the main sewer, with no requirement for separate removal by trucks.
- 2.14. Noise sources from the site include the electricity supply generator and the air compression pumps. All potentially noisy equipment is co-located in an internal room within the building, which will be acoustically insulated. A noise modelling report has been supplied with the application and will also be discussed in the assessment.
- 2.15. Pedestrian and bicycle access to Tram Road Reserve from Grange Park Avenue will be maintained during and after construction of the RWTP. The RWTP creates a fenced and effectively privatised area of 2,117 square metres. An effective recreational area of over 18,000 square metres remains for public use, including full unimpeded use of the existing walking / cycling track and access from the Grange Park Avenue entry.

### **3. PRIORITY AND TIMING**

- 3.1. The statutory time for considering a planning application is 60 days. Allowing for the time taken to advertise the application, the statutory time lapsed on 7 August 2012.

### **4. RELEVANT LEGISLATION**

- 4.1. The site and adjacent land is included in the Public Park and Recreation Zone under the provisions of the Manningham Planning Scheme.
- 4.2. A planning permit is required this zone under Clause 36.02-1.
- 4.3. The purpose of the Public Park and Recreation Zone relates primarily:
  - 4.3.1 To recognise areas for public recreation and open space.
  - 4.3.2 To protect and conserve areas of significance where appropriate.
  - 4.3.3 To provide for commercial uses where appropriate.
- 4.4. Regard must also be given to Clause 65.01 of the Particular Provisions Section of the Planning Scheme which sets out various matters for consideration. The most relevant of these include –
  - the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies;
  - the purpose of the zone;
  - orderly planning of the area; and
  - the effect on the amenity of the area.
- 4.5. A separate works approval is required from the Environment Protection Agency (EPA) pursuant to the Environment Protection Act 1970. Yarra Valley Water has made a works approval application. The EPA is expected to determine this application in October 2012.

- 4.6. The Department of Health provides ongoing monitoring of water quality (both potable and Class A water) pursuant to the Health Act 1958.

**5. MANNINGHAM PLANNING SCHEME**

**State Planning Policy Framework**

**11 Settlement**

**11.01-2 Activity centre planning**

**Objective**

- 5.1. To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres which provide a variety of land uses and are highly accessible to the community.

**Relevant Strategies**

- Improve the social, economic and environmental performance and amenity of the centre.

**11.01-2 – Open Space Planning**

**Objective**

- 5.2. To assist creation of a diverse and integrated network of public open space commensurate with the needs of the community.

**Relevant Strategies:**

- Protect the overall network of open space by ensuring that where there is a change in land use or in the nature of occupation resulting in a reduction of open space, the overall network of open space is protected by the addition of replacement parkland of equal or greater size and quality.

**12 Environmental and Landscape Values**

**12.01-1 – Protection of Habitat**

**Objective**

- 5.3. To assist the protection and conservation of biodiversity, including native vegetation retention and provision of habitats for native plants and animals and control of pest plants and animals.

**Relevant Strategies**

- Assist the conservation of the habitats of threatened and endangered species and communities as identified under the Flora and Fauna Guarantee Act 1988, including communities under-represented in conservation reserves such as native grasslands, grassy woodlands and wetlands.
- Address potentially threatening processes identified under the Flora and Fauna Guarantee Act 1988.
- Ensure that the siting of new buildings and works minimises the removal or fragmentation of native vegetation.

**13 Environmental Risks****13.04-1 – Noise Abatement****Objective**

- 5.4. To assist the control of noise effects on sensitive land uses. Strategies to achieve this objective include:
- Ensure that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

**13.04-2 – Air quality****Objective**

- 5.5. To assist the protection and improvement of air quality. Strategies to achieve this objective include:
- Ensure, wherever possible, that there is suitable separation between land uses that reduce amenity and sensitive land uses.

**14 Natural Resource Management****14.02-3 Water conservation****Objective**

- 5.6. To ensure that water resources are managed in a sustainable way. Strategies to achieve this objective include:
- Encourage the use of alternative water sources such as rainwater tanks, stormwater and recycled water by governments, developers and households.
  - Ensure the development of new urban areas and green spaces takes advantage of any opportunities for effluent recycling.
  - Protect areas with potential to recycle water for forestry, agriculture or other uses that can use treated effluent of an appropriate quality.

**15 Built Environment and Heritage**

- 5.7. Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protect places and sites with significant aesthetic, value.
- 5.8. Land use and development planning must support the development and maintenance of communities with adequate and safe physical and social environments for their residents, through the appropriate location of uses and development and quality of urban design.
- 5.9. Planning should achieve high quality urban design and architecture that:
- Contributes positively to local urban character and sense of place.
  - Reflects the particular characteristics, aspirations and cultural identity of the community.
  - Enhances liveability, diversity, amenity and safety of the public realm.
  - Minimises detrimental impact on neighbouring properties.

**15.01-1 Urban design  
Objective**

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

**Relevant Strategies**

- Promote good urban design to make the environment more liveable and attractive.
- Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living and working environments, accessibility and inclusiveness and environmental sustainability.
- Require development to respond to its context in terms of urban character, cultural heritage, natural features, surrounding landscape and climate.
- Require development to include a site analysis and descriptive statement explaining how the proposed development responds to the site and its context.
- Encourage retention of existing vegetation or revegetation as part of subdivision and development proposals.

**15.01-2 Urban design principles  
Objective**

- 5.11. To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties. Strategies to achieve this objective include:

**Energy and resource efficiency**

- All building, subdivision and engineering works should include efficient use of resources and energy efficiency.

**Architectural quality**

- New development should achieve high standards in architecture and urban design.
- Any rooftop plant, lift over-runs, service entries, communication devices, and other technical attachment should be treated as part of the overall design.

**Landscape architecture**

- Recognition should be given to the setting in which buildings are designed and the integrating role of landscape architecture.

**15.02 Sustainable development****15.02-1 Energy and resource efficiency  
Objective**

5.12. To encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions. Strategies to achieve this objective include:

- Ensure that buildings and subdivision design improves efficiency in energy use.
- Promote consolidation of urban development and integration of land use and transport.
- Improve efficiency in energy use through greater use of renewable energy.

### **16 Housing**

5.13. Planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure. New housing should have access to services and be planned for long term sustainability.

#### **16.01-1 Integrated housing Objective**

5.14. To promote a housing market that meets community needs.

#### **Relevant Strategies**

- Encourage housing that is both water efficient and energy efficient.

### **19 Infrastructure**

5.15. Planning for development of social and physical infrastructure should enable it to be provided in a way that is efficient, equitable, accessible and timely.

#### **19.03-2 Water supply, sewerage and drainage Objective**

5.16. To plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment. A key strategy of this clause is to:

- Encourage the re-use of wastewater including urban run-off, treated sewage effluent and run-off from irrigated farmland where appropriate.

### **Local Planning Policy Framework**

#### **21.02 Municipal Profile**

#### **21.03 Key Influences**

5.17. The Municipal Strategic Statement, has been based on the principles of sustainability. An outline of the critical land use issues, which are likely to challenge Manningham's future growth and sustainable development, is provided below. The objectives, strategies and implementation actions, which respond to these issues, are contained in Clauses 21.05 to 21.14.

**Commitment to sustainability**

- 5.18. Manningham's commitment to sustainability is consistent with the Council Plan and links to Council's Environment Management System (EMS). The MSS will focus on developing locally relevant, achievable land use strategies. These strategies will assist in tackling global issues to produce a city which is a pleasant place to live and is environmentally, economically and socially sustainable.

**21.04 Vision – Strategic Framework****21.04-2 Key land use themes**

- 5.19. Manningham's vision for future land use planning and development is expressed in the following key land use themes, underpinned by Manningham's commitment to sustainability.
- Activity Centres and Commercial Areas
  - Ecologically Sustainable Development
  - Infrastructure

**Clause 21.09 Activity Centres and Commercial Areas  
Principal Activity Centre (Doncaster Hill)**

- 5.20. Manningham has a commitment to sustainability. The Doncaster Hill Activity Centre is an opportunity to showcase an integrated land-use planning and development framework which challenges mainstream community planning and building design to achieve desired environmental outcomes provides housing where residents may walk to facilities and services.

**Vision**

- 5.21. The *Doncaster Hill Strategy* (October 2002) envisages that the Doncaster Hill Activity Centre will be a key destination in Melbourne's East. It will be a high density, sustainable, vibrant, contemporary mixed use urban village with a strong sense of place and civic identity. The following are relevant objectives:
- To integrate ecologically sustainable development principles and techniques into every facet of the design, construction and operation/occupancy stages of new development to raise the aspirations of all users, appropriate for a city looking towards a long-term, responsible and sustainable future.
  - To ensure that built form outcomes demonstrate the use of contemporary architecture combined with innovative urban design and building techniques that incorporate ecologically sustainable design principles.
  - To meet the future infrastructure requirements of Doncaster Hill in a comprehensive, timely and equitable way.

**21.10 Ecologically Sustainable Development**

- 5.22. Manningham is committed to Ecologically Sustainable Development (ESD), which recognises, values and protects the natural environment and ecological process on which life depends both now and in the future. Council supports

and encourages land use planning and development, design and construction using ESD principles.

- 5.23. Key ESD principles include energy conservation, water conservation, protecting human health, and protecting and enhancing the built, natural and cultural environments. ESD initiatives should incorporate current best practice, emerging technology and continuous innovation.

### **21.10-3 Water sensitive design**

#### **Key issues**

- The capture and re-use of water.
- Poor water quality of our waterways and creeks.

#### **Objectives**

- To minimise water use.
- To encourage the capture and re-use of water.
- To reduce the demand on potable water.
- To improve the quality of water in our waterways and creeks.
- To encourage water sensitive urban design.

- 5.24. Strategies to achieve these objectives include:

- Encourage the installation of rainwater tanks to reduce the use of potable water.
- Encourage the re-use of grey water.
- Encourage landscape design and plant selection, which minimises the reliance on irrigation.
- Promote the detention and absorption of stormwater where practicable through use of permeable paving, pebble paths, lawns and gardens.
- Encourage the provision of appropriate on-site detention systems to reduce loadings on the stormwater systems after heavy rains.
- Encourage the use of pollutant traps to prevent garbage entering the waterways.
- Ensure water sensitive urban design elements are incorporated into subdivisions and developments.
- Encourage the provision of sustainability management plans for developments (where appropriate) which minimise use of resources, waste, emissions and energy.

### **21.12 Infrastructure**

#### **21.12-4 Services**

#### **Key issues**

- The introduction of water capture, reuse and recycling within developments.
- Low and/or declining water quality.

- Visual impact of services.

**Objectives**

- To integrate the capture and re-use of water within developments.
- To ensure that drainage infrastructure is designed and upgraded to provide a safe, and efficient system.
- To encourage the use of recycled water.
- To ensure that all new development and subdivision can treat and retain wastewater on site.

5.25. Relevant strategies to achieve these objectives include:

- Require development proposals that increase water runoff from a site, to detain stormwater on site or conduct or assist with other works which are necessary to maintain or increase drainage capacity, where appropriate.

**22.02 Indigenous Flora and Fauna Policy**

5.26. This policy applies to the whole of the City of Manningham, and in particular to sites which are in locations adjoining watercourses.

**Objectives**

- To protect and enhance indigenous vegetation and fauna populations within the municipality, in particular vegetation within identified areas of botanical or zoological significance, habitat corridors and along watercourses.
- To promote revegetation of cleared areas with indigenous species, particularly within and adjacent to areas of botanical or zoological significance, identified habitat corridors, conservation reserves and along watercourses.

**22.03 Cultural Heritage Policy**

5.27. This policy applies to cultural heritage places which are places of aesthetic, historical, scientific, architectural or social significance including:

- Sites and areas of archaeological significance
- Aboriginal cultural heritage places, objects and landscapes.

5.28. The objectives of this policy include:

- To encourage the retention of cultural heritage places and ensure that these places are recognised and afforded appropriate protection to enrich the character, identity and heritage of the municipality.
- To promote the identification, protection and management of sites and areas of archaeological significance including aboriginal cultural heritage.

**Aboriginal cultural heritage values**

- 5.29. In considering an application for use or development, or a request to rezone land, Council will have regard to the requirements of the *Aboriginal Heritage Act 2006* and any maps and guidelines produced by Aboriginal Affairs Victoria.
- 5.30. A Cultural Heritage Assessment was supplied with the application and found no areas of cultural significance. This is largely due to the artificial location of Koonung Creek in proximity to the site, having been diverted by the expansion of the Eastern Freeway.

**36.02 Public Park and Recreation Zone****Purpose**

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
  - To recognise areas for public recreation and open space.
  - To protect and conserve areas of significance where appropriate.
  - To provide for commercial uses where appropriate.
- 5.31. The Use is defined as a Utility Installation. The definition of Utility Installation is as follows in the Manningham Planning Scheme:

**Utility installation Land used:**

- a) for telecommunications;
- b) to transmit or distribute gas, oil, or power;
- c) to collect, treat, transmit, store, or distribute water; or
- d) to collect, treat, or dispose of storm or flood water, sewage, or sullage.

It includes any associated flow measurement device or a structure to gauge waterway flow.

- 5.32. A Utility Installation (including associated buildings and works) requires a permit in the Public Park and Recreation Zone as the following requirement to allow a utility Installation to be a section 1 (Permit Not required) use is not met:
- “The use must be conducted by or on behalf of a Public Land Manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, or the Crown Land (Reserves) Act 1978.”
- 5.33. As the use is not being conducted “by or on behalf of a Public Land Manager” (Council in this case) then the use requires a permit.

**36.02-5 Decision guidelines**

- 5.34. Before deciding on an application to use or subdivide land, construct a building or construct or carry out works, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:
- The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
  - The comments of any public land manager or other relevant land manager having responsibility for the care or management of the land or adjacent land.
  - Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.

**Overlays**

- 5.35. The southern edge of Tram Reserve adjoining Koonung Creek is located within a Significant Landscape Overlay (Schedule 5) and a Land Subject to Inundation Overlay (LSIO). The site of the proposed buildings and works is not located in either of these overlays (being over 30 metres from Koonung Creek at its closest point) and is exempt from these provisions.

**52.10 Uses with Adverse Amenity Potential  
Purpose**

- To define those types of industries and warehouses which if not appropriately designed and located may cause offence or unacceptable risk to the neighbourhood.

**Definition**

- 5.36. The threshold distance referred to in the table to this clause is the minimum distance from any part of the land of the proposed use or buildings and works to land (not a road) in a Residential Zone, Business 5 Zone, Capital City Zone or Docklands Zone, land used for a hospital or an education centre or land in a Public Acquisition Overlay to be acquired for a hospital or an education centre.
- NOTE 1 of the table: The threshold distance is variable, dependent on the processes to be used and the materials to be processed or stored.
  - NOTE 2 of the table: An assessment of risk to the safety of people located off the land may be required.
- 5.37. The proposal is defined in the clause under Recycling and Resource Recovery as an Advanced Resource Recovery Technology Facility. Only Note 1 is specified with no specific threshold distance applicable.

**52.17 Native Vegetation  
Purpose**

- To protect and conserve native vegetation to reduce the impact of land and water
- degradation and provide habitat for plants and animals.
- To achieve the following objectives:

- To avoid the removal of native vegetation. If the removal of native vegetation cannot be avoided, to minimise the removal of native vegetation through appropriate planning and design.
- To appropriately offset the loss of native vegetation.

#### **66.02 Use and development referrals**

5.38. An application of the kind listed in the table below must be referred to the person or body specified as the referral authority.

#### **66.02-1 Works approval or licence**

- 5.39. For a use or development requiring Works Approval in accordance with Section 19A of the Environment Protection Act 1970 the Referral Authority is the Environment Protection Authority (EPA).
- 5.40. Referral was not required to the Department of Sustainability and Environment as the area and level of significance of the vegetation was below that which required a referral to be sent.
- 5.41. In response to the planning scheme considerations, as an overview, this application is supported by the weight of policy found in the Manningham Planning Scheme.

### **6. ASSESSMENT**

6.1. The assessment of the proposal involves consideration of the following issues under the Manningham Planning Scheme:

- Use of the land as a Utility Installation within a PPRZ
- Visual Impact of Buildings and Works
- Proximity to Dwellings
- Functional Loss of Parkland
- Potential Noise Issues
- Potential Odour Issues
- Health Risks
- Vegetation Removal
- Traffic

6.2. Each can be discussed in turn

#### **Use of the land as a Utility Installation within a PPRZ**

- 6.3. As an initial consideration, it is evident that Utility Installations are permissible in Public Park and Recreation Zones. This consideration has been provided to rightly allow various infrastructure such as Council or Public Authority service facilities to be placed (with due sensitivity where possible), in Parks and Reserves where this is deemed necessary.
- 6.4. To this end, the Public Park and Recreation Zone allows a Utility Installation as a Section 1 (as of right) use, subject to the following condition:

- 6.4.1 Must be a use conducted by or on behalf of a public land manager or Parks Victoria under the relevant provisions of the Local Government Act 1989, the Reference Areas Act 1978, the National Parks Act 1975, the Fisheries Act 1995, the Wildlife Act 1975, the Forest Act 1958, the Water Industry Act 1994, the Water Act 1989, the Marine Act 1988, the Port of Melbourne Authority Act 1958, or the Crown Land (Reserves) Act 1978.
- 6.5. Pursuant to this clause, the use and development, including all buildings and works as shown in the application, would not require planning approval at all if this were a Council project for a directly municipal purpose, such as creating recycled water to irrigate parks and reserves in times of drought. A permit is required as the applicant is a water authority.
- 6.6. In assessment of the merits of the application and in consideration of amenity issues, it must be noted that a separate works approval is required from the Environment Protection Authority (EPA). Further, this approval process is subject to its own notification and appeal rights to VCAT. Operational considerations, particularly regarding noise and odour, will be assessed in meticulous detail by professionals from the EPA.
- 6.7. The idea of a Utility Installation in any Public Park and Recreation Zone can therefore be accepted as a basic premise. The selection of the location for this Utility Installation in this specific park is based on assessment of other possible locations and also the impact of the use, including buildings and works on the site in Tram Reserve.
- 6.8. The background supplied by the applicant regarding the site-selection process showed that the subject site was, on-balance, the most fit-for-purpose of the four areas considered. The economic feasibility of recycled water is premised on good proximity of the supply location to the end user and good availability of source water. A full description of the site selection process is found below, but between these two criteria alone the subject site was superior to all others considered. A more regionally-based solution, possibly involving a group of Councils, would create reticulation issues and involve the duplication of networks in a cost-ineffective manner.

#### **Site Selection Process**

- 6.9. As part of the site selection phase of this project, Yarra Valley Water and Council gave considerable scrutiny to the location of the facility.
- 6.10. As the Doncaster area is highly developed (most subdivisional development was completed in the 1970's), open space with enough space for the development of a treatment plant was limited. In order to minimise distribution costs and ensure that the recycled water supply is reliable, the Plant was required to be located within close proximity to a sewer of sufficient size and close to the development area. The treatment plant needed to be located close to a large sewer (the water source) to ensure the maximum amount of water could be harvested for recycling.
- 6.11. A preliminary assessment was undertaken of available open space in close proximity to the Doncaster Hill Principal Activity Centre and with suitable available land. This assessment identified the following four locations as being potentially suitable:
- Eastern Golf Club

- Doncaster Road Park and Ride
- Ruffey Lake Park
- Tram Road Reserve.

6.12. Each site was assessed in accordance with the following criteria:

- Availability of source water
- Land ownership
- Site uses
- Land availability / screening suitability
- Proximity to Doncaster Hill Activity Centre
- Planning issues
- Proximity to residents
- Site elevation
- Loss of amenity
- Site access.

6.13. Based on the assessment completed, the following conclusions were made on each site:

**Eastern Golf Course**

6.14. This site had poor availability of source water and is unable to meet the predicted demand for recycled water. The use of the sewer running through the golf course would result in low flows in the downstream sewer and subsequently a higher risk of blockages, as discussed in paragraph 1.15. It was also currently unclear exactly how the site will be developed, or when this will occur.

**Doncaster Park and Ride**

6.15. This site is heavily constrained in terms of the land area available. The site is also highly visible from the neighbouring residential houses and will be difficult to screen given its exposed location at the base of a hill.

**Ruffey Lake Park**

6.16. This site plays a key role in Council's public open space strategy and was deemed unlikely to be supported by Council, due to the high volume of residents who use it from across the municipality, given the regional significance of the park.

**Tram Road Reserve**

- 6.17. Two sites were considered within the Tram Road Reserve, one on each side of Koonung Creek. The site on the southern side of the creek was within the City of Whitehorse, who advised Yarra Valley Water that it would not support construction on its land.
- 6.18. The site on the northern side of Koonung Creek is on Council land. This site has a number of benefits, including the provision of land and potential screening, excellent access to source water, proximity to the development precinct and the land is owned by Council and could be used through an appropriate arrangement. This site is close to existing houses and the Treatment plant design would need to address potential noise, odour and visual amenity issues.
- 6.19. The site selection process was completed in June 2011 and it was determined that the Tram Road site was the preferred site out of the alternatives considered. Thorough consideration has been made of all available alternatives by the applicant.
- 6.20. It has been reasonably demonstrated that the proposed site is, on-balance, the best site for the purpose required. This being the case, an assessment of the use in this specific location - Tram Reserve, is required. To this end, the relevant decision guideline, along with all relevant Planning Scheme policies and the views of the Public Land Manager (Council), is the following:
- “Whether the development is appropriately located and designed, including in accordance with any relevant use, design or siting guidelines.”
- 6.21. The Koonung Creek Linear Park Management Plan (August 2011) gives specific in-principle, if qualified, support of a recycled water facility. It also provides a long-term strategy of proposed works for each reserve. The proposal is well sited so as to avoid conflict with any of the proposed works shown in the future works program for Tram Reserve.
- 6.22. While an assessment of siting and visual impact is supplied below, it is considered that the use as a Utility Installation is acceptable in this specific location.

**Visual Impact of Buildings and Works**

- 6.23. The current level of vegetation at the rear of properties in Whittens Lane and Grange Park Avenue, even in a post-construction scenario where proposed landscaping is yet to establish, will provide an adequate visual buffer such that the proposal is not expected to be highly visible from within private property. There will of course be direct visibility to the long southern elevation of the proposal from within Tram Reserve, in particular the current linear park trail.
- 6.24. The visual assessment provided by the applicant shows that the combination of earthworks designed to bench in the site into the hillside, and the proposed replanted vegetation, would allow the proposal to have an acceptable visual impact. This should be subject to a separately required plan, as a condition of any issued permit that requires specification of the extent of earthworks.
- 6.25. This is not to imply that no change whatsoever will be discerned. Certain elements, most notably the ventilation stack, may require specific treatment. Particular attention to revegetation should also be paid, along with the

southern elevation, to the northeast corner of the site where the storage tank is located. The site requires the least earthworks in this location and the tank sits almost at natural grade level. Any landscaping condition would require specific details of planting adjacent to the tank, along with any details of external lighting if this is proposed.

#### **Functional Loss of Parkland**

- 6.26. An assessment indicated that the proposed buildings and works have been contained into the smallest site footprint possible. The overall site cannot be moved closer into the hillside without more significant earthworks and being closer to the rear of residential properties.
- 6.27. The reserve no longer serves a formal active recreational function, such as for sporting groups. Its main passive recreational function, including dog - walking and cycling along the Linear Park walking and cycling path, is unimpeded and is not functionally reduced by the proposal. It has been noted through internal referrals that the fill batter adjoining the southern elevation could be reduced in depth, retaining a larger area of level open space.

#### **Potential Noise Issues**

- 6.28. The noise report submitted with the application conducted two field surveys (August 2011 and March 2012) of the existing ambient noise levels in both day and night time situations. These were done with the use of field noise logging equipment stationed at the rear of 30 Grange Park Avenue. This site was chosen as being among the closest to the proposed site, and furthest from Eastern Freeway noise.
- 6.29. The basic readings are shown in the following table:

	<b>August 2011</b>	<b>March 2012</b>
<b>Day</b>	52dBA	49dBA
<b>Evening</b>	57dBA	48dBA
<b>Night</b>	49dBA	42dBA

- 6.30. A supplementary reading was taken at the rear of 12 Whittens Lane from 2:30pm to 3:30pm on 22 August 2011. This site was chosen as being more elevated from the proposal, and representative of dwellings northwest of the proposal with a higher exposure to freeway noise. This produced an ambient noise reading of 54.2dBA.
- 6.31. As the night readings produced the lowest recorded noise levels, the report states that any evaluation of the proposal should be provided relative to these levels, with an acceptable night-time ambient noise level of 45dBA regarded as an acceptable upper limit.
- 6.32. The noise report provided an indicative noise level of the ongoing operation of the RWTP at 35dBA, with a supplementary noise level for the backup generator and standby pump (used only in the event of the loss of power supply) of 42dBA.
- 6.33. From the above results it is considered that the operation of the plant will remain well within the current ambient noise level at all times.

- 6.34. The report was premised on all equipment with noise-producing potential being sequestered within a separate acoustic room, and this being within the main building as shown on the plans. In terms of any additional requirements, deliveries involving a truck could be limited by permit condition to daytime (7am to 5pm) weekdays only.
- 6.35. With these requirements in place, the proposal would be not be considered to adversely affect local amenity by way of noise.

#### **Potential Odour Issues**

- 6.36. All odour-producing processes pass through an odour-control unit before being expelled through the ventilation stack which, at 15 metres in height is designed to effectively disperse emissions from within the building. This includes the dispersion of any odours within the building to accord with Occupational Health and Safety requirements.
- 6.37. Comparisons with conventional "open lagoon" sewage treatment plans are not useful and regular buffer distances as shown in EPA regulations can be varied. The EPA Works Approval will assess this matter with particular scrutiny.
- 6.38. As a result, the odour modelling report submitted with the application shows that with the ventilation stack at 15 metres in height, an odour unit of 1.0 will not be exceeded at or beyond the facility boundary within the broad range of weather conditions predicted in the modelling supplied. An odour unit range of 1-5 is regarded as essentially undetectable. Other normally occurring odours such as cut grass or the neighbour's car exhaust can register odour readings of over 100.

#### **Health Risks**

- 6.39. The applicant has concurrently lodged for a works approval with the Environment Protection Authority (EPA) and has submitted an Environmental Management Plan, including a Health and Environmental Management Plan as a supporting document. While also dealing with the use of Class A water for the end user, it also details the management practices required to minimise environmental risk. The use could not commence without an EPA Works approval (the EPA requires this condition on any permit to issue) and the applicant would be prosecutable pursuant to EPA legislation if required standards were breached.

#### **Vegetation Removal and Replacement**

- 6.40. The Flora and Fauna Assessment submitted with the application identified no significant vegetation and has outlined the required revegetation that should be conducted pursuant to a net gain assessment of the proposal in relation to the site. Council's Environmental Officer has recognised that the proposal is required to balance the competing objectives of functional parkland retention and the minimisation of vegetation loss on the hillside. The proposed schedule of removal and replanting is supported, with additional requirements for revegetation consistent with a Net Gain assessment to the west of the site to the western entrance to Tram Reserve.

**Traffic**

- 6.41. A single visit from one light vehicle daily is anticipated to support the operation of the proposal. A truck delivery is expected once per month, and can be regulated by permit condition to occur only during daytime on weekdays. Council's Engineers raised no traffic concerns as a result of the proposal.
- 6.42. In summary, the assessment of both the buildings and works and the operation of the proposal can conclude that the use and development is acceptable on the site.

**7. REFERRALS****Environment Protection Authority (EPA)**

- 7.1. The application was referred to the EPA under clause 66 of the Manningham Planning Scheme as an Authority required to grant a works approval. The EPA responded in writing on 18 May 2012 stating that a works approval was expected from the applicant (which has since been lodged). Further, no objection was offered to the planning application subject to the inclusion of the following condition on any permit:
- "The proponent must apply for, and be issued a Works Approval from the Environment Protection Authority with respect to the construction of the Recycled Water Treatment Plant."
- 7.2. The application was also referred to a number of Service units. The following table summaries the responses:

<b>Services Unit</b>	<b>Comments</b>
Assets and Engineering Project Management (Infrastructure)	Standard requirements for runoff and discharge to Council satisfaction.
Environmental and Economic Planning (Open Space Planning)	Requests a reduction in the depth of the fill batter on the southern frontage of the site to four metres.
Environmental and Economic Planning (Environmental)	Requests a detailed landscape plan condition to reduce impact on core vegetation, provide specific root zone protection of identified eucalypt adjacent to northern elevation, and replanting consistent with net gain assessment.

**8. CONSULTATION**

- 8.1. The application was advertised by means of mail notification to 293 properties in the local area, three signs on the site (for four weeks) and two consecutive notices in the Manningham Leader. A public information session in Council offices was held during the notification period on 14 June 2012. 207 objections were received at the date of reporting. Details of each property address are as follows, with all addresses located in Doncaster unless otherwise stated:

Unit	Street Number	Street
5	4	Amaroo Court, Box Hill North
		Applewood Retirement Village, 1 Dunbarton Reach
		Applewood Retirement Village, 1 Sandpiper Lane
		Applewood Retirement Village, 11 Lockhart Lane
		Applewood Retirement Village, 12 Tollora Walk
		Applewood Retirement Village, 15 Grand Boulevard
		Applewood Retirement Village, 15 Grand Boulevard
		Applewood Retirement Village, 18 Grand Boulevard
		Applewood Retirement Village, 2 Wildwood Court
		Applewood Retirement Village 39/5 Grand
		Boulevard Applewood Retirement Village, 23 Greengully
		Retreat Applewood Retirement Village 7 Lockhart Lane
		Applewood Retirement Village, 29 Grand Boulevard
		Applewood Retirement Village, 8 Emmerson Way
		Applewood Retirement Village, 3 Greengully Retreat
		Applewood Retirement Village, 3 Howqua Lane
		Applewood Retirement Village, 34/5 Grand
		Boulevard Applewood Retirement Village, 4 Grand Boulevard
		Applewood Retirement Village, 4 Lakewood Avenue
		Applewood Retirement Village, 4 Treetop Views
		Applewood Retirement Village, 5 Andrew Grove
		Applewood Retirement Village, 55/5 Grand
		Boulevard Applewood Retirement Village, 6 Mosman Terrace
		Applewood Retirement Village, 6 Trelawny Place
		Applewood Retirement Village, 8 Trelawny Place
	19	Arnold Grove
	8	Arthur Street
	12	Baird Street East
	26	Baird Street
	39	Baird Street South
3	44	Beverley Street
	1	Blossom Court
	1	Boxleigh Grove, Box Hill North
	34	Boyd Street
	41	Boyd Street
	10	Boyd Street
	16	Boyd Street
	41	Boyd Street
1	32	Cassowary Street

	23	Clay Drive
	38	Clay Drive
	33	Coromandel Crescent South
	3	Curlew Court
36	765	Doncaster Road
24	765	Doncaster Road
35	765	Doncaster Road
23	885	Doncaster Road
	21	Eildon Street
	23	Eildon Street
	766	Elgar Road
	7	Elm Tree Road
	13	Elm Tree Road
9	1	Frank Street
2	10	Frank Street
2	10	Frank Street
	13	Frank Street
	42	Frederick St
	14	Gilmore Road
	1	Grange Park Avenue
	3	Grange Park Avenue
	7	Grange Park Avenue
2	11	Grange Park Avenue
	17	Grange Park Avenue
	30	Grange Park Avenue
	2	Grange Park Avenue
	8	Grange Park Avenue
1	11	Grange Park Avenue
	13	Grange Park Avenue
	15	Grange Park Avenue
	16	Grange Park Avenue
	21	Grange Park Avenue
	22	Grange Park Avenue
	24	Grange Park Avenue
	26	Grange Park Avenue
	28	Grange Park Avenue
	34	Grange Park Avenue
	36	Grange Park Avenue
	38	Grange Park Avenue
	40	Grange Park Avenue
	17	Hampshire Road

	57	Hampshire Road
	2	Hardidge Court
	6	Hardidge Court
	2	Hepburn Road
	8	Highview Drive
	18	Highview Drive
	20	Highview Drive
	25	Highview Drive
	31	Highview Drive
	41	Highview Drive
	22	Highview Drive
	26	Highview Drive
	33	Highview Drive
	45	Highview Drive
	47	Highview Drive
	22	Larkspur Avenue
	5	Larkspur Avenue
	7	Larkspur Avenue
	9	Larkspur Avenue
	11	Larkspur Avenue
	13	Larkspur Avenue
	38	Larkspur Avenue
2	30-32	Larkspur Avenue
	49	Lyndhurst Crescent
	21	Lyndhurst Crescent
2	43	Lyndhurst Crescent
	10	Lyndhurst Crescent, Box Hill North
	10	Lyndhurst Crescent, Box Hill North
	35	Lyndhurst Crescent, Box Hill North
3	2	Malcolm Crescent
2	2	Malcolm Crescent
	5	Meadowbank Avenue
	7	Meadowbank Avenue
	14	Meadowbank Avenue
	5	Merlin Street
	4	Morrison Crescent
	7	Neel Street
	22	Outlook Drive
1	8	Padgham Court, Box Hill North
	54	Peter Street, Box Hill North
	11	Pleasant Avenue

	1B	Pleasant Avenue
	1B	Pleasant Avenue
	49	Queens Avenue
3	49	Queens Avenue
	15	Rooney Street, Lower Templestowe
2	44	Russell Crescent, Doncaster East
	21	Shanklin Street, Box Hill North
	312	St Kilda Road, Southbank
	8A	Talford Street, Doncaster East
	4	Thomas Court
	20	Tram Road
	21	Tram Road
	25	Tram Road
	31	Tram Road
6	40-48	Tram Road
	9	Treetop Views
	6	Walker Street
	41	Walker Street
	21	Walker Street
	26	Walker Street
	47	Walker Street
1	49	Walker Street
	82	Websters Road, Templestowe
	96	Whittens Lane
	8	Whittens Lane
3	9	Whittens Lane
4	9	Whittens Lane
	13-15	Whittens Lane
	19	Whittens Lane
1	63	Whittens Lane
	87	Whittens Lane
5	16-18	Whittens Lane
3	16-18	Whittens Lane
	1	Whittens Lane
	4	Whittens Lane
2	7	Whittens Lane
1	7	Whittens Lane
	10	Whittens Lane
1	12	Whittens Lane
	14	Whittens Lane
	17	Whittens Lane

	20	Whittens Lane
	23	Whittens Lane
	24	Whittens Lane
	32	Whittens Lane
	54	Whittens Lane
	62	Whittens Lane
	65	Whittens Lane
1	66	Whittens Lane
1	70	Whittens Lane
	76	Whittens Lane
	79	Whittens Lane
24	107	Whittens Lane
24	107	Whittens Lane
	44A	Whittens Lane
	27	Winbrook Court
	23	Winbrook Court
	19	Winters Way

8.2. In addition to these objections, correspondence was received from the City of Whitehorse who have objected to the proposal on behalf of their residents in Box Hill North, and have requested further information from the EPA to inform their submission to the Works Approval application.

**Grounds:**

- Proximity to dwellings including
  - VCAT decisions (Sandow V Moira and Weightman V Murrundindi) did not allow a dwelling too close to a sewage plant
- Amenity issues including
  - Noise (24hr operation)
  - Odour (Scenario 4 of odour report admits that there would be odours)
  - Contrary to clause 52.10 and EPA buffer distances
  - Health risks and disease
  - Other risks including Chemical Transport
  - Traffic
- Loss of parkland including
  - loss of area and functionality
  - Other sites not considered
- Visual impact of buildings
- Other methods of water conservation not considered

- Consultation only conducted after site was decided.
- Decrease in property values
- Potential expansion
- Security surveillance contravenes privacy
- Water savings overstated

8.3. A response to each ground of objection is stated below:

**Proximity to Dwellings**

- 8.4. The closest distance between the subject site and the rear boundary of a dwelling is 25 metres from the southwestern corner of the site to the rear boundary of 14 Whittens Lane. Due to the orientation of the site and of Whittens Lane, this distance increases to 65 metres (to 22 Whittens Lane) at the eastern end of the site.
- 8.5. Due to the fall of the land from the rear boundaries of the properties in Whittens Lane down to the subject site, and the screening of existing vegetation between the two, the treatment plant buildings and works will not be visible from these properties. The apex of the roof of the treatment plant building is four metres below ground level at the rear fenceline of 12 Whittens Lane. The tip of the ventilation stack would be lower than the existing tree canopy separating the site from these dwellings at this point. This reduces further as Whittens Lane rises to the north.
- 8.6. The site can also be viewed from the rear of properties in Grange Park Avenue. The closest view would be to the storage tank from the rear of 34 Grange Park Avenue 30 metres to the northeast. Existing vegetation screens much of this view. The site is not considered to have any dominant visual presence as seen from any dwelling.

**VCAT decisions Sandow V Moira and Weightman V Murrundindi did not allow a dwelling too close to a sewage plant.**

- 8.7. Each of these decisions involved the proximity of a dwelling to an open or “lagoon” treatment facility with direct exposure of treated sewage to the atmosphere. The proposed facility contains all processes within buildings and cannot be compared with open ponds.
- 8.8. The proximity of the site to dwellings can also be cast as a noise and odour issue and these grounds are addressed below.

**Amenity Issues  
Noise and odour**

- 8.9. As discussed in the assessment, these issues will be thoroughly scutinised as part of the EPA Works Approval. The assessment section of the report has considered each of these issues.

**Contrary to clause 52.10 and EPA buffer distances**

- 8.10. Clause 52.10 does not specify a buffer distance for a facility of this type. The EPA has guidelines for buffer distances, but considers each case on its merits as there are many different types of sewage treatment processes and odour control technologies available. Traditional treatment plants generally have

tanks and ponds open to the atmosphere, and do not treat the air. A traditional “buffer distance” to a conventional treatment plant would not be applicable in this case.

#### **Health risks and disease**

- 8.11. All stages of the process to create Class A water are fully contained in buildings. The emissions from the ventilation stack have been completely treated. Class A water, on delivery to a dwelling, poses no health risk even if a modest amount is accidentally consumed and this is monitored by the Department of Health in the same manner as potable water. The Environmental Management Plan required by the EPA Works Approval isolates and manages all risk associated with the operation of the facility.

#### **Other risks including Chemical Transport**

- 8.12. The chemicals to be supplied by light commercial truck on the basis of one delivery per month are readily available chemicals, mainly chlorine. Transfer and storage are tightly controlled and occur within a partly excavated section of the site to contain any spillage. These matters are regulated by Occupational Health regulations and other legislation.

#### **Traffic**

- 8.13. Total vehicle movements expected are one light utility vehicle per day, and one commercial delivery vehicle per month. This is not expected to have a significant impact on the local street network.

#### **Loss of parkland**

##### **Loss of park area and functionality**

- 8.14. The site has been positioned within the reserve to minimise the effective loss of parkland, and negate any loss of functionality within the reserve. The footprint of the site is 2,117 square metres, with an additional 300 square metres devoted to the road access. Tram Reserve is over 20,000 square metres in area.
- 8.15. The proposal has been benched into to the side of the sloped area of the reserve so as to only marginally encroach on the functional flat area of the reserve, and to be at all points as far away as possible from the pedestrian / cycling path which remains unimpeded. The main linear park trail is 50 metres from the site at its closest point. A separate path to Grange Park Avenue is 20 metres from the site at its closest point.
- 8.16. All activities currently enjoyed in the park can continue without loss of space or quality. Modifications to the plans as recommended through internal referral will retain additional functional open space and provide a net gain in vegetation. The proposal has effectively balanced the two competing objectives of retention of functional parkland and the minimisation of the loss of vegetated hillside.

#### **Other sites not considered**

- 8.17. The assessment section of the report detailed the site selection process. All feasible locations have been given consideration by Yarra Valley Water.

**Visual impact of buildings**

- 8.18. As stated above, there will be minimal visual impact from the rear of any dwelling. There is a significant view directly to a large portion of the site including the main building, the storage tank and the ventilation stack from the south within Tram Reserve.
- 8.19. The screen planting proposed will, in the time allowed for growth to maturity, will have the same effect as existing screen vegetation has to the rear of properties in Whittens Lane and Grange Park Avenue.
- 8.20. The ventilation stack, at 15 metres in height and painted green, will undoubtedly be visible from within the reserve. As a fixture or object, it is less obtrusive than the freeway light towers. The replacement planting, when mature, will screen the stack from most viewing aspects.

**Other methods of water conservation not considered**

The residential developments which will benefit from the Class A water produced by the treatment plant would alternatively, in the absence of such a proposal, have been required to use large rainwater tanks to provide an alternative water source for the equivalent functions within a dwelling. It can be noted that under current plumbing regulations, the use of common piping for recycled water and rainwater is not allowed in a residential development.

- 8.21. In addition to connecting to recycled water, all developments in Doncaster Hill are required to manage stormwater discharges to achieve property and ecosystem protection.
- 8.22. In an any apartment building proposed, it has been estimated that even the largest underground tank that could be provided on a site could supply only three days of non-potable water usage, with significant pumping requirements to deliver water to all floors of a dwelling negating overall environmental benefits.
- 8.23. The experience of drought over the last 12 years has shown that local rainwater harvesting, while not discouraged, is unreliable and cannot deliver the consistent supply required for core functions including toilet flushing and laundry. As previously stated, apartment buildings will still be required to have rainwater tanks, but they now need be only of limited size and serve ground level functions such on-site detention and local landscape irrigation.
- 8.24. Similarly, local sewage treatment plants within an individual building have been shown to be energy intensive and to produce high greenhouse gas emissions.
- 8.25. The most recent example of this is the City of Melbourne "Council House 2" building. The most environmentally sustainable commercial building in the world at the time of completion, the building has a range of sustainability features which continue to set an internationally regarded standard for environmental performance.
- 8.26. The building includes a local sewage treatment facility in the basement, which mines sewage from Collins Street for use in toilet flushing. This facility has been the one component of the building commonly regarded as a failure. The energy consumption and greenhouse gas emissions associated with the local sewage treatment are high relative to the amount of water produced or

needed within the individual building. The maintenance cost relative to the output has also been significant.

- 8.27. The above scenario, for an apartment building, is not anticipated to improve in the context of control by a private owners corporation as opposed to a local Council. With imperatives from owners for cost reductions where at all possible, such a facility is not likely to be maintained in the long term.
- 8.28. Where the proposal represents a significant advance over local supply options is that it guarantees a regular continuous supply at what has been shown to be a cheaper and more sustainable process than the delivery of regular potable water supply over a much larger distance. This is why Yarra Valley Water has stated that Class A water, which will be shown as a separate component of the water bill, will be marginally cheaper per litre than the regular water supply.

**Consultation only conducted after site was decided.**

- 8.29. Yarra Valley Water considered the four other locations as discussed above prior to determining that the Tram Reserve site was the most appropriate. Consultation was not considered a worthwhile exercise for sites already determined to be inadequate for purpose.

**Decrease in property values**

- 8.30. VCAT and its predecessors have generally found subjective claims that a proposal will reduce property values are difficult, if not impossible to gauge and of no assistance to the determination of a planning application. It is considered the impacts of a proposal are best assessed through an assessment of amenity impacts rather than impacts on property values.

**Potential expansion**

- 8.31. The capacity of the plant in its current form is capable of providing all Class A water needs for a "complete build-out" scenario of Doncaster Hill area and the Eastern Golf Course site. There are no plans to extend or expand the facility and this application can only be considered on its merits.

**Security surveillance contravenes privacy**

- 8.32. There are no plans as part of the proposal to provide surveillance over Tram Reserve.

**Water savings overstated**

- 8.33. The proposal will yield water savings of over 130 million litres per year and cut potable water use for the built-out Doncaster Hill area by one-third. The plant is not intended to be the sole water conservation measure implemented in Doncaster Hill or the Eastern Golf Course. When combined with other water conservation measures significant savings will be achieved.

**9. CONCLUSION**

- 9.1. The current application represents the culmination of a longstanding cooperative commitment between Council and Yarra Valley Water to actively seek integrated water conservation solutions for the Doncaster Hill area and the Eastern Golf Course Site. The planning that arose from the original

Memorandum of Understanding has included a site selection process from which the current site was chosen.

- 9.2. The broad weight of strategic and policy direction in the Manningham Planning Scheme is supportive of such a proposal and there is direct compliance with Scheme requirements. The assessment provided with regard to the relationship of the proposal to the specific site can also conclude that the scope of change that will occur is acceptable in this particular site context.
- 9.3. Based on the information supplied, it is also considered that amenity concerns have been adequately addressed. In addition there is additional security in the knowledge of the separate works approval process required by the EPA. This process is expected reach a determination in October 2012.

## **RECOMMENDATION**

**That having considered all objections A NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application No. PL 12 / 022631 for the Use and development of the land for a Utility Installation (Recycled Water Treatment Plant) including associated buildings, earthworks and fencing, a vehicular access via Grange Park Avenue and associated vegetation removal and replacement at Tram Reserve 2-18 Tram Road (Lot 1 TP 131068U Vol 08172 Fol 376) and for no other purpose in accordance with the endorsed plan and subject to the following conditions-**

1. **Before the development starts, two copies of plans drawn to scale and with dimensions must be submitted to and approved by the responsible authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be generally in accordance with the plans prepared by MWH consultants dated February 2012, but modified to show, to the satisfaction of the responsible authority:**
  - 1.1. **A reduction in the depth of the fill batter along the southern frontage to a new total depth of 4.0 metres.**
  - 1.2. **A detail plan showing the extent of proposed excavation works and the dimensions and materials of the proposed retaining wall.**
  - 1.3. **Detail of any external lighting if this is proposed.**
  - 1.4. **A schedule of all proposed materials and finishes.**
2. **The development as shown on the endorsed plan must not be altered without the written consent of the responsible authority.**
3. **Before the development starts, two copies of a Construction Management Plan must be submitted to and approved by the Responsible Authority. When approved the plan will form part of the permit. The plan must address, but not be limited to, the following:**
  - 3.1. **Hours of demolition and construction;**
  - 3.2. **Methods to contain dust, dirt and mud within the site, and the method and frequency of clean up procedures;**
  - 3.3. **On site facilities for vehicle washing;**

- 3.4. The protection measures for site features to be retained (e.g. vegetation, retaining walls, buildings, other structures and pathways, etc);
- 3.5. Delivery and unloading points and expected frequency;
- 3.6. A liaison officer for contact by residents and the responsible authority in the event of relevant queries or problems experienced;
- 3.7. The movement of construction vehicles to and from the site must be regulated to ensure that no traffic hazards are created in and around the site;
- 3.8. Parking facilities for construction workers;
- 3.9. Measures to minimise the impact of construction vehicles arriving at and departing from the land;
- 3.10. An outline of requests to occupy public footpaths or roads, and anticipated disruptions to local services;
- 3.11. The processes to be adopted for the separation, re-use and recycling of demolition materials;
- 3.12. The measures to minimise the amount of waste construction materials, the provision for the recycling of demolition and waste materials and the return of waste materials to the supplier (where the supplier has a program of reuse or recycling);
- 3.13. The measures to minimise noise and other amenity impacts from mechanical equipment and demolition/construction activities, especially outside of daytime hours;
- 3.14. The provision of adequate environmental awareness training for all on-site contractors and sub contractors; and
- 3.15. An agreed schedule of compliance inspections.
4. Prior to the commencement of any works on the site including any vegetation removal, a Works Approval must be obtained from the Environment Protection Authority (EPA).
5. Before the development starts, an landscaping plan must be prepared by a landscape architect or a person of approved competence showing species, locations, approximate height and spread of proposed planting, must be submitted to and approved by the Responsible Authority. Such plan must show:
  - 5.1. protection of trees to be retained, and replanting consistent with an arborists report that details the likely impacts (if any) of the proposal on the significant eucalypt immediately north of the Treatment Plant Building, and provides for additional revegetation to the west of the site to the Tram Road entrance to the reserve. The assessment should include any other significant trees that have a TPZ within the proposed development and works area. The report must include details of (at least):
    - 5.1.1. the species;
    - 5.1.2. the Tree diameter at 1.3m above natural ground level;
    - 5.1.3. the Tree Protection Zone (TPZ)

- 5.1.4. the likely extent of encroachment into the TPZ; and
  - 5.1.5. recommendations for avoiding any impacts on the tree. This includes details of Tree Protection Fencing to Council satisfaction.
- 5.2. Detail of all proposed screen planting to the south and eastern elevations, and
- 5.3. Additional planting, including to the west of the site to the Tram Road entrance consistent with a revised net gain assessment. This assessment must include details of:
  - 5.3.1. Vegetation to be removed;
  - 5.3.2. Net Gain targets;
  - 5.3.3. Offsets to compensate for the vegetation removal;
  - 5.3.4. Gains in vegetation and habitat quality to be achieved by the offsets;
  - 5.3.5. A schedule of works detailing revegetation including number of trees, shrubs and other plants, species mix and density;
  - 5.3.6. Methods of interim protection for newly established vegetation;
  - 5.3.7. Methods of permanent protection for established offsets;
  - 5.3.8. A time frame for implementing the offset plan.
- 6. The use and development must be managed so that the amenity of the area is not detrimentally affected, to the satisfaction of the Responsible Authority, through the:
  - 6.1. Transport of materials, goods or commodities to or from the land;
  - 6.2. Storage of goods and wastes;
  - 6.3. Appearance of any building, works or materials;
  - 6.4. Emission of noise, light, vibration, odour & dust;
- 7. All noise emanating from any mechanical plant must comply with the State Environment Protection Policy N-1 and in the event of the Responsible Authority receiving justifiable complaints regarding noise from such sources, the onus will be on the owner of the development site to prove compliance with the relevant policy to the satisfaction of the Responsible Authority.
- 8. All runoff from the proposed building shall be directed to the point of discharge to the satisfaction of the Responsible Authority.
- 9. Delivery vehicles may enter the site only between the hours of 7am to 5pm Monday to Friday.
- 10. This permit will expire if one of the following circumstances apply:
  - 10.1. The development and use are not started within two (2) years of the date of this permit; and

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

**The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within three (3) months afterwards.**

“Refer Attachments”

\* \* \* \* \*





FOR INFORMATION ONLY

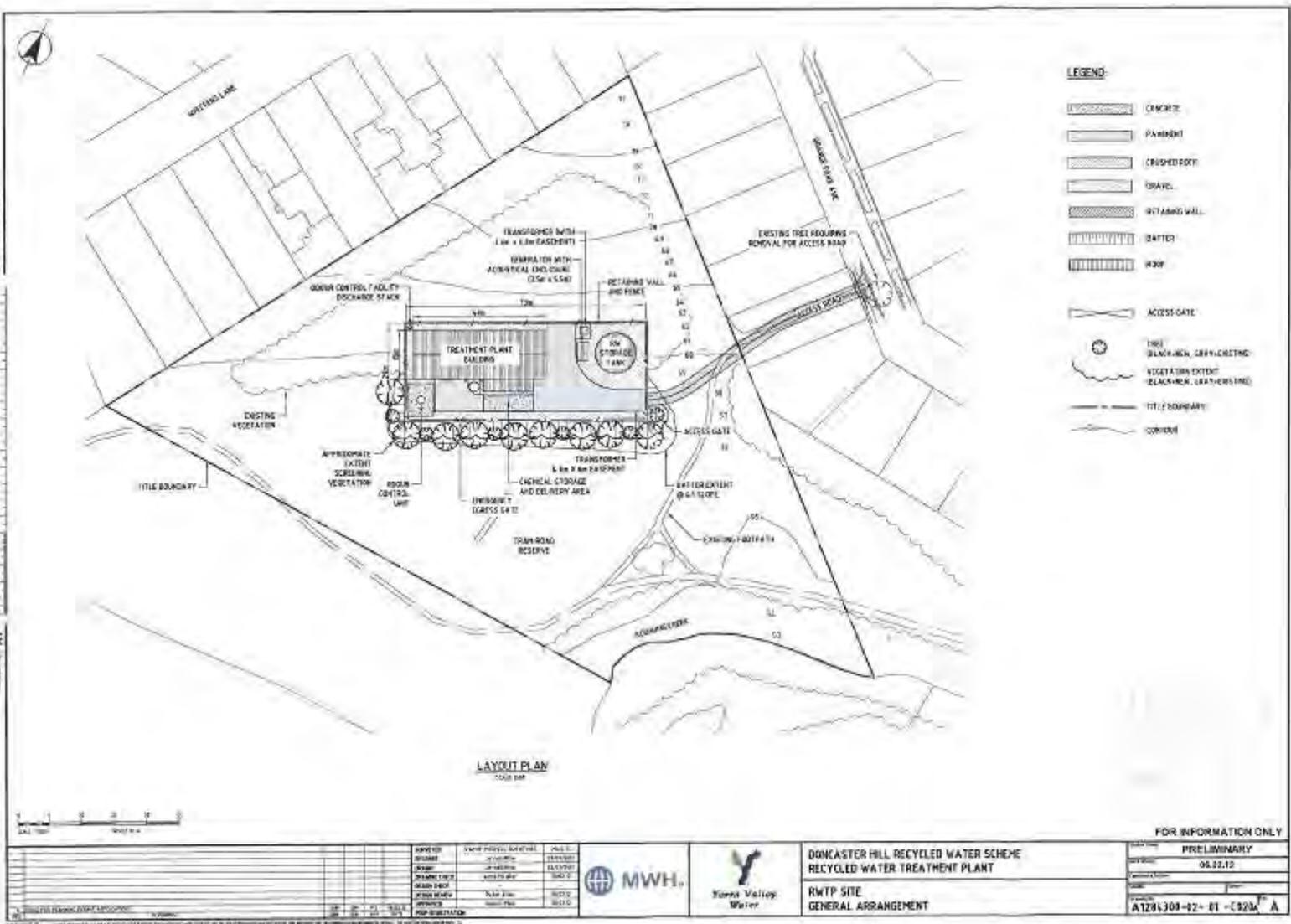
NO.	DESCRIPTION	DATE	BY	FOR
1	ISSUED FOR TENDERS	08/08/12	...	...
2	FOR INFORMATION ONLY	08/08/12	...	...

NO.	DESCRIPTION	DATE	BY	FOR
1	ISSUED FOR TENDERS	08/08/12	...	...
2	FOR INFORMATION ONLY	08/08/12	...	...



**DONCASTER HILL RECYCLED WATER SCHEME  
RECYCLED WATER TREATMENT PLANT**  
**AERIAL LAYOUT PLAN**

STATUS	PRELIMINARY
DATE	08.02.12
SCALE	1:500
PROJECT NO.	A1284300-02-031-G390



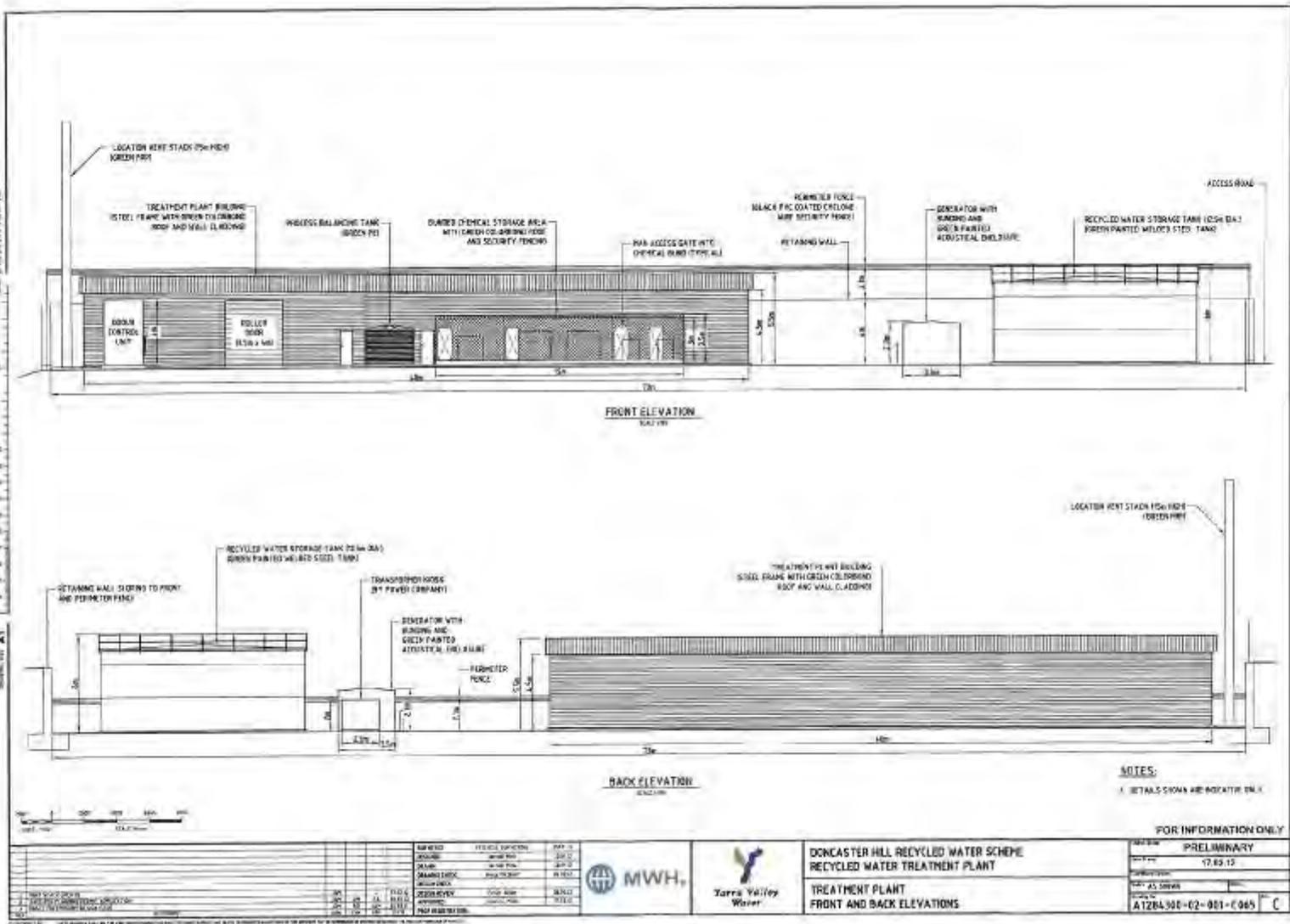
NO.	REVISION	DATE	BY	CHECKED BY
1	ISSUED FOR TENDERS	06/12/12	[Signature]	[Signature]
2	REVISED PER COMMENTS	06/12/12	[Signature]	[Signature]
3	REVISED PER COMMENTS	06/12/12	[Signature]	[Signature]
4	REVISED PER COMMENTS	06/12/12	[Signature]	[Signature]
5	REVISED PER COMMENTS	06/12/12	[Signature]	[Signature]
6	REVISED PER COMMENTS	06/12/12	[Signature]	[Signature]
7	REVISED PER COMMENTS	06/12/12	[Signature]	[Signature]
8	REVISED PER COMMENTS	06/12/12	[Signature]	[Signature]
9	REVISED PER COMMENTS	06/12/12	[Signature]	[Signature]
10	REVISED PER COMMENTS	06/12/12	[Signature]	[Signature]



**DONCASTER HILL RECYCLED WATER SCHEME  
RECYCLED WATER TREATMENT PLANT**  
RWTP SITE  
GENERAL ARRANGEMENT

FOR INFORMATION ONLY

DATE	PRELIMINARY
ISSUED	06/12/12
SCALE	AS SHOWN
PROJECT NO.	A1281301-02-01-C120







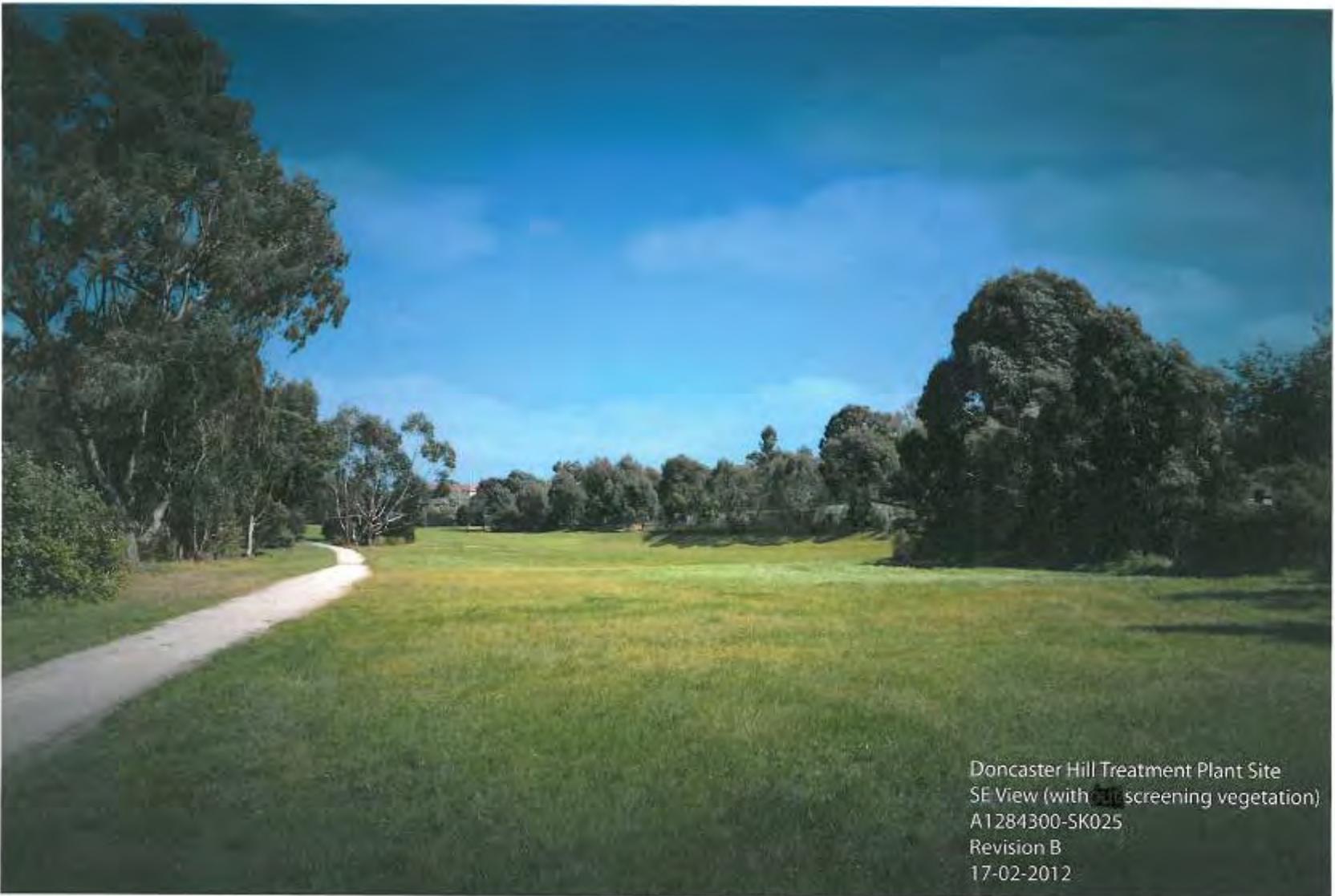
Doncaster Hill Treatment Plant Site  
E View (without screening vegetation)  
A1284300-5K023  
Revision B  
17-02-2012



Doncaster Hill Treatment Plant Site  
E View (with screening vegetation)  
A1284300-5K024  
Revision B  
17-02-2012



Doncaster Hill Treatment Plant Site  
SE View (without screening vegetation)  
A1284300-SK025  
Revision B  
17-02-2012



Doncaster Hill Treatment Plant Site  
SE View (with ~~20~~ screening vegetation)  
A1284300-SK025  
Revision B  
17-02-2012



