

Planning Application PL15/025480 for 1-41 Springvale Road, Donvale for Buildings and works associated with the construction of a new high ball stadium (indoor recreation facility) and associated car park at Mullum Mullum Reserve

Responsible Director: Director Planning & Environment

File No. PL15/025480

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

Land: Mullum Mullum Reserve 1-41 Springvale Road, DONVALE
Zone Public Park and Recreation Zone
Overlay Environmental Significance Overlay Schedule 2 (part)
Environmental Significance Overlay Schedule 3 (part)
Land Subject to Inundation Overlay (part)
Applicant: Manningham City Council
Ward: Mullum Mullum
Melway Reference: 34G7
Time to consider: 26 October 2015

SUMMARY

It is proposed to construct a new indoor highball sporting facility and associated car parking at the existing Mullum Mullum Reserve located at 1-41 Springvale Road, Donvale. The facility will be approximately 6,000 square metres in area and will include five multipurpose courts, spectator seating for up to 500 people, change rooms, a public café and new car park comprising 141 spaces.

The Mullum Mullum Reserve is 35.3 hectares in area. The Reserve is currently occupied by a number of existing outdoor sporting facilities contained within the northern portion of the site. The area that is the subject of this application is in the southern section of the Reserve, and is currently open lawn area with adjoining at grade car park.

The application was advertised and attracted twelve (12) objections and six (6) letters of support. The grounds of objection include: visual bulk/ building is too large, the colour scheme is too bright, increased traffic congestion and its flow on implications for Parkland Close, use of Parkland Close for overflow parking, operating issues/ hours of operation, safety and security, and noise from users of the stadium and car park.

It is considered that the application is a contemporary building that has been sited and designed with regard to topography, existing vegetation, and the sensitive interface to properties abutting the Reserve in Parkland Close to the north. The siting and design of the stadium does not result in the removal of any Victorian native vegetation, and will allow the retention of most of the existing trees along the southern embankment between the rear of the facility and properties in Parklands Close. Moreover, it will respond to the recommendations of the Mullum Mullum Reserve Management Plan (Manningham Council, 2014), which identified the site as the most suitable for meeting the shortfall in highball courts to meet the growing

demands for recreation facilities within the municipality and region. It is proposed to support the application.

1 SITE AND SURROUNDS

- 1.1 The site is the Mullum Mullum Reserve, which is a 35.3 hectare public park owned and managed by Manningham City Council, and situated on the north-eastern corner of the intersection of Springvale Road and Reynolds Road, Donvale.
- 1.2 The Mullum Mullum Reserve is part of the broader Mullum Mullum Creek Linear Park, which is an area of green space extending 18 kilometres between the Yarra River in Templestowe to Croydon.
- 1.3 A total of five separate parcels of land make up the entire Mullum Mullum Reserve, however works will be contained to land near the southern boundary described as Lot 1 on TP761766 (Vol 9471 Folio 746), and Allotment 2010, Parish of Bulleen which is a 'Government Road' vested in the interest of Manningham City Council.
- 1.4 Lot 1 on TP761766 is an irregular shape, with a frontage to Springvale Road of approximately 119.9 metres, a southern boundary of 260 metres, a northern boundary of 186 metres, and a total area of 2.67 hectares.
- 1.5 A gas transmission line (managed by MultiNet) is located within the 'Government Road' reservation. The proposed works will not impact on the gas main.
- 1.6 The site is not burdened by restrictive covenants or easements.
- 1.7 Vehicle access to the Reserve is via two points, one entering from Reynolds Road to the north, and the other entering from Springvale Road to the west. These provide access to the internal two lane road providing a continuous connection between Springvale Road and Reynolds Road.
- 1.8 The northern end of the Mullum Mullum Reserve is currently occupied by a number of existing outdoor sporting facilities, including a full sized hockey playing field with floodlights and adjoining pavilion, six tennis courts, two lawn bowl greens and adjoining pavilion, a full sized playing field and public car park with spaces.
- 1.9 The proposed site of the facility is at the southern end of the Mullum Mullum Reserve which is an area that was levelled some time ago for playing fields. It currently comprises an open lawn area with no significant vegetation.
- 1.10 A vegetated grass embankment rises between the subject site and the rear of existing residential properties fronting Parklands Close. These properties are separated from the Reserve by way of timber paling or metal clad fences of varying heights and conditions.
- 1.11 The northern section of the site contains an existing at grade car park, together with an access road from Springvale Road, providing access to additional car parks located in proximity to Reynolds Road.
- 1.12 The eastern section of the site is bounded by the Mullum Mullum Creek and is heavily vegetated along the banks of the creek.
- 1.13 The western boundary also contains a vegetated embankment, providing a visual buffer between the site and Springvale Road.

- 1.14 Parklands Close is a cul-de-sac that runs parallel to the southern edge of the Mullum Mullum Reserve. It contains twenty four (24) residential lots.
- 1.15 The site has abuttals with ten (10) properties to the south, which all front onto Parklands Close. Surrounding development is described as follows:

Direction	Address	Description
South	2 Parklands Close	This is a small 134 square metre parcel of land owned by Manningham Council. It contains open lawn and a few juvenile canopy trees.
	3 Parklands Close	Is an 892 square metre parcel of land containing a double storey brick veneer dwelling with tiled hip and gable roof that is angled away from the Reserve, with an in ground swimming pool to the rear. The dwelling has a minimum setback of 1.5 metres from the boundary with the Reserve.
	4 Parklands Close	Is an 885 square metre parcel of land containing a double storey rendered dwelling with tiled hip and gable roof that is setback a minimum of 14.5 metres from the boundary with the Reserve. An in ground swimming pool, spa, and surrounding hard surfaced area, together with open lawn, is located in the intervening space.
	5 Parklands Close	Is an 965 square metre parcel of land containing a double storey rendered dwelling with tiled gable roof setback 20.5 metres from the boundary with the Reserve. Secluded open space in the form of open lawn area is located to the rear of the dwelling.

Direction	Address	Description
	6 Parklands Close	land containing a double storey dwelling setback 14.2 metres from the boundary with the Reserve. The intervening space consists of open lawn with sporadic canopy trees near the perimeter.
	7 Parklands Close	Is an 876 square metre parcel of land containing a double storey rendered dwelling with tiled hip and gable roof setback 12.5 metres from the boundary with the Reserve. There is open lawn area to the rear of the dwelling.
	8 Parklands Close	Is an 923 square metre parcel of land containing a single storey brick veneer dwelling with tiled gable roof setback 7.5 metres from the boundary with the Reserve. The rear open space is heavily landscaped with shrubs and other low scale vegetation.
	9 Parklands Close	Is an 991 square metre parcel of land containing a double storey rendered dwelling with tiled gable roof setback 14.7 metres from the boundary with the Reserve. A deck with built in spa is located to the rear, together with open lawn area. A few smaller trees are also located at the perimeter.
	10 Parklands Close	No direct frontage to the Reserve.
	11 Parklands Close	Is an 880 square metre parcel of land containing a single storey brick veneer dwelling with tiled hip and gable roof setback 12.2 metres from the boundary with the Reserve. An open stepped

Direction	Address	Description
	13 Parklands Close	<p>terrace is located to the rear of the dwelling together with open lawn area.</p> <p>Is an 841 square metre parcel of land containing a double storey brick veneer dwelling with tiled gable roof setback 5.5 metres from the boundary with the Reserve. The rear contains a combination of hard surface area and open lawn with scattered canopy trees toward the perimeter.</p>
	14 Parklands Close	<p>Is an 990 square metre parcel of land containing a double storey rendered dwelling with a hip and gable tiled roof setback 6.1 metres from the boundary with the Reserve. The rear of this dwelling is heavily vegetated with native canopy trees.</p>
East	Mullum Mullum Creek	<p>The eastern boundary of the lot is formed by the Mullum Mullum Creek. On the opposite side of the creek is Buck Reserve, which contains the Donvale Pony Club and Donvale Adult Riding School.</p>
West	Opposite side of Springvale Road (Lyons Place and Lisbon Court)	<p>These properties are located on the opposite side of Springvale Road, and contain a mixture of single and double storey dwellings from the 1970s on parcels of land that are approximately 800 square metres in area.</p>

- 1.16 Springvale Road is a primary arterial road and is contained within a Road Zone Category 1. In the vicinity of the subject site, Springvale Road consists of one lane of through traffic in each direction. The road contains no formal kerb and channel.
- 1.17 Reynolds Road functions as a primary arterial road and is within a Road Zone Category 1. The intersection with Springvale Road, Reynolds Road has

two traffic lanes in each direction plus two dedicated right turning lanes to the south.

- 1.18 There is access to public transport from the subject site, with a number of bus services operating along Springvale Road. Bus stops provide accessibility to routes travelling to The Pines Shopping Centre, Nunawading train station, and the City.

Planning History

- 1.19 Planning Permit PL15/024920 was issued in May 2015 for Vegetation removal associated with an upgrade to the existing car park in the Reserve.
- 1.20 The existing access points to both Springvale Road and Reynolds Road will be widened as part of the Stage 1 implementation works which were granted a planning permit in May 2015. These works include the provision of separate exit lanes for left and right turn traffic.
- 1.21 The upgrades also include new kerb, channel and pram crossing, 94 additional car parking spaces, a new round-a-bout and road realignment, the introduction of water sensitive urban design treatments and the construction of new pedestrian and shared paths.

2 PROPOSAL

- 2.1 It is proposed to develop the site with a new indoor recreation facility, being a highball stadium. The stadium is in line with Council's 2015/2016 Capital Works Program, and consistent with the Mullum Mullum Reserve Management Plan (2014).

Stadium

- 2.2 The stadium will be approximately 6,000 square metres in area. At ground level the stadium will include five (5) multipurpose courts, spectator seating for up to 500 people, two team changing rooms, separate male and female change rooms and toilets. At the entry, there is a reception area and cafe with internal and external seating. The level also includes office and meeting facilities for the building's operator and storage.
- 2.3 At Level 1, the stadium will feature a viewing platform, function room with kitchen, and further storage areas.
- 2.4 The five courts provide flexible space for table tennis, volleyball, basketball, netball and badminton.
- 2.5 The facility is to be managed by an independent management group on behalf of Manningham City Council, hence the inclusion of office space and administration areas within the building.
- 2.6 The cafe is primarily designed to cater for highball facility users, but will be accessible to non-facility users also.
- 2.7 The facility will generally be open between 7am and 11pm Monday to Sunday. Peak hours for the stadium facilities will generally be Monday to Friday from 4pm to 11pm and Saturday and Sunday from 8am to 10pm. Off-peak hours will be from approximately 8am to 4pm Monday to Friday.

Stadium Construction

- 2.8 The stadium will be constructed primarily from precast concrete panels. The concrete panels will be tinted in three colours, being 'Diorite' (dark grey), 'Windspray' (medium grey), and 'Watergrey' (light grey).
- 2.9 To add visual interest and reduce mass, various other materials are used in combination including:
- Euroa bricks in 'silver black' (black) along the base of the building on the northern (front), eastern and western facades with a strip of horizontal clear glazed windows on top.
 - Coloured anodised aluminium panels in 'silver coin' (light grey), 'silver smith' (medium grey) and 'temple gold' (subdued yellow/gold), arranged in a honeycomb pattern on parts of the northern (front) elevation and in a rectangular pattern on the western façade facing Springvale Road.
 - A glazed entry with a feature cascading skillion roof.
- 2.10 The southern facade will remain largely unadorned, and will comprise dark grey concrete panels at the base with light grey concrete panels at the top. This facade also contains no glazing, and only one emergency fire door, so as to limit openings to the adjacent properties in Parklands Close.
- 2.11 The building will be setback 13.7 metres from the southern boundary (the interfaces with Parklands Close properties) and a minimum 20 metres setback from Springvale Road.
- 2.12 The maximum building height is 14 metres and this is positioned along the northern (front) facade of the building adjacent to the main entrance. The roof tapers lower to the southern wall, and in combination with a modest site cut at the base of the southern elevation (around 1.3m in depth), the building height varies from 10.9 metres at the south-western corner, and 7.8 metres at the south-eastern corner.
- 2.13 The facility will have a dark grey colorbond roof, although this will not be visible. The roof will accommodate solar panels that are predominantly hidden by a low parapet.

Car Parking

- 2.14 The proposal includes the construction of 141 additional car parking spaces that will be located on the northern and eastern sides of the building, with 4 spaces allocated for disabled car parking. The car park will feature water sensitive urban design treatments and a drop off bay will be provided adjacent to the front entrance of the building.
- 2.15 In combination with the additional parking already approved for the Reserve there is a total net increase of 235 car parking spaces.
- 2.16 In order to minimise amenity impacts on residential areas, the new eastern car park on the eastern side of the building will be closed to entering vehicles at 9:00pm each night.
- 2.17 Parking for 48 bicycles will be provided in proximity to the front entrance of the building.

Supporting Documents

2.18 In support of the planning application, the following documentation was submitted with the proposal:

- Architectural drawings
- Planning Report
- Traffic Report
- Arborist Report
- Sustainability Management Plan
- Acoustic Report
- Crime Prevention through Environmental Design (CPTED) Assessment

Arborist Report

2.19 The Arborist Report (prepared by Treelogic and dated July 2015) assessed twenty two (22) trees in proximity to the proposed building, including Narrow-leaved Peppermint (*Eucalyptus radiata*), Red Box (*Eucalyptus polyanthemos*), Messmate stringybark (*Eucalyptus oblique*), Blackwood (*Acacia melanoxylon*), Red stringybark (*Eucalyptus macrorhyncha*), Spotted Gum (*Corymbia maculata*) and Tasmanian Blue Gum (*Eucalyptus globulus*).

2.20 Of these 22 trees, the arborist noted that trees numbered 2 and 9 will be closest to the southern wall of the stadium, and trees 17, 18 and 21 will be closest to the car park area. Trees 2, 9, 18, and 21 should not be impacted because less than 10% of the tree's root protection zone will be impacted (being 1%, 6.2%, 1.7% and 1.8% respectively). Tree 17 will have its protection zone encroached by 13.7% by the car park, however should not be unreasonably impacted if certain protection measures occur (refer to Condition 12 and 13).

2.21 The arborist further recommends that trees numbered 3 and 7 be removed as they are dead, and that trees numbered 11 and 12 should be removed as they are in decline. These trees are three Narrow-leaved Peppermints, and one Blackwood, that require planning permission for removal as they exceed the size requirements under the SLO3 that covers the site. It is appropriate to remove these trees and require replacement planting as part of the overall development (refer to Condition 9.1 and 9.2).

Sustainable Management Plan

2.22 The Sustainable Management Plan (prepared by Cundall and dated July 2015) summarises the sustainability commitments of the proposed highball stadium development.

2.23 Key features of the proposal include evaporative cooling for court areas, LED lighting to be used throughout, collection of rainwater from the roof for reuse for toilet flushing, use of sustainable materials including plantation timber for the stadium floors, and the inclusion of solar boosted hot water systems. In addition, a large solar photovoltaic array is proposed to be included on the roof area, to provide generation for onsite electrical loads and will be connected for feedback to the grid.

2.24 Water sensitive urban design treatments will also be used within the car park, where stormwater runoff is directed to raingardens prior to being discharge into the adjacent Mullum Mullum Creek.

Acoustic Report

- 2.25 The Acoustic Report (prepared by Acoustic Consulting Australia Pty Ltd, and dated June 2015) provides preliminary advice on the matter of environmental noise control and general acoustic design.
- 2.26 In terms of the building design, the report notes that:
- The south, east and west facing walls are to be constructed with a concrete panel system, with internal wall surfaces to be treated with a sound absorptive treatment.
 - The roof system is to include a mass layer ceiling with a sound absorptive internal surface.
 - The absence of windows on the southern and eastern facades.
 - Closure of the eastern car park at 9pm.
- 2.27 It concludes that with specific sound absorption treatments that the building will achieve environmental noise design goals and not cause unreasonable impacts on the nearby residents within Parklands Close.
- 2.28 In relation to the car park, it is recommended that a 2.2 metre tall acoustic fence be located as shown on the plans submitted with the proposal. The fence should be of solid construction using material having a surface mass of not less than 10kg/m².

Crime Prevention through Environmental Design (CPTED) Assessment

- 2.29 This report was prepared by MGN Consultancy, dated July 2015 and focuses on the design, planning and structure of physical spaces and infrastructure to reduce potential offenders from identifying opportunities to commit crime. The report highlights areas where current design and other information demonstrate commitment to CPTED principles.
- 2.30 The report identifies the following measures be incorporated into the design to provide natural surveillance, such as offices and café face onto entry plaza, disabled parking bays near the entrance provides safer access for vulnerable space users, limited number of trees in the entry zone, and pedestrian routes that have good sightlines.
- 2.31 In terms of access control, the report identifies that the stadium has an airlock entry to reduce opportunity for 'quick escape', provision of a range of land uses including highball courts and a café with external eating area which will attract new visitors, all components of the stadium are linked and there are no isolated spaces.
- 2.32 In terms of territoriality, the report identifies that the separate car park on the eastern boundary, and the boom gate, create clear statements of connection to the stadium, and the café identifies the plaza area as a safe and social space for legitimate users.
- 2.33 In terms of activity space management, the report identifies that the management of the stadium will be contracted to an independent service provider, with CPTED principles embedded into the contract arrangements. The stadium will be a focus of activity for children and teenagers, who may often be unsupervised by parents. Therefore best practice policy and practice must be implemented and reviewed to ensure that attention to safety

and removal of opportunity for potential offenders are both maintained and monitored as standard management practice.

3 PRIORITY/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 26 October 2015.

4 RELEVANT LEGISLATION

- 4.1 The Planning and Environment Act 1987 is the relevant legislation governing planning in Victoria. The Act identifies subordinate legislation in the form of Planning Schemes to guide future land use and development.
- 4.2 Section 60 of the Act outlines what matters a Responsible Authority must consider in the determination of an application. The Responsible Authority is required to consider the relevant planning scheme; and
- 4.2.1 The objectives of planning in Victoria; and
 - 4.2.2 All objectives and other submissions which it has received and which have not been withdrawn;
 - 4.2.3 Any decision and comments of a referral authority which it has received; and
 - 4.2.4 Any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.

5 MANNINGHAM PLANNING SCHEME

Public Park and Recreation Zone

- 5.1 The site and adjacent land is included in the Public Park and Recreation Zone under the provisions of the Manningham Planning Scheme.
- 5.2 Pursuant to Clause 36.02-1 (PPRZ) a planning permit is not required for the use of the site as an indoor recreation facility as the use is being conducted by the public land manager (Council) under the relevant provisions of the Local Government Act 1989.
- 5.3 Pursuant to Clause 36.02-2 (PPRZ) a planning permit is not required to construct an indoor recreation facility building on the land as it is being constructed by the public land manager (Council) under the relevant provisions of the Local Government Act 1989.
- 5.4 Parts of the site are also included in the Environmental Significance Overlay Schedule 2 (ESO2), Environmental Significance Overlay Schedule 3 (ESO3), and the Land Subject to Inundation Overlay (LSIO). However the only control over the land where the sports stadium and associated car park is being constructed in the ESO3.

Significant Landscape Overlay Schedule 2 and 3



- 5.5 As can be seen above, the Environmental Significance Overlay Schedule 2 (Core conservation areas) applies to the eastern strip of the site closest to the interface with the Mullum Mullum Creek. The majority of the site where the stadium and associated car park is being constructed is covered by the Environmental Significance Overlay Schedule 3 (Buffer conservations areas).
- 5.6 The purpose of the Environmental Significant Overlay is to identify areas where the development of land may be affected by environmental constraints, and to ensure that development is compatible with identified environmental values.
- 5.7 Under Schedule 3 of the Overlay, planning permission is required to construct a building or construct or carry out works. This includes the building itself, earthworks associated with the proposal, and the construction of car parking.
- 5.8 Planning permission is also required to remove Victorian native vegetation and Australian native tree that have a trunk circumference of more than 0.35 metres measured at a height of 1.3 metres above natural ground level, or a height of more than 6 metres.
- 5.9 The statement of environmental significance of the Environmental Significant Overlay Schedule 3 is:

“The sites covered by this schedule have been assessed as being either Buffer Habitat or other land with environmental and/or landscape values that supports Core Conservation and Buffer Habitat areas. These areas are known as Buffer Conservation Areas.

Core Conservation Areas (Biosites) are the most intact and significant areas of indigenous vegetation, within Manningham and contain the majority of Manningham’s biodiversity assets. Buffer Conservation

Areas, whilst usually more modified from their presumed 'natural' condition than Core Conservation Areas, nevertheless have environmental values in their own right, as well as providing additional (usually adjacent) habitat that supports their ecological integrity and function of Core Conservation Areas. In Buffer Conservation Areas, indigenous vegetation provides the best habitat for indigenous flora and fauna, however large planted trees that are native to Australia also play a supporting role.

The values of Buffer Conservation Areas are under threat due to a number of factors, including vegetation clearance, fragmentation of bushland areas, overgrazing by stock, pest plant and animal invasion, changes in burning regimes, soil erosion and hydrological changes.

Without continued conservation and enhancement, the environmental values of Buffer Conservation Areas will continue to decline and the ecological values of adjacent or nearby Core Conservation Areas may be threatened. Appropriate management is required to ensure ecological values are protected and improved.

Development should be located in those areas that are the least intact or devoid of vegetation to minimise detrimental impacts on identified environmental values. Built form is subordinate to the landscape and these areas need to be properly managed to ensure that the distinctive features are protected and enhanced."

- 5.10 The relevant Clause 42.01 Environmental Significance Overlay Schedule 3 – Buffer Conservation Areas objectives to be achieved are:
- *To protect and enhance the ecological values of Buffer Conservation Areas.*
 - *To protect the ecological values of Critical and Core Conservation Areas.*
 - *To encourage the location of development within those areas that are the most degraded and devoid of native vegetation.*
 - *To encourage development that is in keeping with the semi-rural character of the area and is sympathetic to the existing built form.*
 - *To ensure that development responds to the area's environmental and landscape characteristics, including topography and waterways.*
 - *To minimise earthworks.*
 - *To conserve and where possible enhance habitat value and landscape contribution.*
 - *To protect natural resources, ecological processes, genetic diversity and ecosystem services.*
 - *To protect and enhance habitat corridors and ecological stepping stones.*
- 5.11 When deciding on an application to construct a building, construct or carry out works, or remove, destroy or lop vegetation in the Environmental Significance Overlay, the responsible authority must consider, as appropriate, the following relevant decision guidelines:

- *The extent to which the proposal will impact on the ecological values and function of any nearby or adjacent Biosites.*
- *Whether the proposed development has been located to avoid impacts on areas where offsets for previous development have been provided.*
- *The extent to which the removal of vegetation will contribute to the fragmentation and isolation of existing flora and fauna habitat.*
- *The likely impact of the proposal on species of flora or fauna which are threatened at the municipal, regional, state or federal level and the extent to which provisions are made to negate, minimise or manage those impacts.*
- *The role of Australian native trees in providing habitat and landscape value.*
- *Whether replacement planting with indigenous vegetation is proposed for the removal of any Australian native trees (other than Victorian native vegetation).*
- *Whether the design and siting of buildings or other development minimises the environmental impacts on:*
 - *Native fauna*
 - *Waterway health, wetland condition and water quality*
 - *Site run-off and soil erosion*
 - *Habitat corridors or ecological stepping stones*
 - *Any adjacent public open space.*
 - *The extent to which the application complies with the Development Guide for Areas of Environmental and Landscape Significance 2011.*
 - *Whether building design and siting is in keeping with the bushland character of the area and whether external building finishes and colours are non-reflective and blend with the natural environment.*

Land Subject to Inundation Overlay

5.12 The LSIO land is just east of the proposed car park and the control is proposed to extend slightly under Amendment C109.

The objectives of the Land Subject to Inundation Overlay are:

- *To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.*
- *To identify land in a flood storage or flood fringe area affected by the 1 in 100 year flood or any other area determined by the floodplain management authority.*
- *To ensure that development maintains the free passage and temporary storage of floodwaters, minimizes flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.*

- *To reflect any declaration under Division 4 of Part 10 of the Water Act, 1989 where a declaration has been made.*
 - *To protect water quality in accordance with the provision of relevant State Environmental Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (waters of Victoria).*
- 5.13 A planning permit is required to construct a building or construct or carry out works. All applications must be referred to Melbourne Water.
- 5.14 On 31 July 2015, Melbourne Water provided a written referral response to Manningham Council. The advice noted that portions of the site are subject to flooding from the Mullum Mullum Creek, however, the location of the indoor recreation facility and car parks are outside of the flood area.
- 5.15 The LSIO land is just east of the proposed car park and the control is proposed to extend slightly under Amendment C109. Melbourne Water recommended that Council include four conditions on any permit issued, relating to a) no polluted or sediment laden runoff to discharge from the site, b) finished floor levels of the stadium be constructed 600mm above applicable flood level, c) car parking be constructed 350mm above applicable flood level, and d) that a Site Environmental Management Plan be prepared and submitted to Melbourne Water.
- 5.16 These conditions are included in the recommended approval (refer to Condition 32, 33, 34, and 35) and therefore no further consideration of the overlay is required.

State Planning Policy Framework

- 5.17 Clause 15.01-1 (Urban Design) seeks to ensure that development is designed and landscaped to create a high quality built form which complements the scale of surrounding development and contributes positively to the neighbourhood character.
- 5.18 Strategies to achieve these objectives include encouraging high quality building form, ensuring buildings and works enhance design and management objectives and investment in buildings and works on public land where development is proposed adjacent to or abutting public land or major traffic routes.
- 5.19 Clause 15.01-4 (Design for Safety) seeks to improve community safety and encourage neighbourhood design that makes people feel safe. The strategy identified to achieve this objective is to ensure the design of buildings, public spaces and the mix of activities contribute to safety and perceptions of safety.
- 5.20 Clause 15.01-5 (Cultural Identity and Neighbourhood Character) seeks to recognise and protect cultural identity, neighbourhood character and sense of place. The clause emphasizes the importance of neighbourhood character and the identity of neighbourhoods and their sense of place. Strategies towards achieving this are identified as follows:
- *Ensure development responds and contributes to existing sense of place and cultural identity.*
 - *Ensure development recognizes distinctive urban forms and layout and their relationship to landscape and vegetation.*

- *Ensure development responds to its context and reinforces special characteristics of local environment and place.*
- 5.21 Clause 15.02-1 (Energy and Resource Efficiency) seeks to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.
- 5.22 Clause 15.10 (Open Space) states that planning authorities should plan for regional open space networks to be used for recreation and conservation of natural and cultural environments. Planning and responsible authorities should ensure that open space networks:
- *Are linked through the provision of walking and cycle trails and rights of way.*
 - *Are integrated with open space contributions from abutting subdivisions.*
 - *Incorporate, where possible, links between major park and activity areas, along waterways and natural drainage corridors, connecting places of natural and cultural interest, as well as maintaining public accessibility on public land immediately adjoining waterways and coasts.*
 - *Planning and responsible authorities should ensure that land is set aside and development in residential areas for local recreation use and to create pedestrian and bicycle links to commercial and community facilities.*
 - *Planning and responsible authorities should ensure that land use and development adjoining regional open space networks, national parks and conservation reserves complements the open space in terms of visual and noise impacts, treatment of waste water to reduce turbidity or pollution and preservation of vegetation.*

Local Planning Policy Framework

Municipal Strategic Statement

- 5.23 Clause 21.07 (Green Wedge and Yarra River Corridor) applies to all land outside the Urban Growth Boundary and public and privately owned land within the Yarra River corridor. These areas have an attractive, undulating topography. The slopes and extensive vegetation cover contribute to the landscape and environmental qualities. Development should protect and enhance the natural environment, topography, open space, habitat and fauna links within the green wedge and Yarra River corridor.
- 5.24 Key issues for built form and landscape character is to design and construct development in areas with topographical constraints, wildfire risk, landscape character, visual and environmental significance.
- 5.25 The relevant objectives are to encourage building form that responds appropriately to the landscape and minimises risk, as well as to encourage retention of native vegetation, minimise the extent of earthworks, and encourage the planting of indigenous vegetation.
- 5.26 Clause 21.13 (Open Space and Tourism) states that Manningham's open space areas are highly valued, performing a range of functions including conservation, recreation, visual image, tourism significance and contribution to the health and well-being of the community. The focus will be on the effective management of open space assets and provision of future open

space opportunities, including sporting, community use and facility development. The extension and enhancement of the linear parks systems and open space networks is also vital. The use and development of open space assets needs to respond to the cultural, interpretive, ecological values and changing needs of the community.

- 5.27 Key issues include balancing differing user demands of open space, and minimising interface issues with adjoining land uses.
- 5.28 The relevant objectives are to identify existing and future active and passive recreation needs, to effectively manage the use of open space for environmental, cultural, leisure and sporting activities, and to minimise the impact of adjoining land use and development on public open space.
- 5.29 Strategies to achieve this include preparing and implementing Management/ Development Plans for public open space.

Local Planning Policy

- 5.30 Clause 22.08 (Safety Through Urban Design) is relevant to this application and seeks to provide and maintain a safer physical environment for those who live in, work in or visit the City of Manningham. The policy seeks attractive, vibrant and walkable public spaces where crime, graffiti and vandalism are minimised.
- 5.31 Clause 22.09 (Access for Disabled People) is relevant to this application and seeks to ensure that people with a disability have the same level of access to buildings, services and facilities as any other person.

Particular Provisions

- 5.32 Clause 52.06 (Car Parking) is relevant to this application. The clause provides requirements in relation to the number of spaces for various users and design. There is no specific requirement for a indoor recreation centre. For these unspecified uses the number of spaces provided must be to the satisfaction of the Responsible Authority. Accordingly, the Responsible Authority will consider an empirical assessment derived from surveys of similar existing facilities located elsewhere.
- 5.33 Clause 52.06-7 outlines various design standards for parking areas that should be achieved
- 5.34 The following table considers the design requirements of Clause 52.06:

Design Standard	Met/ Not Met
1 - Accessways	Met – The accessways from Springvale Road and Reynolds Road propose a single traffic lane in each direction and are therefore more than 3.0 metres in width.
2 – Car Parking Spaces	Met – Standard car parking spaces are provided in accordance with the requirements, with dimensions of 2.5m wide, length of 4.8m (adjacent to kerbs to allow vehicle overhang) and accessed from an aisle width of 5.8m. Disabled spaces have adjacent clear areas for driver/ passenger access.
3 - Gradients	Not applicable – There are no ramps proposed to provide access to the car park.
4 – Mechanical Parking	Not applicable – No car parking stacker systems are proposed.
5 – Urban Design	Met – The ground level car parking will not visually dominate the

	public space, as the building and its landscaped surrounds will be most apparent.
6 – Safety	Met – The proposed ground level car parking will be well lit, and clearly signed. There is a high degree of visual permeability through the car park from the front of the stadium which will maximise natural surveillance and pedestrian visibility.
7 – Landscaping	Met – The layout of the car parking area includes water sensitive urban design treatment, in addition to landscaping. The landscaping proposed includes trees to provide shade and shelter.

- 5.35 Clause 52.29 (Land Adjacent to a Road Zone Category 1) seeks to ensure appropriate access to identified roads. A permit is required to create or alter access to a road in a Road Zone Category 1.
- 5.36 The application has therefore been referred to VicRoads, who have responded that they have no objection to the proposed development. It is noted VicRoads provided comments and requirements for the car park upgrade permit issued in May which proposed the widening of both the Springvale Road & Reynolds Road entry.
- 5.37 Clause 52.34 Bicycle Parking is relevant to this application. Pursuant to Clause 52.34, where the proposed land use is not specified in the table, the number of bicycle parking spaces provided must be to the satisfaction of the Responsible Authority.
- 5.38 The plans include the provision of 48 bicycle parking spaces, with the majority located in close proximity to the entry plaza and cafe. The number provided is well in excess of the 10 spaces that are required for a similar size 'Place of Assembly'. The proximity of the spaces to the entry plaza will allow for the passive surveillance of the bicycle parking area.
- 5.39 Clause 65 Decision Guidelines outlines that before deciding on an application, 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 purpose of the zone;
 - The orderly planning of the area;
 - The effect on the amenity of the area.

Cultural Heritage

- 5.40 Due to the proximity of the proposed works to a declared waterway and the site's proximity to the Mullum Mullum Creek, the *Aboriginal Heritage Act 2006* establishes that a cultural heritage management plan and/or permit may be required to manage activities on land that may harm Aboriginal cultural heritage.
- 5.41 The proposed works are not considered to be 'High Impact' as listed in the Aboriginal Heritage Regulations. Therefore, advice received from the Department of Premier and Cabinet (DPC) and Aboriginal Affairs Victoria confirms that a Cultural Heritage Management Plan (CHMP) is not required for this project.

6 ASSESSMENT

- 6.1 The proposal is considered to be generally consistent with the Local Planning Policies, Environmental Significant Overlay 3 and General Provisions of the Manningham Planning Scheme, as it presents an appropriate building with associated works for its location.

Clause 42.01 Environmental Significance Overlay

- 6.2 The following is an assessment of the overlay objective using the Decision Guidelines.

Whether building design and siting is in keeping with the bushland character of the area and whether external building finishes and colours are non-reflective and blend with the natural environment.

- 6.3 With regard to building design, the proposed highball facility will be located within an existing recreation reserve which already provides facilities including tennis courts, hockey pitches, and lawn bowls pitches. As such it will 'nest' with similar uses within a Council Reserve.
- 6.4 It is considered that the building design and siting is in keeping with the bushland character of the area, and external building finishes and colours are non-reflective and visually unobtrusive. The colours selected for accent elements reference colours found in indigenous vegetation (wattle) found nearby.
- 6.5 In particular the siting of the building in the south-western corner of the Mullum Mullum Reserve is on an open relatively flat lawn area which was historically cleared and levelled for playing fields. Therefore, the extent of earthworks and vegetation removal has also been kept to a minimum.
- 6.6 The 13.7 metre setback between the rear (southern) edge of the building and the common boundary with the properties in Parklands Close has enabled the majority of trees to be retained on the existing landscaped embankment.
- 6.7 The finishes of the building respond to the environmental character of the area. The concrete slabs will be tinted in shades ranging from light grey to dark grey, with a band of black brickwork at the base and anodised aluminium feature cladding in matt gold and are considered appropriate for the bushland setting. The materials are non reflective. The feature cladding will be limited mainly to the northern facade, therefore being located away from the outlook of residential properties in Parklands Close.

Whether the removal of Victorian native vegetation has been avoided, or where this is not possible, whether adverse impacts have been minimised.

and

Whether the loss of Victorian native vegetation will be offset and whether long term protection will be provided for the offsets.

- 6.8 In terms of whether the design and siting of buildings minimises the environmental impact (in particular in terms of the removal of Victorian native vegetation) the application itself did not seek to remove any trees. The building and car park are located on cleared land.
- 6.9 The arborist report, which was prepared by Treelogic and submitted with the application, recommends however the removal of 4 trees. These are 3

narrow-leafed peppermint trees, and 1 blackwood. None of these trees are Victorian native vegetation, they are all Australian native trees.

- 6.10 The reasons given for their recommended removal by the arborist is that one of the narrow-leafed peppermint trees and the blackwood are dead, and the two remaining narrow-leafed peppermint trees are assessed as being in poor health with poor structure, including the main leader trunk being dead with evidence of borer damage.
- 6.11 The remaining eighteen (18) trees located to the south of the proposed building along the embankment, will remain and will not be impacted on as a result of the development proposal.
- 6.12 These trees will provide an attractive backdrop to the highball facility, together with preserving the landscape character of the area which comprises native vegetation and providing an established vegetative screen to properties along the southern side of Parklands Close which adjoin the common boundary.
- 6.13 As part of any planning approval for the proposed stadium, a condition can be included requiring replacement planting in accordance with the guidelines prepared by Council's Economic and Environmental Planning Unit's Policy (Condition G). Based on the diameter of the trees being removed 55 indigenous plants with a minimum of 8 trees needs to be planted. The proposed planting around the building including around the car park easily exceeds this.

Whether the proposed development has been located to avoid impacts on areas where offsets for previous development have been provided.

- 6.14 The proposed stadium and its adjoining car parking areas have not been located on an area where planting offsets for previous developments have been provided. The area where the proposed building will be located was used in the 1950s as an orchard farm, which was then cleared in the 1980s to allow for recreation facilities to occur.

The extent to which the removal of vegetation will contribute to the fragmentation and isolation of existing flora and fauna habitat.

- 6.15 The original application did not seek to remove any trees or vegetation, however the arborist report submitted in support of the application recommended the removal of four Australian native trees from the embankment to the south of the proposed stadium building.
- 6.16 It is not considered that the removal of four trees from this embankment will contribute to the fragmentation and isolation of existing flora and fauna, as there will be eighteen (18) trees retained on the embankment, and replacement planting will occur.
- 6.17 Furthermore, the main spine of vegetation which supports local fauna is sited along the perimeter of Mullum Mullum Creek, and will remain undisturbed as a result of this proposal.

The role of Australian native trees in providing habitat and landscape value.

- 6.18 As previously identified, although the applicant has not sought to remove trees with this application, the arborist has recommended the removal of four Australian native trees owing to poor health and useful life expectancy.

- 6.19 While these trees undoubtedly contribute to the local landscape character, and possibly provide habitat, given that they are in identified poor health, approval should be given for their removal.

Whether replacement planting with indigenous vegetation is proposed for the removal of any Australian native trees.

- 6.20 Four (4) Australian native trees will be removed as part of this proposal, as recommended in the arborist report which accompanied the application. A condition can be included on any permit issued requiring the replacement planting of these trees in accordance with Council's Operational Policy and Guidelines, together with protection measures during construction for the eighteen (18) trees proposed to be retained along the southern embankment.

Clause 52.06 Car Parking

Parking Provision

- 6.21 Prior to a new use commencing or a new building being occupied, Clause 52.06-2 requires that the number of car parking spaces outlined at Clause 52.06-6 be provided on the land.
- 6.22 In terms of an assessment, car parking requirements are laid out at Clause 52.06 of the Manningham Planning Scheme. There is no specific requirement for an indoor recreation facility, and therefore car parking must be provided to the satisfaction of the Responsible Authority.
- 6.23 In support of this, the Traffic Report uses participation surveys at the Mullum Mullum Reserve and empirical rates derived from surveys of similar existing facilities elsewhere. The Traffic Report prepared by Ratio Consultants and provided by the applicant, identifies that, according to participation surveys (which were undertaken in August 2013 and again in September 2014 at the Mullum Mullum Reserve) the hockey club currently generates the highest levels of player and spectator participation, especially on Saturdays. The report noted that even at their busiest times, the bowls and tennis clubs generate significantly lower levels of participation.
- 6.24 The Waverley Basketball Stadium, Chadstone, was used to assess the parking requirement of the proposed highball stadium. It has six indoor basketball courts and about 600 seats with no "show" court. The data collected shows that up to 33 cars per court are used, or up to 0.46 parked cars per person on site. The report also noted that the City of Manningham's Sheahans Road Reserve Stadium which has 2 basketball courts, has 100 parking spaces (or 50 spaces per court).
- 6.25 The information in the Traffic Report which accompanied the application indicates that, for the proposed five court stadium with provision for 500 seats, parking demand would be in the range of 165 to 230 spaces but could peak at 250 spaces. The Traffic Report concludes that the proposed 235 new spaces provided by this proposal (141 spaces) and the car park upgrade already approved (94 spaces) will be ample. At peak times, such as at basketball match change over times, there is a shortfall of up to 15 existing spaces which can be accommodated within the existing Reserve parking provision (312 spaces).

Parking Design

- 6.26 The proposed parking areas along the north and east sides of the proposed stadium comply with the requirements of the Manningham Planning Scheme and Australian Standard 2890.1 as per the table at Section S37 of this report. In particular, spaces are 4.8 metres long and 2.5 metres wide, aisles are 5.8 metres wide, and disabled spaces have adjacent clear areas for driver/passenger access.

7 REFERRALS

- 7.1 The application was referred to Melbourne Water and VicRoads and the authorities comments have been discussed previously in this report. Neither authority objects to the approval of the proposal.
- 7.2 Melbourne Water acknowledges that given the location of the stadium building outside the Land Subject to Inundation Overlay, they are not a determining referral authority under Section 55 of the *Planning and Environment Act (1987)*, however they recommended the inclusion of four conditions relating to finished floor levels of the car park and stadium, and no polluted/ sediment laden runoff to be discharged into Melbourne Water's drains or watercourses (Condition 32-35).
- 7.3 In relation to internal referrals, the applicant in this instance is Manningham City Council and specifically the Strategic Projects Unit. Together with other relevant officers of Council they have worked with the architect to provide satisfactory outcomes in relation to engineering design of the car parking and drainage, urban design, vegetation impacts, and sustainability. As such, internal units have only offered support for the proposal.
- 7.4 Councils Urban Design officer provided the below comments in relation to the proposed stadium:
- Note that the building has been designed to minimise amenity impacts on neighbouring residential properties to the south with respect to noise and building height and bulk;
 - The building is tastefully articulated and utilises a varied and high quality material palette. Tonal and colour variation has been used to provide visual interest. I understand that the use of the yellow on highlight elements is a reference to the colour of local wattles found along the Mullum Mullum Creek;
 - The solar panels appear to be screened from view;
 - The development proposes extensive feature and screening landscaping which will further soften the presentation of the building and provide shade for parked cars and pedestrians; and,
 - The cafe and adjoining spill-out spaces are suitably located in what will be a sunny location and one that will attract a high degree of pedestrian traffic.

8 CONSULTATION

- 8.1 Extensive consultation was undertaken with the community and key stakeholders in the development of the Mullum Mullum Reserve Management Plan. The Mullum Mullum Reserve Management Plan has been prepared to expand the provision of recreational opportunities and address the demand for highball sports within the City, whilst protecting and

enhancing the local environment. The Plan was placed on public exhibition on Monday 30th June 2014 and was distributed via an Australia Post mail out and an electronic mail out. Furthermore, extensive promotion was undertaken including four A2 signs erected around the Reserve, a display in the concourse of the Council offices and Libraries and ads in the local media and Council publications.

- 8.2 A total of 45 submissions were received during this period. The majority of the submissions stated their position on the proposed highball facility, with 14 submissions in support of the proposed facility, 28 in opposition and 5 neutral. Further to this consultation period, Council received 48 submissions in the 2014/15 Council budgetary process related to the funding allocated for the processed highball facility. Of these submissions, 47 of the 48 submissions were supportive of the proposed development at Mullum Mullum. The Mullum Mullum Reserve Management Plan was endorsed by Council on the 30th September 2014.
- 8.3 As part of Council's Major Application process preliminary concepts were taken to a Sustainable Design Taskforce on 4 September 2014. Feedback from this session was incorporated into the final designs.
- 8.4 The planning application was advertised for three (3) weeks by way of the sending of letters to adjoining and nearby properties and by the display of one (1) large sign on site facing the car park. Two drop in information sessions (on 26 August 2015 from 2-4pm, and 6-8pm) were also held. Emails were sent to residents who had registered on the Mullum Mullum Reserve page through 'Your Say Manningham'. Emails were also sent to the presidents of clubs who could be potential users of the facility.
- 8.5 During the advertising period 231 people visited a webpage dedicated to the development, 121 people actively searched and viewed documents on the site, and 83 people downloaded documents.
- 8.6 Council has received a total of twelve (12) objections from the following properties.

Address
7 Rochelle Court
3, 4, 5, 7, 8, 9, 10, 13, 14, 17, 27 Parklands Close

- 8.7 The following is a summary of the grounds upon which the above properties have objected to the proposal:
- 8.7.1 Visual bulk/ Out of Character for the area: the proposed building is a large structure inappropriate for a residential area.
- 8.7.2 Amenity Impacts, including noise from events in the stadium, noise from the car parking areas, loss of outlook from properties in Parklands Close, light spill and increased anti-social behaviour.
- 8.7.3 Traffic Congestion, in particular entering and exiting Parklands Close from Springvale Road.
- 8.7.4 Car Parking facilities will be inadequate for major events, possibly leading to cars being parked in adjacent streets such as Parklands Close.

- 8.8 A response to the above grounds is provided in the below paragraphs.
- 8.9 In addition to the objections, six (6) letters in support of the proposal were also received from the following properties:

Address
11 Dirlton Crescent, Park Orchards
PO Box 34 Park Orchards [President Park Orchards Basketball Club]
8 Whitefriars Way, Donvale
12 Beaufort Rise, Warrandyte
42-44 Dalry Avenue, Park Orchards
19 Brackenbury Street, Warrandyte

- 8.10 A Consultation Meeting was held on 14 October 2015 which was attended by Ward Councillors, Senior Council Officers, representatives of the applicant, and eleven (11) residents.
- 8.11 Statutory Planning staff were able to offer some assurances to the residents that certain conditions could be considered on any approval to minimise impacts.
- 8.12 Following discussion at the consultation meeting, the applicant agreed to provide additional information to one of the objectors including a view line from the common boundary fence down to the building.

Visual bulk/ Out of Character

- 8.13 The proposed stadium has been designed with careful consideration given to the interface with properties facing Parklands Close.
- 8.14 The proposed building has been designed with a skillion roof to reduce in height as it approaches the southern boundary. The building has a maximum height of 14 metres on the northern facade facing the car park and entry road and this reduces to 11 metres on the southern facade.
- 8.15 Furthermore, the building will also be cut into the existing embankment along the southern edge of the Reserve, further reducing its overall height and therefore visibility in the order of 1.3 metres.
- 8.16 The proposed building provides a setback of 13.7 metres from the common southern boundary with those properties facing Parklands Close. In addition, the ground upon which the building will be constructed is lower, situated down an embankment from the properties fronting Parklands Close.
- 8.17 Levels of articulation via materials and finishes selection, together with the graduation in the height of the building, and areas for retention and planting of trees around the perimeter of the building will soften its presentation to adjoining properties.
- 8.18 The embankment along the southern edge of the Reserve contains in the order of twenty two established mature trees which will in the most part be retained and will therefore further assist in screening views from the properties in Parklands Close toward the stadium facility.
- 8.19 The solar panels on the roof will also be screened from view by a neutral colour screen recessed 1.5 metres from the edge of the building. The panels

will be set at the lowest possible angles at the time of installation to reduce their height and therefore visibility.

- 8.20 Planting has already taken place in consultation with adjoining residents. Further planting is also to occur after the building is built.

Amenity Impacts

- 8.21 Amenity concerns, in particular relating to noise associated with whistle blowing, spectator behaviour, and ball bouncing were raised, together with light spill, and graffiti.
- 8.22 In terms of acoustics, the stadium has been designed with only one proposed opening (a fire door) on the southern side of the building, so there will be little to no acoustic spill. The main entrance, associated drop off bays, windows, and car parking area are all located to the north and east of the building, and where possible, away from adjoining residential properties.
- 8.23 Substantial sound attenuation measures have been included in the design of the facility, with each external wall comprising two 150-180mm thick precast concrete panels with sound absorptive material in between. The roof system will also incorporate the sound absorptive treatment, with a 'build up system' including a mass layer ceiling with sound absorptive face.
- 8.24 In terms of mechanical plant and equipment noise, the acoustic engineer has noted the design of the plantroom has adequate scope to attenuate plant noise via the plantroom envelope and the outside air openings using standard noise control techniques. These include sound attenuating ductwork, acoustic louvers and suitable orientation of air flow openings.
- 8.25 An acoustic engineer has been involved in the design, and will check the facility from an acoustic point of view both during construction, and post construction.
- 8.26 A 2.2m high acoustic fence that provides the residents of Parkland Close further protection of the car park is to be erected on the common boundary with 6, 7, 8, 9, and 11 Parklands Close. At the Consultation Meeting it was agreed to also include number 13 Parklands Close to address concerns raised by that objector (Condition 1.2 and 1.3).
- 8.27 With regard to noise from the car park, while there are no guidelines on permitted noise from vehicles or people, it is considered that most people operate their vehicles and behave in a reasonable manner when at these type of facilities. However, the proposal has included some time-based restrictions that will apply to the use of the car parking area wherein the car park located on the eastern side of the stadium will be closed for entering vehicles from 9pm each night (nearest Parkland Close residents) (Condition 20).
- 8.28 In terms of lighting, there are no windows on the southern side of the stadium so there will be no light spill (Condition 22). Low level security lighting will be fitted to the southern side of the building to deter antisocial behaviour.
- 8.29 The car park will use LED lights that are similar to street lights when the car park is in operation. This will limit light spill to adjoining properties.
- 8.30 In terms of graffiti, an anti-graffiti sealant will be used on the exterior of the building. Regular inspections can be written into operating contracts of the

facility, with time limits for its removal usually confined to 24-48 hours. Which is standard for Council facilities.

Traffic Congestion

- 8.31 It is noted that several objectors have raised the issue of traffic, in particular entering and exiting Parklands Close onto Springvale Road.
- 8.32 It is acknowledged that the construction of the stadium will result in additional traffic, however the Traffic Report considers that the traffic works already approved which include the widening of the entrances to both Springvale Road and Reynolds Road with dedicated left and right turn lanes will effectively double the capacity of these access points and assist traffic to move into and out of the site efficiently.
- 8.33 In response to the concerns raised by the objectors, the applicant obtained an addendum to the original Traffic Report, dated 8 October 2015, which focused solely on vehicles entering the traffic stream on Springvale Road from Parklands Close. It was found that there are substantial gaps created by the traffic signals on the intersection of Springvale and Reynolds Roads so opportunities to enter the traffic stream are available and not affected by the proposal.
- 8.34 During the consultation meeting, it was suggested that directional signage on Springvale Road should be provided to assist in directing visitors into the reserve, and reduce instances of people turning into Parklands Close. This has been included as a separate recommendation, and will require separate approval from VicRoads.

Car Parking

- 8.35 Several objectors have raised the issue of car parking.
- 8.36 The Traffic Report, prepared by Ratio Consultants and submitted with the application, concluded that the 235 additional car parking spaces will be sufficient to meet the parking needs (including changeover time) of the stadium.

9 CONCLUSION

- 9.1 It is considered appropriate to support the application.
- 9.2 The proposed stadium can be easily accommodated on this site within the Mullum Mullum Reserve, and does not require substantive earthworks, nor the removal of trees beyond that recommended by the arborist for health and longevity reasons.
- 9.3 The retention of the balance of the trees on the embankment to the south of the proposed building will assist in filtering views of the proposed building from residential properties in Parklands Close.
- 9.4 The colours of the building, being predominantly soft grey tones, will be visually unobtrusive in the context of a bushland backdrop. Yellow / gold highlight elements are a visual reference to indigenous wattles growing along the nearby Mullum Mullum Creek.
- 9.5 As demonstrated in the assessment in this report, the proposal achieves a high level of compliance with the Manningham Planning Scheme, in particular Environmental Significance Overlay Schedule 3, Land Subject to Inundation Overlay

- 9.6 The proposal provides for a modern, contemporary indoor recreation facility to be introduced to the Mullum Mullum Reserve. The proposal does not, in the opinion of officers, compromise the amenity of adjoining and nearby properties.
- 9.7 The building design provides good levels of articulation, and a mixture of materials and finishes to provide visual interest.

RECOMMENDATION

That having considered all objections:

- (A) A NOTICE OF DECISION TO GRANT A PERMIT be issued in relation to Planning Application No. PL15/025480 for buildings and works associated with the construction of a new high ball stadium (indoor recreation facility) and associated car park at Mullum Mullum Reserve, 1-41 Springvale Road, Donvale, 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 amended plans drawn to scale and dimensioned, 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 submitted with the application (prepared by Mantric Architecture, Revision P2, dated 24 July 2014 and as received by Council on 6 August 2015) but modified to show:**
 - 1.1. The location and design details (height, material) of a screen to conceal the roof top infrastructure.**
 - 1.2. The extent of the proposed 2.2m tall acoustic fence as shown in Section 4.3 of the Acoustic Consulting Australia report, dated 22 June 2015, and submitted with the application (which extends from 6 Parklands Close to 11 Parklands Close).**
 - 1.3. The proposed acoustic fence as discussed in Condition 1.2 extended to the west side fence and vehicle gate (northern side) of number 13 Parklands Close.**
 - 1.4. The location and capacity details of proposed rainwater tanks in accordance with the Sustainability Management Plan prepared by Cundall and dated July 2015.**
 - 1.5. A schedule listing the minimum sustainability features applicable to the development, as described in the approved Sustainability Management Plan.**
 - 1.6. A separate materials and finishes sheet depicting the range of finishes,/ textures, colours and materials to the exterior of the building, including roof-top plant screen, all paving, fencing, screening, retaining walls and any other facade treatments proposed;**
 - 1.7. Details of how all fire services, gas installations and electrical cabinets/ podiums will be presented/ located, so as to minimise visual impacts.**

- 1.8. Removal of trees numbered 3, 7, 11 and 12 as identified in the arborist report prepared by Treelogic dated July 2015.
- 1.9. A schedule of all trees to be retained in accordance with the arborist report prepared by Treelogic dated July 2015.

Endorsed Plans

2. The development as shown on the approved plans must not be modified for any reason, without the written consent of the Responsible Authority.

Sustainability Management Plan

3. Before the development starts or the issue of a building permit for the development, whichever is the sooner, two copies of an updated version of the Sustainability Management Plan (SMP), prepared by Cundall and dated July 2015 must be submitted to and approved by the Responsible Authority. When approved the Plan will form part of the permit.

Construction Management Plan

4. 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:
 - 4.1. A liaison officer for contact by residents and the responsible authority in the event of relevant queries or problems experienced;
 - 4.2. Hours of construction;
 - 4.3. Delivery and unloading points and expected frequency;
 - 4.4. On-site facilities for vehicle washing;
 - 4.5. Parking facilities/locations for construction workers;
 - 4.6. Other measures to minimise the impact of construction vehicles arriving at and departing from the land;
 - 4.7. Measures to manage environmental issues on site in accordance with "Environmental guidelines for major construction sites, EPA 1996" or other relevant guidelines, particularly in relation to sediment and erosion controls and dust suppression;
 - 4.8. The measures for prevention of the unintended movement of building waste and other hazardous materials and pollutants on or off the site, whether by air, water or other means;
 - 4.9. An outline of requests to occupy public footpaths or roads, and anticipated disruptions to local services;
 - 4.10. The measures to minimise the amount of waste construction materials;
 - 4.11. Measures to minimise impact to existing boundary fencing on adjoining properties;
 - 4.12. The measures to minimise noise and other amenity impacts from mechanical equipment/construction activities, especially outside of daytime hours;

- 4.13. Adequate environmental awareness training for all on-site contractors and sub-contractors; and
- 4.14. Recognition of the required tree/ root zone protection measures of this permit.

Waste Management Plan

5. Before the development starts, a Waste Management Plan must be submitted and approved to the satisfaction of the Responsible Authority. When approved the plan will form part of the permit. The Plan must include, but not limited to the following:
 - 5.1. calculations showing that sufficient space for the proposed number of garbage and recycling bins;
 - 5.2. the size and location for the storage of general waste and recyclables on the ground/basement floor and details of screening from view;
 - 5.3. the consideration of the ease of taking the fully laden bins to the collection point(s);
 - 5.4. private contractor options, if applicable, detailing the methods of collection with regard to site and road network constraints and the potential requirement to manoeuvre garbage trucks, including a collection plan approved by the proposed collection agencies that meets Council's Waste Management Plan; and
 - 5.5. confirmation of the hours and frequency of pick up for general recyclable waste with regard to potential noise impacts to the surrounding neighbourhood.
6. The Management Plans approved under Conditions 3, 4, and 5 of this permit must be implemented and complied with at all times to the satisfaction of the Responsible Authority unless with the further written approval of the Responsible Authority.

Acoustic Report

7. Before the development starts or the issue of a building permit for the development, whichever is the sooner, two copies of an updated version of the Acoustic Report, prepared by Acoustic Consulting Australia and dated June 2015 must be submitted to and approved by the Responsible Authority. When approved the Plan will form part of the permit.
8. Prior to the use of the building commencing, written confirmation from the authority of the approved Sustainability Management Plan, and the Acoustic Report, or a similarly qualified person or company, must be submitted to the Responsible Authority. The report must confirm that the features specified in the associated reports have been satisfactorily implemented.

Landscape Plan

9. Before the permitted development starts, a detailed landscape plan must be prepared by a landscape architect showing species, locations, approximate height and spread of proposed planting, and must be submitted to the Responsible Authority for approval. The plan must include the following:
 - 9.1. Removal of trees 3, 7, 11 and 12 as identified in the arborist report prepared by Treelogic and dated July 2015.
 - 9.2. Replacement planting of a minimum of 55 plants including 8 trees which are Victorian native species. At least 4 of the trees are to be located on the southern embankment of the rear of the stadium.
 - 9.3. Planting in and around the facility is to comprise indigenous vegetation.
 - 9.4. Any details as relevant or directed by any other condition of this Permit;
 - 9.5. A planting schedule detailing species, numbers of plants, approximate height, spread of proposed planting and planting/pot size;
 - 9.6. Location, species and number of proposed plantings;
 - 9.7. Surface treatments;
 - 9.8. Details of site and soil preparation, mulching and maintenance.
10. All indigenous plants used during or after the development (including for landscaping, screening revegetating, etc) must be of local provenance sourced from an approved indigenous nursery.
11. An inground drip feed watering system must be installed in the main landscaped areas to the satisfaction of the Responsible Authority.

Tree Retention

12. Before the development starts, a protective barrier, fence, or similar must be erected a minimum of 3.0 metres from the trunk of all trees to be retained to assist in their preservation. Such barriers must be erected before the start of site works and be maintained to the satisfaction of the Responsible Authority during construction.
13. During construction works:
 - 13.1. No excavation, trenching or soil removal may be carried out within the drip line of any tree to be retained on the subject site without the prior written approval of the Responsible Authority.
 - 13.2. No goods or materials may be stored or vehicles parked within the dripline of any tree to be retained on the subject site;
 - 13.3. All exposed roots must be cut by or under the supervision of an Arborist or suitably qualified person.
14. No vegetation, apart from that shown on the approved plan as vegetation to be removed may be felled, destroyed or lopped without the written consent of the Responsible Authority.
15. Before the use of the building starts, landscaping works as shown on the approved plans must be completed to the satisfaction of the

Responsible Authority and then maintained to the satisfaction of the Responsible Authority.

Drainage

- 16. Stormwater must not be discharged from the subject land other than by means of drainage to the legal point of discharge. The drainage system within the development must be designed and constructed to the requirements and satisfaction of the relevant Building Surveyor.**
- 17. The whole of the land including landscaped and paved areas must be graded and drained to the satisfaction of the responsible authority, to prevent ponding and to minimise overland flows onto adjoining properties.**

Driveway and Car Parking Areas

- 18. The external driveway system and parking spaces, as shown on the plan approved pursuant to Condition 2 of this Permit, must be formed to the depicted levels and must be constructed, surfaced, drained and linemarked to the satisfaction of the Responsible Authority.**
- 19. Parking areas and access lanes must be kept available for these purposes at all times and must be maintained to the satisfaction of the Responsible Authority.**
- 20. The car park on the eastern side of the stadium is to close at 9:00pm each night to the satisfaction of the Responsible Authority.**

General Services

- 21. All security alarms or similar devices installed on the land must be of a silent type to the satisfaction of the Responsible Authority.**
- 22. External lighting including security lighting must be designed so to limit loss of amenity to residents of adjoining properties to the satisfaction of the Responsible Authority.**
- 23. Garbage and recycling storage areas must be maintained in a neat and tidy condition to the satisfaction of the Responsible Authority.**
- 24. All roof-top plant must be installed in appropriately screened areas, unless otherwise agreed to in writing with the Responsible Authority.**
- 25. All solar panels and any associated safety railings must be located away from the outer edges of the roof section upon which they are installed, so as to minimise general visual impacts from off the site to the satisfaction of the Responsible Authority.**
- 26. All services, including water, electricity, gas, sewerage and telephone, must be installed underground and located to the satisfaction of the Responsible Authority.**
- 27. All hot water systems (excluding associated solar panels) must be installed within the subject buildings, unless otherwise agreed in writing with the Responsible Authority.**

Maintenance

- 28. Acoustic boundary fencing as shown on the approved plans must be installed prior to the use of the building commencing to the satisfaction**

of the Responsible Authority and maintained thereafter to the satisfaction of the Responsible Authority.

29. Buildings, paved areas, drainage and landscaping must be maintained to the satisfaction of the Responsible Authority.
30. All noise emanating from any mechanical plant must comply with the relevant State noise control legislation so as to minimise noise impacts on residents of the subject building and adjacent properties to the satisfaction of the Responsible Authority.

VicRoads Conditions

31. All disused or redundant vehicle crossings must be removed and the area reinstated to kerb and channel to the satisfaction of and at no cost to the Roads Corporation prior to the occupation of the buildings hereby approved.

Melbourne Water Conditions

32. No polluted and/or sediment laden runoff is to be discharged directly or indirectly into Melbourne Water's drains or watercourses.
33. The finished floor levels of the stadium must be constructed with levels set a minimum of 600mm above the applicable grading flood level.
34. Car parking must be constructed with finished surface levels set no lower than 350mm below the applicable grading flood level.
35. Prior to the commencement of works a Site Environmental Management Plan (SEMP) must be submitted to Melbourne Water. The SEMP must include a site map detailing the location and design of all measures including the following:
 - 35.1. Silt fencing
 - 35.2. Access tracks
 - 35.3. Soil stockpiling
 - 35.4. Trenching locations

Time Limit

36. This permit will expire if one of the following circumstances apply:
 - 36.1. The development is not started within two (2) years of the date of the issue of this permit; and
 - 36.2. The development is not completed within four (4) years of the date of this permit.

The Responsible Authority may extend these periods referred to if a request is made in writing by the owner or occupier either before the permit expires or in accordance with Section 69 of the *Planning and Environment Act 1987*.

- (B) The applicant investigate (with the input of VicRoads) the installation of directional signage on Springvale Road to assist in directing visitors into the Mullum Mullum Reserve, and reduce instances of people turning into Parklands Close.

“Refer Attachments”

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