Special Meeting of Council
Agenda

Monday 12 September 2016
Commencing at 7.15 pm

Council Chamber
Functions Centre
45 Princes Highway
Werribee

Date:  9 September 2016

Kelly Grigsby
Chief Executive Officer
AGENDA
SPECIAL MEETING OF COUNCIL
MONDAY 12 SEPTEMBER 2016

PLEASE NOTE: This meeting will start at 7.15 pm in the Council Chamber, Civic Centre, 45 Princes Highway, Werribee to deal with matters pursuant to Section 83(a) of the Local Government Act 1989

Recording of Council Meeting
Councillors and others present should note that, in accordance with Clause 10(1) of Wyndham’s Governance Local Law 2013, this meeting will be recorded for the purposes of producing accurate minutes of the meeting. Some members of the media and public may also record these meetings, so long as they have been permitted to do so by the CEO prior to the meeting, and they abide by the CEO’s set of Guidelines available on Council’s website.

BUSINESS

“In the spirit of reconciliation, before we begin this meeting, I acknowledge the peoples of the Kulin Nation as the Traditional Owners of the land on which Wyndham is being built. We pay our respects to their elders, past and present.”

1. OPENING PRAYER & WELCOME

“We pray for guidance in the Council’s decision making to achieve the best outcome for the people of Wyndham.”

2. APOLOGIES & REQUESTS FOR LEAVE

3. DECLARATION BY COUNCILLORS OF DISCLOSURE OF CONFLICT OF INTEREST/CONFLICTING PERSONAL INTEREST IN ANY ITEM OF THE AGENDA

4. OFFICERS’ REPORTS

4.1 RESPONSE TO PETITION: JARMAN COURT HOPPERS CROSSING

4.2 FINAL URBAN DESIGN FRAMEWORK: PRINCES HIGHWAY/GEELONG ROAD CORRIDOR

4.3 WYP8999/16: 76 GREG NORMAN DRIVE POINT COOK - USE & DEVELOPMENT OF THE LAND FOR A FIVE STOREY BUILDING COMPRISING OF FIFTY-TWO (52) DWELLINGS (INCORPORATING ROOFTOP GARDENS, GYMNASIUM AND THEATRE), EIGHT (8) GROUND FLOOR RETAIL TENANCIES AND A REDUCTION IN CAR PARKING.

4.4 WYP8740/15: 300 POINT COOK RD POINT COOK - BUILDING AND WORKS ASSOCIATED WITH THE EXTENSION OF THE EXISTING SHOPPING CENTRE, A REDUCTION OF CAR PARKING SPACES AND DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE
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5. CONFIDENTIAL BUSINESS

Motion: That pursuant to Section 89(2) of the Local Government Act, 1989, Standing Orders be suspended and this meeting of Council be closed to members of the public in order for Council to discuss

5.1 CONTRACTUAL MATTERS.

Motion: That Standing Orders be resumed.

Motion: That the recommendations of the ‘Closed’ Meeting of Council with regard to confidential matters be adopted.

6. CLOSE OF MEETING
Summary

Council received a petition on 19 August 2016 containing 201 signatures. The petition was tabled at the Ordinary Meeting of Council on 22 August 2016. It asks Wyndham City Council to reconsider the Jarman Court Road Project and support the petitioner’s request to resurface the road in Jarman Court with existing brick pavers and not standard asphalt as initially proposed.

The petition states:

"PETITION SUMMARY AND BACKGROUND

Wyndham City’s 2016/17 Capital Works Program includes the rebuilding of the road in Jarman Court and the draft design plan reflects Council’s preferred pavement option to replace the current brick pavers with standard asphalt.

We the undersigned object to Council’s preferred option of laying standard asphalt on the following grounds:

1. Fulham Court, which backs onto Jarman Court was resurfaced and the residents were given the option of asphalt or retaining brick pavers. They naturally signed a petition and unanimously selected brick pavers. We should be given the same offer.

2. Jarman Court residents have paid a premium for their blocks, one of the reasons being; the road paver, which is a clear differentiator from adjacent estates and have subsequently paid above average rates for this superior road surface thereafter.

3. The laying of asphalt will have an adverse impact upon the aesthetics of the street and on the character of our neighbourhood.

4. The laying of asphalt will have a negative impact on the value of houses in Jarman Court.

5. Jarman Court residents have requested Council to make urgent road repairs on many occasions without success. If a maintenance program and been implemented in a timely manner, then the road would not have deteriorated to the current state and the cost of repair would not be so high. Jarman Court residents should not be punished with an inferior road surface because of the current high cost of repairs due to Council inaction.

ACTION PETITIONED FOR

6. We, the undersigned, are concerned Wyndham residents who urge the Wyndham City Council to reconsider the Jarman Court Road Project and support their request to re-surface the road in Jarman Court with the existing brick pavers."

Attachments

1. [View] Brick Paved Courts (8 of) in the Derrimut Heath Estate Hoppers Crossing
RESPONSE TO PETITION: JARMAN COURT HOPPERS CROSSING (cont’d)

Officers’ Declaration of Interests
Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Director City Operations - Stephen Thorpe
In providing this advice as the Director, I have no disclosable interests in this report.

Acting Manager Assets & Roads - Mark Hammett
In providing this advice as the Manager and Author, I have no disclosable interests in this report.

Key Issues
- Jarman Court is one of eight brick-paved roads in the Derrimut Heath Estate in Hoppers Crossing.
- Jarman Court is in poor condition and has been included in Council’s Capital Works Program in 2016/17 for reconstruction using Council’s standard asphalt treatment.
- A community meeting regarding the planned works was held and a petition has been received asking that Council not replace the existing brick road surface with asphalt and that residents in Jarman Court be given the same option that was given to residents in Fulham Court to retain the brick surface.
- Reconstructing Jarman Court in brick will cost $520,000 compared to $310,000 for reconstruction with asphalt.

RECOMMENDATION
That Council:
1. Authorise staff to offer residents in Jarman Court, Rudkin Court, Waterloo Court, Lawson Court, Amstel Court, Travis Court and Erica Court the option for their court to be rehabilitated using existing bricks in 2016/17 or to be reconstructed in asphalt when it requires renewal in the future.
2. Carry out rehabilitation using existing bricks in 2016/17 where this is the preference of the majority of residents.
3. Write to the lead petitioner advising them of the outcome of this report.
1. Background

Currently, Wyndham has approximately 1.3 km of brick paved roads out of a total of over 1200 km, which comprises 0.1% of the road network. These roads were constructed in the 1980’s by developers before the Growth Areas Authority (now the Victorian Planning Authority) and Councils standardised the provision of public infrastructure in new subdivisions.

Brick paving has been used as a way of differentiating developments. Wyndham has eight brick-paved courts in total, which provide access to 128 properties. They are all located close to each other in Hoppers Crossing in the Derrimut Heath Estate.

Jarman Court is one of the eight brick-paved courts. All of the courts require maintenance works, ranging from relatively minor through to more significant reconstruction work. Jarman Court has been assessed as being in particularly poor condition and has been included in Council’s 2016/17 capital works program.

Councilors and Council Officers met with the residents of Jarman Court to discuss the plan to replace the brick surface with standard asphalt as part of the reconstruction works.

The proposal to reconstruct Jarman Court using the current construction standard of asphalt is consistent with Council’s approach when renewing public infrastructure. It will provide the best value over the life of the road and enable Council to effectively maintain the road. It is also estimated to cost $1.3 million less than reconstruction in brick.

The residents attending the meeting made it clear that they would prefer the existing brick surface to be retained and on Friday 19 August 2016 submitted a petition to Council on behalf of the residents of Jarman Court. As a result, options to retain the brick surfacing have been investigated.

There are 201 signatories to the petition of which 136 reside in one of the eight brick-paved courts as nominated in this report, with the balance of signatories coming from the surrounding area.

2. Discussion

All of the brick-paved courts were constructed with a minimum depth of crushed rock and a sand base on which the pavers were laid. The triennial condition assessment carried out for all of Council’s roads have shown that the condition of the brick-paved courts has steadily deteriorated and that they are reaching the end of their useful life. This is mainly due to the construction method and extensive movement of the clay subsoil.

Council has standardised road construction to contain long-term costs and enable a better service to be provided in maintaining and repairing roads when they are damaged, especially by service authorities. The cost to replace all brick paved courts in brick is estimated to be $3.2 million. Replacement with a standard asphalt treatment is estimated to cost $1.9 million.

This is an important consideration when considering that Council has to fund the maintenance and renewal of over 1200 km of roads, which are valued at almost $3 billion.

The plans to reconstruct Jarman Court were formulated after considering it as a single road. On that basis reconstruction with an asphalt surface is the best option. Residents have asked Council to reconsider and evaluate Jarman Court as one of a set of eight brick-paved courts. In response to this request, an analysis of the current condition of all brick-paved courts has been undertaken to determine their condition and treatment options to extend the life of the existing brick-paved roads.

Based on experience, standard asphalt roads in this area are expected to need reconstruction after 30 years. The estimated cost of reconstruction in standard asphalt for all eight brick-paved
courts is $1.9 million. Over a service life of 30 years this would be an annual cost of cost of approximately $60,000 per year.

In comparison, a rehabilitation treatment (i.e. taking up and relaying bricks in damaged areas, as happened in Fulham Court) is estimated to cost between $550,000 and $650,000. Based on Council’s experience with Fulham Court, which was rehabilitated in 2004, a minimum life of 10 years can be expected. This also comes out at approximately $60,000 per year.

Rehabilitation would not provide exactly the same functionality as a new road. Residents could expect some undulations over time and repairs may have to be made in matching (but not the same) bricks as manufacturers no longer make the same bricks and batches of bricks differ in colour. The roads would be safe and meet all traffic requirements. Repairs will be more expensive than an asphalt road, however, it is a viable alternative approach.

Overall, a rehabilitation treatment will provide similar performance at a similar cost in comparison with reconstruction in asphalt. It is still anticipated that the roads will need to be fully reconstructed in 10 to 20 years, when the construction standards of the day will be proposed.

3. City Plan

2.2 City Infrastructure - To deliver and maintain Wyndham's facilities and infrastructure in an efficient and equitable manner that meets community needs.

4. Council Policy

Council's Asset Management Policy applies.

5. Financial Implications

The estimated cost to reconstruct Jarman Court in brick is $520,000 and in asphalt is $310,000. The estimated cost to rehabilitate Jarman Court is $160,000.

The estimated cost to reconstruct all eight brick-paved courts in brick is $3.2 million and in asphalt is $1.9 million. The estimated cost to rehabilitate the remaining seven brick-paved courts (Fulham Court has been rehabilitated) is $650,000.

6. Options

Option 1: Council replaces the brick-paved courts with a standard asphalt road.

This option entails the removal of the existing pavement and reconstructing it in a standard crushed rock base and asphalt surface. The benefit of this is that the road will be cheaper to construct than a brick paved road and the pavement of an asphalt road will cost less to maintain as it is far easier to repair an asphalt surface. Further, being a flexible pavement, it will be better able to “smooth out” the movement of the clay subsoil. Consequently, defects will not be as “sharp” or severe as with a brick paved road and will have less impact on ride-ability. This is the preferred option.

Option 2: Council undertake road rehabilitation treatment work (similar to that previously completed in Fulham Court) in each of the other seven brick-paved courts in the Derrimut Heath area.
ATTACHMENT NO: 1 - BRICK PAVED COURTS (8 OF) IN THE DERRIMUT HEATH ESTATE HOPPERS CROSSING

ITEM NO: 4.1

HOPPERS CROSSING
Summary

Council has prepared an Urban Design Framework Plan for the Princes Highway / Geelong Road Corridor in recognition of the significance of the corridor and its role in presenting a positive image for residents of and visitors to Wyndham.

The draft plan was prepared following visioning workshops with the community, Council staff and Councillors, as well as input from key stakeholders. Public consultation occurred between 16 December 2015 and 12 February 2016, and a total of 10 submissions were received largely in support of the framework.

Final changes have now been made to the Urban Design Framework capturing feedback from the public consultation and an implementation program prepared.

This report recommends that Council adopt the Urban Design Framework Plan to provide a vision for future development of the Princes Highway / Geelong Road Corridor, and agree to support the actions identified in the implementation program.

Attachments

1. View Urban Design Framework Plan - Princes Highway / Geelong Road Corridor - printed in separate document

Officer's Declaration of Interests

Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Director City Economy, Innovation & Liveability – Kate Roffey
In providing this advice as the Director, I have no disclosable interests in this report.

Manager Urban Futures – Aaron Chiles
In providing this advice as the Manager, I have no disclosable interests in this report.

Planning Policy & Projects Coordinator - Dee Gomes
In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Corridor Vision and Objectives.
- Consultation.
- Implementation Plan.
- Next Steps.
RECOMMENDATION
That Council:

1. Adopt the Urban Design Framework Plan: Princes Highway / Geelong Road Corridor, July 2016 as the vision for development in the corridor.

2. Support the implementation plan actions as a means of implementing the plan, subject to consideration in future work plans and budget processes.

3. Agree to consider the Urban Design Framework Plan in decisions relating to the use, development and works in the corridor on both private and public land.
1. Background

Planisphere, experienced planning consultants, were engaged to commence work on the Urban Design Framework (UDF) Plan for the Princes Highway / Geelong Road Corridor in January 2015. Background research was undertaken with Council officers, including travelling through the site area and reviewing of various documents and plans that exist within the corridor.

In June 2015 Council met with key stakeholders including VicRoads, Metropolitan Planning Authority, Melbourne Water and Public Transport Victoria (PTV).

Community workshops were held on 29 and 30 July and 4 August 2015 focusing on the overarching vision and objectives for individual sectors within the corridor. Councillor workshops were conducted in November 2015.

The draft UDF was considered by Council at the Ordinary Council Meeting of 14 December 2015 where it was agreed to undertake public consultation. The plan was available between 16 December 2015 and 12 February 2016 for comment, with 10 submissions being received.

The plan has since been refined based on public feedback and an implementation plan prepared for Council's consideration.

2. Discussion

2.1 Corridor Vision & Objectives

Study Area

The study area comprises about 16km of road corridor and the private land that interfaces with it, including Princes Highway, Synnot and Werribee Streets, Geelong Road and parts of the Princes Freeway.

The study area traverses the corridor from the proposed intersection of the Outer Metropolitan Ring Transport Corridor through to the onramp to the Princes Freeway, where the ‘Seeds of Change’ sculpture is constructed.

With connections to and from the Freeway, and Werribee City Centre and East Werribee Employment Precinct (EWEP) located centrally, the corridor carries significant numbers of residents and visitors into the City of Wyndham.

Vision

The Urban Design Framework provides a vision for the corridor as "Wyndham’s vital artery: a corridor that celebrates the City’s civic, community and natural identity, and its fast emerging economic dynamism”.

The Corridor should become a spine of strategic land uses and a corridor of destinations; a primary connector of activity and a series of image-defining, visual experience.

Objectives

The overarching objectives for the corridor are to:

- Create environments that feel safe to use;
- Contribute to improving road safety;
- Match the form and scale of design to the speed at which it is experienced;
- Provide opportunities for healthy activity;
FINAL URBAN DESIGN FRAMEWORK: PRINCES HIGHWAY/GEELONG ROAD CORRIDOR (cont’d)

- Enable access for all;
- Help mitigate the environmental impacts of urban development;
- Punctuate the corridor with revelations of features and expressions of identity;
- Design for practical and affordable implementation; and
- Enhance landscaping opportunities.

The Urban Design Framework Plan separates the corridor into five smaller sectors and provides more specific guidance to each.

1. **Princes Freeway Plains Boulevard** comprising of the Princes Freeway section between the future Outer Metropolitan Ring Transport Corridor and the off-ramp to Werribee seeks to enhance the bush corridor character of the entrance to metropolitan Melbourne / Wyndham, it is hoped to be a future showcase of Wyndham's economic vitality.

2. **Geelong Road Princes Promenade** comprising of Geelong Road from the Freeway / Ison Road intersection to the Cottrell / Werribee Street bridge, envisaged as an elegant, tree-lined avenue flanked by pedestrian promenades, trails and passive open space.

3. **Werribee River Riverside Parkway** comprising the park, to be a heavily treed, naturalistic and parkland environment with a landmark transition from the bridge crossing into the urban activity centre.

4. **Synnot Street Urban Icon** comprising Synnot Street from the bridge to Kelly Park. This sector is Werribee City Centre’s ‘entrance hallway’ and needs strong, memorable public realm design and improved functional and visual connections to the Civic Centre.

5. **Activity Axis** comprising Princes Highway from Council's offices to the Freeway interchange, is recognised as a traffic throughway to the Werribee City Centre. It is envisaged that this sector will showcase Wyndham’s economic, education and health services as well as pioneering an urban residential character new to Wyndham.

### 2.2 Consultation

Extensive consultation occurred during the development of the Urban Design Framework Plan. Following preparation of a background paper, three (3) public workshops were held with the community in late-July and early-August 2015 to gauge their views and ideas about the role and future vision for the corridor. These ideas were further refined with Councillor input at a workshop in November 2015, where a draft of the Urban Design Framework Plan was prepared.

At the Ordinary Council Meeting on 14 December 2015, Council endorsed the draft plan for consultation. The plan was made available for public viewing and comment between 16 December 2015 and 12 February 2016. Notice was provided by way of letters to owners and occupiers directly abutting the corridor as well as advertisements in local newspapers, Wyndham News and Council’s website.

A total of 10 submissions were received.
Supporters were happy with the:

- vision to improve this gateway and enhance the image of Werribee;
- suggested improvements to landscaping / public realm;
- pedestrian, bicycle and public transport enhancements;
- proposal to discourage advertising signage clutter; and
- proposed character (“feel”) for each precinct.

Objections related to:

- A dissatisfaction with the current traffic / congestion issues;
- Opposition to removal of trees / vegetation; and
- The use of resources to fund public art instead of infrastructure improvements.

Various specific suggestions were also made, including:

- Proposed traffic treatments (turning lanes, etc);
- The removal of overhead powerlines;
- The exclusion of any design controls for Werribee Junction (defer till Precinct Structure Plan stage);
- Identify additional nodes in the gateway that lead to other destinations (i.e. Werribee Park);
- PTV wanted to encourage improved path network to access bus stops;
- Encourage larger setbacks along Princes Highway section (around EWEP); and
- Provide additional landscaping.

Response to Submissions

Many of the specific suggestions were able to be accommodated in the final plan. The Urban Design Framework Plan has been updated to include investigation of the removal of power lines, the requirements of Public Transport Victoria were included and additional nodes were included.

In some instances, it was not appropriate to include some of the suggestions and a response to outstanding issues raised is below.

- Specific traffic treatments (i.e. new turning lanes) could not be included in the Urban Design Framework Plan as this was outside the scope of the project. Traffic engineering expertise would be required to consider such proposals.

- Removal of any design guidance for the future Werribee Junction Precinct Structure Plan area is not supported. Located adjacent to the Freeway and Wests Road interface, the Werribee Junction Precinct Structure Pan will be prepared in the future, and the adopted Urban Design Framework will help inform Council’s position on how it sees the precinct appropriately interfacing with the Freeway. Changes have been made to provide a better balance between landscape screening and showcasing this precinct.
Issues relating to traffic and congestion cannot be resolved through the Urban Design Framework Plan. This project is to set a vision for how the Corridor should be developed. It builds upon various structure plans throughout the precinct which have already been approved and authorise use and developments to occur. Traffic enhancements required from development have been considered through a variety of Development Contributions Plans. The timing and funding of these projects is a separate process.

The Urban Design Framework does not propose to remove any vegetation, but provides a plan to enhance landscaping throughout this corridor – which is a significant feature. Specifically, the Framework will support an increase to plantings in the public realm, or in the instance where development requires removal of vegetation that appropriate replacements occur.

Concerns relating to the allocation of resources to projects such as potential art installations over road improvements are noted. Traffic and congestion issues are a concern to Wyndham's community. The implementation of the Urban Design Framework Plan will be subject to approval of budgets, and will be prioritised appropriately with other capital works projects. It is anticipated that the majority of improvements will be incorporated into public works as the need arises.

2.3 Implementation

The Urban Design Framework Plan: Princes Highway / Geelong Road Corridor also sets out a series of actions that should be undertaken to implement the plan. It includes various actions that span across planning, advocacy, partnerships, education and regulation.

Key implementation actions include:

- Inclusion of vision and objectives within the Wyndham Planning Scheme, particularly the Municipal Strategic Statement, but also as a potential for establishing local policies applying to new development in the corridor;
- Undertake further work in relation to enhancing vegetation and planting in the corridor on public and private realms, including landscape and maintenance plans;
- Advocate for undergrounding of power lines throughout the corridor;
- Prepare a lighting strategy for the corridor;
- Review signage in the corridor, including direction signs and locations for entrance/welcome signs;
- Upgrade facilities including pedestrian crossings, seating, lighting and public transport infrastructure;
- Prepare a Blue Infrastructure Strategy that enhances and protects waterways in the sectors and promotes sustainable water management;
- Investigate potential designs for gateway features, in suitable locations as outlined in the plan;
- Improving fencing and landscaping at identified locations within the corridor;
- Formalise kerb and channeling along Princes Highway; and
- Liaise with VicRoads to create a continuous off-road bicycle path.
The implementation actions will be subject to further project briefs, business plan processes and budgetary requirements as required. The improvements to the corridor are likely to occur as part of other private/public works as they arise. Amendments to the Wyndham Planning Scheme will assist Council in achieving its vision and objectives for the Corridor where development occurs on private land.

2.4 Next Steps

Subject to Council adopting the Urban Design Framework Plan, Council can immediately begin using the plan in its decision making as an adopted Council policy. The Framework will be used to guide decision making on planning matters as well as public realm works undertaken by Council and other agencies.

However, the Framework will be given more weight in decision making once it is included within the Wyndham Planning Scheme.

Any proposed amendments to the Wyndham Planning Scheme will require Council approval, and a report will be submitted to Council seeking a resolution to support an amendment process. A future Planning Scheme Amendment will incorporate the plan’s vision and objectives into the scheme, and include local policy that will guide built form outcomes.

A copy of the endorsed Urban Design Framework Plan will also be communicated to interested stakeholders and the community.

Other projects identified in the plan will be subject to separate project briefs and will need to be incorporated into future business plan processes and budget submissions.

3. City Plan

2.1 City Image - To enhance Wyndham’s character and liveability through neighbourhood planning and civic improvement projects.

4. Council Policy

Wyndham’s City Plan 2013-2017 outlines objectives, strategies and activities that contribute to achieving the community’s aspirations. The City Plan is centered around the priorities identified by the community, and includes themes that are most relevant to the development of this Urban Design Framework. These are enhancement to the City image through improvements to streetscapes and gateways, supporting the natural environment and encouraging sustainable practices, ensuring city infrastructure promotes active transport.

The Urban Design Framework seeks to specifically articulate how this particular streetscape can be enhanced to create a positive sense of place and to respond to the community feel that Wyndham has.

5. Financial Implications

The Urban Design Framework is a long term vision for the Princes Highway / Geelong Road corridor. It requires that decision makers take into consideration the vision and objectives for the corridor when determining whether to approve a proposed development. It will create opportunities to discuss with proponents the ability to achieve public realm improvements that contribute to the corridor. It will also make recommendations for works that Council could do in the public realm to help achieve the vision.
6. Social / Environmental Implications
The Urban Design Framework seeks to have positive social implications, by encouraging a sense of place and identity within the corridor that is safe and accessible to all. It also seeks to have positive impacts for the environment.

7. Economic/Employment Considerations
The project hopes to provide certainty to landowners and the community as to what elements should be considered when developing within the corridor. The aim of the Framework is to provide an attractive corridor that represents the Wyndham identity, this is a positive outcome that can only assist in attracting economic investment within the area.

8. Community Consultation

Community Workshops
A series of workshops were held on 29 and 30 July and 4 August 2015 for landowners and occupants within the Corridor who were directly affected. Direct notices were sent to parties as well as advertisements in the local newspaper, Wyndham News, Council’s website and social media in an advertising campaign titled “What’s Your Vision?”

Workshops were well-attended and significant input from attendees was used to help shape the draft Urban Design Framework Plan.

Consultation on Draft
The Draft Urban Design Framework was put out for public comment between 16 December 2015 and 12 February 2016. A total of 10 submissions were received, including a mixture of those supporting and opposing the proposed plan. Many suggestions were made which were incorporated into the final plan.
WYP8999/16: 76 GREG NORMAN DRIVE POINT COOK - USE & DEVELOPMENT OF THE LAND FOR A FIVE STOREY BUILDING COMPRISING OF FIFTY-TWO (52) DWELLINGS (INTEGRATING ROOFTOP GARDENS, GYMNASIUM AND THEATRE), EIGHT (8) GROUND FLOOR RETAIL TENANCIES AND A REDUCTION IN CAR PARKING.

Summary
Planning permit application WYP8999/16 proposes the use and development of the land for a five storey building comprising of fifty-two (52) dwellings (incorporating roof top gardens, gymnasium and theatre), eight (8) ground floor retail tenancies, and a reduction in the car parking requirements of clause 52.06.

The application was received on 15 February 2016. Following Council discussions with the applicant, further information was provided and plans were revised. Pursuant to Clause 43.04-2, an application under any provision of the Wyndham Planning Scheme which is generally in accordance with the development plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. Notwithstanding, Council undertook informal notice of the application on 14 June 2016 and one hundred and seventy six (176) objections were received to the proposed development. It is noted that objecting parties do not have third party review rights in this instance.

The proposal was discussed at the Town Planning Forum on 29 August 2016 which was an opportunity for the applicant and objectors to air their views about the proposal to Councillors. Whilst the applicant referred to amended plans during their submission at the Town Planning Forum, it is noted that no formal application to amend the current planning permit application has been requested and the application was assessed on documents and plans submitted with the application following a request for further information under Section 54 of the Act during the course of the assessment.

It is recommended that Council issue a Notice of Refusal to Grant a Permit for the proposed development.

Attachments
1. View Plans - printed in separate document

Officers’ Declaration of Interests
Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Director City Operations - Stephen Thorpe
In providing this advice as the Director, I have no disclosable interests in this report.

Manager Planning & Building - Peter Van Til
In providing this advice as the Manager, I have no disclosable interests in this report.

Town Planning Officer – Neasa Moylan
In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues
WYP8999/16: 76 GREG NORMAN DRIVE POINT COOK - USE & DEVELOPMENT OF THE LAND FOR A FIVE STOREY BUILDING COMPRISING OF FIFTY-TWO (52) DWELLINGS (INCORPORATING ROOFTOP GARDENS, GYMNASIUM AND THEATRE), EIGHT (8) GROUND FLOOR RETAIL TENANCIES AND A REDUCTION IN CAR PARKING. (cont’d)

- Compliance with the Wyndham Planning Scheme, including, the Development Plan Overlay (Sanctuary Lakes Development Plan), neighbourhood character, urban design and car parking considerations.

- Number of objections

RECOMMENDATION

That Council issue a Notice of Decision to Refuse a Permit for the use and development of the land for a five storey building comprising of fifty-two (52) dwellings (incorporating roof top gardens, gymnasium and theatre), eight (8) ground floor retail tenancies, and a reduction in the car parking requirements of clause 52.06 at 76 Greg Norman Drive, on the following grounds:

1. The height and scale of the building will adversely impact on the character of Sanctuary Lakes Estate.

2. The development is not site responsive and would represent an overdevelopment of the land.

3. The proposal fails to meet the strategies contained at Clause 15.01-2 (Urban design principles) of the Wyndham Planning Scheme as visual bulk and height of the proposed buildings do not appropriately respond to the location and surrounding context.

4. The proposal is not in accordance with Clause 21.06-1 (Urban Environment) as the mass and scale of the proposed buildings do not preserve the character of the surrounding urban area and the proposal does not align with the strategies identified in the policy which seek to manage the visual amenity of places.

5. The proposal fails to provide sufficient car parking, including visitor car parking, as required under Clause 52.06 (Car Parking) of the Wyndham Planning Scheme and is expected to lead to an increased pressure for on-street parking in the surrounding area to an unacceptable degree.

6. The development fails to provide adequate, safe and efficient loading facilities in accordance with Clause 52.07 (Loading and Unloading of Vehicles) of the Wyndham Planning Scheme.
1. Background

Planning permit application WYP8999/16 proposes the use and development of the land for a five storey building comprising of fifty-two (52) dwellings (incorporating rooftop gardens, gymnasium and theatre), eight (8) ground floor retail tenancies, and a reduction in the car parking requirements of clause 52.06.

The application was received on 15 February 2016. Following Council discussions with the applicant, further information was requested and plans were revised. The application was subsequently advertised (non-statutory as there is a Development Plan affecting the subject site which exempts the application from notice pursuant to Section 52 of the Planning & Environment Act 1987) in June 2016 and attracted 176 objections.

The proposal was discussed at the Town Planning Forum on 29 August 2016 which was an opportunity for the applicant and objectors to air their views about the proposal to Councillors.

Site & Surrounds

The subject site is located in the Sanctuary Lakes Residential Estate, Point Cook, which is located approximately 20 kilometres south west of the Melbourne CBD. The Estate is generally comprised of residential allotments, a commercial node and recreational facilities, including a golf course and lakes. The subject site is located within the commercial node, directly to the north-west of the existing golf course clubhouse facilities.

The subject site is irregularly shaped and has a frontage to Greg Norman Drive of approximately 40 metres, a north-western boundary of approximately 125 metres and a total area of 5105m². The site has a frontage to Sanctuary Lake to the southwest. A 5.5 metre wide carriageway easement is located along the site’s north-eastern boundary. This is currently constructed as a street and provides one-way vehicle movements to Greg Norman Drive and provides access to the golf club, leisure facilities and associated private car park abutting the site.

The surrounding area is developed with a range of land uses including community facilities, parks and recreation facilities, golf club and fairways, and medium density housing. In particular, the land directly to the north-west has been developed as a medium density townhouse development, which includes rear secluded private open space areas along the shared western boundary. The subject site is relatively flat and is currently vacant with no significant vegetation.

Planning History

Planning Permit No. WYP4699/11 was issued on 17 June 2011 for the development of shops, restaurant associated works (reconfiguration of car park) and landscaping. An extension of time was issued on 23 November 2015 and requires construction to commence by 17 June 2017 and be completed by 17 June 2019. This was the second extension of time issued.

The proposed development seeks to maintain the ground level area of the restaurant and café approved under Planning Permit No. WYP4699/11 and makes alterations to the approved retail and car parking area.

A recent aerial photo of the site is shown below (with the subject site in red) (Dated 21 May 2016).
WYP8999/16: 76 GREG NORMAN DRIVE POINT COOK - USE & DEVELOPMENT OF THE LAND FOR A FIVE STOREY BUILDING COMPRISING OF FIFTY-TWO (52) DWELLINGS (INCORPORATING ROOFTOP GARDENS, GYMNASIUM AND THEATRE), EIGHT (8) GROUND FLOOR RETAIL TENANCIES AND A REDUCTION IN CAR PARKING.  (cont'd)

2. Discussion

Proposal

The proposed development seeks approval for the construction of a mixed use development with a maximum height of 19.3 metres (5 storeys) and comprises of two (2) main buildings. The first building (Block A) is 4 storeys in height and comprises a restaurant, pizza bar and café (all approved as part of the 2011 development permit), and six (6) dwellings, while the second building (Blocks B) comprise retail premises and forty-six (46) dwellings, communal facilities and roof decks.

The main components of the proposed development are outlined as follows.

Basement

- Basement car park with 72 car parking spaces (including visitor car parking and accessible spaces) accessed from Greg Norman Drive;
- Forty-two (42) storage cages of between 6m$^3$-6.2m$^3$ storage capacity each;
- Twelve (12) bicycle spaces are provided within the basement in two locations;
- Two lift wells and stairwells would provide access to upper levels of the building;

Ground Level

- Eight (8) retail premises between 86.52m$^2$ and 439.17m$^2$ in area and a total area of 1054.12m$^2$;
- Thirty-three (33) at grade car spaces;
- Three (3) waste storage areas;
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- A restaurant and pizza bar 9210 seats);
- A food and drinks premises (café) 210m² in area;
- Three pedestrian entry points to the buildings, one from the existing road along the site’s north-eastern boundary with a pathway connection to the nature strip, and two from the ground level car parking area accessing both Block A and Block B;
- Vehicular entry to the basement car park;

Level 1
- Three (3) x 2 bedroom dwellings within Block A and seventeen (17) x 2 bedroom dwellings in Block B. Each dwelling is provided with balcony open space;

Level 2
- Three (3) x 3-bedroom double storey dwellings within Block A (lower level) and seventeen (17) x 2 bedroom dwellings within Block B. Each dwelling is provided with balcony open space areas;

Level 3
- The upper levels of the three (3) x 3-bedroom double storey dwellings within Block A and nine (9) x 2 bedroom dwellings and three (3) x 3 bedroom dwellings within Block B. Each dwelling is provided with balcony open space areas;

Level 4
- Three (3) private roof top terraces for the dwellings within Block A;
- Three (3) private roof top terraces for the 3 bedroom dwellings within Block B;
- A communal open space area of approximately 368m2;
- A gymnasium;
- A theatre room; and
- An outdoor kitchen area.

Planning Permit Triggers
Pursuant to Clause 34.01-1 (Commercial 1 Zone), a planning permit is required for the use of the land as Accommodation (dwelling) as the frontage of the residential component at ground level exceeds 2 metres in width.

The use of the land as a retail premises (including restaurant and café) as Section 1 uses and as such, do not require a planning permit for the use.

Pursuant to Clause 34.01-4, a planning permit is required to construct a building or construct or carry out works.

Pursuant to Clause 52.06 Car Parking a planning permit is required for a reduction in car parking to reduce the required number of visitor, retail, restaurant and food and drink premises (café) car spaces.
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Planning Policy

State Planning Policy Framework

The following clauses of the SPPF are relevant to the consideration of this application:

State Planning Policy Framework (SPPF)

Clause 11.01-2 (Activity Centre Planning) seeks 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.

Clause 15.01-1 (Urban Design) aims to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

Clause 15.01-2 (Urban Design Principles) seeks 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.

Clause 15.01-5 (Cultural Identity and Neighbourhood Character) aims to recognise and protect cultural identity, neighbourhood character and sense of place.

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.

Clause 16.01-2 (Location of Residential Development) seeks to locate new housing in or close to activity centres and other strategic sites that offer good access to services and transport;

Clause 16.01-4 (Housing Diversity) seeks to provide a range of housing types to meet increasingly diverse needs and ensure housing stock matches changing demand, particularly in middle and outer suburbs. This Clause also seeks to ensure planning for growth areas provides for a mix of housing types and higher housing densities in and around activity centres; and

Clause 17.01-1 (Business) seeks to encourage development which meet the communities’ needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

Local Planning Policy Framework (LPPF)

Clause 21.02-1 (Urban Growth) seeks to identify areas suitable for urban growth and development and to achieve cost effective and orderly management of urban growth. In particular, this clause seeks to ensure that interfaces between residential and employment areas are planned to minimize land use conflicts and to provide for growth on a scale and form consistent with maintaining the containment, compactness, accessibility and affordability of key growth areas and encourage new development to occur in areas that are not isolated from the core urban area and which integrate well with existing communities and infrastructure.

Clause 21.06-1 (Urban Environment) seeks to improve the quality of development through improved design, siting and landscaping. In particular, this clause seeks to ensure that urban design and landscaping is addressed in managing the visual amenity of gateways, transport routes, the coast, waterways, streets and places.
Clause 21.07-1 (Residential Development) seeks to provide a variety and choice in housing densities and to identify preferred areas for increased residential density, incremental and limited change. It is noted that higher density development is encouraged to occur in Werribee city Centre and Hoppers Crossing. The Wyndham Housing and Neighbourhood Character Strategy 2015 identifies the subject site as being within an incremental change area.

Clause 21.08-1 (Economic Growth) seeks to facilitate new development and employment opportunities in Wyndham.

Clause 21.08-2 (Activity Centres) seeks to establish a network of activity centres which satisfy a range of retail, commercial, community and residential needs. The Subject site is located within a planned activity centre, as identified within Map 5 of this Clause.

Planning Officer Response

Following a detailed assessment of the application number of relevant State and Local Planning Policy Framework clauses are not considered to be met. For the large part State Planning objectives seek to encourage urban consolidation in locations which take advantage of existing commercial and community services and public transport. While current State Policy no longer categorises activity centres in the same manner as the past, it is considered that, as noted within Local Policy, Clause 21.08-2, this wider section of Sanctuary Lakes Estate is classified as a planned activity centre in Map 5.

Whilst it is acknowledged that the proposal achieves support from State Policy in so far as it seeks to encourage the concentration of retail, residential and commercial uses into such activity centres (Clause 11.01-2 (Activity Centre Planning)) such centres should have regard for their surrounding context and should align with other policies which seek to ensure that urban environments created provide for good quality environments (Clause 15.01-1 (Urban Design)) and seek to achieve urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties (Clause 15.01-2 (Urban Design Principles)).

Clause 11.01-2 (Activity Centre Planning) seeks to “build up” activity centres as a focus for high quality development, activity and living. It is expected that such centres will provide for different types of housing, including forms of higher density housing, as well as business, shopping and working. This acknowledges the site’s suitability for mixed use activities however any such activities and development must be appropriate to their site context and in this instance the proposed development is not considered to be appropriate owing to its overall scale and bulk.

Clause 15.01-2 (Urban Design Principles) of the State Planning Policy Framework provides the main assessment tool for residential development of five or more storeys in height. The objective of the Clause is:

- 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.

It is considered that the proposal fails to comply with the objectives and strategies as contained within the design principles of Clause 15.01-2. The majority of these design elements cover the decision guidelines for a building and works application under the Commercial 1 Zone, the
Guidelines for Higher Density Residential Development along with Clause 21.06-1 (Urban Environment). These matters will be discussed in detail later in this report.

In terms of aligning with housing centred planning policy, the proposed development achieves general compliance with both State and Local policy which seek to provide a range of housing types to meet diverse needs (Clause 16.01-4 (Housing Diversity & Clause 21.07-1 (Residential Development)) in suitable locations closer to activity centres (Clause 16.01-2 (Location of Residential Development)).

**Adopted Council Policy**

**Wyndham Housing & Neighbourhood Character Strategy**

At its Ordinary Meeting of Council on 24 August 2015, Council adopted as a reference document the Wyndham Housing and Neighbourhood Character Strategy (2015). The Strategy seeks to provide a framework to guide the growth and change of residential areas in Wyndham. Whilst the subject site is not included in the study area as it is zoned Commercial 1, and the Strategy affects residentially zoned land only, it is important to consider it in the wider context as it will largely inform the character of the surrounding area. The *Wyndham Housing and Neighbourhood Character Strategy 2015* identifies the wider area as being within an incremental change area.

Incremental Change areas:

- Allow for modest housing growth and a variety of medium density housing types which respect the preferred future neighbourhood character, or will make a significant contribution to a new, more desirable preferred future neighbourhood character. This category also includes ‘Limited Incremental’, which categorises areas of significant character within the Incremental category.

It is considered that while an apartment style mixed use development is an appropriate design response for the subject site, the scale of the proposal is largely at odds with the surrounding built form and does not appropriately consider the *Wyndham Housing and Neighbourhood Character Strategy 2015*, which identifies the wider area as being within an incremental change area.

The proposed development is more accurately characterised as being within a Substantial Change area, which area typically located around higher order activity areas, public transport and strategic opportunity sites. It is considered that the proposed development is an overdevelopment of the site and has not appropriately considered the strategic context of the site.

**Wyndham Activity Centres Strategy**

The Activity Centres Strategy was adopted by Council in February 2016. The Strategy is intended to provide the basis for activity centre planning in Wyndham over the next 20 years and beyond. The Strategy contains detailed economic analysis of the current and future roles of existing and planned activity centres.

Activity centres are defined as places where many of the key facilities and services which meet the needs of the surrounding resident population are concentrated. Activity centres are
normally, although not always, characterised by the presence of retail activity, and can also include a wide range of non-retail functions, including community activities and services, recreation, office/commercial, education, and residential. It is noted that the Strategy includes the Sanctuary Lakes Boulevard as a future Local Activity Centre and provides an indicative potential retail floor space of 2000sqm.

Zoning

Clause 34.01 Commercial 1 Zone

The subject site is located within the Commercial 1 Zone. The Purpose of the Commercial 1 Zone is:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

Planning Officer Response

It is considered that the proposed development has not adequately addressed the Purpose and Decision Guidelines of the Commercial 1 Zone and will result in a development outcome for the site that is inappropriate and will not result in a net community benefit.

In particular, the proposed development does not adequately the relevant State and Local Planning Policy Frameworks and will result in an inappropriate development outcome within the area. Additionally, while it is acknowledged that the proposed mix of uses will contribute to creating a vibrant mixed use centre in Sanctuary Lakes, it is considered that the provision of parking and scale of the built form will impact upon the amenity of the surrounding area.

The proposed residential component of the development has not adequately considered the small local scale of the activity area that is envisaged for this location, which is proposed for incremental change of developments up to three storeys in height.

Clause 34.01-8 requires the responsible authority to consider the following decision guidelines before deciding on an application:
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Decision Guidelines

General

The State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

As detailed earlier in this report, the proposed development does not adequately respond to State and Local Planning Policy. It is considered that the proposal fails to comply with the objectives and strategies as contained within the design principles of Clause 15.01-2 and Clause 21.06-1 (Urban Environment).

The interface with adjoining zones, especially the relationship with residential areas.

While the development has been separated from the abutting dwellings and their secluded private open spaces on the western boundary of the site, the five storey built form will still be a dominating feature when viewed from the secluded private open space areas of these dwellings especially where the separation is at its minimum, to the south of the site and adjoining the property at 65 Broadbeach Circuit. Noting the site’s designation for commercial activities, it is considered that commercial/mixed use development is appropriate for the site however not at the scale and height proposed.

Use

The effect that existing uses may have on the proposed use.

Surrounding uses include residential to the west and recreation and food and drinks premises to the east and south east. It is not considered that the existing uses would have any effect on the proposed use.

The drainage of the land.

Standard drainage conditions on any permit issued would address the drainage of the land. A Geotechnical report could also be requested to allay concerns of objectors about the suitability of the land for basement construction.

The availability of and connection to services.

The site is located within an existing, established area and it is anticipated that all services would be available in this established area.

The effect of traffic to be generated on roads.

The Traffic Impact Assessment submitted with the application estimates that the development is expected to generate 1,272 vehicles per day. They estimate that the analysis above is well within acceptable limits and the proposed development would have a negligible impact on the operation of the road network. Council’s independent reviewer of the assessment considered that this was a reasonably conservative estimate of traffic movements generated by the proposal and existing traffic volumes are low enough that no significant increases to queues or delays are expected.

The interim use of those parts of the land not required for the proposed use.

All of the land is proposed to be developed.
<table>
<thead>
<tr>
<th>Buildings and Works</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.</td>
<td>Pedestrian movement around the site is considered to be acceptable and there are connections along the northern and eastern boundaries and to the adjoining medium density housing site to the west. However, within the site there are concerns about the movement of pedestrians and conflict with loading and waste collection which is proposed to occur within the centre of the at grade car parking area. The plan submitted with the Waste Management Plan indicates the proposed route of the small waste truck and it is considered that there could be conflict between the pedestrians traversing the site and when waste is being collected and/or goods are being unloaded. The movement of pedestrians and arrangements for waste removal within the site is not considered acceptable.</td>
</tr>
<tr>
<td>The provision of car parking.</td>
<td>The provision of car parking has been considered as part of the application and assessed against Clause 52.06 of the Wyndham Planning Scheme. The proposed dispensation of parking is not considered to be appropriate for the proposed development. This has been discussed under Objective 4.1 earlier in this report.</td>
</tr>
<tr>
<td>The streetscape, including the conservation of buildings, the design of verandahs, access from the street front, protecting active frontages to pedestrian areas, the treatment of the fronts and backs of buildings and their appurtenances, illumination of buildings or their immediate spaces and the landscaping of land adjoining a road.</td>
<td>Overall, the presentation to the streetscape is considered to be acceptable. Whilst the overall height of the building is of concern having regard to the prevailing character of the area, the overall access to the site, provision of active street frontages and landscaping is considered to be acceptable.</td>
</tr>
<tr>
<td>The storage of rubbish and materials for recycling.</td>
<td>No refuse chutes from upper floor levels are proposed for the building. Residents would be required to access the waste storage room on the ground floor within the parking area for the disposal of waste. This arrangement is considered unacceptable given the need for residents to exit the building and dispose of rubbish in what is effectively a public area. The applicant reports that waste collection facilities would include appropriate bins for the residential, and commercial components of the development for the total weekly waste needs of occupants.</td>
</tr>
<tr>
<td>Defining the responsibility for the maintenance of buildings, landscaping and paved areas.</td>
<td>No information has been indicated on the responsibility of maintenance of buildings and landscaping etc. however it is anticipated that a body corporate arrangement would be required.</td>
</tr>
</tbody>
</table>
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Buildings and Works

<table>
<thead>
<tr>
<th>Consideration of the overlooking and overshadowing as a result of building or works affecting adjoining land in a General Residential Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.</th>
<th>As noted above, the separation between the proposed development and the adjoining residential land to the northwest is considered to be appropriate and will limit unreasonable amenity impacts due to overlooking and overshadowing. There is concern about overlooking of the southern building (above the restaurant) due to the proximity of the building to the property at 65 Broadbeach Circuit however and screening could address this. It is noted however, that the overall height of the development, while setback, will still present a visually dominant built form when viewed from the adjoining secluded private open space areas.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The availability of and connection to services.</td>
<td>As detailed earlier, the site is located within an existing, established area and it is anticipated that all services would be available in this established area.</td>
</tr>
<tr>
<td>The design of buildings to provide for solar access.</td>
<td>The applicant has made use of the site’s orientation to locate as many apartments as possible with north facing living areas and open spaces. However, it is inevitable that some apartments may not benefit from such an orientation.</td>
</tr>
</tbody>
</table>

It is considered that the proposed development is has not appropriately considered the Purpose and Design Guidelines of the Commercial 1 Zone and will unreasonably impact upon the amenity of the surrounding area.

Overlays

Clause 43.04 Development Plan Overlay - DPO Schedule 2

Purpose

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land.
- To exempt an application from notice and review if it is generally in accordance with a development plan.

Schedule 1 to the Development Plan Overlay states that a Development Plan is required for each development cell as identified in the relevant Concept Plan. The Point Cook Concept Plan was adopted by Council in 2001. It consists of the Point Cook Concept Plan 1996 and the Point Cook Concept Plan Report 2000. These documents provide the strategic basis for the Sanctuary Lakes Development Plan. Through these documents, Point Cook was identified for future development and the Sanctuary Lakes Outline Development Plan was originally adopted by Council in January 1998 (DP0053/08).
Since its adoption, the Development Plan has been subject to a number of amendments over the years, with the latest being approved 23 November 2015. This approved a number of sites in the area for medium density housing, but did not include the subject site.

An application under any provision of this scheme which is generally in accordance with the development plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. For this reason, non-statutory advertising was undertaken.

The subject site is located within an area to be developed for “Centre Facilities” and directly abuts an area nominated for and developed with medium density housing. Council therefore considers that an application of the nature proposed is generally in accordance with the Sanctuary Lakes Development Plan as the mixed use nature of the proposals lend themselves to be considered under the umbrella of “Centre Facilities”. It is noted that there is no definition in the Development Plan of the proposed uses which are to be expected as part of “Centre Facilities” so a reasonable conclusion has been formed that this is likely to include retail, food and drinks premises but does not specifically exclude residential development.

Whilst Council are of the opinion that the proposed development is generally in accordance with the Development Plan and it is considered that the subject site is an appropriate location for a mixed use development such as proposed, the proposed scale of the development is inappropriate and will overwhelm the surrounding built form.

It is worthy to note that Amendment C211 to the Wyndham Planning Scheme seeks, amongst other matters, to delete Development Plan Overlays where development has been completed in accordance with approved development plans, including the Development Plan Overlay – Schedule 2 that affects the subject site.

This amendment has completed public exhibition and a Panel Hearing has been undertaken. The Panel Report has been released and in relation to the Development Plan Overlay – Schedule 2, it recommends that the DPO2 be removed.

Council adopted the amendment at its Ordinary Council Meeting of 22 August 2016 and will shortly be submitting the amendment to the Minister for Planning for gazettal. It is therefore considered that the amendment is a seriously entertained Planning Scheme Amendment.

**Particular Provisions**

**Clause 52.06 – Car Parking**

Pursuant to Clause 52.06-2 prior to a new use commencing, the car parking spaces required under Clause 52.06-5 must be provided on the land or as approved under Clause 52.06-3 to the satisfaction of the responsible authority.

The development provides a total of 105 car spaces. Seventy-two (72) of these spaces are in the basement, of which 59 spaces are provided for residents and 6 spaces are for visitors and 7 spaces are for staff use (inclusive of 2 disabled spaces). Thirty-three (33) unallocated car spaces are provided at grade.
The table outlines the car parking requirements of the Planning Scheme and the rate of provision proposed.

<table>
<thead>
<tr>
<th>Apartment Component</th>
<th>Clause 52.06 Car Parking Standard</th>
<th>Clause 52.06 Requirement</th>
<th>Provision</th>
<th>Shortfall</th>
</tr>
</thead>
<tbody>
<tr>
<td>46 x 2 Bedroom Apartments</td>
<td>1 parking space to each 1 or 2 bedroom dwelling</td>
<td>46 spaces</td>
<td>47</td>
<td>0</td>
</tr>
<tr>
<td>6 x 3 Bedroom Apartments</td>
<td>2 parking spaces to each 3 or more bedroom dwellings</td>
<td>12 spaces</td>
<td>12</td>
<td>0</td>
</tr>
<tr>
<td>Visitor Car Parking</td>
<td>1 visitor space for every 5 dwellings for developments of 5 or more dwellings</td>
<td>10 spaces</td>
<td>6</td>
<td>4</td>
</tr>
<tr>
<td>Shop (1192.67m²)</td>
<td>4 parking spaces to each 100m² of leasable floor area</td>
<td>47 spaces</td>
<td>7</td>
<td>40</td>
</tr>
<tr>
<td>Restaurant (210 seats)</td>
<td>0.4 to each patron permitted</td>
<td>84 spaces</td>
<td>25</td>
<td>59</td>
</tr>
<tr>
<td>Food and Drinks Premises (210m²)</td>
<td>4 parking spaces to each 100m² of leasable floor space</td>
<td>8 spaces</td>
<td>8</td>
<td>0</td>
</tr>
</tbody>
</table>

Note: The 33 car spaces within the at grade car park are not allocated to any particular use, however, it is considered appropriate to allocate 8 spaces to the café component in considering the parking impact. Whilst the applicant’s traffic assessment report states that 95 spaces are required to be dispensed, a review of the proposal indicates that based on all proposed uses a dispensation of 103 spaces will actually be required as detailed in the table above.

As can be seen in the table, the residential parking component fully complies with Clause 52.06, however the visitor parking, retail, and restaurant do not comply with the statutory parking requirements.

A review of the availability of public parking and on-street parking has been undertaken and it is noted that there are no public car spaces within the vicinity. It is noted that the car park to the southeast of the subject site is associated with the golf club and recreation centre and is not a public car park. Additionally, there is no on-street parking provision in the surrounding street network due to the width of the carriageways. As such, there is no area in the surrounding area for over-flow car parking associated with this development.

On this basis, it is considered that the proposed shortfall of 103 car spaces is inappropriate. The submitted traffic report, prepared by TTM, appears to rely on the adjoining car park to provide additional overflow car spaces associated with the development and indicates that the peak times for visitors to the development will vary throughout the day. It is considered that while it is agreed that there will be variation in parking demand throughout the day, the reliance on a private car park is flawed and inappropriate. Any proposed development of this site should
provide a compliant amount of car parking on site to meet the expected parking demand of the development.

Council’s Traffic Engineers do not support a reduction in parking for this development given the site’s context and lack of external parking opportunities.

Further, it is noted that upon reviewing the submitted waste management plan, prepared by Lid Pty Ltd, it is indicated that the large retail tenancy may be used as a supermarket. It is considered that consideration of this use in relation to parking should have formed part of any permit application as the parking rate for a supermarket is greater than that of the shop use proposed and would likely place additional pressure on car parking availability.

Detailed Layout

The layout of the basement car park is simple in design and configuration and allows ease of use for apartment dwellers. Car parking would be allocated to each apartment to avoid congestion in the car park. Visitor car parking would be located near the entry to the car park and would have an aisle turning area available if all visitor spaces were occupied. It is noted that column locations have not been identified and to comply with the Design Guidelines of Clause 52.06-8, the layout and number of car spaces provided within the basement may need to be reviewed.

Disabled Car Spaces

Two (2) disabled car spaces have been provided within the basement level and an additional disabled space is provided within the at grade car parking area. It is considered that this is an appropriate design response.

Clause 52.34 Bicycle Parking

Under Clause 52.34 Bicycle Facilities of Wyndham Planning Scheme, the proposed development is required to have the following rate of provision for bicycle parking:

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Rate for Residents/Employees</th>
<th>Rate for Visitors</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dwellings – 4 or more storeys</td>
<td>1 space per 5 dwellings @ 41 apartments = 8 spaces</td>
<td>1 space per 10 dwellings @ 41 apartments = 4 spaces</td>
<td>15 spaces</td>
</tr>
<tr>
<td>Restaurant (115 seats)</td>
<td>1 space per 100m² of floor area available to the public.</td>
<td>2 plus 1 to each 200m² of floor area available to the public if the floor area available to the public exceeds 400m²</td>
<td>11 spaces</td>
</tr>
<tr>
<td>Retail Premises* (89m²)</td>
<td>1 space per 300m² = 0.30</td>
<td>1 space per 500m² = 0.18</td>
<td>2 spaces</td>
</tr>
</tbody>
</table>
The development provides 12 bicycle spaces within the basement level and 21 bicycle spaces at ground level in various locations. It is considered that the proposed development fully complies with Clause 52.34.

**Clause 52.07 Loading and Unloading of Vehicles**

**Purpose**

- To set aside land for loading and unloading commercial vehicles to prevent loss of amenity and adverse effect on traffic flow and road safety.

The table to clause 52.07 states that an area of 27.4 sqm with a length of 7.6m and width of 3.6m with a height clearance of 4m must be provided to floor areas of 2,600 or less in a single occupation.

A loading bay is indicated within the at-grade car parking area adjacent to the retail units. Whilst dimensions are not indicated on the plans it is considered that a loading bay of sufficient dimensions can be accommodated on the site. Whilst it is considered that a loading bay of sufficient dimensions can be accommodated, it is not considered that the proposed loading bay and arrangements are appropriate and do not meet the purpose of the zone which is to set aside land for loading and unloading commercial vehicles to prevent loss of amenity. As identified in the Waste Management Plan waste collection vehicles will have to undertake a 3 point turn in order to access the site, collect waste and exit. This will be a similar arrangement for vehicles loading or unloading goods for the retail units. Given that the Waste Management Plan makes reference to a proposed supermarket for retail shop 8 which will likely require frequent loading and unloading of goods, the proposed loading arrangements are unacceptable and will lead to an conflict with pedestrians and car park users during loading times.

**Clause 52.35 Urban Context Report and Design Response for Residential Development of Five or more Storeys**

Clause 52.35 requires an urban context report to be prepared before a residential development of five or more storeys is designed and that the design responds to the existing urban context and preferred future development of the area. This is reflected within Clause 15.01-2, which requires the Responsible Authority to consider the Design Guidelines for Higher Density Residential Development (Department of Sustainability and Environment, 2004) in assessing the design and built form of residential development of five or more storeys.

An assessment against these Guidelines has been undertaken as outlined below. The guidelines are structured around under six elements of design consideration: urban context, building envelope, street pattern & street edge quality, circulation & services, building layout and design, and open space & landscape design. Under each element is a series of design objectives.
ELEMENT 1 – URBAN CONTEXT
Neighbourhood Character and Strategic Context

Objective 1.1: To ensure buildings respond creatively to their existing context and to agreed aspirations for the future development of the area.

Wyndham Planning Scheme has no specific overall development framework which provides guidance for the development of an apartment complex on the subject land. State and local planning policy however, supports higher density residential development in, and close to, activity centres.

The apartment design submitted for approval involves a building of five levels plus basement car parking and development of residential apartments above the restaurant proposed to the south of the subject site. Development in the surrounding area is generally one or two levels. While it is noted that the development has been separated from the abutting dwellings to the north-west by locating the at grade car park along this interface, the five storey built form will be a dominating feature when viewed from the secluded private open space areas of these dwellings. Additionally, the lack of any real articulation in the north-western elevation of the development will exacerbate the visual bulk to these properties.

The overall height of the development and lack of varied setbacks results in an inappropriate transition in built form between the golf club and residential properties, which are all 2 storeys in height. The development of a 5 storey built form will tower over the existing built form in the area and present as an alien element within the Sanctuary Lakes Estate.

The subject land is located within a planned activity centre area and is nominated as an area for Centre Facilities within the Sanctuary Lakes Development Plan.

On this basis, whilst the subject site is appropriate for a mixed use development, the proposed scale of the development must consider the surrounding built form context. As proposed, the overall scale of the built form is inappropriate.

Design Response
Objective 1.2: To provide a creative design response that is based on a clear understanding of the urban context and neighbourhood character.

The subject site is located within a location that has a demonstrated mixed use character, primarily due to the golf club and its associated facilities, the recreation centre and residential developments. Additionally, this is an area where mixed use development is encouraged to create a small neighbourhood activity area to service local needs.

As discussed above, it is considered that the proposed development has not adequately considered the existing or future urban context or neighbourhood character of the area. The proposed built form, at 5 storeys, is an inappropriate design response that will overwhelm the surrounding built form.
ELEMENT 2 – BUILDING ENVELOPE

Height and Massing

Objective 2.1: To ensure that the height of new development responds to existing urban context and neighbourhood character objectives of the area.

The proposed development seeks approval for an overall building height of 19.5 metres (5 storeys). The surrounding built form is typically double storey in height (approximately 9 metres). As such, the proposed built form is in excess of double the height of the surrounding built form context. It is acknowledged that the primary views of the development will present as 4 storeys in height, however due to the separation between the development and the adjoining sensitive interfaces to the west, the upper level will be highly visible. This design response has not considered the existing site context and will present a built form that is not in keeping with the character of the area and does not provide an appropriate transition in building height.

Additionally, the subject site is located within a wider area which is designated for incremental area in the Wyndham Housing and Neighbourhood Character Strategy, where built form is expected to be a maximum of three storey’s in height.

Objective 2.2: To ensure new development is appropriate to the scale of nearby streets, other public spaces, and buildings.

The proposed development when viewed from Greg Norman Drive will present as a four storey built form. When considered within its corner location abutting double storey dwellings to the northwest and an at grade car park (and double storey golf club) to the south-east, and fairways to the northeast, the proposed development will be a built form that is drastically higher. This scale of development, with no variation in setbacks, is inappropriate and will dominate the surrounding area.

This scale of development will be also viewed from the residential areas on the opposite side of the lake. It is noted that the ground level of Block A incorporates similar features as the existing recreation centre, however the height and scale of the development will be immediately apparent and incongruous within the context.

Objective 2.3: To protect sunlight access to public spaces.

Upon reviewing the submitted shadow diagrams and considering the orientation of the site, it is considered that there will be limited impact to existing or proposed public spaces.

Street Setbacks

Objective 2.4: To respond to existing or preferred street character.

The proposed setbacks of the development are considered appropriate and respond to its commercial 1 zoning, which allows 0 metre setbacks. Additionally, the location of the at grade car parking area along the interface with the abutting residential land provides some visual relief and separation between the development and sensitive areas of the adjoining dwellings.

Relationship to Adjoining Buildings

Objective 2.5: To ensure building separation supports private amenity and reinforces neighbourhood character.

As noted above, the separation between the proposed development and the adjoining residential land to the northwest is considered to be appropriate and will limit unreasonable amenity impacts due to overlooking and overshadowing. The same cannot be said for the dwellings to be located over the restaurant to the south of the subject site as they may result in overlooking from the rooftops areas and would present as visually dominant when viewed from
the adjoining property to the west. It is noted however, that the overall height of the development, while setback, will still present a visually dominant built form when viewed from the adjoining secluded private open space areas.

Objective 2.6: To ensure areas can develop equitable access to outlook and sunlight.
In addressing sunlight to adjoining private open spaces, the Design Guidelines for Higher Density Residential Development refer to Clause 55 of the Planning Scheme. Clause 55.04-5 states that at least 75% or 40 square metres of the secluded private open space of an existing dwelling should receive a minimum of 5 hours of sunlight between 9.00am and 3.00pm on 22 September. Upon reviewing the submitted shadow diagrams, the shadows are considered minimal (in size, duration and effect) and fully comply with Standard B21 (Overshadowing) by providing at least 5 hours of sunlight during the equinox.

In terms of outlook, the dwellings abutting the subject site to the northwest have outlooks across to Sanctuary Lakes. The proposed development will restrict these outlooks. However, in this instance it is considered acceptable as the dwellings do not include any upper level balconies that capitalise on this view and the currently approved development for the subject site will limit any views.

Objective 2.7: To ensure visual impacts to dwellings at the rear are appropriate to the context.
The layout and design of the development as such that there is no clear ‘rear’ to the built form. Each of the elevations include balconies, windows, recesses and varied materials and finishes to present an interesting built form when viewed from adjoining properties. However, while the building is separated from the adjoining residential land, the height and scale of the development is inappropriate and will be visually dominant.

Views To and From Residential Units
Objective 2.8: To maximise informal or passive surveillance of streets and other public open spaces.
The majority of apartment dwellings would have views to the golf course, the street frontages, recreational facilities, and Sanctuary Lake. Passive surveillance to both streetscapes and water side is provided, particularly by upper level apartments through the location of balconies and habitable room windows.

Objective 2.9: To maximise residential amenity through the provision of views and protection of privacy within the subject site and on neighbouring properties.
The majority of apartment dwellings would have views to the golf course, the street frontages, recreational facilities, and Sanctuary Lake. Additional views will be provided from the communal roof top, including distant city views and views of Port Phillip Bay.

Internally, the apartments all achieve a high degree of privacy. Additionally, due to the layout of the dwellings, there will be limited internal overlooking opportunities within the development.

The sensitive interface in this instance is to the northwest, which includes a number of secluded private open space areas and habitable room windows. The elevation plans indicate that all balconies with views to these areas will be screened to a height of 1.7 metres above finished floor level. However, it is noted that a number of large windows are proposed and no details are provided on any screening methods proposed. A condition on any permit issued can be
included to ensure that screening along this elevation is provided in accordance with Standard B22 of the Wyndham Planning Scheme.

Apartment dwellings by their nature, offer less privacy than other types of residential dwellings. However, reasonable levels of privacy would be achieved for most of the dwellings without direct overlooking into the private open space of other apartments or neighbouring dwellings.

**Wind Protection**

*Objective 2.10: To ensure new tall buildings do not create adverse wind effects.*
The proposed development is 5 storeys in height and is located within a location where built from is typically 1-2 storeys in height. The proposed development is not considered high enough to create adverse wind effects within this context.

**Roof Forms**

*Objective 2.11: To treat roof spaces and forms as a considered aspect of the overall building design.*
The proposed roof form is considered appropriate and is generally used for a communal roof top garden area, incorporating some landscaping opportunities.

**ELEMENT 3 - STREET PATTERN AND STREET-EDGE QUALITY**

**Street Pattern and Street Edge Integration**

*Objective 3.1: To create walkable areas within a safe and interesting public setting.*
The proposed development provides an active frontage to the public realm through the provision of retail, restaurant, and café uses, and the access to the retail component from both the existing footpath and the proposed car park is appropriate. Additionally, due to the development being raised above the existing footpath level, visitors to the site are required to walk to either the northern or southern ends of the development to gain access to the proposed public access way area to the tenancies.

*Objective 3.2: To closely integrate the layout and occupation patterns of new development with the street.*
The proposed development’s layout has been designed to create active frontages to the existing streetscape and activates the existing water front interface. It is noted that this development is the last site within this proposed activity area and will create the layout of the commercial area within this setting.

*Objective 3.3: To ensure car parking does not dominate the street frontage.*
The basement car park would be accessed from Greg Norman Drive via an accessway which would be effectively screened when viewed from the street. No car parking would dominate this street. The at grade car parking area is located behind the proposed building and will be screened from view.
Building Entries

Objective 3.4: To create street entrances with a strong identity that provide a transition from the street to residential interiors.

The location of the dwelling entry points are appropriate for this form of development and are located centrally within the buildings.

Objective 3.5: To ensure car park entries do not detract from the street.

It is considered that the car parking entries will not detract from the streetscape. The crossovers are appropriately located and maximise the active frontages of the development.

Front Fences

Objective 3.6: To avoid creating inactive frontages as a result of fencing private open spaces.

No private open space areas are proposed at ground level and the ground level is maintained as an active commercial interface.

Objective 3.7: To ensure that front fences respect and contribute to the neighbourhood character.

No front fencing is proposed.

ELEMENT 4 - CIRCULATION AND SERVICES

Parking Layout

Objective 4.1: To provide adequate, safe and efficiently designed parking layouts.

The layout of the basement car park is simple in design and configuration and allows ease of use for apartment dwellers. Car parking would be allocated to each apartment to avoid congestion in the car park. Visitor car parking would be located near the entry to the car park and would have an aisle turning area available if all visitor spaces were occupied. It is noted however that column locations have not been identified and to comply with the Design Guidelines of Clause 52.06-8, the layout and number of car spaces provided within the basement may need to be reviewed which may affect the number of car parking spaces available within the basement.

Two (2) disabled car spaces have been provided within the basement level and an additional disabled space is provided within the at grade car parking area. It is considered that this is an appropriate design response.

Objective 4.2: To provide safe and convenient access between car parking and bicycle areas and the pedestrian entry to buildings.

Access to the residential lobby within the basement parking area is considered appropriate and consistent with similar developments of this form. Access from the ground level car parking area to the residential and commercial components is appropriate and convenient.
Circulation Spaces

Objective 4.3: To create shared internal spaces that contribute positively to the experience of living in higher density development.

All proposed apartment dwellings would be accessed via doors from internal lobbies within the development. Internally within the lobbies, all of the front doors of apartments would be off-set so that they do not directly face each other - this feature improves privacy and reduces the transference of noise between apartments via lobby areas.

The shape of the apartment footprint would create internal lobbies that are appropriate in area and consistent with this form of development. Apartments on all levels would be able to be accessed internally without leaving the building. All apartment dwellers would be able to access all liftwells and stairwells due to the connected lobby areas, which is an added safety feature.

A communal rooftop garden, gymnasium, theatre and outdoor kitchen are provided for all residents to use.

Site Services

Objective 4.4: To minimise running and maintenance costs.

The internal accessways within the development do not include any natural lighting or ventilation opportunities, which in this form of development is inappropriate and will increase the reliance on artificial lighting and ventilation.

Objective 4.5: To minimise water use.

No details for the provision of measures to minimise water usage have been provided or included within the design of the development. It is considered that any permit issued should include a condition requiring the submission of a BESS report demonstrating best practice.

Objective 4.6: To incorporate provision for site services in the building design to ensure good function and ease of service and maintenance.

No refuse chutes from upper floor levels are proposed for the building. Residents would be required to access the waste storage room on the ground floor within the parking area for the disposal of waste. This arrangement is considered unacceptable given the need for residents to exit the building and dispose of rubbish in what is effectively a public area.

The applicant reports that waste collection facilities would include appropriate bins for the residential, and commercial components of the development for the total weekly waste needs. Notwithstanding this, a permit condition will state that private waste collection is required and required a waste management plan to be prepared to Council’s satisfaction. All mailboxes would be located at within the main residential lobbies of each building component to allow for easy access by Australia Post and all residents.
ELEMENT 5 – BUILDING LAYOUT AND DESIGN

Dwelling Diversity

Objective 5.1: To provide a range of dwelling sizes and types in higher density residential developments.

Higher density residential development is expected to cater for a diverse range of household types in the future, particularly smaller household types. The building would incorporate a good mix of dwelling types including 46 one bedroom dwellings and 6 three bedroom dwellings. A mix of dwelling types would be represented on each floor level.

All apartment dwellings are capable of being accessible for people with limited mobility through ramped pedestrian entries and via elevators to all parts of the building.

Building Layout

Objective 5.2: To optimise the layout of buildings in response to occupants’ needs as well as identified external influences and characteristics of a site.

The location of the mixed use development is appropriate (at a lower scale) and will be within easy access to nearby commercial, recreational and entertainment facilities in the surrounding area.

A communal roof top area including a number of services is provided.

There are multiple entry points to the apartment complex and the design and layout of the basement car park would have minimal impact on the amenity of the streetscapes which would have a primarily pedestrian focus.

Objective 5.4: To ensure that a good standard of natural lighting and ventilation is provided to internal building spaces.

The design of the internal building layout is inappropriate and provides no natural lighting or ventilation to any of the circulation spaces. This is a poor design outcome for the development.

Objective 5.5: To provide adequate storage space for household items.

Each apartment would be provided with storage within the dwelling in the form of wardrobes in each bedroom, kitchen cupboards and a storage cupboard. The apartment complex would be provided with shared space for the parking and storage of bicycles for both residents and visitors. General storage space for each dwelling would be located in the basement with individual lockers available of approximately 6m³.

Design Detail

Objective 5.6: To promote buildings of high architectural quality and visual interest.

The angled and flat roof form, use of glass for transparency and application of different materials and colours combine to create an interesting, contemporary building. Sufficient recessing is included to reduce the massing to the streetscape. The proposed design of the development is visually interesting and appropriate for this form of development.
ELEMENT 6 OPEN SPACE AND LANDSCAPE DESIGN

Private and Communal Open Space

Objective 6.1: To ensure access to adequate open space for all residents.
The proposed apartment complex would be located close to the recreational trails surrounding Sanctuary Lake.

The proposed apartment dwellings are generally provided with private open space in the form of balconies (minimum 9.4m²) or roof top terraces. In addition, a communal roof top garden with a gymnasium, theatre and outdoor kitchen are provided for the use of residents.

Objective 6.2: To ensure common or shared spaces are functional and attractive for their intended users.
The proposed communal areas are attractive and functional and will be an asset for future residents within the development.

The use and maintenance of the two communal open space areas would be controlled by the owners corporation.

Objective 6.3: To allow for solar access to the private and shared open spaces of new high density residential units.
(See 6.1 & 6.2 above)

Public Open Space

Objective 6.6
To create public open space appropriate to its context.
(See 6.1, 6.2 and 6.4 above)

General Provisions

Clause 65 – Decision Guidelines

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in Section 60 of the Act;
- 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, overlay and other provision;
- Any matter required to be considered in the zone, overlay or other provision;
- The orderly planning of the area;
- The effect on the amenity of the area;
- The proximity of the land to any public land;
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality;
• Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site;
• The extent and character of native vegetation and the likelihood of its destruction;
• Whether native vegetation is to be or can be protected, planted or allowed to regenerate;
• The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimize any such hazard.

The application has been assessed against the decision guidelines at clause 65 and the proposal is not found to comply with a number of the matters listed.

In particular, the proposed development does not adequately the relevant State and Local Planning Policy Frameworks (Clause 15.01-2 (Urban design principles) & Clause 21.06-1 (Urban Environment) and will result in an inappropriate development outcome within the area. It is considered that the proposed development has not adequately addressed the Purpose and Decision Guidelines of the Commercial 1 Zone and will result in a development outcome for the site that is inappropriate and will not result in a net community benefit.

Additionally, while it is acknowledged that the proposed mix of uses will contribute to creating a vibrant mixed use centre in Sanctuary Lakes, it is considered that the provision of parking and scale of the built form will impact upon the amenity of the surrounding area.

Referrals

No statutory referrals were required under Clause 66.02 of the Wyndham Planning Scheme. Non-statutory referrals were sent to the Department of Defence due to the subject site’s proximity to RAAF Base Williams (Point Cook). Responses were provided with no objection subject to permit conditions relating to ensuring that no structures above a certain height above Australian Height Datum and that the materials and finishes and lighting are appropriate and non-reflective given its proximity to the aerodrome. In addition, notification of the use of any cranes during construction is to be provided to the Department.

Referrals were sent to a number of Council departments – comments and responses are summarised below.

| Building Services | No objections subject to the development complying with the relevant Building requirements and Australian/New Zealand Standards relating to access from the car spaces to entrances, disabled access, and appropriate toilet and cleaning facilities. Officer Response These are matters that will be addressed at the Building Permit stage of any Planning Permit approved. It is noted that any amendments to the development that are required under any Building Permit issued will need to be reflected within any plans endorsed under any issued Planning Permit. |
| City Presentation | The City Presentation Department does not support the proposed development as it is considered to be an overdevelopment of the site and that |
it does not reflect the surrounding character of the area, will adversely impact upon the amenity of the surrounding uses, does not provide adequate car parking, and does not provide public open space areas for the surrounding uses.

**Officer Response**

Town Planning share the concerns raised by City Presentation and this is discussed under the Assessment section of this report (Section 2).

**Engineering – Traffic (independent review of Traffic Impact Assessment undertaken by an external consultant – OneMileGrid)**

As detailed under Objective 4.1 in the assessment section of this report, the application seeks a reduction of parking of 105 spaces for the development. This is having regard to all proposed uses across the site including the restaurant, café, retail units and apartments. The proposed dispensation is not considered to be appropriate and Council’s traffic engineers have agreed with this based on the lack of available overflow parking options in the area.

The Traffic Assessment has been independently reviewed by OneMileGrid. OneMileGrid estimated that it is too conservative to assume all uses generated at the site generate peak demand concurrently, and as such a reduction can be expected given the temporal nature of demands associated with the non-residential uses on-site.

They estimated that assuming the balance of parking demands generated by the proposal generally accord with the temporal profile identified by TTM, they would expect demands for 82 spaces, 86 spaces and 99 spaces to be generated during the weekday daytime, weekday evening and weekend daytime periods respectively.

With only 36 car spaces remaining available for use on-site (having extracted the spaces requirement for residential component), they expect that the use may generate a shortfall of demand for between 46 and 63 spaces.

The submitted traffic report identified vacancies within the adjoining golf club house and recreation centre carpark however this is a private car park and not available to the applicant for use. OneMileGird have identified that there is the possibility that insufficient parking will be available to accommodate the significant shortfall generated by the proposed development and Council would be in agreement with this given the adjoining car park is in private ownership and there are no other opportunities in the vicinity of the site for overflow parking.

OneMileGrid also raised a number of additional issues including the need for the location of all columns to be indicated which will affect car parking provision in the basement, appropriate swept paths showing independent access in both directions from the basement ramp and any barrier and access system.

They did note however that whilst the daily traffic estimates indicate that...
around 1,272 vehicle movements will be generated each day, existing traffic volumes are low enough that no significant increases to queues or delays are expected.

**Officer Response**

Council is in agreement with the findings of the independent review of the traffic assessment with regards to parking demand such that concerns are raised about where any overflow parking will occur given the adjoining carparking area is in private ownership and according to objectors, is regularly at capacity. In addition, no surrounding on street parking is available which may lead to unacceptable parking pressures in the area. In terms of traffic generation however, OneMileGrid are of the opinion that there will be no significant impact to the surrounding road network.

### Waste Management

No objection subject to a condition requiring a Waste Management Plan with arrangements for private waste collection.

**Officer Response**

A condition can be included on any permit issued. It is noted that while the submitted Waste Management Plan indicates that private collection will be undertaken and that this report is supported by the Waste Management Department, it is considered by the Town Planning department that the location of the waste collection areas is inappropriate and the collection arrangements are inappropriate. This is discussed in detail later in this report.

### Environmental Health

No objections subject to conditions.

**Officer Response**

All relevant conditions can be included on any permit issued.

### Strategic Planning

The Strategic Planning Department raised concerns in relation to the overall height of the development and its response to the Wyndham housing and neighbourhood Character Strategy in relation to the scale of the development.

**Officer Response**

Town Planning share the concerns raised by Strategic Planning and this is discussed under the Assessment section of this report (Section 2). Whilst it is noted that the Wyndham Housing and Neighbourhood Character Strategy does not apply to the subject site as it is commercially zoned land, the surrounding areas are included in the Strategy as areas for incremental change which is reflective of the type and scale of development anticipated for the area. This includes townhouses, units, dual occupancies, and detached houses.
3. Community Consultation

The application was received on 15 February 2016. Following Council discussions with the applicant, further information was requested and plans were revised. Pursuant to Clause 43.04-2, an application under any provision of the Wyndham Planning Scheme which is generally in accordance with the development plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. Notwithstanding, Council undertook informal notice of the application on 14 June 2016 and one hundred and seventy six (176) objections were received to the proposed development. It is noted that objecting parties do not have third party review rights in this instance.

The application was heard at the Town Planning Forum of 29 August 2016. All items raised have been taken into account in this assessment and recommendation. A summary of the content of the objections and officer responses is included in the table below.

<table>
<thead>
<tr>
<th>Summary of Objection Topics</th>
<th>Officer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parking concerns - Inadequate car parking provision, reliance on adjoining private car park is inappropriate, no on-street parking in the area, private car park regularly overflows, not enough visitor parking</td>
<td>Council shares the concerns raised by objectors in relation to the inadequate car parking provision to serve the development. The dispensation requested is not considered appropriate for the subject site. Refer to Objective 4.1 of Council’s consideration of the Design Guidelines for Higher Density Residential Development above for further details.</td>
</tr>
<tr>
<td>The proposed café and restaurant is not required in the area – there are enough similar facilities in the area.</td>
<td>The supply of similar services in the area is not a material planning consideration. In any case it is noted that a Food and drink premise is a permissible use under Commercial 1 Zone. In addition, the site benefits from a planning permit for a café and restaurant which can be developed using the approved 2011 permit which is still valid.</td>
</tr>
<tr>
<td>Traffic congestion – 171 medium density dwellings within 500m of the site and traffic is already an issue.</td>
<td>The Traffic Impact Assessment submitted with the application estimates that the development is expected to generate 1,272 vehicles per day. They estimate that the analysis is well within acceptable limits and the proposed development would have a negligible impact on the operation of the road network. Council’s independent reviewer of the assessment considered that this was a reasonably conservative estimate of traffic movements generated by the proposal and existing traffic volumes are low enough that no significant increases to queues or delays are expected. It is noted however that traffic volumes differ from parking availability and this has been considered separately.</td>
</tr>
</tbody>
</table>
Summary of Objection Topics | Officer Response
--- | ---
Overdevelopment of the precinct | Council shares the concerns that the development is an overdevelopment of the site. It is considered that the proposed development is an overdevelopment of the site and has not appropriately considered the strategic context of the site.

Lack of infrastructure, Telstra exchange is at capacity, NBN not planned for a number of years. | A number of objectors have raised concerns about the current infrastructure being unable to cope with the strain on water and sewerage infrastructure and that the proposed development will exacerbate this. The applicant would be required to secure agreement with all relevant authorities to service the site appropriately.

Non-resident patrons/ uncertain character of proposed residents will add to crime and property damage | This is an unsubstantiated comment and is not a material planning consideration. There is no evidence to suggest that any future residents will be involved in criminal activities.

Proposal will have a negative effect on property value | VCAT has typically found that property devaluation is not a material planning consideration.

Demand in security requirements due to extra people in the area | The security arrangements of the estate are not a material planning consideration.

Single dwelling covenant on lots when the lot was purchased by the objector. | No such restriction or covenant affects the subject site.

Overshadowing as a result of the building | Upon reviewing the submitted shadow diagrams submitted with the application, the shadows are considered minimal (in size, duration and effect) and fully comply with Standard B21 (Overshadowing) by providing at least 5 hours of sunlight during the equinox.

Safety concerns for pedestrians on surrounding road network | It is noted that there are pedestrian paths along the eastern and northern side of the site and pedestrian connections within the site itself. There is no anticipated safety concerns identified with the proposals. Road safety and road rules remain in play and is the responsibility of motorists and pedestrians alike to take care and be aware on the road.
### Summary of Objection Topics

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>Proposal is not in accordance with the Development Plan – not considered to be centre facilities, original DP envisaged 2000 lots not 3000 which it currently has.</td>
<td>Clause 43.04-1 states that a permit granted must be generally in accordance with the development plan. Council is not in dispute that the development is not in accordance with the development plan. Whilst the original DP envisaged 2000 lots it is not considered that the approval of additional lots was not in accordance with the DP as the DP does not go into the level of detail whereby each lot is indicated on the plan, rather it is a broader plan for the area.</td>
</tr>
<tr>
<td>Golf Club’s objective to increase its membership will increase its traffic and parking requirements further</td>
<td>The long-term objectives of the Golf Club to increase membership is not a material planning consideration. Development in the area cannot be controlled on the basis that the Golf Club may seek to increase its members in the future and that such members will require car parking.</td>
</tr>
<tr>
<td>Effect on wildlife in adjoining lake</td>
<td>There is no anticipated impact on the adjoining lake. The proposal is a mixed use development which is unlikely to have activities that will impact on wildlife.</td>
</tr>
<tr>
<td>Residents had been advised it would be a 1 to 1.5 level mixed use site including shops, medical centre and offices</td>
<td>There is no obligation for a developer to undertake the proposal referred to or to prohibit them for applying for an alternative proposal.</td>
</tr>
<tr>
<td>Lack of consultation with residents, no sign on site.</td>
<td>An application under any provision of the Wyndham Planning scheme which is generally in accordance with the development plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act. Despite the exemption, Council sent letters to adjoining land owners and occupiers as a courtesy to advise them of the proposal. There is no requirement to undertake advertising as specified in the Planning and Environment Act 1987.</td>
</tr>
<tr>
<td>Height restriction in the Sanctuary Lakes area is two storey</td>
<td>There is no such restriction or covenant registered on the title affecting the subject site. The Sanctuary Lakes Building Code (whilst not registered on the title) states that it is additional to statutory building and planning requirements, Council and any other relevant Authority. The owner is required to ensure that the dwelling complies with all statutory regulations and requirements in accordance with Wyndham City Council and any other relevant authorities.</td>
</tr>
<tr>
<td>Increased noise as a result of the development</td>
<td>There is no evidence that the proposal will result in increased noise above and beyond that which would be expected in a mixed use area (e.g. golf club, recreation club etc.).</td>
</tr>
</tbody>
</table>
Summary of Objection Topics | Officer Response
--- | ---
This will set a precedent for the area. | Each application is assessed on its own merits.
Visual Impact of the development – dominates this lake frontage location and is inappropriate | Council shares the concerns raised by objectors in relation to the visual impact. Whilst the main building is separated from the adjoining residential land, the height and scale of the development is inappropriate and will be visually dominant especially for dwellings adjoining the site to the south.
Height is inappropriate for the area | Council shares the concerns raised by objectors in relation to the height of the development. Whilst the building is separated from the adjoining residential land, the height and scale of the development is inappropriate and will be visually dominant especially for dwellings adjoining the site to the south.
Aircraft safety and height restrictions due to RAAF base nearby | Non-statutory referrals were sent to the Department of Defence due to the subject site’s proximity to RAAF Base Williams (Point Cook). Responses were provided with no objection subject to permit conditions relating to ensuring that no structures above a certain height above Australian Height Datum and that the materials and finishes and lighting are appropriate given its proximity to the aerodrome.
Not in compliance with Clause 55.02-1, Clause 55.06-4, 55.02-4, Clause 55.02-5, Clause 55.03, Clause 55.04-1 | It is noted that two objectors made reference to a number of considered conflicts with Clause 55 Rescode during their submission at the Town Planning Forum. Whilst the Decision Guidelines of Clause 34.01-8 require Council to consider the objectives, standards and decision guidelines of Clause 54 and Clause 55 this does not apply to a development of five or more storeys, excluding a basement. The Clause 55 assessment submitted with the application was submitted as information to assist in the decision making process and cannot be relied upon during the assessment of the application.
## Summary of Objection Topics

<table>
<thead>
<tr>
<th>Topic</th>
<th>Officer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste Management Arrangements, three point turn to access and exit the site is not appropriate, frequency of waste collections is not appropriate adjacent to residential interface, location of waste facilities is not appropriate</td>
<td>The plan submitted with the Waste Management Plan indicates the proposed route of the small waste truck and it is considered that there could be conflict between the pedestrians traversing the site and when waste is being collected and/or goods are being unloaded. The waste storage location to the north of the site is located along a boundary which is shared with the common property of the adjoining residential development. It is considered that this location is the most suitable location as it offers the least interface with sensitive residential areas. It is accepted that the adjoining residential areas will have some level of reduced amenity being located adjacent to a commercial zone where many uses are as of right, and it is considered that the frequency of waste collections is not unreasonable. In addition, conditions from the Environmental Health department would limit the waste collection to within the required EPA guidelines.</td>
</tr>
<tr>
<td>The basement may require water to be pumped from the basement on occasion and where are the cars to be parked during this process</td>
<td>There is no indication that the basement would be subject to flooding and it is considered that this is an unlikely occurrence. Nevertheless, given the sites location, a condition of permit could require geotechnical investigations to determine the suitability of the land for basement parking.</td>
</tr>
<tr>
<td>Loss of privacy</td>
<td>Concerns have been raised that the residential dwellings on the western boundary may suffer from a lack of privacy as a result of the roof gardens. Screening could address the issue of any overlooking from the rooftop areas. It is noted that the rooftop gardens for the main building are approx. 14m from the adjoining residential development however the rooftop gardens above the restaurant building would require screening to address overlooking.</td>
</tr>
<tr>
<td>Traffic Assessment Data - Bus route information in the traffic assessment was incorrect, no evidence about increase in cycling as stated in the report, survey data is out of date.</td>
<td>This has been noted during the assessment of the application.</td>
</tr>
<tr>
<td>Lack of public open space in the area – development does not propose to contribute to open space in the areas</td>
<td>Clause 52.01 relates to public open space contribution and requires a contribution to Council for public open space, only when the land is subdivided. The proposal does not include the subdivision of land.</td>
</tr>
<tr>
<td>Application is not for retirement living as stated by applicant at the Forum</td>
<td>Whilst the applicant made reference to the development being suitable to those retiring or entering retirement there is no indication in the plans submitted with the application that the proposal was aimed at this market.</td>
</tr>
</tbody>
</table>
WYP8999/16: 76 GREG NORMAN DRIVE POINT COOK - USE & DEVELOPMENT OF THE LAND FOR A FIVE STOREY BUILDING COMPRISING OF FIFTY-TWO (52) DWELLINGS (INCORPORATING ROOFTOP GARDENS, GYMNASIUM AND THEATRE), EIGHT (8) GROUND FLOOR RETAIL TENANCIES AND A REDUCTION IN CAR PARKING.  (cont’d)

<table>
<thead>
<tr>
<th>Summary of Objection Topics</th>
<th>Officer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Out of character – area is low to medium density development, not high density</td>
<td>Whilst the subject zoning and Housing Strategy does not preclude the site for high density residential development, there is concern that the proposal is out of keeping with the character of the area by way of its significant height and visual bulk.</td>
</tr>
<tr>
<td>The golf club house should be the key feature of the Sanctuary Lakes area</td>
<td>There is no requirement for the Golf Club house to be the key feature building in the area and this does not preclude other sites from being developed with landmark or feature buildings.</td>
</tr>
<tr>
<td>The Sanctuary Lakes Board have not provided consent to utilise the private car park and which they have relied on in their assessment. The car park may be enclosed with boom gates should the proposal be approved</td>
<td>Consent to utilise the private car parking area is required and such consent would have been required had Council been in support of the application.</td>
</tr>
<tr>
<td>Visitors and patrons may miss the location of the proposed car parking areas on site and rely on the private car park</td>
<td>Adequate directional signage showing locations of proposed parking areas could address this issue.</td>
</tr>
</tbody>
</table>

4. **City Plan/QCP**

4.2 Built - To work in partnership with the Wyndham community to educate and enable residents and businesses to plan and make changes to their lifestyles and practices, to contribute to a sustainable, green and clean Wyndham City.

5. **Social Implications**

The proposed apartments provide a range of dwelling sizes (two and three bedroom dwellings) which will positively contribute to the municipality’s housing mix. A range of communal areas are proposed with the apartment complex. The provision of the food and drink premises and retail uses will provide an additional amenity for local residents and visitors. The development will provide passive surveillance Greg Norman Drive and access road to the Golf Club.

6. **Environmental Implications**

The proposal will utilise a vacant site. The proposal includes limited landscaped areas within the site to contribute to the landscaped character of the area. As proposed, the development provides landscaping impacted to small trees within the café area and within the ground level parking area with the majority of landscaping being located within planter boxes along the street edge and within the roof top deck areas.

It is unclear what, if any, environmental design features are proposed, however, it is noted that upon reviewing the internal layout of the apartment building within Block B, no natural light or ventilation is proposed, which will requiring full reliance on artificial lighting and ventilation within the common areas.
7. Economic/Employment Considerations

In the short term, construction jobs will be generated by the proposed development. In the medium and long term, staff jobs will be generated by the operation of the food and drink premises and servicing of the apartment building.

8. Conclusion

It is considered that the proposed development has failed to adequately address the relevant State and Local Planning Policy Frameworks, and relevant Planning Scheme considerations.

The proposed built form, at 5 storeys in height, is inappropriate within the surrounding site context and will result in a built form that is inappropriate for the area. It is acknowledged that the form of the development is appropriate for the site as it is located within an area where this form of mixed use development is expected to enhance the emerging activity area.

The proposed parking provision for the development is inappropriate and will result in significant parking and traffic generation issues within the surrounding area.

The internal layout of the building, while generally consistent with this form of development fails to provide a response that reduces the energy and water consumption of the development and provides no details on any environmentally sustainable design initiatives. This will result in common areas within the development that will have poor amenity.

Overall the proposed development will not result in a net community benefit and will unreasonably impact upon the amenity and character of the surrounding area. On this basis, it is recommended that the proposed development be refused.
Summary
Planning permit application WYP8740/15 proposes building and works associated with the extension of the existing shopping centre, a reduction of the required number of car parking spaces required under Clause 52.06 and display of business identification signage at 300 Point Cook Road, Point Cook.

The application was received on 7 October 2015. Following Council discussions with the applicant, further information was requested and revised plans provided. The application was advertised in June 2016 and seventeen (17) objections were received to the proposed development.

The proposal was discussed at the Town Planning Forum on 8 August 2016 which was an opportunity for the applicant and objectors to air their views about the proposal to Councillors.

It is recommended that Council issue a Notice of Refusal to Grant a Permit for the proposed development.

Attachments
1. View Plans - printed in separate document

Officers’ Declaration of Interests
Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Director City Operations - Stephen Thorpe
In providing this advice as the Director, I have no disclosable interests in this report.

Manager Planning & Building - Peter Van Til
In providing this advice as the Manager, I have no disclosable interests in this report.

Town Planning Officer - Neasa Moylan
In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues
- Number of objections.
- Compliance with Wyndham Planning Scheme- in terms of car parking provision and compliance with State and Local Planning Policy and consideration of Wyndham Activity Centres Strategy 2016.
WYP8740/15: 300 POINT COOK RD POINT COOK - BUILDING AND WORKS ASSOCIATED WITH THE EXTENSION OF THE EXISTING SHOPPING CENTRE, A REDUCTION OF CAR PARKING SPACES AND DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE (cont’d)

RECOMMENDATION

That Council issue a Notice of Decision to Refuse a Permit for building and works associated with the extension of the existing shopping centre, a reduction of the required number of car parking spaces required under Clause 52.06 and display of business identification signage at 300 Point Cook Road, Point Cook on the following grounds:

1. The proposal fails to provide sufficient car parking as required under Clause 52.06 (Car Parking) of the Wyndham Planning Scheme and is expected to lead to an increased pressure for on-street parking in the surrounding area to an unacceptable degree.

2. The proposal does not comply with Clause 65 Decision Guidelines as the development will have an adverse impact on the amenity of the area due to the lack of parking provision required to serve the proposed development as required under the Wyndham Planning Scheme Clause 52.06.
1. **Background**

Planning permit application WYP8740/15 proposes building and works associated with the extension of the existing shopping centre, a reduction of the required number of car parking spaces required under Clause 52.06 and display of business identification signage at 300 Point Cook Road, Point Cook.

The application was received on 7 October 2015. Following Council discussions with the applicant, further information was requested and revised plans provided. The application was advertised in June 2016 and seventeen (17) objections were received to the proposed development.

The proposal was discussed at the Town Planning Forum on 8 August 2016 which was an opportunity for the objectors to air their views about the proposal to Councillors.

**Site, Surrounds and History**

The subject site is known as 300 Point Cook Road and is shown as Lot D on PS 422332 and has a site area of 5.426 ha. The site is an irregular rectangular shaped corner lot with a frontage of 218.46m to Jamieson Way and 172.31m to Point Cook Road. Kirkstone Road follows the site’s western side boundary. The site is relatively level and located on the north western corner of Jamieson Way and Point Cook Road.

The site is occupied by Sanctuary Lakes Shopping Centre which comprises of car parking abutting both street frontages and a shopping centre with numerous small retail premises, restaurants, medical centres and larger tenancies being KMART, Aldi and Coles supermarkets. A Shell Service Station is also located on the site adjoining Jamieson Way.

The shopping centre mall has two separate pedestrian entry points at the south eastern point of entry and southern side façade. A service and loading areas are located at the northern side of the site to the rear of the Centre with separate vehicle access from a vehicle crossing at the northern side boundary abutting Point Cook Road.

Vehicle access to the main shopping centre is available via three existing vehicle crossovers from Point Cook Road, Jamieson Way and Kirkstone Road.

**North:**

To the north the subject site adjoins the Sanctuary Lakes Hotel and associated car park which faces Point Cook Road, five residential lots also abut part of the site’s northern side boundary near Zone 6.

**East:**

Point Cook Road is a dual lane road separated with a landscaped median strip. Residential development is located on the eastern side of Point Cook Road opposite the subject site, however, separated by a landscape strip. Sanctuary Lake is located about 300m directly east and the Golf Course to the north east.
South and west:
Residential development is also located on the southern side of Jamieson Way and Western side of Kirkstone Road.

A recent aerial photograph of the site and surrounding area is depicted below:

Subject Site and Surrounding Area

2. Discussion

Proposal

It is proposed to construct buildings and works to create new tenancies, associated landscaping works, display signage, seek a car parking reduction and other minor works at the subject site.

Zone 1
- Construction of three new tenancies comprising retail and convenience restaurant; comprising Tenancies No.s 1,2, and 3.
- Slightly increase area of existing retail premise; Tenancy 4 on the south facing façade at ground level.
- A new first floor office above tenancies 1-3.

These tenancies will have external shop fronts and access from an external landscaped pedestrian walkway. Landscape works comprise planter boxes, new seating and bicycle parking spaces abutting the existing car park. A service area and stairwell are also proposed to the first floor. Covered outdoor seating is also proposed as part of the convenience restaurant.

Zone 2
A new freestanding convenience restaurant with covered outdoor seating (T6) is proposed surrounded by car parking and landscaped pedestrian walkway. Bicycle parks, outdoor seating and modified standing bays and disabled parking are also proposed.
WYP8740/15: 300 POINT COOK RD POINT COOK - BUILDING AND WORKS ASSOCIATED WITH THE EXTENSION OF THE EXISTING SHOPPING CENTRE, A REDUCTION OF CAR PARKING SPACES AND DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE (cont’d)

Zone 3
Construction of two new convenience restaurants (T7 & T8) with associated covered outdoor seating abutting the site’s eastern side boundary with Point Cook Road at the north eastern corner of the site are proposed. Two ATMs are also proposed on the western elevation of T8. Both restaurants are proposed within the site’s existing landscaped verge and would abut Point Cook Road. Tenancy 7 will be a freestanding restaurant and Tenancy 8 abuts an existing tenancy to the west.

Zone 4
Construction of building works to extend an existing medical centre by 150 sqm comprising consulting rooms for 8 practitioners. The works are to the rear of the shopping centre and the existing internal pedestrian access to the centre will be maintained. It is also proposed to line mark car parking in this zone, for staff parking, which is accessed via the service/loading area access point off Point Cook Road.

Zone 5
It is proposed to extend the existing supermarket by 800sqm in floor area. The works would be constructed within part of the existing rear service zone to the rear of the existing supermarket. Existing internal pedestrian access arrangements to the supermarket will continue.

In summary:

<table>
<thead>
<tr>
<th>Zones 1</th>
<th>Floor area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tenancy 1– ground floor convenience restaurant</td>
<td>60 sqm</td>
</tr>
<tr>
<td>Tenancy 2 – ground floor retail</td>
<td>60 sqm</td>
</tr>
<tr>
<td>Tenancy 3– ground floor retail</td>
<td>50sqm</td>
</tr>
<tr>
<td>Tenancy 4– ground floor retail</td>
<td>Increase in 10 sqm (52 sqm total)</td>
</tr>
<tr>
<td>Tenancy 5 – first floor office</td>
<td>330 sqm</td>
</tr>
<tr>
<td>Zone 2</td>
<td></td>
</tr>
<tr>
<td>Tenancy 6– ground floor convenience restaurant</td>
<td>85 sqm</td>
</tr>
<tr>
<td>Zone 3</td>
<td></td>
</tr>
<tr>
<td>Tenancy 7– ground floor convenience restaurant</td>
<td>110 sqm</td>
</tr>
<tr>
<td>Tenancy 8– ground floor convenience restaurant</td>
<td>260 sqm</td>
</tr>
<tr>
<td>Zone 4</td>
<td></td>
</tr>
<tr>
<td>Ground floor medical centre extension – 8 practitioners</td>
<td>Increase in 150 sqm</td>
</tr>
<tr>
<td>Zone 5</td>
<td></td>
</tr>
<tr>
<td>Ground floor supermarket extension</td>
<td>Increase in 800sqm</td>
</tr>
<tr>
<td>FLOOR AREA TOTAL</td>
<td>1915sqm</td>
</tr>
</tbody>
</table>

Other minor buildings and works:
- Removal of children’s playground.
- Parts of paving removed from either side of the western entry.
• Removal of public seating near Zone 2 to other areas in Zone 1 and 2.
• Coles trolley bay relocated.

Parking and loading:

It is proposed to undertake buildings and works in accordance with the plans to;

• Remove 10 existing parking bays as a result of landscape and building works and 5 spaces behind the supermarket as a result of this extension.

• Construct:
  - 8 parking bays adjoining the western side shopping centre entrance
  - 12 parking bays at rear of the site behind zone 4
  - 2 temporary standing bays in zone 2.

This would create a net increase in about 5 parking bays and 2 temporary standing areas in accordance with the submitted plans.

• Minor reconfiguration of the loading area.
• Twenty one (21) bicycle parking spaces are proposed in different locations.

Signage

Proposed 25 new business identification signs, 23 of which are internally illuminated, in the following locations and sizes:
Wyndham City Council Special Meeting of Council 12/09/2016

FILE NO: WYP8740/15

WYP8740/15: 300 POINT COOK RD POINT COOK - BUILDING AND WORKS ASSOCIATED WITH THE EXTENSION OF THE EXISTING SHOPPING CENTRE, A REDUCTION OF CAR PARKING SPACES AND DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE (cont’d)

<table>
<thead>
<tr>
<th>Zone 1</th>
<th>West elevation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 sign - located above shop front on new timber batten steel pergola</td>
<td>5.8mw x 3.5mh</td>
</tr>
<tr>
<td>4 x tenancy signs – located below verandah</td>
<td>0.5 sqm each – internally illuminated.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zone 2</th>
<th>South elevation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 x tenancy signs – located above the shop fronts on the parapets</td>
<td>1.5m w x 1.8m h – internally illuminated</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>North elevation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 x tenancy wall sign</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>East elevation</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 x tenancy signs - located above the shop front on parapets</td>
</tr>
<tr>
<td>1 x tenancy sign – wall sign</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Zone 3</th>
<th>West elevation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 x tenancy sign – located below verandah</td>
<td>0.5 sqm each – internally illuminated.</td>
</tr>
<tr>
<td>1 x wall tenancy sign</td>
<td>1.2m w x 2.4m h – internally illuminated</td>
</tr>
<tr>
<td>2 x tenancy signs – located above shop fronts on parapets</td>
<td>signs – located above shop fronts on parapets – 2.4m w x 1.2m h – internally illuminated</td>
</tr>
</tbody>
</table>

| East Elevation | 2 x tenancy signs – located above shop fronts on parapets | 1.5m w x 1.8m h – internally illuminated |
|----------------|----------------------------------------------------------|
| 2 x tenancy signs – wall signs | 1.8m w x 2.7m h – internally illuminated |

<table>
<thead>
<tr>
<th>South elevation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1x tenancy sign – located above shop front on parapet</td>
</tr>
<tr>
<td>1 x wall sign</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>North elevation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 x tenancy sign – located above shop front on new timber batten steel pergola</td>
</tr>
</tbody>
</table>
Planning Permit Triggers

The subject site is within the Commercial 1 Zone and is not covered by any overlays. The relevant planning permit triggers include:

- Pursuant to Clause 34.01-4 a permit is required to construct a building or construct or carry out works.
- Pursuant to Clause 52.05-7 a permit is required for business identification signage that exceeds 8sqm.
- Pursuant to Clause 52.06-3 a permit is required to reduce the number of car parking spaces required under Clause 52.06-5.

It is noted that retail premises, restaurants and supermarkets are Section 1 Uses that do not require a planning permit in accordance with Clause 34.01-1 Table of Uses.

Referrals

There were no external statutory referrals required as part of the application however as the site adjoins a Road Zone 1 to the east (Point Cook Road) the application was discussed with VicRoads.

“Based on our discussions and the information you provided today (WYP8740/15), VicRoads would have no objections and no comments on this application to extend the mixed retail use of site 300 Point Cook Rd (Shopping Centre) by another 1915m2 developable floor area. The assessment of dispensation of onsite parking and traffic impact will need to done by Council’s traffic engineering to ensure that it does not impact on the arterial road network (Point Cook Road).

Happy to be involved further down the track if mitigation works are required on Point Cook Road.”

In response to VicRoads comments, it is noted that the application was subsequently reviewed by Council’s traffic engineers and Council’s independent traffic engineers whose comments are discussed under the car parking section (Clause 52.06) of this report below.

The application was referred internally as follows:
Department | Response
--- | ---
City Presentation | 1. Any plant equipment (air-conditioning, solar panels, TV aerial and rain water tanks) installed on roof or attached to building is to be screened, incorporated in the built form and treated to minimise any negative visual impact/clutter and preserve the intended design/built form appearance.
2. The tenancies T.7 & T.8 with its canopy with signage extending over property boundary is not supported.

Planning Officer Response
Amended plans were lodged to remove this signage and canopy over the footpath. However, the eastern elevation for Tenancies 7 and 8 abutting Point Cook Road are not clearly annotated and it is not certain if a canopy is proposed. A condition is therefore recommended to prevent canopies overhanging the property boundary.

The approximate location of plant equipment has also been shown on the plans which will be concealed by the building parapet.

The concerns have been adequately addressed with the amended plans.

Traffic Engineering & (OneMileGrid – independent Traffic Engineer Assessors) | The application was discussed with Council’s traffic engineers and they advised that the proposed dispensation of car parking was not supported. This was because:

- The shortfall of spaces resulting in an increase of on-street parking on Kirkstone Road.
- The submitted report uses Column B rates (based on a Parking Overlay applying to the site which does not apply in this instance) to identify the proposed Parking Demand (using 76 spaces not 158).
- Using 76 spaces still resulted in a predicted short fall of 31 spaces indicating that the actual demand of 158 would result in a much higher shortfall of parking spaces.
- Parking survey data should have been more up to date and only include public parking.

Council also engaged Onemilegrid to independently review the traffic assessment. This indicated that with an additional demand for 76 spaces expected to be generated by the proposed extension, and an ultimate provision of 745 car spaces on-site, the development is proposed to generate a surplus of parking for nine spaces on a Friday evening but a shortfall of 31 spaces on a Saturday. This data is also based on Column B parking rates being applied to the development (which typically apply where a parking overlay exists) and is based on survey data from 2014 which indicates that the actual shortfall will likely be much higher.
State Planning Policy Framework

Clause 11 Settlement

The objective of this policy is to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

Clause 11.01-1 Activity centre network

Objective
To build up activity centres as a focus for high-quality development,

Clause 11.01-2 Activity centre planning

Objective
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.

Clause 15 Built Environment and Heritage

Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protects places and sites with significant heritage, architectural, aesthetic, scientific and cultural value. 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;
- Promotes attractiveness of towns and cities within broader strategic contexts; and
- Minimises detrimental impact on neighboring properties.

15.01-1 Urban design

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

15.01-2 Urban design principles

Objective
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.

Clause 17 – Economic Development

The objective of this is to ensure that planning is to provide for a strong and innovative economy, where all sectors of the economy are critical to economic prosperity.

Planning is to contribute to the economic well-being of communities and the State as a whole by supporting and fostering economic growth and development by providing land, facilitating
decisions, and resolving land use conflicts, so that each district may build on its strengths and achieve its economic potential.

Clause 17.01-1 Business
Objective
To encourage development which meet the communities’ needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

Planning Officer Comment
It is considered that the buildings and works, signage and reduction of car parking meets the State Planning Policy Framework such that the proposal will enhance the existing centre and will contribute positively to the local urban character and sense of place.

The objective of Clause 11.01-2 is 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. Strategies identified include to broaden the mix of uses in activity centres and to provide a focus for business, shopping, working, leisure and community facilities. The proposed development seeks to broaden the mix of uses within the centre in accordance with this policy and offers a concentrated located for a mix of retail, commercial and entertainment activities in an existing activity centre.

Strategies identified in Clause 11.01-2 include seeking to locate new small scale education, health and community facilities that meet local needs in or next to Neighbourhood Activity Centres. The subject application includes the expansion of the existing medical centre within the Neighbourhood Activity Centre which is in accordance with this policy.

Clause 15 recognises the need to create urban environments that are safe, functional and provide good quality environments with a sense of place. Strategies identified include applying design principles across developments to achieve high standards in architecture and urban design. The proposed development accords with clause 15 as it will ensure that a new, modern approach is applied to the redevelopment of the shopping centre which will appeal to consumers and attract patrons to the activity centre.

The objective of Clause 17.01-1 is to encourage development which meet the communities’ needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities. Strategies include locating commercial facilities in existing or planned activity centres and providing small scale shopping opportunities that meet the needs of local residents and workers in convenient locations. The policy also notes that a five year time limit for commencement should be attached to the planning approval for all shopping centres or expansions of over 1,000 square metres in floorspace.

The proposed development is generally in accordance with clause 17 as it will meet the communities’ needs for retail, office and other commercial services that offer net community benefit. In accordance with the policy, these commercial facilities are being located within an existing activity centre. However, the policy implies that net community benefit depends on the accessibility of such services. It is noted that the application proposes a significant dispensation of car parking spaces and a resultant outcome could potentially be that these services are not
easily accessible to the community as the lack of parking facilities may deter patrons from
attending the shopping centre. In addition, where car parking on the site is saturated at peak
times, those parking on surrounding streets may face physical difficulties (e.g. navigating the
road network) in accessing the shopping centre and in addition, cause amenity impacts to
residential properties surrounding the site. In accordance with clause 17.01-1, a five year time
limit for commencement of development will be applied to any permit issued. Overall, the
proposed development aligns with State Planning Policy.

Local Planning Policy Framework

21.01 MUNICIPAL PROFILE
21.01-3 Key planning issues
Clause 21.01-3 recognises the key issues identified in the State Planning Policy Framework
which need to be addressed by Council including population growth creating the critical mass to
support a wider range of businesses, services and jobs and creating heavy demands on all
forms of infrastructure and services

Clause 21.08-1 Economic growth
Objective 1
To facilitate new development and employment opportunities in Wyndham.

Clause 21.08-2 Activity centres
Activity centres provide a range of functions including retail, commercial, community, cultural,
transport, education, social, entertainment, leisure and civic services. These roles are vital to
community and business development and to growth and diversification of local employment.

Clause 21.08-2 identifies key issues for activity centres including consolidating activity centres
as the focus for retail and commercial activity, creating functional, attractive and accessible
activity centres and ensuring activity centres provide a mix of uses to create vibrant, attractive
spaces. One of the objectives identified includes to establish a network of activity centres which
satisfy a range of retail, commercial, community and residential needs. Strategies include
encouraging a mix of retail, office, commercial, entertainment, leisure and community uses, and
higher density housing to locate within activity centres and encouraging increased intensity and
scale of development within defined activity centres.

Planning Officer Comment
Clause 21.08-2 Activity Centres identifies the function of activity centres and their vital role in
the community for business development, growth and diversification of local employment. The
Sanctuary Lakes Shopping Centre is identified as an existing activity centre in Map 5 of the
policy. Strategies outlined in clause 21.08-2 include encouraging a mix of retail, office,
commercial, entertainment, leisure and community uses, and higher density housing to locate
within activity centres and encouraging increased intensity and scale of development within
defined activity centres.

The proposed development proposes the moderate expansion of Sanctuary Lakes Shopping
Centre which will align with the strategies identified in the policy which seek to encourage
increased intensity and scale of development within these defined activity centres.

The proposal to have new external facing tenancies with improved pedestrian links and
increased landscaping works, tree planting and bicycle parking opportunities is considered
consistent with the objectives of encouraging development of activity centres as will activate the existing centre within the ‘open air’ public realm and will revitalise the existing shopping centre.

Overall, the proposed development aligns with Local Planning Policy.

LPPF - Clause 22.02 – Advertising Sign Policy

The advertising policy for Category 1 – Commercial Areas states:

- Support signage that attracts patrons to business areas, effectively promote goods and services and enhance the commercial centre’s character and vitality.
- Ensure pole signs are set back from the street, contained within the site, and the number of pole signs is limited to one per frontage, with the aim of preventing visual clutter.
- Discourage signage facing residential areas or zones unless it can be shown that the signage is appropriate to the adjoining residential character of the area.

The following is an assessment of how the proposal meets the relevant objectives of this Clause.

<table>
<thead>
<tr>
<th>Policy</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>To encourage the form and location of signs to respect the character of buildings to which they are attached and the streetscapes to which they are located</td>
<td>The signage proposed respects the character of the building which has been purpose built for retail/commercial purposes. The signage is consistent with the contemporary form of the shopping centre additions and is appropriately located in this retail/commercial area. The signage is unlikely to have an adverse impact on the surrounding residential areas.</td>
</tr>
<tr>
<td>To encourage the display of signs which are of an appropriate scale and character to the surrounding area</td>
<td>The proposed signage is considered to be of an appropriate scale and character which respects the Sanctuary Lakes shopping Centre and surrounding area. The signs will not overhang the building parapets and are adequately spaced so as not to result in visual clutter.</td>
</tr>
<tr>
<td>Enhance visual amenity via the careful location of signs, especially within and adjoining residential areas</td>
<td>The proposed signs to Zone 1 and 2 will not cause loss of visual amenity to residential areas as the signs are either internally facing within the existing shopping centre or buffered by the shopping centre car park which provides a buffer between signage and site’s property boundaries. Proposed Zone 3 signs face Point Cook Road, however, will not cause loss of visual amenity as the closest residential area is located on the opposite side of Point Cook Road and a road reservation.</td>
</tr>
</tbody>
</table>
WYP8740/15: 300 POINT COOK RD POINT COOK - BUILDING AND WORKS ASSOCIATED WITH THE EXTENSION OF THE EXISTING SHOPPING CENTRE, A REDUCTION OF CAR PARKING SPACES AND DISPLAY OF BUSINESS IDENTIFICATION SIGNAGE (cont’d)

<table>
<thead>
<tr>
<th>Policy</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enhance the appearance of the City gateways (vehicular, pedestrian and rail) through the effective display of signs and the avoidance of proliferation and visual clutter.</td>
<td>The size and location of the signs are considered to be appropriate to the size of the buildings and will not create visual clutter to the site and surrounds. The signage proposed in this application is considered to be of an appropriate scale in relation to the proposed buildings.</td>
</tr>
<tr>
<td>Prevent or reduce signage clutter to maximise the effectiveness of individual business identification and promotional signs.</td>
<td>The location and size of the proposed signs will effectively advertise and promote the new shop tenants and will be built on new external facing shop fronts and will not be adjoining any existing signage that would create visual clutter.</td>
</tr>
<tr>
<td>Protect areas of environmental and natural significance (ie Skeleton Creek, Werribee River) via limiting signage adjoining or facing only these reserves.</td>
<td>N/A</td>
</tr>
<tr>
<td>To encourage the strategic location of signage for new residential and industrial estates and business parks, having regard to the purpose of the signage, the site context and visual impacts</td>
<td>N/A</td>
</tr>
<tr>
<td>To encourage signage to be of high quality construction and presentation.</td>
<td>The proposed sign is of a good quality design and presentation.</td>
</tr>
</tbody>
</table>

The following is an assessment of how the proposal meets the policy objectives of Category 1 – Commercial Areas and in accordance with the General Policy objectives of Clause 22.02-3.
**Policy Objective** | **Officer Response**
--- | ---
Support signage that attracts patrons to business areas, effectively promote goods and services and enhance the commercial centre’s character and vitality. | The proposed signage effectively promotes the new tenancies and is considered appropriate within the context of the commercial area it is situated in. |
Ensure pole signs are set back from the street, contained within the site, and the number of pole signs is limited to one per frontage, with the aim of preventing visual clutter. | The signs are attached to the building and no pole signs have been proposed. |
Discourage signage facing residential areas or zones unless it can be shown that the signage is appropriate to the adjoining residential character of the area. | Proposed illuminated signage is not located within close proximity of any residential areas. No signage is proposed to the rear of the shopping centre facing the site’s northern side boundary adjacent the residential interface. The proposed signage to Zone 1 adjoins the shopping centre car park which buffers the closest residential properties on the western side of Kirkstone Road and southern side of Jamieson Way from the signage with separation of about 70m to the south and more than 100m to the west.

It is proposed to erect 2 illuminated wall signs and 2 illuminated signs on the parapet to Zone 3’s eastern elevation abutting and facing the site’s boundary to Point Cook Road.

The closest residential interface is separated by dual lane Point Cook Road and a landscape reserve on the eastern side of Point Cook Road. The illuminated signs are adequately separated from the proposed signage so as not to cause any loss of amenity to properties on the eastern side of Point Cook Road.
Wyndham Activity Centres Strategy 2016

The Activity Centres Strategy was adopted by Council in February 2016. The Strategy is intended to provide the basis for activity centre planning in Wyndham over the next 20 years and beyond. The Strategy contains detailed economic analysis of the current and future roles of existing and planned activity centres.

Activity centres are defined as places where many of the key facilities and services which meet the needs of the surrounding resident population are concentrated. The subject site is defined as being within a Neighbourhood Activity Centre and the Strategy recognises that the Sanctuary Lakes shopping centre provides an important Large Neighbourhood retail role for Point Cook and will continue to do so over coming years. Although the Point Cook Town Centre will be the major retail and commercial centre in the Point Cook area, Sanctuary Lakes will provide a supermarket and Large Neighbourhood shopping offer, in addition to some small-scale commercial and community functions.

The Strategy identifies a number of issues to be addressed by the Strategy based on analysis undertaken in relation to Activity Centres including:

**Issue 3 Increasing the Range of Activity Centre Functions**

- Activity centres in Wyndham are currently dominated by retail uses, with the exception of Werribee City Centre and the East Werribee Employment Precinct.
- As the population of Wyndham expands over coming years, an increasing need to locate a range of functions in activity centres will emerge, including commercial activities (office, business service, industry, etc.), community, cultural and social facilities, transport, education and civic infrastructure.

*Officer Response*- the proposed development includes provision for office, medical and retail/café uses which will broaden the availability of uses within this Neighbourhood Activity Centre.

**Issue 6 Promoting Employment and Investment**

- A particular focus of the Strategy is to ensure that activity centres attract a wide range of commercial and business services, in addition to their traditional retail role. In this way, activity centres can accommodate business growth and provide a diverse range of employment opportunities

*Officer Response*- the proposed development will offer a range of employment opportunities from hospitality to office workers, doctors nurses etc.

The strategy sets the indicative retail floorspace allowances for activity centres according to the operation of a functional retail sector which meets community need. This is intended as a broad strategic guide to the long-term retail floorspace provision that an activity centre can achieve in order to meet appropriate retail function, and as an indication of the broader investment priorities for centres according to their classification under existing planning policy. The Strategy identifies Sanctuary Lakes Shopping Centre as having a large Neighbourhood function
with a potential capacity of 15,000sqm. The Strategy does not however indicate how such capacity can be provided having regard to car parking requirements on the site constrained by its fully developed boundaries.

The Strategy outlines the important role that Sanctuary Lakes Shopping Centre plays for this part of Point Cook and the proposed development will address a number of the issues identified in the Strategy as requiring action including the provision of a wide range of services and uses to address the requirements of local people to reduce the need to travel outside the area and to provide a wide range of diverse employment opportunities.

Clause 34.01 Commercial 1 Zone

The subject site is located within the Commercial 1 Zone. The purpose of the zone is to:

- To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
- To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.
- To provide for residential uses at densities complementary to the role and scale of the commercial centre.

As detailed earlier in this report the proposal is considered to comply with State and Local Planning Policy. The proposal offers the opportunity to enhance the existing activity centre to create a vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.

The proposed buildings and works have been assessed against the decision guidelines of Clause 34.01 and it is considered that the proposed works are consistent with the purpose and decision guidelines of buildings and works in accordance with Clause 34.01-6 as discussed below.

Residential Interface

As already discussed Zone's 1, 2 and 3 restaurant and retail buildings are substantially separated from residential interfaces and the closest residential interface to the subject site adjoins part of the northern side boundary near building works to Zone 5.

It is proposed to extend the size of the existing supermarket by 800sqm by building within an existing service zone at the rear of the existing supermarket. The existing service corridor will be extended to continue service access from the rear. The residential interface to the north is located about 17 m from the proposed Supermarket extension. However, the proposed addition will not cause loss of residential amenity to the residential interface through building bulk, overshadowing or overlooking. The residential properties are located north of the subject site and no overshadowing will therefore affect these properties from the extension. The height of the supermarket wall will match the existing centre wall height and in the context of the existing commercial nature and built form on the site the proposed addition is considered reasonable and appropriate.
Pedestrian access to the supermarket will not alter. The proposed supermarket addition will not generate increased pedestrian or vehicle activity to the rear of the supermarket within close proximity of the residential interface.

Movement of Pedestrian and Cyclists

The proposed restaurants and retail premises with externally facing shop fronts and location around the perimeter of the shopping centre will encourage increased pedestrian activity within the centres car park and within the ‘open air’ realm of the centre.

The addition of increased landscaped pedestrian walkways and zebra crossings within the car park will facilitate the safe movement of pedestrians within the site. It is also proposed to provide bicycle parking bays to facilitate increased bicycle activity.

Urban Design

The proposed retail premises and restaurants comprise a contemporary built form design response which will update and improve the appearance and design of the existing shopping centre. Proposed landscaping works and tree planting will also compliment the proposed built form and make a positive contribution to activating the existing centre through greater pedestrian activity and increased use of the centre at different times of day as a result of restaurant uses.

The new retail premises will have canopies protecting pedestrians from the weather and encouraging the activation of the retail premises.

Particular Provisions

Clause 52.05 – Advertising Signs

The purpose of Clause 52.05 is to:

- To regulate the display of signs and associated structures.
- To provide for signs that are compatible with the amenity and visual appearance of an area, including the existing or desired future character.
- To ensure signs do not contribute to excessive visual clutter or visual disorder.
- To ensure that signs do not cause loss of amenity or adversely affect the natural or built environment or the safety, appearance or efficiency of a road.

Pursuant to Clause 52.05-7, a permit is required for business identification signage which is in excess of 8 square metres. This does not include a sign with an advertisement area not exceeding 1.5 square metres that is below a verandah or, if no verandah, that is less than 3.7 metres above pavement level. Pursuant to Clause 52.05-3 the application must be considered against the Decision Guidelines contained in Clause 52.05-2 of the Scheme, as follows.
The proposed signage is compatible with the surrounding character as the site. The site is a commercial activity centre and the proposed signage is consistent with the commercial/retail nature of the area.

The proposed signage will not obscure any important views from the public realm. The signage will be attached to the proposed buildings.

The proposed signage to Zones 1 and 2 are facing the centre’s car park or pedestrian walkways and sit within the commercial context of the site and the contemporary design response of the new retail premises and restaurants. The Zone 3 signage will face Point Cook Road which will activate the interface with the public realm. The signage is of appropriate scale and size in relation to the built form and streetscape elevation and will make a positive contribution to Point Cook Road.

The scale and form of the signage is proportionate to the scale of the existing building and site context.

The proposed 4 illuminated signs abutting Point Cook Road are 2 x 4.05sqm and 2 x 2.7sqm in area and will not unreasonable impact on the safety of pedestrians and vehicles travelling on Point Cook Road through visual distraction. The signs will not be flashing or intermittent.

The proposed signage effectively promotes each tenant and will provide an adequate level of business identification.

It is not anticipated that the proposed signage would cause a safety hazard to motorists as the signage is fixed to the building and will read as part of the overall built form. Furthermore, the signs are located more than 70m from the closest intersection.

It is noted that no animated or electronic signs are proposed within 60m from a freeway or arterial road and therefore do not require referral under Section 55 of the Planning and Environment Act 1987.
Particular Provisions

Clause 52.06 – Car Parking

The purpose of Clause 52.06 is as follows:

- To ensure that car parking is provided in accordance with the State Planning Policy Framework and Local Planning Policy Framework.
- To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.
- To support sustainable transport alternatives to the motor car.
- To promote the efficient use of car parking spaces through the consolidation of car parking facilities.
- To ensure that car parking does not adversely affect the amenity of the locality.
- To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Planning Officer comment

The applicant has submitted a Traffic Report by Cardno dated 7 September 2015. The report states there are presently 759 formal on site car spaces available to shoppers:

- 721 formal parking spaces;
- 18 formal parking spaces for car wash patrons / shoppers; and
- 20 informal spaces in back-of-house areas.

The traffic assessment submitted with the application has stated that an additional 11 spaces will be constructed and 20 informal back of house spaces will be removed. This will increase the provision to 750 spaces.

Council has had a review of the traffic assessment undertaken by an independent traffic consultant who has advised that an assessment of the development plans and aerial photography of the site indicates that approximately 34 parking spaces (both linemarked and informal) will be removed, and partially replaced with 20 linemarked spaces. As a result, there will be a net reduction of approximately 14 spaces as a result of the proposed works. In effect, the total parking supply will reduce to 745 car spaces. This appears to accord with the plans submitted.

The Clause 52.06 requirements apply only to the increase in each use, provided that the existing number of parking spaces associated with the existing use are not reduced. It could potentially be argued that it could therefore be considered that due to the reduction in parking on-site that the applicant should undertake a fresh assessment of the shopping centre against the Planning Scheme requirements however as informal parking is being removed this approach is considered acceptable.

In view of the above, when assessing the increase of each use against the Clause 52.06 Planning Scheme requirements, the car parking requirements are as follows.
Wyndham City Council Special Meeting of Council 12/09/2016  

Clause 52.06 - 5 Table 1 stipulates the following car parking requirements:

<table>
<thead>
<tr>
<th>Use</th>
<th>Area/No.</th>
<th>Car parking measure</th>
<th>Car parking requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restaurant</td>
<td>515sqm – assumed 1 seat/2sqm</td>
<td>0.3 spaces per patron</td>
<td>77</td>
</tr>
<tr>
<td>Medical centre</td>
<td>8 practitioners</td>
<td>5 spaces to the first person providing health services plus 3 spaces to every</td>
<td>26</td>
</tr>
<tr>
<td>Shop</td>
<td>120sqm</td>
<td>4 spaces per 100 sqm of leasable floor area</td>
<td>4</td>
</tr>
<tr>
<td>Supermarket</td>
<td>800sqm</td>
<td>5 spaces to each 100 sqm of supermarket leasable floor area</td>
<td>40</td>
</tr>
<tr>
<td>Office</td>
<td>330sqm</td>
<td>3.5 spaces to each 100 sqm of net floor area</td>
<td>11</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>158</strong></td>
</tr>
</tbody>
</table>

**Car Parking Demand Assessment**

The submitted assessment utilises Column B in the table 1 to Clause 52.06 for the assessment of demands generated by the additions, with a significant proportion of patronage to the new uses combined with trips to the wider shopping centre. It is noted that the Column B rates relate to sites affected by a Parking Overlay which does not affect the subject site. Based on their assumption that the shopping centre contains characterises of an activity centre (which it is defined as) they have assumed this rate in lieu of Column A as required by Clause 52.06. Based on this, the proposed additions could therefore generate a demand for in the order of 76 additional car spaces as summarised below.

<table>
<thead>
<tr>
<th>Use</th>
<th>Area/no</th>
<th>Car parking measure</th>
<th>Car parking requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restaurant</td>
<td>515sqm</td>
<td>To each 100 sqm of leasable floor area</td>
<td>18</td>
</tr>
<tr>
<td>Medical centre</td>
<td>150sqm</td>
<td>To each 100 sqm of leasable floor area</td>
<td>5</td>
</tr>
<tr>
<td>Shop</td>
<td>120sqm</td>
<td>To each 100 sqm of leasable floor area</td>
<td>4</td>
</tr>
<tr>
<td>Supermarket</td>
<td>800sqm</td>
<td>To each 100 sqm of leasable floor area</td>
<td>40</td>
</tr>
<tr>
<td>Office</td>
<td>330sqm</td>
<td>To each 100 sqm of net floor area</td>
<td>9</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>76</strong></td>
</tr>
</tbody>
</table>

In order to justify no provision of additional parking on-site, the submitted assessment references parking occupancy surveys undertaken at the shopping centre on a Friday and Saturday in May 2014. These surveys were 16 months old at the time that the report was written, and are now 27 months old which indicates that the data is out of date and not reflective of the current situation.
The parking surveys identified peak demands of 557 vehicles on the Friday evening and 590 spaces on the Saturday morning. It is noted that the surveys included back-of-house (informal) parking areas on-site.

Assuming that parking demands have remained comparable in the intervening period, and with a reduction of the parking supply to 745 spaces, it can therefore be expected that approximately 188 parking spaces will remain available on a Friday and 155 spaces on a Saturday in May. The New South Wales Roads and Traffic Authority produced the document “Guide to Traffic Generating Developments” dated October 2002, which identifies peak parking rates for alternate land uses, including shopping centre based on surveys of existing facilities.

The guide recommends that provision of parking to accommodate the 85th percentile of peak demands is typically appropriate and provides a balance of the opportunity costs borne by providing excessive parking, with amenity impacts during periods of peak demands.

Shopping centre demands will vary throughout the year, with the highest demands occurring in December and the lowest in February. As such, in order to ensure that sufficient parking would be available throughout the remainder of the year, an assessment of the 85th percentile parking demands has been undertaken below.

<table>
<thead>
<tr>
<th>Month</th>
<th>% of average</th>
<th>Friday</th>
<th>Saturday</th>
</tr>
</thead>
<tbody>
<tr>
<td>May</td>
<td>101%</td>
<td>557</td>
<td>590</td>
</tr>
<tr>
<td>Average</td>
<td>100%</td>
<td>551</td>
<td>584</td>
</tr>
<tr>
<td>December</td>
<td>128%</td>
<td>705</td>
<td>748</td>
</tr>
<tr>
<td>85th percentile</td>
<td>120%</td>
<td>661</td>
<td>700</td>
</tr>
</tbody>
</table>

It is noted that the Cardno report considered only an assessment of May parking demands.

As shown above, when interpolating between the maximum and average percentages provided in the RTA guide, Onemilegrid have estimated 85th percentile demands for 661 car spaces on a Friday and 700 spaces on a Saturday.

With an additional demand for 76 spaces expected to be generated by the proposed extension, we could therefore expect 85th percentile peak demands for 737 spaces on a Friday and 776 spaces on a Saturday. With an ultimate provision of 745 car spaces on-site, the development is proposed to generate a surplus of parking for nine spaces on a Friday evening but a shortfall of 31 spaces on a Saturday.

The provision of parking is therefore not considered sufficient for the Saturday period based on the current information. More up to date data survey will likely increase this shortfall (given recent growth patterns in the wider area) and given the assessment has been undertaken using “Column B” rates rather than “Column A” rates as required by Clause 52.06, the parking provision is therefore further likely to be considered insufficient.

The application was also discussed with Council’s traffic engineers and they advised that the proposed dispensation of car parking was not supported. This was because:
• The submitted report uses Column B rates (based on a Parking Overlay applying to the site which does not apply in this instance) to identify the proposed Parking Demand (using 76 spaces not 158).

• Using 76 spaces still resulted in a predicted short fall of 31 spaces indicating that the actual demand of 158 would result in a much higher shortfall of parking spaces.

• Parking survey data should have been more up to date and only include public parking

• Shortfall of spaces resulting in an increase of on-street parking on Kirkstone Road.

On the basis of the advice from Council’s traffic engineers and the independent review of the submitted traffic assessment the dispensation of car parking requested is not considered to be appropriate.

Traffic Considerations
The proposed shopping centre extension is projected to generate in the order of 146 vehicle movements during the Thursday PM peak, 119 movements during the Friday PM Peak, and 144 movements during the Saturday peak.

This additional traffic equates on average to approximately one additional movement every two minutes. When split between inbound and outbound movements, and further distributed between the various site accesses, it is not expected that this additional traffic will have any significant impacts to the surrounding road network.

Design Review
A review of the proposed amendments to the parking and access layouts indicates that all have been designed generally in accordance with the Planning Scheme and Australian Standard requirements and should provide for convenient access with no impacts to the existing use.

Clause 52.34 Bicycle Parking
In accordance with the provisions of Clause 52.34 of Wyndham Planning Scheme a total of 21 bicycle parking bays are required for employees and visitors. Twenty one bicycle parking bays are provided in accordance with this rate and this is considered acceptable.

Clause 52.07 Loading and Unloading of Vehicles
Loading to the subject site is provided to the rear of the shopping centre. It is proposed to extend the Coles supermarket floor area by 800sqm by extending to the rear within the existing service area. Existing loading and unloading area at the rear service area will remain functional as demonstrated by the diagram of a swept path turning circle of a semi trailer submitted by the applicant. The provisions of Clause 52.07 are satisfied.
General Provisions

Clause 65 – Decision Guidelines

Before deciding on an application or approval of a plan, the responsible authority must consider, as appropriate:

- The matters set out in Section 60 of the Act
- 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, overlay and other provision.
- Any matter required to be considered in the zone, overlay or other provision.
- The orderly planning of the area.
- The effect on the amenity of the area.
- The proximity of the land to any public land.
- Factors likely to cause or contribute to land degradation, salinity or reduce water quality.
- Whether the proposed development is designed to maintain or improve the quality of stormwater within and exiting the site.
- The extend and character of native vegetation and the likelihood of its destruction.
- Whether native vegetation is to be or can be protected, planted or allowed to regenerate.
- The degree of flood, erosion or fire hazard associated with the location of the land and the use, development or management of the land so as to minimize any such hazard.

Planning Officer comment

The decision guidelines relevant to the approval of this application have been considered as required by Clause 65 and whilst the application maintains general compliance with the majority of the guidelines it is not considered that the application has satisfactorily addressed the requirements of Clause 52.06 in relation to the car parking provision for the development. The proposed dispensation is not considered to be acceptable and the traffic assessment submitted with the application does not satisfactorily justify the proposed reduction. As such Council considers there may be a detrimental impact to the surrounding amenity of the area, especially on the adjoining residential road network at Kirkstone Road.

3. City Plan

4.2 Built - To work in partnership with the Wyndham community to educate and enable residents and businesses to plan and make changes to their lifestyles and practices, to contribute to a sustainable, green and clean Wyndham City.

1.2 Community engagement and building - To actively engage with the community to capture diverse perspectives and opportunities to improve the quality of Council decisions on policies, services and programs. To strengthen the capacity of citizens and community groups to participate in community life by providing opportunities for individuals to acquire knowledge, confidence, skills and experience.
Wyndham 2040 Vision

Places and Spaces:
*Our city will offer a diverse range of housing types and built environments that contribute to the quality of life of residents at all ages.*

The proposed development will provide an enhanced public realm/built environment to improve the facilities available to residents.

Earning and Learning:
*Our city will offer varied and plentiful local employment options. It will be a place of choice for businesses of all sizes and have a thriving network of small business operators.*
*Wyndham will have a good mix of shops and shopping destinations. Local events and attractions will build Wyndham's reputation as a place to visit and be a source of community pride.*

The proposed development will offer a range of new employment opportunities and a variety of shopping facilities for residents.

Social Implications

The proposed expansion of the Sanctuary Lakes Shopping Centre will provide a net benefit to the surrounding community. An enhanced and more varied provision of services in an existing activity centre will ensure that residents do not need to travel out of the area to obtain a range of commercial facilities. The effect of parking shortages as a result of the proposed dispensation of parking may impact on surrounding residents as if approved, overflow parking may occur on surrounding residential streets to the detriment of residents.

Environmental Implications

There are no anticipated environmental implications. The proposal makes use of an existing activity centre location and will expand within the confines of its boundary and there are no anticipated off site impacts.

Economic/Employment Considerations

In the short term, construction jobs will be generated by the proposed development. In the medium and long term, staff jobs will be generated by the operation of the various proposed uses.

Community Consultation

The application was advertised to nearby owners and residents by way of letters sent in early June 2016. The application has attracted seventeen (17) objections. The application was heard at the Town Planning Forum of 8 August 2016. All items raised have been taken into account in this assessment and recommendation. A summary of the content of the objections and officer responses is included in the table below.
## Summary of Objection Topics

<table>
<thead>
<tr>
<th>Objection Topics</th>
<th>Officer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Convenience Restaurants - Number of convenience restaurants in the area is already excessive, obesity problems will be exacerbated</td>
<td>The nature and number of the future retail tenancies is not a material planning consideration. It is noted that the applicant advised in response to this issue raised at Town Planning Forum that no large fast food retailers were proposed and case operators would be proposed although tenants had not yet been secured.</td>
</tr>
<tr>
<td>Traffic Volumes - Point Cook Road is over capacity in volume of traffic, people may stop on side of road to access the new ATMs</td>
<td>The application was referred to VicRoads who raised no objection to the application in terms of traffic generation on the surrounding road network. It is highly unlikely that cars will be able to stop on the road network outside the proposed ATM's as this is a fast flowing lane of traffic and would be an offence to do so.</td>
</tr>
<tr>
<td>Parking - Not sufficient parking to serve the proposed development, Out of date surveys for traffic assessment</td>
<td>An assessment of the application against clause 52.06 has indicated the proposed reduction in parking is considered inappropriate and is not supported. The assessment included consideration of the out of date data.</td>
</tr>
<tr>
<td>Car wash - The position of the car wash affects the flow of the car park, The planning and appearance of the car wash already impacts heavily on the flow of the car park near Kmart.</td>
<td>This car wash has been approved as part of a separate permit and is not proposed to be altered by the subject application therefore these comments are not relevant.</td>
</tr>
<tr>
<td>Pedestrian Access - Safety of patrons and road users, no pedestrian access at Kirkstone Road forces those pushing prams and walking from the north to enter the car park into oncoming traffic.</td>
<td>There are no identified pedestrian or road user hazards as a result of the proposed redevelopment. New pedestrian connections will be provided as part of the development and condition of permit can require additional pedestrian connections to be provided within the site from Kirkstone Road.</td>
</tr>
<tr>
<td>Removal of centre facilities - The child play area of the centre - has already gone a few months ago they don't seem to want to do anything other than exploit the centre for the max financial return.</td>
<td>There is no planning permit required to remove a children’s play area.</td>
</tr>
<tr>
<td>Litter problems – anticipated litter problems with fast food restaurants</td>
<td>Conditions on the permit can require appropriate number of litter bins to be required on site.</td>
</tr>
<tr>
<td>Visual impact – impact on Point Cook which will be very negative by a number of badly placed fast food places.</td>
<td>To the contrary it is considered that the visual impact to Point Cook will be improved with a modern, well designed new development to attract patrons to the centre.</td>
</tr>
</tbody>
</table>
### Summary of Objection Topics

<table>
<thead>
<tr>
<th>Objection Topics</th>
<th>Officer Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proximity to a child care centre and school</td>
<td>It is unclear what the objection is in relation to surrounding land uses such as these. Surrounding land uses have no bearing on the subject application.</td>
</tr>
<tr>
<td>Negative impact on existing businesses - We do not need more $2 shops and empty restaurants and cafes and displays of cheap and nasty furniture in foyers. This does not build local economy and pits the local small business people against each other.</td>
<td>It is considered that the subject application will have a positive rather than negative impact on existing businesses as it will attract new patrons to the area and assist all retailers.</td>
</tr>
<tr>
<td>Property devaluation</td>
<td>VCAT has typically found that this is not a material planning consideration.</td>
</tr>
<tr>
<td>Existing vacancies in shopping centre</td>
<td>Vacancies within the shopping centre does not prohibit the applicant applying for additional floor space for the shopping centre and may assist in attracting new custom to the overall shopping centre.</td>
</tr>
<tr>
<td>Emergency access to the site</td>
<td>There is no requirement for the application to be referred to the emergency services however the operator will likely liaise with emergency services if requirements are to be met.</td>
</tr>
</tbody>
</table>

### 9. Conclusion

The proposed development has been considered in the context of applicable planning policy and controls applying to the site and adopted Council planning policy. The proposal is considered to accord with the purpose of the Commercial 1 Zone which seeks to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses. In addition, the proposal aligns with issues identified in the Activity Centres Strategy adopted in 2016 which seek to provide for a range of functions in activity centre including retail, commercial, office etc, and to provide a diverse range of employment opportunities.

Despite State and Local planning policy support for the expansion of activity centres in locations such as the subject site, the proposal has not adequately considered car parking requirements for the proposed expansion and introduction of new uses. As such, a significant waiver of car parking has been requested. A number of objectors have raised concerns about the parking pressures currently existing at the subject site and an assessment of the traffic impact assessment submitted with the application does not allay Council’s concerns about the pressures that may occur as a result of the proposed expansion of the shopping centre. As such it is not considered appropriate that the significant dispensation of parking is granted as it may lead to unacceptable parking overspill into residential areas surrounding site to an unacceptable level. For this reason the application is not supported on parking grounds.
Summary
The purpose of this report is to:

- Provide a partial first quarter review of the options works program based on best available information at this point in time. A more comprehensive report will be presented at the end of the second quarter. The intent of this report is to present the status of the Capital Works Program prior to the Council caretaker period.

- Present the first quarter 16/17 capital works program review including:
  - Forecast EOFY results on current program; and
  - Proposed variations to the program highlighting additions, deferrals and variances, for approval.

Attachments
Nil

Officers' Declaration of Interests
Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Director City Transformation - Steven Lambert
In providing this advice as the Director, I have no disclosable interests in this report.

Manager Project Management Office - Melissa Falkenberg
In providing this advice as the Manager, I have no disclosable interests in this report.

Coordinator PMO - Mauro Covacci
In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues
- Forecast end of year position.
- Revised capital works program.

RECOMMENDATION
That Council:
1. Approve the proposed variations to project additions, deferrals and variances in the 2016/17 capital works program;
2. Note the forecast end of year position relating the capital works program.
1. Background

An extensive review of the 2016/17 capital program was carried out in order to reaffirm the program, consisting of 150 projects with a total value of $120,550,127. The assessment identified adjustments required relating to staging of projects and the opportunity to accelerate projects from draft 2017/18 program.

Further analysis of the Capital Works Program expenditure will be conveyed to Council at the mid-year review in January 2017.

2. Discussion

The forecast end of financial year results on the adopted capital works program budget before any program adjustments includes:

- Forecast expenditure to budget equalling $93.4mil

<table>
<thead>
<tr>
<th>Capital Expenditure</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adopted Budget (incl. CF)</td>
<td>$120,722,146</td>
</tr>
<tr>
<td>End of Year Forecast</td>
<td>$93,029,218</td>
</tr>
<tr>
<td>Proposed Carry Forward</td>
<td>$21,931,691</td>
</tr>
<tr>
<td><strong>Total Variance Fav/(Unfav)</strong></td>
<td><strong>$400,000</strong> (savings)</td>
</tr>
</tbody>
</table>

The identified variances includes under expenditure in land acquisition and savings in the construction of Dohertys Rd of $400,000 due a competitive market in the civil construction industry.

The forecast end of financial year results on the adopted capital works program after first quarter adjustments includes:

- Change in expenditure to reflect additional and deleted projects:

<table>
<thead>
<tr>
<th>Additions</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed additional unbudgeted projects to be added to the 2016/17 program</td>
<td>$27,692,928</td>
</tr>
<tr>
<td><strong>Total Increase</strong></td>
<td><strong>$27,692,928</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Deletions</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed deletion or postponements of projects in the 2016/17 program</td>
<td>$250,000</td>
</tr>
<tr>
<td><strong>Total reduction</strong></td>
<td><strong>$250,000</strong></td>
</tr>
</tbody>
</table>
Projects split over 2016/17 & 2017/18 include:

<table>
<thead>
<tr>
<th>Project</th>
<th>2016/17</th>
<th>2017/18</th>
</tr>
</thead>
<tbody>
<tr>
<td>W1062 Mainview Blv., Reserve - Pavilion &amp; Car Park</td>
<td>$1,493,500</td>
<td>$1,493,500</td>
</tr>
<tr>
<td>W1076 Enhanced Neighbourhood Hubs</td>
<td>$ 950,587</td>
<td>$ 411,000</td>
</tr>
<tr>
<td>W1079 Regional Pound</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>Other Building Project Adjustments</td>
<td>$3,281,604</td>
<td>$1,978,451</td>
</tr>
<tr>
<td>C6324 Asset Management System</td>
<td>$ 393,923</td>
<td>$ 393,923</td>
</tr>
<tr>
<td>Other I.T. Project Adjustments</td>
<td>$1,338,348</td>
<td>$ 586,075</td>
</tr>
<tr>
<td>Land Adjustments</td>
<td>$12,684,553</td>
<td>$ 5,686,237</td>
</tr>
<tr>
<td>W4055 Mainview Blv., Reserve</td>
<td>$ 0</td>
<td>$ 500,000</td>
</tr>
<tr>
<td>W4056 Williams Landing Reserve</td>
<td>$2,879,591</td>
<td>$2,879,591</td>
</tr>
<tr>
<td>W4060 Baden Powell Park – Active youth space</td>
<td>$2,252,739</td>
<td>$ 965,460</td>
</tr>
<tr>
<td>W4088 Presidents Park – Minor landscape</td>
<td>$ 112,175</td>
<td>$ 112,175</td>
</tr>
<tr>
<td>W4760 Lawrie Emmins Reserve – Moto Cross</td>
<td>$ 481,724</td>
<td>$ 206,453</td>
</tr>
<tr>
<td>W4942 Galvin Park Master Plan Implementation</td>
<td>$ 301,469</td>
<td>$  99,485</td>
</tr>
<tr>
<td>Other Open Space Project Adjustments</td>
<td>$3,430,068</td>
<td>$2,162,464</td>
</tr>
<tr>
<td>Other Structures Adjustments</td>
<td>$ 208,250</td>
<td>$ 271,750</td>
</tr>
<tr>
<td>Plant &amp; Equipment Adjustments</td>
<td>$2,319,100</td>
<td>$ 993,900</td>
</tr>
<tr>
<td>W8018 RDF New Cell 5A – Design &amp; Construct</td>
<td>$ 500,000</td>
<td>$ 500,000</td>
</tr>
<tr>
<td>Other RDF Project Adjustments</td>
<td>$ 560,000</td>
<td>$ 390,000</td>
</tr>
<tr>
<td>W3072 Armstrong Road</td>
<td>$ 500,000</td>
<td>$1,771,923</td>
</tr>
<tr>
<td>W3099 Hacketts Road</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
</tr>
<tr>
<td>W3879 Tarneit Road Duplication</td>
<td>$ 500,000</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Other Road Project Adjustments</td>
<td>$ 668,136</td>
<td>$ 360,824</td>
</tr>
<tr>
<td>Public Art Adjustments</td>
<td>$ 87,500</td>
<td>$ 162,500</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$36,943,267</td>
<td>$27,292,927</td>
</tr>
</tbody>
</table>

**Deleted Projects include:**

W4065 1160 Sayers Road Master Plan .......................................................... $ 250,000 v

**Identified Project Savings include:**

W3119 Doherty's Road Duplication ................................................................. $ 400,000

**Recommended additional projects:**

**Roads:**
Stella Way, Thames Boulevard, Frawley Court, Rothwell Road, Flinders Street .... $ 500,000*
Cayleys Road, Masons Lane ............................................................................... $ 1,000,000
DCP WIK payment ............................................................................................ $ 347,000
16/17 CAPITAL WORKS PROGRAM - FIRST QUARTER REVIEW (cont’d)

*Note: Cayleys Road and Masons Lane are the only roads that can be fully delivered at an estimated cost of $1,000,000. All other roads can only be partially delivered in 2016/17 equating to a $500,000 spend this financial year.

Construction of these roads will commence in 2016/17 financial year and be completed in 2017/18 financial year.

Building refurbishment:
- Werribee Outdoor Pool change rooms .......................................................... $150,000
- Pavilion upgrades at Soldiers Reserve and Galvin Park ............................ $400,000
- Volunteer hub .................................................................................................. $170,000
- Exeloo toilets refurbishment (Bridge St, Boardwalk Blv., Iramoo CC) ........ $75,000
- Depot change rooms refurbishment and car park works ......................... $600,000

Environmental projects:
- Arterial street lighting LED upgrade ............................................................. $1,300,000
- Sporting ground battery storage .................................................................... $100,000
- ECO Living Centre – ESD .............................................................................. $50,000
- Solar panels in community buildings ............................................................ $100,000
- Solar litter bins ............................................................................................... $300,000
- Eagle Stadium full large scale solar installation ........................................ $2,000,000
- Tree planting enhancements .......................................................................... $600,000
- Green bin purchase ....................................................................................... $3,000,000

Strategic land purchase ...................................................................................... $17,000,928

Total .................................................................................................................... $27,692,928

Further additional inclusion of potential land purchase could also increase the expenditure of the capital works program once targeted land parcels have been identified.

The following table provides a financial appraisal of the end of financial year forecast capital expenditure following program adjustments after projects have been deleted, postponed and/or added to the program.

<table>
<thead>
<tr>
<th>Capital Expenditure</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Amended Budget (incl. CF)</td>
<td>$120,722,146</td>
</tr>
<tr>
<td>End of Year Forecast</td>
<td>$120,722,146</td>
</tr>
<tr>
<td>Proposed Carry Forward</td>
<td>$Nil</td>
</tr>
<tr>
<td><strong>Total Variance Fav/(Unfav)</strong></td>
<td>$Nil</td>
</tr>
</tbody>
</table>
3. City Plan

2.2 City Infrastructure - To deliver and maintain Wyndham's facilities and infrastructure in an efficient and equitable manner that meets community needs.

4. Financial Implications

In order to minimize the impact of a large carry forward amount resulting in an increase to the 2017/18 capital budget, it is good financial management to have the ability to identify adjustments required to the 2016/17 capital program early in the program. This provides the opportunity to review and adjust the program accordingly. In reviewing the program there is no adverse impact to cash requirements.

5. Social Implications

The acceleration of projects into the 2016/17 capital works program will not result in adverse social implications.

6. Options

Option 1: Retain the capital works program as per the adopted budget amount and carry forward a potential amount greater than $27,000,000.

Option 2: Alter the program retaining the adopted budget but bring projects forward in order to manage any potential carry forward amount into 2017/18

7. Community Consultation

Council departments responsible for the delivery of projects, which have a direct community impact, will continue to work with relevant groups and stakeholders to minimise any impacts from project delays.
INTEGRATED PLAN & BUDGET 2015-16 END OF YEAR PERFORMANCE REPORT

Summary

The Integrated Plan & Budget 2015/16 details 33 initiatives for Council to achieve as an indicator of contributing to Council’s Vision. The purpose of this report is to present to Council the organisation’s performance at the end of the year. The performance report will be presented as part of the Wyndham City Annual Report 2015-2016.

Of the 33 initiatives there were some outstanding highlights that demonstrate Council’s community focus and responsiveness to the diverse needs of our community. The attached spreadsheet provides comments on all of the initiatives and achievements. Highlights are provided later in this report.

Attachments


Officers' Declaration of Interests

Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Director City Life – Jenny McMahon
In providing this advice as the Director, I have no disclosable interests in this report.

Manager Community Planning & Development – Kriss McKie
In providing this advice as the Manager, I have no disclosable interests in this report.

Corporate Planner - David Rasmussen
In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Significant achievements have been made in delivering on the 33 initiatives identified within the Wyndham Integrated Plan and Budget 2015-2016.

RECOMMENDATION

That Council note the outcomes of the thirty three initiatives identified in the Integrated Annual Plan and Budget 2015/16.
INTEGRATED PLAN & BUDGET 2015-16 END OF YEAR PERFORMANCE REPORT
(cont’d)

1. Background

The Integrated Annual Plan and Budget 2015/16 forms an important part of Council’s Integrated Planning Framework. It is developed in response to the City Plan priorities and within the constraints of the Strategic Resource Plan, which provides the financial parameters for the four year period of the City Plan. It is a key organisation performance reporting tool.

This report focuses on the end of year outcomes for the thirty three initiatives contained in the Integrated Annual Plan & Budget 2015/16.

Comments are presented in the attached spreadsheet. The spreadsheet is set out to align with the former structure of the organisation, which was in place for the 2015/2106 financial year.

2. Discussion

A comment on each of the 33 initiatives is provided in the attached spreadsheet. Of these there were some outstanding highlights that demonstrate Council’s community focus and responsiveness to the diverse needs of our community.

HIGHLIGHTS

Environmental Sustainability Design (ESD) Framework & Green Procurement policy
(Annual Plan Reference 29)

The ESD Framework was adopted at the August 2015 Council meeting for new and retrofitted Council buildings. An early success is Saltwater promenade Community Centre, which won the Melbourne Sustainable Architecture Award piloting the Framework design requirements in July 2016 and affirming Wyndham as a leader in sustainable and innovative development. As a result other metropolitan Councils are now looking to adopt the Framework principles as best practice for local government.

Wyndham Integrated Transport Strategy (Annual Plan Reference 14)

Amended to incorporate results from public consultations undertaken throughout March 2016, the completed Wyndham Integrated Transport Policy and the Wyndham Integrated Transport Strategy (WITS) were adopted by Council at the 27 June 2016 Ordinary Council Meeting. The WITS is an overarching strategy that brings together all transport modes and issues into one document for the first time in Wyndham. This strategy also looks to the future and reflects what we hope to achieve to improve traffic and transport by 2040.

Local Law Review (Annual Plan Reference 23)

The review of Local Laws 13, 14, 15 and 16 has been completed, with the new Local Law – Community Amenity Local Law (2015) also finalised. This new Local Law was adopted by Council at its October Ordinary Council Meeting, and has been active since 26 November 2015.

Completion and opening of Tarneit Library (Annual Plan Reference 30)

The new library in Tarneit opened on 14 December 2015. The service has been overwhelmed in its attendance, and has exceeded expectations in its rate of take up by the local community. In its first six months, there were nearly 115,000 visits and over 220,000 items borrowed.
Promoting Active Citizenship (Annual Plan Reference 5)

The Wyndham Exchange program continued to deliver a range of community engagement opportunities. Highlights included holding four Listening Posts in Wyndham Vale, Tarneit, Werribee South and Werribee. Council also hosted 3 Community Dinners targeting faith leaders; leaders and representatives from Maori, New Zealand, Pasifika Communities and 5 April with leaders and representatives from the Filipino Community.

Wyndham 2040 Community Plan (Annual Plan Reference 1)

Following a comprehensive process of community engagement, the Community Plan (2040 Vision and District Plans) was finalised and endorsed by Council at the January 2016 OCM. The District governance model of four District Advisory Committees was established in January 2016.

Werribee Sports & Fitness Centre Redevelopment (Annual Plan reference 19)

The Werribee Sports & Fitness Centre Redevelopment facility (Wyndham City’s Eagle Stadium) is the largest indoor recreation facility in Melbourne’s West. The $47 million complex opened its doors to the community on the 19th of June for its open day on the completion of Stage 1. It is designed to cater not just for current users but also for generations of sports lovers as Wyndham’s population continues to grow.

Wyndham City’s new website (Annual Plan reference 33)

Wyndham City Council has redesigned a new website that is: customer focussed; service oriented; easy to read; easy to navigate; easy to search and, clean and contemporary.

3. City Plan

The review of Council’s performance in delivering the Integrated Annual Plan and Budget 2015/16 initiatives assists with the achievement of Strategic Outcome 5.3 Business Operations - To deliver best practice management, governance, administrative and human resource systems that support the delivery of Council services and programs to the Wyndham community.

4. Communication Strategy

The outcomes of the Integrated Annual Plan and Budget 2015/16 shown in the attached spreadsheet will be incorporated within the Wyndham City Annual Report 2015-2016.
Summary
The Sports Facility Capital Development Guide was adopted by Council on 28 September 2015. It was also resolved at this meeting to develop a retrospective implementation plan for adoption at a future Council Meeting.

The purpose of this report is to seek Council endorsement of the 5 year Sports Facility Capital Development Guide Retrospective Implementation Plan.

Attachments
Nil

Officers' Declaration of Interests
Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Director City Life – Jenny McMahon
In providing this advice as the Director, I have no disclosable interests in this report.

Manager Sport & Recreation - David Semmens
In providing this advice as the Manager, I have no disclosable interests in this report.

Key Issues
- Project triage.
- Prioritising Projects.
- Resourcing.

RECOMMENDATION
1. Background


Council resolved at the adoption of the guide to retrospectively fund Wyndham’s existing sports infrastructure to bring it in line with the adopted policy position. Examples of retrospective projects include pavilion extensions/renovations, sports ground lighting installations/upgrades, amenity improvements, drainage works, provision of new sporting infrastructure and court resurfacing.

The Sports Facility Capital Development Guide seeks to improve all facilities and bring them to the same standard to allow all clubs to grow and succeed on a level playing field. The retrospective projects will:

- Improve access for the local community to sport, leisure and community spaces;
- Improve community connectedness;
- Improve access to female sport;
- Improve access to facilities which improve health and wellbeing; and
- Improve capacity building of future volunteers and members of user groups.

A comprehensive list of 44 retrospective projects were identified and considered in the development of the implementation plan. The projects were initially triaged considering Council’s capital development and renewal planning and cost-benefit. This process identified 23 retrospective projects to be included in the implementation plan. These projects were then prioritised based on four criteria to determine delivery order.

2. Discussion

Project Triage

Projects were initially triaged to identify which ones were most appropriate to be included in the implementation plan. A full list of projects has been included as an attachment to this report.

Some projects were deemed unsuitable for inclusion in the implementation plan for the following capital development and renewal planning reasons;

a) Project was already funded through the Capital Works budget or a grant scheme; For example, infrastructure already accounted for in Council’s capital planning as a result of master plan implementation schedules.

b) Project will be renewed/refurbished in future under Council’s asset renewal program; For example, asphalt tennis courts which are currently safe and functional but will be reconstructed with a concrete base at the end of their lifespan or if they become unsafe.

c) Project is part of a facility that will be master planned within the next five years. For example, projects at Wyndham Vale North or Jamieson Way, which depend on outcomes of master planning to confirm future use(s) of reserves and infrastructure required.
The second guiding principle underpinning the triage process was that projects must demonstrate a positive cost/benefit in line with the principles of the Capital Development Guide. For example:

- Extensions to solely kitchen (generally 5m²) or storage (generally 20m²) areas would unlikely provide a measureable benefit to participation or operations to justify the cost of works. Alternatively, such works could be considered in the future when the facility is renewed or the tenant club undertakes a club funded project that provides opportunity for Council to partner to meet the policy standard;

- Provision of additional car parking for less than 20 cars.

Prioritising Projects

The triage process identified 23 retrospective projects to be included in the implementation plan. Identified projects were assessed against the following criteria and prioritised accordingly within the implementation plan.

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Considerations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safety/ Risk</td>
<td>- Is there a public safety risk if the infrastructure is not provided?</td>
</tr>
<tr>
<td>Impact on participation</td>
<td>- Does the lack of infrastructure adversely impact on programming of activities?</td>
</tr>
<tr>
<td></td>
<td>- Does the lack of infrastructure discourage female participation?</td>
</tr>
<tr>
<td></td>
<td>- Does the lack of infrastructure discourage participation for older persons or those with a disability?</td>
</tr>
<tr>
<td>Future plans for the site</td>
<td>- Is the site, building or infrastructure already being upgraded as part of another project?</td>
</tr>
<tr>
<td></td>
<td>- Is the site, building or infrastructure going to be the subject of a master plan as identified in the 10 year capital plan?</td>
</tr>
<tr>
<td>Feasibility</td>
<td>- Can the project be feasibly delivered?</td>
</tr>
<tr>
<td></td>
<td>- Does the project require space that is not available or is there another reason why the infrastructure cannot be accommodated at the site?</td>
</tr>
</tbody>
</table>
**Implementation Plan**

5 YEAR CAPITAL DEVELOPMENT GUIDE RETROSPECTIVE PROJECT ROLL OUT

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital Works</td>
<td>2 cricket nets</td>
<td>Prudence Parade (linked with Featherbook)</td>
<td>$110,000.00</td>
<td>1 year</td>
<td>$110,000.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Works</td>
<td>New Lights and poles</td>
<td>Picnic 2</td>
<td>$250,000.00</td>
<td>1 year</td>
<td>$250,000.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Works</td>
<td>New Lights and poles</td>
<td>Grange Reserve</td>
<td>$250,000.00</td>
<td>1 year</td>
<td>$250,000.00</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Capital Works</td>
<td>New Lights and poles</td>
<td>Little River</td>
<td>$250,000.00</td>
<td>1 year</td>
<td>$250,000.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Capital Works</td>
<td>New Lights and poles</td>
<td>Saltwater Soccer</td>
<td>$250,000.00</td>
<td>2 years</td>
<td>$250,000.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landscape</td>
<td>BBQ Picnic Areas (as per WOSSS)</td>
<td>Presidents Park</td>
<td>$10,000.00</td>
<td>1 year</td>
<td>$10,000.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buildings</td>
<td>Netball pavilion Upgrade Design and construction</td>
<td>MooraNetball</td>
<td>$1,500,000.00</td>
<td>2 years</td>
<td>$1,350,000.00</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landscape</td>
<td>BBQ Picnic Areas (as per WOSSS)</td>
<td>Federation Boulevard Reserve</td>
<td>$50,000.00</td>
<td>1 year</td>
<td>$50,000.00</td>
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<tr>
<td>Landscape</td>
<td>BBQ Picnic Areas (as per WOSSS)</td>
<td>Haines Drive Reserve</td>
<td>$50,000.00</td>
<td>1 year</td>
<td>$50,000.00</td>
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<td>Landscape</td>
<td>BBQ Picnic Areas (as per WOSSS)</td>
<td>Tom Roberts Reserve</td>
<td>$50,000.00</td>
<td>1 year</td>
<td>$50,000.00</td>
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<tr>
<td>Buildings</td>
<td>Pavilion improvements: changerooms, showers and toilets, referees room, internal toilets, storage</td>
<td>Grange Reserve</td>
<td>$500,000.00</td>
<td>2 years</td>
<td>$450,000.00</td>
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<tr>
<td>Buildings</td>
<td>Football/ cricket pavilion upgrade: New first aid 5m2, Umpires Rooms 5m2, extension, Kitchen extension 5m2, Internal Storage additional 15m2, Social space extension 50m2</td>
<td>Grange Reserve Soccer Pavilion</td>
<td>$600,000.00</td>
<td>2 years</td>
<td>$500,000.00</td>
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<td>Buildings</td>
<td>Renewal of fencing</td>
<td>Galvin Park</td>
<td>$40,000.00</td>
<td>1 year</td>
<td>$40,000.00</td>
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<tr>
<td>Buildings</td>
<td>Football/ cricket pavilion upgrade: New first aid 5m2, Changeroom refit 4 pans, 4 basins, 3 showers, New umpires rooms 20m2</td>
<td>Little River</td>
<td>$200,000.00</td>
<td>2 years</td>
<td>$150,000.00</td>
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<tr>
<td>Capital Works</td>
<td>Additional: 20m2 social room, 20m2 storage, 30m2 Kitchen space, external public toilet</td>
<td>Cambridge Reserve</td>
<td>$500,000.00</td>
<td>2 years</td>
<td>$400,000.00</td>
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<tr>
<td>Buildings</td>
<td>Pavilion extension - 5m2 kitchen extension, 50m2</td>
<td>Featherbrook</td>
<td>$400,000.00</td>
<td>2 years</td>
<td>$340,000.00</td>
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<td>Buildings</td>
<td>50m2 social room extension</td>
<td>Federation Boulevard Reserve</td>
<td>$400,000.00</td>
<td>2 years</td>
<td>$350,000.00</td>
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<tr>
<td>Buildings</td>
<td>50m2 social room extension, additional 50m2 Kitchen space, 20m2 storage</td>
<td>Haines Drive Reserve</td>
<td>$400,000.00</td>
<td>2 years</td>
<td>$350,000.00</td>
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<tr>
<td>Buildings</td>
<td>Pavilion Improvements: 50m2 social room extension, Additional 50m2 Kitchen space</td>
<td>Saltwater Tennis</td>
<td>$475,000.00</td>
<td>2 years</td>
<td>$375,000.00</td>
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<tr>
<td>Buildings</td>
<td>Pavilion Improvements: 50m2 social room extension, Additional 50m2 Kitchen space</td>
<td>Tom Roberts Reserve</td>
<td>$400,000.00</td>
<td>2 years</td>
<td>$300,000.00</td>
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<tr>
<td>Buildings</td>
<td>20m2 social room extension</td>
<td>Saltwater Tennis</td>
<td>$400,000.00</td>
<td>2 years</td>
<td>$300,000.00</td>
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<tr>
<td>Buildings</td>
<td>Pavilion Improvements: 50m2 additional storage</td>
<td>Godfrey Street Reserve</td>
<td>$400,000.00</td>
<td>2 years</td>
<td>$350,000.00</td>
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<tr>
<td>Buildings</td>
<td>Pavilion Improvements: additional 50m2 social space, 20m2 storage, 50m2 Kitchen</td>
<td>Howqua Way Reserve</td>
<td>$400,000.00</td>
<td>2 years</td>
<td>$350,000.00</td>
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<td><strong>TOTAL</strong></td>
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<td></td>
<td><strong>1,170,000.00</strong></td>
<td></td>
<td><strong>1,050,000.00</strong></td>
<td><strong>2,740,000.00</strong></td>
<td><strong>1,100,000.00</strong></td>
<td><strong>1,675,000.00</strong></td>
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</table>
Selected projects (highlighted in yellow) identified for forward design to facilitate grant applications will be considered should funds become available in the 2016/17 financial year, or will otherwise be scheduled for 2017/18.

Projects highlighted in green are those that have already been funded in Council’s 2016/17 budget.

The delivery of the remainder of the identified projects (purple) will be dependent on funds being allocated on an annual basis through Council’s budget process and subject to changes in the prioritisation of works (e.g. if risk becomes a pressing factor).

External funding (grants) will be sought where possible. Council’s standard two year “design-construct” implementation approach (as evident in the Implementation Plan) presents challenges for preparing competitive grant applications for Sport & Recreation Victoria (SRV) funding schemes, because of the requirement to have schematic plans available up to 18 months prior to construction starting. As such, the range of funding and grant opportunities for these projects may have a narrower scope.

3. Wyndham 2040 Vision

Our parks and open spaces will connect people with the outdoors and each other. They will be activated and inviting destinations for residents and visitors.

4. Council Policy

This project relates specifically to the Wyndham City Council Sports Facility Capital Development Guide.

5. Financial Implications

The approximate cost of delivering all projects included in the implementation plan is $7,735,000.

Financial modeling was conducted for each project based on the costs of recent similar projects completed in Wyndham. Cost efficiencies may be realised by combining projects.

6. Communication Strategy

Affected clubs will be informed about the implementation plan via their dedicated Sport and Recreation Officer.
Summary
Located within Point Cook, the housing estate of Sanctuary Lakes was first gazetted with the Victorian Government in September 1999. Since then, Sanctuary Lakes has developed into a thriving neighbourhood which currently boasts over 7,000 residents. The purpose of this report is to outline the process that would need to be undertaken by Council in order to have Sanctuary Lakes recognised as a suburb in its own right.

Attachments
Nil

Officers' Declaration of Interests
Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Manager Council & Community Relations – Emily Keogh
In providing this advice as the Manager, I have no disclosable interests in this report.

A/Coordinator City Governance – Nicole Battle
In providing this advice as the Coordinator, I have no disclosable interests in this report.

Governance Administration Officer - Bethany Wallace
In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues
- Requests have been received for the locality known as Sanctuary Lakes to become a standalone suburb.
- Incompatibility with the State Government’s Guidelines for Geographic Names 2010 to use an estate or commercial name as a suburb name unless an exemption is granted.

RECOMMENDATION
That Council:
1. seek community input about proposed suburb boundaries for Sanctuary Lakes;
2. seek advice from the Office of Geographic Names of the likelihood of success if an exemption to use the estate name of Sanctuary Lakes as a suburb name is sought;
3. take no action on any advice from the OGN until the commencement of the next Council term; and
4. advise Sanctuary Lakes Resort Services Limited accordingly.
1. Background

On 9 September 1999 Sanctuary Lakes was gazetted in the Victorian Government Gazette as an urban locality name within Point Cook, which recognised the area as being a neighbourhood within a suburb. Since gazettal, Sanctuary Lakes has established itself as a well-known area in Wyndham, and there have been multiple requests from residents for the estate to be recognised as a suburb in its own right.

On 27 October 2014, Council considered whether an exemption should be sought from the Registrar of Geographic Names (‘the Registrar’) so that Sanctuary Lakes could potentially become a suburb. Council resolved that an exemption would not be sought, meaning that Sanctuary Lakes remained an estate within Point Cook.

Following the recent gazettal of Manor Lakes as a suburb in March this year, and further requests from residents of Sanctuary Lakes, Council has made enquiries with the Office of Geographic Names (‘OGN’) about the prospects of success should an exemption be sought. The OGN has advised that prior to any application for exemption being considered, Council will need to submit proposed suburb boundaries for pre-application endorsement.

2. Discussion

In accordance with Principle 1(l) of the Guidelines for Geographic Names 2010 (‘Guidelines’), places should not be named after commercial businesses, trade names or non-profit organisations. An exemption may be granted by the Registrar where the business or organisation has had an association with the area over a substantial period of time, and that business or organisation is held in strong regard by the community. Therefore, before Council can consider whether to apply to have Sanctuary Lakes registered as a suburb, an exemption must first be sought and granted.

Use of and support for the name

Sanctuary Lakes residents have been able to demonstrate extensive use of their estate name in organisations such as the Sanctuary Lakes Netball Club, Sanctuary Lakes Cricket Club, Sanctuary Lakes Cycling Club and Sanctuary Lakes Probus Group. Several businesses, such as the Sanctuary Lakes Hotel, Quest Apartments Sanctuary Lakes and Sanctuary Lakes Golf Course have also adopted the estate name rather than using the suburb name of Point Cook. The shopping centre adjacent to the estate has used the Sanctuary Lakes name (Sanctuary Lakes Shopping Centre), and many of the stores use the name to identify their store location, including Coles Sanctuary Lakes and Kmart Sanctuary Lakes.

The residents have also been able to demonstrate strong community support for the suburb’s creation through the presentation of a 2,400 signature petition to the Victorian Legislative Assembly on 24 November 2015. This support is not dissimilar to that shown by residents of Manor Lakes, who in 2014 demonstrated extensive use of their estate name in local infrastructure and presented a petition with over 1,000 signatures to Council, to the effect that an application for exemption was made. To be consistent in its approach to naming issues, Council should prepare a boundary proposal and consult the OGN about the prospects of an exemption being granted to allow Sanctuary Lakes to become a suburb.
Boundary proposal

The OGN has indicated that Council needs to submit proposed suburb boundaries with any application for exemption and that they are to be compliant with the Guidelines. Council received a set of proposed boundaries from Sanctuary Lakes Resort Services on 18 May 2016, but acknowledges that they may not be deemed acceptable by the OGN. When determining appropriate boundaries to submit to the OGN, Council must consider whether:

- the western boundary along Point Cook Road should align with the road centre line in accordance with Principle 3(A) of the Guidelines or whether Council should seek to deviate from the principle and carve out and include Sanctuary Lakes Shopping Centre, Sanctuary Lakes Hotel and Lumen Christi Catholic Primary School in the boundary proposal. However, if Council does carve out these buildings to be included in the boundary, it will leave Kirkstone Road divide into three sections, with the outer two sections being classified as Sanctuary Lakes and the middle section being classified as Point Cook;

- the proposed boundary should include the estate of Sanctuary Lakes only, or whether it should be extended south to Point Cook Homestead Road to include the Saltwater Coast housing estate; and

- to include the Cheetham Wetlands in the proposed boundaries or otherwise exclude them. If they are to be included, Council must consider Principle 3(A) and determine the distinguishable feature such as a waterway or ridge which will serve as a boundary between Sanctuary Lakes and Point Cook, noting that currently the boundary between the suburbs of Point Cook and Altona Meadows is Skeleton Creek.

The OGN has suggested that Council seek input from residents, especially those residing in the Sanctuary Lakes and Saltwater Coast estates, to determine boundaries which are not only compliant with the Guidelines, but also supported by the community. Once proposed boundaries have been drawn up, the OGN will consider these and assess Council’s prospects of being successful in receiving an exemption.

Receiving an exemption

It should be noted that although Council applied for an exemption in relation to Manor Lakes, this application was rejected and it was a separate announcement by the Minister for Planning that confirmed the estate would become a suburb. Council was not involved in the process that led to the Minister making this announcement. Given that the application regarding Manor Lakes was rejected, Council and residents of Sanctuary Lakes should be prepared for the possibility that even if an exemption is sought following advice of the OGN, there is no guarantee that it will be granted.

Given that the process required to enquire about and subsequently apply for an exemption is a lengthy and complex process, it should not be acted upon until the commencement of the next Council term to ensure that it does not encroach on the election caretaker period, which commenced on 21 September 2016. Creating a suburb constitutes a significant policy decision and any encroachment into caretaker period would amount to a breach of Council’s Election Period Policy and could adversely affect residents in the lead up to the election. Therefore, once the new Council has been elected, a further report will be presented at an Ordinary Council Meeting in 2017 to present proposed suburb boundaries and determine whether an exemption should be sought.
3. **City Plan**
   1.1 Sense of community - to actively promote opportunities for building a sense of community identity, inclusion and connectedness between residents.

4. **Wyndham 2040 Vision**
   - **People and Community:** Council has received requests from residents within the Sanctuary Lakes estate to become a suburb in their own right.
   - **Places and Spaces:** A strong connection to place is apparent from residents in this estate.

5. **Council Policy**
   Council’s *Geographic Naming Policy* (‘the Policy’) follows the principles and procedures as outlined in the Guidelines.

6. **Financial Implications**
   There would be no direct cost to seek advice from the Registrar in relation to the viability of applying for an exemption. An indirect cost would arise from Governance staff preparing and submitting any application for exemption.

7. **Social Implications**
   Applying for an exemption to use the name Sanctuary Lakes for a suburb has the potential to both simultaneously unite and divide the community. Whilst the residents of Sanctuary Lakes may feel their sense of identity is strengthened by being recognised as a suburb, there is a danger that separating Sanctuary Lakes from Point Cook will divide the community and foster an exclusive environment.
ANZAC COMMEMORATIVE NAMING PROJECT

Summary

It has been proposed that three sections of roads affected by the construction of the Regional Rail Link be renamed to reduce possible confusion and misdirection amongst residents and emergency services. This proposal is an opportunity for Council to participate in the State Government’s ANZAC Commemorative Naming Project and the Office of Geographic Names has already provided in principle support for the road naming. A community consultation has been undertaken to determine community support for the proposed renaming and has now concluded, with a majority of submissions indicating support for the project.

Attachments

1. View Southern section of Woods Road
2. View Western section of Sayers Road
3. View Southern section of Gard Road

Officers’ Declaration of Interests

Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer - Kelly Grigsby
In providing this advice as the CEO, I have no disclosable interests in this report.

Manager Council and Community Relations - Emily Keogh
In providing this advice as the Director, I have no disclosable interests in this report.

A/Coordinator Governance & City Engagement - Nicole Battle
In providing this advice as the Manager, I have no disclosable interests in this report.

Governance Administration Officer - Bethany Wallace
In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Need to rename roads affected by the construction of the RRL
- Of the seven submissions received, Council received four responses in support of the naming proposal

RECOMMENDATION

That Council:

1. provide approval for the renaming of the southern section of Woods Road to Alcock Road;
2. provide approval for the renaming of the western section of Sayers Road to Densley Road;
3. provide approval for the renaming of the southern section of Gard Road to Tyzack Road;
4. advise all objectors to the naming proposal of the decision to name the roads;
5. lodge the naming proposal with the Office of Geographic Names for the approved names to be gazetted and registered.
1. **Background**

The recent construction of the Regional Rail Link (RRL) has divided three roads within Wyndham and has left them split either side of the rail corridor. There is a concern that the division of these roads may cause confusion and lead to misdirection, particularly with emergency services, and so it has been proposed that the affected sections of the roads be renamed. The sections of road to be renamed do not have any dwellings along them, and so there will be no addresses directly affected by this project. It is timely that these sections of roads be renamed now so that the community can familiarise themselves with the new road names before any potential subdivisions occur. The sections of roads proposed to be renamed are:

- Southern section of **Woods Road** (from the RRL to Leakes Road)
- Western section of **Sayers Road** (from the RRL to Shanahans Road)
- Southern section of **Gard Road** (from the RRL to Leakes Road)

This road renaming proposal is an opportunity for Council to engage in the Victorian Government’s ANZAC Commemorative Naming Project which acknowledges the wartime service and sacrifice of Wyndham’s military service people and those who supported Australia’s military cause. As such, it is proposed that the roads be renamed as follows:

- **Alcock Road** (after John Alcock)
- **Densley Road** (after Henry Paget Densley)
- **Tyzack Road** (after Charles William Tyzack)

On 13 May 2016, the Office of Geographic Names (OGN) provided in-principle support for Alcock and Densley Roads, and on 29 June the OGN provided in-principle support for Tyzack Road. At the time this in-principle support was sought, Council provided reasons for selecting the proposed namesakes, which were:

- **John Alcock** was born in Wyndham Shire in 1871 and lived on his father’s farm in Tarneit. Alcock enlisted on 19 June 1915 at age 43 and arrived at Marseilles, France on 26 March 1916 as a Private with the 3rd Reinforcements for the 21st Battalion. Alcock was wounded in the back on 29 July 1916 and evacuated to the 44th Casualty Clearing Station. He died as a result of his wounds on 9 August 1916 and was buried at Purchvillers British Military Cemetery on the same day. Among the medals Alcock received posthumously were the Star Medal, British War Medal and Victory Medal.

- **Henry Paget Densley** was born in 1896 and prior to enlisting at the age of 20, he lived in Synnot Street, Werribee with his parents. Densley’s military experience commenced prior to World War I and he served with the Citizen Forces and school cadets, before being appointed as Lance Corporal at a non-commissioned officers’ examination at the Mechanics Hall in Werribee in 1912. In addition to this military experience, Densley was a keen cricketer and footballer for local Werribee clubs and his achievements were recorded in the local newspapers at the time. Densley embarked from Melbourne on 9 November 1917 and served as a Gunner in the Field Artillery Brigade. He disembarked at Melbourne on 6 August 1919 and returned to Werribee where he continued to be involved with various sporting clubs. In the years after the war, Densley worked for the Melbourne and Metropolitan Board of Works Farm at Werribee before his sudden death in 1938. He was buried at the Werribee Cemetery and was survived by his wife and three daughters.
• Charles William Tyzack was born in Rupanyup in 1896, before moving to Werribee with his family. Tyzack enlisted in the AIF in January 1916 and engaged in basic training before being medically discharged five months later as a result of complications arising from pre-war surgery. Although his military service was short-lived, Tyzack did contribute to the war effort in ways which were less physical, by undertaking clerical duties in the pay office. His name is printed on the Honour Board held at the Werribee RSL, highlighting Tyzack’s wartime contribution. Tyzack’s father, also Charles, had an indirect connection to the war effort: he sat on a local committee whose purpose was to assist in the winning of the war. Beyond the war effort, the Tyzack family contributed generally to the community of Werribee, and from 1910 until the 1960s operated the drapery store on the corner of Watton and Station Streets.

In addition to the selected names fitting in with the State Government’s ANZAC Commemorative Naming Project, they are also compliant with the naming principles in the Guidelines for Geographic Names 2010 (‘the Guidelines’). Principles 1(A) and 1(D) require names to be easy to pronounce and write, to not be duplicates of names already being used in the locality and not be similar in sound or spelling to other names in close proximity to the road proposed to be renamed.

Having received in-principle support from the OGN, in accordance with Principle 1(H) of the Guidelines, Council was then required to attempt to locate the families and descendants of John, Henry and Charles to seek permission to use their names. In order to locate families and descendants, a status was posted to the Wyndham City Living Facebook page asking those relatives or anyone with any information to contact Council. To ensure that the post reached its maximum audience it was sponsored from 18-30 July which resulted in over 95,000 views, 1,000 likes, 95 shares and 10 comments. To date, this is one of Council’s most successful Facebook posts, with an engagement rate of 5.6 per cent.

An advertisement seeking the families and descendants was placed in the local paper on 20 July and a media release published by Council resulted in a story being published in the local paper on 27 July. As a result, three descendants of Charles William Tyzack, being two of his granddaughters and a grandniece, came forward and subsequently gave approval for Council to use this name to rename the southern section of Gard Road. Although no family members or descendants of John Alcock and Henry Paget Densley came forward, this does not prevent Council from using the names to rename the southern section of Woods Road and western section of Sayers Road as a very comprehensive attempt to locate them has been made.

Once families and descendants were located, pursuant to the Guidelines, Council was required to undertake a community consultation to gauge wider community support for the proposed road renaming.

2. Discussion

The community consultation to gauge wider community support for the proposed road renaming commenced on 1 August 2016. An advertisement was placed in the local paper on 3 August and 31 August, and a sponsored post was published on Council’s Wyndham City Living Facebook page inviting residents to participate in the consultation. Letters with written feedback forms were sent to the residents who live directly next to the RRL on the affected roads, inviting them to participate in the consultation. As a courtesy, Council also wrote to the Werribee RSL and Werribee Historical Society, inviting them to participate in the consultation.

The consultation was conducted primarily via online submission form which was available on a dedicated webpage (www.wyndham.vic.gov.au/roadnaming). For community members who did not have internet access, they were able to call Council and submit a response over the phone. The webpage contained links to maps showing the roads proposed to be renamed, as well as links to the Wyndham History webpages relating to John Alcock, Henry Paget Densley and
Charles William Tyzack to ensure that community members could make fully informed submissions.

Throughout the consultation period which ended on 4 September 2016, Council received a total of seven submissions from community members. The online submission form contained six questions (two questions for each road) and a space for comment.

**Alcock Road**

In response to the question of whether the community approved the proposal to rename the southern section of Woods Road generally, four people were in favour of the proposal, two were not in favour and one did not express a view either way.

In response to the second question of whether the proposed name of Alcock Road was supported, four people were in favour of the proposal, two were not in favour and one did not express a view either way.

**Densley Road**

In response to the question of whether the community approved the proposal to rename the western section of Sayers Road generally, four people were in favour of the proposal, two were not in favour and one did not express a view either way.

In response to the second question of whether the proposed name of Densley Road was supported, four people were in favour of the proposal, two were not in favour and one did not express a view either way.

**Tyzack Road**

In response to the question of whether the community approved the proposal to rename the southern section of Gard Road generally, four people were in favour of the proposal and three were not in favour.

In response to the second question of whether the proposed name of Tyzack Road was supported, three people were in favour of the proposal and four were not in favour.

As part of these responses, five comments were submitted for consideration by Council. One individual considered the road renaming to be a ‘great proposal’ which was ‘highly appreciated’ whilst other comments raised concerns about the future impact of the renaming, believing Council should ‘leave the names alone’ and that ‘no change is required’.

One submission stated that ‘…in the future, overpasses will be built to reconnect these roads due to congestion and growth. This renaming will cause all sorts of headaches for current residents and visitors now, and again when they are joined back together’. However, Principle 1(C) of the Guidelines requires Council to ensure public safety when naming, and names ‘must not risk public and operational safety for emergency response, or cause confusion for transport, communication and mail services’. As such, Council cannot rely on speculation that possible overpasses might be built in the future which may reconnect the roads, and must be proactive in reducing the potential for confusion and misdirection by renaming the roads as they exist now.

The use of the road type for Tyzack Road was questioned by two individuals who felt ‘Tyzack Court’ would have been a more appropriate name. However, upon providing in-principle support for the road name, the OGN did not raise any concern of the use of the road type with Council. Under the Guidelines, the road type is not inappropriate to use as the proposed Tyzack Road is an ‘open way or public passage for vehicles, persons and animals’.
Comments made that addresses will be affected by this proposal are incorrect as there are currently no homes located on the sections of road to be renamed.

By the conclusion of the consultation, the sponsored Facebook post had reached over 20,000 people, received 27 likes, 6 comments and was shared twice. Two commenters suggested that Council should fix existing roads in the municipality rather than being concerned with what these particular roads are named. It was suggested to these commenters that they submit Customer Service Requests to Council so that the roads referred to could be assessed for repair.

Three commenters opined that the roads did not require renaming and Council should ‘leave them as they are’, as they will find it hard remembering where the new roads are located. Despite a response to these comments from Council suggesting that they formally submit their views via the community consultation, none of the individuals took the opportunity to do so.

One response was received by post after the closing date for submissions, which approved the proposal to rename the southern section of Woods Road generally, but did not support the proposed name of Alcock Road. The individual did not believe John Alcock to have sufficient connection to Werribee, despite being born and raised here on his father’s farm in Tarneit.

3. City Plan
   5.1 Good Governance - To maintain community confidence in the integrity and efficiency of the organisation. To continue to ensure there is a focus and commitment to transparency and accountability in Council decision making processes.

4. Wyndham 2040 Vision
   Places and Spaces - Facilitating residents’ ability to move around and navigate Wyndham easily.

5. Council Policy
   Council’s Geographic Naming Policy follows the principles and procedures as outlined in the Guidelines.

6. Community Consultation
   The community has already been consulted about the proposed renaming of three sections of roads in Wyndham affected by the construction of the RRL.
Summary

The State Government has embarked upon the most ambitious review of the Local Government Act 1989 (Act) in nearly 30 years. The review aims to produce contemporary legislation that modernises the relationship between State and Local Governments to better reflect essential roles and responsibilities.

A Discussion Paper was released in late 2015 and Wyndham City made a Joint Submission with Hobsons Bay and Brimbank in January. Following analysis of these sector and community submissions on the Discussion Paper, the State Government released a Directions Paper containing 157 ‘Reform Directions’ across a number of themes.

Wyndham City overwhelmingly supports the Reform Directions, as outlined in the attached submission, while requesting further clarification and sector consultation on a small number of Reform Directions.

Submissions on the Reform Directions will now be analysed, prior to the State Government releasing an Exposure Draft of a new Act during 2017 before seeking to legislate changes to the Act in 2018.

Attachments


Officers’ Declaration of Interests

Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer - Kelly Grigsby
In providing this advice as the CEO, I have no disclosable interests in this report.

Senior Governance Advisor - Darren Ray
In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- State Government has released 157 Reform Direction as part of its review of the Local Government Act 1989.

- Wyndham City makes this submission on behalf of Council, and Councillors may also make individual submission to the review

- Wyndham City overwhelmingly supports the Reform Directions and seeks clarification and consultation on a small number.

- An Exposure Draft of the new Act will be released in 2017 for further feedback.
COUNCIL SUBMISSION ON LOCAL GOVERNMENT ACT REFORM DIRECTIONS (cont’d)

RECOMMENDATION

That Council

1. Endorse the attached Wyndham City submission to the Reform Directions contained in the State Government’s ‘Act for the future: directions for a new Local Government Act’ Directions Paper;

2. Requests further clarification and sector consultation on the Reform Directions outlined in the submission;

3. Authorise the CEO to submit the Wyndham City submission no later than 16 September 2016; and

4. Request further updates on the progress of the review of the Act as appropriate.
1. Background

The State Government has embarked upon an ambitious review of the Local Government Act. This review commenced in 2015 and will continue until the proposed timeline to introduce a new Act in 2018 prior to the next State Election.

The review has been very open and consultative with a Discussion Paper in late 2015 canvassing overall structure, ambiguous and redundant provisions as well as gaps in the current Act that need to be addressed in a new Act for Victoria.

Wyndham City facilitated consultations within the Western Region Councils prior to finalising a Joint Submission with Hobsons Bay and Brimbank City Councils, noting that Brimbank also attached an addendum to the Joint Submission.

A core focus of our Joint Submission earlier this year was to strongly advocate for an autonomous sector supported by enabling legislation to ensure that Wyndham City could continue to meet growing and changing community needs.

Wyndham City was pleased to see the resulting Directions Paper reflect these views and as a result our positions on the 157 Reform Directions and options therein is outlined in this report and attached submission.

2. Discussion

As stated above, Wyndham City overwhelmingly supports the Reform Directions. This is because they:

- reflect practices and policies already undertaken here;
- mostly respect Council autonomy;
- promote community engagement and aid transparency in decision making;
- reflect the positions Wyndham City has taken on previous sector and governance reforms and reviews, and most importantly;
- would enable Council to continue to focus on meeting future community needs.

A summary of Wyndham City positions on the Reform Directions by chapter is included below, noting that the total number exceeds 157 as this summary includes a number of options included in individual Reform Directions:
Chapter Submission on Local Government Act Reform Directions (cont’d)

<table>
<thead>
<tr>
<th>Chapter</th>
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<th>No</th>
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</thead>
<tbody>
<tr>
<td>Contemporary Councils capable of meeting future challenges</td>
<td>24</td>
<td>5</td>
<td>4</td>
</tr>
<tr>
<td>Democratic and representative Councils</td>
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<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Councils, communities and participatory democracy</td>
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<td>2</td>
<td>2</td>
</tr>
<tr>
<td>Strong probity in Council performance</td>
<td>10</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Ministerial oversight of Councils</td>
<td>14</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Integrated planning</td>
<td>18</td>
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<td>1</td>
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<tr>
<td>Sustainable finances for innovative and collaborative Councils</td>
<td>16</td>
<td>2</td>
<td>-</td>
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<tr>
<td>Fair rates and sustainable and efficient Councils</td>
<td>14</td>
<td>3</td>
<td>1</td>
</tr>
<tr>
<td>A rational legislative hierarchy</td>
<td>14</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td>Sub-totals</td>
<td>123</td>
<td>25</td>
<td>11</td>
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</tbody>
</table>

3. City Plan

5.1 Good Governance - To maintain community confidence in the integrity and efficiency of the organisation. To continue to ensure there is a focus and commitment to transparency and accountability in Council decision making processes.

4. Wyndham 2040 Vision

The 157 Reform Directions and related options address nearly all aspects of Council’s operations and policies.

They also have implications for the Wyndham 2040 Vision and themes including People and Community, Places and Spaces, Earning and Learning and Leadership and Participation.

As Council works with District Advisory Committees and the wider community to realise the Wyndham 2040 Vision, Wyndham City will need to be a more agile and future-focused organisation. This will be assisted in many ways by many of the Reform Directions discussed in the attached submission.

The ongoing challenge of meeting growing and changing community needs in a problematic funding environment remains despite the Reform Directions, although some additional costs will need to be understood and managed.
5. Financial, Social, Environmental and Economic Implications

While there are no immediate financial, social, environmental and economic implications of this report, it is expected that there will be far-reaching implications if these Reform Directions form part of a new Act.

Wyndham City has done extensive early analysis of the implications and while Wyndham City is already operating in ways that may emerge in the sector in the future, there could be significant and additional reporting, representation and other costs associated with the Reform Directions. Wyndham City will work closely with Council and the community on these ongoing implications.

6. Options

While this report seeks endorsement by Council of the attached submission, Councillors were advised early that if they held differing or additional views on the Reform Directions, they could make individual submissions. Endorsing this attached submission does not preclude this from occurring.

Council could endorse this submission or note this submission.

7. Community Consultation

Wyndham City has promoted opportunities for the community to participate in all stages of the review of the Act, including the Reform Directions which are the subject of this report.

8. Communication Strategy

Once endorsed by Council, a Media Release will be issued and a copy of this submission placed onto the Council website.
END OF COUNCIL TERM REPORT 2016

Summary
This End of Council Term Report 2016 includes a high-level summary of the progress and key achievements of the 2012-2016 Wyndham City Council Term, as well as opportunities and challenges remaining for the incoming Council after the Council Elections to be held on 22 October 2016.

It is not intended as an exhaustive duplication of all activity during this period.
Numerous other reports tracking service, financial, legislative and advocacy progress against goals have been considered and adopted by Council in line with requirements of the Local Government Act 1989 and other key legislation regulating Council’s activities.

Attachments
1. View End of Council Term Report 2012-2016 - printed in separate document
2. View Capital Works Projects 2012-2016 - printed in separate document

Officers’ Declaration of Interests
Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Chief Executive Officer - Kelly Grigsby
In providing this advice as the CEO, I have no disclosable interests in this report.

Senior Governance Advisor - Darren Ray
In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues
- Achievements and challenges during the current Council Term, and
- Providing access to historic information on the current Council Term for new Councillors and the community.

RECOMMENDATION
That Council:
1. Note the End of Council Term Report.
2. Acknowledge the unique partnership between Councillors who set policy and strategy in the interests of the Wyndham community and the CEO and staff who implement these policies and strategies with dedication and professionalism.
3. Request that a copy of this report is provided to incoming Councillors as a handover document.
1. Background and Discussion

This End of Council Term Report 2016 follows a similar report which was received and noted by the previous Council at its 27 August 2012 Ordinary Council Meeting.

Much of the information contained in this report has already been published in other Council policies, strategies and communications.

This report brings all of this information together in the one place, making it easier for the community and the new Council to access this information.

Reflecting the unique context of the current 2012-2016 Council Term, the report is structured around 8 key themes, including:

- Walking the talk – Council’s advocacy track record
- Landmark leisure and recreation developments
- Protecting our environment and promoting sustainability
- A more engaged community-focused Council
- Community services supporting social development
- Capital Works providing vital community infrastructure
- Werribee City Centre Achievements 2012-2016, and
- A more agile, community-focused Council organisation

While Wyndham’s population has not increased at the same levels experienced during the previous Council Term, Wyndham City has still been either the fastest or second-fastest growing municipality in Victoria.

Council’s focus has remained on providing record Capital Works of around $390 million (including more than $100 million for the landmark Aquapulse, Encore Events Centre and Eagle Stadium). Council has also ensured that infrastructure provision is more closely aligned with population growth where we have the power and policies to do so (as distinct from the State Government).

Another key focus during the Council Term has been to ensure the organisation and services are more agile, customer-focused, can meet future need and are based increasingly in areas closer to where residents live, work and play.

During the current Council Term, Council has also ensured it remains financially sustainable. Recent challenges such as falling funding from other levels of government, inadequate developer contributions and rate capping have had an impact and are likely to influence future discussions with the community around service priorities.

Community satisfaction with Council’s governance and decision-making has significantly increased during the current Council Term, culminating in Council winning the prestigious and competitive John Jago Good Governance Award for Councils and community organisations in December 2015.

2. City Plan

5.1 Good Governance - To maintain community confidence in the integrity and efficiency of the organisation. To continue to ensure there is a focus and commitment to transparency and accountability in Council decision making processes.
3. **Wyndham 2040 Vision**

This report is closely linked with the four major themes the Wyndham community provided extensive feedback on during this Council’s development and adoption of the Wyndham 2040 Community Plan during this current Council Term.

There have been several achievements as well as emerging and ongoing challenges relating to People and Community, Places and Spaces, Earning and Learning, as well as Leadership and Participation.

4. **Financial, Social, Environmental and Economic Implications**

As this report is merely a high-level summary of key achievements and ongoing challenges, all of the financial, social, environmental and economic implications of these matters have been individually discussed previously. There has also been considerable community consultation on these matters during the current Council Term.

5. **Options**

Council can choose to note this non-binding Council report as recommended. Council may also choose not to note this report.

6. **Communication Strategy**

As one of a package of handover documents to be handed to the new Council after the 22 October Council Election, this document is able to communicate in the one place a broad range of key achievements and ongoing challenges.

When Councillors make decisions they not only consider current events and information put before them, they also consider lessons learnt from past experience and Councils.

The community will also have access to these key achievements, lessons learnt and experiences as this report will remain a permanent record of Council’s decision-making.
Summary

This report evaluates tender submissions for the construction of the Mainview Sports Pavilion and makes a recommendation regarding the awarding of this tender.

The project involves the construction of the new sports pavilion, including car park and landscaping. The construction of the building and car park is anticipated to be completed in September 2017.

This report outlines the procurement process undertaken, and recommends the awarding of contract C1790/16 – Construction of the Mainview Sports Pavilion and car park, Truganina in line with the new Sports Facility Capital Development Guide.

Attachments

Nil

Officer's Declaration of Interests

Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Director City Operations
In providing this advice as the Director, I have no disclosable interests in this report.

Manager Facilities and Open Space
In providing this advice as the Manager, I have no disclosable interests in this report.

Buildings Engineer, Facilities and Open Space
In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Conformance with tender requirements;
- Provision of best value for money.

RECOMMENDATION

That Council:

1. Award contract C1790/16, Construction of the Mainview Sports Pavilion and Car Park to Dura Constructions Pty Ltd, ACN 101 165 842 for the sum of $2,799,855 (GST inclusive).

2. Authorise the Manager Facilities and Open Space to approve variations and contingencies to contract C1790/16, Construction of the Mainview Sports Pavilion and Car Park up to the sum of the contingency provisions in accordance with the Financial Information section in this report.

3. Sign and seal the contract.

4. Advise all tenderers accordingly. Advise all tenderers accordingly.
1. Background

Tenders were invited on 25 June 2016 and closed on 27 July 2016.

Twelve tenders were received as are listed below. The tenders were checked for arithmetical correctness and for omissions/qualifications.

<table>
<thead>
<tr>
<th>No.</th>
<th>Tenderers</th>
<th>Tendered Price (excl. GST)</th>
<th>TOTAL (incl. GST)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Tenderer A</td>
<td>$2,493,000.00</td>
<td>$2,742,300.00</td>
</tr>
<tr>
<td>2</td>
<td>Tenderer B- Dura Constructions Pty Ltd</td>
<td>$2,545,323.00</td>
<td>$2,799,855.00</td>
</tr>
<tr>
<td>3</td>
<td>Tenderer C</td>
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</tr>
<tr>
<td>4</td>
<td>Tenderer D</td>
<td>$2,766,469.00</td>
<td>$3,043,115.90</td>
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<td>5</td>
<td>Tenderer E</td>
<td>$2,769,580.00</td>
<td>$3,046,538.00</td>
</tr>
<tr>
<td>6</td>
<td>Tenderer F</td>
<td>$2,870,592.00</td>
<td>$3,157,651.00</td>
</tr>
<tr>
<td>7</td>
<td>Tenderer G</td>
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<td>$3,207,519.70</td>
</tr>
<tr>
<td>8</td>
<td>Tenderer H</td>
<td>$2,953,900.00</td>
<td>$3,249,290.00</td>
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<tr>
<td>9</td>
<td>Tenderer I</td>
<td>$3,152,858.00</td>
<td>$3,468,143.80</td>
</tr>
<tr>
<td>10</td>
<td>Tenderer J</td>
<td>$3,169,880.00</td>
<td>$3,486,868.00</td>
</tr>
<tr>
<td>11</td>
<td>Tenderer K</td>
<td>$3,215,900.00</td>
<td>$3,537,490.00</td>
</tr>
<tr>
<td>12</td>
<td>Tenderer L</td>
<td>$3,347,691.00</td>
<td>$3,682,460.10</td>
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2. Discussion

Tender Evaluation

The members of the evaluation panel are:

- Coordinator Building Maintenance
- Leisure Projects Officer
- Buildings Engineer
- Assistant Building Engineer
- Sustainability Projects Officer
- TCA Architects P/L (Independent Expert)

The members of the evaluation panel do not have any pecuniary interest in this contract.

The evaluation panel reviewed the tender submissions, tender prices and Best Value for Money (BVFM) criteria calculated by using the ‘Tendered price’ divided by the ‘Total Score’ achieved for the following criteria:
Methodology proposed for the construction  
Construction program  
Experience and Capability  
Ability to complete the works within the time constraints  
Environmental management system compliance (EMSC)

**BVFM** = Tender Price ÷ Total Score  
The bid with the lowest **BVFM** is the preferred submission.

<table>
<thead>
<tr>
<th>Tender</th>
<th>Methodology proposed for construction</th>
<th>Construction Program</th>
<th>Experience and capability</th>
<th>Ability to complete works within the time constraints</th>
<th>EMSC 5%</th>
<th>Total Score</th>
<th>Tender bid</th>
<th>BVFM</th>
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<tbody>
<tr>
<td>Tender A</td>
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<tr>
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<td>Tender G</td>
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<td>Tender I</td>
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<td>2.17</td>
<td>68.33</td>
<td>$3,347,691.00</td>
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</table>

According to the tender evaluation scoring the tender submitted by Tenderer A was identified as the preferred tenderer, as it offered the best value for money of all submitted tenders, prior to confirmation of financial and performance assessment.

An extensive tender clarifications process was undertaken during the tender evaluation stage, including:

- Council officers contacted the two highest ranked tenderers to clarify the extent of the proposed works.
- Quality systems were checked.
- The firm’s technical and management expertise and experience were evaluated.
- The firm’s capability to carry out works was checked.
 AWARDING OF CONTRACT: C1790/16 CONSTRUCTION OF THE MAINVIEW SPORTS PAVILION & CAR PARK (cont'd)

During the evaluation process, Council officers requested further information from the two highest ranked tenderers on the detail of their tender bids. This included the confirmation of the rates and allowances for specific materials and products nominated in the tender drawings and specification.

In examining the submissions and evaluating them according to the criteria, the tender bid from Tenderer A for the lump sum price of $2,493,000 (GST exclusive) was identified as he preferred submission, pending financial assessment.

However, the Detailed Financial & Performance Assessment conducted by Corporate Scorecard Pty Ltd on Tenderer A indicated that this tenderer achieved an unsatisfactory score, based on the Management accounts for the year ended 30 June 2015. This unsatisfactory score identifies a risk associated with the financial situation of Tenderer A indicating that it has a ‘Marginal’ financial capacity to undertake the contract; this is of enough significance to remove them from further consideration.

Following the feedback from the Detailed Financial & Performance Assessment, the evaluation panel is of the opinion that the tender bid from Tenderer B - Dura Constructions Pty Ltd for $2,545,323 (GST exclusive) is the preferred submission.

Tender Interview
Council officers met with Dura Constructions Pty Ltd General Manager and Chief Estimator to clarify the scope of works, construction procurement and timeframes. As a result of the meeting, the General Manager stated that:

a) The tendered lump sum is confirmed.
b) Dura Constructions Pty Ltd can commence works in 4 weeks from award of the contract.
c) Adequate resources will be available to satisfactorily undertake this contract.

Financial Assessment
Council undertook an independent financial health check of the 2 lead tenderers.

A financial assessment undertaken by Corporate Scorecard Pty Ltd on Dura Constructions Pty Ltd was based on the most recent full year 30 June 2016 finalised financial statements.

It returned a satisfactory result with a score of 5.9, indicating that the company has a sound financial capacity to undertake the contract.

The financial assessment conducted by Corporate Scorecard Pty Ltd on Tenderer A indicated that this tenderer achieved unsatisfactory score of 3.37. This unsatisfactory score identifies a risk associated with the finances of Tenderer A indicating that it has a ‘Marginal’ financial capacity to undertake the contract and was enough to remove them from consideration.

Experience
Dura Constructions Pty Ltd is well known to Council, having successfully completed a number of Council projects, including Penrose Promenade Community Centre, 3 sports pavilions at Salt Water Reserve and extensions to the Presidents Park Hockey / Softball Pavilion and Innisfail Sports Pavilion. Their works have been completed to a high standard and on time.
3. City Plan/QCP

[2.2 City Infrastructure - To deliver and maintain Wyndham's facilities and infrastructure in an efficient and equitable manner that meets community needs.

4. Council Policy

Council policy on tendering as applicable to this contract has been complied with.

5. Financial Information

The project for construction of the Mainview Sports pavilion and car park has been incorporated into the 2016 -17 Capital Works Program. A detailed breakdown of the project revenue and estimate of expenditure is provided in the below table. The amounts shown in the table are GST exclusive.

<table>
<thead>
<tr>
<th>Available Funding (excl. GST)</th>
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<tbody>
<tr>
<td>W1062 Mainview Sports Pavilion &amp; Car Park</td>
<td>$2,987,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$2,987,000.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Anticipated Expenditure (excl. GST)</th>
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</thead>
<tbody>
<tr>
<td>Contract – Dura Constructions Pty</td>
<td>$2,545,323</td>
</tr>
<tr>
<td>Design and Design Contingencies</td>
<td>$55,000</td>
</tr>
<tr>
<td>Supervision Costs</td>
<td>$50,000</td>
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<tr>
<td>Contingencies &amp; Rock Allowance</td>
<td>$250,000</td>
</tr>
<tr>
<td>Authorities Fees &amp; Charges</td>
<td>$25,000</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$2,925,323.00</td>
</tr>
</tbody>
</table>

Construction contingency and rock allowances under construction contract C1790/16 is $250,000 (GST exclusive). The financial analysis of the project shows that there are adequate funds to undertake the project.

6. Social Implications

The construction of the Mainview Sports Pavilion will provide facilities for both the local community and the broader Wyndham community.

7. Environmental Implications

The building design has incorporated Energy Sustainable Design principles with an emphasis on solar control, natural light and ventilation and low maintenance materials.

8. Options

Council does not have the resources and/or expertise in house to perform the tasks required under this contract. The tender evaluation panel considers that the tender process used in the procurement of this contract and the tender evaluation process used to evaluate the tenders received has resulted in a best value outcome for Council.
9. **Community Consultation**

A Project Co-ordination Group for this project comprising Council staff and the Architect has met regularly regarding this project. The community has been kept informed of the project during the design phase.

10. **Communication Strategy**

Council’s decision in relation to the award of this tender will be conveyed to all tenderers.

11. **Project Timeframe**

   - Date of award of contract: 12 September 2016
   - Contract start date: October 2016
   - Works completion date: September 2017
   - **NB** Defects liability period: 12 months
   - Contract end date including 12 month defects liability period: September 2018
Summary

Footpath reinstatement and kerb and channel reinstatements form part of Council’s budgeted cyclic maintenance activities to rectify localised defects. The footpath reinstatement program seeks to maintain footpaths in accordance with Council’s Road Management Plan. The kerb & channel reinstatement program treats defects to remove water pooling due to subsidence that could result in potential road safety exposure.

This report evaluates tender submissions for the annual supply of Footpath and Kerb & Channel Reinstatements under C1805/17.

This is a Schedule of Rates Annual Supply Contract for 1 year plus 4 x 1 year options to be reviewed annually at the sole discretion of Council subject to a performance review and negotiations for price adjustment for CPI.

Attachments

Nil

Officers’ Declaration of Interests

Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Director City Operations

In providing this advice as the Director, I have no disclosable interests in this report.

A/Manager Assets & Roads

In providing this advice as the Manager, I have no disclosable interests in this report.

Coordinator Asset Rehabilitation

In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Conformance with tender requirements;
- Provision of best value for money;
- Establishing a preferred suppliers list.

RECOMMENDATION

That Council:

1. Award contract C1805/17 Footpath and Kerb & Channel Reinstatements to: 1) Paper Street Pty Ltd trading as Metroplant & Civil ACN 152055359, 2) Zachary John McGuane The trustee for the Z&D McGuane Family Trust T/A Prestige Concrete Service ABN 98102587120 and Road Pro Bobcats Pty Ltd ACN 151471448.

2. Sign and seal the contract.

3. Advise all tenderers accordingly.
1. **Background**

Schedule of Rates Tenders were invited on 6\(^\text{th}\) August 2016 and closed on Wednesday 31\(^\text{st}\) August 2016. Three tenders were received as listed below. The tenders were checked for arithmetical correctness and for omissions/qualifications.

- Paper Street Pty Ltd trading as Metroplant & Civil.
- Prestige Concrete Services.
- Road Pro Bobcats Pty Ltd.

2. **Discussion**

Schedule of Rates Tenders were invited with the intention of awarding the contract to a panel of contractors. It was determined that a panel of contracted suppliers will best provide Council with the ability to deliver the ongoing reinstatement programs.

Services to be provided under the Contract are repairs to footpaths and kerb & channel infrastructure.

The locations of works under the contract are throughout the Wyndham municipality as per work lists to be issued periodically throughout the contract period.

The contract is an Annual Supply Contract for 1 year with additional 4 x 1 year options to be renewed annually at the sole discretion of Council. Satisfactory performance reviews will result in offer of extension of contract. Extension of the contract will include negotiations for Schedule of Rate adjustments for C.P.I. movements.

Unsatisfactory performance review will result in cancellation of the contract with the service provider.

**Tender Evaluation:**

The tender evaluation panel consisted of:

- Coordinator – Asset Rehabilitation;
- Senior Technical Officer – Asset Rehabilitation;
- Signs & Audit Officer – Roads.

The members of the evaluation panel do not have any pecuniary interest in this contract.
Tenders were rated using the following criteria and weightings:

<table>
<thead>
<tr>
<th>Weighting</th>
<th>Tender Compliance</th>
<th>QA &amp; OH&amp;S System</th>
<th>Historical performance</th>
<th>Capability (including appropriate resourcing – personnel and equipment, methodology and timeliness)</th>
<th>Public Safety and Traffic Management</th>
<th>(Quality units) Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Qualitative Assessment</td>
<td>Pass/Fail</td>
<td>Pass/Fail</td>
<td>30%</td>
<td>20%</td>
<td>10%</td>
<td>60%</td>
</tr>
</tbody>
</table>

| B. Quantitative Assessment | Price | 40% |

The tenders submitted by Paper Street Pty Ltd trading as Metroplant & Civil, Prestige Concrete Services and Road Pro Bobcats Pty Ltd all met the evaluation criteria.

Referee checks were undertaken to assist in the qualitative assessments.

The evaluation panel is satisfied that the 3 recommended tenderers provide value for money.

<table>
<thead>
<tr>
<th>Tenderers</th>
<th>Qualitative Assessment (max 60%)</th>
<th>Quantitative Assessment (max 40%)</th>
<th>Total (max.100)</th>
<th>RANKING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paper Street Pty Ltd trading as Metroplant &amp; Civil</td>
<td>53.1</td>
<td>34.8</td>
<td>87.9</td>
<td>2</td>
</tr>
<tr>
<td>Prestige Concrete Services</td>
<td>51.5</td>
<td>34.6</td>
<td>86.1</td>
<td>3</td>
</tr>
<tr>
<td>Road Pro Bobcats Pty Ltd</td>
<td>50.4</td>
<td>40.0</td>
<td>90.4</td>
<td>1</td>
</tr>
</tbody>
</table>

All three tenderers have previously undertaken these works for Council and their performance has been to the required standards.

The recommendation of this report is that the 3 tenderers be accepted to be included on a panel of contractors to provide these services. The evaluation panel is satisfied that the recommended tenderers provide value for money.

**Tenderer Interviews:**

The 3 recommended tenderers were interviewed by phone and advised the following:

- The tendered pricing is confirmed;
- All tenderers can commence works from award of the contract;
- Adequate resources will be available to satisfactorily undertake this contract.
3. City Plan

2.2 City Infrastructure - To deliver and maintain Wyndham's facilities and infrastructure in an efficient and equitable manner that meets community needs.

4. Council Policy

Council policy on tendering is applicable to this contract has been complied with.

5. Financial Implications

<table>
<thead>
<tr>
<th>Available funding (excl. GST)</th>
<th>$484,360</th>
</tr>
</thead>
<tbody>
<tr>
<td>52.567 Footpath Reinstatement Annual Program (2016/17)</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Anticipated expenditure (excl. GST)</th>
<th>$484,360</th>
</tr>
</thead>
<tbody>
<tr>
<td>Footpath and Kerb &amp; Channel Reinstatements (per annum)</td>
<td></td>
</tr>
</tbody>
</table>

| TOTAL Contract Period of up to 5 years (ex GST) | $2,421,800.00 |

6. Social Implications

Positive Impact on transport.

Council aspires for Wyndham to be a safe place to live, work and play - cyclical footpath and kerb & channel maintenance contributes to this ideal.

7. Environmental Implications

Tenderers were required to provide evidence of their Environmental Management Systems.

Tenderers have provided evidence of procedures to manage environmental impacts of noise and dust generated during these activities.

These works are to repair existing footpath and kerb & channel infrastructure. Vehicular usage will not increase as a result of these projects consequently energy consumption and greenhouse emissions will not alter.

8. Economic/Employment Considerations

Local business had the opportunity to tender for these works.

9. Options

Council does not have the resources and/or expertise in house to perform the tasks required under this contract. The tender evaluation panel considers that the tender process used in the procurement of this contract and the tender evaluation process used to evaluate the tenders received has resulted in a best value outcome for Council.

10. Community Consultation

A public notice of invitation to tender was advertised.

11. Communication Strategy

Council's decision in relation to the award of this tender will be conveyed to all tenderers and publicly through Council’s website.
Summary
During the current Council term, Wyndham City operated eleven Portfolio Committees, each chaired by a Councillor Portfolio Holder.

All of these Portfolio Committees have now concluded, with no further meetings to be held as the current Council term draws to a close on 22 October 2016.

In line with requirements of Clause 7 of Council’s Meeting Procedure Protocol 2013, Councillors delegated as representatives on these Portfolio Committees may table or verbally present these Delegates Reports.

Councillors may also present Delegates Reports from any other delegated internal and external organisation or advisory body.

<table>
<thead>
<tr>
<th>PORTFOLIO COMMITTEES</th>
<th>COUNCILLOR PORTFOLIO HOLDER</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Community Wellbeing</td>
<td>Cr Bob Fairclough</td>
</tr>
<tr>
<td>2. Cultural Diversity</td>
<td>Cr Gautam Gupta</td>
</tr>
<tr>
<td>3. Disability, Ageing and Inclusion</td>
<td>Cr Michele Wharrie</td>
</tr>
<tr>
<td>4. Economic Development</td>
<td>Cr Intaj Khan</td>
</tr>
<tr>
<td>5. Employment, Education and Training</td>
<td>Cr Heather Marcus</td>
</tr>
<tr>
<td>6. Environment and Sustainability</td>
<td>Cr Peter Gibbons</td>
</tr>
<tr>
<td>7. Housing</td>
<td>Cr John Gibbons</td>
</tr>
<tr>
<td>8. Services</td>
<td>Cr Adele Hegedich</td>
</tr>
<tr>
<td>9. Sport, Leisure and Open Space</td>
<td>Cr Peter Maynard</td>
</tr>
<tr>
<td>10. Transport</td>
<td>Cr Glenn Goodfellow</td>
</tr>
<tr>
<td>11. Youth</td>
<td>Cr Marie Brittan</td>
</tr>
</tbody>
</table>

Attachments
1. View Delegates Report - Cultural Diversity
2. View Delegates Report - Disability, Ageing & Inclusion
3. View Delegates Report - Economic Development
4. View Delegates Report - Housing
5. View Delegates Report - Services
6. View Delegates Report - Sport, Leisure & Open Space
Officers' Declaration of Interests

Under Section 80C of the Local Government Act 1989 (as amended), officers providing advice to Council must disclose any interests, including the type of interest.

Manager Council & Community Relations – Emily Keogh
In providing this advice as the Manager, I have no disclosable interests in this report.

Acting Coordinator, Governance & City Engagement – Nicole Battle
In providing this advice as the Coordinator, I have no disclosable interests in this report.

Governance/Councillor Officer – Sandra Noonan
In providing this advice as the Author, I have no disclosable interests in this report.

Key Issues

- Council has appointed Councillor Delegates on a range of important internal and external organisations and advisory bodies to progress the interests of Council, the community and improve networks and connections with key community stakeholder groups relevant to their policy area.

- During the current Council term, Wyndham City operated eleven Portfolio Committees. All of these Portfolio Committees have now concluded, with no further meetings to be held as the current Council term draws to a close.

- Clause 7 of Council’s Meeting Procedures Protocol 2013 guides how important updates are reported at the Council Meeting via Delegates Reports on the Agenda.

- Council may receive and note these Delegates Reports, or seek to defer some or all of them for consideration at a future meeting.

RECOMMENDATION

That Council:

1. Receive and note the Delegates Reports as tabled and/or verbally presented by Councillor Portfolio Holders at this meeting; and

2. Include the Delegates Reports in the Minutes of the Meeting.
Delegates report

Portfolio Councillor: Cr. Gautam Gupta
Committee name: Cultural Diversity Portfolio Committee
Meeting date: 24 August 2016
Councillors attending: Cr. Gautam Gupta

Note: This committee is also reported as an Assembly in accordance with s80A(1) of the Act.

Report
Committee members Aaron An, Walter Villagonzalo, Valeska Zuniga-Chondo, Kimberly Pellois, Bharti Verma, Luciana Manrique, Mae Sie Win, Elleni Berededs-Samuel and David Abagia were in attendance.

Officers in attendance
Jenny McMahon, Acting Director Community Development
Ellis Hughes, Coordinator Leading Communities
Troy Eley, Senior Grants Development Officer
Misty Palmer, Community Development Officer (part of meeting)

- The committee received a report on the outcomes of the Multicultural Entrepreneur Awards and associated work. The winners of the inaugural awards were:
  - Diksha Khanna of Amazeology
  - Jacob Thang of The Burmese Garden
  - Ta Eh Paw Palay of Tau Meh Pa Kla grocery shop
  - Harpreet Singh Bedi of BDS Autocare
The committee provided feedback on the process and provided suggestion for improvements, which will be taken into account in planning for future years.

- The new "Racism It Stops With Me" video was shown (https://www.youtube.com/watch?v=PdzonfQ24) and the committee discussed ideas for further implementing the campaign.

- The committee received a presentation on Neighbourhood Hubs and Neighbourhood Grants, and information was distributed. It was agreed that neighbourhood hubs are an important place for building stronger communities, and that in a growing community with many groups needing spaces to meet, it will be important to also consider what other spaces can be used by the community, such as schools or churches.
- A brief update was provided on the upcoming development of a new Sports Strategy for Wyndham. The new strategy will have responding to cultural diversity as a key underpinning principle. The Sport and Recreation department are drawing on the feedback already received through community dinners, the consultations for the development of the Multicultural Policy and Action Plan, and Wyndham 2040 stories. There will be further opportunities for community consultation later this year.

- The report from the Year 2 action plan of the Multicultural Policy and the adopted action plan for Year 3 were presented to the committee, as was a report showing how the committee’s feedback at the previous meeting had fed into the new plan. These had been adopted at the August Ordinary Council Meeting.

- As this was the final meeting of the Cultural Diversity Portfolio Committee, each committee member reflected on their experience of being on the committee. Committee members reported:
  - A sense of having learned from each other;
  - Having achieved a lot;
  - Having seen an increase in meaningful engagement by Council with culturally diverse communities in Wyndham;
  - Being able to see their suggestions and feedback reflected in the MultiCultural Action Plan; and
  - Admirations of the passion and energy that each member has brought to the committee.

**Recommendation**

That the report be received and noted.
Delegates report

Portfolio Councillor: Cr. Michele Wharrie
Committee name: Disability, Ageing & Inclusion Portfolio Committee
Meeting date: 8th September 2016
Councillors attending: None

Note: This committee is also reported as an Assembly in accordance with s80A(1) of the Act.

Report
Committee members: Mary Agostino, Dr Gurdev Singh Rattan, Roger Bruhn, Adrian Cloonan, Arnold Bates and Jamie-Lee Demmer were in attendance.

Officers in attendance
Anthony Ainsworth, Mary Agostino.

Apologies
Cr Michele Wharrie, Jenny McMahon, Valerie Pilkington, Lando Antonelli, Kim McAliney

The Committee -
- Was welcomed to this meeting of the Disability, Ageing & Inclusion Portfolio Committee by Mary Agostino, Manager Community Support.
- Actions resulting from Minutes of the previous meeting held on 16 June 2016 were reviewed.
- A number of Committee members wanted to explore and expand Seniors Week with an all-encompassing event.
- There was reflection on the achievements of the committee and members reflected on some of the key strengths and weaknesses that have been observed over the Committee’s term.
- Adrian Cloonan attended Coffs Harbour Living Well Expo and provided information of this event to the group.

Report
That the report be received and noted.
Delegates Report

Councillor: Cr Intaj Khan
Committee name: Economic Development Portfolio Committee
Meeting date: 1 September 2016
Councillors attending: Cr Intaj Khan

Note: This Committee is also reported as an Assembly in accordance with s80A(1) of the Act.

Report

Committee members Antoinette Fava, Aileen Coben and Henry Koor were in attendance.

The meeting –

- Was provided with an update on the progress of the East Werribee Employment Precinct and the announcement by the State Government providing the Australian Education City six months to progress its application to develop the precinct, which includes a range of educational, research, residential and commercial opportunities.

- Was provided with an update on the Werribee City Centre which included the:-
  o Werribee City Centre Catalyst sites;
  o Cherry Street Car Park; and
  o Purchase of the Bridge Hotel site.

- Was provided with a demonstration of the new Wyndham Joblink website.

- Was given an overview of a business confidence survey which will be undertaken in partnership with Deakin University.

- Was given an overview of the framework which will be utilised to formulate the Economic Development Strategy.

- Was provided with a tourism update which included:-
  • Visitor Services review;
  • Werribee Park Tourism Precinct Economic Contribution Study;
  • Official Visitors Guide – Werribee, Point Cook & Surrounds; and
  • A new bird watching brochure.

- Received a copy of the Achievers Book for the Wyndham Business Awards 2016 highlighting the winners.

Recommendation

That the report be received and noted.
Delegates report

Councillor:  Cr John Gibbons

Portfolio name:  Housing

Date:  September 2016

Report

Cr John Gibbons provides an update of recent activities in relation to Housing.

- Cr John Gibbons was interviewed by The Age in relation to growth and the infrastructure needs for Wyndham, particularly in relation to Housing. This resulted in a feature article being published in The Age on 25th July 2016.

- On the 6th August 2016 at the invitation of Carol Muir CEO of UnitingCare Werribee Support & Housing, Cr John Gibbons attended the Homelessness Week Event at Crossroads Uniting Church Werribee.

  This community event was coordinated to raise awareness to the issues surrounding homelessness. Uniting Care Werribee Support and Housing called upon the community, encouraging donations of blankets for those experiencing homelessness and/or hardship in an effort to ‘Blanket Wyndham this Winter’.

  This free community event gained support from local services and businesses and Wyndham City Council showed their support through the approval of a Neighbourhood Grant. Cr John Gibbons was interviewed by the Lateline Television crew at this event, and the interview subsequently aired on the ABC on the 11 August 2016.

END OF REPORT
Delegates report

Councillor: Cr Adele Hegedich
Portfolio name: Services Portfolio
Date: 12 September 2016

Report

This report provides an overview of the recent projects and achievements relevant to the Services Portfolio.

Background

The Services Portfolio focuses on:

- Ways that the organisation can improve customer and community focus
- Innovation in the delivery of our services
- Ensuring we’re getting value for money from the investment that Council makes in our important services, and
- The use of technology and consultation to create easier ways for people to do business with Council.

Excellence@Wyndham has now been developed as a department of Council in the development of Our Wyndham Towards 2040. Excellence@Wyndham is the umbrella under which staff work together to focus on ways to improve customer service, achieve continuous improvement and innovation, ensure best value services and be a community-focused organisation.

Excellence@Wyndham is broadly guided by the Australian Business Excellence Framework and work is underway on a range of projects that will assist Wyndham to improve business systems and processes.

Current Improvement Activities and Achievements

Wyndham City is committed to ensuring the services we provide balance community expectation, value for money and Council’s capacity to deliver within the context of Council’s Long Term Financial Plan.

In line with this commitment a number of key projects have been progressed:
Service Catalogue

A Service Catalogue has been developed to provide a full listing of all services provided by Council. The catalogue is customer-centric and defines all services from a customer viewpoint.

There are four levels, included in the graphic below:

1. 8 customer views (Eg: My family)
2. 25 service groups (shown radiating from the 8 customer views), which reflect the natural groupings of services we deliver
3. Services. We have over 100 services and each service group is made up of a number of services that may be delivered by different departments and business units.

The fourth level is currently being developed, and will show:

4. Products/programs - each service is made of a number of products or programs, which will be defined.
Internal services are included in the service catalogue and are called 'enablers' because they support service delivery to the community. In the customer view diagram shown above, the enablers are shown as the light blue background, supporting all of the external services.

The Service Catalogue has been used to support discussions with the community about the services offered by Wyndham City and the impact of rate capping. As a mechanism for planning of services in a more coordinated / holistic approach, the catalogue has also been incorporated into the 2016/17 department business plans.

The next phase of work is to define the respective service costs and standards and this work will be a priority for the Excellence@Wyndham team over the next 6 months.

**Continuous Improvement Framework**

Wyndham’s Continuous Improvement Framework was completed in August 2016 and will provide the strategic context for improvement across the organisation, as well as a range of practical tools and supports.

The key elements of the CI Framework are:

- CI Framework document, which explains the organisational context and linkage to the Australian Business Excellence Framework
- CI Process, which provides a step-by-step representation of how to raise and progress continuous improvement initiatives through to completion
- CI Toolkit, which provides guidance material incorporating components of various process and service design methodologies
- Wyn-Log, a central online register and reporting mechanism designed to capture, update and report on all initiatives and Improvement activities undertaken across Council. This will provide evidence of improvement benefits on 6 criteria (eg: culture, environment) and can be used for rate capping variation requests, Business Plans and staff performance
- CI Training, which is currently being developed.

**Process Mapping**

Aligned with the Continuous Improvement Framework, Wyndham City is currently working to map all business processes, which will create the information and supporting environment for continuous improvement. The organisation is using Promapp software and training commenced in March 2016.

All departments have successfully documented a number of key processes, more than 200 people have been trained, there are 194 processes published and 242 processes being drafted.
Roadworks and sustainability

Wyndham has developed a more sustainable and cost effective ways of delivering Council's capital works program in relation to roads.

Traditionally road reconstructions were delivered by removing all road pavement, crossovers and kerbs. The new approach retains serviceable crossovers and kerbs and uses existing road material which is then recycled into the new pavement through the use of alternative technologies and methods, where suitable. This has resulted in cost savings and reduced construction times, which lessens the impact on the surrounding community and inconvenience caused by roadworks. These solutions have also contributed to Council's environmental sustainability targets.

Service Review of the Environmental Health Service

Wyndham has a target to complete 2 service reviews in 2016/17 and the review of the Environmental Health Service has commenced.

This review seeks to measure the existing level of service provided to the community against the required level of service needed to meet the needs of our growing community into the future. The review will not only measure legislated service levels required by Environmental Health Officers, but also the required customer service needs driven by the Unit.

The review will assess the economic value of the Service, process improvements (efficiencies and effectiveness) and recommendations for consideration in the ongoing provision of the service. Within the Our Wyndham Towards 2040 organisation review process the current model of operation, including management structures, staffing models, responsibilities and accountabilities, will also be reviewed.

A Project Plan is being developed and an IRAP committee developed.

Online improvements

A range of improvements have been delivered to move to a digital first approach, with online capabilities enhanced via:

- Council's new website was launched in June 2016, providing a more user friendly and community focused design
- Planning focused on enhancing the customer experience has recommenced, informing the development of a Customer Service and Digital Strategy to be launched in early 2017
- Online Land Information Certificates for building and planning are now available for a select group of high volume local businesses / customers
- Lodgement of building permits online is currently being piloted with a high volume customer group, which can be rolled out further pending evaluation of this pilot.
- A new staff intranet was launched in March 2016. It included improved functionality and a complete redesign, as well as the addition of several new features including the Events Calendar.
- Street Register – Council has developed a web-based system for street naming that has an in-built capacity to check options against predetermined criteria that are specified by the State Government Victoria and detailed in the Guidelines for Geographic Names 2010.
- An Open Space Mobile App has been developed, which is a mobile inspection tool for Wyndham City Parks staff that assist them to do their jobs while off site.

**Recommendation**

That the report be received and noted.
Delegates report

Councillor:  Cr Peter Maynard
Committee name:  Sport, Leisure & Open Space Portfolio Committee
Meeting date:  1 September 2016

Note:  This committee is also reported as an Assembly in accordance with s 80A (1) of the Act.

Report

In attendance:
Committee members:  Cr Peter Maynard, Ivo Havard, Hosam Hamouda, Angelika Hinz
Council officers:  Jenny McMahon, David Semmens, Campbell Atkins, Sarah Sytema
Apologies:  Mark Penaluna, Lyn Tout, Christine Hudson

The Committee -

- Were presented with an overview of the draft ‘Hard to Locate’ Sports Strategy which is currently on public exhibition. Committee members have been provided a copy of the strategy and were asked to provide feedback during the consultation period.

- Were advised that the Baden Powell Reserve regional skate park design is being finalised in preparation for tender. This project, endorsed by Skating Victoria, will create a facility that caters for all generations in the community. Comments have been received and will be considered as part of the finalisation of the plans.

- Were presented with an update on the status of the Wyndham Sports Strategy. The committee discussed the proposed principles, objectives, consultation opportunities, and the rise of more alternative models of sport emerging in the community.

- Discussed the sports development projects that have been conducted over the past quarter, and those due to begin before the end of the year. This included:
  - The Wyndham Track and Field Series
  - The Healthy and Active Expo, due to take place from 4 September to 30 September
  - The establishment of a T-Ball league across the city in conjunction with the Werribee Baseball Club
  - The planning of a South Sudanese Youth Basketball competition which reduces the cost barrier to participation

- Took time to reflect on the contribution the portfolio committee has made in providing feedback, advice and knowledge in the area of Sports, Leisure and Open Space.

Recommendation

That the report be received and noted.