

Planning Panel Submission

Amendment C153macr

101-105 Willowbank Road
GISBORNE

Prepared by Taylors for the Proponent:
Brady Road Investments Pty Ltd

November 2023



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1 Introduction

Taylor's Development Strategists act on behalf of the Proponent (Brady Road Investments Pty Ltd) in relation to proposed Amendment C153macr and concurrent Development Application under Section 96A of the Planning and Environment Act 1987.

1.1.1 Amendment C153macr proposes the following:

- Rezones approximately 3,547 square metres of land, known as Lot 43, PS549356W, at 101-105 Willowbank Road, Gisborne and part of the road reserves including R-2 on PS549356W from the General Residential Zone, Schedule 1 (GRZ1) to the Commercial 1 Zone (C1Z) as shown on Planning Scheme Map No. 36.
- Applies the Design and Development Overlay, Schedule 27 (DDO27) to land at 101-105 Willowbank Road, Gisborne as shown on Planning Scheme Map No. 36DDO.
- Amends the Schedule to Clause 34.01 (C1Z) to insert maximum leasable floor areas of 500 and 1000 square metres for both shop and office respectively.
- Inserts a new Schedule 27 to Clause 43.02 (Design and Development Overlay) to guide the future development of the land, ensure that the character of the area and features are considered, and implement good quality architecture and urban design on the site.
- Amends the Schedule to Clause 52.02 (Easements, Restrictions and Reserves).
- Concurrent Planning Application (PLN/2022/359) under Section 96A of the Planning and Environment Act 1987 which includes:
 - Development of a Commercial Centre including a Supermarket, Medical Centre, Commercial space and Food and Drink Premises (2 x Café).

1.1.2 This submission outlines the proposed Planning Scheme Amendment and Development on site and provides an assessment against the provisions of the Macedon Ranges Planning Scheme ('the Planning Scheme'). This submission should be read in conjunction with the following documents submitted as part of in support of the submission.

- Development Plans prepared by Clarke Hopkins Clarke Architects, including subsequent cross sections, shadow diagrams and viewshed analysis prepared in response to the submissions received.
- Landscape Plan prepared by Taylors
- Traffic Assessment and Waste Management Plan prepared by Traffix Group dated July 2022, including Memorandum letter dated 27th September 2023 and Expert Evidence Report dated 17 November 2023.
- Acoustic Report prepared by Marshall Day Acoustics
- ESD Report prepared by Sustainable Development Consultants

- Service Engineering Review prepared by Elev8 Consulting Services
- Beneficiaries review prepared by Ovens + Murray Land Survey
- Economic Expert Evidence Report prepared by SGS Economics, dated 15 November 2023

2 Background

- 2.1.1 Since 2009, the site has been earmarked as a Neighbourhood Activity Centre in the Gisborne / New Gisborne Outline Development Plan (ODP). This strategic direction has been incorporated into the Macedon Ranges Shire Planning Scheme in Clause 21.13-1 and the Gisborne Futures Structure Plan, Urban Design Framework and Neighbourhood Character Study.
- 2.2.2 The need for a neighbourhood convenience centre in Gisborne South has grown significantly since its initial introduction in 2009 into the Gisborne/New Gisborne ODP. As demonstrated in the aerial imagery below in February 2010 and September 2023, the Gisborne south area has experienced considerable housing growth which is anticipated to continue to expand with the development of the Willow Estate at the eastern end of Willowbank Road and the Fersfield Development Plan to the north. Residents in the nearby area are still required to travel into Gisborne Town Centre (typically by car) to access basic services and everyday shopping needs. Delivering on the vision of the ODP, Clause 11.01-1L and the Gisborne Futures Structure Plan will bring a much-needed local service and amenity to the surrounding residential community. The neighbourhood activity centre also seeks to reduce car dependency for the surrounding area, providing a more proximate centre that prioritises pedestrian / cyclists in its design while also being well serviced by a bus route for alternative sustainable transport options.
- 2.2.3 Amendment C153macr seeks to deliver upon the vision of Council identified over a decade ago. This proposal puts forward the necessary investment and focus to turn the vision of Council into a reality on the ground. The proposal utilises all the strategic work undertaken by Council to date including expert reports and investigations. This is coupled with design specific expert reporting to ensure a high quality built form outcome is achieved on the site that exceeds the expectations of the local community.
- The subject site is currently within the General Residential Zone. The current zoning greatly restricts the ability of the site to be developed into a neighbourhood activity centre as envisioned in local planning policy/strategic documentation, as it prohibits most commercial uses or applies stringent conditions to a limited variety of uses. The rezoning of the land at 101-105 Willowbank Road to a Commercial 1 Zone appropriately facilitates the commercial vision of the site to create a Neighbourhood Activity Centre



Figure 1: Aerial image of subject site and surrounding area in February 2010 (source: Nearmap)



Figure 2: Aerial image of subject site and surrounding area in September 2023 (source: Nearmap)

3 Subject Site and Surrounds

3.1 Subject Site

3.1.1 The subject site is located at 101-105 Willowbank Road, Gisborne and is identified as Lot 43 on Plan of Subdivision 549356W.

3.1.2 The subject site is a square shape with an area of approximately 3,547 sqm, located at the corner of Willowbank Road and Brady Road. There is currently a single vehicle access point at the south-east corner of the site. The site is otherwise vacant and clear of any vegetation. The site slopes approximately 2 metres from the south-east corner to the north-west corner.

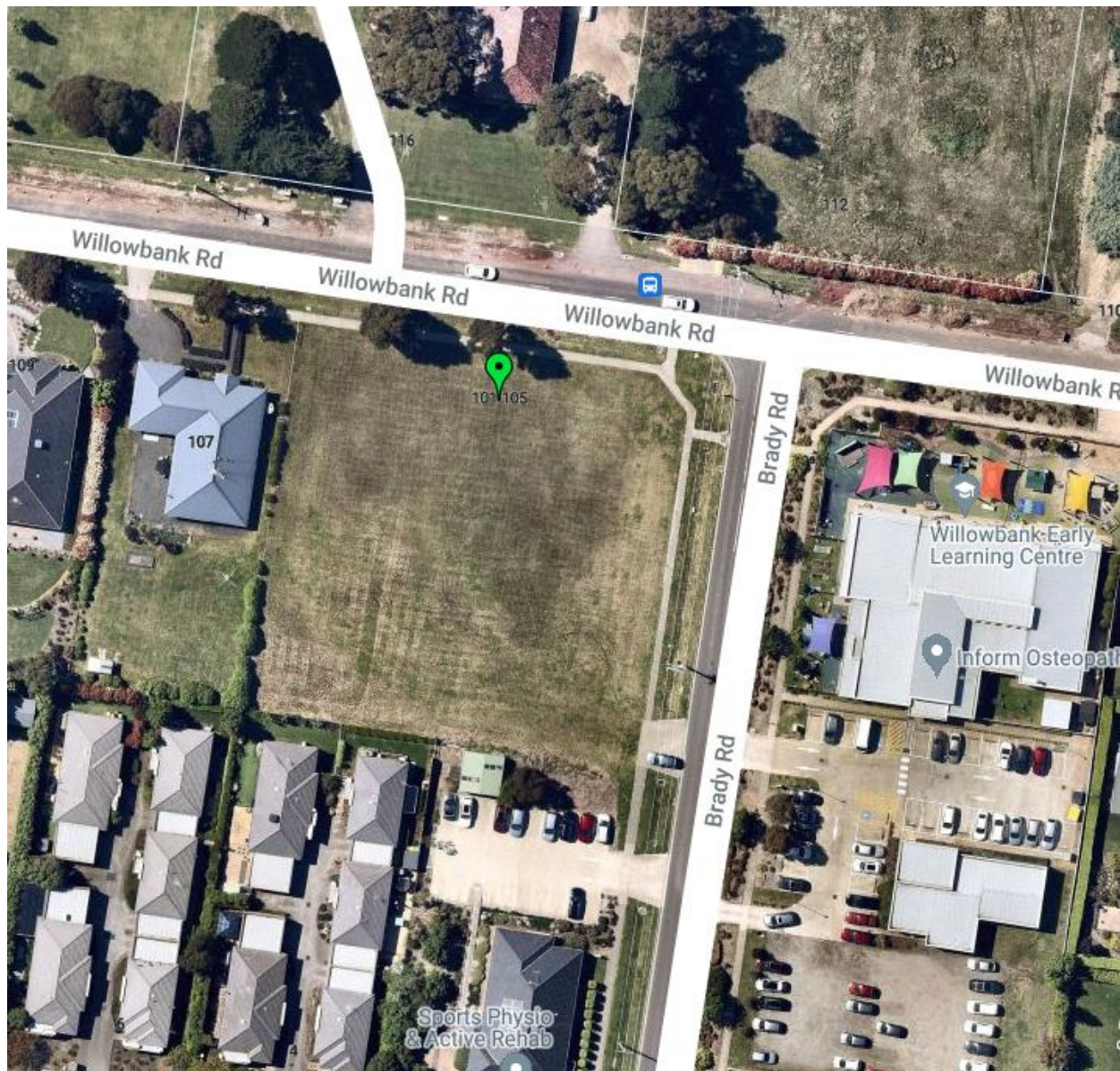


Figure 3: Aerial Image of Subject Site (Nearmap.com)

3.2 Surrounding Area

3.2.1 The surrounding area is located within the General Residential Zone Schedule 1 with the predominant land use consisting of dwellings. We note that immediately surrounding the site is a cluster of non-residential uses including (refer to figure 4 below):

- East - Willowbank Early Learning Centre on the other side of Brady Road.
- South-East – Inform Osteopathy
- South – Sports Physio and Active Rehab
- North – approved Aged Care Centre and Community Centre as per the Fersfield Road Development Plan (see figure 5 below)



Figure 4: Surrounding non-residential uses

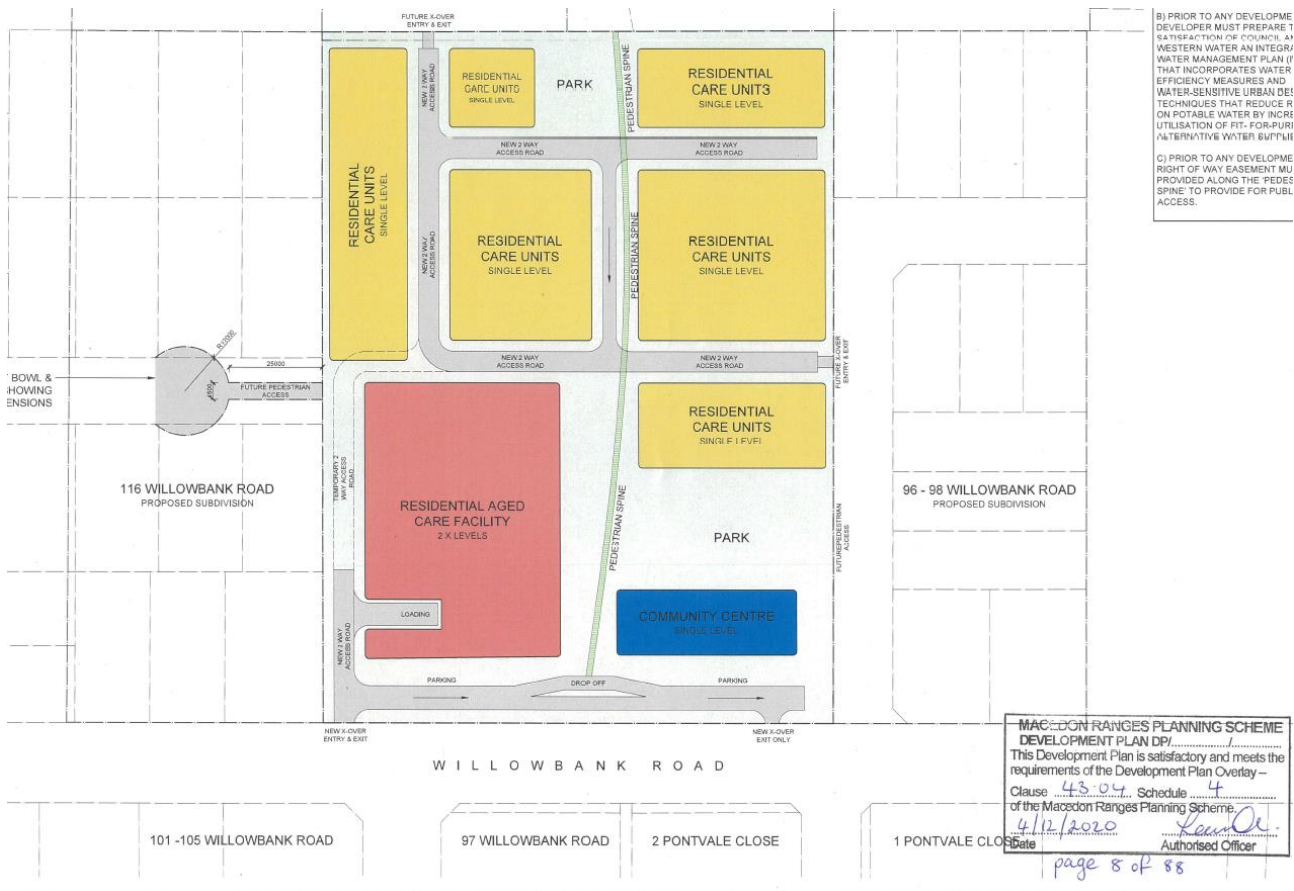


Figure 5 – Approved Development Plan for 110-112 Willowbank Road (diagonally opposite site) containing Aged Care and a Community Centre

3.2.2 The immediately abutting properties to the subject site include:

- West (107 Willowbank Road) – a single storey brick dwelling with a pitched colorbond roof setback approximately 4 metres from the common boundary with the subject site. The boundary is defined by a post and wire fence with screening vegetation. The property includes a large area of private open space at the rear of the property that interfaces with the subject site.
- South – the southern boundary includes three properties interfacing with the subject site.
 - At 2/4 and 3/4 Francis Crescent there are two single storey brick dwellings with a pitched tile roof setback approximately 4.5 metres from the subject site. The boundary is defined by a post and wire fence with some screening vegetation. Both properties have private open space interfacing with the subject site, however these areas contain hot water services, water tanks and air-conditioning units, and therefore may not be the primary area of SPOS for residential amenity (refer to image below).



- At 2 Francis Crescent (south-east of the subject site) there is a single storey building occupied by Sports Physio and Active Rehab. There is a car park interfacing with the subject site associated with the Physio with the building setback approximately 26.5 metres from the common boundary. The common boundary with the subject site is currently unfenced.
- North – Willowbank Road is located directly north of the subject site. On the other side of the road is 116 Willowbank Road which contains a single storey rendered dwelling setback approximately 17 metres from the street. This lot has an area of approximately 1.3 ha. North-east of the subject site is 110-112 Willowbank Road which contains a single storey dwelling but has been approved for a future Aged Care Centre and Community Centre as per the Fersfield Road Development Plan as described further above.
- East – Brady Road is located directly east of the site. On the other side of the road is 97 Willowbank Road which includes the Willowbank Early Learning Centre and Inform Osteopathy and associated car parking areas.

3.2.3 Please refer to the below Location Map in the figure below. A summary of the key attributes within proximity to the subject site include:

- **Gisborne Town Centre:** Approximately 1.7 kilometres north-west of the subject site.

- **Public Transport:** Bus Route 474 provides access to Gisborne Station with a bus stop located directly opposite the site along Willowbank Road.
- **Main Roads:** Calder Freeway (1.4km east), Mount Gisborne Road / Aitken Street (640m west), Gisborne-Melton Road (1.15km west), Melbourne Road (900m north).
- **Schools:** Gisborne Secondary College (950m west), Willowbank Primary School (1km east).

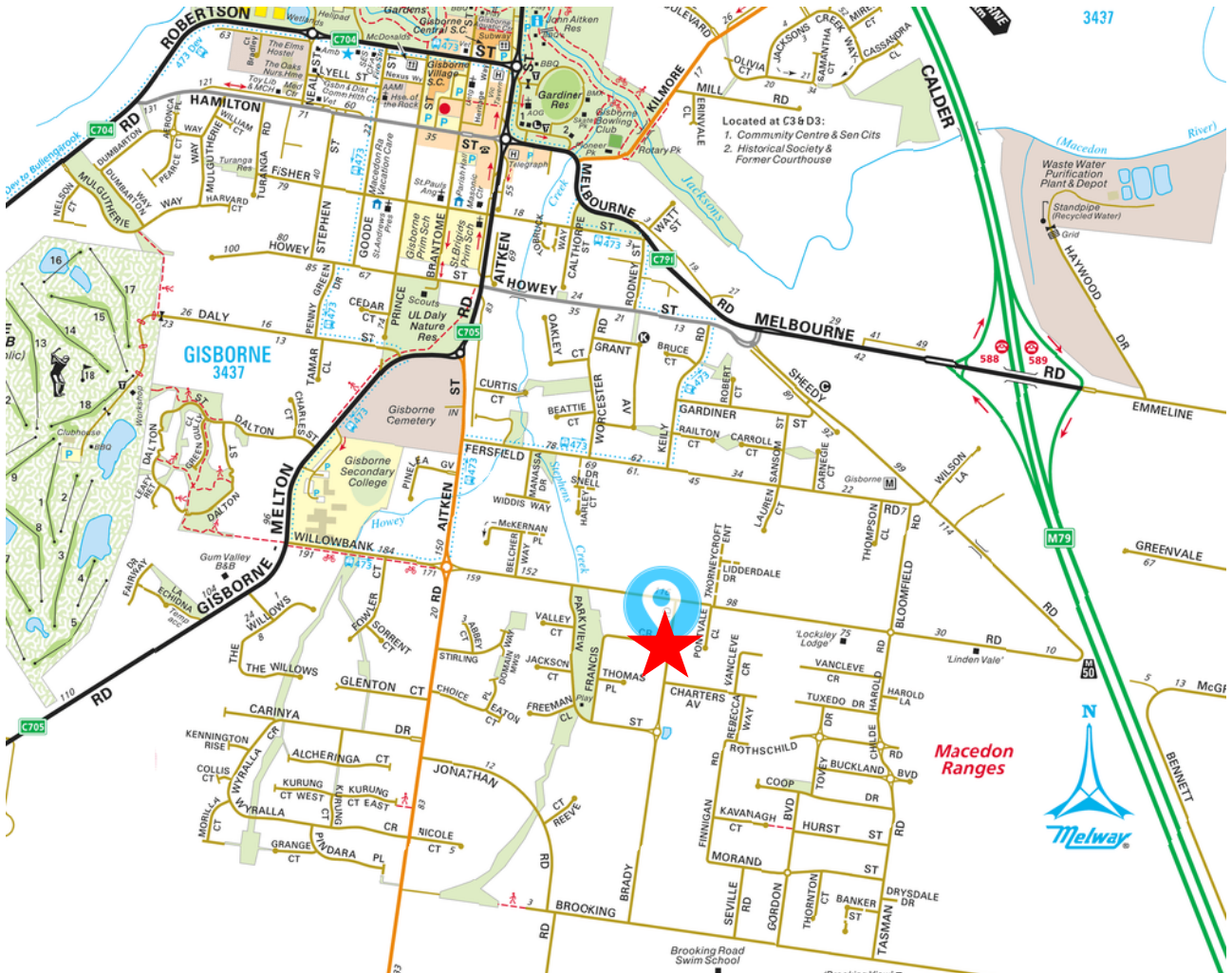


Figure 6: Location Map (melway.com.au)

4 Planning Controls

4.1 Existing and Proposed Zone Controls

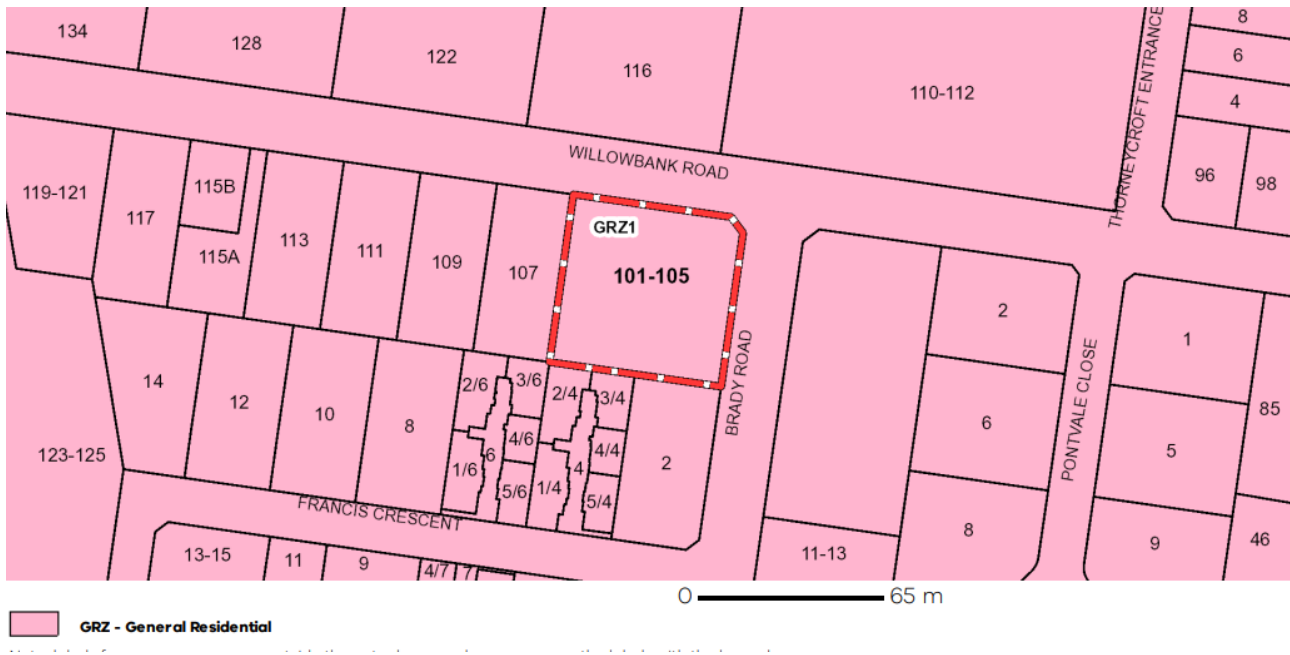


Figure 7: Zone Map (DELWP Planning Maps Online)

4.1.1 Existing Zone

The site is currently located within the General Residential Zone – Schedule 1. The purpose of the General Residential Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- **To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.**

***emphasis added**

This zone does not facilitate the establishment of a Neighbourhood Activity Centre at the site with the uses proposed either being prohibited or significantly restricted. For this reason, it is proposed to amend the Macedon Ranges Planning Scheme to rezone the land from General Residential Zone – Schedule 1 to Commercial 1 Zone.

4.1.2 Proposed Zone

The purpose of the Commercial 1 Zone is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- **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.

***emphasis added**

The Commercial 1 Zone aligns with the envisaged outcome of the site to create a Neighbourhood Activity Centre that provides for the everyday needs of the surrounding residential community. In reference to the proposed development of the site (refer to Section 8 of this submission below), the revised zoning allows for the following:

| Proposed Use | General Residential Zone | Commercial 1 Zone |
|-------------------------|----------------------------------|---------------------------|
| Supermarket (Mini Mart) | Prohibited | Permitted (Section 1 Use) |
| Medical Centre | Permit required for subject site | Permitted (Section 1 Use) |
| Commercial space | Prohibited | Permitted (Section 1 Use) |
| Food and Drink Premises | Permit required | Permitted (Section 1 Use) |

The proposed uses (Supermarket, Medical Centre, Commercial space and Food and Drink Premises) are all Section 1 Uses 'as of right' under the Commercial 1 Zone that do not require a planning permit.

A planning permit is required under the Commercial 1 Zone to construct a building and carry out works. The proposal is consistent with the decision guidelines for buildings and works in the zone as follows:

| Decision Guidelines | Response |
|--|---|
| <i>The movement of pedestrians and cyclists, and vehicles providing for supplies, waste removal, emergency services and public transport.</i> | Please refer to the Traffic Report and Waste Management Plan prepared by Traffix Group. |
| <i>The provision of car parking.</i> | Car parking has been provided to meet the requirements of the neighbourhood activity centre. Please refer to the Traffic Report prepared by Traffix Group and Expert Evidence Report. |
| <i>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.</i> | The proposal has been designed to address the active frontages of Willowbank and Brady Road. The rear of the buildings have been designed away from the public realm where possible and treated with material variation to break-up the presentation of any blank wall. Landscaping has been provided throughout to soften the development. |

| | |
|---|--|
| <i>The storage of rubbish and materials for recycling.</i> | Waste rooms are provided for a private waste collection arrangement. Please refer to the Waste Management Plan prepared by Traffix Group. |
| <i>Defining the responsibility for the maintenance of buildings, landscaping and paved areas.</i> | All common areas will be part of a future Owners Corporation for the neighbourhood activity centre. |
| <i>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.</i> | Given the positioning of the development that is well separated from the abutting residential properties, the proposal is not considered to have any overlooking or overshadowing impacts. |
| <i>The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.</i> | The development will have no overshadowing impacts on the adjoining properties nor their solar panels. |
| <i>The availability of and connection to services.</i> | The development will be connected to services. |
| <i>The design of buildings to provide for solar access.</i> | The development faces north and maximises solar access. |
| <i>The objectives, standards and decision guidelines of Clause 54 and Clause 55. This does not apply to an apartment development.</i> | In response to the neighbouring residential properties, the proposed development is fully compliant in relation to setbacks, building heights, overshadowing and overlooking etc. |

4.1.3 Pursuant to Clause 34.01-6 of the Planning Scheme, the following information is listed as an application requirement for buildings and works under the Commercial 1 Zone:

- *A plan drawn to scale which shows:*
 - *The boundaries and dimensions of the site.*
 - *Adjoining roads.*
 - *The location, height and purpose of buildings and works on adjoining land.*
 - *Relevant ground levels.*
 - *The layout of existing and proposed buildings and works.*
 - *All driveway, car parking and loading areas.*
 - *Proposed landscape areas.*
 - *All external storage and waste treatment areas.*
 - *Areas not required for immediate use.*
- *Elevation drawings to scale showing the colour and materials of all buildings and works.*
- *Construction details of all drainage works, driveways, vehicle parking and loading areas.*

- A landscape layout which includes the description of vegetation to be planted, the surfaces to be constructed, site works specification and method of preparing, draining, watering and maintaining the landscape area.

4.1.4 The submitted development plans by Clarke Hopkins Clarke Architects and Landscape Plan prepared by Taylors ensures that all of the above application requirements are addressed.

4.2 Existing and Proposed Overlay Controls

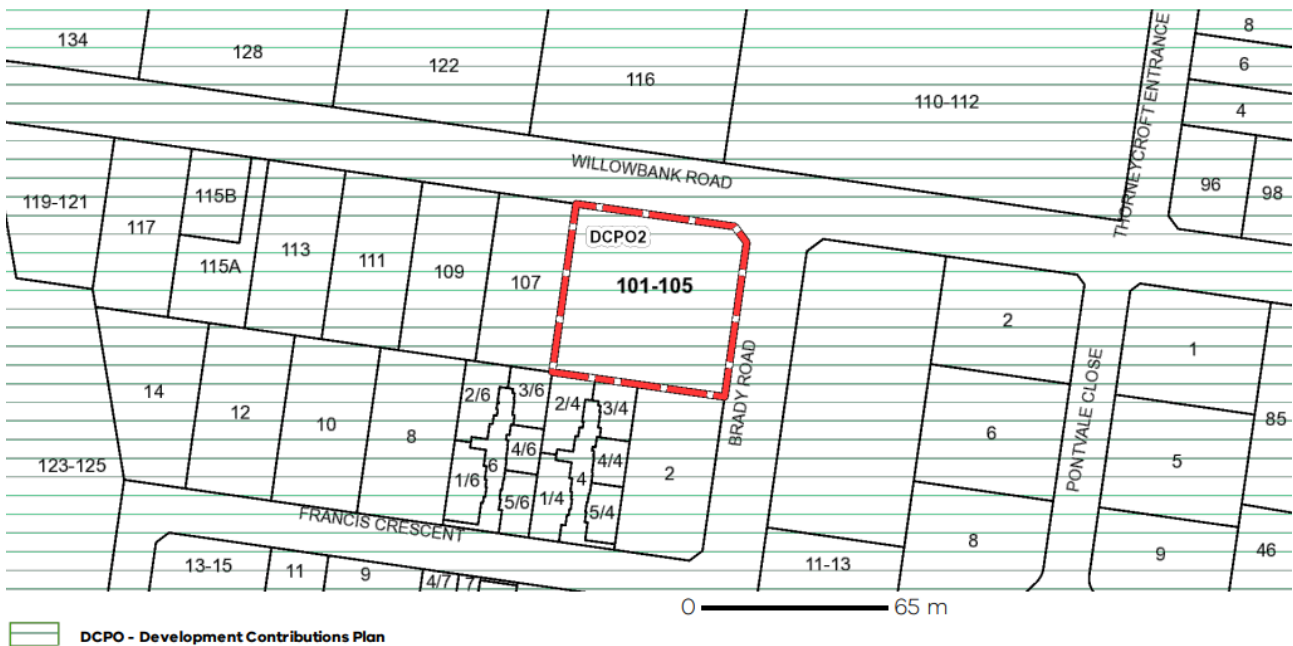


Figure 8: Overlay Map (DELWP Planning Maps Online)

4.2.1 Existing Overlay

The subject site is located within the Development Contributions Overlay Schedule 2. We understand that this overlay would remain unchanged by the proposed planning scheme amendment. The subject site is located within 'Area 13' and unless development contributions have already been satisfied for the land, we understand that contributions would be payable at the rates nominated for commercial development.

4.2.2 Proposed Overlays

In addition to the existing Development Contribution Overlay Schedule 2, we understand that a Design and Development Overlay – Schedule 27 (DDO27) will also be applied to identify a built form outcome for the site. This was proposed by Council to ensure that in the event the development as per Planning Application.

Item 2 of DDO27 outlines the design requirements for an application to construct a building or construct or carry out works which are tabulated and responded to below:

| Building Siting | |
|--|--|
| <i>Built form should have a zero setback at the street edge and a maximum 11 metres street wall.</i> | The proposed development will be appropriately constructed to the street edge of Willowbank Road and Brady Road. |
| <i>Locate and arrange the buildings to allow daylight and sunlight access to key public spaces and key pedestrian street spaces.</i> | The proposed development has been arranged to allow excellent daylight to the café at ground level with outdoor seating. Notably, the timber battened pergola structure in the centre of the development will allow for sunlight to penetrate throughout the community space. |
| <i>Buildings must address the street and corner location with car parking located to the rear of development.</i> | The built form appropriately provides an active frontage to both Willowbank Road and Brady Road. Car parking is located to the rear of the site. |
| Building design | |
| <i>Prioritise pedestrian access, including a small plaza area or 'gathering point' for public use.</i> | The proposal has been designed to address the active frontages of Willowbank and Brady Road and promotes pedestrian access from both streets. In addition, the built form includes an internal community space through the centre of the site that encourages community interaction and meeting. |
| <i>Provide appropriate building, scale, forms materials and finishes that respects the existing character of the area.</i> | The proposed double storey scale is appropriate given its commercial context and location within a Neighbourhood Activity Centre. The built form appropriately transitions to a single storey scale in response to the abutting residential zones. In addition, the development appropriately moderates its bulk through fenestration and a variety of building materials that respect the exciting character of the area. |
| <i>Reinforce important street corners with additional height and/or architectural elements to create a bookend effect.</i> | The development provides active frontages to both Willowbank Road and Brady Road. A bookend effect is created through the fenestration and stepped building lines of the built form at the corner of Brady and Willowbank Road. |

| | |
|--|---|
| <p><i>Locate and arrange buildings to allow daylight and sunlight access to public and pedestrian street spaces.</i></p> | <p>As aforementioned, the timber battened pergola structure in the centre of the development will allow for sunlight to penetrate throughout the community space.</p> |
| <p><i>Locate pedestrian entries that are accessible from the street or public use plaza/gathering point.</i></p> | <p>The proposal provides for excellent pedestrian access being built to the boundary of Brady Road and Willowbank Road. Pedestrians will be able to easily access the site via the footpaths adjacent to these roads, with pedestrian footpaths also through the centre of the development and around the car park to the rear.</p> |
| <p><i>Provide lighting for a safe night-time environment, however this is to be kept to a pedestrian scale and is to avoid light spill into the surrounding residential areas.</i></p> | <p>Appropriate lighting to the satisfaction of Council can be provided at the detailed design phase.</p> |
| <p><i>Place windows of buildings to overlook the street</i></p> | <p>The built form which faces Willowbank Road provides large windows at both levels to maximise streetscape activation and passive surveillance opportunities. In addition, the eastern elevation includes several windows overlooking Brady Road.</p> |
| <p><i>Locate any residential development above ground level to compliment the site being commercial.</i></p> | <p>N/A no residential land is proposed,</p> |
| <p>Access</p> | |
| <p><i>Locate car parks to the rear, side or underneath of the buildings they serve.</i></p> | <p>The car parking has been located to the rear of the site behind the proposed development.</p> |
| <p><i>Position pedestrian paths through car park areas to align with building entries and public spaces.</i></p> | <p>Pedestrian paths are provided throughout the car park to allow for the safe movement of pedestrians. The pedestrian paths will align with the entry points to the site at Brady Road and Willowbank Road.</p> |
| <p>Public Realm and Landscaping</p> | |

| | |
|--|--|
| <i>Locate seating to provide users with an interesting outlook and opportunities for passive surveillance.</i> | The Landscape Plan prepared by Taylors provides appropriate seating throughout the community area in the centre of the site. The seating has been thoughtfully arranged to enhance the amenity of the community corridor and allow for different passive surveillance opportunities. |
| <i>Use resilient and high-quality materials that are easily cleaned, maintained and repaired or recycled.</i> | High quality and resilient materials have been selected to ensure their long-term sustainability and ease of maintenance. |
| <i>Position trees to provide summer shade and shelter and protect from strong winds</i> | The Landscape Plan shows the proposed planting of canopy trees throughout the site. Notably, the shade and shelter will be predominantly provided via the community area at the centre of the site. |
| <i>Ensure lighting supports night-time social and recreational activity, amenity and safety in the public realm.</i> | Appropriate lighting to the satisfaction of Council will be provided at the detailed design phase. |
| <i>Use lighting types that minimise distortion and glare, and maximise colour recognition of objects and surfaces.</i> | Appropriate lighting to the satisfaction of Council will be provided at the detailed design phase. |
| <i>Provide shade to parking spaces and pedestrian paths.</i> | Shade will be provided to the parking and pedestrian areas through the proposed planting of canopy trees as demonstrated on the Landscape Plan. |
| <i>Provide landscaped planter bays and islands throughout car parks to break up any large expanses of paved parking.</i> | The Landscape Plan demonstrates ample tree and shrub plantings throughout the car park area which will soften the appearance of paving. |

On the basis of the above, the proposed development provides a positive response to the design requirements under the DDO27.

4.2.3 Item 6 of the DDO27 outlines the following overarching decision guidelines:

- *Whether the siting, form, height, massing and design of the proposed buildings and works, including fencing, provide an appropriate response to the context of the site.*
- *The ability of the development to provide the space for the planting of canopy trees and other vegetation.*

- *Whether the proposal achieves a high quality design outcome and implements Ecologically Sustainable Development principles, including Water Sensitive Urban Design*
- *Whether the proposed building contributes to public safety and the amenity of the streetscape.*
- *The ability of the development to provide for a Neighbourhood Activity Centre*

4.2.4 The proposal positively responds to the overarching decision guidelines under the DDO27 on the basis that:

- The siting, built form, height and massing of the development appropriately responds to the commercial context of the site. We reiterate that there are examples of double storey commercial developments within the surrounding area, including the approved aged care centre opposite the site. The built form appropriately moderates its bulk through fenestration techniques, stepped building lines and a variety of building materials. Moreover, the built form is sited away from the residential interfaces and transitions to a single storey scale.
- As demonstrated on the Landscape Plan prepared by Taylors, the proposal provides ample space for the planting of canopy trees and other forms of soft landscaping throughout the site where appropriate.
- The proposal provides a high quality and urban design and commercial outcome on site. We note that an ESD Report prepared by Sustainable Development Consultants has been included in this submission. This includes measures to achieve Water Sensitive Urban Design including the incorporation of rainwater tanks and raingardens within the car park area.
- The proposal provides for excellent pedestrian access being built to the boundary of Brady Road and Willow Bank Road. Furthermore, pedestrians will be able to easily access the site via the footpaths adjacent to these roads. In addition, the façade facing Willowbank Road provides large windows at both levels to maximise streetscape activation and passive surveillance opportunities.
- The proposed Neighbourhood Activity Centre development will provide convenience shopping facilities to the surrounding residential communities that also encourages employment close to home. Moreover, the proposal includes a communal pause point for social interaction while facilitating basic convenience shopping that will reduce the need to drive for short journeys.

On the basis of the above, the proposed development provides a positive response to the decision guidelines under the DDO27.

5 Supporting Policy and Strategic Documentation

5.1 2006 - Willowbank Road and Brady Roads Development Plan

5.1.1 The subject site was first identified for a neighbourhood activity centre in the 2006 Willowbank and Brady Roads Development Plan. The Development Plan is referenced in the Section 173 Agreement AF521260C nominated on title for the subject site. The Development Plan Reference Number is MJ5123/DP3 Version L prepared by Taylors and Tomkinson with the plan dated 25/05/2006. The Development Plan identifies the site for a “future commercial centre (subject to Council approval)”. We have reviewed the PDC Meeting Minutes associated with the Development Plan, however there is no details about the ‘future commercial centre’, other than nominating its existence.



5.2 2009 Gisborne / New Gisborne Outline Development Plan

5.2.1 The subject site was identified for a neighbourhood activity centre in 2009 'to contain a general store, 3-4 other shops, community uses and medical centre' (refer to figure 9 below).

Table 8 - Role, function and indicative floor space of activity centres³

| Activity Centre | Indicative floor areas | Role |
|---|------------------------|--|
| Local Neighbourhood Centre Corner of Willowbank and Brady Roads, South Gisborne | Approx 500 sqm | To contain a general store and 3-4 other shops, community uses and medical centres. |



Figure 9: – Extracts from the 2009 Gisborne / New Gisborne ODP

5.3 Planning Policy Framework

5.3.1 **Clause 15.01-1L (Urban Design - Macedon Ranges)** includes the following strategies:

- Ensure that development in townships respond to key features of existing streetscapes including building materials, colours, height, setbacks, bulk, articulation, significant vegetation, site coverage and density.
- Facilitate development that contributes to improvements to the function, design and presentation of town centres and entrances.

- *Provide active frontages in commercial centres.*
- *Design development to provide for passive surveillance of public spaces.*
- *Retain mature vegetation and incorporate landscaping that integrates with the landscape character of the area and increases tree canopy coverage across townships.*
- *Encourage the use of landscaping in development including native vegetation.*

5.3.2 **Clause 15.01-5L (Neighbourhood Character – Macedon Ranges Townships)** also includes the following relevant policy:

- *Ensure that development responds to key features of existing streetscapes including building materials, colours, height, setbacks, bulk, articulation, significant vegetation, site coverage and density, particularly within established township areas and areas of landscape sensitivity.*
- *Ensure urban development is of a low profile and compatible with the landscape qualities of the area.*

5.3.3 The design of the neighbourhood activity centre appropriately responds to its surrounding residential context through the built form, scale, siting, materials and colours that represent and reflect the surrounding area. The building addresses the primary frontage and provides car parking at the rear with generous landscaping opportunities to soften the car park and built form and provide screening for the adjoining properties.

5.3.4 **Clause 17 (Economic Development)** seeks to strengthen and diversify the economy by creating employment areas that improve access to jobs close to home and support rural economies to grow and diversify. **Clause 17.02 (Commercial)** seeks to encourage development which meets the communities needs for retail, entertainment, office and other commercial services. The proposed neighbourhood activity centre is highly consistent with Planning Policy Framework by providing convenience shopping facilities to the surrounding residential communities that also encourages employment close to home.

5.4 Local Planning Policy Framework

5.4.1 **Clause 02.03-1 (Settlement)** identifies the hierarchy of the various centres within the Macedon Ranges Shire, including Gisborne which is identified as a Regional Centre that will (along with Kyneton) continue to be the main population and employment centre within the municipality. The policy identifies the following:

- *Balancing rapid growth and development with the community's desire to maintain the semi-rural village character, whilst also providing for sustainable development is a key challenge.*
- *Manage urban growth and development in a co-ordinated and environmentally sustainable manner that respects the established semi-rural village character, natural setting, topography and view lines of the area.*

- *Ensure development occurs in a sequential manner allowing for the efficient and timely provision of social and physical infrastructure, and integration with existing development.*

5.4.2 The realisation of the strategy to provide a neighbourhood activity centre on the site is considered to provide timely infrastructure to an area that has rapidly grown over the past decade. The small centre balances the needs of the surrounding community while also being designed to maintain the semi-rural village character through the provision of the most essential services in a thoughtfully designed commercial building.

5.4.3 **Clause 02.03-5 (Built Environment and Heritage)** includes the following strategic directions:

- *Protect and enhance the distinctive character and form of the shire's towns and rural settlements.*
- *Facilitate industrial and commercial development that is attractive and has a positive impact on the amenity of the area.*
- *Promote development that respects the rural character and high landscape values of the municipality.*

The proposed built form has sought to incorporate elements of the surrounding area including a consistent roof form with gable ends, sympathetic colours and materials and an inviting central arcade that provides the key entry point to the development. The development includes part double storey, located toward the front of the site to maximise the separation from the adjoining residential properties, along with single storey elements on the outside edges. Double storey can be seen in the approved aged care centre across the road and the proposal is considered to pay homage to the predominantly single storey residential character while also reflecting the commercial nature of the site where a more robust built form is expected.

5.4.4 **Clause 02.03-7 (Economic Development)** includes the following:

The majority of Macedon Ranges residents are employed within the shire, or in the Melbourne and Hume local government areas. Local industrial areas are an important source of employment. There is a need to create further local employment opportunities within townships and reduce the reliance on commuting.

The provision of commercial space within the centre seeks to provide such employment opportunities within the shire to promote people working close to home.

5.4.5 **Clause 02.03-8 (Transport)** includes the following strategic directions:

- *Integrate transport with land use and development to facilitate efficient transport use.*
- *Facilitate the provision of a safe and efficient road transport network.*

- Encourage the use of more sustainable transport modes, including public transport, walking, cycling and horse riding, and reduce distances travelled.

The provision of a neighbourhood activity centre in walking distance of an established and growing residential catchment encourages the use of sustainable transport options and reduces car dependence if everyday needs can be fulfilled closer to home, rather than travelling into Gisborne centre.

5.4.6 **Clause 11.01-1L Settlement - Gisborne (including New Gisborne)** – includes the strategy to ‘provide for two local neighbourhood activity centres to the south and west of the Gisborne area to service new residential areas with basic convenience needs.’ The area to the ‘south’ of the Gisborne area specifically relates to the subject site. The Gisborne / New Gisborne Framework Plan identifies the land at 101-105 Willowbank Road as a ‘proposed local neighbourhood retail’ opposite community facilities, shown in Figure 10 below.

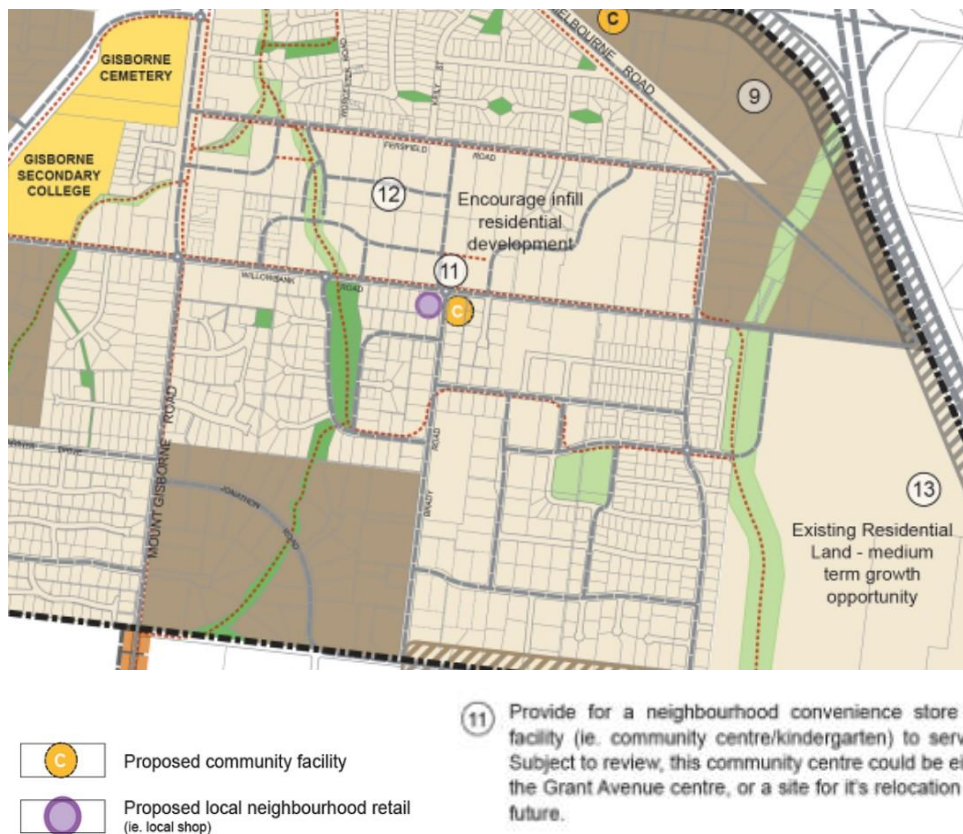


Figure 10: Extract of Clause 11.01-1L Gisborne / New Gisborne Framework Plan (101-105 Willowbank shown in purple)

5.5 Gisborne Futures Structure Plan August 2023

5.5.1 The Gisborne Futures Structure Plan (GFSP) was released in July 2020 and updated further in August 2023 and built upon existing strategic work to provide a framework for the future development of the Gisborne township. The document further re-enforces the designation of the subject site as a ‘Local Activity Centre’ as seen below.



Figure 3. Gisborne Framework Plan

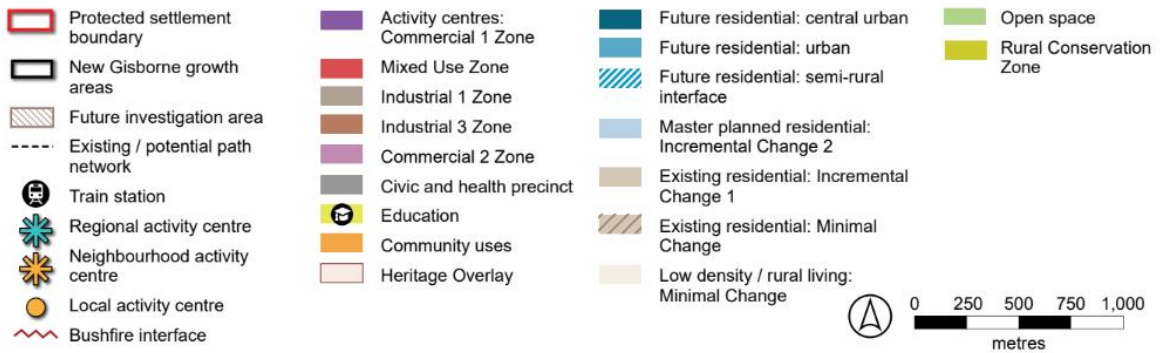


Table 1. Activity centre hierarchy

| Activity Centre | Centre type |
|----------------------------|-------------------------------|
| Gisborne town centre | Regional Activity Centre |
| New Gisborne town centre | Neighbourhood Activity Centre |
| Station Road, New Gisborne | Local Activity Centre |
| Willowbank Road | Local Activity Centre |
| Ross Watt Road Estate | Local Activity Centre |

Figure 5. Activity centre hierarchy



Figure 11: Extracts from the Gisborne Futures Structure Plan

5.5.2 Section 4.3 of the GFSP identifies the current proposal at Willowbank Road and includes the following strategy:

Support the planning and delivery of a LAC on Willowbank Road, including the current proposal to rezone to Commercial 1 Zone and apply the Design and Development Overlay to guide built form outcomes.

The GFSP identifies that:

Neighbourhood Activity Centres are planned and it is envisioned they will become community focal points for walking and cycling. This will reduce the need to drive for short journeys and basic convenience shopping and will generate opportunities for incidental interaction in communal social spaces.”

The proposed rezoning and commercial development seeks to achieve these aspirations by providing a neighbourhood activity centre with a communal pause point for social interaction while facilitating basic convenience shopping that will reduce the need to drive for short journeys.

6 Economic Assessment

6.1.1 Council have previously commissioned economic reports for the town of Gisborne that included assessment of the subject site as an identified neighbourhood activity centre. These reports include:

- Gisborne Commercial Assessment, prepared by Tim Nott Economic Analysis and Strategy, February 2009.
- Economic and Employment Analysis for the Gisborne Futures Structure Plan, prepared by Urban Enterprise, dated December 2018 and Updated in May 2020 with an Addendum dated May 2023

The Proponent has also commissioned an Economic Report prepared by SGS Economics as discussed further below.

6.1.2 2009 Gisborne Commercial Assessment by Tim Nott Economic Analysis and Strategy

The Commercial Assessment study in 2009 identifies the subject site well within the primary trade area of Gisborne as seen in figure 12 below. Some of the key points of the report include:

- The subject site is identified as a potential neighbourhood activity centre that is to contain 'a general store and 3-4 other shops'.
- The report identifies that 'some parts of the trade area are currently lacking a comprehensive local or neighbourhood shopping service and would benefit from an improvement in retail provision. This includes the areas identified in the ODP' which includes the subject site.

Allocation of retail floor space for the subject site which is identified as Gisborne South (ODP) is provided below:

Table 11: Notional allocation of retail floorspace potential in the Gisborne main trade area, 2008 to 2031

| Location | Food and groceries sq m | Other retail sq m | Total retail sq m |
|---|----------------------------|----------------------|----------------------|
| Riddells Creek (proposed supermarket centre) | 2,620 | 1,290 | 3,910 |
| New Gisborne (ODP) | 150 | 360 | 510 |
| Gisborne West (ODP) | 150 | 360 | 510 |
| Gisborne South (ODP) | 150 | 360 | 510 |
| Other opportunities (notional allocation) | 2,500 | 2,500 | 5,000 |
| Gisborne town centre | 2,030 | 10,430 | 12,460 |
| Total potential addition to retail floorspace | 7,600 | 15,300 | 22,900 |

Source: consultant estimates

Figure 12: Table 11 of the Gisborne Commercial Assessment 2009 outlining the subject site

Section 11 of the report identifies the commercial land requirements for various sized activity centres. It indicates that a retail outlet of 1,000 sqm would require a site area of 0.3 to 0.4ha in order to accommodate ground level parking, circulation space and landscaping. It is noted that the subject site has an area of approximately 0.35ha and based on the indication above could accommodate around 1,000 sqm of retail space as opposed to the 510 sqm identified in the table above. As identified later in this submission, the proposed development has a ground floor retail floor space of 992 sqm which is consistent with the findings above.

6.1.3 **2020 Economic & Employment Analysis by Urban Enterprise and Addendum dated May 2023**

The Economic and Employment Analysis prepared for the Gisborne Future Project in 2020 reinforces the proposed neighbourhood activity centre at the subject site as per figure 14 below:

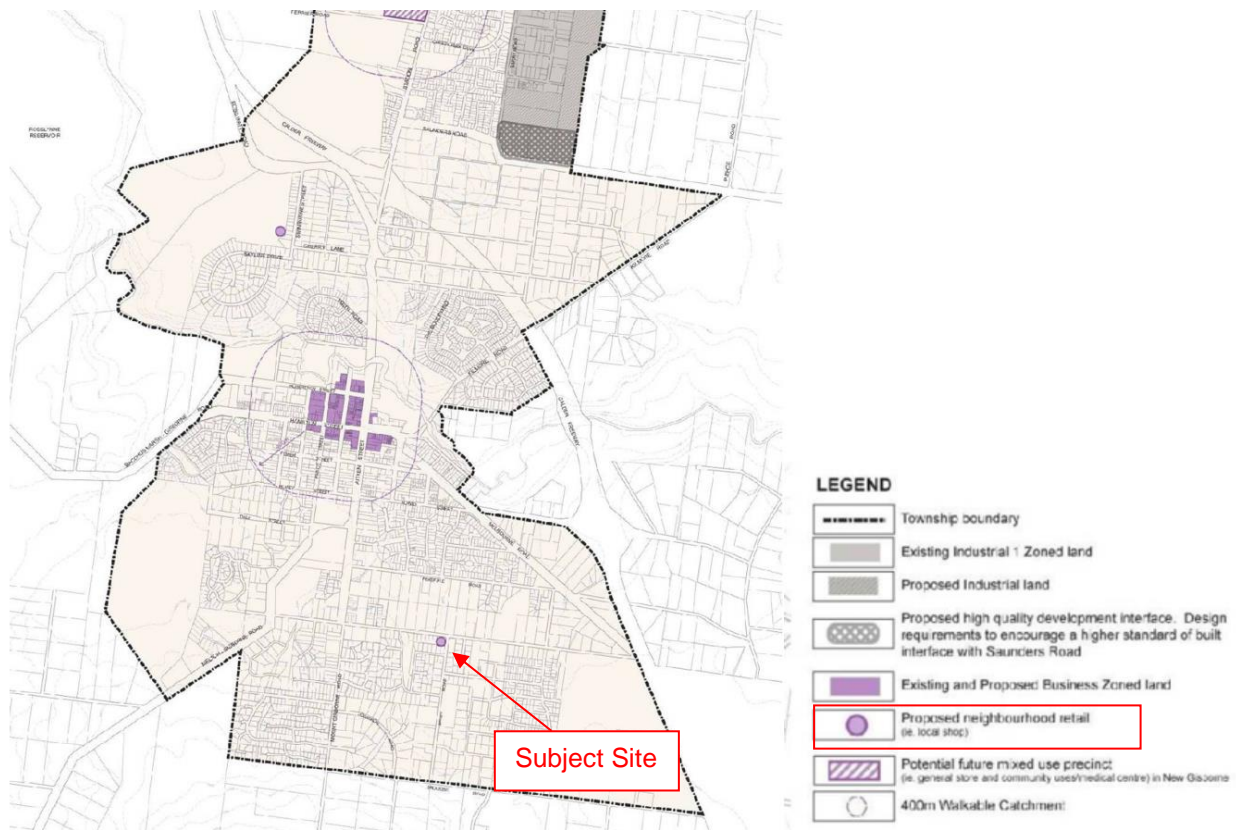


Figure 14: Retail, Mixed Use and Employment Plan

The neighbourhood activity centre has been identified to support the nearby 'identified growth area' (see figure 15 below) which has already partly developed, including the land within the Willows Estate. This identified area has future growth capacity and will further contribute to the catchment of the neighbourhood activity centre.

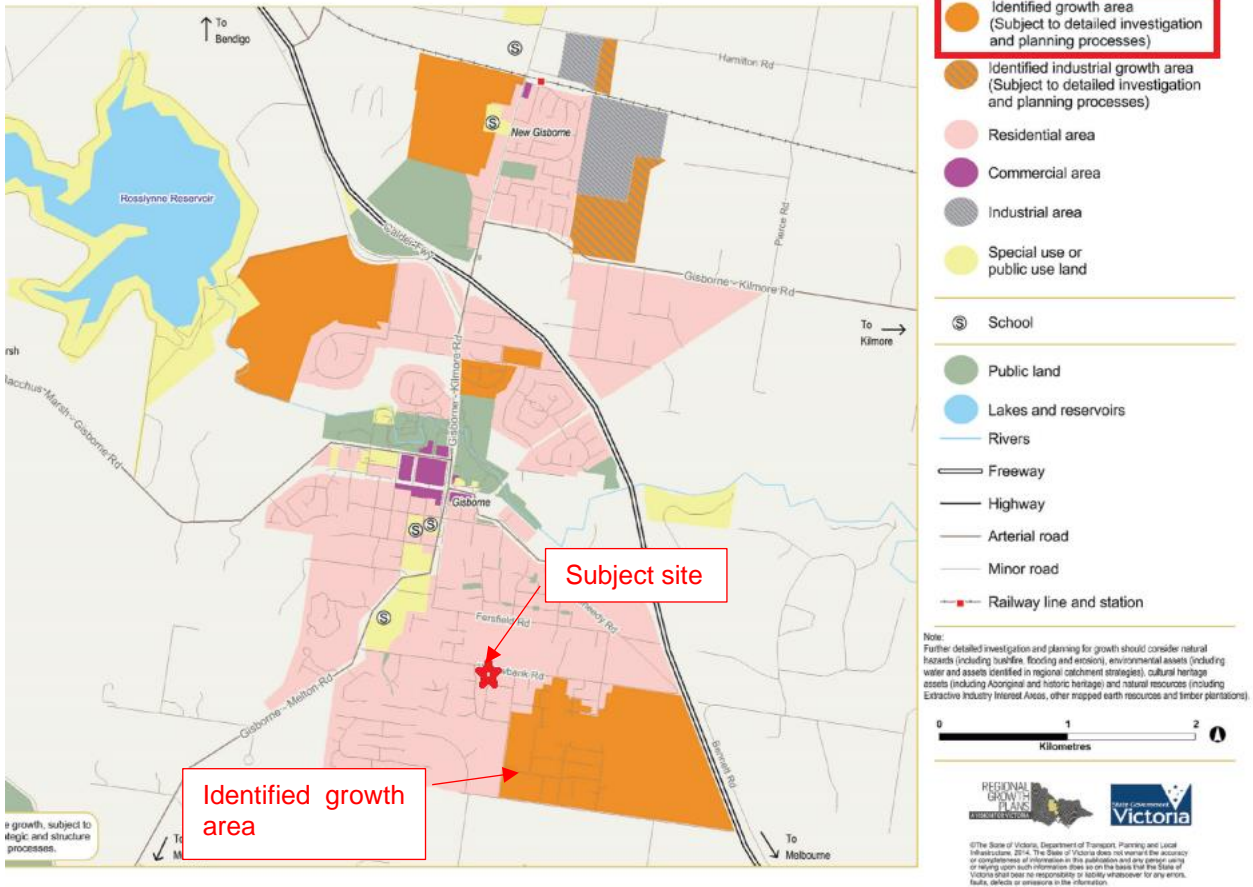
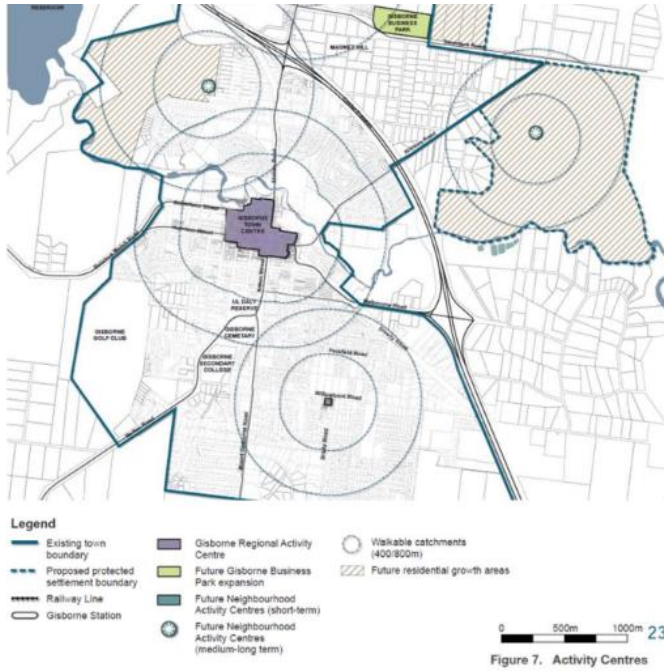


Figure 15: Gisborne Future Directions Plan (page 18 of Economic and Employment Analysis)

The May 2023 Addendum report continues to support the redevelopment of the site for a Neighbourhood Activity Centre.



Source: Gisborne Futures Structure Plan (Draft) 2020, Macedon Ranges Shire Council.

T10. PROPOSED RETAIL CENTRE HIERARCHY AND CURRENT DEVELOPMENT PROPOSALS

| Activity Centre | Centre type | Key information | Status |
|-----------------|--------------------------|--|--|
| Town Centre | Regional Activity Centre | Existing centre, 30,000sqm. | Developed |
| New Gisborne | NAC (medium-long term) | Role and scale to be determined. | Future centre, requires rezoning. |
| Station Street | NAC (short term) | 7,000sqm site for a NAC, 1,500sqm retail and 600sqm non-retail space. | Development Plan approved 2015, no development application, vacant site, residential zone. |
| Ross Watt Road | NAC (medium-long term) | 8,000sqm land for a NAC, no floorspace or retail mix details. | Development Plan submitted, VCAT proceedings underway. |
| Willowbank Road | NAC (short-term) | 3,500sqm site designated for a NAC. Proposed mini mart (450sqm), medical (452sqm), commercial (300sqm) and cafes (170sqm). | Rezoning and permit application submitted, awaiting decision. |

The Addendum Report 2023 also states:

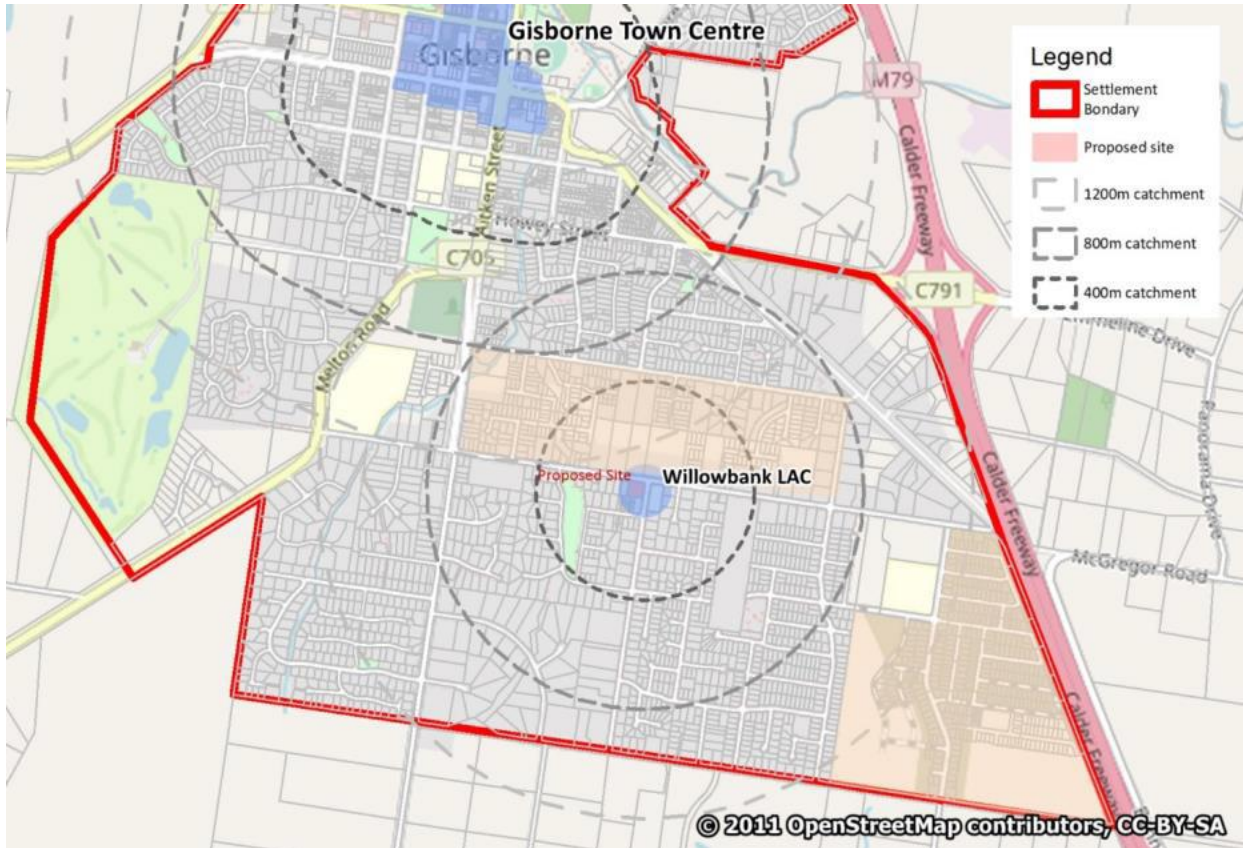
Willowbank, which is the subject of a current proposal to accommodate a retail development with a total of approximately 600sqm of retail space. This area is reasonably proximate to the Gisborne Town Centre and forms part of a logical catchment for the main retailers in the town, including the four supermarkets. Given the recent urban growth that has occurred in this area and the newly completed Primary School, policy should encourage local convenience and community services in this area, as opposed to any substantial activity centre role.

6.1.4 Economic Expert Evidence prepared by SGS Economics and Planning

An Economic Expert Evidence report has been prepared by Julian Szafraniec of SGS Economics and Planning for the purpose of the Planning Panel. The report is based on a detailed review of all previous

Economic Reporting as well as information associated with Amendment. Key findings of the report can be summarised as follows:

- The Willowbank LAC would largely address the walkability catchment gap in southern Gisborne as demonstrated by the following figure below.



- Medical Centre - The proposed medical centre will assist in addressing the local catchment gap by providing walkable access to a medical centre for surrounding residents, including the proposed aged care across the road and the aged care currently under construction further down Willowbank Road, noting all medical facilities are otherwise located in Gisborne central. Combined with the existing physiotherapy and osteopathy clinic adjacent to the site, this would create a small medical hub for surrounding residents.
- Population growth in the Gisborne south area is anticipated to continue to grow strongly as the Willow Estate and Fersfield Road Development Plan continue to be delivered before tapering off as they reach completion.
- Supermarket - The analysis shows that there is around 450 sqm of demand for a grocery store/supermarket that will increase to 740 sqm by 2036 which is broadly consistent with the proposed supermarket of 370 sqm.
- Café's - Current demand for hospitality is estimated at 120 square metres and is likely to increase to 200 sqm by 2036 which is broadly consistent with the two cafes of 85sqm each.
- The report indicates that the assessment undertaken by Tim Nott in 2009 identified a total retail floorspace of 510sqm for the site and also includes 5,000 sqm of unspecified 'other opportunities'

location. The SGS report indicates that it is desirable for some of this 'other' demand to be allocated to local centres and therefore the SGS alternative is an equally reasonable retail floorspace allocation for the broader catchment demand.

- Commercial space – demand for commercial space within Gisborne is anticipated to increase by 21% by 2036, representing an additional 7,000 sqm across Gisborne or more specifically, 800 square metres within the catchment area. The report comments on the changing work patterns post Covid and how employment closer to home is becoming more important with the space providing the potential for a shared office, community uses or even a gym/pilates studio.
- The report also provides a response to submissions which are detailed further in this report.

7 Strategic Justification for Amendment

7.1.1 This section provides a brief assessment of the Amendment following the assessment criteria outlined in the Ministerial Direction No. 11 on Strategic Assessment of Amendments.

i. Why is the amendment required?

- The land has been identified for a future Neighbourhood Activity Centre in the 2009 Gisborne / New Gisborne Outline Development Plan (ODP), Clause 21.13-1 of the Macedon Ranges Planning Scheme and the July 2020 draft Gisborne Futures Structure Plan.
- The amendment will facilitate the development of a Neighbourhood Activity Centre that will service the growing surrounding residential community, providing essential shopping and medical needs.
- The current General Residential Zone prohibits / restricts commercial activity on the site. The amendment to a Commercial 1 Zone as identified in the July 2020 (updated August 2023) Gisborne Futures Structure Plan will facilitate the development of a Neighbourhood Activity Centre.
- A concurrent permit and Design and Development Overlay will ensure the site is developed generally in accordance with the submitted development plans.

ii. How does the amendment implement the objectives of planning in Victoria?

7.1.2 The amendment implements the objectives set out in section 4 of the Planning and Environment Act 1987 by:

- Providing for fair, orderly, economic and sustainable use and development of land;
- Securing a pleasant, efficient and safe working, living, and recreational environment for all Victorians and visitors to Victoria;
- Balancing the present and future interests of all Victorians.

a. How does the amendment address the environmental effects and any relevant social and economic effects?

7.1.3 The environmental effects such as noise, traffic and drainage are addressed in this submission. It is noted that the site is currently vacant with no vegetation that will require removal.

There are no foreseen adverse social impacts as a consequence of the proposed amendment to facilitate the development of a Neighbourhood Activity Centre. Potential impacts on the immediately surrounding residential properties have been thoughtfully considered and addressed as part of this submission. Positive social and economic impacts will be provided through a local centre for basic convenience shopping, community interaction in communal social spaces, medical centre for future health needs and job creation from the range of different businesses to operate from the centre.

iii. Does the amendment address relevant bushfire risk?

7.1.4 Bushfire risk is seen as minimal given the existing/future urbanisation of the surrounding area. It is noted that the site is not located within a Bushfire Management Overlay nor Bushfire Prone Area.

iv. Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?

7.1.5 The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Planning and Environment Act 1987.

The amendment is affected by Ministerial Direction No. 15- The Planning Scheme Amendment Process and complies with this Direction.

v. How does the amendment support or implement the State Planning Policy Framework and any adopted State policy?

7.1.6 The amendment is consistent with the Planning Policy Framework as demonstrated in section 5.3 of this report.

vi. How does the amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement

7.1.7 The amendment is consistent with the Local Planning Policy Framework as demonstrated in section 5.3 of this report.

vii. Does the amendment make proper use of the Victoria Planning Provisions?

7.1.8 The Amendment makes proper use of the Victorian Planning provisions in so far as:

- Applying the Commercial 1 Zone to the land to be used for commercial purposes to facilitate the development of a Neighbourhood Activity Centre.
- Applying the Design and Development Overlay (DDO) to inform the key development outcomes for the land.

viii. How does the amendment address the views of any relevant agency?

7.1.9 Pre-application advice has been provided by Macedon Ranges Shire Council. If this amendment and s.96A application are exhibited, other relevant agencies will be notified and requested to provide comments.

ix. Does the amendment address relevant requirements of the Transport Integration Act 2010

7.1.10 The proposed amendment is not considered to have a significant impact on the transport system as defined by the Transport Integration Act 2010. A Traffic Impact Assessment by Traffix Group has been provided as part of the submitted documentation.

x. Resource and Administrative Costs

7.1.11 What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The cost of the panel hearing will be covered by the Applicant. The panel hearing will not pose unreasonable resource and administrative costs on Council in its normal capacity as the Responsible Authority.

8 Proposed Development (Under Section 96A of P+E Act 1987)

The following development is proposed concurrently with the Planning Scheme Amendment under Section 96A of the Planning and Environment Act 1987.

8.1 Development Summary

| | | |
|---|-------------------------|---|
| Site Area | | 3,547 m ² |
| Proposed Uses | Supermarket (Mini Mart) | 370 sqm plus 80 sqm of ancillary office |
| | Medical Centre | 452 sqm containing 7 practitioners |
| | Commercial space | 300 sqm |
| | Food and Drink Premises | 2 x cafés of 85 sqm |
| Car Parking | | 57 spaces including 2 disabled car spaces |
| Bicycle Parking | | 6 x customer bike parking 2 x staff bike parking |
| Anticipated Operating Hours (Supermarket, Commercial and Food and Drink) | | 7am – 7pm Monday to Sunday <ul style="list-style-type: none"> Supermarket only: 8am Sunday morning |
| Anticipated Operating Hours (Medical Centre) | | Monday to Friday: 8:30 am – 5:30 pm Saturday: 12:00 pm – 3:00 pm Sundays and public holidays: 11:00 am – 1:00 pm. |

8.2 Development Plans

8.2.1 Development Plans have been prepared by Clarke Hopkins Clarke which outline the proposal for a Commercial Development containing a Supermarket, Food and Drink Premesis, Medical Centre and

Commercial space. The plans have been developed based on feedback from Council. We have also incorporated the technical analysis from the traffic engineer, acoustic engineer, service engineer, environmental sustainability consultant and waste consultant to inform the design specifics.

8.2.2 Clarke Hopkins Clarke Architects have prepared the following design philosophy:

The design of the Willowbank Local Activity Centre champions walkable urbanism that responds to local context, community aspirations and the pressing need for sustainable architecture, social connection, and low-impact living. It brings together a mix of commercial and retail uses valued by Gisborne residents and draws on the local architectural vernacular to transform a prominent corner site into a warm, generous, semi-transparent corner landmark, designed to integrate seamlessly into the adjoining residential streetscape.

Using a compact footprint and considered, vibrant mix of uses (including cafes with indoor/outdoor dining, a medical centre, market, first-floor office space and a small carpark to the rear), the design creates a walkable village and community focal point for locals. Active street frontages and a generous, double-height, semi-transparent gabled roof form offers clear sightlines through the site, inviting people in and echoing the prevailing architectural feature of surrounding residences. Strong passive solar design, biophilic design principles and an earthy palette of sustainable materials, including thermally efficient brick and warm timber, further integrate the form into its site. With its warm entrance canopy, generous volumes, abundant natural light, and cross ventilation, sheltered outdoor spaces and seamless indoor-outdoor connections, this is a warmly welcoming gathering place for the local community which encourages walkability and social connections and responds sensitivity to local needs and context.

8.2.3 The key features of the plan are:

- An active frontage to Willowbank Road and Brady Road that includes car parking at the rear of the site, generally screened from the main views to the development.
- An internal community space through the centre of the site that encourages community interaction and meeting.
- User hierarchy that promotes pedestrians and cyclists to reduce car dependency.
- A built form that includes a gable roof, high levels of glazing, contemporary materials and finishes that all seek to complement the character of the area.
- Siting of the built form away from the adjoining residential properties to ensure there is no adverse amenity issues associated with overshadowing, overlooking, building bulk and noise for example.
- A small supermarket that provides access to everyday goods, reducing car dependence to access Gisborne Town Centre.
- Café's that will add to the vibrancy of the centre and create a meeting point for the local community.

- A medical centre that will support the surrounding community including the residential aged care approved opposite the site. The medical centre will add to a growing medical precinct within the immediate area which includes a physio to the rear of the site and an osteo opposite along Brady Road.
- A commercial space on the first floor above the medical centre that will allow for a range of commercial uses.

8.3 Landscape Plans

8.3.1 A Landscape Master Plan has been prepared by Taylors and includes landscape provision within the following areas:

- Street frontages to soften the built form. This includes low shrubs and groundcovers that will add some greenery to the street and wont conflict with the glazing along these frontages.
- Internal communal space to create an attractive environment that encourages people to meet and interact within this space. The landscaping palette has been specifically designed to grow and be easily maintained within this unique environment.
- Carpark area to break up the hard surfacing. This includes a mixture of canopy trees, shrubs and groundcovers throughout the car parking spaces.
- Perimeter fencing to provide a vegetated screen with the adjoining properties. This includes a large canopy tree at the south-west corner of the site which will become a feature of the site.
- It is noted that a street tree is proposed to be removed to accommodate vehicle access via Willowbank Road. The landscape plan demonstrates a replacement street tree along the Willowbank Road frontage.

8.4 Traffic Report

8.4.1 A Traffic Impact Assessment has been prepared by Traffix Group and is included as part of this submission. The report assesses the existing road network, car parking availability and traffic volumes and provides an assessment of the proposed commercial development. The report is supportive of the proposed car parking provision of 57 spaces in lieu of the statutory rate of 61 spaces considering the likely traffic generation of uses including the Mini-Mart which will be considerably below that of the statutory parking rate of a 'Supermarket'. Furthermore, the collection of uses will have parking demands at different times and promote walking and cycling as the preferred transport option as it services the surrounding residential community.

8.4.2 The report also identifies that the level of traffic anticipated to be generated by the development can comfortably be accommodated within the existing road network and will not unduly influence the intersection of Willowbank and Brady Road.

Finally, the design of the proposed car park accords with the relevant requirements in terms of layout, provision of bicycle parking, loading and waste collection.

8.4.3 We rely on the Expert Evidence Statement prepared by Mr Jason Stone of Traffic Group for matters in relation to traffic.

8.5 Waste Management Plan

8.5.1 A Waste Management Plan has been prepared by Traffix Group and is included as part of this submission. The report identifies that a Private Waste Collection arrangement is proposed outside of operating hours (7pm-8pm) to minimise the impact on the site and surrounding uses. The proposed waste collection hours meet the relevant EPA requirements. Two waste collection storage areas have been provided with the bin size and allocation as per the waste management plan.

It is anticipated that the waste generated from the proposed commercial development can be comfortably collected from the site.

8.6 Acoustic Report

8.6.1 An Acoustic Report has been prepared by Marshall Day Acoustics to provide an environmental noise assessment for the proposed development. Noise control measures have been suggested for incorporation during the detailed design stage to reduce noise from the subject site as far as reasonably practicable at nearby noise-sensitive receivers including the adjacent residential properties. These include:

- A 2.4 metre high acoustic fence along the southern and western boundaries to protect the adjacent residential properties. The fence will be constructed of timber palings and have a minimum surface mass density of 12 kg/m² with installation to ensure there are no holes or gaps and the base of the barrier is to be buried to a depth of 10-20cm. Other suitable materials include 25mm thick plywood timber panelling or other approved material which meets the above surface density specification. The acoustic fence is required on the basis of the consideration of noise emanating from mechanical services and deliveries and waste collection to ensure compliance with the minimum EPA requirements.
- Mechanical services screening which are generally achieved through the architectural design including a recessed platform within the roof on the western façade and a parapet along the eastern façade. Screening is required to be a minimum of 1 metre above the highest point on any given unit. At the detailed design stage when the details of the mechanical services are known, any additional acoustic screens (if required) can be incorporated into the design.
- Selection of plant equipment with low noise levels.

8.6.2 It is noted that the Acoustic Report recommends the following condition of any approval:

Once mechanical services design has progressed to a suitable level of detail, an acoustic assessment of the mechanical services design should be conducted by a suitably qualified and experienced

acoustic consultant. Reasonably practicable noise controls should be investigated and implemented, and any noise controls required for compliance with the relevant legislative criteria should be included in the final design.

8.6.3 Waste collection and deliveries will occur between 7pm and 8pm after the commercial centre has closed. A private waste collection vehicle will prop within the aisles and undertake collection from the nominated waste storage areas. Deliveries will be undertaken within the designated loading bay. An objective assessment against the evening period noise limits was conducted to demonstrate the waste collection and deliveries as proposed is within the limits of the relevant controls.

8.7 Sustainability Management Plan

8.7.1 A Sustainability Management Plan (SMP) has been prepared by Sustainable Development Consultants. There are a range of sustainability initiatives that are proposed to be implemented through its design, construction and operation. The report considers that the proposed commercial development will meet best practice requirements through the initiatives outlined in this submission including the use of energy efficient systems, solar panels, rainwater tank(s) and the use of low to zero VOC content materials, as well as reduced environmental impacts during the construction stage.

8.7.2 In terms of Water Sensitive Urban Design (WSUD), a STORM Assessment has been prepared and measures have been incorporated into the development documentation including:

- 10,000 litre water tank located toward the south-east corner of the site.
- 35 sqm of raingarden has been proposed within the centre of the car park and at the north-west corner of the site.

8.8 Clause 52.06 – Car Parking

Please refer to the Traffic Report prepared by Traffix Group and Section 8.4 of the report above.

8.9 Clause 52.17 – Native Vegetation

Not applicable as the site is less than 0.4ha in size.

8.10 Clause 53.18 – Stormwater Management in Urban Development

Not applicable for the Commercial 1 Zone. Stormwater management is outlined in the Sustainability Management Plan prepared by Sustainable Development Consultants.

9 Restrictive Covenant PS 549356W

9.1.1 Restrictive Covenant PS549356W created on 12/12/2007 applies to the subject site, identified as Lot 43 created in PS 549356W. The restrictive covenant is provided below:

CREATION OF RESTRICTION

UPON REGISTRATION OF THIS PLAN THE FOLLOWING RESTRICTION IS CREATED

LAND TO BENEFIT: LOTS 1 TO 43 (BOTH INCLUSIVE) ON THIS PLAN

LAND TO BE BURDENED: LOTS 1 TO 43 (BOTH INCLUSIVE) ON THIS PLAN

DESCRIPTION OF RESTRICTION:

THE REGISTERED PROPRIETOR OR PROPRIETORS FOR THE TIME BEING OF ANY BURDENED LOT ON THIS PLAN TO WHICH ANY OF THE FOLLOWING RESTRICTIONS APPLY, SHALL NOT:

1. CONSTRUCT MORE THAN ONE DWELLING ON EACH OF LOTS 20 TO 23 (BOTH INC.), 28 TO 34 (BOTH INC.) AND 36 TO 43 (BOTH INC.)
2. CONSTRUCT MORE THAN ONE DWELLING ON LOT 13 IN ADDITION TO THE EXISTING DWELLING.
3. RELOCATE ANY EXISTING BUILDING TO A BURDENED LOT.
4. SUBDIVIDE FURTHER LOTS 13, 20 TO 23 (BOTH INC.), 28 TO 34 (BOTH INC.), AND 36 TO 42 (BOTH INC.).
5. ERECT ANY FENCING OTHER THAN POST AND WIRE FENCING.
6. CONSTRUCT ANY NEW DWELLING ON A LOT CLOSER TO A BOUNDARY THAN THE MINIMUM SETBACKS SPECIFIED HEREUNDER:
 - A. THE MINIMUM SETBACK FROM ALL BOUNDARIES EXCEPT ROAD FRONTAGES IS 4 METRES.
 - B. WITHIN LOTS 1 TO 19 (BOTH INC.), 24 TO 27 (BOTH INC.), AND LOT 35, THE MINIMUM SETBACK FROM A ROAD FRONTAGE IS 6 METRES EXCEPT FOR A DWELLING LOCATED ON A CORNER LOT WHERE THE MINIMUM SETBACK FOR ONE OF THE ROAD FRONTAGES MAY BE REDUCED TO 4 METRES.
 - C. WITHIN LOTS 20 TO 23 (BOTH INC.), 28 TO 34 (BOTH INC.), AND LOTS 36 TO 43 (BOTH INC.), THE MINIMUM SETBACK FROM A ROAD FRONTAGE IS 10 METRES EXCEPT FOR A DWELLING LOCATED ON A CORNER LOT WHERE THE MINIMUM SETBACK FOR ONE OF THE ROAD FRONTAGES MAY BE REDUCED TO 6 METRES.
7. CONSTRUCT A BUILDING WITH A BUILDING HEIGHT GREATER THAN 9m OR MORE THAN TWO STOREYS.

The restrictive covenant includes the following restrictions that we seek to vary to allow the proposed commercial centre at the site.

| # | Current |
|---|--|
| 5 | <i>Erect any fencing other than post and wire fencing.</i> |

- 7 | *Construct a building with a building height greater than 9 metres or more than two storeys*

9.1.2 The proposal seeks to amend the schedule to Clause 52.02 (Easements, Restrictions and Reserves) to insert the following Schedule (Under Section 23 of the Subdivision Act 1988):

| Land | Easement or restriction | Requirement |
|---|--|---|
| Lot 43 on Plan of Subdivision 549356W, Volume 11043 Folio 423 (101-105 Willowbank Road, Gisborne) | Restrictive Covenant contained in Instrument of Transfer No. PS549356W | Vary the restrictive covenant to allow fencing other than post and wire fencing and construction of a building with a height of greater than 9 metres and two stories |

We note that restrictions 1-4 and 6 in covenant PS549356W are not proposed to be amended as the proposed commercial centre will not include any dwellings.

The beneficiaries to the restriction have been reviewed and listed by the Licenced Surveyor at Ovens & Murray Land Survey's and their letter has been submitted with Council.

The proposed variation of restriction is appropriate in the instance of Lot 43, being the subject site. The proposed variations will provide an appropriate transition and outcome to the future neighbourhood activity centre.

9.1.3 The covenant covers the following areas (lots 1-43) as demonstrated in figure 16 below.



Figure 16: area covered by Restrictive Covenant PS549356W

9.1.4 **Restriction 5 - Fencing**

It is noted that the removal of the fencing restriction will allow for the construction of a timber paling fence or other suitable material with the surrounding properties which is a more appropriate interface than a post and wire fence. A higher fence that is opaque provides an appropriate buffer between the two uses and added safety and security for the surrounding properties. The Acoustic Report prepared by Marshall Day identifies that a 2.4 metre high acoustic fence is to be constructed along the southern and western boundaries to protect the amenity of the adjoining residential properties.

Within the areas covered by the covenant, there are several examples of higher and opaque fencing that contributes to the character of the area which are provided below.



Figure 17: 1 Francis Crescent (corner of Francis Crescent and Brady Road)



Figure 18: 2 Francis Crescent (physio) common boundary fence with 4 Francis Crescent, adjacent property to the south

The commercial development on the eastern side of Brady Road containing the Childcare Centre and Osteo have a higher, solid fence for the same reasons as outlined above. While this area is outside of

that covered by the covenant, it is directly opposite the site and is a non-residential use similar to that proposed. This not only contributes to the character of the area but also sets the expectation for a future development of this proposed commercial site.



Figure 19: boundary fencing surrounding childcare centre and osteo

9.1.5 **Restriction 7 - Building height**

The proposed development has a maximum height of 9.525 metres which exceeds the covenant restriction of 9 metres.



Figure 20: North and West Elevation of proposed development

The majority of the development is below the height of 9 metres however there is a component of the medical centre building toward the front (south) of the site that has a maximum building height of 9.525 metres. The total height is a result of the slope of the land which falls from the rear (south) of the site down toward Willowbank Road. The component of roof form that is greater than 9 metres in height is relatively small and given its context within the broader commercial development, it won't be read as an element that is at odds with the character of the area. The pitched roof form which creates the minor component of non-compliance is in itself an integral part of the character of the area, noting pitched roofs are a prominent feature of the area.

While the surrounding residential properties are generally single storey, there are examples of double storey development including the dwelling at 11 Brady Road (opposite the physio) and the approved double storey aged care centre at 110 Willowbank Road (diagonally opposite the subject site). A double storey built form is considered an appropriate response to the role of the neighbourhood activity centre while respecting the surrounding residential properties.

It is also noted that the minor component of non-compliance is well setback from the adjoining neighbour and their sensitive area of secluded private open space to reduce any amenity impacts.

9.1.6 **Assessment of the proposed covenant variations**

Pursuant to Section 60(2) of the PE Act, as the restriction was registered under the Subdivision Act 1988 or Transfer of Land Act 1958 after 25 June 1991, the following decision guidelines should be considered:

60(2) The responsible authority must not grant a permit which allows the removal or variation of a restriction (within the meaning of the Subdivision Act 1988) unless it is satisfied that the owner of any land benefited by the restriction (other than an owner who, before or after the making of the application for the permit but not more than three months before its making, has consented in writing to the grant of the permit) will be unlikely to suffer— (...as a consequence of the removal or variation of the restriction.):

(a) financial loss; or

The proposed variations will not cause financial loss to any beneficiaries.

(b) loss of amenity; or

The proposed variations to restrictions will not cause loss of amenity. The inclusion of a higher fence that is opaque is considered to improve the amenity with the adjoining property, creating a buffer between the land uses and providing greater safety and security for the adjoining properties. The building height greater than 9 metres is well setback from the adjoining property and secluded private open space areas and is not considered to have any amenity impact on the surrounding properties.

(c) loss arising from change to the character of the neighbourhood; or

9.1.7 The proposed variations will not detrimentally change the character of the neighbourhood as the fencing relates to the side and rear setbacks that are mostly out of view from the public realm. Furthermore, given the use of the site is proposed for a commercial centre (compared with the surrounding residential development) it would be a reasonable expectation that the boundary fencing would be higher for safety and amenity expectations with a lower fence in fact looking out of place.

The additional building height only relates to the pitched roof form of part of the Medical Centre. When viewed in context with the entire development, it is not an element of the building that would stand out as inconsistent with the character of the area. The built form will present as a two-storey building which is appropriate for the neighbourhood activity centre to have some presence in the landscape while still respecting the predominant single storey residential character of the surrounding area.

(d) any other material detriment—

No other material detriment will be caused by the proposed variations to restrictions.

9.1.8 We submit that pursuant to the above policies the proposed variations do not cause loss or detriment in the case of any beneficiary. Given that the submission to vary these restrictions is submitted in conjunction with the proposed commercial development, there is a definitive outcome proposed that provides certainty and reduces the perception of loss and/or detriment.

10 Response to Issues Raised in Submissions

10.1.1 A total of 15 submissions were received (noting there is no 'Submission 4') in relation to Amendment C153macr and Planning Application PLN/2022/454. It is noted that of the 15 submissions received, 4 are in favour of the proposal, 3 are referral comments supportive of the proposal with standard conditions included, leaving 8 submissions which raise concern (Submission 2, 3, 5, 6, 10, 14, 15, and 16). The issues raised within these submissions have been tabulated and summarised below.

It is noted that the Proponent proposed a meeting with Submitters and Council, of which Submitters number 6 and 10 and Council attended on 5 July 2023. Following this meeting, there was also subsequent emails and phone discussions with these Submitters in an attempt to resolve some matters. The Proponent also spoke with Submitter 2 on the phone and sent various material.

10.1.2 The following additional material was provided to Submitters 2, 6 and 10 (along with Council):

- Sightlines taken from key aspects of the neighbouring open space areas to demonstrate the likely views to the proposed development.
- Shadow diagrams during the June Solstice and September Equinox associated with the acoustic fence for the surrounding properties to the west and south. It is noted that shadow diagrams were not prepared for the proposed building considering the double storey element is setback approximately 20 metres from the closest boundary at 107 Willowbank Road and therefore will not cast any shadow on neighbouring properties.

The above-mentioned information has been provided to the Panel by Council.

Submissions 6 and 10 include two parts with the second part reflecting the Submitters position following the meeting and subsequent discussions with the Proponent and review of the abovementioned material. We note the following in relation to Submission 6 and 10:

10.1.3 **Submission 6:**

This submission has been revised as follows:

- The submitter supports the acoustic fence and height of 2.4 metres and no longer raises concern with the minimum density of 12kg/m².
- The submitter has removed concern relating to the vegetation species. Based on discussions with the submitter and Councils Vegetation Department, a Blackwood species will be planted at the south-west corner of the site and a Silver Banksia will be planted along the neighbours fence.
- We have agreed with the submitter to delay the opening time of the Supermarket to 8am on Sundays as this is consistent with the other Foodworks in Gisborne and still allows the early morning demand on Saturday with people heading to sport etc. The submitter is requesting the later start on Saturday as well.
- The submitter has included a concern requesting a gate to restrict after hours use.

10.1.4 **Submission 10:**

The submission is generally the same as the Part 1 version with the exception of the acoustic fence which the submitter is 'comfortable with this on the proviso the timber fence railing are on the inside of 107 Willowbank Road' which they will be.

It is noted that with the exception of submitter 2 with interface to the site, all other submitters with interface to the site are comfortable with the proposed acoustic fence.

| Issues Raised | Submissions nos. |
|--|-------------------------|
| <u>Traffic matters</u> | |
| 1. Surrounding roads are unfit to cope with additional traffic. | 3, 5, 10, 14-16 |
| 2. Does the traffic report factor in the Willow Estate? | 3 |
| 3. Is there consideration to increase the bus service? | 3 |
| 4. The provided car parking is insufficient. | 16. |
| <u>Built form matters</u> | |
| 5. Double storey design is out of character with the area. | 2, 5, 6, 10 & 15. |
| 6. The boundary fencing is too high. | 2 & 5. |
| <u>Amenity matters</u> | |
| 7. The opening hours will result in too much noise. | 6. |
| 8. A gate should be provided to restrict after hours entry | 6 |
| <u>Other matters</u> | |
| 9. There is no need for the commercial development within the area and/or Willow Estate is more appropriate. | 2, 5, 14, 15 & 16. |
| 10. The provision of 10,000L rainwater tank is tokenistic. | 5. |

We provide the following in response to the above issues raised by submissions.

Traffic Matters

1. Surrounding roads are unfit to cope with additional traffic.

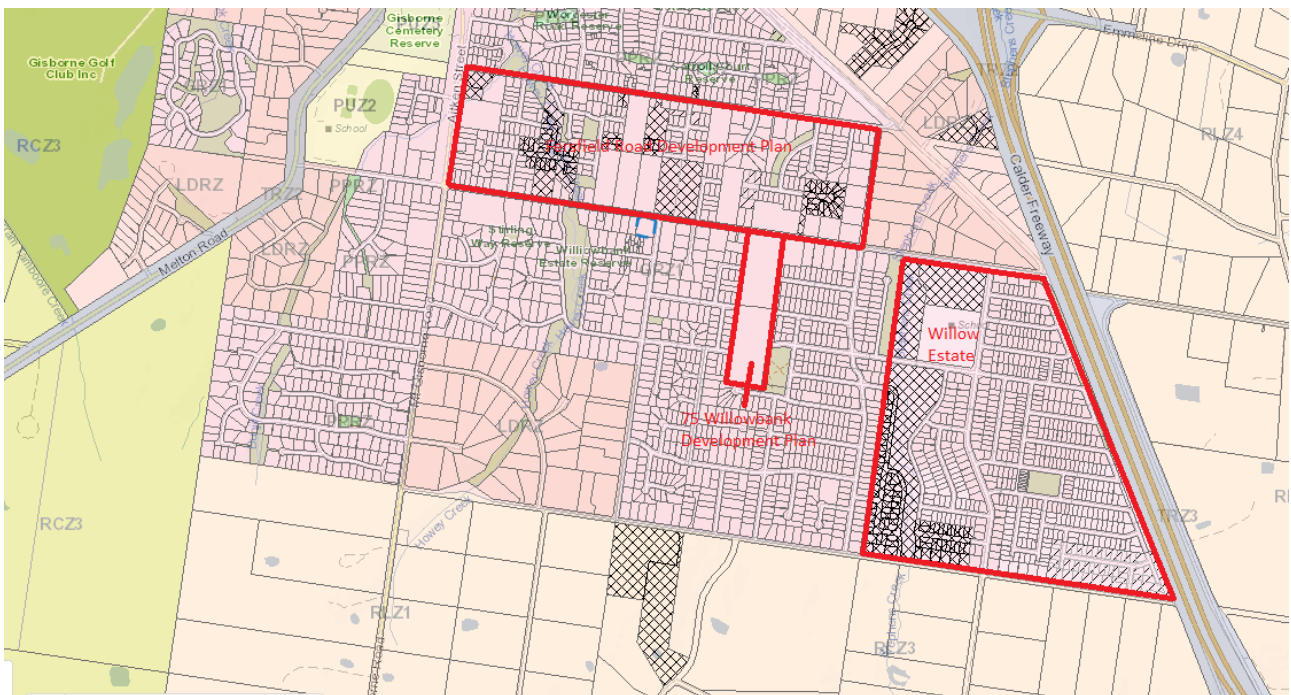
10.1.5 A number of submissions raise concern that the roads surrounding the site and broader network are of poor quality and are incapable of accommodating the additional traffic proposed to be generated by the development. In response to these concerns, we refer directly to the Traffic Impact Assessment and Expert Evidence Statement prepared by Traffix Group which is included as part of this submission. Amongst other things, the report assesses the existing road network and traffic volumes and provides an assessment of the proposed commercial development. The report identifies that the level of traffic anticipated to be generated by the development can comfortably be accommodated within the existing road network and will not unduly influence the intersection of Willowbank and Brady Road. The Expert

Evidence Statement suggests there is no significant issues with the condition of Willowbank Road and a safety review has not determined any issues present.

2. Does the traffic report factor in the Willow Estate

10.1.6 The traffic report and expert evidence statement is based on traffic data (tube counts) that were undertaken in August 2023 in consultation with Council to ensure this was during school hours and not subject to any surrounding road closures. The reporting considered the extent of future development that will occur at the Willow Estate (based on lots that are not yet occupied) along with future lots in the Fersfield Road Development Plan (including Aged Care Centre) and Development Plan at 75 Willowbank Road. Anticipated travel volumes were added to the modelling to assess the application.

10.1.7 The Proponent met with Council to discuss the future development of the area of which the three future development areas listed above were identified. Given the zoning of the broader area as depicted in the image below which includes Low Density Residential Zone, Rural Living Zone and Rural Conservation Zone, there are no other additional areas that were anticipated to develop in a manner that would significantly influence the traffic volumes. Council has since identified the Aged Care Centre at 159 Willowbank Road which has been considered by the Traffic Engineers in their Expert Evidence Statement, however it was determined that this aged care will unlikely contribute significant traffic volumes given the proximity to Aitken Street which provides direct links to Gisborne town centre and the Calder Freeway. It is therefore considered that the proposal has appropriately considered both existing and future conditions in the traffic analysis.



3. Is there consideration to increase the bus service?

10.1.8 As outlined in the Traffic Expert Evidence, the Gisborne Futures Structure Plan (August 2023) recommends higher frequency of bus services which will be a matter for consideration further by Council.

4. The provided car parking is insufficient.

10.1.9 In response to the concern raised within submission 16 regarding a lack of appropriate car parking being provided, we refer to the Traffic Impact Assessment prepared by Traffix Group. The report is supportive of the proposed car parking provision of 57 spaces in lieu of the statutory rate of 61 spaces considering the likely traffic generation of uses including the Mini-Mart which will be considerably below that of the statutory parking rate of a 'Supermarket'. Furthermore, multipurpose trips are likely at a neighbourhood activity centre and the various uses will have parking demands at different times. The centre will service the surrounding residential community and promotes walking and cycling as the preferred transport option.

Built Form Matters

5. Double storey design is out of character with the area

10.1.10 Concern has been raised about the proposed double storey scale of the development being excessive and out of character with the surrounding area. Amendment C153macr seeks to rezone the land from a General Residential Zone (GRZ) to a Commercial 1 Zone (C1Z) and subsequent to this, a concurrent application (PLN/2022/359) for a neighbourhood activity centre. Should the Planning Panel consider it is appropriate to rezone the land to a C1Z, this becomes the controls that define the built form outcome along with the proposed Design and Development Overlay Schedule 27 (DDO27). The C1Z has no maximum building height requirement and no specific Decision Guidelines relating to building height. Likewise, the DDO27 has no restrictions on height but include the following key decision guidelines in relation to height/built form:

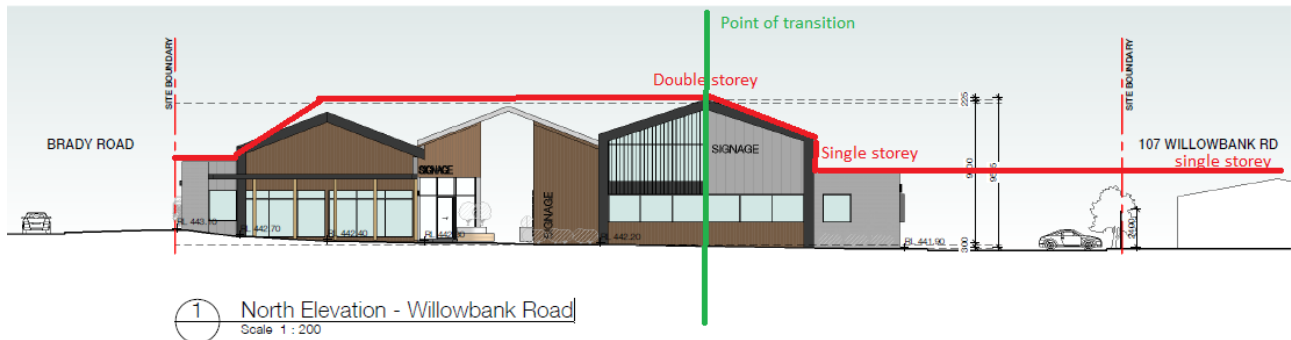
- ***Whether the development provides for a low-rise local activity centre that provides a transition in scale to the adjacent residential areas.***
- *Whether the development creates an active frontage and high-quality built form outcome that uses contemporary materials, forms and finishes to Willowbank and Brady Roads.*

***emphasis added**

10.1.11 DDO27 does not require the proposed commercial centre to 'match' or 'replicate' the scale of the surrounding (predominantly single storey dwellings). Instead, the built form should provide a 'low-rise activity centre' (in the context of the Commercial Zone 1) that transitions in scale to the adjacent single

storey dwellings. The proposed built form is considered to be highly consistent with this aspiration considering:

- The primary double storey component of the building (300sqm commercial space) is centralised (approximately 20 metres from 107 Willowbank Road), so that it transitions to a single storey built form to then reflect that of the adjacent single storey dwelling. This is depicted in the image below:



- As shown above, the pitched roof and gable ends further to assist in transitioning the built form toward the centre of the site so that the scale quickly returns to a single storey to reflect that of the adjoining property.
- The above image also assists in demonstrating the separation between the buildings and adjoining properties considering the building is positioned to the corner of Willowbank and Brady Roads. The building is setback 14 metres (20m from the first floor) to the west (107 Willowbank Road) and 25-30 metres to the south (4 Francis Crescent). From the outset, such separation considerably assists with transition.
- The proposed building materials including timber cladding, brickwork and metal cladding all assist to create a contemporary built form that is respectful of the surrounding properties. The pitched roof is also consistent with the character of the surrounding area.

10.1.12 Under the current zone (GRZ), building height must not exceed 11 metres or 3 storeys at any point, however Restrictive Covenant PS549356W created on 12/12/2007 does restrict a maximum building height of 9 metres and 2 storeys. The proposed building has a maximum height of 9.525m and 2 storeys, marginally above the covenant requirements. Surrounding residential development therefore has the potential to be at a similar height to that of the proposed neighbourhood activity centre, despite having a very different purpose and controls.

10.1.13 We also wish to highlight that there are examples of double storey development in the immediate vicinity including:

- 1) The dwelling at 11 Brady Road (opposite the physio) which is double storey.



- 2) The approved double storey aged care centre at 110 Willowbank Road (diagonally opposite the subject site).

10.1.14 We have also prepared sight line diagrams to assist in demonstrating the visual impact of a double storey building at the site. The diagrams demonstrate that in many instances, views are obscured to the building by the 2.4m high acoustic fence. Where this is not the case, the building is not a dominant element that is vastly different from what one might expect in a residential context (despite the site being proposed as a C1Z).

10.1.15 Finally, the double storey component of the building (predominantly the 300sqm commercial area) provides a very important offering to the surrounding community, that being, the ability to provide employment and work options close to home. The Economic analysis prepared by SGS Economics demonstrates there is strong demand for such commercial space and it is considered to provide an overall net community benefit.

A double storey built form therefore is considered an appropriate response to the role of the neighbourhood activity centre while respecting the surrounding residential properties through its specific built form design which transitions to the adjoining single storey residential properties.

6. The boundary fencing is too high.

10.1.16 Some concern has been raised that the proposed 2.4 metre high boundary fence is too high and will impact the amenity of surrounding residential land. In direct response to the issues raised with the height of the fence, we refer to the Acoustic Report included prepared by Marshall Day Acoustics in this submission. The report provides an environmental noise assessment for the proposed development which outlines that a 2.4 metre fence along the southern and western property boundary is the required height to provide appropriate noise reduction for adjoining residential properties.

Furthermore, given the use of the site is proposed for a commercial centre (compared with the surrounding residential development) it would be a reasonable expectation that the boundary fencing would be higher for safety and amenity expectations with a lower fence in fact looking out of place. The covenant which applies to the site and would otherwise require a post and wire fence is appropriate for a residential context, but not a NAC as proposed.

We note that shadow diagrams were prepared by Clarke Hopkins Clarke Architects which delineate the extent of overshadowing in abutting residential properties as a result of the proposed 2.4 metre boundary fence. The overshadowing as demonstrated on these plans is considered minimal and maintains compliance with Clause 55.04-5 (Overshadowing) of the Planning Scheme.

Built Form Matters

7. The opening hours will result in too much noise

10.1.17 As discussed at the beginning of this section of the report, the Proponent has undertaken discussions with submitter 6 that has raised concerns with the operating hours of the Supermarket. The proponent has subsequently agreed to delay the opening hours on Sunday to 8am in lieu of 7am. Submitter 6 proposes the 8am opening hours should also be applicable on Saturday.

Foodworks is a likely tenant for the future Mini Mart and has considered the request for an 8am opening time on Saturday. They propose to maintain the 7am opening time on Saturday for the following reasons:

- There is typically more trade early Saturday morning as people are often up earlier for sporting and other commitments.
- The proposed hours are consistent with the Foodworks in Gisborne town center.
- Acoustic modelling has been completed by Marshall Day Acoustics which demonstrates the proposed opening hours are compliant with EPA requirements. Despite this, the Proponent has been willing to agree to a delayed start on Sunday.
- The scale of the Mini Mart is such that the opening of the store is a soft opening, whereby a handful of staff members are opening the store and putting things in place for the day. The opening time is not considered to create a lot of activity with customer numbers likely to still be low as demonstrated by the Google data provided in the Economic Report prepared by SGS Economics.
- The supermarket is well separated from the surrounding residential properties and is therefore not considered to create any unreasonable noise.

8. A gate should be provided to restrict after hours entry

10.1.18 A gate is not considered necessary to restrict after hours entry at this activity center. It is considered that appropriate lighting (details of which will be provided at the detailed design stage) will appropriately achieve crime prevention through environmental design (CPTED) principles. It is not considered that the proposed design creates unsafe pockets or the like that would encourage anti-social behavior.

Other Matters

9. There is no need for the commercial development within the area and/or Willow Estate is more appropriate.

Some of the submissions question the need for the proposed development and the appropriateness of a Local Activity Centre at this location, noting its proximity to existing amenities in Gisborne. We maintain that the proposed development remains entirely consistent with the relevant provisions of the Planning Scheme and is absolutely strategically justified. The land has been identified for a future Neighbourhood Activity Centre since the 2009 Gisborne / New Gisborne Outline Development Plan (ODP) and has been incorporated into the Planning Scheme in Clause 11.01-1L of the Macedon Ranges Planning Scheme. The site continues to be nominated in the Gisborne Futures Structure Plan for a future NAC. The amendment will facilitate the development of a Neighbourhood Activity Centre that will service the growing surrounding residential community, providing essential shopping and medical needs.

The Economic Report prepared by SGS Economics provides a response to the submission that the NAC should be located in Willow Estate as provided below:

The proposed location has been identified in previous strategic policy and addresses an existing gap for residents in the south of Gisborne as presented in my statement above.

The Willow Estate development is located on the edge of the Gisborne settlement area and therefore any centre located within this estate would likely have a reduced population catchment.

Saying this, I have not considered the viability of a LAC in Willow Estate which might still be separately viable from an accessibility perspective.

10. The provision of 10,000L rainwater tank is tokenistic.

10.1.19 Submission 5 includes a concern about the effectiveness of the 10,000-litre rainwater tank proposed on site and suggests that several more rainwater tanks are required. In direct response to this matter, we highlight that the development plans were resolved to show the provision of a 10,000L rainwater tank as required by the Sustainability Management Plan prepared by Sustainable Development Consultants and the STORM Assessment. The size of the rainwater tank, in conjunction with the 35 sqm of raingarden proposed, appropriately meets the requirements within these reports.

11 Conclusion

11.1.1 This submission has been prepared in support of Planning Scheme Amendment C153macr to rezone the site from a General Residential Zone Schedule 1 to a Commercial 1 Zone and a concurrent Section 96A Development Application (PLN/2022/359) for a Neighbourhood Activity Centre. The proposal has strong strategic support with the site being identified for a future Neighbourhood Activity Centre from as early as 2009 in the Gisborne / New Gisborne Outline Development Plan. The site is nominated in the planning scheme under Clause 11.01-1L for a NAC and this has been further reinforced in the Gisborne Futures Structure Plan.

11.1.2 The neighbourhood activity centre will provide the surrounding residential community with access to the essential daily goods and services, reducing car dependency to access Gisborne Town Centre while promoting more sustainable forms of transport. The provision of café's, a small supermarket and a medical centre will service the surrounding residential catchment, while the first floor commercial space provides opportunities for people to work close to home.

11.1.3 The built form proposed is sympathetic to the character of the area and the immediately adjoining properties through appropriate siting and design. While being a commercial development, the incorporation of elements such as a gable roof form, high levels of glazing, contemporary materials and finishes and low overall built form is sympathetic to surrounding area and provides a transition with the surrounding residential properties. The development provides activation of the street frontages and prioritises pedestrians and cyclists with car parking provided to the rear of the site that is suitably softened by landscaping. The design includes a central arcade that will become a focal community pause point for social interaction and engagement enhanced by outdoor dining associated with the food and drink premises (café) to create a vibrant community atmosphere that spills out to Willowbank Road.

11.1.4 This submission provides an appropriate response to the submissions received following Exhibition of the proposal in relation to the concerns relating to traffic, amenity and built form. We consider that the proposal is highly resolved through input from a range of stakeholders, consultants and experts.

We therefore submit that the Planning Panel should recommend the approval of Amendment C153macr and Planning Application PLN/2022/359 in its current form.

Taylors Pty Ltd

November 2023