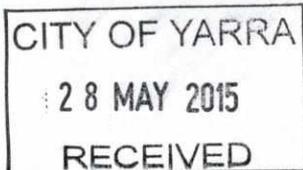


27 May 2015



Mr Bruce Phillips
Director City Development
PO Box 168
RICHMOND VIC 3121

Dear Mr Phillips

**Former Alphington Paper Mill - draft Development Plan
Boroondara City Council - officer comments**

I am writing to express the City of Boroondara's concerns regarding the draft Development Plan for the former Alphington Paper Mill (otherwise known as the Amcor site) which is currently being considered by the City of Yarra.

The City of Boroondara has been provided a copy of the draft Development Plan in order to provide comments to your Council.

Officers at the City of Boroondara have identified a number of areas of concern with the draft Development Plan including:

1. A lack of consideration of impacts on infrastructure and facilities within the City of Boroondara.
2. Inadequate information and technical data submitted with expert reports in order to justify the proposed development.
3. A lack of consideration of appropriate means of financial redress for affected neighbouring municipalities, particularly Boroondara.
4. A general lack of detail within the draft Development Plan, particularly in relation to off-site impacts.

Detailed officer comments are attached. The City of Boroondara councillors were briefed on 25 May 2015, and this submission also reflects their concerns.

Boroondara has serious concerns regarding the Development Plan in its current form. I urge the City of Yarra to ensure that the Development Plan includes appropriate consideration of impacts on surrounding municipalities. Further, it should give serious consideration to methods of requiring financial contributions from the developer towards infrastructure and service provisions that will otherwise be excessively burdened as a result of the proposed development.

Given the number of deficiencies associated with the draft Development Plan, it is considered that a revised Development Plan must be submitted. Boroondara City Council looks forward to the formal exhibition of this revised Development Plan.

Thank you for engaging with the City of Boroondara in the process thus far. It will be appreciated if your officers can continue to engage with relevant officers from Boroondara in order to address issues raised in the attached comments.

Should you have any further queries in relation to this matter, please contact Zoran Jovanovski, Manager Strategic Planning by telephone 9278 4849 or email zoran.jovanovski@boroondara.vic.gov.au.

Yours sincerely


John Luppino
Director City Planning

Enc: Boroondara City Council - officer response to draft Development Plan



Alphington Paper Mill Development Plan proposal in the City of Yarra City of Boroondara - officer comments

The following are Officer comments from relevant departments within Boroondara City Council collated on the proposed Development Plan for the former Alphington Paper Mill (otherwise referred to as the Amcor site). Key issues are summarised below for consideration by Yarra City Council.

Community Development Directorate

The Community Development Directorate is comprised of the following departments:

- Library Arts and Cultural Services
- Family, Youth and Recreation
- Community Planning and Development
- Health, Ageing and Disability Services.

The Directorate is providing comment on the impact of the Amcor site on Council's services and facilities within a three kilometres radius of the development. This includes Boroondara library services, neighbourhood houses, the Maternal and Child Health Services, and sport and recreation centres.

Documents reviewed:

- Alphington Paper Mill Development Plan (APDMP), Alpha Partners and Glenvill (2015)
- Community Infrastructure Assessment, ASR Research Community Planning (February 2015).

Contact:

- Catherine Simcox, Coordinator Social Planning
Ph: 9278 4940 / Email: Catherine.Simcox@boroondara.vic.gov.au

Summary of proposal (relevant to Community Development Directorate)

As noted on page 6 of the ASR Research report, the Fairfield-Alphington small area is confronted by the following key community infrastructure issues and capacity constraints:

- "Enrolments at the nearest Government primary school is at capacity, or close to full capacity, and the development of the Amcor site will most likely generate the need for additional infrastructure to meet future demand;
- Government secondary school provision appears to be limited within the 3 kilometre catchment;
- New and expanded early years infrastructure is required to meet both additional future demand and as a way of addressing key issues with existing facilities that are old, have limited capacity for expansion and not optimally configured; and
- Shortage of larger, more flexible community meeting spaces within 1-2 kms of the site".

The major community infrastructure priorities identified for the Amcor Site, as outlined in the Community Infrastructure Assessment, are:

- "The establishment of additional government primary school provision within the development;

- The establishment of a new multipurpose community centre within the development incorporating an integrated early years facility; and
- The exploration of facility enhancements at the adjacent Alphington Park to cater for either informal or formal recreation needs, or combination of both” (page 7).

As noted on page 5 of the APMDP, the proponent has a vision for a Community Hub facility, to be located in the Village Precinct. Discussions with State and Local Government have been undertaken with a view to realising the shared facility. The vision considers a range of uses including:

- Junior School Campus (Grade Prep, 1 and 2).
- Early Learning Centre.
- Swim School.
- Community Activity Rooms.
- Alphington Art School Workshops.
- Rooftop Play and Play Entry.

This specific opportunity is dependent on achieving the necessary support from multiple government agencies and other stakeholders.

Issues for Boroondara

Due to the close proximity of the Amcor Site to the City of Boroondara, the development is likely to have an impact on the following Council services and facilities:

- Maternal and Child Health Services
- Kindergarten and Child Care Services
- Kew Library
- Kew Neighbourhood Learning Centre
- Community meeting spaces
- The Kew Recreation Centre.

As the development plan overview includes duplicating the bridge and widening the road to improve access between the City of Boroondara and the City of Yarra, it is likely that there will be a greater number of residents from Fairfield and Alphington visiting the City of Boroondara than currently do. This will also increase if there is an additional 4,800 residents moving into the area. These facilities are a 10-minute drive from the Amcor site and are attractive for residents as they are in close proximity of each other and the major Kew shopping centre. The potential impact of the Amcor site development on Council’s services and facilities listed above is noted below.

Maternal and Child Health Services

The APMDP indicates the inclusion of a new Maternal and Child Health Centre on the Amcor Development site. Therefore it would be highly unlikely new residents will cross to North Kew for Maternal and Child Health Services.

Boroondara Council see little to no impact from the Amcor Development for Boroondara Maternal and Child Health Services.

Kindergarten and Child Care Services

There are five community run kindergartens, six long day care centres, and seven independent early learning centres located within Boroondara near the Amcor Development. All programs are close to capacity, with the majority having no vacancies in 2015. It is difficult to know the impact on



kindergarten services, as the number of families with young children planning to live in the Amcor Development is unknown.

Boroondara Council has undertaken a needs assessment according to population projections for the North West Boroondara precinct. From this research Boroondara Council do not predict significant growth for 0-5 year olds in the short to mid-term; and for 3-5 year olds, there is no growth predicted for the immediate future. The Amcor Development could impact our service forecast if families choose to cross the Chandler Highway to use kindergarten services within Boroondara.

Kew Library

There are four existing libraries located within a 3 kilometre radius of the development site, with Fairfield Library being located less than a 1 kilometre from the site. The APMDP notes that library service provision is significant within the catchment and appears more than satisfactory in order to meet additional future demand, no additional library provision is recommended (APMDP, p38).

The Kew Library is located within three kilometres of the Amcor Development. While the number of current members with an address in Fairfield and Alphington is low, it is anticipated that this number would increase with the additional number of residents at the Amcor site and improved access to the City of Boroondara via the Chandler Highway.

While Council has plans to redevelop the Kew Library in the next five years to meet the existing need, this does not take into account any impact on the library by the Amcor Development. As it is likely that the Amcor Development would result in new community groups being formed, this may result in greater demand for the community meeting spaces at the library.

The concern for Boroondara Council is the increased demand on community meeting spaces at the library. The APMDP notes that there is a lack of community meeting spaces between 1 and 2 kilometres of the site. There is likely to be a need for a larger and more flexible community meeting space within this catchment area (APMDP p.37).

Kew Neighbourhood Learning Centre

The Kew Neighbourhood Learning Centre (KNLC) is also located within three kilometres of the Amcor Development. According to the most recent report from KNLC (July - December 2014), 1,141 people attended KNLC for courses and programs. This is a very popular neighbourhood house, which serves a range of demographic groups and includes a Men's Shed. The age breakdown indicates that young families and people aged over 50 are the main participants at the KNLC. The KNLC has just had a major upgrade to cater for demand, and there are already participants from Alphington/Fairfield.

The Community Infrastructure Assessment conducted by ASR Research notes that the Amcor development will potentially have a higher number of empty nesters and retirees (those aged 60 to 69) and that the site will contain a much lower proportion of family households with young children compared to the Fairfield-Alphington area (ASR Research, p6). It is therefore very likely that the population of the Amcor site development will create a demand at the KNLC.

Community meeting spaces

Boroondara has identified a need for additional community meeting spaces in Kew to address current and future community need. The use of community meeting spaces, in particular space designed to accommodate the needs of older people is currently at capacity. This has also been

identified by ASR Research with their assessment noting the “shortage of larger, more flexible community meeting spaces within 1-2 kms of the site” (ASR Research, p7). The foreseeable increase in usage of community meeting space within Kew will impact Boroondara Council.

The Kew shopping precinct is a destination location, with the combination of shopping, community services and entertainment. With the proposed duplication of the Chandler Hwy residents of the Amcor development will have ease in accessing the Kew shopping precinct services; this includes the use of our community meeting spaces.

The Amcor development will attract younger families and people 60 years and older and this has been a major growth population in the use of Boroondara community meeting room spaces. For example, Boroondara has seen the ongoing growth of U3As. Their memberships are not limited to municipal boundaries and the Amcor development lends itself to the ongoing growth of these lifelong learning social networks.

From our assessment of the proposed Amcor Development, Boroondara Council will need to consider building a minimum of two new community meeting spaces which could be included as part of a redevelopment of one of Councils existing facilities. The initial needs might include the development of two meeting rooms each holding up to 50 people with bi-fold wall to allow the room to be opened up into one larger space. This would create a cost to the City of Boroondara of between \$900,000 to \$1,000,000.

The Kew Recreation Centre

Boroondara acknowledges that there will be an increased demand on formal and informal outdoor recreation. This will have an impact on both the provision of outside and some indoor recreation space. The Kew Recreation Centre currently has some members from the Alphington and Fairfield area. It is felt that the Amcor Development may have a slight impact on the membership at the Kew Recreation Centre.

RECOMMENDATIONS

The City of Boroondara strongly supports the following recommendations of the Community Infrastructure Assessment, ASR Research Community Planning (February 2015):

1. **“that general community meeting spaces be incorporated within a larger multipurpose community centre recommended for the Amcor development”(ASR Research, p38)**
2. **“that the accommodation of Neighbourhood House programs and adult education services more broadly be considered for inclusion within a larger multipurpose community centre” (ASR Research, p38).**

The City of Boroondara would like to request that the developer provide a monetary contribution to the development of a minimum of two community meeting spaces attached to an existing Council facility within Kew.

The City of Boroondara would like to be included in future discussions around the community infrastructure needs of the Amcor Development site and surrounding area given the impact this development will have on the Boroondara municipality.

Traffic and Transport Department

Documents reviewed:

- Traffic Management Plan (TMP)
- Integrated Transport Plan (ITP)

Contact:

- Jim Hondrakis, Manager Traffic and Transport
Ph: 9278 4546 / Email: Jim.Hondrakis@boroondara.vic.gov.au

Issues for Boroondara

Traffic model

The traffic model used to demonstrate the developments impact on the surrounding road network provides a very limited perspective as to the impact that the development will have on the City of Boroondara road network and our residents. The traffic modelling takes into account the road network as far as Kew Junction during the weekday peaks but there is no presentation, commentary or analysis of this information. The model extents do not cover any river crossing other than the Chandler Highway bridge. As such, any vehicle in the model with an origin south of the river and a destination north of the river has no choice but to use the Chandler Highway bridge and no trip displacement or mode transfer can effectively occur.

There is also concern that assumptions surrounding traffic generation are limited and detrimental to an integrated and healthier transport outcome.

Given the lack of detail about the traffic modelling - a dedicated traffic modelling report should have been provided to the developer and Council.

Trip generation and distribution

It is agreed that the scale of the development will result in a significant volume of peak hour and daily trips. It has been assumed that this will generate traffic at rates expressed in the NSW Roads and Maritime Services *Guide to Traffic Generating Developments*. This level of generation would be undesirable and unwise from a transport planning perspective considering the scale of development.

Consideration has not been appropriately given to containing trips within the site, including:

- Provision of on-site health and fitness facilities.
- Provision of a primary school to grade six that is suitable for the anticipated population accommodated within the 2,500 proposed residential dwellings.
- Provision of pre-school facilities suitable for the anticipated population and also for those that will work at the new precinct.
- Contribution to green space commensurate of the additional population, a central park area would not be unreasonable.

It is noted that the development site is within the Kew High School zone and that this, coupled with the expected population of the site, will place unacceptable pressure on the road network into and within the City of Boroondara.

Assumptions include only 1.5% of new residents will be destined for employment in the City of Boroondara. Whilst these figures are very loosely based on journey to work data, it is not reflective of the level of employment that pertains to Boroondara. Census data from 2011 indicates that 62,000 people are employed within the Boroondara area. This is comparable to Yarra (68,000) and Whitehorse (61,000) and yet the report predicts 12.3% and 5% of new residents will be destined to these respective local government areas.

It is considered that the traffic assessment significantly underestimates the impact of traffic on the City of Boroondara and given that there is no direct minimum service level public transport opportunities, the transport impact will predominately be by car.

Chandler Highway bridge duplication and Grange Road level crossing removal projects

The exclusion of the Chandler Highway bridge duplication and the grade separation of the Grange Road level crossing from any discussion, analysis and modelling is a significant gap in both the TMP and ITP.

The TMP goes to great lengths to mention that the bridge duplication is a project of *state significance* but continually states that funding is not approved and the construction timelines are unknown. This is extremely disappointing considering the commitments made during the November 2014 election.

The exclusion of the grade separation of the Grange Road level crossing is similarly disappointing and significantly detracts from the TMP and ITP work. The level crossing removal is also noted, several times, as a project of *state significance*.

Car and bicycle parking

Car parking is expected to be fully provided on-site for all land uses expected. It is understood that overspill of car parking associated with the development into the surrounding street network will not be tolerated.

Consideration should be given to the fact that a proportion of existing houses in the Alphington area do not own cars. For example, almost 7% of households in Darebin do not own vehicles. This is most often not as a result of economic circumstances but through choice. Future residents of the development are forced to purchase a car parking space or two even if they do not own or wish to own a vehicle. In terms of providing no car parking spaces for affordable housing units, these future residents are being disadvantaged and treated in an inequitable manner.

Given the density of residential development and commerce on the site, it is disappointing that car share has not been an integral component of the transport management at the site.

The TMP notes on page 4 that it will provide information and direction on the number of bicycle parking spaces required as part of the development. There is no discussion of this in the TMP, or reference to the ITP section.

Loading arrangements

The proposed off-street loading zone accessed via a left-in, left-out arrangement at Heidelberg Road that crosses the undetailed shared path is not desirable. The plans indicate that the crossing is to facilitate access for a 19m articulated vehicle. The turning circle of a vehicle of this size is significant and will be a very large physical barrier for walkers and bike riders to cross.

Furthermore, to designate Heidelberg Road as a back of house environment will not help ensure that Heidelberg Road is a walkable, comfortable and safe environment for people that walk and cycle and for people who choose to gain access to public transport. The proposal outlined is considered a poor urban outcome along Heidelberg Road and interface with the surrounding community.

Integrated Transport Plan

The ITP is poor at best and provides little to no direction for active and sustainable transport modes.

Attractive and supportive urban environments and connections are required to help ensure that people choose to walk, use a bicycle or take public transport. A development of this scale and nature cannot afford a substandard offer as this will be detrimental to the surrounding community and the future occupants of the development.

The ITP fails in a number of areas, including:

- Recognition of the primacy of pedestrian and bicycle access within the site.
- Provision of local roads that are of sufficient width to accommodate wide footpaths, new trees and bicycle lanes.
- Provision of a network of safe and convenient pedestrian and bicycle access ways through the site and connecting the surrounding area and encouraging the use of sustainable travel modes to local amenities.
- Green Travel Plan initiatives, including a new resident awareness and education program.
- Opportunities for providing improved public transport services and facilities.

The principles underpinning the strategic response and the modal hierarchy are agreed with and considered appropriate for the development. The application of these three principles and the hierarchy, however, is questioned.

Active transport

The commentary about the provision of active transport infrastructure is extensive. There is, however, a significant lack of detail about the proposed footpaths, shared paths, on-road bicycle infrastructure and local areas. The internal workings of the site will not directly impact the City of Boroondara, however what has been provided is below best or even good practice for a development of this scale in this location and a poor local provision will ensure that the new community drives to locations that are more desirable to relax, work and shop.

Good quality active transport access to the train station is an element that underpins the ITP. The provision of pedestrian crossings on only two of the three arms of the proposed set of traffic signals at Heidelberg Road and La Trobe Street/Avenue (the name changes throughout the document) will



significantly increase the journey time and wait time experienced by walkers and bike riders accessing the train station.

The same thinking must also be applied to the proposed signalised intersection of Chandler Highway and La Trobe Street/Avenue.

Pedestrian facilities and infrastructure

Table 4 of the ITP - Internal Road Network Classifications and Provisions - is unnecessarily confusing and provides no clear information as to the width of proposed footpaths and shared paths within or alongside the development. Clearer detail is required to ensure that the principles underpinning the strategic response are effectively in place.

The internal road layout is not conducive to high levels of pedestrian activity and the proposed treatments are inconsistently applied. The proposed pedestrian network priority areas are disjointed and isolated, which is likely to lead to failure of design intent. Such areas should be connected and provide true and proper pedestrian prioritisation. Little detail is provided about how the area will be prioritised, with the exception of the provision of seemingly randomly located zebra crossings.

The provision of 1.5m wide footpaths is not considered generous or wide, rather it is considered to be the absolute minimum. A footpath of this width will not allow two wheelchairs to pass each other. It is considered that a minimum clear width of 1.8m is required to permit this passing event and to provide a generous and wide footpath. Additional width will be required to accommodate seating, street trees, bicycle parking and other such amenities that help to ensure a place that is supportive and attractive for people to walk.

Pedestrian permeability at the edges of the site is lacking. There is great opportunity to encourage walking to nearby destinations by permitting pedestrian access along the edges. The current layout almost forces pedestrians to walk away from their desired destination in order to reach it.

Bicycle facilities and infrastructure

The notation of the *Paper Trail* and *Linear Park* being an alternative shared path for less confident bike riders is considered inappropriate. The elevated structure does not currently provide for easy bicycle access. It is assumed, given the lack of detail, that access will be via stairs only effectively reducing the shared path to a footpath or park.

The external bicycle network proposed is inadequately sized. All off-road shared paths should be at least 3m wide to cater for current and future demand. The construction standard within the City of Boroondara is 3m. The lack of detail about the connection into the very popular Main Yarra Trail on the City of Boroondara side of the bridge is disappointing. The connection provides a significant opportunity for residents in the development to access a good quality commuter cycle path into the Melbourne CBD.

As part of the duplication of the Chandler Highway Bridge, Council officers are advocating for the existing grade issues of the Main Yarra Trail involving numerous steps on the west side of the Chandler Highway to be addressed.

Bicycle parking

The ITP section that discusses bike parking is disappointing and lacking in thorough consideration of the needs of bike riders.

The provision of bicycle parking in such a development, and one that is making particular note of its green travel credentials is far below expectations. Best practice would be to provide bicycle parking within the residential dwellings to match anticipated bicycle ownership rates rather than simply provide the planning scheme minimum.

Simply put, the provision of 728 bicycle parking spaces for 2,500 residential dwellings is considered inadequate, especially when considered in the context of the City of Yarra, a municipality known for its high bicycle ownership rates and use for transport and recreation.

Furthermore, whilst there are state guidelines on bicycle parking rates, these are not reflective of bicycle ownership in reality. It would be expected that a development of this scale provide a level of bicycle parking that permits residents to own a bicycle and therefore have the choice to use a bicycle and reduce traffic related pressures on the broader community.

A minimum of 1 bicycle parking space per residential dwelling is considered to be the minimum acceptable bicycle parking rate. A report by VicRoads in 1999 "Cycling in Melbourne: Bicycle Ownership" indicates that 50% of all houses have bicycles and those with bicycles have an average of 2.3 bicycles. By all accounts there has been a significant increase in bicycle ownership and use since 1999.

The location of bicycle parking needs more serious consideration than the throw away lines of "...is expected to be provided within car parking levels of residential developments" and "Visitor and customer parking should be located within close proximity to major trip generators".

Public transport

Whilst it is acknowledged that Council is not the provider of public transport services, the lack of commentary, discussion and recommended advocacy for bus service improvements is disappointing. There is no regular bus service connecting the development site to the City of Boroondara area and yet it is noted that there will be commuting and recreational trips between the two areas.

The development is considered to be the catalyst needed for the introduction of a Camberwell - Kew - Alphington bus service to connect the currently dis-connected communities. The only realistic method of travelling between the development site and Boroondara at the moment is by private vehicle. The public transport alternative is to walk up to 1.2km to Alphington train station to catch two trains to Camberwell. This is inadequate and inequitable.

The provision of a high frequency strategic bus service is considered to be a critical component of the development.

Green Travel Plan

The Green Travel Plan initiatives provided are lacking in any sufficient thought and detail. They are heavily skewed towards office based staff and ignore existing groups and events such as the Yarra,

Darebin and Boroondara BUGs and walking groups. There is very little provision of initiatives for new residents.

RECOMMENDATIONS

- 1. Extend the traffic model extents to include a great part of the City of Boroondara and crossings of the river and appropriately consider the level of commerce and employment opportunities that exists in the municipality.**
- 2. Provide facilities that help ensure a high level of containment of trips within the site in order to encourage walking trips to local services rather than car trips.**
- 3. Include the Chandler Highway bridge duplication and Grange Road level crossing removal in the modelled development scenarios.**
- 4. Extend the analysis and commentary of the model outputs to the City of Boroondara area.**
- 5. Consideration and mitigation of the impacts of traffic destined for Kew High School from the site.**
- 6. Provide a detailed traffic modelling report.**
- 7. Engage a suitably qualified, experienced and independent consultant to review the VISSIM model and report to provide critical analysis of its adequacy.**
- 8. Remove and relocate the proposed loading zone access point away from Heidelberg Road to provide an active frontage that encourages people to walk, cycle and access public transport.**
- 9. Completely revise the Integrated Transport Plan to provide significantly more detail, including but not limited to:**
 - Provision of advocacy for improved bus services connecting the development site to the Cities of Boroondara, Yarra and Darebin.**
 - Provide bicycle parking above and beyond the statutory requirement.**
 - Location of bicycle parking for all uses.**
 - Road design.**
 - Footpath design: provide minimum footpath widths of 1.8m.**
 - True pedestrian priority areas.**
 - Shared path design: provide minimum shared path width of 3.0m.**
 - On-road bicycle facility design.**
 - Toucan crossings on all arms or scrambled crossings at the two new signalised intersections.**
- 10. Prepare a Green Travel Plan suited to a predominantly residential environment.**

Environment and Sustainable Living Department

The Environment and Sustainable Living Department is comprised of the following teams:

- Environmental Planning
- Landscape and Design

The Department is providing comment on the impact of the Amcor site on Council's parks, gardens and open space assets and facilities within close proximity of the development. This includes Willsmere Chandler Park across the Yarra River to the south and Yarra Bend Park across the Yarra River to the south-west.

Documents reviewed:

- Alphington Paper Mill Development Plan (APDMP), Alpha Partners and Glenwill (2015)

Contact:

- Adam Hall, Manager Environment and Sustainable Living
Ph: 9278 4532 / Email: Adam.Hall@boroondara.vic.gov.au

Issues for Boroondara

1. Impact on existing public open space

Boroondara's Open Space Strategy provides an overarching framework to manage Boroondara's public open space network to 2026. The BOSS replaces the now out-dated Open Space Policy (1996).

The strategy addresses factors important to the community such as:

- maintaining biodiversity
- promoting health and wellbeing
- managing climate change
- protecting cultural heritage
- enhancing linkages
- ensuring open space is available for future population growth.

The strategy also establishes an open space program for Boroondara at a suburb-by-suburb level to improve the diversity and range of facilities in open space where appropriate and will assist Council in identifying areas where additional open space may be required.

The BOSS recommends a number of actions to improve the quality of open space across the municipality, including in the vicinity of the proposed development. These actions are intended to be funded by developer contributions as new development places new demands on our open space assets.

Due to the close proximity of the Amcor Site to the City of Boroondara, the development is likely to have an impact on the following open space assets:

- Willsmere Chandler Park across the Yarra River to the south

- Yarra Bend Park across the Yarra River to the south-west

These parks, gardens and open spaces are easily accessible from the development site and will provide an attractive destination for residents to visit. Whilst we have no objection to nearby residents utilising our parks and gardens for passive and active recreational pursuits, the scale of demand generated from the new development will no doubt place additional, unplanned pressure on our public open spaces. This will generate additional, ongoing development, management and maintenance requirements for Boroondara. It is not appropriate to expect Boroondara residents to bear the full cost of the additional (new) open space development, management and maintenance requirements resulting from the increased demand generated by the proposed development.

It is recommended that the developer provide a monetary contribution to Boroondara for the additional (new) open space development, management and maintenance requirements resulting from the increased demand generated by the proposed development.

2. Lack of usable public open space within development site

With the exception of the 'riparian zone', there is little or no dedicated green space (parkland) provided within the site. What public open space has been proposed, it has been largely provided within the required 30m riparian buffer zone located along the river at one end of the development. This is not readily accessible by the majority of new residences. Much of this area is also likely to be largely unusable as public open space due to existing vegetation, topography and the need to protect sensitive flora and fauna in this area.

It is not considered acceptable that the bulk of the public open space land contribution be accounted for within what is already earmarked as a 'riparian zone'. For a development proposal with in excess to 2700 new dwellings, it is critical to provide easily accessible, usable green space for children and families to undertake both passive and active recreational pursuits.

It is recommended that additional, usable, centrally located public open space be provided within the development site that does not form part of the required 'riparian buffer zone'.

3. Impact on Biodiversity and the Yarra River Corridor

The Yarra River flows along the western and part of the northern boundary of Kew and is a key habitat and open space corridor for the precinct and metropolitan Melbourne. The major open space reserves in Kew are located along the Yarra River and include Studley Park, Yarra Bend Park and Chandler Park. These open spaces provide unique areas of remnant bushland of national biological significance with a highly valued habitat corridor on both sides of the river. Given the location of the development site to these significant sites, it is critical that the treatment of the open space along the Yarra River within the development site be managed to ensure the long term sustainability of this highly valued habitat corridor.

It is recommended that the open space treatment of the proposed 'riparian zone' be reviewed to ensure that the long term sustainability of this highly valued habitat (Yarra River) corridor is maintained and improved over time.



Strategic Planning Department

The Strategic Planning Department is providing comment on the most appropriate ways to ensure that the development is legally obligated to provide adequate financial compensation to the City of Boroondara to address impacts on infrastructure and services within the City of Boroondara.

Documents reviewed:

- Alphington Paper Mill Development Plan (APDMP), Alpha Partners and Glenwill (2015)

Contact:

- Zoran Jovanovski, Manager Strategic Planning
Ph: 9278 4849 / Email: Zoran.Jovanovski@boroondara.vic.gov.au

Issues for Boroondara

Securing appropriate funding

The development detailed in the draft Development Plan will have a large impact on facilities and services within the City of Boroondara, as discussed above. It is important that any plan for the site provide detailed information on the methods that will be employed to ensure that sufficient financial restitution is provided to the City of Boroondara.

As part of the consultation for the former Victorian Government's Plan Melbourne, the Inner Southern Metropolitan Mayors Forum (of which Boroondara is a member) made the following comments in March 2013 regarding infrastructure planning and delivery:

Alternate funding models need to be further explored to support infrastructure upgrades in established and growth areas. Existing funding models including taxes, rates revenue and grant funding have limited scope to fully account for all costs associated with infrastructure investment. The current user-pay system (e.g. Citylink) also isolates communities from being able to access important services or forces them to use road infrastructure in the absence of real, alternative and more sustainable transport modes.

Capital funding will be required to ensure the long term success of the MPS (Metropolitan Planning Strategy - Plan Melbourne). Many of the ideas identified in the MPS are premised on significant front end capital asset funding and infrastructure renewal. The MPS does not adequately explore alternatives for funding. It should be recognised that funding is able to be sourced from a wide range of mechanisms and not just from direct budget appropriation.

The Region is supportive of a new developer contributions system.

Innovative funding is really needed to support the major (and expensive) metropolitan and state infrastructure essential to supporting Melbourne's liveability, sustainability and prosperous economy.

Some examples of options which could be considered for funding large-scale infrastructure projects are presented in the table below:



Funding Source	Description
<i>Value Capture Levy</i>	<i>A levy that captures the uplift in land value driven by the successful rollout of a project. Normally captured at the time of sale or on approval of retail, commercial and or residential developments that benefit from the public investment.</i>
<i>Benefitted Area Levy</i>	<i>A levy of stakeholders within a defined area (such as an activity centre) and is typically on-going with a yearly contribution.</i>
<i>Tax incremental financing</i>	<i>Issue of bonds to finance a project via hypothecation of incremental tax revenue. A scheme would operate until the agreed costs have been recovered e.g. 15 to 20 years.</i>
<i>Special Purpose Levy</i>	<i>Like separate rate and levy schemes traditionally used in local government this can also be used as a broad based levy to fund the agreed cost of a project.</i>
<i>Procurement Models</i>	<i>For example the government specifies the asset it requires in terms of its functions and desired outcomes. The private sector is responsible for designing and building the asset and managing any related risks. Once designed and built, the asset is transferred to the government to operate.</i>
<i>Commonwealth Government Funding and Assistance</i>	<i>A number of funding opportunities exist from the Commonwealth Government which should be utilised as much as possible. Examples of these are Building Aust Fund, Liveable Cities Program, National Building: Economic Stimulus Plan, Regional & Local Community Infrastructure Program, Regional Development Aust Fund and Regional Infrastructure Fund.</i>
<i>Superannuation Fund Investment</i>	<i>Australian superannuation funds have a long history of investing in infrastructure assets across various stages the PPP lifecycle. This is largely a function of the match between a superannuation fund's long-dated liabilities and infrastructure's long term stable earning streams.</i>
<i>Asset Recycling</i>	<i>This occurs when a government considers whether the value of retaining an asset is worth more than the price they receive on the sale. Once sold, the freed up capital and avoided debt repayments are recycled or invested into alternative large-scale infrastructure projects.</i>
<i>Private Contributions to Infrastructure</i>	<i>Direct financial contributions made by third parties towards the delivery of large scale infrastructure. This typically involves a partnership between governments and the private sector to create funding streams to offset the cost of providing the required infrastructure.</i>

The final Plan Melbourne document did not address Council's concerns and, as a result, measures to assist in the assessment and delivery of adequate infrastructure provision arising through additional development have not been implemented.

Developments of the type considered here highlight the need for wider consideration of the matters raised in the submission to Plan Melbourne, especially when developments will have an impact across municipal boundaries.



In the absence of this level of guidance at state level, Officers suggest using Public Open Space provisions of the Yarra Planning Scheme at Clause 52.01, and through Section 18 of the *Subdivision Act 1988* and requiring development contributions under Section 62 of the *Planning and Environment Act 1987* as suitable methods of ensuring that the development will financially contribute towards infrastructure and services within the City of Boroondara.

Section 18 of the *Subdivision Act 1988* states:

A Council acting as a responsible authority or a referral authority under the Planning and Environment Act 1987 may require the applicant who proposes to create any additional separately disposable parcel of land by a plan of subdivision to—

- a) *set aside on the plan, for public open space, in a location satisfactory to the Council, a percentage of all of the land in the subdivision intended to be used for residential, industrial or commercial purposes, being a percentage set by the Council not exceeding 5 per cent; or*
- b) *pay or agree to pay to the Council a percentage of the site value of all of the land in the subdivision intended to be used for residential, industrial or commercial purposes, being a percentage set by the Council not exceeding 5 per cent; or*
- c) *do a combination of (a) and (b) so that the total of the percentages required under (a) and (b) does not exceed 5 per cent of the site value of all the land in the subdivision.*

In addition, Boroondara has received legal advice that financial restitution can be secured, in the absence of a Development Contributions Plan Overlay, through Section 62 of the *Planning and Environment Act 1987*. Section 62 states:

In deciding to grant a permit, the responsible authority may—

- a) *include a condition required to implement an approved development contributions plan; or*
- b) *include a condition requiring specified works, services or facilities to be provided or paid for in accordance with an agreement under section 173; or*
- c) *include a condition that specified works, services or facilities that the responsible authority considers necessary to be provided on or to the land or other land as a result of the grant of the permit be—*
 - i. *provided by the applicant; or*
 - ii. *paid for wholly by the applicant; or*
 - iii. *provided or paid for partly by the applicant where the remaining cost is to be met by any Minister, public authority or municipal council providing the works, services or facilities.*

The use of this provision to secure financial contributions has been supported by VCAT, for example in *Christian Brothers v Banyule 2001*, in which the tribunal considered which works could be justification for requiring financial contributions and was recently considered again in *Hanson v Cardinia (2) 2015*.

It is expected that there will need to be a great deal of negotiation with the developer as well as the City of Yarra and the Cities of Darebin and Banyule to determine the best way to secure necessary funding as well as the most appropriate method of acquisition.

RECOMMENDATION

- 1. It is recommended that Boroondara City Council continue to advocate to the State Government regarding the matters raised in the ISMMF comments of March 2013 on infrastructure funding to ensure that Local Councils are not burdened with the cost of providing additional infrastructure (community facilities and transport) required as a result of large scale urban renewal projects such as that proposed for the former Amcor site in Alphington.**

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