

YR-2022/923 - 304-310, 312-318 and 322 Main Street, Lilydale VIC 3140 - Planning Report

APPLICATION DETAILS	
Site Address	304-310, 312-318 and 322 Main Street, Lilydale
Application No.	YR-2022/923
Proposal	Buildings and works associated with the construction of a childcare centre, shops, offices and medical centre, reduction in car parking requirements, alteration of access to a road in a Transport Zone 2 and creation of easement.
Existing Use	Vacant
Applicant	M Dunn
Zone	Clause 34.01 - Commercial 1 Zone
Overlays	Clause 43.02 - Design and Development Overlay – Schedule 4
Particular Provisions	Clause 52.02 - Easements, Restrictions and Reserves Clause 52.06 - Car Parking Clause 52.29 - Land Adjacent to the Principal Road Network Clause 52.34 - Bicycle Facilities Clause 53.18 - Stormwater Management in Urban Development
Permit trigger/s	Clause 34.01 - Commercial 1 Zone <ul style="list-style-type: none">• A planning permit is required to construct a building or construct or carry out works. Clause 43.02 - Design and Development Overlay – Schedule 4 <ul style="list-style-type: none">• A planning permit is required to construct a building or construct or carry out works. Clause 52.02 - Easements, Restrictions and Reserves <ul style="list-style-type: none">• A planning permit is required under Section 23 of the Subdivision Act 1988 to create an easement. Clause 52.06 - Car Parking <ul style="list-style-type: none">• A planning permit is required to reduce the number of car parking spaces required under Clause 52.06-5.

	Clause 52.29 - Land Adjacent to the Principal Road Network <ul style="list-style-type: none"> • A planning permit is required to alter access to a road in a Transport Zone 2.
Objections	Five (5) objections
Encumbrances on Title (Covenants/ Section 173 Agreements)	Nil.
Reason for Council Decision	Cost of development (greater than \$5,000,000)
Ward	Billanook

SUMMARY

The application proposes buildings and works associated with the construction of a childcare centre, shops, offices and medical centre, reduction in car parking requirements, alteration of access to a road in a Transport Zone 2 (major arterial road managed by Department of Transport) and creation of easement.

The development is a three (3) storey building that incorporates a mixture of commercial, office spaces and a childcare centre. The proposal is of a contemporary design that integrates and enhances the Lilydale major activity centre.

The application has been advertised and at the time of this report five (5) objections have been received. Objector concerns relate primarily to insufficient car parking provision and traffic impacts to Hardy Street.

Overall, the proposed development responds to the Yarra Ranges Planning Scheme when assessed against the relevant policies including the Municipal Planning Strategy, Planning Policy Framework, Zone, Overlay and provisions of the Scheme.

It is recommended the application be approved and a Notice of Decision to Grant a Planning Permit, subject to conditions, be issued.

RECOMMENDATION

That Council resolve to approve Planning Application YR-2022/923 for buildings and works associated with the construction of a child care centre, shops, offices and medical centre, reduction in car parking requirements, alteration of access to a road in a Transport Zone 2 and creation of easement at 304-310, 312-318 and 322 Main Street, Lilydale and issue a Notice of Decision to Grant a Permit subject to the conditions in Attachment 1 to the report.

DISCLOSURE OF CONFLICT OF INTEREST

No officers and/or delegates acting on behalf of the Council through the Instrument of Delegation and involved in the preparation and/or authorisation of this report have any general or material conflict of interest as defined within the *Local Government Act 2020*.

CULTURAL HERITAGE SIGNIFICANCE

The application has been checked against the requirements of the *Aboriginal Heritage Act 2006* and *Aboriginal Heritage Regulations 2007 (Vic)* as to the need for a Cultural Heritage Management Plan (CHMP). It has been assessed that a CHMP is not required.

EXTRACTIVE INDUSTRY

The site is not located within 500 metres of an extractive industry.

HUMAN RIGHTS CONSIDERATION

The application has been assessed in accordance with the requirements of the *Planning and Environment Act 1987* (including the Yarra Ranges Planning Scheme), reviewed by the State Government and which complies with the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

ENCUMBRANCES ON TITLE

There are no encumbrances on the Certificate of Title.

HISTORY

Planning Applications	Nil.
VCAT History	Nil.

PLANNING CONTROLS

Zoning:	Clause 34.01 Commercial 1 Zone
Overlay:	Clause 43.02 Design and Development Overlay – Schedule 4
Municipal Planning Strategy	Clause 02.03-1 Settlement Clause 02.03-7 Economic Development Clause 02.04-2 Strategic Framework Plan
Planning Policy	Clause 11.01-1S Settlement

Framework:	Clause 11.01-1L-01 Settlement Clause 15.01-1S Urban Design Clause 15.01-1L Urban Design is Activity Centres Clause 15.01-2S Building Design Clause 15.01-2L Environmentally Sustainable Development Clause 17.01-1S Diversified Economy Clause 17.02-1S Business Clause 18.02-1S Walking Clause 18.02-3L Public Transport Clause 18.02-4L-01 Roads Clause 18.02-4L-02 Car Parking Clause 19.03-2S Infrastructure Design and Provision Clause 19.03-3S Integrated Water Management Clause 19.03-3L Water Management
Particular Provisions	Clause 52.02 Easement, Restrictions and Reserves Clause 52.06 Car Parking Clause 52.29 Land Adjacent to The Principal Road Network Clause 52.34 Bicycle Facilities
Other Requirements:	Clause 65 – Decision guidelines

For further information on the planning controls refer to Attachment 2.

SITE LOCATION AND DESCRIPTION

The subject site is described as 304-310, 312-318 and 322 Main Street Lilydale which comprises of four separate parcels of land as follows:

- Lot 1 on Plan of Subdivision 513557N.
- Lot 2 on Plan of Subdivision 513557N.
- Lot 1 on Title Plan 818923B.
- Lot 1 on Title Plan 023069V.

The site is at the east end of Main Street, 50 metres west of the Main Street and Anderson Street intersection.

Figure 1 shows the subject site and surrounding buildings in an aerial image.

Figure 2 provides the subject site in context within the Lilydale Commercial Centre.



Figure 1 – Subject Site



Figure 2 - Subject site in context of the Lilydale Activity Centre

The existing site features are described as follows:

- The total combined site area is 3,828 square metres.
- The site is currently vacant of any buildings or trees.
- The site has a dual frontage to Main Street service road and Hardy Street with existing crossovers located on both frontages. Refer to Figures 3 and 4 for images of both site frontages.
- The site slopes down from Hardy Street to Main Street (from rear to front) with a fall of approximately 5.67 metres.
- A drainage easement of 1.83 metres wide runs in a north to south direction across the site.



Figure 3 – View of subject site from Main Street.



Figure 4 - View of subject site from Hardy Street

SURROUNDING AREA

The surrounding area forms part of the Lilydale Activity Centre and is dominated by a mixture of commercial uses including supermarkets, retail shops, food and drinks premises and offices. The subject site and the immediate surrounding area is zoned Commercial 1, land to the south of Hardy Street is the Civic Centre precinct which is zoned Public Use Zone.

Land to the east of Anderson Street starts the residential zoned area, refer to zone map in Figure 5 below.

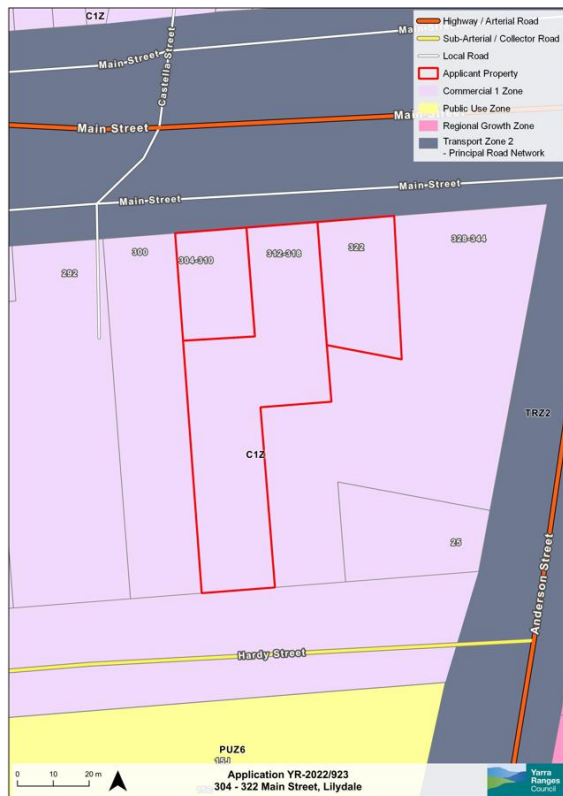


Figure 5 – Zone Map of the subject site and surrounding Lilydale Activity Centre

The subject site adjoins the following properties:

- North:

To the north of the site is Main Street, which is a major arterial road, Main Street, which is in a Transport Zone 2. The Main Street service road also comprises several on-street timed car parking spaces. Further north is the Lilydale Village shopping centre which comprises of a major supermarket and various specialty food and hospitality stores.

- East:

A car dealership directly adjoins the eastern boundary. Further east is Anderson Street, a major arterial road in a Transport Zone 2.

- South:

To the south of the site is Hardy Street which provides a connection between Anderson Street and Maroondah Highway. Further south is the Yarra Ranges Council civic centre.

- West:




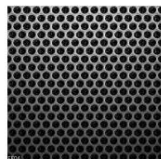




The Lilydale CFA fire station is located west of the site. Beyond this is a mixture of commercial tenancies.

PROPOSAL

The application seeks to construct a three (3) storey mixed use building, reduction in car parking requirements under Clause 52.06, alteration of access to a road in a Transport Zone 2 and creation of easement.

Note: The proposed uses (food and drinks premises, shop, medical centre, office and childcare centre) are all Section 1 land uses under the zoning (Commercial 1 Zone) of the land and do not require planning permission for these respective uses.

Table 1. Summary of proposed development:

Proposal Attributes	
Total gross floor area	8,057.48 square metres
Medical centre floor area	893.41 square metres
Food and drinks premises floor area	238.61 square metres
Shop floor area	282.76 square metres
Offices floor area	1,855.78 square metres
Childcare centre floor area	2,231.27 square metres
Storeys	Three (3)
Maximum building height	12.08 metres
Car parks	87 spaces
Materials and colours	<p>The development is primarily finished in face brickwork, concrete finish and opaque windows.</p> <p>A schedule of materials, colours and finishes is provided below:</p> <div>       </div> <div>   </div> <p><small>FACE BRICK COLOUR REDDISH</small></p> <p><small>PRECAST CONCRETE RETAINING FINISH FLUTED PROFILE</small></p> <p><small>EPOXY FINISHED PAINT FINISH LIGHT GREY</small></p> <p><small>POLYCARBONATE METAL MESH</small></p> <p><small>POLYCARBONATE COLOURED GLASS TRANSLUCENT</small></p> <p><small>FACE RENDERED FINISH TRANSLUCENT</small></p> <p><small>EPOXY PRECAST CONCRETE FINISH POWDERCOAT</small></p> <p><small>STREET ART WALL, EXAMPLE ONLY CONSISTENT WITH LOCAL STREET PARTICIPATION FOR CONSIDERATION</small></p>

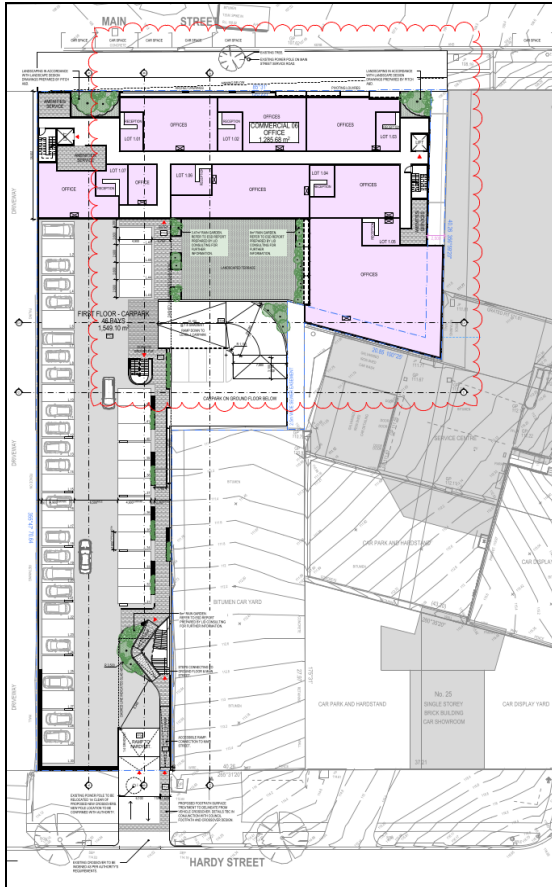


Figure 7 – First Floor Plan



Figure 8 - Second Floor Plan

The artist's impression of the proposed development within both the Main Street and Hardy Street streetscape in Figure 9 and 10 below.



Figure 9 - Impression of proposed development Main Street View.



Figure 10 - Impression of proposed development Hardy Street View.

Access and Car Parking

Access

The proposal includes the removal of the existing crossover off the Main Street service road, with only pedestrian access available from Main Street, the northern entrances. The proposal also includes a continuous pedestrian walkway through the site providing access from Main Street through to Hardy Street.

Vehicle access to the site is via the southern boundary only with altered 6.1 metre vehicle crossover to Hardy Street. Access from Hardy Street will provide direct access to the car park area of the development.

The proposal includes works on Hardy Street by providing left and right turning lanes into the site and includes a channelised right turn lane into the site (westbound traffic on Hardy Street). Line marking across the sites frontage to Hardy Street will also be updated and re-marked. Egress of vehicles from the site will be restricted to left turn out only. Refer to Figure 11 to show line marking and site access.

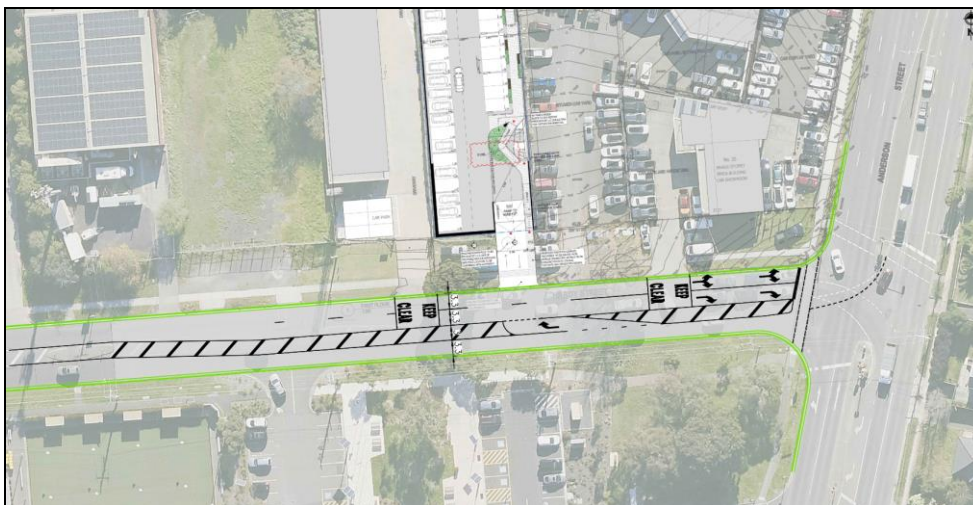


Figure 11 – Proposed works on Hardy Street

Car Parking

Under the requirements of Clause 52.06 outlines a statutory rate of 129 car parking spaces for the proposal. The application seeks a reduction in car parking spaces as detailed in the table below:

Car Parking	Number of Spaces
Proposed Car parking spaces	87
Statutory reduction in car parking sought	42

Clause 52.34 a minimum of 16 bicycle parking spaces are required for the proposed development. The proposal includes 16 bicycle parking spaces.

Creation of Easement

A 2.5 metre wide easement is proposed to accommodate a sewerage line in favour of Yarra Valley Water. The new easement is proposed along the eastern boundary of the site.

CONSULTATION

Internal Referrals

This application was referred to various business units or individuals within Council for advice on particular matters.

Table 1: Summary of Internal Referral Responses

Department	Summary of Response	Conditions required
Engineering (traffic)	No objection, subject to conditions. <u>Comments:</u> Functional layout plan for implementation of upgrade works and crossover to Hardy Street, with kerb and channel reinstated along Main Street	Refer to conditions 8, 14-18 in Attachment 1 which requires a functional layout plan and implementation of works along Hardy and Main Street
Engineering (stormwater)	No objection, subject to conditions. <u>Comments:</u> Upgrade of existing pipe drainage within easement and Section 173 Agreement for access and repair works.	Refer to conditions 19-27 and 30 in Attachment 1 which requires detailed stormwater computations and designs to be submitted with subsequent upgrade to drainage line
Urban Design	No objection, subject to conditions	Refer to condition 1a and 6 in Attachment 1 which

	<u>Comments:</u> Design response provides activation of frontages including a pedestrian walkway between Main Street and Hardy Street.	requires transparent glassed frontage and additional landscaping.
Strategic Planning	No objection <u>Comments:</u> The development makes use of a more intensive development in an underutilised site in Lilydale's activity centre which will compliment commercial activity in the centre. The proposal provides street activation of the Main Street façade.	No recommended conditions
Waste	No objection, subject to conditions. <u>Comments:</u> Waste management submitted with onsite private waste collection to be provided for.	Refer to condition 13 in Attachment 1 which requires waste from the site to be managed as per the waste management plan.

External Referrals

Table 2 summarises the advice from the external statutory referral authorities:

Referral Authority	Consent/Objection Summary of Response	Summary of Conditions
Head, Transport for Victoria (Section 55 Referral – Determining)	No objection, no conditions	No Conditions required
Yarra Valley Water (Section 52 Referral)	No objection, subject to conditions	Condition 31 and 32 have been imposed on the proposed conditions in Attachment 1 requiring the development to enter into agreements for provision of water and sewerage services.

Public Notification and Consultation

Notification of the application was undertaken by:

- ☒ - Placing of two (2) signs on the land
- ☒ - Mailing notices to owners and occupiers of adjoining and/or nearby properties
- ☒ - Placing the proposal on Council's website for a minimum of 14 days

Notices were sent on 29 August 2024, with signs placed on site from 30 August 2024 to 16 September 2024.

Number of Objections:

At the time of this report being prepared, five (5) objections were received.

Key themes of objections are detailed below:

- Insufficient car parking provision.
- Impacts to parking as a result of the proposed parking changes within Lilydale Activity Centre
- Traffic impacts to Hardy Street.
- Emergency vehicle access for adjoining CFA fire station.

ASSESSMENT/ KEY ISSUES

Municipal Planning Strategy and Planning Policy Framework

The proposal has been assessed against the Municipal Planning Strategy and Planning Policy Framework and found to be consistent with these policies as detailed below (see Attachment 2).

The subject site falls within the Lilydale Activity Centre, which is one of only two major activity centres within Yarra Ranges as identified under Clause 02.03-1 and 02.04-2. These policies recognise the role of Lilydale in providing large and more intensive mix of retail, commercial and other land uses due to its well serviced location. The strategic direction set by Clause 02.03-1 of the Planning Scheme recognises the opportunities to locate more intensive retail and office floor space and other commercial and community service facilities in the activity centre.

The proposal is a three-storey development which incorporates several commercial and office spaces in addition to a childcare centre. The proposal will support the role of the Lilydale Activity Centre and forecast population growth and demand for such services and facilities. By increasing the availability of commercial and office space the proposal also aligns with Clause 02.03-7, 11.01-1L-01 and 17.01-1S in consolidating retail and office-based businesses in the activity centre and broadens the economic base and employment opportunities within Yarra Ranges.

In respect to urban design and building design the proposal responds to Clause 15.01-1L and 15.01-2S by providing a rear loaded car park and vehicle accessway enables a continuous active street frontage along Main Street. Furthermore, the proposal also includes a pedestrian walkway that provides a connection between Main Street and Hardy Street in line with strategies under Clause 18.02-1S. In addition, a sustainability management plan has been submitted in response to Clause 15.01-2L. The proposal achieves a passing score for Built Environment Sustainability Scorecard (BESS) which demonstrates best practice in environmentally sustainable development.

The subject site is also well serviced by public transport, being approximately seven hundred metres east of the Lilydale railway station and multiple bus routes running

along Anderson Street and Main Street. The scale and diversity to the commercial outcome of the building will support active modes of transport and multi-purposes trips given its location in an activity centre in line with Clause 18.02-3L, in addition to a lower reliance on private motor vehicles where Clause 18.02-4L-02 also recognises support of car parking reductions for major development within Councils identified major activity centres, as centres are well served by public transport.

Proposed Planning Scheme Amendments – Amendment C218 Lilydale Structure Plan

The Lilydale Structure Plan was adopted by Council on 9th August 2022 and provides guidance on the future land use, development, urban design and movement within the Lilydale town centre and surrounds. At the time of this report being prepared the amendment has been submitted to the Minister for Planning to seek authorisation to exhibit the amendment. The new plan has reinforced the role of the Lilydale Activity Centre as a major activity centre has been identified to serve not only Lilydale but also the broader region.

Under this new structure plan, the site is proposed to be rezoned to an Activity Centre Zone to create the site and surrounds as a retail core for Lilydale and to support building heights of up to four stories. The proposal is consistent with the structure plan as it provides a multi-storey development with a mixture of commercial and community uses.

Built form design and response to planning controls:

Clause 34.01 Commercial 1 Zone

The purpose of the Commercial 1 Zone seeks to create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses. The proposed land uses contemplated for the proposed three storey development include medical centres, shop, food and drinks premises, offices and a childcare centre.

All the land uses contemplated by the application are a 'Section 1 use' under the Commercial 1 Zone, and do not require planning permission for these respective uses.

A planning assessment is required for the development of the building under the zone. The built form can be described as having a contemporary design with a continuous active street frontage along Main Street to incorporate ground level commercial development.

The design provides an awning along the footpath for all-weather protection in addition to a pedestrian walkway through the site and bicycle facilities. Other components including office spaces and childcare centre are situated on the first and second floor and are accessible by the internal walkway and lift or stairway. Since the development is oriented towards Main Street, it provides substantial passive surveillance of the Main Street frontage. Additionally, the northern solar access helps minimize the need for artificial lighting. Furthermore, the site does not adjoin any sensitive interfaces, with a commercial building to the east and the CFA station to the west, there is no adverse amenity impacts to both abutting properties from overlooking or overshadowing.

The site is also connected to all utility services; however, changes to the alignment of the existing stormwater drainage and sewerage are required. These matters can be

satisfactorily addressed via conditions and are further discussed under Clause 52.02 creation of easement.

Clause 43.02 Design and Development Overlay – Schedule 4 (DDO4)

The site is affected by Clause 43.02 Design and Development Overlay – Schedule 4 which sets out design objectives and requirements to be achieved for the design and built form of new development. The overlay also recognises the need for multi-level redevelopment of underutilised sites which provides active frontages and a focus for commercial activity. An application under DDO4 must be constructed in accordance with any design requirements under the Schedule or otherwise satisfy the design objectives and outcomes to be achieved. In addition to the general design requirements, the site also falls under Precinct A and H (see Figure 12) which set out additional design requirements and outcomes to be achieved. Components related to requirements and outcomes include the building appearance, height, setbacks, interfaces, car parking and access. The design assessment against the specific requirements for Precinct A and H has been completed. The applicant has met the specific design objectives requirements for both precincts, the officer's assessment for both Precinct A and H can be reviewed in Attachment 3.



Figure 12 – Precinct Mapping, Clause 43.02 Design and Development Overlay Schedule 4

The proposal positively responds to the design requirements and objectives under the overlay as follows:

- Building appearance

The building has a modern contemporary design with an active street frontage to Main Street with commercial premises fronting this street, in addition to a pedestrian walkway to connect Main Street to Hardy Street, and the car parking within the site.

The development has a highly articulated front façade along Main Street that includes an awning to provide all weather protection. Window treatments, materials and landscaping adopt high architectural quality that enhances the character of the streetscape and identity of Lilydale as a major activity centre. Waste storage and collection is hidden from public view as it is situated in the ground level undercover car park.

- Building height

Precinct A stipulates a maximum of three storeys (10.5 metre building height). Whilst the development is compliant with the number of storeys at three (3) being sought by the control, the maximum building height is exceeded at 12.08 metres. Despite not meeting the design requirement, the development is found to meet the outcomes and objectives sought as built form along the frontage is of high-quality architectural design utilising a mixture of materials from face brickwork, render, concrete and metal screens to provide visual interest and articulation along this façade. Moreover, sections of the frontage include recessed landscaping planter boxes that will incorporating landscape plantings to soften the appearance of the built form.

The development is also consistent with The Lilydale Structure Plan - June 2022, adopted by Council which seeks for the site to provide up to four (4) stories.

Precinct H stipulates a maximum of three storeys (10.5 metre building height) to Hardy Street. The development complies with this providing a height of three (3) storeys and maximum building height of 6.5 metres to Hardy Street due to the topography of the land and site excavation proposed for basement car parking.

- Setbacks

The building setbacks map seeks for development on the site to provide zero front and side setbacks. The proposal achieves this requirement in providing a zero front setback to Main and Hardy Street and across the side boundaries. It is noted the building has a 2.5 metre setback off the eastern boundary, however this is necessary to provide sewerage connection to the site and surrounding properties, in an easement in favour of Yarra Valley Water.

Upper storey elements of the development will overhang this easement to remain consistent with setback requirements sought under DDO4.

- Interface with public places

The Main Street frontage is the primary façade for the development that provides ground floor activation of the street with five commercial/ office based tenancies. Critical to this is the visibility to and from the ground floor tenancies to the street, and opportunity for passive surveillance.

An internal pedestrian walkway also provides access to the car park and Hardy Street in addition to upper level offices and the childcare centre. The development also provides an awning over the frontage to provide weather protection in line with the weather protection map under DDO4.

- Landscaping

No vegetation onsite or on the street are impacted by the development. The proposal incorporates pockets of landscaping along the front façade but also across the second floor play area for the childcare centre. It is noted the rear boundary does not include any landscaping plantings and it will be conditioned for vertical plantings and/or climbers/ creeper plantings to soften the visual bulk of the brick wall.

- Access and car parking

The existing crossover on Main Street is to be removed with access and car parking to the site rear loaded and accessible via Hardy Street. The car parking is largely obscured from view due to the slope of the land in effect providing basement parking. The Hardy Street access also includes a separate pedestrian pathway that clearly differentiated from the crossover material finish. This will create a safe pedestrian network and clear delineation between vehicle and pedestrian access points.

- Development adjoining heritage buildings -

The site does not adjoin any heritage buildings.

Overall, the development achieves the design requirements and outcomes sought under DDO4 and demonstrates a modern contemporary built form that will reinforce Lilydale's status as a major activity centre and commercial core of the Yarra Ranges.

Council's urban design team have reviewed and support the application subject to conditions given its activation of the Main Street frontage and contemporary building design and finishes that contributes to the public realm of the town centre. These conditions include the implantation of ground level windows to not be frosted or glazed and incorporation of a suitable landscaping response. Further to protect the integrity of the design and appearance, conditions require the glazed sections of all facades to remain at least 80 percent transparent, and for signage to be minimal in its intrusion into the façade appearance to both Main Street and Hardy Street.

These will form conditions 1a and 6 of the recommended planning permit (Attachment 1).

Traffic, Car Parking and Waste Management:

Traffic

East and westbound traffic along Hardy Street is a single lane in each direction, although towards the intersection (for eastbound traffic) there is a dual lane of approximately 75 metres to the intersection of Hardy and Anderson Street.

As part of the development, the proposal seeks to remove the existing crossovers from Main Street with vehicle ingress and egress to be via Hardy Street only. Hardy Street crossover will be widened to accommodate both ingress and egress movements.

Recent traffic survey counts by Council indicate a typical peak hour volume of traffic movements on Hardy Street of 1,000 to 1,100 vehicles per hour.

The proposed development is projected to add 85 to 88 vehicle movements during the AM and PM peak hours along Hardy Street which is less than a ten percent increase in traffic volumes. Queuing of vehicles during peak periods currently result in queue lengths of 87.6 to 107 metres.

To mitigate the additional traffic movements, it is proposed to upgrade Hardy Street in extending the length of the dual lane of eastbound traffic on Hardy Street to approximately 110 metres from the intersection. Furthermore, the development will also incorporate a channelised right turn lane into the site to mitigate any queuing of through traffic westbound on Hardy Street, with the egress of vehicles restricted to left out only. (Figure 13).

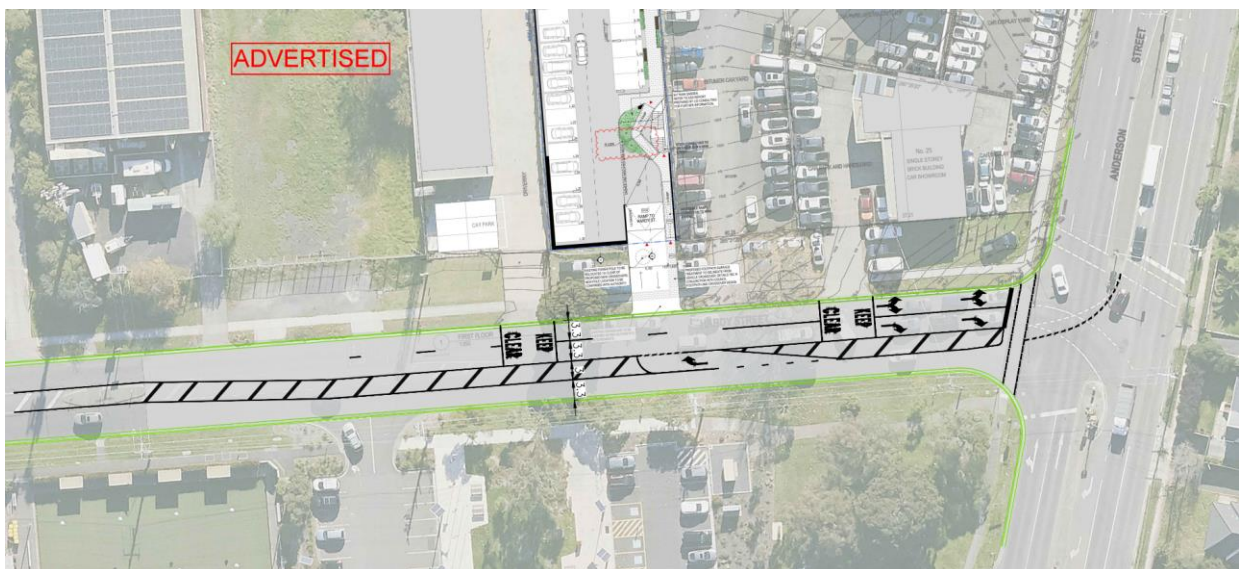


Figure 13 – Proposed upgrade works to Hardy Street.

The proposed upgrade works, and mitigation measures have been reviewed by Council's traffic engineers who have consented to the proposal subject to implementation of the proposed upgrades. The application has also been referred to the Department of Transport and Planning who have not objected to the application.

All vehicle traffic generated from the proposal will not solely use Hardy Street. Given the proposed development is orientated to the Main Street frontage, the traffic generated will also have the Main Street service road to utilise the nineteen (19) on-street carparking spaces. As such, the proposed vehicle generated from the development can be absorbed into the existing road network subject to upgrade works to Hardy Street.

These will be conditioned as part of the approval for detailed engineering plans and a functional layout plan to be completed prior to the development being occupied under Condition 8.

Car parking

As demonstrated in Table 3, Clause 52.06 of the Scheme sets out the statutory car parking rate for the proposed development as 129 car parking spaces if each of the uses are separately proposed.

In the case of a mixed use development, Clause 52.06 allows Council to consider the actual parking demand when all the uses are combined into one development, and to determine a lesser rate than the number set by the statutory requirement.

Table 3 – Breakdown of the statutory car parking rate by separate uses:

Use	Proposal	Car parking measure	Minimum car parking required under Clause 52.06	Total car spaces provided
Childcare centre	130 children	0.22 to each child	28	87
Medical Centre	Nine practitioners	Five spaces (5) to the first person providing health services, plus three to every other person providing health services	29	
Shop	282.76 square metres	Four spaces to each 100 square metres of leasable floor area	11	
Office	1,855.78 square metres	3.5 spaces to each 100 square metres of net floor area	52	
Food and drinks premises	238.61 square metres	Four spaces to each 100 square metres of leasable floor area	9	
Total			129	87

As a designated major activity centre under the Scheme, the Lilydale Activity Centre comprises of an array of commercial services and facilities including major supermarkets, restaurants, specialty shops, medical centres, restaurants and cafes where the centre supports more than one particular use.

There is good opportunity for multi-purpose trips given the ease of access and proximity of different facilities and services within the activity centre. Trip linking and multi-purpose trips supports a reduction in car parking demand in the area including variations in occupancy rates.

Parking survey results and analysis of proposed car parking provision

A car parking demand assessment has been provided as part of the application documents (Attachment 7). The report outlines that the parking demand generated by the proposed development would not require the full statutory rate of 129 spaces.

Instead, the report outlines that from the mixture of proposed uses the development would generate a parking rate of 87 spaces. The provision of 87 car parking spaces on site would be a reduction from the statutory parking rate of forty-two (42) car parks.

Key considerations which support the reduction of the statutory parking requirement is the existing public car parking available in addition to projected demand of the proposed uses and proximity and useability of public transport and active modes of transportation (walking and cycling).

The survey area provided in the applicant demand assessment, outlined in Figure 14, identifies a total of 228 car parking spaces available with a variable time limit ranging from fifteen (15) minutes to four (4) hours.



Figure 14 - Area of car parking surveyed (Star key represents subject site)

The findings of the car parking survey identified that:

- The peak period (12:00pm to 2:00pm on weekdays), a maximum of sixty one (61) percent of car parks are occupied.
- A total of eighty nine (89) car parks remain available through this area.

Council also undertook a car parking occupancy assessment in February 2025 for the entire Lilydale Activity Centre area. Councils' results:

- Confirmed a peak car parking occupancy of fifty nine (59) percent which is consistent with the findings of the submitted car parking demand assessment.
- On-street carparking on Main Street directly abutting the subject site had a significantly lower occupancy rate during peak periods at twenty five (25) percent, with twelve (12) spaces available within the site frontage.

In addition, the crossovers on the Main Street frontage will be removed and kerb and channel installed which will result in an additional five (5) on-street carparking spaces being added to public parking within the Activity Centre.

The peak demand for car parking by the respective land uses, being the medical centre, office, café and childcare centre will likely to occur at different times and as such maximum demand for parking for the development does not fall within a sole set period.

An example of this is where childcare uses typically have a peak period between 7:00am to 9:00am on weekdays for parents dropping children off, with peak pick up periods occurring from 5:00pm to 6:30pm. This would differ from a medical centre, retail shop or food and drinks premises where peak demand would fall within normal business hours (9:00am to 5:00pm). When considered as a whole, the development therefore provides car parking that would be shared amongst the various tenancies with differing periods of peak demand and would enable for efficient use of the car parking provision onsite.

Being in an activity centre the subject site is well serviced by public transport and established network of footpaths and cycling trails provides other modes of transport available to patrons and visitors. Lilydale railway station is located less than 700 metres from the site and is readily accessible via the existing pedestrian network and local bus services. The railway station provides direct connection from Melbourne's CBD to Lilydale. Moreover, there are two bus stops proximate to the site with one being only seventy (70) metres from the site on Anderson Street, which is serviced by bus routes 663, 679, 680 and 965. Along Main Street and only a one hundred (100) metre walk is a bus stop which services routes 663, 679, 680, 683, 684, 685 and 965.

Given the abundance of public transport options available this is also supported under the planning policy framework (Clause 18.02-3S Public Transport and 18.02-3L Public Transport) where strategies seek to locate higher density development close to the Principal Public Transport Network. The proposal also provides onsite bicycle parking with sixteen (16) spaces provided in accordance with the requirements of Clause 52.34 in addition to end of ride facilities to support active transport modes.

Overall, the reduction in the statutory minimum car parking requirements is alleviated through the use of shared car parking spaces, existing availability and increase in on-street carparking and the strong availability of public transport options to reduce reliance upon private motor vehicles.

Waste Management

Waste management for the development will be via private waste collection. Plans detail a bin room within the ground level car park to store bins and waste generated from the site. A private waste arrangement is common arrangement for large mixed use commercial development, given Council is unable to service waste of large scale commercial waste bins on this site.

The submitted Waste Management Plan has been reviewed by Council's internal waste management team who have no objection to a private waste arrangement for the site.

The submitted Waste management plan can be found in Attachment 8 and will be required by condition.

Creation of Sewerage Easement and Stormwater Management

The site currently has an existing sewerage line which runs through the site however is not identified within any easement on the Certificate of Title. The proposed development footprint will require the relocation of the sewerage line to run along the eastern boundary, to be located within a proposed 2.5 metre wide sewerage easement in favour of Yarra Valley Water.

The application has been referred to Yarra Valley Water who supports this arrangement subject to condition 31 and 32 being included on any approval.

The development footprint will also be above an existing drainage easement in favour of Council. Given that development over an easement is atypical as part of the works it is proposed to upgrade the drainage line from Hardy Street to Main Street to accommodate one in one hundred year flows. This design is in excess of standard stormwater requirements under Clause 53.18 but is warranted given the development will be over the easement and will limit future upgrade works.

To accommodate this, the pipe will be upgraded to cater for current and future stormwater flows. A Section 173 agreement will also be imposed to ensure continuous access to the pipe for inspection or maintenance purposes and that any rectification, repair or replacement works required are borne by the landowner for a period of fifty (50) years (typical useful life expectancy of a drainage pipe).

These measures will appropriately manage the capacity of Council's stormwater pipeline network and ensure no adverse impacts to surrounding properties and public safety.

Response to Submitters concerns

Notice of the application has been completed. Five (5) objections have been received.

A summary of key themes of objections and a response to respective concerns is provided in the table below.

Concern	Officer Response
Insufficient car parking provision	<p>As discussed above, the application is seeking a waiver of the statutory parking rate but has demonstrated the development will generate a parking rate of 87 spaces, which is being provided.</p> <p>The car parking provision on site has been reviewed by Council's traffic engineers and deemed to be satisfactory due to efficient use of shared onsite parking, existing availability of on street car parking and proximity of the site to public transport including Lilydale Railway station and bus stops along Main Street and Anderson Street.</p>
Effect of the Lilydale Precinct Parking Plan on parking in Lilydale	<p>The Traffic Engineering Team are completing a strategic review of all parking activities within the Lilydale commercial area and have developed the Lilydale Parking Management Framework. The parking framework has looked at managing parking in the activity centre with a holistic and centre-based approach. The current planning application has been considered within the context of the parking framework for Lilydale, the development has been assessed by the traffic engineering team as having a minimal reliance on on-street parking and that the demand for parking created by the development has been designed to meet the demand generated through the provision of 87 new parking spaces on site.</p>
Traffic impacts to	The proposal includes upgrades to Hardy Street including an

Concern	Officer Response
Hardy Street.	<p>extension of the two lane eastbound traffic to increase lane length and utilisation to reduce the queuing length.</p> <p>Exiting of vehicles is also restricted to left out only to avoid impeding on the flow of traffic for both east and west bound traffic.</p> <p>Council's traffic engineers have also reviewed the application and have not objected to the application subject to conditions. The application has also been referred to Department of Transport who have not objected to the application.</p> <p>Currently, Hardy Street accommodates more than 17,000 vehicles per day. The traffic team is assessing potential upgrades and traffic management strategies for the entire length of Hardy Street has been included in the Lilydale Activity Centre Structure Plan. Council Engineer's have confirmed that the additional vehicle movements generated by the proposed development will not adversely impact congestion on Hardy Street.</p>
Emergency vehicle access for adjoining CFA fire station and subsidence along common boundary	<p>A construction management plan will be conditioned before any works begin to manage impacts to the surrounding road network and adjoining properties.</p> <p>As the development is built to the boundary, the development will require structural footings and engineer designed foundations. This is managed under the Building Regulations 2018.</p>

CONCLUSION

The buildings and works associated with the construction of a childcare centre, shops, offices and medical centre, reduction in car parking requirements, alteration of access to a road in a Transport Zone 2 and creation of easement has been assessed in accordance with Section 60(1) of the *Planning and Environment Act 1987* and all relevant instruments and policies.

As described in the assessment section of this report, the proposal is consistent with the objectives of the Municipal Planning Strategy, Planning Policy Framework, Zone, Overlay and particular provisions of the Scheme. The proposal reinforces and strengthens Lilydale as a major activity centre and adds to the mix of commercial and community uses of the area.

As such, approval is recommended and a Notice of Decision to Grant a Planning Permit be issued, subject to conditions (Attachment 1).

ATTACHMENTS

- 1 Permit Conditions
- 2 Planning Scheme Policies
- 3 Design and Development Overlay – Precinct Design Requirements and Objectives Assessment
- 4 Development Plans
- 5 Landscape Plan
- 6 Hardy Street Works Plan
- 7 Traffic Impact Assessment
- 8 Waste Management Plan