

**1.2 CONSIDERATION OF MONASH PLANNING SCHEME AMENDMENT C125 -
IMPLEMENTATION OF THE NEW RESIDENTIAL ZONES**
(TP427:SM)

Responsible Director: Peter Panagakos

RECOMMENDATION

That Council:

1. *Notes the submissions and comments received.*
2. *Modifies Amendment C125 in accordance with the changes recommended in this report and adopts this as Council's position for the amendment.*
3. *Notes that the changes proposed to the amendment are the "in-principle" changes of 29 March 2016, along with several minor zone boundary corrections and include:*
 - a. *Changing site coverage in the General Residential Zone 3 and the Neighbourhood Residential Zone 1 & 4 areas from 40% to 50%;*
 - b. *Changing site coverage in the Neighbourhood Residential Zone 3 area from 40% to 45%;*
 - c. *Deleting proposed changes to side setbacks across all zones;*
 - d. *Deleting the specification of a height for canopy trees;*
 - e. *Linking the height of canopy trees to the height of the dwelling;*
 - f. *Reducing the number of canopy trees required in each schedule to a minimum of 2;*
 - g. *Changing the minimum parcel of private open space from 60m² to 50m² across all zones, except for the Neighbourhood Residential Zones 2 and 3;*
 - h. *Retaining the existing 7.6 metre front setback for the Neighbourhood Residential Zone 4 area;*
 - i. *Deleting the proposed changes to the rear setbacks of the General Residential Zone Schedule 3, the General Residential Zone Schedule 4, the Neighbourhood Residential Zone Schedule 1 and the Neighbourhood Residential Zone Schedule 4; Reducing the extent of the Neighbourhood Residential Zone – Schedule 4 by removing the area of land generally bounded by Highbury Road, Springvale Road, Waverley Road, Gallagher's Road, Westlands Road and Camelot Drive, Glen Waverley from the proposed Neighbourhood Residential Zone - Schedule 4 and placing it in the proposed General Residential Zone – Schedule 4;*
 - j. *Deleting the requirement for a 10% Public Open Space contribution for all land within the Residential Growth Zone Schedule 3, General Residential Zone Schedule 6 or the Commercial 1 Zone in the Clayton Activity Centre; and*
 - k. *Minor boundary changes or corrections as set out in Attachment 7 to this report.*

4. *Request the Minister for Planning appoint an independent Panel to consider the submissions and Amendment C125 to the Monash Planning Scheme.*
5. *Refers all submissions received to Amendment C125 to the Panel appointed by the Minister for Planning.*
6. *Gives notice of the above decisions by:*
 - a. *Writing to all submitters to the Amendment;*
 - b. *Writing to all owners and occupiers in areas where a change in zone is proposed from that shown as part of the original exhibition of Amendment C125 in 2015.*

PURPOSE OF THIS REPORT

The purpose of this report is to consider the submissions and community feedback received on Amendment C125 during the community consultation periods and the results of the additional strategic research reviews requested in the 27 October, 2015 Notice of Motion (the Motion).

The Amendment proposes changes to the Monash Planning Scheme in order to implement the first stage of the Monash Housing Strategy 2014.

This report recommends changes to Amendment C125 in response to some of the issues raised in submissions and recommends that Council adopts the recommendations of this report as the position on the Amendment and refers the amendment to an independent panel for consideration.

This report proposes that, with the addition of minor zone corrections set out in this report, the in-principle position adopted by Council on 29 March 2016 become Council's formal position on Amendment C125.

BACKGROUND

Plan Melbourne

Plan Melbourne is the State Governments 40 year vision for Melbourne. Key elements of Plan Melbourne relevant to Monash include:

- Increased housing density to be delivered in close to infrastructure, Monash Employment Cluster and activity centres
- Housing strategies, zones and schedules to be used to protect neighbourhood character and determine development density
- Neighbourhood Residential Zone to be used in areas where redevelopment is not a priority due to character, environmental or accessibility issues

Monash Housing Strategy

Council adopted the new Monash Housing Strategy in October 2014.

The Housing Strategy provides a clear direction about the type and intensity of future residential development throughout Monash. The Housing Strategy has been developed in accordance with Plan Melbourne and the State Planning Policy Framework.

The Housing Strategy includes a Residential Development Framework Map that provides clear direction for where growth will occur and where the garden character of Monash will be protected and enhanced.

The Residential Development Framework Map provides for:

- a hierarchy of three areas of redevelopment type:
 - *Future Redevelopment,*
 - *Incremental Change; and*
 - *Limited Redevelopment.*
- increased residential density in the residential areas around activity centres and the Monash Employment Cluster; and
- changes to development potential in the suburban areas to lessen development pressure and better reflect the garden city character of the suburban areas of Monash.

The Housing Strategy and Amendment C125 build on the current policy and planning requirements which promote garden city character in Monash.

Given the scale of the strategic work required to implement the Housing Strategy an indicative staged work program was set out at the time of adoption of the Monash Housing Strategy.

The first stage of implementing the adopted residential framework included developing planning provisions that support the following categories:

Category 3	Monash National Employment Cluster
Category 5:	Heritage Precincts
Category 6:	Dandenong Creek Escarpment
Category 7:	Creek Environs
Category 8:	Garden City Suburbs

The housing category areas 1, 2 and 4 of the Monash Housing Strategy will have revised planning provisions developed for them progressively upon completion of the first initial stage and as further strategic work such as Structure Plans for other Activity Centres are completed.

A copy of the Residential Development Framework Map and exhibited stage 1 zone application is provided at Attachment 1.

New Residential Zones – preparation

At the meeting of 24 February 2015 Council adopted the first stage of residential zone changes from the Housing Strategy - (Amendment C125). The first round of proposed changes (Amendments C125), flowing from the Monash Housing Strategy, aim to protect and enhance Monash's 'garden city' character.

This amendment applies to all residential land in Monash and includes:

- a new residential strategy statement,
- new residential development policies,
- revised Neighbourhood Character precincts and policies,
- increased application of the Neighbourhood Residential zone; and
- new or revised schedules to the residential zones, primarily designed to implement neighbourhood character outcomes.

Council received authorisation to prepare the amendment, Amendment C125, from the Minister for Planning on 20 March 2015. Following this, Council received a request from the Metropolitan Planning Authority to modify the amendment to make provision for residential growth around the Monash Employment Cluster.

Council considered this request at its meeting of 28 April, 2015 and agreed to bring forward the introduction of growth zones around the Monash Employment Cluster and Clayton Activity Centre. These changes now form part of Amendment C125.

New Residential Zones -Implementation

The implementation of the Monash Housing Strategy 2014 involves the use of:

- the new residential zones, for directing or limiting growth and setting the expected intensity of development;
- schedules to each zone that complement the zones and give effect to the housing character outcomes sought for each category. The schedules are intended to set out detailed siting and development standards reflective of the desired neighbourhood character for an area; and
- updating local policies that provide guidance for decision making, in particular through articulating the existing character and preferred future character outcomes.

It is important to note that the changes to the zones and schedules whilst adjusting the standard ResCode siting provisions do not become and are not

intended to become mandatory requirements. As is the case now, these requirements can be varied by Council (Planning permit process for multi dwelling development or siting dispensations for single dwellings), or at appeal by VCAT on planning matters or the Building Appeals Board for Building dispensation matters.

A summary of the exhibited zones and schedule changes, including the in-principle changes to the exhibited amendment are provided at Attachment 2.

The formal notification of the amendment was conducted in July and August 2015 and is discussed later in this report.

Notice of Motion: 27 October, 2015

At the Council meeting of 27 October, 2015 Council deferred consideration of Amendment C125 and passed a Notice of Motion (the Motion) to *“allow further consideration of the various and important issues which have been raised by many members of the community.”*

The Motion required further community consultation and several strategic research projects to undertaken.

The additional research projects can be summarised as:

- Preparation of “before and after” examples of dual occupancy development, by average size development lot, by proposed zone;
- A review of Monash Housing Strategy and Neighbourhood Character Study and the application of the proposed zones and schedules; and
- An analysis of potential impact on housing supply across Monash arising from the proposed changes

The research projects concluded that the exhibited amendment was consistent with the Monash Housing Strategy and State policy and would not reduce housing capacity in Monash.

A summary of the outcomes of the further strategic research is provided at Attachment 3.

A full copy of the Motion is provided at Attachment 4.

Council meeting of 29 March 2016 – In principle position

Council considered the results of the second round of community consultation and the research projects at its meeting of 29 March 2016.

At this meeting Council resolved on an ‘in-principle’ position on the Amendment and sought further submissions from the community on this ‘in-principle’ position.

The 'in-principle' position includes changes recommended by officers and additional changes adopted by Councillors at the meeting of 29 March, 2016.

In addition to the adopting the 'in-principle' position Council resolved to hold a Special Meeting of Council on 3 May, 2016 to allow for verbal presentations from the community on the in-principle position

This special meeting has been held and 30 verbal submissions were made.

PURPOSE/DISCUSSION

Amendment C125 - In-principle position and changes

In response to feedback that the exhibited measures would place too much restriction on people's abilities to redevelop their properties several elements of the amendment were deleted or revised.

The main changes proposed by the in-principle position on the amendment are summarised below:

- Reducing the maximum amount of coverage that buildings have across a property block (the site coverage) from 60% to 50%. In environmentally sensitive areas near the Damper, Gardiners and Scotchman's Creeks, the maximum site coverage is proposed to be 40% - 45%.
- Amending the exhibited proposal for a 60m² parcel of private open space in new developments. This is now proposed to be a 50m² minimum parcel of private open space, except in areas near the Damper, Gardiners and Scotchman's Creeks where the proposal is still for a 60m² parcel
- Deleting the proposal for a five metre rear setback in the General Residential Zone 3 & 4 and the Neighbourhood Residential Zone 1 & 4.
- Retaining the proposed a rear setback of six or seven metres in areas proposed to be in the Neighbourhood Residential Zones 2 & 3, near the Damper, Gardiners and Scotchman's Creeks.
- Requiring a minimum of two canopy trees (not three canopy trees as initially proposed in some areas) in new multi-unit developments. In addition, it is proposed that there be no specific height set for these trees: it is proposed that the height of the trees be linked to the height of the new units (so if a site has a single storey building, the canopy trees only need to be as high as that building but if it has a double storey building, the canopy trees need to meet the height of that building)
- Removing the area of Glen Waverley (generally bounded by Highbury, Springvale, Waverley, Gallaghers and Westlands Rds and Camelot Dr) from the Neighbourhood Residential Zone, which limits development height to 9 metres and to no more than 2 dwellings per lot and including the area in the

General Residential Zone, which has no height or limit on the number of dwellings.

Community Consultation Program

Three rounds of community consultation have been undertaken to engage with the community on the proposed changes.

A summary of Round 1 and Round 2 community consultation is provided at Attachment 5

Community Consultation – Round 3 – April to May 2016

This third round of community consultation was on the in-principle position for the Amendment adopted by Council at the meeting of 29 March 2016.

This consultation period also included the Special Council Meeting of 3 May, 2016, where community members presented verbal submissions to Councillors.

Special Council meeting

The Special Council meeting was attended by approximately 50 people. Of those in attendance, 30 people made a verbal submission to the Council meeting.

As with the other consultation processes there was divided opinion about the amendment, the role of planning controls and residential development in general.

Of the 30 presenters, 17 spoke in favour of the Amendment, particularly the exhibited version, whilst 13 spoke against the amendment or elements of it.

A summary of the verbal submissions is at Attachment 6.

Additional written submissions

In response to the in-principle position an additional 534 written submissions have been received. (Some of these are second or third submissions.)

Many of the submissions express disappointment with the changes contained in the in-principle position, as going too far to accommodate development and feel that they have been misled by Council given the significant changes between the exhibited amendment and the in-principle position.

Some submissions object to the in-principle position as they consider that it does not go far enough in allowing development and continues to require canopy tree planting in multi-unit development.

A substantial proportion of the submissions objecting to the amendment are in the form of a pro-forma submission.

Additional pro-forma submissions in support of strengthening development provisions in Monash have also been received.

The following tables summarise the number of submission received at each stage.

Round 1: 2016 (Beginning July)

Position on amendment	Respondents
Oppose	752
Support	245
Support with changes	107
Other*	119
Total	1,223

Round 2: January to March 2016

Position on amendment	Submission
Oppose	326 (203 Pro Forma)
Support	137
Support with changes	9
Other*	62
Total	534

Round 3: April to May 6 2016

Position on amendment	Submission
Oppose	252 (148 Pro Forma)
Support	95
Support original proposal	116 (65 Pro Forma)
Support with changes	20
Other*	53
Total	536

Overall Figures

Position on amendment	Submission
Oppose	1,330 (351 Pro Forma)
Support	447
Support original proposal	116 (65 Pro Forma)
Support with changes	135
Other*	234
Total	2,294 **

*‘Other’ includes ongoing correspondence, requests for specific information relating to individual circumstances, suggestions and general inquiries.

** The actual number of individuals who made submissions is less than the total number of submissions as some people made more than one submission.

Issues raised in submissions

The main issues raised through the submissions are outlined in the following sections and include a recommended officer position.

Reduction in building site coverage from the ResCode standard of a maximum of 60% of the site

Submissions objecting to the proposed decrease in site coverage fell into three broad categories:

- The perceived impact on the potential to develop land for multi unit development, including the need to construct smaller dwellings;
- The perceived impact on the ability to construct a large single dwelling and/or a garage;
- The impact on subdivided lots to redevelop an existing small dwelling with a new larger dwelling.

There was opposition (mainly in the first round of consultation) to the proposed General Residential 3 requirement, which varies the maximum site coverage to 40%, the same as proposed within the Neighbourhood Residential Zones. There was also some opposition to the proposed site coverage in the Neighbourhood Residential zone 3 – Creek Environs.

Several submissions were received from owners of lots that have already been subdivided as part of a multi-unit development. These submissions sought a site coverage allowance higher than the ResCode 60% in order to construct a larger home on a small lot.

Officer comment

The current ResCode Standard of a maximum of 60% site coverage can result in medium density and single dwelling development that does not contribute to the garden character of Monash.

An analysis of medium density development applications and single dwelling constructions show that the vast majority of developments are constructed at less than 50% site coverage and that developments that exceed 50% frequently have very poor design response and raise concern in the local community.

As the vast majority of multi-unit development does not exceed 50% site coverage, it is unlikely that the reduction to 50% site coverage, will have any noticeable impact on the current design standards of the vast majority of multi-unit development.

The reduction in site coverage to 50% will have some impact on very large single dwellings and will assist in ensuring that single dwelling constructions have less detrimental impact on neighbourhood character.

It was apparent during the consultation period that people consistently overestimated the amount of site coverage that their existing development contained. This in turn resulted in some people overestimating the potential impact of the proposed 50% site coverage requirement.

Whilst Amendment C125 proposes a reduction in site coverage to 40% for the *Limited Redevelopment and Incremental Change* areas of General Residential Zone 3, Neighbourhood Residential Zone 1 (Heritage Overlays) and Neighbourhood Residential Zone 4 (Dandenong Valley Escarpment) a more detailed analysis has shown that setting site coverage at 50%, will achieve the garden character outcomes and in turn enable compliance with set back and open space requirements without unduly limiting buildable area on the average allotment in these zones.

The Neighbourhood Residential 3 zone is proposed to apply throughout the creek valleys. This proposed zone provides a transition between the immediate creek abuttal areas and the more general garden character suburban areas. As a transition area between the standard suburban areas proposed for General Residential zones 3 & 4 and more sensitive direct creek abuttal of the Neighbourhood Residential Zone 2 the site coverage should reflect that transition. It is proposed to increase the proposed site coverage from 40% to 45% and still achieve the overall objectives of the amendment.

Officer recommendation

It is recommended that the proposed site coverage for General Residential Zone 3, Neighbourhood Residential Zone 1 (Heritage Overlays) and Neighbourhood Residential Zone 4 (Dandenong Valley Escarpment) be increased from 40% to 50%.

It is also recommended that the proposed site coverage for the Neighbourhood Residential zone 3 be increased from 40% to 45%.

A consequential change will also be made to the permeability standard of the relevant Schedules to keep it proportional with the site coverage change.

(The permeability standard works in the reverse to site coverage and is the area of the site not built on or paved.)

No change is recommended to the proposed site coverage for the Neighbourhood Residential Zone Schedules 2 (direct creek abuttals).

Providing a higher site coverage allowance for smaller subdivided lots is not an appropriate response to ensuring that development is consistent with neighbourhood character.

No change to the adopted ‘in-principle’ position is recommended.

Rear Setbacks

Deletion of the 5 metre rear setback General Residential zone 3 & 4 and Neighbourhood Residential zone 1 & 4

There was a mix of support and opposition to the deletion of the 5 metre rear setback.

Some submissions supported the deletion of the proposed rear setback. Whilst many other submissions saw this as a crucial loss in the amendment and would mean that garden character in the suburban areas of Monash would be lost.

Some submissions suggested an increase in the ResCode standard of 1 metre to 3 metres as a compromise to the in-principle position of 1 metre and the 5 metre rear setback of the exhibited amendment.

Rear setback – Retention of the 6 or 7 metre rear setback in the Neighbourhood Residential zone Schedule 2 & 3

There was a mix of support and opposition to the retention of the 6 or 7 metre rear setback.

The opposition to the proposed rear setback generally fell into one of three categories:

- A straight out objection based on a perceived loss of developable area of an allotment and a belief that they were being treated unfairly to other parts of Monash.
- The design implications for the quality of development, for instance, suggestions that new housing will be forced to be two storey (and less accessible for an ageing population), or make it difficult to meet objectives such as providing good solar access.
- Opposition in terms of site shape or size or other locational circumstances.

Other submissions supported the rear setback as a means to both protect neighbourhood character and the amenity of linear parkland or trails along the creek corridors.

Officer comment

A key element of the Monash garden character is the presence of rear yards and the opportunities these areas provide for the retention or establishment of gardens and usable areas of private open space to the dwelling. The current ResCode standard setback of 1 metre is considered to be grossly inadequate to achieve the garden character objective in the suburban areas of Monash or protect sensitive interfaces with creek areas.

The greater setback to park, creeks and linear trails allows for broader community to continue to enjoy these places. Many of these spaces contain shared paths or other passive public spaces. As such an increased setback from the rear boundary performs a similar function to the 7.6 metre front setback in preserving streetscapes.

A number of submissions raised the issue of setbacks for irregular shaped allotments, particularly in court bowls or corner lots. The overall objective of the rear setback is to provide an adequate area for rear garden space. Whilst it is not possible to include a different standard for irregular shaped allotments in the schedule to the zone, it is possible to include within policy statements that set out clearly how the rear setback requirement will be assessed for irregularly shaped allotments.

Officer recommendation

No changes are recommended to the rear setbacks proposed in the in-principle position.

However, to provide clarity around the assessment of the rear setback on irregular shaped allotments, it is proposed to include a detailed policy statement in the Monash Planning Scheme that makes it clear how compliance with the rear setback standard will be assessed for irregularly shaped or corner lots in the Neighbourhood Residential zone Schedule 2 & 3. This will also indicate in which circumstances Council may consider a reduction or partial reduction in the rear setback provided the development meets the overall garden character objectives for the neighbourhood.

Front Setback – Dandenong Valley Escarpment Neighbourhood Residential Zone 4.

A number of submissions objected to the proposed increase in the front setback from the existing 7.6 metres to 8 metres.

Officer comment

The Amendment proposed a minor increase in the front setback for the Dandenong Valley Escarpment – Neighbourhood Residential. This minor increase is inconsequential in the context of the streetscape.

Officer recommendation

It is recommended that the proposed 8 metre front setback be deleted and the existing front setback of 7.6 metre be retained.

No change to the adopted ‘in-principle’ position is recommended.

Side Setbacks

A number of submissions raised the issue of the side setbacks, particularly in the General Residential Zone 3 areas.

Officer comment

The side setback changes flow from the Neighbourhood Character Study and as such are reflective of the existing character of the area. Whilst these setbacks are reflective of the current character of these areas, they are not critical to achieving the desired future character. On this basis it is recommended that the side setback requirements in these zones be deleted.

Officer recommendation

No change to the adopted ‘in-principle’ position is recommended. The proposed side setback standards will be left at the ResCode default.

Change to the dimension of Private open space – one parcel of 60m²

Some submissions objected to the change proposed to the standard for the provision of private open space from one parcel of 35m² to once parcel of 60m² per dwelling. The reasons for opposition included:

- The size is excessive to the needs for people who wish to downsize
- People don’t want or have time to maintain gardens anymore – and these areas will become derelict
- In combination with the front and rear setback proposed variations, the open space requirements will make development unachievable or significantly compromised.
- Some submissions objected to the current standard of 75m² in total and requested that it be reduced to 40m² or less

A number of submissions supported this requirement for a larger single area than is currently required. Their reasons were that this enables better landscaping, more usable open space (particularly for families), and better environmental outcomes (separation between buildings, natural cooling and heating, and so on.)

Officer comment

The current requirement for private open space in the Monash Planning Scheme is 75m², with one parcel of 35m². (*This amount is about the size of a double garage*).

The amendment does not propose to increase the overall amount of private open space provided in a development in the General Residential zone Schedule 3 and 4 areas, which cover the majority of Monash. (There is a minor increase of 5m², up to 80m², proposed in the creek corridors proposed in the Neighbourhood Residential zone Schedules 2 & 3).

The change proposed by the amendment is to how that private open space is provided. As exhibited, it is proposed to require the majority of the 75m² of private open space in a usable parcel of 60m². This meets the dual objective of providing more usable private open space and providing the opportunity to better meet garden character objectives. In most instances the provision of the parcel of 60m² can be achieved for the rear dwelling through compliance with the increased rear setback.

Whilst the total amount of Private Open Space does not change and remains at 75m² per dwelling, the amendment proposes that the main open space portion be increased from 35m² to 60m². The main impact of this is on design/layout for a new front dwelling.

The “before and after” drawings prepared by MGS Architects showed that sites were still capable of being developed and yielding the same number of very similar sized dwellings.

The amendment addresses housing diversity objectives through the encouragement of increased development in and around activity centres and the Monash National Employment Cluster. In these areas the Amendment proposes to reduce the private open space and building setback requirements below the current Monash wide standards and encourage the development of a range of housing types including townhouses and apartments.

Officer recommendation

In response to concerns about the potential design impact of the larger portion of open space on the front dwelling, it is proposed to reduce this main amount

to 50m². It is acknowledged that the proposed area of open space would impact how the front dwelling of a unit development was designed.

This change would still allow for a useable area of private open space (which is at least bigger than the existing requirement that is equal to a double garage) and lessen the potential design challenges for front dwellings. Although the majority of development occurring is two storey, this change may provide more flexibility for the construction of small, single storey dwellings.

The total amount will remain unchanged at 75m² per dwelling in accordance with the current provisions of the Monash Planning Scheme.

No change to the adopted ‘in-principle’ position is recommended.

Landscaping and canopy trees

One of the key drivers for the proposed schedules was the concern for the loss of vegetation throughout the Garden City areas. The amendment, as exhibited, included a nominated number of trees, to grow to at least a certain height, per dwelling. In the first round of consultation around 20% of the submissions commented on the canopy trees specifically. Slightly less than 40% of submissions supported the proposed provisions and just under 30% opposed them.

In the second round of consultation a large number of submissions, mainly pro-forma, expressed concern with the requirement to plant trees due to concerns for infringement on personal property rights, personal safety, potential poisoning or other health risks from carbon dioxide emissions, ongoing maintenance, potential for damage to buildings and infrastructure and the general mess that trees are perceived to make.

Officer comment

The Monash Planning Scheme currently contains detailed policy requirements for the landscaping of development and the planting of canopy trees. Landscaping, including canopy trees, is a current requirement in the approval new multi unit development. The landscaping requirements do not apply to single dwellings.

Specifying a number of canopy trees in the landscaping requirement of the schedules to the new residential zones makes appropriate use of an additional planning tool that Council now has available to it to reinforce the landscape and garden character requirements of the Monash Planning Scheme.

To not make use of the landscaping provision in the schedules of the new residential zones would put the zones in conflict with the existing provisions of the Monash Planning Scheme which contains numerous references and policy

requirements for canopy trees. It would also be contrary to the proper use of the schedules.

Removing the landscaping standard in the schedule would also potentially weaken Council ability to defend decisions at future VCAT hearings where compliance with garden character or landscaping was challenged.

Whilst there has been concern expressed about existing planting of canopy trees, particularly eucalyptus varieties that were planted in the 1970's and 1980s', there are now a wide range of more appropriate canopy trees available for planting in urban areas.

Council is in the process of developing revised planting standards and a canopy vegetation and landscape strategy for all of Monash.

The height of trees required to be planted set out in the proposed schedules specify a range of trees between 8 to 12 metres in height. The canopy tree heights were linked to the maximum building height within the proposed zone. In response to the concern about the prescriptive nature of specifying a minimum mature tree height it is possible to modify the schedule to link the height of canopy trees directly to the height of the proposed development.

Recommendation

No change to the adopted 'in-principle' position is recommended. It is recommended that the canopy tree requirement of the schedules be retained as set out in the in-principle position.

Change or objection to proposed zone or zone boundary

There are a number of submissions that object to the zone that is proposed to apply to their land through the amendment. These submissions are split between:

- seeking a zone that allows for more intensive development such as Residential Growth or a commercial zone; or are
- seeking to be included in a more restrictive zone such as the Neighbourhood Residential zone.

There are also several submissions that have questioned the exact location of the zone boundary based on the criteria of the Housing Strategy.

One submission requested that the removal of the Neighbourhood Residential zone – Schedule 4 be extended further east to include the areas around Capital Avenue.

As part of the consultation on the in-principle position a number of submissions were received that opposed the removal of the Neighbourhood Residential zone, east of Springvale Road and requested the reinstatement of the Neighbourhood Residential Zone – Schedule 4 to the exhibited boundaries.

Officer comment

The zone boundaries are derived from the directions contained in the adopted Monash Housing Strategy. Whilst there are a number of areas where a minor adjustment to the boundary is required, for example in the commercial area around High Street Road in Syndal or adjacent to bushland near Alice Street in Mount Waverley, major changes to the boundaries to either include or exclude large areas are not consistent with the adopted strategic housing directions contained in the housing strategy.

The exhibited Neighbourhood Residential zone that has been applied to the Dandenong Valley Escarpment is generally consistent with the extent of the topography to the eastern face of the Dandenong Valley escarpment and the extent of the neighbourhood residential zone in the City of Whitehorse and the City of Greater Dandenong.

The application of the zone took into account the ridgeline and topography that slopes towards the Dandenong Creek valley which affords long range views across the Dandenong Valley and to the Dandenong Ranges.

Further modifying the boundary of the Neighbourhood Residential zone north of Waverley Road or High Street Road by moving it eastward away from Springvale Road, closer to Dandenong Creek, is not recommended as it would be inconsistent with the strategic framework of the adopted housing strategy that promotes lower density suburban development away from activity centres. It would also move the zone boundary away from the distinct physical and visual boundary formed by the topography and Springvale Road and require it to be based it on an arbitrary street selection.

Modifying the boundary of the zones south of Ferntree Gully Road by moving it to the west of Lum Road, is not recommended as this area is not identified as in the Housing Strategy as an element of the Dandenong Valley Escarpment, the topography of the area is generally flatter and does not have a relationship with the Dandenong Valley Escarpment.

Officer recommendation

Other than minor alterations to the boundary of the Neighbourhood Residential zone schedules 2 & 3, to correct anomalies around the creek areas to take into account actual boundaries of Council reserves or existing built form

and existing structure plans, no changes to the zone boundaries from Councils in-principle position are recommended.

As noted earlier in this report the review of the Monash Housing Strategy recommended a change in the name of the Dandenong Valley Escarpment area. It is recommended that this area be renamed to 'Dandenong Valley Environs'.

Refer to Attachment 7 for proposed minor zone boundary modifications.

Submissions relating to the Clayton Activity Centre, Monash Medical Centre and Monash University surrounds

A number of submissions were received in relation to the proposed zones, schedules, public open space requirements and development contribution plan requirements for the residential land in the growth areas identified around Clayton, Monash Medical Centre and the Monash University.

Some submissions expressed concern with apartment style development in the precinct adjacent to Monash University and the intensity of the proposed development.

Several submissions question the location of zone boundaries and were concerned about potential interface issues between zones, particularly the east side of Clayton Road.

While some submitters were supportive of the increased development opportunities, some felt it did not extend far enough, and some were opposed.

A number of submissions objected to the proposed increase Public Open Space contribution and the proposed Development Contribution and sought more detail on the background to these requirements.

Officer comment

The boundaries of the proposed growth areas and the proposed planning controls were developed in conjunction with the MPA and reflect both the Monash Employment Cluster and the Monash Housing Strategy.

Whilst these areas are all identified as appropriate for increased residential development there is an existing character difference between the areas around Monash University and the balance of the areas south of Wellington Road. To reinforce the garden setting of both Monash University and new residential development to the west of the University, an appropriate landscape setting is required. This can be reinforced through an increase to the

proposed front setback from 3 metres to 4 metres for the residential growth areas adjacent to the Monash University precinct.

The Residential Growth zone east of Clayton Road, in the vicinity of Madeline Street has a direct interface with the General Residential zone – Schedule 3. This means that zone boundary is the rear fence line between properties. This is considered an appropriate boundary location as, the street layout is north south, limiting overshadowing impacts, focuses higher intensity development towards Clayton Road, allows the rear setback provisions of the to form the buffer between developments, whilst keeping apartment traffic out of Madeline Street.

The changes to the residential zones proposed in conjunction with the MPA provide potential for at least additional 7,000 dwellings over a 10 year period. (Based on the 2006 Census there are approximately 5,257 dwellings in Clayton.)

Councils Open Space Distribution Analysis Report 2013 identifies Clayton, Hughesdale and Notting Hill as having the lowest level of public open space per person in Monash. There are significant gaps in the open space network in Clayton, particularly in the areas proposed for increased densities.

Ideally, issues such as the provision of public open space, drainage infrastructure, community infrastructure and developer contributions towards community infrastructure would be resolved prior to rezoning land to facilitate substantially increased densities. The development of the Clayton Activity Centre Structure Plan and the Monash Employment Cluster Strategic Framework Plan are the appropriate mechanisms to address these issues and are currently being prepared.

However, unless early provision is made now to address public open space and infrastructure contributions, rezoning the land ahead of the finalisation of the detailed strategic planning work presents a significant risk to Council and the community that infrastructure demands generated by the increased growth will not be contributed to by new development.

There is a critical need to address infrastructure contributions through this rezoning process. Although detailed infrastructure planning has not yet been completed the application of a Development Contribution Overlay across the growth areas is consistent with the planning provisions applied in the rezoning of the Fishermans Bend Urban Renewal Area. It allows the rezoning process to commence; flagging to the community and the development industry the areas that are proposed to have increased residential density will be required to make a contribution to infrastructure and allows the completion of further detailed planning.

Officer recommendation

That the front setback for the Residential Growth zone Schedule 3 in the Monash University precinct be increased from 3 metres to 4 metres.

No other changes to the in-principle position are recommended.

CONCLUSION

The Monash Housing Strategy October 2014 sets out a clear overall direction for the location and character of housing development in Monash.

Amendment C125 is the first stage in the implementation of the Monash Housing Strategy and proposes a range of planning provisions which enhance and protect the garden character of the suburban areas of Monash whilst modifying current Monash development standards to encourage housing growth in appropriate locations.

Although there are some elements of the community who object to the proposed Amendment, and also object to some of the existing provisions of the planning scheme, there is also support from other sectors of the community.

The additional research has demonstrated that the exhibited amendment proposed a strategically sound and balanced approach to the provision of housing that balances growth with garden city character. The amendment either it's exhibited or in-principle form will have no negative impact on the provision of housing capacity in Monash.

It is recommended that Council adopt Amendment C125 in accordance with the modifications set out earlier in this report and refer the amendment and all submissions to an independent panel for consideration.