

Amendment C125 Panel Report Recommendations Summary

Attachment 6

Panel recommends Monash Planning Scheme Amendment C125 be adopted as exhibited subject to the following:

Rec.	Category	Panel Recommendation	Officer Comment / Recommendation
1	MSS	Incorporate in Clause 21.04 the Residential Development Framework Plan (Fig 6A of the Housing Strategy)	Supported. Incorporate Framework plan and update references to Housing Strategy
2	Other Strategies	Evaluate the implementation of the current VPO and enforcement of planning permit conditions requiring retention of existing trees or planting of additional trees to identify ways to improve outcomes under the proposed requirements.	Noted. Council is having a Monash Urban Landscape & Canopy Vegetation Strategy undertaken at present. As part of this project the effectiveness of the VPO will be examined. No action required in response to this recommendation as part of C125.
3	MSS	Identify in Clause 21.04 in Further Strategic Work a realistic work program to build on broad policy statements relating to specialised housing needs such as: meeting the needs of an ageing population, housing requirements of emerging ethnic groups, flexible and adaptable housing design and universal access.	Not supported. It is not appropriate as part of this amendment. These issues can be examined as part of the review of the Monash Planning Scheme, due to commence later this year. Many of these issues relate to State standard provisions or building regulations that cannot be modified by Council.
4	MSS	Provide more specific support in the LPPF for the development of various forms of housing for an ageing population (including independent living through to high care), extended families and students.	Noted but not supported. This issue is considered outside of the scope of the Amendment. This issue can be examined as part of the review of the Monash Planning Scheme, due to commence later this year.
5	LPPF	Clearly articulate in the LPPF the staged approach to implementing the Housing Strategy.	Supported. Modifications to the LPPF will be made.
6	Local Policy	Revise Clause 22.01 including the Preferred Future Character statements to recognise that change is supported in areas identified as having future redevelopment potential such as	Support in principle. These changes will be undertaken as strategic work on these areas progresses.

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		activity and neighbourhood centres, accessible areas, boulevards and residential land in the MNEC.	
7	Zone application	<p>Retain the GR22 for</p> <ul style="list-style-type: none"> a) Housing category areas 1,2,3,4 in the Housing Strategy as having future redevelopment potential b) The Proposed Character Type C are under the Neighbourhood Character Review c) The area of the Wheelers Hill Activity Centre that was exhibited as GRZ5 d) 855 Ferntree Gully Road (northwest corner of Jells and Ferntree Gully Roads) e) Land in the Glen Waverley Activity Centre Structure Plan (GWACSP) area that is not proposed to be rezoned under Amendment C120. 	<p>Not supported.</p> <ul style="list-style-type: none"> a) This recommendation refers to Activity and Neighbourhood Centres, accessible areas and boulevards identified in the Housing Strategy. In order to retain these areas Council would need to determine appropriate boundaries between zones. The strategic work to determine the boundaries and appropriate development standards for the activity centres, accessible areas and boulevards is yet to be undertaken. This work may result in changes that provide more incentive for development than the GR22 provisions. There is sufficient discretion in the planning scheme to allow consideration of development in those areas in the interim. b) Refers to Ashwood (pink area) exhibited as GRZ4. There is no appropriate justification to retain this area in the GR22 and apply lower design standards c) Wheelers Hill – agree d) See response to Recommendation 9. e) Proposed to be GRZ4 – should be retained. The Panel Report for Amendment C120 accepts the Structure Plan and zoning approach. The residential areas that not part of the GWACSP should be treated in the same way as other residential areas.
8	Zone application	<p>Develop a new GRZ based on the proposed GRZ4 to replace the proposed GRZ3 and GRZ4</p>	<p>Supported. With the changes to the side setbacks previously adopted by Council, consolidating the two zones together is appropriate.</p>

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9	Zone application	<p>Apply the new combined GRZ to:</p> <ul style="list-style-type: none"> a) Land that was exhibited as GRZ3 and GRZ4 as modified by changes recommended by Panel b) 1 Avoca Court, Ashwood c) 36 Stapley Crescent, 36 &39 Swanson Cres, Chadstone d) 21,23,24,26,28 Fiander Ave 4/5 Somers Court 5 & 6 Valentine Court 1,2,3,4,6,8,10,12,14 Falconer Street 1 & 3 Huff Street 29,31,33,35,37,39,41,43,45,47,49 Dunscombe Ave, all in Glen Waverley e) 546-556 High Street 2,4,6 Lee Ave 7 St Clair Cres, all Mt Waverley f) 13 Janfourd Court Mt Waverley g) 9,11,13,15,17,19,21,23,25 Marbray Drive, 31,33,35,37,39,41,43,45,47,49 Greenways Rd, all in Glen Waverley h) 2B Oakdene Court, Mt Waverley 	<p>Agree in part.</p> <ul style="list-style-type: none"> • a) – Agree with the consolidation of the two zones into one zone but to apply to all land exhibited as GRZ3 & 4. • As stated in Recommendation 7, it is not appropriate to retain the current GRZ2 across large sections of the municipality without having undertaken the strategic work to identify appropriate zone boundaries and development standards. <p>The Panel did not support Council’s proposed rezoning of all of these sites as it did not support the NRZ in these locations. Council had proposed the following changes to the exhibited zones that are not consistent with the Panel’s recommendations:</p> <ul style="list-style-type: none"> • b) – to NRZ3 • c) – to NRZ3 • d) – to NRZ3 (with the exception of 21 Fiander Ave and 4/5 Somers Court – agree with GRZ) • f) – to NRZ3 • g) – to NRZ3 (Panel also omitted nos. 51-59 Greenways Rd) • h) – to NRZ3 • 855 Jells Road - Council agreed that the GRZ5 should apply to this site (the proposed NRZ4 was applied in error). The Panel report discusses this and recommends retaining the existing GRZ2. • 56-58 & 62 Clayton Road, Clayton – private properties incorrectly zoned PPRZ. Should GRZ6 + DDO13, consistent with the zoning of sites to the south in the Monash Employment Cluster.
10	Zone	Apply the new combined GRZ in combination with a SLO (or	Not supported

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	application	DDO and a VPO) to the land proposed as NRZ2 and delete NRZ2 (except where the Panel has recommended a realignment of the boundary of the Creek Abuttal area)	<p>A key element of the Housing Strategy is the direction of growth away from sensitive or heritage areas and to Activity Centre or the Boulevards. The NRZ2 & 3 contain a 2 dwelling limit and modifications to the ResCode development standards. The Panel are recommending that both NRZ2 and NRZ3 be deleted and replaced with new combined GRZ (the new combined one) with an SLO (or DDO/VPO) added to the areas initially proposed as NRZ2 Creek Abuttal.</p> <p>There is inconsistency in the Panel report as elsewhere the zone is talked about as being retained. See Recommendations 20, 21, 23 & 25.</p>
11	Zone application	Realign boundary between GRZ and NRZ4 in the area bounded by Highbury Road, Springvale Road, Waverley Road, and Gallaghers Road/Westlands Road/Camelot Drive to align with the boundary between proposed Character Types B and D as shown in Figure 5 of the Monash Neighbourhood Character Review Consultation Draft Report (February 2016).	<p>Not supported.</p> <p>This is contrary to the Monash Housing Strategy and Recommendation 14 of the Panel report which recommends using the Housing Strategy Dandenong Creek Escarpment boundary. This recommendation also contradicts other statements in the Panel’s report and is not explained in the Panel report.</p>
12	Zone- decision guidelines	<p>Draft the decision guidelines to the new combined GRZ and the provisions of the SLO (or DDO) to guide the exercise of discretion where:</p> <ul style="list-style-type: none"> a) The interface between a creek – line open space and a property is not along the property’s rear boundary b) Lots are small, irregular or constrained. 	<p>Agree in part</p> <p>The revised amendment included decision guidelines for small or irregular lots.</p> <p>An additional guideline for side boundary interface areas will be included.</p> <p>As noted in Recommendation 10, officers do not support the deletion of the NRZ2 & 3 and use of GRZ + SLO or DDO along the creek areas.</p>
13	Zone application	Delete NRZ3 and apply the new combined GRZ.	<p>Not supported.</p> <p>See Recommendation 10 comments.</p>

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14	Zone application	<p>Apply the NRZ4 to:</p> <ul style="list-style-type: none"> a) Generally apply to Housing Category 6 – Dandenong Creek Escarpment area as exhibited b) The land between Wellington Road, Garnett Road and Whalley Drive, Wheelers Hill identified as Proposed Character Type B area under the Monash Neighbourhood Character Review Consultation Draft Report (February 2016) 	<p>Agree. This is consistent with the exhibited and adopted amendment.</p>
15	Other Strategies	Consider applying the SLO (or the DDO + VPO) to the land with direct abuttal to the Dandenong Creek.	<p>Noted but not supported. It is not appropriate to introduce new planning requirements at this stage of the amendment. The introduction of additional planning provisions for vegetation protection will be considered as part of the Monash Urban Landscape and Canopy Vegetation Strategy, currently being prepared.</p>
16	Zone application	Retain the existing GRZ2 to Proposed Character Type C – Neighbourhood Character Review.	<p>Not supported. The Neighbourhood Character Review is one element in the consideration of application of zone and development standards. The preferred development outcomes in this area are consistent with the garden character outcomes set out in the Housing Strategy and require the changes to development standards as of the combined GRZ provisions.</p>
17	Zone application	Consider the MUZ and RGZ for application to areas identified in the Housing Strategy as having future redevelopment potential in future implementation stages of the Housing Strategy.	<p>Noted. This recommendation is not relevant to Amendment C125. The appropriate zone and development standards will be determined when those growth areas are reviewed.</p>
18	Zone application	Retain GRZ2 to land in the Glen Waverley Activity Centre that is not proposed to be rezoned under Amendment C120.	<p>Not supported. See Recommendation 7</p>

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19	Schedule provisions - ResCode	Vary ResCode street setback requirement (A3 & B6) as follows: a) In NRZ1, NRZ2, NRZ4 - 7.6m or average of adjoining lots (whichever is the lesser) b) In NRZ1 – require an additional 1 m setback for garages and carports	Supported in part. a) The existing front setback requirement of 7.6 metres of the planning scheme was not proposed to be modified as part of the amendment. This change (that would allow for a setback based on the average of adjoining lots) is proposed for the sensitive NRZ areas and may result in reduced front setbacks. It is therefore not clear why the proposed change is not recommended to apply in the combined GRZ. The panel recognised that the front setback is a significant element of suburban character in Monash, so the street setback as exhibited is supported. b) The 1 metre additional setback in the Heritage areas contained in NRZ1 will reinforce the heritage values of the area.
20	Schedule provisions - ResCode	Vary ResCode site coverage requirement (A5 & B8) as follows: a) NRZ2 – 40% b) NRZ1, NRZ4, new combined GRZ – 50%	Supported. These are changes proposed as part of Amendment C125.
21	Schedule provisions - ResCode	Vary ResCode permeability requirement (A6 & B9) as follows: a) NRZ1, NRZ4, new combined GRZ – 30% b) NRZ2 – 40%	Supported. These are changes proposed as part of Amendment C125. Agree
22	Schedule provisions - ResCode	Vary ResCode Landscaping requirement (B13) to link provision of canopy trees to site width and permeable soil area. Consider a standard in the order of one tree per 5-7 metres of soil width.	Supported. This will provide adequate context for tree planting and reduce paved areas, whilst allowing adequate space for trees to develop.
23	Schedule provisions - ResCode	Vary ResCode minimum rear setbacks requirement (A10 & B17) as follows: a) NRZ2 – 7 metres b) NRZ4, and the new combined GRZ – 5 metres	Supported. These changes make a critical contribution to the achievement of garden character and are consistent with the first exhibition of Amendment C125.
24	Schedule provisions -	Maintain ResCode side setback requirements (A10 & B17) in all zones to be applied by the Amendment.	Supported. This change was proposed in the revised amendment.

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	ResCode		
25	Schedule provisions - ResCode	Vary ResCode walls on boundaries requirement (A11 & B18) only in NR22as follows: a) 6.5m + 25% of the remaining length of boundary on an adjoining lot ... b) Walls should not be built on rear boundaries c) The height of a new wall constructed on or within 200mm of a side boundary or rear boundary or a carport ...	Supported.
26	Schedule provisions - ResCode	In all zones applied by the Amendment, vary ResCode Private Open Space requirements (A17 & B28) to: a) Retain the existing secluded private open space requirement of 35sqm with a minimum 5m width b) Allow balconies and roof top areas, with the exhibited dimensions of a 10sqm area and a 2m minimum width, as an option for all forms of multi-unit housing in all zones applied by this Amendment.	Supported in part. This change should only be accepted with the 5 metre rear setback. As this area is required for the recreational needs of the dwelling occupants a further modification to the standard should be made that requires the 35sqm minimum area of private open space to be clear of storage sheds, heating and cooling equipment and water tanks.
27	Zone – decision guidelines	Include a decision guideline in all zone schedules applied by the Amendment requiring consideration of design responses to site constraints, site context, and irregular shaped lots when exercising discretion relating to ResCode requirements.	See Recommendation 12
28	Zone application	Abandon the exhibited rezoning to RGZ3 and GRZ6 of land in the MNEC and maintain the current GRZ2 for the land.	Not supported. Sufficient planning context exists to justify the application of the RGZ3 and GRZ6 to these growth areas.
29	DCPO	Delete the exhibited DCPO1.	Not supported. Sufficient planning context exists to justify the application of the DCPO1 to these growth areas.
30	52.01	Delete the exhibited increase in the Clause 52.01 Public Open Space contribution.	Supported. Council had already determined to delete this provision and revisit public open space requirements as part of the Monash Open Space Strategy.
31	Local	Rewrite the Desired Future Character Statement for the MNEC	Supported in principle.

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	Policy	<p>(Clause 22.01) to:</p> <ul style="list-style-type: none"> a) Adopt a more positive expression of the intended change envisaged by policy for the MNEC b) Acknowledge that strategic planning will development and articulate future character aspirations. 	<p>These changes cannot be made until Monash National Employment Cluster Framework Plan, being prepared by the VPA, is completed.</p>
32	MSS	<p>Edit Clauses 21.01 Municipal Profile, 21.02 Key Influences, 21.03 Vision to:</p> <ul style="list-style-type: none"> a) Reduce repetition, particularly in relation to Garden City/neighbourhood character and extensive descriptions of data that will date b) Update the Strategic Framework Plan (March 2009) in Clause 21.03 to recognise the current Housing Strategy and policy relating to MNEC c) Consider the utility of content relating to Monash 2021: A Thriving Community (2010) to inform planning decisions. 	<p>Supported in principle. Revision and editing of the MSS and LPPF sections could be undertaken as part of the regular Monash Planning Scheme review, due to be commenced in the next few months.</p>
33	MSS	<p>Revise Clause 21.04 to give greater emphasis to the Housing Strategy and align with its content, including incorporating the Residential Development Framework Plan.</p>	<p>See above</p>
34	Local Policy	<p>Revise Clause 22.01 to:</p> <ul style="list-style-type: none"> a) Align more closely with the strategic intent in the Housing Strategy b) Ensure the overarching general policies align with the provisions of the zone schedules (as modified) c) Delete the Existing Character statements d) Edit the Desired Future Character statements to provide more focussed guidance with a succinct statement of character aspirations and the key elements to be promoted to achieve it e) Recognise that the broad character areas include 	<p>See above</p>

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		<p>distinctive areas and that appropriate responses will be different on main roads and residential hinterland areas</p> <p>f) Reinforce the importance of site analysis in developing a design response that responds to both the broader future character objectives and the particular attributes of the site and its context.</p>	
35	Zone – transitional provisions	<p>If state-wide transitional provisions are not introduced before the Amendment is approved, incorporate a transitional provision to the following effect in each of the residential zone schedules that are introduced by the Amendment:</p> <p><i>The requirements of the planning scheme in force immediately before (date) continue to apply to a permit application made before that date to the extent that, but for this clause (Clauses 32.07, 32.08 a32.09) would apply to such an application.</i></p>	<p>Not Supported</p> <p>As Amendment C125 has been through an extensive consultation period, property owners (who were formally notified in June 2015) have had their transitional period of sorts. It is unusual to have transitional arrangements such as proposed by the Panel – they are not included for general rezoning or other policy changes. Until such time as a decision is made on the amendment by the Minister for Planning, Council officers will implement a 2 stage process in the consideration of applications and pre-applications for planning permits.</p>