

Planning and Environment Act 1987

Residential Zones (Stage One) **Standing Advisory Committee Report**

Moreland Draft Amendment C153

This report must be read with Stage One Overarching Issues Report

20 June 2014



Planning and Environment Act 1987

Advisory Committee Report pursuant to Section 151 of the Act

Residential Zones Standing Advisory Committee Report (Stage One)

Moreland Draft Amendment C153

A handwritten signature in black ink, appearing to read 'Sue Porter', on a light grey background.

Sue Porter, Chair

A handwritten signature in black ink, appearing to read 'Esther Kay', on a light grey background.

Esther Kay, Member

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List of Abbreviations

| | |
|-----------------|---|
| ACZ | Activity Centre Zone |
| the Committee | The Residential Zones Standing Advisory Committee |
| DDO | Design and Development Overlay |
| DPO | Development Plan Overlay |
| Draft Amendment | Draft Amendment C153 to the Moreland Planning Scheme |
| DTPLI | Department of Transport, Planning and Local Infrastructure |
| EMO | Environmental Management Overlay |
| ESD | Environmentally Sustainable Development |
| ESO | Environmental Significance Overlay |
| GRZ | General Residential Zone |
| HO | Heritage Overlay |
| LAC | Local Activity Centre |
| LPPF | Local Planning Policy Framework |
| LSIO | Land Subject to Inundation Overlay |
| MSS | Municipal Strategic Statement |
| NAC | Neighbourhood Activity Centre |
| NRZ | Neighbourhood Residential Zone |
| PN78 | Practice Note 78, Applying the Residential Zones, December 2013 |
| PPTN | Principal Public Transport Network |
| PTV | Public Transport Victoria |
| R1Z | Residential 1 Zone |
| ResCode | Clauses 54 and 55 of the VPP |
| RGZ | Residential Growth Zone |
| SBO | Special Building Overlay |
| SPPF | State Planning Policy Framework |
| VIF | Victoria in Future |

Summary and recommendations

Moreland City Council is one of 14 councils that have taken advantage of the Residential Zones Standing Advisory Committee process to prepare a draft planning scheme amendment using the three new residential zones; the Residential Growth Zone, the General Residential Zone and the Neighbourhood Residential Zone.

The Committee's *Stage One Overarching Issues Report* outlines the background to the development of the zones, their purposes and schedule templates, the policy context in which they are to be applied, relevant Practice Notes, and the Statewide issues identified through submissions to the Committee and the Committee's public hearings.

This report focuses on draft Amendment C153 to the Moreland Planning Scheme and must be read in conjunction with the Committee's *Stage One Overarching Issues Report*.

The Committee is impressed by the extent of the strategic work that Council has undertaken over the past 10 years to create, support and articulate a contemporary strategic planning framework for the municipality. Some findings and recommendations in this report may appear critical; however, the Committee has sought to provide guidance to Council to support the ultimate implementation of the new residential zones into the Moreland Planning Scheme. Council's extensive strategic work to date provides a solid base to undertake necessary further strategic work.

The preparation of draft Amendment C153 to the Moreland Planning Scheme has been guided by advice from government, but it has also occurred during a time when a new metropolitan planning strategy, *Plan Melbourne*, was being finalised which sets out the State government's vision for the longer term planning of the City and contains policy expectations that differ in some ways from the previous metropolitan policy. The final *Plan Melbourne* strategy was released in May 2014, and was introduced in the State Planning Policy Framework through Amendment VC106.

The Committee appreciates that Council has had to promptly respond to the changing policy framework and consider how *Plan Melbourne* should guide the application of the new residential zones in Moreland. The updated *Victoria in Future* population and dwelling forecasts for local government areas to 2031, released in early June 2014, indicates that Moreland will have significantly more demand for housing than was previously anticipated. It is against this background that the Committee has undertaken its review of the draft Amendment.

The Council has a number of documents that as yet have no formal status in the planning system and there are several planning scheme amendments still to be resolved. Council is attempting to deal with this by rewriting its Municipal Strategic Statement and local planning policies through Amendment C152, which is currently with the Minister for Planning for approval. It is intended that this amendment will update the strategic planning framework sufficiently so that it is more consistent with recent strategic work. Council's strategic work will be implemented through a series of further amendments.

Generally, where relevant strategic work is not available to support the application of the Residential Growth Zone, the General Residential Zone and the Neighbourhood Residential

Zone, the draft Amendment can be assessed against the existing strategic planning frameworks currently contained in the local Planning Scheme. Due consideration has been given to new work, but where it is not already in the scheme or there is insufficient detail to support application of the zones, the Committee has not supported application of the zones based on this work alone. Likewise, the Committee has looked for specific policy to support the content of proposed zone schedules, whether this is a height limit, a density control (Neighbourhood Residential Zone only) or a variation of a ResCode standard. Where the Committee has been unable to find a direct link to an existing policy, the Committee has not supported this change.

In Moreland's case, the Committee has concluded that the Residential Growth Zone and the Neighbourhood Residential Zone cannot be strategically justified at this time. Instead the Committee has recommended translating the Residential 1 Zone to the General Residential Zone and supports one variation to the zone schedules, Standard B13 - Landscaping. The Committee encourages Council to continue with its strategic work and to work through the following issues in its consideration of the Committee's report:

Plan Melbourne's vision and planning framework

The Committee suggests that it would assist Council to take a step back from its local strategic planning work and amendments and assess the opportunities presented by *Plan Melbourne*. The planning framework that *Plan Melbourne* presents aligns reasonably well with the strategic planning framework that the Council is trying to build. There are some differences to resolve, but the Committee's view is that Council's strategic framework will be stronger if it can be linked to *Plan Melbourne's* issue - and spatially-based policies and demonstrate achievement of that plan's objectives. This is particularly relevant to determining the role that Moreland plays in delivering employment, services, amenity and housing and in supporting public transport improvements. Striking a balance between competing objectives be a challenge, but the *Plan Melbourne* framework may provide a way forward for Council.

A Housing Strategy for Moreland

One of the most important conclusions of this Committee has been the difficulty in making an assessment of the appropriateness of a residential zone when it is not clear what role the land in question should play in meeting overall housing needs including housing quantity, quality, diversity, affordability, accessibility and choice. This is discussed in the Committee's *Stage One Overarching Issues Report*.

It is difficult to assess the appropriate mix of zones and the extent of their application in the absence of a comprehensive, municipal housing strategy that takes account of housing in all zones and works through the housing mix needed to meet the needs of the Moreland population into the future, and how Moreland contributes to the housing needs of the broader metropolitan region. For example, the Committee is unable to determine whether the Neighbourhood Residential Zone should be used to protect lower density housing when the role of this housing and the effect protection will have on the long term housing needs of the city have not been fully analysed. It may be an appropriate use of the zone, but leaving heritage and neighbourhood character considerations aside, the argument has not

been made in terms of *housing needs* because it is not clear what role this housing should play in the housing mix.

Plan Melbourne identifies that the Metropolitan Planning Authority will be responsible for the metropolitan housing picture and the Committee has found the absence of a regional context difficult. Council is encouraged to seek advice and assistance from the government in preparing a housing strategy.

Integrating planning provisions within defined spatial areas

Council is proceeding with amendments to implement the Coburg and Brunswick Structure Plans and presumably Glenroy will follow. Structure Plans have defined spatial boundaries. Likewise Council is finalising boundaries for the smaller activity centres where growth is to be directed. It has struck the Committee, particularly with regard to the Structure Plan amendments, that a range of possible VPP tools are available to Council to achieve its goals. Yet the use of the Residential Growth Zone, for example, has not been appropriately examined to consider how the zone and zone schedule might fit with other statutory controls. For example, how should built form provisions be translated into a zone schedule and is this necessary if there is a Design and Development Overlay that can do the job as well or better? Council is encouraged to review its current amendments and ensure there is a 'best fit' package of statutory provisions, including the use of a residential zone, for activity centre locations.

Using the General Residential Zone as transition mechanism

In forming its recommendations, the Committee considers the General Residential Zone is the only zone that can be strategically justified at this time, as a 'transition mechanism'. The General Residential Zone is the default zone and will allow Council additional time to prepare a housing strategy, implement the structure plan amendments, finalise its Moreland Higher Density Design Code. The Committee therefore encourages Council to use to reconsider the application of the new zones alongside *Plan Melbourne* and a comprehensive analysis of housing needs.

Recommendations

In conclusion, the Committee consider that it would not be appropriate for draft Amendment C153 to the Moreland Planning Scheme to proceed at this time.

The Residential Zones Standing Advisory Committee recommends:

- 1. Draft Amendment C153 to the Moreland Planning Scheme not be prepared, adopted and approved pursuant to section 20(4) of the *Planning and Environment Act, 1987*.**
- 2. Apply the General Residential Zone with no requirements specified in the schedule to the areas identified in draft Amendment C153, through an amendment to the Moreland Planning Scheme, pursuant to section 20(4) of the *Planning and Environment Act, 1987*, until further strategic work is undertaken.**
- 3. Council prepare a Housing Strategy to properly inform the application of the new residential zones.**

- 4. Strategically justify variations to Schedules 1 and 2 to the Residential Growth Zone before introducing these through a future amendment.**
- 5. Strategically justify variations to Schedule 1 to the General Residential Zone before introducing these through a future amendment.**
- 6. Strategically justify variations to Schedules 1 and 2 to the Neighbourhood Residential Zone before introducing these through a future amendment.**
- 7. Avoid variations to provisions in schedules to the residential zones where the zone itself does not provide the legal ability, in any future amendment.**

Amendment summary

| | |
|----------------------------|---|
| The draft Amendment | Draft Amendment C153 to the Moreland Planning Scheme (draft Amendment) |
| Planning Authority | Minister for Planning |
| The Subject Land | All land currently zoned Residential 1 in the municipality. |
| Purpose | Rezone all land currently zoned Residential 1 in the municipality to: <ul style="list-style-type: none">- General Residential Zone 1.- Neighbourhood Residential Zone 1 and 2.- Residential Growth Zone 1 and 2. |
| Request | At its meeting of 12 March 2014 Council endorsed draft Amendment C153 to be referred to the Residential Zones Standing Advisory Committee for review. |
| Notice | <p>The Notice Period was between 17 March 2014 and 17 April 2014.</p> <p>Notices appeared in:</p> <ul style="list-style-type: none">- Herald Sun on 17 March 2014- The Age on 17 March 2014- The Leader on 17 March 2014- The Weekly Review Moonee Valley on 19 March 2014 <p>Council also provided a direct notice to every resident in the Residential 1 Zone with an accompanying explanatory brochure.</p> |
| Submissions | A total of 237 submissions were received. |
| Hearing | 12 -16 May, 2014 |
| Appointment | The Residential Zones Standing Advisory Committee was appointed by the Minister for Planning on 5 February 2014. |
| Members | Sue Porter, Chair Esther Kay, Member |
| Date of this Report | 20 June 2014 |

1 Introduction

1.1 The proposal

Draft Amendment C153 to the Moreland Planning Scheme (the draft Amendment) proposes to rezone all Residential 1 Zone (R1Z) land to one of the following zones:

- Clause 32.07 – Neighbourhood Residential Zone 1 (NRZ1) – Low Density Residential Area 1
- Clause 32.07 – Neighbourhood Residential Zone 2 (NRZ2) – Low Density Residential Area 2
- Clause 32.08 – General Residential Zone Schedule 1 (GRZ1) – General Residential
- Clause 32.09 – Residential Growth Zone Schedule 1 (RGZ1) – Four (4) Storeys
- Clause 32.09 – Residential Growth Zone Schedule 2 (RGZ2) – Three (3) Storeys.

The draft Amendment makes consequential changes to the following Local Planning Policy Framework (LPPF) clauses:

- Clause 21.02-3 – Municipal Strategic Statement (MSS) Strategic Directions, Strategic Direction 3: Housing
- Clause 21.03-3 – Housing
- Clause 22.01 – Neighbourhood Character.

At the Hearing, Council advised it has prepared a new LPPF which is to be implemented through Amendment C152 to the Moreland Planning Scheme (Amendment C152) which will be discussed later in this report. However, there are further revisions to the Amendment C152 version of the LPPF that are proposed through this draft Amendment.

Council has advised the draft Amendment will require changes to all planning scheme maps. The Department of Transport, Planning and Local Infrastructure (DTPLI) prepared an initial set of maps, however for this process, Council has relied on rezoning maps prepared in house.

1.2 Submissions

The Residential Zones Standing Advisory Committee (the Committee) received a range of submissions which raised issues in relation to the application of the zones generally and in relation to specific sites; the details contained in the zone schedules and the overall process of applying the new zones. A number of more general submissions were received. These are dealt with in the Committee's *Stage One Overarching Issues Report*.

This report focuses on submissions which specifically relate to the draft Amendment, and can be summarised as:

- Support for the application of the NRZ and the associated Schedules, with suggestion the NRZ should be more broadly applied. There was opposition to the application of the NRZ, stating it will inhibit appropriate medium density development that will contribute to urban consolidation.

- Support for the concept of ensuring diversity of residential development and the need to protect single dwellings, backyards and trees within the southern part of the municipality.
- Support for the inclusion of higher density development within the existing Activity Centres.
- Concern that insufficient land has been made available for both medium and higher density development.
- Support for more extensive housing development opportunities across the municipality as it is well placed with regard to employment, transport and services.
- Concern that limitations on existing infrastructure, particularly public transport and roads, need to be addressed when considering the extent and type of future development.
- Concern the application of the zones has not taken full advantage of public transport opportunities available.
- Support and opposition for the inclusion of an eight metre height limit in the GRZ.
- Concern application of the zones is not consistent with the existing strategic planning policy framework.
- Support for the current R1Z being translated to GRZ with no schedule variations.
- Concerns with significant differences between the approach advocated in the 2013 concept plan and the draft Amendment.
- Concern the application of the NRZ to older industrial/warehouse heritage buildings will prevent their future adaptation to residential uses; and limit development opportunities on important strategic redevelopment sites and larger than average sites.
- Concern the proposed variations to the zone schedules are inappropriate both in the way they are constructed/worded and the impact they will have on future development.
- Concern with the application of different zones based on street boundaries which can lead to different development outcomes on the opposite sides of the street.
- Consider that Moreland has already done its fair share of accommodating higher density and it is reasonable to protect the existing neighbourhood particularly south of Moreland Road.
- Whether the zone applied to specific properties is appropriate.
- There seems to be little justification for setting zone boundaries at the finer grain.

The Committee has considered all written submissions. A list of all submissions and documents tendered at the Hearings is attached as Appendix A.

A list of all submitters is attached as Appendix B.

In reaching its conclusions and recommendations, the Committee has read and considered the written submissions and other material referred to it. The following chapters of this report discuss the issues raised in submission relating to the draft Amendment in further detail. The Committee's conclusions and recommendations are provided in the Executive Summary and throughout the report.

1.3 Issues dealt with in this report

In order to address these submissions the Committee will consider:

- Population forecasts and housing trends
- Planning Context
- Council's approach to applying the zones
- Applying the zones and schedules

2 Overview of Moreland

2.1 Moreland context

Moreland is an established inner municipality of Melbourne located between four and 14 kilometres from the central city. *Plan Melbourne* places Moreland in the northern subregion. Moreland is well situated in relation to central Melbourne, the airports, northern metropolitan industrial precincts, regional activity centres; and major transport infrastructure including Citylink, the Western Ring Road, and rail, tram and bus services. The street and public transport network runs principally in a north-south direction and includes Sydney Road, Nicholson Street, Lygon Street and Melville Road. The public transport network includes the fixed rail Craigieburn and Upfield lines with a total of 13 train stations, the number 55 tram with services along Sydney and Melville Roads to Bell Street, and Smartbus stops in Bell Street and Brunswick Road.

The largest proportion of Moreland is used for residential housing (68 percent). The remainder comprises 14 percent reserved for public purposes, eight percent for public open space, and 10 percent industrial and business usage.

Typical of older parts of Melbourne, Moreland has a diversity of land uses and residential neighbourhoods with the earliest settlement concentrating in its southern areas. This area is attracting increasing development both in terms of mixed use as well as higher density development around the Brunswick Activity Centre and associated transport routes, particularly apartment style development. Yet neighbourhoods with single dwellings, many of which are considered to have heritage significance, still remain in between these transport routes.

South of Moreland Road is characterised by a mixture of older style industrial/warehouse and commercial development, some of which is still operational, yet some is not and presents significant redevelopment opportunities.

Central and northern areas are principally residential with larger allotments and later styled dwellings, except for the major retail centres of Glenroy and Coburg, and the significant industrial precincts in Coburg North including the Newlands and Coburg Industrial Estates. Increased medium density development is occurring throughout the northern part of the municipality, particularly near Glenroy and Pascoe Vale.

The open space network includes the corridors along the Moonee Ponds and Merri Creeks, which also serve as the western and eastern municipal boundaries, respectively.

3 Population forecasts and housing trends

3.1 Population forecast

Council submitted the Victorian government population and dwelling forecast based on *Victoria in Future 2012* (VIF) identify that Moreland's population will grow by 27,000 people and will require an additional 14,277 dwellings by 2031.

The VIF 2014 data has been updated but was not available at the time of the Hearing. VIF 2014 indicates a 2014 estimated population of 163,929 and a 2031 estimated population of 211,990, an increase of 48,061 people. VIF 2014 estimates an additional 26,041 dwellings will be constructed between 2011 and 2031, which is a substantial increase from the 14,277 dwellings based on the previous VIF figures.

The Committee acknowledges Council has not had the opportunity to comment on the new VIF data or its implications.

The Council submitted that whilst the number of family households made up of two adults with children will continue to form the majority of Moreland's household types, the number of smaller households will continue to grow. Therefore, there is a need to provide for a diversity of different housing types to meet the range of different household sizes, including a mix of detached dwellings and a range of smaller dwellings in the form of townhouses, units and apartment.

3.2 DTPLI Moreland Housing and Population Report April 2014

The DTPLI report provides information about Moreland's population growth and development trends over recent years. Since 2000, Moreland has added over 21,000 residents at an average annual growth rate of 1.8 percent. The greatest increase has been in Brunswick, Brunswick East and Brunswick West, followed by Falkner. Population growth was particularly strong in the years between 2007 and 2009; with over 8,600 new residents in these three years. Since 2006, population growth has consistently exceeded 1,500 new residents each year.

Development trends indicate the rate of development has accelerated over a few short years. Since 2002, building approvals have steadily increased, and since 2007, approvals have consistently exceeded more than 1,000 dwellings per annum, with 2012-13 anticipated to be a record year for approvals, exceeding 1,800 dwellings.

The report indicates that dwelling supply is derived from development projects of every scale, with developments providing 20-100+ and two to four dwellings being the major project types being undertaken.

The report states that compared to other municipalities in the established areas of Melbourne, Moreland is considered to be a relatively high housing supply municipality.

In terms of the three main Activity Centres, the report indicates that Brunswick has been the overwhelming focus of new housing developments with the population believed to have doubled between 2004 and 2011. Brunswick ranks as one of Melbourne's highest housing growth Activity Centres that demonstrate urban consolidation and renewal in practice.

In relation to the Coburg Activity Centre, nearly all of the new housing development is associated with the redevelopment of Pentridge; and it is expected that an additional 3,300 new dwellings will be constructed over the next decade. Additional housing is also anticipated within the established residential areas surrounding this Activity Centre.

The report concluded that overall, the growth and development aspirations for Moreland's Activity Centres are being realised, noting that favourable conditions are still to emerge that will see increased development activity in Glenroy.

In terms of development along the transport corridors, the report indicates that between 2004-2011, 45 percent of Moreland's new dwellings were constructed within a transport corridor, with most being apartments and units built at medium and higher densities of 2-3 storeys. It suggests the same advantageous development circumstances that have supported higher scale development within the Coburg and Brunswick Activity Centres have applied to Moreland's transport routes, particularly the availability of redundant sites ready for renewal and supportive planning controls.

The report indicates that in addition to more intensive development with higher yields occurring in the southern part of Moreland during 2004-11, there is a significant amount of development occurring in the northern part (43 percent of Moreland's housing activity) which is predominantly dual occupancy and three - four dwellings development projects, which make a significant contribution to housing supply within the municipality.

In analysing the permit data, the report identifies that in addition to development within residential areas, there is also significant increase in housing and population growth within the commercial areas.

This report indicates that Moreland's population has a higher proportion of 25 to 39 year olds than greater Melbourne. There was a high level of churn in this population between 2001 and 2011. The report notes that couples with no children and group households both increased during this period. The number of children is increasing in Moreland even though families with children declined slightly as a household type during the same period.

This information provides useful context in considering the application of the residential zones and has been taken into consideration by the Committee.

4 Planning Context

4.1 State Planning Policy Framework

The State Planning Policy Framework (SPPF) is outlined in the Committee's *Stage One Overarching Issues Report*.

(i) Plan Melbourne

Of particular relevance to Moreland is the identification of the Jewel Train Station and the Brunswick to Batman Station Corridor as a priority urban renewal area, stating:

Land around railway stations and train corridors can provide valuable development opportunities, due to access to public transport. Over the coming decades, we will be building a number of new railway stations as we develop the network and we will ensure these integrated with land development. Existing stations and corridors will also be assessed for their development potential.

4.2 Local Planning Policy Framework

Moreland is preparing a review of its LPPF, with significant changes proposed to both the MSS and local planning policies.

The Committee has considered both the current and revised LPPF and the relevant directions contained in each are outlined below:

(i) Current Local Planning Policy framework

Municipal Strategic Statement

Clause 21.04 – Moreland's Vision – seeks to create an environmentally sustainable and liveable city, where people can shop, work and socialise locally.

Clause 21.04-2 – Focus Areas for Change – identifies that Council's vision is captured in the concept of urban villages, which are local urban activity centres based around good public transport links and have a mix of residential development, employment and open space; providing a range of local services and encouraging a lively and active community.

This Clause identifies Coburg as a Principal Activity Centre, Brunswick and Glenroy as Major Activity Centres and 18 urban villages as shown on the Strategic Framework Map in Appendix C.

In terms of transport, this policy seeks to move people away from cars to trams, trains, buses, bicycles and footpaths and to achieve this, transport and urban planning will be integrated to cluster development near transport corridors.

Clause 21.05-1 – Housing – emphasises the reasons to support urban consolidation and provide new housing in existing areas with good public transport are compelling, and are in line with achieving Council's environmental sustainability principles. It recognises that increased housing densities around activity centres has demonstrated significant local economic benefits supporting local retail and providing employment. It recognises that infill development needs to enhance rather than fragment preferred neighbourhood character

and that protecting 'special characteristics' of the area can be a draw card for investment. The need to provide adequate, appropriate and affordable housing is recognised, as recent trends suggest housing is becoming less affordable and there is a mismatch between community needs and housing provision. This policy specifies seven objectives in relation to housing and these are:

- *To ensure new development provides high quality amenity and makes a positive contribution to the preferred character of the neighbourhood.*
- *To ensure housing caters for the needs of residents at various stages in their lives, and for different mobility, income and cultural groups.*
- *To ensure increased density development is appropriately located and designed to contribute to achieving environmental sustainability.*
- *To encourage new development to contribute to achieving environmental sustainability.*
- *To encourage the development of well designed housing in activity centres/urban villages.*
- *To encourage the provision of affordable housing in order to maintain the social well-being of the municipality.*
- *To ensure that geotechnical hazards are identified and managed so as to minimise risk to property and persons.*

In terms of the key strategies to achieve these objectives, the most relevant include:

- *Manage the level and nature of new residential development based on the capacity of individual neighbourhoods to accommodate change with regard to heritage, urban character, amenity and infrastructure capacity considerations.*
- *Support increased housing intensity within designated activity centres, urban villages and transport corridors, in accordance with any relevant structure plan and/or the Moreland Neighbourhood Character Guidelines 2006 and Neighbourhood Character Local Planning Policy.*
- *In accordance with Clause 55, encourage medium density housing across the municipality that achieves good amenity for occupants and neighbours and contributes to preferred urban character statement for the area, as described in the neighbourhood character policy and guidelines.*
- *Recognise the opportunity for higher density development and innovative design on large sites and former industrial sites designated as Multi Use - Employment, Multi Use- Residential and Transition-Residential on the Industry and Commerce Framework Map (Map 5) that will benefit from establishing their own unique character with minimal impact on surrounding areas.*
- *Apply the Design Guidelines for Developments of Four or More Storeys 2005 and the Local Planning Policy for Developments of Four or More Storeys, to developments of four or more storeys.*

Map 4 Housing Strategy is included in Appendix D.

Further strategic work identified includes developing a Residential Development Housing Strategy to ensure the appropriate form and location of new housing throughout the municipality.

This Policy identifies the *'Moreland Housing Strategy'* Moreland City Council, 27 May 1996 as a Reference Document.

Clause 21.05-2 – Industry and Commerce – identifies some former industrial sites for redevelopment for residential uses at increased densities. In terms of categories of employment land, the clause distinguishes between *'Multi – Use Residential'* where opportunity exists for mixed use developments and *'Transitional- Residential'* where, given the surrounding land use pattern and/or access arrangements, it is appropriate that the area convert over time to residential uses, whilst still allowing some industry providing it is compatible with residential uses. This policy includes an objective which seeks to support and encourage employment generating business in accordance with the Industry and Employment Framework Map. Some of the key relevant strategies include encouraging the development of higher density residential uses in Transition-Residential Areas and mixed uses (including residential) in the Multi-Use Residential Areas; and there is also a need to ensure these redevelopments contribute to improved streetscape character.

In terms of the application of zones and overlays, this policy states the Multi-Use Residential Areas should be within a Mixed Use Zone, whereas the Transition- Residential Areas should be within a R1Z when the subject land is remote from activity centres.

One of the specific actions under *Further Strategic Work* is a review of all heritage places within the Industry and Employment Areas to identify if considerations of prohibited uses, in particular residential, are necessary for their conservation and to modify the Heritage Overlay (HO) Schedule accordingly.

Clause 21.05-3 – Retail – recognises activity centres and urban villages can accommodate increased residential densities that will contribute to improved retail activity and local services; and seeks to encourage higher densities as part of the revitalisation of commercial strips on fixed transport routes in accordance with neighbourhood character policy.

Clause 21.05-4 – Heritage – recognises the many reasons why it is important to protect Moreland's heritage assets and that restoration, revitalisation and re-use of buildings is both environmentally responsible and can save significant resources. A key strategy is to respect the context of heritage places where it contributes and relates to the experience and significance of a place. In considering heritage issues, the *Use of Policy and the exercise of discretion* refers to a local Heritage Policy at Clause 22.13 and considering the citations for a heritage place, including a *'Statement of Significance.'*

Clause 21.05-5 – Urban Design, Urban Character and Street Landscapes – recognises that Moreland's urban character has developed from a rich social history and cultural diversity. Promotion of a preferred future character acknowledges the City is ever changing and provides the opportunity to reinforce the valued elements of the existing character, whilst confirming preferred future character acceptable to the changing needs of the community. It seeks to ensure good quality urban design outcomes from development, and seeks to encourage urban design that contributes to the complexity of interest of the built

environment while respecting neighbourhood character and cultural heritage. Clause 54 and 55 should be applied to ensure local areas are protected from poor quality development and refers to the neighbourhood character policy and the *Design Guidelines for Developments of Four or More Storeys*.

Clause 21.05-9 – Integrated Transport Systems – recognises the contribution increased residential densities around public transport nodes can have on achieving environmental sustainability. It seeks to ensure land use development and transport systems are integrated and that higher land use densities are clustered close to public transport services.

Local Planning Policies

Clause 22.02- Development within Designated Activity Centres and Urban Villages - builds on the housing objectives and strategies in the MSS and defines activity centres and urban villages based on their strategic importance and functional characteristics, such as access to different forms of transport, connectivity of local street network, land use mix, potential land use and development opportunities, and nature of public open space. Structure plans are to guide development where they exist. The key objectives of this policy are:

- *To promote attractive and safe living environments with a strong identity and sense of community.*
- *To increase the choice of housing available to a wide range of ages and lifestyles.*
- *To maximise opportunities for local employment by providing a mix of shops, offices, community facilities, industry and residences.*
- *To facilitate access to better serviced and safe public transport nodes.*

Proposals are to accord with the neighbourhood character guidelines and policy. For buildings four stories or more, reference is to the *Design Guidelines for Developments of Four or More Storeys 2005* and Clause 22.11 *Developments of Four or More Storeys*.

The structure plans identified in the policy as reference documents are the *Anstey Urban Village Structure and Action Plan* (1999) and the *Merlynston Urban Village Structure and Action Plan* (1999). There is also reference to an *Urban Villages Project, East Brunswick Case Study Report* (1996) (These Structure Plans were not referred to at the Hearing and the Committee assumes they have been superseded by more recent structure planning and activity centre work).

Clause 22.03 – Industry and Employment – applies to land shown on the Industry and Employment Framework. In relation to *Multi Use Residential Areas*, it seeks to provide the opportunity for a mix of uses, including residential; and for *Transitional-Residential* – it seeks to provide an opportunity for industrial sites to be converted to residential uses.

Clause 22.05 – Developments within the Upfield Corridor – recognises the importance of this corridor to the economic prosperity of the municipality and that as part of its revitalisation, a greater mix of uses including residential are necessary.

Clause 22.10 – Neighbourhood Character – applies to all development in the residential, mixed use and business zones, except where a Council adopted Structure Plan exists which takes precedence over this policy. This policy seeks to build on the key issues in the MSS relating to ensuring community benefit from increased density development and enhancing

neighbourhood character, housing and urban design (amongst others). The objective for all areas is to ensure development responds positively to and reinforces the positive elements of the *Key Characteristics of the Existing Character* identified for each Character Precinct in the *Moreland Neighbourhood Character Guidelines 2006* and the *Preferred Future Character Statements* as identified in the *Moreland Neighbourhood Character Guidelines 2006*.

In relation to 'Residential Character Areas' the objectives are:

- *To discourage more intensive forms of residential accommodation on remote sites.*
- *To ensure that new development respects the existing scale and siting of the predominant built form of the precinct.*
- *To improve the landscaped and green character.*

It is policy that the design response for a development responds positively to and reflects the characteristics of the existing character of precincts as identified; and the preferred future character of the residential character area as identified in the *Moreland Neighbourhood Character Framework Plan* by implementing the following design standards:

Preferred Future Character Residential Character Areas

- *Building height should not exceed 2 storeys unless it can be demonstrated that:*
 - *The prevailing height of surrounding buildings is higher than 2 storeys, in which case up to 1 storey above the prevailing height is acceptable;*
 - *The site is large enough to allow the off-site impacts of the development to be mitigated through a design response and is located in proximity to infrastructure and services. In such cases, the building height at the interface with the street and adjoining properties must be no more than 1 storey above the prevailing height of surrounding buildings.*
- *Development in rear yards should be single storey. Double storey development will be considered only where reduced building site coverage is consistent with existing surrounding character of rear yards and garden outlooks.*
- *Prevailing setbacks (front and side) should be retained. Rear setbacks should have regard to the importance of rear yards and garden outlooks in accordance with the characteristics of the precinct.*
- *At least one semi mature tree with spreading canopy should be planted in the front setback, where the prevailing setback permits.*

Clause 22.11 – Development of Four or More Storeys – builds on Clauses 21.05-1 and 21.05-5 and seeks to support urban consolidation in activity centres, areas close to public transport and in some cases, larger development sites recognising that appropriately located and well-designed buildings of four or more storeys will assist in achieving these objectives and complements the Guidelines for Higher Density Development referred to in the SPPF.

The policy outlines design guidelines in relation to five design elements including the public-private interface, off site impacts, movement and access, internal planning and design; and

technical performance (including ESD elements) which are to be addressed in an urban context report and a design response. The key relevant objective and design responses are:

- *Public-private interface* – seeks to ensure development relates positively to adjacent streets and public spaces and a key design guideline is that new buildings in residential zones should respond to the Preferred Future Character Statement for the area.
- *Internal planning and design (Landscaping and Outdoor Space)* - seeks to enhance the appearance of the development and provide sufficient, sunlit and secure private open space for the reasonable recreational needs of residents; use advance growth trees where space permits; and private open space associated with dwellings should have an area of eight square metres, with a minimum width of 1.6 metres, and convenient access from a habitable room.

This policy identifies the *Design Guidelines for Developments of Four or More Storeys (Moreland City Council, June 2005)* as a Reference Document.

Clause 22.13 – Heritage Policy – applies to all land covered by a HO and seeks to encourage the conservation and enhancement of all heritage places and to protect them from inappropriate development. It is policy to consider the Statements of Significance for HO affected properties, however these are not outlined in the policy, but rather are included in Reference Documents.

Reference Documents

Moreland Neighbourhood Character Guidelines 2006

The Guidelines refer to 90 precinct data sheets providing *Descriptions of Existing Character* and *Key Characteristics of Existing Character*. It then outlines the *Preferred Future Character Statement for Residential Character Areas* under the headings of Scale, Building Height, Setbacks and Significant Trees and Landscaping. The majority of these have been included as policy in Clause 22.10. The detailed precinct data sheets are called up by the Policy but are only included in a Reference Document.

4.3 Revised Local Planning Policy Framework

At the Hearing, Council advised the Committee it had recently adopted a revised LPPF (to be implemented through Amendment C152) which had been submitted to the Minister for Planning for approval under Section 20(4) of the *Planning and Environment Act 1987*. At the time of writing this report, Amendment C152 had not been approved by the Minister.

The Council submitted it had based the draft Amendment on this revised LPPF, rather than the current LPPF.

This has made consideration of the application of the new residential zones more complicated because of the uncertainty around C152, particularly given this Amendment had not been exhibited, had not been through a review process by a Panel and was still to be confirmed through the DTPLI review process. Council submitted that Amendment C152 is based on strategic work that has been in preparation for many years and that has been

extensively consulted on, hence the request for approval by the Minister under Section 20(4) of the *Planning and Environment Act 1987*.

It is not the role of this Committee to review Amendment C152 and all of the strategic work that supports it; therefore the Committee will take this Amendment 'at face value' and make comment only where it is relevant to the application of the new residential zones.

Given the uncertainty around Amendment C152, the Committee has assessed the draft Amendment against the current planning policy, whilst having regard to the revised LPPF.

This review of the revised LPPF will not seek to outline all of the new policy, but rather identify key points of difference between the existing and revised policies as identified by Council. Where Council has advised the translation is policy neutral, the Committee has not considered these further.

Revised Clause 21.01 – Municipal Profile – seeks to consolidate the Introduction, Municipal Profile and Key Influences and update context to reflect current statistics and projections. The Committee notes this Profile refers to outdated population projections and should be amended to reflect the most recent population projections.

Revised Clause 21.02-2 - Vision – the wording of the Vision has been amended to reflect the current Council Plan, however, the intent has not altered. Council submitted the revised MSS seeks to achieve the Vision by creating 'Sustainable Neighbourhoods' through seven stated Strategic Directions, which are similar in approach to the 'Focus Areas for Change' concept established in the existing MSS Vision.

Revised Clause 21.02-3 – Strategic Directions – Activity Centres & Revised Clause 21.03-1 – Activity Centres/Housing – have been amended to include reference to the *Moreland Activity Centre Framework 2014* and introduce a new direction that ensures the majority of households in Moreland are within walking distance (i.e. approximately 400 metres) of an activity centre and have local access (approximately 1 kilometre) to a centre that meets their weekly convenience needs.

Council advised this revised policy has resulted in changes to the list of centres designated for growth across Moreland, known as Urban Villages and now referred to as Neighbourhood Activity Centres (NACs), and have also identified a number of smaller Local Activity Centres (LACs) which are intended to 'plug the gaps' in the network of Activity Centres.

Changes have been made with regards to housing affordability (including reference to an updated *Moreland Affordable Housing Strategy 2014-2018*) and housing adaptability.

A copy of the revised Strategic Framework Map is attached as Appendix E.

The structure plans and the revised Clause 22.01 *Neighbourhood Character Policy* are to be used to implement the policy.

Revised Clause 22- Neighbourhood Character Policy – has been revised to reflect the new Activity Centre Framework and to remove reference to the detailed neighbourhood character precincts and guidelines.

Council submitted this policy has been updated to seek increased housing density within the Activity Centres designated for growth as identified by the *Activity Centre Framework 2014* and that beyond those areas housing respects the existing or preferred character. The revised policy replaces the approach of defining 'Commercial' and 'Residential' character areas and instead breaks down the policy into the 'Coburg, Brunswick and Glenroy Centres', the '*Neighbourhood and Local Centres for Growth*' and '*Outside Centres for Growth*' and has deleted references to the *Moreland Neighbourhood Character Guidelines* and the 90 Character Statements.

The essential elements of the neighbourhood character policy have not changed.

The draft Amendment proposes further changes to the Neighbourhood Character policy. These changes appear to alter the long standing character outcomes sought, especially around activity centres, and provide justification for the draft Amendment's application of the new residential zones.

The draft Amendment proposes to introduce the *Moreland Tree Planting Manual for Residential Zones 2014* as a policy reference to assist with any requirement for canopy trees. The Committee was provided a copy of this document but has not reviewed it due to time constraints.

The implications of this revised policy framework are discussed later in this report.

4.4 Planning Scheme Amendments

Whilst the following amendments have not been approved as yet, they are well advanced and have been through exhibition (with the exception of C152) and have been adopted by Council and are therefore considered seriously entertained. For this reason, the Committee considers it is important to take the following amendments into consideration.

Amendment C123 – Coburg Activity Centre

Amendment C123 translates the *Coburg Activity Centre Structure Plan* (endorsed by Council in 2006) and the *Place Framework Strategies* (endorsed by Council in December 2010) into the Activity Centre Zone. This Amendment is scheduled to be considered by a Panel in June/July 2014.

Amendment C133 – Development Contributions Plan Overlay

Amendment C133 proposes to introduce the Development Contributions Plan Overlay and assist Council to manage growth and to plan for the associated increased demand on infrastructure. The Amendment is scheduled to be considered by a Panel in August 2014.

Amendment C134 – Brunswick Activity Centre

Amendment C134 translates the *Brunswick Activity Centre Structure Plan* (endorsed by Council in 2010, and addendum endorsed in 2012) into three Design and Development Overlays (DDO) and various precinct based specific rezonings. The Amendment is being considered by a Panel.

Amendment C142 – Moreland Higher Density Code

Amendment C142 proposes to include the *Moreland Higher Density Design Code* into the planning scheme. The Code is intended to replace the current policy for *Buildings of Four or More Storeys* at Clause 22. The Amendment is scheduled to be considered by a Panel in September 2014.

Amendment C152 – New LPPF

As discussed, Amendment C152 seeks to introduce a new LPPF. It was submitted to the Minister for approval under Section 20(4) of the *Planning and Environment Act 1987* on 2 April 2014. Council submitted advice from DTPLI indicates general support for the Amendment and that approval is imminent.

At the time of writing this report, the Amendment had not been approved.

4.5 Planning scheme provisions

(i) Zones and Overlays

The land affected is currently included within the R1Z. The Committee notes that there are no variations to the schedule to the R1Z.

In addition to these zones, the following overlays apply across the municipality:

Heritage Overlay

The HO seeks to conserve and enhance those elements which contribute to the significance of heritage places and to ensure development does not adversely affect the significance of these places (amongst others). The Schedule to the HO identifies a number of heritage precincts as well as individual sites.

Design and Development Overlay

- **DDO2 – Park Street** – seeks to sustain and enhance the character of Melbourne's boulevards and unique inner parks together with the development of architectural and historic value they attract. This DDO has a mandatory height limit of nine metres, which cannot be varied with a permit.
- **DDO5 – 22 French Avenue Brunswick** – seeks to provide a high quality interface between housing in French Avenue and Lord Street and Methven Park (amongst others). The overlay has a mandatory height of nine metres, with a discretionary height of seven metres on the eastern extremity of the site. It states the heights can only be varied with a permit when both design excellence and a five star HERS rating are met. It provides guidance in relation to a wide range of design issues such as setbacks, permeability, design and articulation which are all performance based.
- **DDO23 – Balfe Park Precinct, Brunswick East** – seeks to ensure development is consistent with the objectives of the Balfe Park Precinct, Brunswick East, Urban Design Framework, Brunswick Structure Plan and Clause 22.11 Development of Four or more storeys. The overlay specifies discretionary height limits ranging from 11 metres (three storeys) to 18 metres (five storeys), as well as setbacks for upper levels. It provides more guidance in relation to built form; pedestrian access,

movement and amenity; carparking and vehicular access; noise attenuation and environmentally sustainable design.

Council acknowledges these overlays affect land proposed to be included within the proposed GRZ (which will have a mandatory height limit of eight metres as specified in the exhibited Schedule) and NRZ (which has a default eight metre height limit) and therefore they may be at odds with each other.

Council submitted these were overlooked when preparing the draft Amendment and it is proposed to include exemptions from the height provisions in the schedules to the zones to allow for these overlays to take precedence. This will be discussed later in this report.

Development Plan Overlay

- **DPO6 – Gowanbrae** – limits the rate of subdivision and identifies a range of information which must be shown, or provision made for, on any development plan.
- **DPO10 – 173-179 Elizabeth Street, Coburg North** – applies to the former Kodak site which outlines a range of information which must accompany any planning permit application, including a minimum lot yield and a requirement that there be a variety of dwelling sizes and household types, including but not limited to single detached houses, townhouses and flats/apartments with a requirements that the taller buildings be provided around the neighbourhood hub and/or central to the site. It provides a requirement in relation to affordable housing.

Council similarly acknowledges that two of these overlays make provision for height and development types which may be in conflict with the proposed height provisions in the Schedules to the GRZ and the NRZ; and that exemptions are proposed to enable the overlays to take precedence over the zone provisions, or alternatively.

Other Overlays apply, such as the Environmental Significance Overlay (ESO) Environmental Management Overlay, Land Subject to Inundation Overlay and Special Building Overlay. Council submitted the constraints associated with these overlays can be addressed within any one of the three zones.

4.6 Relevant strategies and structure plans

Strategic planning for intensification of Moreland has been driven by the preparation and adoption by Council of the following documents. These are relevant to consideration of the draft Amendment and application of new residential zones and each is the subject of a separate Amendment as previously discussed (with the exception of Glenroy):

- Coburg Place Framework 2010 and Central Coburg 2020 Structure Plan 2006
- Brunswick Structure Plan 2010 and Addendum 2012
- Glenroy Structure Plan 2008
- Moreland Higher Density Design Code

(i) Central Coburg 2020 Structure Plan

The *Central Coburg 2020 Structure Plan* plans for the designated activity centre of 42.5 hectares including the civic precinct/town centre, the Sydney Road corridor and

redevelopment of the Pentridge Prison site. Extensive redevelopment is anticipated within this location, with some of it already underway or completed. The purpose of the plan is to take advantage of the location within the Melbourne metropolitan context and to achieve integrated land use and transport planning. There is a great deal of emphasis on urban renewal and mixed use development along Sydney Road. Heights are in the order of three to six storeys.

(ii) Brunswick Structure Plan 2010

The *Brunswick Structure Plan 2010* encompasses almost 200 hectares within three local area precincts of the Sydney Road/Upfield corridor (stretching northward to the Coburg Activity Centre), Lygon Street and Nicholson Street. The structure plan area is in the eastern part of the municipality south of Moreland Road and contains a wide range of land uses. The variety of built form means that a number of sub-precincts will guide redevelopment. Building heights are proposed up to five storeys.

(iii) Glenroy Structure Plan 2008

The *Glenroy Structure Plan* (2008) covers an area of approximately 35 hectares. It includes the Pascoe Vale Road and Wheatsheaf Road strip shopping centres and an industrial area east of the railway line. This is a major location for businesses and services in the northern part of the municipality and it includes the Glenroy railway station at its centre.

(iv) Draft Moreland Higher Density Design Code

Moreland has developed a design code for buildings of four or more storeys which Council proposes to use to guide higher density living.

Whilst the new residential zones will require developments of up to and including four storeys to be assessed against Clause 55 and developments of five or more storeys to be assessed against the Statewide *Higher Density Residential Development Guidelines*, the draft Amendment seeks to introduce a Design Code for higher density development.

The Committee notes this Code defines a number of assessment provisions in relation to site design, public realm interface, building design and on-site amenity, internal amenity, building performance and off-site impacts. Some of these are directly relevant to the draft Amendment and include the following (amongst others):

Building height – specifies no maximum height and states it should be determined by a height specified in the planning scheme or else the area's preferred character or existing character derived from the Urban Context Report.

Street setback – specifies no setback at either the ground or upper levels and states these should complement the streetscape character or reflect that of adjoining properties. Side and rear setbacks adjacent to the R1Z are to comply with the ResCode provisions for side and rear setbacks at Clause 55.04-1, Standard B17.

Landscaping – seeks to integrate landscape design with the overall site layout and building design to provide for mature vegetation and to reduce the urban heat bank effect and enhance and improve micro-climate conditions. Developments are to provide for deep soil zones and sufficient canopy spread for the planting of medium to large trees. For lots

greater than 750 square meters, a minimum of five percent of site area should be allocated for deep soil planting.

Private Open Space – seeks to ensure balconies are functional and usable. It specifies that balconies should have a minimum depth of two metres unencumbered by air-conditioners and other building services.

Communal Open Space – specifies that development with 10 or more dwellings should provide a communal open space that is a minimum of 20 percent of the site area.

(v) Moreland Affordable Housing Strategy

This strategy aims to maximise the supply of affordable housing in the municipality and of particular relevance to the draft Amendment, the following strategy is included:

- 3.5 *Ensure Council's decisions about applying the new residential zones takes into consideration the potential adverse impact of the Neighbourhood Residential Zone (low density zone) on housing supply, diversity, and consequently price point affordability, including opportunities for innovative redevelopment of 'greyfields' (existing residential suburbs).*

The Committee has not reviewed these Structure Plans and the associated Amendments as this is not within the Committee's Terms of Reference and would pre-empt the findings of the Panel Hearing established to consider submissions in relation to the draft Amendment. The Committee has therefore only relied on these documents to provide information.

The Committee will assess the draft Amendment's compliance with this policy framework and the relevant supporting strategies, etc. in the coming chapters.

5 Council's approach to applying the zones

Consultation

The process Council followed to develop the draft Amendment was undertaken from July 2013 to March 2014. The Council detailed the various steps in its submission including the opportunities it provided for public comment.

In the initial stages of preparation, 13 public forums were attended by 695 people, over 3,370 surveys were completed and almost 100 individual submissions were received. The Committee acknowledges that Council undertook extensive consultation early in the amendment process and that there was significant community engagement at this point. The Council undertook an extensive communications campaign when the draft Amendment was placed on notice by providing direct notice and an information brochure to all owners and occupiers of land in the R1Z (over 70,000 people). The Council established a separate web site to provide detailed information about the draft Amendment and the zone proposed to apply to each property.

Despite the tight time frames, based on the material tabled by Council and the number of submissions received, the Committee is satisfied that individuals, businesses and organisations that wanted to comment were able to do so.

2013 Concept Plan

Council initially prepared a concept plan for public comment which indicated extensive use of the RGZ and GRZ, with use of the NRZ confined to the HO and locations further than 800 metres from one of the main activity centres. A copy of this Concept Plan is attached as Appendix F.

There was strong community concern expressed about how the new zones would affect housing supply, diversity and affordability. There was here significant community concern about this approach, with comments citing concerns about infrastructure capacity (especially crowded public transport services), the quality and amenity of new housing, and a desire to hold onto the lower density detached housing and its landscape character. The Council reported that whilst there were divergent views expressed, a large majority desired protection of low density housing.

Draft Amendment C153 and Council adoption March 2013

Following feedback on the Concept Plan, and taking into consideration other strategic work being undertaken (particularly revisions of the LPPF), Council revised its approach to the application of the draft Amendment to the form as placed on notice.

The Council advised the Committee that in applying the zones it had regard to the principles and criteria of *Practice Note 78, Applying the Residential Zones, December 2013* (PN78) and that this was the starting point in its preparation of the draft Amendment, along with the revised MSS and local planning policies. Key outcomes the Council sought to deliver through the translation of the residential zones were integration with the new activity centre framework, housing capacity and housing diversity, and regard to existing neighbourhood character except where a new neighbourhood character is sought.

The 2013 concept was revised following further work by Council officers. This included the preparation of activity centre boundaries and a review of local infrastructure capacity to respond to questions raised by the community.

The final application of the zones and drafting of the zone schedules was presented for Council adoption of the draft Amendment in March 2014.

At the Hearing, Council submitted that Moreland has done its share to accommodate Melbourne's growth and whilst it does not object to doing so, the community has sent a very clear message that this needs to be balanced with protecting neighbourhood character and that infrastructure to support this growth needs to be improved and provided at the same time.

Discussion

The Committee comments about the approach adopted by Council, as follows:

(i) Competing objectives

The Committee understand the position adopted by Moreland that there needs to be a balance between the competing objectives of growth and protection of valued character, and agrees that increased growth needs to be supported by appropriate infrastructure. However, as discussed in the Committee's *Stage One Overarching Issues Report*, the Committee has not been in a position to compare or evaluate the differing approaches across the region or metropolitan Melbourne and is only in a position to consider the draft Amendments before it.

The Committee must consider the growth of municipalities in light of the SPPF, including the recently released *Plan Melbourne* and the strategic directions contained within the LPPF. It is upon this basis that the Committee has considered the draft Amendment.

The Committee notes, however, that the recently released VIF figures indicate that the anticipated growth rate for Moreland will exceed that originally anticipated and this will have significant implications for planning in the future which will need to be addressed.

(ii) Reliance on the revised LPPF

The Committee understands Council's desire to consolidate its strategic work of recent years into what it considers to be the future LPPF in order to minimise the need for a two-stage zone translation. However, in doing so, the draft Amendment has relied on a Strategic Planning Policy Framework that is not yet approved, and therefore it cannot effectively provide the strategic justification needed for the draft Amendment.

The Committee considers it is the existing LPPF that provides the strategic framework that the draft Amendment must be considered against, not the revised. Whilst it could be argued the revised LPPF is seriously entertained and approval is imminent, the Committee considers the revised LPPF has two fundamental points of difference to the existing policy which are of concern to the Committee and relevant to the application of the new residential zones, these are:

1. It seeks to remove the focus for 'potential higher density' along defined public transport corridors (Clause 21.05 – Map 4), in favour of a reduced area confined to the boundaries of defined Activity Centres. This is particularly relevant to the southern half of Moreland which has four Principal Public Transport Network (PPTN) routes.

The Committee is concerned this shift in policy contradicts *Clause 18.01 – Integrated Transport – Land use and transport planning* of the SPPF which seeks to create a sustainable transport system by integrating land-use and transport by:

- *Concentrating key trip generators such as higher density residential development in and around Major Activity Centres ... on the Principal Public Transport Network.*

and Clause 18.02-3 - *Principal Public Transport Network* which seeks to achieve greater use of public transport by increasing densities, maximising the use of existing infrastructure and improving the viability of the public transport operation.

As highlighted in the DTPLI Housing and Population Report, between 2004-2011, 45 percent of Moreland's new dwellings were constructed within the transport corridors. The Committee considers this change in policy emphasis could have significant impacts on development in Moreland which requires further consideration.

2. It seeks to introduce a specific quantifiable boundary around the areas identified for growth of a 400 metre walking distance from the core of the centre.

As explanation, Council submitted:

The crude 400m distance from these areas is generally used to define 'close proximity' and within these locations, Council tends to allow for greater dwelling density than in locations further than 400m (ie. Urban consolidation objectives are generally prioritised over neighbourhood character objectives in these locations).

The policy is a somewhat crude tool to define areas for change and often results in debate about boundaries to change areas. The new residential zones provide an opportunity to be much clearer about specific locations for substantial, moderate and incremental change.

The Committee acknowledges that the 400 metre specification has generally been used previously in setting activity centre boundaries, but it notes the updated policy in *Plan Melbourne* and Clause 11.04-4 - *Liveable communities and neighbourhoods* refers to 20 Minute neighbourhoods, which the Committee thinks would, in most cases, encompass a wider spatial area than 400 metres.

Accordingly, the Committee agrees with Council that this is a 'crude' measurement and considers the specification of a 400 metre walking distance from the core of Activity Centres overly conservative, as for example, it does not consider cycling distances. The Committee draw attention to the Public Transport Victoria (PTV) submissions that areas within 400-800 metres for road based public transport and 1,200 metres for high quality public transport are suitable for higher density

developments. The Committee considers that this issue warrants further consideration. The Committee can also find no specific strategic justification within the existing LPPF for the designation of a 400 metre catchment.

The Committee is concerned with this approach which seeks to use the zones to set policy, rather than policy informing the zone choices.

The Committee considers these fundamental points of difference have had a significant impact on the application of the revised residential zones as the approach Council has adopted seeks to spatially limit the areas where higher density development can occur. For this reason, the Committee does not accept the revised LPPF is appropriate in this regard without a clearer relationship being articulated between locations for higher densities and *Plan Melbourne*/SPPF elements. Where there are reasonable constraints on higher density development within the 20 minute radius, an understanding is needed of the implications of such an approach on the future housing needs of Moreland and in the regional and metropolitan context.

The Committee has therefore assessed the draft Amendment against the existing LPPF and considers there are some significant areas of non-compliance.

(iii) The lack of a Housing Strategy

At the Hearing Council advised that it did not have a Housing Strategy.

The Committee notes the current Clause 21.06 – *Key Strategic Statement – Housing* – identifies the *Moreland Housing Strategy 1996* as a ‘*Reference Document*’ and that under ‘*Further Strategic Work*’ need to “*Develop a Residential Development Housing Strategy to ensure the appropriate form and location of new housing throughout the municipality.*” is identified. However, Council did not address these at the Hearing.

As discussed in the *Stage One Overarching Issues Report*, the Committee considers a Housing Strategy is one the fundamental considerations that should determine how the revised zones should be applied. The Committee is of the opinion that Moreland should prepare a comprehensive Housing Strategy that tests the capacity of each location to deliver the required dwelling construction as anticipated by *Plan Melbourne*, VIF forecasts and the Council’s own strategic framework. This strategy will need to address all parts of the municipality that provide housing opportunities now and in the future, including commercial and mixed use areas in addition to residentially zoned land.

The Committee considers the need for a Housing Strategy is more evident given the revised population forecasts in the latest VIF figures which almost double the housing requirement of Moreland.

(iv) Housing capacity and supply

In the absence of a Housing Strategy, Council submitted it has relied on the three main structure plan areas to provide the bulk of Moreland’s housing capacity, stating “*A significant proportion of Moreland’s housing growth is planned to be accommodated within the activity centres of Brunswick, Coburg and Glenroy*” with 5,800 new dwellings to be provided in Coburg, 5,955 in Brunswick and 500 in Glenroy, totalling 12,255 dwellings. In support of the approach adopted, Council submitted:

Whilst this demonstrates a significant proportion of the total 14,277 new dwellings required across Moreland, Council does not expect all of Moreland's future housing needs to be accommodated in apartments in the three larger activity centres. Many people will seek out locations other than these three large activity centres and alternative housing types to apartments. Council's application of the three new residential zones allows for this range of different dwelling types to continue to be supplied across Moreland.

Council submitted that in preparing the draft Amendment "Council has been highly cognisant of obligations to ensure adequate supply and diversity of housing and is confident the draft amendment does not unreasonably constrain housing supply, choice or affordability."

In order to properly inform itself Council has undertaken further strategic work that analyses the potential impact of the new residential zones. This work specifically considered the following factors:

- The capacity of targeted geographic areas to accommodate additional dwellings (work undertaken by Echelon Planning).
- The potential impact of the proposed new zones on housing supply (regression analysis undertaken by Spatial Economics)
- The potential impact of the proposed zones on housing affordability (property analysis undertaken by Charter Keck Cramer)

The Council referred the Committee to the following reports which documented this work:

- Moreland Activity Centre Framework, Report 1 and Defining Boundaries for Moreland's Neighbourhood and Local Activity Centres, Report 2 Echelon Planning (February 2014)
- Housing Analysis, Proposed New Residential Zones, City of Moreland, Spatial Economics (April 2014)
- *Property Analysis, Impacts of Proposed New Residential Zones*, prepared for Moreland City Council, Charter Keck Cramer (February 2014).

The Committee has reviewed these reports in its consideration of the draft Amendment. In doing so, the Committee recognises these reports have been prepared by Council's consultants to inform the process. They are not currently referred to in the Planning Scheme and therefore have no formal status and have not been considered as expert evidence.

Despite this, the Committee recognises that *Practice Note 50 – Reformed Residential Zone Provisions* recognises that:

A council can work to develop relevant policies that will provide the strategic basis for applying the new residential zones. Work can begin concurrently on the amendment to implement the new residential zones. This amendment process would include notification of the amendment and consultation on the provisions of the zones and schedules.

The Committee makes the following observations:

Moreland Activity Centre Framework, Report 1 & 2: Defining Boundaries for Moreland's Neighbourhood and Local Activity Centres

The Committee notes these reports have been *“prepared to establish a network of activity centres across Moreland which can best achieve Moreland’s overarching city vision for ‘sustainable neighbourhoods’ Realising this vision means distributing activity, employment and transport infrastructure to enable all residents to have excellent access to a wide range of local amenities and services.”*

This report confirms the role of the Brunswick, Coburg and Glenroy Activity Centres, and identifies a network of NACs that will complement these Major Activity Centres.

The Committee notes the focus of these reports is development within Neighbourhood and Local Activity Centres and it makes no recommendations in relation to the remainder of the residential land within Moreland; and how the revised residential zones could be applied.

The Committee considers these reports provide valuable information, but are not a substitute for a housing strategy as they only form one part of the bigger housing picture.

The Moreland Activity Centre Framework 2014 is proposed for inclusion as a policy reference document in Amendment C152.

Housing Analysis, Proposed New Residential Zones, City of Moreland

The Committee notes this report seeks to analyse the effects the new zones will have on the pattern of development in Moreland and to provide a detailed housing analysis based on the Housing Development Data that tracks the location and quantity of all development across Melbourne for the period of 2004 to 2012.

The Committee notes this analysis is primarily focussed on historical development trends up to 2012 within the various proposed zones, however, when it comes to analysing residential development capacity, the reports focus appears to be on the proposed NRZ, rather than an assessment of all of the residential zones, noting that *“If the proposed Neighbourhood Residential Zones has been operational for the period of 2004 to 2012, a total of 496 dwellings less would have been constructed in the proposed NRZ areas.”*

The Committee notes the analysis of the potential impact on the cost of housing primarily focuses on the NRZ, and primarily the NRZ1.

Whilst the Committee considers this report provides valuable information, it only has a very limited focus. The Committee does not consider this report provides sufficient justification to apply any of the residential zones, particularly recognising that the report acknowledges that based on historical trends less development is likely to occur under the NRZ. The implications of this in the municipal and regional context is not clear.

Property Analysis, Impacts of Proposed New Residential Zones

The Committee observes this report considers the potential impact on the property market following the implementation of the NRZ. The Committee notes it states that based on development activity within the identified investigation area, the following observations are made in relation to the application of the NRZ:

- Less housing diversity, choice and affordable entry level purchase opportunities will be made available to consumers into the future.
- Existing residents will be unable to maximise development potential and therefore limit wealth creation opportunities from their existing land.
- Reduced supply will put upward pressure on prices within the Investigation Area, which will have a cumulative impact if the same results are repeated across Moreland and other sub markets.

The Committee considers that these three reports provide useful information and the Committee is not challenging the findings of these reports per se, however, none provides sufficient justification for the application of the three zones and variation to the schedules.

The Committee is concerned the emphasis of two of these reports appears to be on justifying the application of the NRZ, rather than considering this as one zone in the context of a broader range of issues, such as those canvassed in the Committee's *Stage One Overarching Issues Report*. The Committee considers these reports provide useful analysis and information which could contribute to the preparation of a municipal housing strategy that would properly inform the application of the new zones.

In relation to Council's submission that the Activity Centres have sufficient capacity to meet the majority of the housing needs of Moreland, as identified in the Committee's *Stage One Overarching Issues Report*, expectations that Commercial Zones provide sufficient scope to incorporate mixed use developments that meet housing demand demonstrates a lack of understanding of the need for greater diversity of housing options, as they will not absorb the continued demand for the small project development type stock, (being townhouse and small dwellings).

Council has made provision for townhouse development of more than two dwellings particularly in the northern part of Moreland where there is an established pattern of supplying this housing. However, the extensive use of the NRZ will potentially reduce the supply to this market segment as recognised by Council's own consultants. For this reason, the Committee has not been persuaded by this argument.

(v) Reliance on the adopted Structure Plans

In relation to Councils reliance on the Structure Plans for the three main Activity Centres as the primary means of accommodating Moreland's anticipated population growth, the Committee notes these Structure Plans are currently the subject of amendments to be incorporated into the planning scheme, which have been referred to a Panel for review later this year. They are not yet part of the Planning Scheme and have no statutory force or effect, despite the fact that Council appear to be implementing some of them.

The Committee has not undertaken a review of these Structure Plans or associated amendments to determine their appropriateness, as to do so would pre-empt any future Panel Hearing. For these reasons the Committee has regard to these Structure Plans but is not bound by them. The Committee makes the following observations:

Brunswick Structure Plan - the Committee notes the Structure Plan and the subsequent Amendment relate to the application of commercial and mixed use zones and associated DDO etc., and make no broader recommendations in relation to residential development other than statements which seeks to guide *"infill and medium-density redevelopment of strategic redevelopment sites"* and *"encouraging redevelopment to occur on sites that are well serviced by public transport and community infrastructure."* The Committee notes it contains objectives which seek *"To Accommodate a significant number of new dwellings"* and *"To ensure that higher density multi-use and residential development is appropriately located and contributes to environmental sustainability goals"* and identifies these are to be achieved through the redevelopment of under-utilised industrial land, neighbourhood activity centres on the periphery of the Brunswick Activity Centre and along tramways.

Given the limited focus of the Brunswick Structure Plan, the Committee does not consider it provides any direction in relation to the application of the RGZ or the proposed variations in the Schedule.

Glenroy Structure Plan - the Committee notes the Structure Plan recognises that due to population growth and a changing demographic profile there will be an increased demand for additional housing, not only in terms of numbers, but also in terms of variety and size. The Structure Plan recognises that medium and higher density housing should be provided in appropriate locations within the Activity Centre and to protect the existing lower density character of surrounding residential areas outside the activity centre. The Structure Plan provides guidance about the appropriate locations and level of development includes height recommendations, which range from low scale (two to three storeys) to medium scale four storeys), however heights are not expressed in metres.

Coburg Structure Plan – the Committee notes this Structure Plan primarily relates to land within Commercial/Mixed Use zones and identifies that land outside these areas is for incremental residential development in line with ResCode.

In summary, the Committee has the following concerns about the approach adopted by Council in applying these revised zones:

- There is no Housing Strategy which examines the broad range of issues relating to housing.
- In the absence of a Housing Strategy, Council has undertaken strategic work intended to inform the application of the revised zones, however each of these reports relates to specific issues associated with housing and there is little that brings them together to consider the broader issues. The Committee considers these reports would make an important contribution to a housing strategy, but are not suitable substitutes for one.
- The draft Amendment relies on a revised LPPF which has not yet been approved and therefore has no force or effect. Similarly, the Committee is concerned that some of the fundamental directions contained in that LPPF may be in part contrary to the strategic directions contained within the SPPF.
- The draft Amendment is not entirely consistent with the existing LPPF and SPPF, particularly the removal of focus for higher density development along the PPTN.
- The draft Amendment heavily relies on Structure Plans and other reports which are not incorporated into the planning scheme at this time and therefore have no statutory force or effect. In addition, submissions to these Amendments are soon to be considered at a Panel. It is therefore premature to rely on these reports.

On this basis, the Committee has some concerns with the overall approach adopted by Council to apply the revised zones and suggests that the proposed application of the zones and drafting of the zones schedules may be premature. It is important that the entirety of the controls for spatial areas, such as the Structure Plan areas and potentially the new Neighbourhood and Local activity centres, be looked at as a whole so that an integrated strategic framework and coordinated regulatory implementation regime can be achieved in the Planning Scheme.

(vi) Recommendations

The Residential Zones Standing Advisory Committee recommends:

1. **Draft Amendment C153 to the Moreland Planning Scheme not be prepared, adopted and approved pursuant to section 20(4) of the *Planning and Environment Act, 1987*.**
2. **Apply the General Residential Zone with no requirements specified in the schedule to the areas identified in draft Amendment C153, through an amendment to the Moreland Planning Scheme, pursuant to section 20(4) of the *Planning and Environment Act, 1987*, until further strategic work is undertaken.**
3. **Council prepare a Housing Strategy to properly inform the application of the new residential zones.**

6 Applying the zones and schedules

Having determined that the draft Amendment should not proceed in its current form, the Committee has responded to issues to help guide any future amendment that proposes to introduce the residential zones into the Moreland Planning Scheme.

In order to assess the appropriateness of applying the zones and schedules, this Chapter considers how each zone has been applied and the justification for the variations in the schedule to the zone.

In assessing the appropriateness of the various zones, the Committee has considered the following:

- Consistency with the SPPF
- Consistency with the LPPF
- The purposes of the zone
- Consistency with PN78
- The existing provisions within the Planning Scheme.

The Committee notes that since the notice period, Council resolved to revise the Schedules to the zones. The Committee will focus its attention on the draft Amendment as exhibited, but will comment on the proposed revisions where relevant.

6.1 Applying the zones

An illustration of how the proposed zones have been applied is shown in Appendix G and is explained further below.

In terms of strategic justification, Council did not provide a detailed assessment of how the application of each zone accords with either the SPPF or the LPPF, but rather highlighted a range of policies which are considered relevant to the draft Amendment in general. The policies referred to are:

SPPF

- Clause 11 – *Settlement*
- Clause 11.01-2 – Activity centre planning
- Clause 11.02-1 – Supply of urban land
- Clause 11.04-1 – City Structure
- Clause 14.02-1 – Catchment planning and management
- Clause 15.01-2 – Urban design principles
- Clause 15.01-3 – Neighbourhood and subdivision design
- Clause 15.01-5 – Cultural identity and neighbourhood character
- Clause 15.02-1 – Energy and resource efficiency
- Clause 16 – *Housing*
- Clause 16.01-1 – Integrated housing
- Clause 16.01-2 – Location of residential development
- Clause 16.01-4 – Housing diversity
- Clause 16.01-5 – Housing Affordability

- Clause 18.01-1 – Land use and transport planning
- Clause 18.02-3 – Principal Transport Network
- Clause 19 – Infrastructure

Plan Melbourne

- Housing choice and affordability (Objectives & Directions 2.1 & 2.2).
- Liveable communities and neighbourhoods (Objectives and Directions 4.1 & 4.2).

The Committee notes that this assessment was undertaken before the approval of Amendment VC106 and that Council has not had an opportunity to respond to the revised SPPF.

Current LPPF

- Clause 21.03 – Key Influences and Issues
- Clause 21.04 – Moreland's vision
- Clause 21.05 – Key Strategic Statements
- Clause 21.05-1 – *Housing*
- Clause 21.05-9 – Integrated transport systems
- Clause 22.02 – Development within Designated Activity Centres and Urban Villages
- Clause 22.10 – Neighbourhood Character
- Clause 22.11 – Development of Four or More Storeys

Council submitted the key policy statements which support the draft Amendment are:

- *To ensure new development provides high quality amenity and makes a positive contribution to the preferred character of the neighbourhood.*
- *To ensure housing caters for the needs of residents at various stages of their lives, and for different mobility, income and cultural groups.*
- *To ensure increased density development is appropriately located and designed to contribute to achieving environmental sustainability.*
- *To encourage the development of well-designed housing in activity centres/urban villages.*
- *To encourage the provision of affordable housing in order to maintain the social well-being of the municipality.*
- *Support increased housing intensity within designated activity centres, urban villages and transport corridors in accordance with any relevant structure plan and/or the Moreland Neighbourhood Character Guidelines 2006 and Neighbourhood Character Local Planning Policy.*

Revised LPPF

- Clause 21.02 – Vision (Strategic Directions 1 and 3)
- Clause 21.03 – Activity Centres
- Clause 22.01 – Neighbourhood Character

The remainder of Council's assessment of the application of the zones focussed on consistency with the principles of PN78, which will be discussed in the following Chapters. Where issues of specific policy compliance are relevant they will also be discussed.

6.2 Residential Growth Zone

(i) Application of the Zone

In providing the rationale for the application of the RGZ, Council submitted the zone has been applied to selected streets within activity centres designated for growth in the MSS Framework Plan, specifically the Coburg, Brunswick and Glenroy Structure Plan areas and the 11 Neighbourhood and Local Activity Centres, identified for growth (not including the Elizabeth Street at Coburg Hill activity centre).

The combined RGZ accounts for three percent of land in Moreland.

Submissions were generally in support of focussing the higher density development within three main Activity Centres, however, concerns were raised about the application of this zone in the smaller NACs and LACs and the impact that developments of this scale would have on the surrounding neighbourhoods. Some submissions raised concern that the RGZ had only been applied on a limited basis which would limit development in Moreland. Submissions raised concern with the proposed heights, some suggesting they were too high, some too low. Concerns were raised about interface issues, particularly where the RGZ would abut the NRZ and what impacts this would have on residential amenity.

In support, Council provided an assessment of how the application of the proposed RGZ responds to the principles in PN78, as outlined in Table 1.

Table 1 Assessment of the application of the RGZ against the principles in PN78

| PN78 Principles in applying RGZ | Moreland application of principles |
|--|--|
| Locations offering good access to services, transport and other infrastructure. | <p>Applied to selected streets within activity centres designated for growth (as per the MSS Framework Plan).</p> <p>Specific streets around NACs and LACs determined by the on the ground analysis of capacity to accommodate change discussed above (undertaken by Echelon Planning).</p> <p>Applied to existing R1Z land within the boundaries of Coburg, Brunswick and Glenroy Activity Centres, based on the built form directions of the relevant Council endorsed Structure Plan.</p> <p>Note. With regard to Coburg, it is intended that Amendment C123 will eventually replace the RGZ with the Activity Centre Zone (ACZ).</p> |
| Areas which provide a transition between areas of more intensive use and development and areas of restricted housing growth. | <p>Provides a transition between the Commercial Core and surrounding residential hinterland of the NACs and LACs designated for growth.</p> <p>Provides a transition zone for the Coburg and Glenroy Activity Centres, in accordance with the built form recommendations of the relevant Structure Plan. This transition zone is accommodated within the activity centre boundary.</p> <p>Applied to very limited areas on the boundary of the Brunswick Activity Centre because the built form recommendations of the Structure Plan already factor</p> |

| PN78 Principles in applying RGZ | Moreland application of principles |
|--|--|
| | in a transition to adjoining low scale areas. Where adjoining street blocks allow (north-south streets parallel with the main transport corridors), the RGZ has been applied as a transition zone. |
| Areas where there is mature market demand for higher density outcomes. | <p>Generally speaking, the RGZ coincides with some areas currently experiencing mature market demand for higher density outcomes.</p> <p>However, the zones have been applied to implement long term strategic directions for areas, rather than just reflecting current market demand.</p> <p>Some locations in the north of Moreland may not yet be experiencing mature market demand but should not be excluded from the growth zone until such time as market demand matures. This would undermine future development potential by limiting densities in the short term.</p> |

Note: The shaded boxes highlight those principles where Moreland has refined the PN78 principles or where Moreland has identified a new principle.

Discussion

In considering the strategic justification for the application of the RGZ, the Committee notes there is strong policy emphasis in the existing LPPF on focussing change within defined Activity Centres/urban villages and quite broadly along transport corridors, however the Committee notes the RGZ has principally been applied to designated Activity Centres and not along any transport corridors outside these activity centres. The Committee recognises this is in response the revised LPPF, however this change to the planning scheme has not been approved and the Committee is concerned the revised approach could be contrary to the intent of the SPPF and the existing LPPF if it results in too little development along public transport routes.

The Committee considers the issues with the existing LPPF is that whilst it identifies areas where higher densities are to occur, it provides no direction in relation to the type and scale of development (and therefore what zone would be the best fit) and the extent or specific locations of the zone. These areas are simply represented as nominal concentric rings or transport corridors with no further clarification. The Committee does not consider this is sufficient to determine what zone a property should be in.

The Committee accepts the revised LPPF provides clearer direction on this issue, by specifying that higher densities are to be provided within 400 metre walking distance of the centre and specifically referring to the recommendations of the *'Defining Boundaries for Moreland's Neighbourhood and Local Activity Centres'* report prepared by Echelon Planning. However, whilst this work is a reference document in Amendment C152, the new framework does not form part of the planning scheme at this point. Therefore it has no force or effect and does not constitute sufficient strategic justification. Whilst the Committee does not accept that this work provides strategic justification for the application of the RGZ at this time, it provides valuable information to assist in the preparation of any future Housing Strategy and the application of the RGZ in the future.

In terms of the Structure Plans for the three main Activity Centres, the Committee notes the Coburg Structure Plan is currently the subject of Amendment C123. The revised Explanatory Report for Amendment C123 indicates that land within the Structure Plan area will primarily

be rezoned to an Activity Centre Zone and this will include a parcel of R1Z land. Council advised it did not initially apply the RGZ in the draft Amendment, but it seeks to include it now. The Committee does not think there is merit in this given the Structure Plan is still to be implemented into the planning scheme and it is envisaged that any RGZ will be changed to the ACZ through the amendment process.

The Brunswick Structure Plan is currently the subject of Amendment C134. The Explanatory Report for Amendment C134 indicates that the land within the structure plan area will primarily be rezoned to Commercial and Mixed Use Zones. Three land parcels are to be rezoned to R1Z and there are DDOs to guide built form. It may be appropriate to include residential land within the structure plan area in the RGZ, but this will depend on the land use and built form policies of the relevant sub-precinct the land is located in. The Committee believes this decision should be deferred pending the outcome of Amendment C123.

The Glenroy Structure Plan is not yet the subject of a planning scheme amendment. The Committee notes the Glenroy Structure Plan identifies areas for higher housing densities with similar heights as proposed in the RGZ1 and RGZ2 (although only specified in storeys). Council has the opportunity here to link a future amendment with a review of the RGZ to determine if the zone would be an appropriate in terms of its land use objectives and housing needs, and to provide a strategic justification of translation of the built form policies to specific inclusions in the zone schedule if this is required.

In response to Council's submission that the application of the RGZ appropriately applies the principles and criteria of the PN78, the Committee considers that in the absence of an overall strategic framework that more specifically identifies what level of growth will occur where in the municipality, the principles and criteria in PN78 are not determinative. The Committee considers the only strategic work that clearly provides this direction is the Glenroy Structure Plan (noting the Brunswick and Coburg Structure Plans do not generally deal with residentially zoned land).

In relation to Council's submission that the RGZ has been used to provide a transition between the core commercial areas, the zone has only been applied to three percent of the R1Z land and there are many instances where this is not the case, and the Mixed Use/Commercial Zones will directly abut NRZ. The Committee is not satisfied this has been consistently applied. Whilst it may be argued the built form outcomes are adequately dealt with in the Structure Plans, it needs to be recognised these primarily relate to Commercial/Mixed Use/Activity Centre Zones which may attract quite different types of development.

In relation to the mature market, the Committee considers this is almost irrelevant given the limited application of the RGZ.

Conclusion

The Committee concludes there is insufficient strategic direction to apply the RGZ and on that basis, it is not supported.

(ii) Variation to the Residential Growth Zone Schedule

Council proposes to introduce two schedules to the RGZ. RGZ1 is to apply to land within defined activity centres where higher levels of development up to four storeys are anticipated. There is very limited land included within the RGZ1. RGZ2 is to apply to land within defined activity centres where lower levels of development of up to three storeys are anticipated.

Many submissions raised concerns in relation to these heights and setbacks, specifically the justification, whether they should be mandatory or discretionary and the proposed balcony dimension variations.

As part of the Housing and Population Report, DTPLI submitted the Committee should consider whether the proposed height limits conflict with the objectives of the RGZ2 and whether the default height provision in the zone should apply. In addition, whether the proposed heights are consistent with the vision for the Brunswick Activity Centre and *Plan Melbourne* which seek to locate development in activity centres with good access to services and jobs. (As the Brunswick Structure Plan does not appear to deal with residentially zoned land, this point is not relevant. RGZ changes to the Residential Zone in the Coburg Structure Plan were not subject to the notice period.)

Table 2 outlines the proposed variations to RGZ1 and RGZ2 as exhibited and Council's justification for these proposed variations. At the Hearing, Council advised it had revised these Schedules and these changes will be addressed where relevant.

Table 2 Justification for variations in Schedules 1 and 2 of the RGZ

| | Local Variations | Justification |
|-----|--|--|
| RGZ | Height RGZ1 - 4 storeys / 13.5m (D) RGZ2 – 3 storeys / 10.5m (D) Exemptions for sites where average height of buildings on abutting allotments is greater, or if an Overlay or Structure Plan includes greater heights. | Heights in RGZ around NACs and LACs are based on the recommendations of Echelon Planning (Defining Boundaries for Moreland's Neighbourhood and Local Activity Centres, Feb 2014). Heights in RGZ in Brunswick, Coburg and Glenroy are based on the relevant Council endorsed Structure Plan. Height is discretionary to allow for some variation in architectural forms. Exemptions allow for an appropriate built form in areas that may contain buildings taller than 4 storeys or may have a greater height recommended in an Overlay or Structure Plan. |
| | Street setback 3 metres (D) | Street setbacks are based on the recommendations of Echelon Planning (Defining Boundaries for Moreland's Neighbourhood and Local Activity Centres, Feb 2014). 3m setbacks are consistent with the intention for these areas to create a new character of greater intensity and larger scale buildings than suburban residential areas with generally greater front yard setbacks. |
| | Landscaping Tree in front setback, where space permits (D). | Consistent with MSS and Neighbourhood Character policy which requires trees in front setbacks. Consistent with Council policy objectives to increase tree coverage and create an enhanced landscape character across Moreland evident in the |

| | Local Variations | Justification |
|--|--|---|
| | | Moreland Open Space Strategy and Moreland Street Landscape Strategy. |
| | Private Open Space Minimum balcony size of 8m x 2m if only form of secluded private open space (M). | The balcony dimension is considered necessary when a balcony is the only form of secluded private open space provided. The minimum dimensions are based on the minimum space required for a table and chairs. |

Discussion

As discussed in the *Stage One Overarching Issues Report*, the Committee has already concluded that through the drafting of the head clause for the RGZ:

- the maximum height can only be expressed in metres and there is no scope to refer to storeys
- if specified in a Schedule it is 'mandatory' and there is no scope to provide discretionary heights.

With this in mind, the Committee notes the specified discretionary maximum height for the RGZ is 13.5 metres and the Schedules seek to retain this as a discretionary height rather than a mandatory height (based on Council's revised position). If a height is specified in a Schedule to the zone it becomes a mandatory height. If it is Council's intention the height be discretionary (at 13.5 metres), there is no need to specify it in the Schedule and the height should revert back to the default height in the head clause of the RGZ.

In terms of the heights specified for the RGZ2 and the proposed street setbacks in both the RGZ1 and 2, the Committee notes these are based on the recommendations of the Echelon Report 2 which was completed in 2014, however, as these are not included within the Planning Scheme the Committee does not consider these provide the necessary strategic justification to include them as variations to the Schedule at this time. The Committee notes that it is not clear whether the Echelon report is at odds with or intended to complement the Council's *Draft Moreland Higher Density Design Code* which does not specify any height or setback requirements (for buildings of four or more storeys).

The Committee notes the Brunswick, Coburg and Glenroy Structure Plans are cited as justification, however, these are not included within the Planning Scheme at this time and any references to heights in these Structure Plans refer to storeys and not metres. On this basis the Committee does not consider these provide the necessary strategic justification to include specific mandatory heights as variations to the Schedule at this time.

Having examined the existing LPPF, Amendment C152 and the additional strategic work, the Committee has not found any policies that support the introduction of these specific mandatory heights.

The DTPLI report highlighted to the Committee that the 10.5 metres height proposed in the RGZ2 may be unduly restrictive on larger sites and it may be incompatible with the vision for the Brunswick Activity Centre.

Council has not clearly demonstrated why the existing provisions within Clause 54 and 55 are not sufficient to address these issues, nor has it resolved potential inconsistencies

between controls. On that basis, the Committee considers these proposed variations are not appropriate.

In terms of the proposed variation relating to landscaping (Standard B13), the Committee notes the intent of this variation is consistent with the following policy framework:

- **Clause 21.05-5 Urban Design, Urban Character and Street Landscapes – Objective 5** – which seeks to develop street landscapes which provide more shade, greenery and natural habitat throughout the city and ensure new plantings take into account the area’s neighbourhood character.
- **Clause 22.10 – Neighbourhood Character – Objectives – Residential Character Areas** – which seeks to improve the landscaped and green character and states that it is policy that at least one semi mature with a spreading canopy should be planted in the front setback, where the prevailing setback permits.

On that basis, the Committee considers there is strategic justification to include this variation in the schedule to the RGZ, recognising it is intended to be discretionary rather than mandatory.

The Committee notes the revised Schedules seek to amend the terminology associated with ‘semi mature canopy tree’ and make reference to this being provided in accordance with the *Moreland Tree Planting Manual for Residential Zones, 2014*. The Committee notes this is a new manual that has not been incorporated into the Planning Scheme. Whilst the Committee agrees the changes in definition and inclusion of a manual to provide further direction on landscaping is appropriate, the Committee is not able to support its inclusion until such time as it has been through an appropriate review process. For this reason, the Committee does support this revision at this stage.

In terms of the proposed open space variations (which has been deleted in the revised version), the Committee notes this requirement appears to be drawn from the proposed *Moreland Higher Density Design Code*. As this is not part of the Planning Scheme at this time, the Committee considers it is not strategically justified. If this is still supported, Council should consider how this could be incorporated in any future schedule through that amendment process.

Conclusion and Recommendation

The proposed variations to RGZ1 and RGZ2, with the exception of the revised wording for Standard B13, are either not strategically justified at this time or are inconsistent with the zone provisions and should not be changed.

The Committee recommends:

4. **Strategically justify variations to Schedules 1 and 2 to the Residential Growth Zone before introducing these through a future amendment.**

6.3 General Residential Zone

(i) Application of the Zone

In providing the rationale for applying the GRZ, Council submitted that north of Moreland Road the GRZ has been applied to areas within 800 metres of a designated activity centre and train station (not otherwise included in the RGZ or the NRZ) and that logical boundary adjustments to the 800 metre radius were made to use streets or other physical boundaries.

South of Moreland Road, Council submitted that application of the GRZ was refined to act as a transition between the RGZ and the NRZ where block patterns support this approach. It was applied to properties fronting the Melville Road tram corridor, not otherwise included in the NRZ because of an HO. The limited amount of GRZ south of Moreland Road is explained by the approach to retain housing diversity in this location which will be discussed in relation to the NRZ.

Council submitted the GRZ has been applied to 29 percent of the residential land within the municipality.

In support of this zone application, Council provided an assessment of the application of the GRZ against the principles in the PN78, which is outlined in Table 3.

Table 3 Assessment of the application of the GRZ against the principles in PN78

| PN78 Principles in applying GRZ | Moreland application of principles |
|--|--|
| Areas with a diversity of housing stock, diversity of lot sizes and a more varied neighbourhood character. | This principle has not been applied although these areas sometime coincide with the GRZ. |
| Areas where moderate housing growth and housing diversity is encouraged. | Moderate housing growth and diversity is encouraged in areas with poor housing choice (greater than 70% detached dwelling stock) and a greater diversity of housing is required to meet the changing needs of the population. The GRZ has therefore been used to allow for continued moderate increases in medium density housing stock in these areas. The RGZ will also contribute to this objective. This is evident in areas north of Moreland Road, as detailed in the discussion above. Moderate housing growth and diversity is encouraged in areas with good access (up to 800 metres) to shops, services and public transport, not otherwise included in the RGZ or NRZ. This principle is applied north of Moreland Road. |
| | Areas which provide a transition between the RGZ and NRZ. |

Note: Shaded boxes highlight those principles where Moreland has refined the PN78 principles or where Moreland has identified a new principle.

Discussion

As the default zone, the Committee accepts the application of the GRZ as proposed.

In terms of applying the GRZ in proximity to the Activity Centres (as identified on either the current or revised strategic framework plan), in the absence of any policy which clearly identifies this land as appropriate for RGZ, the Committee considers the GRZ is the most

appropriate zone to enable moderate housing growth and diversity, whilst still respecting neighbourhood character.

The Committee is concerned the GRZ has not been more widely applied throughout the municipality based on the existing LPPF, which identifies areas outside the Activity Centres and the transport corridors as places where incremental growth which respects neighbourhood character in accordance with Clauses 54 and 55 will occur.

The Committee notes this approach is consistent with the revised LPPF which seeks to locate development within the defined NACs and LACs, yet recognises that:

Beyond the above activity centres identified as suitable to accommodate housing intensification, incremental change will be accommodated and new housing must be designed to respect existing neighbourhood character, and contribute to improved landscape character (Strategic Direction 3: Housing).

The Committee does not find this statement sufficiently different from the existing LPPF to support the use of the RGZ or the NRZ instead of the GRZ.

The Committee considers the existing and revised LPPF supports a greater application of the GRZ for the bulk of the municipality.

Conclusion

The Committee concludes the application of the GRZ as proposed is appropriate, however a broader application of the zone should be considered.

(ii) Variation to the General Residential Zone Schedule

The Council proposes to include only one Schedule to the GRZ which seeks to introduce a mandatory eight metre height limit.

Many submissions raised concerns about the introduction of a mandatory height limit stating it would significantly impact on the ability to construct dwellings with pitched roofs and ultimately housing diversity and affordability. Submissions raised concerns about whether these heights should be mandatory or discretionary and with the proposed balcony dimension variations.

In its *Housing and Population Report*, DTPLI raised concerns about the proposed eight metre mandatory height limit. Research undertaken in the preparation of the report suggested the scale of double storey townhouse and unit development would generally exceed eight metres, particularly buildings with pitched roofs which are consistent with local character. This was demonstrated with a series of photographs of new housing development. DTPLI asked the Committee to consider this issue. DTPLI also questioned why height had been the focus of the schedule rather than paying greater attention to site coverage and landscaping which could alternatively, and perhaps more effectively assist Council to guide preferred development outcomes.

Table 4 outlines the proposed variations to the GRZ schedule as exhibited and Council's justification for the proposed variations.

Table 4 Justification for variations in the Schedule of the GRZ

| | Local Variations | Justification |
|-----|--|---|
| GRZ | Height 2 storeys / 8m (D) Exemptions for sites where average height of buildings on abutting allotments is greater, or if an Overlay includes greater heights. | <p>The 8 metre height was determined in response to community concern about new multi unit developments and their amenity impact on neighbouring properties.</p> <p>Analysis of recent permits shows that the 8 metre height has a minimal impact on the height of current multi dwelling proposals. Of the case studies reviewed, 95% of permits in the north complied with the 8m height and 50% in the south complied (refer Amendment Documents, Part 2C, document 35).</p> <p>The height is discretionary to allow for some variation in architectural forms and roof pitch and exemptions allow for a greater height in areas that may contain buildings taller than 8 metres or may have a greater height recommended in an Overlay.</p> |
| | Landscaping Tree in front setback, where space permits (D). | <p>Consistent with MSS and Neighbourhood Character policy which requires trees in front setbacks.</p> <p>Consistent with Council policy objectives to increase tree coverage and create an enhanced landscape character across Moreland evident in the Moreland Open Space Strategy and Moreland Street Landscape Strategy.</p> |
| | Private Open Space Minimum balcony size of 8m x 2m if only form of secluded private open space (M). | <p>The balcony dimension is considered necessary when a balcony is the only form of secluded private open space provided. The minimum dimensions are based on the minimum space required for a table and chairs.</p> |

Discussion

The Committee notes the specified maximum height for the GRZ1 is eight metres, whereas the default height in the parent Clause is nine metres. The exhibited version included this as a mandatory height, however, at the Hearing Council advised that this had now been revised to a discretionary height rather than mandatory.

Firstly, in terms of the issue of 'mandatory' versus 'discretionary' and the introduction of an exemption, as stated in the Committee's *Stage One Overarching Issues Report*, the Committee has already concluded that through the drafting of the head clause for the GRZ:

- if specified in a Schedule it is 'mandatory' and there is no scope to provide discretionary heights
- the maximum height can only be expressed in metres and there is no scope to refer to storeys.

On this basis, recognising it is Council's intention this be a discretionary height, the Committee considers the most appropriate way in which to deal with this would simply be to not refer to a height in the Schedule. This would, however, result in a deferral back to the default Clause in the zone, which is nine metres, not eight metres as proposed by Council.

In terms of the proposed eight metre height limit, the Committee has reviewed the existing and proposed policy framework and can find no strategic justification to limit development in the GRZ to eight metres, either on a mandatory or discretionary basis. If anything, the

policy framework refers back to Clauses 54 and 55 and the Neighbourhood Character Guidelines and Policy which refer to a preferred two storey height in residential areas without specifying this height in metres and provides exceptions where local circumstances warrant. Council did not provide any examples or analysis to explain where Clauses 54 and 55, and the guidance within the LPPF, is delivering poor design or designs that are inconsistent with neighbourhood character, or that housing design in the GRZ would be improved by imposing an eight metre height limit.

Whilst Council has submitted this height has been included in response to community concerns about new multi-unit developments and their amenity impact on neighbouring properties, the Committee does not accept that this alone constitutes sufficient justification to limit the height of development within this zone to eight metres. The Committee considers that to introduce a variation which would reduce the height in the GRZ below the default nine metre height would need very strong strategic justification, and clear demonstration of why the provisions of Clauses 54 and 55 are not adequate to address the concerns raised by the community. There would need to be an assessment of the potential impacts on development and the ability to accommodate future growth.

The Committee questions the need to introduce such a height limitation when Council recognises that 95 percent of development north of Moreland Road and 50 percent south of Moreland Road is already compliant with this height; from these statistics it would appear that the existing provisions are already effectively addressing the concerns of the community.

The Committee has significant concerns about introducing the proposed eight metre height, (whether it be discretionary or mandatory), particularly considering the NRZ (which also has a mandatory height of eight metres) has been extensively applied throughout the municipality. The combined result would in effect limit development of 90 percent of residential land within municipality to eight metres in height. As discussed in the Committee's *Stage One Overarching Issues Report*, concerns have been raised by submitters about the limitations such a height would have on the design of buildings.

For these reasons, the Committee does not support the variation to the Schedule which would seek to limit the height of development to eight metres, whether it be discretionary or mandatory.

In terms of the proposed variation to Standard B13 (Landscaping), the Committee notes the intent of this variation is consistent with the following existing policy framework:

- **Clause 21.05-5 Urban Design, Urban Character and Street Landscapes – Objective 5** – which seeks to develop street landscapes which provide more shade, greenery and natural habitat throughout the city and ensure new plantings take into account the area's neighbourhood character.
- **Clause 22.10 – Neighbourhood Character – Objectives – Residential Character Areas** – which seeks to improve the landscaped and green character and states that it is policy that at least one semi mature with a spreading canopy should be planted in the front setback, where the prevailing setback permits. This policy also states "Use the *Moreland Neighbourhood Character Guidelines 2006 and Neighbourhood Character*

Local Planning Policy to ensure new development is consistent with the preferred future character of the area.”

The Committee notes the intent of this policy direction has not changed in the revised Clause 22.10 Neighbourhood Character Policy.

On that basis, the Committee considers there is strategic justification to include this variation in the schedule to the GRZ, recognising it is intended to be discretionary rather than mandatory.

The Committee notes the revised Schedule seeks to amend the terminology associated with ‘semi mature canopy tree’ and make reference to this being provided in accordance with the *Moreland Tree Planting Manual for Residential Zones, 2014*. The Committee reviewed this manual in the discussion of the RGZ.

Council advised that, post notice, it had revised the Schedule to include a variation to Standard B28 which would introduce minimum dimensions for a balcony. The Committee addressed this variation under the discussion of the RGZ.

On this basis, the Committee considers these two proposed variations to the Schedule are not appropriate and should not be approved.

The Committee notes the revised version seeks to remove text from the *Decisions Guidelines* which duplicate some of the policy statements in *Clause 22.01 Neighbourhood Character Local Policy*. The Committee considers this is an appropriate variation.

Recommendation

The Committee recommends:

- 5. Strategically justify variations to Schedule 1 to the General Residential Zone before introducing these through a future amendment.**

6.4 Neighbourhood Residential Zone

(i) Application of the Zone

In providing the rationale for the application of the NRZ, Council submitted that north of Moreland Road the NRZ has been applied to areas beyond 800 metres walking distance of designated NACs and train stations in Zone 1; and that logical boundary adjustments to the 800 metre radius were made to use streets or other physical boundaries.

Council submitted that south of Moreland Road the NRZ has been applied to areas between the north-south corridors of the Brunswick Major Activity Centre and Melville Road.

The NRZ has been applied to all areas within a Precinct based Heritage Overlay.

Council submitted the NRZ has been applied to 61 percent of the residential land within the municipality.

Many submissions supported the application of the NRZ with many raising concern that it had not been applied widely enough. These submitters highlighted these areas, particularly south of Moreland Road, have a valued character that needs to be protected. The valued

character includes single dwellings with front/rear yards and landscaped streetscapes. Many submitters accepted the need for higher density developments, but considered these should be focussed around the existing commercial areas leaving the areas in between as lower density residential areas. They highlighted negative amenity impacts that have occurred with more medium/higher density development, such as overlooking, overshadowing and visual bulk; and stressed the NRZ would assist in addressing these issues.

Many other submitters did not support the extent of the NRZ stating it would significantly limit development, particularly south of Moreland Road, which they stated was contrary to the principles of urban consolidation and would not make best use of existing public transport services. Concerns were raised that the limitation on height would significantly limit development opportunities, ultimately impacting on housing diversity and affordability.

Some submitters accepted it would be appropriate to include the areas subject to a HO within the NRZ, but saw little or no strategic justification for the more liberal application of the zone. Concern was raised, however, about the inclusion of redundant industrial/warehousing/commercial buildings with an HO within the NRZ and what limitations this may place on the appropriate redevelopment and use of these buildings.

The Housing and Population Report, DTPLI raised concern about the impact of restricting growth on redundant commercial heritage sites and whether the extent of the application of the NRZ will constrain appropriate change.

DTPLI raised concern that the application of the NRZ south of Moreland Road (with the associated eight metre height limit) will unduly limit ongoing housing change around Brunswick and questioned whether the GRZ would be the more appropriate zone. As discussed above, DPTLI suggested that greater direction in relation to landscaping, site coverage and possibly other Clauses 54 and 55 standards may be more effective in addressing the community concerns than height alone.

In support of this zone application, Council also provided an assessment of the application of the NRZ against the principles in the PN78, which is outlined in Table 5.

Table 5 Assessment of the application of the NRZ against the principles in PN78

| PN78 Principles in applying NRZ | Moreland application of principles |
|---|---|
| Areas with a neighbourhood character that is sought to be retained. | <p>Recent community consultation has identified a very strong community desire to retain a low density garden suburban character.</p> <p>Moreland seeks to respond to this community value by identifying areas for the NRZ, in accordance with the principles below.</p> |
| Areas where more than 80% of lots currently accommodate detached dwellings. | <p>After much consideration, Moreland has not applied this principle as it is these areas where greater dwelling diversity is required.</p> <p>Moreland's alternative principle is for housing diversity. As discussed above, some areas of Moreland already provide very good dwelling diversity with significant proportions of multi dwelling stock. These areas require protection of some areas for detached dwellings and low density multi dwellings to maintain dwelling diversity.</p> <p>Conversely, areas with significant proportions of detached dwellings will require allowance for continued multi dwelling development to achieve dwelling diversity (this principle is noted as relevant to the GRZ above).</p> <p>Therefore, the relevant NRZ principle is: Areas with good dwelling diversity (greater than 55% medium and high density dwelling stock).</p> <p>This good balance of housing choices should be retained by protecting some areas for detached dwellings and low density multi dwellings.</p> <p>Maps of areas with more than 80% detached dwelling stock per street have been generated to assist in consideration of this principle (refer Amendment Documents, Part 3, document 10). As is demonstrated by the maps, many areas coincide with locations with good access to activity centres and public transport.</p> <p>80% detached dwelling stock should not on its own be a valid reason to limit development potential for multi dwellings. In fact, it is these areas that require greater housing diversity.</p> <p>Notwithstanding Moreland's approach to housing diversity, there are certainly some areas included in the NRZ with more than 80% detached dwelling stock. These areas are included for other reasons however (eg. remoteness from public transport, shops and services).</p> |
| Areas with Neighbourhood Character Overlays (NCO). | There are no NCOs in Moreland - previous neighbourhood character analysis in Moreland did not identify areas suitable for protection using the NCO |
| Residential areas with Heritage Overlays (such as larger heritage precincts, rather than individually recognised heritage sites). | Precincts within the HO are included in the NRZ. |
| Areas of identified environmental or landscape significance. | <p>The Landscape Significance Overlay (LSO) does not apply in Moreland.</p> <p>The ESO alone has not been used as a reason to apply the NRZ. It is considered the environmental significance of these areas can be addressed through either the GRZ or the NRZ housing outcomes.</p> <p>Large areas included in the ESO have however coincided with the NRZ due to their relatively poorer access to activity centres and train stations. Some areas within the ESO have been included in the GRZ as they have good access to activity centres and/or train stations.</p> |

| PN78 Principles in applying NRZ | Moreland application of principles |
|---|---|
| Areas which may not have good supporting transport infrastructure or other infrastructure, facilities and services and are not likely to be improved in the medium to longer term | Applied to areas further than approximately 800 metres from activity centres and train stations. These areas are considered to have relatively poor access to supporting infrastructure. |
| | Areas required to create a break/buffer between areas designated for very intensive growth and housing densities. |
| | Applied to the 'in between' areas between the north-south corridors of the Brunswick Major Activity Centre and Melville Road. |
| | As well as contributing to housing diversity, these areas will act to provide a green, lower density break to an otherwise very dense urban environment. This approach will have a potential positive impact on amelioration of the Urban Heat Island Effect. |
| | Greater permeability in these areas may also assist to offset the large areas of impermeable surfaces in the activity centre corridors which will facilitate stormwater infiltration and contribute to protection of groundwater levels. Areas where transport infrastructure (roads and public transport) is at or nearing capacity, limiting the ability of local areas to accommodate further increases in population without detrimental impacts on public amenity and the overall liveability of a place. |

Note: Shaded boxes highlight those principles where Moreland has refined the PN78 principles or where Moreland has identified a new principle.

Discussion

The Committee has significant concerns with both the justification for and extent of the NRZ proposed in Moreland.

As stated in the *Stage One Overarching Issues Report*, the Committee considers there needs to be clear strategic justification for the application of the NRZ. Having examined the existing and revised strategic framework, the Committee can find no clear strategic justification for applying the NRZ within the municipality.

The Committee notes the *Housing Strategy Map* in Clause 21.05 clearly identifies that land outside the Activity Centres/Urban Villages is identified as being an area where development is to be “in accordance with ResCode.” It does not identify any particular areas of significant character that are to be protected and there are no Neighbourhood Character Overlays.

The Committee notes the LPPF (existing and revised) certainly places a significant emphasis on ensuring development responds to preferred neighbourhood character (*Clause 22.10 – Neighbourhood Character Policy*) but neither propose an eight metre mandatory height, (rather a discretionary two storeys), limit. Whilst it is preferred that developments do not exceed two storeys (with no height specified), the existing policy framework provides the scope for developments to exceed two storeys within the proposed NRZ area. It identifies there is the scope to exceed two storeys on large sites where the off-site impacts can be managed, provided the built form at the street and adjoining property interface is no more than three storeys.

From its assessment of the existing and proposed policy framework, based on the purpose of the NRZ which is to limit development (amongst other things) to two dwellings (which can

be varied) of eight metres, the Committee can find no strategic justification in either the existing or proposed LPPF that clearly justifies application of this zone. The Committee considers that it appears contrary to the existing policy framework.

The Committee has concerns that land within the area identified in *Plan Melbourne* as *Jewel Station – Urban renewal opportunities that include significant parcels of government held land* and the *‘Brunswick to Batman Station Corridor – Potential urban renewal opportunities/investigation areas’* has been identified as NRZ1 and NRZ2 thereby significantly limiting development in relation to this urban renewal site and raising community expectations that only minimal change will occur. The implementation of *Plan Melbourne* is just beginning, and there are no boundaries or plans to indicate what might happen at Jewel Station or along the rail corridor in the future. The Committee considers the GRZ would be the more appropriate zone in these areas to maintain the status quo until it is clear what direction the urban renewal development will take and which land parcels are central to its success.

Whilst Council has submitted that the application of the NRZ is consistent with PN78, it needs to be recognised that PN78 is intended to provide guidance in the application of the zones and does not constitute sufficient justification in its own right. Therefore, in considering the purposes of the NRZ, if the proposed application of the zone is not consistent with the strategic intent of the Planning Scheme in the first place, the principles of the Practice Note become irrelevant.

Despite this, the Committee respond to some of the points raised by Council in response to the PN78.

It is recognised from submissions that there is strong community desire to retain the low density garden suburban character of the area, however, there were many submissions which emphasised this should not be at the expense of development. The Committee acknowledges that for some years all residential areas have been subject to the Neighbourhood Character policy which provides policy direction on building height and form; and that there may be community support to take that one step further and introduce mandatory height restrictions and limits on the number of dwellings, however, the Committee does not support the leap to mandatory controls based on community sentiment alone. Additional strategic justification would be required along with an analysis of how the introduction of such widely applied requirements would affect housing supply.

Inclusion of a precinct based HO is not an automatic justification for applying the NRZ; this is just one of many considerations. The Committee is concerned with applying the NRZ to large strategic redevelopment sites or old industrial/warehouse/commercial buildings with HOs as these are sites that can accommodate greater levels of development which may facilitate the reuse and protection of these heritage sites, as it already happening in Moreland. The Committee considers this may be contrary to Clause 21.05-2 – *Industry and Commerce* which identifies areas where these uses can transition into higher density residential uses.

The Committee is concerned that if these sites are included within the NRZ and no greater allowance than two dwellings is specified in the Schedule to the zone, then they can only be used for two dwellings no matter what the size of the land, which could result in a significant

underutilisation of these important strategic redevelopment sites, and most likely a lack of an economic incentive to adapt them to a contemporary use. Similar arguments apply to limiting built height to eight metres. The Committee notes that the existing and revised LPPF both address adaptive reuse of industrial heritage buildings, with support for redevelopment proposals to retain heritage fabric that in many cases is likely to exceed eight metres in height.

The Committee accepts the argument presented by submitters, that if this were to occur there is little incentive for owners/developers to retain these important heritage sites, or incorporate the existing built form into the redevelopment of the site which may result in their ultimate demise either through demolition or neglect.

The Committee seriously questions whether the NRZ is an appropriate zone for these sites. The GRZ would seem to be the more appropriate zone with the HO providing the appropriate protection for heritage properties. The Committee's *Stage One Overarching Issues Report* discusses this issue from a broader perspective.

The Council advised the NRZ has been applied to 'in between' areas south of Moreland Road, these being the areas between the Brunswick Structure Plan and the Melville Road tram route which are furthest to public transport stops. The Council submitted that tram services are at capacity and increasing development will not help this issue. The Committee does not accept the argument that areas identified for NRZ, particularly in the south, are not well served by public transport because the existing infrastructure is at or nearing capacity. The Committee accepts the system is strained, as acknowledged by the PTV, however, this is a municipality which has significant transport infrastructure in place and as recognised by PTV, it is easier to improve the existing infrastructure and services rather than create new infrastructure. PTV made it clear that increased population growth is required to justify enhanced services. The Committee accepts that this will be an important challenge to be met, however, it does not consider this is an appropriate justification to include significant areas within the NRZ.

The Council submitted the NRZ has been applied to maintain a stock of lower density and detached housing to ensure there will be housing diversity in the future due to increasing numbers of higher density housing projects constructed in Moreland, especially those which replace this type of housing. The Committee is not convinced that the NRZ alone will achieve that as it still allows for two dwellings on a lot.

In relation to submissions that the NRZ will assist with the sustainability objectives for the municipality specifically relating to the creation of urban heat banks, the Committee is aware that Council has recently sought to introduce a new Environmentally Sustainable Development Policy through Amendment C71. If approved, this policy will assist Council to improve the environmental sustainability of all development, notwithstanding the zone, and that developers can elect to improve their sustainability in a number of ways which do not require limitations on either the dwelling numbers or the height of development. For these reasons, the Committee does not accept that this is an appropriate justification to apply the NRZ.

Conclusion

The Committee can find no strategic justification to support the application of the NRZ. Comprehensive strategic justification is required before applying the NRZ in the Moreland Planning Scheme.

(ii) Variations to the Neighbourhood Residential Zone Schedule

Council proposes to introduce two schedules to the NRZ. The NRZ1 applies to the land north of Moreland Road and west of Melville Street south of Moreland Road, which is referred to as 'Low Density Residential Area 1'. This is the larger of the two NRZ zones. The NRZ2 applies to the land south of Moreland Road and west of Melville Street and is referred to as the 'Low Density Residential Area 2'.

Table 6 outlines the proposed variations to the Schedule to the NRZ1 and NRZ2 as exhibited and Council's justification for the proposed changes. At the Hearing, Council advised it had revised this Schedule and these changes will be addressed where relevant.

Submissions were made in support of these variations, particularly the limitations on height and the number of dwellings, stating this would assist in the preservation of valued character. Submitters raised concern about the proposed variations, particularly the proposal to include a density ratio and height limit of eight metres, stating this would significantly limit development opportunities, ultimately impacting on housing diversity and affordability.

As part of the *Housing and Population Report*, DTPLI submitted the Schedules to the NRZ will constrain infill development yields on generally smaller lots, but may not have an impact on larger lots. DTPLI suggested that the Committee consider whether the ongoing subdivision of NRZ areas is consistent with the vision for the residential hinterland and the objectives of limiting opportunities for increased residential development and ensuring development respects neighbourhood character. The DTPLI report again raised the potential for other options such as landscaping and site coverage requirements to achieve better built form outcomes that simply height and yield.

Table 6 Justification for variations in the Schedule of the NRZ

| | Local Variations | Justification |
|-----|---|--|
| NRZ | <p>Height</p> <p>Two storeys / 8 metres (D).</p> <p>Exemptions for sites where average height of buildings on abutting allotments is greater, or if an Overlay includes greater heights.</p> | <p>The eight metre height is consistent with the height in the parent clause. Council has made it discretionary to allow for some variation in architectural forms and roof pitch and exemptions included to allow for a greater height in areas that may contain buildings taller than eight metres or may have a greater height recommended in an Overlay.</p> |
| | <p>Landscaping</p> <p>NRZ1 - Tree in front setback and tree in each area of secluded private open space per dwelling (M).</p> <p>NRZ2 - Tree in front setback and tree in each area of secluded private open space per dwelling (D).</p> | <p>Consistent with MSS and Neighbourhood Character policy which requires trees in front setbacks.</p> <p>Consistent with Council policy objectives to increase tree coverage and create an enhanced landscape character across Moreland evident in the Moreland Open Space Strategy and Moreland Street Landscape Strategy.</p> <p>The requirement for a tree in secluded private open space is consistent with Council's objective for these areas to create a low density garden suburban character.</p> <p>The control is discretionary in the NRZ2 as the spaces available for tree planting will be smaller, reflective of the smaller lot sizes, street setbacks and secluded private open spaces in the south of the municipality.</p> |
| | <p>Private Open Space</p> <p>NRZ1 - Minimum area of secluded private open space at ground floor of 40 square metres with minimum dimension of 4m per dwelling. Balconies and roof tops excluded from calculation (M).</p> <p>NRZ2 - Minimum area of secluded private open space at ground floor of 25 square metres with minimum dimension of 3 metres per dwelling. Balconies and roof tops excluded from calculation (M).</p> | <p>The secluded private open space dimensions were based on a review of permits across areas proposed for the NRZ1 and NRZ2 (refer Amendment Documents, Part 2C, document 35). The review found that in the north, the size of secluded private open space ranged from a minimum of 30 square metres to a maximum of 42 square metres on average. The upper range of 40 square metres was therefore determined to be a reasonable size to achieve Council's objective.</p> <p>In the south, the size of secluded private open space ranged from a min 12 square metres to a max 16 square metres on average.</p> <p>Given these small sizes it was considered reasonable to simply set the clause 55 dimension of 25 square metres as a mandatory control to achieve Council's objective.</p> <p>It is submitted that the secluded private open space requirements are reasonable and based on sound analysis of recent development activity. The requirements support Council's desire to allow for lower density multi unit development in the NRZ and analysis indicates that most proposals would lose one dwelling to achieve the requirement, e.g. a four unit development becomes a three unit development, as demonstrated in the Spatial Economics Housing Analysis Report (refer Amendment Documents, Part 2B, document 19).</p> |
| | <p>Number of dwellings on a lot</p> <p>NRZ1 – Average gross dwelling density of one dwelling per 250 square metres for developments of metres or more</p> | <p>The parent clause of the NRZ allows for a maximum of two dwellings on a lot, regardless of lot size. In keeping with Council's objective for the NRZ to allow for low density multi dwelling development, it was important this limit was varied.</p> <p>Rather than specifying the total number of dwellings allowed on a lot, it was determined that a more nuanced approach was required which allows for varying lot sizes.</p> |

| Local Variations | Justification |
|--|--|
| <p>dwelling (D).</p> <p>NRZ2 - Average gross dwelling density of one dwelling per 200 square metres for developments of three or more dwellings (D).</p> | <p>The average gross dwelling densities are intended as a discretionary tool to estimate the average number of dwellings which might be achieved on a lot based on lot size. It is not to be confused with a minimum subdivision size and it includes common property areas. Combined with the secluded private open space requirements, it is intended to allow for a new form of low density multi dwelling development in the NRZ.</p> <p>The proposed average densities were determined based on an analysis of average dwelling densities achieved for multi dwelling applications in Moreland in 2012. As evidenced in the table below, the review found that in the north the average dwelling density was 218 square metres and in the south 180 square metres. The proposed average densities were then double checked by a review of permit applications (refer Amendment Documents, Part 2C, document 35). The average dwelling density of the case studies included in this review was 1:208 square metres and the south 1: 120 square metres.</p> <p>Based on an understanding of the current densities illustrated above, and to achieve the objective of a lower density outcome, densities of 1:250 square metres for the north and 1:200 square metres for the south were identified as reasonable slightly lower density outcomes. These densities only apply if three or more dwellings are proposed so as not to unreasonably constrain the development of two dwellings on a lot.</p> <p>It is submitted that the average gross dwelling density requirements are reasonable and based on sound analysis of recent development activity. The requirements support Council's desire to allow for lower density multi unit development in the NRZ and analysis indicates that most proposals would lose one dwelling to achieve the requirement, e.g. a four unit development becomes a three unit development, as demonstrated in the Spatial Economics Housing Analysis Report (Amendment Documents, Part 2B, document 19).</p> |

Discussion

The Committee notes the specified maximum height for the NRZ is eight metres and the Schedules seek to retain it as a discretionary height rather than a mandatory height (based on Council's revised position) and to refer to two storeys.

As discussed in the *Stage One Overarching Issues Report*, the Committee has concluded that through the drafting of the head clause for the NRZ:

- if a height is specified in a Schedule it is 'mandatory' and there is no scope to provide discretionary heights.
- the maximum height can only be expressed in metres and there is no scope to refer to storeys.
- the limitation on the number of dwellings on a lot can only be expressed as a number and not a density ratio.

As eight metres is the mandatory height in the NRZ, and Council has now revised its position and no longer wishes to pursue a mandatory height, the Committee considers Council needs to seriously consider whether the NRZ is the most appropriate zone for this land, or whether the GRZ would be more appropriate.

In terms of the proposed variation relating to landscaping, the Committee notes the intent of this variation is consistent with the following policy framework:

- **Clause 21.05-5 Urban Design, Urban Character and Street Landscapes – Objective 5** – which seeks to develop street landscapes which provide more shade, greenery and natural habitat throughout the city and ensure new plantings take into account the area’s neighbourhood character.
- **Clause 22.10 – Neighbourhood Character – Objectives – Residential Character Areas** – which seeks to improve the landscaped and green character and states and states that it is policy that at least one semi mature with a spreading canopy should be planted in the front setback, where the prevailing setback permits.

On that basis, the Committee considers there is strategic justification to include this variation in the Schedule to the NRZ. The Committee is, however, concerned with the proposal to make this a mandatory requirement in the NRZ1. As discussed in the *Stage One Overarching Issues Report*, the Committee has concluded that it is not appropriate to seek to make variations to the ResCode standards mandatory as these are intended to be performance based requirements. On that basis, the Committee would not support any references to ‘must’ within the variations to Clauses 54 and 55.

The Committee notes the revised Schedule seeks to amend the terminology associated with ‘semi mature canopy tree’ and make reference to this being provided in accordance with the *Moreland Tree Planting Manual for Residential Zones, 2014*. The Committee notes reviewed reference to this manual in the discussion of the RGZ.

In relation to the proposed variation to Standard *B28 – Private Open Space*, whilst Council submitted this variation responds to development trends, the Committee could find no strategic justification for the specific size and location of open space referenced within the existing policy framework. The Committee is not challenging Council’s submission that this may be what is occurring or that these areas are required to support the landscaping desired, but rather without a clear statement of strategic intent, it is not considered these are appropriate variations to Clauses 54 and 55 at this time, and it is certainly not appropriate they be considered mandatory for the reasons discussed above.

In relation to the proposed variation to the maximum number of dwellings on a lot as proposed, as discussed in the *Stage One Overarching Issues Report*, the Committee has concluded that through the drafting of the head clause for the NRZ the maximum number of dwellings can only be expressed as a number and not a density ratio, and that contrary to Council’s proposal to include these as discretionary ratio, once included within the Schedule they become mandatory.

The Committee accepts the Council’s submission that a more nuanced approach is required in these areas to allow for the varying lot sizes, but given the limitations associated with the zone, the Committee questions whether the NRZ is the most appropriate zone for this land and whether the GRZ would be more appropriate to achieve this intent.

For these reasons, the Committee does not consider the variations, with the exception of Standard B13 provided it is discretionary, are appropriate.

Conclusion and Recommendation

The Committee concludes the variations to NRZ1 and NRZ2, with the exception of the revised wording for Standard B13, are not strategically justified.

The Committee recommends:

- 6. Strategically justify variations to Schedules 1 and 2 to the Neighbourhood Residential Zone before introducing these through a future amendment.**

(iii) Transitional provisions

A common theme of all of the Schedules is the inclusion of transitional provisions which state this Schedule does not apply to an application to construct a dwelling or residential building made before the approval date of the draft Amendment, however this does not apply to applications to extend a permit or extend a building made under Section 69 of the *Planning and Environment Act 1987*.

The Committee notes these have been appropriately removed from the revised schedules. The Committee notes a number of detailed decision guidelines are also proposed to be removed, which the Committee supports.

Conclusion

The Committee supports the removal of transitional provisions from the schedules.

(iv) Exemptions from mandatory control to defer to overlays

Council recognised that mandatory height control in a schedule would be at odds with the heights specified in several overlays and proposed to include an exemption in the Schedule to defer to the Overlay in such cases.

As stated in the *Stage One Overarching Issues Report* the Committee has concluded that through the drafting of the head clause for the various zones there is no ability to provide exemptions to refer back to either an existing overlay or Structure Plan.

The Committee considers that in such situations, Council will need to consider whether the GRZ would be the most appropriate zone, leaving the various overlays to do their job.

Conclusion and recommendation

The Committee concludes that there is no legal ability to include building height exemptions in the schedules to the residential zones.

The Committee recommends:

- 7. Avoid variations to provisions in schedules to the residential zones where the zone itself does not provide the legal ability, in any future amendment.**

6.5 Changes to the mapping

Council submitted the draft Amendment was endorsed by Council on 12 March 2014 with some changes to the proposed zone boundaries.

None of the changes proposed alter the findings of this report. Given the Committee has identified significant concerns with the approach adopted in applying the revised residential zones, the Committee has not addressed these changes in detail.

6.6 Consequential Changes to the LPPF

Council submitted that relevant documentation to support the draft Amendment was prepared, however, with what Council submitted was *“the imminent introduction of Moreland’s new LPPF (Amendment C152)”*, the consequential changes were made to the revised LPPF rather than the existing LPPF.

As stated, the revised strategic framework in Amendment C152 has not yet been approved by the Minister and this Committee has concerns with some of the revised strategic directions.

On this basis, the Committee has not undertaken a detailed assessment of the consequential changes to the LPPF.

6.7 Submissions in relation to specific properties

The Committee recognises that many submissions were made which sought to have the proposed zone applied to their individual properties be change.

Given the Committee’s concerns with regard to the application of the zones, the Committee has not examined submissions in relation to individual properties.

The Committee has recommended the preparation of a Housing Strategy which will examine the broad range of issues relevant to housing in Moreland. The Committee considers it is following the preparation of this strategy that it will be the appropriate time to consider the appropriate zone for a particular property and the rationale for applying the zone.

Appendix A List of Documents

| No. | Name of Document | Tabled by |
|-----|---|---|
| 1 | Submission to SAC | Moreland City Council |
| 2 | Folder Part 1 | Moreland City Council |
| 3 | Folder Part 2A | Moreland City Council |
| 4 | Folder Part 2B | Moreland City Council |
| 5 | Folder Part 2C | Moreland City Council |
| 6 | Folder Part 3 | Moreland City Council |
| 7 | Folder Part 4 | Moreland City Council |
| 8 | Affordable Housing Strategy 2014-2018 | Moreland City Council |
| 9 | Property Analysis | Moreland City Council |
| 10 | Tree Planting Manual for Residential Zones (draft for SAC review) | Moreland City Council |
| 11 | Submission to SAC | Public Transport Victoria |
| 12 | Presentation to SAC (PowerPoint slides) | Department of Human Services |
| 13 | Plan Melbourne page 157 | Property Council |
| 14 | Development, 28 Richards Street, Coburg | C McKenzie, Melbourne Planning Solutions |
| 15 | Development, 170 The Avenue, Coburg | C McKenzie, Melbourne Planning Solutions |
| 15b | Submission to SAC | C McKenzie, Melbourne Planning Solutions |
| 16 | Presentation to SAC (PowerPoint slides) | Melbourne Planning Authority |
| 17 | Submission to SAC | M Ryan, Urban Planning |
| 18 | Professional Qualifications | M Ryan, Urban Planning |
| 19 | Letter to Minister for Planning re application of residential zones in the City of Glen Eira | M Ryan, Urban Planning |
| 20 | Letter to Minister for Planning re application of residential zones in the City of Boroondara | M Ryan, Urban Planning |
| 21 | DTPLI application statistics for the City of Boroondara | M Ryan, Urban Planning |
| 22 | Submission to SAC (Colleen Peterson group) | G Tobin, Harwood Andrews |
| 23 | Housing Development Data analysis for City of Moreland | G Tobin, Harwood Andrews |
| 24 | VCAT Red Dot decision, Kain v Yarra Ranges SC [2013] VCAT 1908 | G Tobin, Harwood Andrews |
| 25 | Submission to SAC | A Scott-Maxwell |
| 26 | Submission to SAC | J Gagliano |
| 27 | Submission to SAC | S Kyriakou |

| No. | Name of Document | Tabled by |
|-----|---|---|
| 28 | Brunswick Traffic Survey | S Kyriakou |
| 29 | Submission to SAC | D Loughnan, G2 Urban Planners |
| 30 | Submission to SAC | Russell Hocking, Cityshire Planning |
| 31 | Feasibility study [address supplied] (Confidential) | Russell Hocking, Cityshire Planning |
| 32 | Submission to SAC | B Kingham |
| 33 | Set of photographs, Merri Street, Brunswick | B Kingham |
| 34 | Submission to SAC Part 1 | M Fleming |
| 35 | Submission to SAC Part 2 | M Fleming |
| 36 | Set of photographs, Merri Street, Brunswick | M Fleming |
| 37 | Set of maps and photographs, Collier Crescent and vicinity, Brunswick | P Holzer-Ingamells |
| 38 | Submission to SAC | S D'Amico, Ratio Consultants |
| 39 | VCAT decision, ER Ronge & Co Pty Ltd v Moreland CC [2008] VCAT 1491 | S D'Amico, Ratio Consultants |
| 40 | Moreland Neighbourhood Character Guidelines 2006, precinct 75 | S D'Amico, Ratio Consultants |
| 41 | Moreland Neighbourhood Character Guidelines 2006, precinct 69 | S D'Amico, Ratio Consultants |
| 42 | Planning Property Report 20 Hardy Street, Brunswick | S D'Amico, Ratio Consultants |
| 43 | Set of photographs, Brunswick examples | P Connolly, Terrain Consulting |
| 44 | Submission to SAC | Builtmore Pty Ltd and Parkside Developments Pty Ltd |
| 45 | Submission to SAC | D Scally, Best Hooper |
| 46 | General Residential Zone annotated (1 copy) | D Scally, Best Hooper |
| 47 | Neighbourhood Residential Zone annotated (1 copy) | D Scally, Best Hooper |
| 48 | Residential Growth Zone annotated (1 copy) | D Scally, Best Hooper |
| 49 | Addendum Expert Report | T Biles, Message Consultants |
| 50 | Summary of Evidence | J Glossop, Glossop Town Planning |
| 51 | Aerial photograph, Munro Street, Coburg | J Glossop, Glossop Town Planning |
| 52 | Set of photographs, Munro Street, Coburg | J Glossop, Glossop Town Planning |
| 53 | Submission to SAC | A Flinn |
| 54 | Site analysis, 2 Spry Street, North Coburg | W Pearce, Urbis |
| 55 | Submission to SAC | F Abdulnour |
| 56 | Submission to SAC | P O'Farrell of Counsel |
| 57 | Set of photographs, Brunswick Road and vicinity, Brunswick | P O'Farrell of Counsel |

| No. | Name of Document | Tabled by |
|-----|--|--|
| 58 | Aerial photograph, Brunswick Road and vicinity, Brunswick | P O'Farrell of Counsel |
| 59 | PN46, Strategic Assessment Guidelines | P O'Farrell of Counsel |
| 60 | Extract from Council MILUS report, pp 59-60 | P O'Farrell of Counsel |
| 61 | Submission to SAC | M Kennedy, SJB Planning |
| 62 | Submission to SAC | M Kennedy, SJB Planning |
| 63 | Zoning map, Pascoe Vale | M Kennedy, SJB Planning |
| 64 | Article, "Freight trains may make their way through inner suburbs", The Age, 21 Feb 2014 | M Leach |
| 65 | Submission to SAC | J Livingston, Planning Consultant |
| 66 | Plan, 156 Moreland Road, Coburg (1 copy) | J Livingston, Planning Consultant |
| 67 | Submission to SAC | N Touzeau, Urbis |
| 68 | Submission to SAC | P Connolly, Terrain Consulting Group |
| 69 | Set of aerial photographs, Weston Street and vicinity, Brunswick East | P Connolly, Terrain Consulting Group |
| 70 | Set of photographs, Weston Street and vicinity, Brunswick East | P Connolly, Terrain Consulting Group |
| 71 | Heritage citation, Brunswick East Masonic Centre #28 | P Connolly, Terrain Consulting Group |
| 72 | Moreland Planning Scheme Clause 43.01 Heritage Overlay | P Connolly, Terrain Consulting Group |
| 73 | Moreland Planning Scheme Clause 22.13 Heritage Policy | P Connolly, Terrain Consulting Group |
| 74 | Residential Zones Implementation for the City of Yarra, Final Report, Planisphere | P Connolly, Terrain Consulting Group |
| 75 | Submission to SAC | J Mansour |
| 76 | Moreland Planning Scheme Clause 55.03-2 Standard B7 | M Naughton, Planning and Property Partners |
| 77 | Glen Eira Planning Scheme Schedule 3 to Clause 32.08 General Residential Zone annotated | M Naughton, Planning and Property Partners |
| 78 | Submission to SAC | M Naughton, Planning and Property Partners |
| 79 | Letter from Moreland City Council CEO to Moreland community regarding Brearley Reserve interface | M Naughton, Planning and Property Partners |
| 80 | VCAT decision 80 Mitchell Parade (1 copy) | M Naughton, Planning and Property Partners |
| 81 | Submission to SAC | D McLay |
| 82 | Submission to SAC including Appendices A-D | J Hollerich, Collie |
| 83 | Set of photos and plans, Coburg Hill (former Kodak site) | A Barker, Collie |

| No. | Name of Document | Tabled by |
|-----|--|----------------------------|
| 84 | Submission to SAC | F Calodoucas and S Whicker |
| 85 | Submission to SAC | M Moore |
| 86 | Submission to SAC | A Clarke, Clarke Planning |
| 87 | Accompanying documents | A Clarke, Clarke Planning |
| 88 | List of permits issued along Nicholson Street in last 2 years proximate to subject site under Structure Plan Policy Regime | A Clarke, Clarke Planning |
| 89 | "Transforming American Cities", Prof R Adams, July 2009 (1 copy) | A Clarke, Clarke Planning |
| 90 | Submission to SAC | M Waldon, St-Wise |
| 91 | Submission to SAC | Z Sajinovic |
| 92 | Moreland CC Right of Reply | Moreland City Council |

Appendix B List of Submitters

| Submitter | Organisation | Attended the Hearings – Represented by |
|-----------------------|----------------------|--|
| Patrick Slavich | | |
| Daher Francis | | |
| Peter McQuillan | | |
| Cat Nam Le | | |
| Stephen Sacco | Sacco Sustainability | |
| Nick Tobin | | |
| Adele Selby | | |
| Andrew Sullivan | | |
| Bree Mills | | |
| Heather Pappalardo | | |
| Tamara Truman | | |
| Nursel Mulayim | | In person |
| Ben Kamp | | |
| Bill Presse | | In person |
| Nina Killham | | In person |
| Megan Sarson | | |
| Faysal Abdulnour | | In person |
| Chris Pantopolis | | |
| Neil Hutchinson | | |
| Trevor Michael Hyde | | |
| Oak Park | | |
| Ahed Chahal | | |
| Peter Waite | | |
| John Gerard Ryan | | |
| Jim Vokolos | | |
| Tom Forsell | | |
| Anthony Almiento | | |
| Claudia Leung | | |
| Mr W Guy & Mrs B Guy | | |
| Ronald Leslie Withey | | |
| Gina Ralston | | |
| Georges Halim Francis | | |

| Submitter | Organisation | Attended the Hearings – Represented by |
|--|--|--|
| Charlotte Fleming | | |
| Janet Ferguson | | |
| June Alice Jones | | |
| Chris Phillips | | |
| Joy Finlayson | | |
| Mahmoud Ramahi m | | |
| Fern Smith | | |
| Wong Ing | | |
| Carol Pilatti | Catholic Education Office Melbourne | |
| John Wayne Gibbard | | |
| Anna Martiniello | Shayher Properties Pty Ltd | |
| Andrew Rees | | |
| Jane Holroyd | | |
| Gesualdo Ventura | | |
| Kathleen Matthews-Ward | | In person |
| David Chambers | | |
| Moreland | | |
| Frank La Scala | | |
| Amina Schutz Flinn | | In person |
| Russell Thomson | | |
| Louise Wolfers | Healthscope Ltd | |
| Antonio Rosella | | |
| Temple Living P/L | | Russell Hocking of CityShire Planning |
| Jerzy Kocyan | | |
| Lucia Oude-Vrielink | | |
| Marina Williams-Wynn as POA for Erna Teofilovic | | |
| Shane French | | |
| Kara Liddy | | |
| Maria Gangemi | | |
| Michael Leach | | In person |
| Brett Lockwood | | |
| Colleen Peterson | | Greg Tobin of Harwood Andrew Lawyers |
| Dale Constable | | In person |

| Submitter | Organisation | Attended the Hearings – Represented by |
|---------------------------------------|---------------------------------|--|
| Jack Turato | | |
| Jenny Bull-Petrovic | | |
| Margaret Chambers | | |
| Mark Stephenson | | |
| Michael Pagonis | | |
| Michael Pascuzzi | | |
| Nazario & Frances Ceddia | | |
| Penelope Jane Sekeris | | |
| Rosemary Kerr | | |
| Barrie Kingham | | In person |
| Chris Doufas | | Andrew Clarke |
| Fay & Ron Wightwick | | |
| Maria De Leo | | |
| Melanie Hearne | | |
| Neeraj Khatri | | |
| The Hon Kelviin Thomson, MP for Wills | The Federal Electorate of Wills | In person |
| Vipul Sankade | | |
| Vu Hoang Nguyen | | |
| Aleksander Danko | | Barrie Kingham |
| Alice de Jonge | | |
| Amanda Barnard | | |
| Andrew James Martin | | Barrie Kingham |
| Anna Wilson | | |
| Ken Lazarus | | |
| Kim Lisa Anderson | | |
| Leah Mosel | Darebin City Council | |
| Michael Beahan | | Barrie Kingham |
| Michael Petit | | |
| Moreland | | |
| Denis Beris | | Russell Hocking of CityShire Planning |
| Nilufer Yaman | | Barrie Kingham |
| Peter Linton | | |
| Prue Holzer-Ingamells | | In person |
| Rebecca Nisbet | | |

| Submitter | Organisation | Attended the Hearings – Represented by |
|------------------------------------|--|--|
| Renee Braden | | |
| DTPLI | | Simon Micmacher |
| Stephanie Poustie and Wayne Ramsey | | |
| Vincenzo Gelsomino | | |
| Christoforou Family | | Will Pearce of Urbis |
| Zhen Wang | | |
| Judith Walton | | Barrie Kingham |
| Timothy Baker | | |
| Peter Mason | Johlin No.2 Pty Ltd | |
| Adam Bayram | | |
| Benjamin Ross Dainton | | |
| Carol Ann Bibo | | |
| Carole Regina Spong | | In person |
| Chris MacKenzie | Melbourne Planning Solutions | In person |
| David Raso | | |
| Djad Trenerry | | |
| Geoff Millar | | |
| George Sarkis | | |
| Heath Melville Beazley | | |
| Ilhan Balci | | |
| James Livingston | James Livingston Planning | In person |
| James Mansour | | In person |
| Jane Garrett MP | State Member of Parliament for Brunswick | |
| Janine Anne Rafferty | | |
| Jeanette Le Page | | |
| Joanne Barlow | | |
| John Nelson | | |
| Joseph Gagliano | | In person |
| Joseph Indomenico | | |
| Kate Douglas | | |
| Liz Nairn | Moreland City Council | In person |
| Paul Connelly | Terrain Consulting Group | In person |
| Madeline Di Pietrantonio | Department of Human Services | In person |

| Submitter | Organisation | Attended the Hearings – Represented by |
|----------------------------|--|---|
| Martin Barnes | | |
| Martin Reeves | | |
| Marina Saccheta | | |
| Narelle Peterson | | |
| Nicholas Lupo & Laura Lupo | | |
| Michael Potenza | | Nicholas Touzeau of Urbis |
| Robert Moore Egan | | |
| Rosa Quintigliano | | |
| Sam Kyriakou | | In person |
| Eve Ronge | | Simon Martin of Ratio |
| Tanya Wilding | | |
| Tristan Brinkkotter | | In person |
| Zeke Yarak | | Chris Mackenzie of Melbourne Planning Solutions |
| Jason Tayrun | | |
| Angela Rutherford Pty Ltd | | Jay Hollerich Collie Pty Ltd |
| Michael Flemming | | In person |
| Ken White | Glenroy RSL | |
| Brenda Ellen Goddard | | |
| David McLay | | In person |
| Adrian John Newton | | |
| Aline Scott-Maxwell | | In person |
| Andrew Gunner | West Brunswick Neighbourhood Association | |
| Satterley Property Group | | Aran Barker of Collie Pty Ltd |
| Bijou Janse | | |
| Brendan Danaher | | |
| Brian Brooks | | |
| Bruce Bagnall | | |
| Cagil Ozansoy | | |
| Christine Campbell | | |
| Christine Mary Flemming | | Barrie Kingham |
| Damian Loughnan | G2 Urban Planning | In person |
| Dana Stephensen | | |
| Daniel Stevens | Zero Nine | |

| Submitter | Organisation | Attended the Hearings – Represented by |
|---|--|--|
| Danny Sacco | DSP Architects | |
| David Fung | | |
| Luke O'Grady | Stockland Development Pty Ltd | |
| Deborah Platanas | | |
| Ernest John Healy | Moreland Planning Action Group | |
| Fastnet Consulting | Interlandi Architects | |
| Fastnet Consulting | Better Living Group | |
| Fiona Calodoucas and Dr Susan Whicker | | In person |
| Hansen Partnership Pty Ltd | 1 Heller Street Brunswick Owners Corporation | |
| Heather Gridley | | In person |
| Ian Geoffrey Manning | | |
| James Parsons | Public Transport Victoria | In person |
| Janet Watson Kruse | | In person |
| Jean Nankin | Housing Choices Australia | |
| Jenny Eccles | | |
| Jillian Taylor | | In person |
| Joan Grounds | | Barrie Kingham |
| John Wentworth | | |
| Julia Lehmann | | |
| Property Council of Australia, Victorian Division | | Jennifer Cunich |
| Kevin McDonald | | |
| Kieran Briggs | | |
| Lynette Harrop | | |
| Margaret Beahan | | |
| Marilyn Moore | | In person |
| Owners 452 Brunswick Road, Brunswick West | | Marjorie Kennedy of SJB Planning |
| Mark Russell Lewis | | |
| Matt Ryan | | In person |
| Parkside Developments (Vic) Pty Ltd | | |
| John Frostell | | |

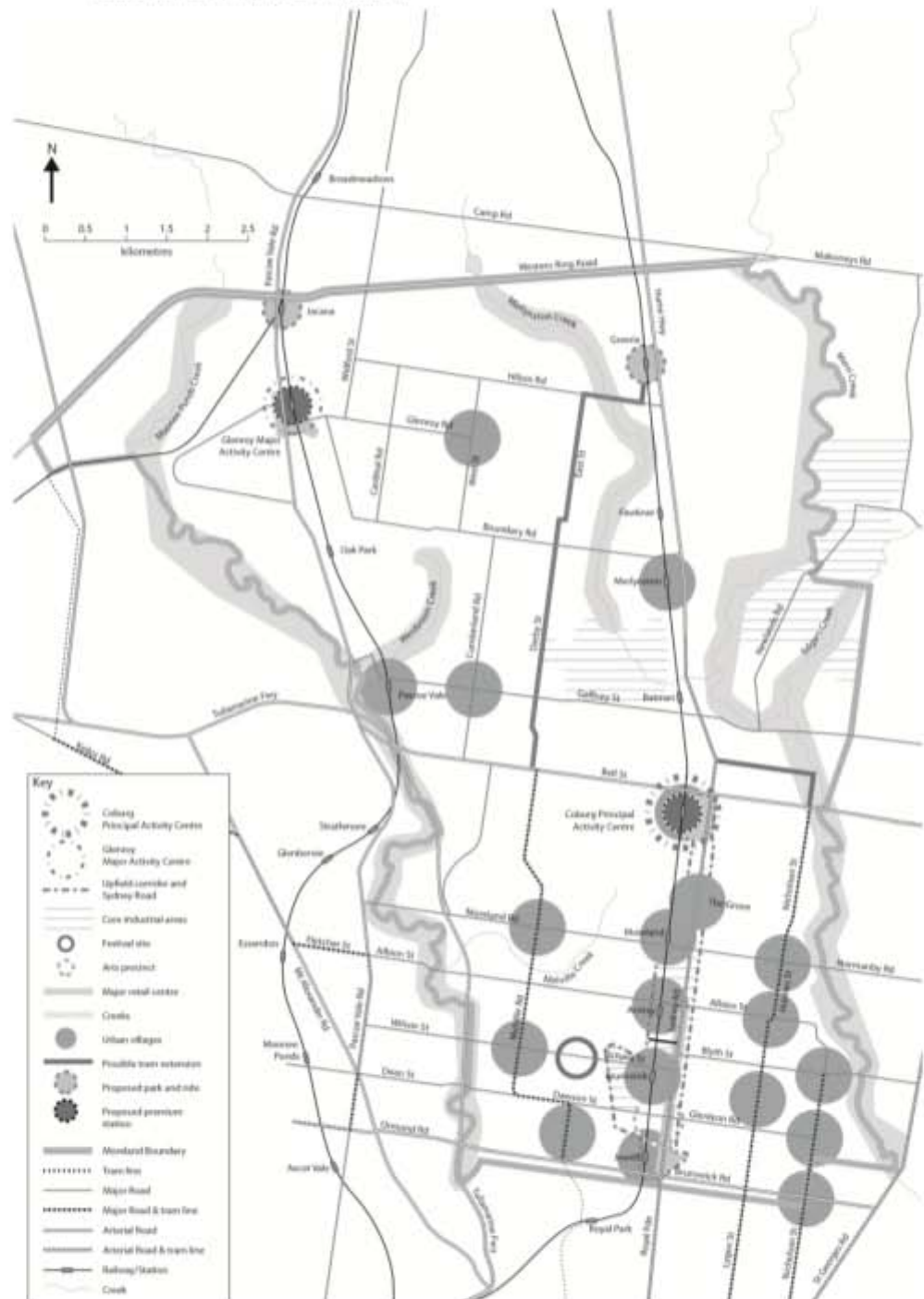
| Submitter | Organisation | Attended the Hearings – Represented by |
|---|--|--|
| Michael Kai | | |
| Michelle Loeliger | | |
| Agire Ananiadis | | |
| Barbara Hall | | |
| Jamie Govenlock | | |
| Nick Clements | InvoCare Pty Ltd c/- Tract Consultants | |
| Owners of 191 Weston St, Brunswick East | | Paul Connolly of Terrain Consulting Group |
| Pauline Charleston | | In person |
| Peter Christofas | | |
| Philip Pignolet | | |
| Ram Builders Pty Ltd | | Dominic Skelly - Best Hooper Solicitors with expert evidence from John Glossop |
| Builtmore Investments | | |
| Rhonda Di Biase | | |
| Metropolitan Planning Authority | | Peter Seamer |
| Robert Murphy | Melanie Patrick Pty Ltd | |
| Rowan Briffa | | |
| Saraid Mitten | VicTrack | |
| Sioux Clark | | In person |
| | | |
| Thanh Bui | | |
| Datt Corporation Pty Ltd | | Peter O'Farrell with expert evidence from Vaughan Connor |
| Tracey Stevens | | |
| Uyen Tran & Thanh Bui | | |
| 80 Mitchell Parade Pty Ltd | | Mark Naughton of Planning and Property Partners |
| Vincent Punaro | | In person |
| Walsh Building Services Pty Ltd | | Dominic Skelly - Best Hooper Solicitors with expert evidence from Tim Biles |
| Wayne Motton | | Mark Waldon |
| Residents of 87 Murray St, Coburg | | Zoran Sajinovic |
| Alan Norman | Association Of Consulting | |

| Submitter | Organisation | Attended the Hearings – Represented by |
|-------------------------------------|--------------------|--|
| | Surveyors Victoria | |
| Sebastian Furness | | |
| Builtmore Investments | | Builtmore Representative |
| Builtmore Investments | | Builtmore Representative |
| Parkside Developments (Vic) Pty Ltd | | Parkside Representative |
| Parkside Developments (Vic) Pty Ltd | | Parkside Representative |
| Anonymous | | |
| Anne Maria Lynch | | |
| James De Gregorio | | |
| Costas Matarakis | | |
| Rita La Rosa | | |
| Stephen Bitmead | | |
| Josef & Samantha Seidler | | |

Appendix C Existing Strategic Framework Plan

Map 3: Strategic Framework Plan

Note: This map shows simplified information only. Please refer to planning scheme maps and detailed policies for precise boundaries.

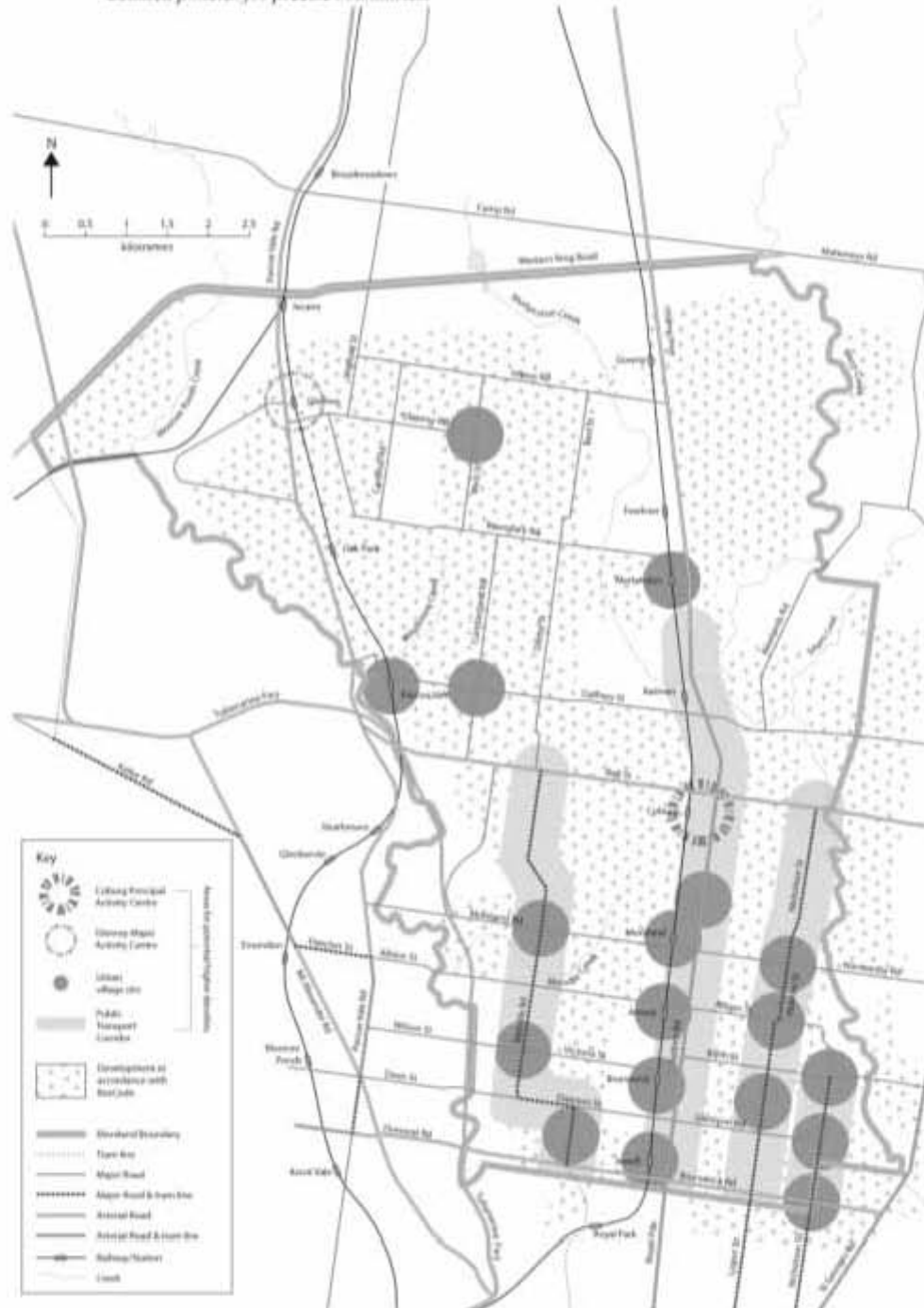


Appendix D Existing Map 4: Housing Strategy

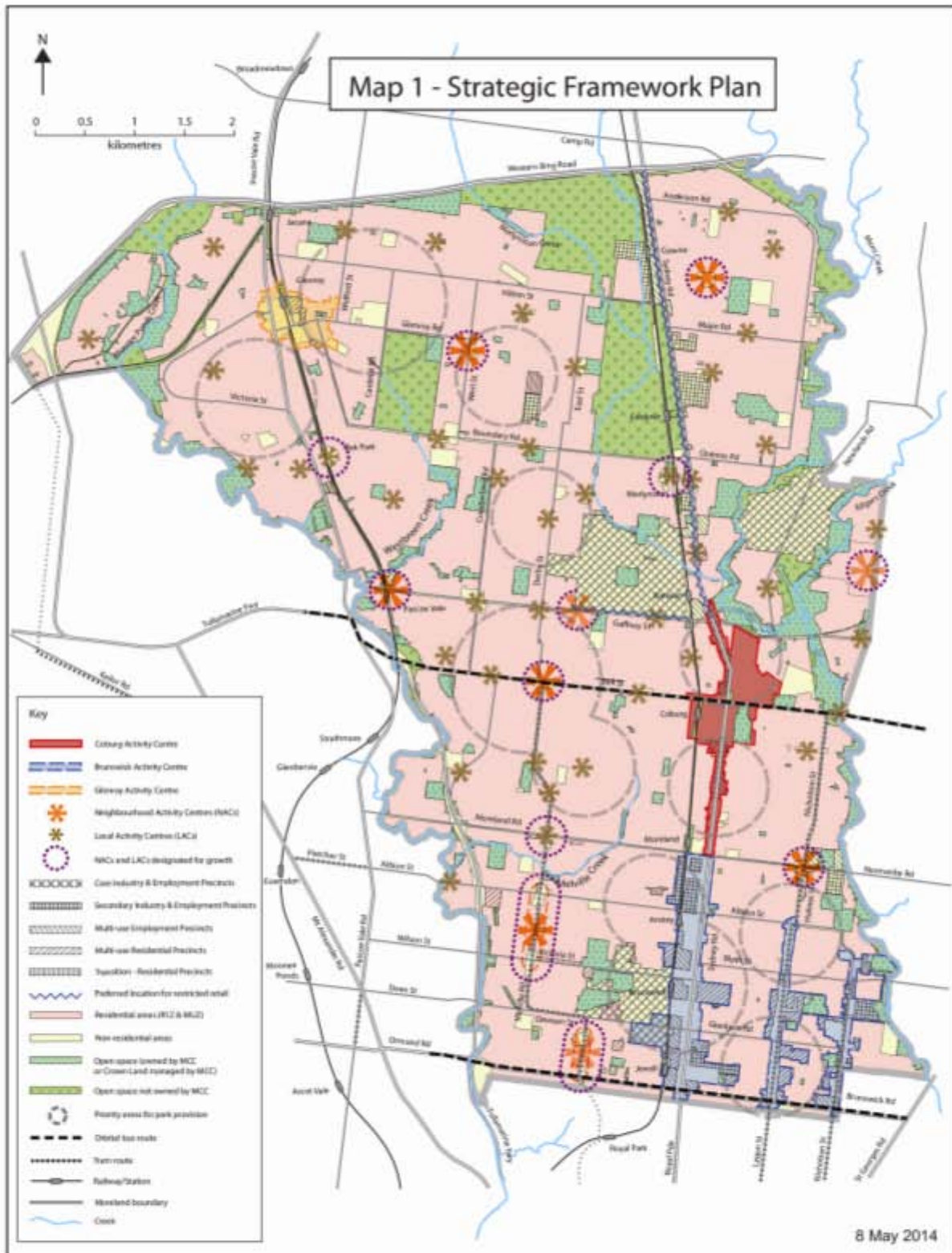
MORELAND PLANNING SCHEME

Map 4: Housing Strategy

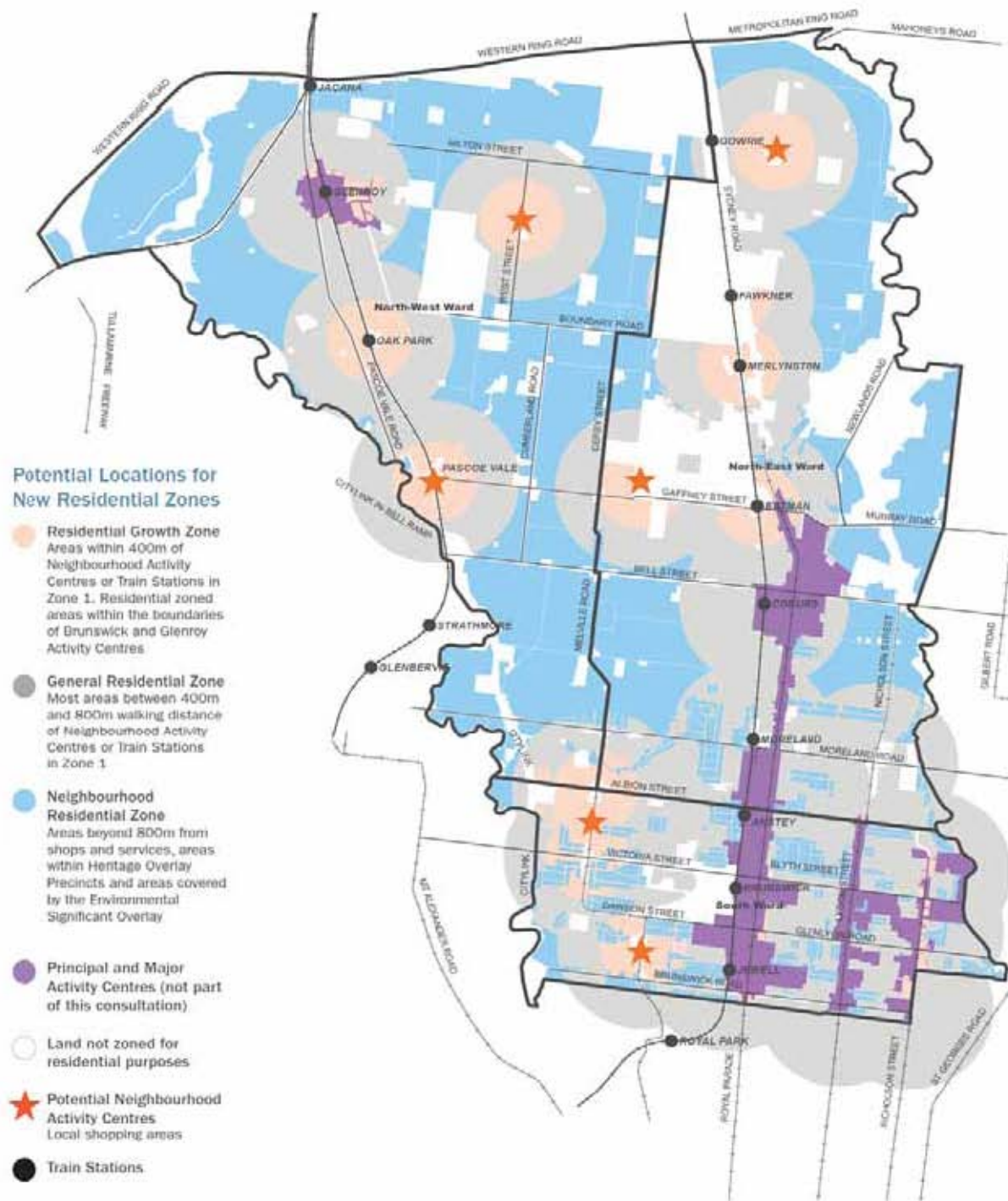
Note: This map shows simplified information only. Please refer to planning scheme maps and detailed policies for precise boundaries.



Appendix E Revised Strategic Framework Map



Appendix F 2013 Concept Plan



Appendix G Proposed zone application for draft Amendment C153

