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Part A - Submission by the Planning Authority Moreland City Council

Planning Scheme Amendment C212more
Planning Scheme Updates and Corrections

10 March 2022

TRIM: D22/57025

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1. Introduction

1. This document forms the 'Part A' submission to the Panel for Amendment C212more (**the Amendment**) to the Moreland Planning Scheme. The Moreland City Council (**Council**) is the Planning Authority for the Amendment.
2. The Panel has directed Council to provide its 'Part A' submission by 10 March 2022 and to address several matters in its submission as listed below:
 - a) Background of Amendment & Chronology of events.
 - b) Strategic Context and assessment, including:
 - i. Relevant planning policies and controls.
 - ii. Other relevant amendments in progress or recently approved.
 - c) Summary table of changes proposed by the Amendment and strategic work informing each of the proposed changes.
 - d) Overview of any community engagement undertaken.
 - e) Detailed background and context relating to the Moreland Integrated Transport Strategy 2019 (MITS) and Parking Management Policy (PMP) including:
 - i. history and chronology of strategic work.
 - ii. clarification of the status of versions of the MITS and PMP, including Council adoption and status in the Planning Scheme.
 - iii. implications of any Amendments or relevant panel reports, including Moreland Planning Scheme Amendment C183 and Amendment VC204.
 - iv. relationship with and response to the Transport Integration Act 2010.
 - v. plans to review and update the MITS and PMP.
 - vi. strategic basis of the Road User Hierarchy.
 - f) Copies of correspondence with the EPA relating to the proposed Environmental Audit Overlay.
 - g) Clarification of the Council resolution referring the Amendment to an independent planning panel, any changes to its Instrument of Delegation and the formal referral of any late submissions.
 - h) Summary of issues raised in submissions, including late submissions.
 - i) Summary of proposed post exhibition changes and:
 - i. Copies of Amendment documents showing proposed changes in tracked changes (word versions).

- ii. Clarification of the reason for the proposed change (including whether the change is proposed in response to submissions or for another reason).
 - j) Clarification of whether Council notified submitters and affected property owners and tenants of proposed post-exhibition changes.
 - k) Any other strategic material that Council intends to rely upon in support of the Amendment that has not yet been provided, or that might assist the Panel in its consideration of the Amendment, including but not limited to:
 - i. Moreland Planning Scheme Review Report 2018.
 - ii. Amendment C183 Panel Report.
3. A response to each direction is provided in Sections 3 -10 of this submission.
4. Council's 'Part B' submission will be provided at the Panel Hearing on 17 March 2022. It will address the following matters set out in the Panels directions dated 16 February 2022. These are:
- a) its response to the issues raised in submissions
 - b) any further changes Council proposes to make to the Amendment in response to submissions
 - c) its final position on the Amendment.

2. Overview of Amendment C212

5. The Amendment as exhibited sought to improve the operation of the Moreland Planning Scheme (**PS**) and planning permit decision making by introducing new policy content, new planning permit application requirements, and correcting a number of anomalies and errors/inconsistencies identified in the PS.
6. The Amendment was exhibited from 7 October 2021 to 5 November 2021 in accordance with Section 19 of the *Planning and Environment Act 1987* (**the Act**) and proposed to:
 - a. Delete Design and Development Overlay Schedules 7 (**DDO7**) and 9 (**DDO9**).
 - b. Introduce new policy content into the following clauses of the PS to give effect to Council adopted strategies and recommendations from the *Moreland Planning Scheme Review Report 2018* (**PSR**), provide clarification on existing content and correct errors/inconsistencies:
 - i. Clause 2.03-2 Environment and landscape values.
 - ii. Clause 2.03-6 Economic development.
 - iii. Clause 2.03-7 Transport.
 - iv. Clause 2.04 *Open space* Strategic Framework Plan.
 - v. Clause 2.04 *Economic development* Strategic Framework Plan.
 - vi. Clause 11.03-1L Activity centres.
 - vii. Clause 12.01-1L Biodiversity.
 - viii. Clause 15.01-1L Urban design.
 - ix. Clause 15.01-3L Heritage.
 - x. Clause 16.01-4L Housing affordability.
 - xi. Clause 17.01-1L Core industry and employment areas.
 - xii. Clause 17.01-1L Employment areas.
 - xiii. Clause 18.02-1L Sustainable transport in Moreland.
 - xiv. Clause 18.02-2L Public transport in Moreland.
 - xv. Clause 43.02-16 Design and Development Overlay – Schedule 16.
 - xvi. Schedule to Clause 72.08 Background documents.
 - c. Introduce application requirements requiring the submission of 3D models for developments of four or more storeys in the following Design and Development Overlays (**DDOs**):
 - i. DDO18 (Brunswick Activity Centre – Sydney Road and Upfield Corridor);
 - ii. DDO19 (Brunswick Activity Centre – Lygon Street Local Area);
 - iii. DDO20 (Brunswick Activity Centre – Nicholson Street Local Area);
 - iv. DDO22 (Land Bound by Barkly Street to North, Nicholson Street to the East, Brunswick Road to the South, Brunswick East);
 - v. DDO23 (Balfe Park Precinct, Brunswick East); and
 - vi. DDO24 (Neighbourhood Centres).

d. Correct zoning anomalies for public and privately owned land by rezoning the following land:

- i. 6 McDonald Street, Coburg from the Public Use Zone – Schedule 4 (**PUZ4**) Industrial 1 Zone (**IN1Z**).
- ii. 41-43 Service Road, Coburg from the General Residential Zone (**GRZ**) to the Public Park and Recreation Zone (**PPRZ**).
- iii. 1, 3 & 7 Leonard Street, Fawkner from the GRZ to the PPRZ.
- iv. 43 Kernan Street, Pascoe Vale from the Neighbourhood Residential Zone (**NRZ**) to the PPRZ.
- v. 33 Outlook Drive, Glenroy from the NRZ to the PPRZ.
- vi. 2 Derby Street, Fawkner from the NRZ to the PPRZ.
- vii. 104-110 Newlands Road, Coburg North from the IN1Z to the PPRZ.
- viii. 1 West Street, Brunswick from the Commercial 1 Zone (**C1Z**) to the PPRZ.
- ix. 55-61 Tinning Street, Brunswick from the Industrial 3 Zone (**IN3Z**) to the PPRZ.
- x. 14 Frith Street, Brunswick from the Mixed-Use Zone (**MUZ**) to the PPRZ.
- xi. 260 Sydney Road, Brunswick from the C1Z to the PPRZ.
- xii. 132-134 Cardinal Road, Glenroy from the NRZ to the PPRZ.
- xiii. Lygon Street, between Brunswick Road and Park Street, Brunswick from the Road Zone 1 (**RZ1**) to the C1Z and PPRZ.

e. Applying the Environmental Audit Overlay (**EAO**) to land previously zoned commercial or industrial that is proposed to be rezoned to PPRZ.

f. Apply the Heritage Overlay (**HO246**) to the entirety of 20 Dawson Street, Brunswick and amend the Schedule to Clause 43.01 (Heritage Overlay) and the Schedule to Clause 72.04 (Incorporated documents) to introduce a new Statement of Significance for the site.

7. A summary table of the changes proposed by the Amendment and strategic work informing the proposed changes is provided at **Appendix 1**.
8. A total of 13 submissions to the Amendment were received during the exhibition period and two (2) late submissions.
9. On 8 December 2021, Council resolved to request the Minister for Planning to appoint a Panel in accordance with Part 8 of the Act to consider submissions.

3. Background to the Amendment

3.1 Planning Scheme Review Report 2018

10. The PSR was adopted by Council on 13 June 2018 (**Appendix 2**). It found that the PS was operating well as significant improvements had been made in recent years prior to the review.
11. To ensure the PS continued to support the delivery of a sustainable, liveable Moreland and reflect recently adopted policies, strategies, and State Government reforms, the PSR made several recommendations to improve and update the PS.
12. The Amendment proposes to give effect to some of the PSR recommendations. Specifically, the Amendment implements:
 - Recommendation 2P which recommends undertaking a review of all zones, DDOs and other overlays that guide buildings and works with a focus on the findings at Appendix 3 of the Report.
 - Recommendation 2IND which seeks to recognise the Brunswick Design District (**BDD**) in the Municipal Strategic Statement (now the Municipal Planning Strategy) and support the precinct to become a successful and innovative employment and creative precinct.
 - Recommendation 4IND which seeks for the PS to support creative industries that wish to expand or establish in Core Industrial Areas.
 - Recommendation 4UD which seeks to ensure that the PS supports the Virtual Moreland program by including requirements for major developments to provide 3D models as part of the applications process (at lodgement and approval stages).

3.2 Moreland Heritage Gap Study (MHGS)

- 14 Council engaged heritage consultants Context Pty Ltd (Context) to prepare the MHGS. The Moreland Heritage Gap Study (**MHGS**) sought to investigate outstanding recommendations of the *Moreland Local Heritage Places Review 2008* and panel reports, with the purpose of assessing individual places and precincts and to determine whether they satisfied the threshold for local significance and justify their inclusion in the HO.
- 15 The MHGS reviewed the heritage overlay as it applies to 20 Dawson Street, Brunswick.
- 16 20 Dawson Street, Brunswick currently contains the former Latiner Hat Factory, a striking Modernist building. The building is now used by Victoria Police.
- 17 Whilst 20 Dawson Street, Brunswick is included in HO246, the heritage overlay only applies to half the site, cutting through the middle of the building. The Heritage Overlay schedule description also incorrectly describes the sites as the 'Balance Upfield Railway Corridor (part former Latiner Hat Factory)'.

- 18 To address these inconsistencies and errors, the MHGS recommended the following changes to the heritage overlay schedule and map:
- Change the name of the heritage place to 'Latiner Hat Factory (former), 20 Dawson Street, Brunswick'.
 - Extend HO246 to include the whole of 20 Dawson Street, Brunswick.
 - Amend the citation to incorporate changes shown in Appendix F.
- 19 The volume of the MHGS relevant to the Amendment is:
- Moreland Heritage Gap Study Vol 1 – Methodology Report (**Appendix 3**).

3.2.3 Implementation of the MHGS and 20 Dawson Street, Brunswick

- 20 The findings of the MHGS were implemented via Amendment C174more to the Moreland Planning Scheme.
- 21 Amendment C174more was:
- Exhibited in accordance with Section 19 of the Planning and Environment Act from 22 November 2018 to 25 January 2019. A total of 35 submissions were received, of which:
 - Two submissions supported the Amendment
 - Thirty-three objected to the Amendment, or suggested changes to the Amendment
 - All submissions were referred to Planning Panels Victoria, with a Panel hearing held on 6 and 7 May 2019. The Panel report was supportive of Amendment C174more, stating the:
 - Amendment was well founded and strategically justified; and
 - Recommended the Amendment be adopted subject to changes, generally related to updating information in the heritage citations and to remove three properties from the HO (i.e. removed from the Amendment).
 - Approved by the Minister for Planning on 5 January 2021.
- 22 Amendment C174more only partially implemented the recommendations of the MHGS regarding 20 Dawson Street, Brunswick. Specifically, it only updated the name of the heritage place in the schedule to the heritage overlay.

3.3 Amendment C200more

13. Amendment C200more was adopted by Council on 12 August 2020 and was gazetted on 14 January 2021. It replaced the existing Local Planning Policy Framework (**LPPF**) with the Municipal Planning Strategy (**MPS**) and Planning Policy Framework (**PPF**) in line with the State Government's Smart Planning Reforms aimed at making planning schemes more efficient, accessible, and transparent.
14. Amendment C200more partially implemented the PSR by improving the structure and operation of the PS. It did not introduce any new content.

15. As part of the translation, new policy content for the PS was identified. This content was drawn from Council strategies adopted between the 2015 PSR and the 2018 PSR.
16. Specifically, the Amendment proposes to include in the PS policy direction from the following strategies:
 - *Urban Forest Strategy 2017-2027.*
 - *A Park Close to Home 2017.*
 - *Affordable Housing Action Plan 2019/20.*
 - *Moreland Arts Infrastructure Plan 2018.*
 - *Moreland Nature Plan.*
 - *Moreland Integrated Transport Strategy 2019.*
17. The Amendment also proposes to reintroduce content that was deleted in error during the translation process. This includes:
 - The strategies in the proposed new local policy Clause 11.03-1L Activity Centres.
 - Referencing the document '*Guidelines for Assessing Planning Permit Applications*, Heritage Victoria, 2007' at Clause 15.01-3L Heritage and the Schedule to Clause 72.08 Background documents.
18. A summary table of the changes proposed by the Amendment and strategic work informing the proposed changes is provided for at **Appendix 1**.

4. Amendment C212more

4.1 Authorisation

19. At the Council meeting of 9 June 2021, a report seeking authorisation for C212more was considered by Council (Reference Document 1A). The following resolution was made (Reference Document 1B):

That Council:

1. *Using its powers as a planning authority under ss8A and 8B of the Planning and Environment Act 1987, seek authorisation from the Minister for Planning to prepare Moreland Planning Scheme Amendment C212 as detailed in Section 3 of this report and in Attachments 1, 2, 3, 4, 5 and 6 to this report.*
 2. *Following receipt of the Minister's authorisation, exhibit the Amendment in accordance with Section 19 of the Planning and Environment Act 1987 as outlined in the Consultation section of this report.*
 3. *Authorises the Director City Futures to make changes to the Amendment based on conditions imposed in any authorisation granted by the Minister for Planning and to make minor changes.*
20. On 26 June 2021, Council sought authorisation from the Minister for Planning to prepare and exhibit the Amendment.
21. On 12 July 2021, the Department of Environment, Land, Water and Planning (**DELWP**) requested further information relating to Ministerial Direction No. 19 (see Reference Document 2A). Specifically, the following further information was requested:
- The written views of the EPA, including any supporting information and reports.
 - A written explanation of how the proposed amendment addresses any issues or matters raised by the EPA.
22. The further information was provided to DELWP on 29 July 2021.
23. Authorisation of the Amendment was subsequently granted on 26 August 2021 (Reference Document 2B). There were no conditions of authorisation.

4.3 Exhibition

24. The Amendment was publicly exhibited in accordance with Section 19 of the Act from 7 October 2021 to 5 November 2021. The exhibited amendment documents included:
- Explanatory Report (Reference Document 3A).
 - Instruction Sheet (Reference Document 3B).
 - Notice of Preparation (Reference Document 3C).
 - Exhibited Provisions (Reference Document 3D).

- i. Clause 2.03 Strategic directions.
- ii. Clause 2.04 Strategic framework plans.
- iii. Clause 11.03-1L Activity centres.
- iv. Clause 12.01-1L Biodiversity.
- v. Clause 15.01-1L Urban design in Moreland.
- vi. Clause 15.03-1L Heritage in Moreland.
- vii. Clause 16.01-4L Housing affordability in Moreland.
- viii. Clause 17.01-1L Core industry and employment areas.
- ix. Clause 17.01-1L Employment areas.
- x. Clause 18.02-1-1L Sustainable transport in Moreland.
- xi. Clause 18.02-2L Public transport in Moreland.
- xii. Schedule to Clause 43.01 Heritage.
- xiii. Clause 43.02-16 Gaffney Street Precinct – 14-22 Gaffney Street, Coburg North.
- xiv. Clause 43.02-18 Brunswick Activity Centre – Sydney Road and Upfield Corridor.
- xv. Clause 43.02-19 Brunswick Activity Centre – Lygon Street Local Area.
- xvi. Clause 43.02-20 Brunswick Activity Centre – Nicholson Street Local Area.
- xvii. Clause 43.02-22 Land bound by Barkly Street to the North, Nicholson Street to the East, Brunswick Road to the South, Brunswick East.
- xviii. Clause 43.02-24 Neighbourhood Activity Centres.
- xix. Schedule to Clause 72.04 Incorporated documents.
- xx. Schedule to Clause 72.08 Background documents.
- Exhibited Planning Scheme Maps (Reference Document 3E).
- Statement of Significance for 20 Dawson Street, Brunswick (Reference Document 3F).
- Background documents (Reference Documents 3G).
 - i. *A Park Close to Home* (Moreland City Council, December 2017).
 - ii. *Guidelines for Assessing Planning Permit Applications* (Heritage Victoria, 2000).
 - iii. *Guidelines for Fences in Heritage Areas* (Moreland City Council, 2021).
 - iv. *Guidelines for Alterations and Additions in Heritage Areas* (Moreland City Council, 2021).

- v. *Moreland Affordable Housing Action Plan* (Moreland City Council, September 2019).
- vi. *Moreland Arts Infrastructure Plan 2018-2023* (Hodyl + Co, February 2018).
- vii. *Moreland Economic Development Strategy 2016-2021* (Moreland City Council, August 2016).
- viii. *Moreland Integrated Transport Strategy 2019* (Moreland City Council, March 2019).
- ix. *Moreland Integrated Water Management Strategy 2040* (Moreland City Council, July 2020).
- x. *Moreland Nature Plan* (Moreland City Council, 2020).
- xi. *Moreland Vehicle Crossing (Driveway) Policy 2019* (Moreland City Council, July 2019).
- xii. *Moreland Zero Carbon 2040 Framework* (Moreland City Council, September 2018).

25. The exhibition of the Amendment included direct notification to:
 - Owners and occupiers of affected properties where DDOs 7 and 9 are to be removed; rezoning of 6 McDonald Street, Coburg, and extension of HO246 over 20 Dawson Street, Brunswick.
 - Relevant State Government departments, prescribed Ministers, and abutting Municipal Councils.
 - Regular applicants (developers, architects, and planning consultants) within Moreland who need to be aware of new application requirements in DDOs 18, 19, 20, 22, 23 and 24.
26. To reach the wider community and ensure the community had an opportunity to learn about the Amendment, the following notification was also undertaken:
 - Public notice in The Age on 4 October 2021 and in the Government Gazette on 7 October 2021.
 - Social media posts (Facebook and Instagram) on 7 and 21, and 8 October 2021, respectively.
 - My Moreland article (online newsletter) on 14 October 2021.
 - C212 webpage on Council's corporate website describing the Amendment and providing access to all the Amendment documentation and an online form to lodge a submission.
27. Strategic Planning Officers (**Officers**) were also available for phone calls to talk about the Amendment with any member of the community.
28. In total, 13 submissions were received to the Amendment during the exhibition period. An additional two submissions were received following the close of exhibition however these expanded on submissions already made during the exhibition period.

29. Of the 13 submissions received:
- Two submission supported the Amendment.
 - Five submissions in partial support of the Amendment, with four suggesting changes.
 - Six submissions were not supportive of the Amendment, with one suggesting changes.
30. A summary of key issues raised in submissions is provided in Section 9 of this submission.

4.4 Post Exhibition

31. Officers considered submissions and recommended several changes to the Amendment, including:
- Amending the text at Clause 2.03-7 Transport to reference 'that some people choose not to travel by car, want to reduce their reliance on cars or can't afford to travel by car'.
 - Placing a note on the front of the *Moreland Integrated Transport Strategy 2019* (MITS) advising that it should be read in conjunction with the April 2021 Council resolution and attaching the resolution as an Appendix to the Strategy.
32. Officers also recommended several other changes to the Amendment to correct minor errors identified during the exhibition process.
33. A summary of changes is provided at Section 10 of this report.
34. On 8 December 2021, Council considered a report summarising and responding to the submissions (Reference Document 1C). It was resolved (Reference Document 1D):

That Council:

1. *Using its powers as a planning authority under s23(1) of the Planning and Environment Act 1987, requests that the Minister for Planning appoint an Independent Panel to consider all submissions to Moreland Planning Scheme Amendment C212more.*
 2. *Endorses the responses to submissions as set out in Attachment 1 to this report to form the basis of Council's submission to an Independent Planning Panel.*
 3. *Endorses the proposed changes to the Amendment documentation at Attachment 2 of this report.*
 4. *Refers any late submissions to the Independent Panel.*
 5. *Authorises the Director City Futures to make minor changes to Moreland Planning Scheme Amendment C212more and to give direction on issues which arise in the course of the Panel hearing in response to expert evidence and submissions if required.*
35. On 9 December 2021, Council formally requested the Minister for Planning appoint a Panel for the Amendment. A Panel was appointed on 14 December 2021.

4.5 Notifying submitters of post exhibition changes

36. Council officers directly notified all submitters of the 8 December 2021 meeting to the email accounts supplied by submitters on 1 December 2021. This notice included a link to the C212more Council Report that contained the post exhibition changes Officers were proposing.

4.6 Referral of late submissions

37. Amendment C212more received two further submissions following the close of the formal exhibition period from Submitters 8 and 13. Both submitters also made submissions during the formal exhibition period.
38. As detailed above, after considering submissions to the Amendment, Council resolved at its meeting on 8 December 2021 to progress Amendment C212more and refer the submissions to a Panel. This included a specific resolution (resolution 4) to manage late submissions, stating that Council:

Refers any late submissions to the Independent Planning Panel appointed to consider the Amendment and submissions.

39. Whilst the additional submission from Submitter 13 was received prior to the Council decision on 8 December 2021, Officers were unable to include a response to that submission for Council to consider due to reporting timeframes. This submission was thus included within the Amendment documentation provided to Panel in January 2022 in accordance with the above resolution.
40. On 14 February 2022 Council received the additional submission from Submitter 8. In a letter dated 15 February 2022, Council formally referred Submission 8 to Panel for consideration.

4.7 Chronology of events

41. A chronology of events is set out in **Appendix 4**.

5. Strategic Assessment of the Amendment

5.1 Why is the Amendment Required?

42. The Amendment is required to improve the effectiveness and performance of the PS by implementing recommendations from the PSR detailed at Section 3.1 of this submission and listed below:
- 2P – A review of all zone, DDO and other overlay buildings and works exemptions. Amendment C212more deletes two overlays that are no longer required as construction is complete and no further design guidance is required.
 - 2IND – Recognise the Brunswick Design District in the MSS and support the precinct to become a successful and innovated employment precinct. The Amendment makes several changes to the Municipal Planning Strategy (MPS) in support of this recommendation.
 - 4UD – Ensure the Planning Scheme supports the Virtual Moreland Program by including requirements to provide 3D modelling for major developments. The Amendment introduces new application requirements into the built form controls for the Brunswick and Neighbourhood Activity Centres.
43. The Amendment is also required to:
- Update content in the MPS and PPF in line with Council adopted strategies.
 - Correct several zoning and overlay anomalies and other errors throughout the Moreland Planning Scheme identified through the day to day use of the PS.
 - Rezone land Council has purchased for new parks as guided by *A Park Close to Home*.
44. The Amendment also aligns with the following themes and strategies of the Council Plan 2021-2025 (**Council Plan**):
- Theme 1: An environmentally proactive Moreland
- Protecting existing trees and planting more trees.
 - Caring for open space and ecosystems, including waterways.
 - Providing better access to parks, playgrounds, and facilities.
- Theme 2: Moving and living safely in Moreland
- Building more, better paths for people to get around without a car.
 - Encouraging more people to walk, cycle or take public transport.
 - Consulting the community before removing parking or road space.

Theme 4: Vibrant spaces and places in Moreland

- Designing neighbourhoods to be safe and pleasant places for all.
- Increasing local affordable housing.
- Working for better quality private developments.
- Making Moreland a creative and cultural destination.

45. A copy of the Council Plan is provided at **Appendix 5**

5.2 How does the Amendment implement the objectives of planning in Victoria?

46. The Amendment will implement the following objectives of planning in Victoria set out in section 4(1) of the Act:

- a) To provide for the fair, orderly, economic, and suitable use, and development of the land.*
- b) To secure a pleasant, efficient, and safe working, living and recreational environment for all Victoria and visitors to Victoria.*
- c) To facilitate development in accordance with the objectives of planning in Victoria.*

47. The Amendment provides certainty to users of the PS and clear strategic direction that will inform decision making regarding use and development in the municipality consistent with these objectives.

5.3 How does the Amendment address any environmental, social and economic effects?

48. The Amendment makes several changes to the planning scheme, including many which are minor or administrative in nature. However, the Amendment is expected to have positive, environmental, social, and economic effects for businesses, industry, and the community by:

- Improving the clarity of local policy content in the MPS, PPF and proposed local schedules which results in greater certainty for users of the system.
- Reducing unnecessary costs to applicants and councils because of unclear planning requirements.
- Improving planning outcomes by removing errors, inconsistencies, and incompatibility in local policy content in the MPS, PPF and local schedules.

49. The application of updated and improved local policy content in the MPS, PPF and local schedules will provide certainty to the users of the planning system by ensuring land use and development outcomes are consistent with environmental, social and economic land use objectives of planning in the City of Moreland and Victoria.

5.4 Does the Amendment comply with the requirements of any Ministers Direction applicable to the Amendment?

50. The Amendment complies with the requirements of the following Ministerial Directions:

- Ministerial Direction – The Form and Content of Planning Schemes
- Ministerial Direction 1 – Potentially Contaminated Land
- Ministerial Direction 9 – Metropolitan Planning Strategy
- Ministerial Direction 11 – Strategic Assessment of Amendments
- Ministerial Direction 15 – The Planning Scheme Amendment Process
- Ministerial Direction 19 – Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health

5.4.1 Direction – The Form and Content of Planning Schemes

51. The Amendment complies with Ministerial Direction – The Form and Content of Planning Schemes. The Amendment documentation has been prepared in accordance with the requirements of the Direction.

5.4.2 Direction 1 – Potentially Contaminated Land

52. The Amendment has been prepared in accordance with the considerations set out in Ministerial Direction 1. An EAO has been applied to select sites proposed to be rezoned to PPRZ where there is potential contamination to protect future sensitive uses that may be established on the sites.

5.4.3 Direction 9 – Metropolitan Planning Strategy

53. Ministerial Direction 9 requires that planning scheme amendments must have regard to *Plan Melbourne 2017-2050*. All changes proposed to the PS are consistent with the provisions of *Plan Melbourne*, including:

- Delivering Jobs and Investment – Create a city structure that drives productivity, supports investment through certainty and creates more jobs.

Key Directions – define a new city structure, plan for the expanded central city, plan for jobs closer to where people live, enable transit-oriented development and urban renewal.

The Amendment supports this Direction by identifying the BDD in the PS and supporting the establishment of creative industries in key employment locations throughout the municipality.

- Housing Choice and Affordability – Provide a diversity of housing in defined locations that cater for different households and are close to jobs and services.

Key Directions – plan for expected housing needs, reduce costs of living by increasing housing supply near services, and facilitate the supply of social and affordable housing.

The Amendment supports this Direction by including a strategy encouraging the supply of affordable housing across the municipality.

- Liveable Communities and Neighbourhoods – Create healthy and active neighbourhoods and maintain Melbourne’s identity as one of the world’s most liveable cities.

Key Directions – Create a city of 20-minute neighbourhoods, protect suburbs from inappropriate development, and make our city greener.

The Amendment supports this Direction by implementing *A Park Close to Home* through identifying open space gaps and rezoning land purchased for new parks to PPRZ which will provide open space close to people’s homes and help contribute to a greener Moreland. The Amendment also implements strategic direction from the *Nature Plan* and *Urban Forest Strategy* which will also help contribute to a greener Moreland.

- Melbourne is a sustainable and resilient city – Create a more sustainable and resilient city that manages its land, biodiversity, water, energy, and waste resources in an integrated way.

Key Directions – Make Melbourne cooler and greener, protect and restore natural habitats and improve air quality and reduce the impact of excessive noise.

The Amendment also implements strategic direction from the *Nature Plan* and *Urban Forest Strategy* which will also help contribute to a greener Moreland.

5.4.4 Direction 11 – Strategic Assessment of Amendments

54. The Amendment complies with Ministerial Direction 11. A detailed strategic assessment of the Amendment is included in the Explanatory Report (Reference Document 3A). Generally, Amendment C212more:

- Supports the PPF and MPS by implementing new local content that will help achieve the MPS vision of sustainable neighbourhoods.
- Makes proper use of the Victoria Planning Provisions (VPP) by using the MPS and PPF to implement new local content and DDOS 18, 19, 20, 22 and 24 to introduce new application requirements.

Ministerial Direction 15 – The Planning Scheme Amendment Process

55. The Amendment complies with Ministerial Direction No 15 – The Planning Scheme Amendment Process. The amendment has been processed in accordance with the relevant time frames and requirements.

Ministerial Direction 19 - Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health

56. As directed by Ministerial Direction 19, the views of the Environment Protection Authority (EPA) were sought as part of the preparation of the Amendment (Reference Document 4A). The EPA

recommended that Council make an assessment to determine whether the EAO is the appropriate mechanism for each site where the EAO is proposed (Reference Document 4B).

57. An assessment has been undertaken for 55-61 Tinning Street, Brunswick where it was determined that the site is potentially contaminated and that this may affect the intended redevelopment of the site as parkland. While Council is undertaking works to remediate the site for this purpose, the application of the EAO will ensure any additional risks for potential future sensitive uses will be considered as part of future works.
58. Similarly, an assessment was undertaken for 1 West Street, Brunswick (formally known as 1-11 West Street and 29-31 Breese Street) where it was found that the site is potentially contaminated from on-site and off-site sources. Council has undertaken remediation of the site for its use as parkland however extension of the EAO to cover the entirety of the site will ensure any additional risks for potential future sensitive uses will be considered as part of future works.
59. At the time the Amendment went on exhibition, preliminary soil testing had not been undertaken for 260 Sydney Road, Brunswick which was reflected in the explanatory report. The site is currently being used as a temporary park that does not require construction works. Applying the EAO at the time of rezoning ensured that any contamination risk was considered as part of future works to the develop the site as a permanent park.
60. Preliminary soil testing has now been undertaken for the site which has found that it contains filling with reported concentrations classifying it as contaminated. Additional testing, including soil leaching, is still to occur.
61. The other sites proposed to be rezoned to the PPRZ are currently within residential zones, with a number already being used as parkland. These sites are not considered to be potentially contaminated. The exception to this is 14 Frith Street, Brunswick however an EAO already applies to the land.

5.5 How does the Amendment support or implement the Planning Policy Framework and any adopted State policy?

62. The correction of errors within and removal of redundant provisions from the PS are consistent with the PPF and with State Planning Reforms to make planning schemes more efficient, accessible, and transparent.
63. The other changes proposed by the Amendment support and implement the following State and regional policies of the PPF:

Clause 11.03-1S Activity centres

64. Clause 11.03-1S Activity Centres seeks to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

65. This includes supporting the continued growth and diversification of activity centres and encouraging economic activity and business synergies.
66. The Amendment supports Clause 11.03-1S by reintroducing strategies that help protect the viability of businesses operating in Moreland's activity centres and support the continued operation of noise generating uses.

Clause 12.01-1S Protection of biodiversity

67. Clause 12.01-1S aims to assist in the protection and conservation of Victoria's biodiversity. This includes:
- Ensuring that decision making considers the impacts of land use and development on Victoria's biodiversity, including consideration of fragmentation of habitat and the spread of pest plants, animals, and pathogens into natural ecosystems.
 - Assisting in the establishment, protection, and re-establishment of links between important areas of biodiversity, including through large-scale native vegetation corridor projects.

The Amendment supports Clause 12.01-1S by including strategies that aim to enhance and create habitat corridors through increased tree planting and retention of native vegetation and encouraging a diversity of vegetation to promote pest and disease resilience.

Clause 13.04-1S Contaminated and potentially contaminated land

68. Clause 13.04-1S aims to ensure contaminated and potentially contaminated land is used and developed safely. This includes ensuring contaminated or potentially contaminated land is or will be suitable for the proposed use prior to commencement of any use or development and protecting sensitive uses from the effects of contamination.
69. The application of the EAO to sites proposed to be rezoned to the PPRZ ensures Council will be able to meet the objectives and strategies of this Clause.

Clause 15.01-1S Urban Design and 15.01-1R Urban design – Metropolitan Melbourne

70. Clause 15.01-1S seeks to create urban environments that are safe, healthy, functional, and enjoyable and that contribute to a sense of place and cultural identity, including through ensuring development contributes to community and cultural life by improving the quality of living and working environments.
71. Clause 15.01-1R aims to create a distinctive and liveable city with quality design and amenity, including through supporting the creation of well-designed places and integrating place making practices into road space management.
72. The Amendment supports these Clauses by introducing a strategy that seeks to improve the amenity of the urban environment by creating greener streets.

Clause 15.01-2S Building design

73. Clause 15.01-2S sets out to achieve building design outcomes that contribute positively to the local context and enhance the public realm. This includes minimising the detrimental impact of development on neighbouring properties, the public realm, and the natural environment.
74. The inclusion of application requirements in the DDOs for the Brunswick and Neighbourhood Activity Centres requiring the provision of 3D modelling will help improve Council's decision making and design outcomes for higher density development so that building outcomes contribute positively to the local context.

Clause 15.03-1S Heritage

75. Clause 15.03-1S seeks to ensure the conservation of places of heritage significance through encouraging appropriate development that respects places with identified heritage values and ensuring an appropriate setting and context for heritage places is maintained or enhanced.
76. The Amendment supports this by introducing guidelines into the PS that help ensure development respects the existing heritage fabric of buildings.

Clause 16.01-2S Housing affordability

77. Clause 16.01-2S aims to deliver more affordable housing closer to jobs, transport, and services. This includes facilitating the delivery of social housing by identifying surplus government land suitable for housing.
78. The Amendment supports this Clause by including a strategy aimed at encouraging public landowners in Moreland to use surplus land for social and affordable housing.

Clause 17.01-1S Diversified economy

79. Clause 17.01-1S seeks to strengthen and diversify the economy by protecting and strengthening existing and planned employment areas and facilitating growth in a range of employment sectors, including knowledge industries.
80. The Amendment supports this Clause by introducing the BDD into the PS and introducing specific strategic direction to support creative industries to help strengthen and diversify Moreland's economy.

Clause 18.02-1S Walking

81. Clause 18.02-2S aims to facilitate an efficient and safe walking network and increase the proportion of trips made by walking. This includes through:
 - Planning and developing walking networks to:
 - i. Providing pedestrian routes that are safe, direct, and comfortable to use.
 - ii. Enable walking as part of everyday life.
 - iii. Enable people to meet more of their needs locally and rely less on their cars.

iv. Be accessible to vehicles that use footpaths, including wheelchairs, prams, and scooters.

- Design walking routes to be comfortable by providing shelter from the sun through canopy trees, verandahs, and other structures.
- Design direct, comfortable, and connected walking infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.

82. The Amendment supports this Clause by introducing strategies that will help implement improvements to the pedestrian network, including safety and greening, through reallocating road space and existing car parking.

Clause 18.02-2S Cycling

83. Clause 18.02-2S seeks to facilitate an efficient and safe bicycle network and increase the proportion of trips made by cycling. This includes through:

- Planning and developing cycling networks to:
 - i. Provide routes that are safe, comfortable, low-stress and well connected.
 - ii. Enable cycling as a part of everyday life.
 - iii. Enable people to meet more of their needs locally by cycling and to rely less on their cars.
- Supporting increased cycling by providing vegetation to shade cycling routes.

84. The Amendment supports this Clause by introducing strategies that will help implement improvements to the cycling network, including safety and greening, through reallocating road space and existing car parking.

Clause 18.02-3S Public transport

85. Clause 18.02-3S aims to facilitate an efficient and safe public transport network and increase the proportion of trips made by public transport.

86. The Amendment supports this Clause by introducing a strategy that will help implement improvements to public transport through reallocating road space and existing car parking.

5.6 How does the Amendment support or implement the Municipal Planning Strategy?

87. The Amendment supports and implements the MPS as it will help to achieve the MPS vision of sustainable neighbourhoods. In particular, the Amendment implements the following Clauses of the MPS:

- Clause 2.03-2 Environmental and landscape values

- Clause 2.03-4 Built environment and heritage
- Clause 2.03-5 Housing
- Clause 2.03-6 Economic development
- Clause 2.03-7 Transport

88. The correction of errors and removal of provisions no longer required from the PS are consistent with the MPS and will help strengthen the usability of the scheme overall.

Clause 2.03-2 Environmental and landscape values

89. Clause 2.03-2 highlights the importance of Moreland's local creeks and environs as environmental natural resources and areas for community recreation, a healthy urban forest to the health and wellbeing of Moreland's community and providing refuge and connectivity of habitat for biodiversity as Moreland's population continues to grow.
90. The Amendment makes minor changes to the wording of Clause 2.03-2 as well as introduces new strategies at Clause 12.02-1L Biodiversity to give support to Council's adopted *Nature Plan* and *Urban Forest Strategy*. These changes will help strengthen Council's improvement and protection of its environmental and landscape values.
91. The introduction of new strategies in Clause 12.01-1L Biodiversity in Moreland also implements strategic directions under Clause 2.03-2 Environmental and landscape values, including creating a diverse urban forest of trees and other vegetation that will enhance urban ecology and greening in both the public and private realm and protecting and enhancing habitat corridors in parks and along waterways.

Clause 2.03-4 Built environment and heritage

92. Clause 2.03-4 Built Environment highlights the importance of Moreland's heritage places and protecting these places from unsympathetic development and subdivision.
93. The Amendment supports and implements Clause 2.03-4 by including additional guidance for planners in Clause 15.03-1L Heritage when assessing planning permit applications.
94. Clause 2.03-4 also seeks to improve the design quality of the built environment in Moreland, including housing development.
95. The introduction of 3D modelling application requirements in the Brunswick and Neighbourhood Activity Centres will help to achieve this by improving Council's decision making and design outcomes for higher density development.

Clause 2.03-5 Housing

96. Cause 2.03-5 highlights the need for affordable housing in Moreland.

97. The Amendment helps to implement this by including a strategy at Clause 16.01-2L Housing affordability that encourages the provision of social and affordable housing.

Clause 2.03-6 Economic development

98. Clause 2.03-6 highlights creative industries and new ways of working as being a key part in creating sustainable economic development throughout the municipality.
99. The Amendment supports this through introducing new strategic directions at Clause 2.03-6 supporting the BDD and creative industries and identifying the BDD on the Strategic Framework Plan *Economic Development* (Clause 2.04).

Clause 2.03-7 Transport

100. Clause 2.03-7 strives for Moreland to be a connected city through a transport system that is diverse, progressive, and sustainable and which achieves a shift towards sustainable modes of travel. The proposed changes to the strategic directions and inclusion of new strategies at Clauses 18.02-1L and 18.02-2L will help to achieve this.

5.7 Amendments that may impact the Amendment

101. The table below lists Planning Scheme Amendments that have made changes recently or are proposed that are relevant to the Amendment.

Amendment	Description	Relevance to C212more	Status
C174more Part 1	The amendment implemented the recommendations of the Moreland Heritage Gap Study by applying a Heritage Overlay on a permanent basis to 80 individual sites, 4 heritage precincts, 3 serial listings and 10 precincts and introduced the Moreland Heritage Exemptions Incorporated Plan 2019 into the Moreland Planning Scheme.	20 Dawson Street, Brunswick was assessed as part of the Moreland Heritage Gap Study, with the C174more Panel Report stating that the study <i>'has applied appropriate methodology for initially identifying candidate sites and assessing whether they have sufficient local significance to justify the Heritage Overlay'</i> , concluding that the Amendment <i>'is was well founded and strategically justified'</i> .	Gazetted on 5 January 2021
C200more	The Amendment translated the LPPF of the Moreland Planning Scheme to a new MPS, PPF and amended several schedules to overlays and operational provisions consistent with the reforms to the Victoria Planning Provisions	The Amendment introduces new policy content that was identified during the translation of the LPPF to the MPS and PPF to help strengthen the PS in achieving the MPS vision of sustainable neighbourhoods.	Gazetted on 4 August 2021

Amendment	Description	Relevance to C212more	Status
	introduced by Amendment VC148.		
VC204	The Amendment made several changes to Clause 18 Transport including changes to clause structure and policy content to be consistent with the <i>Transport Integration Act 2010</i> and adopted state transport policy.	The Amendment replaces Clause 18.02-1S Sustainable Transport with Clause 18.02-1S Walking, introduces Clause 18.02-2S Cycling, relocates Clause 18.02-1R to 18.02-2R and renamed it to 'Cycling-Metro Melbourne' and relocated Clause 18.02-2S Public transport to Clause 18.02-3S with revised objectives and strategies.	Gazetted 9 December 2021
VC205	The Amendment introduces a new Transport Zone to replace the Road Zone and Public Use Zone Schedule 4. The amendment also makes relevant consequential changes to reference these changes through the Victoria Planning Provisions.	<p>As exhibited, the Amendment proposed to rezone 6 McDonald Street, Coburg from a Public Use Zone – Schedule 4 to an Industrial 1 Zone (IN1Z). The proposed rezoning to IN1Z is not proposed to change, however the underlying zone which the amendment is seeking to rezone the land from should be updated to Transport Zone 1 – State Transport Infrastructure.</p> <p>Similarly, as exhibited the Amendment proposed to rezone Lygon Street between Brunswick Road and Park Street, Brunswick from the Road Zone 1 to part Commercial 1 Zone and Public Park and Recreation Zone. The proposed rezoning is not proposed to change; however, the underlying zone should be updated to Transport Zone 2 – Principal Road Network.</p>	Gazetted 20 January 2022

6. Overview of Community Consultation

102. This section provides an overview of the community consultation that took place for the following Council adopted strategies:

- *Nature Plan.*
- *Affordable Housing Action Plan 2019/20.*
- *Moreland Arts Infrastructure Plan 2018.*
- *A Park Close to Home 2017.*
- *Urban Forest Strategy 2017-2022.*
- *Moreland Economic Development Strategy 2016-2021*

103. The consultation undertaken for MITS 2019 is detailed in Section 7 and **Appendix 6**.

6.1 Moreland Integrated Water Management Strategy 2040

104. The *Moreland Integrated Water Management Strategy 2040 (IWMS 2040)* sets out Council's goals and targets to 2040 around the sustainable management of water, particularly with regards to stormwater. The IWMS 2040 was adopted by Council on 12 August 2020.

105. Community and stakeholder consultation on the draft IWMS 2040 occurred in June and July 2020 using the following activities:

- Targeted focus groups with the public and Council staff.
- Online survey.
- Posts on Council's social media platforms like Facebook, Twitter, and LinkedIn.
- 2x articles in the My Moreland e-newsletter.

6.2 Nature Plan

106. The *Nature Plan* provides strategic direction to enhance biodiversity and celebrate nature in Moreland. Council adopted the Nature Plan on 12 August 2020.

107. Consultation on the *Nature Plan* occurred in the following ways:

- An initial phase of consultation on Council's 'Conversations Moreland' webpage in October 2019, where community members were asked 'How would you like to see the nature landscape in Moreland improve in Moreland over the next 10 years?'. 107 submissions were received.

- Initial consultation also took place with key stakeholders such as Friends of Moonee Ponds and Merri Creeks, adjoining Councils, experts in the field of ecological science, and internal Council stakeholders.
- A six-week consultation period on the draft *Nature Plan* in which 260 submissions were received. Consultation activities included:
 - i. Online survey on the Conversations Moreland website.
 - ii. Social media posts.
 - iii. Posters advertising the project across the municipality.
 - iv. Articles in Inside Moreland and the Aged and Community Newsletter as well as a message played on Council's on-hold message system.
 - v. Notification to participants from the initial survey in 2019.
 - vi. Emails sent to local friends and community groups.

6.3 Affordable Housing Action Plan

108. The *Affordable Housing Action Plan (Action Plan)* is the successor to the *Moreland Affordable Housing Strategy 2014-2018*. Its objective is to increase the provision of affordable housing in Moreland through policy, advocacy, applied skills and investment. Council endorsed the Action Plan on 11 September 2019.
109. As the Action Plan does not seek changes to a service, activity, infrastructure or strategic direction set out in existing strategies but rather provide a greater focus on delivery of the outcomes Council is seeking, wider consultation with the community did not occur. Instead targeted consultation on the Action Plan occurred with:
- The Moreland Housing Advisory Committee in a facilitated session.
 - Council officers involved in current and future implementation of actions to support increased supply of affordable housing.

6.4 Moreland Arts Infrastructure Plan 2018-2023

110. The *Moreland Arts Infrastructure Plan 2018-2023 (the MAI Plan)* focuses on Council supporting creative industries through producing, supporting, or cultivating arts within the community. Council adopted the MAI Plan on 18 March 2018.
111. Consultation on the MAI Plan occurred in the following ways:
- 3x workshops with various groups of local artists and arts organisations from 13 to 18 October 2017.

- Workshop with 30 internal and external stakeholders to inform recommendations on 12 December 2017.
- Consultation with the Moreland Arts Board on the recommendations at both the 11 and 31 January 2018 meetings.
- Workshops with Council officers.

6.5 Moreland Zero Carbon 2040 Framework

112. The *Moreland Zero Carbon 2040 Framework (ZCE 2040 Framework)* outlines a vision of a zero carbon Moreland, Council's desired future of net zero emissions for energy, transport, and waste. Council adopted the ZCE 2040 Framework on 12 September 2018.
113. Consultation on the ZCE 2040 Framework commenced in 2017 and included the following:
 - Workshop with cross-Council departments in October 2017.
 - Community and stakeholder-focused 'Moreland Pathways to Zero Carbon' workshop in November 2017 which included representatives from local climate action and advocacy groups, environmental social enterprises and non-government organisations, neighbouring councils, energy retailers and distributors, DELWP and Sustainability Victoria, waste management organisations, and Moreland Energy Foundation.
 - Series of workshops in February 2018 with members of the 'ZCE Brains Trust' (subject matter experts from community, business, universities and the not for profit sector).
 - Review of the draft 2040 Framework by Brains Trust members (comprised of industry, state, local government experts and community members), representatives of Sustainable Moreland Advisory Group and Council officers.

6.6 A Park Close to Home 2017

114. *A Park Close to Home 2017: A framework to fill open space gaps (A Park Close to Home)* guides the proactive expenditure of Council's open space fund to create open space in the areas that have the least access to open space. It established a methodology to identify the high and medium gap areas in terms of access to open space. Council adopted the framework on 6 December 2017.
115. A draft version of a Park Close to Home was consulted on from 2 October – 3 November 2017 using the following engagement methods:
 - 3 consultation sessions held in Glenroy, Coburg, and Brunswick.
 - Attendance at the Brunswick Residents Network Forum, 'Where's my Park'.
 - City News Article in the *Moreland Leader*.
 - Display of posts across Council buildings, including Maternal Child Health Centres.
 - Advertised on Council's website via the 'Have Your Say' page.

- Emails sent directly to stakeholders and resident/community groups.

116. A total of 32 submissions were received.

6.7 Urban Forest Strategy 2017-2027

117. The *Urban Forest Strategy 2017-2027* provides a strategic approach to protecting and enhancing vegetation across the municipality while increasing tree canopy cover in our streets and parks. Council adopted the strategy on 9 August 2017.

118. Extensive consultation was undertaken on the strategy as follows:

- Background discussions with the community took place over a 12-month period to better understand their concerns, interests, and values regarding Moreland's urban forest. This included attending 17 events and occasions, such as municipal festivals in Coburg and Fawkner, and meeting with 629 individuals.
- A four-week formal period of consultation from 1 May 2017 to 29 May 2017 on the draft strategy and annual planting scenario. This included holding five community forums at neighbourhood centres across the municipality, community engagement at 14 events and 12 meetings with key community groups and key stakeholders and an online website with the opportunity to provide comments. 257 submissions were received on the general strategy and 246 votes on the annual planting scenarios.
- Consultation with staff from relevant Council departments including City Development, Strategic Planning, Urban Design, Places, Open Space Maintenance, Roads, Compliance, Risk, Strategic Transport, Street Cleansing, Social Policy, Waste, Asset Protection and Sustainable Built Environment.

6.8 Moreland Economic Development Strategy 2016-2021

119. The *Moreland Economic Development Strategy 2016-2021 (ED Strategy)* provides a framework to facilitate the retention of a viable and diverse business community and an increase in sustainable jobs and investment. Council adopted the ED Strategy on 10 August 2016.

120. To inform the ED Strategy, Council undertook one month of consultation from April – May 2016 on the *Moreland Economic Development Strategy Discussion Paper*. Seven submissions were received. The following engagement methods were used:

- Council website.
- Biz Moreland website.
- TV displays at the Council Civic Centre foyer (Coburg).
- Article in City News, Moreland Leader.
- Email to key external stakeholders (61 recipients).

- Article in Moreland e-Xchange (1,454 recipients).
- Moreland Business Facebook posts.
- Tweets on Business Moreland Twitter.

7. Moreland Integrated Transport Strategy 2019

7.1 History and chronology of strategic work

6.1.1 The Moreland Integrated Transport Strategy 2019 (MITS 2019)

121. MITS 2019 replaced the *Moreland Integrated Transport Strategy 2010* (MITS 2010), the *Pedestrian Strategy 2010-2019* and *Bicycle Strategy 2010* when adopted by Council in March 2019. It is Council's adopted strategic direction for integrated transport planning for the next decade and beyond, aiming to 'facilitate a demonstratable mode shift to more sustainable modes of transport that also targets a long-term reduction in car use'.
122. A review of MITS 2010 was required due to a number of transport policy changes and emerging trends (for example, new local and state policy, demographic shifts, significant development and new transport technologies) and Council's commitment at the time to achieving demonstratable mode shift (within the Council Plan 2017-21).
123. MITS 2019 and its strategies were informed by:
 - Community consultation and stakeholder engagement.
 - The strategic direction of the PS and other local and state policies, strategies, and legislation.
 - Local and international experience and 'best practice'.
124. In 2018 Council endorsed a Background Report (**the Report**) which discussed the transport implications of several areas of change in Moreland (see Reference Document 5A). The Report was informed by an initial period of community consultation in December 2017 aimed at building community awareness and understanding the community's vision for the future of travel in Moreland.
125. The Report was also informed by a review of State and local government policies and strategies (see Reference Document 5B).
126. Following Council endorsement of the Report in 2018, Council undertook a second period of consultation from February to March 2018. This consultation sought feedback on the Report and to gain an understanding of transport needs, gaps, and priorities.
127. This period of consultation helped to inform the development of the draft MITS 2018 and what was then called the Draft Parking Strategy (now known as the Parking Implementation Plan). These strategies were subsequently endorsed by Council for community consultation in July 2018.
128. The third and final period of consultation was held across July and August 2018 and concluded with a hearing of submission in October 2018. Approximately 39,000 letters were sent to owners and occupiers of directly affected properties, with approximately 800 submissions received alongside public face to face events and stakeholder workshops.

129. In March 2019, Council adopted the MITS 2019 and Moreland Parking Implementation Plan 2019 (**MPIP 2019**) (see Reference Document 5C). The final strategy was informed by the last phase of consultation, endorsed directions in other Council strategies, and the expertise of the project team including Council officers and consultants.

130. A chronology of the development of MITS 2019 is provided at **Appendix 6**.

6.1.2 The Moreland Parking Implementation Plan 2019 (MPIP 2019)

131. The purpose of the MPIP 2019 is to provide further detail on car parking related actions in MITS 2019, including justification for the proposed changes to minimum parking requirements in the planning scheme sought by Amendment C183more. It also provides detail on other parking changes that are not related to the planning scheme (see Reference Document 5D).

132. MITS 2019 and the MPIP 2019 were developed alongside one another to ensure an integrated and holistic approach to delivering the future transport needs of Moreland.

133. The MPIP 2019 has no statutory power however it provides essential advice and guidance to Council on how to effectively manage existing and future car parking resources.

134. MPIP 2019 identified the need to establish appropriate parking provision requirements for new developments as the status quo is unlikely to achieve the transport mode shift envisaged by MITS 2019. It recommended the Parking Overlay as the most appropriate tool to achieve this.

135. It also identified the hierarchy of activity centres within the Planning Scheme as an appropriate basis for level of change to minimum parking requirements proposed through Amendment C183more.

136. The MPIP 2019 is to be distinguished from Council's Parking Management Policy (**PMP**). The PMP sets out the conditions under which Council will introduce various parking restrictions, as well as the parking permits which are available in Moreland (see Reference Document 5E).

7.2 Amendment C183more

137. Amendment C183more proposed to implement changes to minimum parking requirements as envisaged by MITS 2019 as follows:

- For the Brunswick, Coburg, and Glenroy Activity Centres, remove minimum parking requirements for all land uses, and introduce a maximum parking rate (above which a permit is required).
- For Council's 12 Neighbourhood Centres, reduce minimum parking requirements by 20 per cent.
- For the above areas, plus local centres and other land zoned Commercial 1 Zone or Mixed-Use Zone, introduce additional decision guidelines and requirements for car parking plans.
- Make minor changes to the Municipal Strategic Statement and local planning policies to update references to MITS 2019 and relevant reference documents.

138. Amendment C183more was publicly exhibited from 19 September to 11 November 2019. 236 submissions (including one petition with 45 signatures) were received during the formal exhibition period, with a further 29 submissions received after the formal close of exhibition. Six submissions were withdrawn.
139. On 11 December 2019, Council resolved to request the Minister for Planning to appoint a Panel in accordance with Part 8 of the Act to consider submissions (see Reference Document 5F).
140. A Planning Panel was held on 24 and 25 February 2020.
141. The Panel found that the underlying strategic basis for the MITS and MPIP 2019 was supported in State and Local Planning policy. It also agreed that supporting lower rates of car ownership through parking controls is a legitimate means to achieve the Council's sustainable transport objectives and that the use of maximum rates is a valid tool to achieve this in appropriate situations.
142. The Panel also supported the proposed changes to the LPPF, finding them general in nature and simply clarifying references to the MITS and MPIP 2019 (see Reference Document 5G). They also noted that the proposed changes were not specifically challenged by submitters.
143. The Panel also noted that consequential changes may be required to the proposed LPPF changes if the further survey and modelling work recommended by the Panel in relation to a revised car parking plan was undertaken.
144. Ultimately, the Panel considered that insufficient parking survey and modelling work had been undertaken to inform the Amendment and recommended to Council that further analysis is required to provide a more fulsome assessment of the consequences of the proposed Amendment.
145. Subsequently, the Panel recommended:

Based on the reasons set out in this Report, the Panel recommends that Moreland Planning Scheme Amendment C183 be adopted in part as per the following recommendations:

1. *Adopt the following post-exhibition changes proposed to the Amendment by Council as set out in Council's Hearing submission:*
 - a) *Revise maps 1PO to 15PO showing areas to be deleted from the Parking Overlay as show in Attachment 2 to Council's Hearing submission.*
 - b) *Change the first page of the Explanatory Report and the Instruction Sheet as show in Attachment 2 to Council's Hearing submission.*
 - c) *Change Parking Overlay Map 4PO and add new Schedule 5 to the Parking Overlay applying to 1345 – 1399 Sydney Road, Fawkner as shown in Attachment 3 to Council's Hearing submission.*
 - d) *Change Parking Overlay Map 9PO to remove land at 173-199 Elizabeth Street, Coburg as shown in Attachment 4 to Council's Hearing submission.*
 - e) *Change Parking Overlay Map 7PO to move some properties in the Gaffney Village Neighbourhood Centre, Pascoe Vale from Parking Overlay Schedule 2 to Schedule 3 as shown in Attachment 5 to Council's Hearing submission.*

2. *Abandon the proposed Parking Overlay Schedule 1 until such time as a more comprehensive car parking plan is undertaken that clearly demonstrates that applying maximum car parking rates will not have adverse impacts.*
3. *Prior to the implementation of Parking Overlay 2, consider any adverse consequences identified in a more comprehensive car parking plan.*
4. *Implement Parking Overlay Schedule 3 as exhibited.*
5. *Adopt the proposed changes to Clauses 21.02, 21.04 and 22.03 subject to any consequential changes that may be required as a result of any further work done on a revised car parking plan.*

Further recommendations

Based on its understanding of the evidence and submissions provided to it the Panel makes the following further recommendations to assist Council in further work:

A detailed parking plan should be prepared in accordance with the guidance in Planning Practice Note 57 and include as a minimum the following:

- *Surveys of existing on-street and off-street parking of all precincts in and around Activity Centres and Neighbourhood Centres over several time periods.*
- *Modelling for each precinct that considers land use, typical parking rates for each land use and changes in parking demand over different times of day.*
- *Consideration of whether a range of parking rates (minimums and maximums) might be more appropriate for Activity Centres similar to Maribyrnong Parking Overlay Schedule 1.*
- *Consideration of the most appropriate maximum rate to be applied (if indeed a maximum is to apply) based on more detailed modelling.*
- *Consideration of whether Glenroy should be treated differently to Brunswick and Coburg Activity Centres.*

146. A copy of the Panel Report is provided at **Appendix 7**.

147. On 13 May 2020, Council considered the recommendations of the Panel and resolved to abandon Amendment C183 (see Reference Document 5H).

7.3 Clarification of the status of the MITS and PMP

148. At its meeting of 9 December 2020, Council abandoned Actions 1 & 2 of the MITS 2019 (see Reference Document 5I). The actions sought to:

- Action 1: Prepare a planning scheme amendment that:
 - Implements the changes to the car parking requirements in the Parking Implementation Plan, including establishing maximum car parking rates instead of minimum parking requirements for new development in Activity Centres, and reduced minimum parking requirements in Neighbourhood Centres.
 - Encourages new development in Activity Centres, Neighbourhood Centres, and Local Centres to incorporate sustainable transport into its design.
- Action 2: Expand parking restrictions to all streets within Neighbourhood Centres and within approximately 200m of Activity Centres. This initiative aims to safeguard local streets from changes to parking requirements in new developments (Action 1).

149. Action 1 and 2 were key actions to achieve the strategy's aim to "facilitate a demonstrable mode shift to more sustainable modes of transport that also targets a long-term reduction in car use".
150. Further work is required to assess the implications of this change to the mode shift targets and other related Council policies such as the Parking Management Policy and the ZCE 2040 Framework.
151. Council also resolved at this meeting to receive a report in April 2021 which recommended amendments to the MITS 2019 to reflect the changes to parking restrictions and parking requirements and acknowledge that some households require a car.
152. At its meeting of 14 April 2021, Council considered a revised MITS 2019 and PMP (amongst other things) and resolved the following (see Reference Document 5J):
 1. *Notes the initial revisions to the Moreland Integrated Transport Strategy (MITS) 2019 at Attachment 1 in accordance with Council's December 2020 resolutions abandoning two MITS actions relating to car parking (NOM60/20).*
 2. *Endorses the commencement of further work to revise MITS 2019 and related documents, implications for Council's aspirations to achieve net zero carbon emissions by 2040, and potential additional MITS actions to meet mode shift and carbon emission objectives to continue to achieve this aspiration.*
 3. *Endorses the Draft Parking Management Policy (PMP) 2021 at Attachment 2 for community consultation, which includes the following changes to the existing PMP 2019:*
 - a. *Formalising transitional parking policies developed in anticipation of implementing MITS parking restrictions that remain relevant including:*
 - i. *Allowing all residents who have an accessible parking permit to access a resident parking permit regardless of where they live.*
 - ii. *Allowing residents who live in properties subdivided after August 2011 to apply for an exemption to access visitor permits, where they can provide evidence from a relevant professional that they have a special need for these based on factors such as age, disability, health or specific threat to personal safety.*
 - iii. *Providing a 50 per cent discount on business parking permits for registered charities and not-for-profits, schools, and early years services.*
 - b. *Allowing businesses (not only residents) to access service parking permits to cater for tradespeople, removalists, etc.*
 - c. *Revising the home visit permit for organisations that provide services to clients' homes in Moreland to be based on daily permits as needed rather than annual permits.*
 - d. *Delegating authority to officers to make parking changes affecting no more than two parking spaces for safety or operational reasons consistent with the User Priority Guidelines in the PMP, and changes affecting more than two parking spaces where this is recommended by a road safety audit to address a safety issue.*
 - e. *Providing additional decision-making guidance for the appeals process to allow consideration of undue disadvantage arising from special circumstances and where it is reasonable to make an exemption.*
 - f. *Removing references to implementation of MITS 2019 parking restrictions, other than relating to the Brunswick West and Hadfield areas where consultation will occur to determine whether there is community support to retain these restrictions.*
 - g. *Minor changes to car share permit eligibility, operation, and fees.*
 - h. *Other minor changes such as updates to position titles, text revisions for greater clarity and reference to the new ePermit system.*
 - i. *Other minor changes required to give effect to this motion.*

4. *Notes that the Draft PMP at Attachment 2 does not include the following transitional permits options developed in anticipation of the MITS parking restrictions rollout, effectively discontinuing these once the final PMP is adopted:*
 - a. *Transitional (additional) resident and business parking permits.*
 - b. *Daily parking permit for non-residents.*
 - c. *Ability to use business permits where MITS parking restrictions introduced.*
 - d. *Resident A parking permit.*
 - e. *Removed limit on number of business permits for registered charities and not-for-profits, schools, and early years services.*
 5. *Endorses the Draft PMP for community consultation as outlined in section 7 of this report subject to the allocation of the necessary funds outlined in section 6 of this report which will be referred to the third quarter budget review process.*
 6. *Notes benchmarking of parking permit eligibility and cost, as well as processes for considering changes to parking restrictions, at Attachment 3 and determines to undertake community consultation as part of the PMP consultation on the following change:*
 - a. *the cost for the first standard residential parking permit be free.*
 7. *Notes the analysis of likely impacts of allowing smaller-scale post-August 2011 subdivisions to access resident parking permits (as requested by NOM6/20 and NOM60/20) at Attachment 4 and makes available standard residential parking permits and visitor parking permits for subdivisions that meet the following criteria:*
 - *Small subdivisions of 3 dwellings or less on a lot.*
 - *Are within 200 metres (as the crow flies) of an Activity Centre.*
 - *Were subdivided before 31 December 2021.*
 8. *Notes advice from Dr De Gruyter at RMIT University on a recommended approach to survey zero parking developments to determine their impact on on-street parking utilisation, at Attachment 5:*
 - a. *Council proceed to conduct two surveys of existing 'zero parking developments' and new developments within 12 months of occupancy certificates being granted.*
 9. *Notes the human rights assessment and gender impact assessment relating to proposed changes to the Parking Management Policy at Attachment 6 and Attachment 7 respectively.*
 10. *Notes that officers are preparing to consult the Brunswick West and Hadfield Neighbourhood Centre areas where MITS parking restrictions were introduced in December 2019 to determine whether there is community support as required by current policy to retain these restrictions, if not these restrictions will be moved.*
 11. *Notes the significant work involved in undertaking the consultation process for the revised PMP and further refining the MITS and, in particular, that limited progression will occur on the other MITS actions during this time while the extensive COVID transport program is continued to be rolled out as well.*
153. While Council resolved to review MITS 2019 and related documents, MITS 2019 is still being used by Council Officers to make transport related decisions across the municipality that are not related to Actions 1 and 2, such as road closures, road space reallocation, bike and pedestrian infrastructure, and advocacy.
154. Updates to the PS to reference MITS 2019 will ensure the strategic background and justification to other local policy objectives not related to Actions 1 and 2 are considered in decision making.
155. As the MPIP 2019 primarily provided further detail on car parking related actions in MITS 2019 including Actions 1 and 2, it has not been referenced in the PS.

7.4 Review and update to the MITS and PMP

156. MITS 2019 had ambitious targets for transport mode shifts which are now unlikely to be met as a result of the removal of Actions 1 and 2. Further work needs to be undertaken in terms of revising these targets or including new actions to achieve the existing targets.
157. Further work is also required to assess the implications of not being able to achieve mode shift targets has on other related Council policies such as the PMP and ZCE 2040 Framework, given the contribution of transport to community emissions as reflected in the ZCE 2040 Framework.
158. Council is continuing the further work to fully revise MITS 2019 and related documents per resolution 2 of the 14 April 2021 Council report. This work has been included in the Council Action Plan 2021-2025 (**Action Plan**) at Action 18. The Action Plan is provided at **Appendix 8**.

7.5 Relationship with and response to the Transport Integration Act 2010

159. The *Transport Integration Act 2010* (**TIA**) is the primary transport statute for Victoria. It forms an overarching legislative framework for transport related state planning policy decisions and has been integrated within the Victoria Planning Provisions (VPP), most recently in December via Amendment VC204 (**VC204**).
160. The TIA recognises the aspirations of Victorians for an integrated and sustainable transport system that contributes to an inclusive, prosperous, and environmentally responsible state. It has been effective to date in changing the focus of organisations that traditionally only considered a single transport mode.
161. The TIA requires all decisions affecting the transport system to be made within the same integrated decision-making framework to achieve the objectives of the TIA. It includes the following objectives:
 1. Social and Economic Inclusion
 2. Economic Prosperity
 3. Environmental Sustainability
 4. Integration of Transport and Land Use
 5. Efficiency, Coordination and Reliability
 6. Safety, Health and Wellbeing
162. The development of MITS 2019 was informed by the TIA. The objectives of the TIA and MITS 2019 are aligned in the following way:

Moreland Integrated Transport Strategy (2019) objectives	Aligned <i>Transport Integration Act</i> (2010) objectives
A liveable Moreland where the transport network caters for all ages and where we consciously reduce local vehicle traffic and safeguard the wellbeing of our community.	Objective 1 Objective 3
A sustainable Moreland which achieves a city-leading shift toward sustainable modes of travel, supporting the transition to active and zero-emissions transport by 2040 and addressing the climate emergency.	Objective 3
A Moreland that is safe and healthy where transport safety is a key focus, we improve personal security and safety and promote a healthy community with cleaner air.	Objective 6
A Moreland that is accessible and equitable for all where we reduce barriers to community movement and strongly commit to making Moreland accessible to all.	Objective 1
A prosperous Moreland which connects people to local jobs and services, encourages people to visit shopping strips and activity centres, focuses on the reliability of the transport system for people and goods and caters for population and employment growth.	Objective 2 Objective 4 Objective 5

7.6 Strategic basis of the Road User Hierarchy

163. The Road User Hierarchy was developed as part of MITS 2019 and supports the implementation of the strategy.
164. The road user hierarchy has been summarised into four broad user categories, encompassing smaller sub-categories. For example, 'people who are using public transport' includes train, tram, and bus patrons.
165. Similarly, 'people who drive' includes private vehicles, ride share, commercial passenger vehicles, freight, delivery, and trade vehicles.
166. Council will continue to employ the 'road user hierarchy' as the framework for considering and prioritising users in improvements to our transport network, advocacy or in assessing infrastructure proposals.
167. It outlines the indicative function, role, characteristics, and users to be prioritised on key roads within our transport network.
168. This includes actions from MITS 2019 that support our mode share targets by providing our community choices in ways to get around Moreland safely. This includes, but not limited to:
 - The reallocation of road space and car parks (when doing planned capital works such as road reconstruction) for sustainable transport improvements and greening; and

- Local road closures to through traffic whilst maintaining pedestrian and cyclist permeability, and local traffic access.

7.7 Amendment VC204

169. VC204 was gazetted on 9 December 2021. It made several changes to state and regional policies at Clause 18 (Transport) of all Victorian Planning Schemes, including changes to clause structure and policy content (see Reference Document 4K).
170. VC204 improves consistency between the objectives and strategies of the TIA and state planning policy in the PPF, allowing for:
 - More integrated land use and transport planning decision making;
 - A greater understanding of interaction between land use planning and transport planning; and
 - Better transport and land use outcomes for Victorians.
171. The updated clause 18 also creates greater clarity and consistency in planning policy for transport and places a much greater emphasis on safety and sustainability.
172. VC204 separates policy on walking and cycling into separate sub-clauses and updates objectives to Clause 18.02 (Movement Network) to include an emphasis on efficiency and safety. It also includes objectives to increase the proportion of trips made by walking, cycling and public transport.
173. Of consequence to the Amendment are the following changes introduced by VC204:
 - Clause 18.02-1S changed from Sustainable personal transport to 'Walking' with new strategies specifically focused on walking introduced and reference to cycling removed.
 - Clause 18.02-2S Cycling introduced which includes new objectives and strategies on the bicycle network and cycling.
 - Clause 18.02-1R relocated to 18.02-2R and renamed 'Cycling – Metro Melbourne'.
 - Clause 18.02-2S Public transport relocated to 18.02-3S with a revised objective and strategies introduced that aim to facilitate an efficient and safe public transport network and increase the proportion of trips made by public transport.
 - Clause 18.02-1L Sustainable personal transport in Moreland relocated to Clause 18.02-2L given the existing strategy dealt with bicycle parking.
174. Council is proposing the following changes to the Amendment in response to VC204:
 - Retain the proposed strategy at Clause 18.02-2L with reference to pedestrians removed. Clause 18.02-2L will also be renamed from 'Sustainable personal transport' to 'Cycling in Moreland'.
 - Introduce a new local policy at Clause 18.02-1L Walking in Moreland with the proposed strategy also included here, with reference to 'cycling' removed.

175. No substantive changes are proposed to the new local policy at Clause 18.02-2L Public transport in Moreland apart from relocating this policy to Clause 18.02-3L to align with the relocation of the relevant state policy.
176. A copy of the revised Clauses will be provided as part of Council's Part B Submission.

8. Delegation

177. At the Directions Hearing, questions were raised over whether Council had the appropriate delegation to undertake resolution 5 of Council Report dated 8 December 2021 because of a recent restructure Council had undertaken. Resolution 5 states:

Authorises the Director City Futures to make minor changes to Moreland Planning Scheme Amendment C212more and to give direction on issues which arise in the course of the Panel hearing in response to expert evidence and submissions if required.

178. Council underwent a restructure in January 2022 which saw Moreland move from a five-director structure to a four-director structure. This resulted in the existing directorates *City Futures* and *Engagement and Partnerships* mostly combined into a single directorate called *Place and Environment*.
179. One of the duties of the City Futures director is having responsibility over the Strategic Planning Unit and the duties it is required to carry out. The new Director of Place and Environment also has responsibility for this unit of Council (see Reference Document 6A).
180. Council's S6 Instrument of Delegation – Members of Staff that was in force at the time the Council resolution was made included the following at Clause 1:
1. *Delegate each duty and/or function and/or power respectively described in column 1 of the Schedule (and summarised in column 2 of the Schedule) to the **member of Council staff holding, acting in or performing the duties of the office or position** respectively described in column 3 of the Schedule.* [emphasis added]
181. Council's S6 Instrument of Delegation – Members of Staff was updated to reflect the new restructure. Council adopted the revised Instrument on 9 March 2022 (see Reference Document 1E).
182. Irrespective of the delegation, any additional changes and recommendations of the Panel resulting from the Panel Hearing will be taken to Council for a final decision on the Amendment.

9. Summary of Issues Raised in Submissions

183. A total of 13 submissions have been received regarding the Amendment.
184. Of the 13 submissions received:
- Two submission supported the Amendment.
 - Five submissions in partial support of the Amendment, with four suggesting changes.
 - Six submissions were not supportive of the Amendment, with one suggesting changes.
185. Council considered the submissions at its meeting on 8 December 2021. The Council report contained a summary of submissions and Officer responses, endorsed by Council (Reference Document 1C).
186. Below is an identification of what Council consider to be the main issues raised by submitters in their submissions, including the late submissions made by Submitters 8 and 13.
187. The issues raised in submissions and Council's response will be elaborated further in Council's Part B Submission to Panel.

9.1 Common Issues

Planning Policy Framework

188. Seven¹ submitters raised concerns about proposed changes to the MPS and PPF. Primarily, these concerns related to changes proposed to Clauses 2.03-7 Transport, 15.01-1L Urban Design, 18.02-1L Sustainable personal transport and 18.02-2L Public transport in Moreland.
189. These submissions can be further summarised as follows:
- The wording 'those who need to drive' included at Clause 2.07-3 Transport is biased towards drivers (one submission)² and changes should be made to either better define what is meant by 'those who need to drive' or include reference to people who cannot drive (three submissions).³
 - The road user hierarchy included at Clause 2.03-7 is too simplistic (two submitters).⁴
 - The proposed inclusion of strategies around reallocation of road space at Clauses 15.01-1L, 18.02-1L and 18.02-2L is inconsistent with the Council Plan and should be considered on a case by case basis (three submitters),⁵ will interfere with the rights of owners and occupiers to have access to the road that adjoins their land (one submitter),⁶ and will only be successful of the PS

¹ Submitters 1, 5, 6, 9, 10, 12 and 13.

² Submitter 1.

³ Submitters 6, 9 and 10.

⁴ Submitters 12 and 13.

⁵ Submitters 5, 12 and 13.

⁶ Submitter 13.

has car parking plans and overlays in place and requires increased off-street parking provision (one submitter).⁷ Four submitters supported the inclusion of these strategies.⁸

- Proposed inclusion of strategies at Clauses 11.03-1L Activity Centres⁹ and 12.01-1L Biodiversity.¹⁰
- Wording 'affordable housing' should be removed from the proposed strategy at Clause 16.01-2L Housing affordability in Moreland as it does not define the length of time it will remain affordable.¹¹

Inclusion of MITS 2019 in the Planning Scheme

190. Two submitters opposed the inclusion of MITS 2019 in the PS because Council is proposing to review the strategy.¹² Updates to the PS should not occur until the review is finalised and recommendations of the Panel for C183 are considered.
191. One submitter raised concerns that the version of MITS 2019 that was exhibited with the Amendment did not include changes to the strategy noted at the 14 April 2021 Council meeting.¹³ They also questioned why other documents associated with MITS 2019, such as the Appendix (Reference Document 5L), Background Report, and Technical Appendix; and the PMP were not included as background documents in the PS.

Application of the EAO

192. The EPA requested further information be added to the explanatory report to support the application of the EAO to the following properties (see Reference Document 4C):
- 260 Sydney Road, Brunswick.
 - The extension of the EAO over the entirety of 1 West Street, Brunswick; and
 - Other land proposed to be rezoned.
193. Changes were made to the explanatory report to address the EPA's concerns as set out in Section 10 of this submission.
194. The EPA confirmed they were supportive of the changes made however its advice in relation to the explanatory report confirming whether 260 Sydney Road, Brunswick is contaminated remains (Reference Document 4D).

⁷ Submitter 13.

⁸ Submitters 1, 6, 9 and 10.

⁹ Submitter 9.

¹⁰ Submitter 13.

¹¹ Submitter 9.

¹² Submitters 5 and 13.

¹³ Submitter 13.

Traffic concerns/Bike lanes

195. One submitter opposed the Amendment and reflected that an increase of development would generate more traffic issues, when more bike lanes are needed.¹⁴
196. One submitter did not support the bike lanes installed along Kent Road.¹⁵

Open space

197. One submitter suggested that instead of a *Park Close to Home*, Council should purchase the warehouses and houses that divide the parks on Albert Street to make one larger park.¹⁶
198. The submitter also suggested that development surrounding this space should be limited to 4/5 storeys as proposed four-five years ago.

Convening of Citizen Advisory Committees

199. One submitter considered that Council should have convened Citizen Advisory Committees to first consider the proposed changes and wording to the PS as set out in Council's Governance Rules and *Community Engagement Policy 2020* (Reference Documents 7A and 7B).¹⁷

9.2 Issues raised in late submissions

200. Both Submitters 8 and 13 made extra submissions to the Amendment following the close of the formal exhibition period. These additional submissions are summarised below.

Submitter 8 Additional Submission

201. Submitter 8 contends that the proposed policy document at Clause 15.03-1L Heritage in Moreland, '*Guidelines for Assessing Planning Permit Applications*' (Heritage Victoria 2000) is outdated and predates current heritage thinking. Because of this, the document should not be included as a reference document in the Scheme.
202. They also raise concerns with the road user hierarchy at Clause 2.03-7 Transport and the proposed strategies at Clauses 15.01-1L, 18.02-1L and 18.02-2L relating to reallocation of road space however did not outline what these concerns are.

Submitter 13 Additional Submission

203. Submitter 13 contends that the changes made to the preferred location of childcare centres along roads in a Road Zone or a Collector Road at Clause 13.07-1L during the translation of Council's LPPF to the PPF was not policy neutral. The policy should be amended to reflect the preferred location as being along collector roads only per the existing local policy.

¹⁴ Submitter 4.

¹⁵ Submitter 11.

¹⁶ Submitter 3.

¹⁷ Submitter 13.

10. Summary of Post Exhibition Changes

10.1 Changes in response to submissions

204. In response to submissions, the following changes are proposed to the Amendment and were endorsed by Council at their meeting on 8 December. These changes include:

Submission No.	Affected Land/Planning Policy	Proposed Change	Reason for Change
2	Explanatory Report	Added text included under the section 'Does the amendment comply with the requirements of any Minister's Direction applicable to the amendment?'.	Addresses EPA concerns.
1, 6, 9, 10	Clause 2.03-7 Transport	Include the following wording in the first strategic direction after existing wording 'some people need to drive' <i>'...some people choose not to travel by car, want to reduce their reliance on cars or can't afford to travel by car'.</i>	Response to submissions – recognises other users of the transport system that choose not to or cannot drive.
13	MITS 2019 Background Document	Inclusion of following note at the front of the document: <i>'This document must be read in conjunction with the initial revisions to the Moreland Integrated Transport Strategy (MITS_ 2019 made in accordance with Council's December 2020 resolutions abandoning two MITS actions relating to car parking (NOM60/20). The changes were noted at the 14 April 2021 Council meeting as attached to this document.,'</i> Inclusion of the following note on subsequent pages of MITS: <i>'Read in conjunction with text revisions as per</i>	Clarifies that the strategy has had changes made to it, primarily the deletion of Actions 1 and 2.

Submission No.	Affected Land/Planning Policy	Proposed Change	Reason for Change
		<i>attached resolution from 14 April Council meeting.'</i>	

10.2 Other changes to Amendment documentation

205. Other changes were made to the Amendment documentation to correct errors that were identified or respond to new information that came to light since the Amendment was prepared. These changes are as follows:

Description	Affected document	Change proposed
Rezoning of 104-110 Newlands Road, Coburg from Industrial 1 Zone to Public Park and Recreation Zone.	Planning Scheme Map 9	Remove 104-110 Newlands Road, Coburg from the amendment. The site has been identified within the report <i>Between the Merri and Moonee Ponds</i> as an area within the Edgars Creek waterway corridor where the Environmental Significance Overlay should be extended. As such the rezoning of the land should occur through this process where it can be considered holistically with the rezoning of the rest of the parkland currently within a Public Use Zone (Schedule 4). This will also allow for the consideration of whether an EAO needs to be applied to the land in accordance with the new Environment Protection Act.
Incorrect date referenced in planning scheme for document <i>'Guidelines for Assessing Planning Permit Applications'</i> .	Clauses 15.03-1L Heritage in Moreland and 72.08 Background documents	Amend reference in planning scheme to read '2000' instead of '2007' as the date of the document. This is the date shown on the document exhibited with the Amendment.
Incorrect date referenced in planning scheme for document <i>'Moreland Vehicle Crossing (Driveway) Policy'</i> .	Clause 72.08 Background documents	Amend reference at Clause 72.08 to read '2019' instead of '2014' as the date of the document. The 2019 version is the most recent version of the document. It is also the version exhibited with the Amendment.

<p>Incorrect document type referenced in planning scheme for document '<i>Integrated Water Management Plan 2040</i>'</p> <p>The clause references for the document have also been left out.</p>	<p>Clause 72.08 Background documents</p>	<p>Amend reference at Clause 72.08 to:</p> <ul style="list-style-type: none"> Read '<i>Integrated Water Management Strategy 2040</i>' instead of '<i>Integrated Water Management Plan 2040</i>' [emphasis added]. Include following clause references for the strategy: 15.01-1L; 19.03-3L.
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10.3 Amendment documents that incorporate post exhibition changes

206. Amendment documentation that has been changed to incorporate all the changes listed above and endorsed by Council are provided at **Appendix 9**. This includes changes to the following documents:

- C212more Explanatory Report.
- Clause 2.03-7 Transport.
- Clause 15.03-1L Heritage in Moreland.
- Clause 72.08 Background documents.
- MITS 2019 Background Document.
- Planning Scheme Map 9.

11. List of Appendices & Reference Documents

List of Appendices	
Appendix No	Document Title
Appendix 1	Summary table of changes proposed by the Amendment
Appendix 2	Planning Scheme Review Report 2018
Appendix 3	Moreland Heritage Gap Study 2019 – Volume 1
Appendix 4	Chronology of Events C212more
Appendix 5	Council Plan 2021-2025
Appendix 6	Chronology of events MITS 2019
Appendix 7	Amendment C183 Panel Report
Appendix 8	Council Action Plan 2021-2022
Appendix 9	Amendment documentation incorporating changes

C212more Panel Document Folder – List of Reference Documents	
Document No.	Section 1 – Council Reports Relevant to C212more
1A	<p>Council Report 7.14 – Amendment C212 – Planning Scheme Updates and Corrections – Decision Gateway 1 – 9 June 2021 (with six Attachments)</p> <ul style="list-style-type: none"> Attachment 1 – Overlays to be Deleted Attachment 2 – Brunswick Design District Changes to MPS. Attachment 3 – Virtual Moreland Changes. Attachment 4 – MPS and PPF Changes. Attachment 5 – Zoning Maps. Attachment 6 – Other Anomalies.
1B	Council Action Memo - Item 7.14 – Amendment C212more – Planning Scheme Updates and Corrections – Decision Gateway 1 – 9 June 2021
1C	<p>Council Report 7.7 – Amendment C212more – Planning Scheme Updates and Corrections – Decision Gateway 2 – Consideration of Submissions and Request for a Panel – 8 December 2021 (with two Attachments)</p> <ul style="list-style-type: none"> Attachment 1 – Summary of Submissions. Attachment 2 – Changes to Amendment Documentation.
1D	Council Action Memo - Item 7.7 – Amendment C212more – Planning Scheme Updates and Corrections – Decision Gateway 2 – Consideration of Submissions and Request for a Panel – 8 December 2021
1E	Council Report 7.7 – Review of Instrument of Delegation Council to Council Staff – 9 March 2022

	Section 2 - Authorisation
2A	Further Review Letter from DELWP
2B	Letter of Authorisation
	Section 3 - Exhibition
3A	Explanatory Report - Exhibition
3B	Instruction Sheet - Exhibition
3C	Notice of Preparation - Exhibition
3D	Exhibited Ordinances
3E	Exhibited Planning Scheme Maps
3F	Statement of Significance for 20 Dawson Street, Brunswick
3G	Background Documents
	Section 4 – EPA Correspondence
4A	Email to EPA – MD19 Request – July 2021
4B	Letter from EPA – MD19 Request - July 2021
4C	Letter from EPA – Submission to Amendment C212more – October 2021
4D	Letter from EPA – Revised Submission to Amendment C212more – 8 November 2021
	Section 5 – Moreland Integrated Transport Strategy Documents
5A	MITS 2018 Part A Background Report
5B	MITS Technical Appendix (GTA Consultants, 14 February 2018)
5C	Council Report and Action Memo – MITS and PIP 2019 Adoption – 13 March 2019
5D	Moreland Parking Implementation Plan 2019 (GTA Consultants, 25 February 2019)
5E	Parking Management Policy (Moreland City Council, 13 March 2019)
5F	Council Report DCF90/19 and Action Memo – Amendment C183 – MITS and PIP – Decision Gateway 2: Consideration of Submissions and Request a Panel – 11 December 2019
5G	LPPF Changes Proposed by Amendment C183
5H	Council Report DCF14/20 and Action Memo – Amendment C183 – MITS and PIP – Decision Gateway 3 – 13 May 2020
5I	Council Notice of Motion and Action Memo – Item 7.12 Moreland Integrated Transport Strategy Review – 9 December 2020
5J	Council Report and Action Memo – Item 7.1 – Moreland Integrated Transport Strategy - Review

5K	VC204 Explanatory Report
5L	MITS 2019 Appendix – Final – February 2019
	Section 6 - Delegation
6A	Directorate structure
	Section 7 - Submissions
7A	Governance Rules, Moreland City Council 2021
7B	Community Engagement Policy 2020, Moreland City Council 2020