



**Maddocks**

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Lawyers  
Collins Square, Tower Two  
Level 25, 727 Collins Street  
Melbourne VIC 3008  
Australia

Telephone 61 3 9258 3555  
Facsimile 61 3 9258 3666

[info@maddocks.com.au](mailto:info@maddocks.com.au)  
[www.maddocks.com.au](http://www.maddocks.com.au)

DX 259 Melbourne

**Amendment C134maro and C136maro to  
the Maroondah Planning Scheme**  
Greening the Greyfields Strategy

**Council Submission: Part A**

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## Introduction

1. This submission is made on behalf of Maroondah City Council (**Council**), in respect of Amendments C134 and C136 (**Amendments**) to the Maroondah Planning Scheme (**Scheme**).
2. Council is the Planning Authority for the Amendments to the Scheme.
3. The Amendments are strategically supported by the following documentation:
  - 3.1 Victorian Planning Policy Framework;
  - 3.2 Local Planning Policy Framework;
  - 3.3 *Plan Melbourne 2017-2050*;
  - 3.4 Maroondah 2040: Our Future Together and the Council Plan 2017-2021;
  - 3.5 The Places We Live - Maroondah Housing Strategy 2016 (Housing Strategy); and
  - 3.6 Ministerial Directions 9 and 11.

## Overview of Amendment C134

4. Amendment C134 applies to land in the suburb of Ringwood bound by:
  - 4.1 Loughnan Road to the north;
  - 4.2 Warrandyte Road to the east;
  - 4.3 Ringwood Street to the west; and
  - 4.4 the Ringwood Bypass to the south,as shown on the attached map (Attachment 1) (**Ringwood Precinct**).
5. As exhibited, Amendment C134 proposes to implement the objectives of the Design Framework and Concept Plan - Ringwood Greyfield Precinct by:
  - 5.1 rezoning land within the Ringwood Precinct from Neighbourhood Residential Zone Schedule 3 (**NRZ3**) to General Residential Zone Schedule 3 (**GRZ3**) (Greyfield Renewal Precincts);
  - 5.2 introducing a Development Plan Overlay Schedule 7 (**DPO7**) and a Development Contributions Plan Overlay Schedule 2 (**DCPO2**);



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- 5.3 amending Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the *Ringwood Greyfield Precinct Development Contributions Plan* (15 May 2019).
6. Specifically, Amendment C134 proposes to:
- 6.1 amend the Planning Scheme Maps by a total of 3 map sheets:
- Planning Scheme Zoning Map No. 4;
  - Map No. 4 DPO;
  - Map No. 4 DCPO.
- 6.2 amend the Planning Scheme Ordinance as follows:
- In Planning Policy Framework:
    - replace Clause 21.02 with a new Clause 21.02;
    - replace Clause 21.06 with a new Clause 21.06;
    - replace Clause 21.07 with a new Clause 21.07;
    - replace Clause 21.10 with a new Clause 21.10;
    - replace Clause 22.02 with a new Clause 22.02.
  - In Zones:
    - for Clause 32.08, insert a new Schedule 3.
  - In Overlays:
    - for Clause 43.04, insert a new Schedule 7;
    - for Clause 45.06, insert a new Schedule 2.
  - In Operational Provisions:
    - for Clause 72.04, replace the Schedule with a new Schedule.
7. Currently, the Ringwood Precinct is zoned NRZ3 (Canopy Cover Ridgeline Protection) and is subject to the Heritage Overlay, Schedules 127 (“Coolangatta”) and 128 (‘House’) and Significant Landscape Overlay Schedule 3 (**SLO3**) (Wicklow Hills Ridge and Loughnan Warranwood Ridge Landscape Protection Area).

### Overview of Amendment C136

8. Amendment C136 applies to land in the suburb of Croydon South bound by:
- 8.1 Eastfield Road to the north;

8.2 Bayswater Road to the west;

8.3 Blazey Road to the east; and

8.4 Thomas Street to the south,

as shown on the attached map (Attachment 2) (**Croydon South Precinct**).

9. As exhibited, Amendment C136 proposes to implement the objectives of the *Design Framework and Concept Plan - Croydon South Greyfield Precinct* by:

9.1 applying Schedule 3 to General Residential Zone (GRZ) Schedule 3 (Greyfield Renewal Precincts);

9.2 introducing a Development Plan Overlay Schedule 8 (**DPO8**) and a Development Contributions Plan Overlay Schedule 3 (**DCPO3**) to the Precinct;

9.3 amending Clause 72.04 (Documents Incorporated in this Planning Scheme) to include the Croydon South Greyfield Precinct Development Contributions Plan (15 May 2019).

10. Specifically, Amendment C134 proposes to:

- amend the Planning Scheme Maps 5 by a total of 3 map sheets:
  - Planning Scheme Zoning Map No.5;
  - Map No. 5 DPO;
  - Map No. 5 DCPO.
- amend the Planning Scheme Ordinance as follows:
  - In Planning Policy Framework:
    - replace Clause 21.02 with a new Clause 21.02;
    - replace Clause 21.06 with a new Clause 21.06;
    - replace Clause 21.07 with a new Clause 21.07;
    - replace Clause 21.10 with a new Clause 21.10;
    - replace Clause 22.02 with a new Clause 22.02.
- In Zones:
  - for Clause 32.08, insert a new Schedule 3.
- In Overlays:
  - for Clause 43.04, insert a new Schedule 8;

- for Clause 45.06, insert a new Schedule 3.
  - In Operational Provisions:
    - for Clause 72.04, replace the Schedule with a new Schedule.
    - For Clause 72.03, insert Map5DCPO in the map list.
11. Currently, the Croydon South Precinct is zoned General Residential Zone Schedule 1 (General Residential Areas) (**GRZ1**) and is subject to the Vegetation Protection Overlay Schedule 1 (**VPO1**) (Site of Biological Significant) and Significant Landscape Overlay Schedule 4 (**SLO4**) (Landscape Canopy Protection).

## Panel Directions

12. This submission responds to Direction 5 of the Panel Directions issued on 19 May 2021 (**Panel Directions**) directing Council to publicly circulate its 'Part A' submission by 12 noon Monday 21 June 2021 for both the Amendments.
13. The Panel Directions sought comments on:
- Issues identified in submissions,
  - Suggested changes to the Amendment documentation in response to submissions,
  - Background to the Amendments including a chronology of events for each Amendment.
14. This submission is arranged under the following headings:
- 14.1 Background to the Amendments including chronology of events;
  - 14.2 Strategic context and assessment;
  - 14.3 Issues identified in submissions;
  - 14.4 Suggested changes to the Amendment documentation in response to submissions.
15. Direction 1 (Mediation of Issues) of the Panel Directions required the following.

Council officers should meet with the officer of the Department of Transport to discuss issues raised by the Department of Transport in its submission and which remain unresolved. A written statement must be prepared that sets out the issues that in dispute and are not in dispute. The statement must be signed by representatives of both parties. The statement must be provided to all parties by 12 noon on Monday, 31 May 2021 and will be formally tabled and discussed at the Hearing. The Department of Transport should initiate this meeting."

16. A written statement signed on behalf of the Department of Transport and Council has been circulated which indicates that no matters remain unresolved and no Department of Transport issues are in dispute in the Amendments.
17. Together with this Part A submission, Council has also circulated the material required under Direction 4 of the Panel Directions.
18. Expert witness reports upon which Council relies will be circulated with this submission.
19. Council's 'Part B' submission will be circulated on 25 June 2021.
20. At the hearing, the following will be presented on behalf of Council:
  - The Part B submission addressing key issues raised in the Panel Directions, Council's response to the matters raised in evidence, and its final position on the Amendment; and
  - evidence from Mr Paul Buxton of Plan2Place; and
  - evidence from Mr Alex Hrelja of HillPDA Consulting.

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## Background to the Amendments

21. A chronology of events is set out at **Attachment 7**.
22. Key background studies and preparation of the key material for the Amendment are described below.

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## Preparation and exhibition of the Amendments

### Preliminary Work

23. Greening the Greyfields (or **Greyfield Renewal**) (**GtG**) is a pilot project of Council in partnership with Swinburne University. Other collaborators on the project include the Cooperative Research Centre for Low Carbon Living and FrontierSI (which carried out the background spatial analysis to identify areas with high redevelopment potential). Council also sought advice and inputs from the Department of Environment, Land, Water and Planning (**DELWP**).
24. In early 2017, Council began discussions with Swinburne University around the GtG concept and research that had been undertaken by key staff in the Centre for Urban Transitions, including Professor Peter Newton and Dr. Stephen Glackin.
25. Council then undertook its own internal strategic analysis of the GtG approach. Part of this analysis included exploration of potential locations for the implementation of the approach

based on existing relevant strategic guidance, statutory controls, demographic profile, topography and development pattern and sustainability frameworks.

26. In mid-2017, Council explored funding opportunities for the GtG concept, and together with Swinburne University, applied for Federal Government funding through the Smart Cities and Suburbs Program (**SCSP**).
27. In November 2017, Council was advised that an application for funding of \$225,000.00 under the SCSP had been successful. The funding approval incorporated a 50 per cent matched funding contribution from DELWP, Knox City Council, Cooperative Research Centre for Spatial Information (**CRCSI**) and Swinburne University. The total funding value was \$450,000.00.
28. In December 2017, a Smart Cities and Suburbs (**SCS**) Steering Committee was established between Council, CRCSI, Knox City Council, and Swinburne University with participation by the Maroondah Environmental Advisory Committee. The SCS Committee met monthly until late 2019 to progress the GtG work and provides progress and funding reports to the Federal Government.
29. It is likely that additional collaboration with Knox City Council will occur after the current Amendment process, when lessons learned through this process will be shared and feedback and inputs sought between the two councils.
30. In March 2018, Council engaged two Precinct Planners to assist with delivering the GtG approach in its municipality.
31. These Council Precinct Planners have carried out strategic evaluation assessment activities, with assistance and inputs from within Council and outside of it, including:
  - 31.1 development and assessment of preferred housing typologies with industry and specialist architecture, planning, urban design and landscape assistance;
  - 31.2 preparation of a feasibility analysis of identified preferred housing typologies with retail economic specialists and property development advisors;
  - 31.3 preparation of a concept plan and design guidelines with assistance from industry and specialist architects, landscape architects, planners and urban designers;
  - 31.4 an assessment of existing statutory control options and preferred statutory approach with assistance from an external planning consultant;
  - 31.5 pre-engagement activities, both precinct-specific and general/Council-wide with assistance from the Council Community Advisory Group, the Maroondah Metropolitan Advisory Committee and Ward Councillors.





### **Amendment C134**

36. Authorisation to prepare Amendment C134 was issued by DELWP on 3 January 2020 under delegation from the Minister for Planning, in accordance with section 8A of the *Planning and Environment Act 1987* (the **Act**), subject to the following conditions:

1. That the planning scheme amendment documents be amended to address queries and be generally in accordance with the marked-up versions provided by DELWP.
2. Provide clarification on the status of the following documents:
  - a. Greening the Greyfields - Notlen Street Catchment Discussion Report (February 2018)
  - b. Design Framework and Concept Plan - Ringwood Greyfield Precinct (Volume 1)
  - c. Ringwood North Precinct Development Contributions Plan (Draft Report 3, 15 May 2019)
  - d. That the Schedule to Clause 72.04 be amended to insert the development contributions plan incorporated document into the Maroondah Planning Scheme.
3. That the Ringwood North Precinct Development Contributions Plan (DCP) be amended as follows:
  - a. The document be renamed the 'Ringwood Greyfield Precinct Development Contributions Plan' and the text of the DCP amended accordingly.
4. The last sentence on page 17 amended to clarify that Maroondah City Council is responsible for the funding gap (approximately 58% of the works).
5. That all planning scheme ordinance be reviewed to consistently refer to the 'Ringwood Greyfield Precinct'.
6. That the explanatory report be revised in accordance with DELWP's emailed advice.

37. A copy of the letter of authorisation is provided at Attachment 3.

38. Council responded to these conditions, in keeping with the DELWP instructions of 3 January 2020 and advised that:

- 38.1 conditions 1 to 6 of the conditions were met in full;
- 38.2 all changes contained in the 'marked-up versions' of the planning scheme amendment documents and the explanatory report were amended in keeping with the DELWP edits; and
- 38.3 Council undertook the public exhibition process for the Amendment in accordance with the recommendations given, the provisions of the Act and Ministerial Direction No. 15.

39. DELWP has confirmed that all conditions of authorisation have been complied with.

### **Amendment C136**

40. Authorisation to prepare Amendment C136 was issued by DELWP on 3 January 2020 under delegation from the Minister for Planning, in accordance with section 8A of the Act, subject to the following conditions:



1. That the planning scheme amendment documents be amended to address queries and be generally in accordance with the marked-up versions provided by DELWP.
  2. Provide clarification on the status of the following documents:
    - a. Design Framework and Concept Plan - Croydon South Greyfield Precinct (Volume 1)
    - b. Croydon South Precinct Development Contributions Plan (Draft Report 2, 15 May 2019)
  3. That the Schedule to Clause 72.04 be amended to insert the development contributions plan incorporated document into the Maroondah Planning Scheme.
  4. That the Croydon South Precinct Development Contributions Plan (DCP) be amended as follows:
    - a. The document be renamed the 'Croydon South Greyfield Precinct Development Contributions Plan' and the text of the DCP amended accordingly.
    - b. The last sentence on page 16 amended to clarify that Maroondah City Council is responsible for the funding gap (approximately 57% of the works).
  5. That all planning scheme ordinance be reviewed to consistently refer to the 'Croydon South Greyfield Precinct'.
  6. That the GRZ3, DPO8 and DCO03 mapping be amended so that the GRZ3, DPO8 and DCP03 extend half way across Eastfield Road and Thomas Street road reserves.
  7. That the explanatory report be revised in accordance with DELWP's emailed advice.
41. A copy of the letter of authorisation is provided at Attachment 4.
42. Council responded to these conditions in keeping with the DELWP instructions of 3 January 2020 and advised that:
- 42.1 conditions 1 to 7 of the conditions were met in full;
  - 42.2 all changes contained in the 'marked-up versions' of the planning scheme amendment documents and the explanatory report were amended in keeping with the DELWP edits; and
  - 42.3 Council undertook the public exhibition process for the Amendment in accordance with the recommendations given, the provisions of the Act and Ministerial Direction No. 15.
43. DELWP has confirmed that all conditions of authorisation have been complied with.

## **Exhibition**

44. The Amendments were exhibited under section 19 of the Act commencing 28 January 2021. The closing date for submissions was 26 February 2021.
45. A request for an exemption to Ministerial Direction 15 was sent by Council to the Minister for Planning on 10 February 2020. The request sought an exemption to comply with the timing to give notice of an amendment as required by Division 1 of Part 3 of the Act within 40 business days of receiving authorisation. This request was approved on 11 February 2020 and the time for commencing exhibition extended by six weeks.



46. A second request for an exemption to Ministerial Direction 15 was sent by Council to the Minister for Planning on 31 March 2020. The request sought an exemption to comply with the timing to give notice of an amendment as required by Division 1 of Part 3 of the Act within 40 business days of receiving authorisation. This request was approved on 8 April 2020 and the time for commencing exhibition extended by eight weeks.
47. A third request for an exemption to Ministerial Direction 15 was sent by Council to the Minister for Planning on 1 June 2020. The request sought an exemption to comply with the timing to give notice of an amendment as required by Division 1 of Part 3 of the Act within 40 business days of receiving authorisation. This request was approved on 2 June 2020 and the time for commencing exhibition extended to 1 February 2021.

## **Exhibition - Amendment C134**

48. Notice of Amendment C134 was given by:
- 48.1 sending direct written notification to all owners and occupiers of land subject to the proposed Amendment/within the Ringwood Greyfield Renewal Precinct and opposite the precinct on the north side of Loughnan Road, the east side of Warrandyte Road and the west side of Ringwood Street on 25 January 2021 in keeping with the DELWP authorisation letter of 3 January 2020;
  - 48.2 sending letters to prescribed Ministers and Notices to statutory authorities, including Melbourne Water, VicRoads, the Metropolitan Fire Brigade, the Department of Health and Human Services (as then known) and Native Title Services Victoria on 27 January 2021, in keeping with the DELWP recommendations within the authorisation letter of 3 January 2020;
  - 48.3 publishing a notice of the Amendment in the Victorian Government Gazette on 28 January 2021;
  - 48.4 publishing a notice of the Amendment in The Age newspaper on 28 January 2021; and
  - 48.5 making copies of the Amendment available for inspection during office hours at the offices of Council's customer service areas and libraries and the Department and online on both the Department and Council's websites, including the Your Say Maroondah website.
49. The exhibited Amendment documentation comprised the following:
- 49.1 Notice of Preparation of an Amendment;
  - 49.2 Instruction Sheet;



- 49.3 Explanatory Report;
- 49.4 Design Framework and Concept Plan Ringwood Greyfield Precinct;
- 49.5 Ringwood Greyfield Precinct Development Contributions Plan, 15 May 2019
- 49.6 proposed planning scheme maps:
  - 49.6.1 Zone Map No. 4;
  - 49.6.2 DPO Map No. 4;
  - 49.6.3 DCP Map No. 4;
- 49.7 proposed new or varied clauses and schedules:
  - 49.7.1 Clause 21.02 - Maroondah Vision and Strategic Framework Plan;
  - 49.7.2 Clause 21.06 - Built Form and Urban Design;
  - 49.7.3 Clause 21.07 Housing and Residential Land Use;
  - 49.7.4 Clause 21.10 Natural Resources;
  - 49.7.5 Clause 22.02 Residential Neighbourhood Character (Neighbourhood Character Map);
  - 49.7.6 Schedule 3 to the General Residential Zone (Clause 32.08);
  - 49.7.7 Schedule 7 to the Development Plan Overlay (Clause 43.04);
  - 49.7.8 Schedule 2 to the Development Contributions Plan Overlay (Clause 45.06); and
  - 49.7.9 Schedule to Clause 72.04 Documents Incorporated in this Planning Scheme.
- 50. Council also provided a link on its website to the DELWP website exhibited Amendment C134 documentation. In addition to the material provided on the Council website, DELWP exhibited the following in relation to Amendment C134:
  - 50.1 Maroondah City Council Plan 2019-2020;
  - 50.2 Greening the Greyfields Precincts Overview;
  - 50.3 Maroondah City Council Greening the Greyfields Statutory Framework Plan;

- 50.4 Greyfield Precinct Renewal Presentation;
  - 50.5 Maroondah 2040 Our Future Together;
  - 50.6 Maroondah Housing Strategy 2016;
  - 50.7 Maroondah Notlen Street Catchment Discussion Report, February 2018;
  - 50.8 Maroondah Precinct Maps, Sustainability Framework and Aerial View;
  - 50.9 Maroondah Proposed Statutory Planning Controls Final Report, 17 June 2019;  
and
  - 50.10 Maroondah Urban Renewal for Greyfield Precincts Playbook for Local Government.
51. At the Panel Directions Hearing of 17 May 2021, Ms. Angela Baltas a submitter to the Amendments, claimed that some residents of the Ringwood Precinct had either not received notice of the Amendment from Council, or details of the Directions Hearing from Planning Panels Victoria. The Panel directed the submitter to provide any available details of landowners and/or tenants that were not notified by either Council or Planning Panels Victoria. Council sought clarification from the submitter during phone conversations on 17 and 18 May 2021, and the submitter agreed to get back to Council by 28 May 2021 in relation to any identified defects in notice. Council received no response by this date and subsequently Council sought further clarification from the submitter by email on 1 June 2021. No response was received to Council's email.
52. During telephone conversations with the submitter on 17 and 18 May 2021, she mentioned addresses of parties allegedly not notified of either the Amendment or the Panel Hearing process, including other residents of 75 Warrandyte Road, Ringwood. Council reviewed its records of letters sent to residents of land affected by Amendment 134 and found that direct written notice was provided to the four units at 75 Warrandyte Road.

**Exhibition - Amendment C136**

53. Notice of Amendment C136 was given by:
- 53.1 sending direct written notification to all owners and occupiers of all properties in the Croydon South Greyfield Precinct (including the Neighbourhood Activity Centre) and opposite the precinct on the north side of Eastfield Road, the east side of Blazey Road, the south side of Thomas Street and the west side of Bayswater Road on 25 January 2021, in keeping with the DELWP authorisation letter of 3 January 2020;



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- 53.2 sending letters to prescribed Ministers and Notices to statutory authorities, including Melbourne Water, VicRoads, the Metropolitan Fire Brigade, the Department of Health and Human Services (as then known) and Native Title Services Victoria on 27 January 2021 in keeping with the DELWP recommendations within the authorisation letter of 3 January 2020;
  - 53.3 publishing a notice of the Amendment in the Victorian Government Gazette on 28 January 2021;
  - 53.4 publishing a notice of the Amendment in The Age newspaper on 28 January 2021; and
  - 53.5 making copies of the Amendment available for inspection during office hours at the offices of Council's customer service areas and libraries and the Department and online on both the Department and Council's websites.
54. The Amendment documentation as exhibited comprised the following documents:
- 54.1 Notice of Preparation of an Amendment;
  - 54.2 Instruction Sheet;
  - 54.3 Explanatory Report;
  - 54.4 Design Framework and Concept Plan Croydon South Greyfield Precinct;
  - 54.5 Croydon South Greyfield Precinct Development Contributions Plan, 15 May 2019;
  - 54.6 proposed planning scheme maps:
    - 54.6.1 Zone Map No. 5;
    - 54.6.2 DPO Map No. 5;
    - 54.6.3 DCP Map No. 5;
  - 54.7 proposed new or varied clauses and schedules:
    - 54.7.1 Clause 21.02 - Maroondah Vision and Strategic Framework Plan;
    - 54.7.2 Clause 21.06 - Built Form and Urban Design;
    - 54.7.3 Clause 21.07 - Housing and Residential Land Use;
    - 54.7.4 Clause 21.10 - Natural Resources;

- 54.7.5 Clause 22.02 - Residential Neighbourhood Character (Neighbourhood Character Map);
  - 54.7.6 Schedule 3 to the General Residential Zone (Clause 32.08);
  - 54.7.7 Schedule 8 to the Development Plan Overlay (Clause 43.04);
  - 54.7.8 Schedule 3 to the Development Contributions Plan Overlay (Clause 45.06); and
  - 54.7.9 Schedule to Clause 72.04 - Documents Incorporated in this Planning Scheme.
55. Council also provided a link on its website to the DELWP website exhibited Amendment C136 documentation. In addition to the material provided on the Council website, for Amendment C136, DELWP exhibited the same supporting documentation as provided in relation to Amendment C134.

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## Issues identified in Submissions

### Submissions to Amendment C134

56. Eight (8) submissions were received during the exhibition of Amendment C134. Council will provide Planning Panels Victoria with a map of the location of each submitter showing either the site owned by the submitter or, where the submitter resides.
57. Following exhibition, Council considered submissions received to the Amendments at its meeting of 22 March 2021 and resolved:
- That Council, having prepared and exhibited Amendments C134 and C136 to the Maroondah Planning Scheme under section 19 of the *Planning and Environment Act 1987* and received and considered all written submissions made in response to amendments C134 and C136:
    - 1. Request that the Minister for Planning appoint an independent Panel under Part 8 of the Planning and Environment Act 1987 to consider all submissions to Amendments C134 and C136 to the Maroondah Planning Scheme
    - 2. Refers all submissions to the Panel to be appointed by the Minister for Planning, including any late submissions
    - 3. Endorses the response to submissions attached at attachments 1 and 2 to this report to form the basis of Council's submission to the Panel
    - 4. Delegates the Director Strategy and Community to consider any late submissions before referring them to the Panel
    - 5. Advises all submitters of Council's resolution
58. A copy of the Delegated Report is provided in **Attachment 5**.





59. All resolved actions from the Council meeting of 22 March 2021 were undertaken in full.
60. A Planning Panel was appointed on 23 April 2021.

## **Submissions to Amendment C136**

61. Nine (9) submissions were received during the exhibition of Amendment C136. Council will provide Planning Panels Victoria with a map of the location of each submitter showing either the site owned by the submitter or, where the submitter resides.

62. As noted under 'Submissions to Amendment C134', following exhibition, Council considered submissions received to the Amendments at its meeting of 22 March 2021 and resolved:

That Council, having prepared and exhibited amendments C134 and C136 to the Maroondah Planning Scheme under section 19 of the Planning and Environment Act 1987 and received and considered all written submissions made in response to Amendments C134 and C136:

1. Request that the Minister for Planning appoint an independent Panel under Part 8 of the Planning and Environment Act 1987 to consider all submissions to Amendments C134 and C136 to the Maroondah Planning Scheme
2. Refers all submissions to the Panel to be appointed by the Minister for Planning, including any late submissions
3. Endorses the response to submissions attached at attachments 1 and 2 to this report to form the basis of Council's submission to the Panel
4. Delegates the Director Strategy and Community to consider any late submissions before referring them to the Panel
5. Advises all submitters of Council's resolution

63. A copy of the Delegated Report, including attachments to the report, is provided in **Attachment 5.**

64. All resolved actions from the Council meeting of 22 March 2021 were undertaken in full.

65. A Planning Panel was appointed on 23 April 2021.

66. In February 2021, a second submission made by the Croydon Conservation Society was identified to have been lodged inaccurately against another Amendment and was therefore not considered at Council's meeting of 22 March 2021. Council officers contacted the submitter to advise of the error making the submission and that Council would treat the submission as one received in relation to Amendment C136.

A copy of this submission and Council's response to the matters raised within, is included at **Attachment 6.**

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## Suggested changes to the Amendments in response to submissions

### Amendment C134

67. One submitter (#3) to Amendment C134 noted concerns around the viability of planting, particularly within close proximity to basement car parking areas. While Council feels it has minimised any potential sub-optimal outcomes in this regard by requiring specific setbacks between side boundaries and basement car parking areas, in response to this submission, Council suggests that the Development Plan Overlay (Schedule 7) provision be amended to allow native or exotic trees.
68. This will provide more vegetation options for screening of basement car parking areas and to improve the landscape quality of the area in general.
69. Vegetation options should include canopy trees within front setbacks, private open space areas and common garden areas of native species that are capable of reaching a minimum mature height of 12 to 14 metres, where possible.
70. In keeping with the Council report (and resolution) of 22 March 2021, Council agrees to the changes requested by the Department of Transport, as outlined below:

#### Design Framework and Concept Plan

It is recommended that Council agrees to amending the Concept Plan to include the annotation: *"potential laneways are for cyclist and pedestrian movements only"* to remove confusion around these areas providing potential vehicle connections. A number of attendees to the Information Sessions held during the public exhibition of the Amendment also sought clarification of the intended purpose of these laneways.

#### Development Plan Overlay (DPO), Schedule 7

It is recommended that Council agree to the addition of the following requirement at Clause 4.0 of Schedule 7 to the DPO, based on the Department of Transport request.

*"Where vehicular access is proposed from Kennedy Avenue or Woodside Avenue to an amalgamated lot of at least three pre-existing lots (with the proposed number of dwellings exceeding that originally existing on the sites), the proposal must be accompanied by an Integrated Transport and Impact Assessment to the satisfaction of the Head, Transport for Victoria and the Responsible Authority and provide specific detail on:*

- Existing turning volumes at the intersection of the street and Warrandyte Road.
- The impact of turning movements generated by the proposed use and development on the operation and safety of traffic on Warrandyte Road and its relevant intersections.
- Proposed mitigation measures to address any unsatisfactory impacts (if any).



## Indicative Concept Plan

Consistent with the above, it is recommended that Council agree to amending the Concept Plan to include the annotation: "*potential laneways are for cyclist and pedestrian movements only*" to remove confusion around these areas providing potential vehicle connections.

## **Amendment C136**

71. Council also considers that the Development Plan Overlay (Schedule 8) provision be amended to allow native or exotic trees. This will provide more vegetation options for screening of basement car parking areas and to improve the landscape quality of the area in general.
72. Vegetation options should include canopy trees within front setbacks, private open space areas and common garden areas of native species that are capable of reaching a minimum mature height of 12 to 14 metres, where possible.
73. Submission #8 to Amendment C136 raised issues in relation to walkability of the Croydon South Precinct and did not agree to the construction of a walkway at the end of Mackenzie Court to Thomas Street:

We agree with the proposed changes in general, as it is important to maintain the trees and grass when new housing is built to prevent the area turning into a concrete jungle. We also agree that building a pedestrian crossing on Eastfield Rd near the shops is vital. We hope this aspect is performed regardless of the outcome of the proposal at large. However, **we disagree that there are significant issues with the walkability of the precinct and not support building a walkway at the end of Mackenzie Court to Thomas St, which would have to go through our or our neighbours property.** This proposed walkway would destroy the family friendly environment in the Court.

74. In response to this submission Council reviewed of the location of this proposed laneway and considered the development that has recently occurred in this vicinity. Council is content for this laneway should be removed from the Indicative Concept Plan.
75. In keeping with the Council report (and resolution) of 22 March 2021, Council agrees to the changes requested by the Department of Transport, as outlined below:

### Design Framework and Concept Plan

It is recommended that Council agrees to amending the Concept Plan to include the annotation: "*potential laneways are for cyclist and pedestrian movements only*" to remove confusion around these areas providing potential vehicle connections. A number of attendees to the Information Sessions held during the public exhibition of the Amendment also sought clarification of the intended purpose of these laneways.

### Development Plan Overlay (DPO), Schedule 7

It is recommended that Council agree to the addition of the following requirement at Clause 4.0 of Schedule 7 to the DPO, based on the Department of Transport request.

*"Where vehicular access is proposed from Kennedy Avenue or Woodside Avenue to an amalgamated lot of at least three pre-existing lots (with the proposed number of*

*dwelling exceeding that originally existing on the sites), the proposal must be accompanied by an Integrated Transport and Impact Assessment to the satisfaction of the Head, Transport for Victoria and the Responsible Authority and provide specific detail on:*

- Existing turning volumes at the intersection of the street and Warrandyte Road.
- The impact of turning movements generated by the proposed use and development on the operation and safety of traffic on Warrandyte Road and its relevant intersections.
- Proposed mitigation measures to address any unsatisfactory impacts (if any).

### Indicative Concept Plan

Consistent with the above, it is recommended that Council agree to amending the Concept Plan to include the annotation: *“potential laneways are for cyclist and pedestrian movements only”* to remove confusion around these areas providing potential vehicle connections.

## Chronology of Events

76. A chronology of events and key milestones that led to the preparation and progression of the Amendments is included at **Attachment 7** to this submission.

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## Strategic Context and Assessment

77. A strategic assessment of Amendments C134 and C136 was set out in the exhibited Explanatory Report for each Amendment. Council adopts and expands on that assessment for the purposes of this submission.
78. The Amendments are consistent with State and Local planning policy and achieve the objectives of planning in Victoria as set out under the Act, specifically:
- (a) to provide for the fair, orderly, economic and sustainable use, and development of land;
  - (c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;
  - [...]
  - (f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);<sup>1</sup>
79. The Amendments will help to meet these objectives by:
- 79.1 improving sustainability requirements for dwellings within the precincts;
  - 79.2 ensuring the continued applicability and application of existing planning mechanisms intended to support environmental and heritage qualities in the

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<sup>1</sup> *Planning and Environment Act 1987*, Section 4.

precincts (e.g. Vegetation Protection, Significant Landscape and Heritage Overlays); and

- 79.3 providing appropriate planning mechanisms, including background documents, to help improve the quality of the precincts, including in terms of streetscape and built form quality, access to walking and cycling routes and improved canopy tree cover.

## **Planning Policy Framework**

80. The strategic justification for the Amendments is firmly grounded in the Planning Policy Framework as outlined in the clauses below.

### **Clauses 11.01-1S (Settlement) and 11.01-1R (Settlement – Metropolitan Melbourne)**

81. The Amendments implement the orderly planning and delivery of land for residential development in middle ring suburbs in close proximity to activity centres and various community facilities, jobs, services, infrastructure and amenities.
82. The Amendments support the strategies of these clauses to (in summary):
- 82.1 Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.
  - 82.2 Ensure regions and their settlements are planned in accordance with their relevant regional growth plan.
  - 82.3 Guide the structure, functioning and character of each settlement taking into account municipal and regional contexts and frameworks.
83. The Amendments offer more choice in housing and deliver better access to services and facilities and direct how the precinct will accommodate increased density whilst protecting native vegetation and supporting residential growth.

### **Clauses 11.02-2S (Structure Planning)**

84. The Amendments support the objective of this clause, to facilitate the orderly development of urban areas.
85. The DPO and DCPO will coordinate the logical and efficient delivery of higher density housing and infrastructure in the precincts and financially support the timely provision of infrastructure so it is coordinated with the development of the precincts.

## **Clauses 12.01-1S (Protection of Biodiversity), 12.01-2S (Native Vegetation Management) and Clause 12.05-2S (Landscapes)**

86. The Amendments support the objectives of these clauses:
- 86.1 To assist the protection and conservation of Victoria's biodiversity.
  - 86.2 To ensure that there is not net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation.
  - 86.3 To protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments.
87. Future development within the Ringwood Greyfield Renewal Precinct will enhance the significant landscapes of the adjoining ridge lines and Mullum Mullum Creek that contribute to character, identity and sustainable environments.
88. Amendment C134 seeks to encourage future development within the Ringwood Greyfield Precinct in a manner that enhances the landscape character of the area. The proposed DPO requires improved tree planting supported by controls that require greater separation between built form elements and site boundaries.

## **Clause 15.01-1S (Urban Design) and Clause 15.01-1R (Urban Design – Metropolitan Melbourne)**

89. The Amendment support the objectives of these clauses:
- 89.1 To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
  - 89.2 To create a distinctive and liveable city with quality design and amenity.
90. The Amendments achieve these objectives for the municipality as through the implementation of improved built form and streetscape outcomes, better walking and cycling connectivity and improved landscape qualities.

## **Clause 15.01-4S (Healthy Neighbourhoods)**

91. This clause includes the objective 'to achieve neighbourhoods that foster healthy and active living and community wellbeing'. The Amendments support this objective by providing improved connectivity between walking and cycling paths throughout the development area and by introducing mechanisms to protect native vegetation.

**Clause 16.01-1S (Housing Supply)**

92. The Amendment supports the objective of this clause ‘to facilitate well-located, integrated and diverse housing that meets community needs’.
93. This is because, the Amendments aims to increase the supply of good-quality housing in an existing urban area with good access to facilities and services by facilitating increased housing yield.
94. In particular, for each Amendment, the DPO, Concept Plans and Design Guidelines require, and encourage improved housing quality and increased supply, namely through height incentives contingent on lot size (thus encouraging lot amalgamation).
95. A strategy under clause 16.01-1S is to encourage higher density housing development on sites that are well located in relation to jobs, services and public transport and to identify opportunities for increased residential densities to help consolidate urban areas. The Amendments are directly responsive to these strategies.

**Clause 16.01-1R (Housing Supply – Metropolitan Melbourne)**

96. Clause 16.01-1R includes the strategies to:
  - 96.1 Identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.
  - 96.2 Facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.
  - 96.3 Provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas.
  - 96.4 Allow for a range of minimal, incremental and high change residential areas that balance the need to protect valued areas with the need to ensure choice and growth in housing.
97. Relevantly, this clause identifies development opportunities to be in areas for greyfield renewal, particularly through opportunities for land consolidation.
98. The Amendments are directly responsive to these strategies as they provide more medium density housing near employment and transport and encourage the provision of a range of housing types close to the Ringwood Metropolitan Activity Centre and the Croydon Major Activity Centre, including well-designed medium density housing, to meet diverse housing needs in the Precincts and the wider municipality.

## Local Planning Policy Framework

99. The Amendments support the implementation of the Planning Policy Framework.

### Clause 21.02 (Maroondah Vision and the Strategic Framework)

100. Maroondah's Strategic Framework Plan illustrates key land use components across the municipality and provides a focus for development. Both the Ringwood and Croydon South Precincts are areas of the municipality where residential development is supported.

101. The Municipal Strategic Statement sets out the guiding principles for planning in Maroondah as:

101.1 The hierarchy of activity centres as a focus for growth in Maroondah between 2016 and 2040.

101.2 Protection of areas of ridge lines and landscapes from significant development.

101.3 Protecting and enhancing our environment and neighbourhood character.

102. The Precincts are within close proximity to activity centres, providing good opportunities for existing and future residents in terms of access to jobs, infrastructure, community facilities, services and public transport.

103. The intensity of development proposed for the Ringwood Greyfield Precinct will not compromise the associated Wicklow Ridgeline as:

103.1 the maximum required height is four storeys; and

103.2 the specifications contained in the associated DPO around the preferred locations for maximum heights (4 storeys) in the Precinct, namely in the southern portion of the Precinct, are where some four-storey development already exists.

104. The Amendments seek to enhance the Ringwood and Croydon South Precinct environments and neighbourhood character through improved walking and cycling opportunities and built form, streetscape and landscape outcomes.

105. Both the Ringwood and Croydon South Greyfield Precincts are within areas of Maroondah where residential growth is also supported through Clause 21.07 (Housing and Residential Land Use).







114. Direction 2.2 (*'Deliver more housing closer to jobs and public transport'*) of Plan Melbourne includes the following guidance:

"There are...opportunities for more medium-and higher-density development in middle suburbs close to jobs and services including...areas identified for greyfield renewal."

115. Policy 2.2.4 (*'Provide support and guidance for greyfield areas to deliver more housing choice and diversity'*) of Plan Melbourne is detailed as follows:

"Greyfield sites are residential areas where building stock is near the end of its useful life and land values make redevelopment attractive. Melbourne has many residential areas that qualify as greyfield sites, particularly in established middle and outer suburbs. These areas often have low-density, detached housing on suburban-sized allotments that have good access to public transport and services. Up until now, the redevelopment of these areas has been generally uncoordinated and unplanned.

That must change. Greyfield areas provide an ideal opportunity for land consolidation and need to be supported by a coordinated approach to planning that delivers a greater mix and diversity of housing and provides more choice for people already living in the area as well as for new residents. Methods of identifying and planning for greyfield areas need to be developed. A more structured approach to greyfield areas will help local governments and communities achieve more sustainable outcomes."

116. The Ringwood and Croydon South Greyfield Precincts were identified based on extensive economic, architectural and planning assessment, along with community consultation, as being suitable locations to delivery improved housing choice and diversity.

117. Direction 5.2 (*'Create neighbourhoods that support safe communities and healthy lifestyles'*) of Plan Melbourne includes the following guidance:

"Increasingly, councils are taking a whole-of-population approach to health planning, particularly through municipal public health and wellbeing plans. Likewise, many councils are focusing on factors that create the conditions for good health, ranging from the re-design of local neighbourhood parks and streets through to the development of new neighbourhoods and town centres. These include applying Crime Prevention Through Environmental Design (CPTED) principles in the design of public spaces. Urban renewal precincts, greyfield redevelopment areas and transit-oriented development areas (such as railway stations) are enablers in the development of an integrated transport system. Well-designed infrastructure for walking and cycling are critical elements. The Victorian Government will work with local governments and other stakeholders to create neighbourhoods that support safe and healthy communities."

118. Policy 5.2.1 (*'Improve neighbourhoods to enable walking and cycling as a part of daily life'*) of Plan Melbourne is detailed as follows:

"Principles for promoting cycling and walking should be embedded in precinct planning guidelines for new suburbs, urban renewal precincts, greyfield redevelopment areas and transit-oriented development areas (such as railway stations). The ultimate aim must be to promote cycling and walking. These guidelines need to inform the design of new neighbourhoods and the assessment of planning applications."

119. The Amendments include the Ringwood Design Framework and Concept Plan and the Croydon South Design Framework and Concept Plan. These incorporate key directions for improving walkability within each Precinct.
120. Greyfield renewal is supported by Plan Melbourne which seeks to achieve coordinated and sustainable renewal of greyfield areas. It is an objective of Plan Melbourne to refresh to investigate planning scheme mechanisms to achieve coordinated and sustainable renewal of greyfield areas. Amendments C134 and C135 are one of the Council steps towards implementing a statutory planning tool to achieve the vision of greyfield renewal.

## **Maroondah 2040: Our Future Together and the Maroondah Council Plan 2017-2021**

121. The following directions contained in Maroondah 2040: Our Future Together and the Council Plan 2017-2021 (Year 4: 2020-2021) provide the strategic framework for the municipality.

121.1 Outcome Area: An attractive, thriving and well-built community

121.2 Our Vision: In 2040, Maroondah will be an attractive, sustainable and well-built community with thriving activity centres and a network of neighbourhoods where everyone has the opportunity to live, work and play locally.

121.3 Key Directions 2020 – 2021:

121.3.1 Direction 6.1 to work in partnership to deliver distinctive, attractive and high-quality architecture through the use of urban design guidelines and principles.

121.3.2 Direction 6.2 to facilitate urban design that enhances the connection between the built, natural and social environments.

121.3.3 Direction 6.3 to work in partnership to pursue urban design that promotes environmental sustainability, water sensitivity, and community wellbeing.

121.3.4 Direction 6.5 to Develop and implement an urban environment that enhances the desirable attributes of Maroondah to protect and value neighbourhood character, local history and cultural heritage.

## **The Places We Live - Maroondah Housing Strategy 2016 (Housing Strategy)**

122. The Housing Strategy articulates Council's response to meeting the anticipated housing demand for around 12,500 dwellings between 2016 and 2041. Greyfield renewal is also a priority action of the Housing Strategy. Council supports the Amendments as a means of achieving the policy intent of the Housing Strategy.







**List of Attachments**

- **Attachment 1** - Map of the Ringwood Greyfield Renewal Precinct
- **Attachment 2** - Map of the Croydon South Greyfield Renewal Precinct
- **Attachment 3** - Letter of authorisation to prepare and Amendment (C134)
- **Attachment 4** - Letter of authorisation to prepare and Amendment (C136)
- **Attachment 5** - Report to Council meeting of 22 March 2021, including attachments detailing:
  - Summary of submissions received to Amendment C134;
  - Summary of submissions received to Amendment C136.
- **Attachment 6** - Summary of second submission made by the Croydon Conservation Society to Amendment C136.
- **Attachment 7** - Chronology of Events