

## 1.2 IMPLEMENTATION OF THE MOUNT WAVERLEY ACTIVITY CENTRE STRUCTURE PLAN – PROPOSED MONASH PLANNING SCHEME AMENDMENT

(SMC: File No.W17-193)

Responsible Director: Peter Panagakos

### **RECOMMENDATION**

*That Council:*

1. *Request the Minister for Planning to authorise Council, pursuant to Section 8A of the Planning and Environment Act 1987, to prepare an amendment that includes:
  - (a) *Introduction of a new local policy that references the adopted Mount Waverley Activity Centre Structure Plan;*
  - (b) *Rezoning the southern car park areas from Public Use Zone and General Residential Zone Schedule 3 to a Commercial 1 Zone;*
  - (c) *Rezoning land in Stephenson’s Road, south of Amber Grove, to a Commercial 1 Zone;*
  - (d) *Rezoning properties at numbers 12, 14 – 34 and 37 Sherwood Road from General Residential Zone Schedule 3 to the Neighbourhood Residential Zone 5;*
  - (e) *Replacing the current Schedule 2 to the General Residential zone with a new Schedule 4 for residential land in the Activity Centre study area from the current General Residential Zone Schedule 2 to a new General Residential Zone Schedule 4;*
  - (f) *Application of a Design and Development Overlay over the commercially zoned parts of the activity centre to reflect the built form requirements of the Mount Waverley Activity Centre Structure Plan**
2. *Upon receiving authorisation from the Minister for Planning, prepare and exhibit the amendment in accordance with Section 10 of the Act and any other directions required by the Minister.*
3. *Authorise the Director City Development to prepare and finalise the documentation for the planning scheme amendment in accordance with this report.*

### **INTRODUCTION**

The purpose of this report is to consider a proposed Amendment that implements the zoning and policy changes of the Mount Waverley Activity Centre Structure Plan. The proposed Amendment is one of the actions listed as a priority action in the Structure Plan.

**BACKGROUND**

The Mount Waverley Activity Centre Structure Plan was adopted by Council on 30 March 2021 and provides a clear framework to guide growth and improvement of the Mount Waverley Activity Centre until 2036. The overarching theme of the Plan is to create a place for people that encourages development that respects and promotes the village feel of the centre.

The vision for Mount Waverley is that it is a great place for people of all ages to live and visit. The activity centre as which emphasises the centre as one for all ages, as a local place that is easy to get to and also a destination for visitors, providing opportunities for social interaction as well as local convenience shopping, and a place that is green and with high quality accommodation.

To achieve this vision, the Structure Plan includes six key directions:

- Direction 1 – Foster a vibrant village
- Direction 2 – Support diverse housing choices
- Direction 3 – Boost the health and wellbeing of local people
- Direction 4 – Create a village that puts people first
- Direction 5 – Enable people to move easily and safely through the village
- Direction 6 – Strengthen the village’s sense of place

These directions are supported by a range of key policies and actions that are provided in Part B Key Directions in the Structure Plan. Part C - the Village Centre - provides further detail on the key actions and integrates urban design, land use and access/movement interventions.

**Implementation Plan**

The adopted Structure Plan includes an implementation plan that identifies a number of priority actions. One of the priority actions of the Plan, under Direction 6 – Strengthen the Village’s sense of place, is to –

*“Prepare and implement planning scheme policies and controls that reinforce the Directions and Policies and the Built Form Requirements outlined in Key Direction 6. Undertake a Planning Scheme Amendment to introduce built form controls.”*

Proposed Amendment C165 is a priority action of the Mount Waverley Activity Centre Structure Plan.

Other implementation actions that were suggested as priorities included improving the safety and efficiency of the Hamilton Place car park, creating new public plazas and activating existing spaces, improving connectivity between the library and the station, advocating for commuter car parking and providing more car parking, limiting building heights, reducing clutter on footpaths and planting more street trees.

**PROPOSED AMENDMENT**

The proposed Amendment includes the following changes to the Monash Planning Scheme –

- Introduction of a new local policy that references the adopted Mount Waverley Activity Centre Structure Plan;
- Rezoning of the southern car park areas from the Public Use Zone and General Residential Zone Schedule 3 to a Commercial 1 Zone;
- Rezoning land on the east side of Stephenson’s Road, south of Amber Grove to Commercial 1 Zone;
- Rezoning residential properties in Sherwood Road from General Residential Zone Schedule 3 to a new Neighbourhood Residential Zone Schedule 5;
- Applying a new Schedule to the General Residential zoned land in the Activity Centre study area to recognise that these are areas of incremental change, and
- Application of a Design and Development Overlay (DDO) over the commercially zoned parts of the activity centre to reflect the built form requirements of the Structure Plan.

With the adoption of the Structure Plan, it is appropriate to include all the planning scheme amendment changes identified in the Structure Plan. The sites that are proposed to be rezoned to Commercial 1 Zone are all located within the core of the activity centre and the centre’s Development Intensification Area. The changed zoning would allow a range of future land uses consistent with the Vision for the centre.

The rezoning proposed for Sherwood Road properties reflects the special nature of that area and its heritage links and current built form provisions.

Table 1 below shows the current and proposed Schedule changes.

Item	Proposed	Current
<b>Front setback:</b>	7.6m	7.6m
<b>Site coverage:</b>	50%	50%
<b>Permeability:</b>	30%	30%
<b>Landscaping:</b>	One canopy tree per dwelling plus 1 tree per 5m of site width – with a mature height at least equal to the maximum height of the development.	At least one canopy tree, plus at least one canopy tree per 5 metres of site width; A canopy tree should reach a mature height at least equal to maximum height of the development
<b>Side and rear setbacks:</b>	1.8m or the width of a driveway on one side 5m rear setback	No side setback
<b>Walls on boundaries:</b>	Discouraged	None specified
<b>Private open space:</b>	75m <sup>2</sup>	75m <sup>2</sup>
<b>Front fence height:</b>	No front fences or side boundary fences between the street frontage and the façade of the dwelling	1.2m

The rezoning of the surrounding residential areas is necessary as these areas are currently in a General Residential Zone - Schedule 2. This zone is the original new format planning scheme, “standard” Monash General Residential zone which provides little guidance on neighbourhood character and built form requirements such as site coverage, rear setbacks and landscaping.

**Attachment 1** shows the study area for the Mount Waverley Structure Plan. These areas are proposed to remain in a General Residential Zone but with a new schedule that balances the accessibility of the area and incremental housing change with retaining key garden character elements in a manner similar to General Residential Zone- Schedule 3 that applies to the majority of residential areas in Monash.

The differences in the current and proposed Schedules are shown in Table 2 below.

Item	Proposed GR4	Current GRZ 2
<b>Front setback:</b>	6m	7.6m
<b>Site coverage:</b>	50%	None specified (ResCode default – 60%)
<b>Permeability:</b>	30%	None specified (ResCode default – 20%)
<b>Landscaping:</b>	One canopy tree per dwelling plus 1 tree per 5m of site width – with a mature height equal to the development.	None specified.
<b>Side and rear setbacks:</b>	5m rear setback	None specified
<b>Walls on boundaries:</b>	None specified	None specified
<b>Private open space:</b>	60m <sup>2</sup>	75m <sup>2</sup>
<b>Front fence height:</b>	1.2m	1.2m

*Table 2. Proposed ResCode variations Mount Waverley Activity Centre Accessible Area*

The proposed DDO would provide guidance on the built form requirements in the commercial areas of the activity centre, including building heights, setbacks, interface treatments and landscaping. The Built Form Plan (Figure 9) from the adopted Structure Plan is included as **Attachment 2** for reference.

### **STRATEGIC ASSESSMENT GUIDELINES**

All planning scheme amendments are required to be assessed against the Strategic Assessment Guidelines required by the Minister’s Direction No. 11, and these form the basis of the Explanatory Report for the proposed Amendment. The key strategic considerations that must be addressed, where relevant, are:

1. Why is the amendment required?

2. Does the amendment implement the objectives of planning and address any environmental, social and economic effects?
3. Does the amendment address relevant bushfire risk?
4. Does the amendment comply with all the relevant Minister's Directions?
5. How does the amendment support or implement the Planning Policy Framework (PPF)?
6. How does the amendment support or implement the Local Planning Policy Framework (LPPS) and, specifically the Municipal Strategic Statement (MSS)?
7. How does the amendment support or implement the Municipal Planning Strategy (MPS)?
8. Does the amendment make proper use of the Victoria Planning Provisions?
9. How does the amendment address the views of relevant agencies?
10. Does the amendment address the requirements of the transport Integration Act 2010?
11. What impact will the new planning provisions have on the administrative costs of the responsible authority?

It is considered that the proposed amendment adequately addresses the Strategic Assessment Guidelines.

### ***CONSULTATION***

If the amendment is authorised by the Minister for Planning, it would be exhibited in accordance with the requirements of the Planning and Environment Act 1987 including:

- Notice in the Victorian Government Gazette
- Direct letters to owners and occupiers of all properties proposed to be rezoned
- Letters to the balance of all properties within the Structure Plan area
- Letters to persons who made submissions during the consultation on the Mount Waverley Structure Plan
- Letters to the broader Mount Waverley area
- Information in the Monash Bulletin
- Information on Council's website, including a Shape Monash page, and
- Information in Council libraries

Following the exhibition period, any submissions received will be considered and a further report made to Council. If there are objecting submissions, Council has the option of making changes to the amendment, or requesting an independent planning panel to hear submissions and prepare a report for Council to consider. Council also has the option of abandoning the amendment.

### ***POLICY IMPLICATIONS***

The proposed Amendment is consistent with a range of Council policies and strategies as outlined below.

#### **Council Plan 2017-2021**

The Mount Waverley Structure Plan is a 'priority project' in the Council Plan 2017-2021. This project is supported by strategies that aim to strengthen the Monash Planning Scheme and local policies, and advocate for local needs.

### Monash Economic Development Strategy and Action Plan 2018

The development of the Structure Plan is supported by Objectives 2.2 and 2.3 in the adopted Monash Economic Development Strategy and Action Plan 2018, which aim to:

- Objective 2.2: Plan for attractive and vibrant employment precincts and work in collaboration with other parts of Council to promote employment precincts and activity centres as places to work, recreate and learn.
- Objective 2.3: Support the ongoing development of contemporary, vibrant and economically viable retail and commercial Activity Centres.

### **FINANCIAL IMPLICATIONS**

The statutory costs to undertake the proposed amendment include prescribed fees, and potential Panel costs that may include legal fees and consultants fees. The costs would be covered by the Strategic Planning Budget.

### **CONCLUSION**

The proposed amendment will provide the land use and built form direction outlined in the Mount Waverley Structure Plan, recently adopted by Council. Included in the proposed amendment are planning controls that outline appropriate building heights and setbacks and changes to the zoning of the large car park areas in the centre to reflect the current ownership and future aspirations for the land.

The amendment process includes opportunities for community comment and involvement, further enabling community input into the future of the centre.

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### Attachments

1. Mount Waverley Activity Centre Structure Plan – Study Area
2. Mount Waverley Activity Centre Structure Plan – Built Form Plan