

PLANNING SCHEME REVIEW 2010



**GLEN EIRA
CITY COUNCIL**

Consultation Paper



Bentleigh Bentleigh East Carnegie Caulfield Elsternwick Gardenvale Glen Huntly McKinnon Murrumbeena Ormond St Kilda East

INTRODUCTION

Glen Eira City Council is required by legislation (Section 12B of the *Planning and Environment Act*) to review its *Planning Scheme* every four (4) years and to report its findings/recommendations to the State Government. The review is due to be completed this year.

This important project provides an opportunity for Council to consult with the community and to seek feedback, comments and views on planning matters within Council's ambit of responsibility.

The *Planning Scheme Review* process will include a period of public consultation involving public meetings and an opportunity for people to provide comments through submissions.

Council is interested in hearing from its community to assist in shaping the final report that is provided to the State Government. As many people will know, the State Government is responsible for planning in Victoria and has the ultimate authority to approve or reject changes to all Council planning schemes.

It is therefore important to acknowledge the State Government's role in developing and setting broad policy that shapes the planning landscape. This review will be used to enhance the effectiveness and efficiency of the *Glen Eira Planning Scheme*, keeping in mind that it must be consistent with State Government policy.

This *Consultation Paper* aims to encourage the involvement of our community and we look forward to a keen level of participation.

Thank you for your interest.

Cr Steven Tang
Mayor



What is the aim of the Planning Scheme Review?

The Review in its broadest sense aims to test the continued relevance and applicability of all Council planning policies, strategies and controls.

The question is — how?

This Review will involve an assessment of issues within Council's ambit of responsibility* such as:

- the performance of Council's *Municipal Strategic Statement* (MSS) in setting policy direction in relation to planning outcomes for Glen Eira;
- the continued applicability of Council prepared local policies;
- any zoning or overlay inconsistencies;
- the effectiveness of having Significant Character Areas;
- the use of Structure Plans for Activity Centres;
- transitioning from Housing Diversity Areas to Minimal Change Areas; and
- emerging issues such as:
 - the relevance of and need for master plans by institutions in the municipality;
 - use of development contributions, eg. open space, drainage, etc.; and
 - possible policy/control gaps.

This is an opportunity to review how effective Council's policies, strategies and processes have been and to recommend possible improvements.

The above dot points are discussed individually in this document.

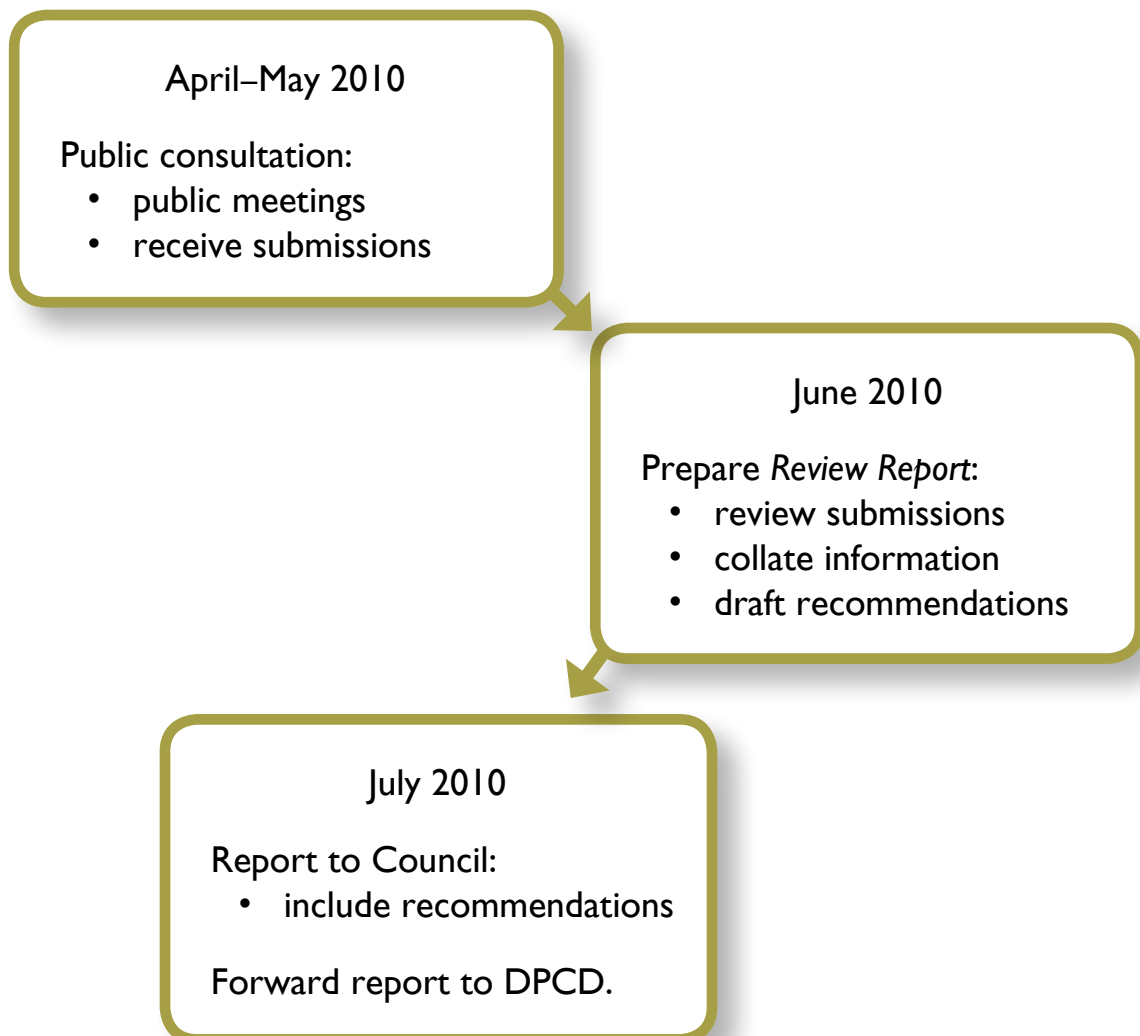
* Note: Council's ambit of responsibility represents approximately 25 per cent of the *Glen Eira Planning Scheme*.



THE PROCESS

Council is required to report its findings to the State Government through the Department of Planning and Community Development (DPCD). The DPCD is the department of the Minister for Planning.

The process below will be followed to achieve this requirement:



Recommendations in the final report will include a list of proposed amendments to improve the efficiency and effectiveness of Glen Eira's *Planning Scheme*. This list will form the basis of the strategic planning work plan for the next four years.

How can you participate?

Council invites any interested person or group to attend one of the public meetings which will be held on the following dates:

	Tucker Ward	Rosstown Ward	Camden Ward
Date	Monday 19 April	Thursday 29 April	Monday 3 May
Time	7pm–9pm	7pm–9pm	7pm–9pm
Address	Moorleigh Social Room 90–92 Bignell Road, Bentleigh East	Packer Park Hall Leila Road, Carnegie	Caulfield Park Pavilion Community Room Balaclava Road, Caulfield
Melway	78 B5	68 J8	59 C12

Written feedback

Council encourages any interested person or group to submit written feedback on the *Glen Eira Planning Scheme Review*. The attached feedback form should be returned to Council by **Friday 21 May**.

Post	Glen Eira Planning Scheme Review Strategic Planning Department Glen Eira City Council PO Box 42, Caulfield South VIC 3162
Fax	(attention Strategic Planning) to 9523 0339
Email	mail@gleneira.vic.gov.au

THEME ONE

The performance of Council's Municipal Strategic Statement (MSS) in setting policy direction in relation to planning outcomes for Glen Eira

The *Municipal Strategic Statement* (MSS) is a statement of the key strategic planning, land use and development objectives for the municipality, and strategies and actions for achieving the objectives.

The MSS aims to establish the strategic planning framework for Glen Eira. It encapsulates significant planning directions for the municipality and in turn provides the strategic basis for the application of the zones, overlays and particular provisions in the *Glen Eira Planning Scheme*. It also provides the strategic basis for all decisions made by Council in its role as a planning authority.

Arguably the MSS could be tightened up. It is a wordy document with general statements aimed at achieving desired planning outcomes. In this respect, Glen Eira's MSS is somewhat universal. The challenge is to make it simpler and specific to Glen Eira planning policies and direction.



The MSS is used to guide decision making, for example:

Residential

Policy: *“To ensure a greater diversity of housing to meet future needs.”* Council has identified areas where a higher scale of development can occur, i.e. Housing Diversity Areas. Also Minimal Change Areas which, as the name implies, are areas where only one or two dwellings per conventional sized lot are envisaged.

Industry

Policy: *“To encourage a variety of small scale manufacturing and service industries that do not impact on the surrounding residential amenity, but provide employment opportunities.”*

Business

Policy: *“To maintain a mix of commercial centres that cater for the needs of the Glen Eira community and provide local employment opportunities.”*

Issues

1. Does the MSS represent Glen Eira’s general planning policy directions?
2. Can/should it be simplified?
3. Does it fit State Government requirements?
4. Does it reflect sound planning principles?

THEME TWO

The effectiveness of Council prepared local policies

What policies has Council prepared? (Clause 22 of the *Glen Eira Planning Scheme*)

Council has 10 local planning policies in the *Planning Scheme*:

- Clause 22.01 Heritage Policy
- Clause 22.02 Non Residential Uses in Residential Zones Policy
- Clause 22.03 Monash Medical Centre Precinct Policy
- Clause 22.04 Commercial Centres Policy
- Clause 22.05 Urban Villages Policy
- Clause 22.06 Phoenix Precinct Policy
- Clause 22.07 Housing Diversity Area Policy
- Clause 22.08 Minimal Change Area Policy
- Clause 22.09 Student Housing Policy
- Clause 22.10 Aged Persons Housing Policy



How are the policies used? Some examples:

Minimal Change Area Policy

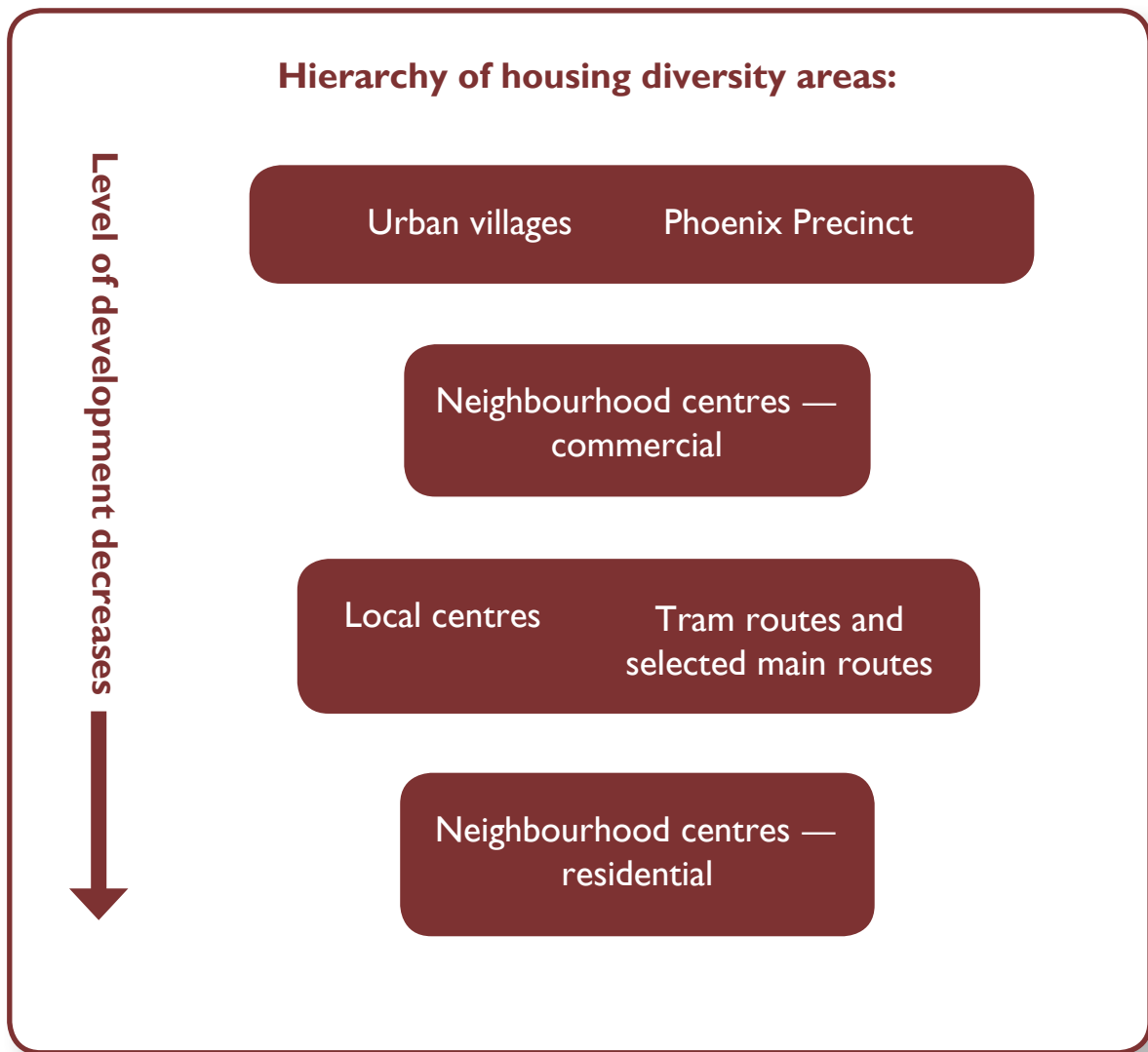
Policy: *“To protect the low density, vegetated character of Minimal Change Areas.”* These are the conventional or traditional, predominantly single house suburbs. The policy intent is that these suburbs/neighbourhoods develop with predominantly one or two dwellings per conventional lot. Minimal Change represents about 80 per cent of Glen Eira.

Heritage Policy

Policy: *“To protect places identified as having architectural, cultural or historic significance and which demonstrate the various eras of Glen Eira’s development.”*

Housing Diversity Policy

Policy: *“To encourage housing diversity in preferred strategic locations that have good access to public transport, commercial, community, educational and recreational facilities.”* A number of different categories of Housing Diversity Areas have been developed for Glen Eira. These are the locations where it is considered preferable to channel higher density dwellings subject to safeguards to protect residential amenity. A different density, mass and scale of development is sought for each type of area. This hierarchy is expressed in the diagram on the following page.



Issues

1. Are the policies effective in terms of providing housing opportunities on the one hand and a level of protection to valued neighbourhoods on the other?
2. Are the policies relevant? Council's housing policies differentiate the municipality's Housing Diversity/Minimal Change Areas. Without these policies all of Glen Eira is the same in terms of housing opportunity.
3. Are there any gaps in local policy?
4. Do our local policies still accord with State planning policy (as they must)?
5. Are there any existing or mooted planning controls (such as the proposed new Residential Zones and the Activity Centre Zone) that could be used to replace local policy?

THEME THREE

Zoning inconsistencies

What are zoning inconsistencies?

There are several parcels of land where the local policy or emerging land uses are not consistent with the current zoning of the land. Where zone inconsistencies are found, the intention is to consult with the respective land owners as part of the Review.

A possible example could include sites located in a Business 3 Zone that are also within a Housing Diversity Area. Housing is prohibited in the Business 3 Zone, therefore there is a clash between policy (which promotes intensification of housing) and the zone.

Issue

1. Identification of zoning or overlay inconsistencies or anomalies.



THEME FOUR

Significant Character Areas

What are Significant Character Areas (SCAs)?

Glen Eira's *Planning Scheme* has 34 pages devoted to Minimal Change Area Policy (Clause 22.08). Eighteen of these pages are solely devoted to 15 local areas identified as Significant Character Areas (SCAs).

The policy defines these areas and states why they are significant and should be protected. In simple terms, the SCAs are streets containing intact older style houses that combine to give the neighbourhood a significant character considered worthy of protection. A SCA has a status below heritage in terms of importance.

Zoning and overlays are more stringent forms of planning controls than policy. Policy is a guide only. The question is, should SCAs be protected by more than policy? Use of the Neighbourhood Character Overlay would achieve a more stringent control if that is the desire.

Examples of SCAs:

- The Highway, Bentleigh
- Lydson Avenue, Hughesdale

Issues

1. Is policy an effective way of protecting SCAs or is it outdated?
2. Should a more effective planning tool, eg. the Neighbourhood Character Overlay, be introduced as a higher form of protection?



THEME FIVE

Use of Structure Plans for Activity Centres

What are Structure Plans and are they of value?

Structure Plans are a detailed form of planning policy most often used in Major Activity Centres, such as Bentleigh, Carnegie, Elsternwick and the precinct around Monash University, Caulfield station and the Caulfield Racecourse (Phoenix Precinct).

The aim of structure planning for such activity centres is to give effect to the policies and objectives set out for activity centres in *Melbourne 2030: Planning for Sustainable Growth* and its update, *Melbourne @ 5 Million*.

Structure Plans aim to define the preferred direction of future growth for a centre and articulate how this change will be managed. An unresolved question is, how much detail should Structure Plans go into?

Structure Plans paint a picture in some detail of how development should look down the track. Individual planning decisions made in accordance with a Structure Plan ultimately deliver the desired Structure Plan future. Structure Plans provide a desired vision and add certainty. On the other hand, critics of Structure Plans argue that they:

- are too expensive and difficult to include in the *Planning Scheme*, with arguments arising about theoretical development;
- stifle innovative development; and
- can be changed too readily when a “real” development proposal is being evaluated.

Example of a Structure Plan:

The Phoenix Precinct policy incorporated into the *Glen Eira Planning Scheme* in 2004 (at Clause 22.06) is an example of a Structure Plan approach for the Phoenix Precinct.

Issues

1. Do State Government ideals match local community expectations?
2. Are Structure Plans worthwhile and effective?
3. How much detail should be in a Structure Plan?

THEME SIX

Transitioning from Housing Diversity to Minimal Change

What is a transition area and what rules apply?

Glen Eira's housing policy differentiates the municipality into Housing Diversity (potentially higher density housing) and Minimal Change (conventional single and dual housing forms). The transition area is at the line of policy demarcation.

Council's policies require development in a Housing Diversity Area to step down in height and bulk at the periphery. The aim is that new development in a Housing Diversity Area transitions better and respects existing development in a Minimal Change Area.

Issues

1. Do existing policies work or do they need tightening?
2. Could transition areas be better identified and defined?
3. Could existing policies be replaced with more prescriptive controls to increase certainty for developers and the community alike?



THEME SEVEN

Emerging issues

What are emerging issues?

- The relevance of and need for master plans by institutions such as private schools.
- Possible policy/control gaps.
- Use of development contributions, eg. open space, drainage, etc.

Issues

1. Are institutions in Glen Eira interested in taking the opportunity to develop a master plan that could be incorporated into the *Glen Eira Planning Scheme*?
2. Is there a need for additional planning scheme overlays or policies to protect the existing urban form that residents believe to be important?
3. Is the Development Contributions Overlay an appropriate tool for Glen Eira and should the open space contributions in the *Scheme* be reviewed to capture contributions from emerging forms of development?



Glen Eira Planning Scheme Review

Feedback form

Name

Organisation (if applicable)

Postal address Suburb

PostcodeEmail

Comments (please use additional paper if required)

Theme one: The performance of Council's *Municipal Strategic Statement* (MSS) in setting policy direction in relation to planning outcomes for Glen Eira

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Theme two: The effectiveness of Council prepared local policies

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Theme three: Zoning inconsistencies

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Theme six: Transitioning from Housing Diversity to Minimal Change

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Theme seven: Emerging issues

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NOTE

Council can only review a small percentage of the entire *Glen Eira Planning Scheme*. The Review can only focus on local content and this limits consideration to:

- the *Local Planning Policy Framework* (including the *Municipal Strategic Statement* and local planning policies); and
- the application of zones and overlays over the municipality (but not the specific provisions contained in those zones and overlays unless they are allowed to be varied by local schedules).

Other sections of the scheme, such as the *State Planning Policy Framework* (including *Melbourne 2030*), zones, residential development and subdivision requirements (*ResCode*) are statewide, State Government mandated controls that cannot be altered as part of this Review.

Please return this form by **Friday 21 May**.

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