

Office of the Mayor Cr Neil Pilling

11 March 2016

Managing Residential Development Advisory Committee
Planning Panels Victoria
1 Spring Street
MELBOURNE VIC 3000

Dear Committee

REVIEW OF RESIDENTIAL ZONES - GLEN EIRA CITY COUNCIL SUBMISSION

Thank you for the opportunity to contribute to the State Government's review of Victoria's residential zones.

I commend the full and inclusionary nature of the consultation process. Glen Eira looks forward to additional Council, community and stakeholder consultation at further stages of the review process.

In October 2015, the Minister for Planning invited Glen Eira to provide its preliminary view on the residential zones. Council affirms its submission to the Minister. It is attached and forms part of Council's submission to the Committee, together with Council's response to the Committee's "List of suggested improvements to the residential zones".

Council welcomes any improvements that can be made to the residential zones without diminishing the increased protection, certainty and balance Glen Eira's framework has achieved.

Finally, Council emphasises that the zones are underpinned by policy. Any improvements made to the residential zones should be accompanied by legislative change to compel VCAT to 'implement' Council planning policies, rather than simply 'have regard' to them.

If you have any further queries I will be pleased to assist.

Yours sincerely

CR NEIL PILLING
MAYOR

Glen Eira City Council

80 MCGs of parklands
enough footpaths to reach Sydney
enough drains to reach Mildura
enough roads to reach South Australia
\$500m of town planning projects
2,000 food safety inspections
4,000 off-street car spaces
23,000 tonnes of recycling
32,000 tonnes of waste
one million library loans
care for 4,500 elderly
services for 8,000 children
9,000 immunisations
67 school crossings
46,000 street trees
8,500 street lights
45 sportsgrounds
47 playgrounds
and much more

Glen Eira City Council

Corner Glen Eira and Hawthorn Roads,
Caulfield, Victoria

PO Box 42 Caulfield South 3162

ABN 65 952 882 314

Telephone 03 9524 3333

National Relay Service TTY dial 13 36 77 or

Speak and Listen 1300 555 727 or

www.iprelay.com.au then enter 03 9524 3333

Facsimile 03 9523 0339

Email mail@gleneira.vic.gov.au

Website www.gleneira.vic.gov.au

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Office of the Mayor Cr Jim Magee

7 October 2015

Hon Richard Wynne MP
Minister for Planning
1 Spring Street
MELBOURNE VIC 3000

Dear Minister

Review of Residential Zones

Thank you for your letter dated 27 August 2015 inviting Council to provide a preliminary view on the residential zones. Council welcomes your review.

Our attached submission contains information in relation to the content, definitions and other elements of the State controls.

I trust that these initial comments will assist with your review. We look forward to full consultation, as foreshadowed in your letter, including the opportunity for Council, community and all stakeholders to make submissions on the application of the zones in their local contexts.

Yours sincerely,

CR JIM MAGEE
MAYOR

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Review of Residential Zones
Call for input on elements, controls and schedules

Response by Glen Eira City Council, October 2015

This document responds to a letter dated 27th August 2015 from the Minister for Planning concerning the initial information-gathering phase of a "Review of Residential Zones".

It is understood that this is not an official call for submissions and there will be further opportunities to provide a submission through an Advisory Committee process. Council welcomes the Minister's Review and the opportunity to provide a detailed submission at the appropriate stage.

Background

In 2003, following extensive community consultation, Council adopted Policies to differentiate the municipality into Housing Diversity and Minimal Change Areas. Those policies were approved by the Minister for Planning at the time and incorporated into the Glen Eira Planning Scheme. They provided a hierarchy of higher residential densities around train stations and large shopping areas with the majority of Glen Eira's residential areas maintained at minimal change. Our policies however were prone to VCAT's opinion and final decision on them.

In early 2013, the Minister created three new residential zones with effect from 1 July 2013: the Neighbourhood Residential Zone, General Residential Zone and Residential Growth Zone. Translation to the new zones was to be through Ministerial Amendment.

The Minister at the time implemented the translation from Glen Eira's housing policies into the new residential zones (Ministerial Amendment C110 which took effect in August 2013). The boundaries between intensities of development did not change – see attached maps of the policies and zones.

The translation achieved, amongst other things:

- Mandatory maximum height limits over all residentially zoned land in Glen Eira
- Co-location of higher density development with public transport
- More than the State design standard in the amount of porous areas, private open space and rear setback in the Neighbourhood Residential Zone (the majority of the municipality),
- A scaling down and setting back of buildings in a higher density residential zone, where it meets a Neighbourhood Residential Zone.

This is also aligned with Sustainability objectives including provisions for canopy trees and measures to reduce stormwater run-off throughout most of our municipality. It also means that virtually all apartments are within walking distance of a railway station (or tram) rather than requiring a car trip and then a train trip.

At the time, Council's neutral translation from policies to new zones was criticised as being anti-development; for locking up too much land into 'no-go' areas. More recently, some people have associated the new zones with a surge in housing growth. Neither is the case.

There is nothing that can be built under the new zones that could not be built before. Residential zones, past and present, do not prevent a developer from purchasing blocks of land next to each other and applying for a permit. There are things which could be built before which cannot be built now, especially relating to heights. (Land in commercial zones has no height limit).

Glen Eira has gained more protection, whilst still enabling higher density development close to public transport and shops.

Melbourne's Apartment Boom

The new zones have followed a boom in population and apartments.

An "extraordinary surge" in population has pushed Victoria to the top of the national ladder after it gained an extra 97,500 citizens in the year to March, a growth rate of 1.7per cent. The next fastest-growing states, NSW and Western Australia, had growth rates of only 1.4 per cent...(The Age Newspaper, 25 September 2015)

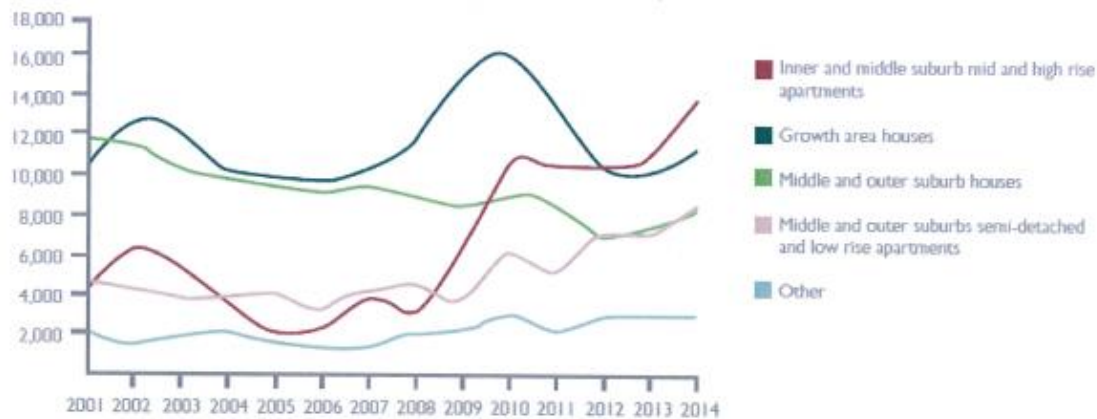
The Victorian Department of Environment, Land, Water and Planning published a Bulletin in June 2015. The Department stated:

"Within the last decade, Melbourne has experienced a residential building boom and an unprecedented shift in the types of dwellings being built. This shift has happened quickly and shows no sign of slowing.

In 2008, approvals started increasing and accelerated to reach a record high of 45,000 approvals in 2010. This was driven by a boom in growth area supply and growth in the number of apartments (largely high-rise, high density) being approved in the central city.

Since 2010 apartment development has spread beyond the central city to increasing numbers of middle ring suburbs. The year 2014 saw a new approvals record which was almost entirely due to the approval of medium- to high-rise apartments in inner and middle suburbs and, to a lesser extent, an increase in the number of small blocks of flats and townhouses in the middle and outer suburbs."

The red line in the Department's graph below shows that the number of apartments in inner and middle suburbs is five times greater in 2014 than in 2008.



The boom is caused by:

- Melbourne's population increase,
- Melbourne's attractiveness relative to other cities,
- taxation policy,
- investment returns from property relative to shares, fixed interest or cash,
- and foreign investment.

None of these are within the control of any Local Council.

Not enough has been done at State level to communicate the implications of Melbourne's boom on local areas, particularly along transport routes.

Certainty

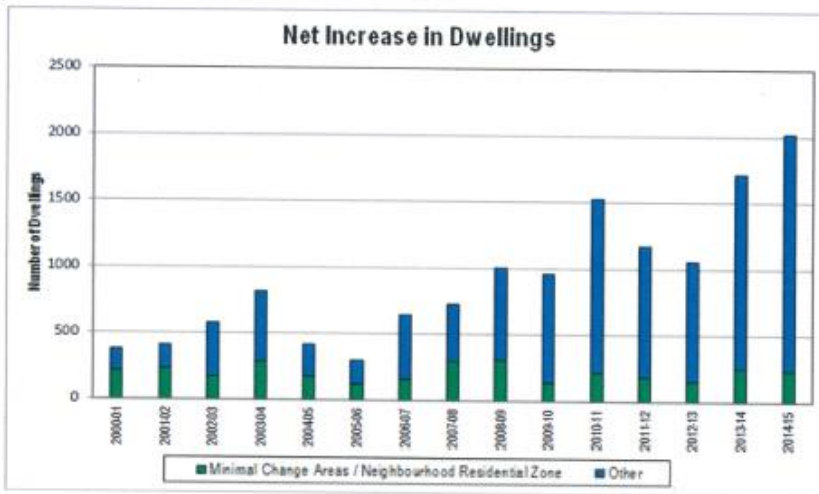
The new residential zones responded to the view that if you want to say where development is not appropriate, you need to be able to say where it is appropriate ie outline a hierarchy of intensities. Such an approach gives clearer expectations to both residents and developers.

Glen Eira's Housing Diversity and Minimal Change Area Policies were a step towards this certainty. The new zones reinforced our Policies and, with mandatory maximum heights, ensured that VCAT could not approve taller buildings, without changing any boundaries.

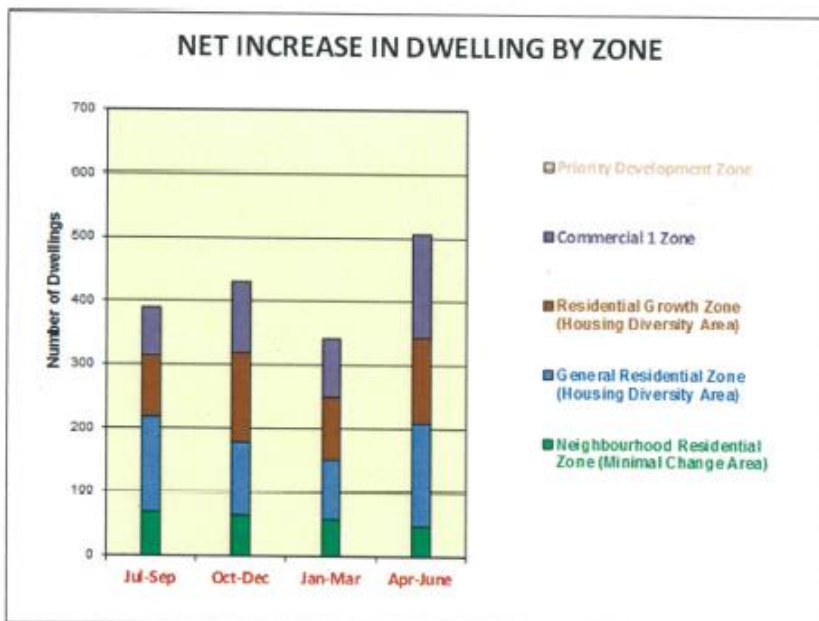
Council supports a differentiation in intensities of development. This includes the Commercial Zone within shopping centres which has seen significant development in this municipality. Zones should direct growth in population towards mass transport systems, especially trains. Zones should support the low scale character of residential areas beyond these locations. The mandatory maximum heights, and the two dwelling limit in the Neighbourhood Residential Zone, has increased certainty.

The graphs below confirm that:

- the current residential zones (and the previous Policy approach) have seen development close to public transport, shops and services – through the General Residential Zone and Residential Growth Zone
- Development in Minimal Change Areas has remained at levels of 2000-01 – through the Neighbourhood Residential Zone
- The number of applications and construction varies according to economic conditions and population change as is illustrated by the rise in 2002-04 followed by a fall in 2005-06 and the later boom from before the new zones were introduced.



Other includes the General Residential Zone, Residential Growth Zone, Commercial Zone, Mixed Use Zone and Priority Development Zone.



Net Increase in Dwellings 2014-2015 FY

Customising the Zones

Glen Eira supports the ability to have Schedules to the zones. This has helped the translation from Policies to Controls. Our Schedules:

- Create a gradation of mandatory maximum development heights. From the tallest buildings in a Commercial Zone along the main streets of our shopping centres, down to four storeys, then three storeys, and finally to two storeys furthest from the shopping centre.
- Have higher design standards for open space, porous surfaces, the size of a building's footprint, and the distance of the building from the back fence, in the Neighbourhood Residential Zone (the majority of our residential areas)
- Create a transition buffer around our higher density locations. Buildings are limited to three storeys in these buffer areas and each level must be set further away from the back fence.

These are elements called for by the community following Council's last Planning Scheme review. Our next Planning Scheme review will commence after this review of residential zones.

Content of the Zones

There was initial concern with the potential for 'commercial creep' into residential areas. This was a result of the Residential Growth Zone allowing a 'Food and Drink Premises' and 'Shop' without the need for a planning permit under certain conditions (the property must be located within 100 metres of a commercial zone or mixed use zone for this to occur). Since the introduction of the new framework, Council has not experienced any issues with these uses. The restrictions effectively prevent inappropriate commercial uses in a residential area.

The mandatory maximum heights should also apply to non-residential buildings. A situation can occur where a three storey childcare centre (no height limit) can be built in a residential street where all houses are restricted to two storeys (8 metres in a Neighbourhood Residential Zone). Whilst Glen Eira has introduced objectives within both its Non Residential Uses in Residential Zones policy and Child Care Centres policy which seek to ensure that heights for non-residential buildings do not exceed the mandatory heights within the residential zones, these are not mandatory requirements.

In the Neighbourhood Residential Zone, there is limited ability to customise the zone through a Schedule to allow for more than 2 dwellings on large lots such as those greater than 2,000m² in area. Subdivision of the large lot is possible but subdivision does not enable the community to comment on a detailed development.

Community Response

Glen Eira's residential zones framework has attracted a diversity of reactions.

Many have appreciated the certainty.

An organised group of residents in Elsternwick have asked to be rezoned into a more intense zone in order to increase property value and development potential. Neighbours in other suburbs have jointly sold their blocks of land.

Some residents in the General Residential and Residential Growth Zones especially near Carnegie and Bentleigh railway stations have strongly opposed multi-dwelling development, putting the view that the zones "play into developers' hands". They would like to see the proportion of land zoned Neighbourhood Residential increased from the present 78%.

Developers continue to claim that the municipality has been 'locked down'. They would like to see more areas zoned General Residential and Residential Growth.

Real estate agents have written to residents encouraging them to sell because of the zoning. (Real estate agents make money from people buying and selling.)

Town Planning debates continue to focus on car parking provision regardless of the zone. Many residents would like to see more car parking on site. VCAT often reduces the on-site car parking provided, both for occupants and visitors.

Fees

Council welcomes the commitment by Government to review town planning fees so that more of the cost is paid for by developers and less by ratepayers.

The apartment boom has resulted in a record number of planning applications for Glen Eira (2014-15).

Processing applications is costly and time consuming. The cost of administering all planning applications in this Council was around \$3.3M. It involves: seeking specialist advice, consulting with the community and considering objections; conducting public meetings; enforcing conditions of permits; and taking part in Victorian Civil and Administrative Tribunal appeals or mediations (for which Council receives no fee).

By contrast, VCAT is funded by State government. To offset government costs, appeal fees have been increased greatly over the same period. Developers are covering a high proportion of State costs but a low proportion of local costs.

For a multi-storey development with a cost of \$10M where Council makes a decision and it is appealed to VCAT, typical fees would be

- Council \$4,939
- VCAT \$10,261 (State)
- Metropolitan Planning Levy \$13,000 (State).

Typically, Council does about 90% of the work and receives about 20% of total fees.

The fault does not lie with individual developers. They pay the fee which State governments have set.

Fees for projects up to \$500k could remain as they are. Fees for projects of \$500k or more should be set at full cost recovery.

The State Government now controls both planning application fees and Council rates (rate capping). The Government will need to consider whether to increase application fees or whether to increase rates.

VCAT

Council recently refused an application for a 12 storey apartment building at 14-22 Woorayl Street, Carnegie. Council's refusal was based on, amongst other things, non-compliance with its Local Policies in the Glen Eira Planning Scheme.

VCAT overturned Council's decision and issued a permit for a 12 storey building. In our view, VCAT did not apply Council's policies.

In 2014-15, 489 dwellings (24% of the total) were approved by VCAT, not by Council. We are advocating for legislation to be amended so that VCAT has to "*apply*" Council's planning policies instead of merely having to "*take account*" of them.

Level Crossing Removals

This municipality has seven grade separations scheduled in the next three years. Six involve train stations surrounded by a shopping centre.

This will make these centres more attractive as places to live and easier to move around. They will be more attractive centres to develop.

The present residential zones framework (together with the Commercial Zone) is equipped to respond to this.

Review Process

Council provides the above information in relation to the content, definitions and other elements of the State controls.

We look forward to full consultation, as foreshadowed in the Minister's letter, including the opportunity for Council, community and all stakeholders to make Submissions on the application of the zones in their local contexts.

Council welcomes any improvements that can be made to the Residential Zones without diminishing the increased protection, certainty and balance Glen Eira's framework has achieved.

Residential Zones



**GLEN EIRA CITY COUNCIL
SUBMISSION TO THE MANAGING RESIDENTIAL DEVELOPMENT ADVISORY
COMMITTEE**

The following is a response to the Committee's terms of reference, and the Committee's list of suggested improvements to the residential zones.

Terms of Reference

It is acknowledged that it is not the role of the Committee to consider requests to rezone specific sites.

Consider the process by which the new residential zones were implemented.

In 2013, the Minister for Planning prepared, adopted and approved Amendment C110. **The implementation of the new residential zones in Glen Eira resulted from a neutral conversion from its longstanding housing policies, developed from extensive community consultation.**

The Minister stated:

"Amendment C25, was introduced to reflect the outcomes of the Strategy, providing guidance within the planning scheme as to how residential development in the area would be planned and managed over the next 20 years. Amongst other things, it introduced two new local policies (Clause 22.07 – Housing Diversity Area policy and Clause 22.08 – Minimal Change Areas policy).

...

The Glen Eira City Council undertook extensive community consultation in developing its Housing and Residential Development Strategy and in introducing Amendment C25. The panel report for Amendment C25 considers various issues associated with the strategy of focussing higher density development in Housing Diversity Areas and potential effects of limiting development in Minimal Change Areas. The local policies (Clause 22.07 – Housing Diversity Area policy and Clause 22.08 – Minimal Change Area policy) have guided the application of the new residential zones.

...

The policies provide clear spatial direction as to the preferred location and density of new residential development. As a result, approximately 78% of the municipality is included in a Minimal Change Area with a preferred density of no more than two dwellings per lot. Medium and higher density developments are encouraged in Housing Diversity Areas, which are located in neighbourhood centres and along major transport routes.

Amendment C110 proposes to implement the new residential zones into the Glen Eira Planning Scheme. The amendment will apply the Neighbourhood Residential Zone to the Minimal Change areas, the Residential Growth Zone to the Housing Diversity areas of Elsternwick, Carnegie and Bentleigh and the General Residential Zone to the smaller activities areas, around the periphery of the above major centres and along the transport routes within the Housing Diversity areas."

Review the current application of the zones that allow for residential development in the context of managing Melbourne and Victoria's residential growth in a sustainable manner and improving housing affordability.

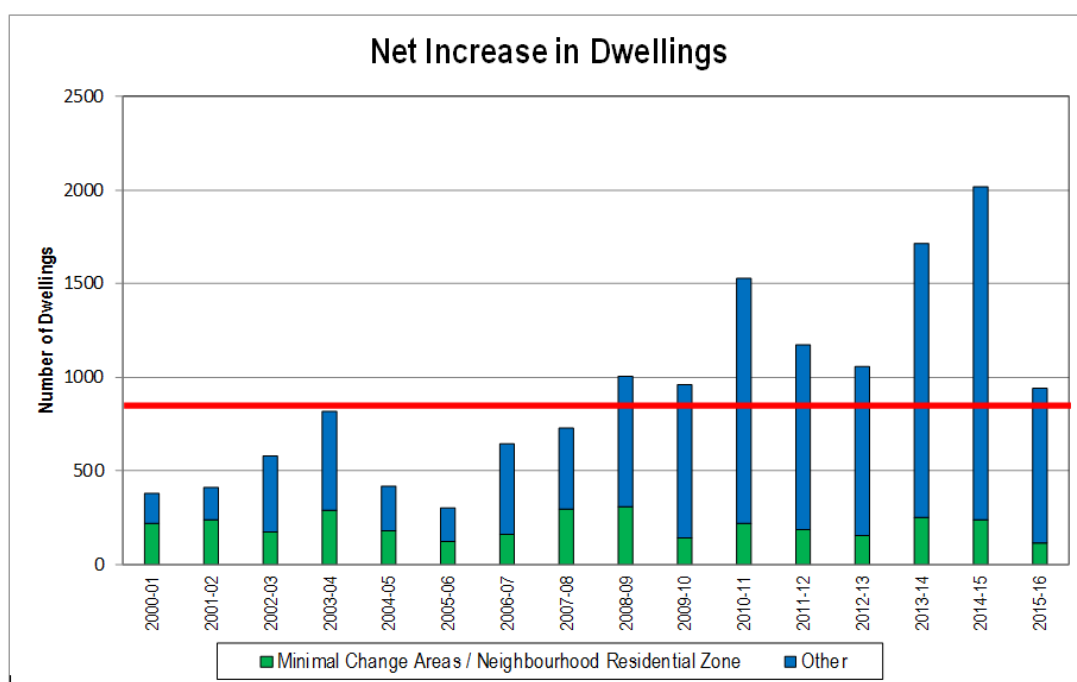
Glen Eira's residential zones framework continues to provide housing for Melbourne's growing population. Figure 1 clearly illustrates this. The framework successfully locates higher densities and more diverse housing around public transport and shopping centres.

The *Residential Zones State of Play* report, prepared by the Department of Environment, Land, Water and Planning, informs the current residential zones consultation process. It states:

By 2031 the municipality's population is expected to grow by 27,000 residents. Over this time population growth, combined with changes to the composition of existing households, is expected to result in an increase of approximately 12,000 households.

Glen Eira's projected annual average population increase of 0.9% compares to 1.8% for metropolitan Melbourne.

Glen Eira will need to provide 800 dwellings (red line in Figure 1) each year to cater for the increase of 12000 households over the next 15 years.



Other includes the General Residential Zone, Residential Growth Zone, Commercial Zone, Mixed Use Zone and Priority Development Zone.

Figure 1 (Jan. 2016)

Arguments from the development industry that Glen Eira has locked-down the municipality with its extensive Neighbourhood Residential Zoned areas, are baseless.

Advise on the level of evidence and justification needed when preparing relevant planning scheme amendments.

For Councils that do not have an existing housing strategy within their planning schemes, it is reasonable to suggest higher levels of evidence should be provided.

The assistance given to those Councils by the Minister's Residential Zones Standing Advisory Committee is commended.

Recommend improvements to the residential zones.

A response to the Committee's suggested improvements is attached.

Provide councils, the community and the industry with an opportunity to be heard.

Council supports the extensive consultation process underway.

Council strongly emphasises that further Council and community consultation needs to occur before any changes are implemented that could potentially result in a reduction in the protection of Glen Eira's residential areas.

Table One: List of Suggested Improvements to the Residential Zones

No.	Zone(s)*	Proposed amendment	Agree/Disagree	Further comments
1	NRZ	Increase the NRZ maximum building height limit to 9 metres.	Agree	Agree on the condition that this increase in the maximum building height only applies to sites covered by the Heritage Overlay and the Special Building Overlay. This will enable greater design flexibility for two storey dwellings in a flood prone area, or heritage building extensions, which seek to match the existing roof pitch and floor to ceiling heights.
2	NRZ	Provide for the maximum number of dwellings in the NRZ to not be less than 2 dwellings.	Agree Conditionally	This flexibility should be restricted to large residential sites of, say, greater than 2000m ²
3	NRZ	Remove mandatory height requirements (performance based).	Disagree	Discretionary heights introduce uncertainty for residents and developers. An increase to a 9 metre mandatory height will suffice, in the limited circumstances expressed in the comments for Item 1.
4	NRZ	Reduce maximum building footprint allowable for a single dwelling.	Disagree	Schedule already allows flexibility.
5	NRZ	Prohibit subdivision permit without a concurrent dwelling planning permit.	Agree	This introduces greater certainty in the subdivision process for neighbours. If implemented, this needs to be carefully drafted so it does not prohibit other valid forms of subdivision, which do not necessarily result in a multi-dwelling residential development.
6	NRZ	Review zoning across Melbourne for a more equal distribution of NRZ land.	Disagree	Application of NRZ should be done on merit. Boundaries should be based on housing policies and community consultation.
7	NRZ	Discourage unoccupied dwellings (Clause 52.11 <i>Home Occupation</i>).	-	The intention is unclear.
8	NRZ	Create maximum lot size.	Disagree	
9	NRZ	Include Council's neighbourhood objective in schedule to the NRZ.	Agree	

10	NRZ	Clarify “appropriate development” (built form, intense development across multiple smaller lots etc.)	Agree	
11	NRZ	Amend subdivision loophole allowing for multiple lot subdivision.	Disagree	Subdivision is a valid legal process. If suggestion #5 is implemented, this will improve the transparency of the subdivision process.
12	NRZ	Include a ‘no net dwelling loss’ clause for existing multiunits to be redeveloped	Disagree	Assessments should be based on the merits of the design, not on a predetermined density.
13	NRZ	Remove principle under Practice Note 78: ‘Areas where more than 80 percent of lots currently accommodate detached dwellings’.	Disagree	
14	NRZ	Apply maximum building height requirement to all buildings.	Agree	Education and place of worship reasonable to be exempt.
15	GRZ	Introduce a <i>Building Design Guideline</i> criteria for multilevel developments.	-	More detail required on the guidelines to give considered response. The outcome of the ResCode review “Better Apartments” might respond to this.
16	GRZ	Require section 1 uses to submit design response.	Agree	
17	GRZ	Amend NRZ and GRZ purpose of zone for clearer distinction: <i>To encourage the implementation of neighbourhood character policy and adopted neighbourhood character guidelines</i>	Agree	
18	GRZ	Remove the permit trigger for lots under 500 sqm.	Disagree	Removes the flexibility for local government to manage residential areas. It is acknowledged that some Councils seek to have greater control over single dwellings.
19	GRZ	Define “moderate housing growth” to provide clearer direction for Council of expected growth.	Disagree	A design merits approach is superior to a prescriptive density approach.
20	RGZ	Delete reference to four storey development from the purpose of zone.	Agree	
21	RGZ	Amend Rescode to trigger the need for assessment for low rise apartments where the provisions within RGZ contradict that of Rescode.	Agree	
22	RGZ	Include provisions for ‘as of right’ mixed use applications.	Disagree	
23	RGZ	Apply mandatory boundary of RGZ to be commercial zone or to be within 100m of commercial zone or Activity Centre Zone.	Disagree	A blanket application is a blunt and crude approach. Boundaries should be based on housing policies and community consultation.

24	RGZ	Remove the requirement for locational conditions of section 2: <i>The land must have the same street frontage as the land in the commercial zone.</i>	Disagree	Creep of commercial activity into residential land is not supported.
25	RGZ	Amend the purpose of the zone to provide clarity for underdevelopment of land.	Disagree	
26	RGZ	Include front setbacks, open space and wall boundaries requirements.	Agree	
27	RGZ	Remove 'as of right' uses under 250 square metres.	Agree	
28	RGZ	Review of nonresidential land uses in residential area which reduce commercial uses beyond activity centres.	Agree	Ambiguous. Only agree if the intention of this suggestion is to limit the expansion of commercial uses in residential areas.
29	RGZ	Review of <i>peripheral</i> area for RGZ to avoid conflict of inappropriate commercial development.	Agree	Ambiguous. Only agree if the intention of this suggestion is to limit the expansion of commercial uses in residential areas.
30	RGZ	Apply Clause 55 to multi dwellings greater than four storeys.	Agree	ResCode should apply to all forms of multi-dwelling residential development. The lack of prescription in the State Government's Higher Density Design Guidelines (6 storeys and above) creates uncertainty.
31	RGZ	Provide mechanisms for social/affordable housing.	Agree	
32	RGZ	Review the need for notification/advertisement for certain applications within zone.	-	The intention is unclear. The public notice obligations are contained in the Planning and Environment Act. The current legislative framework operates effectively.
33	RGZ	Establish urban area infrastructure development contribution scheme for residential areas.	Agree	
34	RGZ	Include classification for lot sizes and developments expected to achieve higher density.	Disagree	
35	RGZ	Restrict type of residential development to prevent underdevelopment areas.	Disagree	
36	RGZ	Prohibit section 2 commercial uses allowed within 100 metres if residential areas in regional locations.	Agree	
37	RGZ	Clearer application of RGZ to direct Council's on areas of growth.	Disagree	A blanket application is a blunt and crude approach. Boundaries should be based on housing policies and community consultation.

38	RGZ	Provide definition for height requirements (Clause 32.098).	Agree	
39	RGZ	The transitions between RGZ and other residential zones should be more comprehensively addressed in Clause 32.078.	Agree	
40	RGZ	Include references of relevant policy documents (structure plans and urban design frameworks etc.)	Agree	
41	RGZ	Under Clause 32.07-9: <i>Application requirements</i> , delete: <i>For residential development of five or more storeys, an urban context report and design response as required in Clause 52.35.</i>	Agree	Agree subject to ResCode applying to multi-dwelling residential developments of five or more storeys.
42	RGZ	Under Clause 32.0711: <i>Dwelling and residential building</i> , delete: <i>For a development of five or more storeys, excluding a basement, the Design Guidelines for Higher Density Residential Development</i>	Agree	
43	RGZ	Prohibit supermarkets in Table of Uses.	Agree	
44	RGZ	Prohibit walls on boundaries at Council's discretion.	Agree	
45	RGZ	Review schedules to zone to vary daylight to: existing windows; north facing windows; new windows; and solar access to open space objectives	Agree	
46	GRZ	Amend reference to building heights in the purpose of the zone with the provision of the zone and Practice Note 78: <i>Applying the Residential Zones (2013)</i>	-	More information is required to give a considered response.
47	NRZ + GRZ	Amend wording for permit requirements for front fence to: <i>A permit is required to construct or extend a front fence within 3 metres of a street if: The fence is associated with 2 or more dwellings on a lot or a residential building, and the fence exceeds the maximum height specified in Clause 55.06-2.</i>	Agree	
48	NRZ + GRZ	Include level of appropriateness for extent of exemptions (depending on the location, neighbourhood character and schedule etc.)	Agree	
49	NRZ + GRZ	Require physical barrier (e.g. road) between to RGZ and NRZ to ensure the objective of the zones are met.	Agree	Glen Eira has applied a General Residential Zone (transition) to achieve this. Where a dividing road is not present, the General Residential Zone (3 storeys with increased rear setbacks) creates a transition from the RGZ (4 storeys) to the Neighbourhood Residential Zone (2 storeys).

50	NRZ + GRZ	Clarification of definition for differing <i>natural ground</i> scenarios.	Agree	
51	GRZ + RGZ	Rename the RGZ and GRZ to avoid confusion between the two acronyms.	Disagree	Changing the name will add further confusion.
52	GRZ + RGZ	Review conditions associated with Section 1 and 2 uses: Food and Drink Premises is a conditioned Section 1 use under Residential Growth Zone, Food and Drink Premises under a General Residential Zone is not a conditioned use under a Section 2 use.	Agree	Agree if the intention is to further restrict the ability of Food and Drink Premises to expand into residential areas.
53	GRZ + RGZ	Amend colour differentiation on the zoning map for clarity.	Agree	
54	GRZ + RGZ	Vary building heights through zone schedules.	Disagree	Consistent mandatory maximum building heights across Victoria provides certainty and consistency for residents and permit applicants.
55	GRZ + RGZ	Prohibit establishment of shops, offices and food and drink premises (subject to floor area limits), within 100 metres of commercial zone with the same road frontage without planning permit.	Agree	
56	GRZ + RGZ	Apply mandatory height limits.	Agree	
57	All 3	Rename the zones to a neutral naming convention such as A, B, C or 1, 2, 3.	Disagree	
58	All 3	Update and merge into a consolidated practice note, PN43: <i>Understanding Neighbourhood Character (2001)</i> and PN28: <i>Using the Neighbourhood Character Provision in Planning Schemes (2004)</i> to address neighbourhood character and principles for addressing it in planning schemes in conjunction with PN78: <i>Applying the Residential Zones (2013)</i>	Agree	
59	All 3	Review the operation of the schedules and consider consolidation for better clarity for planners and broader community.	Agree	
60	All 3	Review process and authorization for Councils to apply multiple schedules to address the role and character of different areas.	Disagree	There are already effective tools to differentiate and protect various character areas, such as: Design and Development Overlay,

				Neighbourhood Character Overlay, Heritage Overlay etc.
61	All 3	Review zoning maps so they form relationship to 'on ground circumstances'. Zones should not change mid street.	Disagree	Boundaries should be based on housing policies and community consultation.
62	All 3	Apply schedules to all Council's across Melbourne.	Disagree	A 'one size fits all' approach to neighbourhood character and residential development is not supported.
63	All 3	Amend the use of land for a <i>Store</i> (section 2 use) to exempt the storage of one motor vehicle.	Agree	
64	All 3	Allow variation of Rescode requirements through zone schedules.	Agree	
65	All 3	Amend to include Council's vision within schedule.	Agree	
66	All 3	Consideration for additional clause for describing: <i>Desired Future Character or Vision for the Area.</i>	Agree	
67	All 3	Provide articulation of the role of each municipality for the provision of housing with greater parameters for application of zones to guide Council's at local level with any expectations clear and transparent.	Agree	
68	All 3	Amend section 1 uses to be subject to building and works controls.	Agree	
69	All 3	Specify maintenance of onstreet parking spaces in zone with provisions with any reduction (crossover) assessed.	Agree	
70	All 3	Review Practice Notes relating to residential zones for consistency.	Agree	
71	All 3	Amend each zone to include level of change expected (minimal/natural/substantial).	Agree	However, a prescriptive approach is not supported.
72	NRZ	Include minimum setbacks from the side or rear boundary (as per A11 and B18/ Building regulation 414).	Agree	
73	NRZ	Detail side setback requirements (as per A11 and B18/ Building regulation 414).	Agree	
74	NRZ	Review setback requirements, which do not guide irregular lot sizes.	Agree	