Attachment 4 Planning Policy

Planning Scheme Requirements	
Application	YR-2019/418
Address of the land	28 Central Avenue, Mooroolbark
Proposal	Buildings and works to construct six (6) dwellings

ZONE: GENERAL RESIDENTIAL ZONE – SCHEDULE 1

A planning permit is triggered under the zone as the proposal is for two(2) or more dwellings on a lot, an application must meet the objective and standards for Clause 55.

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To encourage development that respects the neighbourhood character of the area.
- To encourage a diversity of housing types and housing growth particularly in locations offering good access to services and transport.
- To allow educational, recreational, religious, community and a limited range of other nonresidential uses to serve local community needs in appropriate locations.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

General

- The Municipal Planning Strategy and the Planning Policy Framework.
- The purpose of this zone.
- The objectives set out in a schedule to this zone.
- Any other decision guidelines specified in a schedule to this zone.

• The impact of overshadowing on existing rooftop solar energy systems on dwellings on adjoining lots in a General Residential Zone, Mixed Use Zone, Neighbourhood Residential Zone, Residential Growth Zone or Township Zone.

Dwellings and residential buildings

- For the construction and extension of one dwelling on a lot, the objectives, standards and decision guidelines of Clause 54.
- For the construction and extension of two or more dwellings on a lot, dwellings on common property and residential buildings, the objectives, standards and decision guidelines of Clause 55. This does not apply to an apartment development of five or more storeys, excluding a basement.

Schedule 1- Decision Guidelines

The following decision guidelines apply to an application for a permit under Clause 32.08, in addition to those specified in Clause 32.08 and elsewhere in the scheme which must be considered, as appropriate, by the responsible authority:

- Whether new development contributes to a diverse housing type which integrates respectfully into neighbourhood consolidation areas.
- Whether the development is easily accessible to services and facilities taking into account site constraints including topography.
- The avoidance of visually dominant buildings and opportunities for landscaping and the planting of mature species.

OVERLAY: DESIGN AND DEVELOPMENT OVERLAY – SCHEDULE 8

A planning permit is triggered under the overlay as the proposal is for buildings and works for two or more dwellings on a lot.

Purpose

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which are affected by specific requirements relating to the design and built form of new development.

Decision guidelines

Before deciding on an application, in addition to the decision guidelines in Clause 65, the responsible authority must consider, as appropriate:

- The Municipal Planning Strategy and the Planning Policy Framework.
- The design objectives of the relevant schedule to this overlay.

- The provisions of any relevant policies and urban design guidelines.
- Whether the bulk, location and appearance of any proposed buildings and works will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Whether the design, form, layout, proportion and scale of any proposed buildings and works is compatible with the period, style, form, proportion, and scale of any identified heritage places surrounding the site.
- Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed off street car parking
- Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area.
- Any other matters specified in a schedule to this overlay.

SCHEDULE 8

Design objectives

To implement the objectives of the Shire of Yarra Ranges Housing Strategy 2009.

To increase residential density and to provide for a range of housing types within the identified consolidation areas of neighbourhood centres and rural townships.

To encourage the aggregation of existing lots allowing greater flexibility to design quality higher density residential development that complements the existing streetscape.

To encourage higher built form on larger lots to protect the amenity of existing dwellings.

To ensure new development is well articulated and upper storey elements are not bulky or visually obtrusive.

To ensure that the design of new buildings provides an appropriate transition of scale and form to buildings on adjacent lots.

To minimise the impact of driveways and parking areas in multi-unit developments.

To ensure street frontages and open space provide sufficient room for canopy trees and vegetation.

PARTIFCULAR PROVISION- CLAUSE 55: TWO OR MORE DWELLINGS ON A LOT

Purpose

To implement the Municipal Planning Strategy and the Planning Policy Framework.

To achieve residential development that respects the existing neighbourhood character or which contributes to a preferred neighbourhood character.

To encourage residential development that provides reasonable standards of amenity for existing and new residents.

To encourage residential development that is responsive to the site and the neighbourhood.

The provisions of this clause contain:

- Objectives. An objective describes the desired outcome to be achieved in the completed development.
- Standards. A standard contains the requirements to meet the objective.

A standard should normally be met. However, if the responsible authority is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

A development:

• Must meet all of the objectives of this clause that apply to the application.

PARTIFCULAR PROVISION- CLAUSE 52.06: CARPARKING

A planning permit is triggered under the Clause for an increase in floor area for an existing use.

Purpose

To ensure that car parking is provided in accordance with the Municipal Planning Strategy and the Planning Policy Framework.

To ensure the provision of an appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality.

To support sustainable transport alternatives to the motor car.

To promote the efficient use of car parking spaces through the consolidation of car parking facilities.

To ensure that car parking does not adversely affect the amenity of the locality.

To ensure that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

Decision guidelines

Before deciding that a plan prepared under Clause 52.06-8 is satisfactory the responsible authority must consider, as appropriate:

• The role and function of nearby roads and the ease and safety with which vehicles gain access to the site.

- The ease and safety with which vehicles access and circulate within the parking area.
- The provision for pedestrian movement within and around the parking area.
- The provision of parking facilities for cyclists and disabled people.
- The protection and enhancement of the streetscape.
- The provisions of landscaping for screening and shade.
- The measures proposed to enhance the security of people using the parking area particularly at night.

PLANNING POLICY

MPS Clause 2 – Municipal Planning Strategy

This clause is relevant to this application as it establishes the overarching strategic planning policy for the municipality. It highlights the planning issues that are important to the municipality and provides context for the local policies in the Planning Policy Framework (PPF).

Clause 2.02 (Vision) sets of the vision the Yarra Ranges Council Plan 2017-2021 (2017) and seeks to

- Continue to define the Yarra Ranges by its natural environment.
- lead the way in sustainably meeting the evolving needs of a growing community without compromising its natural assets.
- embrace its urban fringe location and its unique mix of suburbs, rural towns and scenic landscapes.
- Use urban land efficiently to avoid the need for urban encroachment in the Green Wedge.
- Increased development in activity centres allowing people to have access to a range of transport options and an expanded network of pedestrian and bike trails through an equitably distributed array of well-designed and adaptable community facilities and public places to generate increased community interaction and a greater sense of community safety.

Clause 2.03 (Strategic directions) are the high-level policy intentions for the municipality that provide the basis for matters that are implemented through more detailed policy in Clauses 10 to 19 (Planning Policy Framework) or a planning scheme control (e.g. a zone or overlay).

Clause 2.03-1 Settlement seeks to

• Contain urban development and urban renewal within the urban growth boundary.

- Support a mix of housing, business opportunities and community infrastructure within the suburbs and larger rural towns.
- Protect the Green Wedge by ensuring use and development complements or enhances the primary values and characteristics of the Green Wedge.
- Minimise residential subdivision in the green wedge.
- Limit the use of rural land in the green wedge to agriculture, rural industry, tourist-oriented businesses or dwellings.

Clause 2.03-6 Housing

Planning should achieve the following:

- The combination of Yarra Ranges' attractive environment and its location on the fringe of Melbourne will result in ongoing pressures for additional and more intensive development.
- Although there are latent pressures to expand urban development into the Green Wedge there is sufficient capacity within established urban areas and key strategic redevelopment sites to accommodate future housing and employment opportunities.
- The concentration of additional housing development in identified consolidation areas (refer Residential Framework Plan to Clause 16.01-1L) based on established activity centres will improve housing diversity, increase the proportion of housing with convenient access to services, and reduce pressures for change in other neighbourhoods.
- There is a limited diversity of housing stock to meet the needs of changing demography.
- More diverse and adaptable housing stock will be required to meet community needs including affordable housing, housing that is accessible to people with disabilities and a range of specialised housing types to cater for the growing number of older people that provides opportunities for them to continue living within or close to their local community.

Council's strategic directions for housing are to:

- Supporting residential growth, increased densities and housing diversity in the consolidation areas of the major activity centres.
- Supporting diverse housing on key redevelopment sites and combined lots that are close to community services, local employment and public transport.
- Supporting affordable housing in new developments in consolidation areas and other locations with access to town centres, commercial and community facilities.
- Containing residential subdivision within the existing Urban Growth Boundary.
- Discouraging housing in locations that would increase the potential for land use conflicts and adverse impacts on landscape amenity or the environment.

• Supporting aged care accommodation in locations that meet the needs of an ageing population.

Clause 2.04 (Strategic framework plan) plans contained in Clause 02.04 are to be read in conjunction with the strategic directions in Clause 02.03.

PPF Clause 11 – Settlement

This clause is relevant to this application as it contains objective relating to activity centre networks, activity centre planning, housing choice and affordability, environment and water and green wedges.

Clause 11.01-1L-01 Settlement seeks to:

- Cluster businesses, community facilities and housing within activity centres
- Support residential infill development in the consolidation areas of large neighbourhood activity centres or where appropriate to the role of the town or suburb consistent with Table 2 to Clause 2.03-1.
- Discourage infill residential development in incremental areas that are not walkable to shops, public transport and public open space or in areas of environmental risk.
- Discourage higher density housing in locations with poor access to activity centres.

Clause 11.01-1R Settlement - Metropolitan Melbourne

Strategies include:

- Maintain a permanent urban growth boundary around Melbourne to create a more consolidated, sustainable city and protect the values of non-urban land.
- Focus investment and growth in places of state significance, including:
 - Metropolitan Melbourne Central City.
 - National Employment and Innovation Clusters.
 - Metropolitan Activity Centres.
 - State-Significant Industrial Precincts.
 - Transport Gateways.
 - Health and Education Precincts.
 - Major Urban-Renewal Precincts.

- Develop the Suburban Rail Loop through Melbourne's middle suburbs to facilitate substantial growth and change in major employment, health and education precincts and activity centres beyond the central city at an appropriate scale to address the needs of Melbourne's rapidly growing population.
- Develop a network of activity centres linked by transport; consisting of Metropolitan Activity Centres supported by a network of vibrant major and neighbourhood activity centres of varying size, role and function.
- Create mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts, that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.

Clause 11.02-1S Supply of urban land seeks to:

The objective is to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses. Strategies include:

- Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.
- Ensure that sufficient land is available to meet forecast demand.
- Plan to accommodate projected population growth over at least a 15 year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.
- Planning for urban growth should consider:
 - Opportunities for the consolidation, redevelopment and intensification of existing urban areas.
 - Neighbourhood character and landscape considerations.
 - The limits of land capability and natural hazards and environmental quality.
 - Service limitations and the costs of providing infrastructure.
- Monitor development trends and land supply and demand for housing and industry.
- Maintain access to productive natural resources and an adequate supply of well-located land for energy generation, infrastructure and industry.
- Restrict rural residential development that would compromise future development at higher densities.

Clause 11.03-1L-04 Mooroolbark Activity Centre

The objective is to create a compact and accessible suburban village with a strong street-based retail core. Strategies include:

- Encourage an increase in the number and diversity of dwellings in the activity centre.
- Discourage office, medical or other non-residential land uses.

Clause 12 Environmental and Landscape Values

Planning should achieve the following:

- Planning should help to protect the health of ecological systems and the biodiversity they support (including ecosystems, habitats, species and genetic diversity) and conserve areas with identified environmental and landscape values.
- Planning must implement environmental principles for ecologically sustainable development that have been established by international and national agreements. Foremost amongst the national agreements is the Intergovernmental Agreement on the Environment, which sets out key principles for environmental policy in Australia. Other agreements include the National Strategy for Ecologically Sustainable Development, National Greenhouse Strategy, the National Water Quality Management Strategy, Australia's Strategy for Nature 2019-2030, the National Forest Policy Statement and National Environment Protection Measures.
- Planning should protect, restore and enhance sites and features of nature conservation, biodiversity, geological or landscape value.

Clause 12.05-2S Landscapes

The objective is to protect and enhance significant landscapes and open spaces that contribute to character, identity and sustainable environments. Strategies include:

- Ensure significant landscape areas such as forests, the bays and coastlines are protected.
- Ensure development does not detract from the natural qualities of significant landscape areas.
- Improve the landscape qualities, open space linkages and environmental performance in significant landscapes and open spaces, including green wedges, conservation areas and non-urban areas.
- Recognise the natural landscape for its aesthetic value and as a fully functioning system.
- Ensure important natural features are protected and enhanced.

Clause 15 - Built Environment and Heritage

Planning should achieve the following:

- -Recognise the role of urban design, building design, heritage and energy and resource efficiency in delivering liveable and sustainable cities, towns and neighbourhoods.
- -Ensure all land use and development appropriately responds to its surrounding landscape and character, valued built form and cultural context.
- -Protect places and sites with significant heritage, architectural, aesthetic, natural, scientific and cultural value.
- -Planning must support the establishment and maintenance of communities by delivering functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design.
- Promote excellence in the built environment and create places that:
 - Are enjoyable, engaging, and comfortable to be in.
 - Support human health and community wellbeing.
 - Accommodate people of all abilities, ages and cultures.
 - Contribute positively to local character and sense of place.
 - Reflect the particular characteristics and cultural identity of the community.
 - Enhance the function, amenity and safety of the public realm.
- Promote development that is environmentally sustainable and minimise detrimental impacts on the built and natural environment.
- Facilitate development that:
 - Is adapted and resilient to climate related hazards.
 - Supports the transition to net zero greenhouse gas emissions.
 - Minimises waste generation and supports resource recovery.
 - Conserves potable water.
 - Supports the use of, and access to, low emission forms of transport.
 - Protects and enhances natural values.
 - Minimises off-site detrimental impacts on people and the environment.

Clause 15.01-1S - Urban Design

The objective is to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity. Strategies include:

• Require development to respond to its context in terms of character, cultural identity, natural features, surrounding landscape and climate.

- Ensure development contributes to community and cultural life by improving the quality of living and working environments, facilitating accessibility and providing for inclusiveness.
- Ensure the interface between the private and public realm protects and enhances personal safety.
- Ensure development supports public realm amenity and safe access to walking and cycling environments and public transport.
- Ensure that the design and location of publicly accessible private spaces, including car parking areas, forecourts and walkways, is of a high standard, creates a safe environment for users and enables easy and efficient use.
- Ensure that development provides landscaping that supports the amenity, attractiveness and safety of the public realm.
- Ensure that development, including signs, minimises detrimental impacts on amenity, on the natural and built environment and on the safety and efficiency of roads.
- Promote good urban design along and abutting transport corridors.

Clause 15.01-2S - Building Design

The objective is to achieve building design and siting outcomes that contribute positively to the local context, enhance the public realm and support environmentally sustainable development. Strategies include:

- Require a comprehensive site analysis as the starting point of the design process.
- Ensure the site analysis provides the basis for the consideration of height, scale, massing and energy performance of new development.
- Ensure development responds and contributes to the strategic and cultural context of its location.
- Minimise the detrimental impact of development on neighbouring properties, the public realm and the natural environment.
- Improve the energy performance of buildings through siting and design measures that encourage:
 - Passive design responses that minimise the need for heating, cooling and lighting.
 - On-site renewable energy generation and storage technology.
 - Use of low embodied energy materials.
- Ensure the layout and design of development supports resource recovery, including separation, storage and collection of waste, mixed recycling, glass, organics and e-waste.
- Encourage use of recycled and reusable materials in building construction and undertake adaptive reuse of buildings, where practical.
- Encourage water efficiency and the use of rainwater, stormwater and recycled water.
- Minimise stormwater discharge through site layout and landscaping measures that support on-site infiltration and stormwater reuse.

- Ensure the form, scale, and appearance of development enhances the function and amenity of the public realm.
- Ensure buildings and their interface with the public realm support personal safety, perceptions of safety and property security.
- Ensure development is designed to protect and enhance valued landmarks, views and vistas.
- Ensure development considers and responds to transport movement networks and provides safe access and egress for pedestrians, cyclists and vehicles.
- Encourage development to retain existing vegetation.
- Ensure development provides landscaping that responds to its site context, enhances the built form, creates safe and attractive spaces and supports cooling and greening of urban areas.

Clause 15.01-2L Environmentally Sustainable Development

It is an objective to "achieve best practice in environmentally sustainable development from the design stage through to construction and operation."

Strategies include:

- Facilitate development that minimises environmental impacts.
 - Encourage environmentally sustainable development that:
 - Is consistent with the type and scale of the development.
 - Responds to site opportunities and constraints.
- Adopts best practice through a combination of methods, processes and locally available technology that demonstrably minimise environmental impacts.

Energy performance

- Reduce both energy use and energy peak demand through design measures such as:
 - Building orientation.
 - Shading to glazed surfaces.
 - Optimising glazing to exposed surfaces.
 - Inclusion of or space allocation for renewable technologies.

Integrated water management

- Reduce total operating potable water use through appropriate design measures such as water efficient fixtures, appliances, equipment, irrigation and landscaping.
- Encourage the appropriate use of alternative water sources (including greywater, rainwater and stormwater).
- Incorporate best practice water sensitive urban design to improve the quality of stormwater runoff and reduce impacts on water systems and water bodies.

Indoor environment quality

- Achieve a healthy indoor environment quality, including thermal comfort and access to fresh air and daylight, prioritising passive design over mechanical heating, ventilation, cooling and lighting.
- Reduce indoor air pollutants by encouraging use of low-toxicity materials.

• Minimise noise levels and noise transfer within and between buildings and associated external areas.

Transport

- Design development to promote the use of walking, cycling and public transport, in that order; and minimise car dependency.
- Promote the use of low emissions vehicle technologies and supporting infrastructure.

Waste management

- Promote waste avoidance, reuse and recycling during the design, construction and operation stages of development.
- Encourage use of durable and reuseable building materials.
- Ensure sufficient space is allocated for future change in waste management needs, including (where possible) composting and green waste facilities.

Urban ecology

- Protect and enhance biodiversity by incorporating natural habitats and planting indigenous vegetation.
- Reduce urban heat island effects through building design, landscape design, water sensitive urban design and the retention and provision of canopy and significant trees.
- Encourage the provision of space for productive gardens, particularly in larger residential developments.

Clause 15.01-5S - Neighbourhood Character

It is an objective to "recognise, support and protect neighbourhood character, cultural identity, and sense of place".

Strategies include:

- Support development that respects the existing neighbourhood character or contributes to a preferred neighbourhood character.
- Ensure the preferred neighbourhood character is consistent with medium and higher density housing outcomes in areas identified for increased housing.
- Ensure development responds to its context and reinforces a sense of place and the valued features and characteristics of the local environment and place by respecting the:
 - Pattern of local urban structure and subdivision.
 - Underlying natural landscape character and significant vegetation.
 - Neighbourhood character values and built form that reflect community identity.

Clause 15.01-5L - Neighbourhood Character

The objective is to protect the distinctive characteristics and environmental features of residential neighbourhoods. Strategies include:

- Design development to complement existing site features such as slope, terrain, substantial trees and remnant vegetation.
- Retain extensive tree canopy cover and native vegetation.
- Support the establishment and maintenance of substantial trees within residential areas.
- Site and design development on land adjoining public land and open space to provide passive surveillance.

Clause 15.01-2L – Environmentally Sustainable Development

The objective is to achieve best practice in environmentally sustainable development from the design stage through to construction and operation. Strategies include:

- Facilitate development that minimises environmental impacts.
- Encourage environmentally sustainable development that:
 - Is consistent with the type and scale of the development.
 - Responds to site opportunities and constraints.
 - Adopts best practice through a combination of methods, processes and locally available technology that demonstrably minimise environmental impacts.

Clause 16 Housing

This clause is of relevance as it contains objectives relating to the provision housing diversity, and supporting infrastructure, ensuring the long term sustainability of new housing, including access to services, walkability to activity centres, public transport, schools and open space and the provision of land for affordable housing.

Clause 16.01-1S – Housing Supply

It is an objective to facilitate well-located, integrated and diverse housing that meets community needs.

The clause has the following strategies:

- Ensure that an appropriate quantity, quality and type of housing is provided, including aged care facilities and other housing suitable for older people, supported accommodation for people with disability, rooming houses, student accommodation and social housing.
- Increase the proportion of housing in designated locations in established urban areas (including under-utilised urban land) and reduce the share of new dwellings in greenfield, fringe and dispersed development areas.
- Encourage higher density housing development on sites that are well located in relation to jobs, services and public transport.

- Identify opportunities for increased residential densities to help consolidate urban areas.
- Facilitate diverse housing that offers choice and meets changing household needs by widening housing diversity through a mix of housing types.
- Encourage the development of well-designed housing that:
 - Provides a high level of internal and external amenity.
 - Incorporates universal design and adaptable internal dwelling design.
- Support opportunities for a range of income groups to choose housing in well-serviced locations.
- Plan for growth areas to provide for a mix of housing types through a variety of lot sizes, including higher housing densities in and around activity centres.

16.01-1R – Housing Supply – Metropolitan Melbourne

Strategies include:

- Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are:
 - In and around the Central City.
 - Urban-renewal precincts and sites.
 - Areas for residential growth.
 - Areas for greyfield renewal, particularly through opportunities for land consolidation.
 - Areas designated as National Employment and Innovation Clusters.
 - Metropolitan activity centres and major activity centres.
 - Neighbourhood activity centres especially those with good public transport connections.
 - Areas near existing and proposed railway stations that can support transit-oriented development.
- Identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.
- Facilitate increased housing in established areas to create a city of 20 minute neighbourhoods close to existing services, jobs and public transport.
- Provide certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas.
- 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.
- Create mixed-use neighbourhoods at varying densities that offer more choice in housing.

16.01-1L - Housing

This policy applies to land zoned General Residential (consolidation areas) strategies include:

- Support additional and diverse housing in areas identified as Consolidation Areas in the map to this clause.
- Support additional housing within easy walking distance to shops, public transport, open space and schools.
- Support infill housing development that retains and/or upgrades existing housing and enhances the overall character of the area.
- Encourage higher density housing development that provides a high level of internal and external residential amenity.
- Discourage additional housing in areas with significant vegetation or infrastructure constraints or on land with steep slopes.

16.01-2S – Housing affordability

It is an objective to deliver more affordable housing closer to jobs, transport and services.

The clause has the following strategies:

- Improve housing affordability by:
 - Ensuring land supply continues to be sufficient to meet demand.
 - Increasing choice in housing type, tenure and cost to meet the needs of households as they move through life cycle changes and to support diverse communities.
 - Promoting good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.
 - Encouraging a significant proportion of new development to be affordable for households on very low to moderate incomes.
- Increase the supply of well-located affordable housing by:
 - Facilitating a mix of private, affordable and social housing in suburbs, activity centres and urban renewal precincts.
 - Ensuring the redevelopment and renewal of public housing stock better meets community needs.
- Facilitate the delivery of social housing by identifying surplus government land suitable for housing.

This clause is of relevance as it contains objectives relating to the provision of infrastructure services including renewable energy, community facilities, distribution of social and cultural infrastructure, development infrastructure, water supply, sewerage and drainage, stormwater, telecommunications, water and resource recovery, pipeline infrastructure and survey infrastructure.