Planning and Environment Act 1987

Advisory Committee Report

DEECD Surplus Land Rezoning Project Standing Advisory Committee
Tranche 1

22 November 2013
Planning and Environment Act 1987

Advisory Committee Report pursuant to Section 151 of the Act

DEECD Surplus Land Rezoning Project - Tranche 1

Lester Townsend, Chair

Rodger Eade, Deputy Chair

Chris Harty, Member

Jane Osborn, Member

Cazz Redding, Member

Des Grogan, Member
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<th>Description</th>
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<td>DEECD</td>
<td>Department of Education and Early Childhood Development</td>
</tr>
<tr>
<td>DDO</td>
<td>Design and Development Overlay</td>
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<tr>
<td>DPCD</td>
<td>Department of Planning and Community Development (now DTPLI)</td>
</tr>
<tr>
<td>DPO</td>
<td>Development Plan Overlay</td>
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<tr>
<td>DTPLI</td>
<td>Department of Transport, Planning and Local Infrastructure</td>
</tr>
<tr>
<td>EAO</td>
<td>Environment Audit Overlay</td>
</tr>
<tr>
<td>EPA</td>
<td>Environment Protection Authority</td>
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<tr>
<td>ESO</td>
<td>Environmental Significance Overlay</td>
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<td>GRZ</td>
<td>General Residential Zone</td>
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<tr>
<td>HO</td>
<td>Heritage Overlay</td>
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<tr>
<td>LPPF</td>
<td>Local Planning Policy Framework</td>
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<td>MAC</td>
<td>Major Activity Centre</td>
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<td>MSS</td>
<td>Municipal Strategic Statement</td>
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<td>NCO</td>
<td>Neighbourhood Character Overlay</td>
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<td>NRZ</td>
<td>Neighbourhood Residential Zone</td>
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<td>R1Z</td>
<td>Residential 1 Zone</td>
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<tr>
<td>RGZ</td>
<td>Residential Growth Zone</td>
</tr>
<tr>
<td>TPZ</td>
<td>Tree Protection Zone</td>
</tr>
<tr>
<td>UGB</td>
<td>Urban Growth Boundary</td>
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</table>
Summary of recommendations

The Minister for Education holds a large portfolio of surplus sites which must be disposed of to meet the Department of Education and Early Childhood Developments (DEECD) land sales targets to provide renewal in education facilities. These sites require rezoning from a Public Use Zone prior to sale.

The Government has endorsed a pilot process to facilitate the rezoning of DEECD land that allows the sites to be brought forward to sale more quickly than current processes. The Minister for Planning will be required to implement any recommended rezoning by way of a formal Planning Scheme Amendment.

The project deals with 22 surplus DEECD sites in tranches; the first tranche consisting of nine priority sites within three municipalities (Greater Bendigo, Casey and Monash) as outlined in the Terms of Reference. Rezoning proposals have been prepared for each site.

All of the sites are vacant or disused and have been declared surplus to need for the government’s educational purposes and it will not be open to the Committee to revisit this decision.

The rezoning proposal initially selected the Residential 1 Zone (R1Z) for the sites. Following the introduction of the reformed residential zones DEECD proposed the residential growth Zone for some sites. Table 1 presents a summary of the Committee’s recommendation on the zones.

| Former Bendigo South East Secondary College | R1Z | GRZ | GRZ |
| Former Doveton Secondary College | R1Z | RGZ | RGZ |
| Former Doveton North Primary School | R1Z | GRZ | GRZ |
| Former Eumemmerring Primary School | R1Z | GRZ | GRZ |
| Former Brandon Park Secondary College | R1Z | RGZ | RGZ |
| Former Clayton Primary School | R1Z | RGZ | GRZ |
| Former Clayton West Primary School | R1Z | RGZ | GRZ |
| Former Monash Special Development School | R1Z | RGZ | RGZ |
| Former Oakleigh South Primary School | R1Z | RGZ | GRZ |

Note: Residential 1 Zone (R1Z), General Residential Zone (GRZ), Residential Growth Zone (RGZ)

Recommendations

Based on the reasons set out in this Report, the Committee recommends:

1. The Terms of Reference should be updated to provide a notice period of six weeks.
2. Notice for future sites should be more extensive than immediately adjacent and opposite properties.
3. Dates should be preset, with two or three days allocated per municipality.
4. A Development Plan Overlay should be applied to the sites.
5. In Part 3.0 of the relevant Development Plan Overlay schedules the two indented bullet points should be moved to the margin and reworded as follows:
   a. Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing low rise residential development.
   b. Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.
6. The Development Plan Overlay schedules should include requirements that:
   a. Before deciding to approve a development plan, the Responsible Authority must display the plan for public comment.
   b. Notice of the development plan must be given to the owners and occupiers of adjoining land.
   c. A development plan must be displayed or further information required within 28 days after the plan is received by the responsible authority. The plan must be displayed within 14 days of satisfactory further information being received.
   d. The development plan must be displayed for at least 14 days but no longer than 28 days.
7. Unless there is significant known or potential contamination on the site, the application of the Environmental Audit Overlay should not be applied to former school sites, rather a provision for the preparation of an environmental assessment should be required in the Development Plan Overlay Schedule unless a detailed assessment (possibly following site remediation works) has established a low potential for contamination.
8. The relevant Development Plan Overlay schedules should require the development plan to be prepared in one stage.
9. The former Doveton Secondary College at 64-70 Box Street, Doveton should be rezoned to the Residential Growth Zone.
10. The former Doveton Secondary College at 64-70 Box Street, Doveton have a Development Plan Overlay applied as presented in Appendix C.
11. The former Eumemmerring Primary School at 58 Doveton Avenue, Eumemmerring should be rezoned to the General Residential Zone.
12. The former Eumemmerring Primary School at 58 Doveton Avenue, Eumemmerring should have a Development Plan Overlay applied as presented in Appendix C.
13. The former Doveton North Primary School at 25-35 Rowan Drive, Doveton should be rezoned to the General Residential Zone.
14. The former Doveton North Primary School at 25-35 Rowan Drive, Doveton should have a Development Plan Overlay applied as presented in Appendix C.
15. The former Brandon Park Secondary College at 6-30 Brandon Park Drive, Wheelers Hill should be rezoned to the Residential Growth Zone.

16. The former Brandon Park Secondary College at 6-30 Brandon Park Drive, Wheelers Hill should have a Development Plan Overlay applied as presented in Appendix C.

17. The former Clayton Primary School at 39 Browns Road, Clayton should be rezoned to General Residential Zone.

18. The former Clayton Primary School at 39 Browns Road, Clayton should have Development Plan Overlay applied as presented in Appendix C.

19. The former Clayton West Primary School at 10 Alvina Street, Oakleigh South should be rezoned to the General Residential Zone.

20. The former Clayton West primary School at 10 Alvina Street, Oakleigh South should have Development Plan Overlay applied as presented in Appendix C.

21. The former Monash Special Development School at 1 Renver Road, Clayton should be rezoned to Residential Growth Zone.

22. The former Monash Special Development School at 1 Renver Road, Clayton should have Development Plan Overlay applied as presented in Appendix C.

23. The former Oakleigh South Primary School at 1 Beryl Avenue, Oakleigh South be rezoned General Residential Zone.

24. The former Oakleigh South Primary School at 1 Beryl Avenue, Oakleigh South should have Development Plan Overlay applied as presented in Appendix C.

25. The former Bendigo South East Secondary College campus at 41 – 43 Hattam Street, Golden Square be rezoned to the General Residential Zone, providing that:
   a. The Public Park and Recreation Zone should be applied to the Oval at the former Bendigo South East Secondary College campus should the City of Greater Bendigo purchase this parcel of land for use as a community recreational facility/public open space area.
   b. The Public Park and Recreation Zone should be applied to Crown Allotment 2118 former Bendigo South East Secondary College campus should the City of Greater Bendigo purchase this parcel of land for use as a community recreational facility/public open space area.

26. The former Bendigo South East Secondary College campus at 41 – 43 Hattam Street, Golden Square should have Development Plan Overlay applied as presented in Appendix C.

27. Access and egress issues to and from Hattam Street (for the former Bendigo South East Secondary College) should be resolved with VicRoads is at the development application stage rather than the Planning Scheme Amendment stage.
Part A - General
1 Background

1.1 The Standing Advisory Committee and Terms of Reference

On 23 May 2013 the Minister for Planning appointed a Standing Advisory Committee (the Committee) to review and report on the new system. The Committee comprises:

- Mr Lester Townsend, Chair
- Professor Rodger Eade, Deputy Chair
- Des Grogan
- Chris Harty
- Jane Osborn
- Cazz Redding

The Committee is assisted by Ms Jessica Cutting, Senior Project Manager with Planning Panels Victoria.

The Minister for Planning issued Terms of Reference (dated 9 May 2013) to provide the framework for the Committee’s work (see Appendix A). The purpose of the Committee is to advise the Minister for Planning on the suitability of the proposed rezoning for sites forming part of the DEECD Surplus Land Rezoning Project. All of the sites are currently zoned for Public Use 2 (Education) and need to be rezoned to allow for their disposal.

Terms of reference provide that the Committee may inform itself in any way it sees fit, but must consider:

* The suitability of the proposed land rezoning, and any overlay, for each property in light of State and local planning policy frameworks and public open space contributions in line with current development requirements. It is not open to the Standing Advisory Committee to consider the application of any Public Land Zones unless DEECD advises the suitability of such.

* The extent to which the proposed planning framework is responsive to any key issues on the site or within the local context.

* The suitability of a reformed residential zone for each site, which will be implemented in the Victoria Planning Provisions by 1 July 2013 and into council planning schemes by 1 July 2014.

* All relevant documentation prepared by or for DEECD, or otherwise provided to the Standing Advisory Committee.

* All submissions made in regard to DEECD’s proposed planning controls.

1.2 Tranche One

The first tranche covers nine sites within three municipalities; Casey, Monash and Greater Bendigo. A list of all submitters is provided in Appendix B.
City of Casey Sites

There are three sites located in the City of Casey as follows:
- Former Doveton Secondary College (C1)
- Former Eumemmerring Primary School (C3)
- Former Doveton North Primary School (C2)

A Directions Hearing was held on Monday 16 September 2013. The Public Hearing was held on Monday 7 October 2013 and was heard by Mr Townsend (Hearing Chair) and Mr Harty.

The parties that appeared at the Hearing are shown in Table 2.

<table>
<thead>
<tr>
<th>Submitter</th>
<th>Represented by</th>
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<tbody>
<tr>
<td>DEECD</td>
<td>Sarah Emons of Urbis</td>
</tr>
<tr>
<td>City of Casey</td>
<td>Caroline Dickson</td>
</tr>
<tr>
<td>City of Greater Dandenong</td>
<td>Warren Wood</td>
</tr>
</tbody>
</table>

City of Monash Sites

There are five sites located in the City of Monash as follows:
- Former Brandon Park Secondary College (M1)
- Former Clayton Primary School (M2)
- Former Clayton West Primary School (M3)
- Former Monash Special Development School (M4)
- Former Oakleigh South Primary School (M5)

A Directions Hearing was held on Wednesday 18 September 2013. The Public Hearing was held on Monday 30 September 2013 and Tuesday 1 October 2013 and was heard by Prof Eade (Hearing Chair), Ms Osborn and Mr Grogan.

The parties that appeared at the Hearing are shown in Table 3.

<table>
<thead>
<tr>
<th>Submitter</th>
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<tr>
<td>DEECD</td>
<td>Sarah Emons of Urbis</td>
</tr>
<tr>
<td>Monash City Council</td>
<td>Terry Montebello of Maddocks</td>
</tr>
<tr>
<td>Brandon Park Residents Action Group</td>
<td>John Shrives</td>
</tr>
<tr>
<td>Steve Yanko</td>
<td></td>
</tr>
<tr>
<td>Ruth Ryan</td>
<td></td>
</tr>
<tr>
<td>A &amp; S Valente and Associates Pty Ltd</td>
<td>Angelo and Silvana Valente</td>
</tr>
<tr>
<td>Helen and Bill Kimber</td>
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<tr>
<td>Tim and Elizabeth Hatley</td>
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City of Greater Bendigo Sites

There is one site located in the City of Greater Bendigo, the Former Bendigo South East Secondary College (GB).

A Directions Hearing was held on Tuesday 17 September 2013. The Public Hearing was held on Thursday 10 October 2013 and was heard by Mr Townsend (Hearing Chair) and Ms Redding.

The parties that appeared at the Hearing are shown in Table 4.

Table 4  Parties to the Bendigo Hearing

<table>
<thead>
<tr>
<th>Submitter</th>
<th>Represented by</th>
</tr>
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<tbody>
<tr>
<td>DEECD</td>
<td>Sarah Emons of Urbis</td>
</tr>
<tr>
<td>City of Greater Bendigo</td>
<td>Andrew Cockerall</td>
</tr>
<tr>
<td>Catholic Education Office Sandhurst</td>
<td>Philomena Billington</td>
</tr>
<tr>
<td>Alan Van Der Graaf</td>
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1.3 Procedural Issues

(i) Notice to landowners

A number of submissions raised concerns about the extent of the notice given.

The Terms of Reference state:

**Stage 1: Exhibition**

11. The Standing Advisory Committee will pre-set the Hearing dates.

12. The Department of Planning and Community Development (DPCD) will write to each of the relevant Councils, Government agencies and servicing authorities with a copy of DEECD’s planning proposals seeking comments within 3 months. DPCD will also notify the adjoining residents of the subject sites and may undertake additional notification.

13. The Standing Advisory Committee will hold a briefing session with all Councils, DEECD and DPCD and other submitters at the commencement of the consultation period to discuss the conduct of the Standing Advisory Committee process.

14. All submissions are to be collected at the office of Planning Panels Victoria in accordance with the ‘Guide to Privacy at PPV’. Hard copies will be made for each Council, DEECD and DPCD, and electronic copies may also be provided to other submitters upon request.

15. Petitions and pro-forma letters will be treated as single submissions and only the first name to appear will receive correspondence in relation to Standing Advisory Committee matters.

Notice was given to properties immediately adjoining the subject school site and across the road from the school. While the extent of the notice was minimal the amount of time allowed for submissions – three months – was generous. The Committee understands the extended time was intended to give councils an opportunity to convene a more extensive
consultation and engagement program with their local communities. No council took this opportunity, though Greater Bendigo did run a radio advertisement on the rezoning. In the absence of an agreed engagement program a notice period of 6 weeks should be trialled in future tranches.

Was notice extensive enough?

The Committee is satisfied that the extent of notice was sufficient given the context of the sites and the proposed zones, but could not be described as ideal. The Committee is not critical of the Department or councils, but with the wisdom of hindsight it is clear that a more extensive notice would better meet community, and possibly council, expectations in future processes.

The Committee has considered the extent of notice for future sites and considers that this will need to reflect the size of the site, the area of possible impacts, and the practice of the municipality. Thus a larger site, or a site with a potentially wider impact, should be given more extensive notification and in those locations where typically more widespread notification is given this should be maintained.

The extent of notice could be determined in consultation with the relevant council. The Committee is aware of some cases where councils have demanded excessive notice for planning permit applications. Therefore, a balance needs to be struck between giving all potentially affected parties notice and recognising there is nothing to be gained from unnecessarily expanding the extent of notification.

In the case of Bendigo the current leasee of the site advised that they did not receive a notice. This administrative oversight should be addressed in future tranches if there are occupants on the site.

A wider extent of notice, coupled with a shorter timeframe should be tried for the next tranche of sites.

The Committee recommends:

1. **The Terms of Reference should be updated to provide a notice period of six weeks.**

2. **Notice for future sites should be more extensive than immediately adjacent and opposite properties.**

(ii) **Pre set Hearings**

The Committee overestimated the amount of time required for Hearings for a number of individual school sites, with the result that advertised days needed to be changed. This was a result of some sites receiving few objections or request from submitters to be heard.

Hearings were conducted on a municipality basis and this seemed to work well. Future tranches should pre-set dates on a municipality wide basis.

The Committee recommends:

3. **Dates should be preset, with two or three days allocated per municipality.**
2 Approach of the Committee

Broadly there are three groups of questions that need to be answered for each of the sites:

- Should the site be rezoned?
- What type of zone should apply – residential, commercial, industrial, and what specific zone should apply?
- What controls over development should apply, and what tool should be used to set those control?

In addition, there are specific issues that relate to some degree to each of the sites. The Committee has developed a common approach to these issues:

- What open space contribution is appropriate?
- How should contamination or potential contamination of land be dealt with?
- Should the former school sites be encouraged to be developed for affordable (that is public or social) housing?

2.1 Should the sites be rezoned?

Whether the sites should be rezoned is not a question before the Committee. The Government has made a decision to dispose of the land and this requires rezoning. It is not a role of the Committee to revisit this decision, or to delay recommending a zone.

2.2 What zone should apply?

(i) Possibility of a non-residential zone

The former school sites are all generally within established areas. State policies relating to settlement, built environment and housing are most relevant to its consideration of future zoning of the school sites.

The sites were exhibited with the Residential 1 Zone (R1Z) proposed, reflecting the surrounding zoning of the sites. Possible non-residential zones were raised in a number of submissions. This is discussed for individual sites.

It is not open to the Committee to consider the application of any Public Land Zones unless DEECD advises the suitability of such a zone.

Clause 11 relating to settlement expresses that planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for a range of uses including housing, employment, recreation and open space, commercial and community facilities and infrastructure. The policy recognises that planning is to facilitate sustainable development that takes full advantage of existing settlement patterns, and investment in transport and communication, water and sewerage and social facilities. This policy supports the redevelopment of the sites.

Clause 11.02 supports the sufficient supply of land for urban growth, including residential purposes. Of relevance to the school sites is a strategy that planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas and neighbourhood character and landscape considerations.
(ii) The new residential zones

In July 2013 amendments to residential zones were introduced into the Victoria Planning Provisions. Amongst other changes, this included the introduction of three new residential zones to replace the existing residential zones:

- Residential Growth Zone (RGZ)
- General Residential Zone (GRZ)
- Neighbourhood Residential zone (NRZ)

The Department of Transport, Planning and Local Infrastructure (DTPLI) released the Advisory Note 50 – Reformed Residential Zones, July 2013 (Advisory Note 50) and Planning Practice Note 78 – Applying the Residential Zones, July 2013 (Practice Note 78). These documents provide councils with guidance in resolving an appropriate process and approach towards implementing the reformed zones into their respective planning schemes. In applying the new zones guidance is taken from the following purposes of the zones as outlined under Advisory Note 50:

Residential Growth Zone

The zone purpose encourages diverse housing types and increased densities up to and including four storeys. This zone will work as a transitional zone between areas of more and less intensive development.

Sets a discretionary height limit of 13.5 metres for dwellings and residential buildings with the ability for a council to specify a mandatory height limit through the schedule to the zone.

Allows complementary uses including Shop, Food and drink premises, Medical centre and Place of worship without a permit if conditions limiting their location and scale are met.

General Residential Zone

The zone purpose provides for a diversity of housing types and moderate housing growth, and requires development to respect neighbourhood character and implement neighbourhood character policy guidelines.

A discretionary height limit of 9 metres (‘ResCode’ standard) with the ability for a council to specify a mandatory height limit through the schedule to the zone.

Allows complementary uses including Medical centre and place of worship without a permit if conditions limiting their location and scale are met.

Neighbourhood Residential Zone

The zone purpose manages areas where there are limited opportunities to increase residential development and requires development to respect identified neighbourhood character.

A maximum of two dwellings allowed on a lot with the ability for a council to specify a different number in a schedule to the zone.
A mandatory height limit of 8 metres for dwellings and residential buildings with the ability for a council to specify a mandatory height limit in a schedule to the zone to take account of existing built form.

Allows complementary uses including Medical centre and place of worship without a permit if conditions limiting their location and scale are met. This includes a maximum floor area of 250 square metres and a requirement to adjoin a major road for both of these uses.

In comparison to the R1Z, the NRZ reduces the scope for increased residential development by specifying limited opportunities and a strong emphasis on respecting identified neighbourhood character with an eight metre height limit. The GRZ places some emphasis on the diversity of housing types with moderate growth tethered to the need to respect existing neighbourhood character with a nine metre height limit as per ResCode but able to be varied by the zone Schedule. The RGZ is intended to allow for increased densities up to and including four storeys with a standard discretionary 13.5 metre height limit which can be varied in the zone Schedule.

None of the councils have applied the new zones and so the Committee cannot simply apply the surrounding zone. A zone needs to be applied to best reflect planning policy.

(iii) State Planning Policy Framework – Housing

Clause 16 relating to housing identifies that planning should provide for housing diversity, and ensure the efficient provision of supporting infrastructure. New housing should have access to services and be planned for long term sustainability, including walkability to activity centres, public transport, schools and open space. Planning for housing should include providing land for affordable housing.

Clause 16.01 for residential development looks to increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land. Support the appropriate quantity, quality and type of housing, including the provision of aged care facilities and ensure housing developments are integrated with infrastructure and services within existing suburbs.

Clause 16.01-2 for location of residential development seeks to locate new housing in or close to activity centres and employment corridors and at other strategic redevelopment sites that offer good access to services and transport. Relevant strategies to support the policy objective include:

* Increase the proportion of housing in Metropolitan Melbourne within established urban areas, particularly at activity centres, employment corridors and at other strategic sites. This is to help reduce the share of new dwellings in greenfield and dispersed development areas.

* Encourage higher density housing development on sites that are well located in relation to activity centres, employment corridors and public transport.

Clause 16.01-3 relating to strategic redevelopment sites seeks to identify strategic redevelopment sites for large residential development in Metropolitan Melbourne.
Clause 16.01-4 relating to housing diversity seeks to provide for a range of housing types to meet increasingly diverse needs. Supporting the policy objective is a strategy to ensure housing stock matches changing demand by widening housing choice, particularly in the middle and outer suburbs.

Clause 16.01-5 focuses on housing affordability and includes strategies to increase 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, and to encourage a significant proportion of new development, including development at strategic redevelopment sites to be affordable for households on low to moderate incomes. This does not imply that specific controls on diversity or affordability are appropriate (this is discussed further in this report), but it does imply that the potential of the sites to cater for a wider diversity of housing should not be restricted unless to achieve some other policy objective.

(iv) Is there a default zone?

Monash Council submitted that the default position should be the application of the General Residential Zone particularly when relevant strategic work had not been undertaken.

Considering the zones purposes, Ms Emons submitted:

> On this basis, we can deduce that the Residential Growth Zone is to be used in those circumstances where there is strongest opportunity for residential change and redevelopment (i.e. larger sites and strategic redevelopment sites that enjoy good access to urban amenity); and that the General Residential Zone is then applied to the next tier of sites where there is low to moderate potential for change, and a stronger imperative to preserve the general character and housing typology already found within the area. This is consistent with the underlying zone purposes.

The Committee believes that the starting point for the application of a residential zone should be the criteria for applying the NRZ, GRZ and RGZ outlined in Table 2 of Practice Note 78.

A critical shift in thinking – evidenced by the new zones and the recently released draft version of the metropolitan planning strategy Plan Melbourne – is that decisions about the intensity of development will be driven more by the characteristics of the area and less by the characteristics of the site. Hence simply having a large site does not imply a policy position for more intensive growth than the surrounding area if there are site constraints, or the site is not strategically well located. Conversely a well-located site would be identified for residential growth.

The Committee’s assessment differs from that undertaken by Ms Emons in that it recognises that against a number of the criteria more than one zone could be justified by the application of the criterion, whereas Ms Emons has nominated one zone only under each criterion.
Table 5  Criteria for applying the NRZ, GRZ and RGZ

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Neighbourhood Residential Zone</th>
<th>General Residential Zone</th>
<th>Residential Growth Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retention of identified neighbourhood character (such as evidenced through HO, NCO, DDO, significant intactness)</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Identified areas for growth and change (such as evidenced through DDO or similar)</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Existing landscape or environmental character/constraints (evidenced through SLO, ESO, local policy)</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Risk associated with known hazard (evidenced through BMO, LSIO or EMO for fire, flood and landslip or other constraints identified through EPA hazard buffers or similar)</td>
<td>High</td>
<td>Low</td>
<td>Low</td>
</tr>
<tr>
<td>Level of development activity (existing or desired)</td>
<td>Low</td>
<td>Low or Moderate</td>
<td>High</td>
</tr>
<tr>
<td>Brownfield/urban renewal site/area</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Adopted housing and development strategy (not required for conversion only to GRZ)</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Identified in Activities Area structure plan/policy</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Commercial or industrial land for redevelopment not in Activities Area (strategic justification for rezoning required)</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Good access to employment options</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Good access to local shopping</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Good access to local community services</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Good access to transport choices (including walkability, public transport, cycling, road access etc.)</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>

Source: Practice Note 78, Table 2

The Committee makes the following observations on the criteria based on the sites it has considered. The assist in presenting its findings the Committee has presented the criteria in Practice Note 78 as questions in the body of the report.

**Retention of identified neighbourhood character (such as evidenced through HO, NCO, DDO, significant intactness)**

This is relatively straightforward to assess.
Identified areas for growth and change (such as evidenced through DDO or similar)
Difficulties arise where sites are identified in general terms in policy documents but not mapped.

Existing landscape or environmental character/ constraints (evidenced through SLO, ESO, local policy)
This is relatively straightforward to assess.

Risk associated with known hazard (evidenced through BMO, LSIO or EMO for fire, flood and landslip or other constraints identified through EPA hazard buffers or similar)
Contamination has been referred to at a number of the sites, however these risks are generally low.

Level of development activity (existing or desired)
Because this criterion can cover existing or desired level of development, and desired development can refer to the size of the site (as Casey does) assessment against this criteria involves a degree of subjectivity.

Brownfield/urban renewal site/area
The criterion is ambiguous and the Committee’s interpretation is that it refers to the area that the site is in, not the site itself.

Adopted housing and development strategy (not required for conversion only to GRZ)
This is relatively straightforward to assess.

Identified in Activities Area structure plan/policy
This is relatively straightforward to assess.

Commercial or industrial land for redevelopment not in Activities Area
This is a potentially confusing criterion because it refers to two attributes of the site: its use (whether it is commercial or industrial land) and its location (whether it is in an Activities Area). This criterion might be thought only to apply to commercial or industrial land, not residential or public land, but this approach gives a perverse result: commercial land in an Activities Area would be recommended for the Neighbourhood Residential Zone. This criterion only makes sense if it is applied only to land not in an Activity Area. If this approach is taken the criterion is straight forward to assess and Practice Note 78 ‘makes sense’.

Good access to employment options
In the absence of any defined metric this involves a degree of subjective assessment.

Good access to local shopping
In the absence of any defined metric this involves a degree of subjective assessment.
Good access to local community services
In the absence of any defined metric this involves a degree of subjective assessment.

Good access to transport choices (including walkability, public transport, cycling, road access etc.)
In the absence of any defined metric this involves a degree of subjective assessment. The Committee does not see that all options have to be equally good. If a site has high walkability it may not need good road access.

***
Assessing the sites against the criteria should not be considered a definitive process. There will always be a range of judgements about how the criteria apply and whether a ‘weighting’ should apply. The use of the criteria does provide a mechanism for consistent application across different sites and for different processes. It also provides a ‘check’ for intuitive judgements on the best zone for the sites.

The Committee has reached a definitive conclusion for each criterion in Practice Note 78 and then applied it to identify which zones might apply to each site. The Committee has tallied a score for each zone to give a broad indication as to the zone(s) the Practice Note indicates is appropriate for a site. Given the subjective assessment involved in assessing each site the numerical score should be treated with a degree of caution, but it does give a clear indication of those sites where a Residential Growth Zone might be appropriate.

2.3 Setting development controls
A DPO was proposed for the sites to provide a mechanism for the responsible authority to approve an overall plan for the site before permits are applied for.

The State Planning Policy Framework provides guidance on the development of land.

Clause 15 relating to the built environment and heritage seeks to ensure that new land use and development appropriately responds to its contextual setting including landscape and built form character and contributes positively to quality of the built environment. The policy includes emphasis on safety, liveability, sustainable form of development and integration with sense of place of existing urban areas where redevelopment may be proposed.

Some specific strategies under Clause 15.01-1 for urban design relevant to the former school sites include:

Ensure new development or redevelopment contributes to community and cultural life by improving safety, diversity and choice, the quality of living environments, accessibility and inclusiveness and environmental sustainability.

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

Require development to include a site analysis and descriptive statement explaining how the proposed development responds to the site and its context.

Encourage retention of existing vegetation as part of subdivision and development proposals.
Clause 15.01-3 includes relevant strategies for **neighbourhood and subdivision design** that include creating liveable and walkable communities and provide a range of lot sizes to suit a variety of dwelling and household types to meet the needs and aspirations of different groups of people.

(i) **Is master planning desirable?**

Some of the sites are relatively large and may require new roads, or benefit from new pedestrian links. If a use other than residential development is proposed a range of other issues might be raised. Master planning the sites is clearly desirable and would be expected to be a logical stage in the development of the sites. The Committee considers that formal approval of such a master plan by the responsible authority would be desirable. This supports the use of the DPO or a similar tool.

The Committee notes that the DPO states:

> A development plan that provides for residential subdivision in the Neighbourhood Residential Zone, General Residential Zone, Residential Growth Zone ... must meet the requirements of Clause 56 as specified in the zone.

Clause 56 covers subdivision and the effect of this requirement is to ensure that any plan produced under the DPO complies with subdivision requirements.

In considering individual sites a number of issues have been identified that should be set as parameters for the development of the sites to inform a master planning process. These include interface issues, access issues and retention of trees.

(ii) **What tools could be used?**

A range of tools could be used:

- The Development Plan Overlay (DPO)
- The Design and Development Overlay (DDO)
- A schedule to the zone

**The Development Plan Overlay**

The DPO is a flexible tool that can be used to implement a plan to guide the future development of the land such as an outline development plan, detailed development plan or master plan. The overlay has two purposes:

> To identify areas that require the form and conditions of future use or development to be shown on a plan before a permit can be granted to use or develop land.

> To exempt a planning permit application from notice and review if it is generally in accordance with an approved plan.

DEECD submitted that the application of the DPO would provide a mechanism for ‘master planning’ the sites – potentially involving the local community – before permits are applied for.
Practice Note 23 - Applying the Incorporated Plan and Development Plan Overlays, January 2003 (Practice Note 23) advises that the DPO:

Should be underpinned by a strategic framework that sets out the desired development outcomes and the overall layout of the land including, if relevant, the design principles for the development, major land uses, transport and open space networks.

and:

The strategic framework should be prepared before the overlay is applied to:

- identify and address any opportunities and constraints that will affect the development of the land
- provide direction about the desired development outcomes and the overall form of development
- provide certainty to landowners and third parties about the form of development
- assist in choosing the appropriate planning tools to achieve the desired development outcomes and form of development
- ensure the schedule to the overlay is drafted to achieve the desired development outcomes and facilitate the development.

Monash did not support the use of the DPO and Casey did not support it for the Eumemmerring Primary School and Doveton North Primary School sites. Greater Bendigo supported the use of the DPO.

The Design and Development Overlay

A DDO would allow for parameters to be specified over new development on the sites. The overlay does not require that an overall plan for the land be developed. The use of the DDO would increase the need for a strategic framework because it applies requirements on development (rather than on the development of a master plan as the DPO does) and these requirements would need to be justified.

Schedule to a zone

Monash and Casey submitted that a schedule to the zone could be used to set development parameters.

Following the Amendment C86, which considered a rezoning of the former Brandon Park College site as part of a separate process before the Committee Hearings, Monash City Council resolved to support a GRZ with a schedule for the former Brandon Park College site. A copy of a schedule to the GRZ for Brandon Park School site was provided to the Committee. This schedule repeated the main aspects of the exhibited Amendment C86, that is to provide for four storey height limit at the western end of the site, closest to the shopping centre, and two storey height limit at the eastern end, with minimum 7.5m setbacks from the streets.

Mr Montebello for the City of Monash submitted that the use of the DPO rather than the zone schedule would not be appropriate as it would undermine the certainty of the new
residential zoning system. Casey submitted in favour of a Schedule to the GRZ rather for Eumemmerring Primary and Doveton North Primary.

Casey submitted that the Eumemmerring Primary School site is significantly more constrained than either the former Doveton Secondary College or Doveton North Primary School sites. This is due to restricted vehicular access, limited passive surveillance within the site and the presence of a number of significant trees. In considering these constraints, Casey identified the following strategic objectives for the former Eumemmerring Primary School site:

- To enable a range of uses that are respectful of the surrounding residential character and identified site constraints.
- To incorporate significant trees in the development, preferably in public open space.
- To restrict development to protect significant trees and limit traffic generation both within the site and on Doveton Avenue.
- To retain Olive Road as a pedestrian only space and restrict vehicular access to this area.
- To improve permeability and passive surveillance at Olive Road Reserve to the west of the site, particularly through dwellings facing this area without creating road access to Olive Road.

In identifying an appropriate response with respect to planning controls that would address the above strategic objectives for the site, Casey submitted that it considered the merits of a range of planning tools including the DPO, the DDO and the Schedule to the GRZ (having accepted the GRZ as the appropriate zone selection for the site). Casey concluded the Schedule to the GRZ would be most appropriate and could address specific issues including a maximum dwelling or residential building height of five metres (single storey) to reduce building load on the tree protection zones of significant trees. This would also assist in restricting dwelling density and protection of neighbourhood character and limit traffic generation. The Schedule would also provide additional application requirements in the form of an overall development plan, traffic and car parking management plan and landscaping plan to provide certainty on future uses and development outcomes and to manage sensitive site constraints.

Ms Emons submitted that DEECD did not support the use of a Schedule to the GRZ because:

- It runs the risk of a piecemeal, fragmented approach to the site development process, and diminishes the potential for broader benefits to be secured in terms of integrating new local access networks, or involving the community in the planning/location of new open space and retention of trees.

- In the case of the Eumemmerring site, it imposes a highly conservative and restrictive 5 metre (single storey) maximum building height, which will unreasonably restrict the potential for the site to deliver housing diversity.

The Committee considers that, in the new residential zoning system, there is a certainty about where there will be more emphasis on neighbourhood character and where there will be more intensive residential development. Nevertheless, there is not an absolute certainty about built form. The Monash Planning Scheme, for example, includes policies to guide
discretion with respect to built form and local character, and in particular, garden character. These policies, as well as overlay controls must be considered as set out in the zone purposes.

At the Hearing, Ms Emons submitted that the future use and detailed design was not part of the planned sale process. She suggested a possible range of future uses (for example retirement village, government use, private school, residential development). Further it is likely that there would be the need for access roads or internal driveways on this large site and such matters are best determined as part of a well-resolved integrated plan before permit applications are advanced.

Given that there is discretion and the zone objectives require consideration of policies in both the GRZ and the RGZ, the Committee considers that absolute certainty about development was not intended in these zones. Further, there is a need to balance a reasonable degree of certainty with the need for flexibility to plan for a possible range of future uses on a large site. The use of the proposed DPO rather than the residential zone schedule proposed by the councils is considered likely to assist with integrated planning while maintaining appropriate respect for the local context through requirements that have been incorporated into the proposed overlay schedule.

(iii) Third party notice

The main concern with the application of the DPO is the removal of third party rights. The DPO schedule provides:

An application under any provision of this scheme which is generally in accordance with the development plan is exempt from the notice requirements of Section 52(1)(a), (b) and (d), the decision requirements of Section 64(1), (2) and (3) and the review rights of Section 82(1) of the Act.

The concern is that where no standards or details are prescribed in the schedule there can be no certainty for third parties about what the development plan will consist of.

Practice Note 23 on the application of the DPO states:

Because the DPO has no public approval process for the plan, it should normally be applied to development proposals that are not likely to significantly affect third-party interests, self-contained sites where ownership is limited to one or two parties and sites that contain no existing residential population and do not adjoin established residential areas.

It is possible to draft a requirement in the DPO schedule that the plan be exhibited by the responsible authority albeit recognising that there is no way of requiring the responsible authority to consider any submission without adding legal complications.

In its submissions to Monash C86 and the Committee, Monash Council also noted that Practice Note 23 discourages the use of informal consultation processes and VCAT tends to take a fairly firm approach of not allowing third parties to get involved in such proceedings notwithstanding the ability for a third party to seek to become a party. Casey and Bendigo advised that informal notice was part of their common practice with a DPO.

In its report on Monash C86, the Panel discussed this issue at paragraph 3.11.2 as follows:
This panel process has provided the opportunity for those who may be affected to ventilate issues of concern to them. Further opportunity will be provided for refinement of the planning framework to respond to resident concerns through the Advisory Committee process. We are satisfied that the planning framework for the precinct can provide a level of comfort that the interests of third parties will be appropriately addressed.

As noted above, an underlying concern in submissions from residents related to preserving the existing character of the area, however, we agree with the alternative view that this site within a MAC presents an opportunity for redevelopment at higher densities to create a new character. It should not be necessary to revisit this issue through subsequent review processes.

The Panel considers that the absence of direct abuttals to sensitive residential uses is a relevant consideration. We are satisfied that the road network has capacity to accommodate additional traffic generated by the development of the site and, unlike in greenfield areas, connections to a future road network beyond the site are not critical in this case and do not need to be nominated at this point in the planning scheme. Technical traffic management issues – such as specific access points, intersection design and the like can reasonably be evaluated by the responsible authority through development planning and permit processes.

The Committee does not see that direct residential abuttal automatically mean that third party rights need to be maintained. The critical issue is whether “the planning framework ... can provide a level of comfort that the interests of third parties will be appropriately addressed”. The planning framework for development in a residential area is much clearer that for development in an activity centre and the DPO does give the council as the responsible authority a clear role in approving a ‘master plan’.

The exhibited DPO schedules contain the requirement:

Respect the amenity of adjoining residential interfaces.

Revised DPO schedules were tabled at the Hearing stating:

Respect the amenity of adjoining residential interfaces, by providing for:

- A maximum 2 storey built form immediately adjacent to or opposite any existing low rise residential development.
- A gradation of building heights across the balance of the site, sited with reference to analysis of shadow/visual amenity impacts.

While not supporting the DPO Montebello submitted it were to be accepted by the Committee it should be amended as follows:

...the two indented bullet points should be moved to the margin and reworded so that greater emphasis is given to 2 storey built form and character. Thus the relevant bullets would read:

- Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing low rise residential development.
• Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.

The Committee agrees this proposed revision would improve the clarity of the schedules.

The overall impact on adjoining properties is something that would be determined in the master planning processes leading to the development plan. The interface between residential development is well defined in planning being covered in Clauses 54 and 55, and alternative setbacks or the like could be part of a development plan for non-residential uses.

The Monash C86 Panel went on to conclude:

The Panel concludes that the removal of third party rights for subsequent planning processes is reasonable in precinct 3 provided that the DPO delivers an appropriate level of assurance that key parameters – such as the building envelopes, the retention of mature vegetation, pedestrian linkages and drainage – will be addressed to create a precinct with a new character without unreasonable impacts on the amenity of the surrounding residential areas.

The Committee concurs with the Monash C86 Panel that appropriate wording of schedule to the DPO would obviate the need for further notice.

Because there are no third party rights, the use of the DPO places more responsibility with Council to ensure that the overall development properly balances the amenity concerns of existing residents with the need to efficiently develop land.

Development Plans must be approved by the responsible authority and it is common for councils to consult their community before making a decision. Including a clause in the DPO schedule to this effect would clarify expectations, recognising that this does not give third party rights of review.

A Clause to require notice of the development plan was submitted to the Committee. To be practical the Clause needs to set specific timing. The Committee adopts these timings for these sites, but an alternative timing could also be acceptable, particularly if a council had a specific policy of protocol on this issues.

(iv) Conclusion

The Committee recommends:

4. A Development Plan Overlay should be applied to the sites.

5. In Part 3.0 of the relevant Development Plan Overlay schedules the two indented bullet points should be moved to the margin and reworded as follows:
   a. Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing low rise residential development.
   b. Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.
6. The Development Plan Overlay schedules should include requirements that:
   a. Before deciding to approve a development plan, the Responsible Authority must display the plan for public comment.
   b. Notice of the development plan must be given to the owners and occupiers of adjoining land.
   c. A development plan must be displayed or further information required within 28 days after the plan is received by the responsible authority. The plan must be displayed within 14 days of satisfactory further information being received.
   d. The development plan must be displayed for at least 14 days but no longer than 28 days.

2.4 Other issues

(i) Contamination

All of the sites are potentially contaminated to some degree, mainly due to storage of underground fuel tanks. The Bendigo site also has some degree of arsenic contamination due to the former use of the land for gold mining. This site is known to have at least 40 abandoned mine shafts (which were present when the site was used for a school).

The Committee has considered how potential contamination issues should be dealt with to ensure both efficient and appropriate future development of the sites for sensitive uses. The tool generally used to identify potential contamination on land is the Environment Audit Overlay (EO).

The EAO places a requirement to undertake a full statutory environmental audit for the whole site to which it is applied, however in the case of the school sites it is probable that any contamination will be limited to selected parts of the site. Undertaking a full statutory Environment Audit is expensive, time consuming, and onerous given the fact that contamination is likely to be limited to particular areas, and the Development Plan process can deal with contamination issues.

The DPO makes provision for an Environmental Site Assessment to be prepared prior to a sensitive use being proposed. The provisions of the DPO are:

The development plans must include the following information:

- Where a sensitive use is proposed (residential use, child care centre, preschool centre or primary school), an Environmental Site Assessment detailing the likelihood of contamination on the site. The site assessment must be conducted by a suitably qualified professional, to the satisfaction of the responsible authority in consultation with the Environment Protection Authority. The assessment should detail as appropriate:
  - The nature and previous land use or activities on the subject site.
  - How long the land use or activity took place on the subject site and where the site is contaminated.
  - A description of the contamination on, under or made from the subject site and its extent.
- How any contamination is being managed or may be managed to prevent any detrimental effect on the use and development of the subject site or adjoining land or on buildings and works.

The assessment should also advise, having regard to the proposed use or development whether:

- No Environment Audit is required, or
- The level of contamination will prevent the proposed use or development of the land and the level of contamination cannot be remediated to a level that would enable the proposed use or development, or
- Subject to appropriate remediation, the land would be suitable for the proposed use or development.

The Committee notes that as well as the proposed provisions of the DPO, Clause 65 requires the responsible authority must consider the matters outlined in Section 60 of the Planning and Environment Act 1987 prior to deciding on an application. This includes consideration of:

60(1)(e) any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.

and

60 (1a)(f) any relevant State environment protection policy declared in any Order made by the Governor in Council under section 16 of the Environment Protection Act 1970.

While there is no a formal referral authority trigger to the Environment Protection Authority under the proposed controls, councils are still able to consult with the Environment Protection Authority.

In the case of Doveton Secondary College and Doveton North Primary School, contamination issues on the sites have been investigated with either two assessments and/or two reviews. Site remediation works have also been undertaken to remove an underground fuel tank and associated contaminated fill. The report from Senversa consultants concludes:

Senversa is of the opinion that in terms of the General Practice Note – Potentially Contaminated Land (DSE 2005), ‘Table 2 – Assessment Matrix’, the site should be classified ‘C’, i.e. a low potential for contamination. Consequently, completion of an Environmental Audit prior to future use of the site for a sensitive land use is not warranted.

The Committee agrees with this assessment. It is noted that the requirement for a site contamination assessment has been deleted from the revised DPO Schedule. On the basis of the above assessment, this is considered appropriate.

In this context, the Committee recommends that:

7. Unless there is significant known or potential contamination on the site, the application of the Environmental Audit Overlay should not be applied to former school sites, rather a provision for the preparation of an environmental assessment should be required in the Development Plan Overlay Schedule unless a detailed
assessment (possibly following site remediation works) has established a low potential for contamination.

(ii) Affordable housing

The DPO schedules include:

Where residential uses are proposed, provide a range of dwelling types to cater for a variety of housing needs.

The desire for affordable housing was raised as an issue on a number of sites.

Some sites such as the former Doveton Secondary College are large and located close to open space, employment sources associated with both industrial and commercial areas and a relatively short distance to retail and community services. Such sites offer an opportunity for the provision of affordable housing.

With respect to the term ‘affordable housing’, the Committee notes the comment of the Panel into Amendment C86 to the Monash Planning Scheme relating to the former Brandon Park Secondary College, that:

... affordable housing as a land use term simply means housing that in price terms is towards the lower end of the housing market. It does not necessarily mean housing provided by a housing co-operative or the Department of Housing or the like.

The Monash C86 Panel also noted that housing affordability is a relative concept that can take a range of forms and is subject to influences from market forces, fiscal policy and government subsidies. It can include development comprising smaller dwellings and a mix of tenures that can offer more affordable housing relative to local prices.

The Committee notes the policy at state level to deliver more affordable housing. The issue is whether there should be an explicit objective to that effect for these sites. The Committee sees a danger in developing site specific policy statements for matters such as affordable housing. Affordable housing is not a site specific issue, and accordingly specific policies that apply only to a particular site (such as these sites) is not considered appropriate.

(iii) Open Space Contribution

The issue of open space contribution was raised for number of sites.

In Casey the Schedule to Clause 52.01 stipulates a specific open space contribution for different areas of the municipality. A ten per cent open space contribution applies in the area of the school sites with the proviso that:

These amounts do not apply to... the subdivision of land to create lots for medium density housing development, for which the amount is... 5 per cent

Casey submitted that it considered the percentage contribution towards public open space under the Schedule to Clause 52.01 for medium density development of five per cent was no longer appropriate and that it was a carry-over practice of the former City of Berwick. Council submitted that a ten per cent contribution, which is applied to standard residential subdivisions in Doveton/Eumemmerring, and similar to that sought from new medium
density development in growth areas, was more appropriate. The availability of family friendly open space areas in the Doveton area was considered by Council to be limited, despite the presence of public open space west of the site in Greater Dandenong. Council recommended that the Schedule to Clause 52.01 be amended to include this site as one excluded from the medium density housing development exemption.

A revised version of the DPO schedule submitted at Hearings included requirements for any development plan to provide for five per cent of the site to be allocated to public open space if developed for medium density housing. It also requires public open space to be identified and located adjacent to pedestrian/cycle pathways. The Committee acknowledges these changes to the DPO schedule.

As a general principle the Committee does not support site specific requirements for a particular amount of open space being imposed on former school sites in the absence specific Government agreement, or a clear established policy in planning schemes.

Any change to Schedule to Clause 52.01, or the inclusion of a requirement in a DPO is not considered appropriate. Such a change to a planning scheme warrants the completion of an open space strategy as a genesis to amend public open space contributions. It is a policy that should apply to all land in an area and not a decision made on a decision made on a site-by-site basis.

Issues associated with public open space can be addressed as part of the future design process associated with preparing a development plan and obtaining its approval under the DPO. Any amendment to the Schedules to Clause 52.01 should be considered by Casey as part of the adoption and implementation process of any open space strategy for its municipality and not added onto this current process where individual sites are being considered for future rezoning.

**IV** Staging of Development Plans

The issue of staged preparation of the development plans was raised. Development plans should be prepared in one stage to properly deliver a master planning process.

The Committee recommends

8. **The relevant Development Plan Overlay schedules should require the development plan to be prepared in one stage.**

**V** Other drafting changes

Revised DPO schedules were presented at the Hearings. Changes to the exhibited schedules included new or altered text suggested by the relevant Councils. DEECD were generally accommodating of the suggested changes.

The Committee believes that a balance needs to be struck between a consistent approach to former school sites, to facilitate the smooth delivery of future tranches, and tailoring provisions to local expectations and processes. In this regard the Committee has adopted the Council changes where they were accepted by DEECD, save that the Committee has tried to main a consistent approach to the wording of common issues.
Part B - City of Casey Sites
3 Local Context

3.1 Local Policy and Controls

(i) Local Planning Policy Framework

This section examines the City of Casey local policy relevant to each of the three former school sites being considered for rezoning by the Committee.

Local planning policies are outlined under the Local Planning Policy Framework (LPPF) of the Casey Planning Scheme. The main component of the LPPF is Council’s Municipal Strategic Statement (MSS). Local planning policies are also relevant particularly the residential development policy at Clause 22.05.

Council has also prepared Amendment C50 to its planning scheme which comprises a re-write of the MSS. Amendment C50 has been exhibited, submissions have been received and is about to go through a Panel review process. Accordingly, the Amendment is not at a point where it has been adopted by Council. However, in view of being comprehensive in its considerations, the Committee has looked at the revised MSS in order to consider its scope with respect to housing development matters within existing urban areas of the City of Casey and, in particular, to any reference to Doveton and Eumemmerring.

Clause 21.01 municipal profile identifies Casey as a municipality within Metropolitan Melbourne’s south-east growth corridor. The suburbs of Doveton and Eumemmerring are established urban areas close to the western municipal boundary with the City of Greater Dandenong. They are also located close to the Princes Highway, Monash and South Gippsland Freeways.

Clause 21.02 identifies the key influences on Casey and recognises the suburbs of Doveton and Eumemmerring as within ‘The Built-Up Area’ region of the municipality and where a key planning issue is redevelopment pressures on established residential areas.

Clause 21.03 includes the strategic framework plan for Casey, which identifies Doveton and Eumemmerring as part of the existing and committed urban areas of the municipality and within which future additional growth pressures will be absorbed internally by infill development.

Clause 21.05 relates to ‘The Built-Up Area’ identifies Doveton and Eumemmerring as relatively flat areas where the most predominant land use is residential development at conventional densities. Clause 21.05-2 lists a range of objectives for the area including providing a range of housing choices for Casey’s residents, optimising the use of existing infrastructure and services and providing for appropriate non-residential uses to establish in residential areas for the convenience of local residents. The policy includes a strategy to redevelop established residential areas (conventional and rural urban) at higher densities by, amongst other actions, designating residential areas within 400 metres of activity centres, tertiary institutions and railway stations as preferred locations for medium-density housing. The policy identifies the use of the Residential 1 and 2 Zones for implementation and the DPO for future residential areas to identify the land uses and functional linkages of an area prior to development proceeding. The policy also identifies a future action to prepare an urban renewal strategy for Doveton.
Clause 22.05 contains the residential development policy, which applies to all land zoned residential. Although the policy appears to be primarily aimed at new housing growth areas, the policy does guide the orderly development of residential land to be responsive to community aspirations for housing needs and providing a high quality environment. The policy does refer to residential development being guided by development plans approved under a DPO.

(ii) Environmental Significance Overlay

All three former school sites are also partly affected by the Environmental Significance Overlay Schedule 7 (ESO7) – Significant River Red Gums in Casey. ESO7 covers specific River Red Gum trees (*Eucalyptus camaldulensis*) identified in the *City of Casey Significant Tree Study 2011*. ESO7 has been applied on a mapping basis with a standard radius of 20 metres around individual River Red Gum trees. The Schedule requires a planning permit to remove, destroy or lop any vegetation as well as for maintenance, buildings or works within the Tree Protection Zone (TPZ) calculated for each tree by using the diameter at breast height (DBH), which is the diameter of the tree at 1.4 metres above ground level, multiplied by 12 to give a measurable distance from the tree\(^1\). The overlay is an interim control due to expire on 17 May 2014. Amendment C148 is proposing to make the control permanent. The Amendment has been exhibited, submissions have been received and is about to go through a Panel review process.

3.2 Amendment C50 MSS Review

Amendment C50 to the Casey Planning Scheme seeks to introduce a revised MSS. A Planning Panel has been established to hear submissions in relation to this Amendment in November 2013.

Under proposed Clause 21.01 the municipal profile again identifies Doveton and Eumemmerring as established suburbs. It describes how these suburbs grew rapidly in the 1970s and 1980s in close proximity to employment centred on industrial expansion in the Dandenong area. It recognises the variety of communities and that in older communities such as Doveton, the refurbishment or redevelopment of community facilities is important.

Clause 21.03 introduces a range of policies dealing with themed issues including, amongst others, planning Casey’s communities. This theme includes strategies to promote housing and lifestyle choice. In particular, to encourage and facilitate housing and lifestyle choice within Casey by providing a wide range of lot sizes to cater for different household types, also recognising lifecycle stages of households. There are also strategies to encourage well designed medium-density development in suburban residential areas that respects and enhances neighbourhood character and responds to local landscape context and encourages higher density housing close to activity centres and public transport. The policy also looks to apply the DPO in appropriate circumstances for the integrated and orderly planning of future and developing residential areas.

\(^1\) Tree Protection Zones are calculated using the Australian Standard –Protection of Trees on Development Sites, AS 4970 (2009).
Clause 21.15 specifically addresses Doveton and Eumemmerring. The policy includes a profile of Doveton and Eumemmerring as:

Established, diverse, friendly areas with attractive, open, treed streetscapes and a strong, proud ‘sense of place’. There is a need, however, for modern facilities and services to be provided that are tailored to help the community establish firm links with newcomers and strengthen existing relationships.

Relevant objectives of the policy are to develop a positive image for the community, develop, expand and refurbish Doveton’s and Eumemmerring’s spaces and places to meet changing needs and create quality and diverse housing opportunities.

Strategies relevant to supporting these objectives include:

Reinforce the identity, character and “sense of place” of Doveton and Eumemmerring by encouraging development that improves the physical presentation of the local area and reflects local community values.

Maintain and enhance the residential streetscapes as a “garden suburb” environment, characterised by a quality and diverse built form in a landscaped setting.

Provide a diversity of housing opportunities to meet the future needs of the community, including family accommodation, and better manage the extent and design of medium density development.

Facilitate the equitable and balanced provision and distribution of public housing opportunities, recognising high existing levels of public housing in the local area.

Encourage the upgrading of local housing stock and the development of unused sites.

3.3 Other relevant strategic plans

(i) Casey Housing Strategy

Council prepared the Casey Housing Strategy in 2005 to assist in planning for the housing needs of the municipality. The Strategy covered a range of issues including supply and demand, community preference, housing choice, activity centres, aged accommodation, environmentally sustainable development and affordability.

The Housing Strategy identified proposed actions to address the key main housing issues. The following actions were considered relevant to the future of the three former school sites:

Continue to identify strategic redevelopment sites and activity centres suitable for higher density development.

Provide policy support for integrated master planned communities including medium density housing which enables development to be comprehensively planned and prospective purchasers to anticipate future development.

Consider the application of appropriate planning tools for redevelopment areas (such as the Design and Development Overlay or the Neighbourhood Character
Overlay) reflecting consideration of site consolidation and density bonuses, preferred neighbourhood character, car parking, traffic demand and capacity, open space provision, proximity to activity centres, proximity to community facilities and the desirability of achieving a mix of housing choice on a small area basis.

As an aspirational goal beyond Melbourne 2030 timeframe, move towards up to one-third of the new housing stock as medium density, to respond to the longer term housing needs of the community.

Encourage variety in housing stock through:
- Up to one third integrated housing in Greenfield development, which would be situated within 400m of activity centres, close to public transport routes and public open space;
- Social housing in appropriate locations;
- Innovative building forms meeting neighbourhood character and ESD principles;
- At higher densities within activity centres, taking advantage where appropriate of multi-level car parking opportunities.

Note the area specific recommendations for Doveton/Eumemmerring and Cranbourne, taking into account previous strategic work (i.e. family housing choice and integrated housing/trading up options respectively).

Actively provide for housing choice, through:
- New areas – a range of lot sizes.
- Integrated medium density development/small lots – a third of new development.
- Redeveloped areas subject to neighbourhood character considerations, community plans, heritage etc.

Many of these policy directions have been incorporated into the proposed MSS review under Amendment C50. It is noted by the Committee that although the Housing Strategy provided support for the use of the DPO for integrated planning of greenfield sites, it did not offer similar support for its use for redevelopment sites, preferring instead the use of other overlays such as the DDO and Neighbourhood Character Overlay.

(ii) **Casey Housing Diversity Statement**

Council prepared the Housing Diversity Statement in 2012 to articulate its desire for a diverse range of housing types within Casey. The Statement is proposed to be used to inform a review of Casey’s Housing Strategy. The Statement identifies that an estimated population growth of 200,000 people involving around 65,000 additional households is anticipated in Casey within both growth areas and in established areas through infill development.

One of the key issues identified within Casey is the lack of housing diversity and housing affordability. Much of Casey’s housing market comprises three, four and five bedroom homes. However, there is an identified shortfall of one and two bedroom homes with an emerging population trend comprising singles, students, couples without children and elderly people who would be more likely to require a smaller house. The Statement
recognises that there is a need to address these new markets through housing diversity that provides choice and suits various stages of life.

The Statement defines housing diversity as a variety of types, form, functionality and tenure of housing.

A number of short, medium and long term objectives are identified in the Statement. Those objectives considered relevant to the three former school sites in Casey include:

Short Term

To work with the development industry and research institutions to reserve and pilot development of studio, 1 and/or two bedroom dwellings with new or multi-lot residential developments.

Medium Term

To advocate for innovative housing forms that are functional, flexible, affordable and of a high quality design.

Long Term

To investigate policy mechanisms within the Casey Planning Scheme that can facilitate housing diversity requirement.

To strategically plan for increased densities of housing around key activity nodes and other appropriate locations while protecting valued areas from inappropriate development.

3.4 Translation to new zones

Casey City Council has not yet implemented the new residential zones introduced into the Victoria Planning Provisions on 1 July 2013.

3.5 Development history

The suburbs of Doveton and Eumemmerring were developed from the 1950s with most development occurring during the 1960s through to the 1980s. The predominant built form comprises single detached dwellings at conventional residential densities. There is a strong element of public housing arising from the historical development of the area as a population base for workers employed in industrial areas in the Dandenong area. The communities also contain a strong ethnic and cultural diversity. These attributes of the Doveton/Eumemmerring communities are regarded by Casey to contribute towards high levels of socio-economic disadvantage.

Ms Caroline Dickson, Senior Strategic Planner from the City of Casey submitted that Doveton and Eumemmerring was part of the Victorian Government Neighbourhood Renewal program between 2003 and 2011 in partnership with Council, which sought to uplift the urban environment and strengthen community well-being. As a result, Casey is supportive of DEECD’s inclusion of the three former school sites for rezoning and future redevelopment. Council views the project as an opportunity to facilitate private investment not only on these sites but within the broader community.
4 Former Doveton Secondary College

4.1 Site

(i) History

The Doveton Secondary College was opened on 1 January 1963 and closed on 28 November 2008. Student enrolments in the last year of the College, prior to amalgamation with Dandenong High School, in 2006 were 204. The site was declared surplus on 10 August 2009.

(ii) Location

The former school site is located at 64-70 Box Street, Doveton. The western boundary of the site forms part of the municipal boundary between Casey and Greater Dandenong. The Dandenong Central Activities District is located approximately 1.5 kilometres to the north-west of the site.

(iii) Surrounds

The site is located on the north side of Box Street and is bounded by Ficifolia Drive to the east, Claret Street to the north and Claredale Road (which is an unmade road reserve) to the west.

The site is located in the vicinity of the following facilities and services:

- A convenience shopping centre approximately 200 metres to the east on the corner of Box Street and Chestnut Road.
- Autumn Place Neighbourhood Activity Centre approximately 700 metres to the east.
- Public open space reserves adjoining the site to the west.

The site and surrounds were historically used for low intensity agricultural purposes. The Doveton Secondary College was established between 1962 and 1970. The surrounding area was used for residential and commercial/industrial purposes since that time.

The site is surrounded to the south, east and north-east by a residential area containing predominantly post-war detached single-storey brick veneer or fibro dwellings.

The site’s northern boundary is approximately 225 metres in length. The majority of this boundary adjoins a pedestrian and cycle path which is the unformed road reserve of Claret Street. The path provides access from the balance of Claret Street to the public open space to the west and to Box Street to the south.

The site’s eastern boundary is heavily treed and provides a natural screen to the balance of the site. Ficifolia Drive adjoins this boundary. Opposite, the area has been developed with single detached dwellings. Dwellings between Claret and Hakea Streets are oriented towards the site while dwellings in the southern part of Ficifolia Drive are oriented towards Hakea and Box Streets.

Box Street adjoins the site to the south and acts as a collector road. Conventional residential development, similar to that found around the site, is located opposite the site. Adjoining the site to the west and north-west are large public open space areas comprising sporting ovals (Thomas Carroll Reserve) and a golf course (Dandenong Workers Social Club and Golf
Course). An industrial area is situated to the south-west. Dandenong Creek and residential areas in Greater Dandenong are located beyond the public open space. These residential areas are currently zoned Residential 2 (R2Z). Mr Warren Wood for the Greater Dandenong City Council advised that this area is proposed to be translated across to the new RGZ² because it represents an appropriate form of transition into the Dandenong Central Activities District.

The site is located in a predominantly low density residential area on three sides and public open space. Rezoning of the site and its subsequent redevelopment for infill residential use and development appears logical and appropriate. Although the site is close to an existing industrial precinct to the south-west, this area is only marginally an influence on the overall character of the locality which is strongly residential in nature.

(iv) Existing conditions

The 5.85 hectare site is size and is predominantly rectangular in shape and generally flat with only a gentle slope from east to west. The former school buildings occupied the south-east portion of the site while large open playing fields were located in the north-western portion of the site. All former school buildings have been removed and cleared from the site, however some building foundations and redundant play equipment remain in the eastern and southern portion of the site.

The primary frontage to the site is Box Street with Ficifolia Drive and Claret Street providing secondary access. The site is accessible to the public and has low level fencing on all street boundaries.

The site contains established native trees primarily along the northern, eastern and southern boundaries. An arboricultural assessment of the site (Arboricultural Assessment 64-70 Box Street, Doveton by Tree Logic Pty Ltd, 15/04/2013) identified 174 individual trees. Generally, the quality of the trees were better than average with 35 trees attributed with a rating of high and 89 trees a rating of moderate for retention value. The remaining 50 trees were rated as either low or none and not worthy of retention.

The assessment identified 16 River Red Gums, none of which have been included within the Casey Significant Tree Study. ESO7 only affects a small area of trees located just outside the northern boundary of the site however the tree protection zone (TPZ) extends marginally over into the site.

Generally, the former Doveton Secondary College site is substantial in area, unconstrained and with limited sensitive interfaces. The site abuts a collector road, providing direct access to the Dandenong Central Activities District via buses and private vehicles. The site has good access to higher order services and facilities through its close proximity to Central Dandenong, and has direct access to large public open space areas. It also has close access to sources of employment from the adjacent industrial area and in Dandenong.

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² Amendment C175 was gazetted on 14 November 2013.
4.2 Issues

Resulting from public exhibition of the rezoning proposals, a total of eight submissions were received. They comprised of; four submissions specific to the former Doveton Secondary College site, one general submission from Casey across all sites, one general submission across all sites, while the remaining two submissions offered no comment/objection.

(i) Raised by submitters

A summary of issues raised by submitters is provided in Table 6.

<table>
<thead>
<tr>
<th>Summary of Issues - Former Doveton Secondary College</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Issue</strong></td>
</tr>
<tr>
<td>Proposal poorly advertised given high proportion of non-English speaking population.</td>
</tr>
<tr>
<td>Support for the use of the RGZ.</td>
</tr>
<tr>
<td>Do not support the use of the RGZ but rather use of the GRZ.</td>
</tr>
<tr>
<td>Use of site for public housing and other amenities including community services, small businesses, play areas and future educational facilities.</td>
</tr>
<tr>
<td>Each of the listed uses would either be permitted or able to apply for a planning permit in a residential zone.</td>
</tr>
<tr>
<td>New basketball courts.</td>
</tr>
<tr>
<td>Site not sold to developers and used for community purposes including playgrounds, sporting grounds, men’s sheds, environmental gardens, dog reserves etc.</td>
</tr>
<tr>
<td>Support for the use of the DPO but with modifications to improve clear directions, including the addition of a Primary Road Network Plan to define internal linkages that integrated with the area surrounding the site.</td>
</tr>
<tr>
<td>Lack of, and need for, affordable housing.</td>
</tr>
<tr>
<td>Repair or remove fencing surrounding the site to maintain public safety.</td>
</tr>
<tr>
<td>Support individual planning controls tailored to suit unique characteristics of each site.</td>
</tr>
</tbody>
</table>
### 4.3 Proposed zone controls

#### (i) Zone

The site has been assessed by Urbis who found that the appropriate underlying zoning is residential. Following assessment of the characteristics and context of the site, Urbis has identified that it should be rezoned to the RGZ.

There is no clear element that would suggest the application of a residential zone to the site should not proceed.

To assist it in determining an appropriate zone, the Committee has applied an analysis of which new residential zone should be applied to the former Doveton Secondary College site. The *Criteria for applying the NRZ, GRZ and RGZ* in Table 2 of Practice Note 78 has been used to assist the Committee’s assessment.

In relation to the Criteria identified in Practice Note 78, the Committee makes the following observations in relation to the former Doveton Secondary College:

- The site is unconstrained by overlay controls apart from a small incursion of the ESO7 affecting a small number of River Red Gum trees located just outside the site’s northern boundary.
- There are no overlays relating to specific or high value neighbourhood character either affecting the site or the area surrounding the site.
- The site is not specifically identified for growth and change under the Casey Planning Scheme.
- Although the site contains a large number of trees, the majority of these trees are located on the perimeter of the site and are not considered to offer significant limitations on higher density forms of residential development.
- The level of existing development in the locality of the site is conventional low density residential. However, the Casey Planning Scheme in both state and local planning policy and in the Casey Housing Diversity Statement recognises the need for greater housing diversity.
- It is also noted that Casey City Council supports the opportunity for redevelopment of the site as a step towards uplifting the urban image of the Doveton area.
- The Casey Housing Diversity Statement recognises the need for an increased in the diversity of housing types to cater for smaller households and affordable housing. This need supports the application of the RGZ.
- There are no hazards recognised under overlays.
• The site is not located within an identified activity area and has not been identified in any Activity Area Structure Plan.
• The site is located 100 metres from an existing industrial area to the south-west and 1.5 kilometres from the Dandenong Central Activities District to the west.
• The site is located within 200 metres of convenience shopping, 700 metres of the Autumn Place Neighbourhood Activities Centre and 1.5 kilometres of the Dandenong Central Activities District.
• The site is located directly adjacent to employment and open space areas to the north, west and south-west, 400 metres to a mosque, 170 metres to an aged care facility, 610 metres to a medical centre, 640 metres to the Casey Community Health Centre, 600 metres and 1 kilometre to two schools and 1.1 kilometre to a local swimming pool.
• The site is located on a collector road (Box Street) which provides direct and easy access to the Dandenong Central Activities Centre, 1.5 kilometres to the west.
• Bus services operate along Ficifolia Drive (providing a connection to Dandenong Train Station 2.4 kilometres away). Bus stops for Routes 826 and 828 situated 27 metres adjacent/opposite the site in Box Street.
• Dandenong Railway Station is located 2.4 kilometres from the site.

Table 7 provides a summary of the Committees assessment against the criteria from Practice Note 78.

Table 7  Assessment against Practice Note 78 Criteria - Former Doveton Secondary College

<table>
<thead>
<tr>
<th>Criteria derived from Practice Note 78</th>
<th>AC Conclusion on Criteria</th>
<th>Zone supported by Practice Note based on AC Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there identified neighbourhood character to be retained?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is the site identified as an area for growth and change?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Are there existing landscape or environmental character/constraints?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is the risk associated with known hazard high or low?</td>
<td>Low</td>
<td>-</td>
</tr>
<tr>
<td>What is the existing or desired level of development activity?</td>
<td>High</td>
<td>-</td>
</tr>
<tr>
<td>Is this a brownfield or urban renewal site or area?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there an adopted housing and development strategy?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is the site identified in Activities Area structure plan/policy?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>If not in an Activities Area, is it redevelopment of commercial or industrial land?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to employment options?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to local shopping?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to local community services?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Are there good access to transport choice?</td>
<td>Yes</td>
<td>-</td>
</tr>
</tbody>
</table>

| 4 | 4 | 9 |
Locally significant weighting/ criteria

The RGZ is supported in nine out of 13 criteria for applying the new residential zones. Locally significant weighting of the criteria for applying the RGZ are the large size of the site at over five hectares, the limited number of residential sites over five hectares and close and relatively straightforward access to the Dandenong Central Activities District. Other factors that have influenced selection include close proximity to large areas of public open space and employment sources associated with the adjacent industrial area to the south-west.

All of the above characteristics combine to support the application of the RGZ to the site, despite the predominant characteristic of the surrounding residential areas as conventional low density housing. These surrounding areas do not have any specific recognition of their value in terms of neighbourhood character and do not fully surround the site unlike the situation found at the other two former school sites at Eumemmerring and Doveton North.

Greater Dandenong submitted that rezoning the site to RGZ would not be appropriate nor in accordance with the Practice Note 78 criteria. Mr Wood submitted that Practice Note 78 does not support the rezoning of land to the RGZ where there is no DDO or Housing Strategy which identifies an area for a high level of residential change, such as the subject site. He also argued that application of the RGZ would not support the need to respect the existing neighbourhood character as this is not a requirement of this new zone. He expressed concern that rezoning the site to RGZ compared with GRZ could also potentially compromise Greater Dandenong’s strategic intention of developing the Dandenong Central Activities District and surrounding R2Z areas to be translated to the RGZ for higher density residential development.

The site is a good candidate for higher density development given its context close to open space, employment sources and relatively closes proximity to a significant activity area in Dandenong. Casey’s Housing Diversity Statement also lends support to the application of the RGZ by highlighting the need for increased housing diversity and Casey’s desire to improve the urban image of Doveton. Redevelopment of the site offers an opportunity for these outcomes to materialise.

Regarding fears for development closer to the Dandenong Central Activities District, the Committee does not consider such fears are warranted. The site is located within a reasonable distance of the Dandenong Central Activities District. This is one of seven such centres recognised under Clause 11.04-2 of the Casey Planning Scheme as having a large regional catchment that comfortably encapsulates the site and any higher density form of residential development that may occur on the site. Applying the RGZ to the site located 1.5 kilometres from the Dandenong Central Activities District is considered supportive of the policy strategy for strengthening the role of these centres by capitalising on significant opportunities for housing redevelopment in and around them.

The City of Casey supports the application of the RGZ to the site.

(ii) Recommendations

The Committee recommends that:

9. The former Doveton Secondary College at 64-70 Box Street, Doveton should be rezoned to the Residential Growth Zone.
4.4 Proposed controls

(i) DPO and Schedule

The Committee has recommended that a DPO apply to all former school sites. Changes to the exhibited DPO schedule would improve the achievement of the strategic objectives identified by Council for the site:

To strengthen the interface with Box Street through the provision of commercial uses (as permitted by the zone), contributing to job creation and improving connectivity with the industrial and activity precincts.

To maintain legibility and order through an internal road network that links with the existing network and considers future accessibility to the Council reserve to the north of the site (if the current use were to change).

To improve permeability that links with existing pedestrian and cycling networks in the local area, including the Dandenong trail.

To achieve an integrated development outcome.

To seek a higher density housing development outcome, taking advantage of views to adjacent public open space, the Dandenong Creek and pedestrian and cycling trail links.

For residential development nearer to existing residential properties to be sensitive to the character and density of these areas.

To achieve diverse housing outcomes to cater for the needs of the community, generally in accordance with Council’s Housing Diversity Statement (2012) and Council’s Activities Areas and Non-Residential Uses Strategy (2011), which outline local housing needs in Casey.

To retain public access to open space on the site through the provision of adequately sized and well-designed public open space.

To incorporate significant trees in the development.

To achieve a development of high quality design that considers site design, built form outcomes, landscaping, and Environmental Sustainable Design (ESD).

The changes sought by Council to the proposed DPO schedule to achieve these strategic objectives included:

A Schedule specifically for the site.

Application requirements triggered for both subdivisions and development.

A development staging plan, an Aboriginal cultural heritage assessment/archaeological survey, an arboricultural assessment and an environmental assessment be included as additional application requirements as appropriate, whereby the responsible authority is given scope to waive requirements if not relevant to the application.
Development requirements, triggered by a permit for subdivision or development, are included to achieve the abovementioned strategic objectives.

Development plan components also achieve the abovementioned strategic objectives.

An indicative primary road network plan is included in the Schedule to the DPO to guide the achievement of strategic objectives about legibility and order for future development outcomes.

That all new roads are designed having regard to the standard cross-sections in the GAA Engineering Design and Construction Manual (2012), which Council now uses in place of the former Casey Standard Drawings for road design and construction.

In response, DEECD submitted a revised DPO schedule for the site. The changes generally accepted Council’s revisions with the exception of the following:

A development requirement that a permit for subdivision and development must include wherever practicable, public land fronted by housing.

Incorporation of a Primary Road Network Plan into the Schedule and a provision under requirements for a development plan for to be generally in accordance with this plan.

DEECD also included additional provisions relating to interface treatments, public open space provision, road links and display provisions for any development plan.

Interfaces

Interface issues relate to how future use and development address adjacent residential areas and existing public open space. Changes proposed to the DPO schedule addressing interfaces with areas surrounding the site included:

- Not including Casey’s suggestion for housing to front public land areas.
- Inclusion of a requirement for any development plan to respect the amenity of adjoining residential interfaces through guidance of built form by providing for a maximum of two storeys immediately adjacent to or opposite any existing low rise residential development and a graduation of building height across the balance of the site, sited with reference to analysis of shadow/visual amenity.

The Committee recognises that the locational context and existing conditions of the site; with its interfaces to both existing residential areas and public open space, creates a unique opportunity for a development that can capitalise on the transition between recreational areas containing open vistas and areas of low density residential development. The inclusion of a two storey built form requirement for any development is considered appropriate. The site is bounded by an existing road network which separates it from existing housing. The Committee considers this a sensitive approach acknowledging how future development of the site may occur. Amenity impacts on existing residential areas can be minimised and importantly, neighbourhood character can be respected. Casey’s strategic objective of graduation towards higher built form away from the surrounding residential areas, towards the middle of the site, closer to the existing public open space areas accords with an RGZ.
Therefore Casey’s strategic objectives for development to be sensitive to existing residential areas and to achieve higher density development that takes advantage of views to the open space areas can be achieved.

Casey’s request for the interface between future residential development and existing public open space to be treated by housing fronting these public land areas was not supported by DEECD. The Committee interprets the purpose of this to mean the avoidance of housing turning its back on open space areas and to improve public safety via private surveillance as well as ensuring reasonable amenity and good design between built form and public open space areas.

Ms Emons submitted that:

*We believe there should be flexibility to achieve a positive design interface to the adjacent public open space, which gives appropriate consideration to issues of safety and surveillance, without having to prescribe a specific design solution.*

The Committee acknowledges this point. However, it is considered that given the extent of direct interface between the site and public open space areas to the north-west and west, it would be appropriate for a provision to be included as a requirement for any development for a positive design interface to the adjacent public open space, which gives appropriate consideration to issues of safety and surveillance. This avoids the concerns of Ms Emons about prescriptive design, whilst maintaining a requirement for a development plan to show how the interface between any new development and adjacent public open space will be addressed. Ms Emons agreed to this approach during the Hearing.

As an extension of the above, it is accepted that the provision for housing to front public land areas under Clause 2.2 should not be included.

**Links**

The issue of links between the site and the adjoining local road network was a matter related to road and pedestrian connections for permeability. Casey sought to include a Primary Road Network Plan which showed a north-south road link between Box Street and Claret Street with a connection eastwards towards the intersection of Ficifolia Drive and Hakea Street. Ms Emons submitted that including such a plan in the DPO schedule for the site was premature given the unresolved nature of the future use and likely access demands arising from the proposed development.

Ms Emons also expressed concern over the effect of introducing such a plan. This could effectively lock in a development plan and produce an internal road network that would require an extension of Claret Street that would impact on existing public open space and pedestrian and cycle pathways. As an alternative, the revised DPO schedule deletes the Primary Road Network Plan and includes under Clause 3.0 a specific requirement of a north-south road link, to give effect to Council’s objectives for north-south permeability. Ms Emons submitted that:

*We consider this approach offers a more flexible means of achieving Council’s desired aims, without inhibiting future siting/design options.*
The Committee concurs with Ms Emons in this respect and supports the proposed revised changes to the DPO schedule.

**Vegetation**

The presence of 174 trees on the site, of which 124 were identified as having arboricultural value worthy of being retained, highlights the importance for the amenity of any future use and development of the site. Casey acknowledged that efforts to protect vegetation are linked to the ESO7 and Amendment C148. There are no trees on the site covered by the ESO7. There is a small area of the northern boundary of the site affected by a portion of the overlay affecting the dripline of trees located outside of the site.

The DPO schedule includes a requirement for any development to incorporate any significant native vegetation into the design of the development. The Committee supports this provision. However, it is considered that this provision could be improved by also including an outcome to be achieved by incorporating significant native vegetation into any future design. This may include maintaining the long term, sustainable health and condition of the vegetation, the retention of vegetation within areas of public open space and linkages through the site.

An arboricultural assessment of River Red Gums subject to ESO7 (*Arboricultural Report River Red Gums at DEECD Sites Subject to ESO7 in the City of Casey, Tree Logic, 23/04/2013*) identified that:

> Whilst the tree protection zones are calculated to ensure the trees are retained in a viable state they do not protect against the well documented understanding that mature River Red Gums have a propensity to sometimes shed limbs unexpectedly.

The Tree Logic report recommends:

> The TPZ calculated by the AS4970 method in some instances does not provide a distance that affords protection to the entire tree canopy and nor does it fully consider the propensity for River Red Gums to shed limbs. Based on sound arboricultural opinion and well documented understanding of the potential for unexpected limb failure, continual debris shedding and conflict between trees and infrastructure it is recommended that no construction or development be proposed within the extents of the canopy overhang or ‘dripline’ of any retained River Red Gum.

The Committee agrees with this recommendation and requires that the proposed DPO schedule incorporates provisions that the layout and design of development must avoid the ‘dripline’ of any retained River Red Gum trees.

(ii) **Conclusions and Recommendations**

The Committee concludes that the proposal to apply the DPO to the former Doveton Secondary College site is appropriate. A specific DPO schedule should apply to the former Doveton Secondary College site to reflect the site specific characteristics associated with this site.
The DPO schedule as submitted at the Hearing is considered appropriate with the following changes:

- Changes flowing from the Committee’s general conclusions on the approach to former school sites.
- A provision should be included as a requirement for any development, under Clause 3.0 of the Schedule that outlines a performance outcome for a positive design interface to the adjacent public open space, which gives appropriate consideration to issues of safety and surveillance.
- Add to the requirement for any development plan to incorporate any significant native vegetation into the design of the development with an outcome to be achieved by incorporating significant native vegetation into any future design, such as maintaining the long term, sustainable health and condition of the vegetation.
- Include reference to ensuring that the development plan incorporate provisions for the layout and design of development to avoid the ‘dripline’ of any retained River Red Gum trees.

The Committee recommends that:

10. The former Doveton Secondary College at 64-70 Box Street, Doveton have a Development Plan Overlay applied as presented in Appendix C.
5 Former Eumemmerring Primary School

5.1 Site

(i) History

The Eumemmerring Primary School was established in the early 1970s opening on 1
February 1976. The school was closed on 31 December 2011. The student enrolments in the
last year of the school in 2011 were 135. The site was declared surplus on 12 June 2013.

(ii) Location

The former Eumemmerring Primary School is located in central Eumemmerring at 58
Doveton Avenue, Eumemmerring.

(iii) Surrounds

The site is located on the west side of Doveton Avenue, which is its only street frontage.
Existing residential development directly backs onto a portion of the eastern boundary and
along the northern and southern boundaries of the site, while an unmade road reserve
(Olive Road) and public open space is adjacent the western boundary of the site.

The site has limited access to services and facilities, which include:

- A small neighbourhood activity centre with some convenience retailing is located 600
  metres west of the site on Frawley Road.
- A small local activity area comprising predominantly office uses is located
  approximately 200 metres to the north of the site along Doveton Avenue.
- Public transport services provided by bus services (Bus Routes 826 and 828 and 844)
  along Frawley Road between 50 and 150 metres north of the site linking to Fountain
  Gate and Dandenong Central Activities District.
- The Olive Road Reserve and netball courts to the west and links to Waratah Reserve
  north of Frawley Road.
- Other facilities such as aged care, education and kindergarten/child care services are
  located within 500 metres of the site.

The site has limited access to local roads, and is enclosed by residential development to the
north, south and along a portion of the eastern boundary. To the west, the site is bounded
by an unconstructed section of Olive Road, which contains a number of significant mature
trees. Adjoining the road reserve is the Olive Road Reserve and Eumemmerring Park
containing indoor sporting facilities, sporting ovals and a linear reserve associated with
Eumemmerring Creek with a pedestrian and bicycle path.

The site is located within an established low density residential area, and is surrounded by
predominantly residential zoned land with the exception of the land immediately to the
west which is zoned Public Park and Recreation.

The back fences of existing residential development abut the northern boundary of the site.
This development comprises single storey detached dwellings with some duplex
developments which front onto Frawley Road. A retirement village abuts the southern
boundary of the site and is accessed from Olive Road and Waygara Street. The residences
have limited setback from the school boundary. Doveton Avenue provides the sole frontage to the site to the east via a narrow neck of land. The neighbouring site to the south on Doveton Avenue is currently vacant. In the vicinity of the site, Doveton Avenue has been developed predominantly with conventional density residences with some low rise multi-unit development.

(iv) Existing conditions

The 2.8 hectare site is predominantly rectangular in shape with a narrow neck of land that is linked to the sole access point onto Doveton Avenue to the east. The land slopes from east to west and is benched with a retaining wall located along a portion of the site’s eastern boundary. As a result, the site enjoys elevated views towards the west and north.

The site has been cleared of all school buildings with concrete foundations remaining. The buildings were formerly located in the central-eastern portion of the site.

The site contains established native trees primarily along the western, southern and eastern boundaries and some along a portion of the northern boundaries. An arboricultural assessment of the site (Arboricultural Assessment 58 Doveton Avenue, Doveton by Tree Logic Pty Ltd, 15/04/2013) identified 90 individual trees. Generally, the quality of the trees were average with one tree attributed with a rating of high and 46 trees a rating of moderate for retention value. The remaining 43 trees were rated as either low or none and not worthy of retention.

The assessment identified 49 River Red Gums, 20 of which have been included within the ESO7 predominantly affecting the southern and western boundaries of the site.

Generally, the former Eumemmerring Primary School site is distinguished by its treed character, abutting residential properties, limited road access, and interface with open space.

5.2 Issues

A total of five submissions were received comprising one submission that was specific to the former Eumemmerring Primary School, one from Casey and one general submission while the two remaining submissions raised no issues.

(i) Raised by submitters

A summary of issues raised by submitters is provided in Table 8.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Committee Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support for the use of the GRZ.</td>
<td>Zoning issues discussed below.</td>
</tr>
<tr>
<td>Support the use of the Schedule to the GRZ rather than the use of the DPO.</td>
<td>Zoning and overlay control issues discussed below.</td>
</tr>
<tr>
<td>Use of site for another school, retirement village, child-care centre or park.</td>
<td>The Committee is not providing advice on the specific future use of the site, rather the zone and controls that should be applied to the site.</td>
</tr>
</tbody>
</table>

Each of the listed uses would either be permitted or
<table>
<thead>
<tr>
<th>Issue</th>
<th>Committee Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>able to apply for a planning permit in a residential zone.</td>
<td>This is outside the scope of the Terms of Reference for the Committee.</td>
</tr>
<tr>
<td>Site not sold to developers and used for community purposes</td>
<td>The Committee’s response to this issue has been dealt with in Section 2 of the report.</td>
</tr>
<tr>
<td>including playgrounds, sporting grounds, men’s sheds, environmental gardens, dog reserves etc.</td>
<td>The Committee’s response to this issue has been dealt with in Section 2 of the report.</td>
</tr>
<tr>
<td>Proposal poorly advertised given high proportion of non-English</td>
<td>The Committee’s response to this issue has been dealt with in Section 2 of the report.</td>
</tr>
<tr>
<td>speaking population.</td>
<td>The Committee’s response to this issue has been dealt with in Section 2 of the report.</td>
</tr>
<tr>
<td>Support individual planning controls tailored to suit unique</td>
<td>The Committee’s response to this issue has been dealt with in Section 2 of the report.</td>
</tr>
<tr>
<td>characteristics of each site.</td>
<td>The Committee’s response to this issue has been dealt with in Section 2 of the report.</td>
</tr>
<tr>
<td>Site contamination.</td>
<td>The Committee’s response to this issue has been dealt with in Section 2 of the report.</td>
</tr>
<tr>
<td>Nomination of public open space provisions and an amendment to the</td>
<td>The Committee’s response to this issue has been dealt with in Section 2 of the report.</td>
</tr>
<tr>
<td>Schedule to Clause 52.01 of the Casey Planning Scheme to specify a</td>
<td></td>
</tr>
<tr>
<td>public open space contribution from five to ten percent for any</td>
<td></td>
</tr>
<tr>
<td>residential development on the site.</td>
<td></td>
</tr>
</tbody>
</table>

5.3 Proposed zone controls

(i) Zone

The site has been assessed by Urbis who found that the appropriate underlying zoning is residential. Following assessment of the characteristics and context of the site, Urbis has identified that it should be rezoned to the GRZ and that the most appropriate planning tool to apply to the site to support any future use and development is the DPO.

There is no clear element that would suggest the application of a residential zone to the site should not proceed. The site is located in an area which is predominantly characterised by residential land use.

To assist it in determining an appropriate zone, the Committee has applied an analysis of which new residential zone should be applied to the former Eumemmerring Primary School site. The *Criteria for applying the NRZ, GRZ and RGZ* in Table 2 of Practice Note 78 has been used to assist the Committee’s assessment.

In relation to the Criteria identified in Practice Note 78, the Committee makes the following observations in relation to the Former Doveton Secondary College:

- There are no policies or other planning controls such as a DDO, Neighbourhood Character Overlay or Heritage Overlay that identifies the retention of neighbourhood character for this site or area.
- The site is enclosed by existing low density residential housing with direct abutting including a retirement village with small rear boundary setbacks.
- The site has the capacity to help meet Casey’s identified need for housing diversity.
- Areas of the site associated with 20 River Red Gum trees are affected by ESO7.
- No known risk of site contamination has been identified in preliminary assessments and further site investigation is warranted.
• Casey recognises a need for an increase in housing diversity, however, there is no policy direction specific to this site. Existing development is low density and backing onto the site.
• There is no adopted housing and development strategy for this site.
• Casey supports the opportunity for redevelopment of the site as a step towards uplifting the urban image of the Doveton area.
• The site is not located within an activity area.
• Some employment options, including education, aged care, kindergarten/child care are within 500 metres of the site.
• A Neighbourhood Activity Centre is located on Frawley Road 600 metres from the site and local activity centre on Doveton Avenue is located 200 metres from the site.
• Education, aged care, kindergarten/child care services are located within 500 metres of the site.
• Bus services are available between 50 and 150 metres to the north along Frawley Road.

Table 9 provides a summary of the Committee’s assessment against the criteria from Practice Note 78.

Table 9  Assessment against Practice Note 78 Criteria - Former Eumemmerring Primary School

<table>
<thead>
<tr>
<th>Criteria derived from Practice Note 78</th>
<th>AC Conclusion on Criteria</th>
<th>Zone supported by Practice Note based on AC Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there identified neighbourhood character to be retained?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is the site identified as an area for growth and change?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Are there existing landscape or environmental character/constraints?</td>
<td>Yes</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is the risk associated with known hazard high or low?</td>
<td>Low</td>
<td>-</td>
</tr>
<tr>
<td>What is the existing or desired level of development activity?</td>
<td>Moderate</td>
<td>-</td>
</tr>
<tr>
<td>Is this a brownfield or urban renewal site or area?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there an adopted housing and development strategy?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is the site identified in Activities Area structure plan/policy?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>If not in an Activities Area, is it redevelopment of commercial or industrial land?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to employment options?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to local shopping?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to local community services?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to transport choices?</td>
<td>Yes</td>
<td>-</td>
</tr>
</tbody>
</table>

| 5 | 7 | 6 |
Locally significant weighting/ criteria

The GRZ is supported in seven out of 13 criteria for applying the new residential zones. Locally significant weighting of the criteria for applying the GRZ are the moderate size of the site at under three hectares, the enclosed nature of the site directly bordered by existing low density housing including a retirement village and limited access to the site with only one access point into the site from Doveton Avenue which is along a narrow neck of land.

The site does have direct access to a large area of public open space comprising both active and passive recreation. There are also large areas of the site occupied by mature trees considered significant by both arboricultural studies and under the ESO7.

The site has no direct abuttal to public transport, although bus services are available 50 to 150 metres to the north. The former Eumemmerring Primary School site is some distance from industrial and commercial centres. The closest higher order services and facilities are located approximately 3.5 kilometres away at the Dandenong Central Activities District, hence the site is not readily accessible to employment sources.

All of these characteristics combine to support the application of the GRZ to the site. The site has some constraints to the scale and nature of future development evident by its interfaces with existing low scale residential properties, limited vehicle access and interface with trees along the eastern, southern and western boundaries of the site.

The Committee is also comforted by the support for the application of the GRZ to the site, as submitted by the City of Casey.

(ii) Recommendations

The Committee recommends that:

11. The former Eumemmerring Primary School at 58 Doveton Avenue, Eumemmerring should be rezoned to the General Residential Zone.

5.4 Proposed controls

(i) DPO and Schedule

The Committee has recommended that a DPO apply to all former school sites, but considers there are some drafting issues warranting a review. These issues are similar to those issues considered for the former Doveton Secondary College site including height limits, interfaces, vegetation and contamination.

The proposed Schedule was initially generic in nature, primarily due to no detailed analysis of the future built form potential or local access opportunities for the site having been undertaken. As the site is to be sold, DEECD considered it appropriate to maintain some level of flexibility for any future use and development of the site.

Following exhibition, DEECD proposed changes to the DPO schedule, partly in response to Casey’s response to the DPO schedule proposed for the former Doveton Secondary College site. Some of these changes included:

- A Schedule specifically for both the Eumemmerring Primary School and the Doveton North Primary School sites.
- Application requirements triggered for both subdivisions and development.
• A development staging plan, an Aboriginal cultural heritage assessment/archaeological survey, an arboricultural assessment and an environmental assessment as additional application requirements as appropriate, whereby the responsible authority is given scope to waive requirements if not relevant to the application.
• Development requirements, triggered by a permit for subdivision or development.
• Development plan requirements to address non-residential uses, built form heights across the site and a five percent public open space contribution.
• A requirement for the display of any development plan to provide for the opportunity for community input.

Height limits
The imposition of a five metre building height limit is not based on any urban design analysis of the site context, nor does it derive from a specific neighbourhood character objective or guideline. The primary driver for the control appears to be the desire to reduce building loads on the root systems of significant trees that may warrant retention and protection. The Committee agrees with these contentions and considers that the recommendation from the arboricultural report for the avoidance of development activity within the driplines of trees should act as an appropriate safeguard from damage to tree roots due to building compaction.

The Committee also considers that the presence of site constraints including existing significant trees, limited vehicle accessibility, lack of passive surveillance due to the enclosed nature of the site and the direct interfaces with existing low density residential development and public open space supports the need for a master planning process.

Master Planning offers an opportunity to resolve site issues prior to becoming locked into detailed design. The site’s constrained access and relationship of new built form to significant trees and adjoining housing and public open space can be considered at the outset of the site planning process. Options may be explored with Council prior to planning applications being prepared and/or lodged.

Interfaces
Interface issues relate to how future use and development address adjacent residential areas and existing public open space. Changes proposed to the DPO schedule addressing interfaces with areas surrounding the site included:
• Not including Casey’s suggestion for housing to front public land areas.
• Including a requirement for any development plan to respect the amenity of adjoining residential interfaces through guidance of built form by providing for a maximum of two storeys immediately adjacent to or opposite any existing low rise residential development and a graduation of building height across the balance of the site, sited with reference to analysis of shadow/visual amenity.

The locational context and existing conditions of the site, with its enclosed character with direct interfaces to both existing low density residential areas and public open space, imposes constraints on how intense any form of development on the site could accommodate. Yet, these same constraints offer an opportunity for a development to be
designed that can capitalise on the transition between recreational areas containing open vistas and areas of low density residential development. The inclusion of a two storey built form requirement, subject to respecting the amenity of adjoining residential interfaces, is considered appropriate. This requirement for any development plan prepared under the DPO will bring into focus the need for any design to ensure that overshadowing and overlooking are appropriately planned and managed. The Committee considers this is a sensitive approach towards how future development of the site may occur. Graduation towards any higher built form, as allowed under the GRZ and ResCode, away from the surrounding residential areas, towards the middle of the site, closer to the existing public open space areas should achieve Casey’s strategic objectives for development to be sensitive to existing residential areas.

The Committee conclusions regarding on the former Doveton Secondary College site (Section 4.4) in relation interface treatment between future residential development and existing public open space are relevant to this site.

Vegetation

The issue of vegetation was addressed by the Committee for the former Doveton Secondary College site (Section 4.4) and its conclusions remain relevant for this site.

Contamination

Site contamination issues on the site have been investigated with a Phase 1 Environmental Site Assessment prepared by Prensa Consultants (Phase 1 Environmental Site Assessment former Eumemmerring Primary School 58 Doveton Avenue, Eumemmerring, Victoria, by Prensa, September 2013). The Eumemmerring Primary School site has not had a Phase 2 assessment nor has any review of the plans of the former school been conducted to determine the presence or otherwise of any potential sources of below ground contamination. The Phase 1 review has utilised site history as the main source of determining potential for contamination.

The Committee notes that the proposed DPO schedule has deleted any requirement for a site assessment for contamination. It is considered that given the limited assessment undertaken for the former Eumemmerring Primary School site, provision for a site assessment should be re-instated into the DPO schedule for Eumemmerring Primary School.

(ii) Conclusions and Recommendations

The Committee concludes that the proposal to apply the DPO to the former Eumemmerring Primary School site is appropriate. The DPO schedule submitted at the Hearing is considered appropriate with the following changes:

- Changes flowing from the Committee’s general conclusions on the approach to former school sites.
- A provision should be included as a requirement for any development, under Clause 3.0 of the Schedule that outlines a performance outcome for a positive design interface to the adjacent public open space, which gives appropriate consideration to issues of safety and surveillance.
• Add to the requirement for any development plan to incorporate any significant native vegetation into the design of the development with an outcome to be achieved by incorporating significant native vegetation into any future design.

• Include reference to ensuring that the development plan incorporate provisions for the layout and design of development to avoid the ‘dripline’ of any retained River Red Gum trees.

• Add under the Development Plan Components a requirement for an Environmental Site Assessment detailing the likelihood of contamination on the site. Specifically, the assessment should investigate school plans to establish the presence or otherwise of potential below ground sources of site contamination and advise whether an Environmental Audit is required and what remediation, if required, may be necessary.

The Committee recommends that:

12. The former Eumemmerring Primary School at 58 Doveton Avenue, Eumemmerring should have a Development Plan Overlay applied as presented in Appendix C.
6 Former Doveton North Primary School

6.1 Site

(i) History

The Doveton North Primary School was established in the early 1960s opening on 7 December 1964. The school was closed on 31 December 2011. The student enrolments in the last year of the school in 2011 were 335. The site was declared surplus on 12 June 2013.

(ii) Location

The former Doveton North Primary School is located at 25-35 Rowan Drive, Doveton. The site is located within the established residential area of north Doveton.

(iii) Surrounds

The site is surrounded by local roads on all sides. The locality is characterised by predominantly conventional density residential development. The majority of housing stock is post-war, single storey detached brick veneer dwellings with pitched tile roofs. There are some fibro dwellings and new housing is limited to a single storey residence on the corner of Liquidamber Street and Conferta Crescent. The site and surrounds were historically used for low intensity agricultural purposes. Since the school was developed the surrounding area has been used for residential purposes. The site is located on the north side of Rowan Drive, a local collector road providing access to Power Road to the east and to Kidds Road to the south. The site is also bordered on all sides by roads with Liquidamber Street to the east, Spring Street to the north and Cootamundra Street to the west. Existing residential development is located on the other side of all of these roads with most oriented towards the site. The exception being dwellings located on corner allotments.

The site has limited access to services and facilities, which include:

- A small neighbourhood activity centre (Linden Plaza) 150 metres to the east on the corner of Rowan Drive and Power Road, providing convenience retailing, playground and park facilities and adjoining community facilities (Maternal Child Health Centre and Neighbourhood Centre).
- An independent primary school, public park and some community facilities located to the south of the site on Kidds Road.
- Public transport services provided by bus services between Dandenong and Mossigel Park or Endeavour Hills (Bus Routes 843, 845, 849, 861) run at limited intervals approximately 150 metres to the east of the site along Power Street and 300 metres to the south along Kidds Road at limited intervals.
- A small pocket park and playgrounds located in Liquidamber Street and Rowan Reserve approximately 100 metres to the south-east, Power Reserve containing sporting fields approximately 350 metres to the north-east and Robert Booth Reserve including the Dandenong Creek walking and cycling trail approximately 400 metres to the west.
(iv) **Existing conditions**

The 2.02 hectare site is flat, rectangular in shape with a north-south orientation. The vacant school buildings remain and the site is accessible to the public with low level fencing surrounding the perimeter of the site.

The site contains several mature trees confined mostly to perimeter plantings and around recreation areas with several River Red Gum trees located to the north in the play fields and one located adjacent to school buildings. An arboricultural assessment of the site (*Arboricultural Assessment 25-35 Rowan Drive, Doveton former Doveton North Primary School by Tree Logic Pty Ltd, 18/04/2013*) identified 36 individual trees. Generally, the quality of the trees were average with one tree attributed with a rating of high and 20 trees a rating of moderate for retention value. The remaining 15 trees were rated as either low or none and not worthy of retention.

The assessment identified nine River Red Gums, of which three have been included within the ESO7 predominantly affecting two trees on the northern boundary and one adjacent to school buildings in the centre of the site.

Generally, the former Doveton North Primary School site is characterised by its location in an established low density residential area. The area has an open and spacious character, due to the low scale and low density of development and wide local streets. The area is well serviced by public open space but has limited access to, and service from public transport.

### 6.2 Issues

A total of five submissions were received comprising one submission that was specific to the former Doveton North Primary School, one from Casey and one general submission while the remaining two submissions received offered no comment/objection.

(i) **Raised by submitters**

A summary of the issues raised by submitters is provided in Table 10.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Committee Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Support for the use of the GRZ.</td>
<td>Zoning issues discussed below.</td>
</tr>
<tr>
<td>Support the use of the Schedule to the GRZ rather than the use of the DPO.</td>
<td>Zoning and overlay control issues discussed below.</td>
</tr>
<tr>
<td>Use of site for aged care accommodation.</td>
<td>The Committee is not providing advice on the specific future use of the site, rather the zone and controls that should be applied to the site.</td>
</tr>
<tr>
<td>The proposed use be permitted or able to apply for a planning permit in a residential zone.</td>
<td></td>
</tr>
<tr>
<td>Site not sold to developers and used for community purposes including playgrounds, sporting grounds, men’s sheds, environmental gardens, dog reserves etc.</td>
<td>This is outside the scope of the Terms of Reference for the Committee.</td>
</tr>
<tr>
<td>Proposal poorly advertised given high proportion of</td>
<td>The Committee’s response to this issue has been dealt</td>
</tr>
</tbody>
</table>
6.3 Proposed zone controls

(i) Zone

The site has been assessed by Urbis who found that the appropriate underlying zoning is residential. Following assessment of the characteristics and context of the site, Urbis has identified that it should be rezoned to the GRZ and that the most appropriate planning tool to apply to the site to support any future use and development is the DPO.

There is no clear element that would suggest the application of a residential zone to the site should not proceed.

To assist it in determining an appropriate zone, the Committee has applied an analysis of which new residential zone should be applied to the former Doveton North Primary School site. The *Criteria for applying the NRZ, GRZ and RGZ* in Table 2 of Practice Note 78 has been used to assist the Committee’s assessment.

In relation to the Criteria identified in Practice Note 78, the Committee makes the following observations in relation to the former Doveton North Primary School:

- There are no policies or other planning controls such as a DDO, Neighbourhood Character Overlay or Heritage Overlay that identifies the retention of neighbourhood character for this site or area.
- The site is surrounded by existing low density residential housing.
- The site has the capacity to help meet Casey’s identified need for housing diversity.
- Areas of the site associated with 9 River Red Gum trees are affected by ESO7.
- No risks associated with known hazard.
- Casey recognises a need for an increase in housing diversity; however, there is no policy direction specific to this site. Existing development is low density surrounding the site.
- Casey City Council supports the opportunity for redevelopment of the site as a step towards uplifting the urban image of the Doveton area.
- There is no adopted housing and development strategy applicable to this site.
- The site is not located within an activity area.
- Some employment options available 150 metres to the east at the Linden Plaza Neighbourhood Activity Centre.
• Shopping is available 150 metres to the east at the Linden Plaza Neighbourhood Activity Centre.
• Community services comprising a childcare centre and health services within 500 metres.
• Bus services are available 150 metres to the east along Power Street and to the south along Kidds Road.

Table 11 provides a summary of the Committee’s assessment against the criteria from Practice Note 78.

Table 11  Assessment against Practice Note 78 Criteria - Former Doveton Secondary College

<table>
<thead>
<tr>
<th>Criteria derived from Practice Note 78</th>
<th>AC Conclusion on Criteria</th>
<th>Zone supported by Practice Note based on AC Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there identified neighbourhood character to be retained?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is the site identified as an area for growth and change?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Are there existing landscape or environmental character/constraints?</td>
<td>Yes</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is the risk associated with known hazard high or low?</td>
<td>Low</td>
<td>-</td>
</tr>
<tr>
<td>What is the existing or desired level of development activity?</td>
<td>Moderate</td>
<td>-</td>
</tr>
<tr>
<td>Is this a brownfield or urban renewal site or area?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there an adopted housing and development strategy?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is the site identified in Activities Area structure plan/policy?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>If not in an Activities Area, is it redevelopment of commercial or industrial land?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to employment options?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to local shopping?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to local community services?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to transport choices?</td>
<td>No</td>
<td>NRZ</td>
</tr>
</tbody>
</table>

| 7 | 9 | 4 |

Locally significant weighting/criteria

The GRZ is supported in nine out of 13 criteria for applying the new residential zones. Locally significant weighting of the criteria for applying the GRZ are the moderate size of the site at just over two hectares and its location within an established low density residential area. The prevailing residential character is clearly low scale and density.

The site does have good access to large areas of public open space and a range of open space facilities. There are also areas of the site occupied by mature trees considered significant by both arboricultural studies and under the ESO7.
The site has limited access to public transport, with only bus services operating 150 metres to the east along Power Street. The closest train station is approximately three kilometres from the site at Dandenong. The former Doveton North Primary School site is some distance from the industrial and major commercial centres at Dandenong. The closest higher order services and facilities are located approximately 2.2 kilometres away at the Dandenong Central Activities District, and hence the site is not readily accessible to employment sources.

All of these characteristics combine to support the application of the GRZ to the site. The Committee is also comforted by the support for the application of the GRZ to the site, as submitted by the City of Casey.

(ii) Recommendations

The Committee recommends that:

13. The former Doveton North Primary School at 25-35 Rowan Drive, Doveton should be rezoned to the General Residential Zone.

6.4 Proposed controls

Casey submitted that the Doveton North Primary School site is well suited to residential development because it is surrounded by existing streets. However, Casey expressed some concern over the impact on street numbering of existing residential properties along both Liquidamber Street to the east and Cootamundra Street to the west if the site were developed for new residential use. Approximately 12 properties on Liquidamber Street and 35 properties on Cootamundra Street would be affected. Council submitted that these properties would need to be consulted to give early notice of such effects.

Casey also submitted that given the presence of the vacant school buildings, the site offers an opportunity for use by a non-government school as well as for residential development. It was also acknowledged that the GRZ would enable these types of use to establish. In considering these matters, Casey identified the following strategic objectives for the former Doveton North Primary School site:

To enable a range of uses that are respectful of the surrounding residential character.

To strengthen connectivity to the surrounding commercial and community uses, particularly around the small Neighbourhood Activities Area to the east of the site.

To incorporate significant trees in the development.

Casey submitted that its strategic objectives could be achieved without the applying the DPO. Casey considered that the exhibited DPO schedule was weighted too much in favour of residential use to the exclusion of other alternative non-residential uses as identified previously.

Casey suggested the Schedule to the GRZ would be more appropriate and could manage non-residential uses through a plan being required under the GRZ Schedule that would show the complete development outcomes proposed for the site.
The key reason put by Casey against the use of the DPO, for this site, appeared to revolve around effects on street numbering. This, in turn related to the exemption of third party rights and what was a perception that consultation with the owners of affected properties would fall on Council and not any developer. The other reason was the emphasis in the exhibited DPO schedule on residential use which might be perceived to exclude non-residential uses from consideration in any future use and development of the site.

The Committee does not view the effects on changes to street numbering as a critical planning issue that would warrant the selection of a Schedule to the GRZ to manage the use and development of the site compared to the use of the DPO and Schedule.

The Committee considers the DPO schedule offers an opportunity to resolve site issues prior to becoming locked into detailed design usually associated with planning application stage of land use and development. The site’s access and relationship of new built form to significant trees and adjoining housing and public open space can be considered at the outset of the site planning process and options explored with Council prior to planning applications being prepared and/or lodged.

The Committee has recommended that a DPO apply to all former school sites.

(i) DPO schedule

Following exhibition, DEECD proposed changes to the DPO schedule, partly in response to Casey’s response to the DPO schedule proposed for the former Doveton Secondary College site. Some of these changes included:

- A Schedule specifically for both the Eumemmerring Primary School and the Doveton North Primary School sites.
- Application requirements triggered for both subdivisions and development.
- A development staging plan, an Aboriginal cultural heritage assessment/archaeological survey, an arboricultural assessment and an environmental assessment as additional application requirements as appropriate, whereby the responsible authority is given scope to waive requirements if not relevant to the application.
- Development requirements, triggered by a permit for subdivision or development.
- Development plan requirements to address non-residential uses, built form heights across the site and a five percent public open space contribution.
- A requirement for the display of any development plan to provide for the opportunity for community input.

The Committee has concluded that the DPO schedule is an appropriate planning tool to apply to the former Doveton North Primary School site, the Committee considers that there are some drafting issues warranting a review. These issues are similar to those issues considered for the former Doveton Secondary College site including interfaces, public open space provision, vegetation and contamination.

Interfaces

Changes proposed to the DPO schedule addressing interfaces with areas surrounding the site included of a requirement for any development plan to respect the amenity of adjoining residential interfaces. This is through guidance of built form by providing for a maximum of...
two storeys immediately adjacent to or opposite any existing low rise residential development and a graduation of building height across the balance of the site, sited with reference to analysis of shadow/visual amenity.

The Committee recognises that the locational context and existing conditions of the site; being surrounded by local roads and low density residential housing opposite imposes the need to consider the intensity of any future development on the site. The inclusion of a two storey built form requirement, subject to respecting the amenity of adjoining residential interfaces, is considered appropriate. This requirement for any development plan prepared under the DPO will bring into focus the need for any design to ensure that overshadowing and overlooking are appropriately planned for and managed. The Committee considers this is a sensitive approach towards how future development of the site may occur. Graduation towards any higher built form, as allowed under the GRZ and ResCode, away from the surrounding residential areas and towards the middle of the site should achieve Casey’s strategic objectives for development to be sensitive to existing residential areas.

Vegetation

The issue of vegetation was addressed by the Committee for the former Doveton Secondary College site (Section 4.4) and its conclusions remain relevant for this site.

Contamination

Site contamination issues on the site have been investigated with two site assessments. Site remediation works have also been undertaken to remove three underground fuel tanks and associated contaminated fill. The report from Senversa consultants (Site Contamination Assessment: Doveton North Primary School, Senversa, 7 August 2013) concludes:

Senversa is of the opinion that in terms of the General Practice Note – Potentially Contaminated Land (DSE 2005), ‘Table 2 – Assessment Matrix’, the site should be classified ‘C’, i.e. a low potential for contamination. Consequently, completion of an Environmental Audit prior to future use of the site for a sensitive land use is not warranted.

The Committee agrees with this assessment. It is noted that the requirement for a site contamination assessment has been deleted from the revised DPO schedule. On the basis of this assessment, it is considered appropriate for this site.

(ii) Conclusions and Recommendations

The Committee concludes that the proposal to apply the DPO to the former Doveton North Primary School site is appropriate. The DPO schedule presented at the Hearing is considered appropriate with the following changes:

- Changes flowing from the Committee’s general conclusions on the approach to former school sites;
- A provision should be included as a requirement for any development, under Clause 3.0 of the Schedule that outlines a performance outcome for a positive design interface to any future public open space that may be provided within the site, which gives appropriate consideration to issues of safety and surveillance;
• Add to the requirement for any development plan to incorporate any significant native vegetation into the design of the development with an outcome to be achieved by incorporating significant native vegetation into any future design; and

• Include reference to ensuring that the development plan incorporate provisions for the layout and design of development to avoid the ‘dripline’ of any retained River Red Gum trees.

The Committee recommends that:

14. The former Doveton North Primary School at 25-35 Rowan Drive, Doveton should have a Development Plan Overlay applied as presented in Appendix C.
Part C - City of Monash
7 Local Context

7.1 Local Policy and Controls

(i) Local Planning Policy Framework

This section examines the City of Monash local policy relevant to each of the five former school sites being considered for rezoning by the Committee.

In its Municipal Strategic Statement at clause 21.01 the garden character of Monash is expressed as:

*The City of Monash is characterised by its leafy suburbs, comprising both front and rear private gardens, and its treed streetscapes. This garden city characteristic is predominant in residential areas and the higher quality commercial areas, especially the planned business parks.*

Clause 21.03 makes reference to Council’s Strategic Framework Plan which amongst its key strategic directions includes:

- Encourage medium rise residential development to locate in the Brandon Park, Clayton and Mount Waverley Major Activity Centres
- Maintain and enhance the established garden city Character of Monash on both private and public land, including along main roads

At clause 21.04, Residential Development it states:

- Council’s goal is for residential development in the City to be balanced in providing a variety of housing styles whilst remaining sympathetic to existing neighbourhood character ....

In addition, Monash’s population is noticeably ageing and there is a clear preference for older people to remain in familiar environments within the municipality. This changing demographic requires strategies to ensure there is appropriate accommodation, such as small, single storey units and purpose built housing available now and into the future ...

New development should be carefully designed and sited to complement the current character and satisfy the intent of the desired future character statements for each residential character type as identified. Garden City Character within all residential areas should be maintained and enhanced ....

Retention of neighbourhood character in residential areas will be enhanced by the identification of preferred areas for medium to high rise residential development within the municipality. These areas are generally within the Principal and Major Activity Centres. In other areas new residential development will generally be low rise. The exceptions will be where there is an approved Structure Plan, or other planning mechanism in place or where individual circumstances support an alternative height.
In addition clause 21.04 also refers to the Monash Neighbourhood Character Study (1997) and nominates a number of residential character types. The accompanying plan is of such scale that in a number of cases it is difficult to determine which neighbourhood character areas the former school sites are located. In her submission Ms Emons refers to a 2004 neighbourhood character study but this does not appear to be referenced in the Scheme.

At clause 21.06, Activity Centres, Brandon Park is designated as a Major Activity Centre and amongst the strategies are to “encourage medium rise residential development within the centre.”

Clause 21.06 directs medium to high rise development to Glen Waverley (four to ten storeys) and Oakleigh (four to eight storeys) Major Activity Centres. This policy highlights Brandon Park, Clayton, and Mt Waverley Major Activity Centres for a focus on apartments (medium rise) amongst other uses.

In addition to the direction provided by the MSS, there are a number of local polices at clause 22 of the Scheme which provide direction. These include:

22.05 Tree Conservation Policy

The two objectives of that policy are as follows:

- To maintain, enhance and extend the Garden City Character throughout Monash by ensuring that new development and redevelopment is consistent with and contributes to the Garden City Character as set out in the Municipal Strategic Statement.

- To promote the retention of mature trees and encourage the planting of new canopy trees with spreading crowns throughout Monash.

22.10 Student Accommodation Policy

This policy has as one of its objectives:

- To encourage student accommodation to locate in reasonable proximity to tertiary institutions with convenient access to public transport and a range of commercial, retail, entertainment and social facilities.

The site of the former Monash Special Development School in particular can be regarded as being located in ‘reasonable proximity’ to Monash University. This policy does not identify particular precincts or sites where the Council would prefer to see student accommodation developed.

7.2 Other relevant strategic plans

(i) Housing Strategy

As advised by Ms Emons, the 2004 Monash Housing Strategy is referred to in clause 21.06 Activity Centres, and is a reference document in the Monash Planning Scheme at clause 21.04-4. She also advised that an updated Monash Housing Strategy was drafted in 2011 but is not yet adopted. Mr Montebello advised that Council’s intention is to adopt a revised housing strategy in a process parallel to the translation to the new residential zones.
The first objective of the 2004 Strategy is:

To ensure that a range of housing is available to meet the current and future needs of the population.

Strategies to achieve this objective include:

- Promote higher density developments within and adjacent to major activity centres that will accommodate different forms of housing.
- Encourage residential development of varying forms on former public purpose sites no longer required, such as school sites and former industrial premises that are surrounded by residential areas and are serviced by public transport and other infrastructure.
- Other strategies relate to neighbourhood character and the revitalisation of activity centres which will be facilitated through the incorporation of residential development within the immediate vicinity of existing shopping centres.

A draft revision to the 2004 housing strategy has been prepared by Planisphere and references more recent demographic change and predictions. It identifies the key need for additional housing variety in Monash, including higher density housing for students, recent migrants and older persons.

Ms Emons submitted that the 2011 housing strategy being considered by Council call for:

...a more proactive and innovative response on Council’s part to meet the growing and critical gaps between the housing that people needed in Monash, and the housing actually available.

### 7.3 Translation to the new residential zones

The City of Monash has not yet commenced a public process to translate the existing residential zones to the new ones which commenced operation in July 2013.
8 Former Brandon Park Secondary College

8.1 Site

(i) History

Brandon Park Technical School opened in 1978 with 10 classrooms and 189 students. Between 1981 and 2003, enrolments peaked at 754 students, however enrolment numbers gradually decreased over each year the school was in operation, and the College closed in 2003 with only 91 students.

(ii) Location

The subject site is located at 6-30 Brandon Park Drive, Wheelers Hill and has a total area of 5.76 hectares. The site is within the Brandon Park Major Activity Centre, as identified in the Monash Planning Scheme and shown as precinct 3 in the draft structure plan for the centre.

(iii) Surrounds

To the west of the site and across Brandon Park Drive is the rear of the Brandon Park Shopping Centre, which presents as car parking, including access ramps to the upper level car park and other ‘back of house’ functions of the centre such as access to the Kmart vehicle service operation. This shopping centre includes two supermarkets, a Kmart, and a number of specialty shops and services. The subject site is included in the Major Activity Centre that focuses on Brandon Park Shopping Centre and four other commercial/industrial precincts.

To the north of the site and across Collegium Avenue is a three to four storey office building, kindergarten, maternal health centre, dentist and dwellings.

Opposite the eastern frontage of the site to Strada Crescent there are single dwellings, of one to two storeys with established front gardens.

Opposite the southern boundary, along Academy Avenue are single family residential dwellings and the Good Shepherd School and Church.

The site has no direct residential abuttals but adjoins the Monash Special Development School, which also has frontages to Strada Crescent and Academy Avenue.

To the southwest of the site, at a distance of approximately 400m and across Springvale Road, is a highly significant employment node identified in Plan Melbourne as a national employment cluster that includes Monash University and the Monash Medical Centre. The synchrotron and nanotechnology centre are amongst research and technology functions of national significance in this node.

(iv) Existing conditions

The land forms an L shape around the Monash Special Development School located in the south eastern corner of the block bounded by Brandon Park Drive on the west, Collegium Avenue on the north, Strada Crescent on the east and Academy Avenue on the south. This school provides a buffer (along relevant sections of Strada Crescent and Academy Avenue) between existing dwellings and the site.
The land is vacant and has a moderate fall from the north to the southwest.

As set out in the Urbis report:

*The site exhibits a strong landscape character, comprising a variety of planted mature canopy trees clustered primarily in the central portions of the site. A row of heritage listed Sugar Gums extend along the Strada Crescent frontage of the site, which are protected in a Heritage Overlay that affects approximately 2000 square metres of the site.*

An arboricultural assessment of the site was undertaken by Tree Logic where 125 individual trees and six tree groups were identified and of which 41 trees and three tree groups were rated moderate.

The stand of mature sugar gums along the eastern end of the site forms a heritage protected landscaped buffer approximately 15 metre wide along Strada Crescent.

### 8.2 Issues

A total of 48 written submissions were made to the Committee concerning the future use and development of the site. A number of issues raised by submitters at the Committee Hearing were similar to those raised in response to Amendment C86 to the Monash scheme. In particular there were many submissions requesting that the land be fully or partially reserved as parkland, comments on future built form, and concerns about traffic, tree retention and amenity in both processes.

(i) **Amendment C86**

The City of Monash exhibited Amendment C86 for the adoption of the policy, zonings and overlays that support the incorporation of the draft Structure Plan for the Brandon Park Major Activity Centre into the Planning Scheme. The draft Structure Plan has seven precincts and precinct three is the former Brandon Park Secondary College site. As the new Residential zones were not available at the time, Monash City Council exhibited a Residential 1 Zone with a DPO and a DDO for the Brandon Park School site in Amendment C86.

The City of Monash then opposed the use of a DPO over the site, both for the Monash C86 Amendment Hearings and at the Committee Hearings, generally on the basis that notice and appeal rights would not be available to third parties. This matter was considered in the Panel report for Amendment C86 and a further consideration of the application of the DPO is included in this report.

The Panel that heard Amendment C86 made recommendations in their report in September 2013 after hearing submissions in August. The consultation for the Brandon Park structure plan has been conducted over a period of years and the exhibition attracted 50 submissions most of which concerned the future use and development of the former Brandon Park Secondary College site.

While the exhibition and hearing process for Monash Amendment C86 was taking place, the Surplus School Sites Advisory Committee gave notice of their process including the terms of reference, opportunity for submissions and the hearings for the subject site.
(ii) Raised in submissions

The issues raised by submitters and the Committee’s response are summarised in Table 12. The Committee notes that there were many more submissions in respect of this former school site than the others dealt with in this tranche. A number of submitters made detailed submissions and appeared at the Hearing. Those who appeared to expand on their submissions are listed in Table 3. All submissions have been considered in detail by the Committee and are presented here in summary form. The relatively brief nature of those issues, particularly those presented in detail at the Hearing, should not be interpreted as these issues having not been given appropriate consideration by the Committee.

Table 12 Summary of Issues – Former Brandon Park Secondary College

<table>
<thead>
<tr>
<th>Issue</th>
<th>Committee Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site should be used as a park, open space, passive open space, sports fields, barbeque area, recreation complex (pool and gymnasium as Monash Aquatic Centre is very congested), adventure playground.</td>
<td>Not in the Committee’s Terms of Reference and in any event Monash Council has no open space strategy.</td>
</tr>
<tr>
<td>Traffic and pedestrian safety and parking issues related to development:</td>
<td></td>
</tr>
<tr>
<td>- Traffic increase associated with apartments (need two car spaces per two bed dwelling), will increase pressure on street and intersection</td>
<td>A traffic management report and car parking plan would be required as set out in the DPO.</td>
</tr>
<tr>
<td>- Use of Collegium and Academy as rat runs, to avoid the Springvale Road and Ferntree Gully Road intersection</td>
<td>This needs to assess and mitigate any through traffic issues. But the Committee does not accept the proposed one way street solution for Collegium and Academy. The Committee does not accept that the traffic increases in the area cannot be appropriately managed.</td>
</tr>
<tr>
<td>- Advocate one way on east-west adjoining streets, widen Collegium and Academy (using the subject land) to create parking for preschool and Good Shepherd School</td>
<td>With respect to overhang of footpaths the Committee considers it unlikely that individual driveways with direct vehicle access from the street would be provided.</td>
</tr>
<tr>
<td>- Safety issues for emergency vehicles</td>
<td></td>
</tr>
<tr>
<td>- Do not want traffic associated with apartments on BP Drive to access Collegium and Academy</td>
<td></td>
</tr>
<tr>
<td>- Collegium used as a short cut to Springvale Road, traffic peaks at school times – existing safety issues, two cars unable to pass safely if there are parked cars</td>
<td></td>
</tr>
<tr>
<td>- Only one egress from the area for 3kms and that is a VicRoads traffic black spot</td>
<td></td>
</tr>
<tr>
<td>- Vehicles use the shopping centre parking access as a thoroughfare</td>
<td></td>
</tr>
<tr>
<td>- Collegium should be 40km/h zone</td>
<td></td>
</tr>
<tr>
<td>- Need RH turn lights at Watsons and Ferntree Gully Roads</td>
<td></td>
</tr>
<tr>
<td>- For safety, put car park directly in front of preschool and bend the road around it</td>
<td></td>
</tr>
<tr>
<td>- Traffic safety for preschool will worsen with additional dwellings in area - Want a 30 space car park for the preschool on the subject land</td>
<td></td>
</tr>
<tr>
<td>- A traffic engineering concern that where a 4.5m setback is adopted vehicles could overhang the footpath.</td>
<td></td>
</tr>
<tr>
<td>A 30 space car park to service the pre-school and maternal child health centre be provided.</td>
<td></td>
</tr>
<tr>
<td>The committee considers this is a matter between Council and DEECD.</td>
<td></td>
</tr>
<tr>
<td>Loss of schools – has there been planning? Future change in population could result in need for a school.</td>
<td>Not in Committee’s Terms of Reference.</td>
</tr>
<tr>
<td>Issue</td>
<td>Committee Response</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Drainage and flooding.</td>
<td>As part of the development plan, the DPO would require details of the principal features of the drainage system, and in particular works proposed to manage on-site stormwater detention.</td>
</tr>
<tr>
<td>Tree removal/ retention, associated with birdlife.</td>
<td>Although there is no Vegetation Protection Overlay on the site, the Monash C86 Panel recommended substantial tree retention of both individual trees and trees with a ‘moderate’ ranking in the Tree Logic report. Further there is a heritage overlay that protects the row of sugar gums along Strada Crescent and includes a tree replacement plan.</td>
</tr>
<tr>
<td>Open space in development</td>
<td>These preferences have not been justified. The Committee’s response to this issue has been dealt with in Section 2 of this report and further comment is made below.</td>
</tr>
<tr>
<td>Want greater than 15 percent</td>
<td></td>
</tr>
<tr>
<td>Seek 30 percent open space</td>
<td>While there are no local train services a number of the bus services link to rail service. Smart bus services operate at weekends and in the evening. There are however 30 minute intervals between services on a number of routes.</td>
</tr>
<tr>
<td>Want 20 percent open space</td>
<td></td>
</tr>
<tr>
<td>Insufficient public transport, no trains and infrequent buses.</td>
<td>This is an issue of detailed design such as security lighting and casual surveillance. As such it would be part of the more detailed permit plans.</td>
</tr>
<tr>
<td>Security issues if pedestrian path across site.</td>
<td>The evidence at the Monash C86 Hearing suggested a new character however the Monash C86 panel recommended gradation of building heights and tree retention (see detailed conclusions) that would assist in integrating new development.</td>
</tr>
<tr>
<td>Character of housing should be in keeping with the area.</td>
<td>A wide range of housing is suggested by these submissions. A range of two to five storeys is contemplated on the site in the Monash C86 recommendations. The exact proposal is not known but the Committee agrees with the proposed gradation of building heights in the DPO so that a reasonable response to the context is made. In response to the submission that affordable housing means ten storeys there is no such definition known to the Committee and affordable housing can be any height. While there are some submissions for no built form over two storeys, the site is large enough to accommodate higher built form</td>
</tr>
<tr>
<td>Housing type and built form:</td>
<td></td>
</tr>
<tr>
<td>Site should not be zoned for residential growth but for residential – oppose six to eight storeys and seek two to three storeys</td>
<td></td>
</tr>
<tr>
<td>Four storey apartment complex out of character with the area</td>
<td></td>
</tr>
<tr>
<td>Agree with two storey height limits along Strada Crescent and Collegium Avenue</td>
<td></td>
</tr>
<tr>
<td>Some single storey wanted</td>
<td></td>
</tr>
<tr>
<td>Elderly hostels</td>
<td></td>
</tr>
<tr>
<td>Affordable living means ten storeys</td>
<td></td>
</tr>
<tr>
<td>Strongly object to affordable housing</td>
<td></td>
</tr>
<tr>
<td>Prefer housing for aged and disabled over affordable housing</td>
<td></td>
</tr>
<tr>
<td>Should not just be student and affordable housing –</td>
<td></td>
</tr>
</tbody>
</table>
### Issue

<table>
<thead>
<tr>
<th>Need family housing</th>
</tr>
</thead>
<tbody>
<tr>
<td>High-rise and two storey dwellings not suited to the aged</td>
</tr>
<tr>
<td>Oppose anything above two storeys</td>
</tr>
<tr>
<td>Support mix of all age groups rather than retirement village, have been seeking retirement living in this area for seven years</td>
</tr>
<tr>
<td>Good location for retirement accommodation – flat walk to shops, doctors, opticians etc. – 27 percent of Monash resident are over 60 years of age</td>
</tr>
<tr>
<td>Four storey accommodation. Is contrary to character policies of Planning Scheme and could create ghetto situation because of difference from existing housing</td>
</tr>
<tr>
<td>Affordable housing should not be mandatory</td>
</tr>
<tr>
<td>RGZ will mean housing not in keeping with the surrounding area.</td>
</tr>
</tbody>
</table>

### Committee Response

<table>
<thead>
<tr>
<th>Site should be in community use – there are other locations for intensive housing e.g. Nantilla-Dunlop Road precinct.</th>
</tr>
</thead>
<tbody>
<tr>
<td>This option is not within the terms of reference of the Committee.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Believe that under RGZ no-one will have a say, development, want to maintain a say in future planning of the site.</th>
</tr>
</thead>
<tbody>
<tr>
<td>The RGZ in itself does not restrict participation in planning for the site.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Loss of amenity (associated with loss of green space).</th>
</tr>
</thead>
<tbody>
<tr>
<td>These are matters that can occur almost anywhere and can in part be addressed by safe design e.g. lighting, casual surveillance from windows of dwellings. More intensive new development can also incorporate body corporate rules that also assist in achieving a peaceful neighbourhood.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Devaluation of property values.</th>
</tr>
</thead>
<tbody>
<tr>
<td>No evidence was provided to demonstrate that devaluation would occur. Further, in some cases property values increase when new development occurs in the vicinity.</td>
</tr>
</tbody>
</table>

### 8.3 Proposed zone controls

#### (i) Zone

Mr Montebello submitted that the zone purposes of the RGZ do not entail the same intention for development to respect neighbourhood character as the zone purposes of the GRZ. Although the zone purposes of the RGZ do not expressly mention respect for neighbourhood character in designing new residential development, the design of higher built form in activity centres, such as the Brandon Park Major Activity Centre, is subject to assessment guidelines.

In the circumstances of the mix of uses around the subject site, and given the recommendations of the Monash C86 Panel for management of the transition between the character of the existing mix of surrounding uses and future development of the site, an appropriate response to context can be made. The Committee finds that the RGZ is not ruled out for the subject site on the basis of lack of specific mention of neighbourhood character in the zone purposes.
To assist it in determining an appropriate zone, the Committee has applied an analysis of which new residential zone should be applied to the former Brandon Park Secondary College site. The Criteria for applying the NRZ, GRZ and RGZ in Table 2 of Practice Note 78 has been used to assist the Committee’s assessment.

In relation to the Criteria identified in Practice Note 78, the Committee makes the following observations with respect to the former Brandon Park Secondary College:

- A Heritage Overlay has been applied to a limited proportion of the land. This overlay is located along eastern boundary of the vacant site and contains a windbreak of mature sugar gums. There is no indication of intact or special character for the site as a whole;
- The land has been identified in local policy as an area for growth and change as it is within the Brandon Park Major Activity Centre;
- The site is vacant and there is limited development activity immediately around the site with the exception of a recent three to four storey office development. The site is opposite a shopping centre in a Major Activity Centre;
- In Amendment C86, Monash City Council proposed at least a four storey development for the western end of the site with two storey built form for the remainder. The C86 Panel accepted a slightly higher maximum of five storeys set back behind lower development opposite existing residences and subject to parameters such as tree protection set out in the DPO requirements;
- There is a well researched 2011 draft revision to the 2004 housing strategy that identifies the key need for additional housing variety in Monash including higher density housing for students, recent migrants and older persons;
- The site is within an identified Major Activity Centre and intensification is supported by local policy and Brandon Park Structure Plan;
- The site is adjacent to a shopping centre and close to office parks, Monash University and associated national research and technology role. In addition the site is located within 700 metres of access ramps to the M1 freeway;
- The site is within a national employment cluster identified in Plan Melbourne;
- A school, church, kindergarten and maternal health centre. are nearby and there are medical services in the shopping centre opposite the site and the Monash Medical Centre is located in the vicinity; and
- Public transport is available including bus routes which connect to railway stations. Bus stops for these routes are proximate to the site. Some buses operate later in the evening and at weekends but other services are infrequent. Pedestrian access is available to a range of services and shops. The M1 freeway is in very close proximity to the site.

Table 13 provides a summary of the Committee’s assessment against the criteria from Practice Note 78.
Table 13  Assessment against Practice Note 78 Criteria - Former Brandon Park Secondary College

<table>
<thead>
<tr>
<th>Criteria derived from Practice Note 78</th>
<th>AC Conclusion on Criteria</th>
<th>Zone supported by Practice Note based on AC Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there identified neighbourhood character to be retained?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is the site identified as an area for growth and change?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Are there existing landscape or environmental character/constraints?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is the risk associated with known hazard high or low?</td>
<td>Low</td>
<td>-</td>
</tr>
<tr>
<td>What is the existing or desired level of development activity?</td>
<td>High</td>
<td>-</td>
</tr>
<tr>
<td>Is this a brownfield or urban renewal site or area?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there an adopted housing and development strategy?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is the site identified in Activities Area structure plan/policy?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>If not in an Activities Area, is it redevelopment of commercial or industrial land?</td>
<td>Not Applicable</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to employment options?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to local shopping?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to local community services?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to transport choices?</td>
<td>Yes</td>
<td>-</td>
</tr>
</tbody>
</table>

2 2 11

Locally significant weighting/criteria

The Major Activity Centre status of the subject site as precinct 3 in the relevant draft structure plan is a factor of significant weight in terms of selecting locations for more intensive housing. More intensive development of the site is seriously entertained, the Monash C86 Panel has recommended two to five storey development on the site in an RGZ subject to the requirements for a development plan in a DPO.

The Committee’s assessment of public transport availability in this case is that access to bus services is excellent. There are bus stops on the streets that front the site. The centre provides services within very easy walking distance of the site (walking distance range is approximately 50 to 250 metres) and this limits the extent of public transport needed for trips of this type. Overall, the Committee considers that the partial limits of the public transport offerings do not outweigh the very high level of convenience of the subject site that would allow many trips to be made on foot. The Committee notes that a ‘good’ rather than ‘excellent’ range of transport choices is the relevant criterion and finds that a good level is achieved for the Brandon Park site.

In combination the following criteria support the application of the RGZ for this site are:
- the lack of direct residential abutments;
- the mix of residential, community and commercial uses, around the site;
• the strategic planning support of a location in a Major Activity Centre;
• national employment cluster – Plan Melbourne;
• the need to optimise the use of this strategic development site as identified in the DTPLI Housing Capacity Assessment (the site is one of the largest Monash strategic development sites);
• the buffer that results from the treed heritage overlay along Strada Crescent;
• the size of this 5.7 hectares strategic development site that provides an unusual opportunity for low rise development across roads from existing housing with higher built form closer to commercial uses or at distances further away from the boundaries, (such that building height can be appropriately graded); and
• the recommendations of the C86 Panel that would assist in achieving a reasonably respectful development in relation to existing homes that are located across the road i.e. recommendations including tree retention, varied setbacks and lower building heights towards the edges of the site.

(ii) Recommendations

The Committee recommends that:

15. The former Brandon Park Secondary College at 6-30 Brandon Park Drive, Wheelers Hill should be zoned to the Residential Growth Zone.

8.4 Proposed overlay controls

(i) DPO and Schedule

DEECD submitted that a DPO would be appropriate to manage development on the subject site at both the Monash C86 Hearing and in the Committee Hearing.

The C86 Panel recommended a DPO with a range of requirements to manage future development of the site. These included gradation of building heights. Lower heights of two to three storeys (three storeys only where there is a treed buffer in a heritage overlay) could occur opposite housing in the surrounding residential streets. Higher built form of up to five storeys could be achieved further into the site depending on certain criteria being met. In order to allow flexibility for this approach, and optimise this relatively rare site while addressing the local context, the C86 Panel recommended a DPO rather than a zone schedule, to manage development. A concern was that specified heights over four storeys become mandatory in the schedule to the RGZ. The Panel also recommended varied setbacks dependent on the context and the retention of treed character of the site rather than a blanket minimum as submitted by Council. The Committee considers that these parameters can be addressed more effectively in a DPO.

The recommendations of the Monash C86 Panel for the subject site, having considered submissions and planning evidence, were as follows:

• there should be a gradation of building height from a maximum of two storeys along edges of the site where there were unbuffered view lines from residences across the roads;
• a marginal increase to a three storey limit where there is a heritage protected treed buffer approximately 15 metre wide along Strada Crescent;
• more intensive development along Brandon Park Drive;
• some higher development of inboard areas where the DPO design criteria can be met;
• setbacks would be based on location and tree retention i.e. opposite existing houses
the setback would need to accommodate trees of moderate ranking within 15 metres
of the frontage. These treed setbacks opposite existing residences are likely to be
varied and reduce the possibility of monolithic built form at a standard residential
setback; and
• tree retention that is consistent with the garden city concept that has long been
supported by Monash Council. This is despite very little vegetation with a rating above
moderate value identified in the Tree Logic report and, in contrast with some other
parts of Monash that there are no Vegetation Protection Overlay controls over the site
or surrounds.

While protecting treed character and offering opportunities for built form that would
integrate with the local context, these recommendations do not result in as prescriptive a
model as the GRZ plus schedule that was proposed by Monash Council. The Committee
concurs with the DEECD submission that there is a need for some flexibility about future use
and development given the wide range of uses that could be accommodated on this very
large site. In conclusion the following are considered important in choosing a DPO planning
control:
• the need to undertake detailed concept planning on this site following purchase of the
land as, for example, an aged care provider would have different design needs
compared with a school or a housing development (and these uses have always been
able to locate in residential zones).
• the need to encourage integrated planning on a site of this size.
• there are sufficient parameters in the DPO to protect amenity, respond to the existing
surroundings and protect treed character.
• with respect to Notice and Appeal rights, the Committee notes the extensive
consultation and review, including the hearing of submissions and evidence that has
taken place through both the Amendment C86 Panel and the Committee process.
These processes, together with the restrictions on height at the edges of the site
opposite existing residences are considered sufficient to limit the need for further
formal consultation and appeal if the Amendment C86 recommendations are adopted.
This does not limit the option for Council to consult with their constituents.

Changes to the DPO from those recommended by the Monash C86 Panel

DEECD circulated a revised Schedule 4 to the DPO prior to the Hearing.

Some additional matters to those recommended in the C86 Panel Report were included.
These were the incorporation of sustainable design features to address water and waste
management, solar access and energy saving initiatives and the inclusion of existing
conditions and concept plans for the development. The Committee concurs with these
inclusions.

DEECD did not agree with several comments made by Monash Council.
Interfaces

The DPO requirements for a ‘sleeve’ of two storey built form opposite existing residences in Collegium and Academy Avenues and three storey built form where there is a substantial buffer of heritage protected trees opposite existing residences in Strada Crescent. If a different development were sought, Notice and Appeal rights would be available to third parties.

In addition the Committee notes that the retention of trees rated moderate, within 15 metres from the boundary and across the road from housing, has been retained but not along Brandon Park Drive across the road from the Shopping Centre. The Committee considers that the trees along Brandon Park Drive are for the most part rated low rather than moderate. Further where Brandon Park Drive meets the residential streets, the trees rated moderate within 15 metres of the boundary would be retained. Overall this means that there would be a marginal loss of moderate rated trees and given the commercial interface opposite in Brandon Park Drive, the Committee considers that this change is reasonable and minor.

It is noted that, while the site has frontages opposite residential and commercial zoned land there are a number of factors that limit potential impact on residential properties opposite. These are:
- The mixed character around the site with some existing one and two storey dwellings, an extensive ‘back of house’ to the Brandon Park shopping centre, schools, health and medical, and a church with associated hall.
- The mature sugar gums with heights of more than 20 metres (Tree Logic) along Strada Crescent that are protected by a heritage overlay and tree replacement plan for individual trees form a buffer approximately 15 metre wide along the boundary of the site with Strada Crescent.
- The mix of commercial and community uses opposite the site, particularly in Brandon Park Drive and Collegium Avenue.
- The presence of the Monash Special Development school which fronts Strada Crescent and Academy Avenue and forms a buffer to existing housing across the road from the site.
- The lack of direct abuttal to residential properties i.e. the description of the land as an island site holds.

Links

The site is well served by roads that would provide a range of opportunities for access to the site. An east west bicycle/walking link across the site has been accepted by DEECD as a requirement for development of the site in the DPO.

Vegetation

With respect to vegetation protection, the C86 Panel was clear about which trees were to be retained in dot point ten of the requirements for the development plan. This is not the level of protection available for the heritage trees in dot point five of the conditions and requirements for permits. The Committee does not support Council’s proposed change.
Committee agrees that there is a need for the DPO schedule to consider potential for non-residential uses as limited commercial and community uses that can be established in a RGZ i.e. educational, recreational, religious, community and a range of other non-residential uses to serve local community needs in appropriate locations.

It is noted that the vegetation on the subject site is not protected by a Vegetation Protection Overlay. Land around the site is not subject to the Vegetation Protection Overlay and areas with a higher order of vegetation in Monash are subject to this overlay. It is considered unlikely that the moderate or lower rating of most of the trees on site would warrant the application of a Vegetation Protection Overlay. Given the contribution made to local character and the support for tree retention by local planning policy and local submitters, the Monash C86 Panel sought to protect some of the mature vegetation. The retention of both individual trees and groups of trees with a rating of moderate or above, as assessed by Tree Logic, is a requirement of the development plan overlay recommended in the Monash C86 Panel report. A landscape concept would also be required as part of the development plan.

**Contamination**

Peer reviews by Prensa of Preliminary Soil Contamination Assessment (Atma Environmental) and Preliminary Soil Contamination Assessment by Golder Associates were provided to the Committee. As set out in the Panel Report for Monash Amendment C86:

> Based on the analysis of these reports, Prensa confirmed that the site is unlikely to pose a potential health risk to future users of the site if it is rezoned for a sensitive land use. Council accepted the Prensa Pty Ltd conclusion that the site is not ‘potentially contaminated land’ as defined in the Potentially Contaminated Land – General Practice Note (June 2005). The Panel also accepts this advice and concludes that the EAO does not need to be applied to the former school site.

> It is noted that the requirement for a site contamination assessment has been deleted from the revised DPO schedule. On the basis of the above assessment, this is considered appropriate.

The Committee accepts this conclusion.

**(ii) Conclusions and Recommendations**

The issues to be resolved on the site have been addressed by the Amendment C86 Panel and the Committee.

The Committee recommends that:

16. The former Brandon Park Secondary College at 6-30 Brandon Park Drive, Wheelers Hill should have a Development Plan Overlay applied as presented in Appendix C.
9 Former Clayton Primary School

9.1 Site

(i) History

The Clayton Primary School opened in 1956 and after a peak enrolment of 191 students in 1993 it dropped to only 61 students in 2010 and was closed in that year. It is understood that the site was previously used for low intensity agriculture.

(ii) Location

The former Clayton Primary School is located at 29 Browns Road, Clayton and has a total site area of 1.99 hectares. It has access to both Browns Road to the west and via a single residential block width frontage to Moriah Street to the east.

(iii) Surrounds

The areas immediately to the east and west of the site are mainly residential with the majority being timber dwellings on standard sized residential allotments. There are some brick dwellings interspersed. There is limited recent multi-unit infill development in Moriah Street in the vicinity of the subject site. Industrial zoned land, which is currently used as a car park for the nearby Monash Medical Centre, is located immediately to the north of the subject site. The Committee was informed that approaches to the medical centre by DEECD had not resulted in any interest in rezoning the site at this stage.

Immediately abutting the subject site to the south is an extensive industrial property currently occupied by PMP Printing. The Committee was informed that the future of this site is uncertain.

The subject site is located some 700 metres from the Clayton Major Activity Centre on Clayton Road in the vicinity of Centre Road and Carinish Road. A small neighbourhood centre is located some 500 metres south of the site on Centre Road near Moriah Street.

There is some public transport within a reasonable distance from the site including the Clayton railway station which is 500 metres away. Seven bus routes operate along Clayton Road to the west and Centre Road to the south, approximately 500 metres from the subject site. These routes provide access to Southland, Middle Brighton, Monash University, Box Hill Chadstone and Keysborough. The frequency of the services varies, from a Smart Bus service at 15-20 minute intervals during the day to others which operate on 30-60 minute intervals during the day. Evening and weekend services vary and range from a 30 minute service on the Smart Bus route serving Middle Brighton to Blackburn via Monash University to limited or non-existent services on some routes.

(iv) Existing conditions

The school buildings are still on the site and the reason for their non-removal was not made clear to the Committee. They are located on the western portion of the site with former playing fields to the east. There is a broken line of trees on the northern border of the site. The site is substantially rectangular with the exception of the access to Moriah Street and slopes very gently from the northern to the southern boundaries.
The site is subject to a covenant which restricts the use of the land for a quarrying operation or for the winning of brick tiles or pottery ware.

9.2 Issues

(i) Raised by submitters

There were no submitters other than Monash Council for this site. The Committee has identified potential contamination and retention of some existing vegetation as issues on the site and these are discussed further under the heading of Overlay controls.

9.3 Proposed zone controls

(i) Zone

Ms Emons proposed that the site be zoned RGZ and Monash Council have proposed GRZ.

To assist it in determining an appropriate zone, the Committee has applied an analysis of which new residential zone should be applied to the former Clayton Primary School site. The *Criteria for applying the NRZ, GRZ and RGZ* in Table 2 of Practice Note 78 has been used to assist the Committee’s assessment.

In relation to the Criteria identified in Practice Note 78, the Committee makes the following observations with respect to the former Clayton Primary School:

- Surrounding residential areas are mainly single dwellings with limited infill at medium density. The future of the industrial areas to the north and south are uncertain.
- No evidence for growth and change in the area of the subject site presented.
- No identified constraints other than vegetation on site.
- Moderate risk associated with known hazard based on existing studies, but no overlays in place or proposed.
- Very limited residential infill in surrounding areas so little evidence of high demand.
- Brownfield site of significant size.
- Housing strategy being reviewed as part of zone translation process. Council argued for GRZ so presumably consistent with Council’s intended housing policy.
- Industrial land abuts the site.
- Some local jobs and moderate access to others by public transport.
- Moderate access to local shopping.
- Little evidence of good access to local community services provided.
- Moderate access to transport choices only.

Table 14 provides a summary of the Committees assessment against the criteria from Practice Note 78.
Table 14  Assessment against Practice Note 78 Criteria - Former Clayton Primary School

<table>
<thead>
<tr>
<th>Criteria derived from Practice Note 78</th>
<th>AC Conclusion on Criteria</th>
<th>Zone supported by Practice Note based on AC Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there identified neighbourhood character to be retained?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is the site identified as an area for growth and change?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Are there existing landscape or environmental character/ constraints?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is the risk associated with known hazard high or low?</td>
<td>Moderate</td>
<td>-</td>
</tr>
<tr>
<td>What is the existing or desired level of development activity?</td>
<td>Low</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is this a brownfield or urban renewal site or area?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there an adopted housing and development strategy?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is the site identified in Activities Area structure plan/policy?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>If not in an Activities Area, is it redevelopment of commercial or industrial land?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to employment options?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to local shopping?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to local community services?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to transport choices?</td>
<td>No</td>
<td>NRZ</td>
</tr>
</tbody>
</table>

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Locally significant weighting/ criteria
The Practice Note provides no specific weighting to apply to criteria and the Committee is of the view that there is no clear reason for any particular criterion to be allocated significantly higher or lower weights than others.

There are four of the criteria where the Committee’s assessment differs significantly from that provided by Ms Emons. They are as follows:

Level of development activity. The committee feels it is more appropriate to base an assessment on observed level of development activity and the Council report quoted by Ms Emons. However, the Committee does not interpret this as leading necessarily to the application of the RGZ.

Adopted housing and development strategy. There is no adopted strategy and the Committee is therefore guided by the Council’s adopted position on zoning for the site which it assumes will be supported by the yet to be adopted housing strategy.

Good access to community services. The services quoted by Ms Emons, i.e. Monash University and Monash Medical Centre are not what are generally regarded as local services.

Good access to transport. The site has reasonable access to the Clayton Activity Centre, although it could not be considered as being within easy walking distance particularly for a
weekly shopping trip. There is no public transport between the subject site and this activity centre. The Committee does not rate the transport access as high as does Ms Emons.

Whilst a number of the criteria lead to the possibility of applying the NRZ, this is discounted as overall this does not rate highly. The Committee is of the view that the GRZ should be applied as it is the appropriate zone indicated by significantly more of the criteria. As indicated for those criteria where both the Committee and Ms Emons have assessed as guiding towards the RGZ, none are regarded as so significant as to outweigh the conclusion that the GRZ should be applied.

(ii) **Recommendations**

The Committee recommends:

17. **The former Clayton Primary School at 39 Browns Road, Clayton should be rezoned to General Residential Zone.**

9.4 **Proposed overlay controls**

(i) **DPO**

The Committee has recommended that a DPO apply to all former school sites. The exhibited DPO4 was proposed to be common to all five former school sites in the City of Monash. Subsequently DEECD proposed that a separate DPO5 apply to the following school sites in Monash:

- Oakleigh South Primary School, 1 Beryl Avenue, Oakleigh South;
- Monash Special Development School, 1 Renver Road, Clayton;
- Clayton West Primary School, 10 Alvina Street, Oakleigh South; and
- Clayton Primary School, 29 Browns Road, Clayton.

(ii) **DPO schedule**

**Interfaces**

The GRZ provides for dwellings up to nine metres in height but the Committee is of the view that at the east and west interfaces of the site buildings should be restricted to two storeys as an appropriate transition to the existing residential areas. In addition the changes to the DPO schedule proposed by Mr Montebello provide for appropriate height controls. The Committee sees no case for setback controls other than those provided in ResCode.

**Links**

Existing street linkage between Browns Road and Moriah Street are not good with the existing east west linkages some 750 metres apart. For this reason it is considered that at least an east west pedestrian linkage should be retained through part of the site that has frontage to Moriah Street. The proposed DPO schedule is viewed by the Committee as appropriate to achieving this outcome.
Vegetation

The 17 trees rated in the Tree Logic report as ‘moderate’ should be retained and incorporated into any development of the site. The Committee concludes that the last dot point under Clause 3.0 of the proposed DPOS should be amended to read:

Incorporate any significant vegetation including trees rated as ‘moderate’ or ‘high’ in the Tree Logic assessment into the design of the development.

Contamination

Mr Montebello submitted that Monash Council resolved:

... the rezoning of the Clayton School site in Browns Road be deferred until evidence is provided including groundwater assessment that confirms that the site is suitable for residential use.

At the Hearing, Mr Montebello acknowledged that this Council resolution predates the Senversa Report dated 3 September 2013. He went on to say that Council’s concern is that an existing former industrial site to the north was contaminated and had a significant groundwater issue.

Phase 1 and Phase 2 environmental assessments were undertaken by Prensa in late 2011. That assessment identified four underground storage tanks that had been used to store heating oil. Prensa concluded that the presence of the tanks represented a source of contamination that could affect the rezoning of the site. They also conclude that adjacent land uses represent potential off-site contamination sources particularly to groundwater. It is this conclusion which presumably has led to the concern expressed by Council. They further stated that the site’s contamination potential could be reclassified to ‘medium’ through the completion of additional works including the removal of the four tanks and a groundwater assessment.

In September 2013 Senversa undertook a further Site Contamination Assessment. As part of this process the identified underground storage tanks were removed together with debris from past demolition works. As a result of further testing, Senversa have concluded that:

This residual soil contamination is not considered to represent an unacceptable health or ecological risk under a future sensitive land use.

They recommend that no further contamination investigation is required prior to the divestment of the site by DEECD. With respect to potential groundwater contamination Senversa concludes that:

Detailed groundwater investigations, completion of environmental audits, and documentation from EPA Victoria defining the extent of potentially contaminated groundwater associated with the former industrial property to the north of the site demonstrate that groundwater from that facility does not extend onto or affect the subject DEECD site.

The Senversa work whilst not undertaking a specific groundwater contamination test as indicated by Prensa as needed, did review the previous environmental audit which had been undertaken for the former industrial property at 21 Browns Road. That report found that the
groundwater beneath that site was in fact flowing away from the subject site, this was interpreted by the consultant as meaning that it is highly unlikely that the groundwater contamination from that site would impact on the subject site.

The Committee expresses some concern that neither the Council nor DEECD tendered expert evidence on contamination, which could be tested. The Committee does not have expertise in this area but accepts the Senversa report. It believes that the concerns raised in the initial Prensa Report whilst not having been addressed by way of groundwater testing have been appropriately addressed in the Senversa peer review report of 3 September 2013.

**Traffic**

No traffic study has been undertaken as part of this assessment and the Committee has only been able to make general observations based on its expertise and a site visit. Based on this it sees no particular traffic constraints to significant residential development on the subject site. Such a development would of course be subject to the preparation of a traffic management report and car parking plan including details of site access and egress and is included in the proposed Schedule to the DPO.

**Open Space**

Committee sees no case for open space provision in addition to that provided for under clause 52.01 of the Planning Scheme.

(iii) **Conclusions and Recommendations**

The Committee concludes that the DPO schedule presented at the Hearing is considered appropriate with the following changes:

- Changes flowing from the Committee’s general conclusions on the approach to former school sites.
- The last dot point under Clause 3.0 of the proposed Development Plan Overlay Schedule 5 should be amended to include:
  - Incorporate any significant vegetation including trees rated as ‘moderate’ or ‘high’ in the 2013 Tree Logic assessment.

The Committee recommends that:

18. **The former Clayton Primary School at 39 Browns Road, Clayton should have Development Plan Overlay applied as presented in Appendix C.**
10 Former Clayton West Primary School

10.1 Site

(i) History

Clayton West Primary School opened in May 1962 and closed at the end of the school year in December 2006. Between 1981 and 1999 school enrolments ranged from 208 to 117 students. Excluding the upper and lower values, during this period the average number of students enrolled was 154. Beyond 2000 enrolments declined to 113 in 2005 and 88 in 2006.

(ii) Location

The former school site, which has an area of 2.04 hectares, is located on the east side of Alvina Street, Oakleigh South. Pedestrian access is available to the site from the east, via a three metre wide right of way off Scotsburn Avenue. The Clayton Christian Fellowship is located on the west side of Alvina Street, south of Sinclair Street.

(iii) Surrounds

Properties to the north, east and south are typically single storey residential, while to the south-west, there is a large parcel of vacant land previously used as a quarry. The southern section of the school site abuts the former quarry site.

The school buildings have been demolished. The site is grassed with some established trees. Davies Reserve is located approximately 250 metres north-west of the site. This Reserve includes an athletics track, play equipment and has on-site car parking.

A small unnamed public open space area is located approximately 200 metres north-east of the site. Talbot Park, a public open space area containing BBQ facilities, bocce rink and playground equipment, is located approximately 400 metres, south-west of the site. Huntingdale and the Metropolitan Golf Clubs are located within one kilometre west of the site, both of these facilities are private/members only clubs.

A former strip shopping centre is located on Scotsburn Avenue, south-east of the site. The majority of the tenancies in this strip would be regarded as non-retail.

Alvina Street and Sinclair Street are local access roads. Alvina Street connects into the eastern section of Coombs Avenue, which along with Legon Road and Scotsburn Avenue provide a collector/local arterial function linking Valley Street with Centre Road.

Three bus services operate along Scotsburn Avenue, linking Middle Brighton with Blackburn, East Clayton and Oakleigh and Oakleigh with Box Hill. Route 703 is a Smart bus route which runs at 15 to 20 minutes intervals during a week day and 30 minute intervals in the evening. The other routes generally operate at 30 to 60 minute intervals on a weekday. Weekend services operate 30 to 60 minute intervals.

The Clayton railway station, on the Pakenham line, is located approximately 1.5 kilometres from the site.
(iv) Existing conditions

The school buildings have been demolished. The site is grassed with some established trees. Views into the site are limited as it is bounded on three sides by the back fences of adjoining residential properties. The site has a gentle slope to the south.

10.2 Issues

(i) Raised by Submitters

A summary of the issues raised by submitters is provided in Table 15.

<table>
<thead>
<tr>
<th>Issue</th>
<th>Committee Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>There is a 54 metre long and three metre wide walkway between the former school site and Scotsburn Avenue. It was submitted that this is unsafe and should be discontinued and sold to landowners adjoining the walkway.</td>
<td>This is addressed below.</td>
</tr>
</tbody>
</table>

10.3 Proposed zone controls

(i) Zone

Ms Emons submission to the Committee quoted a Monash Council officer report of 27 August 2013 which stated “Medium density development with a built form up to four storeys could be achieved in the centre of the former Clayton West Primary School site...”

Mr Montebello submitted that Council has resolved to support the rezoning of the site to a GRZ as buildings up to and including four storeys “would be out of character with all of the surrounding development that would normally be taken into account in a Rescode clause 55 analysis”.

To assist it in determining an appropriate zone, the Committee has applied an analysis of which new residential zone should be applied to the former Clayton West Primary School site. The Criteria for applying the NRZ, GRZ and RGZ in Table 2 of Practice Note 78 has been used to assist the Committee’s assessment.

In relation to the Criteria identified in Practice Note 78, the Committee makes the following observations with respect to the former Clayton West Primary School:

- No overlays in place and low level neighbourhood character observed.
- No evidence of substantial change in recent years.
- No such character appears to exist.
- Low risk associated with known hazard.
- No policy on the level of development activity specific to this site. Existing development generally low density, small pocket of higher density development to north of site.
- No adopted housing and development strategy for this site.
- Not identified in Activities Area structure plan or policy.
• Monash medical centre located within 1.5 kilometres of site, Clayton business park 3 kilometres from site, Clayton & Oakleigh retail centres 1.5 and 2.5 kilometres from site.
• Limited local community services within 500 metres of site.
• Bus services run along Scotsburn Avenue and Coombs Avenue.
• Huntingdale & Clayton railway stations located within 1.3 kilometres of site.

Table 16 provides a summary of the Committee’s assessment against the criteria from Practice Note 78.

<table>
<thead>
<tr>
<th>Criteria derived from Practice Note 78</th>
<th>AC Conclusion on Criteria</th>
<th>Zone supported by Practice Note based on AC Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there identified neighbourhood character to be retained?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is the site identified as an area for growth and change?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Are there existing landscape or environmental character/constraints?</td>
<td>No</td>
<td>-</td>
</tr>
<tr>
<td>Is the risk associated with known hazard high or low?</td>
<td>Low</td>
<td>-</td>
</tr>
<tr>
<td>What is the existing or desired level of development activity?</td>
<td>Low</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is this a brownfield or urban renewal site or area?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there an adopted housing and development strategy?</td>
<td>No</td>
<td>GRZ</td>
</tr>
<tr>
<td>Is the site identified in Activities Area structure plan/policy?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>If not in an Activities Area, is it redevelopment of commercial or industrial land?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to employment options?</td>
<td>Yes</td>
<td>-</td>
</tr>
<tr>
<td>Is there good access to local shopping?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to local community services?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to transport choices?</td>
<td>No</td>
<td>NRZ</td>
</tr>
</tbody>
</table>

| 8 | 9 | 4 |

Locally significant weighting/ criteria

Ms Emons concluded that the criteria marginally favoured an RGZ zoning. The Committee do not agree with all of Ms Emons’ assessment, however, the Committee believes the critical issue is neighbourhood character. The immediate abutalls to the site are generally characterised by single storey single family dwellings apart from a relatively new development abutting part of the northern boundary of the site. In the opinion of the Committee it would be desirable to replicate this type of development on part of the subject site.
Ms Emons suggested that the RGZ should be the ‘preferred zone’ where the circumstances of a site can readily support built form up to and including four storeys without significant impacts on the surrounding context. The Committee believes that four storeys across this site would not be appropriate, however, strategically located three storey buildings on part of this site are appropriate. For this reason and based on its own assessment of the Practice Note 78 criteria, the Committee concludes that it is most appropriate to apply the GRZ to the site.

(ii) Recommendations

The Committee recommends that:

19. The former Clayton West Primary School at 10 Alvina Street, Oakleigh South should be rezoned to the General Residential Zone.

10.4 Proposed overlay controls

(i) DPO and Schedule

The Committee has recommended that a DPO apply to all former school sites.

Interfaces

The former school site is bounded on three sides and part of the fourth side by largely single storey dwellings.

The GRZ permits dwellings up to nine metres, however the Committee believes that only two storey dwellings should be permitted on the western, southern and eastern boundaries of the site. Nine metre or three storey dwellings should be permitted on all or part of the northern boundary of the site.

Links

The Committee understands the concern expressed by the Valente’s but believes the issue relates more to the security of their property and the Oro’s.

At this stage the Committee believes that it is not appropriate to recommend that the walkway to Scotsburn Avenue be removed from the sale process. No midblock pedestrian connections are available between Huntingdale Road and Scotsburn Avenue, south of Coombs Street. Future development of the site and ultimately the former quarry to the south west may however result in elimination of the pedestrian walkway.

The Committee is of the view that the proposed dot point in Clause 3.0 of Schedule that makes reference to the permeability and cycle and pedestrian linkages is adequate to justify the retention of this linkage.

Furthermore, until the future of the large parcel of vacant land to the west and south of the site (the former quarry) is resolved all options for pedestrian connectivity should be kept open.

The Tree Logic report dated April 2013 rates four trees as ‘high’ and 28 as ‘moderate’ on the subject site and at least these should be retained and incorporated into the design of the development.
Contamination
There are no ongoing contamination issues that are of concern to the Committee. The Committee accepts the reassurances of the report from Prensa dated December 2011.

(ii) Conclusions and Recommendations
The Committee concludes that the DPO schedule presented at the Hearing is considered appropriate with the following changes:

- Changes flowing from the Committee’s general conclusions on the approach to former school sites.
- The last dot point under Clause 3.0 of the proposed Development Plan Overlay Schedule 5 should be amended to include:
  - Incorporate any significant vegetation including trees rated as ‘moderate’ or ‘high’ in the 2013 Tree Logic assessment.

20. The former Clayton West primary School at 10 Alvina Street, Oakleigh South should have Development Plan Overlay applied as presented in Appendix C.
11 Former Monash Special Development School

11.1 Site

(i) History

The Monash Special Development School at 1 Renver Road, Clayton opened in 1976 and grew to 115 students in 2006 when the school was relocated to a site in Academy Avenue Wheelers Hill, where it has continued to grow to an enrolment of 149 students in 2012. The school is currently located adjacent to the site of the former Brandon Park Secondary College, which is also the subject of this report.

(ii) Location

The Monash Special Development School site which DEECD wishes to dispose of is located at 1 Renver Road, Clayton. The 1.02 hectares site has frontages to both Renver Road to the east and Cambro Road to the west.

(iii) Surrounds

The former Monash Special Development School is surrounded on each side by residential properties. To the east, west and north of the subject site these are predominantly single storey timber and brick houses. To the south of the site are some new two storey residential developments including dual occupancies. There is evidence that this is an area in which significant redevelopment may be about to occur. This observation is based on significant recent infill redevelopment.

Wellington Road is located to the north of the site and the perimeter of Monash University’s Clayton campus is approximately 300 metres to the north west. Blackburn Road is just to the west of the site. Whilst the subject site is located in a distinct residential precinct approximately 400 square metres, there are significant industrial areas about 100 metres east and south of the site. The Monash technology precinct including the high technology Synchrotron is located north of Wellington Road, to the north of the site. This is a relatively isolated residential precinct. Monash University is relatively well serviced by public transport along both Blackburn and Wellington Roads. There are nine bus routes along these arterials, serving locations as diverse as Southland, Brighton, Blackburn, Chadstone, Mulgrave and Caulfield. Most of these services operate at 20 or 30 minute intervals during the day with reduced services in the evenings and at weekends.

Ms Emons submitted that the subject site is well served by retail and community facilities. The Committee does not share this assessment. Whilst there is some retailing along the Princes Highway, the nearest activity centres of any scale are located either to the west near Clayton railway station or further north along Springvale Road. Neither can be regarded as being easily accessible from the subject site. Community services are not well provided, with a child centre/ kindergarten some 400 metres west of the site. Ms Emons makes reference to services available on the Monash University campus but there is no information provided as to which of these are available to the public.

Open space near the site is substantially within the Monash University precinct.
(iv) Existing conditions
The former school buildings have been demolished and the relatively level site is vacant. There are some established trees on the site, mainly around the perimeter.

11.2 Issues
There were no submissions made on this site as a result of the advertising of the proposed rezoning, other than that made by Monash City Council with respect to zoning and the planning tools to be used.

The Committee has identified potential contamination and the retention of some existing vegetation as issues which need to be addressed and these are addressed in the context of proposed overlay controls.

11.3 Proposed zone controls
(i) Zone
Ms Emons submitted that the site be zoned RGZ and Mr Montebello for Monash Council has proposed GRZ.

To assist it in determining an appropriate zone, the Committee has applied an analysis of which new residential zone should be applied to the former Monash Special Development School site. The Criteria for applying the NRZ, GRZ and RGZ in Table 2 of Practice Note 78 has been used to assist the Committee’s assessment.

In relation to the Criteria identified in Practice Note 78, the Committee makes the following observations with respect to the former Monash Special Development School:

- No relevant overlays and low level neighbourhood character observed.
- Some evidence of growth and change in recent re-development. No relevant overlays.
- No landscape or environmental character appears to exist.
- Low risk associated with known hazard.
- Some evidence of recent development and Council intent for development as indicated through advocating for GRZ for the site.
- No adopted housing strategy and no indication from Council that high density housing strategically justified on the site.
- Not part of an activities area but strategically located in close proximity to both Monash University and the Monash Technology Precinct.
- Not particularly good access to retail facilities.
- Not particularly good access to a range of community facilities.
- Good access to bus services because of its proximity to Monash University.

Table 17 provides a summary of the Committee’s assessment against the criteria from Practice Note 78.
Table 17  
Assessment against Practice Note 78 Criteria - Former Monash Special Development School

<table>
<thead>
<tr>
<th>Criteria derived from Practice Note 78</th>
<th>AC Conclusion on Criteria</th>
<th>Zone supported by Practice Note based on AC Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there identified neighbourhood character to be retained?</td>
<td>No</td>
<td>RZ</td>
</tr>
<tr>
<td>Is the site identified as an area for growth and change?</td>
<td>No</td>
<td>NRZ, GRZ</td>
</tr>
<tr>
<td>Are there existing landscape or environmental character/constraints?</td>
<td>No</td>
<td>RZ</td>
</tr>
<tr>
<td>Is the risk associated with known hazard high or low?</td>
<td>Low</td>
<td>GRZ, RZ</td>
</tr>
<tr>
<td>What is the existing or desired level of development activity?</td>
<td>Moderate</td>
<td>GRZ</td>
</tr>
<tr>
<td>Is this a brownfield or urban renewal site or area?</td>
<td>Yes</td>
<td>RZ</td>
</tr>
<tr>
<td>Is there an adopted housing and development strategy?</td>
<td>No</td>
<td>GRZ</td>
</tr>
<tr>
<td>Is the site identified in Activities Area structure plan/policy?</td>
<td>Yes</td>
<td>RZ</td>
</tr>
<tr>
<td>If not in an Activities Area, is it redevelopment of commercial or industrial land?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to employment options?</td>
<td>Yes</td>
<td>RZ</td>
</tr>
<tr>
<td>Is there good access to local shopping?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to local community services?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to transport choices?</td>
<td>Yes</td>
<td>RZ</td>
</tr>
</tbody>
</table>

4 4 7

Practice Note 78 indicates that there is no specific weighting attributed to the criteria. Based on the assessment undertaken by the Committee there is a strong case to be made for either on the RZ or the GRZ being applied to the site. The site is strategically located close to Monash University and the associated technology precinct and other industrial and commercial facilities. The Committee notes that the site is located in a ‘national employment cluster’ identified in Plan Melbourne. Despite this there was little clear sign until recently that there is a market driver for increased residential density. There is no clear direction in existing local policy that the Committee is aware of for the use of the site for medium to high residential development or for student accommodation. This may change with the adoption of a new housing strategy.

The Committee is of the view that the site is not particularly well located with respect to a significant activity centre and other community facilities. Nor is the size and nature of the relatively isolated residential precinct and its surrounding area such that a significant retail precinct is likely to be supported. The Committee has estimated that if the whole residential precinct was redeveloped at an average of say 25 dwellings per hectare, that some 1,000 residents could live in the area. This population alone would not support a significant retail presence.

The Committee is of the view that both the subject site and its surrounds can support significantly increased residential density. The Committee does however believe that the
location of the area both very close to Monash University and the significant employment in the surrounding areas is such as to justify applying the RGZ to this site. The Committee is of the belief that in the longer term the precinct in which this site is located could support higher density residential development.

(ii) Recommendations

The Committee recommends that:

21. The former Monash Special Development School at 1 Renver Road, Clayton should be rezoned to Residential Growth Zone.

11.4 Proposed overlay controls

(i) DPO and Schedule

The Committee has recommended that a DPO apply to all former school sites.

Interfaces

Whilst recommending the RGZ for this site the Committee is conscious that the surrounding area is largely single storey residential development with some two storey dwellings to the south and appears likely to remain so for the medium term. The amenity of those abutting residents should continue to be protected. So despite a different zoning recommended for this site compared to the other three sites to which DPO5 will apply the Committee is of the view that DPO5 should also apply to this site.

Height should be restricted to two storeys at the interfaces and the management of height levels appropriate to the site are provided for in the amended dot points under clause 3.0 of the proposed DPO5. There is no case for setback controls that are different to those in ResCode.

Links

The Committee believes that provision for permeability and pathways to accommodate pedestrians and cyclists as proposed in the relevant dot point under Clause 3.0 in the DPO5 is appropriate for the site.

Vegetation

The Tree Logic report dated April 2013 rates one tree as ‘high’ and 12 as ‘moderate’ on the subject site and these should be retained and incorporated into the design of the development.

Contamination

As with the other former school sites there was the potential for contamination of the site as the result of underground heating oil storage tanks on the site. DEECD commissioned Prensa to undertake a Phase 1 preliminary environmental assessment in 2010. That report identified the potential for underground storage tanks, that the site is in the vicinity of one existing and one former industrial site that require assessment and clean up, and that overall the potential for environmental liability is low.
In late 2011 Senversa was commissioned to undertake a review of the earlier Prensa work. Senversa concluded that the site has a low potential for contamination and that there was no evidence that underground storage tanks had ever been installed on the site. They acknowledged that a rezoning could trigger the need for an Environmental Audit although they do not consider that such an audit is warranted.

Senversa have concluded that the site is currently suitable for residential development.

In a letter dated February 2012 Senversa did indicate that there was a need to further investigate the nature of contamination at nearby sites to ascertain whether was any potential of off-site contamination impacts. No evidence was presented to the Committee that such an investigation has been undertaken and the Committee is of the view this assessment should occur before any development is approved.

Traffic

No traffic study has been undertaken as part of this assessment and the Committee has only been able to make general observations based on its expertise and a site visit. Based on this it sees no particular traffic constraints to significant residential development on the subject site. Such a development would of course be subject to the preparation of a traffic management report and car parking plan, including details of site access and egress and this is provided for in the proposed schedule to the DPO.

(ii) Conclusions and Recommendations

The Committee concludes that the DPO schedule presented at the Hearing is considered appropriate with the following changes:

- Changes flowing from the Committee’s general conclusions on the approach to former school sites.
- The last dot point under Clause 3.0 of the proposed Development Plan Overlay Schedule 5 should be amended to include:
  - Incorporate any significant vegetation including trees rated as ‘moderate’ or ‘high’ in the 2013 Tree Logic assessment.
- The following dot point should be added under Clause 3.0 ‘Requirements for development plan’ of the proposed Development Plan Overlay Schedule 5:
  - For the former Monash Special Development School Site, evidence that an investigation of the potential for off-site contamination has been undertaken in line with the recommendation of the Senversa Report dated November 2011 and any recommendations addressed.

The Committee recommends:

22. The former Monash Special Development School at 1 Renver Road, Clayton should have Development Plan Overlay applied as presented in Appendix C.
12 Former Oakleigh South Primary School

12.1 Site

(i) History

Oakleigh South Primary School opened in February 1959 and closed at the end of the school year in 2000. Between 1989 and 2000 school enrolments ranged from 154 students to 494 students. The site area is approximately two hectares, which was obviously too small for the student population.

In 2001 the school relocated to Riley Street, Oakleigh South, approximately 600 metres from the original site. Since relocation the school population has varied between 456 and 704 students.

(ii) Location

The former school site is located at the north east corner of the Golf Road/Beryl Avenue intersection in Oakleigh South. The site has an abuttal of approximately 120 metres to Golf Road and 200 metres to Beryl Avenue.

(iii) Surrounds

The predominant land use in the vicinity of the site is private recreation. The Metropolitan Golf Club abuts part of the north and east boundaries of the site and the Huntingdale Golf Club is located approximately 600 metres east of the site. Commonwealth Golf Club is located 500 metres to the south of the site. Oakleigh South Secondary College and Oakleigh South Primary School are located 200 and 600 metres respectively south east of the site.

A Masters Home Improvement Store and shopping centre are located approximately 400 metres south west of the site. Other uses in the area are typically single dwelling residential blocks.

Golf Road and its northern and southern extensions is a north-south collector/local arterial road which links Princes Highway (Dandenong Road) with Centre Road. In the vicinity of the site Golf Road has a two lane cross section. Warrigal Road and Centre Road, located 400 metres and 500 metres respectively from the site, are primary arterial roads. All other roads in the vicinity of the site serve a local access function.

Bus route 733 which connects Oakleigh with Box Hill runs along Golf Road. Bus services operate at 15 to 30 minute intervals until 9.00pm, Monday to Friday, Saturday at 30 minute intervals until 9.00pm and on Sunday hourly until 9.00pm. Bus route 703 (Smartbus), which links Middle Brighton with Blackburn, runs along Centre Road, 440 metres south of the site. Monday to Friday during the day services operate at 15 to 20 minute intervals, increasing to 30 minutes in the evening until midnight. Route 903 (Smartbus) runs between Altona and Mordialloc.

Huntingdale and Oakleigh railway stations are located within 2.5 kilometres of the site.

The Urbis report indicated that the site “has excellent access to open space with a (sic) nearly 70 hectares of open space located within a 800 metre radius of the site”. They neglected to
add that the most of the open space has restricted access due to it being private golf clubs. A small neighbourhood park is located to the south west of the site.

(iv) Existing conditions

The school buildings have been demolished and the site is grassed with some established trees.

12.2 Issues

A number of individual submissions and a petition containing 130 names was presented to the Committee.

(i) Raised by Submitters

A summary of issues raised by submitters is provided in Table 18.

Table 18 Summary of Issues - Former Oakleigh South Primary School

<table>
<thead>
<tr>
<th>Issue</th>
<th>Committee Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site should be used as open parkland because this is what it has been used as in recent years.</td>
<td>This is not within the Committee’s Terms of Reference and further there is not Open Space Strategy to provide strategic support for such a proposal.</td>
</tr>
<tr>
<td>There is a shortage of open space in the area.</td>
<td>There is not Open Space Strategy or other data to support this claim. However an examination of the block bounded by Warrigal Road, Centre Road, Huntingdale Road and North Road, reveals very little public open space. Apart from the small playground in Pitt Street there is no public open space within one kilometre of the site.</td>
</tr>
<tr>
<td>Developing the site for housing will significantly increase traffic, pressure on local facilities and change the nature of the suburb.</td>
<td>Golf Road and Cameron Avenue are clearly used as an alternative route to Warrigal Road, between North Road and Centre Road. Council has recognised this and installed local area traffic management controls. Unlike the east west streets linking Warrigal Road and Golf Road, as well as Beryl Avenue, speed humps have not been installed on Golf Road due to it being a bus route. No traffic volume data or traffic evidence was provided by any party to the Hearing. The Committee can see no substance to support the claim that increased pressure on traffic and other facilities will be beyond that which can be reasonably accommodated.</td>
</tr>
<tr>
<td>Indented parking and intersection improvements are needed as part of any proposed development.</td>
<td>This level of detail should be addressed later in the planning process.</td>
</tr>
<tr>
<td>Planning controls need to ensure that any development fits in with existing residential development in the surrounding area.</td>
<td>Agreed and taken into account in both the proposed zone and the proposed DPO schedule.</td>
</tr>
</tbody>
</table>
Stormwater controls need to be implemented as part of the development.

This level of detail should be addressed later in the planning process.

Trees on the school site need to be protected.

Agreed and included in proposed DPO schedule.

### 12.3 Proposed zone controls

#### (i) Zone

To assist it in determining an appropriate zone, the Committee has applied an analysis of which new residential zone should be applied to the former Oakleigh South Primary School site. The *Criteria for applying the NRZ, GRZ and RGZ* in Table 2 of Practice Note 78 has been used to assist the Committee’s assessment.

In relation to the Criteria identified in Practice Note 78, the Committee makes the following observations with respect to the former Oakleigh South Primary School:

- No relevant overlays and low level neighbourhood character observed.
- No evidence of substantial change in recent years. No relevant overlay.
- Low risk associated with known hazard.
- No landscape or environmental character appears to exist.
- Site is vacant, surrounding area well maintained detached single storey dwellings.
- No adopted housing strategy and no indication from Council that high density housing is strategically justified on the site.
- Not part of an activities area but located in close proximity to a shopping centre containing a supermarket and home improvement centre. No adopted housing strategy and no indication from Council that high density housing is strategically justified on the site.
- Good access to retail facilities.
- Not good access to community facilities.
- A bus route abuts the site, however, services generally run at 30 minute intervals and cease at 9.00pm.

Table 19 provides a summary of the Committee’s assessment against the criteria from Practice Note 78.
Table 19  Assessment against Practice Note 78 Criteria - Former Oakleigh South Secondary College

<table>
<thead>
<tr>
<th>Criteria derived from Practice Note 78</th>
<th>AC Conclusion on Criteria</th>
<th>Zone supported by Practice Note based on AC Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there identified neighbourhood character to be retained?</td>
<td>No</td>
<td>NRZ - GRZ RGZ</td>
</tr>
<tr>
<td>Is the site identified as an area for growth and change?</td>
<td>No</td>
<td>NRZ GRZ</td>
</tr>
<tr>
<td>Are there existing landscape or environmental character/constraints?</td>
<td>No</td>
<td>NRZ GRZ</td>
</tr>
<tr>
<td>Is the risk associated with known hazard high or low?</td>
<td>Low</td>
<td>GRZ RGZ</td>
</tr>
<tr>
<td>What is the existing or desired level of development activity?</td>
<td>Low</td>
<td>NRZ GRZ</td>
</tr>
<tr>
<td>Is this a brownfield or urban renewal site or area?</td>
<td>No</td>
<td>NRZ GRZ</td>
</tr>
<tr>
<td>Is there an adopted housing and development strategy?</td>
<td>No</td>
<td>GRZ</td>
</tr>
<tr>
<td>Is the site identified in Activities Area structure plan/policy?</td>
<td>No</td>
<td>NRZ GRZ</td>
</tr>
<tr>
<td>If not in an Activities Area, is it redevelopment of commercial or industrial land?</td>
<td>No</td>
<td>NRZ GRZ</td>
</tr>
<tr>
<td>Is there good access to employment options?</td>
<td>Yes</td>
<td>GRZ</td>
</tr>
<tr>
<td>Is there good access to local shopping?</td>
<td>Yes</td>
<td>GRZ</td>
</tr>
<tr>
<td>Is there good access to local community services?</td>
<td>No</td>
<td>NRZ GRZ</td>
</tr>
<tr>
<td>Is there good access to transport choices?</td>
<td>No</td>
<td>NRZ GRZ</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Criteria</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>Is there identified neighbourhood character to be retained?</td>
</tr>
<tr>
<td>8</td>
<td>Is the site identified as an area for growth and change?</td>
</tr>
<tr>
<td>5</td>
<td>Are there existing landscape or environmental character/constraints?</td>
</tr>
</tbody>
</table>

Locally significant weighting/criteria

The GRZ is supported in eight out of 13 criteria for applying the new residential zones, the NRZ is supported in seven. Given this finely balanced assessment and whilst the area is a well established and attractive residential area, the Committee can see no strong argument for the NRZ to be applied and concludes that the GRZ is appropriate for this site.

(ii) Recommendations

The Committee recommends that:

23. The former Oakleigh South Primary School at 1 Beryl Avenue, Oakleigh South be rezoned General Residential Zone.

12.4 Proposed overlay controls

(i) DPO and Schedule

The Committee has recommended that a DPO apply to all former school sites.

Interfaces

The former school site abuts on at least part of each of four sides largely single storey dwellings. It abuts the Metropolitan Golf Club to the north east of the site. For this reason
the Committee is of the view that the built form controls proposed for residential interfaces are appropriate to the site.

**Links**

The Committee is of the view that pedestrian and possibly cycle links should be incorporated into any development and that the proposed dot point in Clause 3.0 of Schedule that makes reference to the permeability and cycle and pedestrian linkages.

**Vegetation**

The Tree Logic report dated April 2013 rates no trees as ‘high’ and 18 as ‘moderate’ on the subject site and these should be retained and incorporated into the design of the development.

**Contamination**

The Environmental Site Assessment undertaken by Prensa in August 2013 concluded that there were minor amounts of asbestos detected on the site and that the Site Development Management Plan developed as part of that assessment should be implemented during any site development in the future. For this reason the Committee concludes that the following dot point should be added under the heading of ‘Conditions and requirements for permits’ in the DPO5:

*For the former Oakleigh South Primary School site, plans to implement the Site Development Management Plan developed by Prensa in their report dated August 2013.*

**Conclusions and Recommendations**

The Committee concludes that the DPO schedule presented at the Hearing is considered appropriate with the following changes:

- Changes flowing from the Committee’s general conclusions on the approach to former school sites.
- The last dot point under Clause 3.0 of the proposed Development Plan Overlay Schedule 5 should be amended to include:
  - Incorporate any significant vegetation including trees rated as ‘moderate’ or ‘high’ in the 2013 Tree Logic assessment.
- The following dot point should be added under Clause 3.0 ‘Requirements for development plan’ of the proposed Development Plan Overlay Schedule 5:
  - For the former Oakleigh South Primary School site, plans to implement the Site Development Management Plan developed by Prensa in their report dated August 2013.

The committee recommend:

24. The former Oakleigh South Primary School at 1 Beryl Avenue, Oakleigh South should have Development Plan Overlay applied as presented in Appendix C.
Part D - City of Greater Bendigo
13 Local Context

13.1 Local Policy Controls

This section examines the City of Greater Bendigo local policy relevant to the former Golden Square school site being considered for rezoning by the Committee.

Clause 21.04 of the LPPF (Strategic Directions) establishes an Urban Growth Boundary (UGB) to define the limits of the Bendigo urban area and contains strategies to promote new development within this area. The former school site is located within this growth boundary.

Clause 21.05 of the LPPF (Settlement) contains objectives and strategies to promote new development within this area.

The relevant objectives of Council’s settlement framework include:

- To provide a policy framework on the timing and direction of urban growth and consolidation for the urban areas of Greater Bendigo.
- To better manage the City’s outward growth by channelling development into designated growth areas and away from areas which Council wants to protect.

The relevant strategies include:

- Incorporate an UGB into the planning scheme and introduce planning controls to restrict urban development outside the UGB.

Clause 21.06 of the LPPF (Housing) outlines the following relevant objectives:

- To ensure an adequate supply of land for new residential development in the Bendigo urban area and satellites.
- To provide for a range of housing types to meet the diverse needs of Bendigo’s population.
- To promote more intensive residential development within the central city, suburban areas and along key arterial routes.

Relevant strategies include:

- Provide more affordable types of accommodation in close proximity to the central city, suburban centres, along transportation corridors or in the hubs of new residential precincts.
- Encourage the provision of street and pathway networks for cyclists and pedestrians in new and existing residential development.
- Introduce and enforce the UGB to encourage utilisation of sites within the urban area.
- Incorporate appropriate buffer zones adjacent to existing industrial land to ensure the residential land is protected from potentially adverse amenity impacts.
Promote a range of housing choices through the encouragement of new, innovative designs and accommodation types.

Encourage infill development to take a higher density form when assessing planning applications.

Promote higher density living along transit routes and around activity centres.

Identify and review Crown land sites within the Bendigo CBD that are surplus and have development potential.

Promote redevelopment of developable Crown land sites along transit corridors.

Identify selected sites for potential higher density residential use around existing activity centres located along existing transport routes.

Clause 21.07 of the LPPF (Economic Development) identifies there are many areas set aside for industrial development, but that many of these are constrained due to lot sizes, land ownership issues, servicing issues, access to transport and proximity to existing housing.

The MSS identifies East Bendigo as the focus for immediate industrial activity now and in the future as identified in the East Bendigo Local Structure Plan. The MSS also promotes the Goornang Industrial Estate for the location of rural based industries. The former school site is not located within or proximate to either of these areas.

Clause 22.15 Golden Square Residential Character Policy identifies the area surrounding the school as being within Precinct 7, which is characterised by a semi-rural style of development which consists of miners cottages and occasional Californian bungalows. Lots vary in size and are generally large with wide nature strips and green streetscapes. The statement of the desired future character for the area is:

The semi rural qualities of the area will be retained, and the bush qualities strengthened.

The relevant objectives are:

To strengthen the semi-rural landscape setting of the dwellings.

To minimise site disturbance and impact of the building on the landscape.

To maintain the consistency, where present, of building front setback.

To ensure that buildings and extensions do not dominate the streetscape.

To use building materials and finishes which complement the dominant pattern within the streetscape.

To maintain the openness of the streetscape.

13.2 Translation to new zones

At its meeting on 21 August 2013, Council resolved to request the Minister for Planning to prepare and approve an amendment to the Greater Bendigo Planning Scheme that converts R1Z to GRZ in accordance with 8(1b) of the Planning and Environment Act 1987.
14 Former Bendigo South East Secondary College

14.1 Site

(i) History

The Golden Square Secondary School opened in 1960 and closed in December 2008. During the period between 1983 and 2007, enrolments peaked at 822 students, and gradually declined to 569. In 2008 the school was merged with Flora Hill Secondary College and the Golden Square campus of Bendigo South East Secondary College was closed.

(ii) Location

The former school site is located at 41 – 73 Hattam Street, Golden Square, approximately 2.5 kilometres to the south west of Bendigo CBD.

(iii) Surrounds

The former school site is located at a key transition between residential uses to the north, east, west and partly to the south, and an industrial precinct to the south and south-west. Open residential space associated with Golden Gully adjoins the site to the east. To the west, the residential use is an aged care facility. Overall there is a feel of a ‘semi rural’ character to the area.

The site is accessible to central Bendigo, which provides access to a wide range of shops, community and commercial facilities, education and entertainment uses. Golden Square Village Centre is located approximately 650 metres to the north of the site and offers a range of shops and facilities. The industrial land to the south offers some employment opportunities and there is a large employment area approximately 600 metres to the north-east.

The site is located within easy walking distance to Golden Gully open space to the east and the Allingham Street Reserve to the north.

The site is serviced by a local bus which connects the area with the Bendigo CBD. The service is infrequent. It operates hourly until 6pm on weekdays and does not operate on the weekend.

(iv) Existing conditions

The former school site comprises a total site area of 6.8 hectares, being six individual lots, including Crown Allotment 2118, which is occupied by the former school gymnasium. The gymnasium is the only building that remains on the site, and is currently leased to the Catholic Education Office, which provides a gymnastic program from the site for schools in the wider Bendigo area.

The site is irregular in shape and has a significant frontage to Hattam Street of around 300 metres. The site also has frontages or direct access to Manallack Street to the north, MacDougall Road to the east, Tucker Street to the west and Stanistreet Crescent to the north west. The site has four vehicle crossovers, three along Hattam Street and one at the northern end of Stanistreet Crescent.
The site has a direct residential interface with three residential properties which are located to the north and north east of the site.

Vegetation cover is limited to a sporadic cover of established trees and shrubs around the site’s perimeter with some low-rise shrubbery scattered throughout the site. The topography of the locality is undulating with the site and the surrounds rising steeply to the northern and eastern boundaries.

The site and surrounds are located in Bendigo’s historic gold mining area, with the site known to contain in excess of 40 mine shafts.

14.2 Issues

(i) Issues raised in submissions

A summary of the issues raised by submitters is provided in Table 20.

Table 20 Summary of Issues – Former Bendigo South East Secondary College

<table>
<thead>
<tr>
<th>Issue</th>
<th>Committee Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crown Allotment 2118 and / or the gymnasium should be zoned Public Use Zone or for public purposes.</td>
<td>A recommendation of this nature is outside the scope of the Terms of Reference. A Public Use Zone is only appropriate if the land is in public ownership. See full discussion below.</td>
</tr>
<tr>
<td>The interface with Hattam Street should be zoned in industrial, to match the zoning to the south of Hattam Street.</td>
<td>This is not supported for the reasons outlined below.</td>
</tr>
<tr>
<td>The whole site should be zoned to industrial.</td>
<td>This is not supported for the reasons outlined below.</td>
</tr>
<tr>
<td>The southern boundary of the site should be zoned to allow for a mix of commercial / industrial uses, continued use of the gymnasium, and continued use of the oval.</td>
<td>Council is encouraged to purchase the Oval and Crown Allotment 2118 (the gymnasium allotment) to enable this to occur to enable a Public Park and Recreation Zone to be applied. Commercial / industrial is not supported for the reasons outlined below.</td>
</tr>
<tr>
<td>Residential use on the southern boundary is not appropriate due to interface issues with Hattam Street and industry to the south.</td>
<td>Use of buffer treatments to orientate houses to minimise noise impacts, and the use of a wide ‘nature strip’ buffer, fencing and vegetation treatments is supported.</td>
</tr>
</tbody>
</table>

(ii) Other issues

Other issues discussed at the Hearing include:

- Contamination of land.
- Existence of mine shafts within the area.
- Existing use rights of the gymnasium lease holders.
- Access and egress from Hattam Street.
(iii) Discussion

The Oval

Council indicated it was in the process of negotiating to purchase the oval to the south-east of the site from DEECD for continued use by the Council. Currently a number of youth sporting clubs use the oval as their home ground. Council argued that a Public Park and Recreation Zone would be appropriate if Council were to purchase the oval.

Ms Reimers supported a public open space zoning for the oval.

The Committee considers the best option for the oval is purchase by the Council for public open space and support Council’s proposed zone selection of Public Park and Recreation Zone.

Until such time as a purchase is settled, the Committee cannot consider this zone.

The gymnasium and Crown Allotment 2118

As highlighted in the submissions by DEECD Regional Office and the Catholic Education Office, the gymnasium on the south of the site is currently leased to the Catholic Education Office for the purpose of delivering a gymnastic program to schools in the greater Bendigo area.

The Catholic Education Office submitted detailed information about a gymnasium program it provides. The program has run for 25 years, and has a 15 year lease on the current gymnasium site which was finalised in August 2013. There is an option to extend the lease by five years. The lease amount is for a nominal peppercorn sum per year on the proviso that the Catholic Education Office funds the delivery of the school gymnasium program. The gymnasium is located within Crown Allotment 2118. The lease applies to the gymnasium and access rights between Hattam Street and the gymnasium building are provided across Crown Allotment 2118.

The Catholic Education Office requested a zoning that would enable the program to continue.

DEECD Regional Office and Ms Reimers requested the proposed zoning be modified to retain a Public Use Zone on the gymnasium allotment.

The Committee recognises the important role that the gymnasium program provides to the Bendigo community. This role is obviously also recognised by DEECD as they have recently entered into an agreement with the Catholic Education Office to run the schools in the region from the site. The Council also indicated strong support for the gymnasium program.

The gymnasium enjoys existing use rights so long as the use does not discontinue for a period of more than two years. In that regard it does not matter what the gymnasium is rezoned to. However the Committee appreciates that the Catholic Education Office has made a significant long term commitment to the site and plans to run a gymnasium program for Bendigo over the long term, and for that reason would like some confidence that the land will be zoned appropriately for its ongoing use as a gymnasium.
Council stated at the Hearing that it has no interest in taking over ownership of the gymnasium. Zoning issues associated with the gymnasium are explored as follows.

The Committee acknowledges that Council has stated it does not wish nor intend to purchase the gymnasium, however it can see benefits to Council in changing its position and purchasing the gymnasium and the balance of Crown Allotment 2118.

The Catholic Education Office is providing a valuable community service to the wider Bendigo area in delivering a school gymnasium program. This service is provided at no cost to Council. At the Hearing it was highlighted how difficult it is to find appropriate indoor recreation facilities in Bendigo which are suitable for delivering a program of this nature.

If Council succeeds in purchasing the oval, Crown Allotment 2118 could be developed to provide car parking and changing facilities to service both the gymnasium and oval and any future community recreational uses provided on the sites.

The Committee also notes that with the current lease arrangements in place, Crown Allotment 2118 is essentially an encumbered lot as there is no opportunity for a market return on the land in the next 15 years, and possibly for a further five years after that. This is noted as it may provide an incentive for Council and DEECD to negotiate a discounted price for Crown Allotment 2118 that recognises the encumbrance and enables the Bendigo community to benefit in the long term.

The Committee considers the best option for Crown Allotment 2118 is purchase by the Council for community purposes. If this were to occur, the appropriate zone for the land would be Public Park and Recreation Zone, along with the adjacent oval. Until such time as a purchase is settled, the Committee cannot consider this zone.

Mine shafts

Ms Emons’ and Council’s submissions noted that existence of a number of mine shafts on site. Council submitted that these were unlikely to be a barrier to the development of the site. Throughout the Greater Bendigo area, numerous sites contain disused mine shafts. These are generally capped prior to the development of the land. Council is not aware of any examples where a development had not been able to proceed due to disused mine shafts on site.

Contamination

Council’s submission noted that the EPA considered there may be contamination issues on site, but that further testing would need to be undertaken to determine this.

DEECD commissioned Golder Associates to undertake a Phase 1 Site Environmental Assessment for Golden Square Secondary College to confirm its suitability for residential / sensitive use. The environment site assessment report was completed on 13 December 2013 and concluded:

- All buildings were demolished after the school closed in 2008;
- The site is located in a historical gold mining area with over 40 mining shafts onsite with the potential to contain unconsolidated contaminated waste tailing spoil;
An environmental audit may be required to further assess the risk of arsenic which was found in the soil. This does not necessarily mean that sensitive uses are unsuitable for the site, but that further assessment is needed if sensitive uses are to be considered.

Mr Leong, DEECD Project Officer, confirmed it was likely that disused fuel storage tanks are buried on the site. DEECD has a process for determining the likely location of fuel storage tanks but has not yet undertaken this process for the site.

Ms Emons submitted an environment audit and remediation may be required for all or some of the site if it is rezoned for a sensitive use. However, based on the information available through the environmental site assessment report, it would be preferable to wait until further testing is undertaken before applying an Environmental Audit Overlay to the site.

14.3 Proposed zone controls

(i) Zone

Several alternative zones to a residential zone were put forward by submitters and at the Hearing. These included Industrial, Commercial, Mixed Use, Public Park and Recreation Zone, Special Use Zone and Public Use Zone. These have been carefully considered by the Committee below, prior to the assessment of the proposed residential zone for the site.

Industrial and Commercial zones

Mr and Mrs Atherton argued that the south of the former school site should be industrially zoned in line with the rest of Hattam Street. They considered that the residential zoning of the land may impact on the operation of their transportation business located within the industrially zoned land to the south of the subject site, which is used 24 hours a day, seven days a week. They also noted that Hattam Street is an Over Dimensional truck route and is used by heavy vehicles.

Mr Van Der Graff also supported an industrial zoning of the land.

Council considered that separation between the existing industrial uses to the south of the site, and any future residential development on the site was required, and that this should be achieved by zoning the southern portion of the site to allow for the continued use of the oval and gymnasium, and introduce new showroom type uses to the south west of the site, through the application of the Industrial 3 Zone or Commercial 2 Zone.

The argument for permitting light industrial and showroom uses put forward was to provide an industrial buffer between Hattam Street and the industrial uses to the south, and future residential on the northern part of the site.

The Committee does not support this argument and agrees with Ms Emons submission:

Importantly, we consider that the introduction of industrial or commercial uses along the site’s southern boundary would create buffer issues for the balance of the site and would compromise the site’s ability to be developed for housing. The amenity enjoyed by the existing residents of the aged care facility to the immediate west of the site could also be significantly affected by the introduction of industrial / commercial uses abutting the boundary.
Hattam Street acts as a significant buffer between the existing industrial uses to the south and the subject site. The Committee considers that providing for a buffer through the application of an industrial or commercial zone on the site would only move any interface from the boundary of the site to the middle of the site, and potentially create greater interface issues within the site as industrial and residential zones would abut under this scenario.

Further, the planning scheme does not support an expansion of industrial uses in this location, however it does support the use of the land for residential purposes.

The Committee agrees with Ms Emons that buffer treatment along the Hattam Street frontage in the form of planting, fencing or screening can be used to manage interface issues.

During discussion, the use of a Mixed Use Zone was considered for the south-east corner of the site. The Mixed Use Zone permits the use of land for housing as of right. Both Ms Emons and Mr Cockerall agreed that this could be an option worth exploring, although Ms Emons noted that the interface issue may still cause amenity problems within the site.

Table 21 shows the key differences between the Mixed Use Zone and the proposed GRZ.

<table>
<thead>
<tr>
<th>Zone</th>
<th>Section 1</th>
<th>Section 2</th>
<th>Section 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mixed Use Zone</td>
<td>Office</td>
<td>Industry</td>
<td>Office</td>
</tr>
<tr>
<td></td>
<td>Shop</td>
<td>Retail premises</td>
<td>Industry (other than car wash)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Warehouse</td>
<td>Warehouse (other than store)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Retail premises</td>
</tr>
<tr>
<td>General Residential Zone</td>
<td>Car wash</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Committee does not see any advantage in zoning the south-east corner of the Mixed Use Zone for the same reasons as it does not support an industrial or commercial zoning for the land. The application of the Mixed Use Zone brings the possibility of permit applications for industrial and showroom type uses, which do not have planning scheme support in this location. The Committee consider it preferable to select one zone to apply to the site which permits residential use to avoid fragmentation, and allow the site to be developed in a comprehensive manner.

**Other non-residential zones**

Several other non-residential zones were discussed for various parts of the site at the Hearing.

Submissions were made to zone the oval to Public Park and Recreation Zone or for ‘public purposes’. The Committee cannot support a public purpose zone at this point as the purchase of the oval by Council has not been finalised. The public purpose zones can only be
applied if land is in public ownership. If Council were to purchase the oval, the Committee would support a zoning to Public Park and Recreation Zone. At this time, the Committee considers that the appropriate zone for the oval is a residential zone. A residential zone does not discount the land from being used as an oval, and the application of a consistent zone across the site will avoid fragmentation of the land and allow for a comprehensive infill development in the instance that Council does not purchase the oval.

Submissions were made to retain the Public Use Zone or the Special Use Zone on the gymnasium. Council submitted that the existing Schedule 4 to the Special Use Zone (Private Sport and Recreation Facilities) would be appropriate.

The scope of the Terms of Reference does not allow the Committee to recommend a public use zone for the land, and in any case, without a public land owner, such as Council or the State Government, the application of the Public Use Zone is inappropriate under the provisions of the zone.

The Committee does not support the application of the Special Use Zone to Crown Allotment 2118 or the gymnasium as this leads to fragmentation of the site and presumes that any future purchaser of the site will be committed to providing a private sport and recreational facility on the site in the longer term.

Within the Greater Bendigo Planning Scheme, the gymnasium is defined as an indoor recreational facility. Each of the new residential zones defines an indoor recreation facility as a Section 2 Use, meaning a permit may be granted for the use at Council’s discretion.

The Committee considers that the appropriate zone for Crown Allotment 2118 is a residential zone. A residential zone does not discount the land from being used as an indoor recreation facility, and the application of a consistent zone across the site will avoid fragmentation of the land and allow for a comprehensive infill development. This option allows for the operation of the Catholic Education Office lease for the next 15 to 20 years.

**Residential zone**

Ms Emons has proposed that the site be zoned GRZ because the GRZ:

> represents the most appropriate strategic fit for the subject site taking into account its location, scale and importance as a significant opportunity for infill urban renewal.

Council supports the application of the GRZ.

To assist it in determining an appropriate zone, the Committee has applied an analysis of which new residential zone should be applied to the former Bendigo South East Secondary College site. The *Criteria for applying the NRZ, GRZ and RGZ* in Table 2 of Practice Note 78 has been used to assist the Committee’s assessment.

In relation to the Criteria identified in Practice Note 78, the Committee makes the following observations in relation to the former Bendigo South East Secondary College:

- Surrounding area is mixed ranging from single dwellings to the north, small aged care bungalows and a large aged care facility to the west and warehouse style structures to the south. The general feel of the area is semi rural.
• No evidence for growth and change in the area of the subject site presented.
• No identified constraints.
• There are risks associated with disused mining shafts, however these can be managed through capping.
• Preliminary testing shows that there is arsenic on the site. This may pose a constraint however further investigation is required to determine the extent of the contamination.
• This site is suited to infill development.
• The site is large, however it is located some distance from an activity centre, and is only served on an infrequent basis by public transport.
• MSS articulates an UGB for Bendigo. This site falls within the UGB.
• Not identified as an Activity Area.
• Not identified as an industrial or commercial growth area in the MSS.
• Access to a limited range of jobs within walking distance. Proximate to Bendigo CBD.
• Within 800 metres of a range of shops at Golden Square.
• Within 800 metres of a range of services at Golden Square.
• Good access to all modes of transport. Public transport service is limited in frequency.

Table 22 provides a summary of the Committees assessment against the criteria from Practice Note 78.

<table>
<thead>
<tr>
<th>Criteria derived from Practice Note 78</th>
<th>AC Conclusion on Criteria</th>
<th>Zone supported by Practice Note based on AC Conclusion</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is there identified neighbourhood character to be retained?</td>
<td>Yes</td>
<td>NRZ GRZ</td>
</tr>
<tr>
<td>Is the site identified as an area for growth and change?</td>
<td>No</td>
<td>NRZ GRZ</td>
</tr>
<tr>
<td>Are there existing landscape or environmental character/constraints?</td>
<td>No</td>
<td>RGZ</td>
</tr>
<tr>
<td>Is the risk associated with known hazard high or low?</td>
<td>Low</td>
<td>GRZ RGZ</td>
</tr>
<tr>
<td>What is the existing or desired level of development activity?</td>
<td>Moderate</td>
<td>GRZ</td>
</tr>
<tr>
<td>Is this a brownfield or urban renewal site or area?</td>
<td>No</td>
<td>NRZ GRZ</td>
</tr>
<tr>
<td>Is there an adopted housing and development strategy?</td>
<td>No</td>
<td>GRZ</td>
</tr>
<tr>
<td>Is the site identified in Activities Area structure plan/policy?</td>
<td>No</td>
<td>NRZ GRZ</td>
</tr>
<tr>
<td>If not in an Activities Area, is it redevelopment of commercial or industrial land?</td>
<td>No</td>
<td>NRZ</td>
</tr>
<tr>
<td>Is there good access to employment options?</td>
<td>Yes</td>
<td>RGZ</td>
</tr>
<tr>
<td>Is there good access to local shopping?</td>
<td>Yes</td>
<td>RGZ</td>
</tr>
<tr>
<td>Is there good access to local community services?</td>
<td>Yes</td>
<td>RGZ</td>
</tr>
<tr>
<td>Is there good access to transport choices?</td>
<td>No</td>
<td>NRZ GRZ</td>
</tr>
</tbody>
</table>

6 8 5
Locally significant weighting/criteria

The most significant local consideration for this site is that acts as a transition site between residential uses to the north, west and east, and industrial uses to the south.

Whilst a large site, it is not close enough to significant retailing and services, frequent public transport and employment to support high-density development.

There are no particular neighbourhood character issues that would suggest a NRZ is warranted.

The Committee agrees with Ms Emons and Council’s assessment that the GRZ is the most appropriate residential zone for the site.

(ii) Recommendations

The Committee recommends that:

25. The former Bendigo South East Secondary College campus at 41 – 43 Hattam Street, Golden Square be rezoned to the General Residential Zone, providing that:
   a. The Public Park and Recreation Zone should be applied to the Oval at the former Bendigo South East Secondary College campus should the City of Greater Bendigo purchase this parcel of land for use as a community recreational facility/public open space area.
   b. The Public Park and Recreation Zone should be applied to Crown Allotment 2118 former Bendigo South East Secondary College campus should the City of Greater Bendigo purchase this parcel of land for use as a community recreational facility/public open space area.

14.4 Proposed overlay controls

(i) DPO and Schedule

The Committee has recommended that a DPO apply to all former school sites.

Interfaces

The key interface that hasn’t been addressed in the DPO is the existing and continuing uses on the site, specifically the gymnasium on Crown Allotment 2118.

At the Hearing it was agreed that the interface between new development and this existing use should include buffering treatment while the gymnasium use continues, and the Schedule to the DPO should be amended to include this.

Other interface issues have been dealt with earlier in this report in the zoning discussion.

Links, access and egress

Council’s submission noted that VicRoads had indicated that a Traffic Impact Assessment Report (TIAR) would need to be undertaken to address traffic and access impacts on the main road. VicRoads also noted that direct access to the site from Hattam Street would not be permitted, and that all existing accesses must be removed. It is noted that this advice was provided to Council in the preparation of their submission. VicRoads did not make a formal submission to the Committee.
Mr Van Der Graaf submitted that a new road should be formed through the centre of the site (as a continuation of McCullagh Street) and that the only access should be off Hattam Road. This submission was made in the context that the site be rezoned for industrial purposes. The Committee has already discounted this as a zoning option for the site.

Ms Emons submitted that it was inappropriate to deal with specific access and egress issues from Hattam Street at the rezoning stage, and that these issues should be resolved through the development plan process.

Ms Emons also pointed out that there are currently three access points to the site from Hattam Road, and most residential properties along Hattam Road have a cross over directly onto Hattam Street. It was therefore considered unreasonable to expect that there would be no access point from Hattam Street, but did consider there could be some consolidation of the number of crossovers.

The Committee agrees that it is appropriate to develop the transport network plan for the site, including access and egress from Hattam Street, through the development plan and subdivision plan preparation process. This should occur in consultation with Council and VicRoads and in consideration of Hattam Street’s status as an Over Dimensional route.

Ms Billington from the Catholic Education Office confirmed that the gymnasium currently has no road access and users of the facility currently park on Hattam Street. She said this was not satisfactory and the Catholic Education Office planned to construct an off street car park for the gymnasium in the future, subject to negotiating access arrangements with the owners of the land.

At the Hearing the future pedestrian and road network was discussed. The existing network of roads around the site provides potential linkages into the site and the opportunity for a permeable road and pedestrian network to be developed. It was agreed that to achieve this, the network should be developed for the site as a whole, and as a result it was necessary for one development plan to be prepared for the site, rather than a staged process.

Ms Emons submitted that DEECD had no problem with amending the DPO to specify that the development plan had to be prepared as a one-stage process.

**Vegetation**

There are no specific vegetation issues to be dealt with on this site.

**Contamination**

Council submitted it was satisfied with the provisions of the DPO, and that there main concern was having the involvement of the Environment Protection Authority in the assessment of any plan.

The Committee notes that as well as the proposed provisions of the DPO, Clause 65 requires the responsible authority must consider the matters outlined in Section 60 of the *Planning and Environment Act 1987* prior to deciding on an application. This includes consideration of:

> 60(1)(e) any significant effects which the responsible authority considers the use or development may have on the environment or which the responsible authority considers the environment may have on the use or development.
and

60 (1a)(f) any relevant State environment protection policy declared in any Order made by the Governor in Council under section 16 of the Environment Protection Act 1970.

Whilst there is not a formal referral authority trigger to the Environment Protection Authority under the proposed controls, Council could still consult with the EPA in the process.

The Committee is satisfied that the fact that there are contamination issues on the site has been recognised by all parties. The Committee concurs with the view of Ms Emons that the EAO places potentially unreasonable requirements on the site considering that contamination is likely to be contained in specific locations.

The Committee is satisfied that an EAO does not need to be applied unless further testing to be done through the Environmental Site Assessment required as part of the development plan indicates it should be.

The Committee is satisfied with the provisions outlined in the DPO for managing contamination.

(ii) Conclusions and Recommendations

The Committee concludes:

- The Development Plan Overlay, Schedule 27, as tabled by Ms Emons at the Hearing, be applied to the former Bendigo South East Secondary College campus with the following changes:
  - Changes flowing from the Committee’s general conclusions on the approach to former school sites;
  - Provide buffer treatments to the gymnasium;
  - Amend 3.0 Requirements for development plan to include applying appropriate buffer treatments to any existing and continuing non residential use on the site;
  - Require notice to include letter to surrounding owners and signs on site;
  - Include a decision guideline to consider the impact of new development on existing and continuing uses on site; and
  - Require the development plan to be prepared in one stage to allow for a comprehensive road and pedestrian network which links with the existing surrounding road network to be developed.

The Committee recommends that:

26. The former Bendigo South East Secondary College campus at 41 – 43 Hattam Street, Golden Square should have Development Plan Overlay applied as presented in Appendix C.

27. Access and egress issues to and from Hattam Street (for the former Bendigo South East Secondary College) should be resolved with VicRoads is at the development application stage rather than the Planning Scheme Amendment stage.
Appendix A  Terms of Reference

DEECD Surplus Land Rezoning Project Standing Advisory Committee

Standing Advisory Committee appointed pursuant to Part 7, Section 151 of the Planning and Environment Act 1987 to report on proposals for rezoning of land surplus to the needs of the Department of Education and Early Childhood (DEECD)

Version: 1 (9 May 2013)

Name

1. The Standing Advisory Committee is to be known as the ‘DEECD Surplus Land Rezoning Project Standing Advisory Committee’.

2. The Standing Advisory Committee is to have members with the following skills:
   - Statutory and strategic land use planning
   - Land development and property economics
   - Traffic planning
   - Environmental planning

Purpose

3. The purpose of the Standing Advisory Committee is to advise the Minister for Planning on the suitability of the proposed rezonings for sites forming part of the DEECD Surplus Land Rezoning Project. All of the sites are currently zoned for Public Use (Education) and need to be rezoned to allow for their disposal.

Background

4. The Minister for Education holds a large portfolio of surplus sites (73 sites) which must be disposed of to meet DEECD’s land sales targets to provide renewal in education facilities. These sites require rezoning from a Public Use zone prior to sale.

5. The Government has recently announced its economic action plan to “pursue a strategy to bring government land to market, to encourage sensible redevelopment and new housing and employment opportunities in Victoria’s established neighbourhoods” (page 41, Securing Victoria’s Economy, December 2012).

6. As the first plank of delivering this action item, the Government has endorsed a pilot process to facilitate the rezoning of DEECD land in a manner that allows the sites to be brought forward to sale more quickly than is currently being achieved. The Minister for Planning will be required to implement any rezoning recommendations that the process delivers.
7. The project deals with 22 surplus DEECD sites in tranches, the first tranche consisting of nine priority sites within three municipalities (Bendigo, Casey and Monash) – see attached. Rezoning proposals will be prepared for each site by DEECD.

8. The Hon. Matthew Guy, MLC Minister for Planning has appointed a Standing Advisory Committee pursuant to Section 151 of the Planning and Environment Act 1987 to review all matters related to the rezoning of these sites, including the associated documentation and submissions lodged in relation to the planning proposals.

9. All of the sites are either vacant or disused and have been declared surplus to need for the government’s educational purposes and it will not be open to the Standing Advisory Committee to revisit this decision.

Method

10. The Standing Advisory Committee may apply to vary these Terms of Reference in any way it sees fit prior to submission of its report.

Stage 1: Exhibition

11. The Standing Advisory Committee will pre-set the Hearing dates.

12. The Department of Planning and Community Development (DPCD) will write to each of the relevant Councils, Government agencies and servicing authorities with a copy of DEECD’s planning proposals seeking comments within 3 months. DPCD will also notify the adjoining residents of the subject sites and may undertake additional notification.

13. The Standing Advisory Committee will hold a briefing session with all Councils, DEECD and DPCD and other submitters at the commencement of the consultation period to discuss the conduct of the Standing Advisory Committee process.

14. All submissions are to be collected at the office of Planning Panels Victoria in accordance with the ‘Guide to Privacy at PPV’. Hard copies will be made for each Council, DEECD and DPCD, and electronic copies may also be provided to other submitters upon request.

15. Petitions and pro-forma letters will be treated as single submissions and only the first name to appear will receive correspondence in relation to Standing Advisory Committee matters.

Stage 2: Public Hearing

16. The Standing Advisory Committee is expected to carry out a public Hearing and provide all submitters with an opportunity to be heard. Submitters are not required to have formal representation at the Hearing.

17. The Standing Advisory Committee may meet and invite others to meet with them when there is a quorum of at least two of the Committee members.

18. The Standing Advisory Committee may limit the time of parties who wish to appear before it at the public Hearing and may regulate cross-examination.

Stage 3: Outcomes

19. The Standing Advisory Committee may inform itself in anyway it sees fit, but must consider:

- The suitability of the proposed land rezoning, and any overlay, for each property in light of State and local planning policy frameworks and public open space contributions in line with current development requirements. It is not open to the Standing Advisory
Committee to consider the application of any Public Land Zones unless DEECD advises the suitability of such.

- The extent to which the proposed planning framework is responsive to any key issues on the site or within the local context.
- The suitability of a reformed residential zone for each site, which will be implemented in the Victoria Planning Provisions by 1 July 2013 and into council planning schemes by 1 July 2014.
- All relevant documentation prepared by or for DEECD, or otherwise provided to the Standing Advisory Committee.
- All submissions made in regard to DEECD’s proposed planning controls.

20. The Standing Advisory Committee must produce a written report for the Minister for Planning providing:

- An assessment of the appropriateness of any rezoning, including the most suitable reformed residential zone, in light of the relevant State and Local Planning Policy Frameworks.
- An assessment of whether planning scheme amendments could be prepared and adopted in relation to each of the proposals.
- An assessment of submissions to the Standing Advisory Committee.
- Any other relevant matters raised in the course of the Standing Advisory Committee Hearing.
- A list of persons who made submissions considered by the Standing Advisory Committee.
- A list of persons consulted or heard.

Submissions are public documents

21. The Standing Advisory Committee must retain a library of any written submissions or other supporting documentation provided to it directly to it until a decision has been made on its report or five years has passed from the time of its appointment.

22. Any written submissions or other supporting documentation provided to the Standing Advisory Committee must be available for public inspection until the submission of its report, unless the Standing Advisory Committee specifically directs that the material is to remain ‘in camera’.

Timing

23. The Hearing/s proper are to be commenced (ie Directions Hearing) no later than 10 business days from the close of consultation period and be completed within 30 business days from the close of the consultation period.

24. The Standing Advisory Committee is required to submit its report in writing as soon as practicable but no later than 20 business days from the completion of the Hearings.

25. The report(s) may be submitted in stages.
Fee

26. The fee for the Standing Advisory Committee will be set at the current rate for a Panel appointed under Part 8 of the Planning and Environment Act 1987.

27. The costs of the Standing Advisory Committee will be met by DEECD.

Project Manager

28. Day to day liaison for this matter will be through Sharon Stewart, Manager Priority Projects, Department of Planning and Community Development on ph. 9098 8946 or by email at sharon.stewart@dpcd.vic.gov.au.

29. Inquiries regarding the Standing Advisory Committee process will be through Jessica Cutting, Senior Project Manager on 9637 8643 or by email at jessica.cutting@dpcd.vic.gov.au.
Appendix B  List of Submitters

List of Submitters – General

<table>
<thead>
<tr>
<th>No.</th>
<th>Submitter</th>
</tr>
</thead>
<tbody>
<tr>
<td>G1</td>
<td>Laura Bradley, Goulburn Murray Water</td>
</tr>
<tr>
<td>G2</td>
<td>Emile Kyriacou, Department of Environment and Primary Industries</td>
</tr>
<tr>
<td>G3</td>
<td>Valerie Yule</td>
</tr>
<tr>
<td>G4</td>
<td>Bethany Bucci, South East Water</td>
</tr>
<tr>
<td>G5</td>
<td>Caroline Dickson, City of Casey</td>
</tr>
<tr>
<td>G6</td>
<td>Brian Goyen, Monash City Council</td>
</tr>
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List of Submitters – City of Casey

<table>
<thead>
<tr>
<th>No.</th>
<th>Submitter</th>
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<tbody>
<tr>
<td>C1-1</td>
<td>Joshua Ostwoud</td>
</tr>
<tr>
<td>C1-2</td>
<td>Luat Nhan Le</td>
</tr>
<tr>
<td>C1-3</td>
<td>Warren Wood, City of Greater Dandenong</td>
</tr>
<tr>
<td>C1-4</td>
<td>Judy Martin</td>
</tr>
<tr>
<td>C2-1</td>
<td>Loannis Lykouras</td>
</tr>
<tr>
<td>C3-1</td>
<td>John Thomas Hanshaw</td>
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List of Submitters – City of Greater Bendigo

<table>
<thead>
<tr>
<th>No.</th>
<th>Submitter</th>
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</thead>
<tbody>
<tr>
<td>GB1</td>
<td>Amanda Johnson, Department of Environment and Primary Industries</td>
</tr>
<tr>
<td>GB2</td>
<td>Carmel &amp; Tom Atherton, TJ Atherton Transports Pty Ltd</td>
</tr>
<tr>
<td>GB3</td>
<td>Andrew Cockerall, City of Greater Bendigo</td>
</tr>
<tr>
<td>GB4</td>
<td>June Reimers</td>
</tr>
<tr>
<td>GB5</td>
<td>Alan Van Der Graaf, Van Der Graaf Industries Pty Ltd</td>
</tr>
<tr>
<td>GB6</td>
<td>Phil Billington, Catholic Education Office Bendigo</td>
</tr>
<tr>
<td>GB7</td>
<td>Robert Crump, Coliban Water</td>
</tr>
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</table>
### List of Submitters – City of Monash

<table>
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<tr>
<th>No.</th>
<th>Submitter</th>
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<tbody>
<tr>
<td>M1 - 1</td>
<td>Kevin &amp; Joan Glenane</td>
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<tr>
<td>M1 - 2</td>
<td>Christine Evans</td>
</tr>
<tr>
<td>M1 - 3</td>
<td>Beverley Marchetti</td>
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<td>Janice Field</td>
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<tr>
<td>M1 - 5</td>
<td>William Field</td>
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<td>Michael Hayes</td>
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<td>M1 - 7</td>
<td>Roger Pierson</td>
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<tr>
<td>M1 - 8</td>
<td>Mrs S Van Rooyen</td>
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<tr>
<td>M1 - 9</td>
<td>W &amp; K Stevenson</td>
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<td>M1 - 10</td>
<td>Trevor &amp; Christine Richards</td>
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<td>M1 - 11</td>
<td>Phil Rogers</td>
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<td>M1 - 12</td>
<td>Danni Luttick</td>
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<td>M1 - 13</td>
<td>Suzanne Pietrykowski</td>
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<td>M1 - 14</td>
<td>Keith George Wilshier</td>
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<td>M1 - 15</td>
<td>Alexandra Powell</td>
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<td>M1 - 16</td>
<td>Ron &amp; Margaret David</td>
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<td>M1 - 17</td>
<td>Rosalind Mata</td>
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<td>M1 - 18</td>
<td>Steve Yanko</td>
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<td>M1 - 19</td>
<td>Matthew McSkimming</td>
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<td>M1 - 20</td>
<td>John Ernest Shrives, Brandon Park Residents Action Group</td>
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<tr>
<td>M1 - 21</td>
<td>Maureen O’Kane</td>
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<tr>
<td>M1 - 22</td>
<td>Peter &amp; Alicia Antoniadis</td>
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<td>M1 - 23</td>
<td>Cathy Cameron</td>
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<td>M1 - 24</td>
<td>Barbara Shrives</td>
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<td>Des Olin</td>
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<td>M1 - 26</td>
<td>John Vickers</td>
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<tr>
<td>M1 - 27</td>
<td>Robert &amp; Meredith Bartlett</td>
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<td>M1 - 28</td>
<td>Leo Squires</td>
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<td>M1 - 29</td>
<td>Jolanta Sikorska-kus</td>
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<td>M1 - 30</td>
<td>Janice Bond</td>
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<tr>
<td>M1 - 31</td>
<td>Richard Bond</td>
</tr>
<tr>
<td>M1 - 32</td>
<td>Oscar Kus</td>
</tr>
<tr>
<td>M1 - 33</td>
<td>Laura Kromidellis</td>
</tr>
<tr>
<td>No.</td>
<td>Submitter</td>
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<tr>
<td>-------</td>
<td>------------------------------------------------</td>
</tr>
<tr>
<td>M1 - 34</td>
<td>Matthew O’Kane</td>
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<tr>
<td>M1 - 35</td>
<td>Gloria Moore</td>
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<tr>
<td>M1 - 36</td>
<td>Lorette Snell</td>
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<tr>
<td>M1 - 37</td>
<td>Kerry &amp; Mike Wilson</td>
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<tr>
<td>M1 - 38</td>
<td>Kevin Vidler</td>
</tr>
<tr>
<td>M1 - 39</td>
<td>Sue Goh</td>
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<tr>
<td>M1 - 40</td>
<td>Barry Parnell</td>
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<tr>
<td>M1 - 41</td>
<td>Andrea Cabrera</td>
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<td>M1 - 42</td>
<td>Debbi Vanderwert</td>
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<td>M1 - 43</td>
<td>John Cummins</td>
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<td>M1 - 44</td>
<td>Dora Ting</td>
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<td>M1 - 45</td>
<td>Siew Ng</td>
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<td>M1 - 46</td>
<td>June Van Cuylenburg</td>
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<td>M1 - 47</td>
<td>Robert Smalley</td>
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<td>M1 - 48</td>
<td>Mr Michael Gidley MLA</td>
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<tr>
<td>M3 - 1</td>
<td>Oro and Valente</td>
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<tr>
<td>M4 – 1</td>
<td>Michelle Seel, Monash Special Development School</td>
</tr>
<tr>
<td>M5 - 1</td>
<td>Naomi Best</td>
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<tr>
<td>M5 - 2</td>
<td>Tracey Walker</td>
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<tr>
<td>M5 - 3</td>
<td>Ruth Ryan</td>
</tr>
<tr>
<td>M5 - 4</td>
<td>Tim &amp; Elizabeth Hatley</td>
</tr>
<tr>
<td>M5 - 5</td>
<td>Helen &amp; Bill Kimber</td>
</tr>
</tbody>
</table>
Appendix C  DPO schedules
City of Casey
SCHEDULE [TBC] TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO[TBC]

FORMER DOVETON SECONDARY COLLEGE

64-70 Box Street, Doveton

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been prepared for:

- Bulk excavation, site preparation and retention works including piling, footings, ground beams and ground slab, and minor buildings and works provided that interim treatments are to the satisfaction of the responsible authority and any works required to satisfy environmental clean up or audit requirements.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner.

2.0 Conditions and requirements for permits

2.1 Application Requirements

An application to subdivide or develop the land must be accompanied by the following information, as appropriate:

- Any subdivision plan.
- A development staging plan
- An Aboriginal cultural heritage assessment/archaeological survey.
- An environmental assessment prepared by an appropriately qualified person(s) that identifies any areas of environmental significance on the land.
- An arboricultural assessment of any significant native vegetation on the land.

The responsible authority may waive the need to provide any of the information detailed above that is not relevant to a particular application.

2.2 Development requirements

A permit for the subdivision or development of land must ensure that:

- Appropriate landscape buffers or edges are provided, as shown or specified in the development plan.
- Where residential uses are proposed, there is a mix of lot sizes as shown or specified in the development plan.
- New roads are designed having regard to the standard cross sections in the GAA Engineering Design and Construction Manual.
- Pedestrian paths are provided within new public open space areas.
- Any public land that is created is appropriately landscaped.

3.0 Requirements for development plan

- The development plan must be prepared for the whole site, and should:
- Where residential uses are proposed, provide a range of dwelling types to cater for a variety of housing needs.
- Where non-residential uses are proposed, provide details of the nature of proposed use.
- Incorporate any proposed non-residential uses along Box Street to the south of the site.
- Incorporate sustainable design features to address water and waste management, solar access and energy saving initiatives, to deliver lower living costs for future residents.
- Create a composition of varied building forms and heights across the site.
- Provide for a high quality of internal amenity for future residents.
- Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing low rise residential development.
- Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.
- Apply appropriate buffer treatments at the interface with any non-residential uses on adjoining properties.
- Create a positive interface to adjacent public open space giving appropriate consideration to issues of safety and surveillance.
- Identify the location of any public open space and locate open space adjacent to pedestrian/cycle pathways.
- Create opportunities for improved local permeability through provision of new pedestrian/cycle pathways and a new local street network that links to the existing networks and includes a north south road link with a connection to Ficifolia Drive.
- Incorporate any significant native vegetation into the design of the development including maintaining the long term, sustainable health and condition of existing vegetation.
- Ensure the layout and design of development avoids the ‘dripline’ of any retained River Red Gum trees.

Development plan components

The development plan must include the following information:

- Existing conditions plan, showing surrounding land uses and development, adjoining roads and pedestrian links, public transport routes, topography, and infrastructure provision.
- Concept plans for the site which show:
  - New building orientation and location, indicative uses for each building, car parking areas, public roads, vehicle access locations, pedestrian and bike paths and areas and locations of private and public open space;
  - Three-dimensional building envelope plans including maximum building heights and setbacks.
  - The design philosophy for the site and indicative architectural themes including car parking areas and garages so that they do not dominate the street or any public open space.
  - Shadow diagrams of proposed building envelope conditions at 10.00am, 1.00pm and 3.00pm at 22 September.
- An indicative development schedule including the minimum number, type and density of dwellings and the floor area of any proposed non-residential uses.
- A traffic management report and car parking plan, which includes:
  - Identification of roads, pedestrian, cyclist and vehicle access locations, including parking areas, both internal and external to the site.
  - Any traffic management measures, where required.
  - Location and linkages to public transport.
  - Car parking rates for all uses, including visitor parking.
  - Provision for bicycle facilities.
- A landscaping plan which shows:
The landscape concept for the site.

- An Environmentally Sustainable Design (ESD) statement which includes:
  - Proposed initiatives that demonstrate sustainable design features not limited to energy and greenhouse gas emissions reduction, integrated water management, waste and materials, and achievement towards best practice ESD.

The development plan for any part of the development area or for any stage of development may be amended from time to time to the satisfaction of the responsible authority.

4.0 Display of Development Plan

Before deciding to approve a development plan, the responsible authority must display the plan for public comment.

Notice of the development plan must be given to the owners and occupiers of adjoining land.

A development plan must be displayed or further information required within 28 days after the plan is received by the responsible authority. The plan must be displayed within 14 days of satisfactory further information being received.

The development plan must be displayed for at least 14 days but no longer than 28 days.

5.0 Decision Guidelines

Before deciding whether a development plan, or amendment to a development plan, is satisfactory, the responsible authority must consider:

- The provisions of this planning scheme including relevant local policies and the objectives set out in Clauses 54 and 55 of the scheme.
- The orderly development of land including management of traffic, car parking, the provision of pedestrian ways and open space.
- The overall objective for the land to achieve an integrated medium density residential development offering a choice and diversity of housing opportunities and types, appropriate to its setting and achieving a high quality of amenity and urban design.

7.0 Reference documents

Casey Housing Diversity Statement (September 2012), City of Casey

Engineering Design and Construction Manual (November 2012), Growth Areas Authority.
SCHEDULE [TBC] TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO[TBC]

SURPLUS EDUCATION LAND

Site Description

This schedule applies to land generally known as:

- 58 Doveton Avenue, Doveton – Eumemmerring Primary School
- 25-35 Rowan Drive, Doveton – Doveton North Primary School

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been prepared for:

- Bulk excavation, site preparation and retention works including piling, footings, ground beams and ground slab, and minor buildings and works provided that interim treatments are to the satisfaction of the responsible authority and any works required to satisfy environmental clean up or audit requirements.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner.

2.0 Conditions and requirements for permits

2.1 Application Requirements

An application to subdivide or develop the land must be accompanied by the following information, as appropriate:

- Any subdivision plan.
- A development staging plan
- An Aboriginal cultural heritage assessment/archaeological survey.
- An environmental assessment prepared by an appropriately qualified person(s) that identifies any areas of environmental significance on the land.
- An arboricultural assessment of any significant native vegetation on the land.

The responsible authority may waive the need to provide any of the information detailed above that is not relevant to a particular application.

2.2 Development requirements

A permit for the subdivision or development of land must ensure that:

- Appropriate landscape buffers or edges are provided, as shown or specified in the development plan.
- Where residential uses are proposed, there is a mix of lot sizes as shown or specified in the development plan.
- New roads are designed having regard to the standard cross sections in the GAA Engineering Design and Construction Manual.
- Pedestrian paths are provided within new public open space areas.
- Any public land that is created is appropriately landscaped.

3.0 Requirements for development plan

The development plan must be prepared for the whole site, and should:
Where residential uses are proposed, provide a range of dwelling types to cater for a variety of housing needs.

Where non-residential uses are proposed, details of the nature of the proposed use, including hours of operation, stall and visitor numbers, and traffic and parking management plan.

Incorporate sustainable design features to address water and waste management, solar access and energy saving initiatives, to deliver lower living costs for future residents.

Create a composition of varied building forms and heights across the site.

Provide for a high quality of internal amenity for future residents.

Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing low rise residential development.

Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.

Apply appropriate buffer treatments at the interface with any non-residential uses on adjoining properties.

Create a positive interface to adjacent public open space giving appropriate consideration to issues of safety and surveillance.

Identify the location of any public open space and locate open space adjacent to pedestrian/cycle pathways.

Create opportunities for improved local permeability through provision of new pedestrian/cycle pathways or new local street networks where appropriate that link to the existing networks.

Incorporate any significant native vegetation into the design of the development including maintaining the long term, sustainable health and condition of existing vegetation.

Ensure the layout and design of development avoids the ‘dripline’ of any retained River Red Gum trees.

**Development plan components**

The development plan must include the following information:

- Existing conditions plan, showing surrounding land uses and development, adjoining roads and pedestrian links, public transport routes, topography, and infrastructure provision.

- Concept plans for the site which show:
  - New building orientation and location, indicative uses for each building, car parking areas, public roads, vehicle access locations, pedestrian and bike paths and areas and locations of private and public open space;
  - Three-dimensional building envelope plans including maximum building heights and setbacks.
  - The design philosophy for the site and indicative architectural themes including car parking areas and garages so that they do not dominate the street or any public open space.
  - Shadow diagrams of proposed building envelope conditions at 10.00am, 1.00pm and 3.00pm at 22 September.

- An indicative development schedule including the minimum number, type and density of dwellings and the floor area of any proposed non-residential uses.

- A traffic management report and car parking plan, which includes:
  - Identification of roads, pedestrian, cyclist and vehicle access locations, including parking areas, both internal and external to the site.
  - Any traffic management measures, where required.
  - Location and linkages to public transport.
- Car parking rates for all uses, including visitor parking.
- Provision for bicycle facilities.

- A landscaping plan which shows:
  - The landscape concept for the site.

- An Environmentally Sustainable Design (ESD) statement which includes:
  - Proposed initiatives that demonstrate sustainable design features not limited to energy and greenhouse gas emissions reduction, integrated water management, waste and materials, and achievement towards best practice ESD.

- An Environmental Site Assessment detailing the likelihood of contamination on the site. The assessment should investigate school plans to establish the presence or otherwise of potential below ground sources of site contamination and advise whether an Environmental Audit is required and what remediation, if required, may be necessary.

The development plan for any part of the development area or for any stage of development may be amended from time to time to the satisfaction of the responsible authority.

4.0 Display of Development Plan

Before deciding to approve a development plan, the responsible authority must display the plan for public comment.

Notice of the development plan must be given to the owners and occupiers of adjoining land.

A development plan must be displayed or further information required within 28 days after the plan is received by the responsible authority. The plan must be displayed within 14 days of satisfactory further information being received.

The development plan must be displayed for at least 14 days but no longer than 28 days.

5.0 Decision Guidelines

Before deciding whether a development plan, or amendment to a development plan, is satisfactory, the responsible authority must consider:

- The provisions of this planning scheme including relevant local policies and the objectives set out in Clauses 54 and 55 of the scheme.
- The orderly development of land including management of traffic, car parking, the provision of pedestrian ways and open space.
- The overall objective for the land to achieve an integrated medium density residential development offering a choice and diversity of housing opportunities and types, appropriate to its setting and achieving a high quality of amenity and urban design.

Reference documents

Casey Housing Diversity Statement (September 2012), City of Casey

Engineering Design and Construction Manual (November 2012), Growth Areas Authority.
City of Monash
SCHEDULE 4 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO4

BRANDON PARK RESIDENTIAL DEVELOPMENT PLAN.

1.0 Requirement before a permit is granted

A permit may be granted for use or to construct a building or carry out works before the Brandon Park Residential Development Plan has been prepared and approved.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner.

2.0 Conditions and requirements for permits

Before deciding on an application to use or develop the land the Responsible Authority must consider:

- Whether the proposed use or development is in accordance with the purposes of the zone;
- Whether the use or development is generally in accordance with the Brandon Park Structure Plan, February 2013; and the requirements of the Brandon Park Residential Development Plan detailed in Clause 3.0 below.
- The orderly development of land including management of traffic, car parking, the provision of pedestrian ways and open space.
- The overall objective for the land to achieve an integrated residential development offering a choice and diversity of housing opportunities and types in a neighbourhood setting that has been master planned to provide a distinctive and attractive urban design.
- The following design objectives for the land:
  - To create a high quality urban environment.
  - To ensure that the traffic impact of development does not adversely impact the safety and efficiency of the local road network.
  - To provide for the integration of the development with the surrounding neighbourhood structure, including opportunities for improved local permeability through provision of new pedestrian and cycle pathways or new local street networks where appropriate.
  - To provide for attractive and landscaped settings for public spaces and streetscapes.
  - To protect significant trees along Strada Crescent that are included in the Heritage Overlay.
  - To provide opportunities for a treed canopy to be established within the site.
  - To provide for a range of dwelling types that cater for a variety of housing needs.
  - To incorporate sustainable design features to address water and waste management, solar access and energy saving initiatives, to deliver lower living costs for future residents, initiatives into the development.

3.0 Requirements for development plan

The Brandon Park Residential Development Plan should show:

- Existing conditions plan, showing surrounding land uses and development, adjoining roads and pedestrian links, public transport routes, topography and infrastructure provision.
- Concept plans for the site which shows the location and orientation of new buildings, car parking areas, public roads, vehicle access locations, pedestrian and cycle paths and areas of private and public open space.
- Where residential uses are proposed, a diverse mix of housing types.
Where non residential uses are proposed, details of the nature of proposed use, including hours of operation, staff and visitor numbers, and a traffic and parking management plan.

Preferred building heights that allow for a graduation in building heights across the site as follows:
- 2 storeys opposite existing low rise residential development in Collegium and Academy Avenues;
- 3 storeys opposite residential development in Strada Crescent; and
- Up to 5 storeys towards the central and western portions of the site, sited and designed with reference to an analysis of sight lines from the residential interfaces in Strada Crescent and Collegium and Academy Avenues, that identifies where built form of up to 5 storeys can be integrated without significant visual impact on the residential environments.

Development setback a minimum of 4.5 metres opposite existing houses, except in those parts of the site where there are large trees rated as ‘moderate’ within the Tree Logic Arboricultural Assessment (dated 26 April 2013) that are located within 15 metres of the frontage to Collegium Avenue, Strada Crescent or Academy Avenue, in which case the development setback should be sufficient to accommodate retention of the identified large tree(s).

Provision of at least six indented car spaces on Collegium Avenue opposite the existing Kindergarten and Infant Welfare Centre for short term parking associated with these uses.

Provision of an east-west pedestrian and bicycle link from Strada Crescent through to Brandon Park Drive and the shopping centre.

Provision of Public Open Space. This excludes the 15 metre wide plantation reserve adjacent to Strada Crescent within the Heritage Overlay, and any areas of the site that are encumbered for drainage purposes.

Retention within the front setbacks of buildings, public open space and street reserves of mature canopy trees that were rated as ‘moderate’ by the Tree Logic Arboricultural Assessment dated 26 April. In particular the design should incorporate the retention of groups of trees in the centre of the site (including tree groups 1, 2 and 6 identified in the Tree Logic assessment) the row of trees along Strada Crescent that are within the Heritage Overlay, and large trees within 15 metres of the Collegium Avenue and Academy Avenue frontages of the site.

The subdivision layout of the site including lot numbers, and approximate lot size.

The type of housing proposed for each lot.

The design philosophy for the site and indicative architectural themes including car parking areas and garages so that they do not dominate the street or any public open space.

A traffic management report and car parking plan and where required traffic management measures which includes:
- Identification of roads and typical cross sections of the road network (including connections with the existing road network), pedestrian, cyclist and vehicle access locations, including parking areas, both internal and external to the site.
- Location and linkages to public transport.
- Car parking rates for all uses, including visitor parking.
- Provision for bicycle facilities.

A landscaping plan which shows:
- The landscape concept and theme for the site.

The principal features of the drainage systems, in particular works proposed to manage on-site stormwater detention.
- The proposed staging of development.

### 4.0 Display of Development Plan

Before deciding to approve a development plan, the responsible authority must display the plan for public comment.

Notice of the development plan must be given to the owners and occupiers of adjoining land.

A development plan must be displayed or further information required within 28 days after the plan is received by the responsible authority. The plan must be displayed within 14 days of satisfactory further information being received.

The development plan must be displayed for at least 14 days but no longer than 28 days.
SCHEDULE 5 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO5

SURPLUS EDUCATION LAND

Site Description

This schedule applies to land generally known as:

- 1 Beryl Avenue, Oakleigh South – Oakleigh South Primary School
- 1 Renver Road, Clayton – Monash Special Development School
- 10 Alvina Street, Oakleigh South – Clayton West Primary School
- 29 Browns Road, Clayton – Clayton Primary School

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been prepared for:

- Bulk excavation, site preparation and retention works including piling, footings, ground beams and ground slab, and minor buildings and works provided that interim treatments are to the satisfaction of the responsible authority and any works required to satisfy environmental clean up or audit requirements.
- Subdivision of the land into superlots or to realign property boundaries, or create a road, or create or remove easements.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner.

2.0 Conditions and requirements for permits

An application to develop the land must be accompanied by the following information, as appropriate:

- Any subdivision plans as appropriate.

3.0 Requirements for development plan

The development plan must be prepared for the whole site, and should:

- Where residential uses are proposed, provide a range of dwelling types to cater for a variety of housing needs.
- Where non-residential uses are proposed, details of the nature of the proposed use, including hours of operation, stall and visitor numbers, and traffic and parking management plan.
- Incorporate sustainable design features to address water and waste management, solar access and energy saving initiatives, to deliver lower living costs for future residents.
- Create a composition of varied building forms and heights across the site.
- Provide for a high quality of internal amenity for future residents.
- Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing low rise residential development.
- Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.
- Apply appropriate buffer treatments at the interface with any non-residential uses on adjoining properties.
• Create opportunities for improved local permeability through provision of new pedestrian/cycle pathways or new local street networks where appropriate.
• Incorporate any significant native vegetation into the design of the development.

**Development plan components**

The development plan must include the following information:

• Existing conditions plan, showing surrounding land uses and development, adjoining roads and pedestrian links, public transport routes, topography, and infrastructure provision.

• Concept plans for the site which show:
  • New building orientation and location, indicative uses for each building, car parking areas, public roads, vehicle access locations, pedestrian and bike paths and areas and locations of private and public open space.
  • Three-dimensional building envelope plans including maximum building heights and setbacks.
  • The design philosophy for the site and indicative architectural themes including car parking areas and garages so that they do not dominate the street or any public open space.
  • Shadow diagrams of proposed building envelope conditions at 10.00am, 1.00pm and 3.00pm at 22 September.
  • An indicative development schedule including the minimum number, type and density of dwellings and the floor area of any proposed non-residential uses.

• A traffic management report and car parking plan which includes:
  • Identification of roads, pedestrian, cyclist and vehicle access locations, including parking areas, both internal and external to the site.
  • Traffic management measures, where required
  • Location and linkages to public transport.
  • Car parking rates for all uses, including visitor parking.
  • Provision for bicycle facilities.

• For the former Monash Special Development School Site, evidence that an investigation of the potential for off-site contamination has been undertaken in line with the recommendation of the Senversa Report dated November 2011 and any recommendations addressed.

• For the former Oakleigh South Primary School site, plans to implement the Site Development Management Plan developed by Prensa in their report dated August 2013.

• A landscaping plan which:
  • Shows the landscape concept for the site.
  • Incorporates any significant vegetation including trees rated as ‘moderate’ or ‘high’ in the 2013 Tree Logic assessment.

**4.0 Display of Development Plan**

Before deciding to approve a development plan, the responsible authority should display the plan for public comment.

Notice of the development plan must be given to the owners and occupiers of adjoining land.

A development plan must be displayed or further information required within 28 days after the plan is received by the responsible authority. The plan must be displayed within 14 days of satisfactory further information being received.

The development plan must be displayed for at least 14 days but no longer than 28 days.
**Decision Guidelines**

Before deciding whether a development plan, or amendment to a development plan, is satisfactory, the responsible authority must consider:

- The provisions of this planning scheme including relevant local policies and the objectives set out in Clauses 54 and 55 of the scheme.
- The orderly development of land including management of traffic, car parking, the provision of pedestrian ways and open space.
- The overall objective for the land to achieve an integrated medium density residential development offering a choice and diversity of housing opportunities and types, appropriate to its setting and achieving a high quality of amenity and urban design.
City of Greater Bendigo
SCHEDULE 27 TO THE DEVELOPMENT PLAN OVERLAY

Shown on the planning scheme map as DPO27

SURPLUS EDUCATION LAND

Site Description

This schedule applies to land generally known as:

- 41-73 Hattam Street, Golden Square

1.0 Requirement before a permit is granted

A permit may be granted before a development plan has been prepared for:

- Bulk excavation, site preparation and retention works including piling, footings, ground beams and ground slab, and minor buildings and works provided that interim treatments are to the satisfaction of the responsible authority and any works required to satisfy environmental clean up or audit requirements.
- Subdivision of the land into superlots or to realign property boundaries, or create a road, or create or remove easements.

Before granting a permit the responsible authority must be satisfied that the permit will not prejudice the future use and development of the land in an integrated manner.

2.0 Conditions and requirements for permits

An application to develop the land must be accompanied by the following information, as appropriate:

- Any subdivision plans as appropriate.

3.0 Requirements for development plan

The development plan must be prepared for the whole site, and should:

- Where residential uses are proposed, provide a range of dwelling types to cater for a variety of housing needs.
- Where non-residential uses are proposed, provide details of the nature of proposed use.
- Incorporate sustainable design features to address water and waste management, solar access and energy saving initiatives, to deliver lower living costs for future residents.
- Create a composition of varied building forms and heights across the site.
- Provide for a high quality of internal amenity for future residents.
- Respect the amenity of adjoining interfaces for providing for a maximum of 2 storey built form adjacent to or opposite any existing low rise residential development.
- Any taller buildings across the balance of the site should be carefully graduated with reference to analysis of shadow, visual amenity impacts and the character of the area.
- Apply appropriate buffer treatments at the interface with any non-residential uses on adjoining properties and Hattam Street.
- Create opportunities for improved local permeability through provision of new pedestrian/cycle pathways or new local street networks where appropriate.
- Incorporate any significant native vegetation into the design of the development.
- Recognise that Hattam Street is a declared highway and protect its integrity and function.
Development plan components

The development plan must include the following information:

Existing conditions plan, showing surrounding land uses and development, adjoining roads and pedestrian links, public transport routes, topography, and infrastructure provision.

Concept plans for the site which show:

- New building orientation and location, indicative uses for each building, car parking areas, public roads, vehicle access locations, pedestrian and bike paths and areas and locations of private and public open space.
- Appropriate interface treatments and measures to protect the amenity of future residents. Consideration should be given to the orientation of dwellings away from Hattam Road, acoustic treatments such as landscaping and/or acoustic fencing, and other noise mitigation measures.
- Three-dimensional building envelope plans including maximum building heights and setbacks.
- The design philosophy for the site and indicative architectural themes including car parking areas and garages so that they do not dominate the street or any public open space.
- Shadow diagrams of proposed building envelope conditions at 10.00am, 1.00pm and 3.00pm at 22 September.
- An indicative development schedule including the minimum number, type and density of dwellings and the floor area of any proposed non-residential uses.

A traffic management report and car parking plan to the satisfaction of the responsible authority in consultation with Vic Roads which includes:

- Identification of roads, pedestrian, cyclist and vehicle access locations including parking areas, both internal and external to the site.
- Traffic management measures, where required
- Location and linkages to public transport.
- Car parking rates for all uses, including visitor parking.
- Provision for bicycle facilities and connections to the external bicycle network.

A landscaping plan which shows:

- The landscape concept for the site.

Where a sensitive use is proposed (residential use, child care centre, pre-school centre or primary school), an acoustic report detailing the acoustic measures required to protect the amenity of future occupants from noise impacts from Hattam Road and industrial uses.

Where a sensitive use is proposed (residential use, child care centre, pre-school centre or primary school), an Environmental Site Assessment detailing the likelihood of contamination on the site. The Site Assessment must be conducted by a suitably qualified professional, to the satisfaction of the responsible authority in consultation with the Environment Protection Authority.

- The assessment should detail as appropriate:
  - The nature of the previous land use or activities on the subject site.
  - How long the land use or activity took place on the subject site and where the site is contaminated.
  - A description of the contamination on, under or from the subject site and its extent.
  - How any contamination is being managed or may be managed to prevent any detrimental effect on the use and development of the subject site or adjoining land or on buildings and works.
- The assessment should also advise, having regard to the proposed use or development, whether:
- No Environmental Audit is required, or
- The level of contamination will prevent the proposed use or development of the land and the level of contamination cannot be remediated to a level that would enable the proposed use or development, or
- Subject to appropriate remediation, the land would be suitable for the proposed use or development.

The development plan for any part of the development area or for any stage of development may be amended from time to time to the satisfaction of the responsible authority.

4.0 Display of Development Plan

Before deciding to approve a development plan, the responsible authority should display the plan for public comment.

Notice of the development plan must be given to the owners and occupiers of adjoining land and a sign must be placed on the land.

A development plan must be displayed or further information required within 28 days after the plan is received by the responsible authority. The plan must be displayed within 14 days of satisfactory further information being received.

The development plan must be displayed for at least 14 days but no longer than 28 days.

Decision Guidelines

Before deciding whether a development plan, or amendment to a development plan, is satisfactory, the responsible authority must consider:

- The provisions of this planning scheme including relevant local policies and the objectives set out in Clauses 54 and 55 of the scheme.
- The orderly development of land including management of traffic, car parking, the provision of pedestrian ways and open space.
- The overall objective for the land to achieve an integrated medium density residential development offering a choice and diversity of housing opportunities and types, appropriate to its setting and achieving a high quality of amenity and urban design.
- The impact of the proposed use and development on nearby non-residential uses
- The impact of the proposed use and development on the existing road network.
Appendix D  Documents tabled at the Hearings
### Tabled Documents – Casey

<table>
<thead>
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<td>C1</td>
<td>7 October 2013</td>
<td>DEECD Surplus Land Report to Advisory Committee. Doveton Secondary College, Doveton North Primary School, Eumemmerring Primary School, Doveton Avenue, Eumemmerring</td>
<td>Sarah Emons – Urbis on behalf of DEECD</td>
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<tr>
<td>C2</td>
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<td>Submission and PowerPoint presentation on behalf of the City of Casey</td>
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<td>C3</td>
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<td>Extract from Casey Open Space Strategy – Introduction and Context</td>
<td>Ms Caroline Dickson – City of Casey</td>
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<td>7 October 2013</td>
<td>Extract from Casey Open Space Strategy – Volume 2 Locality Analysis – Precinct 11: Doveton/Eumemmerring</td>
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<td>C5</td>
<td>7 October 2013</td>
<td>Extract from Casey Leisure Facilities &amp; Development Plan – Volume 1 Version 2.1 page 2</td>
<td>Ms Caroline Dickson – City of Casey</td>
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<td>C6</td>
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<td>Submission on behalf of the City of Greater Dandenong – Former Doveton Secondary College</td>
<td>Mr Warren Wood – City of Greater Dandenong</td>
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### Tabled Documents – Greater Bendigo

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<td>GB1</td>
<td>10 October 2013</td>
<td>DEECD Surplus Land Report to Advisory Committee. Golden Square Secondary College, 41 – 73 Hattam Street, Golden Square</td>
<td>Sarah Emons</td>
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<tr>
<td>GB2</td>
<td>10 October 2013</td>
<td>Existing MSS, Clause 21.05 Settlement (including Residential Framework plan)</td>
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<td>GB3</td>
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<td>Former Golden Square Secondary College Advisory Committee. Submission of the City of Greater Bendigo</td>
<td>Andrew Cockerall</td>
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<tr>
<td>GB4</td>
<td>10 October 2013</td>
<td>Planning Permit for Athertons property at 52 – 58 Hattam Street, Golden Square. Permit No. 99/266.</td>
<td>Andrew Cockerall</td>
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<td>GB5</td>
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<td>Planning permit for Universal Fencing property at 60 Hattam Street, Golden Gully 3555, Part CA 229 Sec C, Part CA 229 Sec C. DU/276/2011.</td>
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<td>GB6</td>
<td>10 October 2013</td>
<td>Submission to the surplus land rezoning project standing advisory committee. Re: Former Bendigo South East Secondary College</td>
<td>Phil Billington</td>
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<tr>
<td>GB7</td>
<td>10 October 2013</td>
<td>Schools Gymnastics Program brochure</td>
<td>Phil Billington</td>
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<td>Letter from VicRoads to Council in relation to Former Golden Square Secondary College dated 28 June 2013</td>
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<td>GB10</td>
<td>10 October 2013</td>
<td>Letter from EPA to Council in relation to Former Golden Square Secondary College dated 29 June 2013</td>
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## Tabled Documents – Monash

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<td>30 September 2013</td>
<td>Urbis submission for DEECD for former Brandon Park Secondary College site</td>
<td>Sarah Emons</td>
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<td>SGS-methodology for housing assessment work</td>
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<td>Monash Council submission for Brandon Park Secondary College site</td>
<td>Terry Montebello</td>
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<td>Monash Council proposed Schedule 2 to Clause 32.08 GRZ</td>
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<td>Urbis submission for the remaining former school sites in Monash</td>
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<td>M13</td>
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<td>Submission on behalf of Monash Council for the remaining four former school sites</td>
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<td>Submission from Mr &amp; Mrs Hatley</td>
<td>Mr and Ms Hatley</td>
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<td>M22</td>
<td>1 October 2013</td>
<td>PPV Report, former Heathmont Secondary College, April 2011</td>
<td>Sarah Emons</td>
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