

10.5 HIGHETT STRUCTURE PLAN: AMENDMENT C160 - SUMMARY OF SUBMISSIONS

City Planning & Amenity - Urban Strategy
File No: PSF/16/3650 – Doc No: DOC/19/320135

Executive summary

Purpose and background

To present Council with the submissions received in relation to Planning Scheme Amendment C160, which seeks to implement the Highett Structure Plan 2018 into the Bayside Planning Scheme. The Amendment includes the following changes to the Planning Scheme:

- Amend various Local Policy clauses to reflect the updated boundary of the Structure Plan area, update reference sections with the newly adopted version of the structure plan and insert new objectives
- Introduce five new General Residential Zone Schedules and one new Schedule to the Neighbourhood Residential Zone to reflect built-form controls for the precincts in the Structure Plan
- Deletes Schedules and Design and Development Overlays that are now irrelevant
- Updates a number of maps in the Bayside Planning Scheme to give effect to these changes.

Key issues

Outcomes of Public Exhibition Amendment C160 was publicly exhibited between 10 October and 11 November 2019, with 23 submissions received. Of these, 21 were from property owners within the Structure Plan area. 14 submissions opposed the amendment or elements of the amendment, with 3 submissions in support. Other submissions primarily sought changes to the amendment.

The submissions that opposed the amendment did so on the grounds of increased density leading to increased traffic on already busy roads, the loss of amenity through overshadowing and an insufficient amount of on street parking. Some submissions opposed the amendment on the grounds that the Structure Plan provides for an under-development of the area, in that the heights in the commercial precinct were too low considering the location being close to public transport and shops.

Supporters of the amendment were positive about the protection of the Highett Grassy Woodland, objectives for improving the commercial precinct on Highett Road and the requirements for landscaping especially in front setbacks.

Responding to Submissions

Many of the submissions ask for changes to the Highett Structure Plan direction. This Structure Plan was adopted in September 2018 following two rounds of community engagement which included mail outs to over 3,000 properties. This amendment is not proposing to change key elements of the Structure Plan, but rather giving effect to Council's adopted position in policy.

As such, no departures from the adopted Structure Plan are proposed to be incorporated at this time.

A range of minor, editorial changes are proposed to respond to specific issues raised in relation to drafting; however, these do not alter the intent of the amendment.

There are a significant number of parking and traffic related issues raised which are outside the scope of the amendment, however that Council can consider through its ongoing traffic management and transport planning operations.

Council's draft response to submissions is included at Attachment 1.

Next Steps

As Council is not able to resolve all issues raised by submitters, Council may consider the submissions and request that the Minister for Planning appoint an independent Planning Panel to consider the submissions. This process will allow all submitters an opportunity to present their case to the Panel, who will make recommendations to Council as to how to proceed with the amendment.

Recommendation

That Council:

1. Writes to the Minister for Planning to request an independent Planning Panel be appointed to consider the submissions received in relation to Amendment C160.
2. Writes to all submitters to advise them of Council's decision.

Support Attachments

1. Amendment C160 – Response to Submissions

Considerations and implications of recommendation

Liveable community

Social

Amendment C160 implements the objectives and strategies contained in the Highett Structure Plan, September 2018. The Highett Structure Plan contains objectives and strategies in relation to land use, built form, access and movement, and the public realm that will guide development in the Activity Centre. The provision for a mix of housing types in Highett enables people at different life stages to live close to public transport, shops and employment opportunities. Improvements to walking and cycling infrastructure and better connected open spaces will facilitate increased walking and cycling.

Natural Environment

Amendment C160 contains built form provisions to protect and enhance biodiversity, how to respond to climate change and how to ensure new development is environmentally sustainable and incorporates vegetation and trees.

Built Environment

Activity Centres are identified as locations for future housing growth in both State and local planning policies. The Structure Plan includes built form objectives and strategies to help guide built form in the future.

Customer Service and Community Engagement

In addition to the community carried out in October – November 2019 for exhibition of this amendment, the community was also consulted through the development of the Structure Plan throughout April – June 2017 and April – May 2018.

As part of the notification for Amendment C160 over 3,000 letters were sent to residents directly and indirectly affected by the changes proposed, in addition to notices in the Bayside Leader and Government Gazette.

Human Rights

The implications of this paper have been assessed and are not considered likely to breach or infringe upon the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Legal

The exhibition process was in accordance with that prescribed under the *Planning and Environment Act 1987*. Letters were sent to affected property owners and occupiers with notices provided in the Bayside Leader and Government Gazette.

Finance

Budget and resources to conduct this planning scheme amendment have been absorbed through Council's operational Budget. Any Panel hearing cost can be accommodated within the existing budget.

Links to Council policy and strategy

Bayside City Council Plan 2017-2021

Reviewing the Highett Structure Plan is consistent with the following Council Plan strategies:

Develop and review structure plans to ensure localities are developed in line with Council's Housing Strategy: Review the Highett Structure Plan (Year 1).

Improve bicycle and pedestrian facilities to make cycling and walking more attractive options for short trips.

Gain access to increased quality open space to meet the needs of Highett and the wider community.

Bayside Housing Strategy 2012

The Highett Activity Centre is identified in the Bayside Housing Strategy 2012 as a Key Focus and Moderate Residential Growth Area. A key recommendation of the Housing Strategy was that Council review the Highett Structure Plan.

Bayside Integrated Transport Strategy 2013

The Bayside Integrated Transport Strategy 2013 commits council to improving local accessibility, creating better public transport connections, creating user friendly streets, integrating transport and land use and improving perceptions of and enabling sustainable travel. The Highett Structure Plan provides an opportunity to improve walking and cycling in the area and to encourage more sustainable transport use.

Options considered**Option 1**

Summary	Request that the Minister for Planning appoint an independent Planning Panel to consider the submissions received for Amendment C160 as presented.
Benefits	<p>Will provide the opportunity for all submitters to have their issues and concerns considered by an independent body.</p> <p>Will allow the merits of the amendment as it currently stands to be considered and Council will have the benefit of understanding the recommendations of the Planning Panel.</p> <p>Will allow for changes to Amendment C160 to be debated and considered as part of the Planning Panel process.</p>
Issues	There are no issues associated with this approach.

Option 2

Summary	Abandon Amendment C160.
Benefits	There are no benefits associated with this option.
Issues	The key objectives and strategies in the Highett Structure Plan would be unable to be implemented. The planning provisions for this Activity Centre will be out dated and not reflect current demographics and community aspirations.

Submission Number	Key matters raised in Submission	Changes Sought	Officer Response to Issues Raised in Submission
Submission 1 DOC/19/283163	Oppose – Opposed to increases in height and reductions in setbacks on amenity loss grounds. Wants the area to remain predominantly single storey area with focus on Precincts 3 and 4. Desire to keep the beachside, family and local feel. The three storey developments will dwarf existing single storey dwellings. Increasing in housing density will further implicate existing issues including traffic, bin collections (overcrowded streets). The roads don't have capacity for extra development. Streets don't have capacity for additional redevelopment as the traffic flow is already severely restricted since Bay Road had become a major road. Will negatively impact resident's safety. The proposed planning controls are targeted at the areas with residents of the lowest socio-economic status in the municipality. The proposed changes failed to increase off-street parking. The area already has low ratio of open-space per resident so higher density will amplify the issue.	<ol style="list-style-type: none"> 1) Revoke 4 storey permit for aged care facility on Graham Road. 2) Revoke planning permission for 3 storey development in Precinct 3. 3) Do not reduce front setbacks. 4) Revoke the parking application process requiring residents near Southland to apply for parking permits 5) Introduce automatic allocation of 2 resident parking permits and 2 visitor permits in the Southland area (as done for Beach Road residents). 	<ol style="list-style-type: none"> 1) Developments that have already been granted planning permission are beyond the scope of what the amendment can influence. 2) Developments that have already been granted planning permission are beyond the scope of what the amendment can influence. 3) A small reduction in setbacks increases the land available so that buildings can be designed to fit the site while still providing space for front landscaping. 4) Improving traffic flows and movement through the Activity Centre is a key objective of the Highett Structure Plan. Amendment C160 focuses solely on the parts of the Structure Plan that can be achieved through the Bayside Planning Scheme. For this reason, this request is outside the scope of this amendment. This feedback has been forwarded to the Traffic Management Department for consideration. 5) Requests for parking restrictions are assessed in accordance to Council's 'Managing On-Street Car Parking Demand' Policy. The request for parking restrictions has been forwarded to Council's Traffic Management Team for their consideration. <p>No changes are proposed as a result of this submission.</p>
Submission 2 DOC/19/284316	Support – Supportive of the measures to protect the Highett Grassy Woodland, especially the height/setback controls on the eastern side. Highett can be a leader in protecting our environment.	None.	Support for the amendment is noted. No changes are proposed as a result of this submission.
Submission 3 DOC/19/284672	Oppose – Concerned about how additional development will impact the street network specifically the vehicular and pedestrian movements. Questions the lack of references to parking or specifically, additional parking. Higher density and more residents increase parking needs. The level crossing removal should be considered in the plan.	<ol style="list-style-type: none"> 1) Investigate redesigning nature strips to incorporate parking. 2) Include new designs for the station in the amendment. 	<ol style="list-style-type: none"> 1) Improving traffic flows and movement through the Activity Centre is a key objective of the Highett Structure Plan. Amendment C160 focuses solely on the parts of the Structure Plan that can be achieved through the Bayside Planning Scheme. For this reason, this suggestion has been noted as part of the implementation plan within the traffic management strategies. 2) Redesign of Highett Station is outside the scope of this Amendment. This suggestion has been forwarded to the Urban Places team to be considered as part of any redevelopment as part of the Level Crossing Removal project. <p>No changes are proposed as a result of this submission.</p>
Submission 4 DOC/19/298076	Support – Precinct 1 supportive of: <ul style="list-style-type: none"> • Any strategies to better activate the shops on Highett Road. • 2) Clause 21.11-6 supports strategies for enhancing green spaces. Precinct 5 supportive of: <ul style="list-style-type: none"> • The measures regarding deep soil and canopy tree planning • 2 storey height limit • Sufficient setback to allow for landscaping. Keen to ensure there is no overshadowing on their property from future developments on the CSIRO site. Wants to see greenery replaced on the CSIRO site through backyards of future housing	None.	Support for the amendment is noted. No changes are proposed as a result of this submission.

	developments. The strong reference to enhancing the green spaces and urban design aspects of the neighbourhood which are important for retaining the character of the area and encouraging appropriate development.		
Submission 5 DOC/19/298078	Oppose – The 3 storey height limit in Precinct 1B should be increased to 4 storeys as it is nearby existing 4 storey developments.	Increase maximum height limit from 3 storeys to 4 stories in Precinct 1B.	3 stories in this area is an appropriate balance between increasing development and maintaining the human scale of the area. No changes are proposed as a result of this submission.
Submission 6 DOC/19/298082	Oppose – Highett has already taken the largest amount of growth in Bayside whilst 83% of the municipality has maximum protection from over-development through the implementation of NR3. The quality of apartment developments have been poor and the proposed controls will only encourage more. Highett's street network isn't able to cope with more traffic. Not enough car parking on Highett road. That is why the businesses have closed. DDO5 should not be removed. Blocks of less than 1,000m ² should remain at 2 storeys.	1) Do not increase development capacity (for roads). 2) Do not remove the DDO5.	1) The traffic assessment carried out in preparation of the Structure Plan assessed the capability of the street network to accommodate more growth. The study found the roads have additional capacity. In addition, negative impacts on the road networks will be addressed by various traffic management solutions. As Highett Road and the surrounding streets are Council streets, we are able to implement management solutions as needed. 2) Removing the DDO5 allows for more flexibility in building design and is consistent with the approach for directing growth to Activity Centres which are well serviced by shops and public transport. No changes are proposed as a result of this submission.
Submission 7 DOC/19/298088	Oppose – The 3 storey height limit in Precinct 1B should be increased to 4 storeys as it's near the commercial area and existing 4 storey buildings.	Increase maximum height limit from 3 storeys to 4 stories in Precinct 1B.	A comprehensive built form analysis has been undertaken as part of the background work to inform the structure plan. Three storeys was found to be an appropriate balance between increasing development and maintaining the human scale of this precinct. No changes are proposed as a result of this submission.
Submission 8 DOC/19/298102	Oppose – Objective 11 dot point 5 is redundant or outdated as it's already mentioned in objective 3 dot point 1, in the Pennydale Structure Plan and in an active plan for a proposed development on Chandos Street. Opposed to pedestrian crossing at Bay and Graham roads. Opposed to bike lanes on Bay Road as it is too dangerous. Opposed to signalisation of Jack Road/Bay Road intersection. It is difficult to get onto Bay road from Jack Road but they understand that this will become easier once signalisation is installed on Bay road and Graham Road, negating most concerns. Against Councils vision of a 3 storey street wall in all of their NACS and SNACS. Objective 6 states "To maintain the emerging human scale of Highett Road" yet at the same time seeks to encourage 3 storey street walls against the section of Highett road in the Kingston Municipality that seeks to keep 1 or 2 storey street walls. The encouraged street wall heights need to be to match and enhance what is already present and justified on the Kingston side of the railway corridor.	Comments on the Structure Plan: 1) Pedestrian crossing at Bay Road and Graham Road should be removed as a signalised traffic signal has been identified for this site. 2) Remove advocacy to VicRoads for Bike lanes on Bay Road. 3) Remove reference to 'investigating' signalisation of Bay/Jack Road intersection. Comments on the Amendment: 4) 21.11-6 - the commercial area should be reduced from 3 storeys to 2 storeys. 5) Pedestrian crossing at Bay Road and Graham Road should be removed as a signalised crossing is suggested here.	1) This is contained in the Structure Plan that has already been adopted. A signalised traffic crossing with pedestrian access is important for improving access and walkability of the activity centre to the surrounding area. 2) Advocacy for bicycle lanes is contained in the Structure Plan. It has not been included in this amendment as it is outside the scope of the Planning Scheme. 3) This is not included in this Amendment. It is outside the Structure Plan area. 4) This is not consistent with the approach for commercial areas in Bayside or the rest of metropolitan Melbourne. 5) A signalised traffic crossing with pedestrian access is important for improving access and walkability of the activity centre to the surrounding area. No changes are proposed as a result of this submission.

Submission 9 DOC/19/298210	Support with changes – Generally supportive. The 3 storey height limit on Highett Road particularly near the station is insufficient in the commercial area. Highett has the potential to become a more attractive place to living within Bayside.	Increased the height in the commercial area to 4 storeys to align with existing developments.	A comprehensive built form analysis has been undertaken as part of the background work to inform the structure plan. 3 storeys was found to be an appropriate balance between increasing development and maintaining the human scale of this precinct.
Submission 10 DOC/19/298541	Oppose – There is already significant traffic congestion and hazards on Graham Road. Increased development will further exacerbate this problem.	Do not increase the height limits in the Structure Plan Area.	The majority of the Structure Plan area is not increasing in height. The areas proposed to increase in height are limited to the area directly near the railway station where new residents will be less car dependent. No changes are proposed as a result of this submission.
Submission 11 DOC/19/298558	Oppose – The proposed changes of GRZ to C1Z will remove protection and prejudices future amenity expectations. The objective of increasing the retail floor space offering in the centre are misguided as a majority of the properties proposed for rezoning already comprise existing non-residential uses.	1) Do not rezone the GRZ to C1Z. 2) Do not remove DDO5.	1) The adjoining properties are not being rezoned so amenity projection will remain as the current conditions. 2) Removing the DDO5 allows for more flexibility in building design and is consistent with the approach for directing growth to Activity Centres which are well serviced by shops and public transport. No changes are proposed as a result of this submission.
Submission 12 DOC/19/298577	Oppose – Against increased development on grounds of loss of amenity. Council has not addressed the lack of parking in Donald Street despite their recent request to Council to look into restricted parking. Due to full street parking Monday to Friday, it is dangerous to exit their property due to lack of vision of the incoming cars on the street. If Council continues to allow large apartments to be built, at least force developers to build more off-street parking.	Requesting parking restrictions on Donald Street.	Requests for parking restrictions are assessed in accordance to Council's 'Managing On-Street Car Parking Demand' Policy. The request for parking restrictions has been forwarded to Council's Traffic Management Team for their consideration. No changes are proposed as a result of this submission.
Submission 13 DOC/19/298632	Oppose – Increased traffic created by additional development especially that from the CSIRO will negatively affect their site and the local road network. It is acknowledged that Bayside City Council ('Council') adopted preferred future planning controls for the CSIRO Site on 26 May 2015, which amongst other things, recommend that a Development Plan Overlay ('DPO') be applied to this site.	The road network should be upgraded as part of this amendment not be deferred until the CSIRO is developed as proposed amendment provides the opportunity to address traffic management issues on Bay Road which presently exist	Road improvements are outside the scope of the Planning Scheme and the amendment. The proposed changes are increasing the height for a small number of sites. It is unknown to what level the proposed controls will be 'taken up' by the market, therefore it is not possible to upgrade the roads with additional signalisation and other infrastructure until the need is known. However, Council will continue to monitor traffic conditions in the area to ensure that the road network is operating efficiently. No changes are proposed as a result of this submission.
Submission 14 DOC/19/298822	Oppose – There has been a significant loss of trees over time due to development. Traffic along Highett Road travels too fast. Approval of non-activated frontages in the commercial area (Woolworths and Childcare Centre) have had a detrimental effect on the commercial area. The removal and reduction in on-street parking has had a detrimental effect on the shopping strip. The	1) There should be more requirements for tree planting on the CSIRO site. 2) Add a 40km/h speed limit lit sign and narrow Highett Road. 3) Include compulsory minimum stands for sustainable design (BESS) 4) Do not extend the commercial area of	1) Council has negotiated that almost half the CSIRO site will be open space with over 4 hectares preserved for the Highett Grass Woodland. 2) The need for traffic management intervention within Local Road network is assessed against the Council's Local Area Traffic Management Policy which has been to ensure a consistent, equitable and inclusive approach to the investigation, consultation, design, implementation and monitoring of Local Area Traffic Management (LATM) schemes. The request for parking

	extension of the Commercial Zone along Highett Road from Major Street to Worthing Road is unwarranted and will only add to the traffic and pedestrian difficulties along one of the busiest and narrowest sections of the road. There aren't enough compulsory minimum standards for Environmentally Sustainable Design. The loss of over 100 trees from Highett has had a devastating effect on the local biodiversity and large tree canopy in Highett.	Highett Road. 5) Do not remove the DDO5.	restrictions has been forwarded to Council's Traffic Management Team for their consideration. 3) A state-wide ESD policy is due to be released by the State Government which would affect all new development in Bayside. In addition, Council has recently signed up to the Built Environment Sustainability Scorecard (BESS) program which can now be used to assess any new planning applications. 4) The economic assessment found that there is demand for additional commercial space in the Centre. In order to meet future community needs for commercial and retail floorspace, additional land is required. 5) Removing the DDO5 allows for more flexibility in building design and is consistent with the approach for directing growth to Activity Centres which are well serviced by shops and public transport.
Submission 15 DOC/19/298888	Support with changes – Good idea to have no setbacks in the commercial area and a 4 storey height limit particularly precinct 1B and 2A. 'How can there be a "Commercial Core" with a 3 story height limit?' It's hindering what a main thoroughfare should look like.	Increase the height limit of the commercial core to 3 storeys.	A comprehensive built form analysis has been undertaken as part of the background work to inform the structure plan. 3-4 storeys was found to be an appropriate balance between increasing development and maintaining the human scale of this precinct. No changes are proposed as a result of this submission.
Submission 16 DOC/19/299175	Support with changes – Support protection of the Highett Grassy Woodland. Support GRZ rather than RGZ. Support the 3m setback from the Highett Grassy Woodland. Bayside Planning Scheme already has a 3m buffer zone for development on the southern boundary of the Woodland (clause 22.04). They also strongly support the additional requirement that "Buildings should be designed to minimise overshadowing of the Highett Grassy Woodland between 10am and 2pm on September 22 (the equinox)." Support no changes to 22.06 - Neighbourhood Character in relation to the planting of environmental weeds. Opposed to increases in population.	Do not change planning scheme requirements that would result in an increase in population.	Metropolitan Melbourne is experiencing ongoing population growth. Bayside's existing policy which has proven effective is to direct growth to Activity Centres close to public transport and shops and way from established residential areas. No changes are proposed as a result of this submission.
Submission 17 DOC/19/299184	Oppose – 3 storeys height limit is too restrictive in this area. Should be increased to 4 storeys as so close to railway station.	Increase height limit to 4 stories in Precinct 1B.	A comprehensive built form analysis has been undertaken as part of the background work to inform the structure plan. 3 storeys was found to be an appropriate balance between increasing development and maintaining the human scale of this precinct. No changes are proposed as a result of this submission.
Submission 18 DOC/19/299207	Oppose – There is insufficient infrastructure to support increased development. Recent development has resulted in the loss of amenity specifically around the railway station. The Highett shopping strip is not thriving and the graffiti is more evident. Transport issues are ongoing and does not seem to be addressed. The streets also need to accommodate vehicular transport making deliveries, of tradesmen, NBN, electricity, gas	Do not encourage increased population in the area.	Metropolitan Melbourne is experiencing ongoing population growth. Bayside's existing policy which has proven effective is to direct growth to Activity Centres close to public transport and shops and way from established residential areas. No changes are proposed as a result of this submission.

	<p>authorities and rubbish trucks etc. Until there is a viable alternative transport, there is a great need for more car parking facilities not only in Highett but throughout Bayside. Having green space is great but have the needs of all these new and future residents in high density housing been considered? For example library facilities, community hall etc.</p>		
<p>Submission 19 DOC/19/299244</p>	<p>Support – Support an update to the Structure Plan as it was outdated. Support avoiding specifying planning controls for the CSIRO site until the rezoning process has reached its conclusion. Various changes should be made to the Structure Plan regarding the CSIRO site. Refinements should be made to further accommodate additional residential development and ensure consistency of documentation with future controls for the CSIRO Highett site. Supports the principles and objectives of the Structure Plan such as the extension of the Highett Shopping strip.</p>	<p>1) Remove planning controls specified for the CSIRO site from the Highett Structure Plan, 2018. 2) Amend proposed Clause 21.04 - Delete the 3m wide buffer requirement on private property adjoining the Highett Grassy Woodland. 3) Amend proposed Clause 21.08 - Delete reference to negotiating open space contributions as obligations are already in place for 4ha of land to be transferred to Council as part of the sale. 4) Amend Clause 21.11-6 - Under Land Use Objectives, update Objective 3: wording should reference medium/high density as some parts of the CSIRO may exceed 5 storeys. 5) In the Structure Plan - update strategies under Objective 3 to amend the DPO to the specification around the building heights for the DPO as they are inconsistent with the final controls set by the Minister for Planning. 6) In the Structure Plan - remove references to a pedestrian and cycling shared paths to be provided by the CSIRO. 7) 21.11-6 Map on page 21 is taken from the Access and Movement section of the Structure Plan. This map should be replaced by one that doesn't show setbacks on the CSIRO site. 8) Change to Structure Plan - CSIRO site should be greyed out with no planning controls and no specific location of public open space. Add mention of high density for the CSIRO site. Mention that the controls will be set by the Minister for Planning, remove any mention of a VPO for the CSIRO site. 9) Heights should be increased in Precinct 1B and 2 A (Commercial Core and Station Environs) up to 6 storeys.</p>	<p>1) The Structure Plan has already been adopted following over a year of consultation. The controls regarding the CSIRO site are Council's preferred suite of controls as submitted to the Minister for Planning. No change proposed to the Amendment. 2) This proposed requirement affects the adjoining properties, not the CSIRO site. In addition, minimising overshadowing of the Highett Grassy Woodland is vital in ensuring its viability now and in the future. No change proposed to the Amendment. 3) Until the transfer of land is finalised, clause 22.08 should remain unaltered. The deed of agreement between the CSIRO and Bayside City Council ensures there will be no additional open space contribution requirement. 4) Under the updated Housing Strategy, 'high density' is any property over 4 storeys high. Councils adopted preferred suite of controls nominate a section of the site to be for 5 storey development. This change will be made to the Amendment. Objective 3 of Clause 21.11-6 the wording will be changed from: "To support the redevelopment of the CSIRO site for residential uses at a range of densities and a new public open space and conservation area for the community." 5) The Structure Plan has already been adopted following over a year of consultation. The controls regarding the CSIRO site are Council's preferred suite of controls as submitted to the Minister for Planning. No change proposed to the Amendment. 6) The Structure Plan has already been adopted following over a year of consultation. The controls regarding the CSIRO site are Council's preferred suite of controls as submitted to the Minister for Planning. In addition, improved cycling and pedestrian links are a key part of improving accessibility within the Activity Centre. No change proposed to the Amendment. 7) This is an error. Clause 21.11 should not show built form requirements for the former CSIRO site. This change will be made to the Amendment. 8) The Structure Plan has already been adopted following over a year of consultation. The controls regarding the CSIRO site are Council's preferred suite of controls as submitted to the Minister for Planning. This change has not been accepted. No change proposed to the Amendment. 9) A comprehensive built form analysis has been undertaken as part of the background work to inform the structure plan. 3-4 storeys is considered an appropriate for Highett which is a large Neighbourhood Activity Centre. This height balances increased density close to public transport and meeting community expectations. No change proposed to the Amendment.</p>
<p>Submission 20</p>	<p>Oppose – Object to extension of the C1Z. Object to changes to the DDO5. Object to felling of trees</p>	<p>1. Object to extension of the C1Z 2. Object to changes to the DDO5</p>	<p>1) The economic assessment found that there is demand for additional commercial space in the Centre.</p>

<p>DOC/19/299404</p>	<p>on the CSIRO site. Need more street parking on Highett Road.</p>	<p>3. Object to felling of trees on the CSIRO site 4. Need more parking on Highett Road.</p>	<p>2) Removing the DDO5 allows for more flexibility in building design and is consistent with the approach for directing growth to Activity Centres which are well serviced by shops and public transport. 3) Outside the scope of this Amendment. 4) The traffic assessment carried out in preparation of the Structure Plan assessed the capability of the street network to accommodate more growth. The study found the roads have additional capacity. In addition, negative impacts on the road networks will be addressed by various traffic management solutions. As Highett Road and the surrounding streets are Council streets, we are able to implement management solutions as needed.</p> <p>No changes are proposed as a result of this submission.</p>
<p>Submission 21 DOC/19/299925</p>	<p>Oppose – There has been a significant loss of trees over time due to development. The loss of over 100 trees has had a devastating effect on the local biodiversity. Traffic along Highett Road travels too fast. Approval of non-activated frontages in the commercial area (Woolworths and Childcare Centre) have had a detrimental effect on the commercial area. The removal and reduction of on street parking has been detrimental to the Highett shopping strip. The extension of the Commercial Zone along Highett Road from Major Street to Worthing Road is unwarranted and will only add to the traffic and pedestrian difficulties along one of the busiest and narrowest sections of the road. There aren't enough compulsory minimum standards for Environmentally Sustainable Design. The proposed Structure Plan is already out of date as it doesn't include compulsory sustainable development (BESS). Objects to DDO5 as it weakens protection from development instead of strengthening it.</p>	<p>1) There should be more requirements for tree planting on the CSIRO site. 2) Add a 40km/h speed limit lit sign and narrow Highett Road. 3) Include compulsory minimum stands for sustainable design (BESS) 4) Do not extend the commercial area of Highett Road. 5) Do not remove the DDO5.</p>	<p>1) Council has negotiated that half the CSIRO site will be open, green space with over 4 hectares preserved for the Highett Grass Woodland. 2) This request has been forwarded to the Traffic Department for their information. 3) A state-wide ESD policy is due to be released by the State Government which would affect all new development in Bayside. In addition, Council has recently signed up to the Built Environment Sustainability Scorecard (BESS) program which can now be used to assess any new planning applications. 4) The economic assessment found that there is demand for additional commercial space in the Centre. 5) Removing the DDO5 allows for more flexibility in building design and is consistent with the approach for directing growth to Activity Centres which are well serviced by shops and public transport.</p> <p>No changes are proposed as a result of this submission.</p>
<p>Submission 22 DOC/19/302569</p>	<p>Support with changes – Supports the introduction of updated controls but the controls in Precinct 2B (Station Environs) are too restrictive. Neighbourhood Character Objectives proposed for the General Residential Zone Schedule 12 'Highett Structure Plan – Precinct 2B – Station Environs' restrict the ability to achieve the desired moderate residential growth through the encouragement of apartment style development. The proposed Design and Development Overlay Schedule 4 'Highett Shopping Centre' is inflexible and does not allow for variations from the maximum building height or setback requirements where such variations would result in improved architectural or urban design outcomes. Having regard to Planning Practice Note 59 'The Role of Mandatory Provisions in Planning Schemes' and Planning</p>	<p>GRZ12 should be amended to the following: 1) More than 50% site coverage, 2) side and rear setbacks should be reduced, 3) "frontage" should be changed to "street" , 4) For sites on the corner, the setback requirement should specify that where the site is on a corner, the primary street setback applies to the wider frontage of the site to avoid the situation where the reduced setback requirement of 2 metres or 3 metres, associated with the "side street" is taken advantage of as part of the development which will produce an</p>	<p>1) The area affected by GRZ12 (Precinct 2B) is already increasing in development capacity by removing the DDO5. Site coverage of 50% is considered appropriate balance between increasing development and maintaining the human scale of the area as this Precinct is not directly next to the railway station and has a more consolidated residential neighbourhood character. No change proposed to the Amendment. 2) The area affected by GRZ12 (Precinct 2B) is already increasing in development capacity by removing the DDO5. The proposed side and rear setbacks are consistent with the State Standard (A10 and B17) and is considered appropriate balance between increasing development and maintaining the human scale of the area as this Precinct is not directly next to the railway station and has a more consolidated residential neighbourhood character. No change proposed to the Amendment. 3) 'Frontage' has been changed to 'street'. This change will be made. 4) It is agreed that this would be an unwanted outcome. For this reason, this change will be made. This change will be made.</p>

	<p>Practice Note 60 'Height and Setback Controls for Activity Centres' mandatory height controls for the Highett Activity Centre cannot be justified. The structure plan implementation overall should allow for more growth and less restrictive controls.</p>	<p>inferior development presentation to the key street interface of the site.</p> <p>5) The variation should be amended so that the it is consistent with the deep soil planting area requirement is defined as a percentage of the total site area, which will promote increased landscaping on larger sites, with a minimum tree provisions of a 6 metre wide canopy tree within the 15 cubic metres of soil volume, and this is more consistent with the landscape requirements of the Better Apartment Design Standards (including the amended provisions associated with Better Apartments in Neighbourhoods, which would apply to apartment developments in this precinct).</p> <p>6) The variation should include a minimum dimension for the deep soil planting area and it is suggested that this be 3 metres.</p> <p>7) The variation should work collaboratively with the front setback provisions and require at least the planting of one canopy tree within the front setback which will provide a greater contribution to the character of the area as it can be better appreciated from the public realm (rather than a provision of front or rear setback, and an outcome where there is no canopy tree planting within the front setback).</p>	<p>5) The landscape requirements are an increase on the existing standard. The requirement for deep soil planning and the size of the canopy tree that can be supported are considered an appropriate balance between encouraging development while still ensuring a green and leafy streetscape.</p> <p>6) All precincts require a minimum deep soil volume requirement. This varies from 15 cubic metres in Train Street, up to 41 cubic metres in consolidated residential precincts. No change proposed to the Amendment.</p> <p>7) There is already extensive landscaping requirements in all precincts. Neighbourhood character is not the only consideration for deciding on location of trees. Trees located in rear setbacks (i.e. back gardens) have potential to contribute more to biodiversity habitats and shade of private open space as the setback is larger and provides more soil. No change proposed to the Amendment.</p>
<p>Submission 23 DOC/19/302572</p>	<p>Support – with additional studies to be undertaken. Ensure that any intensification of uses and changes to roads and intersections in the immediate area of the Laminex site does not adversely affect the potential of this important strategic redevelopment site. Middleton Street will be a major access to the CSIRO site and the impact of additional traffic in that location will be a major planning challenge as the street currently functions as a low level collector street which currently services the low density Neighbourhood Residential Zone to the west. The Highett Structure Plan notes that the Activity Centre is well serviced in terms of access to public transport. However, it is less well served by local road infrastructure. While Highett Road and Bay Road provide the key east west road connections servicing the area the north-south connections through are already under pressure. The issue of</p>	<p>That the following additional work should be undertaken:</p> <ol style="list-style-type: none"> 1) A full review of the future traffic generation that is likely to result from the development of the CSIRO site and more intensive development in the area to the east of Graham Road; 2) A detailed review of the effects of additional traffic on Middleton street and Graham Road 3) A review of intersection treatment at the junctions of Bay Road and Graham Road and Middleton Street; 4) Review the effects of any changes to traffic movements on Jack Road, Chandos Street, Hamlet Street and Reserve Road; 	<ol style="list-style-type: none"> 1) Traffic generation assessment has already been undertaken as the background work to inform this project. 2) See point 1. 3) The need for traffic management intervention within Local Road network is assessed against the Council's Local Area Traffic Management Policy which has been to ensure a consistent, equitable and inclusive approach to the investigation, consultation, design, implementation and monitoring of Local Area Traffic Management (LATM) schemes. 4) See point 3. 5) The core of the Highett Activity Centre is over 1km away from this commercial precinct. Rezoning to Commercial 2 Zone is not considering a relevant action for increasing the core of the centre. 6) This commercial zoning is considering the most appropriate for this area. 7) See point 3. <p>No changes are proposed as a result of this submission.</p>

	<p>traffic in Graham Road and Middleton Street is highly significant. Future development and intersection and traffic measures in Bay Road are issues that will directly affect the future use and development on the Laminex site which faces the Hihett Structure Plan area.</p>	<p>5) Inclusion of the Commercial 2 zoned land between Middleton Road Graham Road within the Structure Plan boundary because of its functional relationship to the Hihett Structure Plan area;</p> <p>6) Consideration of reintroduction of the recommendation in the 2006 Structure Plan which proposed mixed-use development along the northern side of Bay Road between Middleton Street and the railway overpass.</p> <p>7) Provide for consideration of the proposed increase in activity, signalization and traffic movements on the potential for redevelopment of the Laminex site at 332 Bay Road.</p>	
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10.5 HIGHETT STRUCTURE PLAN: AMENDMENT C160 - SUMMARY OF SUBMISSIONS

City Planning & Amenity - Urban Strategy
File No: PSF/16/3650 – Doc No: DOC/19/320135

It is recorded that Mr Frank Perry and Mr Michael Norris each spoke for three minutes in relation to this item.

It is recorded that Cr Evans left the meeting at 9.58pm and returned to the meeting at 10:02 pm.

Moved: Cr Castelli

Seconded: Cr Long

That Council:

1. Writes to the Minister for Planning to request an independent Planning Panel be appointed to consider the submissions received in relation to Amendment C160.
2. Writes to all submitters to advise them of Council's decision.

CARRIED