

8.1 NOTICE OF MOTION - REDUCING PERMEABILITY IN RESIDENTIAL AREAS

Submitting Councillor/s:	Cr Anjalee de Silva
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RECOMMENDATION

That Council:

- 1. Notes that Officers have consistently raised the issue increasing and excessive hard surfaces reducing onsite garden area and permeability below State Government standards in new development and post-construction development with staff from the Department of Transport and Planning (DTP), who have advised they will look into this issue.**
- 2. Notes that since raising the issue in 2023, officers have not received any update or further advice from DTP.**
- 3. Notes that this issue arises from gaps in State regulations and consequently applies across Melbourne and is not unique to Monash.**
- 4. Writes to the Minister for Planning:**
 - a. Outlining the issue of the inconsistency between State standards for garden areas and onsite permeability and the failure of the existing regulatory framework to deliver on those objectives and standards in the real world.**
 - b. The negative impacts of insufficient permeability on drainage systems, cooling and greening and general liveability of our suburbs.**
 - c. Requests a response providing an update in 6 months.**

INTRODUCTION

Increased hard surfaces (reduced permeability) increases stormwater runoff, creates increased heat load, through reflective and stored heat and reduces the ability of sites to provide gardens and general greens space.

The most immediate impact of this is an increased load on our stormwater drainage systems and local waterways. This can increase localised flooding, damage private and Council infrastructure.

In recent years there has been a significant increase in paving private open space areas to reduce maintenance or provide increased car parking in residential development.

The cumulative impact of the increase in paved areas is resulting in negative impacts on our local neighbourhood amenity and natural environment.

ISSUES AND DISCUSSION

The residential planning and building system in Victoria sets out requirements for garden areas, site coverage and permeability. These standards are applied through planning and building permits.

Council assesses site permeability through the planning permit process.

Where only a building permit is required, these standards are applied through the building permit, usually a private building surveyor.

A series of changes to State regulations and how these standards are applied generally means that once the approved development is completed (in the case of a single dwelling) or the development is subdivided (in the case of a multi-unit development) the permeability standards set in the approval process are no longer applicable or enforceable.

In practice this means that a dwelling can be approved and constructed with a permeable area that meets the State requirements, but once the dwelling is complete and occupied the balance of the site could be paved without any reference to the State standards or a requirement for the mitigation of stormwater discharge.

This is clearly a significant shortcoming in the drafting and operation of the State regulations.

Impacts

There are many issues arising from increasing hard surfaces, and reducing site permeability including:

- An increase in contaminants entering our local waterways as contaminants are not filtered out before entering the drainage system.
- An increase in the volume of stormwater, as hard surfaces prevent water absorbing through the ground.
- An increase in velocity of water as it is directed straight into the drainage system, rather than being slowed by plants (including grasses) or natural undulations.
- An increased likelihood of localised flooding due to the drainage system being overwhelmed with a greater volume of water than it was designed for.
- An increased risk of localised flooding due to the increased likelihood of litter (including leaf litter) entering the drainage system at the same time rather than being filtered, causing blockages.

Officers have previously raised this issue with the relevant section of the Department of Transport and Planning but to no effect.

CONCLUSION

Applying a standard through a permit process but then not ensuring that standard is met post construction is clearly a gap in the way the State regulation operate.

Unassessed increases in hard surfaces negatively impact on our local waterways and can cause our drainage system to malfunction or become overwhelmed.

As we see increasing development in established areas, the basic State standards set for residential development are more important than ever.

The “loophole” created by the current operation of State regulations should be closed to ensure that developments continue to comply with the requirements placed on them at approval stage or are required to seek additional consent to vary those standards post construction.

Council should lobby the State Government to close this gap.



ATTACHMENT LIST

1. Officers Response to NOM [8.1.1 - 2 pages]

OFFICERS REPORT

Site Coverage and Paved Areas in Residential Areas

Submitting Councillor: Cr Anjalee de Silva

MOTION

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BUDGET IMPLICATIONS

The recommendations of this report can be addressed within current budget allocations.

IMPACT ON INTERNAL RESOURCES

The resources required to undertake the actions recommended by this Notice of Motion are not significant and can be contained within current budget allocations.

Resolution of this issue by the State would have a positive impact on internal resources as officers regularly receives complaints from the community about increased paved areas and stormwater runoff.

COUNCIL PLAN AND COUNCIL POLICIES

This report is consistent with the below themes and strategies from the Monash Council Plan 2021-2025.

Sustainable City

Ensure an economically, socially, and environmentally sustainable municipality.
Proactively address climate change and implement initiatives to achieve Zero Net Carbon in Council operations and take action to reduce Monash community emissions.

Enhanced Places

Improving open spaces, bushland and street trees, including prioritising biodiversity and community engagement.

RELEVANCE TO WORK ALREADY UNDERTAKEN BY OFFICERS OR COMMITTEES

Council currently has a local stormwater and drainage policy that allows for contributions to be made to drainage upgrades where increases to non-permeable surfaces exceed a particular threshold and the applicant does not wish to detain increased runoff on site. This only applies where a planning permit is required and does not apply to cases of a single dwelling on a lot where no planning permit is required.

Council officers have also previously raised this issue with DTP, primarily to identify the regulatory gap. To date we have not been advised of any action.

Maintaining onsite permeability, managing and reducing stormwater discharge is consistent with the State planning policy, the Monash Planning Scheme, Monash Environmental Sustainability Strategy 2016-2026 and Monash Urban Landscape and Canopy Vegetation Strategy.

FURTHER CONSIDERATIONS

The inconsistency in the current situation undermines the communities confidence in ability of the planning and building to deliver on the obligations and objectives it sets out for the protection of our local neighbourhoods and environment.

Our major creeks running through Monash are a significant community asset. Council has invested significantly through the years (as has the community) in improving these assets and their immediate environment. Uncontrolled and significant increases in stormwater discharge negative impact on these community assets.