

10–22 Manton Lane
Melbourne 3000 Australia
T +61 3 9670 1800
mgs@mgsarchitects.com.au
mgsarchitects.com.au

mgs

25 August 2016

EXPERT WITNESS STATEMENT

Monash Planning Scheme Amendment C125 Implementation of the New Residential Zones

Prepared by

Simon Wollan
BPD (Arch), BArch (Hons) *Melb*

Our ref: 15135

Directors
Eli Giannini
Chris Jones
Cameron Lacy
Robert McGauran
Mun Soon
Joshua Wheeler

Table of Contents

1.	Background.....	3
2.	Policy Context.....	3
3.	Council Brief.....	4
4.	Methodology.....	5
5.	Assumptions.....	7
6.	Findings.....	8
7.	Observations on the Schedule Requirements.....	9
8.	Differences between the findings and Council’s post exhibition changes.....	14
9.	Conclusion.....	15
10.	Statement of Expertise.....	16
11.	Declaration.....	18

1. Background

- 1.1. In August 2016 I was briefed by Maddocks Lawyers on behalf of Monash City Council (Council) to provide an expert witness statement in regards to Amendment C125 to the Monash Planning Scheme as it relates to my area of expertise in urban design. A statement of my expertise and qualifications can be found at the end of this document.
- 1.2. My brief from Maddocks Lawyers was to prepare a description of the analysis of development examples I undertook for Council during the period September 2015 to February 2016. This work was in regards to the proposed schedules for GRZ3, GRZ4, NRZ1, NRZ2, NRZ3 and NRZ4 as exhibited in the proposed planning amendment.
- 1.3. The purpose of my previous analysis work for Council was to examine the differences between the current planning scheme requirements and the proposed amended planning scheme, and secondarily to illustrate this 'before' and 'after' condition for use in Council's public consultation process. A description of the methodology, assumptions and findings from this work forms the bulk of this expert witness statement.
- 1.4. Subsequent to my engagement by Council (which effectively concluded in February 2016) I note that Council resolved to make changes to their position in regards to some schedules in the planning amendment (hereafter collectively referred to as the "post-exhibition changes"). I did not participate in this process and the opinion I offer in this statement is based primarily on the analysis I undertook during September–February. In the latter part of this statement I have outlined the more significant differences between Council's current position and the analysis I previously prepared.

2. Policy Context

- 2.1. The full rationale for changing the local planning policy and a detailed analysis of the planning schedules for the purposes of this planning panel has been prepared by others and is not a focus of my evidence. However I wish to briefly acknowledge some key aspects of the policy context as they relate to the analysis I undertook.
- 2.2. Amendment C125 provides a contextually informed local implementation of the new format residential zones for the City of Monash. The new format residential zones set up a hierarchy of residential zones that, *inter alia*:
 - sensitively allow for residential development while delivering greater protection of existing character in the case of the Neighbourhood Residential Zone;
 - sustain existing 'incremental' redevelopment patterns within areas zoned General Residential Zone; and
 - provide greater design guidance for areas undergoing more significant levels of renewal through the Residential Growth Zone, where existing neighbourhood character is a less significant determining factor.

- 2.3. Amendment C125 implements the recommendations of the Monash Housing Strategy (Planisphere, 2014). This strategy seeks “to balance the need to provide for current and future demand while maintaining key elements of valued neighbourhood character across the municipality and enhancing sustainability” (p 2). It outlines the significant demand for additional housing both at a municipal and metropolitan level, the role of different redevelopment approaches (incremental or more intensive) in providing housing diversity and the relationship between renewal and neighbourhood character.
- 2.4. A key aspect of neighbourhood character identified within the Monash Housing Strategy is the “Garden City” character that exists throughout the municipality. While the specific interpretation of this term needs to be considered in reference to the local existing context of any given site, the Strategy interprets this more generally to refer to the importance of vegetation in private gardens and yards, as well as the importance of front yards and street trees in creating a leafy streetscape. The Strategy notes that this characteristic “is highly valued by the community and visitors to the municipality” (p 6).
- 2.5. The new residential zones proposed in Amendment C125 use schedules to each zone in order to vary specific requirements of Clause 54 and 55 assessment for new developments. These varied requirements for each schedule will result in a different level of development potential, allowing more or less significant levels of intensification and change. The varied requirements will also result in a tangibly different response within new developments to factors that will affect neighbourhood character, such as landscaping and setbacks.

3. Council Brief

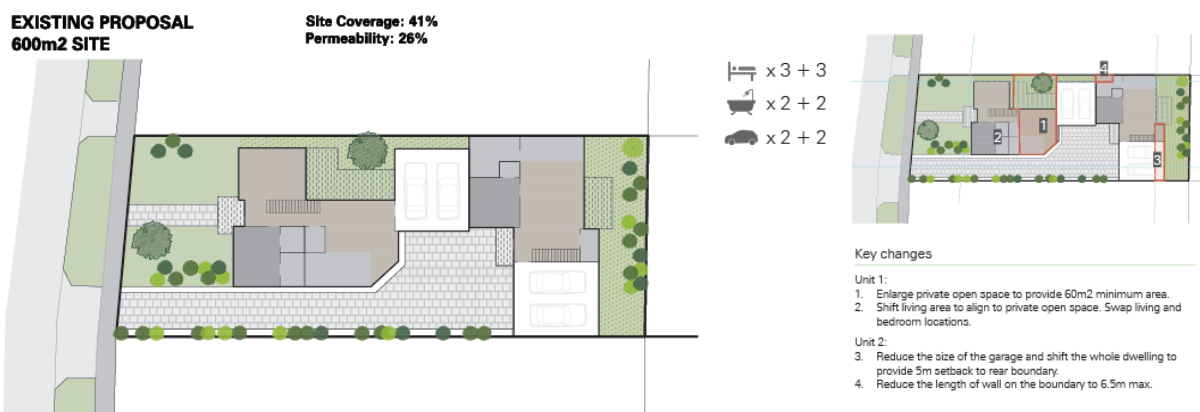
- 3.1. In late September 2015 MGS Architects was engaged by Monash City Council to undertake an analysis of the impact of the proposed zone schedules on development potential in existing residential areas. We were asked to examine the proposed General Residential Zone schedules 3 and 4 and identify the impact that they would have on dual occupancy subdivision of an existing single lot.
- 3.2. In the brief Council officers nominated two typical rectangular lots commonly found in the municipality and one irregular lot that might be found in a court-bowl type subdivision. These lots were hypothetical examples and were not based on any specific location.
- 3.3. In preparing these plans we were asked to consider both side-by-side subdivisions and ‘battleaxe’-type subdivisions, where dwellings are placed one behind the other in the lot. We were also asked to consider both single storey and two storey configurations where this was possible.
- 3.4. In early November 2015, MGS was engaged to provide a more comprehensive set of drawings in response to a Council motion tabled at the Monash City Council meeting on October 27th. This motion included the following requirement:

- *Request that officers provide clear schematic examples demonstrating the impacts of the proposed changes in each of the proposed new zones, showing 'before' and 'after' potential development opportunities for the following:*
 - i. a conventionally dimensioned 800 m2 residential block;*
 - ii. a conventionally dimensioned 750 m2 residential block;*
 - iii. a conventionally dimensioned 700 m2 residential block*
 - iv. a conventionally dimensioned 650 m2 residential block;*
 - v. a conventionally dimensioned 600 m2 residential block;*
 - vi. a conventionally dimensioned 550 m2 residential block;*
 - vii. a conventionally dimensioned 400 m2 residential block;*
 - viii. corner allotments based on the above sizes; and*
 - ix. a range of irregular dimensioned blocks.*
- 3.5. In consultation with Council officers, we identified a more streamlined process considering a subset of the lot permutations in the Councillor's request. Council provided plans from a range of recently approved multi-unit developments addressing the range of lot sizes and configurations identified in the motion. Council requested illustrations identifying the changes that would be necessary in order to meet the schedule requirements.
- 3.6. Prior to releasing the drawings for consultation, Council officers requested an estimate of the before and after dwelling yield. This was expressed in terms of dwelling gross floor area, number of bedrooms, bathrooms and car spaces on title.

4. Methodology

- 4.1. I personally prepared all of the drawings and the analysis contained in the reports. During this time I regularly tested my assumptions with other senior practitioners through an internal review process within MGS.
- 4.2. Council officers selected recently approved development examples for a range of sites across the municipality and provided MGS with excerpts from the planning application drawing sets. The original applications were prepared by a wide range of building designers and registered architects. The projects were not chosen because of any special design merit.
- 4.3. These plans were used as generic examples of hypothetical development rather than a response to any specific location. Each plan was tested against multiple zoning schedules. This was done to demonstrate the differences between schedules more than illustrate a recommended design outcome. As such, the drawings were described in the reports as a "potential response".
- 4.4. I redrew each plan to scale (within AutoCAD) from the submitted planning application drawings to act as an existing proposal drawing. I simplified the drawings and made them visually consistent for presentation purposes.

- 4.5. Though not explicitly explained, the drawings do distinguish between the following elements:
- habitable common areas such as living and dining rooms;
 - habitable private areas such as bedrooms;
 - service spaces such as bathrooms, laundries and robes;
 - garages and driveways;
 - circulation and stairways; and
 - landscape elements such as front yards, secluded private open space, decks, pathways and trees.
- 4.6. For each zone schedule under examination I made the necessary changes to the ground floor plan to meet the requirements set out in the schedule. For example, I removed any built form within the rear and side setbacks and allowed for increased private open space for each dwelling. While doing so I ensured that the resulting floor plan was still a reasonable estimate of a habitable dwelling. This required the rearrangement of rooms to fit within the envelope defined by the planning requirements.



- 4.7. My intention was to provide a typological level of detail, where the configuration was captured sufficiently to describe the basic arrangement of the internal spaces and their relationship with the building envelope.
- 4.8. Even though internal details were omitted in the drawings, I was conscious of the location of doors, internal circulation paths and the proportions for significant rooms. For example, bedrooms were drawn no smaller than 3.5m x 3m. Where bedrooms became too small the area was reassigned as more generic habitable space, such as a study or sitting area.
- 4.9. I was also conscious of the relationship between rooms. For example, the main private open space was immediately accessible from the kitchen and living rooms. If the original plan included an ensuite for the main bedroom then the proposed response was also provided with an ensuite.
- 4.10. For two storey buildings only the first floor was drawn, though in this process I considered the approximate location of upper level rooms. The location of the stair was retained near to the original plan or amended to suit a viable upper storey configuration.

- 4.11. The gross floor area yield was estimated using an approximate approach. The ground floor was measured, the upper floor estimated as 70% of the ground floor area. This upper level yield was determined considering the additional setbacks that would be required at the upper levels due to ResCode and the need for building articulation. This was necessarily a simplified approach and a more detailed analysis may show a different yield to that reported in my analysis.
- 4.12. I used the AutoCAD software to accurately make all the required linear and area measurements. The nominated figures were then rounded to a more appropriate level of accuracy for planning purposes. Setbacks were reported to a 0.1m linear accuracy and all areas were rounded to the nearest 10m² figure.

5. Assumptions

- 5.1. It is important to acknowledge the assumptions and inherent limitations of this methodology.
- 5.2. The drawings were prepared as an urban design analysis, not as full architectural plans. The drawings were based on an understanding of the original approved floorplan layouts and their manipulation using a level of detail appropriate for urban design. I did not fully redesign the interior or exterior at an architectural level of detail. The proposed plans were not assessed against the building regulations or building code.
- 5.3. Each lot was considered as a hypothetical development. The orientation chosen was arbitrary, though represented with north vertically up the page. No detailed consideration was made towards overshadowing or thermal performance. No detailed consideration was made of the impact on adjoining properties, such as or overshadowing overlooking adjacent private open space. It is important to note that each proposed response prepared in my analysis was an amended version of a development approved through a ResCode assessment undertaken by Monash City Council.
- 5.4. Car parking for each proposed response varied between one and two spaces per dwelling, depending on the site area available. Note that this does not meet the requirements of Cl. 52.06 in all cases. On reporting this limitation to Council officers we collectively decided to proceed with the analysis as drawn. Council officers noted that a request for a variation to parking requirements is common for planning applications for small scale subdivisions across the municipality.
- 5.5. The analysis considered developments approved under the existing planning scheme and amended these according to the requirements of the new planning scheme. In doing so I assumed that the existing developments were appropriate to the local housing market. I did not assess if the amended dwellings would be financially viable beyond ensuring that the dwelling was not critically compromised in its design response.
- 5.6. In some cases the number of bedrooms was changed or the design was reconfigured from one storey to two, which may change the relative construction costs and property sale rates. I

did not analyse the change in financial viability that may come from these changes as this was outside of my area of expertise.

- 5.7. No consideration was given towards maximising the number of dwellings on any given site within the parameters of the zone schedule. The NRZ effectively restricts the number of dwellings on a lot to no more than two (Cl. 32.09-3) but GRZ is not subject to the same restriction. Within GRZ areas it would hypothetically be possible to subdivide some of the largest lots into three dwellings rather than two, however in most cases this would require a radical redesign of the units to fit the more limited site area.

6. Findings

- 6.1. Across the majority of the examples I examined, the cumulative effect of the proposed planning changes reduced the size of dwellings but did not restrict the development of dual occupancy subdivisions. This was true for a range of lot sizes between 500m² to 1050m², including regular lots, corner lots and irregular court-bowl lots, for all of the zone schedules I examined.
- 6.2. I examined 13 recently approved dual occupancy developments provided by Council. Each was tested against multiple zone schedules, providing 40 lot size, shape and zone schedule combinations in total. This is summarised in the table below:

Zone	Rectangular Lot	Corner Lot	Irregular / Court Bowl lot
GRZ3	600m ²	500m ²	900m ²
	700m ²	550m ²	
	750m ²	650m ²	
GRZ4	600m ²	650m ²	750m²*
	650m ²		900m ²
	700m ²		1050m ²
	800m ²		
NRZ1	600m ²	650m ²	750m²*
	700m ²		
	750m ²		
	800m ²		
NRZ2	600m ²	650m ²	750m²*
	700m ²		
	750m ²		
	800m ²		
NRZ3	600m ²	650m ²	750m²*
	700m ²		
	750m ²		
	800m ²		
NRZ4	600m ²	650m ²	750m²*
	700m ²		
	750m ²		
	800m ²		

- 6.3. Of these 13 previously approved developments, only one case presented a significant challenge for dual occupancy subdivision. The 750m² irregular lot (highlighted in the previous table) was an approved subdivision that placed a new dwelling in the rear yard of an existing house. The existing house was placed unusually deeply within the block, with a street setback in excess of 12m.
- 6.4. When tested this example development against the schedule requirements of GRZ4, NRZ1, NRZ2, NRZ3 and NRZ4, in 4 of 5 schedules I was unable to fit a new dwelling between the existing house and the rear setback while allowing for the private open space for the existing dwelling. This is noted most clearly in the drawing for GRZ4. The odd one out of this list was NRZ1. The requirements were less demanding than GRZ4, which allowed me to make minor adjustments to the new dwelling and retain the existing dwelling.
- 6.5. For NRZ2, NRZ3 and NRZ4, I illustrated an alternative approach. Here the original house was demolished and a new dwelling constructed closer to the required street setback. Allowing for demolition of the old house provided the space for two more generous dwellings on this lot, within the required planning envelope set up by each schedule. Thus while the specific outcome of the original proposal (retaining the existing while building a new dwelling) was not possible to achieve under the new planning schedules, the lot itself was not absolutely constrained from being subdivided through an alternative design solution.
- 6.6. This demonstrates the range of potential responses addressing the difference between existing planning requirements and the proposed zone schedules. Across the 40 illustrated examples I variously shifted whole proposed dwellings, realigned fencelines, trimmed floor areas as well as adjusted the internal planning of proposed developments. The range of design approaches mitigated the impact of the change in planning requirements.
- In 18 of the 40 examples one or both of the proposed dwellings was unchanged under the new planning requirements.
 - In 17 of the 40 examples the cumulative reduction in floor area across both dwellings was less than 10%.
- 6.7. Rather than discussing each of the 40 examples in detail here I provide a summary of the key findings in the next section.

7. Observations on the Schedule Requirements

- 7.1. The analysis I undertook helped to demonstrate the relative role of each Cl.54 and Cl.55 requirement in determining the developability of the lots for dual occupancy subdivision. I will discuss only the most significant effects of the new schedules that I observed.

Rear setbacks

- 7.2. The rear setback requirements vary between 5m (GRZ3, GRZ4, NRZ1, NRZ4), 6m (NRZ3) and 7m (NRZ2), which is a significant increase from the base requirements within ResCode. This

rear setback opportunity provides increased separation between buildings at the rear, which will provide a sense of openness and an opportunity for landscape within a rear yard.

- 7.3. The benefit of requiring a specific setback at the rear is that in most situations this is mirrored on either side of the fenceline. This allows for shared landscape amenity on either side of the fence. A resident can make direct use of their private open space but also borrow the visual amenity of canopy trees in the adjoining yard, viewed over the fence.
- 7.4. This quality of borrowed landscape viewed from either side of the fenceline is a common experience in older dwellings with larger yards where the dwelling is located towards the front of the lot. In newer developments, especially where there is a dual occupancy subdivision with a dwelling in what was previously a rear yard, this quality is diminished.
- 7.5. The view towards canopy trees from living areas and private open space is in my opinion a strong contributor to the Garden City character identified in the Monash Housing Study.
- 7.6. In my analysis, the rear setback requirements had a very noticeable effect on the ability to subdivide the example lots. In almost all of examples I looked at, the rear setbacks provided in the previously approved plans had to be increased to meet the new setback requirements.
- 7.7. However, each of these rear units also had to be provided with private open space. In effect, the new setback requirement merely required that the private open space be provided adjacent to the rear fenceline, rather than anywhere within the subdivided lot.
- 7.8. I acknowledge that this approach may diminish the flexibility of a design response, for example the ability to provide optimal solar orientation for living areas adjacent to the private open space.
- 7.9. This coordination of landscape opportunity potentially has a beneficial effect. Where a unit subdivision backs onto another subdivided site the increased building separation benefits both dwellings. Where a unit backs onto an existing dwelling the setback potentially mitigates the change in character across the rear interface.
- 7.10. The rear setback requirement needs to be considered in combination with the front setback. For most of the zone schedules the front setback was 7.6m (8m for NRZ4), which compares to 9m as a usual ResCode requirement. The decreased front setback partially counteracts the additional rear setback, effectively shifting the whole built form towards the street.

Side setbacks

- 7.11. The side setbacks set out in the exhibited version of the zone schedules all introduce an increased side setback requirement compared to ResCode. The specific figure varies in each schedule, but these all have the effect of shifting the existing progressively-increasing ResCode envelope, where the upper level requires a greater setback than the ground level, inwards from the boundary.
- 7.12. In the examples I analysed the increased setback requirements did reduce the floor area of the proposed dwellings compared to the previously approved dwellings. However this requirement did not provide a significant restriction on the overall developability of the lot for

dual occupancy subdivision. The requirement for additional setback compared to ResCode required manageable amendments to the plans, generally through trimming floor areas and shifting walls rather than a comprehensive rearrangement of the internal layout.

- 7.13. The exhibited zone schedules for GRZ3, NRZ1, NRZ2, NRZ3 and NRZ4 all introduce an alternate setback for each side of the lot, where the setback to one side is greater than the other. This introduces an asymmetry, where the built form is effectively shifted towards one side rather than centring the massing along the centreline of the lot.
- 7.14. In some of the examples I analysed the larger setback could be met by aligning the driveway to one side of the lot. The width of the driveway was generally wider than the largest setback requirement, so this had little additional effect.
- 7.15. In other examples the greater setback would be met through placing the private open space along the side fence, pushing the dwelling away from the side boundary. Again, there was little additional restriction caused by the setback requirement.
- 7.16. In my opinion, if the side setbacks are increased beyond the base ResCode requirements it is beneficial to configure the setbacks using the asymmetric principle proposed in the exhibited schedules.
- Requiring one setback to be larger than the other means that the open space created by the setback is concentrated on one side. This makes the larger open space more useable and recognises that the smaller setback provides opportunities for secondary utility uses.
 - By specifying two different side setbacks but not mandating how they are used there is increased flexibility for a designer to respond to the site orientation and context in developing the design.
 - The alternating smaller setback and larger setback has the additional cumulative effect of setting up a more positive, varied street rhythm as the suburbs develop over time. Where the side setbacks are increased consistently on both side boundaries the maximised built form tends to be located centrally in each street frontage. Where there are two setbacks the effect is more informal and varied.
- 7.17. The wording of the setback requirements appeared to presuppose a rectangular lot. For irregular lots it was unclear which setback condition should be used if there were more than two side boundaries. It would be beneficial to provide guidance in the decision guidelines on how to apply the side boundaries. Alternatively, the wording of the requirement could potentially refer to "Side 1" and "Side 2 (and any further side boundaries)", or similar.

Walls on boundaries

- 7.18. The wording of the requirement for walls built on boundaries creates a number of notable restrictions on the design of any future development.
- 7.19. All of zone schedule GRZ3, GRZ4, NRZ1, NRZ2 and NRZ3 (but not NRZ4) have a requirement that walls built on the side boundary be no more than 6.5m long. This figure appears to me to

only allow for the depth of a garage (or the width of a double garage) to be built on the boundary however there is no requirement that it must be a garage.

- 7.20. For regular rectangular lots with one adjoining property to each side this means there was only one opportunity on any side boundary to build on the boundary. For the two dwelling subdivisions I examined I generally had to choose which out of the front or rear dwelling would be able to build to the boundary on each side and which unit would need to be recessed by the minimum side setback. This resulted in the inefficient use of the land.
- 7.21. In the context of a single dwelling application assessed under Cl.54 (or building regulations) it appears to me there is some logic in reducing the side wall on boundary to a single building element as a means to limit the impact on existing neighbours. However this needs to be balanced against the lack of flexibility in responding to the more complex site layout requirements for dual lot subdivisions.
- 7.22. A second consideration is the lack of flexibility in regards to walls constructed simultaneously. An important principle to note is that the wording of the requirement in the schedule to the zone fully replaces the wording of the Cl.54 or Cl.55 requirement. The requirement applying to walls on boundaries thus fully determines the requirement that new proposals need to meet.
- 7.23. The wording of each of the schedules removes the second dot point of Standard B18, which allows for an unlimited length of wall constructed on the boundary if it matches an existing or simultaneously constructed boundary wall. The maximum wall on any side boundary covered by the schedules I have examined is fixed at 6.5m as set by the schedule requirements.
- 7.24. This requirement significantly constrains the viability of side-by-side lot subdivision, for example for duplex developments. Side-by-side development that is restricted to only 6.5m of shared wall length would be highly inefficient, since the exterior wall would need to be set back from the common boundary between the lots by the minimum side setback. This may lead to higher construction costs, poorer private open space amenity and poorer environmental performance due to the increased external building fabric.
- 7.25. The wording of NRZ4 does not have this restriction limiting walls to only 6.5m of side boundary length. It is not clear to me why extended walls on side boundaries (possibly even in excess of the standard in ResCode) are acceptable in this portion of the municipality.

Private Open Space

- 7.26. The requirements for private open space set out in the schedules vary in detail but all require a significant increase in open space provision compared to ResCode. The requirements are summarised below:

Zone	Required area	Area in one part	Min. dimension
GRZ3	75m ²	60m ²	5m
GRZ4	75m ²	60m ²	5m
NRZ1	75m ²	35m ²	5m
NRZ2	80m ²	60m ²	5m

Zone	Required area	Area in one part	Min. dimension
NRZ3	80m ²	60m ²	5m
NRZ4	75m ²	60m ²	5m

- 7.27. As noted previously, meeting this requirement for the rear unit of a dual occupancy subdivision was straightforward, since the rear setback requirement already required open space to be provided along the rear boundary. In the majority of the examples I examined, the Private Open Space requirement would already be met for the rear unit without any need for additional open space.
- 7.28. Meeting this requirement for the front unit is much more challenging. In many of the examples I prepared this significantly constrained the developability of the front unit.
- 7.29. The requirement that the area be provided as private open space meant that it could not be located in front of the dwelling. All of the zone schedules I examined included a front fence requirement limiting the fence to 1.2m high or lower in some zone schedules. This meant that the front yard could not be considered private due to its visibility from the public realm.
- 7.30. The private open space thus had to be located either next to the dwelling, or between the front unit and the rear unit.
- Locating the open space to the side was only possible on wider lots. On narrow lots it was very challenging to meet the 5m minimum internal dimension of the private open space, allow for a driveway plus provide for a habitable building width.
 - Locating the open space to the rear of the first unit effectively required a split between the front and rear units to provide the necessary area with the minimum 5m internal dimension.
- 7.31. The combination of these factors in many cases required a significant rearrangement of the internal planning for the front unit, including shifting from single storey to double storey in order to retain a viable dwelling.
- 7.32. In my opinion there is significant value provided by private open space for the liveability of dwellings. The increased 5m internal dimension of the private open space would additionally ensure that it is a useful space that can support landscape opportunities, including trees with spreading canopies.
- 7.33. This amenity needs to be balanced with the impact on the developability of the lot caused by the increased open space requirement. In my opinion it would be appropriate to use a measure in between the largest figures proposed in the schedules and the minimum ResCode requirement, due to the Garden City character of residential areas in the municipality.

Other Requirements

- 7.34. The other requirements, relating to minimum street setback, site coverage, permeability, landscaping and front fence height, did not appear to create any additional restrictions on the developability of the dual occupancy subdivision examples I examined.

7.35. If the requirements for side and rear setbacks, walls on boundaries and private open space are changed, the requirements listed at paragraph 7.34 may become more significant considerations for the viability of subdivision.

8. Differences between the findings and Council's post exhibition changes

8.1. At the Council Meeting on 29 March 2016, Council decided to vary the details of the proposed planning amendment. In summary, the recommended changes identified by Council officers include the following:

- a. Changing site coverage in the General Residential Zone 3 and the Neighbourhood Residential Zone 1 & 4 areas from 40% to 50%,*
- b. Changing site coverage in the Neighbourhood Residential Zone 3 area from 40% to 45%,*
- c. Deleting proposed changes to side setbacks across all zones,*
- d. Deleting the specification of a height for canopy trees,*
- e. Linking the height of canopy trees to the height of the dwelling,*
- f. Reducing the number of canopy trees required in each schedule to a minimum of 2,*
- g. Changing the minimum parcel of private open space from 60m² to 50m² across all zones, except for the Neighbourhood Residential Zones 2 and 3,*
- h. Retaining the existing 7.6 metre front setback for the Neighbourhood Residential Zone 4 area, and*
- i. Deleting the proposed changes to the rear setbacks of the General Residential Zone Schedule 3, the General Residential Zone Schedule 4, the Neighbourhood Residential Zone Schedule 1 and the Neighbourhood Residential Zone Schedule 4.*

8.2. The full details of the changes are collected in a document prepared by Maddocks Lawyers titled "Post exhibition changes to Amendment C125 – 11 August 2016". I did not directly test these changed schedules using development examples so the opinions I offer here are inferred from the analysis I previously undertook.

8.3. The changes to the site coverage requirements made them less stringent than the requirements in the exhibited schedules. They are, however, still more restrictive than the standard ResCode requirements. In my opinion it is reasonable to infer that this would result in increased landscape opportunities compared to the outcome created by ResCode.

8.4. In my opinion the post exhibition changes to site coverage should make it no harder to deliver a dual occupancy subdivision than was demonstrated through my analysis of development examples. It is notable that all of the amended floorplans I prepared either met the requirement for 40% maximum coverage within the exhibited schedules or exceeded the limit by a small amount (achieving 41%-42% coverage) due to the operation of the setbacks and private open space requirements. The change to 45% or 50% site coverage will not restrict the development of the examples I analysed.

- 8.5. Removing the side setback requirements would in my opinion make it easier to develop the lots for larger single dwellings or two dwelling subdivisions, compared to the exhibited schedules. Using the standard ResCode side setbacks would remove the distinctive aspects set up by the exhibited schedules, returning to an established standard with built form outcomes common to most residential areas across Melbourne.
- 8.6. Reducing the minimum parcel size for private open space in GRZ3 and GRZ4 would provide more flexibility in responding to the site and the proposed design layout, particularly for the front unit of a two dwelling subdivision. The overall amount of private open space would remain unchanged, however its location on each lot would be able to shift to accommodate the building form. The overall requirement would still require more private open space than the standard ResCode requirement, so these amended schedules would still support the leafy Garden City character sought through the planning scheme amendment.
- 8.7. Removing the rear setback requirement from GRZ3, GRZ4, NRZ1 and NRZ4 would further increase the flexibility in meeting the private open space requirement for the rear unit. The required private open space would help make a contribution towards the Garden City leafy character at the interface with adjoining yards, though less than rear setback in the exhibited versions of the schedule.
- 8.8. The post exhibition changes to the schedules also added an important series of points to the decision guidelines. These gave guidance on how to respond to irregular lots, allowing applicants to potentially vary the side and rear setback requirements to better respond to the orientation of the lot and the local context. This would provide the scope for a degree of flexibility in implementing the setback requirements within an approved development. However, if the side setbacks are relaxed to meet the ResCode standard then the limitations on development would also be reduced, limiting the need for this flexibility.

9. Conclusion

- 9.1. The proposed zone schedules for GRZ3, GRZ4, NRZ1, NRZ2, NRZ3 and NRZ4 as exhibited would require changed design responses compared to the requirements of the existing planning scheme. The changes would generally decrease the size of individual dwellings, increase the area of private open space and require greater landscape opportunities.
- 9.2. The proposed zone schedules as exhibited should not significantly decrease the overall opportunities for dual occupancy subdivision, since the required changes can be addressed through the design response. Some sites may become more challenging but I have found no evidence that the changes will excessively restrict the opportunity to develop land through subdivision.
- 9.3. The post exhibition changes generally reduce the level of restriction in the zone schedules compared to the exhibited version and would likely have less impact on development potential. However the post exhibition changes would still introduce requirements that help

deliver leafy Garden City character outcomes, compared to the standard ResCode requirements. On balance, the post exhibition changes increase the level of flexibility in meeting the character outcomes sought by the scheme amendment.

10. Statement of Expertise

- 10.1. My name is Simon Harry Wollan. I am an Associate Director of MGS Architects Pty. Ltd. of 10-22 Manton Lane Melbourne 3000, where I have practiced in urban design for seven years.
- 10.2. I hold a Bachelor of Architecture with Honours and a Bachelor of Planning and Design from the University of Melbourne.
- 10.3. My expertise lies in the area of urban design.
- 10.4. My role at MGS Architects covers transit-oriented urban design and policy formulation for place-sensitive urban intensification. My recent work has included transport interchanges, urban redevelopment for complex sites, strategic studies for local activity areas as well as community and institutional projects for local government and universities. I have also recently worked on strategic planning studies and structure plans for the Cities of Monash, Moreland, Hume, Banyule, Brimbank, Kingston and Frankston.
- 10.5. I have worked on numerous large scale vision studies and master plans for private developers, state planning agencies and local governments for the mixed-use intensification and redevelopment, such as the Glen Waverley Activity Centre, Alphington Paper Mill, Josephs Road precinct (Footscray) and the Arden Station Precinct (North Melbourne).
- 10.6. I was a project leader and main contributor for MGS on the Moreland Activity Centre and Housing Strategy (2012), which provided strategic advice to Moreland City Council on the housing yield implications of proposed changes to local planning policy. I was also a lead author for similar studies for DPCD (2011) and more recently the MPA (2016), on the design implications of proposed changes to ResCode and new planning zones.
- 10.7. I was a project leader for two projects that were awarded state and national PIA awards (the Brooklyn Evolution, 2012 and Former Kingston High School Masterplan, 2013). Both of these projects used planning and urban design approaches to sensitively manage long-term changes of land use in complex urban contexts.
- 10.8. In 2016 I was invited by the City of Darebin to join the Steering Committee for the Northland Urban Renewal Project as a development industry representative and urban design expert.
- 10.9. Prior to MGS Architects I held a research assistant position at the University of Melbourne for three years, working on an Australian Research Council funded research project into transit oriented intensification and renewal of Melbourne's established suburbs. This project, titled "The Character of Urban Intensification", looked into the potential for residential intensification and its relationship to urban character, the processes of resident resistance to intensification and community responses to higher-density development.

10.10. During this period I also taught as a sessional tutor in architectural and urban design theory, as a studio tutor in undergraduate architecture studios, and as a studio leader in the M.Arch program at the Melbourne School of Design.

10.11. I have maintained an active involvement in academic research and design teaching since joining MGS:

- I have led studios in the MArch and MUD programs at the Melbourne School of Design, exploring the design of knowledge and employment clusters and the design of train stations as places and community hubs.
- I have presented guest lectures in the urban design, urban planning and architecture programs at RMIT and the University of Melbourne on the topics of urban character, mapping and design, and participation and community engagement in planning.
- I have been an industry research partner and was a member of the advisory committee for the following research projects: 'Transit for All: Better stations and access research program' (University of Melbourne 2013-2014); 'Intensifying Places: Transit-oriented Urban Design for Resilient Australian Cities' (University of Melbourne & Monash University 2012-2014)

10.12. I have presented and been co-author on numerous peer-reviewed academic publications on urban design and urban planning issues:

Refereed Journal Publications:

- Dovey, Wollan, Woodcock, 2012, "Placing Graffiti: Creating and Contesting Character in Inner-city Melbourne." Journal of Urban Design 17.1 p.21-41.
- Woodcock, Dovey, Wollan, & Robertson, 2011, "Speculation and Resistance: Constraints on Compact City Policy Implementation in Melbourne." Urban Policy and Research 29.4 p.343-362.
- Woodcock, Dovey, Wollan & Beyerle, 2010, "Modelling the compact city: capacities and visions for Melbourne." Australian Planner 47.2 p.94-104.

Book Chapters:

- Woodcock, Wollan, and Dovey, 2015 "Would You Like a Code With That?." Ch.9 of Leshinsky and Legacy, eds. Instruments of Planning: Tensions and Challenges for More Equitable and Sustainable Cities. p.125-141, Routledge, ISBN: 1317607880.

Refereed Conference papers:

- Woodcock & Wollan, 2013 "Public Use Zone: A new paradigm for suburban rail station design for Australian cities" 6th State of Australian Cities Conference,
- Woodcock & Wollan, 2013 "Designing transit for all: positioning the studio within an industry research partnership" Designing Education, 7th International AASA Conference,
- Woodcock, Wollan & Dovey, 2011 "Mapping Neighbourhood Fields of Care" 5th State of Australian Cities Conference,

- Woodcock, Dovey & Wollan 2009 "Not In My Republic: Resident opposition to intensification in inner-city Melbourne" 4th State of Australian Cities Conference,
- Woodcock, Dovey, Wollan & Robertson, 2009 "Speculation or resistance? The limits to compact city policy" 4th State of Australian Cities Conference,
- Woodcock, Dovey, Wollan & Beyerle, 2009 "Compact city visions for Melbourne" 4th State of Australian Cities Conference,
- Dovey, Wollan & Woodcock 2009 "Graffiti and Urban Character" 4th State of Australian Cities Conference,

10.13. In 2013 I co-presented a paper to the PIA National Congress on neighbourhood character. In 2014 I was invited to speak at an AIA seminar on Plan Melbourne and the new residential zones.

10.14. I was previously a member of the Australian Institute of Architects Victorian Chapter Urban Design Committee and served on the Policy Working Group. In this capacity I was a major contributor to AIA submissions in regards to Plan Melbourne, the Victorian Planning System and the Reformed Residential Zones.

11. Declaration

I have made all the inquiries that I believe are desirable and appropriate and no matters of significance which I regard as relevant have to my knowledge been withheld from the Panel.



25 August 2016