

# DCF34/20 AMENDMENT C190 - BETTER OUTCOMES FOR TWO DWELLINGS ON A LOT - DECISION GATEWAY 2 - CONSIDERATION OF SUBMISSIONS AND REQUEST A PANEL (D20/280476)

## Director City Futures City Strategy and Design

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### Executive Summary

Amendment C190 proposes to introduce a new class of application into the VicSmart provisions in the Neighbourhood Residential Zone and General Residential Zone of the Moreland Planning Scheme. Planning scheme compliant, enhanced quality, two dwelling on a lot applications would be processed within the VicSmart application stream if the specific requirements are met. These requirements would improve the quality of two dwelling on a lot developments by establishing a more straight forward planning assessment process for proposals which deliver good quality outcomes.

Amendment C190 was exhibited from 28 May 2020 to 17 July 2020. 15 submissions were received. Seven submissions support the amendment and six do not support some aspects of the amendment. Two submissions raise queries.

Key matters raised in submissions relate to the proposed process change, housing affordability, neighbourhood character, liveable housing, Environmentally Sustainable Design, crossovers and garages, legislative requirements and notice of the amendment.

Attachment 1 provides a summary of all the submissions, including details of the Council officer response.

This report recommends no changes to the exhibited Amendment C190 documentation as detailed in Attachment 2 and that Council refers all submissions to an independent Planning Panel for consideration.

### Officer Recommendation

That Council:

1. Using its powers as a Planning Authority under section 23 of the *Planning and Environment 1987*, requests that the Minister for Planning appoints an independent Panel to consider all submissions to Moreland Planning Scheme Amendment C190.
2. Endorses the response to submissions as set out in Attachment 1 to this report, to form the basis of Council's submission to an independent Planning Panel.
3. Notes that the recommended form of the Amendment C190 documents to be presented to the independent Panel remain unchanged as set out in Attachment 2 to this report.
4. Refers any late submissions to the independent Panel as appointed by the Minister for Planning.
5. Authorises the Director City Futures to make minor changes to Moreland Planning Scheme Amendment C190 and to give direction on issues which arise in the course of the independent Panel hearing in response to expert evidence and submissions if required, so long as any further changes are generally in accordance with previously endorsed Council positions and the intent of Amendment C190.

## 1. Policy Context

The policy context for Amendment C190 (the Amendment) was reported to Council at the 12 June 2019 Council meeting (DCF40/19).

One of the key priorities in the Council Plan 2017-21 is to enhance liveability, affordability and sustainability by guiding growth, and excellence in urban design and development.

Council Plan Item P1f) Design Excellence Process Improvement, is to consider development of a policy to fast-track planning permit applications demonstrating design excellence.

Council Action Plan (CAP) Item 35 delivered the Medium Density Housing Review, adopted by Council in October 2018. Building on the work to improve apartment development, the Medium Density Housing Review considered the quality of townhouse and unit development within Moreland and made recommendations on how it can be improved.

Better Outcomes for Two Dwellings on a Lot (a review of dual occupancy development in Moreland) is a further outcome of CAP item 35 and implements the Medium Density Housing Review finding in relation to two dwelling on a lot applications.

## 2. Background

Council resolved (DED63/18) as part of the adoption of the Medium Density Housing Review to undertake actions outlined in the review to improve medium density housing, including undertaking further work to investigate ways to incentivise applicants to design fully compliant and improved quality lower density development in 2018/2019. Amendment C190 - Better Outcomes for Two Dwellings on a Lot (a review of dual occupancy development in Moreland) responds to this resolution.

Moreland receives more than twice the metropolitan average number of medium density planning permit applications and 40 per cent of these applications are for two dwellings on a lot. It is a development type where typically, compliance with Rescode standards is very high.

Medium density housing (units and townhouses) contributes to the range of housing options to suit different budgets and lifestyle needs. At present, 35 per cent of Moreland's households live in medium density units and townhouses. This is forecast to grow to 51 per cent by 2036.

Half of all recently approved two dwelling on a lot development in Moreland is the side-by-side type. With this typology both dwellings front the street and have their own sense of address, reminiscent of older terrace and semi-detached housing common in parts of Moreland. 80 percent of two dwellings on a lot development in Moreland occurs in the northern suburbs, where lot sizes are generally larger, and they are less constrained.

Subject to meeting detailed design requirements, two dwellings on a lot housing is permitted in all residential zones across Victoria.

### **Reimagining the process to improve the outcomes**

Present state:

- The quality of applications received in Moreland is generally quite low;
- The time and possibility of VCAT encourages applicants to seek greater yield;
- Significant Council staff and neighbour time and energy is expended negotiating applications into being 'acceptable';

- The process often leaves objectors dissatisfied.

Future state:

- Encourages upfront full compliance for faster and more certain process;
- Frontloads the process to empower applicants to provide quality design;
- Make more effective use of everyone's time and emotional energy;
- Improves the quality of applications at the outset;
- Improves the quality of housing (accessible, Environmentally Sustainable Design (ESD) performance);
- Redirects resources to things that make a difference.

### **Amendment C190**

The Amendment proposes to amend the Neighbourhood Residential Zone and General Residential Zone of the Moreland Planning Scheme to introduce a new class of application into the VicSmart provisions. Planning scheme compliant, enhanced quality, two dwellings on a lot applications would be processed within the VicSmart application stream if the following requirements are met:

- **Building height, garden area and landscaping:** All numerical standards relating to building height, garden area and canopy tree planning must be met;
- **Site layout and building massing:** All numerical standards relating to street setback, site coverage, permeability and width of accessways and car spaces must be met;
- **Amenity impacts:** All numerical standards relating to side and rear setbacks, walls on boundaries, daylight to existing windows, solar access to existing north-facing habitable room windows, overshadowing of open space and overlooking must be met;
- **On-site amenity and facilities:** All numerical standards relating internal views, daylight to new windows, private open space, solar access to open space, storage and front fences must be met;
- **Car parking:** Numerical standards relating to the number of car parking spaces must be met. In addition, requirements have been included to reduce the dominance of crossovers and car parking from the street. These requirements ensure the retention of street trees, tree planting within the front setback and on street car parking between driveways.
- **Standards for accessibility and ESD.**

By requiring development to adhere to all standards, it will be of high quality. If any of the requirements are sought to be varied, the application will be processed via the standard planning application process with public notice and VCAT review rights applicable.

This action guarantees better outcomes, for both those who live in this housing, and the broader Moreland community, whilst at the same time making more effective use of resources.

The key features of the VicSmart stream include a 10-day permit process and applications are exempt from notice and objector appeals of Council's decision at the Victorian Civil and Administrative Tribunal (VCAT).

### **Benefits of the more straight forward process**

Two dwelling on a lot development that complies with all relevant numerical standards of the planning scheme achieves high quality outcomes for both those who live in this

housing, and the broader Moreland community. The benefits of the straight forward assessment process are:

- Better quality housing for the Moreland community;
- Improved customer service and certainty for landowners, developers and the community;
- All requirements proposed in the Amendment are mandatory rather than discretionary;
- Mandatory requirements mean Council's decision cannot be overruled;
- Compliant, quality two dwelling development, upfront with no debate;
- Canopy trees, disability access and ESD designed upfront rather than through requests for further information;
- Better ESD outcomes due to the inclusion of ESD as a requirement in criteria;
- Better housing accessibility due to a requirement for certification from Livable Housing Australia;
- Lengthy application processes add to the cost of housing and these costs are passed on to purchasers and their tenants. The proposed change in process has the potential to reduce the cost of housing or allow this budget to be spent on design features which improve housing quality.

By requiring full compliance with requirements to qualify for this application stream, Council can secure these outcomes for the community without the time and expense for all parties associated with seeking improved compliance via objections or expensive VCAT reviews.

The provisions of the Amendment would apply only to two dwelling on a lot proposals that are fully compliant with the numerical standards of the planning scheme set out earlier in this report, and which meet specified criteria. All other medium density applications, and two dwellings on a lot with Rescode and car parking variations, would undergo the normal process of notification.

### **Benefits for the quality of two dwelling on a lot housing**

#### *Side by side dual occupancies*

The Amendment won't prevent the development of land for a side by side dual occupancy. It will ensure a high-quality outcome with requirements included to:

- Reduce the dominance of crossovers and garages;
- Retain street trees or allow space for planting of street trees;
- Allow space for canopy tree planting in front setback;
- Leave space for parking of one car on the street between the crossovers.

#### *Canopy trees*

The canopy tree planting requirements in zone schedules, proposed by the recently endorsed C189 amendment (now awaiting Ministerial approval), become mandatory. These requirements ensure canopy trees are included in the design of new dwellings and that there is enough space for new canopy trees to be able to grow.

This implements the vision and actions of the Moreland Urban Forest Strategy, Moreland Urban Heat Island Action Plan and Medium Density Housing Review by increasing tree canopy cover in new development to improve the thermal comfort of new dwellings and enhancing landscape character for the broader Moreland community.

### *Accessible housing*

The required, Silver Livable Housing Australia standard, introduced by the Amendment ensures that homes are easier to access, navigate and live in for families with young children, people who sustain a temporary injury, ageing people and people with disability and their families. Livable Housing is designed to meet the needs of all people. This requirement will increase the supply of accessible housing in accordance with Moreland's MSS and Disability Access and Inclusion and Living and Ageing Well plans.

### *Environmental sustainability*

Amendment C190 introduces mandatory compliance with the ESD policy at Clause 22.08 of the Moreland Planning Scheme.

There is currently significant effort required to seek to negotiate acceptable ESD outcomes, with negotiation within application processes taking an average of 40 days at present.

The Amendment application requirements propose pre-certification by Council's Sustainable Built Environment Unit.

Along with all Rescode standards and car parking requirements, these requirements are mandatory.

## **3. Issues**

The Amendment was exhibited from 28 May 2020 to 17 July 2020. 15 submissions were received. Seven submissions support the Amendment and six do not support some aspects of the Amendment. Two submissions raise queries. Key matters raised in submissions are outlined in the section below.

### **Process change**

Seven submissions support the proposed process change. These submissions congratulate Council for its leadership, strategic foresight, the manner in which it has addressed the important issues associated with increasing dwelling supply in Moreland and commend Council for this initiative and for the approach taken in the Amendment.

They highlight that once again Moreland is the thought-leader in pioneering changes to support and deliver high quality housing outcomes, using the planning system to incentivise housing in the right locations and remove many of the debates that clog up the system.

These submissions describe the provisions within the Amendment as very beneficial and a real step forward for the City of Moreland and planning in Victoria. They observe that the benefits of a prescriptive planning control are clear, as the certainty it brings to the process will be of great benefit to those who wish to redevelop their land holdings and that the benefits to Council resources, VCAT and the community are also evident.

Five submissions do not support the exemption from notice and objector appeals within the VicSmart process. In summary these submissions argue that the Amendment will reduce the voice of residents and therefore reduce the quality of development. One submission mentioned that removal of notice requirements will mean that residents won't be aware that a development will occur next door to them and one mentioned that the exemption from notice and objector appeals is contrary to human rights.

### **Council officer response**

In order to understand the voice of residents, The Better Outcomes for Two Dwellings on a Lot review included extensive analysis of objections to applications for two dwellings on a lot to ensure a VicSmart process would take into account those matters which are important to neighbours.

50 percent of two dwelling on a lot applications attract objections, but only one in 10 two dwelling on a lot applications is changed as a result of giving notice. Any changes made are almost always very minor in nature and typically involve a ruler length in difference in some aspect of the building envelope. This is a very low return on the investment of time and energy put into objections and VCAT appeals by neighbours. Conversely, requiring applicants to meet numerical standards regarding building envelope in a VicSmart process is not a significant impost on applicants and responds to concerns that are often raised by objectors.

The planning system which includes circumstances where there are third party notice and review rights, and circumstances which are exempt from third party notice and review, are a long-established part of government regulation of land use and development in Victoria.

Council's adopted Community Engagement and Public Participation Policy, developed with significant community input, confirms engagement should be purposeful and meaningful. Under the current process, detailed analysis has found that consultation on applications for two dwellings on a lot is not substantially changing the outcome. The proposed VicSmart process removes steps which don't add value for any sector of the community and builds in mandatory requirements to ensure compliance with building envelope standards which are often the subject of objector's concerns.

In the 10 years since 2010 there have been only 13 objector appeals relating to a two dwelling on a lot applications for the whole of Moreland. The objector appeal rate is less than one per cent. In all instances where an objector appealed to VCAT against Council's support of a dual occupancy application, VCAT supported Council's decision and directed that a permit issue.

None of the two dwelling on a lot applications over the past 10 years which were the subject of a section 82 objector appeal, fully met the Rescode standards and car parking requirements. That is, none of these applications would meet the mandatory requirements proposed within the Amendment. As such, in all cases these applications would be subject to the usual third-party notice and review process and importantly, residents would be participating in an application process where proposed variations to planning scheme have the potential to have an amenity impact on them.

The way in which the Amendment will deliver improved quality of development has been addressed earlier in this report.

A detailed human rights assessment has been undertaken and more detail is provided later in this report. **Attachment 1** to this report outlines that public notice and appeal rights for planning permit applications is not a relevant consideration to Section 18 (Entitlement to participate in public life (including voting)) of Victorian Charter of *Human Rights and Responsibilities Act 2006*.

One of the submissions that raises this issue relates to a street within a heritage precinct. The Amendment is not applicable in Heritage Overlay areas. As such the Amendment will have no effect on this submitter's rights.

### **Housing affordability**

One submission highlights that many elderly people live in the municipality and it is believed, given rising house prices, the amendment will assist with a cheaper, affordable and efficient way for the elderly to downsize in place and within their community, enabling younger families to purchase vacated family homes.

### **Council officer response**

*Homes for Victorians*, the State Government housing plan contains an objective to Streamline planning approvals to reduce costs and uncertainty for developers and target around a four month supply of lots on the market. It states:

*'Planning uncertainty, as well as the time and costs of obtaining planning approval, limit the supply of available new homes and, in doing so, drive up prices. Unnecessarily slow approvals by councils and utilities delay developers and also drive up costs.*

*Smarter planning and faster approval is a win-win for developers and home buyers alike and ensures more competitive pressure on prices.'*

Facilitating low density urban infill assists in providing homes for Moreland's growing and changing population and adds to dwelling diversity. Lengthy application processes add to the cost of housing and these costs are passed on to purchasers and their tenants. Removing process steps has the potential to reduce the cost of housing or allow this budget to be spent on design features which improve housing quality.

The housing vision within the Moreland Municipal Strategic Statement is that Council will facilitate housing development to meet the needs of the growing and diverse population, including providing a range of housing sizes and types to accommodate a diversity of household sizes and have regard to housing affordability

### **Liveable housing**

Three submissions discuss the inclusion of a requirement within the amendment for housing which meets the Liveable Housing Australia Design Guidelines. One submission is supportive and two do not support the proposed requirement.

#### **Council officer response**

Twenty five percent of Moreland's population is aged over 55. The vision in Council's Living and Ageing Well in Moreland Framework (the Framework) maintains that the current and future housing needs of older people are considered. This includes encouraging the design of dwellings to meet the needs of people with limited mobility and increase the supply of housing that is visitable and adaptable to meet the needs of different sectors of the community.

The Framework identifies that housing security is becoming a more significant issue in Moreland, particularly for older women. Research has shown that lower income older single women, who are currently private tenants with little savings or superannuation funds, are more vulnerable to homelessness than men.

Council's Disability Access and Inclusion Plan identifies that almost a quarter of Moreland residents identify as having disability. Six per cent require daily help with core tasks and one person in ten provides unpaid care to an older person or someone with disability. It states that every day people with a disability and their families and carers face significant barriers, including barriers to housing.

The housing vision within the Moreland Municipal Strategic Statement is that Council will facilitate housing development to meet the needs of the diverse population, including housing designed to be visitable by people with limited mobility, and adaptable for residents with specific accessibility requirements.

As well as facilitating diverse housing choices, the mandatory requirements proposed by the Amendment include compliance with the Liveable Housing Australia Design Guidelines which ensure that a home is easier to access, navigate and live in for families with young children, people who sustain a temporary injury, ageing people and people with disability and their families.

### **Neighbourhood character**

Two submissions raise queries about how the Amendment will alter consideration of neighbourhood character.

### ***Council officer response***

The requirement for a design response to explain how the proposed design responds to the neighbourhood character of the area is unchanged by the Amendment. Consideration of all existing neighbourhood character objectives, policies and statements within the scheme is unchanged by the Amendment.

### **Proposed requirements for new crossovers and garages**

Four submissions welcome the certainty provided for side-by-side two dwelling on a lot development types or make comment on matters of detail on the proposed requirements for new crossovers and garages.

In relation to the detail of the proposed requirements for new crossovers and garages, submitters discuss whether the nature of the prescriptive requirements may mean that the lots that might be able to take a benefit of these provisions are potentially limited, particularly in relation to narrow lots.

### ***Council officer response***

The requirements for crossovers relate to typologies that necessitate two crossovers to a street frontage, including side by side development. Half of all recently approved two dwelling on a lot development in Moreland is the side by side type. The proposed requirements vary the current policy guideline at Clause 22.03, which discourages more than one crossover.

These requirements aim to enable two crossovers to a street frontage whilst seeking to reduce the dominance of crossovers and garages, retain street trees and allow space for planting of new street trees, allow space for canopy tree planting in front setbacks and leave space for parking of one car on the street between the crossovers.

80 percent of two dwelling on a lot development in Moreland occurs in the northern suburbs, where lot sizes are generally wider. Lots in the northern suburbs of Moreland are comparatively large and wide (typically 600 plus square metres and 15 to 17 metres wide). Almost all sites would meet the proposed requirements, just as they do at present.

In the southern suburbs of Moreland lots are comparatively smaller and narrower and there is more widespread application of the Heritage Overlay, but the number of two dwelling on a lot applications in the south is low. In 2019 there were only 25 applications for two dwellings on a lot in Brunswick West, Brunswick and Brunswick East. Rescode variations and car parking reductions in the south are more common. 40 percent of two on a lot applications in the south do not meet all Rescode and parking criteria so in effect, 10 applications per year in the south would not benefit from the proposed provisions.

The specific requirements within the Amendment are based on extensive case study analysis of approved development, including analysis of lot widths and the attributes of crossovers and garages in approved side by side developments.

The parts of Moreland where lots are typically narrower, are the suburbs where a minority of two dwelling on a lot development occurs as these lots are not only narrower, they are also smaller in area. Case study analysis also revealed that laneways are more prevalent throughout the southern suburbs and side by side two dwelling on a lot development most commonly provides access to car parking for one or both dwellings from the rear.

The case study analysis of approved side by side two dwelling on a lot developments showed that only six per cent of applications of this type would not be able to meet the requirements for new crossovers and driveways. Two thirds of the applications which would not meet these requirements, also varied amenity standards of Rescode and/or the car parking requirements of Clause 52.06, and as such it is not the requirements for new crossovers and driveways alone which would disqualify these applications from the VicSmart application stream.



More broadly, extensive case study analysis concluded that at least 85 per cent of approved two dwelling on a lot developments in Moreland do, or could readily meet all requirements proposed by the Amendment. The requirements have been carefully calibrated to optimise the number of lots that will be able to benefit, whilst improving the quality of two dwelling on a lot developments for the Moreland community.

## **ESD**

Three submissions discuss the ESD requirement within the amendment or raise queries about how the amendment will alter the process for consideration of ESD.

### ***Council officer response***

The provisions within the Amendment reflect the environmental performance of two dwelling on a lot development which is being delivered by existing policy requirements contained within Clause 22.08 of the Moreland Planning Scheme. If environmentally sustainable design is not considered at the time of planning approval, the ability to achieve environmentally sustainable development may be compromised by the time these matters are considered as part of a building approval.

The information requirements proposed by the Amendment in the Schedule to Clause 59.16 require the applicant to have the Sustainable Design Assessment (SDA) certified by Moreland City Council prior to lodgement of the application. This frontloads the process to empower applicants.

This is the same process that is already in place across Victoria for VicSmart applications under a Special Building Overlay, where Clause 59.08 requires an application to be accompanied by written advice from Melbourne Water, rather than this referral occurring after the application is lodged.

### **Legislative requirements**

One of the submissions raised matters regarding various legislative requirements. The key matters raised are addressed in the information below.

### ***Council officer response***

The implications of the Amendment and officer report have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities. The change in the planning permit application process and the specific standards within this amendment do not limit or interfere with any Human Rights.

A positive aspect of the Amendment is that it proposes to introduce the requirement to meet Silver Level of performance under the Liveable Housing Australia, Liveable Housing Design Guidelines for two dwelling on a lot applications in the VicSmart stream, which would increase the supply of housing that is easier to access, navigate and live in, as well more cost effective to adapt, when life's circumstances change.

With respect to Privacy legislation, natural justice and transparency are important parts of the Planning Scheme Amendment process. Under section 21(2) of the *Planning and Environment Act 1987*, Council must make all submissions to an Amendment available to view by any person at its offices for a period of two months after the Amendment is gazetted or lapses. This includes all personal names, telephone and address details, unless specifically requested to be deleted prior to the submission being made publicly available.

Advice has been obtained about how to fulfil this requirement in a manner which is compatible with Privacy legislation, and information which is consistent with this advice is included on the notice, the information sheet, council's website and on letters acknowledging submissions.

Council makes all submissions available to view online on its website during the Planning Scheme Amendment process. All submissions made available online are redacted to remove personal names, telephone and address details. Submissions are removed from the website once the Amendment is finalised.

### **Notice of the amendment**

Two submissions discuss notice of the Amendment. One discusses notice in newspapers and the other raises concern that they were not notified of the Amendment.

### **Council officer response**

Section 19(1C)(2) of the *Planning and Environment Act 1987* provides that a planning authority must publish a notice of any amendment it prepares in a newspaper generally circulating in the area to which the amendment applies.

Notice was given in the Saturday edition of *The Age* and *Herald Sun* newspapers. Both *The Age* and the *Herald Sun* are newspapers circulating in Moreland. Previously such notice has been given in *The Leader* newspaper. *The Leader* is no longer published in print in most parts of Melbourne, including Moreland.

Advice was sought regarding notice to ensure the requirements of the Act were met. Publication of a notice in either *The Age* or the *Herald Sun*, on any day of the week, fulfils the requirement under Section 19(1C)(2). Notice was given in both papers and notice was placed in Saturday editions as they are the most widely read.

In addition, the Amendment was publicised in the Moreland City Council Community Update, a hard copy publication distributed to every property in June 2020. This included the offer to post hard copy documents to people who do not have internet access.

### **Human Rights Consideration**

A Human Rights Assessment was undertaken by the Community Development and Social Policy team (refer **Attachment 3**). Council officers with expertise in human rights including disability, gender equality, ageing, children's services, multicultural and religious diversity and disadvantage more generally, participated in the assessment.

This Assessment had regard to *Victorian Charter of Human Rights and Responsibilities Act 2006*, the Human Rights Charter Guidelines and the Moreland Human Rights Policy, which is aligned with the Act. The Assessment concluded that the change in planning permit application process and the specific standards within this amendment do not limit or interfere with any Human Rights.

Specific reference to a suggestion that Section 18 of the Charter would not be met as a consequence of there being no third-party rights was made in a submission. Section 18 provides for the entitlement to participate in public life (including voting), and the Guidelines state that Section 18 needs to be considered in assessing legislation, a policy or a program where it:

- limits the ability of a category of individuals to take part in municipal and parliamentary elections;
- requires individuals to meet certain conditions in order to be eligible to participate in municipal and parliamentary elections;
- regulates how individuals vote in elections (for example, the method of voting);
- regulates access to employment in the public service or appointment to public office;
- establishes requirements for membership of public bodies;
- regulates the conduct of elections and the electoral process;
- regulates the suspension and conduct of local government;

- regulates the suspension and removal of statutory office holders.

The right to have a say about an application within a statutory process is not a human right. The planning system, which includes circumstances where there are third party notice and review rights, and circumstances which are exempt from third party notice and review, are a long-established part of government regulation of land use and development in Victoria and do not constitute a breach of the Victorian Charter of Human Rights.

#### 4. Consultation

Extensive consultation was undertaken as part of the Medium Density Housing Review, including:

- Quality Development Roundtable of academics and design professionals;
- Two Quality Urban Development Community Workshops, one in the south of the municipality and one in the north, with surveys completed by workshop participants – significant community feedback about desire to improve the quality of medium density infill;
- Interviews with Architects and Designers who are regular medium density permit applicants;
- Medium Density Housing Occupant Survey;
- Moreland Good Design Sessions;
- Individual meetings with industry professionals such as Planners, Architects, Developers, Builders, Engineers, ESD consultants, Access consultants and academics;
- Consultation with Council’s Environment and Housing community advisory committees.

The Amendment was publicly exhibited from 28 May 2020 to 17 July 2020. Consultation was carried out in accordance with the Consultation Strategy attached to the 12 June 2019 Council report.

The social distancing restrictions have impacted Council’s ability to undertake engagement through some of the usual approaches. As a consequence, Council officers have adjusted their approach to community consultation on this matter. Modifications during the COVID-19 closure of Council’s customer service centres and libraries included:

- Amendment exhibited for seven weeks, rather than one month;
- In addition to sending notice by mail, where email addresses were publicly available, notice was also sent by email in case post was not being collected from business addresses during work from home office closures;
- More information was posted with the direct notice by mail than would normally be included, including the Amendment documentation being sent out with notice;
- Notice in the Saturday edition of *The Age* and *Herald Sun*. Saturday editions are the most widely purchased. Local papers are no longer published in print and were not published at all during COVID-19 restrictions except for the real estate section;
- One on one meetings were held via teleconference;
- The Amendment was publicised in the Moreland City Council Community Update, a hard copy publication distributed to every property. This included the offer to post hard copy documents to people who do not have internet access.

Exhibition was supported by direct notification to:

- Prescribed Ministers and referral authorities;
- Resident groups;
- Regular medium density planning permit applicants;
- Planning consultants, local architects and drafting companies;
- Social Housing agencies;
- Real estate agents;
- ESD consultants;
- Accessible housing consultants.

In addition to the established process of including a language link on letters and information sheets, the letter sent to the above stakeholders included specific content in the five languages other than English most commonly spoken by the Moreland community.

The documents on the website were in PDF format. Information was included for those who have trouble opening or viewing a PDF document that information could be provided in a format that suits their needs with reference to Council's accessibility page.

## 5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

## 6. Financial and Resources Implications

The funds required to administer this amendment are being met within the 2020-21 financial year operating budget and current resources of the City Strategy and Design Branch.

## 7. Implementation

The following anticipated timeline for the Amendment is broken down into the key decision gateways. The timeframe is subject to Ministerial approval timelines and Panel timing.

Decision Gateway 1: Authorisation and Exhibition (Completed)

Decision Gateway 2: Submission review and referral to a Panel

- August 2020: Consider submissions and seek Ministers appointment of Panel;
- September 2020: Panel Directions Hearing;
- October 2020: Panel Hearing;
- November/December 2020: Panel Report is released to Council.

Decision Gateway 3: Review Panel report and final decision

- February 2021: Report on the Panel's recommendations and make a decision on the final version of the Amendment;
- February 2021: Submit the Amendment to the Minister of Planning for approval.

## Attachment/s

1	C190 – Summary of Submissions - Decision Gateway 2	D20/205249
2	Moreland C190 more Exhibition ~ Schedules to Clauses 59.15 and 59.16 Decision Gateway 2	D20/298963
3	C190 Human Rights Assessment	D20/225130

