

1.3 MONASH PLANNING SCHEME AMENDMENT C131- REZONING OF 256-262 HUNTINGDALE ROAD, HUNTINGDALE- CONSIDERATION OF PANEL REPORT
(MM: File No. W17-202)

Responsible Director: Peter Panagakos

RECOMMENDATION

That Council:

1. *Receives and notes the Panel Report on Amendment C131 to the Monash Planning Scheme.*
2. *Adopts Amendment C131, generally as exhibited, with the following changes set out in this report, including:*
 - a) *Amend the exhibited Residential Growth Zone Schedule 5 to:*
 - i) *Replace the Site coverage and Permeability standards with 'None specified' so that the default standards in Clauses 54 and 55 apply.*
 - ii) *Replace the references to Clause 32.08 with 32.07*
 - b) *Apply the Environmental Audit Overlay to all of 256-262 Huntingdale Road, Huntingdale.*
3. *Authorises the Director City Development to finalise the Amendment documentation in accordance with the recommendations of this Report and submit the Amendment to the Minister for Planning to approval.*
4. *Notify all submitters of Council's decision on this Amendment.*

INTRODUCTION

The purpose of this report is to consider the Panel Report and recommendations for Amendment C131.

The Amendment proposes to rezone the land at 256-262 Huntingdale Road Huntingdale from part Industrial 1 Zone and part General Residential Zone 2 to a Residential Growth Zone Schedule 5, delete the Design and Development Overlay Schedule 1 and apply the Environmental Audit Overlay to the land.

BACKGROUND

Amendment C131 seeks to implement a recommendation of the Monash Industrial Land Use Strategy 2014 (the Strategy).

The subject site at 256-262 Huntingdale Road, Huntingdale was identified as Precinct P17 in the Strategy and, as an isolated parcel of industrial land, was recommended to be rezoned for residential purposes.

At its meeting on 27 March 2018, Council considered a request from the owners to rezone the land and concurrently consider a proposed planning permit for development of a 4 storey apartment building, comprising 82 dwellings, through a combined Section 96A planning scheme amendment and planning permit application process.

Council resolved to request the Minister for Planning to authorise Council to prepare Amendment C131 and the draft planning permit.

Ministerial Authorisation – changes to proposed amendment

On 6 June 2018, the Minister for Planning authorised the preparation of the Amendment. However, this authorisation was conditional on the removal of the proposed planning permit application for the 4 storey apartment building from the Amendment and the proposed Design and Development Overlay.

Accordingly, the exhibited version of Amendment C131 only proposes to rezone the site from part Industrial 1 Zone and part General Residential Zone 2 to a Residential Growth Zone 5, delete the existing Design and Development Overlay Schedule 1 and apply the Environmental Audit Overlay over the land.

For any development of the land, a separate planning permit application would need to be lodged once the land has been rezoned.

Exhibition of Amendment C131

The Amendment was exhibited from 21 August to 24 September 2018 and eighteen submissions were received. In summary, the main issues raised by submissions were:

- Object to the development proposed as part of the original Amendment authorisation request.
- Support the rezoning of the site to a residential zone, but not rezoning to the Residential Growth Zone.
- The proposed maximum building height of 14.5 metres (4 storeys) specified in Schedule 5 to the Residential Growth Zone is too high.
- Possible site contamination.
- Possible encroachment of residential uses into industry buffers and interface issues.
- Inadequate notice of amendment.

At its meeting of 27 November 2018, Council considered submissions to the Amendment and resolved to request that the Minister for Planning appoint an independent Panel to consider the submissions.

DISCUSSION

Panel Hearing and Panel Report

The Minister for Planning appointed a 2 person Panel to review the amendment. A one day Panel Hearing was held at the Civic Centre on Thursday 14 February. All submitters and the proponent were invited to present to the Panel.

The Panel identified the key issues raised through the submissions, and in the hearing as being:

- *The appropriateness of enabling residential development approximately 20 metres from the Industrial 1 Zone.*
- *The appropriateness and justification of the mandatory maximum building height of 14.5 metres (four storeys).*
- *The strategic justification for rezoning the site.*
- *The appropriateness of using the Residential Growth Zone.*
- *The appropriateness of variations to Clause 54 and 55 proposed in Schedule 5 to the Residential Growth Zone.*
- *Potential land contamination.*
- *The adequacy of existing water and sewerage infrastructure.*
- *Traffic and parking capacity in the surrounding road network.*

Overall the Panel supported the rezoning of the site and the mandatory height limit of 4 storeys. However, the Panel recommended that:

- The siting, private open space and landscape variations to State standard provisions of ResCode specified in the exhibited Residential Growth Zone Schedule 5 deleted.
- The Environmental Audit Overlay should be applied to the entire subject land.

A copy of the Panel Report is provided at **Attachment 1**.

Panel recommendation - Delete siting and built form variations

The Panel Report recommends the deletion of all of the proposed siting variations including front set back, side and rear setbacks, front fence and modified private open space requirements. The deletion of the proposed varied standards means that the State standard provisions of “ResCode” would apply to the site.

Siting variations - Officer comment

As noted earlier in this report, the site is considered an island site, being bounded on three sides by roads. The eastern boundary abuts land containing conventional single storey dwellings. In addition the surround residential land to the north, south and east is all within the General Residential Zone – Schedule 2. Under C125 this area is proposed to be within the General Residential Zone – Schedule 3. The emphasis in the General Residential zone is for modest scale of redevelopment in a garden setting.

The siting, setback landscaping, front fencing and private open space variations were designed to take into account the development potential on the land as it is a large site but also ensure that any future development reflected elements of the overall suburban nature of the surrounding streets and the Monash garden character objectives of the Housing Strategy and the planning scheme.

Officer Recommendation

That the exhibited siting, setback and design standards be retained as part of the Amendment.

Panel recommendation - Delete Site Coverage and Permeability variations

The Panel Report also recommends the deletion of the proposed site coverage and permeability variations. The deletion of the proposed varied standards means that the State standard provisions of “ResCode” would apply to the site.

Site coverage and permeability variations - Officer comment

The Amendment proposed a variation to the default site coverage and permeability requirements of ResCode to 56% site coverage and 25% permeability. The default is 60% site coverage and 20% permeability.

These changes were based on the design submitted as the joint planning permit that was originally submitted as part of this Amendment request. However as this application is no longer being considered as part of the Amendment it is considered appropriate to delete the proposed changes and rely on the ResCode standards of 60% site coverage and 20% permeability. This is also consistent with the Residential Growth zone provisions of Clayton and Glen Waverley.

Officer Recommendation

- That the proposed variations to site coverage and permeability be deleted from the Amendment.

Minor edits to correct Clause numbering

There are three times in the RGZ5 where Clause 32.07 is incorrectly used instead of 32.08.

Officer Recommendation

That all references to Clause 32.08 replace Clause 32.07 in Schedule 5 to the Residential Growth Zone.

A copy of the revised Residential Growth Zone Schedule 5 is at **Attachment 2**.

Apply the Environmental Audit Overlay to all of 256-262 Huntingdale Road, Huntingdale

The exhibited Amendment C131 proposed to apply the Environmental Audit Overlay (EAO) over the portion of the site which is currently in the Industrial 1 Zone that was being rezoned to Residential Growth Zone. The Panel recommended that the EAO be applied to the whole site including a small portion of the site that is currently in the General Residential Zone at the eastern edge. This will ensure that appropriate assessments are made to the whole of the site is suitable for future sensitive uses.

Officer Recommendation

That the Environmental Audit Overlay apply to all of 256-262 Huntingdale Road, Huntingdale.

POLICY IMPLICATIONS

Amendment C131 is consistent with the strategic policy directions of Plan Melbourne 2017-2050 and the Monash Planning Scheme. Specifically, Plan Melbourne recognises that urban areas with the following characteristics have the ability to accommodate residential development of a higher density –

'There are significant opportunities for housing development in and around the central city. There are also opportunities for more medium and higher density development in middle suburbs close to jobs and services.'

The amendment is also consistent with Council's Housing Strategy that identifies accessible areas around activity centres as areas for moderate housing change and diversification.

CONCLUSION

Amendment C131 implements one of the recommendations of the Monash Industrial Land Use Strategy, adopted by Council in 2014, by rezoning a somewhat isolated industrial site.

The Panel was supportive of the proposed rezoning of the land. Although the Panel did not support the proposed variations to the ResCode standards, these variations should be retained to ensure that any future development of the site contributes to the garden character of the local neighbourhood.

It is recommended that Council adopt Amendment C131 with the minor changes as outlined in this report and submit the Amendment to the Minister for Planning for approval.