

**Amendment C131: Rezone land at 256-262
Huntingdale Road, Huntingdale to a
Residential Growth Zone 5**

**Submission by Planning Authority for Planning Panel -
Part A**

7 February 2019



**CITY OF
MONASH**

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1 INTRODUCTION AND OVERVIEW

1.1 SUMMARY OF AMENDMENT

Amendment C131 to the Monash Planning Scheme has been prepared by the Monash City Council (the planning authority for this Amendment) at the request of Polykastron 4x4 Pty Ltd.

The Amendment applies to land at 256-262 Huntingdale Road, Huntingdale which comprises lots 1, 2 and lot 3 on TP876809. The site sits across two zones with lot 1 located within the Industrial 1 Zone and lot 2 and 3 located within a General Residential Zone – Schedule 2.

This Amendment:

- Rezones the whole site from part Industrial 1 Zone and part General Residential Zone 2 to a Residential Growth Zone 5;
- Deletes the Design and Development Overlay Schedule 1; and
- Applies the Environmental Audit Overlay (EAO) over the land.

1.2 STRUCTURE OF COUNCIL'S SUBMISSION

This submission has been prepared having regard to Practice Note 46- Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments, May 2017.

The submission is structured as follows:

Part A

This part is provided prior to the hearing and contains the following:

1. Introduction and overview;
2. Background information;
3. Policy context;
4. Current Strategic Planning Projects
5. Proposed Amendment C131
6. Strategic assessment;
7. Authorisation and public exhibition;
8. Submissions received (including issues raised in submissions);
9. Changes to the Amendment (in response to the issues raised in submissions).

Part B

This part will be delivered at the Panel Hearing and contains the following information (as set out in Panel Directions dated 18 December 2018):

- Summary of the key issues raised in submissions.
- Response to the expert evidence tabled.
- Confirmation of Council's position on the Amendment.
- An explanation on how enabling residential development approximately 20 metres from the Industrial 1 Zone is appropriate and justified.
- An explanation detailing how the mandatory maximum building height of 14.5 metres (four storeys) is appropriate and justified.

- An explanation of why the site is a strategic location.
- Detail whether any building on the site has been identified in any heritage study or is proposed to be included in the Heritage Overlay.
- A response to the adequacy of existing water and sewerage infrastructure.
- A response to the traffic and car parking capacity in the surrounding road network.
- Details relating to whether there have been known complaints from any residents to the east of Huntingdale Road regarding odour, dust or noise from any industry in the industrial area bounded by Huntingdale Road, Edward Street, Hamilton Street and Croft Street, Huntingdale in the past three years.

2 BACKGROUND INFORMATION

2.1 MONASH INDUSTRIAL LAND USE STRATEGY

Amendment C131 seeks to implement one of the recommendations of the Monash Industrial Land Use Strategy 2014 (MILUS). Adopted by Council in 2014, the MILUS seeks to support sustainable land use outcomes that balance Monash's role as a regional employment location against the need to facilitate more diverse housing opportunities and the need to create more economic development.

The subject site at 256-262 Huntingdale Road, Huntingdale was identified as Precinct P17 in the MILUS and was recommended to be rezoned for residential purposes.

2.2 SITE CHARACTERISTICS AND LOCATIONAL CONTEXT

The site is located on the eastern side of Huntingdale Road, at 256-262 Huntingdale Road, Huntingdale. The site is about 200 metres north of the commercial area associated with the Huntingdale Activity Centre and on the western side of Huntingdale Road is a large existing industrial precinct. Most notably is the existing ASSA ABLOY Head Office and Manufacturing Plant, which is located directly to the west of the site at 235 Huntingdale Road, Oakleigh. Refer to Figure 1 below.

Land abutting the north, east and south boundaries of the site is in the General Residential Zone 2. The surrounding residential area is mainly comprised of detached, single storey dwellings. Two of the adjoining sites with Huntingdale Road frontage have double storey attached apartment buildings. Refer to Figure 2 below.

The site has frontage to three streets, Huntingdale Road, Berkeley Street and Ross Street and an area of 4,130 square metres.

The site has a double storey brick factory, setback approximately 6 metres from the Huntingdale Road frontage, 2 metres from the Berkeley Street frontage and abuts the Ross Street boundary. There is parking to the rear of the building, which can be accessed from Berkeley and Ross streets.

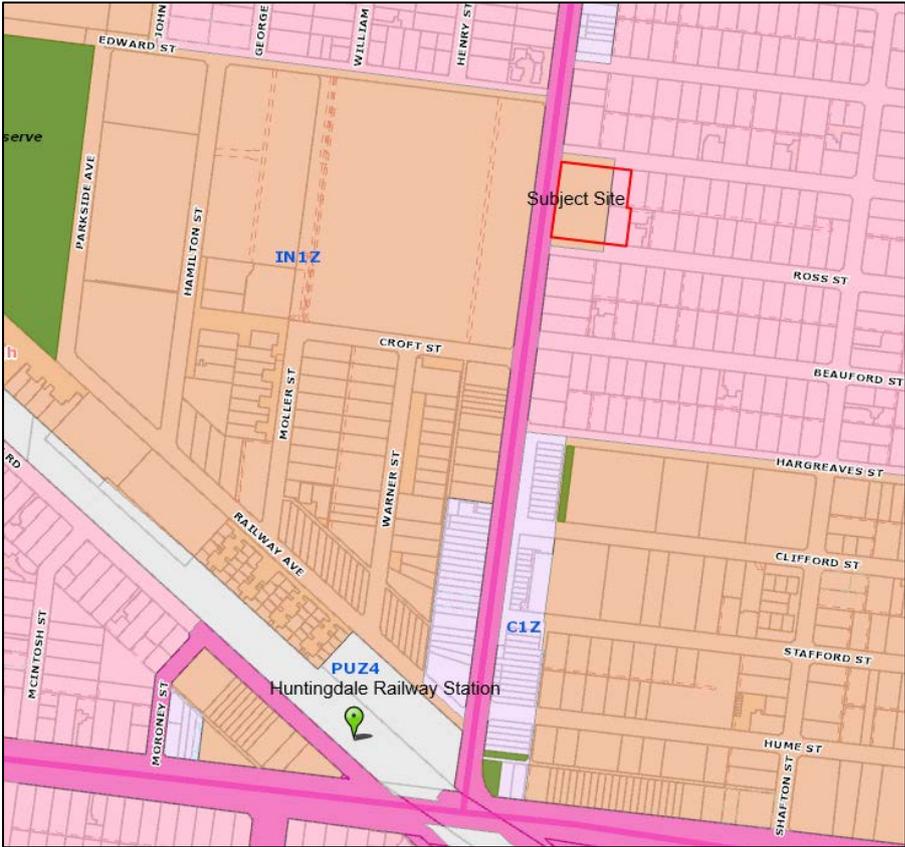


Figure 1 - Subject site and zoning



Figure 2 - Subject site and surrounds

3 POLICY CONTEXT

3.1 PLAN MELBOURNE

Plan Melbourne 2017-2050 is a long term plan to accommodate Melbourne’s future growth in population and employment to the year 2050.

“The demographic changes facing Melbourne are profound. Between 2015 and 2051 Melbourne is projected to grow by 3.4 million people, from a population of 4.5 million to almost 8 million... A population increase of that magnitude would require another 1.6 million dwellings and 1.5 million jobs”.

Plan Melbourne’s vision for the city is guided by 9 principles, including:

Principle 3: A city of centres linked to regional Victoria

The central city will remain the focus for global business and knowledge-intensive industries linked to an extensive network of clusters, centres, precincts and gateways. These physical, social and economic links will be strengthened, turning Melbourne into a city of centres linked to regional Victoria—creating social and economic opportunities across the state.

Principle 5: Living locally - 20-minute neighbourhood

Creating accessible, safe and attractive local areas where people can access most of their everyday needs within a 20-minute walk, cycle or local public transport trip, will make Melbourne healthier and more inclusive. Due to the specialised and diverse nature of work, many people will still need to travel outside of this 20-minute neighbourhood for their jobs.

Outcome 2 states that *“Melbourne provides housing choice in locations close to jobs and services”* and two of the directions specified to achieve this are:

- *Deliver more housing closer to jobs and public transport;*
- *Provide greater choice and diversity of housing.*

Seven national employment and innovation clusters have been identified across Melbourne. Each is anchored by a specialised activity that has seeded its growth. Monash is the largest of these clusters and has the largest concentration of employment outside the central city.

Plan Melbourne sets out the need *“To improve the growth and clustering of business activity of national significance, particularly in knowledge-based industries These areas are to be developed as places with a concentration of linked businesses and institutions providing a major contribution to the Victorian economy, with excellent transport links and potential to accommodate significant future growth in jobs and in some instances housing.”*

“The cluster has a critical mass of leading education, health and research facilities, including Australia’s largest university (Monash University), the Australian Synchrotron, the

Melbourne Centre for Nanofabrication, Monash Medical Centre, a new Monash Children's Hospital, CSIRO's largest site in Victoria and the Monash Enterprise Centre."

3.2 MONASH HOUSING STRATEGY

In 2014, Council adopted a new Housing Strategy which aims to protect the 'garden city' character of Monash while also identifying preferred locations for increased housing intensity.

The strategy aims to maintain the predominately single detached dwelling style in suburban residential areas by promoting low rise development as the preferred character for the majority of the residential areas and sites within Monash.

At the same time, strong population growth and falling household sizes have increased the need for more infill development within established areas of Melbourne.

To provide more housing in Monash, higher density developments will be directed to areas in and around activity and neighbourhood centres, and strategic sites within the Monash National Employment and Innovation Cluster.

3.3 PLANNING AND ENVIRONMENT ACT (1987)

Section 4 of the *Planning and Environment Act 1987* ('the Act') has the following objectives:

- 1) The objectives of planning in Victoria are:
 - a) *To provide for the fair, orderly, economic and sustainable use, and development of land;*
 - b) *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;*
 - c) *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
 - d) *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;*
 - e) *To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;*
 - f) *To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);*
 - fa) *To facilitate the provision of affordable housing in Victoria;*
 - g) *To balance the present and future interests of all Victorians.*

The Amendment implements the following objectives of planning in Victoria:

- *To provide for the fair, orderly, economic and sustainable use, and development of land – s4(1)(a)*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria – s4(1)(c)*
- *To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community – s4(1)(e)*

- *To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e)*
- *To balance the present and future interests of all Victorians. – s4(1)(g).*

Section 12 of the Act details the duties and powers of planning authorities, it includes that:

- 1) *A planning authority must:*
 - a) *Implement the objectives of planning in Victoria;*
 - b) *Provide sound, strategic and co-ordinated planning of the use and development of land in its area;*

- 2) *In preparing a planning scheme or amendment, a planning authority:*
 - b) *Must take into account any significant effects which it considers the scheme or amendment might have on the environment or which it considers the environment might have on any use or development envisaged in the scheme or amendment [8]; and*
 - c) *Must take into account its social effects and economic effects.*

Amendment C131 will contribute towards the achievement of the objectives of planning by rezoning an almost island industrial site to a residential zone. By applying the Environmental Audit Overlay over the site, the planning authority is ensuring the environmental conditions of the site are considered prior to the use of the land for a sensitive use, such as residential.

The objective “to facilitate the provision of affordable housing in Victoria” (Section 4(1)(fa)) was introduced into the Act on 1 June 2018. This new objective was introduced once Council had sought authorisation from the Minister for Planning to prepare and exhibit Amendment C131. For this reason, the Amendment has not considered this objective.

3.4 STATE PLANNING POLICY FRAMEWORK

The amendment is consistent with the State Planning Policy Framework, in particular by:

Clause	Assessment
<p>Clause 11.02-1S - Supply of Urban Land Ensuring a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.</p>	<p>The Amendment is consistent with Clause 11.02 as rezoning the site to the Residential Growth Zone 5 increases the supply of residential land.</p>
<p>Clause 13.04-1S - Contaminated and Potentially Contaminated Land Ensuring that the potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.</p>	<p>The Amendment is consistent with Clause 13.04 as the introduction of the Environmental Audit Overlay ensures that an Environmental Audit is issued prior to the commencement of a sensitive use, which</p>

	ensures the potentially contaminated land is used safely.
<p>Clause 16.01-2R - Housing Opportunity Areas (Metropolitan Melbourne)</p> <ul style="list-style-type: none"> • Identifying areas that offers opportunities for more medium and high density housing to be provided near employment and transport in Metropolitan Melbourne. • Manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are: <ul style="list-style-type: none"> ○ Urban-renewal precincts and sites. ○ Areas for residential growth. ○ Areas for greyfield renewal, particularly through opportunities for land consolidation. ○ Areas designated as National Employment and Innovation Clusters. ○ Neighbourhood activity centres - especially those with good public transport connections. ○ Areas near existing and proposed railway stations that can support transit-oriented development. 	The Amendment is consistent with Clause 16.01 as it allows an island industrial site which is underutilised and suitable for renewal to be rezoned to a residential zone. The site is within the Monash National Innovation and Employment Cluster and the Huntingdale Activity Centre so it is suitable for higher density housing.

3.5 LOCAL PLANNING POLICY FRAMEWORK

The proposed amendment will directly support many of the objectives, strategies and other policy points contained within the LPPF (and specifically the MSS), particularly the following:

Clause	Assessment
<p>Clause 21.01-1 - Introduction- Industry and Business Plan Melbourne: Metropolitan Planning Strategy 2017-2050 (2017) identifies National Employment and Innovation Clusters that are designated geographic concentrations of interconnected businesses and institutions that make a major contribution to the national economy and Melbourne’s place as a global city. Within the City of Monash, the Monash National Employment and Innovation Cluster (which also extends into the Cities of Kingston and Greater Dandenong) is Melbourne’s largest established employment cluster.</p>	<p>This amendment responds to these issues by proposing increased housing density through the application of the Residential Growth Zone 5. The application of this zone will ensure higher density housing can be supported on the site in a manner that provides for a diversity of housing that complements</p>

<p>Activity and neighbourhood centres... play a diverse role in terms of accommodating future housing, retail, commercial and civic services. These centres range in scale and function from the larger centres of Glen Waverley, Oakleigh, Clayton, Brandon Park and Mount Waverley, and smaller neighbourhood centres including Pinewood, Wheelers Hill, Waverley Gardens, Syndal, Hughesdale, Holmesglen, Huntingdale and Oakleigh South that serve local community shopping needs.</p>	<p>the surrounding neighbourhood character.</p>
<p>Clause 21.01-2 - The importance of neighbourhood character and heritage</p> <p>Monash 2021 outlines a vision of a ‘planned and connected city that retains its garden character while developing vibrant activity centres that are residential , employment, transport, services, entertainment and cultural hubs’.</p> <p>Competing interests, including the need for housing diversity while respecting neighbourhood character, require careful planning to ensure that development outcomes are of a high quality design standard and sympathetic to the existing or preferred neighbourhood character.</p>	
<p>Clause 21.04-3 - Residential Development- Objectives, Strategies and Implementation</p> <p>The objectives for Residential Development which relate to the Amendment are:</p> <ul style="list-style-type: none"> • To encourage the provision of a variety of housing styles and sizes that will accommodate future housing needs and preferences of the Monash community that complement and enhance the Garden City Character of the City. • To ensure that development is appropriate having regard to the residential environment of the area, in particular neighbourhood character and amenity. <p>The strategies relating to Residential Development that are relevant to the Amendment are:</p> <ul style="list-style-type: none"> • Ensure that new residential development provides a high level of amenity including personal privacy for occupants and neighbours, high quality private and public open space, 	<p>The Amendment meets the objectives of Clause 21.04-3 as it will potentially allow a greater diversity of housing to be developed on the site by rezoning the site to the Residential growth Zone 5 with a maximum building height of 4 storeys. In addition the proposed maximum building height, side and rear setbacks and landscaping requirements used for the assessment of residential development on site will help to ensure that the development is appropriate when having regard to the neighbourhood character and amenity of the area.</p>

<p>canopy tree cover, and effective traffic management and parking.</p> <ul style="list-style-type: none"> • Ensure that new residential development achieves high quality architectural and urban design outcomes that positively contribute to neighbourhood character. • Address the interface between activity centres and residential areas through innovative and high quality architectural design, appropriate setbacks and landscaping. 	<p>Once the site is rezoned, the planning permit assessment of any future development on the site will consider many issues including the quality of the architectural design, setbacks, the amenity of the future occupants, car parking and traffic management, canopy tree cover, the quality of the public and private open space.</p>
<p>Clause 21.06-1 - Major Activity and Neighbourhood Centres- Overview</p> <p>Major activity and neighbourhood centres are considered to be important locations for residential development. This will ensure a range of housing types is available to satisfy the housing needs of the Monash population now and into the future.</p>	<p>The Amendment is consistent with Clause 21.06 as it will potentially allow more residential development which is of a greater diversity and with a high quality in the Huntingdale Activity Centre.</p>
<p>Clause 21.06-2 - Major Activity and Neighbourhood Centres- Key issues</p> <p>Major activity and neighbourhood centres are likely to be the focus of change over the next 30 years. This change must be planned to ensure that the outcomes are consistent with the vision of Council for more sustainable development that is appropriately located, of a high standard of design and built form compatible with local neighbourhood character and accommodates the needs of the community.</p>	
<p>Clause 21.06-3 - Major Activity and Neighbourhood Centres- Strategies</p> <p>The strategies for Major Activity and Neighbourhood Centres relevant to the Amendment are:</p> <ul style="list-style-type: none"> • Ensure new residential development achieves high quality architectural and urban design outcomes that positively contribute to neighbourhood character. • Consider the interface between major activity and neighbourhood centres and residential areas to minimise and/or manage any impact on the residential character and loss of amenity through 	

<p>innovative and high quality architectural design, appropriate setbacks and landscaping.</p>	
<p>Clause 21.07-3 - Business Parks and Industry- Strategies The strategy from Business Parks and Industry relevant to the Amendment is:</p> <ul style="list-style-type: none"> • Ensure that any negative impacts from industrial uses on surrounding sensitive land uses are minimised or reduced where possible. 	<p>Rezoning the existing site to a Residential Growth Zone will mean that residential and other sensitive uses may be developed on the site. As the site is opposite a large existing industrial precinct, the detrimental impact of the already existing industry may have on a residential use on the site needs to be considered and possibly mitigated.</p>
<p>Clause 22.01-1 - Residential Development and Character Policy- Policy Basis The competing interests of incremental change and housing diversity with maintenance of the existing neighbourhood character, require careful planning to ensure that developments achieve high quality design outcomes that respects either the existing neighbourhood character or contributes to a preferred neighbourhood character.</p>	<p>The location, site characteristics and the strategic planning context all support rezoning the site to the Residential Growth Zone 5, with a mandatory maximum building height of 4 storeys and 14.5 metres.</p>
<p>Clause 22.01-3 - Residential Development and Character Policy- Policy It is policy that: Residential development outside of the Principal, Major and Neighbourhood Activity Centres will generally be low rise except where an adopted Structure Plan, or some other mechanism, has defined an appropriate height limit or where individual circumstances support an alternative height.</p>	

4 CURRENT STRATEGIC PLANNING PROJECTS

4.1 HUNTINGDALE ACTIVITY CENTRE PRECINCT PLAN

Council has appointed external consultants to prepare a Precinct Plan for the Huntingdale Activity Centre. The subject site is located within the study area for the Precinct Plan.

The Huntingdale Activity Centre and surrounds is a key component of the Monash National Employment and Innovation Cluster (as identified in Plan Melbourne) and at a precinct level, the Clayton Health Education and Research Precinct (CHERP). The Huntingdale Activity Centre and surrounds have significant scope for growth and is vitally important to the future success of the Monash National Innovation and Employment Cluster and the CHERP.

The Huntingdale Activity Centre Precinct Plan (similar to the companion project for Clayton Activity Centre) will set out a transformative, long term (at least 20 years) vision for the Huntingdale Precinct, assisting in the facilitation of:

- A greatly expanded employment, innovation and residential role for the Huntingdale Precinct.
- Greater connectivity to and integration with the Monash University Precinct and Monash Medical Centre Precinct.
- Improved transport and movement connections into the Huntingdale Precinct and between major employment, research and activity locations/destinations in the Precinct.
- The creation of a new identity and sense of place across the Precinct that is reflective of its future role as a CBD level employment, research and residential Precinct.

It is anticipated that the Draft Huntingdale Precinct Plan will commence public consultation in late March 2019.

5 PROPOSED AMENDMENT

5.1 PURPOSE AND EFFECT OF AMENDMENT

Amendment C131 is required to implement one of the recommendations of the Monash Industrial Land Use Strategy 2014 which states “an appropriate residential zone is recommended for this precinct to facilitate residential development consistent with the immediate residential area”.

Rezoning the site to the Residential Growth Zone 5 will ensure there will be no detrimental amenity impacts associated with an industrial use on the site on the surrounding residential area. It will also allow residential uses on the site as they are prohibited in the Industrial 1 Zone.

As the site is currently in the Industrial 1 Zone and is being used in part for motor vehicle servicing, the site may be contaminated. The purpose of the Environmental Audit Overlay is to ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination. As the site may be contaminated it is appropriate to apply the Environmental Audit Overlay over the site. This ensures that the requirement for an environmental audit is triggered prior to the commencement of a sensitive use, such as residential uses (which are permitted in the Residential Growth Zone), or the construction or carrying out of buildings and works associated with a sensitive use. The environmental audit will ensure that the site is suitable for the proposed sensitive use.

The site is currently covered by the Design and Development Overlay 1 which applies to all land in Monash within the Industrial 1 Zone. The DDO1 specifies setbacks and other built form requirements relating to industrial development. As the site is proposed to be rezoned to a residential zone, these requirements are no longer relevant and so it is proposed to remove the Design and Development Overlay 1 from the site as part of the Amendment.

5.2 SCHEDULE 5 TO THE RESIDENTIAL GROWTH ZONE

The Design Objectives proposed in Schedule 5 to the Residential Growth Zone are:

- To facilitate housing diversity and growth in the form of unit, townhouse and apartment developments of a high quality design and finish.
- To ensure developments are constructed within an open garden setting through the retention and planting of vegetation, including canopy trees.
- To ensure that the height, scale and form of development respects any sensitive residential interfaces and minimises the appearance of visual bulk.

The schedule also varies several standards of Clause 54 and 55. A table showing these proposed varied requirements are below:

	Standard	Requirement
Minimum street setback	A3 and B6	Front setback – 7.6 metres Side street setback as specified in the Tables to Standard A3 and Standard B6 continue to apply.
Site coverage	A5 and B8	56%
Permeability	A6 and B9	25%
Landscaping	B13	Provision of at least 2 large canopy trees within each street frontage setback
Side and rear setbacks	A10 and B17	Any building should be setback a minimum of: <ul style="list-style-type: none"> • 3 metres from Berkeley Street at the point closest to Huntingdale Road, increasing to 7.6 metres at the eastern most point of the building. • 3 metres from Ross Street at the point closest to Huntingdale Road, increasing to 7.6 metres at the eastern most point of the building.
Walls on boundaries	A11 and B18	Walls should not be constructed on rear boundaries.
Private open space	A17	A dwelling should have private open space consisting of an area of 50 square metres, with one part of the private open space to consist of secluded private open space at the side or the rear of the dwelling or residential building with a minimum area of 35 square metres, a minimum dimension of 5 metres, convenient access from a living room and clear of all structures and services.
	B28	A dwelling or residential building should have private open space consisting of: <ul style="list-style-type: none"> ▪ An area of 50 square metres, with one part of the private open space to consist of secluded private open space at the side or the rear of the dwelling or residential building with a minimum area of 35 square metres, a minimum dimension of 5 metres, convenient access from a living room and clear of all structures and services; or A balcony or roof top area of 10 square metres with a minimum width of 2 metres and convenient access from a living room. (This option is only available for apartments developments)
Front fence height	A20 and B32	A front fence within 3 metres of a street should not exceed 1.2 metres

These varied requirements are not mandatory.

The maximum building height specified in the schedule is 14.5 metres or 4 storeys, this height is mandatory and therefore cannot be exceeded.

6 STRATEGIC ASSESSMENT

6.1 STRATEGIC ASSESSMENT GUIDELINES

6.1.1 Why is an amendment required?

The amendment implements one of the recommendations of the Monash Industrial Land Use Strategy 2014 (MILUS). MILUS seeks to support sustainable land use outcomes that balance Monash's role as a regional employment location against the need to facilitate more diverse housing opportunities and the need to create more economic development.

The subject site has been identified as 'Precinct P17' under MILUS and has been recommended to be rezoned for residential purposes. MILUS recognises that Precinct P17 offers the opportunity to act as a catalyst for new housing and recommends that residential uses be facilitated on the site in order to provide consistency with the residential area to the north, east and south of the site. The facilitation of residential uses on this site will enable industrial activity to be consolidated into one of the nearby large core industrial precincts, which will support their revitalisation.

In addition, this Amendment is required in order to rezone the land to a more appropriate zone to allow residential development to occur on the site. Residential development is prohibited in the Industrial 1 Zone. The rezoning of the land to the Residential Growth Zone 5 will allow a more intense residential development to occur on the land.

6.1.2 Does the amendment implement the objectives of planning and address any environmental, social and economic effects?

Amendment C131 will help to implement the objectives of planning in Victoria by the rezoning of an almost island industrial site, which is underutilised, to a residential zone. This site is very well located on an arterial road, in the Huntingdale Activity Centre, in close proximity to the Huntingdale Railway Station and the Monash National Innovation and Employment Cluster. Rezoning the site is also likely to result in an increased supply of housing and a greater diversity of housing in the Huntingdale Activity Centre.

The application of an Environmental Audit Overlay over the site will ensure that the environmental conditions of the site are suitable for any proposed sensitive use, including residential uses.

The rezoning of the site to a residential zone will mean the site is likely to be developed for residential, which will have far fewer adverse impacts on the amenity of the surrounding residential area than the existing industrial use. This will have positive social benefits for the neighbouring residents.

6.1.3 Does the amendment address relevant bushfire risk?

This is not a relevant consideration.

6.1.4 Does the amendment comply with all the relevant Minister's Directions?

Ministerial Direction 1 relates to Potentially Contaminated Land, where potentially contaminated land is considered to be land used or known to have been used for industry. As the site is currently used for motor repairs, which is nested as part of the Industry Group in Clause 73 of the Monash Planning Scheme, this site has potentially contaminated land.

In the Residential Growth Zone, residential, childcare, pre-school or primary school uses are all allowed. Therefore, as the potentially contaminated land is proposed to be rezoned to a zone which may allow: residential use or a childcare centre, pre-school or primary school, Direction 1 applies to the Amendment.

Direction 1 states that it is important that planning authorities deliberately satisfy themselves that the environmental conditions of the land are suitable for those uses. Under the Environment Protection Act 1970, a certificate of environmental audit may be granted by auditors appointed under that Act to certify that land is suitable for any beneficial use as defined in that Act.

Ministerial Direction 1 requires that the Planning Authority satisfy itself that the environmental conditions of the land are suitable for the proposed use, one option is that "if testing of land before a notice or copy of the amendment is given is difficult or inappropriate, a planning authority may alternatively require a certificate or an auditor's statement at a later date. Under this option, the requirement for a certificate or statement to be issued before a sensitive use commences or buildings and works associated with a sensitive use commences must be included in the amendment".

An Environmental Site Assessment has been prepared for the site, which relates to the suitability of the site for the 4 storey development that was proposed with the original authorisation request. This Assessment was prepared by Watson Environmental Assessments. The soil investigations undertaken as part of the Assessment do not preclude the site from a high density residential use. The site in its current condition does not pose an unacceptable risk to future users/ occupants of the site. "Watson Environmental Assessments is also satisfied that a Statement or Certificate of Environmental Audit is not warranted prior to the site being used for sensitive uses" (p26).

Given the conclusions of the Assessment, it is appropriate to place an Environmental Audit Overlay on the site, which requires that an Environmental Audit be issued prior to the commencement of the sensitive use rather than requiring a Certificate of Environmental Audit be issued prior to the commencement of the sensitive use.

Ministerial Direction 9 relates to Metropolitan Planning Strategy, whose purpose is to ensure that planning scheme amendments have regard to the Metropolitan Planning Strategy.

Current Metropolitan Planning Strategy is underpinned by nine principles upon which a series of outcomes, directions and policies are based upon. This amendment will support these principles by:

- Creating development opportunities at an urban renewal precinct (Direction 1.3);
- Managing the supply of new housing in an appropriate location to meet population growth and create a sustainable city (Direction 2.1); and
- Providing greater choice and diversity of housing (Direction 2.5).

Rezoning the site to the Residential Growth Zone 5 will create a development opportunity for urban renewal in the Huntingdale Activity Centre and will provide greater housing choice and diversity by allowing a development on the site up to 4 storeys.

6.1.5 Does the amendment support or implement the State Planning Policy Framework (SPPF)?

The Amendment supports the SPPF as it increases the supply of residential land, allows an underutilised industrial site in an activity centre to be used for residential purposes and ensures any potentially contaminated land is used safely.

6.1.6 How does the amendment support or implement the Local Planning Policy Framework (LPPF) and, specifically, the Municipal Strategic Statement (MSS)?

The amendment implements the LPPF and MSS by allowing more residential development, of potentially greater diversity in an activity centre. The mandatory maximum building height and other variations to the ResCode requirements will help to ensure there are limited amenity impacts on any residential development on the site.

6.1.7 Does the amendment make proper use of the Victoria Planning Provisions?

The Amendment makes proper use of the VPPs. The use of the Residential Growth Zone 5 and the application of the Environmental Audit Overlay are the most appropriate tools to achieve the intent of the Amendment.

6.1.8 How does the amendment address the views of relevant agencies?

The views of VicRoads and Transport for Victoria were sought as part of the exhibition of the Amendment. No submissions were received.

6.1.9 Does the amendment address the requirements of the Transport Integration Act 2010?

This amendment will not have any significant impact on the objectives and decision making principles set out in the Transport Integration Act 2010.

6.1.10 What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

The amendment will not have a significant administrative impact on Council.

7 AUTHORISATION AND PUBLIC EXHIBITION

7.1 COUNCIL DECISION TO PREPARE AMENDMENT

At its meeting on 27 March 2018, Council resolved to:

- *Note the officer report in relation to the proposed rezoning and development of land at 252-262 Huntingdale Road, Huntingdale;*
- *Request the Minister for Planning to authorise Council, pursuant to Section 8A and Section 96A of the Planning and Environment Act 1987, to prepare Amendment C131 and the draft Planning Permit TPA/46581;*
- *Authorise the Director City Development to prepare and finalise the planning scheme amendment documentation in accordance with this report; and*
- *Upon receiving authorisation from the Minister for Planning, prepare Amendment C131 and the draft Planning Permit TPA/46581 and exhibit the amendment in accordance with Section 19 of the Planning and Environment Act 1987.*

A copy of the Council Report and Minutes from this meeting is available in **Appendix A**.

7.2 AUTHORISATION

Ministerial Authorisation to prepare Amendment C131 was sought by Council on 1 May 2018.

At that time, Amendment C131 was a combined planning permit application and planning scheme amendment under Section 96A of the *Planning and Environment Act 1987*.

The Amendment proposed to rezone the land at 256-262 Huntingdale Road in the City of Monash in order to facilitate a residential development on the land.

This amendment proposed to:

- Rezone the whole site from part Industrial 1 Zone and part General Residential Zone 2 to a General Residential Zone 7;
- Delete the Design and Development Overlay Schedule 1 ;
- Apply the Design and Development Overlay Schedule 16 to the site currently in the Industrial 1 Zone; and
- Apply the Environmental Audit Overlay (EAO) over the land.

The planning permit application sought approval for:

- The construction of a four (4) storey residential building comprising eighty-two dwellings (82), remove the existing easements on the land and the alteration of access to a Road Zone - Category 1.

On 6 June 2018, the Minister for Planning authorised Council to prepare the Amendment, subject to the following conditions:

- Rezone the land to Residential Growth Zone with any appropriate design guidelines and decision guidelines from the proposed DDO incorporated into it.

- Amend the proposed DDO16 to remove any built form requirements, design objectives or decision guidelines found elsewhere in the planning scheme.
- Amend the Explanatory Report to reflect the change in proposed zoning and the refusal to authorise the planning permit application.

The authorisation letter also stated that:

“While I have determined to authorise the preparation of the Amendment, I do not authorise the planning permit application concurrent with the proposed Amendment. After considering the request, the Department of Environment, Land, Water and Planning has concluded that the Council as the responsible authority should (assuming the Amendment is ultimately approved) consider the proposed development under Part 4 Division 1 of the Act, as this is the most appropriate process for an application of this nature.”

In line with the Minister’s authorisation and prior to the exhibition of the Amendment, Council modified the Amendment as follows:

- Rezone the site to the Residential Growth Zone 5;
- No longer apply the Design and Development Overlay 16 (as the Design and Development Overlay 16 proposed for the site did predominantly duplicate built form requirements, design objectives or decision guidelines found elsewhere in the planning scheme); and
- Delete the planning permit application for the construction of a four (4) storey residential building comprising eighty-two dwellings (82), remove the existing easements on the land and the alteration of access to a Road Zone - Category 1 on the subject site.

7.3 EXHIBITION PROCESS

7.3.1 Exhibition Period

The Amendment was exhibited from 21 August to 24 September 2018.

7.3.2 Notification Given

Letters and formal Notice of Amendment was given to the owners and occupiers of the properties highlighted below:



Figure 3 - Direct notice of amendment

In addition, three Notices of Amendment were displayed on site, one on each street frontage, and Public Notices were placed in the Monash Leader and the Victorian Government Gazette.

7.3.3 Information Available

Amendment information was also available on Council’s website and was available to view at Council’s Civic Centre.

7.4 COUNCIL CONSIDERATION OF SUBMISSIONS

At its meeting on 27 November 2018, Council formally considered submissions and provided the following resolution:

That Council:

- Reviews and considers the issues raised in submissions to Amendment C131.
- Requests that Minister for Planning to appoint an independent Panel under Part 8 of the Planning and Environment Act 1987 to consider the submissions and Amendment C131 to the Monash Planning Scheme.
- Refer all submissions and Amendment C131 to the Panel appointed by the Minister for Planning.
- Notifies all submitters of Council’s position on this Amendment.

8 SUBMISSIONS RECEIVED

8.1 OVERVIEW OF SUBMISSIONS

A total of eighteen submissions were received on the Amendment from:

- 15 local residents who all objected to the Amendment;
- The Environment Protection Authority, who has no objection to the proposed Amendment;
- Transport for Victoria, who has no objection to the Amendment;
- The proponent, who restated their general support for the proposed planning controls.

8.2 LOCATION OF SUBMITTERS

Below is a map showing the location of the submitters for Amendment C131. Those submitters who did not provide their address or who are public authorities have not been included on this map.



Figure 4 - Location of submitters

8.3 SUMMARY OF SUBMISSIONS

Submission Number	Issues
1, 2A & 2B	<p>Three submissions from the same person, all oppose rezoning.</p> <p>Residential Growth Zone 5 is inappropriate due to the neighbourhood character of the area that will be overdeveloped. Other issues raised -</p> <ul style="list-style-type: none">• Traffic and parking issues in the surrounding streets, particularly in Ross Street and Berkeley Street will worsen.• Residential Growth Zone 2 is more in keeping with the character of the area.• Pleased factory is going but not proposed outcome.• Proposed development is too big, two storeys is acceptable.• Why is the entrance off Ross Street, not Huntingdale Road?• How will rubbish collection be managed?

Submission Number	Issues
3A & 3B	<p>Would support rezoning to general residential but totally oppose rezoning to Residential Growth Zone 5 (RGZ5) for the following reasons –</p> <ul style="list-style-type: none"> • Rezoning to build 4 storey apartment comprising 82 dwellings. • Overlooking • Overshadowing • Loss of property values • Additional hard rubbish and rubbish bins on street • Inadequate infrastructure provision • Odd and visually disproportionate development • Safety risk due to more residents and increased pollution, dust and noise. • Development is inconsistent with existing neighbourhood character. • Cultural heritage (post WW 1950s houses) will be lost. • Lack of local amenities- Huntingdale is a small village. • Will set a precedence for further developments of this size in the area. • Negatively impact many small, diverse owner operated businesses as larger • Businesses (such as Coles) will want to locate in Huntingdale. • Water/ sewerage infrastructure is inadequate. • Existing traffic congestion issues will worsen. • Social/psychological impact of development on existing residents- significant change. • Potential site contamination and asbestos- fully test site prior to demolition or development. • Request a meeting with residents for further discussions.
4	<p>Object to building 4 storey apartment with 82 dwellings, specifically –</p> <ul style="list-style-type: none"> • Development impacts Ross Street and neighbouring streets. • Existing traffic and parking issues will be exacerbated. • Narrow streets- Ross and Berkeley- safety concerns reversing cars. • Inadequate space for rubbish bins due to parked cars. • Loss of property values.

Submission Number	Issues
5	<p>Do not oppose rezoning to a general residential zone, but do oppose the proposal to build a 4 storey apartment block with 82 dwellings because –</p> <ul style="list-style-type: none"> • Development is inconsistent with existing neighbourhood character. • Lack of local amenities- Huntingdale is a small village. • Will set a precedence for further developments of this size in the area. • Cultural heritage (post WW 1950s houses) will be lost. • Negatively impact many small, diverse owner operated businesses as larger businesses (such as Coles) will want to located in Huntingdale. • Water/ sewerage infrastructure is inadequate. • Social/psychological impact of development on existing residents- significant change. • Potential site contamination and asbestos- fully test site prior to demolition or development.
6	<p>Duplicates comments in submission 3, with additional comment that it is incomprehensible how Council can classify this as a growth residential area.</p>
7	<p>Duplicates points made in submission 5</p>
8	<p>Support residential rezoning but not the Residential Growth Zone 5.</p> <ul style="list-style-type: none"> • Proposed rezoning would allow the development of apartments buildings up to 4 storeys in height- would set the development apart from surrounding buildings, breaking the local character of the area. • Inconsistent with strategies in C21.04-3- Residential Development- to maintain the predominantly single storey detached dwelling style and direct medium rise development towards Brandon Park, Mount Waverley and Clayton major activity centres. • Suggests rezoning to a general residential zone to match surrounding zonings. • The Residential Development and Character (22.01-3) states that "<i>it is policy that development complements the current character statement and contributory elements and satisfies the intent of the desired future character statement and contributory elements and satisfies the intent of the desired future character statement for the applicable residential character type identified in C22.01-4</i>". • Rezoning to Residential Growth Zone 5 would mean that we can expect an application for a 4 storey apartment development on site. • The site is not sufficiently isolated from the surrounding residential area to not impact on the neighbourhood. • It would neither respect the current character statement nor the intent of the desired future character statement

Submission Number	Issues
9	<p>Strongly object to 4 storey, 82 dwellings plan for 4 main reasons –</p> <ul style="list-style-type: none"> • Building height- 3-4 storeys is not marginally taller than surrounding development and is completely out of character for the existing neighbourhood • Loss of privacy and overshadowing. • Traffic flow – problems created by additional car movements particularly in Ross St. • Street Parking – inadequate if residents don't park in the basement parking area.
10	Duplication of submission 5.
11	Duplication of submission 5.
12	Duplication of submission 5.
13	<p>Support redevelopment of the site, but oppose the rezoning – it should be in a general residential zone.</p> <ul style="list-style-type: none"> • 14.5m maximum building heights is monstrous and not in keeping with the housing in the rest of the area and too bulky. • Loss of property value. • Such high density is a recipe for disaster. • Haven for crime, don't need the high building culture. • Traffic congestion will worsen and there will be a lack of parking. • Infrastructure pressures- water and drainage. • Weren't formally notified by Council regarding the Amendment. • Should be developed for 8 double storey units, don't need any further diversity in this area, our neighbourhood would be threatened.
14	<p>Oppose rezoning as it will allow too many residences to be squeezed in. Residential Growth Zone 5 is inappropriate due to the neighbourhood character of the area. Traffic issues will worsen. Residential Growth Zone 2 is more in keeping with the character of the area.</p>
15	<u>Transport for Victoria</u> advise that they have no objection to the amendment.
16	<p>Proponent's submissions:</p> <ul style="list-style-type: none"> • Supports Amendment C131 • Generally supportive of Council's and the Department's approach to the proposed planning controls.

Submission Number	Issues
	<ul style="list-style-type: none"> Detailed site analysis was undertaken to inform proposed controls. We submit that the site is suitably located to accommodate the level of change anticipated in a Residential Growth Zone, and is within a location where a change from Industrial purposes to Residential is highly appropriate.
17	<p>Opposes the rezoning of the site to the Residential Growth Zone 5 because it –</p> <ul style="list-style-type: none"> Opens the site to high density developments, not in keeping with surrounding dwellings. Impact to existing occupants with traffic, infrastructure and parking Did not receive notification or see any notice on the property itself.
18	<p><u>EPA Submission</u></p> <ul style="list-style-type: none"> No objection to the proposed amendment. Comments predominantly relate to the separation between sensitive land uses and those with potential adverse amenity impacts. Supports the application of the EAO on the site as part of the amendment. Site context in explanatory report is not accurate- no reference is made to the IN1Z to the west of the site. This should be updated. Council needs to consider how the proposal will influence future land use planning, particularly in relation to protecting both industry and sensitive land uses from encroachment through appropriate application of separation distances. EPA Publication 1518 contains a list recommended minimum separation distances that aim to minimise off site impacts on sensitive land uses arising from unintended industry-generated emissions. In relation to the IN1Z land on the western side of Huntingdale Rd, the EPA recommends considering reverse buffers given the proposal is a sensitive use which is encroaching on industry. Should consider whether there are any potential impacts from nearby industry and whether there are uses with adverse amenity potential listed in Clause 53.10.

8.4 KEY ISSUES RAISED IN SUBMISSIONS AND DISCUSSION

Below are the key issues which were raised in the submissions and Council's response:

8.4.1 Object to the development proposed as part of the original Amendment authorisation request.

Although not formally a part of the exhibited Amendment, many of the submissions objected to the Amendment and potential development originally proposed as part of the section 96A Amendment proposal. (The original development proposal was included as part of the March 2018 Council report).

Submitters gave the following reasons for objecting to the development of the site:

- 3-4 storeys is excessive, not consistent with the existing neighbourhood character;
- Visually disproportionate, an eyesore;
- Traffic and parking issues will worsen (creating safety issues);
- Location of crossover in Ross Street (it should be relocated to Huntingdale Road);
- Overlooking and overshadowing;
- Loss of property values;
- Will set a precedent for greater development in the area- resulting in loss of cultural heritage (loss of WW2 houses);
- Development of eight double storey dwellings would be more appropriate;
- It will have a detrimental impact on existing small businesses, larger scale development will attract larger businesses to the Centre.

Council Response

Whilst Council sought authorisation to prepare a combined Amendment and Planning Permit Application, the authorisation was limited to the preparation of the Amendment to rezone the land.

Although the Amendment does not include the application for the 4 storey apartment building, if the site is rezoned to the Residential Growth Zone 5, a development of this scale is envisaged for this site. However for this to occur, it would be through a separate planning permit application, after rezoning, which would include public consultation.

As there is no specific development proposed as part of the Amendment that arises from the rezoning of the site, consideration of submissions is limited to more general issues about the potential height, setbacks and access arrangements.

Provision of water and sewerage infrastructure will be assessed as part of any future planning permit application. The Amendment was initially referred to South East Water, the Water Supply and Sewerage Authority. South East Water has no objection to the Amendment.

8.4.2 Support the rezoning of the site to a residential zone, but not rezoning to the Residential Growth Zone.

Submitters stated that the General Residential Zone 2 surrounds the site and this is what the site should be rezoned to. They considered that rezoning the site to the Residential Growth Zone would ultimately result in an overdevelopment of the site.

They also stated that the Amendment does not respect the current character statement or intent of desired future character statement. Rezoning the site to the General Residential Zone 2 would be a better alternative.

Council Response

The site is located within the study area of the Huntingdale Activity Centre which is designated as an activity centre in Clause 21.06 of the Monash Planning Scheme and in the Monash Housing Strategy 2014.

Activity centres are identified as areas with future redevelopment potential, including residential development. Therefore, the site is appropriate for higher density residential development rather than single storey detached dwellings that predominantly surround the site. Accordingly, rezoning the site to the Residential Growth Zone 5 is appropriate given the site's strategic location, large size (4,130 square metres) and location abutting three streets.

In addition, given the size of the site, at 4,130 square metres, it is considered capable of accommodating a building of up to 4 storeys without inappropriate off site impacts.

8.4.3 The proposed maximum building height of 14.5 metres specified in Schedule 5 to the Residential Growth Zone is too high.

Submitters stated that a height limit of 14.5 metres would set the development apart from all surrounding buildings, standing out from and breaking the local character of the area.

Council Response

As stated above, the site is located within the environs of the Huntingdale Activity Centre, which has been identified as a location which will be undergoing change and is suitable for a greater intensity of development. In addition, this site has three street frontages, is 4130 square metres in size and it is on a main road. Accordingly, a maximum mandatory height of 14.5 metres is considered appropriate.

The General Residential Zone 2 allows development up to 11 metres or 3 storeys, so the proposed Residential Growth Zone 5 at 14.5 metres would allow one additional storey above the surrounding residential area.

8.4.4 Possible site contamination

Concerns were raised by submitters about possible soil contamination on the site.

Council Response

A contamination report was submitted as part of the amendment request. The report assessed the level of site contamination in the context of the proposed high density

development that included the removal of soil to a depth of 7.0 metres to facilitate the construction of a 2 level basement for car parking. The report concluded that –

- On the basis of the soil investigations undertaken, the current condition of the soil does not preclude the site from the proposed high density residential use, and
- The soil investigations were undertaken at specific test locations and that geological conditions may vary across the site.

To ensure that the environmental condition of the land is suitable for sensitive uses, such as residential uses (which are permitted in the Residential Growth Zone), an Environmental Audit Overlay is proposed to be applied to the site and was exhibited as part of the Amendment. This also ensures that the requirement for an environmental audit is triggered prior to the commencement of a sensitive use or the construction or carrying out of buildings and works associated with a sensitive use.

In addition, the EPA the submission is supportive of the application of the Environmental Audit Overlay on the site as part of the Amendment as a means of dealing with any potential contamination issues.

8.4.5 Possible encroachment of residential uses into industry buffers and interface issues

There were concerns raised about residential encroachment into industry buffer areas, stating that Council needs to consider how the proposal will influence future land use planning, particularly in relation to protecting existing industry areas from encroachment by residential uses.

Council Response

Council adopted the Monash Industrial Land Use Strategy in 2014 which recommended that the site be considered for rezoning to a residential zone. The site abuts land in the General Residential Zone 2 on its northern, eastern and southern boundaries. The western boundary of the site abuts Huntingdale Road and further west of Huntingdale Road, is land in the Industrial 1 Zone.

The site is surrounded on three boundaries by land already in the General Residential Zone 2, and the closest industrially zoned land to the site is located to the west of Huntingdale Road. Although the proposed rezoning does not reduce the buffer distances to the industrial area to the west, the issue of reverse amenity and related interface issues related to the future uses on the site will be referred to the Panel for further consideration.

8.4.6 Inadequate notice of the amendment

Two submissions stated that there was inadequate notice of the amendment, including not receiving formal notice of the Amendment.

Council Response

As part of the exhibition of Amendment C131, Council sent formal notices to surrounding property owners and occupiers who it was considered may be materially affected by the Amendment. The notification was in accordance with the requirements of the *Planning and*

Environment Act 1987. The properties notified are indicated on the map at Figure 3 on Page 20.

One of these submitters who believed they did not receive formal notice of the Amendment submitted a submission on behalf of his mother. Council records indicate that she was sent a formal notice of the Amendment. Further discussions with the submitter indicated that she may not have advised him regarding the receipt of the notice letter.

In addition, three notices were displayed on the site during the exhibition period, to notify people from the wider area around the site, noting that anyone can make a submission about the Amendment. Public notices were also placed in the Monash Leader and Government Gazette which is in excess of the notice requirements of section 19(1)(b) of the Planning and Environment Act.

8.4.7 Explanatory Report inadequate

The EPA was concerned that the Explanatory Report does not make reference to the industrial zoned land to the western side of Huntingdale Road when referring to the site context.

Council Response

This is not considered to be a major issue, as the Explanatory Report part of the documentation considered by the Department of Environment, Land, Water and Planning (DELWP) when authorising the amendment, and was considered appropriate.

However, the Explanatory Report will be updated to correctly reference the industrial land on the western side of Huntingdale Road.

9 CHANGES TO AMENDMENT

Council has not sought to change the Amendment following exhibition and reviewing the submissions.

Appendix A - Council Report and Minutes from 27 March 2018

1.6 PROPOSED AMENDMENT C131 – REZONING OF 256-262 HUNTINGDALE ROAD, HUNTINGDALE (SMC: File No. W17-202)

Responsible Director: Peter Panagakos

RECOMMENDATION

That Council resolves to:

- 1. Note the officer report in relation to the proposed rezoning and development of land at 252-262 Huntingdale Road, Huntingdale;*
- 2. Request the Minister for Planning to authorise Council, pursuant to Section 8A and Section 96A of the Planning and Environment Act 1987, to prepare Amendment C131 and the draft Planning Permit TPA/46581;*
- 3. Authorise the Director City Development to prepare and finalise the planning scheme amendment documentation in accordance with this report; and*
- 4. Upon receiving authorisation from the Minister for Planning, prepare Amendment C131 and the draft Planning Permit TPA/46581 and exhibit the amendment in accordance with Section 19 of the Planning and Environment Act 1987.*

INTRODUCTION

The purpose of this report is to consider a request from the owners of land at 256-262 Huntingdale Road, Huntingdale to rezone the land and issue a 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.

The proposal seeks to amend the Monash Planning Scheme to rezone land at 256-262 Huntingdale Road, Huntingdale from the existing Industrial 1 Zone and General Residential Zone Schedule 2 to a General Residential Zone Schedule 7.

BACKGROUND

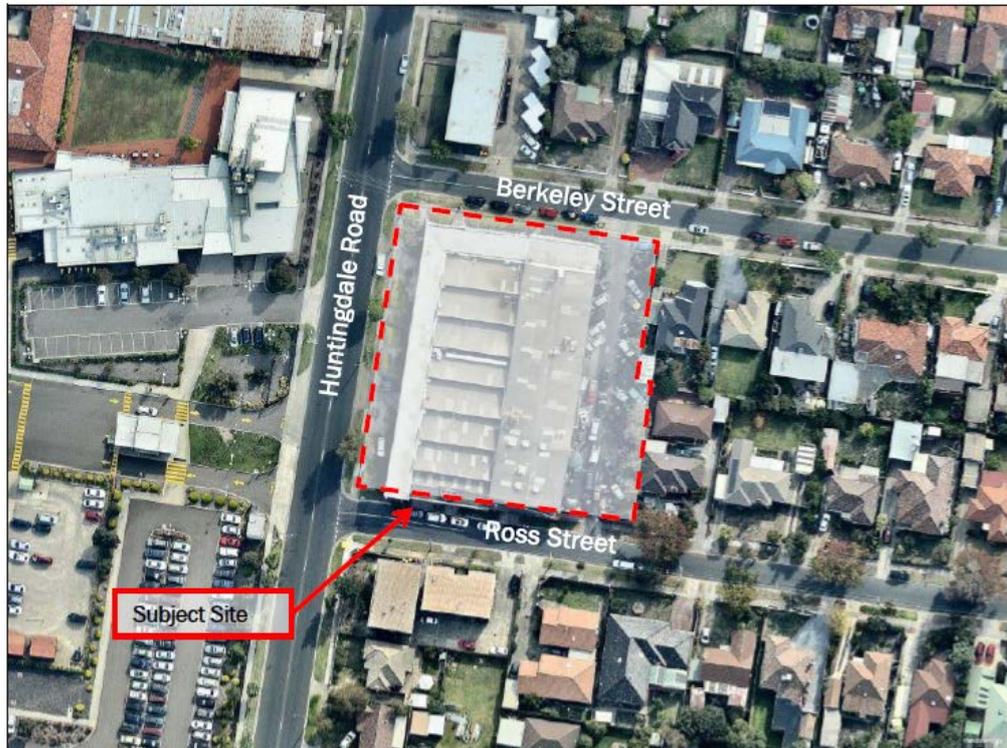
The proposed Amendment seeks to implement a recommendation of the Monash Industrial Land Use Strategy 2014 (MILUS). Adopted by Council in 2014, the MILUS seeks to support sustainable land use outcomes that balance Monash's role as a regional employment location against the need to facilitate more diverse housing opportunities and the need to create more economic development.

The subject site at 256-262 Huntingdale Road was identified as Precinct P17 in the Strategy and was recommended to be rezoned for residential purposes. (See **Attachment 1**)

Under the *Planning and Environment Act 1987* proponents can apply for a combined amendment and planning application pursuant to Section 96A. Under this section of the Act, a person who requests a planning authority to prepare an amendment to a planning scheme may also apply to the planning authority for a permit for any purpose for which the planning scheme as amended by the proposed amendment would require a permit to be obtained.

THE SUBJECT SITE

The subject site is known as 256-262 Huntingdale Road, Huntingdale and is located on the eastern side of Huntingdale Road approximately 200 meters north of Huntingdale Activity Centre and opposite the large Lockwood industrial site.



The site has frontage to three streets – Huntingdale Road, Berkeley Street and Ross Street and has an area of 4,130 square metres.

The site is occupied by a 3,000 square metre double storey brick factory with corrugated iron pitched roof, set back approximately 6 metres from Huntingdale Road. There is a paved car parking area at the rear of the building accessed from both Berkeley and Ross Streets. The building is built directly to the Ross Street frontage and has a 2 metre setback from Berkeley Street.

The site is currently in two zones, with most of the site in an Industrial 1 Zone with the eastern-most part of the site in a General Residential Zone Schedule 2, which is the same zone as surrounding properties to the east, north and south. The site is also subject to Design and Development Overlay 1 which applies to industrial areas in Monash and regulates building and car parking setbacks.

ISSUES AND DISCUSSION

Proposed Planning Scheme Amendment

Proposed Amendment C131 is a combined planning permit application and planning scheme amendment under Section 96A of the *Planning and Environment Act 1987*.

The Amendment proposes to rezone the land at 256-262 Huntingdale Road in the City of Monash in order to facilitate a residential development on the land.

Specifically the amendment proposes to:

- Rezone the whole site from part Industrial 1 Zone and part General Residential Zone – Schedule 2 to a General Residential Zone - Schedule 7.
- Delete the Design and Development Overlay Schedule 1 (Clause 43.02).
- Apply the Design and Development Overlay Schedule 16
- Apply the Environmental Audit Overlay (EAO) over the land.

The Amendment is required to give effect to the Industrial Strategy and rezone the land to a more appropriate zone to allow residential development to occur on the site. The proposed residential use is currently prohibited in the Industrial 1 Zone. The rezoning of the land to the GRZ7 would allow for the proposed 4 storey development to occur on the land.

Schedule 7 to the General Residential Zone includes a range of built form requirements that reflect the proposed residential development. These include

- a maximum building height of 14.5 metres or 4 storeys;
- front setback of 7.6 metres
- site coverage 56%
- site permeability 25%

Schedule 7 also provides 5 neighbourhood character objectives and includes decision guidelines to assist in the assessment of planning applications.

Design and Development Overlay Schedule 16 further reinforces the design objectives and requirements sought for the redevelopment of this site provides certainty that the design outcome proposed will be delivered.

As a former industrial site an Environmental Audit Overlay (EAO) is proposed to be applied to the site in response to Ministerial Direction No 1 Potentially Contaminated Land.

As part of the documentation accompanying the proposal, the proponent has provided an Environmental Site Assessment prepared by Watson Environmental Assessments. On the basis of the recommendations of this report, the proponent has not proposed that an EAO be applied to the site, and has requested an exemption from the requirements of Ministerial Direction No 1. This is not considered appropriate as the land is proposed to be rezoned to residential which could allow for a range of likely future 'sensitive' residential use of the land, and therefore it is proposed to include an EAO over the site.

Assessment of Proposed Planning Scheme Amendment C131

The amendment has been assessed against Planning Practice Note 46, 'Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments.' The amendment is consistent with this practice note and with the relevant strategic objectives included in the State and Local Planning Policy Framework.

Assessment of the Planning Permit Application TPA/46581

The planning permit application (TPA 46581) seeks approval for:

- The construction of a four (4) storey residential building comprising eighty-two dwellings (82), remove the existing easements on the land and the alteration of access to a Road Zone - Category 1.

The proposal is for a four storey building in a U shaped configuration with a central internal courtyard and a two level basement car park accessed from Ross Street.

The proposed design of the development is considered generally acceptable and appropriate for community consultation as part of the amendment process. The draft permit, which is required to be placed on exhibition with the amendment, contains the series of conditions proposed for the development including alteration to the design of the building.

Design details of the proposal are:

Basement Level 2	58 resident car parks
Basement Level 1	60 resident car parks = 3 motorbike spaces 17 visitor car parks 52 vertical bicycle hangers
Ground Floor	23 apartments comprising- <ul style="list-style-type: none"> • 6 x 1 bedroom apartments • 15 x 2 bedroom apartments • 2 x 3 bedroom apartments 2 communal lounge areas Internal communal terrace area Bicycle parking – 14 vertical + 18 horizontal spaces
First Floor	25 apartments comprising – <ul style="list-style-type: none"> • 6 x 1 bedroom apartments • 17 x 2 bedroom apartments • 2 x 3 bedroom apartments
Second floor	23 apartments comprising – <ul style="list-style-type: none"> • 6 x 1 bedroom apartments • 17 x 2 bedroom apartments
Third floor	11 x 2 bedroom apartments

Copies of the site plan and elevations are included at **Attachment 2**.

A detailed assessment of the proposed planning application is included as **Attachment 3**.

The recommended draft Planning Permit conditions are included as **Attachment 4**.

POLICY IMPLICATIONS

The proposed 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.

CONSULTATION

It is proposed that Amendment C131 would undergo a public exhibition process in accordance with the requirements of the Planning and Environment Act 1987, including:

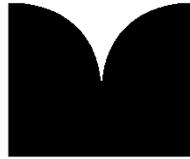
- Notice in the Government Gazette;
- Notice in the Leader newspaper;
- Letters to owners and occupiers of abutting and nearby properties;
- Information available on Council's website.

The public exhibition period provides an opportunity for interested persons to make a submission to Council about the amendment and/or the planning application.

CONCLUSION

The proposed combined Amendment C131 and planning permit application TPA/46581 at 256-262 Huntingdale Road, Huntingdale is consistent with the recommendations of the Monash Industrial Land Use Strategy, Plan Melbourne and the strategic directions in the Monash Planning Scheme.

It is appropriate to request authorisation to rezone the land to residential and consult on the proposed 4 storey apartment building.



CITY OF
MONASH

**MINUTES OF THE ORDINARY MEETING OF
COUNCIL
HELD ON 27 MARCH 2018**

at 7.00 pm

**Council Chambers
293 Springvale Road,
Glen Waverley**

Cr Davies said that he supported the motion and that it was good to see commercial areas still being developed. He added that he had some concerns about car parking, but, overall, supported the proposal.

Cr Little spoke in support of the motion, adding that concerns about noise, given the site's proximity to the Monash Freeway, would be addressed by permit conditions requiring noise attenuation measures.

CARRIED

1.6 Proposed Amendment C131 – Rezoning of 256-262 Huntingdale Road, Huntingdale

Moved Cr James,

Seconded Cr Little

That Council resolves to:

- 1. Note the officer report in relation to the proposed rezoning and development of land at 252-262 Huntingdale Road, Huntingdale;*
- 2. Request the Minister for Planning to authorise Council, pursuant to Section 8A and Section 96A of the Planning and Environment Act 1987, to prepare Amendment C131 and the draft Planning Permit TPA/46581;*
- 3. Authorise the Director City Development to prepare and finalise the planning scheme amendment documentation in accordance with this report; and*
- 4. Upon receiving authorisation from the Minister for Planning, prepare Amendment C131 and the draft Planning Permit TPA/46581 and exhibit the amendment in accordance with Section 19 of the Planning and Environment Act 1987.*

Cr James noted that the site was diagonally opposite Lockwoods and was surrounded by residential areas. He added that if the Huntingdale Activity Centre had a structure plan, a development like this would likely be supported.

Cr Little spoke in support of the motion, noting the characteristics of the proposed development, but highlighting that the application and the motion before Council was, at this point in time, for the rezoning of the site only.

CARRIED

1.7 14 Penington Street, Glen Waverley – Removal of One (1) Tree in the Vegetation Protection Overlay

Moved Cr Saloumi,

Seconded Cr Tsoi

- A. That Council resolves to issue a Notice of Decision to Refuse to Grant a Planning Permit (TPA/48664) for the removal of one (1) tree in the Vegetation Protection Overlay at 14 Penington Street, Glen Waverley on the following grounds:*
 - a) The tree makes a significant contribution to the landscape character of the area and its removal does not accord with the objectives of Clause 22.05 (Tree Conservation Policy) and Clause 42.02 (Vegetation Protection Overlay) of the Monash Planning Scheme.*