

15 May 2020

The Hon. Richard Wynne MP
Minister for Planning

By email: Richard.wynne@parliament.vic.gov.au

Dear Minister Wynne,

City of Greater Geelong – Residential Zones – UDIA Victoria Submission

The Urban Development Industry of Australia, Victoria Division (UDIA Victoria) is a non-profit advocacy, research and educational organisation supported by a membership of land use and property development organisations, across the private sector and Victoria's public service. We are committed to working with both industry and Government to deliver housing, infrastructure and liveable communities for all Victorians.

UDIA Victoria has an active Geelong Chapter comprising UDIA Victoria members who are present and operating in the Greater Geelong region. We regularly engaged with the City of Greater Geelong and are deeply supportive of increased economic activity in the Greater Geelong region.

We write to you to express our concerns with the recently adopted position of the City of Greater Geelong (Council) in relation to their residential zones review.

UDIA Victoria respectfully requests that you do not support the recently adopted position of Council and that you instruct Council to undertake the necessary strategic work to underpin the appropriate changes to their existing non-conforming residential zones.

Background

In March 2017 the State Government introduced the current suite of residential zones. This included changes to height controls and the introduction of a minimum garden area to the neighbourhood (NRZ) and general (GRZ) residential zones.

Local councils were advised by the Department of Environment, Land, Water and Planning (DELWP) that zones with inconsistent local building height variations would have three years to comply with the new zone requirements. The State Government recently released guidance for applying the zones via 'Practice Note 91 – Using the residential zones' (December 2019).

The two zones within the City of Greater Geelong that are relevant to this matter include the:

- General Residential Zone Schedule 2 (GRZ2) - Incremental Change Area:
 - Council has applied via the above schedule a lower maximum building height of 9m (2m lower than the parent zone).
- Residential Growth Zone 2 (RGZ2) - Urban Increased Housing Diversity Areas:
 - Council has applied via the above schedule a lower maximum building height of 10.5m (3m lower than the parent zone).

It is our understanding that DELWP advised Council that the various Bellarine Peninsula townships and their current zones are not impacted by these changes. Building heights will be considered by the

Bellarine Peninsula Distinctive Area and Landscapes project that is currently being managed by DELWP.

Council Proposal

In responding to DELWP's request, Council has put three options on the table:

- Option 1 – Local height schedules to revert back to the parent zone (Council does nothing).
- Option 2 – Request a 20 (4) Ministerial amendment to 'back zone' GR22 to NRZ and update the local policy 22.63 to increase the heights for urban Increased Housing Diversity Areas in the RG22.
- Option 3 – Request a 20 (4) Ministerial amendment to 'back zone' GR22 to NRZ (new schedule) and RG22 to GRZ (new schedule) for the urban Increased Housing Diversity Areas.

At the Council Meeting held on 24 March 2020, Council resolved to (being Option 3 as outlined above):

- Note the State Government requirement to change the Greater Geelong Planning Scheme to align with the Victorian Planning Provisions.
- Support the following zone and policy changes as described in Attachment 2 – Report to Implementing the new Residential Zones:
 - Back zoning of the General Residential Zone 2 areas in urban Geelong to Neighbourhood Residential Zone and include:
 - a 9m maximum height limit; and
 - maintain the existing additional open space and landscape requirements
 - Back zoning the Residential Growth Zone 2 areas to a new General Residential Zone and include:
 - all other variations in existing zone schedules (open space, site coverage, front setbacks) will be transferred from the RGZ to deliver housing change and diversity in these areas and to differentiate from the other GRZ areas; and
 - exempt the garden area requirement.
- Write to the Minister for Planning with Council's preferred option and to request that the changes are implemented via GC Ministerial amendment with other impacted Councils.
- Note the Bellarine Peninsula towns are not included in these zone changes. Building heights will be considered by the Bellarine Peninsula Distinctive Area and Landscapes project managed by DELWP.

Whilst Council acknowledged in their report that Option 2 delivers a strong alignment to the zone purposes Council's housing framework, the indicated that it "would see building heights increase by 3m or one storey which is a significant jump from the current provision".

Council went on to state that "Given the exiting 10.5m height provision was a result of community concerns (amendment C300) around building heights, an increase to 13.5m cannot be justified without further strategic work". Accordingly, Council chose to support Option 3 and is seeking to have these changes implemented via Section 20 (4) of the Planning and Environment Act 1987.

Additionally, it is important to note that the:

- current zone arrangements are based on Council's Housing Diversity Strategy which is a 12 years old (2008) document;

- 'significant community consultation' referred to by Council in their report occurred as part of C300 and C334 and was undertaken in 2014 and 2015 respectively (some 5-6 years ago);
- current strategic documents underpinning Council's position are outdated and do not sufficiently recognise the important role that urban infill development is going to play in the future growth of Geelong;
- position of Council should not cause the stifling of development by unnecessarily restricting development heights (particularly in RGZ2 areas) given Council's Settlement Strategy (2018) seeks to achieve 50% of growth via urban infill development.

UDIA Victoria Position

UDIA Victoria acknowledges that the proposed changes will represent a 'neutral' development impact; however, we are concerned that the position of Council sends the wrong message to the development industry and has not been justified by up-to-date strategic thinking.

In our view, applying the GRZ to a substantial change area identified in the Council's own Housing Diversity Strategy is not consistent with Practice Note 91. Until the point in time where Council undertakes further strategic work to justify the current inappropriate zone anomalies, the UDIA respectfully requests that Option 1 be pursued.

Lastly, Figure 1 in 'Practice Note 91 – Using the residential zones' (December 2019), suggests that the statutory tool for 'incremental change areas' and 'substantial change areas' should be the RGZ. Council's Housing Diversity Strategy clearly identifies the current areas of RGZ2 as 'substantial change areas'.

For your benefit, we have attached a copy of the Meeting Minutes, including the relevant report.

As outlined above, UDIA Victoria is concerned with the adopted position of Council and requests that you do not support either Council's proposed zone changes nor Council's requested use of Section 20, Part 4 of the Planning and Environment Act 1987 to implement these changes.

We would be pleased to meet with you and DELWP representatives to discuss this matter further. Please do not hesitate to contact me directly at danni@udiavic.com.au to if you have any further queries.

Yours sincerely

A handwritten signature in black ink that reads 'Danni Hunter'. The signature is stylized with a large, sweeping underline.

Danni Hunter
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