

BANYULE PLANNING SCHEME

AMENDMENT C116

EXPLANATORY REPORT

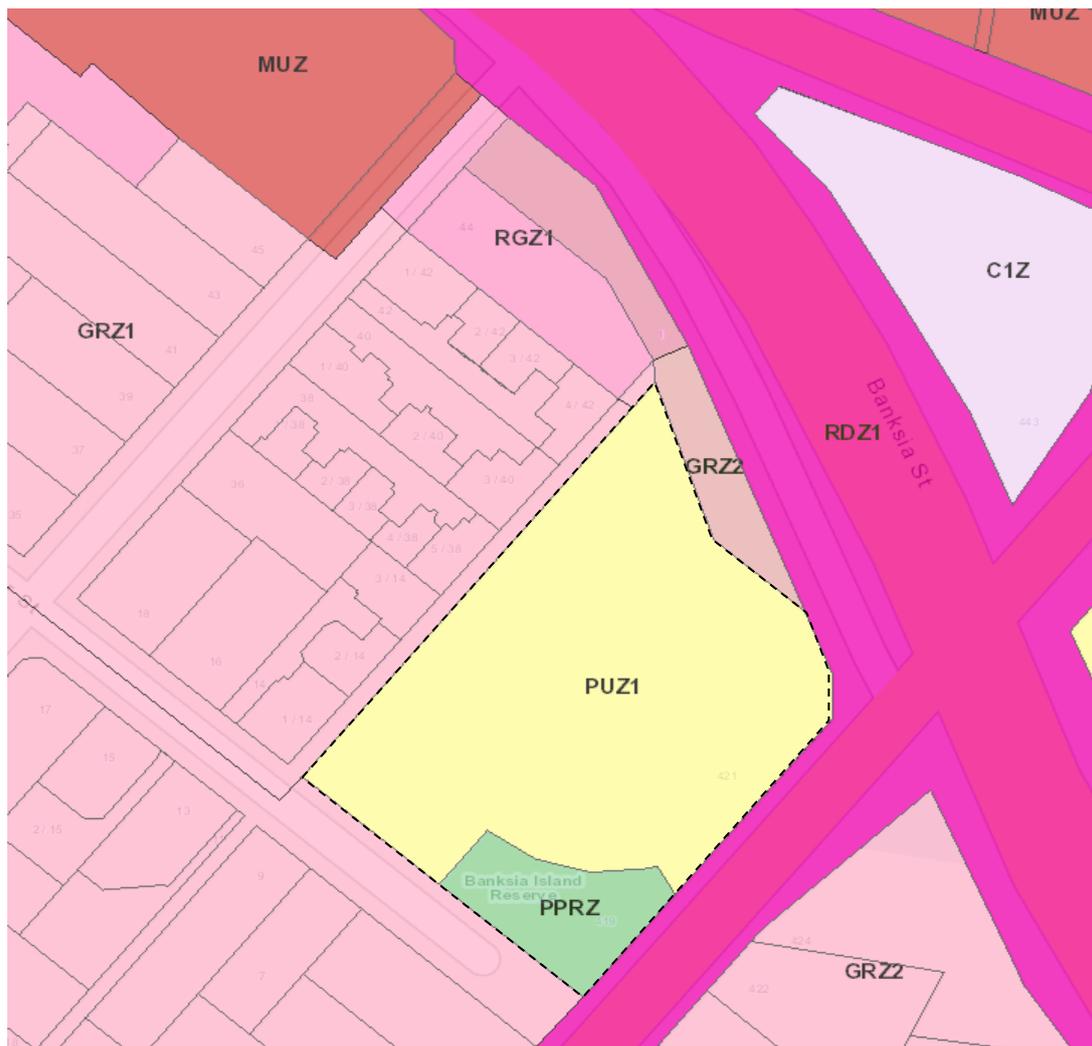
Who is the planning authority?

This amendment has been prepared for the Minister for Planning, who is the planning authority for this amendment.

The Amendment has been made at the request of Development Victoria on behalf of Yarra Valley Water.

Land affected by the Amendment

The Amendment applies to 421 Upper Heidelberg Road, Ivanhoe (Lot 1 PS349641N and Lot 3 PS314700), commonly referred to as the Yarra Valley Water tank site and 419 Upper Heidelberg Road (Lot 2 PS349641), which is a local park.



What the Amendment does

The Amendment proposes to:

- Rezone 421 Upper Heidelberg Road, Ivanhoe from Public Use Zone (PUZ1) to Mixed Use Zone (MUZ) and Public Park and Recreation Zone (PPRZ),
- Rezone 419 Upper Heidelberg Road, Ivanhoe from Public Park and Recreation Zone to Mixed Use Zone.
- Introduce a new Schedule 5 to the Development Plan Overlay (DPO5) into the Banyule Planning Scheme and apply it to the land.
- Amend Clause 52.01 (Public Open Space Contribution and Subdivision) to include section detailing 0% contribution for public open space for the affected land.

Strategic assessment of the Amendment

Why is the Amendment required?

The Public Use Zone originally facilitated the use of the site as a water tank site for Service and Utility purposes. The site tank and associated infrastructure is now unused and surplus to the needs of Yarra Valley Water.

The rezoning will allow the land to accommodate residential redevelopment, which is consistent with the existing zoning of surrounding land to the east, west and north.

The rezoning will also allow for the relocation of the local park to create a new park in a more accessible location to the local community.

How does the Amendment implement the objectives of planning in Victoria?

The amendment facilitates the orderly development of land and is consistent with the objectives of Section 4 (1) of the *Planning and Environment Act 1987*. The proposal balances the present and future needs of the community by providing a new use for currently underutilised and well-located land with good access to existing infrastructure and services. This is not only efficient, but will provide net community benefit and integrate well with the surrounding existing residential precinct.

How does the Amendment address any environmental, social and economic effects?

The amendment will improve the amenity of the neighbourhood and will have positive economic effects in that residential development will provide an increased local population to utilise local services. It will have positive environmental effects as it facilitates residential development within the existing local area, close to existing services and infrastructure, including sustainable transport options such as train and bus services.

The rezoning will allow for this otherwise publically inaccessible and disused site to be revitalised and provide a greater diversity of building form in the established residential area. The housing density proposed by the amendment is in keeping with the emerging character of the area, providing an increased diversity of housing choices for those wanting to reside in the precinct. The new park will be more accessible to the local population and its play equipment upgraded as part of the redevelopment of the park. The relocation of the park will be at no cost to Council.

There may be some initial disruption to existing residents upon the removal of the tank, however this will be carefully monitored and managed in accordance with a construction management plan.

Does the Amendment address relevant bushfire risk?

No bushfire risk has been identified as applicable to the site. The site is located within an urban environment and is not located within a bushfire prone area.

Does the Amendment comply with the requirements of any Minister's Direction applicable to the amendment?

The amendment is consistent with Ministerial Direction No. 1 - *Potentially Contaminated Land*.

In accordance with Section 5, sub-clause 2 of this Direction, the proposed DPO5 includes a requirement for a Contamination Assessment to be undertaken in the event that any part of the site is contaminated.

The amendment is also considered consistent with Ministerial Direction No. 9 - *Metropolitan Strategy* in that it has regard for *Plan Melbourne 2017-2050: Metropolitan Planning Strategy*.

In addition, the amendment is consistent with the intent of Plan Melbourne as it will contribute to housing choice in established areas.

In preparing the amendment, Development Victoria has had regard to Ministerial Direction No. 11- *Strategic Assessment of Amendments* with which the amendment is considered to be consistent.

It is intended that the amendment will meet the required time frames as set out in the Ministerial Direction No. 15 – *The planning scheme amendment process*.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The amendment is consistent with the relevant objectives of the State Planning Policy Framework and Plan Melbourne.

Clause 9 - Plan Melbourne

Where relevant, planning and responsible authorities must consider and apply Plan Melbourne 2017-2050: Metropolitan Planning Strategy.

The proposed amendment has regard to the objectives of this strategy by seeking a rezoning to facilitate residential development of an infill site within the Urban Growth Boundary on currently underutilised land.

The site is within the Latrobe National Employment and Innovation Cluster, of which a draft Framework Plan has been released by the Victorian Planning Authority (VPA). The Framework identifies the cluster as an important strategic area for the growth of employment and business in the north-eastern part of Melbourne, to service the growth in Melbourne's northern subregion.

The Framework seeks to support an increase in the number of jobs in the cluster, leveraging the strong foundations of specialised activities associated with existing industries and the institutions of Austin Health and LaTrobe University.

The Framework sets a thirty-year vision to build on the cluster's key public assets and boost local employment by defining actions to improve the amenity of the cluster, encouraging new services and businesses to establish and improving transport links and public transport.

Relevant to the proposed amendment, the Framework seeks to encourage well designed, affordable, higher density and diverse homes to be integrated with established homes to

ensure a diversity of housing choice within the Cluster given it will become a destination of choice with a range of attractive places to live and work.

The Framework identifies the subject site as the 'YVW tank strategic development site'.

Clause 10 - Operation of the State Planning Policy Framework

The State Planning Policy Framework "...seeks to ensure that the objectives of planning in Victoria (as set out in Section 4 of the *Planning and Environment Act 1987*) are fostered through appropriate land use and development planning policies and practices which integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development..."

The proposal will allow for the fair and orderly development of the subject site. Located within an existing residential precinct within proximity to existing services and infrastructure, the development of the land is a planning outcome which will contribute positively to the community and deliver net community benefits.

Clause 11 - Settlement

Planning is to anticipate and respond to the needs of existing and future communities through provision of zoned and serviced land for housing, employment, recreation and open space, commercial and community facilities and infrastructure.

The subject site is located adjacent to an established residential area and a number of employment, recreation and open space, commercial and community facilities. The proposed amendment facilitates an orderly infill development consolidation opportunity on land within an existing serviced area.

Clause 11.02 - Urban Growth

This policy seeks to ensure there is a sufficient supply of land available for commercial, industrial, and other development. As part of the implementation of this objective, Council's should monitor development trends and land supply and demand for housing and industry.

The amendment is consistent with Clause 11.02, which seeks consolidation, redevelopment and intensification of existing urban areas. The proposal supports this clause by delivering new housing to meet community need in terms of population growth and housing diversity in an area with good access to services and transport.

Clause 13.04 - Noise and Air

This policy seeks to assist the control of noise effects on sensitive land uses and to assist the protection and improvement of air quality. This will be achieved by ensuring that development is not prejudiced and community amenity is not reduced by noise emissions, using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area; and by ensuring, wherever possible, that there is suitable separation between land uses that reduce amenity and sensitive land uses.

Clause 15 - Built Environment and Heritage

Planning should ensure all new land use and development appropriately responds to its landscape, valued built form and cultural context, and protects places and sites with significant heritage, architectural, aesthetic, scientific and cultural value. Creating quality built environments supports the social, cultural, economic and environmental wellbeing of our communities, cities and towns.

Land use and development planning must support the development and maintenance of communities with adequate and safe physical and social environments for their residents, through the appropriate location of uses and development and quality of urban design.

The proposed rezoning will result in the provisions of Clause 54, 55, 56 and 58 of the planning scheme being applicable as appropriate. Such provisions set out requirements

regarding built form, landscaping and amenity. This will ensure the objectives of Clause 15 are met.

Clause 16 - Housing

This policy seeks to increase the supply of housing in existing urban areas by facilitating increased housing yield in appropriate locations, including under-utilised urban land.

The proposed amendment will contribute to the supply of redevelopment opportunities within the established urban areas to reduce the pressure for fringe development. The site has good access to public transport and is within reasonable proximity to services and amenities such as the Heidelberg Major Activity Centre.

Clause 18.01 - Integrated Transport

Developments should create a safe and sustainable transport system by integrating land-use and transport. This ensures access is provided to developments in accordance with forecast demand, taking advantage of all available modes of transport and to minimise adverse impacts on existing transport networks and the amenity of surrounding areas.

The application of the Mixed Use Zone will ensure that any future residential development on the site will integrate appropriately with the existing road and transport system including surrounding context.

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

The following Clauses of the Municipal Strategic Statement (MSS) and Local Planning Policy Framework (LPPF) are relevant to the proposed amendment:

The amendment supports the Local Planning Policy Framework and Municipal Strategic Statement of the Banyule Planning Scheme in the following ways:

Clause 21.06 - Built Environment

This clause seeks to ensure the provision of a safe, attractive and high quality built form within the Municipality, and seeks to encourage high quality architecture and urban design and development to have active frontages and direct pedestrian access to abutting parklands.

The clause outlines several relevant objectives, including the need to 'ensure that development respects and contributes to the desired future character of residential neighbourhoods and the identity of Activity Centres and Neighbourhood Centres, in a manner that supports varying degrees of housing change.'

This clause also seeks to 'encourage a built form that delivers more environmentally sustainable construction.

The clause also supports the provision of a diversity of housing types and densities. It is noted that one and two bedroom dwelling stock is of a particular need within the Municipality.

To increase the diversity of housing types and promote new housing that meets the needs of the broader community in a manner that respects and contributes to the desired future character of residential neighbourhoods and identity of Activity Centres and Neighbourhood Centres.

The subject site is an opportunity for infill development within an area already serviced by infrastructure and amenities. The amendment will facilitate development of the land for primarily residential purposes as compatible with the surrounding neighbourhood and deliver housing diversity.

Clause 21.08 - Local Places

This policy provides guidance for land use and development within a number of precincts in the Municipality, including the Heidelberg Activity Centre. Within this centre the land is located within Precinct 6 which is referred to as 'Residential Interface'. This policy identifies the Residential Interface precinct vision as an 'area that will provide a moderate increase in the number of dwellings whilst enabling the preferred neighbourhood character of residential land.

This policy has an objective to 'provide opportunities for housing diversity while retaining the garden streetscape character of the precinct.'

Strategies of the clause are as follows:

- Capitalise on opportunities for medium density housing.
- Ensure that the area retains a garden streetscape appearance that is consistent with the relevant Key Characteristics and Design Objectives of the Neighbourhood Character Policy.
- Encourage infill residential development along Bell Street where more convenient access to public transport and other services is available.
- Provide structured and unstructured leisure, recreation and social opportunities that respond to community needs.

The proposed MUZ seeks to provide a diversity of housing types and encourages development that respects the neighbourhood character of the area. The zone also implements the standards and objections of Clause 54, 55, 56 and 58 as applicable.

Does the Amendment make proper use of the Victoria Planning Provisions?

The proposed MUZ will facilitate the fair and orderly development of the site for primarily residential purposes.

The application of this provision will guide future development of the land and is an appropriate mechanism under the VPP to ensure appropriate design outcomes.

The application of the proposed controls makes proper use of the VPPs and will not make any existing provisions in the Banyule Planning Scheme redundant.

How does the Amendment address the views of any relevant agency?

VicRoads has been consulted regarding access to the site from Upper Heidelberg Road and Bell Street as these are two key roads within a Road Zone. It is noted that VicRoads generally supports the proposal.

The views of relevant agencies be considered through the Advisory Committee process.

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment is not considered to have a significant impact on the transport system.

Resource and administrative costs

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

The Amendment will not have negative impacts on the resource and administrative costs of Banyule City Council.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Banyule City Council Civic Office
1 Flintoff Street
Greensborough

Banyule City Council Ivanhoe Customer Service Centre
275 Upper Heidelberg Road
Ivanhoe

Banyule City Council Rosanna Customer Service Centre
275 Upper Heidelberg Road
Rosanna
(within the Rosanna Library)

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.