New Form submission on Planning for Melbourne’s Industrial and Commercial Land

Hi planning.implementation@delwp.vic.gov.au

There has been a submission on Planning for Melbourne’s Industrial and Commercial Land through Engage Victoria

A copy of the submission is provided as below:

Planning principles and strategies for employment land.

The draft Melbourne industrial and commercial land use plan includes principles and strategies to guide planning for industrial and commercial land. (page 32).

Do you think the principles and strategies provide enough clarity and guidance to assist planning for industrial and commercial land?

No

If no, please let us know why and how they could be improved.

We reserve our right to make future comment on this. Refer to attached submission letter.
Criteria to identify regionally-significant industrial precincts.

Plan Melbourne identifies state-significant industrial precincts. The draft Melbourne industrial and commercial land use plan identifies regionally-significant industrial precincts and includes criteria used as the basis to identify these locations (page 34).

Do you support the criteria developed to identify regionally-significant industrial precincts?
No

If no, please let us know why and how they could be improved.
We reserve our right to make future comment on this. Refer to attached submission letter.

Purpose for regionally-significant industrial precincts and local industrial precincts.

Plan Melbourne outlines a purpose for state-significant industrial precincts. The draft Melbourne industrial and commercial land use plan identifies a purpose for regionally-significant industrial precincts and local industrial precincts (page 35).

Do you support the purpose developed for regionally-significant industrial precincts and local industrial precincts?
No
If no, please let us know why and how they could be improved.
We reserve our right to make future comment on this. Refer to attached submission letter.

Developing local industrial land use strategies.

Appendix 2 of the draft Melbourne industrial and commercial land use plan proposes guidance for developing local industrial land use strategies.

Do you have any comments or suggestions to improve the guidance for developing local industrial land use strategies?
We reserve our right to make future comment on this. Refer to attached submission letter.

Key industrial and commercial areas.

The draft Melbourne industrial and commercial land use plan identifies and describes key industrial and commercial areas for each of the six metropolitan regions (refer to Part B of the plan).

Have the key industrial and commercial areas been adequately identified and described across the regions?
No

If no, please let us know which other area we should identify or how the areas can be better described.
We reserve our right to make future comment on this. Refer to attached submission letter.
Would you like to comment on any other aspects of the plan?

We reserve our right to make future comment on this. Refer to attached submission letter.

If you would like to upload a submission, please do so here.

I am making this submission:

on behalf of a land owner

Email address (Optional)

I agree to receive emails about my submission if required or project updates.

Yes

Privacy Statement - Draft Melbourne Industrial and Commercial Land Use Plan

What we will do with your submission

The Department of Environment, Land, Water and Planning (DELWP) is committed to protecting personal information provided by you in accordance with the principles of the Victorian privacy laws. The submission you provide to DELWP will be used to inform the finalisation of the Melbourne Industrial and Commercial Land Use Plan.
The information you provide will be made available to DELWP to develop a consultation report. This report will be uploaded to the Melbourne Industrial and Commercial Land Use Plan page on the DELWP website.

The contact information you provide may be used to contact you should we need to clarify your submission or to provide you with project updates.

The submission you provide will be published on the DELWP website. To protect individual privacy, DELWP will remove your name and address from your submission when we receive it.

If you do not wish to be identified, please ensure there is no other information in your submission that could identify you or other individuals.

If you are making comment as an organisation, then your comments may be published, including the name of your organisation.

De-identified submissions may be used by DELWP, or its contracted service providers under confidentiality agreements, in preparing its recommendations to government.

Please note, if you do not provide your name/email address we will not be able to identify your submission if you wish to access it, make a correction, or require technical support.

Should you need to correct the information you provided or gain access to your submission, please contact us via email at planning.implementation@delwp.vic.gov.au

I agree to the privacy statement
yes

To view all of the form's submissions, visit:


Regards,
The Engage Victoria Team
This is not SPAM. You are receiving this message because you have submitted feedback or signed up to Engage Victoria. If you think you have been sent this by mistake please contact us at contact@engage.vic.gov.au

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Engage Victoria
Department of Environment, Land, Water and Planning
PO Box 500
EAST MELBOURNE VIC 3002

Submitted via online portal

20 December 2019

Dear Sir / Madam

Draft Melbourne Industrial and Commercial Land Use Plan
Submission on behalf of YourLand Developments for [Site] Penna Avenue, Sunshine North

1 Introduction

Tract acts on behalf of YourLand Developments who is the representative for Atlantic Link Pty Ltd, the owners of land at [Site] Penna Avenue, Sunshine North (the Site).

We are writing to you in respect to the draft Melbourne Industrial and Commercial Land Use Plan (MICLUP).

Having reviewed the MICLUP, we provide the following submission.

This submission requests further consideration and refinement of the boundaries shown for the Regionally Significant Industrial Land within the Western Region, specifically for the land proximate to the Sunshine National Employment and Innovation Cluster.

2 Site Analysis Context

The Site forms part of the River Valley Estate, a major urban renewal site that is being developed for residential, commercial, open space and conservation purposes. The River Valley Estate lies on the western bank of the Maribyrnong River in Sunshine North, approximately 10km west of Melbourne’s CBD (as the crow flies).

The Site is included in part within the Industrial 3 Zone, Public Park and Recreation Zone and the General Residential Zone. Approximately 18.9 hectares of the Site is included within the Industrial 3 Zone.

The Site is also affected by a range of overlays, including the Land Subject to Inundation Overlay, Environmental Significance Overlay, Development Plan Overlay, Development Contributions Plan Overlay, Design and Development Overlay and the Melbourne Airport Environs Overlay.

The Site is the subject to Planning Scheme Amendment C204, which seeks to rezone the part of the land zoned Industrial to part General Residential and part Public Conservation and Resource (discussed further below).

The Site has the following interfaces:

- To the north-east, east, and south-east of the Site is the Maribyrnong River. This interface is highly vegetated. Further east of this boundary is a riparian reserve zoned Public Park and Recreation which is adjoined by residential development.
- To the south of the Site is Stage 7C and 7E of the River Valley Estate. This land is zoned General Residential and is currently being master planned.
- To the south-west of the Site is an undeveloped industrial subdivision, known formally as Solomon Heights. This subdivision comprises 435 lots with 135 individual landowners. The site contains approximately 14 hectares of “state and national significant” endangered plant species, escarpment scrubland and a river red gum woodland bioregion.
- To the north-west of the Site is the Albion-Jacana freight line and the heritage significant ‘Quarter Mile Rail Bridge’, which was constructed in 1929.
3 Background

The River Valley Estate (the ‘Estate’) underwent a planning scheme amendment process in 1994 to repurpose the land from its former quarry use to part residential, part commercial, part public open space and part conservation. Following the planning scheme amendment process, due to unresolved considerations largely relating to native vegetation, the southern portion of the Estate was rezoned to the Residential 1 (now General Residential), while the northern portion (the Site) remained Industrial.

This industrial zoning designation was proposed largely as a temporary zone until further planning was undertaken, when the land was anticipated to be rezoned to facilitate residential development. Following the rezoning process, an agreement under Section 173 of the Planning and Environment Act (X61.57.55V) between the landowner and Brimbank City Council was prepared which, in part, outlined the actions required to facilitate the residential zone designation.

In 2015, a Planning Scheme Amendment was prepared and submitted to Brimbank City Council which requested the Site be rezoned to the General Residential Zone (Amendment C159). This Amendment was put on hold, however after a shift in focus at the River Valley Estate, the project team recommenced the Planning Scheme Amendment Process in 2018 (changed to Amendment C204).

This Planning Scheme Amendment process is currently underway with Brimbank City Council.

4 Draft Melbourne Industrial and Commercial Land Use Plan

It is understood that the MCLUP is on exhibition until 31 December 2019. It seeks to establish a broad planning framework to enable state and local governments to better plan for future employment and industry needs. The MCLUP has included the Site within the ‘Regionally-Significant Industrial Land – Existing’ category within the Western Region.

The MCLUP has developed the following criteria as a basis for identifying regionally-significant industrial precincts:

- **Policy alignment**
  - The area exhibits a strong relationship with or supports other places of state significance such as national employment and innovation clusters (NEICs) or transport gateways.
  - The area has been identified through growth area planning as a larger industrial estate offering good freeway and arterial road access and can provide for the industrial land requirements of firms that serve metropolitan wide, national or international markets.
  - The area has been identified in council strategies as being a core or primary industrial area that should be retained, or that provides for significant employment opportunities by virtue of the size of the area.

- **Accessibility and business clustering**
  - The area or precinct can leverage off existing or proposed rail and road networks and infrastructure, including the PPN.
  - The area provides for the clustering of industrial uses with limited or no residential intrusion and can be adequately buffered from sensitive uses.
- The precinct provides for contiguous areas of industry with similar, related or dependent industrial or commercial activities.

- Economic or employment contribution
  - The area generates a relatively high and ongoing economic output contributing to the region and state's economy.
  - The area is a location of high levels of employment and/or capital goods, generating wider regional employment and economic benefits.
5 Considerations for Exclusion from Regionally Significant Industrial Land

The inclusion of the Site within the Regionally Significant Industrial Land is considered inappropriate on the basis of the following:

5.1 Context and Site Analysis

Access

The Site’s sole vehicular access is gained through the River Valley Estate, with the approved extension of River Valley Boulevard. This is due to the interfaces of the Site, being the Maribyrnong River, the Albion-Jacana Freight Line and the undeveloped industrial subdivision, Solomon Heights which contains approximately 14 hectares of “state and national significant” endangered plant species.

Notwithstanding the inappropriateness of requiring industrial vehicle movements through a residential estate, River Valley Boulevard has not been designed to accommodate for industrial access. This is further exacerbated by the topography of the land which creates complications in providing a suitable road network within the Site itself.

Proximity to Residential Land

The Site is located within the River Valley Estate, directly abutting land within the General Residential Zone. Permits have been issued for residential development of the residential land in accordance with the Development Plan which applies to the land.

The inclusion of an isolated industrial precinct in such close proximity to residential land use, including having to access the Site through the Estate, is considered unsuitable. Moreover, the amenity expectations generated by the residential zone mean that the Site will never be developed to its full industrial capability.

Native Vegetation

The Site includes areas of native vegetation, which has been recognised throughout the Site’s planning history. This currently includes a total of five remnant patches comprising Heuver-soils Plains Grassland (EVC 132_61), Escarpment Shrubland (EVC 895) and Floodplain Riparian Woodland (EVC 56) as well as two flora species listed as threatened—Spiny Riceflower (EPBC Act & FFG Act) and Matted Flax-lily (EPBC Act).

Through the current Planning Scheme Amendment process, the native vegetation is a key consideration and areas of it will be retained, albeit the extent is still to be determined. Given the prevalence of native vegetation on the Site, the extent of land identified for industrial use within the MiCLUP could not come to fruition.

Topography

The Site’s topographical profile is steep and complex. It includes an approximately 40 metre fall from the west to the east with various undulations throughout.

Notwithstanding the difficulties in providing access to future individual lots, given the nature of industrial land uses generally requiring large, flat areas of land, this is considered a significant factor in preventing the Site from being developed for industrial use.
For the above reasons, it is not considered that the land could be developed for industrial uses in the future, and therefore not considered appropriate to include within the Regionally Significant Industrial category. Furthermore, it is not considered that the Site meets the criteria set out on page 34 of the MICLUP for a Regionally Significant Industrial Precinct due to the reasons above.

5.2 Brimbank City Council Strategic Planning and Section 173 Agreement

The Site is recognised as a Strategic Development Site within Brimbank’s Municipal Strategic Statement and importantly, is included as a ‘Transitional Area’ within the Brimbank Industrial Land Strategy 2018-2030. Transitional Areas are areas that are currently zoned for industrial land uses but in the long term may not be suitable as industrial or employment areas due to viability and interfaces.

The purpose of the Brimbank Industrial Land Strategy 2018-2030 is to set out a vision for Brimbank’s industrial precincts and identifies land that may be considered surplus or no longer viable. This strategy was informed by the research and analysis contained within the Brimbank Industrial Land Assessment 2016 (Tim Nott and Geografia), and the Brimbank Commercial 2 Zone Assessment 2017 (SPADE), and is considered to be the most detailed and up to date analysis of industrial land within the municipality.

Furthermore, the Section 173 Agreement on title recognises that the land is to undergo a Planning Scheme Amendment to facilitate its ultimate zoning, given the land was not proposed to be used for industrial uses in reality.

In summary, Brimbank Council policy, strategy and a Section 173 Agreement all recognise the future potential of the land for non-industrial uses, and is not considered by Brimbank Council to be significant within its own municipality.

6 Recommendations for the MICLUP and Conclusion

Overall, Yourtland and Atlantic Link do not have any opposition to the MICLUP or its belief that future land use is required in Brimbank, however, based on the above we request that the land at Penna Avenue is excluded from the Regionally Significant Industrial Land category, and included within the Local Industrial Land to allow Brimbank Council to identify when it could transition to other uses, as they have currently done within the Brimbank Industrial Land Strategy 2018-2030.

Our client also reserves their right to make further submissions on any matter that may be of interest to them including in response to any other submissions which may be made by any other party.

We look forward to the Department’s consideration of this matter and would be happy to discuss our submission with you. Should you have any queries or require further information, please do not hesitate to contact the undersigned.

Yours sincerely

Town Planner
Tract

2019-12-19 Let-DELWP_Submission to draft Melbourne Industrial and Commercial Land Use Plan