

KINGSTON PLANNING SCHEME
AMENDMENT C199king
PLANNING PERMIT APPLICATION XXX
DRAFT EXPLANATORY REPORT

Who is the planning authority?

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

The amendment has been made at the request of Tract Consultants Pty Ltd on behalf of AS Residential Property No. 1 Pty Ltd.

Land affected by the amendment

The amendment applies to the former Kingswood Golf Course on land known as 179-217 Centre Dandenong Road, Dingley Village.



The amendment is a combined planning permit application and planning scheme amendment under section 96A of the *Planning and Environment Act 1987*.

The planning permit application applies to 179-217 Centre Dandenong Road, Dingley Village.

What the amendment does

The amendment proposes to rezone 179-217 Centre Dandenong Road, Dingley Village in order to facilitate its redevelopment for residential purposes.

Specifically, the amendment seeks to:

- Rezone the land from part Special Use Zone Schedule 1 (SUZ1) and part General Residential Zone Schedule 3 (GRZ3) to General Residential Zone Schedule 2 (GRZ2).

- Amend Clause 21.01 Vision of the Local Planning Policy Framework (LPPF) to update the Strategic Land Use Framework Plan.
- Amend Clause 21.05 Residential Land Use of the LPPF to update the Residential Land Use Framework Plan.
- Amend Clause 21.11 Open Space of the LPPF to update the Open Space Framework Plan.
- Insert a new Schedule 3 to Clause 42.02 Vegetation Protection Overlay (VPO3) and apply it to the land to protect vegetation that has been identified as significant.
- Insert a new Schedule 8 to Clause 43.04 Development Plan Overlay (DPO8) and apply it to the land to require the preparation of a development plan to guide development.
- Insert Clause 44.08 Buffer Area Overlay into the Kingston Planning Scheme.
- Insert a new Schedule 1 to Clause 44.08 Buffer Area Overlay (BAO1) and apply it to land that is potentially affected by ground water contamination from a nearby former landfill.
- Insert a new Schedule 2 to Clause 44.08 Buffer Area Overlay (BAO2) and apply it to land that is potentially affected by land gas migration from a former landfill.
- Apply Clause 45.03 Environmental Audit Overlay (EAO) to part of the site that has been identified as being potentially contaminated.
- Amend the Schedule to Clause 72.01 Responsible Authority for this Planning Scheme to make the Minister for Planning responsible for the approval of the Development Plan under the DPO8.
- Amend the Schedule to Clause 72.03 What does this Planning Scheme consist of? to list 6BAO and 6DPO as new Planning Scheme Maps.

The proposed planning permit seeks approval for:

- Subdivision of the land in stages (823 lots).
- Construct dwellings on lots less than 300sqm.
- Alter access to a Road Zone Category 1.
- Remove native and non-native vegetation.
- Buildings and works (earthworks).
- Use the land for the purposes of a sales office, display homes and the sale and consumption of liquor.
- Reduce the statutory car parking requirements.
- Display signs.

A draft 'Former Kingswood Golf Course Development Plan' has also been prepared in accordance with the DPO8 and forms part of this request.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to facilitate the redevelopment of the former Kingswood Golf Course for residential purposes with a range of dwelling densities and housing typologies.

The amendment seeks to provide for the protection of vegetation and to manage development having regard to the adjoining former Spring Road Landfill.

The amendment will appropriately manage areas of the site subject to prior contamination.

The amendment seeks to guide future development to ensure the fair, orderly, sustainable and economic development and use of the land.

The amendment directly responds to the 'Planning for golf in Victoria' discussion paper (June 2017), the Metropolitan Planning Strategy, *Plan Melbourne 2017-2050* and its 'Implementation Plan', and the 'Planning Guidelines for the Conversion of Golf Course Land to Other Purposes' (June 2020).

The amendment will result in significant community benefit for the municipality by relieving the pressures of population growth, delivering high quality urban design outcomes, providing an uplift in local employment and responding to demands for housing diversity.

The amendment will provide net community benefit by:

- Providing a new residential community that will address and respond to the City of Kingston's unique housing diversity and affordability requirements, while relieving broader population growth and urban sprawl pressures in accordance with 'Plan Melbourne 2017-2050'.
- Incorporating a residential subdivision pattern that includes a broad range of lot configurations including a variety of lot sizes, widths and depths. This will allow for the provision of a diverse range of high ESD performance dwellings across the Site to meet the diverse needs of future residents.
- Encouraging urban design outcomes which incorporate 20-minute neighbourhood principles which are particularly evident through the delivery of unique and high-quality open space, housing diversity and affordability.
- Increasing the quantity of high quality, diverse and well-integrated open space within the Dingley Village community in accordance with the City of Kingston's Open Space Strategy through the provision of an additional 13.85 ha of public open space. This will be complemented by the provision of high-quality pedestrian and bicycle networks that will encourage active lifestyles and facilitate improved access both across the Site, and into the established areas of Dingley Village.
- Retention of 801 trees and the planting of an additional 2,685 trees (109% of existing tree coverage).
- Provision of 5.5km of linear trails and biodiversity corridors to connect into existing neighbourhood open space networks.
- Providing affordable housing in accordance with the objectives of planning in Victoria. Affordable housing will be tenure blind and delivered in a range of housing typology to meet local need and be provided within well-serviced walkable catchments.
- Significantly increasing the wider areas water storage capacity to mitigate flooding events within and downstream of the site.
- Providing a significant uplift in local employment opportunities associated with the delivery of the proposal and estimated total construction investment of almost \$400 million and estimate economic output of \$1.2 billion.
- Generating almost \$25 million per annum in spending on retail goods and services by new residents of the development.

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

The amendment delivers on the following objectives of planning in Victoria as set out in sections 4(1) of the Planning and Environment Act 1987 (the Act):

(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 special cultural value;

(f): To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d); and

(g): To balance the present and future interests of all Victorians.

The amendment achieves these objectives by facilitating the underutilised former Kingswood Golf Course for residential purposes that is consistent with surrounding land use and subdivision patterns. The amendment seeks to deliver positive economic, social and cultural benefits for the local area and wider region by providing housing within the existing urban area and reducing pressure for inappropriate development in settings that may compromise natural and human-made resources.

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

Environmental

The amendment addresses environmental effects by:

- Protecting ecological values through the appropriate application of the Victorian Planning Provisions, including the retention of biodiversity values in strategic locations.
- Supporting a compact new residential community which makes efficient use of existing and planned high cost infrastructure and reduces the waste of resources attributable to inappropriate urban sprawl.
- Encouraging the uptake of alternative forms of transport including active, public, and other forms of sustainable transport.
- Requiring the implementation of environmentally sustainable design principles for all new development.
- Prioritising the management of stormwater runoff through its provision of a best practice stormwater storage and processing proposal.
- Providing a landscape response which will retain a portion of established vegetation while also proposing a Site-wide revegetation strategy which will promote biodiverse habitats.

Social

The amendment addresses social effects by:

- Delivering high quality community infrastructure including 13.85 hectares of public open space, including 9.72 hectares of unencumbered open space and 4.13 hectares of encumbered open space.
- Contributing to housing diversity and affordability by proposing a series of planning controls and agreements that can facilitate a variety of residential dwellings, including medium density and affordable housing.
- Encouraging a street network that supports the residential function of the site with design that encourages socialisation, free movement and low traffic speed.
- Providing a generous amount of public open space which will include a network of pedestrian and bicycle paths to encourage active lifestyles.
- Promoting excellence in architectural and urban design outcomes including mitigating the potential for amenity conflicts that may arise from poor quality development.
- Creating opportunities for employment through construction investment in the local area.

Economic

The amendment addresses economic effects by:

- Facilitating significant private sector investment in the local area that will directly support the creation of construction jobs and associated multiplier jobs in the wider economy.
- Delivering housing in proximity to existing employment opportunities.
- Generating additional expenditure on a wide range of retail and non-retail goods and services, a share of which would be captured by local businesses in the City of Kingston.
- Generating additional investment in the improvement and growth of local businesses.

Does the amendment address relevant bushfire risk?

Bushfire risk is not a relevant considered because the site is not within a designed Bushfire Prone Area of impacted by the Bushfire Management Overlay.

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

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Planning and Environment Act 1987.

The amendment complies with the requirements of Minister's Direction No.11 - Strategic Assessment of Amendments.

The amendment is consistent with Ministerial Direction 9 - Metropolitan Strategy including the following directions provided by Plan Melbourne:

- Direction 2.1 - Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.
- Direction 2.2 - Deliver more housing closer to jobs and transport.
- Direction 2.3 – Increase the supply of social and affordable housing.
- Direction 2.5 – Provide greater choice and diversity of housing.
- Direction 5.2 – Create neighbourhoods that support safe communities and healthy lifestyles.
- Direction 5.3 – Deliver social infrastructure to support strong communities.

The amendment complies with Ministerial Direction 1 – Potentially Contaminated Land. A number of environmental reports have been undertaken and overlay controls are proposed to ensure that the environmental condition of the land is suitable for the proposed use.

The amendment is consistent with Ministerial Direction 19 – The preparation and content of amendments that may significantly impact the environment, amenity and human health. A number of environmental reports have been undertaken and overlay controls are proposed to ensure that potential impacts are appropriately controlled. The views of the Environmental Protection Authority have been obtained and addressed via the application of appropriate overlay controls, including the BAO and EAO.

In determining to refer the proposal to the Golf Course Redevelopment Standing Advisory Committee, the Minister for Planning requested that the proponent seek the advice of the EPA as to whether the BAO should be applied instead of the Environmental Significance Overlay to areas identified as being potentially impacted by land gas migration and ground water contamination from the near by former land fill. The EPA advised that the application of the BAO in this instance is, in principle, appropriate having regard to the intent and purpose of the overlay. The EPA identified additional matters that they will consider further as part of their submission to the advisory committee, including confirming whether the spatial extent of the overlay is appropriate and whether the proposed land use controls and application requirements are appropriate having regard to the incoming *Environment Protection Act 2017* (due to commence on July 1 2021).

The amendment is consistent with Ministerial Direction 21 – Golf Course Redevelopment. The amendment has been prepared having regard to the steps outlined in the *Planning Guidelines for the Conversion of Golf Course Land to Other Purposes* (June 2020). The amendment has been prepared having regard to a variety of specialist reports designed to ensure that net community benefit is achieved, including through the provision of affordable housing requirements and open space.

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

The amendment supports and implements the following objectives, strategies and policies contained within the Planning Policy Framework:

- Supporting sustainable growth in Victoria by providing infill residential growth in proximity to local jobs, services and facilities, while also delivering choice and opportunity in Kingston (Clauses 11.01-1S – Settlement and 11.01-1R – Settlement – Metropolitan Melbourne).
- Contributing to a sufficient supply of residential land on an underutilised urban site to create sustainability benefits (Clause 11.02-1S – Supply of urban land).
- Supporting urban growth in proximity to key transport corridors and services to make more efficient use of existing infrastructure (Clause 11.03-2S – Growth areas).

- Supporting the protection of biodiversity and environmentally sensitive areas, while encouraging open spaces that contribute to character, identity and sustainable environments (Clauses 12.01-1S – Protection of biodiversity, 12.01-2S – Native vegetation management, 12.05-1S – Environmentally sensitive areas, 12.05-2S – Landscapes).
- Prioritising the protection of life, property and community infrastructure through flood hazard mitigation strategies that will strengthen the future community's resilience to impacts (Clause 13.01-1S – Floodplain management).
- Supporting a subdivision pattern and urban design outcome that is safe, healthy, functional and enjoyable (Clauses 15.01-1S – Urban design, 15.01-3S – Subdivision design, 15.01-4S – Healthy neighbourhoods).
- Encouraging the provision of diverse and affordable housing outcomes to meet community needs in proximity to jobs, transport and services (Clauses 16.01-1S – Integrated housing, 16.01-2S – Location of residential development, 16.01-2R – Housing opportunity areas – Metropolitan Melbourne, 16.01-3S – Housing diversity, 16.01-4S – Housing affordability).
- Making efficient use of existing transport infrastructure associated with the Principal Public Transport Network while also promoting the use of sustainable personal transport (Clauses 18.01-1S Land use and transport planning, 18.02-1S – Sustainable personal transport, 18.02-2S – Public transport and 18.02-2R – Principal Public Transport Network).
- Facilitating the delivery of a diverse network of public open space and infrastructure that meets the needs of the community. This also includes an integrated water management approach with respect to water supply, water resources, wastewater, drainage and stormwater (Clauses 19.02-6S Open space, 19.03-3S – Integrated water management and 19.03-2S – Infrastructure design and provision).

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

Specifically, the amendment supports and implements the following objectives, strategies and policies contained within the LPPF:

- Directing new urban growth to an underutilised site to create a consolidated urban form that also incorporates high quality open spaces and reinforces the role of the Dingley Neighbourhood Activity Centre (Clause 21.02 – Settlement).
- Considering the impacts of flooding and implementing appropriate mitigation measures to ensure risks are appropriately managed (Clause 21.04 – Environmental Risks and Amenity).
- Encouraging new residential development that respects surrounding neighbourhood character and achieves a high standard of amenity through attention to quality and sustainability (Clause 21.06 – Built Environment and Heritage).
- Supporting the provision of a range of housing types on a transitional site at the periphery of the Dingley Neighbourhood Activity Centre to meet identified need within the community (Clause 21.07 – Housing).
- Providing appropriate outcomes with respect to transport and infrastructure to ensure new development does not exceed capacities (Clauses 21.09 – Transport and 21.10 – Infrastructure).
- Encouraging residential development outcomes in accordance with the policy objectives set out at Clause 22.06 (Residential Development Policy).
- Requiring the provision of new public open space to meet the needs of the community in accordance with Clause 22.11 (Public Open Space Contributions).
- Encouraging best-practice environmentally sustainable design and stormwater management outcomes in accordance with Clauses 22.12 (Stormwater Management) and 22.13 (Environmentally Sustainable Development).

The amendment necessitates minor changes to the LPPF in order to identify the site as an 'Area for the promotion of Increased Housing Diversity' and to remove references to the Kingswood Golf Course.

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

The amendment makes proper use of the Victorian Planning Provisions by:

- Applying the General Residential Zone to allow for a residential land use on the site.
- Applying the Development Plan Overlay, Vegetation Protection Overlay, Buffer Area Overlay and Environmental Audit Overlay to provide for the orderly development of the site, management of environmental and contamination constraints and the preservation of vegetation.

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

The views of relevant agencies will be sought during consultation under section 20(5) of the Act.

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

The amendment complies with the relevant requirements of the Transport Integration Act 2010, specifically Part 2, Division 2, 11 (Integration of transport and land use).

Resource and administrative costs

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

The amendment is not expected to have any unreasonable impacts on the resource and administrative costs of the responsible authority.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/panels-and-committees/browse-panels-and-committees/projects/golf-course-advisory-committee

Hard copies of this information are also available for viewing at:

- Kingston City Council offices, 1230 Nepean Highway, Cheltenham, VIC 3192
- Dingley Library, Harold Box Hall, 31C Marcus Road, Dingley Village, VIC 3172

Have your say – make a submission

You are invited to make a submission to the advisory committee on the proposal.

Submissions must be made in writing and be received by **11.59 pm on Friday 6 August 2021**.

Submissions can address any matters you consider relevant, including whether you support or object to the proposal. Online submissions are preferred and can be lodged via the Victorian Government's engagement website: www.engage.vic.gov.au/GolfSAC-Kingswood