

# MOONEE VALLEY PLANNING SCHEME

## AMENDMENT C177

### EXPLANATORY REPORT

#### Who is the planning authority?

This amendment has been prepared by the Department of Health and Human Services for Moonee Valley City Council, who is the planning authority for this amendment.

#### Land affected by the Amendment

The Amendment applies to the land shown on the plan below and particularly:

- 12-71 Holland Court, 120-130 Racecourse Road and 24-66 Victoria Street, Flemington (known as 'Flemington estate').
- 25 & 75 Mt Alexander Road and 100 Victoria Street, Flemington (known as 'Debneys Park').
- 220 Racecourse Road, Flemington (known as 'Hopetoun Children's Centre').



## What the amendment does

The Amendment seeks to:

- Rezone Flemington estate from General Residential Zone – Schedule 1 (General Residential Areas) (GRZ1) and Public Use Zone – Schedule 2 (Education) (PUZ2) to Mixed Use Zone – Schedule 3 (Flemington estate) (MUZ3) to achieve built form and land use outcomes;
- Apply Development Plan Overlay – Schedule 8 (Flemington estate) to Flemington estate;
- Apply Parking Overlay – Schedule 1 (Flemington estate) to Flemington estate;
- Rezone the portion of Debneys Park utilised by Debney Meadows Primary School from Public Park and Recreation Zone (PPRZ) to Public Use Zone – Schedule 2 (Education) (PUZ2);
- Add the *Debneys Precinct – Structure Plan* as a reference document within Clause 21.06-8 and add Stage 2 of the Structure Plan as further strategic work to be undertaken by Council in Clause 21.06-7; and
- Add the Minister for Planning as responsible authority over Flemington estate in the Schedule to Clause 61.01.

## Strategic assessment of the Amendment

### Why is the Amendment required?

This Amendment is required to allow the redevelopment of Flemington estate to provide improved social and private housing through the Public Housing Renewal Program. The existing General Residential Zone, Schedule 1 does not reflect the existing high density use of the land and limits the potential for increased housing density and diversity of land uses.

Rezoning the land to a Mixed Use Zone (MUZ) will support the preferred housing density and resultant built environment in this highly suitable location. The MUZ will also enable the provision of a broader range of land uses, such as retail, commercial and community facilities, to provide for the needs of the local community.

The Public Use Zone – Schedule 2 (PUZ2) relates to the adjoining Debney Meadows Primary School and was incorrectly applied to the northwest corner of Flemington estate. Moreover, the PUZ2 prohibits the use of the land for residential purposes.

The application of the Development Plan Overlay (DPO) will provide a framework to guide the future residential development of Flemington estate. The DPO Schedule will outline design responses expected to achieve the preferred future outcome for Flemington estate. The application of the DPO will provide assurance to government agencies, Council, development and the local community about future development outcomes on the land.

The application of the Parking Overlay (PO) will facilitate an appropriate provision of car parking spaces for residential uses within Flemington estate.

The Debneys Precinct – Structure Plan provides a holistic approach to future development and enhancement of this precinct to meet the existing and future needs of the community.

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

The amendment implements the objectives of planning in Victoria as outlined in Section 4 of the *Planning and Environment Act 1987* through:

- Providing for the fair, orderly, economic and sustainable use and development of land;
- Securing a pleasant, efficient and safe work, living and recreational environment for all Victorians and visitors to Victoria;
- Balance the present and future interests of all Victorians;

- Ensuring sound, strategic planning and co-ordinated action at State, regional and municipal levels;
- Enabling land use and development planning and policy to be easily integrated with environmental, social, economic, conservation and resource management policies at State, regional and municipal levels;
- Facilitating development that achieves the objectives of planning in Victoria and planning objectives set up in planning schemes; and
- Ensure the effects on the environment are considered and provide for explicit consideration of social and economic effects when decisions are made about the use and development of land.

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

The amendment is expected to have a net community benefit and positive environmental, social and economic benefits through:

- Supporting an urban renewal opportunity in a strategic location within a higher order activity centre and with ready access to multiple public transport routes and pedestrian and bicycle infrastructure. These locational advantages can support increased housing density and commercial activity;
- Encouraging a high quality of development incorporating environmentally sustainable design and water sensitive urban design;
- Encouraging a mix of uses, including retail, commercial and community activities that provide opportunities for local employment opportunities and access to services for the local community;
- Increasing the supply of both social and private housing opportunities in order to cater to forecasted demands; and
- Encouraging a high quality public realm that contributes to pedestrian and resident amenity and contributes to the ongoing connectivity and safety of the precinct.

*Does the Amendment address relevant bushfire risk?*

This amendment affects land within an established urban area and therefore bushfire risk is not relevant.

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

The amendment complies with section 7(5) of *the Act* and complies with all relevant Minister's Directions under Section 12 of the *Planning and Environment Act 1987*.

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

The Amendment supports and implements the State Planning Policy Framework (SPPF). Key State planning policies of relevance to this amendment include:

- Clause 9 Plan Melbourne facilitates provisions for adequate employment, housing and transport through strategic vision employed by the Victorian Government.

*Plan Melbourne 2017-2050: Metropolitan Planning Strategy* identifies the Racecourse Road Activity Centre as an activity centre. *Plan Melbourne 2017-2050* seeks to make better use of underutilised land that is close to jobs, services and public transport infrastructure. At the local level, *Plan Melbourne 2017-2050* seeks to enable people to live within 20 minute neighbourhoods by providing residents access to a wide ranges of goods and services.

- Clause 10 Operation of the State Planning Policy Framework, in particular:  
*“Planning and responsible authority should endeavour to integrate the range of policies relevant to the issues to be determined and balance conflicting objectives in favour of net community benefit and sustainable development for the benefit of present and future generations.”*
- Clause 11 Settlement requires that planning contributes to ‘diversity of choice’, ‘a high standard of urban design and amenity’ and ‘accessibility’. It encourages opportunities for consolidation, redevelopment and intensification. The strategies of this policy encourages a diversity of housing types at higher densities in and around activity centres.
- Clause 15 Built Environment and Heritage seeks to create safe, functional, good quality urban environments, It provides urban design principles for development which includes context, the public realm, safety, landmarks, views and vistas, pedestrian spaces, heritage, architectural design and landscape architecture.
- Clause 16 Housing supports increasing development density whilst providing for housing diversity, access to services and planned long term sustainability. Higher density development is encouraged in locations in and around activity centres, close to public transport and employment opportunities.
- Clause 17 Economic Development seeks to provide a strong and innovative economy. Planning is to contribute to the economic well-being of communities and the State by supporting and fostering growth and development through providing land, facilitating decisions and encouraging development that meets the needs of the community.
- Clause 18 Transport relates to an integrated and sustainable transport system that provides universal access to social and economic opportunities and the coordination of reliable movement of people.

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

The Moonee Valley Municipal Strategic Statement (MSS) sets out the land use and development strategies for the municipality. Clause 21.01 Municipal Profile states that the *municipality’s population is projected to increase by approximately 19,000 persons over the coming 18 years to around 135,000 in 2031.* Clause 21.02 Key Issues and Influences identifies the lack of affordable and social housing within the municipality and the need for the urban environment to be designed to improve safety and surveillance, and promote health and wellbeing.

The key local planning policies of relevance are:

- Clause 21.03 Vision promotes, *“a diverse range of housing that anticipates the needs of existing and future residents, that is built in appropriate locations that supports and improves community health and well-being”.*
- Clause 21.05 Housing seeks adaptive, affordable and diverse housing that caters for people with disabilities and the elderly and that meets the needs of a range of low and moderate income households. In particular, Clause 21.05-3 seeks to, *“improve housing affordability within the municipality for households with household incomes below the 60<sup>th</sup> percentile of income groups”.*
- Clause 21.06 Built Environment ensures new development contributes to safe environments by encouraging opportunities for increased safety, health and wellbeing.
- Clause 21.07 Activity Centres recognises that Racecourse Road is an activity centre identified in Plan Melbourne.
- Clause 21.08 Economic Development seeks for commercial development and uses to satisfy the community’s retail, commercial, entertainment and leisure needs.

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

The Amendment utilises the appropriate tools from the Victoria Planning Provisions toolbox.

Flemington estate is a large site located within the Racecourse Road Activity Centre with excellent locational attributes. The land can easily accommodate an increased development density. In this context it is considered that the Mixed Use Zone to be the most appropriate zone for Flemington estate as it allows for housing at higher densities and a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.

The application of the Development Plan Overlay will deliver a framework to guide the future development of Flemington estate. The site specific schedule sets parameters against which the responsible authority can assess the required development plan and subsequent planning permit applications. The application of the Parking Overlay will facilitate an appropriate provision of car parking spaces for residential uses within Flemington estate.

Relocation of the Public Use Zone will correct a zoning anomaly.

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

The views of the Department of Environment, Land, Water and Planning were sought and considered during the preparation of this Amendment.

It is anticipated that the views of other relevant agencies can be addressed as part of the amendment process.

## **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.

The Amendment will allow for an increase in residential, retail, commercial and community uses in a location that is well-served by multiple public transport modes. This development will contribute to environmental sustainability, social inclusion, and economic prosperity.

## **Resource and administrative costs**

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

The new planning provisions will have a positive impact on both the resources and administration costs of Moonee Valley City Council, particularly through the Minister for Planning becoming the Responsible Authority for development on Flemington estate. The Amendment will improve and clarify future planning outcomes and provide for more guidance for decision makers and applicants.

## **Where you may inspect this Amendment**

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

- Ascot Vale Library, 165 Union Road, Ascot Vale
- City of Melbourne, Level 3, 240 Little Collins Street Melbourne
- Flemington Community Centre, 25 Mount Alexander Road, Flemington
- Flemington Library, 313 Racecourse Road, Flemington
- Kensington Town Hall, 30-34 Bellair Street, Kensington
- Moonee Valley Council Civic Centre, 9 Kellaway Avenue, Moonee Ponds
- Neighbourhood House, 89 McCracken Street, Kensington

- Sam Merrifield Library, 762 Mt Alexander Road, Moonee Ponds.

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/shrp](http://www.planning.vic.gov.au/shrp).

## **Submissions**

Written submissions outlining your views on the proposal must be submitted by 5pm, Friday 21 July 2017 online at: [www.planning.vic.gov.au/shrp](http://www.planning.vic.gov.au/shrp).

## **Advisory Committee Hearing dates**

The following hearing dates have been set for this amendment:

- Directions hearing: 15 August 2017
- Panel hearing: week of 11 September 2017