

## HOBSONS BAY PLANNING SCHEME

### AMENDMENT C88

#### EXPLANATORY REPORT

##### Who is the planning authority?

This amendment has been prepared by Victorian Planning Authority (VPA) on behalf the Hobsons Bay City Council, which is the planning authority for this amendment.

The amendment has been made at the request of the 'Precinct 15 Landowners Consortium' which comprises the owners of some of the land subject to the amendment.

##### Land affected by the Amendment

The amendment applies to the land generally bounded by the West Gate Freeway, New Street, Blackshaws Road and Kyle Road, in Altona North and South Kingsville.

The area includes all land identified within the *Altona North Comprehensive Development Plan August 2018* and all land at 70-84 Kyle Road, occupied by the Brooklyn Electrical Terminal Substation (BTS).



Figure 1 - The area the amendment comprises, including the BTS site.

##### What the amendment does

Amendment Hobsons Bay C88 facilitates the urban renewal of a partially occupied industrial precinct for the development of a mixed-use precinct, comprising predominantly residential uses supported by

local retail and other services, as well as local parks, community facilities and further employment opportunities in a commercial/mixed use area.

The amendment provides for a mix of dwelling types. Residential development is intended to be predominantly low-rise (two to three storeys), particularly at the edges of the precinct, with opportunities for mid-rise apartments (six storeys) and mixed-use buildings in suitable locations and a portion of Blackshaws Road.

The amendment incorporates the *Altona North Comprehensive Development Plan August 2018* (CDP) into the Hobsons Bay Planning Scheme, to comprehensively guide land use and development and set out specific requirements for public streets, parks, landscaping, community facilities and service infrastructure. The amendment also incorporates the *Altona North Development Contributions Plan August 2018* (DCP), to set out a framework for funding and providing identified infrastructure.

Specifically, the amendment:

- Amends the Local Planning Policy Framework (LPPF) at Clauses 21.03, 21.04 and 21.08 to reflect changes to the precinct area, identified as 'Precinct 15', in the *Hobsons Bay Industrial Land Management Strategy 2008*.
- Rezones the land within the precinct from Industrial 1 Zone (IN1Z) and Industrial 3 Zone (IN3Z), to Comprehensive Development Zone (CDZ2).
- Rezones land at 70-84 Kyle Road to Special Use Zone (SUZ6).
- Applies the Development Contributions Plan Overlay (DCPO2) to land within the precinct, except 70-84 Kyle Road.
- Applies the Environmental Audit Overlay (EAO) to land within the precinct, except 48 New Street.
- Deletes the Heritage Overlay (HO166) from 40-68 Kyle Road, the former Gilbertson Meatworks site.
- Amends the Schedule to Clause 53.01 to insert a requirement that 7.1 per cent of the land within the precinct, or cash equivalent as relevant, be contributed as public open space.
- Amends the Schedule to Clause 72.03 to reflect changes to planning scheme maps.
- Amends the Schedule to Clause 66.06 to insert notification requirements for pipeline authorities.
- Amends the Schedule to Clause 72.04 to include the *Altona North Comprehensive Development Plan August 2018* and the *Altona North Development Contributions Plan August 2018* as incorporated documents.

## **Strategic assessment of the Amendment**

### **Why is the Amendment required?**

The amendment is required to provide for land use and development more suitable to the precinct's current context. Industrial use of the land is no longer sustainable in the area due to more stringent requirements for pollution control, particularly given the proximity of adjacent residential areas. The local road network is also unsuitable for larger vehicles used in contemporary industry. The Brooklyn Terminal Sub-station is a continuing land use which requires zoning suitable to its specific purpose.

The Development Contributions Plan will provide a mechanism to fairly distribute the cost of new infrastructure between the new development in the precinct and the existing community. Contributions towards open space are required to provide parks for a new residential community and amenity within the precinct.

Industrial uses have caused land contamination within the precinct. The application of the Environmental Audit Overlay will ensure that before any sensitive land uses commence within the precinct, a sufficient level of site remediation will have occurred.

The removal of the Heritage Overlay on part of the land will reflect that planning permits have already been issued for demolition on the land and which have allowed the removal of any heritage fabric.

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

The amendment facilitates use and development in accordance with the objectives of planning in Victoria by:

- Providing for use and development that is more economical and sustainable, given the land's location and context.

- Providing for the orderly arrangement of land use and development in the area and its orderly integration with its surrounding area.
- Providing a pleasant, efficient and safe living environment by including new local parks and well-connected streets with enough space for cars, pedestrians and cyclists and landscaping.
- Protecting the ability of the West Gate Freeway, adjacent rail line and other industrial land uses to continue to operate unimpeded by requiring noise and vibration protection for new dwellings.
- Protecting the integrity of nearby gas and fuel transmission lines from any impacts of new use and development.
- Protecting the existing Melbourne Water main drain through the precinct and the currently disused fuel transmission line under Blackshaws Road from development and construction impacts.

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

#### *Environmental effects*

##### Potential land contamination

The Environmental Audit Overlay is applied to all land which does not yet have a Certificate or Statement of Environmental Audit as required under the *Environment Protection Act 1970*. Either a Certificate or Statement of Environmental Audit is required to be issued before sensitive uses or buildings and works associated with sensitive uses, can commence within the precinct.

##### Noise and vibration emissions

Noise and vibration from nearby rail and freeway operations, and continuing industrial operations, will potentially impact new residential uses. New development must be sited and constructed so as to mitigate noise and vibration emissions. This will prevent unreasonable constraints upon the ongoing operation of the West Gate Freeway, railway and any continuing industrial uses, whilst protecting the amenity of new residents.

##### Water management, sustainability and utilities servicing

The amendment provides for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity through planning for the servicing needs and sustainable development of the precinct. Sustainable development practices are encouraged through requirements for sustainability management plans. The amendment requires land to be properly drained in accordance with the requirements of the drainage authority. New development must provide landscaping of new public roads and other public spaces to ensure local climatic conditions are moderated. Properly formed footpaths and cycle paths connected to the existing network are also required to be constructed to provide options for non-motorised transport.

#### *Economic effects*

The amendment will enable the land to be used and developed for a variety of uses which will service local needs. Provision is also made for local retail, offices and other services within the precinct and will facilitate local scale economic activity and employment opportunities.

The amendment will provide dwellings for approximately 7000 people, generating additional demand for services. The DCP and public open space requirement will ensure mechanisms exist to provide and fund additional infrastructure requirements.

#### *Social effects*

The amendment will provide an equitable mechanism to facilitate a financial contribution towards local infrastructure requirements from developers and new residents. The amendment also provides a more diverse social setting by bringing a greater mix of housing choice to the area, including housing that is affordable to a greater range of households.

### **Does the Amendment address relevant bushfire risk?**

The amendment is not located in an area subject to bushfire risk.

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

### *Ministerial Direction - The Form and Content of Planning Schemes*

The amendment was prepared and presented in accordance with the style guide and drafting instructions in the direction.

#### *Direction No. 1 Potentially Contaminated Land*

As the precinct has been used intensively for industry, the Environmental Audit Overlay is to be applied to all land which does not yet have a Certificate or Statement of Environmental Audit, as required by the EAO. Either of these must be issued before sensitive uses, or buildings and works associated within a sensitive use, can commence within the precinct.

#### *Direction No. 9 Metropolitan Strategy*

The amendment has been prepared with regard to *Plan Melbourne 2017-2050* and implements outcomes regarding urban renewal areas, housing choice and affordability, 20-minute neighbourhoods, liveable communities and neighbourhoods, sustainability and resilience.

#### *Direction No. 11 Strategic Assessment of Amendments*

This explanatory report fulfils the requirements of Ministerial Direction 11.

#### *Preparation and Content and Reporting Requirements for Development Contributions Plans*

The area will be subject to a development contributions plan as it is not in a scheduled development setting under the *Preparation and Content and Reporting Requirements for Infrastructure Contributions Plans Ministerial Direction*. All items for which a levy is included in the development contributions plan are items that may be funded in accordance with this direction.

#### *Direction No.18 Victorian Planning Authority Advice on Planning Scheme Amendments*

The VPA and Council have worked together throughout the amendment process. The VPA prepared the amendment on behalf of Hobsons Bay City Council, the planning authority for the amendment. During exhibition, the VPA made a submission to Council and presented at the Planning Panel Hearing. The provisions sought are generally in accordance with the provisions the VPA prepared and the recommendations provided by the Planning Panel. Through these measures, the requirements of this direction are met.

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

The amendment implements *Plan Melbourne 2017-2050* by:

- Providing for the mixed-use redevelopment of an underutilised industrial precinct in a location appropriate for residential, commercial and other mixed-use development due to its proximity to residential areas, amenities, the transport network and employment opportunities.
- Designing the area to have convenient access to existing and future services and amenities in the area and to be properly integrated with the existing residential areas of Altona North.
- Streamlining approval processes by including plans with a resolved overall layout for the precinct including primary land uses, critical street and trail networks and required infrastructure and construction standards.
- Facilitating a diversity of housing options to suit a range of household configurations and income levels.
- Requiring high standards of stormwater management and environmental building standards.

The amendment addresses the range of relevant policy considerations articulated throughout the Planning Policy Framework by integrating the social, economic and environmental matters it raises. This has been done whilst balancing any conflicting objectives, to achieve a net community benefit and sustainable development, for present and future generations.

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

The Hobsons Bay Municipal Strategic Statement (MSS) identifies the amendment area as a 'strategic redevelopment area' to be transitioned to accommodate urban growth.



In line with the MSS, the amendment proposes a resolved and comprehensive plan that addresses the issues relevant to this area including:

- Land contamination through application of the Environmental Audit Overlay.
- Land use designation through acknowledging the overwhelmingly residential context of the site and the access to services, transport and amenities suitable for residential use, infrastructure requirements including a proper street network, connections to surrounding arterial roads, public transport services and walk/cycle trails.
- Potential off-site impacts including ensuring that new development does not impact on operation of adjacent major road, rail and transmission infrastructure.
- Traffic management in and around the area including requirements for the provision of a new road network within the site that is logically connected to the existing road network, with safe signalised intersections.
- Staging of development that ensures fair and timely development opportunities across the area.
- Protection of ongoing viable industries from encroaching sensitive uses through siting and construction requirements.
- The future character of the area, the potential impact on neighbouring residential character and the potential interface issues with adjoining land uses including managing the location and scale of building in relation to existing residences facing the site.
- Social impacts including provision for a range of housing options to ensure access to homes for a range of household types, centrally located new community facilities and local retail, commercial and leisure services.
- Incorporation of environmentally sustainable design principles through the layout of the road and trail network, landscaping provisions to assist with local climate conditions, provision for significant amounts of open space and requirement for sustainability management plans for new buildings.
- Diversity in housing choice including affordable housing and the provision for a range of dwelling types from conventional detached housing to apartment living.
- Planning controls which ensure each site is considered with regard its proper integration with the wider precinct area and the precinct's broader context.

The MSS will be updated at Clauses 21.03, 21.04 and 21.08 to reflect the changes made by this amendment.

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

The amendment uses local provisions from the Victoria Planning Provisions in the manner set out the Act and the relevant ministerial direction.

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

Where appropriate, the amendment has incorporated recommendations from the EPA in relation to land remediation, Melbourne Water in relation to drainage assets on the land, Public Transport Victoria in relation to adjacent and future bus and rail networks, VicRoads in relation to the arterial road network and licensees of nearby fuel transmission pipelines.

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

The amendment is likely to have a significant impact on the transport system at a local level. It will require new connection to the regional road network at Blackshaws Road and provides for the creation of a new local road network that will set the future pattern of development in the precinct. It will allow the development of a bus network in the precinct and create demand for public transport services.

The additions and changes to the existing transport system in and adjacent to the precinct will meet the transport system objectives by:

- Providing for an interconnected road system that responds to the likely level of use generated by the precinct and hence facilitating investment in housing and local retail services in the area.
- Connecting the existing Federation Trail through to the site.

- Enabling efficient access to existing and planned employment and services in and around Altona North, and the broader region, through direct connections to the arterial road network and bus and train services.
- Providing locally based sports, recreational, community and retail facilities to reduce the need for extended travel.
- Designing roads that are of a suitable scale and are compatible with the expected travel demand.
- Providing for the efficient construction of infrastructure items concurrently with works associated with subdivision development.
- Integrating relevant government bodies involved in the provision of transport infrastructure and services in the decision making process of future planning permit applications.
- Protecting the ongoing operation of freeway and rail services in the area through protecting against noise and vibration from these services.
- Recognising planning for the West Gate Tunnel Project.

### **Resource and administrative costs**

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

The planning provisions will require a moderate level of administration by the responsible authority. No intervening plans are required before permit applications can be considered, which will reduce the administrative burden. The amendment implements a resolved urban structure plan and development contributions plan for the area. In most cases, this will avoid the need for further notification of individual permit applications but require more intensive scrutiny of each application. The comprehensive and integrated nature of the provisions will ensure that development of each parcel of land should require only one major permit application to enable development.

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

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

Hobsons Bay City Council  
Hobsons Bay Civic Centre  
115 Civic Parade  
ALTONA VIC 3018

Altona North Library  
180 Millers Road  
ALTONA NORTH VIC 3025

Altona Library  
123 Queen Street  
ALTONA VIC 3018

Newport Community Hub  
13 Mason Street  
NEWPORT VIC 3015

Altona Meadows Library  
1-23 Central Avenue  
ALTONA MEADOWS VIC 3028

Williamstown Library  
104 Ferguson Street  
WILLIAMSTOWN VIC 3016

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](http://www.delwp.vic.gov.au/public-inspection).