Appendix 1 - Corrections to Overlay Maps and Ordinance – Context and Justification

Hobsons Bay Planning Scheme

Amendment C145hbay

Overlay Maps

Remove the Design and Development Overlay (Schedule 11) from the rear of 16 Cecil Street, Williamstown

The amendment proposes to remove a portion of the DDO11 from the rear of 16 Cecil Street, Williamstown.

Amendment C105hbay was gazetted 18 June 2015. The Amendment made changes to the existing Design and Development Overlay, Schedule 11 by introducing mandatory heights across the site.

The Amendment applied to the land currently subject to Schedule 11 to the Design and Development Overlay (DDO11) and includes the following properties (as listed in the C105hbay Explanatory Report and shown in Image 1):

- 1-57 Nelson Place, Williamstown
- 17-23 Ann Street, Williamstown
- 15-27 Aitken Street, Williamstown
- 20 Kanowna Street, Williamstown

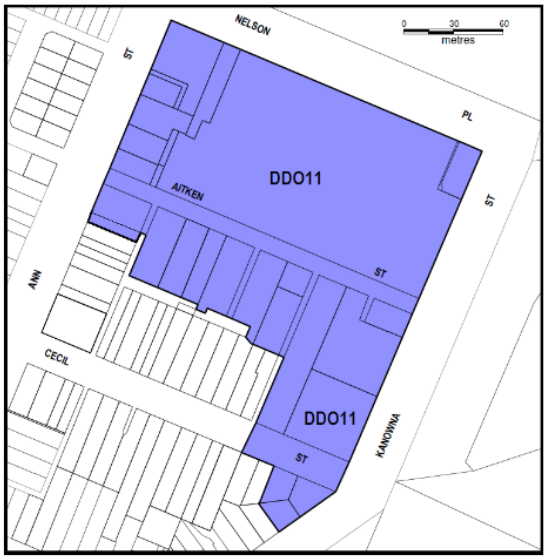


Image 1 – Extent of the DDO11 in Amendment C105.

The gazetted schedules and explanatory report associated with C105hbay shows that the rear of 16 Cecil Street, when compared to the title boundaries of 16 Cecil Street (Image 2), was incorrectly included in the DDO11. The DDO11 impacts the protruding northern portion (Image 3) and should be removed.

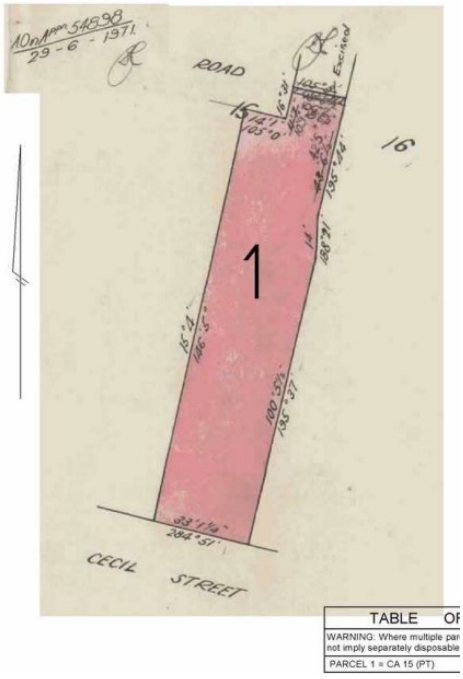


Image 2 – Title of 16 Cecil Street



Image 3 – DDO11 affecting 16 Cecil Street

Remove the Public Acquisition Overlay (PAO1)

The amendment proposes to remove the PAO1 from a section of Kororoit Creek Road, Altona adjacent to the Altona Gardens Industrial Estate (formerly 361-399 Kororoit Creek Road Altona) (Image 4). Kororoit Creek Road was widened on the south alignment in 1961 and the strip of land designated PAO1 now lies within the existing road reserve under the ownership of the Department of Transport (Image 5). The original purpose of the PAO1 has been served and should now be removed.

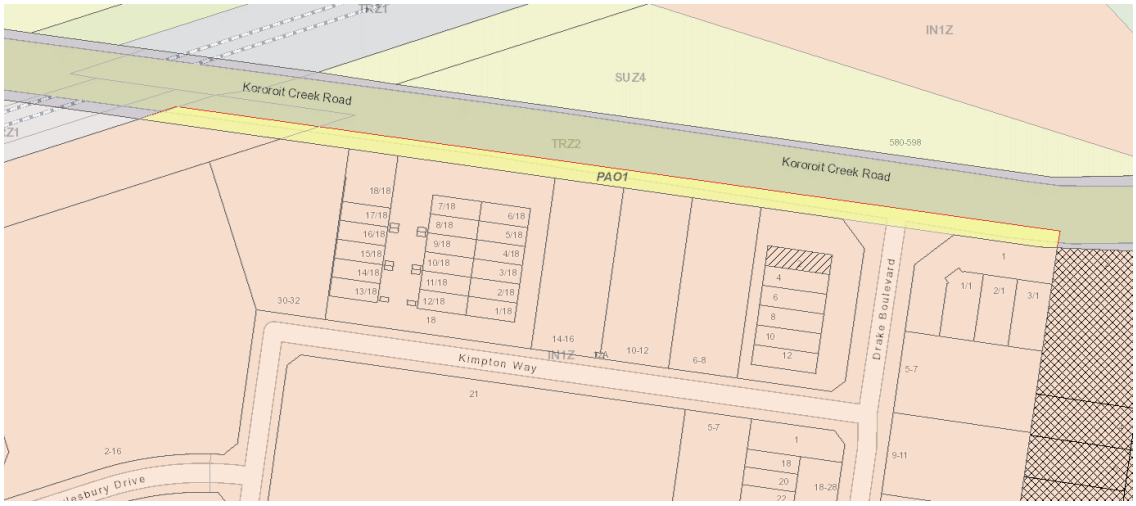


Image 4 – Extent of the PAO1 on Kororoit Creek Road

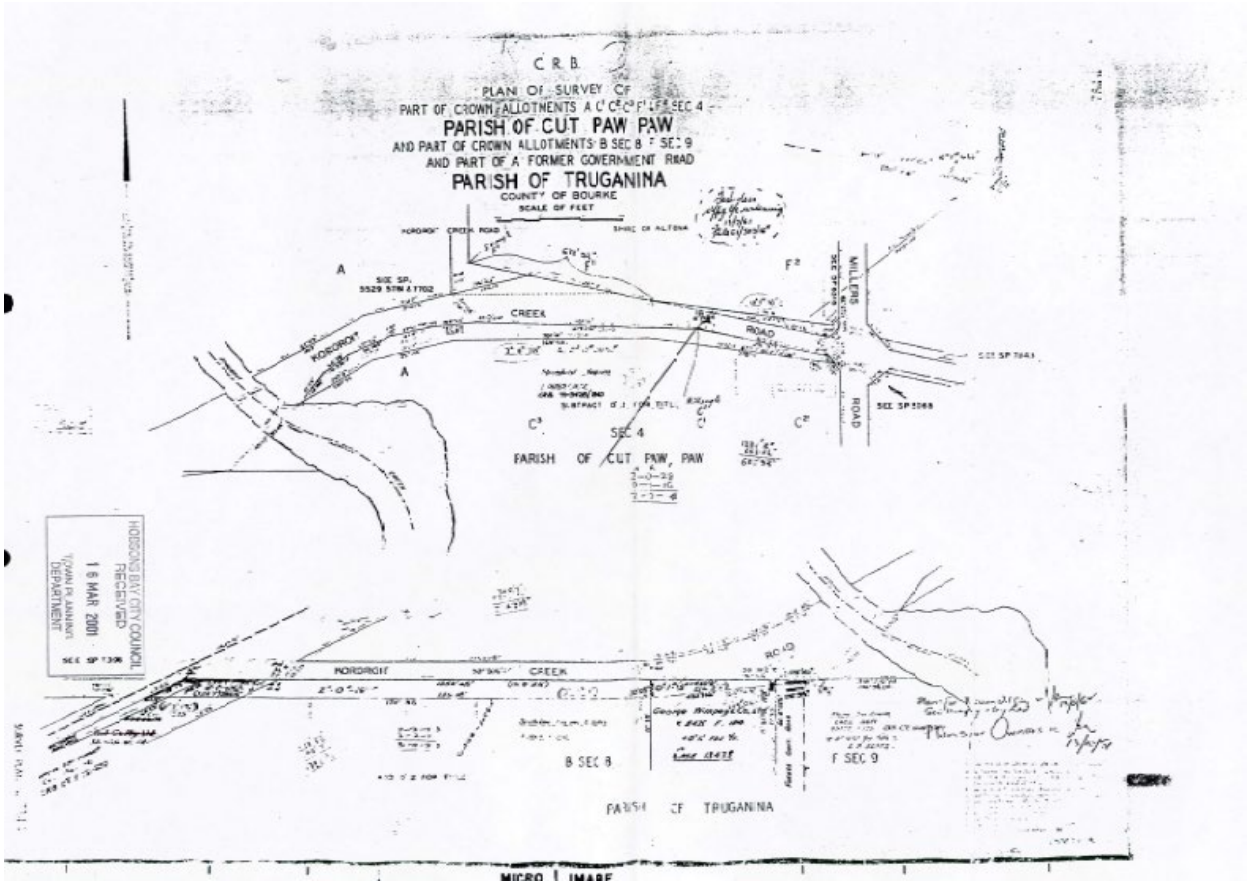


Image 5 – Title plan of acquired land

Planning Scheme Ordinance

Zones

Amend Special Use Zone (Schedule 1) in response to DTP authorisation condition 1 (dated 12 March 2026)

Authorisation condition 1 required removal of references to the Planning Policy Framework, Municipal Planning Strategy and local planning policies from decision guidelines of SUZ1. The removal of these decision guidelines prevents duplication of existing decision guidelines contained in the parent clause of Clause 37.01 (Special Use Zone).

Authorisation condition actioned and amendment package updated as required.

Amend Special Use Zone (Schedule 2) to reflect gazetted Amendment VC100 and respond to authorisation condition 1 (dated 12 March 2026)

Amendment VC100 deleted the Business 5 Zone and replaced it with the Commercial 1 Zone. To ensure consistency with VC100, references to the Business 5 Zone should be replaced with the Commercial 1 Zone.

Authorisation condition 1 required removal of references to the Planning Policy Framework, Municipal Planning Strategy and local planning policies from decision guidelines of SUZ2. The removal of these decision guidelines prevents duplication of existing decision guidelines contained in the parent clause of Clause 37.01 (Special Use Zone).

Authorisation condition actioned and amendment package updated as required.

Amend Special Use Zone (Schedule 3) to reflect gazetted Amendment VC100 and respond to authorisation condition 1 (dated 12 March 2026)

Amendment VC100 deleted the Business 5 Zone and replaced it with the Commercial 1 Zone. To ensure consistency with VC100, references to the Business 5 Zone should be replaced with the Commercial 1 Zone.

Authorisation condition 1 required removal of references to the Planning Policy Framework and Municipal Planning Strategy from the decision guidelines of SUZ3. The removal of these decision guidelines prevents duplication of existing decision guidelines contained in the parent clause of Clause 37.01 (Special Use Zone).

Authorisation condition actioned and amendment package updated as required.

Amend Special Use Zone (Schedule 5) to reflect gazetted Amendment VC100 and respond to authorisation condition 1 (dated 12 March 2026)

Amendment VC100 deleted the Business 5 Zone and replaced it with the Commercial 1 Zone. To ensure consistency with VC100, references to the Business 5 Zone should be replaced with the Commercial 1 Zone.

Authorisation condition 1 required removal of references to the Planning Policy Framework, Municipal Planning Strategy and local planning policies from decision guidelines of SUZ5. The removal of these decision guidelines prevents duplication of existing decision guidelines contained in the parent clause of Clause 37.01 (Special Use Zone).

Authorisation condition actioned and amendment package updated as required.

Amend Comprehensive Development Zone (Schedule 2)

Within the conditions column of the Section 2 Use – 'Industry (other than Automated collection point, Materials recycling, and Refuse disposal)' of Clause 1 (Table of Uses), is an incorrect reference to Clause 52.10 ('Reconstruction after an emergency'). The amendment seeks to replace the reference with Clause 53.10 *('*Uses and activities with potential adverse impacts'*)*, to reflect gazetted amendment VC148.

Within Section 1 of the use columns, the uses of 'Cinema' and 'Education Centres' reside in the same row. These uses should be separated into their own rows, and the following condition will apply to both uses: "Must be located in the town centre or commercial/mixed use area". These changes will reflect gazetted amendment C88hbay.

Within Section 3 of the land use columns, the uses of 'Cinema' and 'Corrective Institution' reside in the same row. These uses should be separated into their own rows. These changes will reflect gazetted amendment C88hbay.

Overlays

Amend the Schedule to the Heritage Overlay (HO)

Amendment C131 introduced incorporated documents for the heritage design guidelines, however a reference to the incorporated documents were not included in the Heritage Overlay Schedule. Recently gazetted Amendment C137 included references to all incorporated heritage design guidelines in the HO schedule, as listed below:

- Government Survey Heritage Precinct Heritage Design Guidelines 2020
- Cox's Garden Heritage Precinct Heritage Design Guidelines 2020
- Private Survey Heritage Precinct Heritage Design Guidelines 2020
- Ferguson Street Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020
- Newport and Spotswood Residential Heritage Precincts Heritage Design Guidelines 2020
- Hannan's Farm (Ramsgate Estate) and Williamstown Beach Heritage Precincts Heritage Design Guidelines 2020
- Housing Commission of Victoria Estates Heritage Precincts Heritage Design Guidelines 2020
- Newport Civic and Commercial Heritage Precinct Heritage Design Guidelines 2020
- Nelson Place Heritage Precinct Heritage Design Guidelines 2020

The dates above should be amended from 2020 to 2021 to reflect the correct year of the documents listed in the schedule to the incorporated documents in Clause 72.04.

Amend the Design and Development Overlay (Schedule 11, Map 1)

Amendment C91 was prepared under Section 20A(4) of the P & E Act 1987 to implement the recommendations of the Former Port Phillip Woollen Mill Advisory Committee. Specifically, the amendment applied to the following properties in Williamstown:

- 15-21 Aitken Street
- 23 Aitken Street
- 25 Aitken Street
- 27 Aitken Street
- 21 Ann Street
- 23 Ann Street

Each property is identified in Image 6 below:



Image 6 – Properties to which amendment C91 applied.

The amendment introduced the following changes as it applied to 23 Ann St:

- Applied the Design and Development Overlay Schedule 11 - Precinct 20 Former Port Phillip Woollen Mills and Surrounds, to 23 Ann Street, Williamstown (Image 7).
- Rezoned 23 Ann Street, Williamstown from Industrial 3 Zone to Residential 1 Zone.

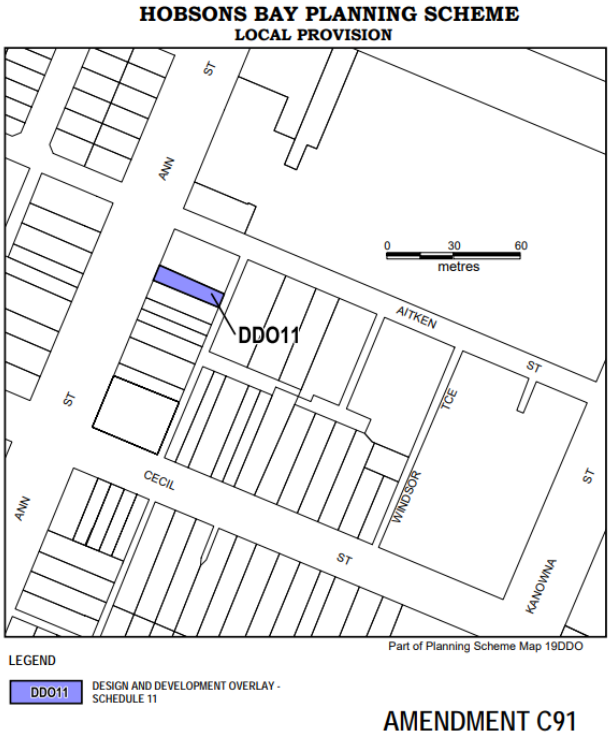


Image 7 - Hobsons Bay C91 Map19 Approval DDO11

Map 1, which currently sits within the DDO11 schedule, was gazetted as a part of previous Amendment C86 (Image 8).



Image 8 – Gazetted Schedule 11 to the DDO – Amendment C86

Amendment C91 did not include an updated schedule map to include 23 Ann Street within the DDO11. Map 1 should be updated to include 23 Ann Street within the DDO11. Planning maps already indicate that 23 Ann Street is covered by the DDO11 (Image 9), the change in Map 1 will reflect the existing extent of the DDO11.

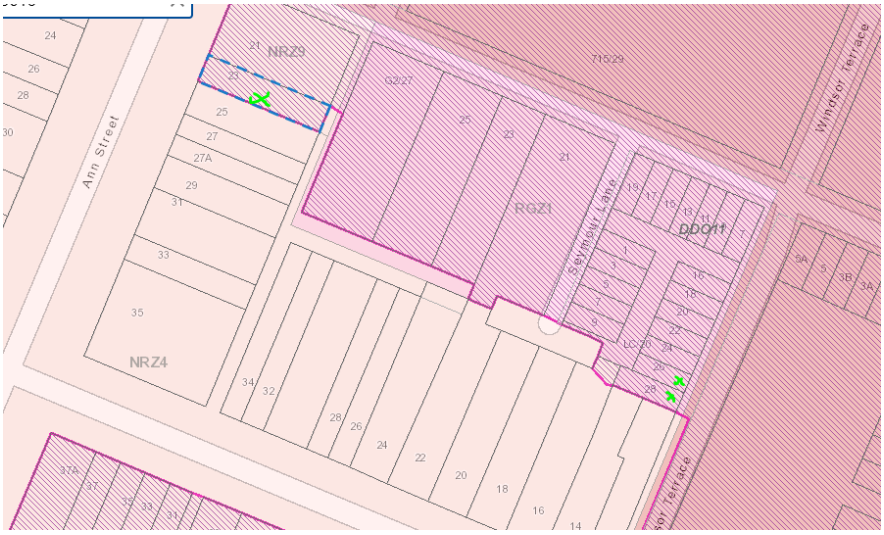


Image 9 – DDO11 impacting 23 Ann Street, Williamstown

In addition to 23 Ann Street, 26 and 28 Windsor Terrace (shown as uncoloured in Image 10) were not included in the gazetted schedule of Amendment C86. However, these properties are shown to be included in Amendment C105 (Image 11). The current overlay extent on planning maps reflects Image 12, however Map 1 to Schedule 11 does not (Image 10). Map 1 should be updated to include 23 Ann Street, 26 and 28 Windsor Terrace (formerly 9-13 Aitkin Street), and reflect the appropriate subdivision pattern of 16 Cecil Street (Image 12) in accordance with Amendment C105.



Image 10 – 23 Ann Street and 26 and 28 Windsor Terrace

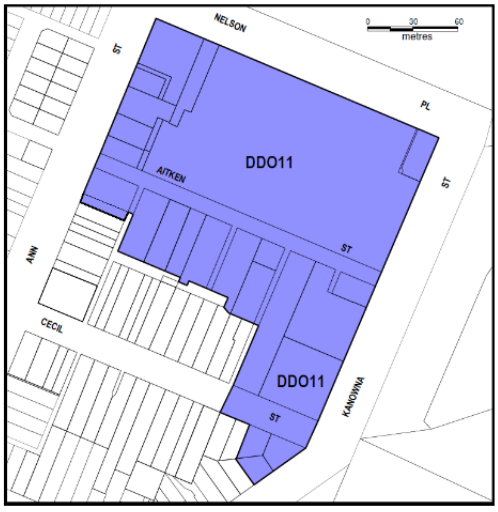


Image 11 – Extent of the DDO11 in C105

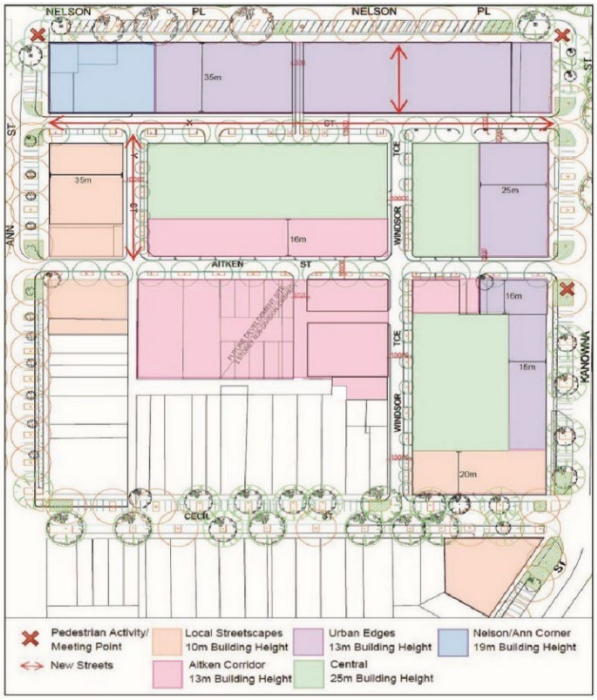


Image 12 – Corrected Map 1

<u>Amend Design and Development Overlay (Schedule 11) in response to DTP authorisation condition 2 (dated 12 March 2026)</u>

Authorisation condition 2 required the decision guideline 'whether the development addresses the heritage objectives and policies of Clause 22.01' to be removed from Schedule 11 to Clause 43.02 (Design and Development Overlay).

The Decision Guidelines of Schedule 11 to the Design and Development Overlay reference a local policy from the former Local Planning Policy Framework (LPPF). Amendment VC148 deleted the State Planning Policy Framework (SPPF) and replaced it with a new integrated Planning Policy Framework (PPF) in Clauses 10 to 19 as a part of the Victorian Government's Smart Planning Program. Amendment C131hbay, gazetted 24 February 2022 implemented the simplified structure and replaced the LPPF with local policies within the PPF. In accordance with Amendment C131hbay, Clause 22.01 (Heritage Policy) was moved to Clause 15.03 (Heritage) of the new PPF.

Following the issue of authorisation conditions, DTP have indicated that references to Clause 15.03 (Heritage) are not appropriate in a schedule to the DDO, as this is a matter that falls outside the purpose and scope of the parent control. Furthermore, the site is affected by a HO and in this instance Clause 15.03 is already considered under the HO.

The HO parent clause requires consideration of the MPS and the PPF in the decision guidelines, and the Schedule to the HO explicitly requires a report addressing Clause 15.03-1.

Authorisation condition actioned and amendment package updated to delete the decision guideline.

Amend Design and Development Overlay (Schedule 14) in response to DTP authorisation condition 4 (dated 12 March 2026)

Amendment C134hbay updated the Schedule to Clause 72.08 (Background Documents) to reflect Council's updated Social Impact Assessment Guidelines. The *Social Impact Assessment Guidelines: Residential (Hobsons Bay City Council 2022)* is an existing background document in the scheme. The reference to the 2011 guidelines in the DDO14 has been superseded, and the current Amendment will seek to reference the background document - *Social Impact Assessment Guidelines: Residential (Hobsons Bay City Council 2022)* within section 6.0 of the Decision Guidelines.

It should be noted that planning permit PA2046324 was issued for 67 dwellings at 240-258 Kororoit Creek Road (where the DDO14 applies). As a part of the planning permit process a Social Impact Assessment was submitted which referenced the superseded Social Impact Assessment (*Preparing Social Impact Assessments: Applicant Guidelines, 2011*). The development is now complete (Image 13).



Image 13 – Development at 240-258 Kororoit Creek Road completed. Source: Nearmap, dated 14 February 2026.

Amendment C134hbay updated the 2011 Social Impact Assessment (SIA) Guidelines to the 2022 SIA Guidelines as background document. Justification for the new background document was as follows:

The Social Impact Assessment Guidelines: Residential (Hobsons Bay City Council 2022) have now increased the trigger for when a social impact assessment would be requested by Council. The trigger has increased from 20 dwellings to 200 dwellings to impact less planning applications. Clause 72.08 (Background Documents) is proposed to include the Social Impact Assessment Guidelines: Residential (Hobsons Bay City Council, 2022) and reference to Clause 02.03-6 that seeks to facilitate affordable housing provision.

The new guidelines increase the dwelling 'trigger' in which the guidelines apply. Under the new guidelines, the current development would not have triggered the need for a social impact assessment. Therefore, the approved development is still in accordance with the DDO14 and the considerations remain unchanged.

Authorisation condition 4 required deletion of the terms 'preparing' and 'as amended from time to time' from the decision guidelines. The development at 240-258 Kororoit Creek Road is complete, therefore the deletion of these terms is inconsequential to the operation of this decision guideline.

Authorisation condition actioned and amendment package updated to amend the decision guideline.

General Provisions

Amend Schedule to Clause 66.04 to reference the correct Referral Authority.

The amendment will seek to update the following referral authority – 'Department of Economic Development, Jobs, Transport and Resources' to the 'Secretary, as defined in Section 3 of the Transport Integration Act 2010 and thereafter the Head, Transport for Victoria'**.** Written confirmation provided by DTP on 27 May 2025 supported the name change.