

## YARRA PLANNING SCHEME

### AMENDMENT C243

#### EXPLANATORY REPORT

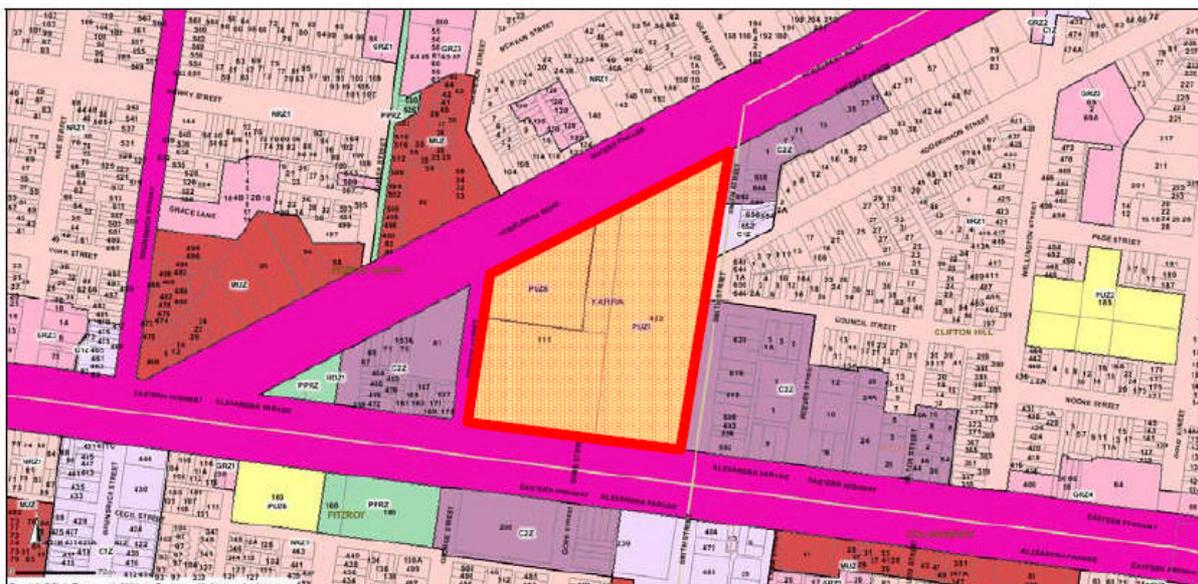
#### Who is the planning authority?

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 Development Victoria (DV) on behalf of the Department of Treasury and Finance (DTF).

#### Land affected by the amendment

The amendment applies to the former Fitzroy Gasworks Site located at 111 Queens Parade and 433 Smith Street, Fitzroy North.



#### What the amendment does

The amendment changes the planning provisions for one site that is owned by the Victorian Government that has been determined to be surplus to government requirements:

- The amendment rezones the land from Public Use Zone 1 and 6 and Commercial 2 Zone to Mixed Use Zone and Public Use Zone 2, introduces Schedule 16 to the Development Plan Overlay into the Yarra Planning Scheme and applies it to the site, applies an Environmental Audit Overlay to the land and amends the schedule to Clause 61.01 to make the Minister for Planning the responsible authority.

#### Strategic assessment of the amendment

#### Why is the amendment required?

The *Victorian Government Landholding Policy and Guidelines* (LHPG) requires Victoria Government departments and agencies to review and manage their land assets on an on-going basis. Part of this assessment includes determining if land assets are required for a current and future service delivery need. Where land is no longer needed for a public purpose, this land must be declared surplus to requirements and disposed. Land owned by the government is often zoned for public use to recognise the public purpose and ownership of the site. To facilitate disposal land must be rezoned to reflect an appropriate alternative zone.

### **111 Queens Parade and 433 Smith Street, Fitzroy North**

DV has identified a site that is surplus to government requirements and have begun the disposal process defined by the LHPG. Landowners have completed the First Right of Refusal process outlined under the LHPG to give public authorities or council an opportunity to express an interest in purchasing the sites subject to the amendment.

The site offers a rare opportunity for precinct development at greater height and density within an established suburb, with good access to jobs and services. Being surrounded on all sides by major roads creates an island effect with a significant buffer between the site and existing urban environments, thereby providing a site with space to address both community needs as well as responsible commercial development outcomes.

The site provides an opportunity to support Plan Melbourne's aim to accommodate growth at increased height and density while limiting spread of the metropolitan area as well as to provide services that will enhance surrounding heritage areas.

The redevelopment of the site for medium to high density with heights ranging from 6 to 10 storeys, supports Plan Melbourne's direction to deliver more housing closer to jobs and public transport specifically encouraging mixed use developments and greater housing diversity and density near employment and transport. This direction identifies opportunities for more medium to high density development in middle suburbs close to jobs and services.

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

The amendment facilitates the renewal of land for commercial, industrial, farming, residential or rural living use. The amendment achieves the objects of the *Planning and Environment Act 1987 (The Act)* by:

- Providing for the fair, orderly, economic and sustainable use, and development of land;
- Facilitating development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e) of the Act; and
- Balancing the present and future interests of all Victorians.

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

The amendment has been prepared taking into account the requirements of section 12(2) of the Act with respect to environmental, social and economic effects.

The amendment will have a positive environmental, social and economic impact as it will facilitate the provision of housing and to support the future population of the area. The schedule to the Development Plan Overlay will encourage high quality built form and open space areas, improving the existing amenity of the area.

The redevelopment of the site for medium to high density residential development, with heights ranging from 6 to 10 storeys, supports the relevant policies in Plan Melbourne to meet the needs of Victoria's growing population. This will facilitate the development of the site for a new residential community.

The site is heavily contaminated from its former use as a gasworks. The redevelopment of the site will ensure appropriate remediation to improve the environmental conditions of the site and surrounds.

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

The amendment is considered to not increase the risk to life, infrastructure or the environment. All sites are located in established built-up areas that are not affected by a Bushfire Management Overlay.

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

The amendment complies with:

*Ministerial Direction – The Form and Content of Planning Schemes*

*Direction No. 1 Potentially Contaminated Land*

*Direction No. 9 Metropolitan Strategy*

*Direction No. 11 Strategic Assessment of Amendments*

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

The amendment is consistent with all state planning policies but is particularly relevant to the following:

#### Clause 11.06 – Metropolitan Melbourne

To provide housing choice close to jobs and services.

To create a city of inclusive, vibrant and healthy neighbourhoods that promote strong communities, healthy lifestyles and good access to local services and jobs.

#### Clause 15.01 – Urban Environment

To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity.

To achieve architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.

To ensure the conservation of places of heritage significance.

#### Clause 16.01 – Residential Development

To locate new housing in or close to activity centres and in urban renewal precincts and sites that offer good access to jobs, services and transport.

To identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne.

The site is identified as a strategic redevelopment site to encourage the redevelopment of the site in a way that contributes positively to the urban fabric and public domain of Yarra and where subject to the Heritage Overlay, protects the heritage of the site and the area.

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

The amendment is consistent the following local planning policies:

#### Clause 21.03 – Vision

This Clause identifies the site as a Strategic Redevelopment Site.

#### Clause 21.04 – Land Use

Direct higher density residential development to strategic redevelopment sites identified at clause 21.08 and other sites identified through any structure plans or urban design frameworks.

Support the provision of affordable housing for people of all abilities, particularly in larger residential developments and on strategic redevelopment sites.

#### Clause 21.08 – Neighbourhoods

This clause sets out the locally specific implementation of the objectives and strategies of previous clauses for Yarra's neighbourhoods.

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

The amendment recognises that the existing planning provisions 111 Queens Parade and 433 Smith Street, Fitzroy north, do not reflect the future use or ownership for the site. The amendment is applying appropriate planning provisions that best reflect the surrounding planning provisions in operation in the relevant planning scheme and the potential future land use and future private ownership.

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

The amendment accords with the LHPG that is administered by DTF and is consistent with the DTF having declared land surplus to their requirements. The amendment also promotes the best use of the land by amending the planning controls to properly reflect the surrounding area.

The views of the Yarra City Council were sought during the preparation of the amendment.

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

The Amendment does not have a significant impact on the transport system.

#### **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 are expected to have a minimal impact on the resource and administrative costs of the relevant responsible authority.

#### **Where you may inspect this amendment**

A copy of the amendment can be inspected, free of charge, at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection) and free of charge, during office hours, at the offices of the Yarra City Council located at 333 Bridge Road, Richmond.