

YARRA PLANNING SCHEME

AMENDMENT C100

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the City of Yarra Council, which is the planning authority for this amendment.

The amendment in part has been made at the request of Selway Custance and Associates on behalf of their client Charles Marshall Pty Ltd, the owner and occupier of 451 Burnley Street, Burnley.

Land affected by the amendment.

The amendment applies to land north of Barkly Avenue, Burnley, between Burnley Street and Stawell Street, which comprises properties at 149-165 Barkly Avenue, 182-184 Stawell, 70 Adam Street and the applicant's property at 451 Burnley Street. The former properties will be rezoned from Industrial 3 Zone to a Business 3 Zone and the property at 451 Burnley Street will be rezoned from Residential1 to a Business 3 Zone.

The property at 451 Burnley Street has been occupied and operated as a two storey factory for over 40 years. The site is 1254 square metres in area and is situated on the north-east corner of Burnley and West Streets, Burnley.

The land to the frontage of Burnley Street is owned by VicRoads and leased to the company. Burnley Street is a Secondary Road, linking Swan Street and Barkly Street and is a feeder to the Monash Freeway. The vacant land at the frontage of the site has been removed from a former Public Acquisition overlay (PAO) which included it in a section of road reservation, pursuant to Amendment C45 to the Yarra Planning Scheme, gazetted on 16 October 2003.

It is used as a factory to produce fire door equipment which is used in business and industrial buildings and in this capacity is identifiable with the MFB centre opposite in Burnley Street. This site is situated at the rear of office premises abutting Barkly Avenue (refer location map enclosed).

Pedestrian access to the site is from the open car park at the front of the site, facing Burnley Street, whilst vehicular access is from West Street.

The properties in Barkly Avenue forming part of the land subject of the rezoning application are occupied by a mix of business/commercial businesses.

Land to the immediate north of the subject land along the east side of Burnley Street is occupied by dwellings. The owner/occupier of the adjoining residential site at 435 Burnley Street has given written support for the amendment proposal. The land opposite the subject land in Burnley Street is occupied by the new six storey MFB complex, which has not yet been completed.

Land to the north along Adam & Stawell Street is occupied by low rise dwellings. A map showing the location of the land subject to proposed Amendment C100 is enclosed.

What the amendment does.

The amendment rezones the subject land in Barkly Avenue from Industrial 3 Zone to a Business 3 Zone and rezones the factory premises at 451 Burnley Street from a Residential 1 Zone to a Business 3 Zone.

Strategic assessment of the amendment

Why is the amendment required?

The proposed rezoning under Amendment C100 is sought to consolidate the role of the precinct as a business node in Yarra, with excellent road access. The amendment will result in a more appropriate zoning of the precinct, identifiable with the current role of the existing businesses in this section of development along Barkly Avenue. The amendment will better reflect the existing commercial activities on the property at 451 Burnley Street, which have been operating for over 40 years.

The proposed rezoning is consistent with the findings and recommendations of the *Yarra Industrial and Business Land Strategy Review*, prepared for the Council in September 2004 and endorsed by Council on 14 June 2005 as a framework to guide the future planning and development of industrial land in the City of Yarra. This Review recognised that the land north of Barkly Avenue which includes most of the subject land, and the land on the western side of Burnley Street, opposite Barkly Avenue north to the railway reserve represents a relatively large precinct of industrial land that is underutilised and offers redevelopment potential.

The rezoning recognises the precinct's excellent opportunity to establish as a new business/employment node in Yarra, as recommended in the Review. The proposed rezoning of the precinct to a Business 3 Zone will provide greater opportunity to maximise the utilisation of the subject land for higher order business and employment activities, whilst recognising the existence of established light industries and businesses.

It is envisaged that future land uses in the subject land will not change substantially and will continue to include a mix of industrial and related activities as well as service business and office type uses.

The precinct is located close to CityLink and has excellent access to Melbourne's freeway system. The MFB complex has re-located to the precinct.

How does the amendment implement the objectives of planning in Victoria? (S.4 of the Planning and Environment Act 1987)

The proposed amendment is considered in accordance with the objectives of the Planning and Environment Act 1987 and more particularly will provide for the fair, orderly, economic and sustainable use, and development of land that is subject to the amendment.

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

The existing commercial and industrial activities on the site at 451 Burnley Street will continue to serve the existing markets and provide employment opportunities for local residents. The rezoning will recognise and consolidate the sub-precinct's current role and the proposed rezoning will better reflect the activities in this location and provide greater opportunity to make best use of the properties, located adjacent to access to the Monash Freeway.

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

The amendment takes into account the environmental effects, social effects and economic effects of rezoning the subject sites to a Business 3 Zone, and recognises current trends towards office use and manufacturing in the area.

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act. It also complies with Direction No. 11 which outlines the Strategic Assessment Guidelines for amendments to planning schemes.

How does the amendment support or implement the State Planning Policy Framework?

The proposed rezoning is considered in accordance with the policy intentions of clause 17 of the Yarra Planning Scheme- Economic Development, and more particularly the objective regarding business which is:

17.02-1 To encourage developments which meet community's needs for retail, entertainment, office and other commercial services and provide net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities.

The factory at 451 Burnley Street produces fire door equipment used in business and industrial buildings and in this capacity has a synergy with the MFB centre opposite the site in Burnley Street. It sells its products interstate and overseas also and employs local residents. There is no intention to change these operations as a result of the proposed rezoning as they serve a niche market in the Australian construction industry, making buildings safe and providing fire door equipment which is specified under the Building Design Standards.

How does the amendment support or implement the Local Planning Policy Framework?

The amendment is consistent with the objectives and strategies contained in the LPPF under the Yarra Planning Scheme. Particularly, Clause 21.03-2 in the Municipal Strategic Statement which recognises the shift in economic and business activity away from traditional industrial uses towards service based industries and other commercial uses.

Also, Clause 21.04 outlines the strategic vision for the municipality in which it encourages a shift from purely industrial uses towards commercial and service industries, where appropriate. One of the key strategies is to:

Facilitate a shift in the City's economic base from industrial activities towards growth orientated 'service businesses' through:

- *establishing business enterprise areas which can accommodate a wider range of business types,*
- *facilitating larger scale commercial development in high profile locations,*
- *consolidating remaining core industrial areas.*

Amendment C84, the current MSS review being considered by the Minister, amends Clause 21.04 and includes a section entitled *Industry, Office and Commercial* which encourages the ongoing use of previously industrial sites for uses which include office, service industries and commercial businesses.

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

The amendment is consistent with the Victoria Planning Provisions, particularly objective1:

To provide for the fair, orderly, economic and sustainable use and development of land.

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

The amendment should not affect any relevant agencies. VicRoads and other relevant authorities will receive notice of the amendment.

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

The cost of the amendment will be covered by the applicant. Council's Strategic Planning budget is allocated to cover the cost of processing amendment proposals internally. The amendment proposal is in accordance with recommendations made to rezone the subject land in the Yarra Industrial and Business Land Strategy Review, endorsed by Council on 14 June 2005.

Where you may inspect this Amendment.

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

**Department of Planning and Community
Development (DPCD, formerly DSE) website:**
www.dpcd.vic.gov.au/planning

City of Yarra
Richmond Town Hall
Town Planning Counter
333 Bridge Road
Richmond Vic 3121

City of Yarra
Collingwood Town Hall
Reception Desk
140 Hoddle Street
Abbotsford Vic 3067

Richmond Library: 415 Church Street Richmond;

In addition, the amendment documentation only may be viewed on **Yarra City Council's website:**

www.yarracity.vic.gov.au