

YARRA PLANNING SCHEME

AMENDMENT C99

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by Yarra City Council, which is the planning authority for the amendment. The amendment has been prepared at the request of Contour Consultants.

Land affected by the amendment

The amendment affects all of the land within the area described below as the Doonside Precinct, with the exception of the following properties:

- 81-95 Burnley Street
- 26-34 Doonside Street

The Amendment also rezones a small area of land zoned Road Zone 1 immediately adjoining the northwest corner of the Precinct and the balance of the area zoned Industrial 3 immediately east of the Precinct, which is a section of road.

Properties affected by the Amendment (shaded below):



What the amendment does.

The amendment proposes to make the following changes to the Yarra Planning Scheme:

- Rezone land within the Doonside Precinct from Industrial 3 Zone (IN3Z) to Mixed Use Zone (MUZ);
- Remove the Design and Development Overlay (DDO4) from the affected area;
- Apply a new Design and Development Overlay (DDO9) to the affected area;
- Apply an Environmental Audit Overlay to the rezoned land;
- Rezone the remaining Industrial 3 Zone immediately adjoining the Doonside Precinct to the east to Residential 1 Zone; and
- Rezone a small area of Road Zone 1 immediately adjoining the northwest corner of the Doonside Precinct to Comprehensive Development Zone 1 to reflect current property boundaries.

Strategic Assessment of the Amendment

Why is the amendment required?

The proposed amendment will provide opportunities for new economic growth and new housing infill opportunities abutting a Major Activity Centre.

The Mixed Use Zone allows for the mix of uses that are seen as appropriate for this transitional area. Existing businesses may continue to operate whilst allowing new uses to establish.

The Amendment is required in order to change the uses permitted from industrial to business and residential.

The proposed rezoning is consistent with the findings and recommendations of the *Yarra Industrial and Business Land Strategy Review*, September 2004, 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. That Review recognises that the land south of Victoria Gardens, currently zoned as Industrial 3 Zone, should be rezoned to allow for offices, retail spaces and residential apartments.

The Victoria Street East Urban Design Framework, adopted by Council on 16 November 2005 also recommends that this Precinct be rezoned from an Industrial 3 Zone to a Mixed Use Zone to create a transitional area between Victoria Gardens and the residential development on the south side of Appleton Street.

The proposed Design and Development Overlay recognises the precinct as transitional between the low rise residential area to the south and a Major Activity Centre (Victoria Gardens) to the north. It also provides design objectives to achieve an appropriate built form outcome and to address potential noise impacts from existing businesses on new residential development.

The application of the EAO to the subject sites is required in order to address any site contamination issues prior to a sensitive use (such as residential) commencing on the site, and to meet the requirements of Ministerial Direction No. 1.

The other proposed zoning changes have been proposed in order to correct some mapping anomalies and to better relate to property boundaries.

Does the amendment comply with the requirements of the Planning and Environment Act?

Does the amendment implement the objectives of planning in Victoria?

The Amendment implements a number of objectives of planning in Victoria under section 4 of the Planning and Environment Act, in particular:

- *To provide for the fair, orderly, economic and sustainable use, and development of land;*
- *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- *To facilitate development in accordance with the other objectives; and*
- *To balance the present and future interests of all Victorians.*

Does the amendment adequately address any environmental effects?

The amendment adequately addresses the environmental effects of a rezoning that will allow for sensitive uses by the application of an Environmental Audit Overlay to the Precinct.

Does the amendment adequately address the relevant social and economic effects?

The amendment will have positive economic and social effects through rezoning an underutilised precinct and encouraging a mix of uses directly adjacent to a Major Activity Centre with good access to public transport.

Does the amendment comply with the requirements of the Ministerial Direction on the form and content of Planning Schemes?

The amendment complies with the Ministerial Direction on the form and content of Planning Schemes.

Do any other Minister's Directions apply to the amendment? If so, have they been complied with?

The Amendment complies with the following relevant Ministerial Directions:

Direction No. 1 – Potentially Contaminated land

The application of the Environmental Audit Overlay ensures that potentially contaminated land issues in the precinct are addressed when development occurs.

Direction No. 9 – Metropolitan Strategy

The precinct abuts a Major Activity Centre and the rezoning encourages a mix of uses, including residential, in close proximity to a major retail centre and public transport.

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

The main provisions of the SPPF that are relevant to this amendment are:

Clause 11.03 – Principles of land use and development planning

The proposal accords with the objective to facilitate the efficient use of existing urban infrastructure.

Clause 12.01 – A more compact city

- *Concentrate new development at activity centres near current infrastructure and in areas best able to cope with change. Development is to respond to its landscape, valued built form and cultural context and achieve sustainable objectives.*

The proposal will allow a mix use of uses, including residential, that will benefit from the precinct's location next to a Major Activity Centre and in particular supports Melbourne 2030 – Direction 1 (A more compact city):

- *Build up activity centres as a focus for high-quality development, activity and living for the whole community*
- *Broaden the base of activity in centres that are currently dominated by shopping to include a wider range of services over longer hours, and restrict out-of-centre development*
- *Locate a substantial proportion of new housing in or close to activity centres and other strategic redevelopment sites that offer good access to services and transport*

Clause 14.01 – Planning for urban settlement

The proposal accords with the objective to encourage:

- *Mixed use developments near public transport routes.*

Clause 15.05 – Noise Abatement

To assist the control of noise effects on sensitive land uses.

- The proposal addresses potential noise issues associated with new residential development and existing (noisy) businesses through the specific provisions of the new schedule to the Design and Development Overlay.

Clause 15.06 – Soil Contamination

- The Amendment addresses soil contamination issues associated with former industrial uses with the application of the Environmental Audit Overlay to protect sensitive uses.

Clause 16.02 – Medium Density Housing

To encourage the development of well-designed medium-density housing which.

The proposal will encourage medium density residential development as well as office and retail uses within the Mixed Use Zone.

How does the amendment support or implement the Local Planning Policy Framework and specifically, the MSS?

The amendment gives effect to several objectives under Clause 21 of the revised MSS, currently being considered for approval by the Minister for Planning, particularly Clause 21.04 – Land Use:

Objective 3 *To reduce potential amenity conflicts between residential and other uses.*

Strategy 3.1 *Ensure new residential development in the Mixed Use, Business 1, Business 2, and Business 5 Zones and near Industrial and Business Zones protects itself from the potential negative amenity impacts of existing non-residential uses in the vicinity.*

Objective 8 *To increase the number and diversity of local employment opportunities.*

Strategy 8.1 *Support rezonings, as identified on the relevant Neighbourhood plan, to permit increased commercial and office use in existing industrial areas.*

Strategy 8.3 *Encourage residential and business land use within the Mixed Use Zone to locate on the same site.*

Does the amendment make proper use of the Victoria Planning Provisions (VPP)?

The amendment makes proper use of the most appropriate VPP tools that permit a change of use (a new zone) and manage new development (a new schedule to the Design and Development Overlay). The proposed DDO adopts a performance based approach.

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

The amendment does not directly affect any relevant agency.

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

In the long term, the new planning provisions will have minimal impact on the resource and administrative costs of the responsible authority. However, to the extent that the Amendment will encourage new residential and commercial development, it is anticipated that in the short term there will be an increase in applications for planning permits.

Where you may inspect this Amendment.

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

Department of Planning and Community Development

Website: www.dpcd.vic.gov.au/planning/publicinspection

City of Yarra Customer Service Centres:

City of Yarra

Richmond Town Hall

Town Planning Counter

333 Bridge Road, Richmond 3121

Richmond library

415 Church Street

Richmond 3121

City of Yarra website:

www.yarracity.vic.gov.au