

MARIBYRNONG PLANNING SCHEME

AMENDMENT C162

EXPLANATORY REPORT

Who is the planning authority?

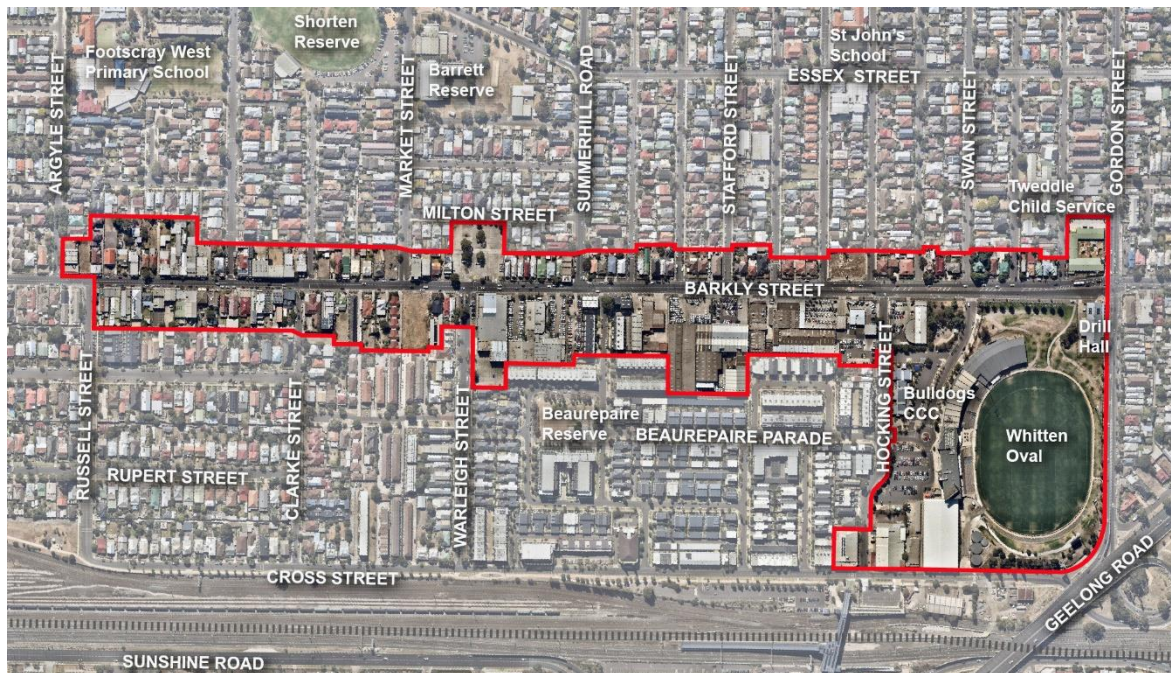
This Amendment has been prepared by the Maribyrnong City Council which is the planning authority for this Amendment.

The Amendment has been made at the request of Maribyrnong City Council.

Land affected by the Amendment

The Amendment applies to land in West Footscray and Footscray as outlined in red in the map below:

Figure 1: Land affected by Amendment C162

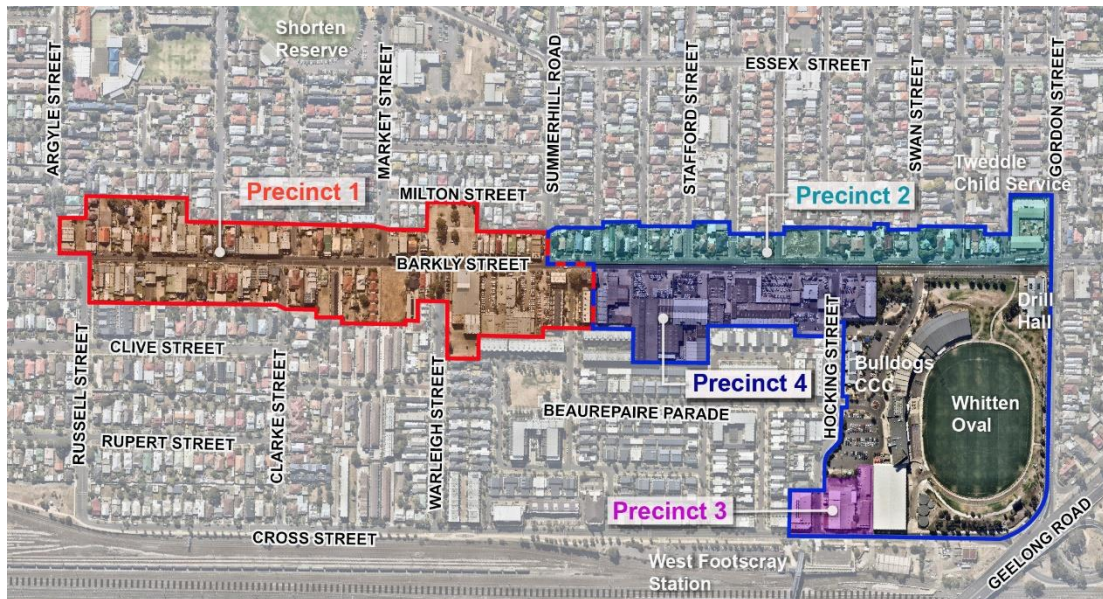


What the Amendment does

The Amendment proposes to implement the land use and built form directions of the West Footscray Neighbourhood Plan 2018 (WFNP). It will extend commercial zonings in the West Footscray Neighbourhood Activity Centre and introduce design and development provisions to manage change in the activity centre, Barkly Street East and West Footscray Railway Station precincts. It also identifies sites of existing or potential contamination and applies provisions to manage their remediation and redevelopment.

The precincts are identified in Figure 2:

Figure 2: Precinct plan



- Precinct 1** West Footscray Neighbourhood Activity Centre (NAC)
- Precinct 2** Barkly Street East - northern side
(northern side of Barkly Street between Summerhill Road and Gordon Street)
- Precinct 3** West Footscray Railway Station (4, 6 and 8 Cross Street)
- Precinct 4** Barkly Street East – southern side
(southern side of Barkly Street between West Footscray NAC and Whitten Oval)

Specifically, the Amendment seeks to:

- Amend the Municipal Strategic Statement at clauses 21.01, 21.03, 21.04, 21.05, 21.07, 21.08, 21.11, 21.12 and 21.14 to reflect the WFNP by:
 - Updating land use and built form policy for West Footscray NAC to strengthen its role as the focus for retail, commercial and local services with a residential population in integrated apartment developments.
 - Introducing new policy for precincts 2 and 3 to support uses that complement the neighbourhood activity centre and facilitate diverse housing opportunities.
 - Providing guidance on the potential transition of Precinct 4 to residential mixed use development.
 - Updating the municipal framework plans to align with the WFNP.
 - Including the WFNP as a Reference Document in the planning scheme.
 - Removing redundant references to the West Footscray Urban Design Framework 2008 (predecessor to the WFNP).
- Rezone selected land in the West Footscray NAC from the General Residential, Mixed Use and Commercial 2 zones to Commercial 1 Zone.
- Insert Schedule 2 to the General Residential Zone and apply the schedule to all land in Precinct 2.
- Rezone land in Precinct 3 from the Commercial 2 and General Residential zones to Mixed Use Zone.
- Revise Design and Development Overlay – Schedule 7 and extend its application include all land in precincts 1 and 2. This does not apply to:
 - Properties in Precinct 1 affected by the existing Development Plan Overlay – Schedule 10 (481-491A Barkly Street, 22-32 Hewitt Avenue and 45-57 Hewitt Avenue).

- The rear portion of the supermarket carpark fronting Milton Street in Precinct 1 (comprising Lot 1 on TP742312, Lot 25 on LP700, Lot 24 on LP700, Lot 1 on TP135229 and Lot 1 on TP692860).
- Revise Design and Development Overlay – Schedule 8 and extend its application to include all land in Precinct 3.
- Apply the Environmental Audit Overlay to the supermarket site at 509-511 Barkly Street, West Footscray, and land at 8 Cross Street, Footscray, to ensure potentially contaminated land is suitably remediated prior to sensitive uses being allowed.

The Amendment also corrects a mapping anomaly by rezoning 45 Hewitt Avenue, Footscray, to Mixed Use Zone in its entirety to ensure it is not unnecessarily affected by two residential zones.

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to implement the WFPN. The plan was prepared by Council during 2017-18 to guide the growth and development of the neighbourhood, involving extensive community consultation and stakeholder engagement.

The Amendment will facilitate the land use and built form recommendations of the WFPN. It will provide improved guidance for the future development of the activity centre and supporting adjacent precincts as a place where people can gather, socialise, shop, work, live and make use of community and leisure services without having to travel long distances.

The WFPN and West Footscray Economic Assessment for the Neighbourhood Plan, April 2018, form the strategic basis for the Amendment.

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

The Amendment implements the objectives of section 4 of the *Planning and Environment Act 1987* by:

- Improving the planning framework around the use and development of land in a neighbourhood activity centre and two adjacent precincts by providing improved guidance for land uses and the design and development of new development.
- Supporting the role and function of the West Footscray NAC and the Footscray Metropolitan Activity Centre by helping to rejuvenate the West Footscray NAC with additional commercial/mixed use sites and an increased residential and worker population while protecting the amenity of adjacent residential areas.
- Ensuring the risks to human health and the environment of potentially contaminated sites are managed.

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

The Amendment will generate positive environmental, social and economic effects resulting in a net community benefit.

The rejuvenation of the centre through additional worker and residential population will lead to improvements in the economic wellbeing of the community, providing for an enhanced and more vibrant commercial and retail area. Safety will be increased through increased population and high quality development that better interacts with the streetscape and the public realm.

A more vibrant neighbourhood activity centre will result in people's local needs being met in the centre reducing their reliance on car travel and increasing active and public transport use. High quality urban design and architectural outcomes in new development will complement public realm improvements in the precincts and increase the amenity, safety and attractiveness of the centre.

The Amendment seeks to manage potential environmental risk through the application of Environmental Audit Overlay and the requirement for adverse amenity impact assessments where appropriate.

Does the Amendment address relevant bushfire risk?

The Amendment will not increase the risk to life, property, community infrastructure and the natural environment from bushfire. The site is not located in or near a designated bushfire prone area.

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

The Amendment has been prepared in compliance with relevant Ministerial Directions including:

- Ministerial Direction – The Form and Content of Planning Schemes
- Ministerial Direction No. 1 – Potentially Contaminated Land
- Ministerial Direction No. 9 – Metropolitan Planning Strategy
- Ministerial Direction No. 11 – Strategic Assessment of Amendments
- Ministerial Direction No. 19 – Preparation and Content of Amendments That May Significantly Impact the Environment, Amenity and Human Health

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

The Amendment supports and addresses the following objectives of the PPF:

- Clause 11 – Settlement by encouraging growth and development of the West Footscray NAC and adjacent precincts. This will provide opportunities for the consolidation, redevelopment and intensification of the existing urban area and better balance neighbourhood character considerations in other areas. Increased supply of land for residential, commercial, retail, recreational, and other community uses will be provided through implementation of the WFNP.
- Clause 15.01 – Built Environment by implementing improved design and development controls to help create quality urban environments that are safe, healthy, functional and enjoyable with a better sense of place and cultural identity.
- Clause 15.02 – Sustainable Development by encouraging land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions through sustainable development.
- Clause 16 - Housing by encouraging housing developments in key redevelopment areas that are integrated with infrastructure and services. The Amendment will facilitate housing diversity and affordable housing closer to jobs, transport and services through sustainable and efficient provision of infrastructure with access to services, public transport, schools and open space.
- Clause 17 – Economic Development by strengthening and diversifying the local economy and facilitating growth in a range of employment sectors, improving access to employment closer to where people live and clustering activities to promote innovation. The Amendment will encourage development that meets the community's needs for retail, entertainment, office, and other commercial services by planning for an adequate supply of commercial land in appropriate locations. It will also ensure that commercial facilities are aggregated and provide net community benefit in relation to their viability, accessibility and efficient use of infrastructure by locating commercial facilities in or adjacent to the West Footscray NAC.
- Clause 18- Transport by creating a safer and more sustainable transport system, better integrating land-use and transport and coordinating improvements to public transport, walking and cycling networks, as well as land use and development that supports the Principal Public Transport Network (PPTN).

- Clause 19 – Infrastructure by ensuring the development of the necessary physical and social infrastructure to support land use and development. This includes improved open space provision and networks, community facilities and the integrated provision of all utility services.

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

The Amendment supports and addresses the following objectives of the LPPF:

- Clause 21.04 – Open Space by improving open space provision and networks, linkages and connections throughout the West Footscray NAC and adjacent precincts and residential areas.
- Clause 21.05 – Environment and Landscape Values by enhancing the landscape character of the West Footscray NAC and adjacent precincts. It also consolidates urban intensification into designated areas around public transport and services and implements improved provisions for new development to meet environmental sustainability requirements.
- Clause 21.06 – Built Environment and Heritage by implementing environmentally sustainable design, ensuring that new development will assist in reducing greenhouse gas emissions and minimise impacts on storm water quality and manage better water resources. The Amendment makes no change to existing heritage controls in the West Footscray NAC and adjacent precincts.

Clause 21.07 – Housing by updating the Housing Framework Plan to identify the Barkly Street East and West Footscray Railway Station precincts as substantial change areas to reflect the residential outcomes planned in the WFNP.

- Clause 21.08 – Economic Development by encouraging the growth and development of retail and other commercial uses into the West Footscray NAC.
- Clause 21.09 – Transport by channelling residential and commercial growth into areas along the PPTN and complementing the redevelopment of West Footscray Railway Station.
- Clause 21.10 – Community and Development Infrastructure by encouraging and providing improved community, social, cultural, sporting and recreational facilities in the West Footscray NAC and at, and adjacent to, Whitten Oval.
- Clause 21.11 – Local Areas by implementing revised objectives and strategies for the West Footscray NAC and Barkly Street East and West Footscray Railway Station precincts, incorporating the recommendations of the WFNP.
- Clause 21.12 – Reference Documents by updating the clause to insert the WFNP and remove the West Footscray Urban Design Framework 2008, which is the predecessor to the WFNP.
- Clause 21.14 – Further Strategic Work by updating the clause to reflect the strategic work the WFNP has fulfilled (review of zoning within the West Footscray NAC).
- Clause 22.03 – Potentially Contaminated Land Policy by applying the Environment Audit Overlay to identified sites that have been used for industrial or commercial purposes which may potentially be contaminated and require remediation before a sensitive use is located on the land.

How does the Amendment support or implement the Municipal Planning Strategy?

The Maribyrnong Planning Scheme does not contain a Municipal Planning Strategy so this consideration is not relevant to the Amendment.

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

The Amendment makes proper use of the Victoria Planning Provisions (VPP) by utilising the appropriate VPP tools (such as the Commercial 1 Zone, General Residential Zone, Mixed Use Zone, Design and Development Overlay and Environment Audit Overlay) and correcting a mapping anomaly to land at 45 Hewitt Avenue, Footscray.

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

The views of the Environment Protection Authority Victoria (EPA) informed the preparation of the Amendment. The EPA were satisfied with the use of the Environmental Audit Overlay to manage environmental risk in relation to potentially contaminated land.

The views of agencies will be sought through the exhibition process.

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

The Amendment will have a positive impact on the transport system by reducing reliance on car travel and promoting use of public and active transport modes. This will be brought about through increased ability to live and work locally in the West Footscray NAC and adjacent precincts and enhanced connections between various transport modes to encourage the use of active and public transport.

Resource and administrative costs

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

The Amendment is unlikely to have substantial impacts on the resource and administrative costs of the responsible authority.

Where you may inspect this Amendment

The Amendment is available for public inspection online at the websites of:

- Maribyrnong City Council www.maribyrnong.vic.gov.au/AmendmentC162
- Maribyrnong City Council engagement platform: www.yourcityyourvoice.com.au
- Department of Environment, Land, Water and Planning www.planning.vic.gov.au/public-inspection

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

Maribyrnong City Council
Municipal Offices – Reception Area
Corner Napier and Hyde Streets
Footscray VIC 3011

West Footscray Library
539 Barkly Street
West Footscray VIC 3012

NOTE: Due to restrictions imposed in response to the Covid-19 pandemic, the above offices may be closed. However the amendment can still be inspected free of charge online at the above websites.

Submissions

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by **Monday 14 December 2020**.

A submission must be sent to:

Post Maribyrnong City Council, Strategic Planning Amendment C162, PO Box 58 Footscray 3011

Email AmendmentC162@maribyrnong.vic.gov.au

Online www.yourcityyourvoice.com.au

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this Amendment:

- directions hearing: week commencing 15 March 2021
- panel hearing: week commencing 10 May 2021