

MARIBYRNONG PLANNING SCHEME

AMENDMENT C147

EXPLANATORY REPORT

Who is the planning authority?

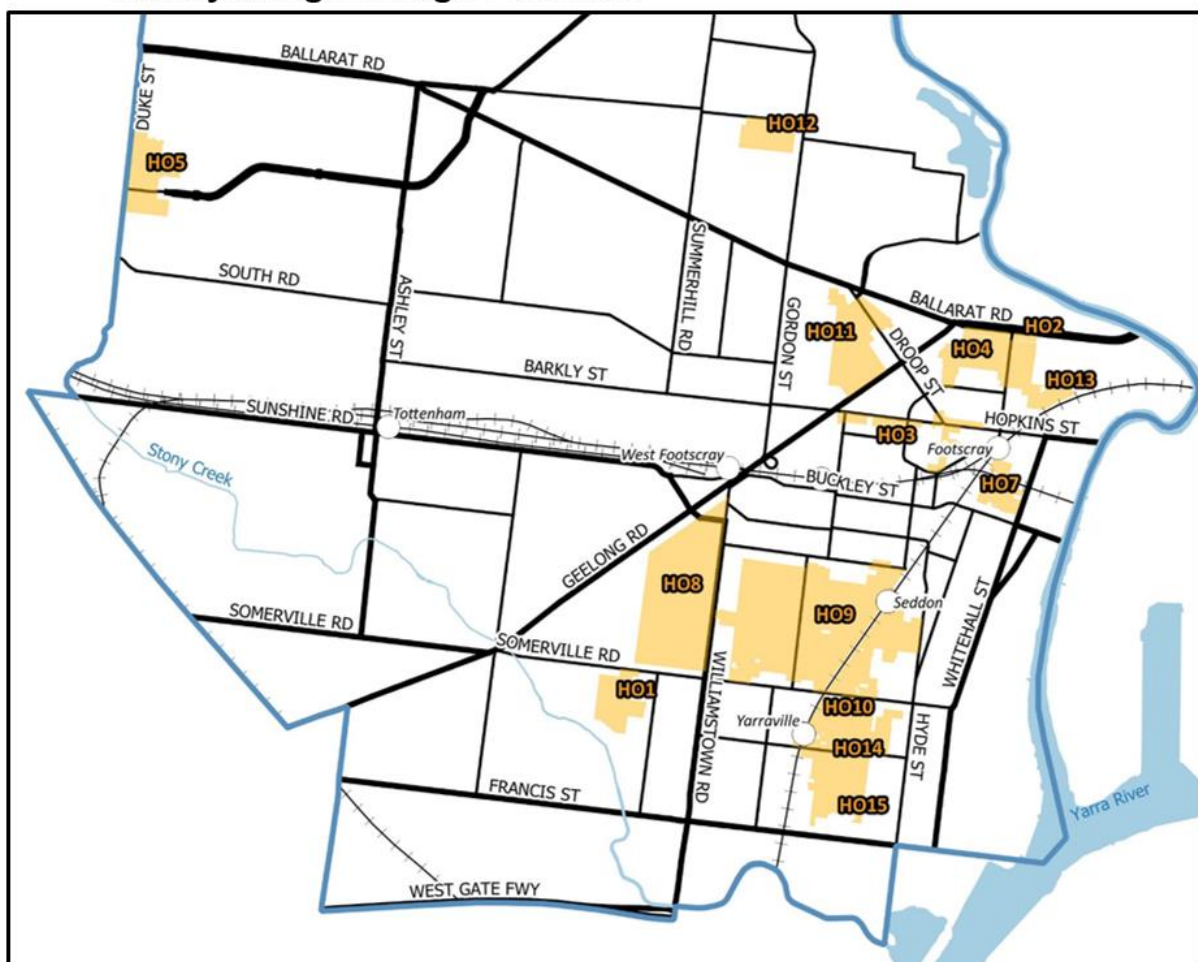
This amendment has been prepared by the Maribyrnong City Council which is the planning authority for this amendment.

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

Land affected by the Amendment

The land affected by the Amendment in the City of Maribyrnong are within Heritage Overlay Precincts.

Maribyrnong Heritage Precincts



The precincts are:-

- HO1 Angliss Housing estate heritage area Yarraville
- HO2 Ballarat Road residential heritage area Footscray
- HO3 Footscray commercial heritage area Footscray
- HO4 Footscray residential heritage area Footscray

- HO5 Munition worker's housing heritage area Braybrook
- HO7 Old Footscray Township residential heritage area Footscray
- HO8 Queensville Estate heritage area Kingsville
- HO9 Seddon residential and commercial heritage area Seddon, Yarraville
- HO10 Somerville Road 20th century residential heritage area Yarraville
- HO11 Upper Footscray residential heritage area Footscray
- HO12 War service homes heritage area Maribyrnong
- HO13 William Angliss worker housing estate heritage area Footscray
- HO14 Yarraville civic and commercial heritage area Yarraville
- HO15 Yarraville residential heritage area Yarraville

The amendment excludes sites on the Victorian Heritage Register, sites identified as 'individually significant' in the schedule to the Heritage Overlay Clause 43.01, and sites identified as individually significant located in Clause 22.10 Cultural Heritage Policy and in Heritage Overlay precincts.

What the amendment does

The amendment proposes to insert an Incorporated Plan to provide planning permit exemptions for minor buildings and works within heritage overlay precincts.

The Amendment:

- Amends the Schedule to the Heritage Overlay, Clause 43.01, to insert an Incorporated Plan (titled 'Incorporated Plan under the provisions of Clause 43.01 Heritage Overlay, Planning permit exemptions May 2018') to the heritage precincts in the Incorporated Plan column.
- Amends the Schedule to Clause 81.01 to include the Incorporated Plan.

No land is proposed to be rezoned as part of this Amendment.

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment is required to introduce planning permit exemptions for certain works triggered under the Heritage Overlay.

The exemptions are generally for works that would not be visible from the public realm and will not have a detrimental effect on the heritage place. The exemptions do not apply to places on the Victorian Heritage Register or places identified as having 'individual' significance.

The exemptions will result in a net community benefit by reducing heritage-based planning permit applications and workloads, improve community perception regarding heritage planning controls and assist in the conservation of places by encouraging development that respects heritage significance.

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

The Amendment implements the following objectives of planning in Victoria (as specified in Section 4(1) of the Planning and Environment Act 1987):

- 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 conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.
- To facilitate development in accordance with the above objectives.
- To balance the present and future interests of all Victorians.

The Incorporated Plan will facilitate a more streamlined approach by removing the need for a planning permit for certain works triggered under the Heritage Overlay and assist in the conservation of places by encouraging development that respects heritage significance. The exemptions do not apply to places on the Victorian Heritage Register or places identified as having 'individual significance'.

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

The amendment will not have a detrimental impact on the environment.

The amendment will have positive social and economic effects for the community as property owners will no longer need to apply for a planning permit for certain works that are triggered by the Heritage Overlay, saving money associated with preparing application material and fees.

Does the Amendment address relevant bushfire risk?

The amendment does not impact on bushfire risk.

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

The amendment is consistent with Ministerial Direction: The Form and Content of Planning Schemes under Section 7(5) of the Act.

The amendment complies with Ministerial Direction No. 9: Metropolitan Planning Strategy which requires amendments to have regard to Plan Melbourne: Metropolitan Planning Strategy 2017-2050.

The amendment is consistent with Direction 4.4: Respect Melbourne's heritage as we build for the future, where it states that it is policy to recognise the value of heritage when managing growth and change.

The amendment also addresses the requirements of Ministerial Direction No. 11: Strategic Assessment of Amendments. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces.

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

The amendment implements the following provisions of the State Planning Policy Framework:

- Clause 11.06-4 'Place and identity' by recognising the value of heritage by carefully managing the ongoing processes of growth and change in the urban environment.
- Clause 15.01-2 'Urban design principles' by achieving architectural and urban design outcomes that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties.
- Clause 15.015 'Cultural identity and neighbourhood character' by recognising and protecting cultural identity, neighbourhood character and sense of place.

- Clause 15.03-1 'Heritage conservation' by ensuring conservation of places of heritage significance.

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

The importance of the cultural heritage in the City is highlighted within the Municipal Strategic Statement.

Clause 21.06-3 - Heritage seeks to protect and conserve Maribyrnong's heritage places. Additionally, Local Policy at Clause 22.01 – Cultural Heritage Policy to the Heritage Overlay has an objective to protect and conserve the City's cultural heritage places and to protect heritage places from adverse impacts.

This amendment is consistent with the objectives and strategies outlined in the Local Planning Policy Framework of the Maribyrnong Planning Scheme as it provides benefits to those responsible for heritage places.

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

The amendment makes proper use of the Victoria Planning Provisions.

The use of an Incorporated Plan to exempt minor works from needing a Planning Permit in specific circumstances will not adversely impact on the heritage significance of places.

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

There are no relevant agencies that will be adversely affected by this amendment. Formal notice of the amendment will be sent to all relevant agencies and referral authorities.

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

This amendment is not expected to have any impact upon the objectives, strategies and decision making principles of the Transport Integration Act 2010.

Resource and administrative costs

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

The Amendment will have a positive impact on the resource and administration costs of the responsible authority as it will reduce the number of applications for minor works.

There will be a loss in income from the planning applications fees but this will be minimal as planning permit data analysed for the project indicates that the majority of applications exempted would be residential in nature with values under \$10,000. These types of applications have low application fees and therefore the financial implications to council will be minor.

Where you may inspect this Amendment

The Amendment is 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

Footscray Library
 56 Paisley Street
 FOOTSCRAY VIC 3011

West Footscray Library
539 Barkly Street
WEST FOOTSCRAY VIC 3012

Highpoint Library
120 Rosamond Rd
MARIBYRNONG VIC 3032

Braybrook Library
107-139 Churchill Ave
BRAYBROOK VIC 3019

Yarraville Library
32 Wembley Avenue
YARRAVILLE VIC 3013

Maribyrnong City Council website: www.maribyrnong.vic.gov.au/amendmentc147

Maribyrnong City Council community engagement site www.yourcityyourvoice.com.au

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection

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 20 July 2018. A submission must be sent to:

Post Maribyrnong City Council
 City Strategy Amendment C143
 PO Box 58 FOOTSCRAY VIC 3011
Email amendmentc147@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: commencing the week of 1 October, 2018
- panel hearing: commencing the week of 29 October, 2018