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Planning and Environment Act 1987

MONASH PLANNING SCHEME

AMENDMENT C86

EXPLANATORY REPORT

Authorisation AO2495

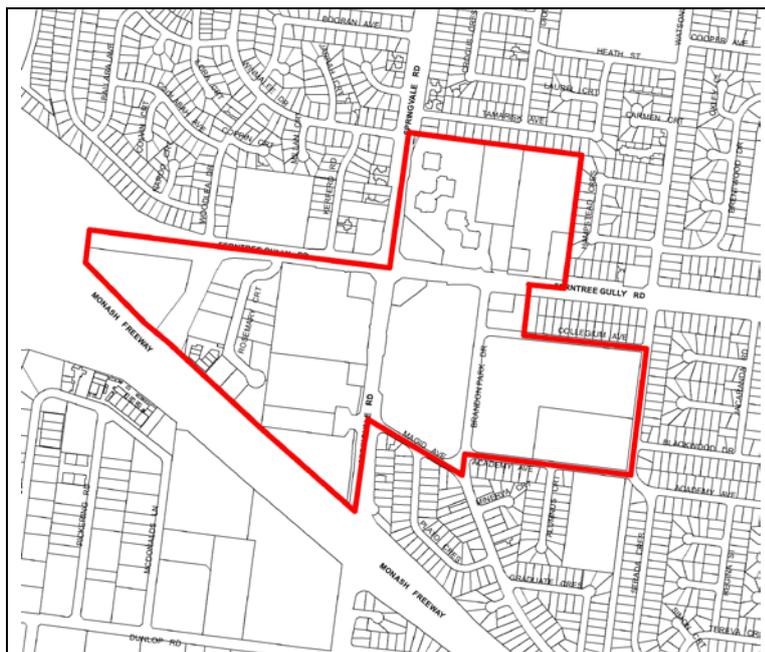
Who is the Planning Authority?

This amendment has been prepared by the City of Monash and the City of Monash is the planning authority for this amendment.

The amendment has been made at the request of the City of Monash.

Land affected by the Amendment.

The amendment applies to all land located at within the Brandon Park Major Activity Centre, as outlined in the map below.



What the Amendment does.

The amendment implements the recommendations of the *Brandon Park Major Activity Centre Structure Plan (2013)* by:-

- Amending Clause 21.04 & Clause 21.06 of the Monash Planning Scheme to include reference to the Brandon Park Major Activity Centre Structure Plan, October 2013.
- Introducing Clause 21.16, a Strategy Statement for the Brandon Park Major Activity Centre into the Monash Planning Scheme.
- Rezoning:
 - Land at 539-597 Springvale Road and 1A Village Court, Mulgrave (west side of Springvale Road south of Ferntree Gully Road), from IN1Z – Industrial 1 to C2Z – Commercial 2.
 - Land at 6-30 Brandon Park Drive, Wheelers Hill (former Brandon Park Secondary College site) from PUZ2 - Public Use 2 (Education) to GRZ – General Residential with a Schedule to guide development.
 - Land at 482 Ferntree Gully Road, Mulgrave (VicRoads site between Ferntree Gully Road and the Monash freeway), from RDZ1 – Road Zone 1 to MUZ – Mixed Use Zone with a Schedule to guide development.
- Introducing the Design and Development Overlay (Schedule 8) which details the design and development provisions identified in the Brandon Park Major Activity Centre Structure Plan, October 2013.
- Introducing an Environmental Audit Overlay over the land at 482 Ferntree Gully Road, Mulgrave.
- Implementing other minor consequential changes to the Monash Planning Scheme.

Strategic Assessment of this Amendment

Why the Amendment is required?

The amendment is required in order to implement the *Brandon Park Major Activity Centre Structure Plan (October 2013)*, which has been adopted by Monash City Council. The amendment will provide a framework for the orderly and proper development of the Brandon Park Major Activity Centre.

The proposed Commercial 2 zone for Precinct 4 would broaden the mix of uses within the precinct.

The proposed Mixed Use zone with a specific Schedule for Precinct 6 is considered to be the most appropriate zone for guiding the potential development and use of the land.

The proposed General Residential zoning with a specific Schedule for the balance of the former Brandon Park secondary college site will provide certainty as to the future use of the land.

The proposed Design and Development Overlay 8 (DDO8) will guide and facilitate the development of land within the Activity Centre.

Overall the amendment will encourage economic activity, employment generation and provide more certainty for the future development of the former Brandon Park Secondary College.

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

The amendment supports the objectives of planning as set out at Section 4 of the Planning & Environment Act 1987 as demonstrated below. The following provides an assessment in respect of each objective.

- (a) *to provide for the fair, orderly, economic and sustainable use, and development of land;*
The proposed amendment implements the objectives of planning in Victoria in that it will provide for the economic and sustainable use and development of land within the Brandon Park Activity Centre by defining the specific policy and objectives for the changes expected to occur in Brandon Park in the next 10 to 15 years, identifying the opportunities and strategies to realise those objectives, enhancing the structure and function of the Centre and supporting its continuing development as a vibrant and prosperous Activity Centre.
- (b) *to provide for the protection of natural and manmade resources and the maintenance of ecological processes and genetic diversity;*
The amendment will not impact on any natural or man-made resources or impact on the maintenance of ecological processes and genetic diversity.
- (c) *to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
The amendment will secure a pleasant, efficient and safe working, living and recreational environment by articulating a vision and strategic response which will maximize opportunity and choice for people while ensuring their well being and connection to place.
- (d) *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;*
The amendment will conserve the aesthetic and visual values of the landscape
- (e) *to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community;*
The amendment will have no negative impact on the provision of services by public utilities, their assets or facilities.
- (f) *to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);*
See comments above.
- (g) *to balance the present and future interests of all Victorians.*
The amendment balances the current and future community interest by accommodating projected change in a considered manner that benefits the different segments of the community while still achieving metropolitan goals for growth.

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

The amendment will not have a significant effect on the environment however the *Brandon Park Major Activity Centre Structure Plan (October 2013)* does encourage the use of sustainable development, including water sensitive urban design (WSUD).

The amendment will have significant positive social effects by ensuring land use and design outcomes meet the needs of the local community and visitors to the Centre.

The amendment is intended to ensure the economic viability of the Centre by providing a mechanism to increase growth within the Centre including residential development.

Does the amendment address the relevant bushfire risk?

Not applicable

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

The amendment is consistent with the *Ministerial Direction on the Form and Content of Planning Schemes* under section 7(5) of the Planning and Environment Act 1987 as required for all Planning Scheme Amendments.

In addition, in accordance with section 12(2)(a) of the Act the Ministers Directions that are relevant to the amendment are:

- Ministerial Direction No 9 - Metropolitan Strategy and
- Ministerial Direction No 11 - Strategic Assessment Guidelines.

The purpose of Ministerial Direction No 9 - Metropolitan Strategy is to ensure that planning scheme amendments have regard to the Metropolitan Strategy, specifically Melbourne 2030. In preparing a planning scheme amendment a planning authority must have regard to the Strategy and respond to the following matters.

What aspects, if any, of the Metropolitan Strategy are relevant?

How does the Metropolitan Strategy affect the amendment?

Is the amendment consistent with any directions and policies in the Metropolitan Strategy?

Does the amendment support, give effect to or assist the implementation of the Metropolitan Strategy or can it be reasonably modified to do so?

Will the amendment compromise the implementation of the Metropolitan Strategy?

The most relevant aspects of Melbourne 2030 are:-

Direction 1 – A more Compact City

Policy 1.1 – Build up activity centres as a focus for high-quality development, activity and living for the whole community

Policy 1.2 - Broaden the base of activity centres that are currently dominated by shopping centres to include a wider range of services over longer hours, and restrict out-of-centre development

Policy 1.3 – 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

Direction 5 - A great place to be

Policy 5.1 - Promote good urban design to make the environment more liveable and attractive.

Policy 5.2 – Recognise and protect cultural identity, neighbourhood character and sense of place.

Policy 5.3 – Improve community safety and encourage neighbourhood design that makes people feel safe.

- Policy 5.4 – Protect heritage places and values.
- Policy 5.5 – Promote excellent neighbourhood design to create attractive, walkable and diverse communities.
- Policy 5.6 – Improve the quality and distribution of local open space and ensure long-term protection of public open space.
- Policy 5.7 – Rectify gaps in the network of metropolitan open space by creating new parks and ensure major open-space corridors are protected and enhanced.

Direction 6 – A fairer city

- Policy 6.1 – Increase the supply of well-located affordable housing.
- Policy 6.2 – Plan for a more equitable distribution of social infrastructure.
- Policy 6.3 – Improve the coordination and timing of the installation of services and infrastructure in new development areas.
- Policy 6.4 – Develop a strong cultural environment and increase access to arts, recreation and other cultural facilities.

Direction 7 – A greener city

- Policy 7.1 – Ensure that water resources are managed in a sustainable way.

Direction 8 – Better transport links

- Policy 8.3 – Plan urban development to make jobs and community services more accessible.
- Policy 8.7 – Give more priority to cycling and walking in planning urban development and in managing our road system and neighbourhoods.
- Policy 8.8 – Promote the use of sustainable personal transport options.

The amendment will give effect to the implementation of these directions and policies by ensuring the Brandon Park Activity Centre is developed with a sustainable mix of retail, commercial, mixed use and residential activities and with appropriate consideration of accessibility, safety and amenity. Accordingly, the amendment is compatible with, and supports the achievement of Metropolitan Strategy.

The amendment is also affected by Ministerial Direction No 11 – Strategic Assessment Guidelines. The purpose of the Strategic Assessment Guidelines is to provide a consistent framework for the evaluation of a proposed planning scheme amendment and the outcomes it produces. This explanatory report addresses the matters outlined in these Strategic Assessment Guidelines.

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

The amendment supports and seeks to implement the State Planning Policy Framework, particularly having regard to:

- Clause 11.01-2:- ‘Activity Centre Planning’ by planning for the use and development of land in and around the Brandon Parking Major Activity Centre and giving clear direction in relation to preferred locations for investment.
- Clause 11.04-2:- ‘Activity Centre Hierarchy, Principal and Major Activity Centres’ by providing for a mix of activities and generate a high number of trips including business, retail, services and entertainment; having the potential to grow and support housing development without conflicting with surrounding land uses; and by encouraging good public transport links.
- Clause 15.01-1:- ‘Urban Design’ by creating urban environments that are safe, functional and provide good quality environments with a sense of place and identity.

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

The Monash Municipal Strategic Statement (MSS) under Clause 21.06-3 sets out the strategic direction for the Brandon Park Major Activity Centre as follows:-

- Encourage redevelopment and concentration of activity as well as maintain the existing historical/cultural resources of the Centre.
- Encourage a wide range of arts, cultural and entertainment facilities.
- Encourage restaurant uses.
- Encourage office use where contiguous retail frontage is not compromised.
- Encourage medium rise residential development within the Centre.
- Ensure pedestrian and cycling linkages are enhanced.
- Encourage greater public transport linkages and service.
- Ensure parking is provided to meet the needs of the Centre.

The *Brandon Park Major Activity Centre Structure Plan (October 2013)* has been developed in accordance with these strategies.

The amendment will provide the planning tools, in the form of a new clause in the MSS and schedule to the design and development overlay to implement the Structure Plan.

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

The amendment utilises policy, zone and overlay controls that are already part of the VPP's.

Inherently, the use of the Commercial 2 Zone – C2Z, the Mixed Use Zone – MUZ with a specific Schedule and the General Residential Zone – GRZ with a specific Schedule along with the Design and Development Overlay – Schedule 8 (DDO8) are the most appropriate planning tools to achieve the objectives of the amendment, and the desired future use and development of the land.

As such, the amendment makes proper use of the VPP provisions.

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

The views of any relevant agency will be sought as part of the Amendment Process.

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

The amendment will not have an impact on the transport system as defined by section 3 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 not have a significant administrative impact on Council.