

## BAYSIDE PLANNING SCHEME

### AMENDMENT C165

#### EXPLANATORY REPORT

##### Who is the planning authority?

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

The amendment has been made at the request of the Bayside City Council.

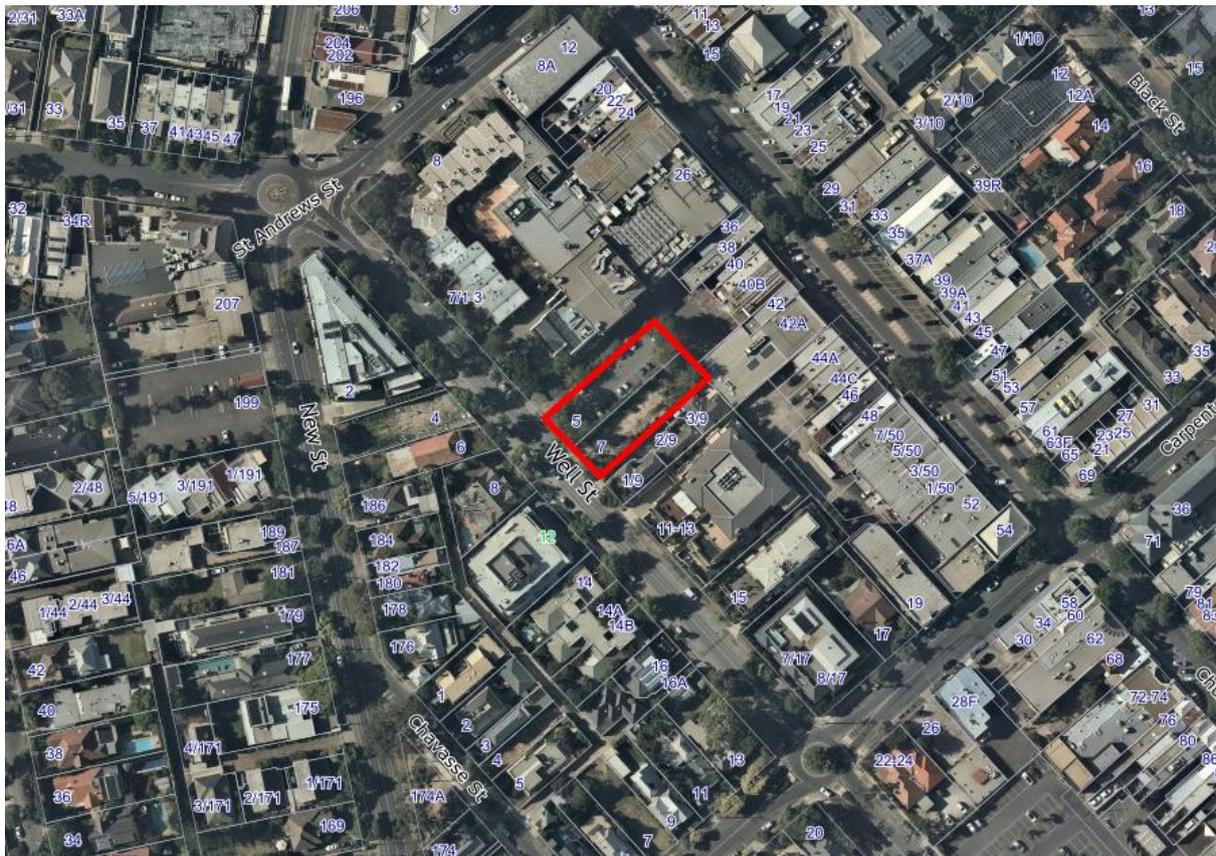
##### Land affected by the Amendment

The Amendment applies to land known as 5 and 7 Well Street, Brighton, also described as Lot 1 on TP 747471E and Lot 1 on TP 162797 (see Map 1 below). 5 Well Street is currently used as a car park and 7 Well Street is vacant land proposed to be developed as an extension to the existing car park. Both land parcels are within the General Residential Zone Schedule 2 (GRZ2). The site is in the Brighton-Church Street Major Activity Centre (MAC).

7 Well Street previously accommodated a residential dwelling (owned by Council) which was recently demolished.

Both 5 and 7 Well Street are each approximately 683m<sup>2</sup> in size and the location of the subject land parcels is identified below.

Map 1: 5 – 7 Well Street, Brighton.



## **What the amendment does**

The amendment seeks to rezone 5-7 Well Street, Brighton to a Public Use Zone Schedule 6 (PUZ6) to facilitate the use and development of the land for local government purposes (in this case, a car park).

Specifically, amendment proposes to make the following change:

1. Amends Bayside planning scheme map No.1 to rezone land at 5 and 7 Well Street, Brighton, from General Residential Zone 2 (GRZ2) to Public Use Zone 6 (PUZ6).

## **Strategic assessment of the Amendment**

### **Why is the Amendment required?**

The amendment is required to ensure that the proposed (and existing) use of a car park, can be facilitated at 5 and 7 Well Street, Brighton

By rezoning the site to the Public Use Zone, the amendment will allow the redevelopment of 7 Well Street, Brighton, to an at-grade carpark to increase car parking supply in the Church St Activity Centre. The existing Council owned car park at 5 Well Street will also be rezoned to the appropriate zone for such a use.

The *Integrated Transport Strategy 2018-2028* identifies a range of actions to address the increasing demand for car parking supply by providing additional car parking in suitable locations. Other actions are also being undertaken by Council to increase and promote sustainable transport modes.

Council purchased 7 Well Street, Brighton, in October 2005 with the intent of converting the use into a public car park. At the time of purchase, it was recognised that the amendment to rezone the site would be required to facilitate the future car park.

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

The amendment successfully implements the relevant objectives of planning in Victoria by ensuring the correct facilitation and coordination of public facilities for the benefit of the community, as per objective (1) (e) of the *Planning and Environment Act 1987*. Furthermore, the amendment implements objective (1)(a) of providing 'for the fair, orderly, economic and sustainable use, and development of land' under Section 4 of the *Planning and Environment Act 1987* by applying a more appropriate zone and allowing for the development of the land in line with the purpose of the PUZ.

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

The amendment, which would facilitate a relatively small extension of an existing car park, does not present any significant detrimental environmental, social or economic effects.

The amendment does not seek to cause significant impact on air, land or water quality. With regard to the effect of ecological systems and natural resources, the amendment is not considered to have significant impact as the rezoning affects an existing developed area and surrounding locality.

### **Does the Amendment address relevant bushfire risk?**

The proposed amendment will not result in any increased bushfire risk as the site is within an activity centre that is not subject to any bushfire prone areas.

### **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).

The amendment is consistent with the Ministerial Direction 9 Metropolitan Planning Strategy

The amendment is consistent with the Ministerial Direction 11 Strategic Assessment of Amendments

The amendment is consistent with the Ministerial Direction 15 The Planning Scheme Amendment Process.

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

The amendment will ensure that the Bayside Planning Scheme remains consistent with the Planning Policy Framework, which seeks to support the objectives of planning in Victoria. Particular reference is given to the Planning Policy Framework Clause 18.02-4S (Car parking), by which the objective of this framework is 'to ensure an adequate supply of car parking that is appropriately designed and located.' The amendment to rezone and provide additional parking is a direct implementation of this framework.

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

The amendment supports the Local Planning Policy Framework (LPPF) and the Municipal Strategic Statement (MSS) of the Bayside Planning Scheme.

Clause 21.09 (Transport and Access) of the MSS identifies the importance of providing car parking for Bayside's visiting and working community; 'Council is committed to providing residents and their visitors with a reasonable likelihood of parking in close proximity to their home, while preserving access for other legitimate road users such as shoppers, traders, disabled persons, workers and commuters in areas of high on-street parking demand. Commuter parking is primarily the responsibility of Public Transport Victoria, with Council playing an advocacy role.' The subject site is in the midst of a growing activity centre, where a whole-of-centre approach to parking is preferred in line with activity centre policy.

The proposed redevelopment is a key deliverable of this strategic outcome as it will result in additional short-term parking availability in the MAC.

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

The amendment seeks to ensure that the Victoria Planning Provisions are correctly applied through the correct application of the PUZ. The amendment will rezone the subject site to the PUZ6, which is an appropriate outcome with regard to its Council ownership and the existing and proposed use as a public car park. The purpose of this zone is to recognise public land use for public utility and community services and facilities, where the surrounding zoning is inappropriate.

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

There are unlikely to be any impacts on relevant agencies as the amendment seeks to rezone the (Council owned) land parcels to facilitate what already exists upon the site, and the expansion of this use. The proposed amendment will undergo a public exhibition process which will allow any views of the relevant agencies to be submitted.

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

While the amendment seeks to facilitate the construction of approximately 19 additional public car parks, it is not considered as a significant impact on the transport system, as defined by Section 3 of the *Transport Integration Act 2010* (TIA).

The amendment is consistent with section 11 of the TIA, integration of transport and land use under s11 of the TIA including facilitating better access to and greater mobility within local communities and maximising access to residence, employment, markets, services and recreation. The achieved by implementing a whole of centre approach to parking policy in activity centres.

## Resource and administrative costs

Proceeding with the rezoning has little impact on the resourcing and administrative costs of the responsible authority. As public land manager, the Council will be exempt from a planning permit to develop the site as an at-grade car park. The construction will be separately funded through Council's capital works program.

## Where you may inspect this Amendment

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

Bayside City Council  
Corporate Centre  
76 Royal Avenue  
SANDRINGHAM VIC 3191

Brighton Library  
14 Wilson Street  
BRIGHTON 3186

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](http://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 Monday 8 July 2019**.

Submissions can be made by:

- Post to – Urban Strategy – Amendment C165, Bayside City Council, PO Box 27, Sandringham VIC 3191
- Email to – [planningstrategy@bayside.vic.gov.au](mailto:planningstrategy@bayside.vic.gov.au) (please use 'Amendment C165' in the subject line)
- Online at – [www.bayside.vic.gov.au/haveyoursay](http://www.bayside.vic.gov.au/haveyoursay)

## 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: Monday 7 October 2019**
- **panel hearing: Monday 4 November 2019**

Panel Hearing dates are subject to change, however confirmation will be provided to any person who makes a submission to the planning authority.

**ATTACHMENT A - Mapping reference table**

<b>Location</b>	<b>Land /Area Affected</b>	<b>Mapping Reference</b>
Brighton	5 & 7 Well Street	Bayside C165bays 001znMap01