

BAYSIDE PLANNING SCHEME

AMENDMENT C160

EXPLANATORY REPORT

Who is the planning authority?

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

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

Land affected by the Amendment

The Amendment applies to all land within the Highett Structure Plan Area which is bounded by Dart Street in the north, the Frankston railway line in the east, Bay Road in the south and Middleton Street and Worthing Road in the in the west, excluding the commercial land directly abutting Bay Road.

Refer to the attached map to see the boundary of the Highett Structure Plan.

What the amendment does

The Amendment implements the Highett Structure Plan, September 2018 by way of introducing new planning controls and amending local policies within the Bayside Planning Scheme.

The Amendment proposes to:

- Amends Clause 21.02 Bayside Key Issues and Strategic Vision to reflect the new boundary of Highett Activity Centre and changes the date of the Highett Structure Plan to September 2018 as a reference document.
- Amends Clause 21.04 Environmental and Landscape Values to include a new objective regarding protection of the Highett Grassy Woodland and changes the date of the Highett Structure Plan to September 2018 as a reference document.
- Amends Clause 21.06 Built Environment and Heritage to simplify the wording regarding built form in Activity Centres, add a strategy for introducing an Environmental Sustainability Strategy and changes the date of the Highett Structure Plan to September 2018 as a reference document.
- Amends 21.07 Economic Development to update the reference from the 2006 Highett Structure Plan to the 2018 Structure Plan.
- Amends Clause 21.08 Open Space to include reference to an open space link at 36-40 Graham Road and changes the date of the Highett Structure Plan to September 2018 as a reference document.
- Amends Clause 21.09 Transport and Access to clarify the strategy for the Highett Station interface upgrade and changes the date of the Highett Structure Plan to September 2018 as a reference document.
- Amends Clause 21.10 Infrastructure to remove reference to a future educational facility at the CSIRO site in Highett.

- Amends Clause 21.11 Local Areas to update the Vision for Highett to reflect the updated Structure Plan and introduce new strategies to implement the Highett Structure Plan, September 2018, update Map 1 to show updated Activity Centre boundary and changes the date of the Highett Structure Plan to September 2018 as a reference document.
- Deletes Clause 32.08 General Residential Zone, Schedule 1 from the Structure Plan Area.
- Deletes Clause 32.08 General Residential Zone, Schedule 5 from the Structure Plan Area.
- Deletes Clause 32.09 Neighbourhood Residential Zone, Schedule 3 from the Structure Plan Area.
- Introduces new Clause 32.08 General Residential Zone, Schedule 12
- Introduces new Clause 32.08 General Residential Zone, Schedule 13
- Introduces new Clause 32.08 General Residential Zone, Schedule 14
- Introduces new Clause 32.08 General Residential Zone, Schedule 15
- Introduces new Clause 32.08 General Residential Zone, Schedule 16
- Introduces new Clause 32.09 Neighbourhood Residential Zone, Schedule 1
- Amends Clause 43.02 Design and Development Overlay, Schedule 4 to include updated objectives and strategies from the Highett Structure Plan.
- Deletes Clause 43.02 Design and Development Overlay, Schedule 2 from the Structure Plan Area.
- Deletes Clause 43.02 Design and Development Overlay, Schedule 3 from the Structure Plan Area.
- Deletes Clause 43.02 Design and Development Overlay, Schedule 5 from the Structure Plan Area.

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment is required to implement the Highett Structure Plan, which was adopted by Council on 18 September 2018. The Structure Plan has been prepared to guide the vision for future use and development in the Highett Activity Centre over the next 20-30 years.

Highett is defined as a Neighbourhood Centre by both State and Local Planning Policy. Residential development and growth is supported within Neighbourhood Centres which have local access to public transport, community facilities, employment and commercial services. Highett is also identified as an urban renewal site by State Policy where higher density is encouraged. The commercial core separates the City of Kingston to the east and City of Bayside to the west. The centre is influenced by development and policy from both municipalities.

Plan Melbourne, the Victorian Government's metropolitan planning strategy outlines that neighbourhood centres such as Highett are to provide neighbourhood access to local goods, services and employment opportunities, whilst urban renewal precincts are locations close to jobs, services and public transport where new higher density housing, jobs and services will be encouraged.

To guide development, the Highett Structure Plan was adopted in 2006 jointly by Bayside and Kingston City Councils. It has been over 10 years since the Structure Plan was adopted by Council and given effect in the Bayside Planning Scheme through Amendment C46. Since that time, a considerable amount of development, land use and demographic change has occurred in Highett as well as changes in State Planning Policy. To ensure the Structure Plan remains current and that planning controls are effective in guiding development in the area, the original Structure Plan has been reviewed.

The strategies and objectives in the updated Structure Plan will be implemented primarily through an amendment to the Bayside Planning Scheme. These changes to the Planning Scheme will benefit the community as it will provide an up to date vision, objectives and guidance for all future development in the activity centre. This will ensure the long-term planning objectives for the area are met as well as creating more certainty for the future.

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

The amendment assists in the implementation of the following objectives set out at 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 balance the present and future interests of all Victorians.

The Amendment seeks to achieve the objectives listed above by providing a strategic framework for the growth and development of the Highett Activity Centre over the next 20-30 years. The Amendment implements these objectives by introducing land use and built form controls to the Bayside Planning Scheme in the form of amendments to Local Planning Policies and the introduction of new Schedules to the General Residential and Neighbourhood Residential Zones.

The Structure Plan aims to provide for the fair, orderly, economic and sustainable use and development of the land, through the provision of precinct guidelines that allow for a range of uses and higher density development within the Centre. The expected improvements to access and movement within the Centre in addition to the enhancement of the Centre's landscaped character will create a secure, pleasant and safe place for the community to live and work. The Structure Plan aims to facilitate the expected population growth in the Activity Centre whilst providing a balance for the present and future interests of the community.

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

The Structure Plan encourages the location of higher density housing close to transport and employment services, which will reduce reliance on the car as a primary mode of transportation in the Activity Centre. The Structure Plan aims to enhance the landscaped and environmental character of the Activity Centre by improving access to existing open spaces, increasing requirements for canopy tree planting and increased protection of the biologically significant Highett Grassy Woodland.

The amendment is expected to have positive social and economic benefits by providing greater certainty and direction for future commercial and residential development. The Structure Plan aims to meet the changing needs of the Highett community and achieve greater efficiencies for existing infrastructure. The Highett Structure Plan provides strategies for providing a mixture of housing types to increase housing choice and diversity in an area that has good access to community infrastructure, services, employment and public transport. Not only will this support the future growth and economic sustainability of the local area, but it will also provide a variety of housing choices Bayside's changing population. In Bayside, this

means an increase in the number of smaller households and an increase in housing options for the ageing population.

Does the Amendment address relevant bushfire risk?

The Highett Activity Centre is not affected by the Bushfire Management Overlay and therefore the bushfire provisions do not apply.

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

Ministerial Direction No. 9

The Amendment has been prepared with regard to Ministerial Direction No. 9 - Metropolitan Strategy. The Amendment is consistent with the following principles and directions within Plan Melbourne (2017-2050):

Direction 1.2 aims to strengthen the competitiveness of Melbourne's employment land and includes an initiative to plan for commercial land and Activity Centre needs. The amendment supports the strengthening of the existing commercial area on Highett Road through extending it to meet demand and increasing the local population.

Direction 2.1 aims to direct new housing to established areas and provide a range of housing types. The Structure Plan encourages increased housing density in the commercial core of the centre and a mix of dwelling types from apartments, townhouses and detached houses with gardens.

Direction 2.2 aims to locate medium and higher-density development near services, jobs and public transport. The Highett Activity Centre offers a range of vital amenities for local residents as it is in the Principal Public Transport Network, has a range of shops and services, a library and the close proximity to a large urban renewal site including 5ha of public open space.

Direction 2.5 Aims to provide greater choice and diversity of housing. The Highett Structure Plan encourages and a mix of dwelling types from apartments, townhouses and detached houses with gardens.

Direction 6.4 Aims to make Melbourne cooler and greener. The Highett Structure Plan contains a number of strategies for ensuring increased development occurs alongside urban greening in the form of vertical gardens and additional deep soil planting for canopy trees. The CSIRO site will also provide much needed open space along with protection of the biologically significant Highett Grassy Woodland.

Direction 6.5 Protect and restore natural habitats. The Highett Grassy Woodland is a biologically significant urban wildlife area that contains a number of unique plants and a rare undeveloped open space in an existing residential area.

Ministerial Direction No. 11

The requirements of ministerial direction no. 11 - strategic assessment of amendments have been considered as part of the preparation of amendment C160 and form the basis of this explanatory report.

Ministerial Direction No. 15

The requirements of Ministerial Direction 15 – the planning scheme amendment process has been considered in the course of preparing this Amendment.

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

The proposed amendment will support the relevant objectives of the State Planning Policy Framework (the SPPF). The Amendment will assist in achieving objectives in relation to the following clauses:

Clause 11 Settlement

Clause 11 provides strategic guidance for maintaining a permanent urban growth boundary around Melbourne to create a more consolidated sustainable city and protect the values of non-urban land. The Clause specifies growth and investment should be directed to Metropolitan Activity Centres, such as Highett Activity Centre. The Highett Structure Plan further meets this objective by providing mixed-use development in the commercial core and specific guidance for the development of the CSIRO urban renewal site. The Amendment also provides for the orderly planning of the Highett Structure Plan Area to support its role and function as an Activity Centre into the future.

Clause 15 – Built Environment

Clause 15 seeks to create urban environments that are engaging, safe, inclusive and provide a sense of place and protect areas of identified cultural identity and heritage. The Amendment supports this Clause by providing appropriate design guidance to ensure that residential development is site responsive and responds to the anticipated population growth in the area, whilst also incorporating personal safety and accessibility measures.

Clause 15.02 Sustainable Development

Clause 15.02 encourages land use and development that is energy and resource efficient and minimised greenhouse gas emissions. This Amendment promotes consolidation of urban development, protects a vital piece of open space and encourages retention of existing vegetation and planting of new vegetation as a requirement of new development through additional provisions for deep soil and canopy trees.

Clause 16 – Housing

Clause 16 encourages a diversity of housing, with a substantial proportion of new housing to be located in or close to Activity Centres and at other strategic redevelopment sites that offer good access to public transport and a range of services. This Amendment implements the objectives of this clause within the City of Bayside by providing strategic direction and guidance on the appropriate location of residential development.

Clause 17 – Economic Development

Clause 17 seeks to encourage development which meet the communities' needs for retail, entertainment, office and other commercial services and provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities. This Amendment implements the objectives of this clause by encouraging an increased provision of employment generating use by expanding the commercial area as well as a range of higher density housing options housing within the Highett Activity Centre. Encouraging employment and housing growth in this area will aim to support the future growth and economic sustainability of the Highett Activity Centre.

Clause 18 - Transport

Clause 18 seeks to encourage safe and sustainable transport systems that integrate land use with transport. In support of this objective, the Amendment concentrates higher density residential development close to Highett Railway Station and several bus routes. In addition the Amendment the commitment to advocate for the improvement of pedestrian access to public transport services and connections for improved safety and amenity for railway users.

This Amendment encourages the use of walking and cycling by creating environments that are safe and attractive. This will be achieved through establishing improved pedestrian networks within the centre.

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

The Amendment seeks to update the Local Planning Policy Framework, in particular Clauses 21.02 (Bayside Key Issues and Strategic Vision), 21.04 (Environmental and Landscape Values), 21.06 (Built Environment and Heritage), 21.07 (Economic Development), 21.08 (Open Space), 21.09 (Transport and Access), 21.10 (Infrastructure), and 21.11 (Local Areas). The amendment proposes to strengthen local planning policy with respect to the function, role and appropriate built form of the Highett Activity Centre.

The proposed amendment will support the relevant objectives of the Local Planning Policy Framework (the LPPF). The Amendment will assist in achieving objectives in relation to the following clauses:

Clause 21.02 Bayside Key Issues and Strategic Vision

Clause 21.02 outlines the key influences and issues for the Bayside municipality. The Clause contains an overview of the Residential Framework Plan for the entire municipality. This amendment seeks to update the maps in this clause to reflect the updated boundary of the Highett Structure Plan.

Clause 21.04 Environmental and Landscape Values

Clause 21.04 provides guidance for managing and preserving important habitats in Bayside. The amendment seeks to update this Clause with additional objectives and strategies for protecting the Highett Grassy Woodland.

Clause 21.06 Built Environment and Heritage

Clause 21.06 sets out objectives for the character of built form in Bayside. This amendment seeks to alter the wording in the strategy for Activity Centres to clarify the meaning of the Design and Development Overlay in the Highett Activity Centre and introduces a new action under Sustainability to introduce a municipal wide Environmental Sustainable Design policy.

Clause 21.07 Economic Development

Clause 21.07 defines the role and function of the commercial centres in Bayside. The Amendment updates the Reference Document to the updated Highett Structure Plan to ensure development is guided by the most recent policy document.

Clause 21.08 Open Space

Clause 21.08 seeks to provide and enhance open space and recreational opportunities within the municipality. This Amendment seeks to improve pedestrian links to existing and future open spaces to provide residents, workers and visitors with better access to recreation opportunities by adding additional wording about a public access point.

Clause 21.09 Transport and Access

Clause 21.09 seeks to promote an integrated approach to transport through clustering services in a convenient location that is accessible by foot, bicycle or public transport. The Amendment seeks to concentrate higher density residential development and a range of commercial uses close to Highett Railway Station and several bus routes. In addition the Amendment contains

strategies for improving pedestrian access to public transport services and connections for improved safety and amenity for railway users.

Clause 21.10 Infrastructure

Clause 21.10 outlines the types of infrastructure needed to meet the requirements of residents and visitors, especially in areas increasing population density. This amendment alters this clause to remove reference to educational facilities at the CSIRO, Highett site. Educational uses are no longer included in the proposed plans for the site.

Clause 21.11 Local Areas

Clause 21.11 focuses on local area implementation for particular precincts within Bayside. This Amendment has amended the subsection on Highett to reflect the updated vision and strategies in the Highett Structure Plan.

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

The amendment makes proper use of the Victoria Planning Provisions by updating the Local Planning Policy Framework and introducing objectives and strategies of the updated Highett Structure Plan by introducing new schedules to the General Residential Zone, rezoning land and amending the Design and Development Overlay.

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

The views of relevant agencies were sought at the draft Structure Plan stage.

VicRoads were consulted regarding strategies for improving bicycle access on Bay Road. VicRoads supports investigation options for bicycle lanes on Bay Road in line with the identified Bay Road Strategic Cycling Corridor.

The views of the relevant agencies will be further sought during exhibition stage of the planning scheme Amendment process.

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

The amendment focuses on the provision of housing, increases land use for employment and appropriate built form within the Highett Activity Centre. The Amendment addresses the transport system objectives and decision making principles set out in the *Transport Integration Act 2010* by focusing housing, employment and services around the Highett railway station. This provides the community with a greater opportunity to use public transport, rather than the private car, and will encourage the creation of better pedestrian connections within the Highett Activity Centre to and from Highett Station.

Resource and administrative costs

The expansion of the Commercial Zone may increase the number of planning permit applications required. However, it is expected that any additional workload created by the introduction of the new provisions can be accommodated within the existing resources of Council.

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

The expansion of the commercial zone may increase the number of planning permit applications required. However, it is expected that any additional workload created by the

introduction of the new provisions can be accommodated within the existing resources of Council.

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 3191

Brighton Library
14 Wilson Street
BRIGHTON 3186

Sandringham Library
2-8 Waltham Street
SANDRINGHAM 3191

Beaumaris Library
96 Reserve Road
BEAUMARIS 3193

Hampton Library
1D Service Street
HAMPTON 3188

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 11 November 2019.

A submission must be sent to:

- Post to – Urban Strategy – Amendment C160, Bayside City Council, PO Box 27, Sandringham VIC 3191
- Email to – planningstrategy@bayside.vic.gov.au (please use ‘Amendment C160’ in the subject line)

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: The week commencing Monday, 9 March 2020
- panel hearing: The week commencing Monday, 30 March 2020

ATTACHMENT 1 – Map of Highett Structure Plan Area

