

# BOROONDARA PLANNING SCHEME

## AMENDMENT C321

### EXPLANATORY REPORT

#### Who is the planning authority?

This amendment has been prepared by the Minister for Planning who is the planning authority for this amendment.

The Amendment has been made at the request of the Department of Health and Human Services.

#### Land affected by the Amendment

The Amendment applies to the Markham Housing Estate land at 10 Markham Avenue, Ashburton.



#### What the amendment does

The Amendment facilitates the redevelopment of the Markham Housing Estate by:

- Applying the Special Controls Overlay – Schedule 2 to the site and introducing the associated *Markham Housing Estate Incorporated Document, October 2019*.
- Amending the Schedule to Clause 72.01 – Responsible Authority for this Planning Scheme to make the Minister for Planning the Responsible Authority for the site.
- Amending the Schedule to Clause 72.03 – what does this planning scheme consist of? to insert Map 19SCO.

- Amending the Schedule to Clause 72.04 – Documents Incorporated in this Planning Scheme to introduce the Incorporated Document *Markham Housing Estate Incorporated Document, October 2019*.

The redevelopment of the Markham Housing Estate includes:

- The construction of an integrated development of public and private housing including accessible housing for people with a wide variety of needs that include mobility, aging and vision impairment.
- The redevelopment will provide 178 new housing units of which 62% will be public housing units.
- A street frontage to Markham Avenue that reflects the neighbourhood context.
- The provision of resident and visitor car parking.
- The removal and replacement of native vegetation.

## **Strategic assessment of the Amendment**

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

With more than 35,000 people on the Victorian Housing Register, including more than 25,000 across Melbourne, and more than 1,700 in inner-eastern Melbourne, the need for public housing is critical. The housing needs of applicants on the housing register have changed over time, with 90% of current applicants across Victoria requiring one and two-bedroom accommodation.

The Department of Health and Human Services (DHHS), to address the critical need for public and affordable housing by delivering an integrated Markham Housing Estate and addressing local demand for one and two- bedroom homes.

The previous public housing units at the Markham Housing Estate had long been underutilised with the majority of the units being uninhabitable. The redevelopment delivers on the government's commitment to renew public housing stock, as outlined in *Homes for Victorians*, by providing a range of housing types to assist in balancing the public housing stock in the eastern region, and better match the current local demand for smaller dwellings (e.g. for older couples and singles).

The amendment is required to facilitate the timely delivery of the redevelopment which is important as it will provide much needed renewed public housing in response to local demand.

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

The amendment implements the following objective of planning in Victoria as set out 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.

The amendment facilitates the redevelopment of the integrated Markham Housing Estate which will deliver a mix of public and private housing on land with easy access to open space, pedestrian and cycling networks, public transport and an activity centre (High Street, Ashburton).

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

#### *Social and Economic*

The redevelopment will have positive social and economic effects as it will deliver public and private housing and contribute to housing choice and affordability within the City of Boroondara.

The amendment facilitates the redevelopment of under-utilised land with easy access to open space, pedestrian and cycling networks, public transport and an activity centre (High Street, Ashburton) which will support local living for future residents. The previous public housing at the Markham Housing Estate had long been under-utilised with the majority of the units being uninhabitable.

The redevelopment delivers on the government's commitment to renew public housing stock, as outlined in Homes for Victorians, by providing a range of housing types to assist in balancing the public housing stock in the eastern region, and better match the current local demand for smaller dwellings (e.g. for older couples and singles).

The public and private housing component will provide a diverse mix of dwelling types including, one, two and three bedroom dwellings, accessible and adaptable housing. This will contribute to housing choice and affordability within the City of Boroondara.

The redevelopment will also create jobs during construction.

### *Environmental*

The amendment facilitates the redevelopment of the Markham Housing Estate which is expected to generate the following environmental benefits:

- The redevelopment will include communal open space areas as well as internal connections between the residential neighbourhood to the north and Markham Reserve to the east.
- Where practicable, the buildings will be sited to minimise the removal of native vegetation with any offsets provided in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017), except as otherwise agreed by the Secretary to the Department of Environment, Land, Water and Planning.

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

The amendment does not impact on bushfire. The land is not identified as bushfire prone or within a Bushfire Management Overlay (BMO).

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

The amendment supports the implementation of Ministerial Direction 9 – Metropolitan Strategy and, in particular:

*Direction 2.1 Manage the supply of new housing in the right locations to meet population growth and create a sustainable city.*

*Direction 2.2 Deliver more housing closer to jobs and public transport.*

*Direction 2.3 Increase the supply of social and affordable housing.*

*Direction 2.5 Provide greater choice and diversity of housing.*

The amendment facilitates the redevelopment of under-utilised land with easy access to existing services and infrastructure, contributes to greater housing choice and diversity in an established suburb and provides much needed public housing.

The amendment complies with Ministerial Direction 11 – Strategic Assessment of Amendments under Section 12(2) (a) of the Act.

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

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

The amendment supports and implements the State Planning Policy Framework as follows:

#### Clause 11.02 – Managing Growth

*To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses (Clause 11.02-1S).*

The amendment facilitates the redevelopment of under-utilised land within a well-serviced, established suburb in eastern Melbourne. The land is in proximity to open space, pedestrian and cycling networks,

public transport and an activity centre (High Street, Ashburton) which will support local living for future residents.

The redevelopment will deliver a mix of public and private housing and contribute to housing choice within the City of Boroondara. The previous public housing at the Markham Housing Estate had long been under-utilised with the majority of the units being uninhabitable. The redevelopment delivers on the government's commitment to renew public housing stock, as outlined in Homes for Victorians, by providing an improved standard of accommodation to meet changing households needs.

The redevelopment will be designed to provide an appropriate interface between the buildings and Markham Reserve with opportunities for deep soil planting adjacent to boundaries.

#### Clause 12.01 – Biodiversity

*To assist the protection and conservation of Victoria's biodiversity (Clause 12.01-1S)*

*To ensure that there is no net loss to biodiversity as a result of the removal, destruction or lopping of native vegetation (Clause 12.01-2S)*

The buildings have been sited to minimise the removal of native vegetation with any offsets provided in accordance with the Guidelines for the removal, destruction or lopping of native vegetation (Department of Environment, Land, Water and Planning, 2017), except as otherwise agreed by the Secretary to the Department of Environment, Land, Water and Planning.

#### Clause 15.01 – Built Environment

*To create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity (Clause 15.01-1S Urban design).*

*To create a distinctive and liveable city with quality design and amenity (Clause 15.01-1R).*

*To achieve building design outcomes that contribute positively to the local context and enhance the public realm (Clause 15.01-2S).*

*To recognise, support and protect neighbourhood character, cultural identity, and sense of place (Clause 15.01-5S).*

Considered architectural and urban design will ensure that the built form is sensitive to the neighbouring properties in terms of landscaping, appearance, bulk, height and massing of buildings, and setbacks.

The design will include a double storey interface to Markham Avenue, with the height stepping up towards the centre of the site. This approach responds to the design principles to appropriately manage the interface with existing lower density development while offering increased scale to public spaces such as Markham Reserve where improved passive surveillance opportunities can be presented from apartments.

#### Clause 16.01 – Residential development

*To promote a housing market that meets community needs (Clause 16.01-1S Integrated housing),*

*To locate new housing in designated locations that offer good access to jobs, services and transport (Clause 16.01-2S).*

*To provide for a range of housing types to meet diverse needs (Clause 16.01-3S Housing diversity).*

The amendment facilitates the redevelopment of under-utilised land with easy access to open space, pedestrian and cycling networks, public transport and an activity centre (High Street, Ashburton) which will support local living for future residents. The previous public housing at the Markham Housing Estate had long been under-utilised with the majority of the units being uninhabitable. The redevelopment delivers on the government's commitment to renew public housing stock, as outlined in Homes for Victorians, by providing a range of housing types to assist in balancing the social housing stock in the eastern region, and better match the current local demand for smaller dwellings (e.g. for older couples and singles).

In addition to the public housing component, the private housing component will provide a diverse mix of dwelling types. This will contribute to housing choice and affordability within the City of Boroondara.

#### Clause 18.02 – Movement networks

*To promote the use of sustainable personal transport (Clause 18.02-1S Sustainable personal transport).*

*To ensure an adequate supply of car parking that is appropriately designed and located (Clause 18.02-4S).*

The amendment facilitates the redevelopment of land with convenient access to pedestrian and cycling networks as well as public transport.

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

The amendment supports and implements the Local Planning Policy Framework as follows:

#### Clause 21.04 – Built Environment and Heritage

This clause recognises the commitment to improving the quality in the built environment including providing a high-quality public realm and encouraging architecture which is sympathetic to the local context. It also ensures that development contributes positively to the existing or preferred neighbourhood character while minimising adverse impacts on neighbouring properties.

The design of the proposal will appropriately manage the interface with existing lower density development while offering increased scale to public spaces such as Markham Reserve where improved passive surveillance opportunities can be presented from apartments. The design will also provide opportunities for soft and hard landscaping as well as deep plantings along boundaries.

#### Clause 21.07 – Housing

This clause recognises the need to provide a mix of housing types in response to local demand whilst maintaining and enhancing existing residential amenity and standard of design. The integrated redevelopment will increase housing choice and diversity within an existing residential area with easy access to open space, pedestrian and cycling networks, public transport and an activity centre (High Street, Ashburton). Considered architectural and urban design will ensure that the built form is sensitive to the neighbouring properties in terms of landscaping, appearance, bulk, height and massing of buildings, and setbacks.

#### Clause 22.05 – Neighbourhood Character Policy

This policy applies to, among other things, multi-dwelling developments within residential zones and recognises that new development should provide creative and responsive design solutions. The design was assessed against this policy and, in response, the incorporated document includes conditions to ensure that the design of the redevelopment complements the surrounding neighbourhood character.

#### **How does the amendment support or implement the Municipal Planning Strategy?**

The Boroondara Planning Scheme does not currently have a Municipal Planning Strategy.

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

The amendment makes proper use of the Victoria Planning Provisions and is consistent with the Ministerial Direction on the Form and Content of Planning Schemes.

The amendment applies the Specific Controls Overlay and associated Incorporated Document to the site facilitating the redevelopment of the site. The amendment also makes use of the provisions of Clause 72.01 to make the Minister for Planning the responsible authority for administering and enforcing the scheme as it applies to 10 Markham Avenue, Ashburton.

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

Extensive consultation has been undertaken with government agencies (Boroondara City Council and the local community).

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

The amendment is not expected to have a significant impact on the transport system. The Markham Housing Estate is well serviced by public transport namely Alamein Railway Station, Holmesglen Railway station, East Malvern Station and a SmartBus route on Warrigal Road.

### **Resource and administrative costs**

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

The new planning provisions are not expected to have a significant impact on the resource and administrative costs of the Minister for Planning as the Responsible Authority.

### **Where you may inspect this Amendment**

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

Boroondara City Council

8 Inglesby Road, Camberwell

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).