

BOROONDARA PLANNING SCHEME

AMENDMENT C385boro

EXPLANATORY REPORT

Who is the planning authority?

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

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

Land affected by the amendment

The amendment applies to 399 Burwood Road, Hawthorn.

What the amendment does

The amendment proposes to rezone the land at 399 Burwood Road, Hawthorn from Public Use Zone 6 (PUZ6) to Commercial 1 Zone (C1Z).

Specifically, the proposed amendment:

- Amends Planning Scheme Map 12ZN.

Strategic assessment of the amendment

Why is the amendment required?

The site is currently owned by Boroondara City Council and has been identified as surplus to the council's needs. On that basis, on 25 July 2022, the council resolved to commence the process to sell the land.

The site is currently within the Public Use Zone 6 (PUZ6), which identifies public land reserved for public utility or community services and facilities.

The Ministerial Direction on *the Form and Content of Planning Schemes* specifies that a planning scheme may only include land in a public land zone if the land is Crown land or is owned, vested in or controlled by a Minister, government department, public authority or a municipal council.

To facilitate the sale of the land, the property must be rezoned to a more suitable zone to reflect the change from public ownership and to facilitate future redevelopment.

Adopted in 2010, the Glenferrie Structure Plan establishes the strategic land use and development objectives for the Glenferrie Activity Centre, including the subject site.

The Glenferrie Structure Plan identifies the subject site as a location for long-term parking to service the needs of the University and local commuters. However, the Glenferrie Structure Plan also identifies the opportunity to provide a mixed-use development outcome for the site, incorporating a mix of residential, retail and office uses as well as a potential multi-deck car park.

The Serpells Lane site is included in *Area 2 - Glenferrie and Burwood Roads Mixed Use* of the Glenferrie Structure Plan, which provides the following guidance for development in this area:

1. Maintain the mixed-use nature of this area, which includes offices, retail, food outlets, residential and community or cultural facilities.
2. Encourage the development of underused land, such as surface car parks or sites containing single storey buildings, for mixed use development that includes office or retail at the ground level

(as appropriate to the location), office or residential uses above and underground or internal deck car parking.

3. Promote mixed use development on these sites that includes either retail or commercial uses at the ground level with commercial or residential uses above.

Based on the policy direction set out in the Glenferrie Structure Plan, it is considered that the Commercial 1 Zone (C1Z) is the most appropriate zone to achieve these outcomes. Rezoning to C1Z would ensure consistency with the surrounding commercial properties and allow for the development of the land in accordance with the directions of the Glenferrie Structure Plan.

The C1Z allows for a diversity of land uses, including retail, office & residential, and is consistent with the site's location at the heart of a Major Activity Centre. Given its location and the Glenferrie Structure Plan guidance to accommodate mixed use developments, it is considered that a residential zoning would not be appropriate for the site.

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

- The amendment will be consistent with the objectives of Section 4(1) of the *Planning and Environment Act 1987*, in particular:
 - a) to provide for the fair, orderly, economic and sustainable use, and development of land.
 - f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).

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

The amendment is not expected to have any environmental, social or economic impacts.

Does the amendment address relevant bushfire risk?

The subject site is not in an area prone to bushfire. The amendment is not expected to have any impact on bushfire risk.

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

The amendment is in accordance the Ministerial Direction on *the Form and Content of Planning Schemes* by rezoning the land from a Public Use Zone in order to facilitate the sale of the land into private ownership.

The amendment has been prepared with regard to Ministerial Direction No.9 *Metropolitan Planning Strategy*. The amendment is consistent with the directions and policies within *Plan Melbourne 2017-2050*. In particular:

- Policy 1.3.2: Plan for new development and investment opportunities on the existing and planned transport network.
- Policy 2.1.2: Facilitate an increased percentage of new housing in established areas to create a city of 20-minute neighbourhoods close to existing services, jobs and public transport.

The amendment supports the implementation of Plan Melbourne by ensuring that the site is rezoned in a manner that supports mixed use development in a major activity centre.

The amendment will not compromise the implementation of Plan Melbourne.

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

By rezoning the land to facilitate mixed use development within the Glenferrie Road Major Activity Centre, the amendment is consistent with the objectives of the Planning Policy Framework in particular:

- 11.02-1S - Supply of Urban Land - To ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.
- 11.02-2S - Structure Planning - To facilitate the fair, orderly, economic and sustainable use and development of urban areas.
- 11.03-1S - Activity Centres - To encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.
- 17.02-1S - Business - To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.

The amendment also supports the council's Hawthorn–Glenferrie Road Major Activity Centre Policy (Clause 11.03-1L-02) strategy to ensure use and development makes the best use of available land and provides opportunities for additional retail, commercial or housing.

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

The amendment is consistent with the council's Municipal Planning Strategy, in particular Clause 02.03-1 Settlement - Ensure major activity centres, neighbourhood centres, local centres and commercial corridors retain a commercial focus with regard to land use and built form outcomes.

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

The amendment is required to ensure that the zone of the site is consistent with The Ministerial Direction on *the Form and Content of Planning Schemes*, which specifies that a planning scheme may only include land in a public land zone if the land is Crown land or is owned, vested in or controlled by a Minister, government department, public authority or a municipal council.

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

Views of affected agencies will be sought through the public exhibition process.

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

The amendment is not considered likely to have a significant impact on the transport system.

Resource and administrative costs

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

The amendment is not expected to result in any additional cost implications for the council.

Where you may inspect this amendment

The amendment can be inspected free of charge at the Boroondara City Council website at www.boroondara.vic.gov.au.

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

Boroondara City Council
Planning Counter
8 Inglesby Road
Camberwell VIC 3124

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

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 24 October 2022.

A submission may be made via:

www.boroondara.vic.gov.au/C385boro

or by mail:

Boroondara City Council
Strategic Planning
Private Bag 1
Camberwell VIC 3124

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: Week commencing 30 January 2023
- panel hearing: Week commencing 27 February 2023