

BANYULE PLANNING SCHEME

AMENDMENT C159BANY

EXPLANATORY REPORT

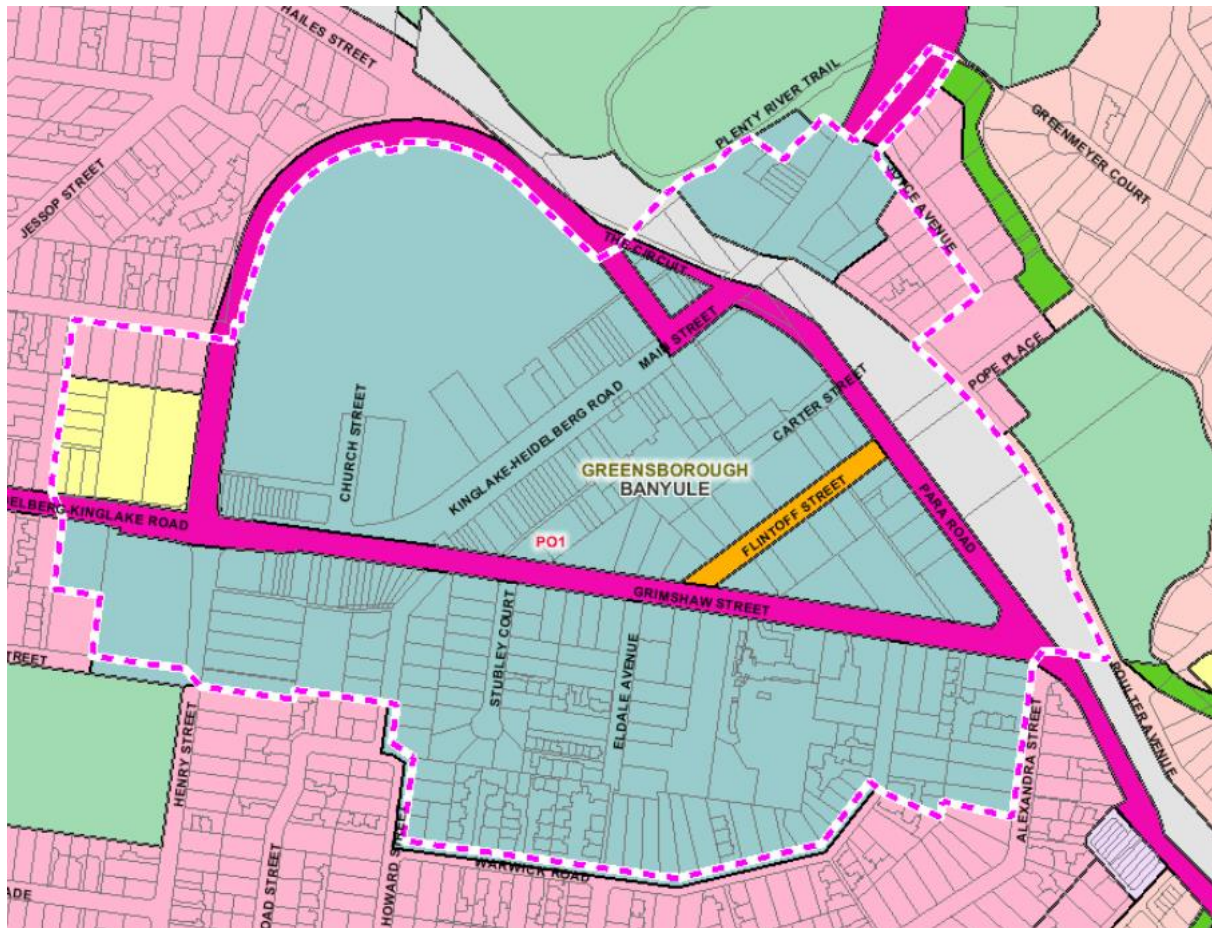
Who is the planning authority?


This amendment has been prepared by Banyule City Council who is the planning authority for this amendment.

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

Land affected by the Amendment

The amendment applies to land within the Greensborough Activity Centre, as shown on the map below:



 Boundary of Parking Overlay – Schedule 1

What the amendment does

The amendment makes the following changes to the Banyule Planning Scheme:

- Deletes Schedule 1 to Clause 45.09 (Parking Overlay);
- Removes the Parking Overlay from Greensborough Activity Centre by deleting Planning Scheme Overlay Map 3PO and 7PO
- Amends Schedule to Clause 72.03.

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment is required to remove a control from the Banyule Planning Scheme.

Amendment C51 (gazetted in 2007) introduced the first Parking Precinct Plan (PPP) for the Greensborough Activity Centre. The purpose of the PPP was to allow for a variation to the car parking rates set out in Clause 52.06. The PPP rates were lower than the State requirements at the time they were introduced.

The PPP was then translated into Schedule 1 to Clause 45.09 (Parking Overlay) following reforms to the car parking provisions undertaken by the Victorian Government (VC095, gazetted April 2013).

Amendment VC148 (gazetted July 2018) made reforms to the Planning Scheme which included an amendment to Clause 52.06 (Car Parking). This amendment allowed land within the *Principal Public Transport Network Area* (PPTN) to be subjected to the car parking rates in Column B of Table 1. The Greensborough Activity Centre is wholly within the PPTN Area.

The recently adopted *Greensborough Activity Centre Parking Plan, July 2019* (GACPP) assessed parking requirements in the Greensborough Activity Centre and found the current local rates specified in Clause 45.09s1 to be excessive for an activity centre, or equivalent to the State standard requirements (column B of table 1) of Clause 52.06. This amendment seeks to implement a recommendation of the GACPP by removing Schedule 1 of Clause 45.09. Car parking requirements for new developments within the Greensborough Activity Centre will then be subject to the State standard requirements of Clause 52.06.

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

The amendment implements the following objectives of planning in Victoria as outlined under section 4 of the *Planning and Environment Act 1987*:

- (1)(a) to provide for the fair, orderly, economic and sustainable use, and development of land;
- (1)(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;
- (1)(f) to facilitate development in accordance with the objectives set out in paragraphs (a) and (e).

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

The environmental, social and economic effects of the amendment are considered to result in a net community benefit. Car parking spaces for the activity centre have been provided, as intended, in Clause 52.06 (Car Parking). The amendment has positive environmental effect by supporting more public transport usage.

Does the Amendment address relevant bushfire risk?

The land affected by the amendment is not identified as being at risk of bushfire.

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

The amendment complies with the requirements of the Ministerial Direction on the Form and Content of Planning Schemes under section 7 (5) of the Act through the removal of a redundant control from the Banyule Planning Scheme.

This explanatory report addresses the requirements of Ministerial Direction No. 11- Strategic Assessment of Amendments.

The amendment also complies with the requirement of Ministerial Direction No. 9 Metropolitan Planning Strategy. The Metropolitan Planning Strategy continues to emphasise the need for activity centres to provide a broad range of goods and services, diversifying their offerings, focusing on mixed-use development including retail, commercial and residential, and ensuring they are well connected. Appropriate car parking rates are required to facilitate the growth of activity centres.

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

The amendment supports the following objectives of the State Planning Policy Framework:

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

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

The amendment supports the objectives of the Local Planning Policy Framework, specifically:

- Clause 21.04 (Land Use)

Objective 1 – Commercial economic development: To support a diversity of viable, high-quality Activity Centres and Neighbourhood Centres offering a range of retail, business, entertainment, community and tourist-related goods, services and employment

- Clause 21.07 (Transport and Infrastructure)

Objective 1 – Accessibility and Mobility: To promote a safe, efficient and effective integrated transport network for all abilities that reduces our reliance on private cars.

Objective 2 – Integration of Transport and Land use: To facilitate land use and development in Banyule that will support sustainable transport and reduce the distance travelled.

Objective 3- Amenity: To reduce the detrimental effects of transport on amenity

- 21.07-2 (Implementation) specifically states that the Responsible Authority will implement the objectives and strategies of transport policy by developing and implementing a parking plan for the Greensborough Activity Centre, and create Activity Centre Pedestrian Priority Precincts where accessibility, mobility and safety will inform the design of the public realm, to encourage the uptake of sustainable transport modes.
- Clause 21.08 (Local Places) by assessing car parking demand in the activity centre. This amendment will help achieve the council's objective for integrated transport planning by reducing the number of car parks required in the activity centre and supporting the uptake of sustainable transport options.

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

The amendment makes proper use of the Victoria Planning Provisions by removing a redundant overlay control from the subject land.

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

The amendment will be referred to the relevant agencies as part of the exhibition process.

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

The *Transport Integration Act 2010* requires that a planning authority have regard to transport system objectives and decision-making principles where a planning scheme amendment is likely to have a 'significant impact on the transport system'. The effect of this amendment is consistent with the transport system objectives outlined in the Act. A planning authority must also have regard to any statement of policy principles which have been issued under section 22 of the Transport Integration Act. There are no statements of policy principles relevant to the amendment.

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 result in a positive impact on the resource and administrative costs of the Responsible Authority through the removal of the redundant control from the Banyule Planning Scheme.

Where you may inspect this Amendment

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

- On the Shaping Banyule page of Banyule Council's website:
<https://shaping.banyule.vic.gov.au/GreensboroughParking>
- On the Department of Environment, Land, Water and Planning website:
www.delwp.vic.gov.au/public-inspection

Council's offices will be closed during the Covid-19 State of Emergency. If you require a hard copy, please contact the Strategic Planning team on 9457 9870.