

MELBOURNE PLANNING SCHEME

DRAFT AMENDMENT C407melb

EXPLANATORY REPORT

Who is the planning authority?

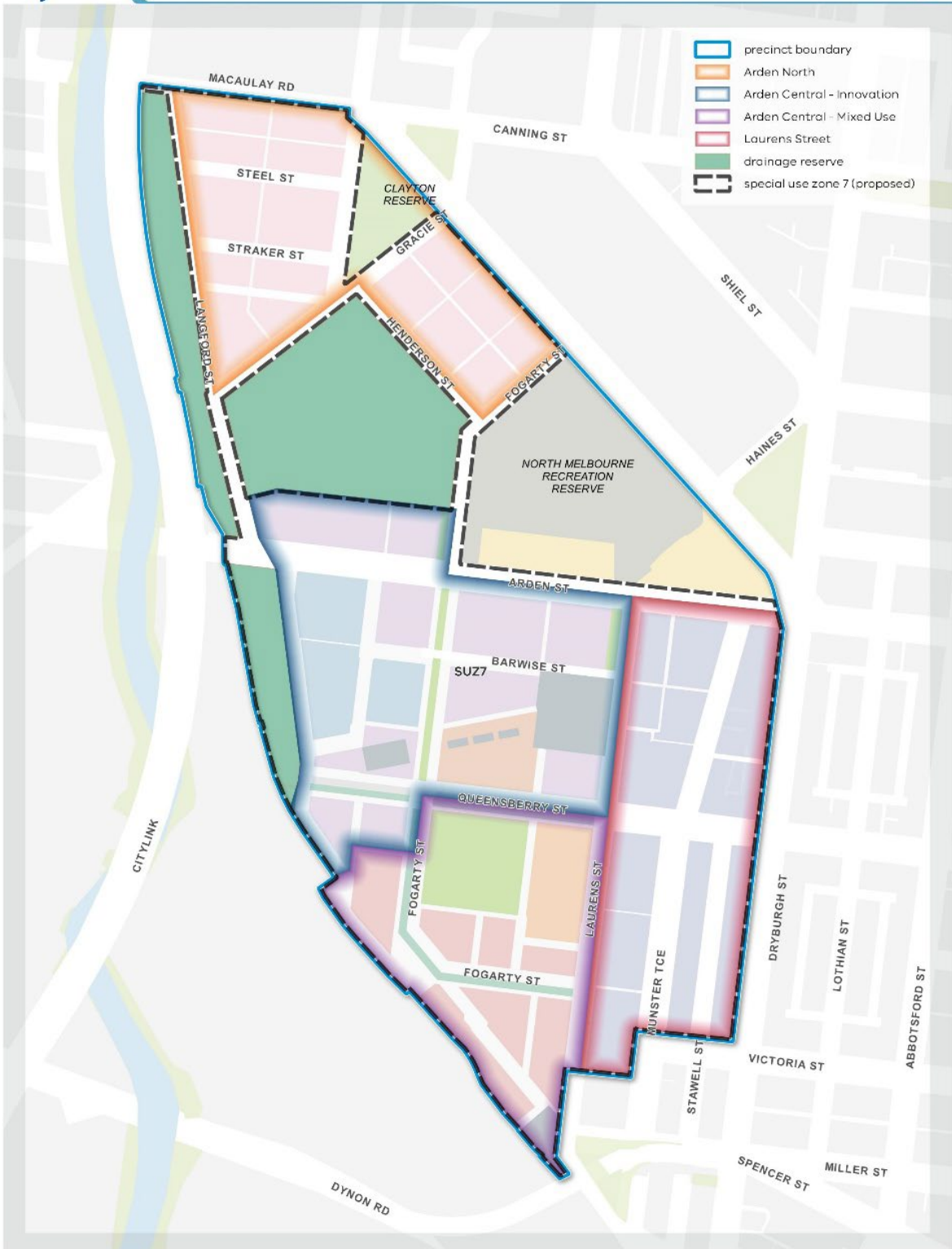
This draft amendment (the Amendment) has been prepared by the Victorian Planning Authority (VPA).

Land affected by the Amendment

The Amendment applies to land within the Arden Precinct as shown in Maps 1 and 2 below.

The precinct is generally bound by Macaulay Road to the north, Macaulay Road and Dryburgh Street to the east, Upfield railway line to the south/south-west and the Citylink (toll road) and Langford Street to the west. The 46-hectare Arden precinct lies west of North Melbourne's established residential area and south of the Macaulay urban renewal precinct.

The Amendment also proposes to apply a Buffer Area Overlay, Schedule 2 (BAO2), to land parcels located outside the precinct area, as depicted in Map 2. A mapping reference table, specifying the property addresses affected by BAO2 at Attachment 1 to this Explanatory Report.



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Map 1 Arden Precinct – Land affected by proposed Amendment C407melb



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Map 2 Buffer Area Overlay – Land affected by proposed Amendment C407/melb

What the Amendment does

The Amendment proposes to implement the *Arden Structure Plan, August 2021* by introducing new planning controls into the Melbourne Planning Scheme. The controls will guide the urban renewal of the Arden precinct and its transition to a vibrant, mixed use innovation precinct comprising four distinct and diverse neighbourhoods.

Specifically, this amendment seeks to:

- Amends the Municipal Strategic Statement at Clause 21.04 (Settlement) to show Arden as an urban renewal area that is separated from Macaulay.
- Amends the Municipal Strategic Statement at Clause 21.13 (Urban Renewal Areas) to include policy basis and objectives specific to Arden.
- Amends the Municipal Strategic Statement at Clause 21.14 (Proposed Urban Renewal Areas) to update references to Arden.
- Introduces a new local planning policy at Clause 22.28 (Arden Urban Renewal Policy) to provide guidance and assist with the exercise of discretion in the assessment of planning permit applications in Arden.
- Rezone land in the precinct from part Commercial 1 Zone (C1Z), Industrial 1 Zone (IN1Z), Industrial 3 Zone (I3Z), Mixed Use Zone (MUZ), and Public Use Zone 4 – Transport (PUZ4) to Special Use Zone (SUZ).
- Introduces a new Schedule 7 to Clause 37.01 (Special Use Zone) to ensure land use and development outcomes implement the *Arden Structure Plan, August 2021*.
- Delete Clause 43.02 – Design and Development Overlay, Schedule 26 (DDO26), Schedule 31 (DDO31), Schedule 32 (DDO32) and Schedule 63A8 (DDO63A8) from the precinct.
- Introduces a new precinct specific Schedule 80 to Clause 42.03 (Design and Development Overlay) to align built form controls with the preferred character and vision for the Arden Central Innovation sub-precinct.
- Introduces a new precinct specific Schedule 81 to Clause 42.03 (Design and Development Overlay) to align built form controls with the preferred character and vision for the Arden Central Mixed-Use sub-precinct.
- Introduces a new precinct specific Schedule 82 to Clause 42.03 (Design and Development Overlay) to align built form controls with the preferred character and vision for the Arden North sub-precinct.
- Introduces a new precinct specific Schedule 83 to Clause 42.03 (Design and Development Overlay) to align built form controls with the preferred character and vision for the Laurens Street sub-precinct.
- Delete Schedule 12 to Clause 45.09 (Parking Overlay) from the precinct.
- Introduces a new Schedule 14 to Clause 45.09 (Parking Overlay) (PO14) to encourage sustainable transport patterns and the provision of alternative forms of parking.
- Applies the new Public Acquisition Overlay (PAO8) in favour of Department of Transport for the purposes of key road extensions on land at:
 - 215 Arden Street, North Melbourne
 - 215-227 Arden Street, North Melbourne
 - 217 Arden Street, North Melbourne
 - 229-235 Arden Street, North Melbourne
 - 29-47 Laurens Street, West Melbourne
 - 49-63 Laurens Street, North Melbourne
 - 5/233 Arden Street, North Melbourne
 - 8/49-63 Laurens Street, North Melbourne

- Applies the new Public Acquisition Overlay (PAO9) in favour of Department of Transport for the storage of water to mitigate the flooding risk of significant storm events on land at:
 - 208-292 Arden Street, North Melbourne
 - 2-52 Gracie Street, North Melbourne
 - 2-54 Green Street, North Melbourne
 - 49 Henderson Street, North Melbourne
 - 54-60 Gracie Street, North Melbourne
 - 62-70 Gracie Street, North Melbourne
 - 63-119 Langford Street, North Melbourne
- Introduces a new Schedule 1 to Clause 44.08 (Buffer Area Overlay) to manage use and development within the moderate risk buffer area of the Citywide Asphalt Plant.
- Introduces a new Schedule 2 to Clause 44.08 (Buffer Area Overlay) to manage use and development within the medium risk buffer area of the Citywide Asphalt Plant.
- Amends Schedule 3 to Clause 45.06 (Development Contributions Plan Overlay) (DCPO3) to enable implementation of the *Arden Development Contributions Plan, August 2021*.
- Amend the boundary of the DCPO3 to apply the overlay consistent with the precinct boundaries by:
 - Including allotments south of Macaulay Road, between Langford St and Boundary Road and delete the Development Contributions Plan Overlay (DCPO2) associated with the Macaulay precinct from these properties.
 - Delete the DCPO3 from allotments south of Victoria Street, which are included in the West Melbourne precinct area.
- Applies the Environmental Audit Overlay to land in the precinct shown on Map 1.
- Amends the Schedule to Clause 66.04 to require referral of certain permit application to be given to the Environmental Protection Agency, Melbourne City Council and Secretary to the Department of Transport until 31 December 2026, and thereafter VicTrack.
- Amends the Schedule to Clause 66.06 to require notice of certain permit applications to be given to the gas pipeline licensee.
- Amends the Schedule to Clause 72.03 to reflect the introduction of the Planning Scheme Map4BAO and deletion of Planning Scheme Map 7DCPO.
- Amends the Schedule to Clause 72.04 to include a new incorporated document titled *Arden Parking Precinct Plan, August 2021, Arden Precinct Cross Sections, August 2021* and *Arden Development Contributions Plan, August 2021*.
- Amends the Schedule to Clause 72.08 to include a new background document titled *Arden Structure Plan, August 2021*.

Strategic assessment of the Amendment

Why is the Amendment required?

Arden is identified as a 'Major urban renewal precinct' in *Plan Melbourne 2017-2050* alongside Macaulay, Fishermans Bend (Lorimer, Montague, Sandridge and Wirraway), Docklands, E-Gate, Dynon and Flinders Street Station to Richmond Station Corridor. The strategic importance of Arden is also widely acknowledged and well understood by the community, industry and government.

Comprising approximately 44.6 hectares, the Arden precinct is located west of North Melbourne's established residential area and south of the Macaulay urban renewal precinct.

The Arden Vision, 2016 confirmed shared State and local government intentions for the precinct and built on the City of Melbourne's 2012 Arden-Macaulay Structure Plan and on existing Victorian and local government policies that guide economic, social and environmental outcomes for urban renewal.

It outlines objectives and strategies to achieve the eight key directions of the Arden Vision. The draft Arden Structure Plan aligns with other planning projects including planning for Macaulay, West Melbourne, the Moonee Ponds Creek and the West Gate Tunnel Project.

The Arden Structure Plan aspires to deliver approximately 34,000 jobs and around 15,000 residents by 2051. The amendment gives effect to the Arden Vision which underwent public consultation in 2016 and was finalised 2018. The vision sets out eight key directions to guide the precinct's future land use vision and urban structure. The Amendment implements the objectives and strategies from the Arden Structure Plan and the Arden Vision.

The Amendment introduces planning provisions to implement the Planning Policy Framework regarding the growth of Melbourne, delivering a framework for development in the renewal precinct by enabling new urban development and associated infrastructure and open space provision.

A planning scheme amendment is essential for managing the land use and development of the urban renewal precincts as the matters relate to land use and development outcomes.

The Amendment proposes to rezone land to the Special Use Zone – Schedule 7 (SUZ7) which sets out a broad range of land uses across four different sub-precincts (Arden Central – Innovation, Arden Central – Mixed-use, Laurens Street, Arden North).

The land uses sought in each of the sub-precincts is described in the table below:

Table 1 Arden sub-precinct planned land use and features

Sub-Precinct	Arden Central		Arden North	Laurens Street
	Innovation	Mixed use		
Planned land use	<ul style="list-style-type: none"> - Central activity centre anchored by Arden station. - Ground-floor activation such as retail, dining, services, and offices. - Uses include retail/hospitality, a proposed hospital, innovative industries, , start-up/co-working spaces, commercial. 	<ul style="list-style-type: none"> - High density residential development - A proposed primary school, community facilities, recreation and open spaces. 	<ul style="list-style-type: none"> - Multi-scale commercial and creative industries, community hub, recreation facilities and open spaces. - Residential developments. - Retention of The Lost Dogs' Home in the integrated stormwater management open space and adapt for community use. 	<ul style="list-style-type: none"> - Transitional density mixed-use developments that integrate with the area's existing character, supported by walkable and connected streets. - Small-scale businesses (offices, retail, small scale manufacturers and art and craft centres).

The built form outcomes will be delivered through the application of four Schedules to the Design and Development Overlays (DDO80, DDO81, DDO82, DDO83).

The DDO schedules set a range of mandatory and discretionary Floor Area Ratios (FARs) across the precinct. Generally, the FARs are discretionary throughout the Arden Central sub-precincts and some adjoining locations. Mandatory FARs in areas of sensitive transition or interface, such as in Arden North and Laurens Street sub-precincts.

The DDO's set discretionary standards in relation to:

- Street wall height
- Setback above street wall height to streets
- Setback above street wall to side and read boundaries, and tower separation

- Building height
- Active street frontages
- Weather protection
- Through block links
- Traffic conflict frontages
- Adaptable buildings

If an application seeks to exceed discretionary FARs or maximum building heights, then the other built form requirements are required to be met. Solar protection provisions are mandatory to protect Arden Central Capital City Open Space and Arden Central Neighborhood Open Space in the Arden Central Innovation sub precinct. Solar protection provisions are discretionary elsewhere in the precinct.

Wind effects is a relevant inclusion due to the relationship it has on human comfort. The provisions provide appropriate measurements for sitting, standing and walking comfort and prohibits unsafe wind conditions throughout.

The amendment proposes to provide for affordable housing, includes an open space provisions that will serve the workers, visitors and residents of the precinct and provides community infrastructure.

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

The amendment implements the following objectives of planning set out in section 4(1) of the *Planning and Environment Act 1987*:

- (a) to provide for the fair, orderly, economic and suitable use, and development of the land.*
- (c) to ensure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*
- (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.*
- (f) to facilitate development in accordance with the objectives of planning in Victoria.*
- (fa) to facilitate the provision of affordable housing in Victoria.*
- (g) Balancing the present and future interests of all Victorians.*

The amendment will provide for the orderly use and development of Arden consistent with these objectives.

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

Environmental

The Hip v Hype report provides the technical evidence that inform the objectives and strategies of the Arden Structure Plan. Some strategies can be achieved through the draft Arden planning scheme amendment, but others can only be achieved through private and voluntary contractual / development agreements such as between landowners and developers.

The key objectives for sustainability recommended from the Arden Climate Response Plan (Hip v Hype 2019) for the sustainability proposition for Arden, include:

Key actions

Delivering precinct-scale infrastructure

Facilitating precinct scale infrastructure leverages on urban renewal as an agent of change to 'do better'. Key initiatives which are being progressed outside of the draft Arden planning scheme amendment but are included in the Arden Structure Plan are:

- Facilitating a centralised waste facility in Arden Central.
- Provision of a potential third-pipe alternative water.
- Supporting sustainability at building scale.

The impetus for additional planning intervention for the Arden Precinct is to embed *Victoria's Climate Change Act 2017* legislation into land use planning. This applies to both emerging climate mitigation and adaptation obligations.

Victoria's climate is changing, climate change is a present risk to our cities and communities. In order to meet legislated obligations to meet zero net emissions by 2050 or earlier, land use planning can influence the way cities are shaped, perform and respond to climate.

In the instance of Arden this is both at a building and lot scale and a 'systems' or precincts approach to view the Arden renewal as a 'whole'. By integrating these opportunities at scale will deliver efficiencies. It is also imperative that all building meet obligations from day 'one' of build, as it is counterintuitive to lock in poor design or emission intensive buildings.

The City of Melbourne Climate Change Mitigation Strategy to 2050 (2018) sets out the City of Melbourne's approach to reducing greenhouse gas emissions. The strategy recommends a 29 per cent reduction of 2015 levels by 2030 in order to achieve net zero carbon emissions by 2050. Planning controls proposed in Arden that are both active and passive will contribute to a zero net carbon approach. It is also recognised that the Arden precinct is sensitive to future climate change scenarios with flood risk and the urban heat island effect. Adaptiveness and resilience planning through controls will also mitigate this.

Materials use and energy efficiency are both key to driving the ambitions of net-zero emissions. Key initiatives which respond to this are already included within the Melbourne Planning Scheme. Arden's ambition is to build on this policy objective and deliver world-leading results through a preferred 6-Star Green Star Building standard.

All-electric buildings significantly reduce the need to purchase offsets to achieve zero carbon by 2050 as all stationary energy can be delivered through renewable electricity. Phase-out of gas use is required to meet precinct, municipal and State ambitions for Greenhouse Gas emissions reduction and uptake of renewable energy. Whilst in some applications gas is still comparable in carbon terms to 'black' electricity in 2019, the decline in carbon intensity of the grid and the ability to fuel all electric buildings from renewable sources (onsite or off-site) justifies removal of gas from all applications for which electricity is a viable alternative. The other advantage is the avoided costs of installing gas only to eventually retrofit with inevitable phase-out of gas to meet state-wide emissions reductions targets.

Monitoring and performance

Disclosure standards and a monitoring and evaluation framework will enable data to be collected on the ongoing performance of the precinct against its targets and strategies to be evaluated and adapted according to their performance

Urban cooling

As well as a response to climate mitigation, climate adaptation targets are recommended for Arden. This includes planning controls to mitigate the future urban heat island effect from urban development. It also provides benchmark planning provisions for green cover.

Social

The amendment includes provisions for a voluntary provision of affordable housing, which will assist in providing a supply that meets demand as tested in the technical work, titled *Arden Social & Affordable Housing Research* prepared by Urbis. The provisions which will be applied at a nominated rate of 6% at 50% discount or any contribution to an equivalent value. Higher percentages and initiatives, including build to rent, can be adopted to exceed this target.

Land in the precinct is currently used for industrial purposes. Therefore, there is currently little or no available space for nature conservation, larger events, informal uses such as picnics and social gatherings, or a range of recreation such as outdoor fitness equipment and open grassed areas,

particularly when considering the size of the future population of the Precinct.

Planning for Arden proposes to include or accommodate future provision of the following community infrastructure in the Precinct Infrastructure Plan and Development Contributions Plan.

Economic

Arden will facilitate development around the new metro train station and potential future public hospital. This significant state investment will deliver a significant number of jobs to the precinct, whilst creating a hub for broader economic development.

The Arden Structure Plan aspires to accommodate approximately 34,000 jobs and around 15,000 residents by 2051.

The population and employment figures included in the Arden Structure Plan and the Arden Vision are derived from the Melbourne Metro Business Case (DEDJTR 2012).

The business case references the levels of population that could be feasibly supported with the level of public transport connectivity proposed for Arden, trends in Melbourne's growth, availability of land for an intensification of uses and the precinct's proximity to the central city.

Lot consolidation (would increase yield beyond the minimum range specified) and other site constraints such as heritage and strata title development (is likely to reduce the overall figure from the maximum range specified) in particular, will influence the maximum development capacity that is achieved within the precinct.

The Arden Structure Plan has tested these figures balancing the key aspects of the Arden Vision including high-quality urban design, affordable housing, provision of community facilities, schools and open spaces.

Does the amendment address relevant bushfire risk?

The land affected by the Amendment is not located within an area of identified bushfire risk.

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 made under section 7(5) of the Act and Ministerial Direction 11: Strategic Assessment Guidelines under section 12(2) of the Act.

Direction No. 1 Potentially Contaminated Land

The Amendment is consistent with Ministerial Direction 1: Potentially Contaminated Land by recognising the historical context of the area as manufacturing and industrial base and introduces the Environmental Audit Overlay over areas recognised as having high or medium likelihood to be contaminated to ensure audits are undertaken prior to the commencement of sensitive uses.

Ministerial Direction 9: Metropolitan Strategy

The Amendment has been prepared with regard to Ministerial Direction 9: Metropolitan Strategy which refers to Plan Melbourne 2017-2050. The Amendment implements the following key policy directions outlined in Plan Melbourne, which are relevant to this major urban renewal precinct:

Policy 1.1.1 Support the central city to become Australia's largest commercial and residential centre by 2050

Policy 1.1.2 Plan for the redevelopment of major urban renewal precincts in and around the central city to deliver high-quality, distinct and diverse neighbourhoods offering a mix of uses

Policy 1.3.1 Plan for and facilitate the development of urban renewal precincts

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

Policy 2.2.2 Direct new housing and mixed-use development to urban renewal precincts and sites across Melbourne

Policy 2.3.1 Utilise government land to deliver additional social housing

Policy 2.3.3 Strengthen the role of planning in facilitating and delivering the supply of social and affordable housing

Policy 2.3.4 Create ways to capture and share value uplift from rezonings

Policy 2.4.1 Support streamlined approval processes in defined locations

Policy 2.4.2 Facilitate the remediation of contaminated land, particularly on sites in developed areas of Melbourne with potential for residential development

Policy 2.5.1 Facilitate housing that offers choice and meets changing household needs

Policy 3.3.1 Create pedestrian-friendly neighbourhoods

Policy 3.3.2 Create a network of cycling links for local trips

Policy 4.1.1 Support Melbourne's distinctiveness

Policy 4.1.2 Integrate place-making practices into road-space management

Policy 4.2.2 Support the growth and development of Melbourne's cultural precincts and creative industries

Policy 4.3.1 Promote urban design excellence in every aspect of the built environment

Policy 4.4.1 Recognise the value of heritage when managing growth and change

Policy 4.4.2 Respect and protect Melbourne's Aboriginal cultural heritage

Policy 5.1.1 Create mixed-use neighbourhoods at varying densities

Policy 5.2.1 Improve neighbourhoods to enable walking and cycling as a part of daily life

Policy 5.4.1 Develop a network of accessible, high-quality, local open spaces

Policy 6.1.1 Improve energy, water and waste performance of buildings through environmentally sustainable development and energy efficiency upgrades

Policy 6.3.2 Improve alignment between urban water management and planning by adopting an integrated water management approach

Policy 6.4.1 Support a cooler Melbourne by greening urban areas, buildings, transport corridors and open spaces to create an urban forest

Policy 6.5.2 Protect and enhance the health of urban waterways

The requirements of Ministerial Direction 9 are met, as follows:

- The above listed aspects of the Metropolitan Planning Strategy, being Plan Melbourne 2017-2050, are relevant to this amendment.
- Plan Melbourne affects the amendment by providing key policy directions to be implemented through the plan.
- The amendment is consistent with the directions and policies in Plan Melbourne. This is demonstrated by Arden being a key site for the Central City to remain a desirable destination for business investment and a major destination for tourism, new space must be found for office, retail, education, health, entertainment and cultural activities. Arden will create new opportunities and infrastructure as a major urban renewal precinct to help support this. Arden will be a major urban renewal precinct, which will accommodate 34,000 jobs and around 15,000 residents by 2051, leveraging the new Arden Train Station which is scheduled for completion in 2025. The planning controls for Arden provide suitable levels of flexibility, particularly around timing and land use, with four distinct sub-precincts having the potential to cater for different uses and built form outcomes. The amendment will facilitate former industrial and other sites, including government landholdings that are underutilised, will be able to be redeveloped.
- The amendment supports, gives effect to and assists in the implementation of Plan

Melbourne by meeting the relevant policies listed above.

- The amendment will not compromise the implementation of Plan Melbourne.

Ministerial Direction 19 - Preparation and content of amendments that may significantly impact the environment, amenity and human health

The Environmental Protection Agency (EPA) has been consulted by the VPA in the preparation of the Amendment.

Specifically, the EPA has provided general support for the methodology used by GHD, which is the technical work relied upon to inform the Buffer Area Overlays (BAO1, BAO2) that are part of the Amendment. Further, the land uses and application requirements provided for by the BAO1 and BAO2 are generally supported by the EPA.

EPA has also provided general support for the application of the Environmental Audit Overlay across the precinct.

On 1 July 2021, changes to the Victorian Planning System were made via Amendment VC203 as a result of the new *Environmental Protection Act 2017* (EP Act) coming into effect. The VPA will continue to engage with the EPA on the interpretation and application of new requirements under the EP Act, as it relates to noise, contamination and buffer matters specific to Arden.

Ministerial Direction - Preparation and Content and Reporting Requirements for Development Contributions Plans

The Minister for Planning approved an interim Development Contributions Plan Overlay (DCPO) for the Arden precinct under Amendment C369 to the Melbourne Planning Scheme in June 2020.

The interim DCPO identified the need for a Development Contributions Plan (DCP) to be prepared while also enabling developers to either prepare a site specific DCP or enter into a Section 173 agreement with the responsible authority that makes provision for development contributions. These interim measures are in place until 30 June 2022 or until a DCP is prepared for the Arden precinct.

A DCP has now been prepared for Arden and is a key component of this amendment package. The Arden DCP:

- Outlines projects required to ensure that future residents, visitors and workers within Arden can be provided with timely access to the community services and transport necessary to support a future mixed-use area
- Establishes a framework for development proponents to make a financial contribution towards the cost of identified infrastructure projects
- Ensures that the cost of providing new infrastructure and services is shared equitably between various development proponents and the wider community
- Provides the details of the calculation of financial contributions that must be made by future developments towards the nominated projects
- Provides developers, investors and local communities with certainty about development contribution requirements and how they will be administered.

The Arden DCP has been prepared in accordance with the Ministerial Direction.

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

The amendment supports and implements the following clauses of the Planning Policy Framework (PPF):

- **11.01-1R Settlement – Metropolitan Melbourne:** Focus investment and growth in places of state significance, including Arden.
- **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 orderly development of urban areas.
- **13.01-1S Natural hazards and climate change:** To minimise the impacts of natural hazards and adapt to the impacts of climate change through risk-based planning.
- **13.03-1S Floodplain management:** To assist the protection of: Life, property and community infrastructure from flood hazard.
- **13.04-1S Contaminated and potentially contaminated land:** To ensure that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely.
- **13.05-1S Noise abatement:** To assist the control of noise effects on sensitive land uses.
- **13.06-1S Air quality management:** To assist the protection and improvement of air quality.
- **13.07-1S Land use compatibility:** To protect community amenity, human health and safety while facilitating appropriate commercial, industrial, infrastructure or other uses with potential adverse off-site impacts.
- **15.01-1S Urban design:** To create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.
- **15.01-1R Urban design – Metropolitan Melbourne:** To create a distinctive and liveable city with quality design and amenity.
- **15.01-2S Building design:** To achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Policy document: Urban Design Guidelines for Victoria (DELWP 2017)

Policy document: Apartment Design Guidelines for Victoria (DELWP 2017)

- **15.01-3S Subdivision design:** To ensure the design of subdivisions achieves attractive, safe, accessible, diverse and sustainable neighbourhoods.
- **15.01-4S Healthy neighbourhoods:** To achieve neighbourhoods that foster healthy and active living and community wellbeing.
- **15.01-4R Healthy neighbourhoods – Metropolitan Melbourne:** To create a city of 20 minute neighbourhoods, that give people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.
- **15.02-1S Energy and resource efficiency:** To encourage land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.
- **15.03-1S Heritage conservation:** To ensure the conservation of places of heritage significance.
- **15.03-2S Aboriginal cultural heritage:** To ensure the protection and conservation of places of Aboriginal cultural heritage significance.
- **16.01-1S Housing supply:** To facilitate well-located, integrated and diverse housing that meets community needs.
- **16.01-2S Housing affordability:** To deliver more affordable housing closer to jobs, transport and services.
- **17.01-1R Diversified economy:** Plan for the redevelopment of Major Urban-Renewal Precincts in and around the Central City to deliver high-quality, distinct and diverse

neighbourhoods offering a mix of uses.

- **17.01-2S Innovation and research:** To create opportunities for innovation and the knowledge economy within existing and emerging industries, research and education.
- **17.02-1S Business:** To encourage development that meets the community's needs for retail, entertainment, office and other commercial services.
- **18.01-1S Land use and transport planning:** To create a safe and sustainable transport system by integrating land use and transport.
- **18.01-1S Transport system:** To coordinate development of all transport modes to provide a comprehensive transport system.
- **18.02-1S Sustainable personal transport:** To promote the use of sustainable personal transport.
- **18.02-2S Public Transport:** To facilitate greater use of public transport and promote increased development close to high-quality public transport routes.
- **19.01-3S Pipeline infrastructure:** To ensure that gas, oil and other substances are safely delivered to users and to and from port terminals at minimal risk to people, other critical infrastructure and the environment.
- **19.02-1S Health facilities:** To assist the integration of health facilities with local and regional communities.
- **19.02-6S Open space:** To establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community
- **19.03-1S Development and infrastructure contributions:** To facilitate the timely provision of planned infrastructure to communities through the preparation and implementation of development contributions plans and infrastructure contributions plans.
- **19.03-3S Integrated water management:** To sustainably manage water supply, water resources, wastewater, drainage and stormwater through an integrated water management approach.

The Amendment supports and implements these elements of the PPF. This is demonstrated by the Amendment:

- Focusing investment and growth in Arden.
- Supplying urban land for a mix of uses.
- Facilitating the orderly development of the precinct.
- Including provisions relating to natural hazards, climate change, flooding, land contamination, noise and air quality.
- Ensuring land uses are appropriately facilitated, having regard to existing sensitive interfaces.
- Providing clear urban design guidance and creation of four distinct precincts within Arden, including high quality built form outcomes.
- Requiring subdivision to create positive and safe outcomes.
- Facilitating 20 minute neighbourhoods with low car dependency.
- Facilitating land use and development that is energy and resource efficient, supports a cooler environment and minimises greenhouse gas emissions.
- Retaining existing heritage controls, ensuring heritage value within the precinct is retained and the plan will ensure protection and conservation of places of Aboriginal cultural heritage significance.
- Providing housing and encouraging facilitation of affordable housing.
- Facilitating development of a key urban renewal precinct, including encouraging

innovation and research uses, as well as commercial uses and jobs.

- Facilitating a safe and sustainable transport system by leveraging off the new train station in Arden.
- Providing protection of and compatibility with an existing high pressure gas pipeline.
- Establishing an integrated network of public open space.
- Facilitating the collection of development contributions.
- Facilitating an integrated water management approach.

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 of the Melbourne Planning Scheme, which acknowledges the strategic importance and potential of the Arden Urban Renewal area.

Specifically, the amendment supports and implements the following clauses of the Local Planning Policy Framework:

- **Clause 22.02 Sunlight to Public Spaces**

This policy provides the planning parameters for ensuring sunlight access to public open spaces, and states that:

Development should not unreasonably reduce the amenity of public spaces by casting additional shadows on any public space, public parks and gardens, public squares, major pedestrian routes including streets and lanes, open spaces associated with a place of worship and privately owned plazas accessible to the public between 11.00 am and 2.00 pm on 22 September.

Note: This is currently being reviewed as part of draft Amendment C278 to the Melbourne Planning Scheme.

- **Clause 22.19 Energy, water and waste efficiency**

This policy establishes the City's ESD policy, and provides for application requirements that must be met, including preparation of waste management plans and environmentally sustainable design statements.

The policy steps out requirements for precinct-scale ESD in urban renewal areas:

In addition to the performance requirements set out at Clause 22.19-5, when developing land within any urban renewal area, the development should be capable of connecting to available and planned alternative district water supply, energy supply, waste collection and treatment systems.

Developers of precincts or large sites are encouraged to install alternative district water supply, energy supply, waste collection and waste treatment systems.

- **Clause 22.26-2 Public open space contributions**

- To implement the City of Melbourne Open Space Strategy.
- To identify when and where land contributions for public open space are preferred over cash contributions.
- To ensure that in areas where a land contribution is preferred, land suitable for public open space is set aside as part of the design of a development so that it can be transferred to or vested in Council to satisfy the public open space contribution requirement under Clause 52.01.

- The policy identifies Arden as an area where it is Council policy that land be contributed in lieu of cash under Clause 53.01.

The amendment updates the Municipal Strategic Statement (MSS) to deliver on the vision for Arden and introduces an updated local planning policy to implement the relevant objectives and strategies of the MSS and to guide decision making.

As part of the Smart Planning Program, the local planning policies of planning schemes across Victoria are progressively being translated into the new Planning Policy Framework (PPF) format to ensure better alignment of local planning policy with state and regional policy. This work is currently being conducted by the Department of Environment, Land, Water and Planning in consultation with local councils. The amendment has been drafted to facilitate translation into the new PPF structure.

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

The amendment makes proper use of the Victoria Planning Provisions (VPP). The Special Use Zone is considered appropriate to achieve the intended future use and development outcomes for Arden.

The application of precinct specific Schedules to the Design and Development Overlays will ensure built form outcomes are aligned with the preferred character of each precinct and ensure developments provide maximum levels of amenity for future occupants.

The application of the Buffer Area Overlay is the appropriate tool to use to ensure land use compatibility with the Citywide Asphalt Plant, while it remains in operation.

The Parking Overlay is the appropriate tool to discourage the provision of on-site car parking on a site by site basis and encourage consolidated, publicly available carparks and to encourage a travel mode shift toward 90 per cent of all trips to the precinct being by sustainable transport options.

The Environmental Audit Overlay will appropriately manage contaminated land within the Amendment area.

The Public Acquisition Overlay (PAO) is the appropriate tool in the Victoria Planning Provisions to identify land required for a public purpose and allow for its early acquisition.

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

The Amendment has been prepared in consultation with relevant agencies including Melbourne City Council, Department of Transport, Department of Environment Land Water and Planning, Melbourne Water, Department of Education and Training, Department of Jobs Precincts and Regions, Environmental Protection Agency and Department of Health and Human Services.

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

The Amendment supports the vision statement, objectives and principles set out in the *Transport Integration Act 2010*. The amendment provides for the effective integration of transport and land use and will support access to future social and economic opportunities in Arden and the surrounding area.

In addition, the proposed changes to the existing transport system in and surrounding the precinct will meet the transport system objectives by:

- Enabling efficient access to existing and planned employment and services, the future metro station and other high capacity public transport.
- Providing locally based recreational facilities, reducing the need for travel.
- Providing appropriate active transport connections from outside and throughout the precinct.

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 expected to have limited impact on the resources and administrative costs of the responsible authority. The amendment will facilitate the orderly and proper planning of the area and appropriately allows for a reduction of notice provisions for future planning permit applications.

Where you may inspect this amendment

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

Engage Vic

engage.vic.gov.au/arden

Victorian Planning Authority

Level 25, 35 Collins Street

Melbourne 3000

www.vpa.vic.gov.au

City of Melbourne

Customer Service Desk

Town Hall Ground Floor, 90-130 Swanston Street, Level 3,

240 Little Collins Street, Melbourne

Should you not have access to the internet and the above offices are closed or not accessible during office hours, please contact the VPA on 9651 9600 to make alternative arrangements to obtain a copy of this draft amendment.

These extra measures have been put in place to ensure accessibility of this amendment in the context of COVID-19 and any changes to office hours.

Submissions

Any person who may be affected by the draft amendment may make a submission to the Victorian Planning Authority.

Submissions about the draft amendment must be received by **5.00pm on 11 October 2021**.

A submission must refer to Arden or Draft Amendment C407melb and be sent to:

Online: engage.vic.gov.au/arden

Post: Victorian Planning Authority
c/- Arden Precinct
Level 25, 35 Collins Street
Melbourne VIC 3000

Standing Advisory Committee dates

If required, this project will be subject to the VPA Projects Standing Advisory Committee (VPA SAC), appointed pursuant to Part 7, section 151 of the *Planning and Environment Act 1987* (the Act) to advise the Minister for Planning and the Victorian Planning Authority (VPA) on referred projects and plans and associated draft planning scheme amendments.

While the VPA will seek to resolve any issues raised, unresolved issues or particular matters will be referred to the VPA SAC, which will contact submitters and then determine the best way to consider unresolved matters - either by round table discussions, written submissions or a public hearing.

The VPA SAC will provide advice on the amendment to the VPA and Minister for Planning. The VPA will then make recommendations to the Minister for Planning, who will consider the appropriate approval pathway for the amendment.

If required, dates for the VPA SAC are reserved for:

- **Directions Hearing:** Week commencing 6 December 2021
- **Hearing:** Starting week commencing 7 February 2022

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Properties outside Arden precinct boundaries that are subject to Buffer Area Overlay, Schedule 2	313-327 ARDEN STREET KENSINGTON 3031 4/313-327 ARDEN STREET KENSINGTON 3031 3/313-327 ARDEN STREET KENSINGTON 3031 5/313-327 ARDEN STREET KENSINGTON 3031 1/313-327 ARDEN STREET KENSINGTON 3031 2/313-327 ARDEN STREET KENSINGTON 3031 330-344 ARDEN STREET KENSINGTON 3031 330 ARDEN STREET KENSINGTON 3031 331-335 MACAULAY ROAD NORTH MELBOURNE 3051 341-343 MACAULAY ROAD KENSINGTON 3031 33 BENT STREET KENSINGTON 3031 34-70 BRUCE STREET KENSINGTON 3031 21-37 BARRETT STREET KENSINGTON 3031 29-33 BARRETT STREET KENSINGTON 3031 43 BRUCE STREET KENSINGTON 3031 21 BARRETT STREET KENSINGTON 3031 35 BARRETT STREET KENSINGTON 3031 47 BRUCE STREET KENSINGTON 3031 13-19 BARRETT STREET KENSINGTON 3031 101-133 CANNING STREET NORTH MELBOURNE 3051 98-166 MACAULAY ROAD NORTH MELBOURNE 3051 99 SHIEL STREET NORTH MELBOURNE 3051 110 MACAULAY ROAD NORTH MELBOURNE 3051 98-110 MACAULAY ROAD NORTH MELBOURNE 3051 112-166 MACAULAY ROAD NORTH MELBOURNE 3051 1/111-133 CANNING STREET NORTH MELBOURNE 3051 111-133 CANNING STREET NORTH MELBOURNE 3051 108/111 CANNING STREET NORTH MELBOURNE 3051 108/188 MACAULAY ROAD NORTH MELBOURNE 3051 214/111 CANNING STREET NORTH MELBOURNE 3051 105/111 CANNING STREET NORTH MELBOURNE 3051 215/111 CANNING STREET NORTH MELBOURNE 3051 102/111 CANNING STREET NORTH MELBOURNE 3051 204/188 MACAULAY ROAD NORTH MELBOURNE 3051 207/111 CANNING STREET NORTH MELBOURNE 3051 212/111 CANNING STREET NORTH MELBOURNE 3051 101/111 CANNING STREET NORTH MELBOURNE 3051 107/111 CANNING STREET NORTH MELBOURNE 3051 106/111 CANNING STREET NORTH MELBOURNE 3051 209/111 CANNING STREET NORTH MELBOURNE 3051 107/188 MACAULAY ROAD NORTH MELBOURNE 3051 203/111 CANNING STREET NORTH MELBOURNE 3051 202/111 CANNING STREET NORTH MELBOURNE 3051 213/111 CANNING STREET NORTH MELBOURNE 3051 111/111 CANNING STREET NORTH MELBOURNE 3051 102/178 MACAULAY ROAD NORTH MELBOURNE 3051	Part of Planning Scheme Map 4BAO

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<p>310/64 MACAULAY ROAD NORTH MELBOURNE 3051 307/64 MACAULAY ROAD NORTH MELBOURNE 3051 416/86 MACAULAY ROAD NORTH MELBOURNE 3051 316/86 MACAULAY ROAD NORTH MELBOURNE 3051 315/86 MACAULAY ROAD NORTH MELBOURNE 3051 113/86 MACAULAY ROAD NORTH MELBOURNE 3051 311/86 MACAULAY ROAD NORTH MELBOURNE 3051 414/86 MACAULAY ROAD NORTH MELBOURNE 3051 312/86 MACAULAY ROAD NORTH MELBOURNE 3051 217/86 MACAULAY ROAD NORTH MELBOURNE 3051 116/86 MACAULAY ROAD NORTH MELBOURNE 3051 216/86 MACAULAY ROAD NORTH MELBOURNE 3051 317/86 MACAULAY ROAD NORTH MELBOURNE 3051 115/86 MACAULAY ROAD NORTH MELBOURNE 3051 318/86 MACAULAY ROAD NORTH MELBOURNE 3051 314/86 MACAULAY ROAD NORTH MELBOURNE 3051 413/86 MACAULAY ROAD NORTH MELBOURNE 3051 218/86 MACAULAY ROAD NORTH MELBOURNE 3051 412/86 MACAULAY ROAD NORTH MELBOURNE 3051 418/86 MACAULAY ROAD NORTH MELBOURNE 3051 313/86 MACAULAY ROAD NORTH MELBOURNE 3051 117/86 MACAULAY ROAD NORTH MELBOURNE 3051 417/86 MACAULAY ROAD NORTH MELBOURNE 3051 112/86 MACAULAY ROAD NORTH MELBOURNE 3051 212/86 MACAULAY ROAD NORTH MELBOURNE 3051 86 MACAULAY ROAD NORTH MELBOURNE 3051 211/86 MACAULAY ROAD NORTH MELBOURNE 3051 213/86 MACAULAY ROAD NORTH MELBOURNE 3051 415/86 MACAULAY ROAD NORTH MELBOURNE 3051 114/86 MACAULAY ROAD NORTH MELBOURNE 3051 214/86 MACAULAY ROAD NORTH MELBOURNE 3051 215/86 MACAULAY ROAD NORTH MELBOURNE 3051 118/86 MACAULAY ROAD NORTH MELBOURNE 3051 411/86 MACAULAY ROAD NORTH MELBOURNE 3051 111/86 MACAULAY ROAD NORTH MELBOURNE 3051 297-307 ARDEN STREET KENSINGTON 3031 275-287 ARDEN STREET NORTH MELBOURNE 3051</p>	
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