



Glen Eira Planning Scheme Amendment Strategic Assessment Report C155

East Village Comprehensive Development Plan

On behalf of:
Glen Eira City Council

September 2018



Document

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1 Introduction

This report has been prepared by Mecone Urban Planners on behalf of Glen Eira City Council and relates to approximately 24 hectares of predominantly industrial / commercial land bounded by North Road (north), East Boundary Road (west), Virginia Park (south) and residential development (east) in Bentleigh East. The area currently consists of the Virginia Park Business Centre/Industrial Estate, the former Bosch Brakes factory and a number of smaller industrial parcels fronting North Road. The area is now identified as 'East Village', which has been identified as a 'Strategic Site' by the Victorian Planning Authority (VPA).

The amendment area's location is shown in Figure 1 below.

East Village is nominated within the Glen Eira City Council's Activity Centre, Housing and Local Economy Strategy (ACHLE) 2017 as a Health, Education and Innovation precinct forming part of an initiative to boost employment and economic activity within the broader city. Its proximity to Melbourne City Council and Monash's Knowledge Cluster sits strategically in the Knowledge Triangle between these locations.

The focal point of East Village is to foster employment and innovation. This will form part of a mixed use precinct providing a range of retail, employment, housing, education and community assets that serve the local and surrounding community.

East Village provides an opportunity to revitalise and enhance the employment function of the site to better address contemporary and inner city needs. Since the decline of industrial manufacturing, and more particularly the car industry around which part of the site was utilised, there is potential for diversification in jobs creation on this site.

This report supports the proposed amendment to the Glen Eira Planning Scheme to facilitate and guide redevelopment of the East Village Precinct for commercial, retail, residential uses and a mix of other purposes. In summary, the amendment seeks to make the following planning control changes to the precinct:

- Rezone to a Comprehensive Development Zone;
- Apply a Development Contributions Plan Overlay;
- Apply an Environmental Audit Overlay;
- Apply a 11.4% open space contribution for applicable subdivisions in the Amendment area. (Other than land shown as Commercial North sub precinct, Commercial west sub precinct and Commercial north (subject to drainage control) sub-precinct via updates to Clause 53.01 schedule).
- Incorporates two new documents into the Planning Scheme by listing the documents in the Schedule to Clause 72.04 as:
 - *East Village Comprehensive Development Plan, December 2018*
 - *East Village Development Contributions Plan, October 2018*
- Amend the Municipal Strategic Statement and Local Planning Policy Framework to remove reference to Virginia Park Industrial Estate and Virginia Park Business Centre as forming the base of industry in Glen Elra and being the municipality's largest industrial area.
- Amend the Local Planning Policy Framework to insert reference to East Village and remove reference to rezoning land to Commercial 1 Zone, Business 2 Zone, Business 3 Zone and Industrial 1 Zone.
- Updates the Schedule to Clause 72.08 Background Documents- to include East Village Structure Plan 2018-2030 as a background document to Amendment C155.

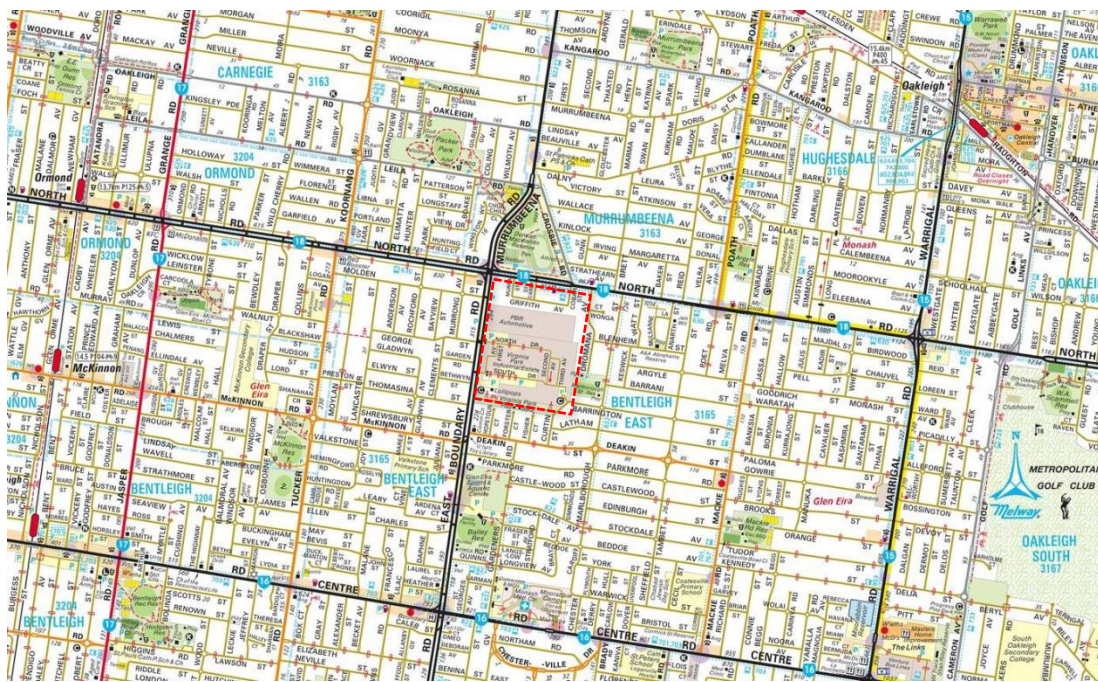


Figure 1 Amendment Area Location (Melways)

This planning report provides an overview of the background to the amendment, includes a description of the amendment area and surrounds, outlines the policy context in which the amendment has been prepared, details the proposed planning provisions and the proposed controls and describes how the relevant planning considerations have influenced the proposed rezoning.

The report demonstrates consistency with the State and Local Planning Policy Frameworks, in addition to Ministerial Direction Number 11 which sets out *Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments*.

This report should be read in conjunction with the following reports:

- *East Village Structure Plan* prepared by Glen Eira City Council, dated April 2018;
- *Stormwater Drainage Assessment Report, East Village* prepared by Cardno, dated September 2018;
- *East Village Urban Design Report*, prepared by MGS Architects, dated November 2017, Peer Review:
- *East Village Urban Design Report* prepared by AECOM, dated 3 July 2018;
- *East Village Social Infrastructure Assessment* prepared by ASR Research, September 2018
- *East Village Precinct, Bentleigh East, Environmental Conditions Summary* prepared by Senversa, dated 19 September 2017, *East Village Peer Review and Phase 1 Environmental Site Assessment* by BlueSphere Environmental, dated 25 July 2018;
- *East Village Buffer Impact Assessment*, prepared by GHD, dated May 2018, *East Village Bentleigh East Access and Movement Report* by GTA Consultants, dated October 2018;

- *Health and Condition Report, Assessment of trees within Virginia Park Industrial Estate/East Village precinct, Bentleigh East* by Homewood Consulting Pty Ltd, dated 14 September 2017;
- *East Bentleigh Village Employment Assessment* by JLL, dated October 2017;
- *East Village, Bentleigh East Assessment of retail potential* by MacroPlan Dimasi, dated January 2018;
- *Access and Movement Report (GTA) - October 2018*
- *Utility Servicing Assessment Report- Wood and Grieve Engineers- August 2018*

2 Background

Due to a decline of the manufacturing industry within Australia, the site known as Virginia Park Business Centre has been subject to previous rezoning proposals to facilitate residential land use and development. The most recent proposal in July 2015 raised a significant level of concern and was abandoned by Glen Eira City Council.

Since the previous amendment was abandoned, the landowners have carried out a four-stage independent community engagement process throughout 2016. In response to community feedback, a draft 20-year masterplan was produced.

Partnership with VPA

Following the masterplan, the Glen Eira City Council was approached by landowners to commence a structure planning process. To ensure the appropriate level of resources to successfully deliver a high quality outcome for the precinct, Council resolved on 7th February 2017 to enter into a partnership with the Victorian Planning Authority (VPA) to develop a plan that will facilitate the redevelopment of East Village into a mixed use-development site over the long term.

Community Engagement

Since partnering with the VPA, Glen Eira City Council has led the community engagement to inform future plans for this important strategic site. Between 10 March and 16 April 2017, 262 community members completed a community survey, along with 3 email/mail submissions which sought views on the community's vision, objectives, priorities and concerns for the precinct.

A second round of consultation held between 24 May and 13 June 2017 further tested the draft vision and objectives. At the Community Forum held on 24th May 2017, 64 community members attended and 3 surveys were completed. The third round of consultation was held between 10 July and 6 August 2017 to seek feedback on a draft Concept Plan. At the Community Forum on 27 July, 45 participants attended, 6 written submissions and 76 online forum comments were also received.

The fourth round of consultation was conducted between 20 November and 18 December. A community forum was held on 7 December and 68 attended 14 email, 21 online and 10 Facebook submissions were received.

A community reference group was also established in 2018 to represent the community's views on the planning process. The group has been important in providing feedback on the technical reports prepared.

Vision

The revised vision for the East Village to 2031, following community consultation, is stated in the Comprehensive Development Plan as follows:

"East Village will be a sustainable mixed use precinct with a focus on innovative employment and education opportunities. Enhanced by green spaces and places for people, it will be supported by a diverse range of high quality housing and retail that caters for all."

Key Features of the Plan for East Village

The aim of the Structure Plan is to provide for many of the needs of the proposed new community within 20 minutes of where people live – including parks, schools, shopping, dining, jobs and access to public transport. The key features include:

- New commercial and office development along East Boundary Road at four to six storeys.
- Townhouses along the eastern and southern boundaries up to three storeys.
- Apartment buildings towards the centre of the precinct up to eight storeys with commercial activity on lower levels.
- Transition of the existing industrial and service businesses along North Road to commercial and other employment uses over time (up to six storeys).
- New retail precinct along North Drive providing shopping, dining and employment opportunities.
- A central park on the north side of North Drive, an extension of Marlborough Street Reserve into the precinct and a town square on the south side of North Drive.
- Traffic management works including proposed signalised intersections on East Boundary Road.
- Off-road bicycle path through the precinct connecting North Road to East Boundary Road.
- Tree-lined streets providing safe pedestrian and bicycle travel.
- The Victorian Government is consulting on a proposed school to be located on South Drive. The school will provide pedestrian access from Marlborough Street Reserve through to Virginia Park.

Summary of Key Outcomes

The key outcomes for the amendment area include:

- Increase the number and type of jobs within the precinct.
- Increase housing diversity and choice.
- Deliver affordable housing.
- Commit to achieving an accreditation in sustainable development.
- Bike paths and network of pedestrian paths for continuous access through the precinct.
- New shopping and dining opportunities.

3 The Site and Context

3.1 The Site

The site is located approximately 14km from the Melbourne CBD in Bentleigh East within the Glen Elra City Council. It is bound by North Road to the north, East Boundary road to the west, residential parcels to the east and Virginia Park to the south.



Figure 2 Location Plan

Land Use and Development

The 24ha land holding currently contains the Virginia Park Business Centre, the former Bosch Brakes Factory and a number of smaller industrial and residential parcels to the north, fronting North Road.

Vehicle Access

The site has frontage to East Boundary Road and North Road. Vehicle access is provided at two locations from East Boundary Road via South Drive and North Drive which run-east west through the site and connect with Second and Third avenue and South Drive. From North Road, there are three vehicle access points at Murra Street, Carey Street and Cobar Street – all intersecting with Griffith Avenue within the site.

Easements and Restrictions

Certificates of Title are provided as part of this report (refer to Appendix 2). The Certificates provide details of drainage, sewerage and water supply easements as well as any other restrictions over the site.

The land to be rezoned comprises the following parcels:

Street Address (all in Bentleigh East)	Lot Number
912-926 North Road	Lots 1, 4, 8, CP160029H
928 North Road	Lots 12, 13, 14, 15, PS010881
934 North Road	Lot 1, PS329746L
936 North Road	Lot 2, PS329746L
938 North Road	Lot 21, PS010881
940-944 North Road	Lots 22, 23, 24, PS010881
946-952 North Road	CP353136S
954 North Road	Lot 1, TP597914D
956 North Road	Lot 1, TP203555J
958 North Road	Lot 1, TP208711U
960 North Road	Lot 1, TP297149Q
962 North Road	Lot 1, TP555082L
964 North Road	Lot 1, TP148010J
966 North Road	Lot 1, TP203612Y
1 Murra Street	Lot 16, PS010881
2-4 Murra Street	Lots 17, 18, 25, 26, PS010881
2 Carey Street	Unit 1, SP009858
4-8 Carey Street	Lot 28, PS010881
1-3 Cobar Street	Lots 1-33, SP029131
2 Cobar Street	Lot 45, PS010881
4 Cobar Street	Lot 44, PS010881

Street Address (all in Bentleigh East)	Lot Number
6 Cobar Street	Lot 43, PS010881
1 Griffith Avenue	Unit 2, SP009858
3 Griffith Street	Unit 3, SP009858
3A Griffith Street	Unit 4, SP009859
5 Griffith Street	Unit 5, SP009858
16 Griffith Street	Lot A, PS632886C
234 East Boundary Road	Lot 1, TP827940A
236 East Boundary Road	Lot 1, TP749593D
238 East Boundary Road	Lot 1, TP841064T
240-246 East Boundary Road	Lot 1, PS632867G
246A East Boundary Road	Lot 1, TP130257W
248 East Boundary Road	Lot 1, TP202140V
250-252 East Boundary Road	Lot 9, PS010881
1 Barrington Street	Lot 1, PS022277

The plan below identifies the lots affected by the planning scheme amendment.



Figure 3 The Site

3.2 Regional Context

The site is located on the growth corridor of Melbourne's south east and sits just outside the Monash National Employment and Innovation Cluster (MNEIC). Historically, this site has formed the main general industrial precinct of the Municipality. Since the decline of industrial manufacturing and, more particularly, the car industry around which part of the site was established, the site has been identified by City of Glen Eira and the VPA for renewal and change. Urban renewal of the site will take advantage of the underutilised land close to jobs, services and public transport infrastructure to provide new jobs, services and housing.

East Village is strategically located in a 'knowledge triangle' between the Melbourne CBD and the MNEIC.

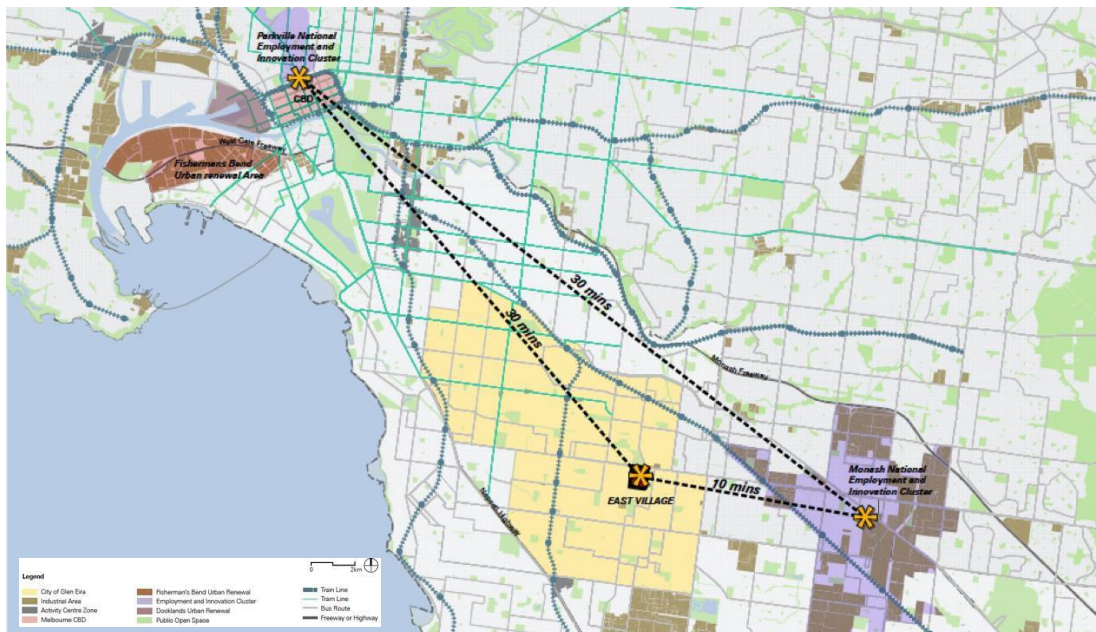


Figure 4 The Knowledge Triad (source: MGS Urban Design Report p5)

3.3 Local Site Context

The site is located within an established middle ring suburb. The surrounding area is characterised by predominantly low-scale, low density conventional housing punctuated with areas of open space and small strip shopping centres on main roads. The site benefits from proximity to a range of services and amenities, including:

- Bus Route 630 on East Boundary Road providing services between Elwood and Monash University and Route 822 on Marlborough Street providing services to Chadstone and Southland Shopping centres;
- Virginia Park abutting the southern site boundary;
- Marlborough Street Reserve abutting the eastern site boundary;
- Duncan Mackinnon Reserve opposite North Road to the north;
- Glen Eira Sports and Aquatic Centre (GESAC) approximately 300m south of the site;

- McKinnon Primary School and Secondary Schools approximately 1.5 km west of the site;
- Moorabbin Hospital approximately 1.5km south of the site.

The site is 2km away from major rail and tram lines.



Figure 5 Local Site Context (Aerial Photograph)

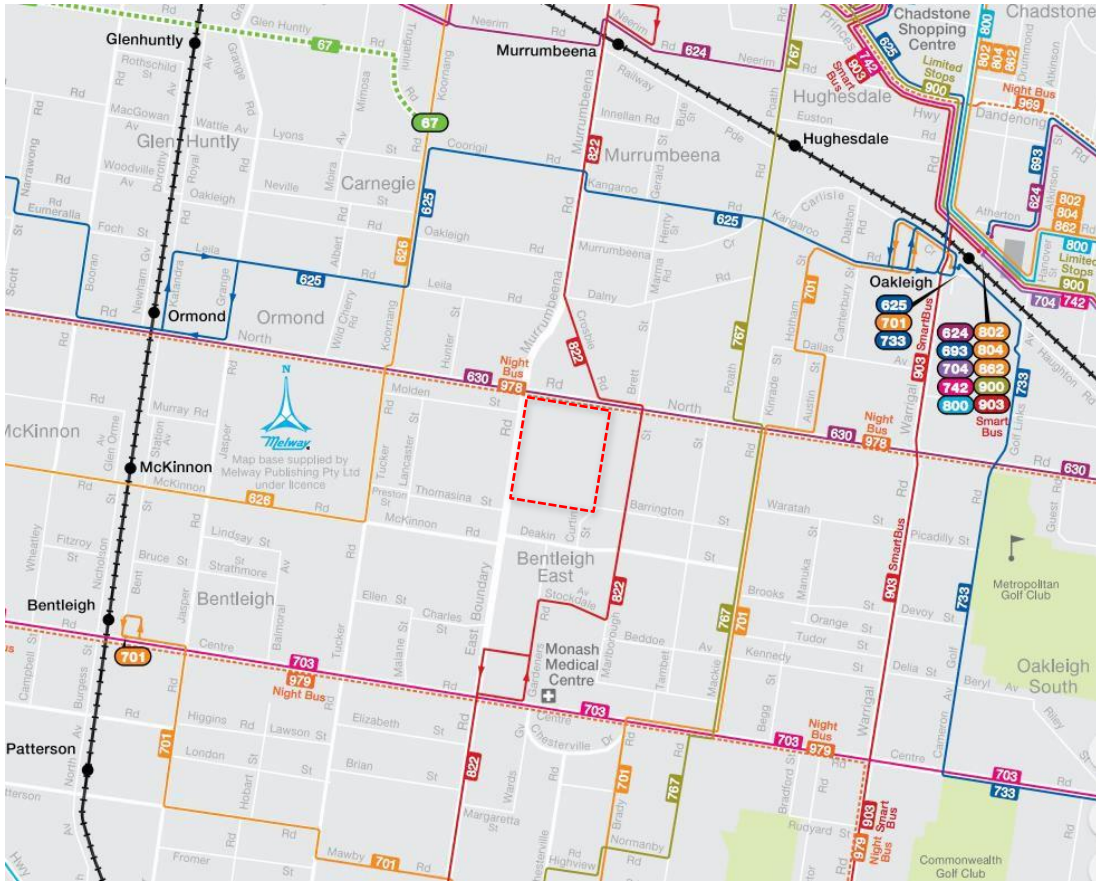


Figure 6 Public Transport (Extract from PTV Map)

4 Existing Planning Controls

The site is located within the following zones of the Glen Eira Planning Scheme.

- Commercial 1 Zone;
- Commercial 2 Zone;
- Industrial 1 Zone;
- Neighbourhood Residential Zone (Schedule 1).

The site is also affected in parts by the following Overlays:

- Development Plan Overlay;
- Environmental Audit Overlay;
- Special Building Overlay.

4.1 Zoning

The site is located within four zones, including the Industrial 1 Zone (I1Z), Commercial 1 Zone (C1Z), Commercial 2 Zone (C2Z) and Neighbourhood Residential Zone – Schedule 1 (NRZ1) of the Glen Eira Planning Scheme. The site also abuts a Road Zone – Category 1 (RZ1) (North Road and East Boundary Road).

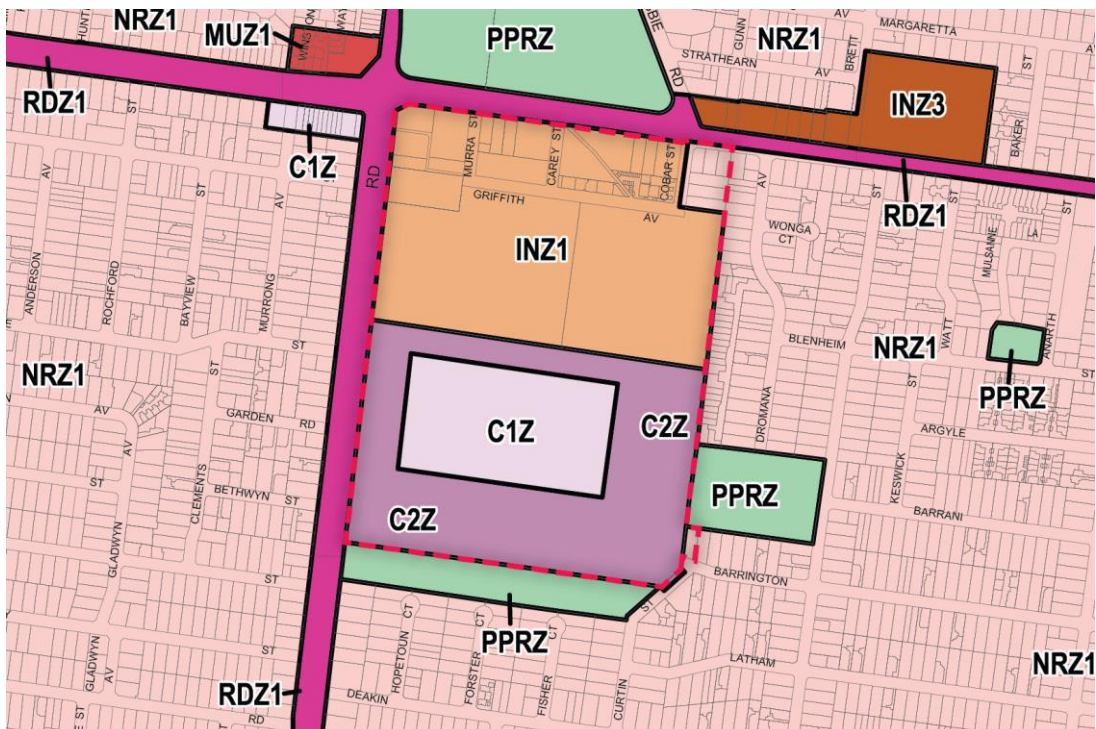


Figure 7 Zoning (Industrial 1 Zone, Commercial 1 Zone, Commercial 2 Zone and Neighbourhood Residential Zone – Schedule 1)

The purpose of the **Industrial 1 Zone** is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for manufacturing industry, the storage and distribution of goods and associated uses in a manner which does not affect the safety and amenity of local communities.*

The purpose of the **Commercial 1 Zone** is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To create vibrant mixed use commercial centres for retail, office, business, entertainment and community uses.*
- *To provide for residential uses at densities complementary to the role and scale of the commercial centre.*

The purpose of the **Commercial 2 Zone** is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage commercial areas for offices, appropriate manufacturing and industries, bulky goods retailing, other retail uses, and associated business and commercial services.*
- *To ensure that uses do not affect the safety and amenity of adjacent, more sensitive uses.*

The purpose of the **Neighbourhood Residential Zone** is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To recognise areas of single and double storey residential development.*
- *To manage and ensure that development respects the identified neighbourhood character, heritage and environmental or landscape characteristics.*
- *To allow educational, recreational, religious, community and a limited range of other non-residential uses to serve local community needs in appropriate locations.*

The purpose of the **Road Zone** is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To identify significant existing roads.*
- *To identify land which has been acquired for a significant proposed road.*

4.2 Overlays

The amendment area is affected by three overlays, the Special Building Overlay (SBO), The Environmental Audit Overlay (EAO) and the Development Plan Overlay – Schedule 2 (DPO2) (to Virginia Park Business Centre).

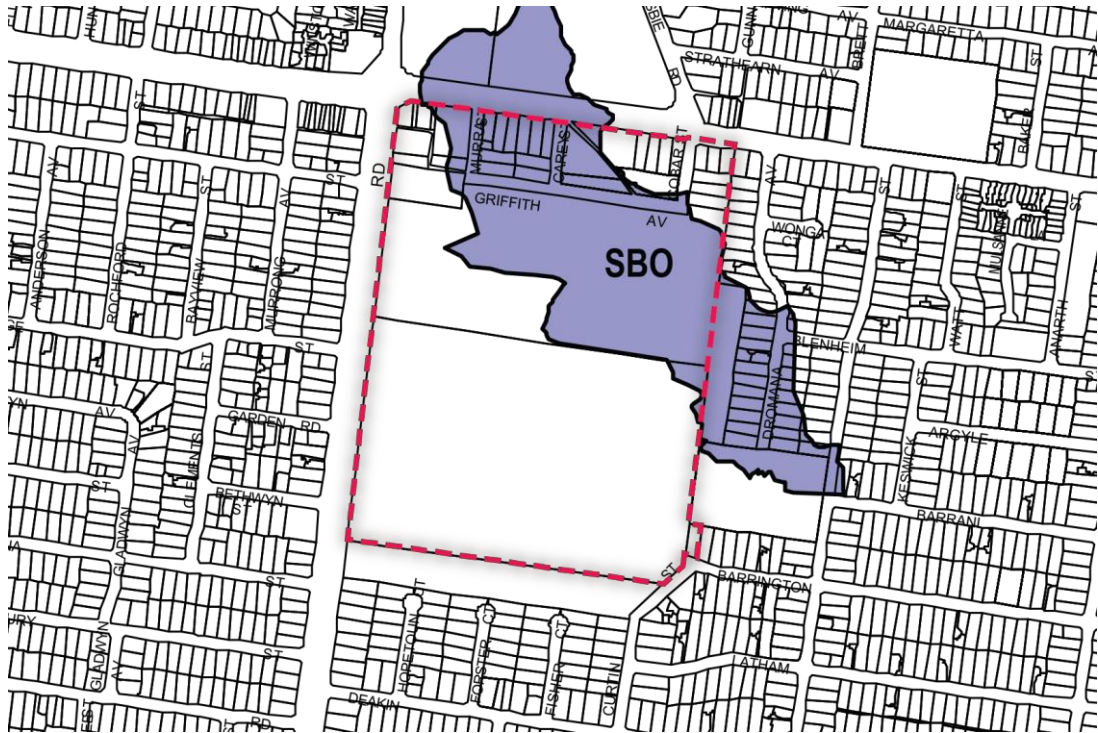


Figure 8 Existing Special Building Overlay (SPO)



Figure 9 Existing Environmental Audit Overlay (EAO)

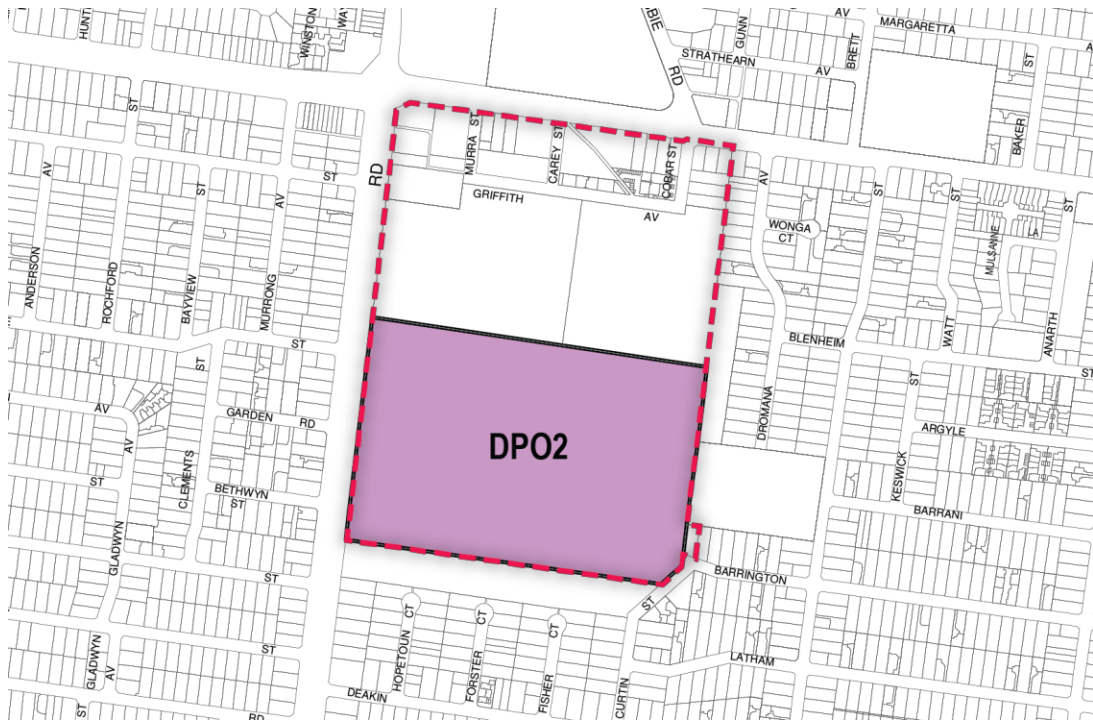


Figure 10 Existing Development Plan Overlay – Schedule 2 (DPO2)

The purpose of the **Special Building Overlay** is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.
- To ensure that development maintains the free passage and temporary storage of floodwaters, minimises flood damage, is compatible with the flood hazard and local drainage conditions and will not cause any significant rise in flood level or flow velocity.
- To protect water quality in accordance with the provisions of relevant State Environment Protection Policies, particularly in accordance with Clauses 33 and 35 of the State Environment Protection Policy (Waters of Victoria).

The purpose of the **Development Plan Overlay** is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use of develop the land.
- To exempt an application from notice and review if a development plan has been prepared to the satisfaction of the responsible authority.

The purpose of the **Environmental Audit Overlay** is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To ensure that potentially contaminated land is suitable for a use which could be significantly adversely affected by any contamination.

Aboriginal Cultural Heritage

The Aboriginal Heritage Act (2006) provides for the protection and management of Victoria's Aboriginal heritage with processes linked to the Victorian Planning System. Much of the site is in an area of Cultural Heritage Sensitivity. Some activities that may be proposed in future in these areas may require an approved Cultural Heritage Management Plan.

5 Strategic Policy Context

5.1 Planning Policy Framework

To ensure that Planning Schemes further the objectives of planning in Victoria, planning authorities must take into account and give effect to the general principles and specific policies contained in the Planning Policy Framework (PPF).

The following clauses of the Planning Policy Framework (PPF) contained within the Glen Eira Planning Scheme that are most relevant to the proposed amendment are summarised below.

SETTLEMENT (CLAUSE 11)

Supply of Urban Land (Clause 11.02-1S)

This policy seeks to ensure a sufficient supply of land for residential, commercial, retail, industrial, recreational, institutional and other community uses. Planning for urban growth should consider opportunities for the consolidation, redevelopment and intensification of existing urban areas, neighbourhood character, landscape, limits of land capability and natural hazards, environmental quality, service limitations and costs of providing infrastructure.

ENVIRONMENTAL RISKS AND AMENITY (CLAUSE 13)

Contaminated and potentially contaminated land (Clause 13.04-1S)

This policy seeks to ensure that potentially contaminated land is suitable for its intended future use and development and that contaminated land is used safely.

Noise abatement (Clause 13.05-1S)

This policy seeks to assist the control of noise effects on sensitive land uses using a range of building design, urban design and land use separation techniques as appropriate to the land use functions and character of the area.

Air quality management (Clause 13.06-1S)

The objective is to assist the protection and improvement of air quality through integrating transport and land use planning to improve transport accessibility and connections, locating high trip generators in the Central City and Activity Centres and providing infrastructure for public transport, walking and cycling.

Land use compatibility (Clause 13.07-1S)

This policy seeks to safeguard community amenity while facilitating appropriate commercial, industrial or other uses with potential off-site impacts.

BUILT ENVIRONMENT AND HERITAGE (CLAUSE 15)

Urban Design (Clause 15.01-1S)

The objective of this policy is to achieve architectural and urban design outcomes that contribute positively to local urban character and contribute to a sense of place and enhance the public realm while minimising detrimental impact on neighbouring properties.

Urban Design – Metropolitan Melbourne (Clause 15.01-1R)

The objective is to create distinctive and liveable city with high quality design and high amenity at a metropolitan Melbourne level.

Building Design (Clause 15.01-2S)

The objective is to achieve building design outcomes that contribute positively to the local context and enhance the public realm.

Healthy Neighbourhoods (Clause 15.01-4S)

The objective is to achieve neighbourhoods that foster healthy and active living and community well being.

Healthy Neighbourhoods – Metropolitan Melbourne (Clause 15.01-4R)

The strategy is to create a city of 20 minute neighbourhoods that meet the everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

Neighbourhood Character (Clause 15.01-5S)

The objective of this policy is to encourage developments that responds to cultural identity and contributes to existing or preferred neighbourhood character and reinforces a sense of place.

Sustainable Development (Clause 15.02)

The objective of this policy is to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.

HOUSING (CLAUSE 16)

Integrated Housing (Clause 16.01-1S)

The objective is to promote a housing market that meets community needs.

Integrated Housing – Metropolitan Melbourne (Clause 16.01-1R)

The strategy is to provide certainty about the scale of growth by prescribing height and site coverage provisions for different areas and allow for a range of residential change areas (minimal, incremental and high change) that balance the need to protect valued areas to ensure that there is choice and growth in housing.

Location of residential development (Clause 16.01-2S)

The objective is to locate housing in locations that offer good access to jobs, services and transport. The strategy is to:

- Increase new housing in designated locations within established urban areas and reduce the share of new dwellings in greenfield and dispersed development areas.
- Encourage higher density housing on sites that are well located to jobs, services and public transport.
- Ensure an adequate supply of redevelopment opportunities within established urban areas to reduce the pressure for fringe development.
- Facilitate residential development that is cost effective in infrastructure provision and use, energy efficient, water efficient and encourages public transport use.

- Identify opportunities for increased residential densities to help consolidate urban areas.

Housing Opportunities – Metropolitan Melbourne (Clause 16.01-2R)

The strategy is to identify areas that offer opportunities for more medium and high density housing near employment and transport in Metropolitan Melbourne and to manage the supply of new housing to meet population growth and create a sustainable city by developing housing and mixed use development opportunities in locations that are:

- In and around Central City.
- Urban-renewal precincts and sites.
- Areas for residential growth.
- Areas for greyfield renewal, particularly through opportunities for land consolidation.
- Areas designated as National Employment and Innovation Clusters
- Metropolitan activity centres and major activity centres.
- Neighbourhood activity centres – especially those with good public transport connections.
- Areas near existing and proposed railway stations that can support transit-oriented development.

Housing Diversity (Clause 16.01-3S)

The objective is to provide for a range of housing types to meet diverse housing needs. To achieve this, housing stock needs to match the changing demand by increasing housing choice through adaptable internal housing design and well-designed medium density housing. Medium density housing that respects neighbourhood character will provide more housing choice and make better use of existing infrastructure.

Housing Diversity – Metropolitan Melbourne (Clause 16.01-3R)

The strategy is to create mixed-use neighbourhoods at varying densities that offer more housing choice.

Housing Affordability (Clause 16.01-4S)

The objective is to deliver more affordable housing closer to jobs, transport and services.

ECONOMIC DEVELOPMENT

Strategies seek to provide for economic prosperity for all sectors of the economy. It will be achieved by providing land, facilitating decisions and resolving land use conflicts so that each region may build on its strengths and achieve economic potential.

Diversified Economy (Clause 17.01-1S)

The objective is to strengthen and diversify the economy.

Diversified Economy – Metropolitan Melbourne (Clause 17.01-1R)

Strategies seek to support the Central City to become Australia's largest commercial and residential centre by 2050, by planning for office, retail, residential, education, health, entertainment and cultural activity spaces. 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.

Seeking to facilitate the development of National Employment and Innovation Clusters by ensuring they:

- Have a high level of amenity to attract businesses and workers.
- Are supported by good public transport services and integrated walking and cycling paths.
- Maximise investment opportunities for the location of knowledge intensive firms and jobs.

Support the employment and servicing role of Health and Education Precincts by:

- Focussing on improving access, particularly public transport access.
- Encouraging co-location of facilities to better utilise existing infrastructure.
- Supporting and facilitating growth of associated businesses and industries.
- Reinforcing their specialised economic functions while also providing opportunities for ancillary retail, commercial, accommodation and supporting services.

Provision for industrial land be located in suitable locations to support employment and investment opportunities and to facilitate investment in Melbourne's outer areas to increase local access to employment.

COMMERCIAL

Business (Clause 17.02-1S)

The objective is to encourage developments that meets the community's need for retail, entertainment, office and other commercial services.

The strategies to achieve this:

- Plan for an adequate supply of commercial land in appropriate locations.
- Ensure that commercial facilities are clustered and have net community benefit, are viable, accessible and makes efficient use of infrastructure.
- Locate commercial facilities in existing or planned activity centres.
- Provide new convenience shopping facilities to provide for the needs of local population in new residential areas and within or immediately adjacent to, existing commercial centres.
- Provide small scale shopping opportunities that meet the needs of local residents and works in convenient locations.
- Provide outlets of trade-related goods or services directly serving or ancillary to industry that have adequate on-site car parking.
- Locate cinema based entertainment facilities within or on the periphery or existing or planned activity centres.
- Apply a five-year time limit for commencement to any planning permit for a shopping centre or shopping centre expansion of more than 1000 square metres leasable floor area.

TRANSPORT (CLAUSE 18)

Strategies seek to ensure an integrated and sustainable transport system that provides access to social and economic opportunities, facilitates economic prosperity,

contributes to environmental sustainability, and coordinates reliable movements of people.

INTEGRATED TRANSPORT (CLAUSE 18.01)

Land Use and Transport Planning (Clause 18.01-1S)

The objective is to create a safe and sustainable transport system by integrating land use and transport.

MOVEMENT NETWORKS (CLAUSE 18.02)

Sustainable Personal Transport (Clause 18.02-1S)

The policy seeks to encourage sustainable private transport, such as new developments that promote opportunities to walk and cycle and locating developments within close proximity to public transports.

- Design of high quality pedestrian environments that are accessible to wheelchairs, prams and scooters.
- Cycling routes and infrastructure are constructed early in new developments. Direct pedestrian and bicycle infrastructure to and between key destinations including activity centres, public transport interchanges, employment areas, urban renewal precincts and major attractions.
- Cycling infrastructure is planned to provide practical route and safely delineates cyclists from other road users.
- Adequate provision for bicycle parking and related facilities to meet demand at education, recreation, transport, shopping and community facilities when issuing planning approvals.

Sustainable Personal Transport – Metropolitan Melbourne (Clause 18.02-1R)

Strategies seek to improve local travel options for walking and cycling to support 20 minute neighbourhoods.

Public Transport (Clause 18.02-2S)

The objective is to facilitate greater use of public transport and promote increased development close to high-quality public transport routes.

Principal Public Transport Network (Clause 18.02-2R)

The policy seeks to facilitate high quality transport access to job-rich areas and to maximise the use of existing infrastructure and increase the diversity and density of development along the Principal Public Transport Network. It is noted that almost the entire site is located within this network.

Road System (Clause 18.02-3S)

The objective is to manage the road system to achieve integration, choice and balance by developing an efficient and safe network and make efficient of existing infrastructure.

Car Parking (Clause 18.02-4S)

The objective is to ensure an adequate supply of car parking is appropriately designed and located.

INFRASTRUCTURE (CLAUSE 19)

The policy seeks to provide land for a range of accessible community resources, such as education, cultural, health and community support facilities. The growth and redevelopment of settlements should be planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure. Planning should minimise the impact of use and development on the operation of major infrastructure of national, state and regional significance. Consideration should also be made for the use of development and infrastructure contributions in funding of infrastructure.

Renewable Energy (Clause 19.01-2S)

The objective is to encourage the provision of renewable energy that sited and designed appropriately.

Education Facilities (Clause 19.02-2S)

The objective is to assist the integration of education and early childhood facilities with local and regional communities. Strategies include consideration of demographic trends for existing and future demand requirements of education and early childhood facilities, locating early childhood facilities and primary school to maximising access by public transport and safe walking and cycling routes. Ensuring safe vehicular drop-off zones are provided for early childhood facilities. Secondary and tertiary education facilities be located in designated education precincts and within areas that are accessible to public transport.

Open Space (Clause 19.02-6S)

The objective is to establish, manage and improve a diverse and integrated network of public open space that meets the needs of the community.

Open Space – Metropolitan Melbourne (Clause 19.02-6R)

The policy seeks to develop a network of local open spaces that are accessible and of high quality and include opportunities for new local open spaces. Ensuring that major open space corridors are protected and enhanced.

DEVELOPMENT INFRASTRUCTURE (CLAUSE 19.03)

Development and Infrastructure Contributions Plans (Clause 19.03-1S)

The objective is to facilitate provision of planned infrastructure to communities through the preparation and implementation of development contributions and infrastructure contributions plans.

Infrastructure Design and Provision (Clause 19.03-2S)

The objective is to provide timely, efficient and cost effective development infrastructure that meets the needs of the community.

Integrated water management (Clause 19.03-3S)

The objective is to sustainably manage water supply, water resources, waste water, drainage and stormwater through an integrated water management approach.

Telecommunications (Clause 19.03-4S)

The objective is to facilitate the orderly development, extension and maintenance of telecommunication infrastructure.

Telecommunications – Metropolitan Melbourne (Clause 19.03-4R)

The policy seeks to provide high-quality telecommunications infrastructure in Melbourne's employment, urban renewal and growth areas through early planning for fibre-ready

facilities and wireless infrastructure.

5.2 Local Planning Policy Framework

MUNICIPAL STRATEGIC STATEMENT (MSS)

The MSS provides the strategic planning framework for the City of Glen Eira. The most relevant Clauses to this planning scheme amendment are summarised below.

Vision (Clause 21.03)

Clause 21.03 sets out the vision for the City of Glen Eira under the key land use elements of Housing and Residential Development, Business Industrial, Institutional and Non Residential Uses in Residential Areas, Public Uses/Community Facilities, Heritage, Infrastructure, Transport and Open Space.

Each element explains the relationship between its objectives and strategies and the controls on the use and development of land in the planning scheme.

Clause 21.03-5 entails the Framework Plan, which together with the Strategic Land Use Objectives and Strategies and local policies will assist the application of new zones and assist land use decisions.

Housing (Clause 21.04)

In order to manage the municipality's projected housing demand, Council supports a targeted approach to meet its future housing needs by identifying areas where multi-unit development is encouraged and facilitated through local planning policies and statutory controls. A number of different categories of housing diversity areas have been developed. A different density, mass and scale of development is sought for each type of area. The hierarchy includes Urban Villages, Neighbourhood Centres – Commercial, Local Centres and Neighbourhood Centres – Residential.

The site is currently used for industrial and commercial uses and is not zoned for residential purposes therefore the residential hierarchy does not apply to the site.

Business (Clause 21.06)

The objectives under the clause seeks:

- *To maintain a mix of commercial centres that cater for the needs of Glen Eira community.*
- *To enhance and further develop urban villages and neighbourhood centres as the focus for community life.*
- *To encourage competitive retail outlets in viable, lively and interesting strip shopping centres.*
- *To maintain pleasant and safe public environments in commercial centres in partnership with business.*
- *To encourage more local employment and attract more local spending in partnership with business.*
- *To encourage the restructuring of local and smaller centres where retail use is declining.*

Infrastructure (Clause 21.11)

The existing scheme provisions are inadequate to protect the development and redevelopment from the from the effects of 1 in 100 year storm. Council and Melbourne Water are the relevant drainage management authority for various areas of the municipality. Council is committed to undertake further investigations of existing drainage infrastructure and improvements to ensure that it caters for increasing levels of urbanisation.

The objectives under the clause seeks:

- *To maintain and improve Glen Eira's infrastructure including roads, streets, drains and essential services.*
- *To ensure that new development contributes appropriately particularly where it is likely to impact on the capacity of existing infrastructure.*
- *To manage development and redevelopment on land that is liable to flooding to minimise the costs associated with a major storm event.*
- *To encourage appropriate location of aerial services and overhead cabling in order to improve the visual amenity of the municipality.*

Transport (Clause 21.12)

The objective of this clause seeks:

- *To advocate and encourage the provision of a safe, convenient and efficient transportation network which meets the needs of Glen Eira's residents, businesses and through traffic.*
- *To encourage increased access and use of public transport.*
- *To minimise the adverse effects of vehicular traffic, especially in Glen Eira's residential areas.*
- *To ensure the adequate provisions of car parking in appropriate locations to serve the needs of business and its customers.*

Open Space (Clause 21.13)

The existing Open Space Strategy commits to a 13 year framework of actions that will be funded by a range of sources, including provision of land in accordance with Clause 22.12 Public Open Space Contributions. The Strategy also sets a flat rate for openspace contributions for all applicable subdivisions at 5.7% at Clause 53.01 of the planning scheme.

The objectives and strategies are:

- *To improve the amount, distribution and quality of open space that meets the needs of Glen Eira's existing and future populations.*

Strategies:

- *Implement the City of Glen Eira Open Space Strategy 8 April 2014.*
- *Encourage development that will result in improvements to Glen Eira's public open space network.*
- *Encourage the protection of indigenous flora.*
- *Ensure that if land is subdivided, a public open space contribution is sought.*

LOCAL PLANNING POLICY

Public Open Space Contribution Policy (Clause 22.12)

This policy applies to all subdivision of three lots or more except for subdivision within the Caulfield Village area.

The objective of this policy:

- *To implement the City of Glen Eira Open Space Strategy 8 April 2014.*
- *To identify when and where land contributions for public open space are preferred over cash contributions.*
- *To ensure that where appropriate, 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, in satisfaction of the public open space contribution requirement.*

5.3 Particular Provisions

The particular provisions relevant to the proposal include:

Car Parking (Clause 52.06)

Column B of Clause 52.06 applies for any part of the land that is within the Principal Public Transport Network. This applies to most of the land within the site. Provision for car parking spaces are required before a new use commences or the floor area or site area of an existing use is increased or an existing use is increased by the measure specified in Column C of Table 1. A permit may be granted to reduce or waive the number of car spaces required. Car parking requirements for specific land uses are identified in the table 1 of Clause 52.06.

Land Adjacent to a Road Zone, Category 1, or a Public Acquisition Overlay for a Category 1 Road (Clause 52.29)

A permit is required to create or alter access to a road in a Road Zone, Category 1. It is noted that both North Road and East Boundary Road are Road Zone Category 1.

Bicycle Facilities (Clause 52.34)

This clause outlines bicycle requirements for new uses or the increase of the floor area of an existing use until the required bicycle facilities and associated signage have been

provided on the land. A permit may be granted to vary, reduce or waive any requirements of Clause 52.34-5 and Clause 52.34-6.

Public Open Space contribution and subdivision (Clause 53.01)

All subdivision with the exception of the area known as the Caulfield Village as delineated in the Caulfield Mixed Use Area Incorporated Plan February 2014 requires a flat rate of 5.7%.

Two or More Dwellings on a Lot and Residential Buildings (ResCode – Clause 55)

A detailed assessment against all of the objectives and standards of Clause 55 (ResCode), including standards of Apartment Developments under Clause 55.07, will be required for two or more dwellings on a lot and residential buildings at the time of development.

Residential Subdivision (Clause 56)

The overarching purpose of Clause 56 is to create livable and sustainable neighbourhoods and urban places with character and identity.

5.4 General Provisions

Decision Guidelines (Clause 65)

The purpose of this clause is to establish a basis for the responsible authority to decide whether the proposal will provide acceptable outcomes in terms of the decision guidelines of this clause.

6 Proposed Amendment

To facilitate redevelopment of East Village from an industrial/commercial estate to a sustainable mixed use precinct will require changes to the land use and design controls in the Glen Eira Planning Scheme. The changes will enable the creation of an innovative employment and education precinct with a diverse range of high quality housing retail and public space.

The current Industrial, Commercial and Neighbourhood Residential Zones over the amendment area limit the potential for redevelopment in accordance with Vision and Objectives of the draft East Village Structure Plan prepared for the site, which includes a mix of commercial, retail, residential, educational and other supporting uses.

The amendment seeks to make the following policy and planning control changes to the site:

- Amends the Municipal Strategic Statement (MSS) at Clause 21.01-1, 21.01-6 and 21.03-5 to remove reference to Virginia Park Industrial Estate and Virginia Park Business Centre as forming the base of industry in Glen Eira and being the municipality's largest industrial area.
- Amends the Local Planning Policy Framework at Clause 21.06 – Business and 21.07 – Industry to remove reference to Virginia Park Industrial Estate and Virginia Park Business Centre, removes reference to rezoning land to Commercial 1 Zone, Business 2 Zone, Business 3 Zone and Industrial 1 Zone, and inserts reference to East Village.
- Incorporates two new documents into the Planning Scheme by listing the documents in the Schedule to Clause 72.04 as:
 - *East Village Comprehensive Development Plan, # 2018*
 - *East Village Development Contributions Plan, # 2018*
- Inserts Schedule 2 to Clause 37.02 - Comprehensive Development Zone (CDZ) into the Scheme.
- Inserts Map 4CDZ and rezones the land to Comprehensive Development Zone – Schedule 2 (CDZ2).
- Inserts Clause 45.06 – Development Contributions Plan Overlay (DCPO) into the Scheme.
- Inserts Schedule 1 to Clause 45.06 into the Scheme
- Inserts Map 4DCPO and applies the Development Contributions Plan Overlay – Schedule 1 (DCPO1) to the land within the CDP area.
- Amends Map 4EAO to apply the Environmental Audit Overlay (EAO) to land within the CDP area previously zoned Industrial 1 Zone (IN1Z).
- Deletes Map 4DPO (Development Plan Overlay) from the planning scheme maps.
- Deletes Schedule 2 in Clause 43.04 Development Plan Overlay (DPO2)
- Updates the schedule to Clause 53.01 to require;
 - All land shown as Commercial North sub precinct, Commercial west sub precinct and Commercial north (subject to drainage control) sub precinct on Plan 1 of the incorporated East Village Comprehensive Development Plan, December 2018. 5.7%

- All land shown on Plan 1 of the incorporated East Village Comprehensive Development Plan, December 2018 other than land shown as Commercial North sub precinct, Commercial west sub precinct and Commercial north (subject to drainage control) sub precinct. 11.4%
- Updates the schedule to Clause 72.03 to reflect mapping changes.
- Updates the Schedule to Clause 72.08 Background Documents- to include East Village Structure Plan 2018-2030 as a background document to Amendment C155.

The proposed zoning changes are shown below. Refer to **Appendix 1** for plans showing the proposed overlay changes.

The existing Environmental Audit Overlay will continue to apply, but extended to cover the remainder of the former Industrial 1 Zone within the amendment area.

6.1 Analysis of Proposed Controls and Policy Amendments

Comprehensive Development Zone

The purpose of the East Village Comprehensive Development Zone (CDZ2) is:

- *To facilitate a transition in land use from industrial to mixed use.*
- *To encourage high quality urban design and architecture that is environmentally sustainable, responsive to the site's environs, improves local accessibility and permeability through the precinct, and provides active edges throughout the precinct.*
- *To create a vibrant, safe, diverse and attractive public environment.*
- *To encourage the intensive development of the land for a mix of uses including retail, residential, office, education, community and civic.*
- *To ensure that new sensitive uses do not unreasonably impact on the ongoing operations of existing industrial uses as the land use mix within the precinct transitions.*

The application of the CDZ2 to the site is considered appropriate as it will support the transition from manufacturing to creative and innovative industries, retailing, residential, office, education and community and civic uses as envisaged by the Structure Plan for the site. The development coordination and direction required to facilitate positive change in the East Village precinct requires the application of the Comprehensive Development Zone rather than a Mixed Use Zone with Design and Development Overlay (or similar). The CDZ2 provides clear guidance and greater certainty for the intended development outcomes for the site.

Development Contributions Plan Overlay

The purpose to the Development Contributions Plan Overlay (DCPO) is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*

- *To identify areas which require the preparation of a development contribution plan for the purpose of levying contributions for the provision of works, services and facilities before development can commence.*

The following works, services or facilities may be funded from a development infrastructure levy (pursuant to the Ministerial Direction on the preparation and content of development contributions plans, dated 11 October 2016):

- *Acquisition of land for:*
 - *Roads*
 - *Public transport corridors*
 - *Drainage*
 - *Public open space, and*
 - *Community facilities, including, but not limited to, building and works for or associated with the construction of: a maternal and child health care centre; a child care centre; a kindergarten; or any centre which provides these facilities in combination.*
- *Construction of roads, including the construction of bicycle and foot paths, and traffic management and control devices.*
- *Construction of public transport infrastructure, including fixed rail infrastructure, railway stations, bus stops and tram stops.*
- *Basic improvements to public open space, including earthworks, landscaping, fencing, seating and playground equipment.*
- *Drainage works.*

Application of the DCPO to East Village is considered appropriate as there is a direct nexus between future development envisaged under the CDZ and new infrastructure requirements within the Zone to facilitate that redevelopment.

Changes to Local Planning Policy Framework

The proposed changes to the Local Planning Policy Framework will reflect the strategic policy support for the proposed redevelopment of the East Village precinct for a more intensive mixed use precinct. The amendments simply remove references to the Virginia Park Business Centre and insert references to the East Village to ensure consistency of strategic planning policy with the proposed CDZ and DCPO controls for the site.

7 Key Planning Considerations

The structure plan for the site has been influenced and informed by a number of specialist technical reports and assessments. The reports have considered the future development of the land from a physical and policy context. The key findings of each report are provided below.

The Urban Design Report prepared by MGS Architects, dated November 2017 identified the following opportunities and responses for the site:

- Bentleigh East Village to be configured as a creative environment for convergence and clustering of synergistic enterprises and places.
- A technologically and physically connected precinct will attract businesses, workers and residents. Investment in high quality active transit facilities through the precinct connecting to regional networks together with improvements to the capacity and quality of bus stops and end of travel facilities will establish a high benchmark of quality.
- An eclectic mix of larger and smaller firms can contribute to innovative growth, through flexibly configured new green buildings, supplemented by short to medium term adaptive reuse of industrial buildings.
- Creation of hotspots across East Village will provide a base for social interactions between residents, workers and visitors.

The Peer Review Urban Design Report, prepared by AECOM, dated July 2018 suggests a more rigorous approach to the background context analysis and further articulation of the design response support the design proposal. The review supports the built form outcome pending further justification.

The Retail Assessment Report prepared by MacroPlan Dimasji, dated January 2018 indicates that a retail centre at the subject site has the potential to serve a large and growing catchment. There is a very low provision of supermarket floorspace in the area: only 70 square metres of supermarket floor space per 1,000 residents. The report claims a neighbourhood centre of around 9000 square metres is supportable at the subject site, anchored by a full scale supermarket. A neighbourhood centre of this scale could serve the food and convenience retail needs of local residents, without having onerous impacts on surrounding retail centres.

The Employment Assessment, prepared by JLL, dated October 2017 supports rezoning and redevelopment of the site to provide the improvements, infrastructure and design required to propel the site into the desired employment catchment. This would take approximately 10 years. The report also finds a scaled-back vision of office space is more supportable.

The Social Infrastructure Assessment, prepared by ASR Research, dated 31 July 2018 provides the following recommendations:

- Provision of land for new passive open space, and embellishment and a cash contribution towards the upgrade of Virginia Park.
- Expansion and upgrade of Marlborough Street Reserve.
- Provision of a Council community facility within the precinct.
- Retention of an existing long day childcare facility.
- Provision of a new sessional kindergarten.
- Provision of a maternal and child health centre.

The Access and Movement Report, prepared by GTA, dated July 2018 indicated there is sufficient capacity within the immediate road network to accommodate additional traffic movements anticipated as part of the site redevelopment. However, the report recommends several specific intersection improvements. It also points to opportunities for walking, cycling and public transport access and recommends various improvements to pedestrian amenities, cycling routes and bus service.

The Arborist Report, prepared by Homewood Consulting, dated 14 September 2017 identifies trees and groups of trees to establish their retention values. The report assessed 400 trees and recommended that certain trees and the tree canopy be protected at the time of redevelopment

The Stormwater Drainage Assessment Report, prepared by Cardno, dated 27 April 2018 involved detailed flood modelling outlining existing drainage issues, in addition to modelling potential options for the proposed future redevelopment of the site. The report modelled three flood mitigation options for flood water storage and overland flow paths, including cost estimates for each.

The Utility Servicing Assessment Report, prepared by Wood & Grieve Engineers, dated 21 August 2018 indicated that there is capacity for sewerage, water, gas, electricity and telecommunication services to cater for the future redevelopment of the site, but that details are subject to the implementation of the future redevelopment.

A Peer Review and Phase 1 Environmental Site Assessment was undertaken by BlueSphere Environmental in July 2018.

The report identified a range of potentially contaminating activities in the northern portion of the Precinct, resulting in potential contaminants related to car maintenance and waste storage. Therefore, groundwater and certain beneficial land uses require protection. While further study is required, the report recommends an environmental audit overlay (EAO) be placed on all non-residential zones in the northern portion of the Precinct and that an environmental assessment be an application requirement for future permits for select parcels also in that area.

8 Assessment of Strategic Considerations

Ministerial Directions are issued by the Minister for Planning which include guidelines that planning authorities must adhere to in the preparation of Planning Scheme Amendments.

The Council is required to strategically assess any proposal to amend the Glen Eira Planning Scheme and ensure consistency with relevant Ministerial Directions, and State and Local Policies.

This section of the planning report has been prepared in accordance with Planning Practice Note 46 and Ministerial Direction No 11: *Strategic Assessment Guidelines for preparing and evaluating planning scheme amendments*, which requires a planning authority to evaluate and discuss how a planning scheme amendment addresses several strategic considerations. The purpose of the Strategic Assessment Guidelines is to provide a consistent framework for the evaluation of a proposed Planning Scheme Amendment and the outcomes it produces. The relevant matters identified in the Guidelines are addressed below.

8.1 Why is an amendment required?

The Amendment intends to enable the use and development of the land in line with State policy which seeks to deliver new employment and housing at strategic redevelopment sites across metropolitan Melbourne. By rezoning the land to CDZ2, the amendment will facilitate development in a manner that properly considers the CDP (which will be an incorporated document listed in the schedule to Clause 72.04).

The Amendment will result in a good planning outcome, and a net community benefit through the delivery of a planning framework for a mixed-use neighbourhood that offers a high level of amenity for future residents, workers and the surrounding local community. In this regard, the Amendment is a specific response to *Action 16 of Plan Melbourne 2017-2050* which calls for a pipeline of urban renewal projects across Melbourne that deliver high amenity, mixed-use neighbourhoods.

A Development Contributions Plan (DCP) is required in order to fairly distribute the cost of new infrastructure between the varying sized landholdings in the amendment area.

An EAO is required on part of the land to prevent establishment of new sensitive uses on the land until such time as residual land contamination from historical industrial practices is remediated.

The DPO is removed from the land because the incorporated CDP becomes the relevant plan to guide the development of the land.

The Amendment is supported by a range of technical reports addressing issues including traffic; drainage and environmental site assessment.

The CDZ2 details the uses permitted within the precinct, along with the statutory requirements for planning permits and permit applications to assist in implementing the CDP.

A planning scheme amendment is the most appropriate method for managing the transition in land use and associated development, as the matters relate to land use and development outcomes.

The Amendment does not duplicate any management provisions for land use and development in other acts or regulations.

8.2 Does the amendment implement the objectives of planning and address any environmental, social and economic effects?

The Amendment implements the objectives of planning in Victoria by:

- Facilitating a mix of uses and a higher density of development that is more economic and sustainable with regard to the land's location in an existing urban area.
- Facilitating the orderly arrangement of land use and development that integrates with the surrounding area.
- Encouraging the development of a pleasant, efficient and safe living environment through new local parks, public open spaces and well-connected streets within the amendment area.
- Balancing the present and future interests of all Victorians by providing additional employment and housing opportunities (including affordable housing) within an existing urban area.
- Appropriately managing the passage and treatment of storm water through the amendment area.
- Equally apportioning development contributions across the amendment area.

The Amendment is likely to have a positive effect on air, land and water quality in the area through the transition of the land from predominately industrial use to a range of uses with lower potential for adverse amenity, including but not limited to residential, retail, office and education. The quality of land and water is likely to be improved through the remediation of contaminated former industrial land as a requirement of the EAO audit process.

The Amendment is likely to have a positive impact on community amenity through a reduction in the number of uses that require buffers as a consequence of the transition in land use. An application requirement has been included in the CDZ2 requiring an application for a building on land with a direct interface to the electrical substation shown in the CDP to be accompanied by an acoustic assessment. The assessment should provide recommendations on design responses to ensure future occupants of the building enjoy appropriate acoustic amenity. The application of the requirements of

Clause 55 and Clause 58 will ensure future apartment buildings addresses noise impacts at the planning permit stage.

The Amendment is likely to improve the health of ecological systems and biodiversity by introducing requirements for new open spaces, landscaping and water sensitive urban design within East Village. Drainage and water treatment on the site will be in line with the requirements of Melbourne Water. The application of an EAO onto land previously zoned IN1Z will ensure land is appropriately remediated prior to redevelopment for sensitive uses.

The overlay requires a certificate or statement of environmental audit to be issued before sensitive uses can commence, or before construction of a building/carrying out of works associated with a sensitive use can commence. Sustainable development practices are encouraged through requirements for a sustainability management plan to be submitted with an application for an office or apartment development.

The amendment (through an application requirement in the CDZ2) requires development which will intensify density in the area shown as 'Commercial North subject to drainage controls' on Plan 1 of the CDP to demonstrate that safe access / egress will be provided to Griffith Avenue or an alternative path to the satisfaction of Melbourne Water.

The Amendment is likely to have a positive economic and social effect on the community through the rezoning of the land to encourage the more employment intensive development of the site driven largely by office and retail development. This will have a positive effect on public and private sector investment in services and facilities to cater for the additional population. The proposed mix of employment generating uses will provide job opportunities for residents of the existing, surrounding areas along with new residents within East Village.

The inclusion of a greater mix of uses and more pedestrian friendly streetscapes within East Village is likely to improve opportunities for social interaction and change travel patterns for work, shopping and other activities, bringing more people out of cars and onto the footpath when travelling within the site.

The Amendment is likely to result in a reduction in the amount of industrial activity on the land as the transition towards other uses occurs. Based on the background report '*Assessment of Retail Potential*' (Macroplan Dimasi, January 2018), the quantum of retail within East Village is expected to have some trading impacts on existing retail centres. The estimated impacts are not considered to threaten the viability of any centre in the region.

The change in land use mix across site will result in an increase in private vehicle movement, which in turn will result in a need for five new intersection projects. The development of the land as proposed under the CDP will likely lead to an increase in demand for public transport which will be accommodated by bus services on East Boundary Road.

8.3 Does the amendment address relevant bushfire risk?

The land is not within a designated bushfire prone area, subject to a Bushfire Management Overlay or proposed to be used or developed in a manner that may create a bushfire hazard.

8.4 Does the amendment comply with all the relevant Minister's Directions?

The Amendment has been prepared to comply with the requirements of the **Ministerial Direction on the Form and Content of Planning Schemes** at section 7(5) of the Act.

Direction No. 1 Potentially Contaminated Land

As the land has been intensively used for industry and is proposed for a mix of uses including sensitive uses, the amendment applies the Environmental Audit Overlay to all land which does not yet have a Certificate or Statement of Environmental Audit under the Environment Protection Act 1970. The overlay requires a Certificate or Statement of Environmental Audit to be issued before sensitive uses can commence or before commencing buildings/works associated with a sensitive use.

Direction No. 9 Metropolitan Strategy

The Amendment has been prepared with regard to Plan Melbourne and in particular implements Plan Melbourne directions in the categories Housing Choice and affordability and Liveable communities and neighbourhoods. The amendment is a specific response to *Action 16 of Plan Melbourne 2017-2050* which calls for a pipeline of urban renewal projects across Melbourne that deliver high amenity, mixed-use neighbourhoods.

Direction No. 11 Strategic Assessment of Amendments

This explanatory report fulfils the requirements of this direction.

Preparation and Content and Reporting Requirements for Development Contributions Plans

The Amendment includes a development contributions plan that has been prepared in accordance with this direction. The development contributions plan limits the collection of a levy to the works, services, facilities and land listed in the direction. A development contributions plan is the most appropriate funding mechanism as the land is not in a scheduled development setting under the Preparation and Content and Reporting Requirements for Infrastructure Contributions Plans Ministerial Direction, meaning an infrastructure contributions plan cannot be used.

Direction No. 18 Victorian Planning Authority advice on planning scheme amendments

The Victoria Planning Authority has been approved by the Minister to provide advice on projects such as East Village. The VPA and Glen Eira City Council have worked together in partnership to prepare documentation for the amendment.

The VPA have assisted Council by;

- Engaging a number of consultants providing technical reports on issues such as drainage, urban design, traffic, contamination etc.
- Attending and participating in community forums and community reference group meetings.
- Drafting a Comprehensive Development Plan, the schedule to the Comprehensive Development Zone and amendment documents.
- Making information available to the public about the amendment on their website.

The information and documentation produced by the VPA forms part of the amendment.

Direction No. 18 requires Council to assess how the amendment addresses the following matters:

- Whether any advice was provided by the Victorian Planning Authority.
- The planning authority's response to that advice.
- How the provisions give effect to the intended outcomes sought by the Victorian Planning Authority or any superseded Authority.

The VPA has provided Council advice throughout the preparation of the planning scheme amendment. Council supports this advice and the provisions are consistent with the overall intended outcomes sought by the VPA which include planning for a sustainable mixed-use precinct with a focus on innovative employment and education opportunities, diverse housing, sustainability, and high quality greenspaces, public places, transport and retail.

There are some matters however, in which Council does not support the advice of the VPA, these include;

- 1.0 The application of a Public Acquisition Overlay on 960 North Road, East Bentleigh in order to ensure that the intersection can be delivered at the point in time where it is deemed necessary to maintain operationally acceptable traffic flows on the surrounding network.

Council considers that this matter is addressed by;

- A. Including in the schedule to the CDZ, an application requirement for buildings and works whereby the applicant must submit a traffic, parking and access impact report which includes the following;
- An assessment of the total vehicle movements to and from the entire precinct during peak periods. This is to include an assessment of the precinct's existing and the proposed development traffic generation during peak AM and PM period.
 - An assessment of the likely traffic impacts associated with the proposed development, including the ability of the Cobar Street / North Road / Crosbie Road intersection to function effectively without signalisation (if not already signalised), and the implications on the operation of the broader network, including the capacity of the North Road / East Boundary Road / Murrumbeena Road intersection.
- B. Including in the CDZ Schedule Buildings and Works Decision Guidelines;

The following decision guidelines must be considered for an application for buildings and works;

- The effect of traffic to be generated by the development on the capacity of the local and regional traffic network, including the operation of the East Boundary Road / North Road intersection.
- Where it is demonstrated that the traffic volume generated by the precinct is approaching or exceeds 2,000 vehicles at the peak hour, the ability of the Cobar Street/North Road/Crosbie Street intersection to function effectively without signalisation and the implications on the operation of the broader network,

including the capacity of the North Road / East Boundary Road / Murrumbidgee Road intersection.

- C. Including in the CDZ Schedule for “use of land” applications, an application requirement and decision guidelines to address this issue.

Application Requirement

The following requirements must accompany an application for a permit to use the land;

- The likely effects of the use on the local and regional traffic network;
- The works, services or facilities required to cater for those effects so that the efficiency and safety of the traffic network is maintained; and
- The proposed method of funding the required works, services or facilities.
- The availability and capacity of the electricity, drainage, sewer water and digital networks; and
- Any necessary upgrades to those networks; and
- The proposed method of funding the upgrade works

Decision Guideline

- The effect of traffic to be generated by the use on the capacity of the local and regional traffic network, particularly in relation to the ability of the Cobar Street/ North Road Crosbie Road to function effectively without signalisation.

- D. The Comprehensive Development Plan also provides guidance on the Cobar Street intersection;

2.3.1 Transport R13;

- The signalisation of the Cobar Street/North Road/Crosbie Road intersection must occur prior to the traffic movements generated by the precinct exceeding 2,000 vehicle movements in the PM peak hour, unless it can be demonstrated that the local traffic network can continue to operate effectively, including the East Boundary Road/North Road/Murrumbidgee Road intersection, to the satisfaction of VicRoads and the responsible authority.

2.0 Accommodation section 1 use – Condition

Council has included as a condition requirement for Accommodation Section 1 use to state the following;

That if accommodation is proposed in a mixed use or retail within the precinct, it must be;

- *with any frontage at ground floor level not exceeding 4 metres, rather than 2 metres.*
- *must be located on the second floor or above.*

This is proposed in order to avoid residential uses taking over ground floor envelopes in a mixed use or retail precincts where the aim is to have commercial/mixed uses.

Additionally, the SGS report prepared for Glen Eira Council- Glen Eira Housing and Local Economy Growth Assessment 2018 has identified that Glen Eira has a forecast demand for an additional 259,400 square metres of commercial floorspace by 2036.

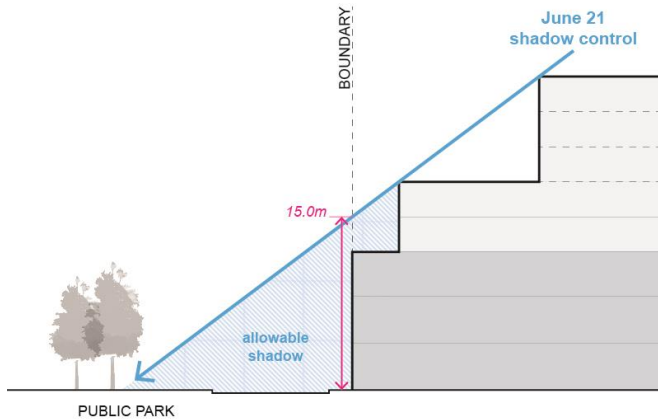
It also identified that the distribution of existing demand and future demand for commercial floorspace is very uneven. A significant amount of demand for commercial floorspace is located in residential areas outside of activity centres. The report recommends that there is a need to work at attracting this additional floorspace demand and that this should be done through Structure planning of activity centres .

3.0 Overshadowing controls for the public open space areas.

Council has included additional overshadowing controls in the Schedule to the CDZ and CDP to protect the public open space areas within and adjoining the precinct from overshadowing.

Due to the heights of buildings proposed, Council has introduced winter shadow controls to ensure that proposed and existing open space will receive an adequate amount of sunlight during winter and therefore making them useable. The Schedule to the CDZ includes the following;

- *Development must not cast any additional shadow cast by a hypothetical building built to boundary at a height of 15 metres on land immediately west and north of Central Park and Town Square, as identified in the East Village Comprehensive Development Plan, December 2018 for the hours 11am to 2pm on 21 June.*
- *Development must not cast any shadow on more than 25% of the area of any public open space described in Plan 2 of the East Village Comprehensive Development Plan, December 2018 between 11am and 2pm on 21 June.*



Council has also varied the VPA'S overshadowing controls during the September equinox to include the following;

- *Development must not cast a shadow over any part of Central Park as identified in the East Village Comprehensive Development Plan, December 2018 between 10am and 3pm on 22 September.*
- *Development must not cast a shadow over more than 20% of the Town Square as identified in the East Village Comprehensive Development Plan, December 2018 between 10am and 3pm on 22 September.*
- *Development must not cast a shadow beyond the southern kerb-line of North Drive and South Drive as identified in the East Village Comprehensive Development Plan, December 2018 between 10am and 3pm on 22 September.*
- *Development must not cast a shadow over any part of Virginia Park and the Marlborough Street Reserve as identified in the East Village Comprehensive Development Plan, December 2018 for at least 5 hours on 22 September.*
- *Development should not cast any unreasonable shadows over other public parks and gardens, pedestrian routes including streets and lanes and privately owned but publically accessible spaces.*

4.0 "Use of Land" Requirements

Council seeks to provide greater certainty in the planning controls to reduce future VCAT disputes on matters that Council has already consulted and decided upon over the last two years with the community. For planning applications that require approval for the use of the land, Council has included the following "Use of Land" requirements in the Schedule to the CDZ;

- "The use of land must be generally in accordance with the East Village Comprehensive Development Plan, December 2018".

5.0 Additional application requirements requested by Council.

The following additional application requirements for buildings and works applications have been included in the Schedule to the CDZ by Council;

- *A feature survey and site reestablishment plan.*

- *A staging plan showing staging of the development/road construction/service provision/land release to ensure that it would be developed in an orderly way.*
- *Shadow diagrams at hourly intervals from 9am to 3pm at September equinox and from 11am to 2pm at winter solstice.*
- *A site remediation strategy prepared by a suitably qualified professional that:*
Demonstrates the proposed staging of development to accommodate any required remediation works and how any contamination is being managed to prevent any detrimental effect on the use and development of the subject land or adjoining land or on buildings and works;

6.0 Construction of roads

Council has included in the CPD a requirement on the construction of roads to ensure that the roads are constructed to the standards and cross-sections in the CDP.

- R7 A shared road must be constructed to the north and west of the Central Park prior to, or concurrent with, the development of the Central Park
- R12 Roads within the precinct must be constructed in accordance with the street cross-sections in Section 4 of this CDP. Where a variation to the cross-section is sought, it must be demonstrated that the variation is required for a technical reason (e.g. location of services) and that the alternative cross-section achieves the outcomes sought by the original cross-section in terms of pedestrian, cycle and vehicle movement, street-tree plantings and urban amenity, to the satisfaction of the responsible authority.

Direction No. 19: Preparation and content of Amendments that may significantly impact the environment, amenity and human health

In accordance with Direction No, 19, the EPA were consulted with in preparing the Planning Scheme Amendment.

The EPA has reviewed the information provided and does not object to the pre-authorisation of this amendment provides the following comments;

- It is EPA's advice that the audit should be completed as early as possible in the planning process; ideally prior to the planning scheme amendment (rezoning) to ensure that the planning authority has the relevant information about the condition of the site to inform decisions as to suitable land uses, and the location of various proposed land uses.

The Amendment addresses the views of the EPA by appropriately addressing potential land contamination by applying an EAO on the site and including in the planning controls (the Schedule to the CDZ) an application requirement that requires an Environmental Site Assessment (Detailed Site Investigation) to be prepared by a qualified practitioner to address the following;

- "An Environmental Site Assessment (Detailed Site Investigation) prepared by a suitably qualified practitioner in contaminated land assessment. which takes account of the report titled East Village Peer Review and Phase 1 Environmental Site Assessment (Bluesphere Environmental, 25 July 2018) and provides information including:
 - Further detailed assessment of potential contaminants on the relevant land;
 - Clear advice on whether the environmental condition of the land is suitable for the proposed use;
 - Recommended remediation actions for any potentially contaminated land".

The Environmental Site Assessment (Detailed Site Investigation) must be completed in accordance with the National Environment Protection (Assessment of Site Contamination) Measure (2013) and relevant Environment Protection Authority (EPA) legislation and guidance.

8.5 How does the amendment support or implement the Planning Policy Framework (PPF)?

The amendment supports and gives effect to the following State policies:

11.01-1R Settlement – Metropolitan Melbourne

The Amendment will focus investment and growth in a major urban renewal precinct, create a mix of uses and neighbourhoods at varying densities.

11.02-1S Supply of Urban Land

The Amendment will increase the supply of housing in an existing urban area by facilitating increased housing yield on currently under-utilised urban land.

11.02-2S Structure Planning

The Amendment will increase the availability of as-of-right office space on the land, supporting State policy to ensure for adequate commercial land across Melbourne. In addition, the Amendment will facilitate a broad mix of employment generating uses, improving access to jobs for future residents of East Village and the surrounding community.

13.04-1S Contaminated and Potentially Contaminated Land

The Amendment is consistent with the objective of this policy as it will require developers to demonstrate that potentially contaminated land is suitable for its intended future use and development, and that contaminated land is used safely. This will be achieved through the application of the EAO to all land previously zoned IN1Z within the Amendment area.

13.05-1S Noise Abatement

The future urban structure of the CDP has been planned to generally direct commercial/office areas along East Boundary Road and North Road and retail areas along North Drive, which will function as the main street dissecting East Village. This arrangement of land uses will provide for a separation of non-residential land uses from the existing residential properties to the east of the Amendment area.

The Amendment will likely facilitate a reduction in noise and air emissions as the land use on the site transitions from industrial to a broader mix of uses.

Specific application requirements have been included within the CDZ2 to ensure planning applications for land with a direct interface to the electrical substation (northwest corner of the Amendment area) include an acoustic assessment. Noise impacts for apartments and townhouses will be assessed in accordance with the requirements of Clause 55 and Clause 58.

15.01-1 Urban design principles

The Amendment has been drafted to encourage architectural and urban design outcomes (addressing street and built form design) that contribute positively to local urban character and enhance the public realm while minimising detrimental impact on neighbouring properties through appropriate built form and siting.

15.01-4R Healthy Neighbourhoods – Metropolitan Melbourne

The Amendment will contribute to the creation of a city of 20 minute neighbourhoods, giving people the ability to meet most of their everyday needs within a 20 minute walk, cycle or local public transport trip from their home.

16.01-1S Integrated Housing

The Amendment will increase the supply of housing in existing urban areas that is integrated with infrastructure and services.

16.01-1R Integrated Housing – Metropolitan Melbourne

The Amendment will provide more certainty about the scale of growth by prescribing appropriate height and site coverage provisions for different areas in the precinct.

16.01-2R Housing Opportunity Areas – Metropolitan Melbourne

The Amendment will offer more medium and high density housing near employment in Metropolitan Melbourne and provide more mixed use housing and other forms of development in an urban renewal precinct with greyfied renewal opportunity.

16.01-3S Housing Diversity

The Amendment will provide for a range of housing types to meet diverse needs with a mix of housing types that make use of existing infrastructure.

16.01-3R Housing Diversity -Metropolitan Melbourne

The Amendment will facilitate the creation of a mixed-use neighbourhood with a range of housing types and densities that will offer more choice in housing for Bentleigh East. The Amendment will also rezone land to allow a wider range of opportunities for local businesses and jobs, in turn delivering better access to services and facilities for future residents of East Village and surrounding areas.

17.01-2S – Innovation and research

The land use framework proposed under this amendment has the potential to help people to be innovative and creative, learn new skills and start new businesses by streamlining the planning process to introduce a range of as-of-right uses such as Research centre and Research and development centre that can be established on parts of the land without a planning permit.

17.02-1S – Business

The Amendment provides a framework for the development of the land which will contribute to meeting community needs for retail, entertainment, office and other commercial services. The CDP provides net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities

18.02-1R Sustainable Personal Transport – Metropolitan Melbourne

The Amendment supports the policy objective of creating a city of 20 minute neighbourhoods close to existing services, jobs and public transport by facilitating increased housing and mixed-use development on a brownfield site in an established area of Bentleigh East.

19.02-2s – Education facilities

The Amendment supports this policy by nominating part of the site for a future government school, second campus of McKinnon Secondary College, thereby assisting the integration of education facilities within the community. Designs for the new campus and details on how McKinnon Secondary College will operate across both campuses will be determined once the site has been secured. It is expected the new campus will create an additional capacity for 1000 students.

19.03-1S – Development and Infrastructure Contributions Plans

The Amendment is consistent with State policy for development infrastructure. The land

use framework has been developed to ensure the required development infrastructure (including stormwater, roads, paths etc.) has been planned for and is feasible to be delivered. The Amendment includes a CDP nominating the infrastructure required to facilitate the development of the land and also includes a DCP to enable financial contributions to be collected to enable the delivery of the infrastructure.

The amendment implements **Plan Melbourne 2017-2050** by:

Providing for the mixed-use redevelopment of an industrial precinct in a location well suited to employment, residential and a mix of other uses by virtue of its proximity to open space, community facilities and the transport network.

Streamlining approval processes by including plans with a resolved general layout for the area including primary land uses, critical street networks and required infrastructure and construction standards.

Facilitating a diversity of housing products to suit a range of household configurations and income levels.

Requiring high standards in relation to the treatment of stormwater and environmental building standards. The amendment reflects the planning authority's endeavour to integrate the range of policies relevant to the issues and balance conflicting objectives in favour of net community benefit and sustainable development, for the benefit of present and future generations.

The amendment addressed the range of relevant policy consideration throughout the State Planning Policy Framework as outlined throughout this explanatory report, the amendment itself and the amendment background report published with the amendment.

8.6 How does the amendment support or implement the Local Planning Policy Framework (LPPF) and, specifically, the Municipal Strategic Statement (MSS)?

The Amendment is consistent with the Key Land Use Visions of the MSS at Clause 21.03 as it:

- Allows for sustainable redevelopment of an underutilised site which balances the needs of current and future populations
- Ensures a greater diversity of housing to meet future housing needs of a wider range of people in the Bentleigh East area
- Promotes environmental, social and economic sustainability through a requirement to carry out testing on potentially contaminated land via the application of the EAO, improved stormwater management, the provision of community and educational facilities and the facilitation of a wider range of employment opportunities
- Improves access to housing for residents with special housing needs through the provision of affordable housing.
- Protects and enhances the natural environment through the addition of public open space on previously industrial land, improved stormwater management and a requirement to carry out testing on potentially contaminated land via the application of the EAO
- Facilitates the development of a mixed use centre comprising significantly

greater commercial floorspace than currently on the land

- Stimulates and improves the vitality of Glen Eira's commercial centres through the provision of a wider range of uses, including residential development to ensure pedestrian activity occurs outside traditional business hours
- Create safe environments for residents, workers and visitors by providing a well planned future urban structure

Clause 21.11 – Infrastructure. The Amendment envisages the upgrade and provision of drainage and road/path infrastructure required as a result of the proposed changes in land use. Drainage requirements have been included within the CDZ2 to ensure a Drainage Strategy for the Precinct is prepared, to the satisfaction of Council and Melbourne Water, prior to any development occurring within the Precinct..

Clause 21.12 – Transport. The Amendment supports this clause by establishing a safe and efficient road and path network throughout the site and improving the local road network where required as a result of the CDP. The Amendment contemplates an increase in public transport patronage on the land and provides bus capable streets to improve accessibility for future residents, visitors and employees.

Clause 21.13 – Open Space. The Amendment supports this clause through the provision of additional, well planned and easily accessible open space.

The Open Space Strategy, together with the City of Glen Eira Open Space Strategy: Public Open Space Contributions Program Paper 1 July 2014, sets a flat rate for open space contributions for all applicable subdivisions of 5.7% in the Schedule to Clause 53.01 of the planning scheme. The Amendment proposes an increase;

- All land shown as Commercial North sub precinct, Commercial west sub precinct and Commercial north (subject to drainage control) sub precinct on Plan 1 of the incorporated East Village Comprehensive Development Plan, December 2018. 5.7%
- All land shown on Plan 1 of the incorporated East Village Comprehensive Development Plan, December 2018 other than land shown as Commercial North sub precinct, Commercial west sub precinct and Commercial north (subject to drainage control) sub precinct. 11.4%

The Amendment is inconsistent with the MSS insofar as Clause 21.01-1, 21.01-6 and 21.03-5 reference Virginia Park Industrial Estate as being the municipality's largest industrial area, and forming the base of industry in Glen Eira. There is also an inconsistency with Clause 21.06 – Business and 21.07 – Industry, which do not envisage residential or other sensitive land uses locating within Virginia Park (i.e. the proposed East Village precinct), and make specific reference to rezoning land to Business 1 and 2 zones. In response, the Amendment proposes changes to the MSS to remove these inconsistencies.

8.7 How does the amendment support or implement the Municipal Planning Strategy (MPS)?

This strategic consideration only applies if the planning scheme includes an MPS at Clause 02. The Glen Eira Planning Scheme does not include a Municipal Planning Strategy (MPS) at Clause 02.

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

The Amendment uses standard provisions from the Victoria Planning Provisions in the manner set out the Act and the relevant ministerial directions.

8.9 How does the amendment address the views of relevant agencies?

The views of relevant agencies have been sought through the preparation of the Amendment and have been incorporated into the documentation.

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

Glen Eira City Council, acting under the Planning and Environment Act 1987, is an 'interface body' under the Transport Integration Act 2010 (TIA).

The TIA requires a planning authority to have regard to a set of transport system objectives and decision making principles where a planning scheme amendment is likely to have a 'significant impact on the transport system'.

The proposed additions and changes to the existing transport system in and adjacent to the precinct will meet the transport system objectives by:

- Providing for an interconnected road system that responds to the likely level of use generated by the precinct and hence facilitating investment in housing and local retail services in the area.
- Enabling efficient access to existing and planned employment and services in and around East Village, and the broader region, through direct connections to the arterial road network and bus and train services.
- Providing locally based employment, recreational, community and retail facilities to reduce the need for extended travel.
- Designing roads that are of a suitable scale, are compatible with the expected travel demand.
- Providing for the efficient construction of infrastructure items concurrent with works associated with subdivision development.

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

The planning provisions will have limited additional impact on the resource and administrative costs of the responsible authority. No intervening plans are required before permit applications can be considered, which will reduce the administrative burden on Council. The Amendment implements a resolved CDP and DCP for the area, along with a streamlined CDZ2 that makes many uses as-of-right depending on their location. In most cases this will obviate the need for further notification of individual permit applications but require more intensive scrutiny of each application.

9 Conclusion

Having considered the above assessment, it is concluded that the proposed amendment is appropriate for the following reasons:

- The future redevelopment of this strategically located site within the knowledge triangle will contribute to employment growth, increased housing choice and the delivery of a 20 minute neighbourhood.
- The current planning controls for the site no longer align with the changing economic circumstances for manufacturing industry. Alternative controls are required to facilitate a transition away from manufacturing to a mixed use precinct facilitating creative and innovative industries and a mix of retail, commercial, educational and residential uses at increased densities.
- The proposed amendment makes appropriate use of the available statutory tools by applying a Comprehensive Development Zone and Development Contributions Plan Overlay to enable the orderly and economic redevelopment of the site.
- The amendment is consistent with State and Local Planning Policies and advances the strategic directions in Plan Melbourne 2017-2050: Metropolitan Planning Strategy; and
- The amendment will deliver positive environmental, social and economic outcomes and a net community benefit.

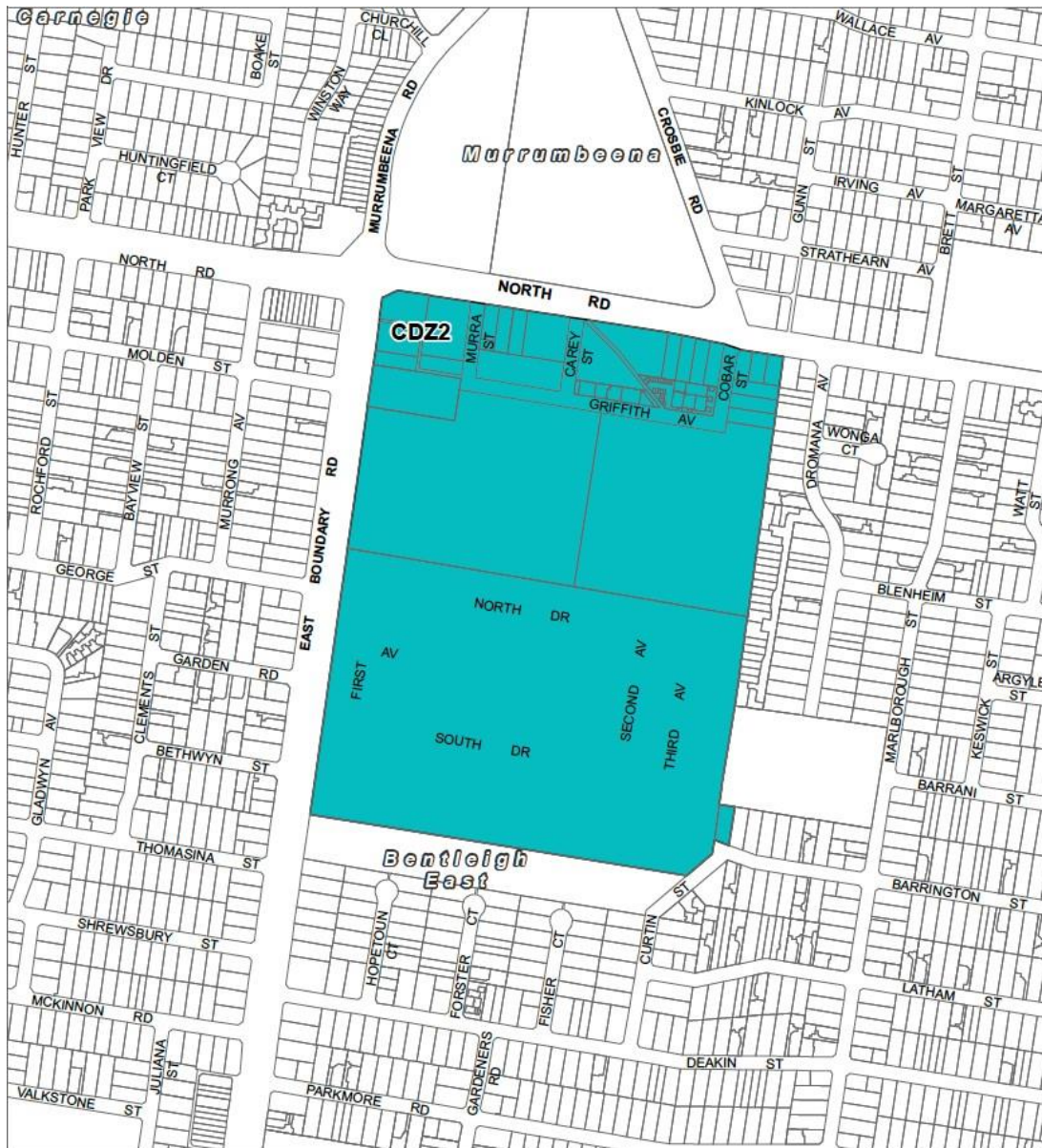
Appendices

Appendix 1: Proposed Zoning and Overlays

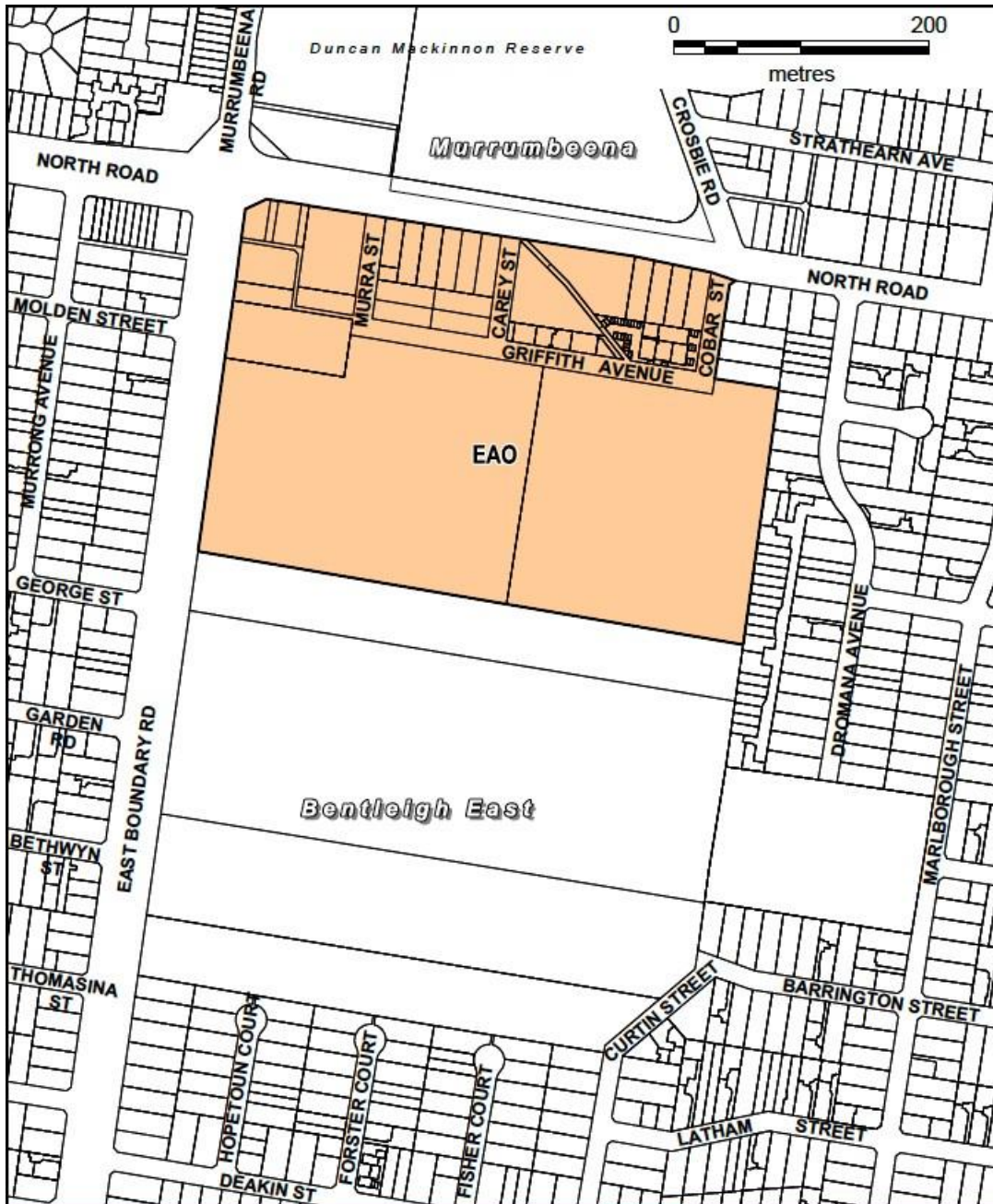


Appendix 1: Proposed Zoning and Overlays

Proposed zoning: Comprehensive Development Zone – Schedule 2 (CDZ2)



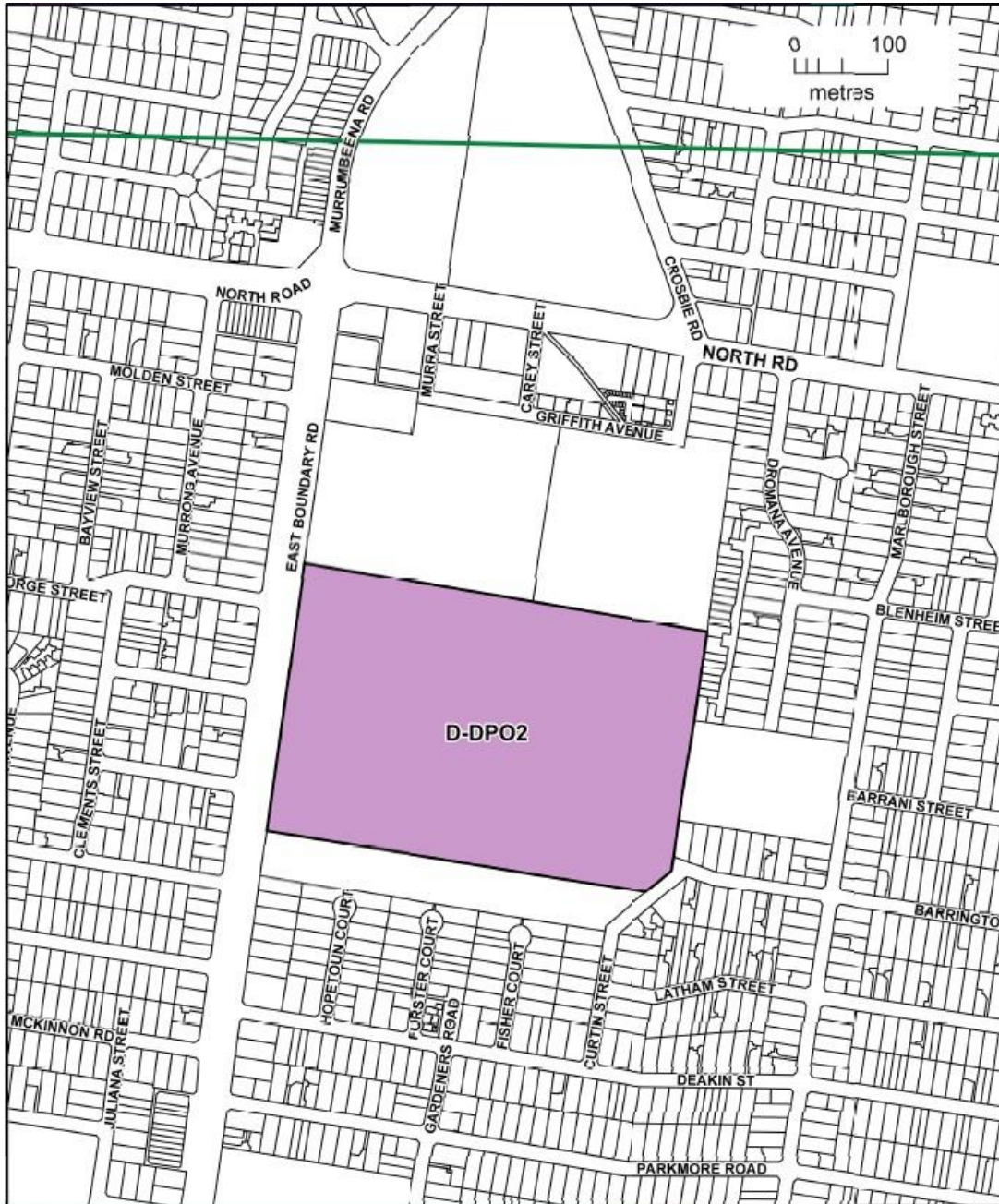
Proposed Overlay: Environmental Audit Overlay (EAO)



Proposed Overlay: Development Contributions Plan Overlay – Schedule 1 (DCPO1)



Proposed Overlay to be Removed: Development Plan Overlay – Schedule 2 (DCPO2)



Appendix 2: Certificates of Titles



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