

## GLEN EIRA PLANNING SCHEME

### AMENDMENT C217GLEN

#### EXPLANATORY REPORT

##### Who is the planning authority?

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

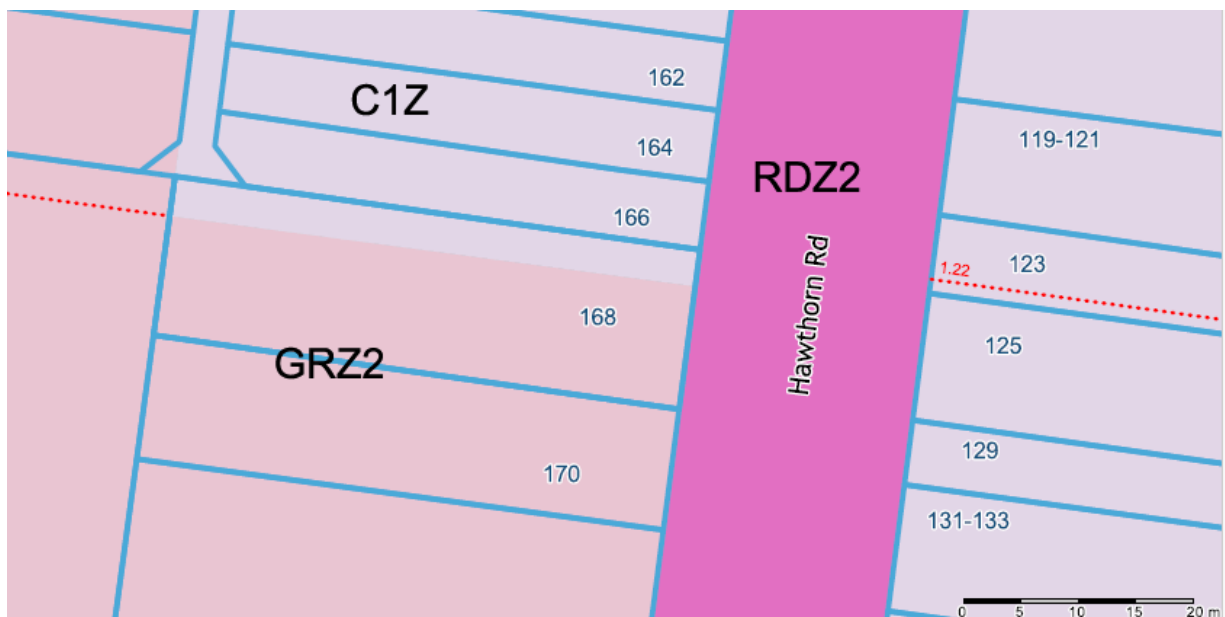
The amendment has been made at the request of the applicant Kinetica on behalf of the owners of the subject site.

##### Land affected by the amendment

The amendment applies to the site at 168 Hawthorn Road Caulfield North. The affected lot is Lot 1 on Title Plan 645653R, volume 06228 and folio 590

##### What the amendment does

The Amendment proposes to rezone an area on the northern boundary of the subject site, 168 Hawthorn Road Caulfield North. There currently exists a 3m wide area located on the northern boundary that is zoned Commercial 1 Zone while the rest of the site is zoned General Residential Zone – Schedule 2. There is only a carport currently built within this 3m wide area – see current zoning map and aerial map below. The site is also located perpendicular to a Road Zone Category 1 (RDZ1)



Map 1 – subject site zoning map detailing GRZ2 in light pink, C1Z in purple and RDZ1 in dark pink.



Map 2- aerial image of subject site

The Amendment is an administrative amendment in that it seeks to rezone:

- The northern boundary of 168 Hawthorn Road, Caulfield North from Commercial 1 Zone to General Residential Zone – Schedule 2.

### **Strategic assessment of the amendment**

#### **Why is the amendment required?**

Council records demonstrate that this right of way was discontinued as a road in 1988. Since the right of way was discontinued, the land has been used for residential purposes as part of 168 Hawthorn Road, Caulfield North. This amendment is to correct this existing anomaly to provide consistency for the entire site.

This error and inconsistency of this anomaly reduces the effectiveness of local provisions in implementing policy objectives and creates room for errors of interpretation and unintended outcomes.

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

The Amendment is consistent with the objectives of planning in Victoria, in particular the objective detailed in Section 4(1) (a) of the Planning and Environment Act 1987, being:

- *to provide for the fair, orderly, economic and sustainable use, and development of land.*

This Amendment will correct the existing anomaly that exists and will ensure consistency for the entire site. The land is proposed to be rezoned in accordance with development on the ground. This will provide greater clarity regarding use of the land at this site.

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

There will be no impact on environmental, social or economic issues.

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

The amendment does not impact on bushfire risk as this is an administrative amendment.

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

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

The amendment is consistent with *Ministerial Direction No. 9 - Metropolitan Planning Strategy* which requires amendments to have regard to *Plan Melbourne*.

The amendment is consistent with Ministerial Direction 11 – Strategic Assessment of Amendments.

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

The amendment is in accordance with Section 12(1) and 12(2) of the *Planning and Environment Act 1987*. The changes proposed remain policy neutral in respect the Planning Policy Framework at both a state or local level as they recognise existing conditions on the ground and remedy the anomaly.

In terms of the PPF, the amendment supports Clause 11.01-1R, Settlement – Metropolitan Melbourne, which includes the strategy to create ‘mixed-use neighbourhoods at varying densities, including through the development of urban-renewal precincts, that offer more choice in housing, create jobs and opportunities for local businesses and deliver better access to services and facilities.’

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

This strategic consideration only applies if the planning scheme includes an LPPF at Clause 20.

In terms of the LPPF, the amendment supports Clause 21.04, Housing and Residential Development, which includes a Residential Framework plan that includes the subject site within an ‘area along tram routes and selected main roads where multi unit development will be encouraged’. The proposed rezoning of part of the land from C1Z to GRZ2 supports this provision as GRZ2 is for ‘Tram routes, selected main roads and residential transition areas.’ The changes proposed in this amendment are policy neutral in respect to the LPPF as it recognises existing and historical conditions and remedies the anomalous circumstances. The amendment does not change local policy but simply applies it more accurately and credibly reflecting existing land use and development conditions.

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

This strategic consideration only applies if the planning scheme includes an MPS at Clause 02.

The key land use visions are included at Clause 21.03 for inclusion in this Municipal Strategic Statement. There are two visions that are relevant for this amendment:

1. Allow for sustainable redevelopment which balances the needs of current and future populations.
2. Ensure a greater diversity of housing to meet future housing needs.

This amendment will allow for sustainable redevelopment in the future to provide a greater diversity of housing to meet future populations. By rectifying this anomaly, the site will reflect the existing land use and development conditions as being a residential site.

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

The amendment proposes the most appropriate zoning for the northern boundary of the site to apply the General Residential Zone – Schedule 3 to be consistent with the majority of the residential site. In doing so, the use has not changed as it has been used as a residential site since the discontinuation of the right of way.

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

Not applicable.

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

The Amendment will not have any significant impact on the transport system.

### **Resource and administrative costs**

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

The Amendment will have a negligible impact on the resource and administrative costs of the responsible authority.

### **Where you may inspect this amendment**

The amendment can be inspected free of charge at the Glen Eira City Council website at [www.gleneira.vic.gov.au/C217glen](http://www.gleneira.vic.gov.au/C217glen)

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection).

### **Submissions**

All required ministers and referral authorities will be notified. Submissions about the amendment must be received by 5 November 2020.

A submission must be sent to: [CityFutures@gleneira.vic.gov.au](mailto:CityFutures@gleneira.vic.gov.au)

### **Panel hearing dates**

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: 15 March 2021
- panel hearing: 19 April 2021