

GREATER DANDENONG PLANNING SCHEME

AMENDMENT C224gdan

EXPLANATORY REPORT

Who is the planning authority?

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

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

Land affected by the amendment

The amendment applies to all land within the designated Noble Park Major Activity Centre boundary as per the Noble Park Major Activity Centre Structure Plan, as shown in Figure 1 below.



Figure 1: Noble Park Major Activity Centre boundary

What the amendment does

The amendment proposes to implement the recommendations of the *Noble Park Major Activity Centre Structure Plan (2021)* to improve the operation of planning policy and controls within the Major Activity Centre. The amendment proposes preferred built form outcomes to achieve high amenity and design standards to accommodate the expected population and employment growth.

Specifically, the amendment proposes to change the following in the ordinance:

- Amend Clause 21.04 (Land Use) to update the Strategic Residential Framework and Strategic Retail/Commercial Framework maps which reflect the expanded boundary of the Noble Park Major Activity Centre.
- Amend Clause 21.08 (Reference Documents) to remove reference to the *Noble Park Activity Centre Structure Plan, 2009*.
- Replace Clause 22.08 (Noble Park Activity Centre Local Policy) with a new policy which reflects the revised *Noble Park Major Activity Centre Structure Plan (2021)*.
- Amend Clause 22.09 (Residential Development and Neighbourhood Character Policy) to update the Future Change Areas map which reflects the expanded boundary of the Noble Park Major Activity Centre.
- Replace Schedule 5 to Clause 43.02 (Design and Development Overlay) (DDO5) with a new Schedule that applies preferred maximum building heights, street wall height, setbacks (to the street and to neighbouring boundaries), overshadowing and amenity requirements.
- Amend the Schedule to Clause 72.08 (Schedule to Background Documents) to introduce the *Noble Park Major Activity Centre Structure Plan (2021)*.

The amendment proposes to change the following maps:

- Amends map no. 05ZN to rezone land in Noble Park to reflect the directions of the *Noble Park Major Activity Centre Structure Plan (2021)*.
- Amends map no. 05DDO to apply the Design and Development Overlay (DDO5) to land in Noble Park to generally reflect the directions of the *Noble Park Major Activity Centre Structure Plan (2021)*.
- Amends map no. 05DDO to delete the Design and Development Overlay (DDO5) from a small section of land to correct a mapping anomaly.

Strategic assessment of the amendment

Why is the amendment required?

The amendment is required to manage and respond to development activity in the Noble Park Activity Centre area. As a designated Major Activity Centre, Noble Park is required to play a significant role in achieving the directions of *Plan Melbourne 2017-2050*, in relation to both housing and employment. Council's adopted Housing Strategy 2014-2024 also seeks to direct new housing to areas within or close to activity areas that have good access to public transport, open space, and other services and limit housing growth in established residential areas, consistent with *Plan Melbourne*, state, and regional policy.

Noble Park Structure Plan

The existing Noble Park Activity Centre Structure Plan was adopted by Council in 2009 and implemented through Amendment C098 which introduced a new local policy at Clause 22.08, the

Schedule to the Design and Development Overlay (DDO5), and rezoned land to the now Commercial 1 Zone (C1Z).

The *Noble Park Major Activity Centre Structure Plan (2021)* was adopted by Council on 24 May 2021. It sets out the long-term vision, planning, and design framework for Noble Park for the next 20 years and generally recommends:

- Rezoning additional land to C1Z to facilitate development and extend the commercial core of the centre.
- Introducing discretionary preferred built form controls (including building height and setback guidance) through an update of the existing DDO5 (including expansion to additional sites).
- Expanding the boundary of the Activity Centre to include the Noble Park Aquatic Centre (NPAC), Mills Reserve and additional RGZ2, GRZ1 and GRZ3 residential land to the north, west and south and to one MUZ site.

Rezoning land to C1Z

The rezoning affects 9 properties across the centre (two to the north-east, two to the east and five to the west) which are explained below:

- 1100-1106 Heatherton Road, Noble Park requires the Residential Growth Zone (Schedule 2) to be rezoned to C1Z which will correct an anomaly and improve operation of the planning scheme as the land is used as petrol station.
- 1 Frank Street, Noble Park is occupied by a single dwelling and 3-5 Frank Street, Noble Park is used as an existing council car park which adjoins land in the C1Z. The rezoning of these sites to C1Z is a logical extension to the commercial core of the centre.
- 4, 5, 6, 7 and 8 Mons Parade, Noble Park are proposed to be rezoned from RGZ2 to C1Z. The rezoning will extend the commercial spine of the centre further east to improve access created from the Level Crossing Removal project.

Design and Development Overlay Schedule 5 (DDO5)

The existing DDO5 includes a range of general design objectives for the centre, however it does not provide specific guidance regarding built form scale (height and setbacks) for the centre.

DDO5 is proposed to be expanded across the centre, generally in line with the expanded boundary of the Activity Centre which is divided into three sub-precincts (Gateway, Core and Transition) with each having specific discretionary built form controls to guide high quality development and urban design outcomes. The application of discretionary controls combined with clear design objectives and decision guidelines is an appropriate approach that will ensure the valued attributes of Noble Park are maintained, while facilitating ongoing development. The height limits proposed range from 3 storeys (11 metres) to 6 storeys (21.5 metres).

Expansion of the boundary of the Activity Centre

The existing boundary of the centre has been expanded to the:

- North-west to include the Noble Park Aquatic Centre (NPAC), a significant community facility.
- North to include properties fronting Heatherton Road as a result of the elevation of the railway line which provides this section of Heatherton Road direct access to the core of the centre.
- East to include the open space asset of Mills Reserve.
- South within the GRZ3 to establish a clear boundary along Kirk Street and to establish a definition to Copas Park on all sides.
- West to include a large, consolidated site in close proximity to the core of the centre.

The boundary has been defined through detailed consideration of the existing land use zoning of the centre and is based around several large (or large if consolidated) sites which are currently underutilised throughout the centre. These sites will provide major mixed-use opportunities near shops and public transport. The boundary also includes significant community facilities such as NPAC, the skate park and the Paddy O'Donoghue Centre.

Update of Local Planning Policies

The updated local policy at Clause 22.08 (Noble Park Major Activity Centre) will provide clarity and certainty in considering future land use and development applications within the centre with an updated policy objective and strategies which reflects the outcomes sought from the Structure Plan (2021).

To reflect the expanded boundary of the centre, mapping changes are proposed at Clause 21.04 (Land Use) and Clause 22.09 (Residential Development and Neighbourhood Character Policy).

The Structure Plan (2021) is included as a background document in the Schedule to Clause 72.08 (Schedule to Background Documents).

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

The amendment implements the objectives in section 4(1) and 12(1)(a) of the *Planning and Environment Act 1987*, in particular:

- a) to provide for the fair, orderly, economic and sustainable use, and development of land;*
- c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria;*
- d) to conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;*
- g) to balance the present and future interests of all Victorians.*

The amendment facilitates housing growth as well as economic growth and creates a more economically viable mixed-use activity centre that has economic benefits for the local area.

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

The amendment seeks to integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development.

Generally, the amendment is expected to generate positive social and economic benefits as it will facilitate development within a major activity centre, providing opportunities for economic development and housing growth. The amendment will also respond to the local demand for housing and provide housing and employment in a location, which has strong access to public transport infrastructure and social services.

The amendment introduces urban design principles which seek to achieve high quality urban design outcomes and improve the attractiveness and amenity of the centre. This will result in improved economic well-being for the community through improved investment in the area.

Does the amendment address relevant bushfire risk?

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

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

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act, Direction No. 9 – Metropolitan Strategy and Direction 11 – Strategic Assessment under Section 12(2) of the Act.

During the amendment process, Direction No. 15 – The Planning Scheme Amendment Process, which sets times for completing steps in the amendment process, will also be followed.

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

The amendment is consistent with, and gives effect to, the following clauses forming part of the State Planning Policy Framework:

- Clause 11 - Settlement

Settlement provides context and implements the key principles of *Plan Melbourne 2017-2050*, which include providing for housing choice by planning for expected housing needs and providing for reduced ongoing living costs by increasing housing supply near public transport and services. It also encourages the consolidation of residential activities within existing urban areas and development in existing residential areas. The amendment provides a framework for the orderly planning and high-quality development of the Noble Park Activity Centre in a manner consistent with the directions of *Plan Melbourne 2017-2050*.

- Clause 15 - Built Environment and Heritage

Built Environment and Heritage seeks to create urban environments that are safe, functional and provide good quality environments with a sense of place and cultural identity. This Clause also sets out the importance of ensuring the conservation of places, which have identified heritage significance. The amendment supports this clause by providing appropriate built form guidance to ensure that development is site responsive and appropriate in the context of heritage places.

- Clause 16 - Housing

Housing emphasises the importance of providing enough quality and diverse housing that meets the growing diverse needs of Victorians in locations in or close to activity centres and sites that offer good access to jobs, services and transport. It requires councils to identify areas that offer opportunities for more medium and high-density housing near employment and transport in Metropolitan Melbourne. The amendment provides strategic guidance on the appropriate scale of development in the Activity Centre.

- Clause 17 - Economic Development

Economic Development seeks to encourage development which meets the community's needs for retail, entertainment, office, and other commercial services and provides a net community benefit in relation to accessibility, efficient infrastructure use and the aggregation and sustainability of commercial facilities. The amendment supports this clause by facilitating opportunities for a mix of office, retail, and residential uses throughout the centre.

- Clause 18 - Transport

Transport promotes the creation of a safe and sustainable transport system and promotes the use of sustainable transport. The amendment implements the objectives of this clause by facilitating development in an Activity Centre, which is well serviced by public transport.

Plan Melbourne

The Noble Park Major Activity Centre is identified and designated as one of the 121 Major Activity Centres in *Plan Melbourne 2017 - 2050* which are defined as “*suburban centres that provide access to a wide range of goods and services. They have different attributes and provide different functions, with some serving larger subregional catchments.*”

The provisions introduced by the amendment are consistent with the relevant objectives of the State Planning Policy Framework and *Plan Melbourne 2017-2050*.

The following directions from *Plan Melbourne 2017-2050* will be supported as part of the future development of the centre through this amendment:

- *Direction 2.1 - Manage the supply of new housing in the right locations to meet population growth and create a sustainable city*
- *Direction 2.2 - Deliver more housing closer to jobs and public transport*
- *Direction 3.2 - Improve transport in Melbourne's outer suburbs*
- *Direction 4.3 - Achieve and promote design excellence*
- *Direction 5.1 - Create a city of 20-minute neighbourhoods*
- *Direction 5.2 - Create neighbourhoods that support safe communities and healthy lifestyles*
- *Direction 6.2 - Reduce the likelihood and consequences of natural hazard events and adapt to climate change*

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

The amendment is consistent with, and gives effect to, the Local Planning Policy Framework of the Greater Dandenong Planning Scheme.

The provisions provided by the amendment generally support the Local Planning Policy Framework and Municipal Strategic Statement of the Greater Dandenong Planning Scheme. Specifically, the amendment supports Clause 21.04 (Land Use), Clause 21.05 (Built Form) and Clause 22.04 (Urban Design in Activity and Neighbourhood Centres).

The amendment supports the objective outlined under Clause 21.04-1 (Housing and Community) *"to protect the amenity of existing neighbourhoods and significant residential precincts within activity centres from the impact of new commercial development"*. This is achieved via the proposed local policy and Schedule 5 of the DDO which places emphasis on specific building heights and setbacks which are adjoining more sensitive land uses such as residential.

The amendment gives effect to the *Noble Park Major Activity Centre Structure Plan (2021)*. The Structure Plan clearly sets out the objectives and design principles that will help facilitate high quality urban design outcomes in the centre. This supports the Clause 21.05-1 (Urban design, character, streetscapes and landscapes) objective *"to facilitate high quality development, which has regard for the surrounding environment and built form"*.

The amendment is consistent with the objectives and policy as set out in Clause 22.04 (Urban Design in Activity and Neighbourhood Centres) which refers to the urban design guidance regarding Activity Centres.

The updated Clause 22.08 (Noble Park Activity Centre Policy) provides guidance which will assist with improving the quality of development in the centre.

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

This strategic consideration does not apply to this amendment.

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

The amendment has been prepared in accordance with State Government Practice Notes – *Writing a Local Planning Policy and Strategic Assessment Guidelines: for planning scheme amendments*.

The amendment makes proper use of the Victoria Planning provisions as:

- The MSS includes broad strategic support for the local policy position
- Local planning policies are appropriate tools to guide decision making in relation to a specific discretion.
- Applying a Schedule to the Design and Development Overlay provides guidance regarding built form outcomes within the Noble Park Major Activity Centre.

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

The amendment will be referred to any relevant agencies as part of the statutory exhibition and notice of the Amendment.

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

The amendment supports the principles of integrated land use and transport planning by recognising that transport plays an important role in developing social and economic inclusion.

The amendment seeks to continue to encourage low, medium and higher density development within the centre, where people have good access to public transport and services.

Resource and administrative costs

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

The amendment is unlikely to have an adverse impact on resource and administrative costs to the responsible authority.

Where you may inspect this amendment

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

- Dandenong Customer Service located at 225 Lonsdale Street, Dandenong.
- Springvale Customer Service located at 397-405 Springvale Road, Springvale.
- Parkmore Customer Service located at Shop A7, Parkmore Shopping Centre, 317 Cheltenham Rd, Keysborough.

The amendment can also be inspected free of charge at:

- City of Greater Dandenong website at www.greaterdandenong.vic.gov.au

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 .

Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by Friday 24 June 2022.

A submission must be sent to:

Preferred method: Email submission sent to: council@cgd.vic.gov.au

or

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Panel hearing dates

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

- directions hearing: week commencing 12 September 2022.

- panel hearing: week commencing 17 October 2022.