

# **BANYULE PLANNING SCHEME**

## **AMENDMENT C172bany**

### **EXPLANATORY REPORT**

#### **Overview**

This amendment proposes to implement the '*Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)' by strengthening the strategic framework for the Heidelberg Major Activity Centre (Heidelberg MAC) and applying an Activity Centre Zone (ACZ) and residential zone schedules to land. In addition, the amendment makes some minor corrections to the application of zones in the Heidelberg MAC.

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

The amendment can be inspected free of charge at the Banyule City Council's Shaping Banyule website at: [shaping.banyule.vic.gov.au/HeidelbergSP](http://shaping.banyule.vic.gov.au/HeidelbergSP)

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

- Banyule City Council Customer Service Centre at 1 Flintoff Street, Greensborough VIC 3088.
- Ivanhoe Library & Community Hub, 275 Upper Heidelberg Road, Ivanhoe VIC 3079.

The amendment can also be inspected free of charge at the Department of Transport and Planning website at <http://www.planning.vic.gov.au/public-inspection> or by contacting the office on 1800 789 386 to arrange a time to view the amendment documentation.

#### **Submissions**

Any person may make a submission to the planning authority about the amendment. Submissions about the amendment must be received by Monday 18 March 2024.

A submission must be sent to:

By Post: Banyule City Council, Strategic Planning, PO Box 94, Greensborough, VIC 3088

By Email: [strategic.planning@banyule.vic.gov.au](mailto:strategic.planning@banyule.vic.gov.au)

In person: Banyule Council customer service centres at either 1 Flintoff Street, Greensborough VIC 3088, or the Ivanhoe Library and Community Hub, 275 Upper Heidelberg Road, Ivanhoe VIC 3079.

Online: Complete the online submission at [shaping.banyule.vic.gov.au/HeidelbergSP](http://shaping.banyule.vic.gov.au/HeidelbergSP)

#### **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 of 17 June 2024
- Panel hearing: week of 22 July 2024

#### **Details of the amendment**

##### **Who is the Planning Authority?**

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

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

##### **Land affected by the amendment**

The amendment applies to land within the Heidelberg MAC, which is all land within the blue line in Figure 1.

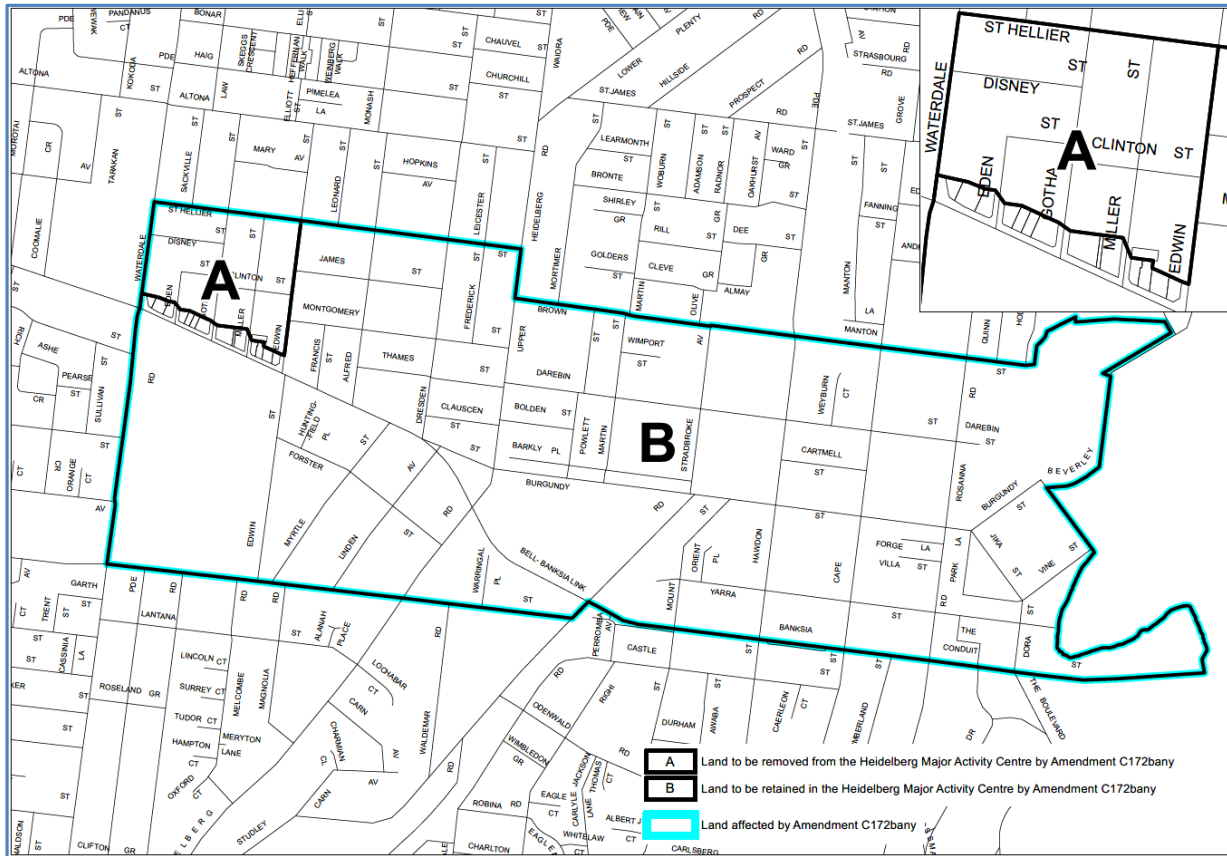


Figure 1: Land affected by Amendment C172bany

Land shown in Figure 2 illustrates the land that is proposed to be rezoned through the amendment.

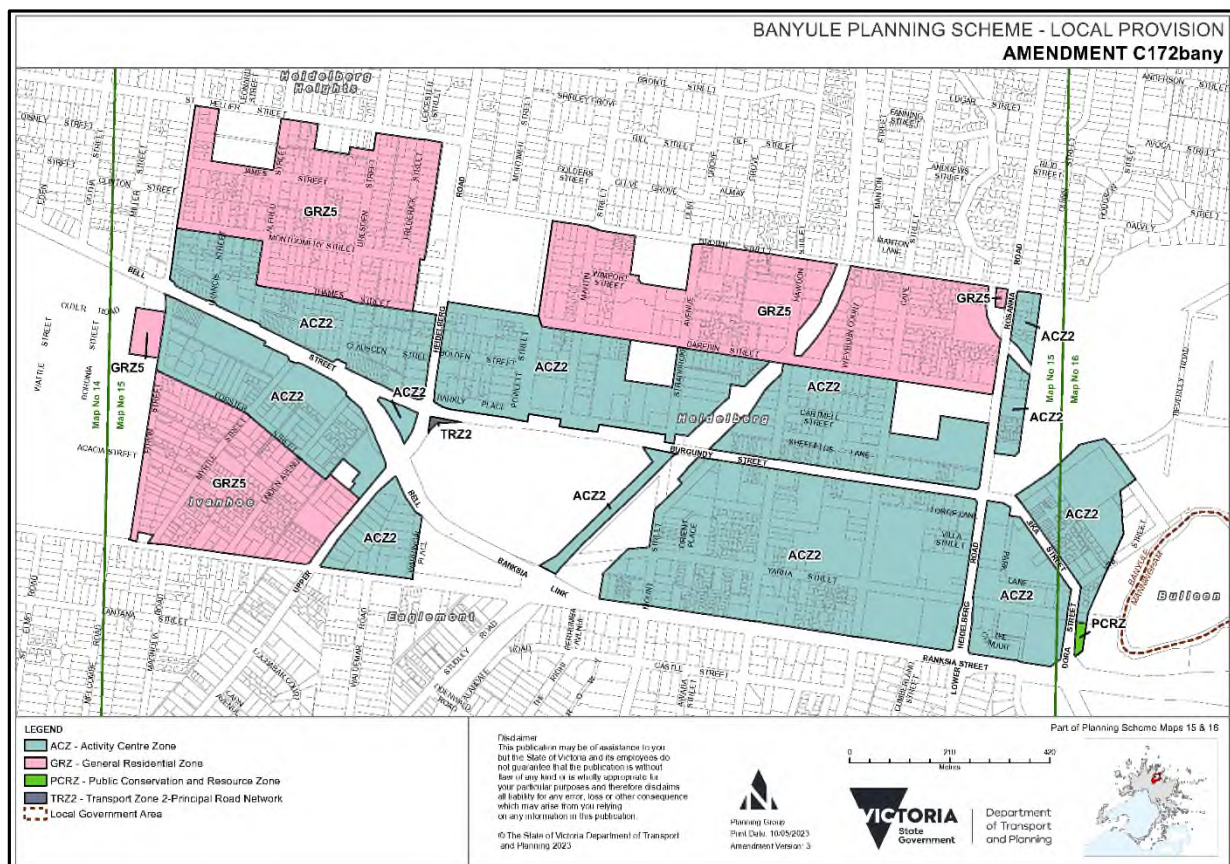


Figure 2: Land that is proposed to be rezoned by Amendment C172bany.

A mapping reference table providing further information about the land affected by the amendment is at **Attachment 1** to this explanatory report.

## What the amendment does

The amendment proposes to implement the '*Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)' by strengthening the strategic framework for the Heidelberg Major Activity Centre (Heidelberg MAC) in the Municipal Planning Strategy and Planning Policy Framework of the Banyule Planning Scheme, by applying the Activity Centre Zone (ACZ) and residential zone schedules to the land identified in the Heidelberg MAC and by making other consequential changes to the scheme.

Specifically, the amendment proposes to:

### **Zoning Maps**

- 1) Amend Planning Scheme Map Nos.15ZN and 16ZN to apply the Activity Centre Zone – Schedule 2 and the General Residential Zone – Schedule 5 to the land identified within the Heidelberg MAC.
- 2) Amend Planning Scheme Map Nos.15ZN and 16ZN to correct zoning errors to:
  - a) Part of the land at 93 and 95 Hawdon Street, Heidelberg to replace the redundant application of Transport Zone 1 – State transport infrastructure to the Activity Centre Zone – Schedule 2.
  - b) A small section of existing arterial road located on the south-east corner of Burgundy Street and Upper Heidelberg Road, Heidelberg to rezone it from General Residential Zone Schedule 2 to the Transport Zone 2 – Principal Road Network.
  - c) Rezone part land at 10 Banksia Street, Heidelberg from General Residential Zone – Schedule 2 to Public Conservation and Resource Zone to reflect land owned by Parks Victoria.

### **Overlay Maps**

- 3) Amend Planning Scheme Map Nos. 14DDO, 15DDO and 16DDO to delete the Design and Development Overlay - Schedule 5 from affected land.

### **Planning Scheme Ordinance**

- 4) Amend Clause 02.03-1 (Settlement) and Clause 02.04 (Strategic Framework Plan).
- 5) Amend Clause 11.03-1L-02 (Heidelberg Major Activity Centre).
- 6) Amend Schedule 1 to Clause 32.07 (Residential Growth Zone) to implement the recommendations of the '*Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)'.
- 7) Insert a new Schedule 5 to Clause 32.08 (General Residential Zone) to apply to residential interface areas.
- 8) Insert a new Schedule 2 to Clause 37.08 (Activity Centre Zone) to implement the recommendations of the '*Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)'.
- 9) Delete Schedule 5 to Clause 43.02 (Design and Development Overlay) from the scheme.
- 10) Amend the Schedule to Clause 72.03 (What does this planning scheme consist of?) to remove Planning Scheme Map No. 15DDO, noting the map will be redundant on deletion of Schedule 5 to Clause 43.02.
- 11) Amend the Schedule to Clause 72.08 (Background Documents) to introduce the '*Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)' as a background document.
- 12) Amend the Schedule to Clause 74.01 (Application of Zones, Overlays and Provisions) to update the application of zones, overlays and provisions relating to the Heidelberg Major Activity Centre.
- 13) Amend the Schedule to Clause 74.02 (Further Strategic Work) to update further strategic work actions.

## Strategic assessment of the amendment

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

Amendment C172bany implements the land use and development directions of the '*Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)', approved by Banyule City Council (Council) in April 2023. The amendment will provide the Heidelberg Major Activity Centre (MAC) with a contemporary land use and

development framework that realises the vision and strategic intent set out in the Banyule Community Vision 2021. This builds on the original structure plan for Heidelberg adopted by Council in 2010.

Heidelberg is identified as a MAC in *Plan Melbourne 2017-2050: Metropolitan Planning Strategy*. The previous structure plan for the Heidelberg MAC was implemented via Banyule Planning Scheme Amendment C060 in November 2010.

The Heidelberg Structure Plan (April 2023) states that since 2007, the MAC added over 900 apartments (at an average of 80 per annum) and approximately 20% of Banyule LGA's recent population growth.

In 2019, there were more than 5,000 residents living within the Centre with population growth projected to be over 8,000 residents by 2036 with approximately 187 apartments currently under construction. An additional 1000 apartments are currently subject to planning or recently approved.

Future floorspace needs for the activity centre include (on a base case scenario rather than a high growth scenario) an additional 19,426 sqms of retail floor space, 100,000 sqms of health and medical floor space and 19,768 sqms of commercial floor space.

This proposed amendment seeks to implement the recommendations of the Heidelberg Structure Plan (April 2023)' to meet the future needs of the community for the next decade and further.

The activity centre framework for the Heidelberg MAC has been revised through the Heidelberg Structure Plan (April 2023) based on a range of updated studies and information including the following:

- *Heidelberg Activity Centre Built Form Review - Final Recommendations Report* (Ethos Urban, 2021).
- *Heidelberg Activity Centre Key Directions* (Banyule City Council, 2021).
- *Heidelberg Activity Centre Liveability Study* (Banyule City Council, 2020).
- *Heidelberg Activity Centre: Movement and Place Options Plan* (Movement and Place Consulting, 2021).
- *Heidelberg Major Activity Centre Economic Review 2020* (Charter Keck Cramer, October 2020).
- *Heidelberg Structure Plan Views Assessment* (Ethos Urban, 2021).

As shown in Figure 1 above, the amendment proposes to remove an area (Area A) from the Heidelberg MAC. This action implements a recommendation of the Heidelberg Structure Plan (April 2023)' to reduce the boundary of the Heidelberg MAC. It is noted that there are no intended planning scheme changes proposed by the amendment that are relevant to Area A, other than those necessary to update the Banyule Planning Scheme to recognise that Area A will not be part of the Heidelberg MAC. Specifically, this will include updated mapping of the Heidelberg MAC at Clause 02.04 to remove Area A from the Heidelberg MAC boundary. All proposed zoning changes by the amendment relate to certain, not all, land within Area B. Figure 2 above shows the extent of land affected by zoning changes proposed by the amendment.

In relation to the proposed zoning changes, the Activity Centre Zone – Schedule 2 (ACZ2), General Residential Zone – Schedule 5 (GRZ5) and revised Residential Growth Zone – Schedule 1 (RGZ1) will provide a clear, contemporary and more flexible set of use and development requirements for the activity centre as detailed in the Heidelberg Structure Plan (April 2023).

The proposed ACZ2 will apply a mixture of mandatory and non-mandatory height limits to key parts of the Heidelberg MAC. It proposes extensive application of mandatory maximum building height limits in Precinct 6 (Residential), which is considered appropriate for the following reasons:

1. Mandatory maximum building height limits are currently extensively applied in Precinct 6, particularly by:
  - a. The GRZ1 and GRZ2 which are extensively applied across Precinct 6 and set a mandatory maximum building height limit of 11 metres (3 storeys).
  - b. The RGZ4 which is applied to 421 Upper Heidelberg Road, Ivanhoe (most of the former Ivanhoe Water Tank Site), supported at the site by the Development Plan Overlay – Schedule 7 (DPO7), and the zone sets a mandatory maximum building height limit of 40 metres (12 storeys).
2. The Heidelberg Structure Plan (April 2023) envisages no change in building height limits in sub-precinct 6A (former Ivanhoe water tank site), a very modest height increase to 13.5 metres (4 storeys) in sub-precinct 6B and no change to the building height limit of 11 metres (3 storeys) in sub-precinct 6C.
3. The continued application of mandatory height limits in Precinct 6 is consistent with a strategy of the Heidelberg Structure Plan (April 2023) that Precinct 6 retain lower scale dwellings in residential areas

that provide a buffer between precincts of intensive activity and residential areas outside the activity centre, within leafy and spacious properties and streetscapes.

Despite its implicit support for mandatory height limits in much of Precinct 6, the Heidelberg Structure Plan (April 2023) does not explicitly articulate its support for mandatory maximum building height controls in much of that precinct. Modifying the structure plan to more clearly articulate strategic support for the application of mandatory maximum building height limits in Precinct 6 can be considered at later stages of, or after, the amendment process.

This amendment also includes three (3) correctional zone changes to land within the Activity Centre boundary. These are explained as follows:

1. To remove the redundant application of the Transport Zone – Schedule 1 (TRZ1) from part of the land at 93 and 95 Hawdon Street, Heidelberg and apply the proposed ACZ2. The land is private property and is not used for public transport. It should, therefore, be in the ACZ2 to reflect its intended use.
2. To remove the redundant application of the GRZ2 from part of the land at 10 Banksia Street, Heidelberg and apply the Public Conservation and Resource Zone (PCRZ). The land is owned by Parks Victoria and provides part of the surrounding Yarra Parkland, which is within the PCRZ. The correct zone for the land at 10 Banksia Street is, therefore, the PCRZ.
3. To remove the redundant application of the GRZ2 from part of road reserve at the corner of Burgundy Street and Upper Heidelberg Road and apply the TRZ2. The land is part of the arterial road network and should be within the TRZ2, not a residential zone.

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

The amendment implements the objectives set out in section 4(1) of the *Planning and Environment Act 1987*. In particular, it supports the following objectives:

(a) *To provide for the fair, orderly, economic and sustainable use, and development of land.*

The amendment will result in the fair, orderly, economic and sustainable use and development of land by implementing a well-planned, holistic strategy that addresses the needs of the existing and future community of Heidelberg.

(b) *To provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity.*

The amendment retains ecologically sensitive public land in vicinity of the Yarra River within appropriate zones, such as the PCRZ. Further, the amendment corrects an error where part of this land is wrongly within a residential zone.

Also relevant to this objective, the amendment supports expanded use of public transport, walking and cycling to reduce the environmental impacts of private vehicle use and also supports creating treed streetscapes that will enhance the community's resilience to heatwave events.

(c) *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria.*

The amendment introduces new strategic directions to support Council's vision that the Heidelberg MAC be a centre that is a vibrant, prosperous and attractive place where people can live, work, learn and play in a connected and inclusive community.

(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.*

The amendment respects identified heritage sites and other areas of cultural value, such as the Yarra Parklands and other public parks.

(e) *To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.*

The amendment applies appropriate zones, or relevant zoning provisions, to protect public utilities and support the orderly provision and co-ordination of these.

(f) *To facilitate the provision of affordable housing in Victoria.*

The amendment sets in place a framework to support considerable housing growth within the Heidelberg MAC, including affordable housing, such as in apartment developments.

(g) *To balance the present and future interests of all Victorians.*

The proposed provisions in the Planning Policy Framework and the various zone schedules have been drafted to ensure development occurs in a logical manner consistent with the objectives set out above.

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

The amendment will address environmental, social and economic effects for the Heidelberg community by ensuring that land use and development policies and provisions are consistent with the environmental, social and economic land use objectives of planning in Banyule and Victoria. Specifically, this will be achieved through:

#### ***Environmental***

The amendment has thoroughly considered potential environmental effects of the amendment and includes measures to mitigate these effects. The amendment aims to have positive environmental impacts by:

- Guiding growth to locations where existing infrastructure can be leveraged, resulting in a lower environmental impact.
- Providing for a more sustainable urban form in new development.
- Enhancing the urban forest and increasing greening initiatives.
- Encouraging waste avoidance, reuse and recycling.
- Integrating biodiversity and sustainability into decision making.
- Facilitating sustainable transport alternatives such as walking and cycling, and encouraging public transport usage.
- Supporting development that is consistent with the Yarra Strategic Plan.

#### ***Social and Economic***

The amendment aims to have positive social and economic impacts for the municipality by:

- Providing the community with greater certainty and clarity of controls in the Heidelberg MAC.
- Providing the framework for decision making, which the council will use to strategically accommodate growth in the activity centre.
- Enhancing commercial and community opportunities in the activity centre.
- Improving the quality of built form, the attractiveness of streetscapes and overall safety and amenity in the public realm.
- Seeking to provide more affordable housing options.
- Supporting the economic role of the businesses in the activity centre to provide employment and a range of essential and non-essential services and facilities.
- Enhancing the critical health and wellbeing roles of the Austin, Mercy, Heidelberg Repatriation and Warringal Hospitals for the Banyule and surrounding communities.

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

The amendment is not expected to result in any increase to the risk to life, property, community infrastructure and the natural environment from bushfire with life as the priority.

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 complies with the Ministerial Direction - The Form and Content of Planning Schemes as under section 7(5) of the *Planning and Environment Act 1987* (the Act).

*Ministerial Direction No. 9: Metropolitan Planning Strategy*

The amendment is consistent with Ministerial Direction No. 9. The objective of the amendment is to implement the planning recommendations of the '*Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)'. The objective and content of the amendment provides significant and broad support for Policy 1.2.1 (Support the development of a network of activity centres linked by transport) of the Metropolitan Planning Strategy (Plan Melbourne 2017-2050). In addition, the amendment supports the following directions of Plan Melbourne:

- Direction 1.1 – Create a city structure that strengthens Melbourne's competitiveness for jobs and investment.
- Direction 1.2 – Improve access to jobs and across Melbourne and closer to where people live.
- 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 2.5 – Provide greater choice and diversity of housing.
- Direction 4.3 – Achieve and promote design excellence.
- Direction 4.4 – Respect Melbourne's heritage as we build for the future.
- Direction 5.1 – Create a city of 20-minute neighbourhoods.
- Direction 6.1 – Transition to a low-carbon city to enable Victoria to achieve its target of net zero greenhouse gas emissions by 2050.
- Direction 6.4 – Make Melbourne cooler and greener.

*Ministerial Direction No. 11: Strategic Assessment of Amendments*

The amendment complies with Ministerial Direction No. 11 under section 12 of the Act. The amendment is consistent with this direction which ensures a comprehensive strategic evaluation of a planning scheme amendment and the outcomes it produces. The explanatory report provides a comprehensive strategic evaluation of the amendment and the outcomes it produces.

*Ministerial Direction No. 15: The Planning Scheme Amendment Process*

The amendment is being conducted in accordance with the requirements set by Ministerial Direction No.15. The amendment is being conducted in accordance with the timelines and steps set by that Ministerial Direction, including to allow Council to apply for exemptions if required.

*Ministerial Direction No. 19: The Preparation and content of amendments that may significantly impact the environment, amenity and human health*

The amendment complies with this direction. There is one application of the Environmental Audit Overlay (EAO) within the area affected by the amendment, which is at 16-18 Banksia Street, Heidelberg. The amendment proposes to rezone that property from Commercial Zone – Schedule 1 (C1Z) to ACZ2. The amendment was referred to the Environment Protection Authority (EPA) and the EPA has raised no objection to the amendment.

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

The amendment is consistent with the following clauses of the Planning Policy Framework and will assist in achieving objectives of the following clauses:

*Clause 11.01-1S – Settlement*

The amendment is consistent with the objective to facilitate the sustainable growth and development of Victoria and deliver choice and opportunity for all Victorians through a network of settlements.

Specifically, by supporting continued development of the Heidelberg MAC, the amendment is consistent with the following strategies of this Clause:

- Promote and capitalise on opportunities for urban renewal and infill development.
- Encourage a form and density of settlements that supports healthy, active and sustainable transport.
- Ensure retail, office-based employment, community facilities and services are concentrated in central locations.

#### *Clause 11.01-1R – Settlement – Metropolitan Melbourne*

By facilitating the continued development of the Heidelberg MAC, the amendment is consistent with the following strategies of this Clause:

- Focus investment and growth in places of state significance, including (amongst others) Metropolitan Activity Centres.
- Develop a network of activity centres linked by transport; consisting of Metropolitan Activity Centres supported by a network of vibrant major and neighbourhood activity centres of varying size, role and function.

#### *Clause 11.02-1S – Supply of urban land*

The amendment is consistent with the objective to ensure a sufficient supply of land is available for residential, commercial, retail, industrial, recreational, institutional and other community uses.

The amendment seeks to provide for significant growth in residential, commercial, retail, institutional and other community uses. By doing so, the amendment particularly supports the following strategies of this Clause:

- Ensure the ongoing provision of land and supporting infrastructure to support sustainable urban development.
- Ensure that sufficient land is available to meet forecast demand.
- Plan to accommodate projected population growth over at least a 15-year period and provide clear direction on locations where growth should occur. Residential land supply will be considered on a municipal basis, rather than a town-by-town basis.

#### *Clause 11.02-2S – Structure Planning*

The amendment is consistent with the objective to facilitate the fair, orderly, economic and sustainable use and development of urban areas.

By significantly supporting the implementation of the *'Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)', the amendment is particularly consistent with the strategies of the clause, such as to ensure effective planning and management of the land use and development of an area through the preparation of relevant plans.

#### *Clause 11.03-1S – Activity centres*

The amendment is consistent with the objective to encourage the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community.

In support of this objective, a key rationale for the amendment is to further concentrate uses typical to a major activity centre into the Heidelberg MAC. For example:

- to further concentrate retail and commercial uses into Precinct 2 (Civic and Commercial) and Precinct 3 (Heidelberg Central).
- to facilitate expansion in Precinct 4 (Health) of the role of the Heidelberg MAC as a major regional centre for health care and services.
- to facilitate expansion of residential use in Precinct 6 (Residential).

#### *Clause 15.01-S Urban Design*

The amendment is consistent with the objective of this Clause to create urban environments that are safe, healthy, functional and enjoyable and that contribute to a sense of place and cultural identity.

A key focus of the *'Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)' is to provide for additional growth in the centre to service the community, whilst providing development that positively contributes to the character, safety, enjoyability and functionality of the Heidelberg MAC. The amendment supports a variety of urban design objectives and requirements to encourage good design for the Heidelberg MAC. For example, to:

- Apply a suite of building heights that will allow growth, but will still protect key views and provide a suitable transition in the scale of development between the centre of the Heidelberg MAC and more sensitive residential areas with the periphery and outside the MAC.



- To encourage development in the higher-intensity areas, such as key commercial and retail areas, to support the quality, safety and vibrancy of the public realm by respecting public laneways, minimising overshadowing and providing active frontages.

For the same reasons, the amendment is also consistent with objectives and strategies at other clauses of the PPF pertaining to urban design, such as at Clause 15.01-R (Urban Design - Metropolitan Melbourne), 15.01-1L-01 (Urban Design) and 15.01-1L-02 (Safer Design).

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

The amendment is consistent with the relevant directions of the Municipal Planning Strategy and will assist in achieving objectives of the following clauses:

- The amendment implements the strategic directions for settlement (Clause 02.03) by providing updates to the context and existing conditions of the Heidelberg MAC and updating the strategic directions for the Heidelberg MAC.
- The amendment provides improved guidance and directions by updating the Strategic Framework Plan and Residential Areas Framework Plan within Clause 02.04 (Strategic framework plans).

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

The amendment makes proper use of the Victorian Planning Provisions by updating and amending the Planning Policy Framework to implement objectives and strategies to achieve the strategic directions set by the structure plan. Further, the amendment is consistent with the following Planning Practice Notes:

#### *Planning Practice Note 56: Activity centre zone*

The amendment is consistent with *Planning Practice Note 56* as it proposes substantial application of the activity centre zone to the Heidelberg MAC, which is consistent with a statement of the practice note that the zone is the preferred tool to guide and facilitate the use and development of land in activity centres. Further, consistent with the practice note, the proposed application of the activity centre zone is based on the recommendations of an adopted structure plan.

#### *Planning Practice Note 58: Structure Planning for Activity Centres*

The amendment is consistent with *Planning Practice Note 58* as the development of the '*Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)' has followed the structure planning process recommended by the practice note. Further, the amendment is consistent with the statement in the practice note that it is necessary to ensure that key elements of a structure plan are included in the planning scheme. In addition, the structure and content of the '*Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)' is consistent with relevant recommendations contained within the practice note, particularly those provided under the heading "The aims of structure planning".

#### *Planning Practice Note 59: Role of Mandatory Provisions in Planning Schemes*

The amendment is consistent with *Planning Practice Note 59* as it only proposes mandatory provisions where their use is particularly warranted. For example, to ensure building heights are controlled in areas of the activity centre where there is a particular need to do so to protect key views and/or provide modest sized buildings as a transition to, or interface with, sensitive residential areas outside the activity centre.

#### *Planning Practice Note 60: Height and Setback Controls for Activity Centres*

The amendment is consistent with *Planning Practice Note 60* as the height and setback controls proposed by the amendment are the result of undertaking a comprehensive built form analysis that satisfies the criteria listed in the practice note. Further, the amendment satisfies the statement that preferred built form outcomes identified in structure plans should be given effect in planning schemes. In addition, the application of discretionary and mandatory controls is consistent with the practice note's guidelines for applying each.

#### *Planning Practice Note 91: Using residential zones*

The amendment is consistent with *Planning Practice Note 91* as it proposes to introduce the GRZ5 and amend the RGZ1 in a fashion which best matches the strategic intent of the '*Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)' regarding the extent and density of residential land use permitted in particular parts of Precinct 5 (Bell Street Gateway) and more broadly in Precinct 6 (Residential). For example, to use the amended RGZ1 to allow higher capacity where sought by the structure plan in less sensitive areas and to use the GRZ5 in more sensitive areas closer to the boundary of the MAC and/or where there is a particular need to protect sensitive landscape views.

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

The views of relevant agencies were sought in the development of the '*Heidelberg Structure Plan, Final* (Banyule City Council, April 2023)', and in the preparation of this amendment. The structure plan was prepared in consultation with the former Department of Transport and VicTrack. The Austin, Mercy and Warringal Hospitals were also consulted about the directions included in the structure plan. The First Nations people were also consulted through the Traditional Owners, the Wurundjeri Woi-Wurrung.

The issues that were raised by government departments, agencies or non-government organisations were taken into account in the preparation of the amendment.

The views of these agencies and organisations will be further sought through the formal exhibition of the amendment.

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

The vision of the *Transport Integration Act 2010* is for an integrated and sustainable transport system that contributes to an inclusive, prosperous and environmentally responsible State. The *Transport Integration Act 2010* has a range of inter-related objectives to support this vision, such as to:

- Reduce barriers to accessing the transport system so that it is available to as many persons as wish to use it.
- Enable efficient and effective access for persons and goods to places of employment, markets and services.
- Facilitate investment in Victoria.
- Provide for the effective integration of transport and land use and facilitate access to social and economic opportunities.

The '*Heidelberg Structure Plan, Final* (Banyule City Council 2023)' and the proposed amendment are consistent with the vision and objectives of the *Transport Integration Act 2010*, particularly by:

- Proposing significant rezonings to promote economic development and a higher density of residential development around Heidelberg's major transport hub and in an area which it is intended to be serviced in the future by the Suburban Rail Loop.
- To propose new planning provisions, such as the ACZ2, which will apply planning objectives and requirements that will promote an urban structure that better supports access to transport and active transport. For example, by protecting solar access to the public realm (footpaths etc), improving the configuration and quality of pedestrian laneways in the Heidelberg MAC and increasing passive surveillance of public thoroughfares.

Individual planning permit applications within the Heidelberg MAC will continue to be referred to the Department of Transport and Planning for comment on whether the impact of development proposals are considered appropriate from a transport outcome.

### **Resource and administrative costs**

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

The proposed amendment is not expected to impose additional resource or administrative costs on the responsible authority. The amendment will provide a simpler planning framework that will give greater certainty and clarity to the community and other stakeholders regarding land use and development in the Heidelberg MAC. This will be achieved through a single planning control for the activity centre and the retention of residential zones where appropriate. The proposed new and varied zones are not expected to result in additional planning permit applications.

Information about the ACZ2, GRZ5 and RGZ1 will be provided by the council to applicants and the community. The planning application workload will be resourced by the council through the usual budgetary processes and staffing resources allocated for planning permit applications.

**ATTACHMENT 1 - Mapping reference table**

Location	Land /Area Affected	Mapping Reference	Address	Proposed changes	
				Zone	Deletion
Heidelberg MAC	Approx. 72.35ha of land within the Heidelberg MAC, particularly land within Precinct 2 (Civic and Commercial) Precinct 3 (Heidelberg Central), Precinct 5 (Bell Street Gateway) and a developed part of Precinct 1 (Yarra Valley Open Space).	Banyule C172bany 001znMaps15_16Exhibition	Numerous	Rezone from RGZ1, RGZ4, GRZ1, GRZ2, NRZ3, C1Z, MUZ, TRZ1 and SUZ3 to ACZ2	DDO5
Heidelberg MAC	Approx. 46.33ha of land in the Heidelberg MAC.	Banyule C172bany 001zn Maps15_16Exhibition	Numerous	Rezone from GRZ1 and GRZ2 to GRZ5.	
Heidelberg MAC	Part (approx. 175 square metres) of 10 Banksia Street, Heidelberg.	Banyule C172bany 001zn Maps15_16Exhibition	Part of 10 Banksia Street, Heidelberg	Rezone from GRZ2 to PCRZ	
Heidelberg MAC	Approx. 561 square metres of road reserve at the south-east corner of Burgundy Road and Upper Heidelberg Road	Banyule C172bany 001zn Maps15_16Exhibition	Part road reserve at the corner of Burgundy Road and Upper Heidelberg Road	Rezone from GRZ2 to TRZ2	