

Planning and Environment Act 1987

WHITEHORSE PLANNING SCHEME

AMENDMENT C131

EXPLANATORY REPORT

Who is the planning authority?

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

The amendment has been made at the request of Melbourne Water.

Land affected by the amendment.

The land affected by the amendment is a small parcel of land immediately south of 55-79 Norcal Road, at the Norcal Road corner adjoining the Melbourne Water pipe reserve in Nunawading.

What the amendment does.

The amendment seeks to rezone the parcel of land from Public Use Zone Schedule 1, to Industrial 1 Zone.

Strategic assessment of the amendment.

- Why is the amendment required?

Melbourne Water wishes to sell the parcel of land to Crown Coaches Pty Ltd, who own the adjoining property at 55-79 Norcal Road, Nunawading. In order to sell the land, it must be rezoned from a Public Use Zone. The most appropriate zone is the Industrial 1 Zone, as the surrounding land and the adjoining Crown Coaches site is currently zoned Industrial 1 Zone.

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

The amendment implements the objectives for planning in Victoria as outlined in Section 4 of the *Planning and Environment Act 1987* through providing for the fair, orderly, economic and sustainable use, and development of land.

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

The parcel of land is very small (114 square metres) and the amendment is being undertaken to facilitate the sale of land between Melbourne Water and Crown Coaches Pty Ltd. Approximately half of the subject site is currently used as part of the driveway entrance to the Crown Coaches site, and is bitumen sealed and constructed with kerb and channel. The existing Crown Coaches security gates are on part of the subject land. The site also adjoins the Melbourne Water pipe reserve. The proposed amendment will not have any environment, social or economic impacts on the City of Whitehorse community.

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

Minister's Direction No. 9 – Metropolitan Strategy made under Section 12 of the *Planning and Environment Act 1987* affects any amendment undertaken by Council and requires regard to be had to *Melbourne 2030*. The Directions are now included in Clause 12 of the State Planning Policy Framework which is discussed below.

Minister's Direction No. 11 – Strategic Assessment of Amendments provides that a comprehensive strategic evaluation of the amendment and its outcomes is considered. The amendment complies with the requirements of the Ministerial Direction as set out in this explanatory report.

The amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the *Planning and Environment Act 1987*.

- How does the amendment support or implement the State Planning Policy Framework?

As the parcel of land is very small (114 square metres) and is not of a developable size, the proposed amendment does not contravene the State Planning Policy Framework.

- How does the amendment support or implement the Local Planning Policy Framework?

As the parcel of land is very small (114 square metres) and is not of a developable size, the proposed amendment does not contravene the Local Planning Policy Framework.

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

The proposed rezoning of the subject site from Public Use Zone to Industrial 1 Zone in order for Melbourne Water to sell the land is the most appropriate use of the Victorian Planning Provisions to achieve the required outcome for this site.

The land must be rezoned before it can be sold, as Public Use Zoned land cannot be sold privately. The amendment and land sale will resolve a zoning and subdivision anomaly in this area.

The land is currently being used as an access way to the Crown Coaches site, and is partly constructed with bitumen and kerb and channel. The Crown Coaches site is zoned Industrial 1 and as Melbourne Water propose to sell the land to Crown Coaches Pty Ltd, it is most logical to rezone the subject site to Industrial 1 Zone.

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

Whilst exhibition of notification is sought under Section 20(2) of the Planning and Environment Act, prescribed Ministers will still be notified.

- Is the amendment likely to have a significant impact on the transport system, as defined by section 3 of the *Transport Integration Act 2010*?

The amendment will not have an effect on the transport system.

- Are there any applicable statements of policy principles prepared under section 22 of the *Transport Integration Act 2010*?

There are no applicable statements of policy principles.

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

The amendment will not significantly impact on the administrative costs of the Responsible Authority. The proponent has agreed to fund all fees associated with the exhibition, consideration of any submissions and Panel costs.

Where you may inspect this Amendment.

You may view the amendment at:

- Whitehorse City Council
379-397 Whitehorse Road
NUNAWADING VIC 3131

- Blackburn library
corner Blackburn and Central Roads, Blackburn
- Box Hill library
1040 Whitehorse Road, Box Hill

- Vermont South library
Pavey Place, Vermont South
- Box Hill Service Centre
Box Hill Town Hall
1022 Whitehorse Road, Box Hill

- Forest Hill Service Centre
Shop 130, Forest Hill Chase Shopping Centre
Canterbury Road, Forest Hill

- On the Internet, at:
www.whitehorse.vic.gov.au/Planning-Scheme-Amendments.html

- At the Department of Planning and Community Development web site at:
www.dpcd.vic.gov.au/planning/publicinspection

Any person who may be affected by the amendment is welcome to write a submission to the Planning Authority.

Any submission about the amendment must:

- Be made in writing, giving the submitters name, address and, if applicable, a phone number or email address for contact during office hours.
- Set out the views of the amendment that the submitter wishes to put before the Council and indicate what changes (if any) the submitter wishes to be made to the amendment.
- State whether the person/s making the submission wishes to be heard in support of their submission.

The closing date for submissions is **Friday 24 December 2010**

A submission must be sent to:

Sharna Cole
Strategic Planner
Whitehorse City Council
Locked Bag 2
Nunawading Delivery Centre VIC 3131

Panel Hearing

A submission which seeks to change the amendment and is not accepted by the planning authority will be referred to an independent panel appointed by the Minister under Part 8 of the *Planning and Environment Act 1987*.

Anyone who has made a submission which has been referred to a Panel has an opportunity to be heard.

All submitters will be formally advised in writing of any Directions or Panel hearing and the date.

PRIVACY STATEMENT

Any personal information you may include in any submission to Council on the Amendment is collected for planning purposes in accordance with the Planning and Environment Act 1987. The public may view the submissions whilst the Amendment is being considered. In accordance with the "Improving Access to Planning Documents" Practice Note dated December 1999, a copy of your submission may be made available upon request. If you fail to provide this information your comments may not be considered. You may access this information by contacting Council on 9262 6303.

Julie Reid
General Manager City Development