

# MARIBYRNONG PLANNING SCHEME

## AMENDMENT C181mari

### EXPLANATORY REPORT

#### Who is the planning authority?

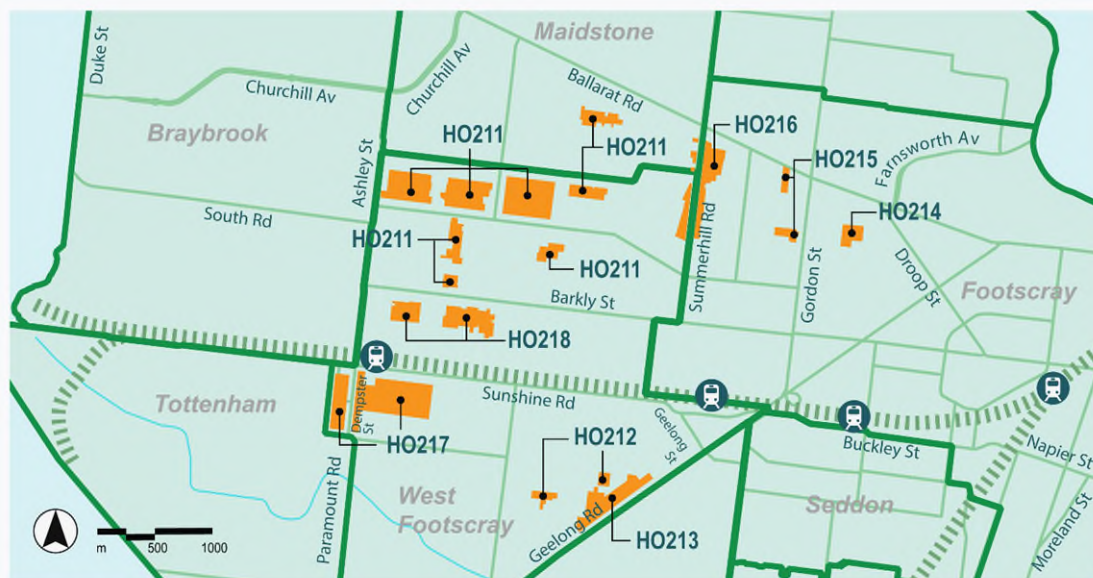
This amendment has been prepared by the Minister for Planning, who is the planning authority for this amendment.

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

#### Land affected by the amendment

The amendment applies to eight precincts in West Footscray, Footscray and Maidstone affected by existing interim heritage overlay controls, as shown in Map 1 below.

Map 1: Land affected by Amendment C181mari



The eight precincts are known as:

|              |   |
|--------------|---|
| <b>HO211</b> | Bottomley's Paddock Inter-war and Post-war Residential Precinct         |
| <b>HO212</b> | Centennial and Duke Streets Inter-war and Post-war Residential Precinct |
| <b>HO213</b> | Hansen Inter-war Residential Precinct                                   |
| <b>HO214</b> | Laughton's Post-war Residential Precinct                                |
| <b>HO215</b> | Naismith and McCubbin Inter-war Residential Precinct                    |
| <b>HO216</b> | Summerhill Road Inter-war and Post-war Housing Precinct                 |
| <b>HO217</b> | Tottenham Post-war Industrial Area Housing Precinct                     |
| <b>HO218</b> | West Footscray Inter-war and Post-war Residential Precinct              |

#### What the amendment does

The amendment removes the interim heritage overlays identified in Map 1 above from all affected land and makes the following changes to the Maribyrnong Planning Scheme:

- Amends the Schedule to Clause 43.01 (Heritage Overlay) to remove reference to the eight precincts.
- Amends Planning Scheme Map Nos. 4HO, 5HO, 6HO, 7HO and 8HO to remove the eight precincts from heritage overlay maps.

## **Strategic assessment of the amendment**

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

The interim heritage overlay controls were applied to provide temporary protection of the eight precincts, as identified in the *West Footscray Inter-war and Post-war Heritage Precinct Study 2021*, while permanent controls were being progressed through Amendment C172mari. The interim controls were introduced through Amendment C173mari in December 2021 and modified through amendments C175mari (June 2022) and C180mari (December 2022). The interim heritage controls are due to expire on 27 November 2023.

Maribyrnong City Council resolved to abandon Amendment C172mari on 20 June 2023. As the process to consider permanent controls has now concluded, this amendment (C181mari) is required to remove the redundant interim controls from affected properties.

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

The amendment is consistent with the objectives of planning in Victoria by implementing the objective detailed at section 4 (1) of the *Planning and Environment Act 1987* which states:

- *To provide for the fair, orderly, economic and sustainable use and development of land*
- *To balance the present and future interests of all Victorians.*

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

The amendment will provide for the fair, orderly, economic and sustainable use and development of land by removing interim planning controls that are no longer required and have no strategic basis for continuing to be in the Maribyrnong Planning Scheme.

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

The land affected by the amendment is not subject to bushfire risk or a Bushfire Management Overlay. There is no increased risk of bushfires resulting from this amendment.

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

Amendment C181mari is consistent with Ministerial Direction on the Form and Content of Planning Schemes as identified at Section 7(5) of the *Planning and Environment Act 1987*. The amendment is also consistent with the *Ministerial Direction No. 11 – Strategic Assessments of Amendments*.

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

The amendment supports implementation of the Planning Policy Framework by removing redundant planning controls.

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

The amendment supports the Local Planning Policy Framework, specifically the Municipal Strategic Statement, by removing redundant barriers to development, which accords with the Housing Growth Area Framework identified under Clause 21.07.

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

The Maribyrnong Planning Scheme has not yet been translated into the new format structure, and does not contain a Municipal Planning Strategy. This consideration is not relevant to the Amendment.

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

The Amendment makes proper use of the Victoria Planning Provisions by removing redundant overlays from the Maribyrnong Planning Scheme.

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

Amendment C181mari removes redundant interim heritage overlay controls. This will revert the affected properties to their prior planning controls and is not likely to impact any agencies.

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

Amendment C181mari is not likely have an impact on the transport system. The amendment reverts the planning controls on the affected land to their prior planning controls. The amendment has considered, and is consistent with, Advisory Note 34 – Addressing the Transport Integration Act in a Planning Scheme.

### **Resource and administrative costs**

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

The removal of the interim heritage overlays from affected properties will potentially reduce planning applications. Planning applications within the current zones are expected to remain consistent with previous levels of development. There is unlikely to be any adverse impact on resourcing and administration costs of the responsible authority as a result of Amendment C181mari.

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

The amendment can be inspected free of charge at:

- Online via the Maribyrnong City Council website at: [www.maribyrnong.vic.gov.au/Building-planning/Current-and-future-planning/Planning-Scheme-Amendments](http://www.maribyrnong.vic.gov.au/Building-planning/Current-and-future-planning/Planning-Scheme-Amendments)
- In person during office hours by appointment at Maribyrnong City Council, Footscray Library Customer Service Desk (56 Paisley Street, Footscray). Appointments can be made by phoning 9688 0200.

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