

# MOORABOOL PLANNING SCHEME

## AMENDMENT C088moor

### EXPLANATORY REPORT

#### Who is the planning authority?

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

The amendment has been initiated by Moorabool Shire Council.

#### Land affected by the Amendment

The amendment applies to the township of Ballan, as shown within the black outlined area in Figure 1.

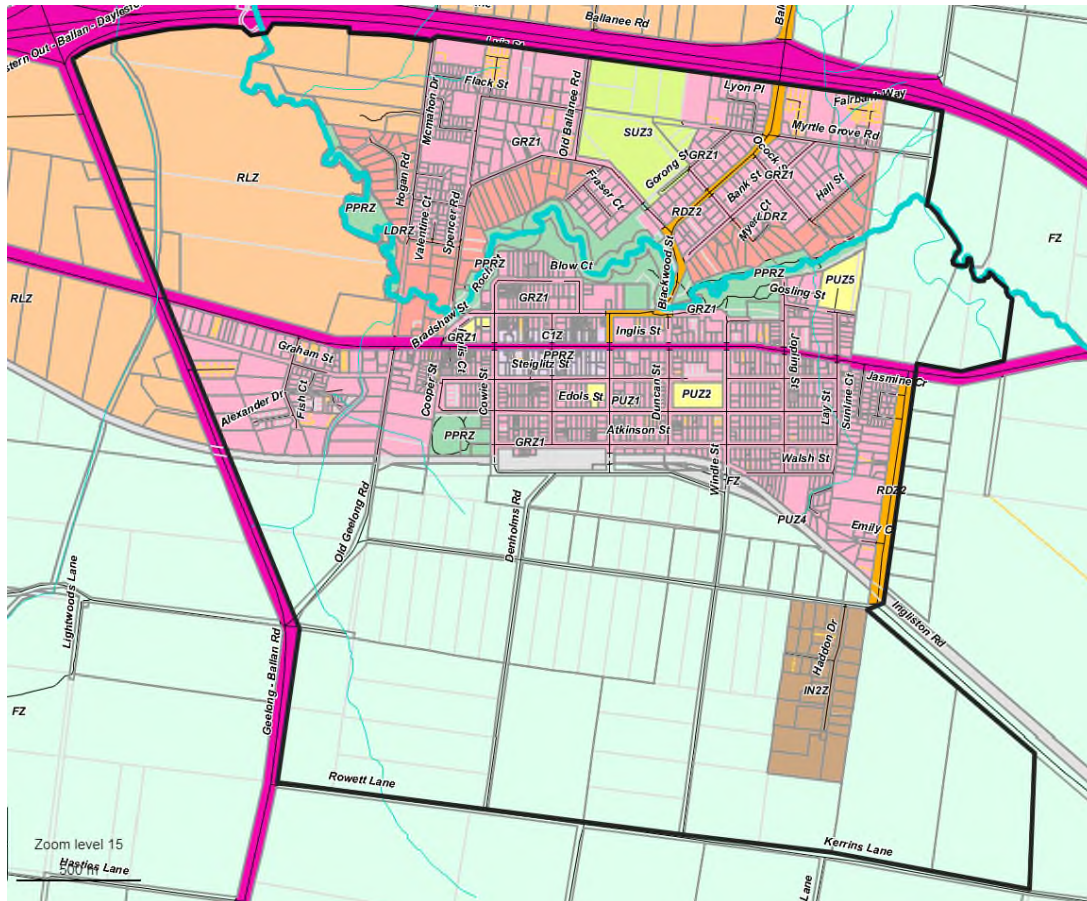


Figure 1: Amendment Area

#### What the amendment does

The amendment implements the Ballan Strategic Directions (June 2018), which is a Council adopted strategy that seeks to guide land use and development in Ballan up to the year 2041. Specifically, the amendment:

- Updates Clause 21.08 (Ballan) of the Local Planning Policy Framework, by:
  - updating the summary of key issues and influences;
  - introducing new objectives and strategies for achieving the desired planning outcomes sought by Ballan Strategic Directions (June 2018); and

- o updating the Ballan Framework Plan (see Figure 2) to provide clear directions for future development, including identification of areas for natural growth, minimal growth and future greenfield growth.
- Introduces Ballan Strategic Directions (June 2018) as a reference document in Clause 21.11.
- Introduces the Neighbourhood Residential Zone Schedules 6 and 7 (NRZ6 and NRZ7) to the Moorabool Planning Scheme, and rezones land from the General Residential Zone Schedule 1 (GRZ1) to the NRZ6 and NRZ7 (see Figure 2).
- Introduces the General Residential Zone Schedule 4 (GRZ4) to the Moorabool Planning Scheme, and applies Schedule 4 to land in the General Residential Zone (see Figure 2).
- Applies the Low Density Residential Zone Schedule 1 (LDRZ1) to land in the Low Density Residential Zone (see Figure 2).
- Rezones part of the Ballan Golf Club from the GRZ1 to the NRZ6 (see Figure 2).
- Rezones the Ballan Industrial Estate from the Industrial 2 Zone (IN2Z) to the Industrial 1 Zone (IN1Z) (see Figure 2).
- Rezones land at 164 Kerrins Lane (lot 2 on PS 802215) from the Farming Zone (FZ) to the IN1Z.



Figure 2: Proposed Ballan Framework Plan

## Strategic assessment of the Amendment

### Why is the Amendment required?

The Amendment is required to implement the Ballan Strategic Directions (June 2018), which has been adopted by Council as the principal planning strategy for the township. The population of Ballan is forecast to grow from approximately 3,090 in 2016 to more than 5,900 in 2041.

Clause 21.08 (Ballan) of the Local Planning Policy Framework of the Moorabool Planning Scheme requires updating, to provide strategic direction related to character and sense of place, environment, growth and infill, the town centre and non-residential uses outside of the town centre. The updated Ballan Framework Plan identifies areas for growth.

Clause 21.11(Reference Documents) also requires updating, to include Ballan Strategic Directions (June 2018) as a reference document.

In established residential areas, it is necessary to rezone land and apply appropriate zone schedules, in order to protect the existing neighbourhood character.

The Ballan Industrial Estate is currently subject to the INZ2, which provides for land uses that require large buffer distances to residential areas. The land is located in close proximity to existing dwellings and accordingly it is not considered appropriate to provide for land uses which will impact on residential amenity. Rezoning the land to the IN1Z will better reflect the current land use of the estate and provide for future land uses that will have lesser amenity impacts on the nearby residential uses.

It is necessary to rezone land at 164 Kerrins Lane (lot 2 on PS 802215) from the FZ to the IN1Z, in order to provide for anticipated growth in demand for industrial land.

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

The objectives of planning in Victoria are:

- (a) to provide for the fair, orderly, economic and sustainable use, and development of land.
- (b) to provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity;
- (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.
- (e) to protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.
- (f) to facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e).
- (g) to balance the present and future interests of all Victorians.

The objectives are fulfilled in the following manner:

- (a) Fair, orderly, economic and sustainable land use and development are sought to be enabled through the implementation of a well-considered strategy that holistically addresses the needs of the Ballan community.
- (b) Natural and man-made resources, and ecological processes are protected through the recognition of local environmental features, which are required to be protected and integrated into future development.
- (c) Quality working, living and recreational environment are sought as part of the overall strategic planning for the township.
- (d) Buildings and places of historic and local value are sought to be celebrated and protected by the recommended strategies.
- (e) Utilities and assets, such as the major gas transmission infrastructure to the south of the township, are planned for and protected as part of the Ballan Framework Plan.
- (f) The provisions in Clause 21.08 will ensure that development occurs in a considered manner, thereby achieving objectives (a) to (e).
- (g) The interests of present and future Victorians are protected through orderly planning, seeking to protect Ballan's desirable character, while enabling growth and development in response to demand and community needs.

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

### *Environmental effects*

The amendment introduces an environmental objective into Clause 21.08 and seeks to ensure that future development carefully accounts for stormwater management, which is the principal environmental issue within the growth precincts identified by the amendment. Additionally, the amendment also introduces strategies for the retention of vegetation as part of future development.

The new residential zones and schedules are implemented in a manner that addresses the respective residential areas and their associated neighbourhood and environmental character.

### *Social Effects*

Ballan's key social infrastructure includes a district health and aged care facility, two schools, active and passive open space, and a large golf course. As Ballan's population grows, the utilisation of these facilities will increase, and new demand will arise.

The amendment seeks to protect these assets, support expansion (such as for the health and aged care facilities) and facilitate the delivery of new social assets (such as the potential active open space in the north-western growth front shown in the proposed Ballan Framework Plan).

The protection of valued aspects of neighbourhood character in residential areas and greater clarity regarding the scale and location of development will provide positive social benefits.

### *Economic Effects*

Ballan has an important role within Moorabool Shire as a town which is known for its amenity. As a result, it attracts residents seeking a semi-rural lifestyle, as well as visitors seeking to enjoy the town's niche tourism offer. The local economy is heavily influenced by these factors, with commercial uses catering for both user groups. In addition, Ballan has a notable medical precinct and a small industrial area, which provide employment for approximately 300 persons.

The amendment provides greater clarity for landowners and developers regarding future land use and development potential, including the identification of preferred locations for commercial and industrial development.

The amendment takes into account these economic considerations, and is expected to result in beneficial outcomes, as it:

- supports the ongoing viability of the medical precinct by encouraging the expansion of the facilities.
- protects the viability of the industrial precinct by rezoning land in accordance with the likely industrial needs, and protecting the land from reverse amenity impacts associated with residential development.
- strengthens the town's appeal as a lifestyle alternative to settlement in Ballarat, Bacchus Marsh, and Melbourne, thereby continuing to attract population growth to support the local economy.

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

Ballan is not subject to the Bushfire Management Overlay, however, land on the edges of the township are designated Bushfire Prone Areas. Land located within a Bushfire Prone Area is subject to specific building requirements as part of the building permit process.

The amendment rezones land within the established areas of Ballan, predominantly from existing residential zones to new tailored schedules. It does not rezone land within nominated growth precincts at the fringe of the township boundary, with these areas to be subject to future planning scheme amendment processes.

There will be no increased bushfire risk as a result of this amendment.

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

The Amendment:

- Complies with Minister's Direction No. 11 Strategic Assessment of Amendments.
- 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*.
- Is consistent with Ministerial Direction No. 9 *Metropolitan Strategy, Plan Melbourne: Metropolitan Planning Strategy*, which identifies Ballan as a town suitable to support growth.

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

Clause 11.01-1R Central Highlands:

The Clause draws on the Central Highlands Regional Growth Plan. The amendment implements this clause by supporting ongoing growth in accordance with the sub-regional role of Ballan. Relevant strategies include:

*“Direct growth to well serviced settlements with good access to Melbourne or Ballarat, particularly Bacchus Marsh, Ballan, Creswick, Clunes, Beaufort and Smythesdale.”*

*“Provide adequate land and infrastructure in appropriate locations to support anticipated population growth, particularly closer to Melbourne and Ballarat where towns will provide a key opportunity to target growth pressure.”*

*“Provide local and sub-regional services at Avoca, Ballan, Beaufort, Clunes, Creswick, Daylesford and Smythesdale to support ongoing growth.”*

*Other Clauses*

Other clauses which are relevant to this amendment include:

- Clause 16 – Housing, which seeks to ensure appropriate housing is provided for Victorians for long term sustainability, among other things;
- Clause 17 – Economic Development, which plans for the economic wellbeing of communities, as well as the State as a whole; and
- Clause 19 – Infrastructure, which seeks to ensure appropriate social and physical infrastructure elements are provided to support communities.

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

Clause 21.01 – Municipal Context outlines that “Bacchus Marsh is the focus for economic and residential growth, with Ballan and potentially Gordon providing complementary roles”. Clause 21.08 provides a place-based planning framework for Ballan and builds on this direction by providing guidance for growth. However, Clause 21.08 is out of date and in need of a significant revision to reflect the latest strategic planning. The amendment addresses this issue by updating Clause 21.08 based on Ballan Strategic Directions (June 2018).

**Does the Amendment make proper use of the Victoria Planning Provisions?**

The amendment makes proper use of the Victoria Planning Provisions, by updating Clause 21.08 of the Local Planning Policy Framework of the Moorabool Planning Scheme and applying appropriate zone controls to land.

Specifically the amendment:

- Introduces the NRZ6 and NRZ7 in accordance with VPP format requirements.
- Applies the LDRZ1, NRZ6 and NRZ7 to land which has been identified for minimal growth.
- Applies the GRZ4 to the core of Ballan, which will benefit the landscape qualities of the core of Ballan by requiring a landscape plan.

- Applies the IN1Z to the Ballan industrial estate, to better reflect the existing land uses, and provide for land uses which are more appropriate given the estate's proximity to nearby dwellings.

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

The amendment was prepared in consultation with relevant agencies including:

- Melbourne Water as the drainage and floodplain management authority;
- Central Highlands Water as the sewer and water supply authority;
- The Department of Transport;
- SP Ausnet as the gas provider; and
- The Environment Protection Authority.

The amendment addresses the views of these agencies, by including strategies under Clause 21.087 of the Local Planning Policy Framework of the Moorabool Planning Scheme, to ensure that new development in greenfield growth areas:

- Is in accordance with the Ballan Framework Plan.
- Supports the logical sequencing of development within the defined township boundary in a manner that can efficiently access existing services, and bring forward key infrastructure and services where needed.
- Considers flood risk and drainage, buffers to the industrial land, transport connectivity, the interface with the railway corridor, the high pressure gas pipeline, and availability and capacity of water supply and sewerage infrastructure.

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

The amendment will have an impact on the transport system, as defined by Section 3 of the *Transport Integration Act 2010*, particularly when the larger greenfield growth precincts are developed.

Transport planning will be an essential element of any development plan for the greenfield growth precincts. In accordance with Clause 18.01 of the Planning Policy Framework of the Moorabool Planning Scheme, integrated transport plans will need to be prepared for all new major developments. Clause 21.05 of the Local Planning Policy Framework requires new development to make financial contributions to the provision of integrated transport infrastructure, such as roads, bicycle paths, footpaths and public transport.

Ballan is a peri-urban community, with strong connections to metropolitan Melbourne for employment, education and services. Ballarat to the west of Ballan also serves as an important destination for these services.

For these reasons, the development of greenfield growth precincts identified within the updated Ballan Framework Plan will be predicated upon:

- Providing a connected, integrated and multi modal transport network for local trips; and
- Regional connections to Melbourne, Ballarat and other towns in the region, principally via the Western Freeway and arterial road network, as well as the upgraded Melbourne-Ballarat rail line.

### **Resource and administrative costs**

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

The amendment updates the Ballan Framework Plan Clause in 21.08 of the Local Planning Policy Framework of the Moorabool Planning Scheme. Future planning scheme amendments will be required to rezone land in the greenfield growth precincts identified within the updated Ballan Framework Plan.

Moorabool Shire Council will need to work with proponents in the preparation of development plans for the larger greenfield growth precincts. These are significant bodies of work that will result in resourcing and administrative cost impacts, however, these costs are necessary to facilitate the orderly urban development of land.

This may result in a significant increase in planning permit applications, particularly relating to the subdivision of land, which will require adequate resourcing.

### **Where you may inspect this Amendment**

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

- Moorabool Shire Council, 15 Stead Street, Ballan
- Lerderderg Library, 215 Main Street, Bacchus Marsh
- Darley Civic and Community Hub, 182 Halletts Way, Darley

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).