

Hobsons Bay Planning Scheme Review

November 2018



Acknowledgements

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This discussion paper was compiled by the Hobsons Bay Strategy and Advocacy Department. For further information contact the Hobsons Bay City Council on 9932 1000 www.hobsonsbay.vic.gov.au

Council acknowledges all language groups of the Kulin Nation as the traditional owners of these municipal lands. We recognise the first people's relationship to this land and offer our respect to their elders past and present.

Council acknowledges the legal responsibility to comply with the *Charter of Human Rights and Responsibilities Act 2006* and the *Equal Opportunity Act 2010*. The Charter of Human Rights and Responsibilities is designed to protect the fundamental rights and freedoms of citizens. The Charter gives legal protection to 20 fundamental human rights under four key values that include freedom, respect, equality and dignity.

Executive summary

Overview

1. This review is a 'health check' of the Hobsons Bay Planning Scheme (the Scheme) at a point in time (2018) to see how effectively and efficiently it is operating to achieve the objectives of planning in Victoria. This health check has shown that, despite a changing context and altered strategic land use challenges since the scheme was last reviewed in 2014, it is:
 - a. strategically sound
 - b. performing well
 - c. working efficiently to achieve both:
 - i. the objectives of Planning in Victoria
 - ii. local aspirations in the form of a spatial translation of the policies and directions contained in Hobsons Bay 2030 Community Vision and the Council Plan 2017-21
2. Hobsons Bay has land constraints which pose development challenges. Almost one third of the land is used for industrial purposes including Major Hazard Facilities (MHFs), pipelines and environmental constraints such as land prone to flooding, contaminated sites and so forth. Land use changes in the last four years mainly include urban renewal sites such as rezoning of the former industrial sites for more appropriate purposes.
3. Other land use challenges include limited employment opportunities to better reflect the Hobsons Bay population, provision of community infrastructure to sustain the population growth and underutilised industrial land.
4. This review notes that major strategic planning work already underway is critical to continuing and improving the Scheme's performance and efficiency – especially by providing a more directed approach to housing development and urban renewal. This is particularly true in terms of statutory implementation of the following current local strategic work:
 - a. Hobsons Bay Housing Framework Plan 2018
 - b. Hobsons Bay Housing Strategy 2018-36
 - c. Hobsons Bay Neighbourhood Character Study 2018
 - d. Deployment of the reformed residential zones
 - e. Hobsons Bay Activity Centres Strategy 2018-36
5. In addition to major changes to zones since 2014, and an update of Plan Melbourne (2017), significant State reforms to the planning system took place in July 2018 through the introduction of the new Planning Policy Framework (PPF) in all Victorian planning schemes. This heralds a major generational planning system reform and triggers an overhaul of the structure and provisions of all planning schemes in Victoria.

6. As a result of the above State led reforms, and implementation of the strategic projects listed, significant further strategic work will be required to safe guard the effective performance of the Scheme including:
 - a. structure planning for Major Activity Centres and other local centres as identified in the Activity Centres Strategy 2018-36 (Newport and Spotswood Structure Plans have commenced)
 - b. renewal and streamlining of the existing Local Planning Policy Framework (comprising clauses 21 and 22 of the Scheme) including the existing Municipal Strategic Statement (MSS), followed by integration into the PPF
 - c. translation of existing controls into the new format of the PPF

Why review the Hobsons Bay Planning Scheme?

7. All councils are required, under Section 12B of the *Planning and Environment Act 1987* (the Act), to review their planning scheme within a year of adopting a new Council Plan.
8. The Hobsons Bay Council Plan 2017-21 was adopted on 27 June 2017, triggering a twelve month deadline for review of the Scheme. However, due to major State led planning system reforms, including an overview of all the State standard Victorian Planning Provisions, this review is not due to be lodged with the Minister for Planning until the end of 2018.
9. This allows Council to include within its review:
 - a. an assessment of impacts arising from these major planning system reforms
 - b. any necessary recommendations that inform the way those controls may be deployed in a planning scheme renewal
10. The last review of the Scheme took place in 2014. It found that the Scheme was operating effectively, however made a number of recommendations for modifications to the Scheme and identified further strategic work.
11. This review also demonstrates local government best practice by implementing a process of continuous improvement in line with principles of best value.

What does the Review do?

12. This review is a 'health check' of the Scheme at a point in time (2018) that determines how effectively the Scheme is operating to achieve:
 - a. the objectives of planning in Victoria
 - b. local aspirations; spatially translating the priorities, values, policies and directions contained in Hobsons Bay 2030 Community Vision (HB2030) and the Council Plan 2017-21 (Council Plan)
13. It is also a chance to identify and prioritise how State led planning system reforms and major policy updates, such as Plan Melbourne 2017-50 (Plan Melbourne), can be translated to the local level, within a spatial policy agenda that supports local aspirations.

14. Findings and recommendations from the review provide a 'blue print' for any future planning scheme changes and renewal, as well as strategic work to:

- a. strengthen the scheme and further the objectives of planning in Victoria
- b. achieve the aspirations of Council and the local community

How was the Review done?

15. The 2018 Review (the Review) of the Scheme has been prepared to fulfil the requirements of the Act. It has been undertaken in accordance with both:

- a. Planning Practice Note 32: Review of Planning Schemes (Department of Environment, Land, Water and Planning (DELWP) June 2015)
- b. Continuous Improvement Review Kit for planning and responsible authorities (Department of Sustainability and Environment February 2006)

16. In doing so, the Review is framed around three questions:

- a. *What has been achieved since the last Review in 2014?*

An audit of actions taken in response to the recommendations of the 2014 Hobsons Bay Planning Scheme Review 2014

- b. *Where are we now?*

Is Council on track? What are the key land use planning issues affecting Hobsons Bay? What has changed? What are the drivers of change? What are we currently doing to respond to this/these change(s)? Are there policy gaps? What are the aspirations of the community and Council? What is the feedback from users of the Scheme and other stakeholders? Is there any relevant research from local strategic planning projects, such as the Housing Strategy, that indicate the performance of the Scheme and where it can be strengthened?

- c. *Where to from here?*

Are additional strategic projects and initiatives needed? Are reforms to the Scheme needed and if so what are the most effective reforms given the PPF? Are there any areas where Council needs to work further with DEWLP?

17. The Review was informed by extensive consultation which occurred with the community, during the consultation period for the HB2030 and the Council Plan 2017-21. In addition, the Review has been informed by feedback from Councillors, Council officers, referral authorities and other relevant stakeholders. The consultation outcomes inform the future broad strategic direction of the Scheme and series of recommendations to improve the Scheme's effectiveness.

Findings

18. The Review recognises that considerable policy work has been undertaken by Council on heritage, economic development and rezoning of redundant industrial sites. It identifies policy gaps and weaknesses which need to be addressed. The Review provides an insight into the effectiveness of the Scheme and its findings will make an important contribution to future strategic work undertaken by Council.
19. To ensure that sound and effective performance of the Scheme continues through the PPF, a total disaggregation and reintegration of all local policies and specific provisions, including zones, overlays and schedules, will be required.
20. Overall, the Review provides valuable insight to the effectiveness of the Scheme and its findings will make an important contribution to the preparation of the new PPF.

Recommendations

21. The Review provides critical strategic recommendations for Hobsons Bay including:
 - a. continuation and completion of the Housing Strategy 2018-36, Housing Framework Plan 2018, Activity Centre Strategy 2018-36 and Neighbourhood Character Study 2018
 - b. continuation of the revision of the Hobsons Bay heritage Study
 - c. implementation of the reformed residential zones
 - d. renewal of the MSS through the implementation of the PPF
 - e. a rolling program of Structure Plans and subsequent planning scheme amendments
 - f. review of the Industrial Land Management Strategy 2008 (ILMS)
 - g. inclusion in the Scheme, the Community Services and Infrastructure Plan (underdevelopment) and Landscape Guidelines
 - h. the need to ensure the Review recommendations are incorporated into a Scheme renewal that is translated to the recently reformed Victoria Planning Provisions that were introduced in July 2018. This will include renewal and disaggregation of the current Local Planning Policy Framework (including the MSS) so that the elements can be appropriately 'nested' within State and Regional policies

Key Terms

Term	Detail
ACS	Activity Centre Strategy
C2Z	Commercial 2 Zone
Engagement Framework	Community Engagement Framework (HBCC, 2015)
CSIP	Community Services and Infrastructure Plan
Council Plan	Council Plan 2017-21 (HBCC, June 2017)
Council Planning Advocate	Person employed to represent Council at VCAT or Planning Panels
DELWP	Department of Environment, Land, Water and Planning
EAO	Environmental Audit Overlay
EPA	Environment Protection Authority
ESD	Environmentally Sustainable Design
ESV	Energy Safe Victoria
GRZ	General Residential Zone
HB2030	Hobsons Bay 2030 Community Vision (HBCC, February 2017)
HO	Heritage Overlay
IDDG	Industrial Development Design Guidelines 2008
ILMS	Industrial Land Management Strategy 2008
IN3Z	Industrial 3 Zone
LG Act	<i>Local Government Act (Vic) 1989</i>
MHF	Major Hazard Facility
MRDAC	Managing Residential Development Advisory Committee
MSS	Municipal Strategic Statement
NRZ	Neighbourhood Residential Zone
Planning Scheme	Hobsons Bay Planning Scheme

Plan Melbourne	Plan Melbourne: Metropolitan Planning Strategy 2017-50
ODP	Outline Development Plan
PHWA	<i>Public Health and Wellbeing Act 2008</i>
PPF	Planning Policy Framework (July 2018)
PTV	Public Transport Victoria
Refresh	Revision <i>and</i> update of an existing document
Renewal	Replacement of an existing document
Review	A formal assessment of a document with the intention of making future change if necessary
RGZ	Residential Growth Zone
SPPF	State Planning Policy Framework
SRA	Strategic Redevelopment Area
SUZ	Special Use Zone
The Act	<i>Planning and Environment Act (Vic) 1987</i>

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Part 1 – Introduction

Snapshot of Hobsons Bay

22. Hobsons Bay is situated at the northern end of Port Phillip Bay in Melbourne's South-West between five and 20 kilometres from Melbourne Central Business District. The peoples of the Kulin Nation were the first people to occupy the area. Today, it is home to the suburbs of Altona, Altona Meadows, Altona North, Brooklyn, Laverton, Newport, Seabrook, Seaholme, South Kingsville, Spotswood, Williamstown and Williamstown North.

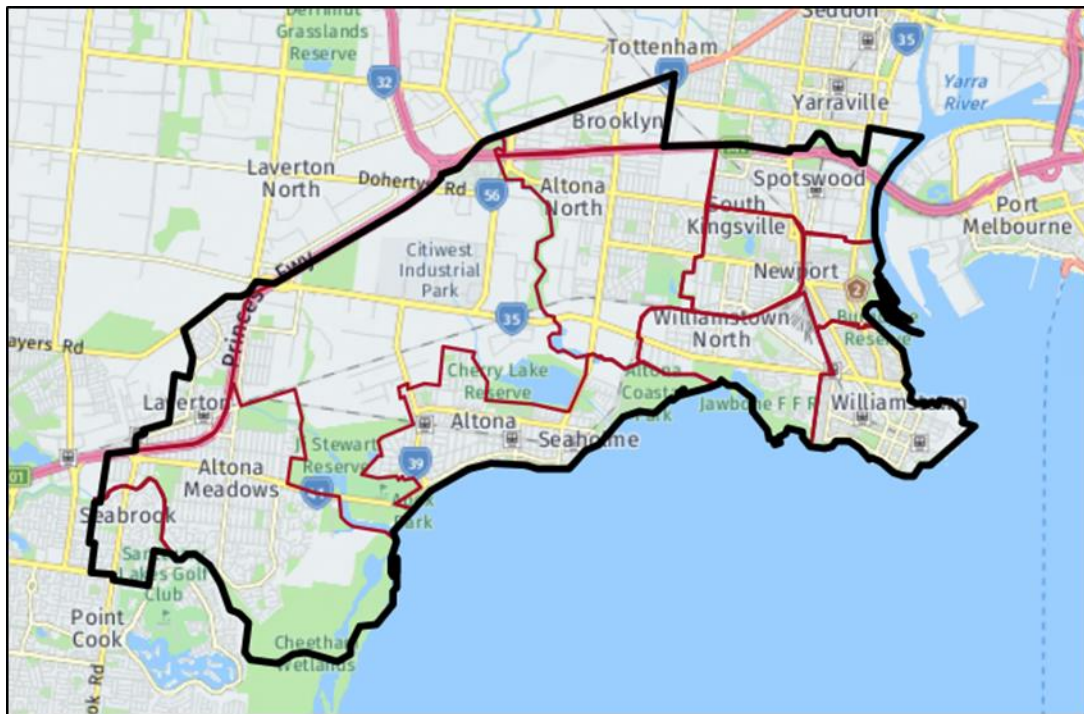


Figure 1: Map of Hobsons Bay City Council

23. Each suburb has its own unique character, from the historic seaport of Williamstown with its range of heritage buildings, to the more recently developed residential areas of Altona Meadows and Seabrook. Hobsons Bay also has a range of major industrial complexes, which contribute significantly to the economy of Victoria.
24. It covers an area of approximately 66 square kilometres with over 20 kilometres of coastline. It is also home to significant coastal wetlands, five creek systems, remnant native grasslands, and important flora and fauna habitats, which makes up 24 per cent of the city's total land area.
25. The city has good access to regional transport facilities such as the West Gate Freeway, the Western Ring Road, CityLink, the National Rail Line, together with the ports and airports of Melbourne and Avalon. A number of sites of significance to the Aboriginal community are located throughout the municipality, particularly along the coastal trail.
26. The city's forecast population for 2018 is 95,395 residents and is expected to increase to around 112,462 by 2036. This equates to a demand for around 8,849 new homes (443 new homes per annum to 2036). This is considered to be relatively stable growth.

27. In 2016, 31 per cent of our residents were born overseas, speaking over 100 different languages and practising over 90 faiths.
28. Hobsons Bay has an ageing population, with increases in most age groups 50 years and over. The number of school aged children has decreased in the most recent census period, however regeneration is occurring with an increase in the number of young children and adults aged 25 to 34 years.
29. A key challenge for managing housing growth in Hobsons Bay is not only about ensuring there is enough supply, but also about ensuring new housing is being provided in the right location that matches the changing needs of residents.

Key Council Plans and Visions

30. During 2016 and 2017 Council undertook an extensive community consultation, consulting with over 2,500 community members. In addition to this, Council undertook a deliberative community engagement process with an additional 35 community representatives who wrote the Hobsons Bay 2030 Community Vision (HB2030).
31. The Vision of the document is:
- By 2030, embracing our heritage, environment and diversity, we – the community of Hobsons Bay – will be an inclusive, empowered, sustainable and visionary community, led and supported by a progressive Council of excellence.*
32. The Vision embeds the following definitions:
- a. heritage includes indigenous, maritime, historic buildings, industrial and landscapes
 - b. environment includes urban and natural, both marine and land-based (e.g. vegetation and parklands)
 - c. diversity means celebrating the inherent qualities of all people regardless of their age, abilities, beliefs, faith, cultures, ethnicity, Aboriginality, gender identity, sexual orientation, sex characteristics or socio economic status
 - d. inclusive covers all suburbs of the municipality and socio-economic group
 - e. empower includes being informed with a means to constructively express views and feelings, and promote “active participation”
 - f. sustainability means the ability to address the needs of current generations, without compromising the ability of future generations to meet their own needs, (i.e. living within our means to ensure a future for “our children’s children”, in particular proactively addressing the challenges posed by climate change
 - g. a “progressive Council of excellence” is one that proactively identifies, adopts and implements best practice

33. There are six Priority areas in HB2030:

- a. visionary, vibrant, accountable urban planning

- b. community wellbeing and inter-connection
 - c. growth through innovation, access to local jobs, technology and education
 - d. proactive enrichment, expansion and conservation of the natural and urban environment
 - e. activate sustainable practices
 - f. an accessible and connected community
34. The community expressed a range of concerns surrounding land use planning including the need to provide for population growth, density and accessibility to services while balancing the need for commercial, industrial, residential and green spaces.
35. HB2030 was used to guide the preparation of the Council Plan 2017-21 and subsequent annual Action Plans and budgets.
36. The Council Plan sets out more specific land use planning issues, but in combination it provides a solid basis upon which to identify the change drivers and challenges facing Hobsons Bay.
37. HB2030 together with the Council Plan meet Council's legislative requirement for an integrated Municipal Public Health and Wellbeing Plan.

What is the Hobsons Bay Planning Scheme?

38. The Hobsons Bay Planning Scheme is a statutory document which sets out Council's objectives, policies and provisions relating to the use, development, protection and conservation of land in Hobsons Bay. The Hobsons Bay Planning Scheme, like all planning schemes, regulates the use and development of land through planning provisions to achieve the respective objectives and policies.
39. The *Planning and Environment Act 1987* requires that a planning scheme:
- must seek to further the objectives of planning in Victoria within the area covered by the scheme
 - must contain a Municipal Strategic Statement (MSS)¹, if the scheme applies to the whole or part of a municipality
 - may make any provision which relates to the use, development, protection or conservation of any land in the same area

Why review the Hobsons Bay Planning Scheme?

40. All planning schemes must be reviewed no later than one year after each date by which it is required to approve a Council Plan under section 125 of the *Local Government Act 1989*, or within such longer period as is determined by the Minister for Planning.

¹ Amendment VC148 replaces the requirement for a MSS with a requirement for a Municipal Planning Strategy (MPS)

41. On 17 April 2018, Council received correspondence from the Victorian Government outlining that councils could have an extension to complete their planning scheme review if they wanted to consider the impacts of the, soon to be released, changes proposed as part of the Smart Planning program.
42. The Smart Planning program undertaken by the Victorian Government, is equivalent to the implementation of recommendations from a planning scheme review of the Victoria Planning Provisions. The changes aim to simplify and modernise Victoria's planning policy and rules to make planning schemes more efficient, accessible and transparent. The changes introduced by VC148 are the largest since the VPP creation in the 1990s and affect the majority of clauses within the Victoria Planning Provisions.

How is Hobsons Bay Planning Scheme structured?

43. Until 31 July 2018, the Hobsons Bay Planning Scheme was structured the same way all Victorian planning schemes were structured:

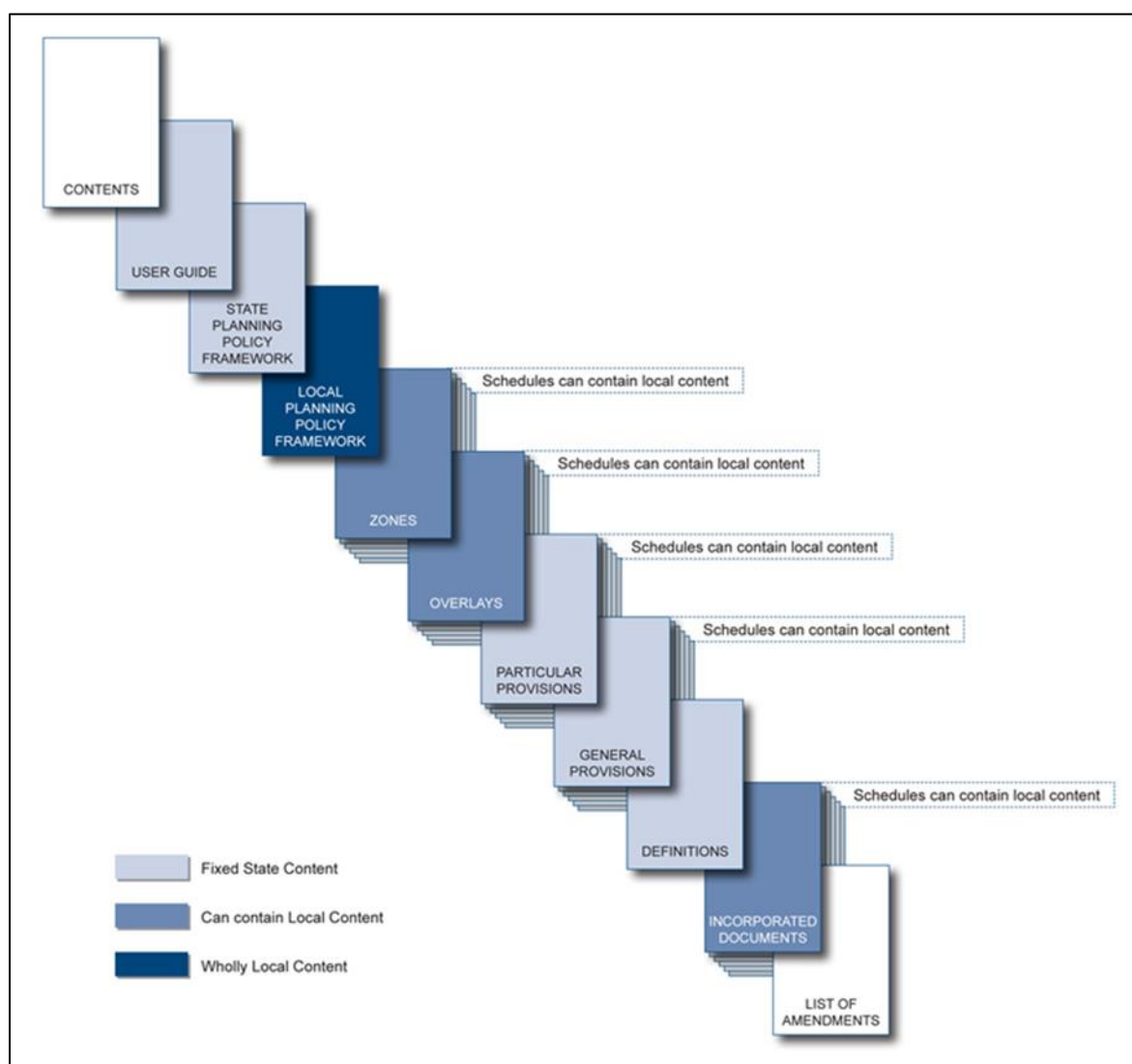


Figure 2 – Structure of Victorian planning schemes

44. Smart Planning changes brought in through Amendment VC148 on 31 July 2018 included a new Planning Policy Framework (PPF) which replaces the State Planning Policy Framework (SPPF) and Local Planning Policy Framework (LPPF). Previously, the LPPF included the MSS and Local Planning Policies, which need to be incorporated into the PPF over the coming 18 to 24 months. Components of the MSS will be contained in the Municipal Planning Strategy (MPS) which will stand alone at Clause 2 and contain no more than 5,000 words.
45. The PPF, after the LPPF has been incorporated, will be a three tiered policy bringing together state, regional and local planning policy.

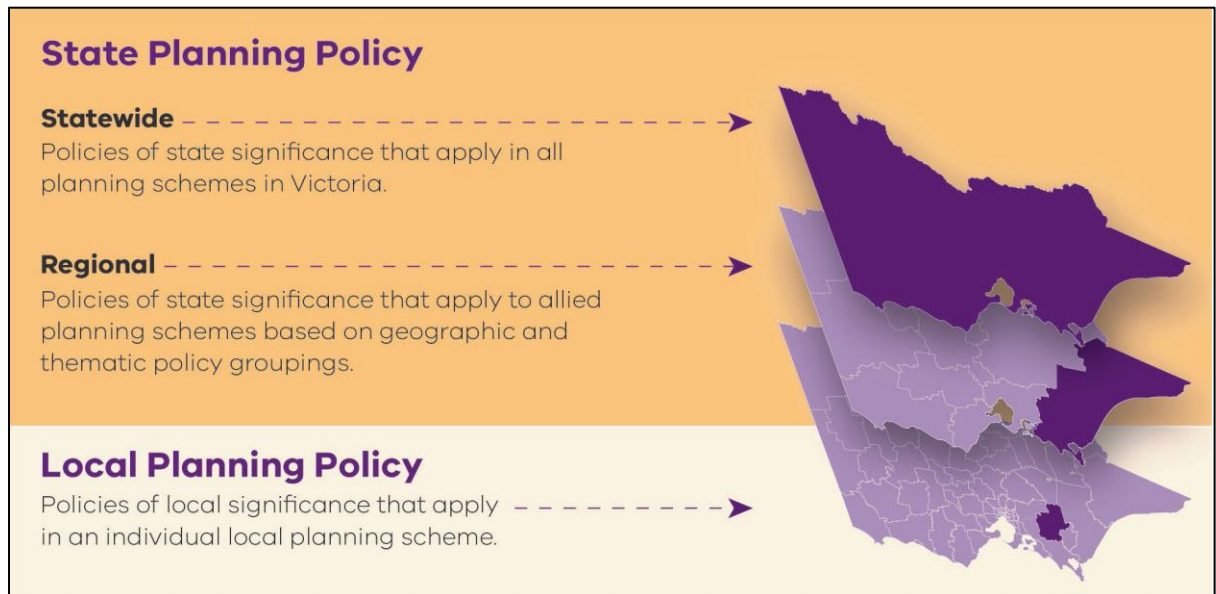


Figure 3: New Planning Policy Framework

46. The PPF aims to:
- strengthen planning policy
 - enable the better alignment of state and local planning policy
 - be easier to navigate and use
 - ensure policy is consistent across state, regional and local tiers
 - simplify the review and update of policy

What does the Planning Scheme Review do?

47. This review is a 'health check' of the Scheme at a point in time (2018) that determines how effectively and efficiently the Scheme is operating to achieve:

- the objectives of planning in Victoria
- local aspirations: spatially translating the priorities, values, policies and directions contained in Hobsons Bay 2030 Community Vision (HB2030) and the Council Plan 2017-21 (the Council Plan)

48. It is also a chance to identify how State-led planning system reforms and major policy updates, such as Plan Melbourne 2017-50 (Plan Melbourne), can be translated to the local level, within a spatial policy agenda that supports local aspirations; and to prioritise these.
49. The review findings and recommendations provide a 'blue print' for any future planning scheme changes and renewal, as well as strategic work to:
- strengthen the scheme and further the objectives of planning in Victoria
 - achieve the aspirations of Council and the local community

How was the review done?

50. This 2018 Review (the Review) of the Scheme has been prepared to fulfil the requirements of the *Planning and Environment Act 1987*. It has been undertaken in accordance with both:
- Planning Practice Note 32: Review of Planning Schemes (DELWP June 2015)
 - Continuous Improvement Review Kit for planning and responsible authorities (Department of Sustainability and Environment February 2006)
51. In doing so, the Review is framed and structured around three questions:
- *what has been achieved since the last Review in 2014?*
 - *where are we now?*
 - *where to from here?*
52. It is summarised below:

- *what has been achieved since the last Review in 2014?*

An audit of actions taken in response to the recommendations of the 2014 Hobsons Bay Planning Scheme Review 2014

- *where are we now?*

Is Council on track? What are the key land use planning issues affecting Hobsons Bay? What has changed? What are the drivers of change? What are we currently doing to respond to this/these change(s)? Are there policy 'gaps'? What are the aspirations of the Community and Council? What is the feedback from users of the scheme and other stakeholders? Is there any relevant research from local strategic planning projects, such as the Housing Strategy, that indicate the performance of the scheme and where it can be strengthened?

- *where to from here?*

Are additional strategic projects and initiatives needed? Are reforms to the planning scheme needed and if so what are the most effective reforms given the PPF? How can we renew the local policies including the Municipal Strategic

Statement include it within the PPF? Are there any areas where Council needs to work further with the State Planning Department (or iteration thereof)?

53. The Planning Scheme review was informed by extensive consultation which occurred with the community, during the consultation period for the Hobsons Bay 2030 Community Vision (HB2030) and Council Plan 2017-21. In addition the review has been informed by feedback from Councillors, Council officers, referral authorities and other relevant stakeholders. The consultation outcomes inform the future broad strategic direction of the planning scheme and the series of recommendations to improve the scheme's effectiveness.

Part 2 – Audit

Audit of the 2014 Planning Scheme Review

54. As a first step in the current review process, Council is required to undertake an audit of its progress against the recommendations of its most recent planning scheme review.

55. This section comprises of the review undertaken since 2014. The method used to undertake this review consists of the following:

- review of local government initiatives affecting the planning scheme
- stakeholder consultation
- review of state initiatives affecting the planning scheme
- identification of strategic work required
- assessment of planning permit activity
- assessment of the effectiveness of the planning scheme

Summary of the 2014 review

56. This section provides an overview of the 2014 review including an audit on progress implementing the key findings and recommendations of the most recent review.

57. Consistent with the requirements of the Act, a strategic review of the planning scheme was undertaken in 2014. The conclusions of the review can generally be summarised into the following nine themes:

- strategic context
- Hobsons Bay key issues and strategic vision
- effectiveness of the local policies
- effectiveness of the zones
- effectiveness of the overlays
- effectiveness of particular provisions
- effectiveness of incorporated documents
- inclusion of completed strategic work into the Scheme
- matters identified for further work

58. Considerable strategic work has been undertaken since 2014. Completion of the Housing Strategy, Activity Centres Strategy, Neighbourhood Character Study, Heritage Study Review and Newport Structure Plan is anticipated soon. The Housing Strategy, Activity Centres Strategy and Neighbourhood Character Study are currently being exhibited. The Newport Structure Plan has been exhibited and is pending adoption.

59. The Planning Scheme Reviews from 2010 and 2014 both determined it necessary for Council to undertake a review of the MSS. The MSS is currently under review which will lead to an updated strategic vision for land use and development in Hobsons Bay. It will also set out the future direction by identifying future strategic work, incorporating new, and deleting redundant policy. The review of the MSS was being undertaken to align with the format of the PPF proposed by the Advisory Committee during the State Planning Policy Framework Review process in 2014. The format has again changed through the implementation of Amendment VC148 which was introduced by the Victorian Government on 31 July 2018. Officers will now work closely with DELWP to translate the LPPF, including the MSS, to the new PPF.
60. The 2014 Planning Scheme Review recommended consideration of the existing local policies to remove repetition where applicable. Although review of these policies is currently underway, it is expected that local policies will be removed entirely and their content inserted elsewhere in the Scheme through the implementation of the PPF.
61. The combination of the implementation of the Housing Strategy, Neighbourhood Character Study, Activity Centres Strategy, application of the residential zones and the PPF will address numerous outstanding issues identified in the 2014 review. Some of the actions include review of local policies such as Altona Meadows Urban Design Policy, Neighbourhood Character Policy and review of the Design and Development Overlay (DDO) Schedules 5 and 9, which relate to development abutting Newport Lakes.
62. The 2014 Planning Scheme Review recognised a lack of planning framework direction regarding risk, therefore a number of recommendations related to clarifying the land use planning process via Interim Management of Land Use Planning around Major Hazard Facilities Guidelines. In response to this, Council undertook an advocacy campaign to have the Victorian Government undertake an investigation into land use planning risk around major hazard facilities (MHF) and pipelines. The MHF Advisory Committee held public hearings in March 2016 and submitted a report to the Minister for Planning in July 2016 recommending changes to the SPPF. The Ministerial response in 2018 supported, or supported in principle, all the recommendations with regard to MHFs and deferred recommendations regarding pipelines. The Victorian Government is now working in conjunction with Hobsons Bay to prepare state wide provisions, some of which were released in late October 2018. The new Ministerial Direction and State Policy requires all amendments and permit applications within proximity to MHFs to be forwarded to WorkSafe. Further, more specific, changes are expected to be implemented by the Victorian Government soon. Recommendations regarding the preparation of a local policy are now redundant with the removal of all local policies from planning schemes. However, when it becomes clear what more detailed changes will be made and how the State will address MHFs, there may be opportunities for Hobsons Bay to consider changes in other parts of the Scheme, such as the review of population density controls contained in Schedule 4 to the Special Use Zone (SUZ).
63. See Appendix 1 for a detailed analysis of progress against each recommendation of the 2014 review.

Discussion on the outstanding recommendations from the 2014 review

64. This section provides commentary on the key outstanding and/or incomplete actions from the 2014 Planning Scheme Review, and the ongoing relevance of these recommendations. No comment is provided where the status is identified as complete (see Appendix 1)

Strategic Context

65. A key recommendation of the 2014 Planning Scheme Review was to undertake and implement a Housing Strategy, Neighbourhood Character Study and Activity Centres Strategy, all of which inform the application of the residential zones.
66. The implementation of the new zones and supporting strategic work such as the Housing Strategy, Activity Centre Strategy and Neighbourhood Character Study is necessary to ensure consistency between State and local policy for residential development.
67. Changes were made to the residential zones via State led Amendment VC110 which was gazetted in March 2017. VC110 modified the purpose and requirements of each residential zone. The approval of this amendment impeded the implementation of the residential zones into the Hobsons Bay Planning Scheme. More recently, Amendment VC143, gazetted on 15 May 2018, approved further reforms to the zone requirements.
68. Data from the 2016 census was released late in 2017 and progression of the Housing Strategy was deferred in order to update it with the new statistics. The Housing Strategy has now been updated and is currently out for community consultation.
69. It is anticipated that the adoption of the suite of policies and implementation of the residential zones into the Hobsons Bay Planning Scheme will provide direction on spatial distribution of dwellings in the municipality. The adoption of the suite of policies and implementation of residential zones is still a priority.
70. A rolling program of structure plans is another key item identified in the 2014 Planning Scheme Review.
71. The Activity Centres Technical Report 2016 supports the preparation of structure plans to manage the growth and development of activity centres.
72. Guidance is also required through the preparation of structure plans for the undeveloped former industrial sites identified as Strategic Redevelopment Areas (SRAs) in the ILMS, particularly where a planning policy framework is required to facilitate development.
73. Structure plans will facilitate orderly development in and around activity centres, which aligns with the State policy directions, particularly plan Melbourne 2017-50. The Newport Structure Plan was deferred subject to the findings of the MHF Advisory Committee. The Spotswood Structure Plan is also underway. It is expected that further structure plans will be undertaken over the life of this review and is therefore still a relevant recommendation.
74. A review of the MSS was identified in the 2014 Planning Scheme Review, and as discussed earlier, will be actioned through the translation of the LPPF to the PPF.

Local policies

75. The 2014 review recommended a review of the Altona Meadows Urban Design Policy. The review recommended that the Hobsons Bay Housing Strategy include a review of the policy and investigate whether the application of a specific schedule to the residential zone may address the objectives of the local policy. The review of the Altona Meadows Urban Design Policy has not occurred, however will be addressed through the translation of local policies into the PPF.
76. The 2014 review recommended that Clause 22.02: Industry should be incorporated with Clause 21 to streamline the local policy. This recommendation is still appropriate and will be addressed through the translation of the local policies into the PPF.
77. Clause 22.06: Mixed Use Policy – Altona Activity Centre Policy was recommended for review following the implementation of the new zones. The policy was superseded with the Altona Beach Urban Design Guidelines adopted in October 2008. This policy still requires review and the Altona Beach Urban Design Guidelines should be incorporated into the scheme through the implementation of the PPF.
78. The Neighbourhood Character Policy and Outdoor Advertising Signage Policy are under review and will be moved into other parts of the Scheme through the implementation of the PPF.
79. It was recommended that Clause 22.05: Williamstown Commercial Area – Car Parking Policy be deleted from the Hobsons Bay Planning Scheme as it was outdated and contravened the State Policy. This recommendation is still relevant and will be addressed through the implementation of the PPF.
80. As part of the introduction of VC148, all local policies will be removed from planning schemes and their content redistributed to other parts of the Scheme such as the PPF, zones, overlays and particular provisions. Therefore, all recommendations relating to local policies will be addressed when the LPPF is translated to the PPF.

Zones

Residential zones

81. The 2014 review recommended that strategic work being undertaken to inform the implementation of the new residential zones be completed and a planning scheme amendment be undertaken to insert the work into the planning scheme. Implementation of the reformed residential zones is still relevant and is being pursued, with exhibition of the draft new zones currently underway.

Commercial zones

82. The 2010 and 2014 Planning Scheme Reviews found that strategic justification for the application of Commercial 2 Zone to land at 511, 515 and 519 Melbourne Road, Newport is unknown although it (or the former Business 3 Zone) has been applied to the site since the New Format Planning Scheme in 2000. These parcels are affected by the outer buffer of the nearby MHF where some uses may be restricted. The zoning in this case should be carefully considered. It is recommended that the zoning of these sites be reviewed subsequent to the implementation of the State led MHF framework.

Special Use Zones

83. The 2014 Planning Scheme Review identified the need to review the Special Use Zone requirements related to the Burns Road Estate and the inappropriate subdivision. As the zone is currently applied the area cannot be developed for the purpose set out in the zone. The Burns Road Feasibility Assessment was completed in 2014 and officers continue to work with the owners to unlock the development potential of the estate.
84. Further, population density controls apply within Schedule 4 of the Special Use Zone that restrict the number of employees that can work in the area. These controls have been difficult to apply and enforce and Council has persistently advocated for their review. This recommendation remains relevant and further advocacy should be included as an action within this review.

Comprehensive Development Zone

85. It was recommended in the 2014 review that the Comprehensive Development Zone applying to land west of the Williamstown Rifle Range Estate should be reviewed once the development is complete. The site is yet to be developed in its entirety therefore, the recommendation remains relevant.

Overlays

Design and Development Overlays

86. The 2014 review recommended the review of schedules 4, 5, 8 and 9 to the DDO. These DDOs are intrinsically related to the implementation of the reformed residential zones. Schedules 4 and 8 to the DDO are related to limitations on height along the foreshore which may be addressed through new schedules to residential zones applied along the foreshore. Schedules 5 and 9 to the DDO seek to protect views and vistas, character and linkages to Newport Lakes which may also be addressed through new schedules to the residential zones. Recommendations relating to these schedules to the DDO are still relevant and should be reviewed following the implementation of the reformed residential zones.

Land Subject to Inundation and Special Building Overlays

87. These overlays were introduced by Melbourne Water as the regional drainage and floodplain management authority. The 2010 Planning Scheme Review identified a need to review these overlays to ensure they are achieving their intended purpose without leading to unnecessary planning permit applications. Performance of these overlays was raised as an issue in the 2014 review based on advice from Melbourne Water. Mapping related to inundation has been undertaken by Council and further collaboration with Melbourne Water is necessary to proceed with the recommendations made in the previous review as they are still relevant.

Inclusion of completed work in the Planning Scheme

88. The 2014 review identified numerous new or reviewed Council policies to be included in the Hobsons Bay Planning Scheme. The identified work will be included in the Scheme through the translation to the PPF.

Further strategic work

89. Local policies identified as further work in the 2014 review include policies for Discretionary Uses in Residential Areas, and Security Devices (roller shutters) on

Commercial Premises. These policies have not been prepared, however they remain relevant. Consideration will need to be given to their incorporation into the Hobsons Bay Planning Scheme without the use of local policies as per the requirements of the new PPF.

Audit of Planning Scheme Amendments

90. Planning scheme amendments that have been gazetted or commissioned (work commenced with a view of seeking authorisation) by Council since the last review include 15 approved amendments and four commissioned amendments. In addition there is discussion below regarding a number of State Government led, locally implemented amendments as they impact on the operation of the Hobsons Bay Planning Scheme.

91. Significant planning scheme amendments completed within last four years include:

- Amendment C88 – rezoning of land know as Precinct 15, a strategic development site in Altona North. The rezoning will yield up to 3,000 houses, a new community facility, 4.74 hectares of open space and a 2.1 hectare local town centre
- Amendment C96 – rezoning of industrial land on Kororoit Creek Road, Williamstown North to allow for residential development
- Amendment C110 – incorporation of a Development Contributions Plan for the former Port Phillip Woollen Mills site in Williamstown
- Amendment GC51 – rezoning of former Altona Gate Primary School site to the Residential Growth Zone
- Amendment GC110 – a new local Environmentally Sustainable Development (ESD) policy has been inserted into the Scheme along with six other planning schemes
- Amendment C109 – rezoning of land known as Millers Junction (Millers Road, Altona North) to the Commercial 2 Zone to facilitate mixed commercial uses

92. A description of each of all amendments commissioned or approved since 2014 can be found at Appendix 2.

Audit of Council Policies since 2014

93. This section identifies strategic work undertaken at the local level which may have implications on future land use planning direction within Hobsons Bay. A brief commentary on the policies is provided below.

Strategic policy

94. Strategic policy completed and adopted by Council since the last review is listed below:

- Affordable Housing Policy Statement 2016
- Biodiversity Strategy 2017-22
- Children and Young Peoples Plan 2014-18

- Council Plan 2017-21 and Hobsons Bay 2030 Community Vision
- Economic Development Strategy 2015-20
- Hobsons Bay Heritage Study Amended 2017
- Integrated Transport Plan 2017-30
- Living Hobsons Bay: an Integrated Water Management Plan 2014-19
- Minimising the Harm of Alcohol Policy Statement 2016
- Multicultural Policy 2016-20
- Open Space Strategy 2018
- Problem Gambling – Electronic Gaming Machines (EGMs) Policy Statement 2015
- Public Art Strategy 2016-20
- Sports Facility Needs Analysis 2018
- Universal Design Policy Statement 2017

Affordable Housing Policy Statement

95. Adopted in April 2016, this statement aims to increase the provision of affordable housing within the municipality.

96. The purpose of this policy statement is to articulate Council's commitment to ensuring all households in the municipality are able to live in affordable, secure and appropriate housing that meets their needs, particularly those with low and moderate incomes. To do this, the policy statement focuses on the provision of affordable housing for low income households who are particularly vulnerable in the housing market and also key workers households on lower incomes. There are a range of guiding actions within the Policy, including those actions for land use.

Biodiversity Strategy

97. Adopted in 2017, this strategy identifies the benefits of preserving and protecting the biodiversity of Hobsons Bay. It identifies the potential role of land use planning in protecting areas of ecological significance through the application of the Environmental Significance Overlay to identified areas of biological significance.

Children and young Peoples Plan

98. The strategic direction for this plan is to ensure Council is aligning with human rights, gender equality and social justice principles by providing young people and children “with the best possible opportunities to lead long, happy and healthy lives”². This plan is currently under review as part of Council's integration of all the social policies.

² Hobsons Bay Children and Young People Plan 2014-18, page 4

99. The *Planning and Environment Act 1987* under Section 12A (4) requires consistency between the MSS and current Council Plan. Key goals of the Council Plan 2017-21 are:

- an inclusive and healthy community
- a great place
- a well-designed, maintained and environmentally sustainable place
- a Council of excellence

100. The most relevant goal to the review is “a well-designed, maintained and environmentally sustainable place” which aims to:

Manage future growth and development to ensure it is well-designed and accessible while protecting our natural and built environments.

101. Strategic objectives:

- work with all levels of government, key stakeholders and the community to ensure urban development is appropriate and considers neighbourhood character and heritage
- deliver and maintain well-designed, accessible and environmentally sustainable community assets
- protect and enhance our coastal environment, biodiversity and natural areas in partnership with major stakeholders and the community
- maintain a clean city and encourage the community, business and industry to reduce, reuse and recycle
- work with the community, businesses and all levels of government to actively and innovatively address climate change and promote sustainable living

102. The current Council Plan is the vehicle to implement the Hobsons Bay 2030 Community Vision, which is the community vision for Hobsons Bay. Hobsons Bay 2030 also includes the integration of Council’s Municipal Public Health and Wellbeing Plan. The document defines six overarching priorities for Council:

Priority 1: Visionary, vibrant, accountable urban planning

Priority 2: Community wellbeing and inter-connection

Priority 3: Growth through innovation, access to local jobs, technology and education

Priority 4: Proactive enrichment, expansion and conservation of the natural and urban environment

Priority 5: Activate sustainable practices

Priority 6: An accessible and connected community

103. The integration and recognition of the strategic objectives within these two documents ensures the alignment of land use and planning across the Council's key strategic planning documents and fulfils the statutory obligations under the *Planning and Environment Act 1987* and the *Public Health and Wellbeing Act 2008* (PHWA).

Economic Development Strategy

104. This is an overarching strategy which provides economic development direction for Hobsons Bay via five themes:

Theme 1 – Business Support and Engagement

Theme 2 – Investment Attraction and Facilitation

Theme 3 – Community LED Economic Development

Theme 4 – Sustainability

Theme 5 – Learning, Connectivity and Innovation

105. The strategy objectives combined with the above themes will direct Council's short and long term growth of the economy.

Hobsons Bay Heritage Study Amended 2017

106. The Heritage Study was revised in 2017 to accommodate changes proposed by Planning Scheme Amendment C107 which removed the Heritage Overlay from much of the Mobil Altona Refinery. The Heritage Study is currently under review.

Integrated Transport Plan

107. Adopted in 2017, the Integrated Transport Plan outlines strategies and actions that address the local travel demand and recommends better integration of land use and transport. The main themes addressed in the action plan include: planning and policy, travel behaviour, public transport, pedestrians and cyclists, arterial roads and traffic management, and freight.
108. The policy was prepared as a practical implementation plan, a document to be used for the purpose of educating the community and as a lobbying tool, especially within new development areas.

Living Hobsons Bay: An Integrated Water Management Plan

109. This plan identifies sustainable water management actions and targets for Hobsons Bay. It comprises of three targets, seven aims and 17 actions to guide Council's water management activities. Council manages water sustainability in large areas of land and within its extensive stormwater drainage network. This plan aims to increase water security, public amenity and health, biodiversity and reduce nuisance flooding. Some items in the plan are implemented through planning permit conditions and planning scheme amendments for development sites.

Minimising the Harm of Alcohol Policy Statement

110. The purpose of this policy is to minimise harm associated with alcohol. Council commitments and actions include a raft of land use planning related recommendations, including advocacy and mapping exercises.

Multicultural Policy

111. The purpose of this policy is to respect and celebrate cultural diversity and appropriately support and respond to community cultural needs. This policy is currently under review as part of Council's integration of all social policies.

Problem Gambling – Electronic Gaming Machines (EGMs) Policy Statement

112. The purpose of this policy statement is to identify locations where EGMs should be restricted to protect Hobsons Bay's vulnerable communities from gambling harms. Amendment C112 will implement the findings of the strategy into the Hobsons Bay Planning Scheme.

Open Space Strategy

113. The Open Space Strategy aims to guide the provision, protection, planning, design and management of open spaces in Hobsons Bay. The framework sets out a hierarchy of open spaces and prioritises maintenance, upgrade and development of both new and existing spaces and facilities.

Public Art Strategy

114. The purpose of this strategy is to outline the strategic direction for public art, both permanent and temporary for the next five years.

Sports Needs Analysis 2018

115. The Sports Needs Analysis aims to assist in determining the future planning and development of Council's sporting infrastructure and identify priorities for the effective and sustainable delivery of sport facilities within the municipality. This report provides strategic direction on improvement, upgrade and renewal of sports facility assets to meet community needs.

Universal Design Policy Statement

116. Pursuant to *Disability Discrimination Act 1992* (DDA), Australian Standards and the Building Code, Council has responsibility to provide "...dignified access to goods, services and premises used by the public."
117. Universal Design Principles go above and beyond the Australian Standards to ensure access for all people. The Policy Statement aims to achieve a fully accessible and inclusive municipality where all residents, regardless of their ability, can reach their full potential. To do this, the policy statement recognises that specific universal design requirements may be needed within in the Hobsons Bay Planning Scheme.

Draft policies

118. Council is preparing several draft policies which are relevant to the operation of the Scheme. Policies yet to be adopted include the Newport Structure Plan, Community Services and Infrastructure Plan, Housing Strategy, Activity Centre Strategy and Neighbourhood Character Study.

Newport Structure Plan

119. The Newport Structure Plan provides a framework to guide planning for future development within Newport. The strategic direction is based on a vision and five key themes: identity; land use and activity; built form and heritage; public realm and open

space; and access and movement. This Plan is due to be considered by Council for adopted in December 2018.

Community Services and Infrastructure Plan

120. The Community Services and Infrastructure Plan (CSIP) provides a strategic framework for the provision of community infrastructure and delivery of services to meet the needs of the municipality's changing population. The CSIP is currently under development and will be incorporated into the Scheme when it is adopted by Council.

Housing Strategy

121. The Housing Strategy presents the opportunity to direct new housing to appropriate locations and better fulfil State policy objectives and Council's housing needs.

122. A number of housing needs have been identified in the draft Housing Strategy. These include the need for:

- more housing diversity in better locations
- more affordable housing and affordable living
- housing which supports ageing in place
- housing which respects neighbourhood character
- good residential amenity
- housing which is more energy efficient and promotes sustainable living

123. This Strategy will inform the application of the residential zones. The Housing Strategy is currently out for public consultation and will inform the application of the residential zones through a planning scheme amendment in 2019.

Activity Centres Strategy

124. The Activity Centres Strategy provides an assessment of the current performance of the municipality's network of centres and an economic analysis of the retail commercial and residential property sectors within each centre. This Strategy is currently out for public consultation and will inform the application of the residential zones through a planning scheme amendment in 2019.

Neighbourhood Character Study

125. The Neighbourhood Character Study assesses residential neighbourhoods across the municipality and identifies six character precinct typologies; Garden Court, Garden Suburban, Inner Urban/Garden Suburban, Inner Urban, Urban Contemporary and Waterfront Suburban. This review rationalised the previous Character Precincts established under the 2002 Strategy from 42 to 28 precincts.

126. To support the findings of the Neighbourhood Character Study, a suite of brochures for each precinct including comprehensive information about the characteristic building type in each area and how future development should respond to these characteristics, is being prepared. These brochures will support the application of the residential zones. The brochures include a map that indicates the degree of development that is expected

to occur in each precinct. The Neighbourhood Character Study is currently out for public consultation and will inform the application of the residential zones through a planning scheme amendment in 2019.

Open Space Contributions Framework

127. In addition to the Open Space Strategy adopted by Council in 2018, an Open Space Contributions Framework was being prepared to specify the required open space contribution for new development. This framework was not completed in time to adopt it alongside the Open Space Strategy and will need to be incorporated into the Scheme when it is complete and adopted by Council.

Audit of planning permit activity

129. The planning scheme is a land use document which facilitates the delivery of Council's social, sustainable and economic objectives. The primary function of the planning scheme is to regulate land use and development via planning permits, which in Hobsons Bay is registered on Greenlight online permit management system.
130. The planning permit activity in Hobsons Bay over three years between July 2014 and June 2017 is outlined in the table below. The table demonstrates that developments of more than one dwelling, land subdivision (1 to 9 lots) and extensions to a dwelling are the principal planning permit assessments.
131. Given the statistical data reflected in the table below, land use strategic policy such as the Housing Strategy, Neighbourhood Character Study and Activity Centre Strategy are a priority for Hobsons Bay. Implementation of the new zones is anticipated to streamline the assessment of the planning application related to residential development.

Table 1 – Planning permit activity report 2014-17	Application Categories For New Permits Issued^[1]	1 July 2014-30 June 2017
Change or extension of use		178
Alterations to an existing structure or dwelling		286
Extension to a dwelling or associated structure		483
Extension to a building or structure (not dwelling)		55
One or more new buildings		111
One new dwelling		57
More than one new dwelling 2-10		855
More than 10 new dwellings		14
Other buildings and works (i.e. septic tanks, dams)		317
Demolition		289
Native vegetation removal		2
Other vegetation removal		2
Consolidation		0
Subdivision land (1 - 9 lots)		532
Subdivision land (10+ lots)		9
Subdivision buildings		230
Subdivision - Change to easement and/or restrictions		17
Subdivision - Removal of covenant		12
Subdivision - Realignment of boundary		3
Liquor licence		23
Waiving of parking requirement		56
Signage		135
Telecommunications facility		7
Other		6

132. A review of Victorian Civil and Administrative Tribunal (VCAT) decisions indicates that Council should review and update the Neighbourhood Character Study along with

[1] Note that permits may have more than one category.

the local policy, Heritage Study and the MSS (or new MPS and PPF) to ensure planning principles in the Scheme better align with State policy and Council's position.

Audit of Planning Panel Reports

133. The recent Planning Panel Report regarding Amendment C109: Land fronting Millers Road, Altona North (Part Precinct 9), recommended structure planning in Altona North, particularly Millers Road to ensure comprehensive approach to development of land between the West Gate Freeway and railway line to the south. Development of this structure plan should be a priority for Hobsons Bay.
134. Planning Panel recommendations on Amendment C88: Precinct 15 included updating the Hobsons Bay MSS to reflect the future role of Precinct 15 in providing a new activity centre, changing the ILMS Strategic Redevelopment Area boundary and open space provisions. These recommendations have been mainly addressed through adoption of Amendment C88. The revised Activity Centre Strategy will include reference to the new activity centre proposed for this site.
135. The Panel Report for Amendment C107: partial deletion of the Heritage Overlay from the Mobil Altona Refinery, suggested that officers could improve their preparation of explanatory reports. This recommendation has been noted and a new process has been put in place.
136. The Planning Panel for Amendment C96: rezoning of land from Industrial 3 Zone to General Residential Zone commented on the conflict between MHFs and residential development. It is anticipated that the guidelines resulting from the MHFs Advisory Committee will respond to this conflict.

Audit of State initiatives affecting the Planning Scheme Review

137. The State Government has implemented significant land use and development reforms since 2014 review, including:
 - Plan Melbourne 2017-50 and its implementation through Amendment VC134
 - Homes for Victorians: Affordability, access and choice (2017)
 - Major Hazard Facilities Advisory Committee Report 2016 and Government Response 2018
 - Amendment VC155 – Heritage conservation and energy efficiency
 - Amendment VC154 – Implements integrated water management reforms
 - Amendment VC152 – Public and shared housing, Major Hazard Facilities and residential aged care facilities
 - Amendment VC149 – Introduction of Commercial 3 Zone, requirements for solar panel overshadowing and revision of Clause 52.32 (Wind Energy Facility)
 - Amendment VC146 – Infrastructure Contributions Overlay

- Amendment VC139 – Urban Design Guidelines for Victoria 2017
- Amendment VC138 – Native Vegetation Framework
- Amendment VC127 – Victorian Coastal Strategy
- MRDAC Advisory Committee Report 2016 and Amendments VC110 and VC143
- Amendments VC135 and VC137 - VicSmart Extension
- Smart Planning Program and Amendment VC148 – Introduction of the Planning Policy Framework (PPF)
- Amendment VC136 - Better Apartment Design Standards 2017 and Planning Advisory Note 66
- *Planning and Environment Regulations 2016*
- Victoria's 30 year infrastructure strategy 2016
- West Gate Tunnel Project
- Level Crossing Removal
- Changes to the *Planning and Environment Act 1987* to facilitate voluntary agreements for the provision of affordable housing

138. Key state initiatives affecting the planning scheme review are outlined in more detail below.

Plan Melbourne 2017-50 and implementation through Amendment VC134

139. Released on 25 March 2017, the overall policy direction of Plan Melbourne 2017-50 remains vastly unchanged from the previous iteration of the metropolitan strategy. The crucial changes relate to housing, particularly affordable housing. The detail on how this can be achieved is contained in the new Victorian Government Affordable Housing Strategy – Homes for Victorians. Changes to the planning system in relation to affordable housing will need to be considered by Council.

140. Plan Melbourne outlines a vision “that Melbourne will continue to be a global city of opportunity and choice” and the vision is guided by nine principles:

- i. A distinctive Melbourne
- ii. A globally connected and competitive city
- iii. A city of centres linked to regional Victoria
- iv. Environmental resilience and sustainability
- v. Living locally – 20 minute neighbourhoods
- vi. Social and economic participation

- vii. Strong and healthy communities
- viii. Infrastructure investment that supports balanced city growth
- ix. Leadership and partnership

141. Plan Melbourne includes a five-year implementation Plan which contains a total of 110 short and medium term actions. For Council, a key action is being involved in the preparation of a regional housing plan for the Western Region (within the next two years).
142. Amendment VC134 came into effect on 31 March 2017 and changed the Victoria Planning Provisions (VPP) and all planning schemes by introducing the new Metropolitan Planning Strategy (Plan Melbourne 2017-50) and updating the SPPF including Clause 11 (Settlement). The changes were mainly policy neutral to align the SPPF with Plan Melbourne 2017-50. However, there were some notable changes in regards to housing policy, for example, it now includes reference to adaptable internal dwelling design and universal design as a way of facilitating diverse housing.

Homes for Victorians: Affordability, access and choice

143. The Homes for Victorians (2017) document is the Victorian Government's affordable housing strategy. The purpose of the document is to make it easier for Victorians to access a home by introducing a number of new initiatives and reforms to address the state's housing challenges.
144. The strategy defines affordable housing and Amendment VC148 included a section within the Scheme specifically regarding Housing affordability and making reference to Homes for Victorians. The new framework proposed in the strategy will impact on Council's existing Affordable Housing Policy Statement, which may need to be reviewed to align with State policy.

Major Hazard Facilities Advisory Committee (MHFAC)

145. The MHFAC report was released on 17 March 2017 and provided 17 recommendations regarding land use planning around MHFs and pipelines including:
- an Environmental Significance Overlay (ESO) and schedules to identify sites affected by MHFs
 - WorkSafe Victoria and the Environment Protection Authority (EPA) are recognised as determining referral authorities in Clause 66 of the planning scheme
 - developing and applying inner and outer planning advisory areas
 - a Ministerial Direction and Planning Practice Note be developed to guide local policy and the application of the schedules to ESO
146. Ministerial response was released in January 2018, supporting a particular provision planning tool as an alternative to an ESO. The Ministerial response proposes to defer consideration of pipelines.

Amendment VC155: Heritage conservation and energy efficiency

147. Amendment VC155 addressed a gap in heritage conservation policy to require restoration or reconstruction of a heritage building in a Heritage Overlay that has been unlawfully or unintentionally demolished. It also makes minor changes to Clause 54.03-5 (Energy efficiency protection), Clause 55.03-5 (Energy efficiency) and Clause 55.07-1 (Energy efficiency). The amendment came into effect on 26 October 2018.

Amendment VC154: Water for Victoria – Water Plan

148. Amendment VC154 implements initiatives from Plan Melbourne 2017-2050 and Water for Victoria – Water Plan to enable the planning system to better manage water, stormwater and drainage in urban development. The Amendment came into effect on 26 October 2018.

Amendment VC152: Public and shared housing, major hazard facilities and residential aged care facilities

149. Amendment VC152 came into effect on 26 October 2018. It introduced permit exemptions for community care accommodation to enable streamlined renewal and development, provided clarity on the extent of permit exemptions for rooming houses, introduced a planning policy for the management of land for major hazard facilities at Clause 13.07, and implemented a new particular provision to support a simpler and straightforward development assessment process for residential aged care facilities.

Amendment VC149: Introduction of Commercial 3 Zone, requirements for solar panel overshadowing and revision of Clause 52.32 (Wind Energy Facility)

150. Amendment VC149 came into effect on 4 October 2018 and incorporated a new Commercial 3 Zone at Clause 34.03. The new zone introduced dynamic 'enterprise precincts' to align with the Plan Melbourne requirements. The purpose of this zone is to address employment generation and associated complimentary uses with limited residential uses.

151. The amendment inserts Clause 34.03 Commercial 3 Zone and new requirements into Clause 32.04 (Mixed Use Zone), Clause 32.05 (Township Zone), Clause 32.07 (Residential Growth Zone), Clause 32.08 (General Residential Zone), Clause 32.09 (Neighbourhood Residential Zone), Clause 34.01 (Commercial 1 Zone), and Clauses 54 and 55 to address noise assessments of wind energy facilities and the impact of development of solar energy facilities.

Amendment VC146: Infrastructure Contributions Overlay

152. Amendment VC146 came into effect on 15 May 2018 and it incorporated a new Infrastructure Contributions Overlay at Clause 45.11. The new overlay allows Council to incorporate an Infrastructure Contributions Plan into their planning scheme, impose a monetary levy for infrastructure, and secure land for public purposes. The amendment includes changes to the State Policy Framework at Clause 19.03 (Development Infrastructure).

Amendment VC139 – Urban Design Guidelines for Victoria 2017

153. The Urban Design Guidelines for Victoria replaced former the Activity Centre Design Guidelines 2005, Safer Design Guidelines 2005 and Guidelines for Higher Density Residential Development 2004.

154. Amendment VC139 introduced state wide urban design requirements into Clauses 11 and 15. The new requirements include urban design principles for non-residential development or residential development not covered by Clause 54, Clause 55 and Clause 56. Further requirements relate to healthy neighbourhoods and design safety.

Amendment VC138 – Native Vegetation Framework

155. Amendment VC138 came into effect on 12 December 2017 and changed the VPP to implement planning provision reforms relating to native vegetation removal following the release of Protecting Victoria's Environment - Biodiversity 2037.
156. The amendment updated SPPF including Clause 12 (Biodiversity) and Clauses 42.01 (Environmental Significance Overlay), 42.02 (Vegetation Protection Overlay), 42.03 (Significant Landscape Overlay), 44.01 (Erosion Management Overlay) and 44.02 (Salinity Management Overlay) aiming to streamline the process and procedures for the assessment of the applications to remove, destroy or lop native vegetation. Other changes included updating planning schemes at Clauses 52.16 (Native vegetation precinct plans), 52.17 (Native vegetation) and 66.02-2 (Native vegetation – referral and notice provisions).

Amendment VC127: Victorian Coastal Strategy

157. Reforms to the State Planning Policy Framework through Amendment VC127 include changes to Clause 13 (Environmental Risks), Clause 11 (Settlement) and Clause 12 (Environmental and Landscape Values) to update references to Victorian Coastal Strategy (Victorian Coastal Council, 2008) with reference to the 2014 version.

Managing Residential Development Advisory Committee (MRDAC)

158. Reforms to the new residential zones were introduced following recommendations and outcomes of the MRDAC released in March 2017. The reformed zones make substantial changes to the General Residential Zone (GRZ) and the Neighbourhood Residential Zone (NRZ).
159. The changes were instigated to help unlock land in the well-serviced inner and middle ring suburbs. The key changes include:
- increasing the maximum height of buildings in the GRZ from a discretionary height of nine metres to a mandatory height of 11 metres (new three storey height limit)
 - removal of the limit to the number of dwellings that can be built on land in the NRZ
 - a new mandatory requirement for a minimum garden area to be provided in the GRZ and NRZ (for lots greater than 400 square metres), these also apply to single dwellings not requiring a planning permit
160. Amendment VC110 was accompanied by a series of factsheets to provide guidance on how the new zones are to be interpreted came into effect on 27 March 2017.
161. The zone changes impact on Hobsons Bay as the majority of residentially zoned land is in the GRZ. The purpose and intent of the GRZ has changed and is expected to accommodate more housing growth than previously envisaged. The maximum heights within the zone have been amended and conflict with some DDOs in the Hobsons Bay

Planning Scheme. However, the introduction of mandatory minimum garden sizes is a welcomed control that should positively contribute to neighbourhood character, amenity and restrict over-development of land.

162. Subsequent Amendment VC143 came into effect on 15 May 2018 and changed the requirements of GRZ at Clause 32.08 and NRZ at Clause 32.09 to clarify minimum garden area requirements.

Amendments VC135 and VC137: VicSmart Extension

163. VicSmart is a streamlined assessment process for straight forward planning permit applications with key features such as a 10 day permit process and applications not being advertised.

164. Amendment VC135 implemented an extension to VicSmart to include:

- building and works up to \$1 million in industrial areas
- building and works up to \$500,000 in commercial and some special purpose areas
- small scale types of buildings and works in selected overlays and subdivision, advertising signs and car parking

165. Amendment VC137 introduced additional classes of application into the VicSmart provisions for residential zones.

Smart Planning Program and Amendment VC148 to introduce changes to the Victorian Planning Provisions

166. The Smart Planning Program is a raft of changes being implemented by DELWP in order to streamline the planning process in Victoria making it more efficient accessible, open and collaborative. To date, the program has introduced 'VicSmart' a fast track planning application process for simple planning permit applications, a centralised and digitised Planning Scheme Amendment portal, a streamlined Planning Policy Framework, a new mapping tool called VicPlan, and a new online method for making ministerial planning permit applications, which will be extended to other types of permits in future.

167. Amendment VC148 came into effect on 21 August 2018 and introduced changes to the Victoria Planning Provisions (VPP) and all planning schemes arising from the Victorian Government's Smart Planning program. Amendment VC148 made the greatest changes to the Victorian Planning Provisions (the building blocks of all planning schemes) since the development of new format planning schemes in the 1990s.

168. The changes aim to alleviate inconsistencies in the planning schemes and decision making, simplify the system and create time efficient approvals. The previous State Planning Policy Framework and Local Planning Policy Framework have been combined to create a single Planning Policy Framework that includes State, regional and local planning policy. Council will be required to review its planning scheme to align the LPPF with the new structure. The new Municipal Planning Strategy (MPS) is an overarching strategic policy direction for the municipality at Clause 02. It highlights the planning

issues that are important to Hobsons Bay and provide context for the local policies in the PPF in much the same way the Municipal Strategic Statement did in the past.

169. The process of changing the Scheme will be resource intensive however, assistance will be provided by the State and the changes will occur in 2019.

Amendment VC136: Introduction of State-wide Planning Requirements for Apartment Developments

170. Amendment VC136 introduced state-wide planning requirements for apartment developments. The new requirements are designed to improve the standard of apartment living and provide attractive and affordable living opportunities for a variety of household types in Victoria. Key changes include requirements to improve apartment layout, internal amenity, functionality, and environmental sustainability.

Planning and Environment Regulations 2015 (Amended 2016)

171. The Planning and Environment Regulations (the Regulations) were updated in 2015 to align with changes made to the Planning and Environment Act at the same time. The Regulations were subsequently amended in 2016 to reflect the reference to the infrastructure contributions plan in accordance with the Act.

Victoria's 30 year infrastructure strategy 2016

172. The 30 year strategy is state-wide strategic framework in light of the expected population growth. The document includes 137 recommendations regarding infrastructure to be planned and delivered. The most relevant recommendations include:

- Melbourne metro stage two
- improved access to public transport
- accessibility to health services
- improved access to jobs
- western interstate freight terminal
- green infrastructure, natural environment, waterways and coastal area
- access social and affordable housing
- Facilitation of public housing: Proposed reforms to the Victorian Planning Provisions

West Gate Tunnel Project

173. The West Gate Tunnel Project proposes to create a link from the West Gate Freeway to the Port of Melbourne via a tunnel that will have an east-bound portal near Melbourne Road in Spotswood, and a west-bound portal to the north of Precinct 15 strategic development site in Altona North. The new road and related travel restrictions will force an estimated 7,000 additional trucks onto the north end of Millers Road every day. Council spent time and money at the six week Advisory Committee and Inquiry into the West Gate Tunnel advocating on the community's behalf.

Level Crossing Removal

174. The Victorian Government have pledged to remove the top 50 most dangerous and congested level crossings in Victoria. Three have been identified in Hobsons Bay. The first to be undertaken in Hobsons Bay was a 'rail over' project on Kororoit Creek Road in Altona abutting the Mobil Altona Refinery. Two more have been identified on Aviation Road in Laverton and on Ferguson Street in Williamstown North. The latter two have the potential to have significant impacts on the surrounding area and will require a strategic planning process to ensure benefit to the community.

Changes to the Planning and Environment Act 1987 to facilitate voluntary agreements for the provision of affordable housing

175. Changes made to the *Planning and Environment Act 1987* recognised that the planning system has a role to play in facilitating affordable housing. Changes included adding a new objective to the Act, defining affordable housing and affirming the use of agreements under section 173 of the Act for voluntary housing agreements.

Emerging policy

176. State policies that have implications on land use planning in Hobsons Bay that have not yet been completed include:

- completion of the Major Hazard Facilities planning framework. In addition to Amendment VC152 mentioned above, further changes are anticipated to provide greater clarity and control for planning around MHFs
- further changes to implement the Smart Planning Program, however at this time it is unclear what they may entail

Part 3 – Where are we now?

Major change drivers and land use planning issues

177. The key drivers for change to the Scheme over the past four years has predominantly been from Victorian Government changes. Changes to the planning zones in 2013 prompted the preparation of Hobsons Bay's first Housing Strategy and the update of the Neighbourhood Character Study and Activity Centres Strategy. This was considered to be a priority in the 2014 Planning Scheme Review. During the four years since that time there have been several at least two changes to the residential zones both impacting on the work being undertaken.
178. The implementation of Smart Planning and particularly the new PPF is the key driver of work resulting from this Planning Scheme Review. Council will be required to update the Scheme to the PPF within the coming 12 to 18 months.
179. Locally, the Hobsons Bay Community Vision 2030 and Council Plan 2017-21 have provided the impetus for planning change, with a focus on sustainability and social policy.
180. Increased housing development in Hobsons Bay is putting pressure on municipal infrastructure. A development contributions plan combined with the development of a Community Services and Infrastructure Plan will assist in addressing this issue.
181. Key drivers of change and planning issues facing Hobsons Bay are outlined in more detail below.

Climate change and environmental sustainability

182. Hobsons Bay faces significant risks from climate change such as an increasing number of hot days, flooding from sea level rise and storm surges. Issues such as reducing water consumption, supporting changes in transport and industrial practices to enhance air quality, conservation of our unique flora and fauna, reducing energy use through renewable and low carbon energy sources and reducing waste in households and industry are all challenges facing Council and the community. Community members are generally conscientious and knowledgeable about the environmental risks facing the municipality and Council has developed a suite of policies in response.
183. On several occasions over the past four years Altona's foreshore has been flooded as a result of a combination of high tides, storm surge and sea level rise. Council is working on reviewing the Climate Change Adaptation Policy and when considering planning permits for development along the Altona Foreshore, require a Coastal Hazard Vulnerability Assessment (or like) and discourage construction below ground level.
184. Much of Hobsons Bay's remnant vegetation is within industrial areas. Over the past four years there have been several planning permit applications approved to remove significant vegetation (with appropriate offsets) to make way for industrial development. Hobsons Bay is losing more and more remnant vegetation in this manner and consequently, will soon be left with ecologically unviable areas. Council's Biodiversity Strategy 2017 recognised the threat to remnant vegetation and has proposed the application of Environmental Significance Overlays to these sites.

185. Priority five of HB2030 is to 'activate sustainable practices'. As a bayside council, the residents of Hobsons Bay are keenly aware of the impacts of climate change and the importance of adapting to reduce its impact. In order to assist our developers to choose a more environmentally sustainable design outcome, Hobsons Bay, along with other municipalities, have had a new Environmentally Sustainable Design local policy introduced into the planning scheme. Additionally, Hobsons Bay are working on an Environmentally Sustainable Design policy specific to our municipality and our unique sustainability issues.

Population growth and urban development

186. Hobsons Bay's proximity to central Melbourne is an advantage for the community, however it also brings with it increasing housing prices and density. As the population of Hobsons Bay grows it brings with it the challenges of new development. Population growth and over development are key community concerns, particularly in relation to the effects that it may have on the existing community and the protection of our heritage, neighbourhood character and open spaces.
187. The development of the Housing Strategy and review of Neighbourhood Character Study and Activity Centre Strategy has been key in directing new growth in Hobsons Bay. The challenges facing housing in Hobsons Bay were identified as growing and changing population, housing location, urban development pressures, neighbourhood character and housing affordability.

Infrastructure

188. The Hobsons Bay community have raised concerns about the provision of Council infrastructure including community centres, kindergartens, maternal and child health centres, community meeting spaces, recreation and sporting facilities and seniors centres as well as other infrastructure including roads, footpaths, bicycle tracks and walking trails. Council is working towards having a Community Services Infrastructure Plan in place to ensure the fair and equitable distribution of community infrastructure across the municipality. There have also been several Planning Scheme amendments where the provision of community infrastructure has been the topic of debate.
189. Over the past four years there has been a focus on the development of State provided infrastructure. The West Gate Tunnel Project runs along the northern border of the municipality and will have significant consequences for residents abutting the freeway, as well as those who use Hobsons Bay's roads. Hobsons Bay were represented at every day of the Inquiry and Advisory Committee Hearing and continue to be involved in the project. A level crossing removal on Kororoit Creek Road has seen train travellers moved to buses for significant periods and traffic disruptions, however now that it is completed it should provide a better train service to train travellers on the Altona loop in the future. Level crossing removals are also proposed for Williamstown North and Laverton. Community members have a keen interest and have concern about both proposed crossing removals and their impacts on the surrounding area.

Major Hazard Facilities

190. Hobsons Bay is home to eight Major Hazard Facilities (MHF). Worksafe and the MHF operators restrict the development that can occur within proximity to the MHFs and it has been unclear and inconsistent what land uses should and should not be allowed to occur

in these areas. An advisory committee considered land use around MHFs during late 2015 and 2016, and submitted a report in July 2016. The Minister for Planning responded to the report in January 2018, supporting or supporting in principle the majority of recommendations regarding MHFs. DELWP have been working with Council to develop state-wide provisions. These provisions have now been partially introduced through the preparation of a Ministerial Direction and new State policy in the PPF. Further changes are expected to provide clarity and consistency to planning within proximity to MHFs.

Brownfields sites

191. Since the preparation of the ILMS, Council has been considering the development of large former industrial sites. These sites generally have a range of constraints, which can be difficult to address using the existing planning tools available in the Victoria Planning Provisions.

Economic changes

192. Over the past four years Hobsons Bay has witnessed the decline of the manufacturing industry. Manufacturing has been the backbone of employment in Hobsons Bay for generations, however the economic climate has seen large industries such as Toyota and BAE systems either reducing in size or closing down entirely. Hobsons Bay is diversifying their workforce to ensure there is a range of opportunities for people to work within the municipality. The Economic Development Strategy 2015 and the Activity Centre Strategy (under review), work towards providing new opportunities for business to thrive.

Stakeholder consultation, feedback and analysis

193. The review has been informed by general and targeted consultation with the following stakeholders:

- Councillors
- planning officers
- other Council staff
- referral authorities
- other relevant stakeholders

Hobsons Bay 2030 Community Vision

194. Extensive community consultation was completed as part of the process undertaken for the development of Hobsons Bay 2030 Community Vision. Over 2,500 community members were involved with an additional 35 community members involved in the deliberative engagement process to write the Plan. The findings of this process inform the Planning Scheme Review.

195. The Hobsons Bay 2030 Community Vision incorporated community feedback making visionary, vibrant, accountable urban planning priority 1. This priority aims to bridge the community vision with Council's role within the legislative constraints.

Councillors

196. The Councillors suggested future actions including preparation of an ESD policy to address sustainability issues and a review of the ILMS to better reflect current commercial and industrial trends. Structure planning to better direct development within Hobsons Bay and protect sensitive areas such as the foreshore, has been acknowledged as a future strategic planning direction. The feedback provided is summarised at Appendix 3.

Planning officers

197. Feedback around the following issues was requested from Council's planning officers:

- the performance of the MSS
- the performance of local policies
- 'gaps' in the strategic planning framework
- the performance of the zones and schedules
- the performance of the overlays and schedules

198. The key issues raised by officers included a need to review the ILMS and Heritage Guidelines for Infill Development and Infill Development and Alterations and Additions. Development of structure plans was canvassed. The feedback provided is summarised at Appendix 3.

Other Council staff

199. Feedback received from Council staff identified selection of necessary strategic work including:

- preparation an Urban Design Strategy which aims to assist the implementation of the revised Activity Centre Strategy and future structure plans
- preparation of the Community Services and Infrastructure Plan (CSIP) which presents Council's strategic framework for the provision and delivery of community services and infrastructure to meet the needs of the municipality's changing population
- preparation of a Landscape Strategy to ensure consistent provision of landscaping within the municipality
- review of the existing Tourism Strategy to ensure Council's strategic framework is updated
- reference to an Infrastructure Design Manual should one be adopted by Council

200. The feedback provided is summarised at Appendix 3.

Referral authorities and other agencies

201. Feedback on the effectiveness of the Hobsons Bay Planning Scheme was sought from the following referral authorities and agencies:

- AusNet Services
- BAE Systems
- Caltex Australia Petroleum
- City West Water
- Department of Economic Development, Jobs, Transport and Resources (DEDJTR)
- Department of Environment, Land, Water and Planning (DELWP)
- Department of Infrastructure
- Department of Primary Industry
- Downer Utilities Australia
- Energy Safe Victoria
- Environment Protection Authority (EPA)
- Heritage Victoria
- Jemena Electricity Networks (Vic)
- Logica CMG
- Metropolitan Fire Brigade (MFB)
- Melbourne Water
- Minister for Agriculture
- Mobil Refinery
- Optus Communications
- Public Transport Victoria (PTV)
- Port of Melbourne
- Powercor
- SPI Powernet
- Telstra
- Tenix Maintenance Services
- Transport for Victoria
- VicTrack
- VicRoads
- Victorian Commission for Gambling and Liquor
- Viva Energy
- Worksafe

202. In particular, advice was sought on the following matters:

- any strategic plans of their organisation that may impact on the municipality
- any perceived strategic 'gaps' in the Scheme
- the impact of referral triggers and responses under Clause 66 of the Scheme
- the effectiveness or otherwise of any overlays that address issues of interest to their organisation

203. Responses were received from the Police, Transport for Victoria, EPA, Mobil, Department of Economic Development, Jobs, Transport and Resources (DEDJTR), Viva Energy and Energy Safe Victoria (ESV). A summary of the submissions are in Appendix three.

Council Planning Advocates

204. Advice provided from a Council planning appeals advocate highlighted the need to review Heritage Overlays (HO) and neighbourhood character policies within the planning scheme.
205. Housing Strategy is a gap in policy which determines implementation of residential zones including, minimal, incremental and substantial areas of change.
206. The feedback received is consolidated in Appendix 3.

Other relevant stakeholders

207. The following relevant stakeholders were also invited to comment on the objectives, policies and implementation measures in the Scheme:

- City of Wyndham
- City of Maribyrnong
- City of Brimbank

Responses were received from Brimbank, Maribyrnong and Wyndham City Councils which included strategic update of policies relevant to Hobsons Bay, minor changes to the Scheme and sought collaboration of future regional projects.

Other audits

208. Council undertakes an Annual Community Survey with 800 residents to understand community satisfaction with Council services as well as any issues or concerns that are being raised within the community. Satisfaction in relation to planning was sort.
209. The 2018 Community Satisfaction Survey shows that Town Planning Policy (e.g. planning permits) received a satisfaction score of 48, however of those that answered the question, 52 per cent were either satisfied or very satisfied, followed by an additional 12 per cent that were neutral.

Findings

210. The review acknowledges that most strategic gaps identified will be addressed in the following four years, particularly the new zones, the introduction of the PPF, and Neighbourhood Character Study.
211. The last two Planning Scheme Reviews identified a need for Council to review its MSS to ensure continued operation of the Scheme. The recently released PPF changes via Amendment VC148, include a new three-tiered integrated policy structure to ensure policy is consistent across State, Regional and Local content.
212. Therefore, the MSS will be restructured to manage the translation of the current LPPF under the following clauses and their subclauses:
- Clause 11: Settlement
 - Clause 12: Environmental and Landscape Values
 - Clause 13: Environmental Risk and Amenity

- Clause 14: Natural Resource Management
- Clause 15: Built Environment and Heritage
- Clause 16: Housing
- Clause 17: Economic Development
- Clause 18: Transport
- Clause 19: Infrastructure

213. Translation of the LLPF into the PPF will require introduction of a Municipal Planning Strategy (MPS). The MPS expresses the overarching strategic policy directions of a municipality and provides the planning scheme policy foundation, based on the municipality's location and regional context, history, assets, strengths, key attributes and influences. Appendix 4 details matters to be considered when translating each Clause.

214. Application of the new zones supported by the completion of the Housing Strategy, Activity Centre Strategy and Neighbourhood Character Study will address many outstanding issues raised by stakeholders and previous planning scheme audits. However, Council will be required to translate the existing local policies related to Neighbourhood Character into the new PPF and this may be complex and time consuming.

215. Similarly, this review reflects a need for further investigation and translation of other existing local policies such as those for heritage and advertising signs in accordance with the requirements of PPF changes.

216. Redevelopment of brownfield sites and population growth is increasing pressure on infrastructure within the municipality. This includes Council infrastructure and facilities as well as and State infrastructure.

217. The findings reflect a need to review existing Special Use Zone Schedules 3 and 4, to align with imminent State led land use planning controls in proximity to the Major Hazard Facilities.

Part 4 – Where to from here?

Recommendations

Strategic context

218. The Review found that major strategic planning work already underway is critical to continuing and improving the Scheme's performance and efficiency – especially by providing a more directed approach to housing development and urban renewal. This is particularly true in terms of statutory implementation of the following current local strategic work:

- Hobsons Bay Housing Framework Plan 2018
- Hobsons Bay Housing Strategy 2018-36
- Hobsons Bay Neighbourhood Character Study 2018
- deployment of the new residential zones
- Hobsons Bay Activity Centres Strategy 2018-36
- Hobsons Bay Heritage Study Update 2017
- Hobsons Bay Open Space Strategy 2018

219. Further strategic recommendations include:

- the Housing Strategy, Activity Centre Strategy and Neighbourhood Character Study are completed to address housing diversity, commercial growth and revise neighbourhood character to better align with the existing conditions
- a rolling program of Structure Plans and subsequent planning scheme amendments is undertaken for individual activity centres including Newport and Spotswood and the SRAs as identified in the ILMS as being potentially suitable for residential outcomes
- the 2008 ILMS is reviewed
- the Community Services and Infrastructure Plan (CSIP) is prepared
- the Tourism Strategy is reviewed
- an Urban Design Strategy is prepared
- Landscape Guidelines are prepared
- the Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay and Guidelines for Infill Development in Heritage Areas in Hobsons Bay are reviewed
- the existing LPPF is translated into the new PPF format

Effectiveness of the MSS

220. In relation to the MSS is recommended that:

- review the MSS and insert it into the Planning Scheme as part of the PPF translation

Effectiveness of the Local Policy

221. As part of the translation to the PPF all local policies will be removed and their content dispersed throughout the Scheme. In relation to local policy it is recommended that:

- Clause 22.02: Industry policy is combined with components of the MSS and incorporated into the Scheme through the PPF translation process
- Clause 22.04: Altona Meadows Urban Design Policy is reviewed subsequent to implementation of the new residential zones and disbursed throughout the Scheme using the PPF translation process
- Clause 22.05: Williamstown Commercial Area - Car Parking policy is deleted
- Clause 22.06: Mixed Use Policy – Altona Activity Centre is deleted
- once the Neighbourhood Character Study is reviewed and adopted by Council the local policy at Cause 22.07, 22.08, 22.09 and 22.10 should be reconsidered and distributed throughout the Scheme as part of the new residential zones Planning Scheme Amendment process and translation to the PPF

Effectiveness of the Zones

222. In relation to the zones it is recommended that:

Residential

- the new residential zones are completed and incorporated in to the planning scheme
- the Affordable Housing Policy Statement is referenced in the Scheme

Industrial

- subsequent to revision of the ILMS and IDDG, the application of the industrial zones and content of the schedules to the industrial zones are reviewed if necessary

Special Use

- Special Use Zones related to the petrochemical industry may need to be reviewed, particularly those including the population density controls following the implementation of the second more detailed component of the MHF framework into the planning scheme

Comprehensive Development

- land located on Kororoit Creek Road, Williamstown North currently within CDZ is rezoned once it is fully developed

Commercial

- zoning of land zoned Commercial 2 at 511 and 515 Melbourne Road is reviewed following the implementation of the entire State MHF policy framework

Public Use

- land located at 31-39 McLister Street be rezoned once the development is completed

Effectiveness of the Overlay

223. In relation to overlays it is recommended that:

Heritage Overlay

- investigate the viability of reviewing the HOs to apply only one HO provision to each property

Design and Development Overlay

- all DDOs are holistically reviewed to ensure consistent wording and expression
- DDO, Schedule 3 (on 65 Nelson Place, Williamstown) is reviewed following the implementation of the new zones
- DDO, Schedules 4 and 8 (both related to Foreshore Height Limitation) are reviewed following the implementation of the new zones
- DDO, Schedule 5 implementation of the new zones

Incorporating strategic work in the planning scheme recommendation

224. It is recommended that the following projects be incorporated into the planning scheme following their adoption:

- the Housing Strategy, Neighbourhood Character Study and Activity Centre Strategy
- the new residential zones
- the Landscape Design Guidelines
- the Advertising Signage Guidelines
- the revised ILMS
- the revised CSIP
- the revised Tourism Strategy
- the Urban Design Strategy
- the Newport and Spotswood Structure Plans
- implement the translation of existing SPPF into the new PPF format

Updating strategic policy

225. The revision of planning scheme has been undertaken via the planning scheme amendment process, particularly the transitioning of the former industrial sites in line with the ILMS, correction of the anomalies and site specific rezoning.

226. With the revision of the Council Plan 2017-21 and Hobsons Bay 2030 Community Vision the identification of strategic issues within the planning scheme needs to be updated for consistency.

227. The policy and statutory controls gap in the planning scheme predominantly concerns sustainability and social issues within the MSS. Recently adopted strategic work should be incorporated into the planning scheme to address this via the translation to the PPF. This Review along with previous Planning Scheme Reviews have predominantly identified changes to the MSS to align it with new policies and Council's focus.
228. Completion of the MSS renewal is a priority for Hobsons Bay despite the pending PPF changes. A revised MSS will translate more readily to the PPF and therefore advice from DEWLP is to proceed with the revision.
229. The continuing program of structure planning is a priority as the State and local policy is directing more intensive residential development within and surrounding activity centres.
230. The Council wide Urban Design Strategy focusing on gateway treatments and streetscape improvements, will assist the preparation of structure plans and implementation of the activity centre strategy recommendations. When the Urban Design Strategy is complete, it should be referenced in the Scheme.
231. The ILMS is required to be reviewed to incorporate the economic and land use changes that have occurred since 2008. The review of this policy is a priority.
232. Development of the CSIP is a priority for Council. The findings of this policy will inform Council's Development Contributions Plan which is needed to collect financial contributions from development within the municipality to fund future infrastructure provision.
233. The Open Space Strategy has been prepared and adopted by Council in 2018. The findings of the strategy will be incorporated into the Hobsons Bay Planning Scheme to appropriately address open space land use issues. Additionally, an open space Contributions Framework is under preparation and will need to be incorporated into the Scheme.
234. In the last four years the Victorian Government introduced 'rate capping' to ensure rate charges are increased at a standard percentage across Victoria. In response to this, Council has reviewed long term financial plans for Hobsons Bay and may investigate a municipal wide Development Contribution scheme.

Part 5 – Implementation Plan

Short term	1-2 years
Medium term	2-3 years
Long term	4+ years
Ongoing	

No	Recommendations	Timeframe
1.	1.1 Complete the Housing Strategy, Activity Centre Strategy and Neighbourhood Character Study.	Short term
2.	2.1 Complete and incorporate the new residential zones into the planning scheme.	Short term
	2.2 In conjunction with the Housing Strategy reference the Affordable Housing Policy Statement in the Scheme	Medium term
3.	3.1 A rolling program of Structure Plans and subsequent planning scheme amendments is undertaken for individual activity centres.	Ongoing
4.	4.1 Complete Newport Structure Plan.	Short term
5.	5.1 Complete Spotswood Structure Plan.	Medium term
6.	6.1 Review the 2008 ILMS.	Long term
	6.2 Subsequent to revision of the ILMS and IDDG, schedules to the industrial zones are reviewed if necessary.	Long term
7.	7.1 Develop the Community Services and Infrastructure Plan (CSIP).	Short term
8.	8.1 Review the Advertising Signage Guidelines.	Short term
9.	9.1 Review the Tourism Strategy.	Short term
10.	10.1 Develop the Urban Design Strategy.	Medium term
12.	12.1 Develop the Landscape Guidelines.	Medium term
13.	13.1 Investigate municipal wide Development Contribution Scheme.	Medium term
14.	14.1 Translate the existing SPPF into the new PPF.	Short term
	14.2 Review the MSS and incorporate it into the planning scheme.	Short term
	14.3 Delete redundant local policy at Clause 22.05: Williamstown Commercial Area - Car Parking, Clause 22.06: Mixed Use Policy – Altona Activity Centre and incorporate Clause 22.02: Industry in Clause 21 to remove repetition.	Short term
	14.4 Review the Altona Meadows Urban Design Policy at Clause 22.4.	Short term
	14.5 Once the Neighbourhood Character Study is reviewed and adopted by Council the local policy at Cause 22.07, 22.08, 22.09 and 22.10 should be updated as part of the	Short term

	new residential zones planning scheme amendment process.	
	14.6 Incorporate the Open Space Strategy and Contribution Framework into the planning scheme.	Short term
15.	15.1 Investigate the viability of reviewing the HOs to apply only one HO provision to each property.	Long term
	15.2 Review the Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay and Guidelines for Infill Development in Heritage Areas in Hobsons Bay.	Medium term
16.	16.1 Holistically review all DDOs to ensure consistent wording and expression.	Medium term
17.	17.1 Review DDO, Schedule 3 (on 65 Nelson Place, Williamstown) following the implementation of the new zones.	Medium term
18.	18.1 Review DDO, Schedules 4 and 8 (both related to Foreshore Height Limitation) following the implementation of the new zones.	Medium term
19.	19.1 Review DDO, Schedule 5 (Newport Lakes Residential Development) following the implementation of the new zones.	Medium term
20.	20.1 Land zoned Commercial 2 at 511 and 515 Melbourne Road is reviewed once the state MHF policy is implemented.	Medium term
21.	21.1 Review the Special Use Zones related to petrochemical industry, including the population density controls following the implementation of the MHF framework into the planning scheme.	Long term
22.	22.1 The land located at 31-39 McLister Street should be rezoned once the development is completed.	Ongoing

Part 6 – Conclusion

235. This review has been a ‘health check’ of the Hobson’s Bay Planning Scheme at a point in time (2018) to see how effectively and efficiently it is operating to achieve the objectives of planning in Victoria. This health check has shown that, despite a changing context and altered strategic land use challenges since the scheme was last reviewed in 2014, it is:

- strategically sound
- performing well
- working efficiently to achieve both:
 - the [objectives of Planning in Victoria](#)
 - local aspirations: in the form of a spatial translation of the policies and directions contained in [Hobsons Bay 2030 Community Vision](#) and the [Council Plan 2017-21](#)

236. The Hobsons Bay 2030 Community Vision and the Council Plan identify the need to include social and environmental objectives into the planning scheme. This will be achieved through reviewing the translation of the MSS and local policy framework into the PPF and the Scheme. To maintain the effectiveness of the planning scheme, the land use based policy requirements will need to be balanced with these emerging priorities.

237. Completion of the suite of policies related to the new residential zones, review of the MSS and its subsequent translation into the PPF, and preparation of structure plans will better align the Hobsons Bay Planning Scheme with the State’s policy direction.

238. A reporting process which identifies the land use planning issues contested at VCAT needs to be established to assist in monitoring and assessing the effectiveness of the planning scheme to ensure that policy gaps can be readily identified.

239. State Government strategic policy directions, particularly in 2018, have informed Council’s strategic planning workload and priorities. Council needs to have an ongoing monitoring framework in place to ensure a proactive approach is maintained and Council is prepared when new State policy is implemented.

240. The introduction of Smart Planning reform has implications for the Hobsons Bay Planning Scheme and Council’s operational and administrative workload.

241. Lastly, the review demonstrates the need for ongoing Council advocacy on land use and development matters likely to impact the community, such as land use around MHFs and pipelines, and potential coastal inundation.

Appendix 1: Review of 2014 Planning Scheme Review recommendations

No	Recommendations	Actions	Status
Strategic context recommendations			
1.	A housing strategy that integrates the directions of the NC Study Review, AC Strategy review and the ILMS be finalised and incorporated in the planning scheme via an amendment to replace policy content and introduce new zones, schedules and overlays, as required.	The background report has been prepared. A housing strategy was finalised in early 2017. However, in early 2017 the Minister for Planning introduced significant planning reforms which required Council to review and re-align its Housing Strategy with the new state policy. It is currently out for community consultation. A planning scheme amendment to follow shortly after its adoption.	Progressing
2.	The AC Strategy is reviewed to facilitate the work being undertaken on new residential zones and incorporated in the planning scheme via a PSA to replace the planning scheme policy content on activity centres.	The existing Activity Centre Strategy has been reviewed and a background report has been finalised. Significant work has been completed and it is currently out for community consultation. A planning scheme amendment to follow shortly after its adoption.	Progressing
3.	The NC Study be reviewed to facilitate the work being undertaken on new residential zones and incorporated in the planning scheme via an amendment to replace the planning scheme policy content on neighbourhood character and replace the existing local planning policies that are currently contained at Clause 22.	The existing Neighbourhood Character study has been reviewed and a background report has been finalised. Significant work has been completed and it is currently out for community consultation. A planning scheme amendment to follow shortly after its adoption.	Progressing
4.	A rolling program of structure plans and subsequent PSAs for individual activity centres and those SRA's as identified in the ILMS as being potentially suitable for residential use be undertaken following the completion of the	Newport and Spotswood structure plans are underway. The activity centre strategy will prioritise future structure	Progressing

No	Recommendations	Actions	Status
	work on new zones, including the housing strategy, NC Study and AC Strategy to manage the implementation of the new residential zones.	planning for the centres in Hobsons Bay.	
5.	The rewrite of the MSS be completed to incorporate new strategic directions, update local policies and strengthen existing policies as identified in this review once the PPF has been finalised and released.	The MSS will be reviewed in anticipation for it to be translated to the PPF during 2019.	Progressing
6.	That a municipal economic strategy be prepared to inform land use planning and development decisions in relation to activity centres, industrial areas, tourism and employment generation opportunities.	The Hobsons Bay Economic Development Strategy was adopted by Council in 2016.	Complete
Hobsons Bay Key Issues and Strategic Vision recommendations			
7.	The structure of the revised MSS (the stage two MSS review) be written to align with the structure and format of the proposed PPF, (when adopted by State Government).	Revision of the MSS will continue in the same format as the new PPF.	Progressing
8.	The key issues and influences section (as translated to the new PPF) be updated to reflect the strategic environmental, economic and community directions for the municipality and key issues as identified by the Councillors; and as reflected in adopted policy work.	Revision of the MSS and subsequent translation to the PPF will include environmental, economic and community directions for the municipality.	Progressing
9.	The strategic framework plan be updated to express the Council's spatial response to the key issues and influences impacting the municipality.	The update to the Strategic Framework Plan will be considered during the translation to the PPF	Progressing
Effectiveness of the Local Policies recommendations			
10.	The Heritage Policy be reviewed with a view to removing repetition and clarifying and strengthening existing policy as part of the stage two MSS review, particularly in respect of demolition of heritage buildings 'by neglect', basement parking and commercial buildings in heritage areas.	The Heritage Study is continually reviewed to update and strengthen existing policy. Additionally, a comprehensive review of the Heritage Study was undertaken and is being implemented through Amendment C92, which is	Outstanding

No	Recommendations	Actions	Status
		currently awaiting authorisation from the Minister for Planning. Council has commenced with strategic work to justify the inclusion of these objectives.	
11.	The Industry policy be incorporated with Clause 21 and deleted from Clause 22 given that adequate guidance on industrial use and development will be located in Clause 21.	The PPF translation will address the industry policy duplication.	Progressing
12.	The Altona Meadows Urban Design Policy is reviewed following the completion of work on the new residential zones, with a view to updating it and incorporating some of its provisions in a schedule to the zone.	The work to implement new residential zones has not been completed to justify changes to Clause 22.04. The Clause will be removed through the PPF translation process.	Outstanding
13.	The Williamstown Commercial Area – Car Parking policy be deleted as part of the stage two MSS review given it is now obsolete.	The policy is obsolete and will be deleted via the PPF translation.	Progressing
14.	The Mixed Use Policy – Altona Activity Centre be reviewed following the implementation of the new residential zones with a view to including the updated Altona UDF under 'Guidelines for Decisions Makers' in the proposed PPF.	The policy is obsolete and will be deleted via the PPF translation.	Progressing
15.	The Neighbourhood Character Study is reviewed with a view to defining the existing and emerging character of the municipality and establishing clear direction on the future character of the municipality and a PSA be undertaken to update local planning policy in the HBPS.	Revision of the Neighbourhood Character Study is underway. The new policy is currently out for community consultation with a planning scheme amendment to follow its adoption.	Progressing
16.	The Outdoor Advertising Signage Policy be reviewed with a view to removing repetition; updating as required and clarifying provisions regarding the major promotion signs to remove conflict with Clause 22.11-4.	Revision of the Outdoor Advertising Signage Policy is underway, however, the policy will be removed/redistributed as part of the PPF translation.	Progressing
Effectiveness of the Zones recommendations			
17.	Strategic work being undertaken to inform the implementation of new residential zones be	Significant strategic work has been completed to inform the	Progressing

No	Recommendations	Actions	Status
	completed and a PSA be undertaken to translate the work into local policy, zone schedules and overlays (as required) to provide direction for residential growth and development in the municipality.	implementation of the new zones including the background reports for Housing Strategy, Neighbourhood Character and Activity Centre Strategy, Housing Capacity Strategy and Housing Framework Plan. This work is currently being exhibited.	
18.	Once an Affordable Housing Implementation Strategy is developed, a PSA be undertaken to update local policy and provide direction on the spatial distribution of affordable housing in accordance with the Council's target of at least ten per cent affordable housing in SRAs.	<p>Council continues to progress the recommendation of the Affordable Housing Statement. Three major Planning Scheme Amendments considered since 2014 have included a requirement for the provision of affordable housing.</p> <p>Council has advocated for a State led approach, and definitions are currently before parliament.</p> <p>In 2017 Homes for Victorians: Affordability, access and choice was published by the State government. It provides some guidance on how to improve housing affordability for Victorians.</p>	Progressing
19.	The ILMS be updated and reviewed with a view to maintaining the protection of core industrial areas, consideration of the future use of SRA's that cannot be developed in accordance with the vision envisaged in the ILMS and the 'translation' of policy into statutory tools to guide and manage the development of industrial areas in the municipality.	<p>The ILMS was adopted in 2008 and, as a 15 year strategy, is due for renewal. It is recommended that this work be undertaken following the implementation of the new residential zones and the state-wide MHF policy.</p> <p>The policy identifies core and secondary industrial areas and areas that can be considered for redevelopment. Council as a Planning and Responsible Authority continues to protect core industrial areas through the assessment of planning</p>	Outstanding

No	Recommendations	Actions	Status
		permits and planning scheme amendments.	
20.	The IDDG be reviewed and update, particularly with a view to removing any anomalies with zone requirements.	This will be considered as part of the ILMS review.	Outstanding
21.	The zoning of the C2Z land at 511, 515 and 519 Melbourne Road be reviewed as part of the AC Strategy review in order to determine the appropriate zoning of the land.	The zoning of properties at 511, 515 and 519 Melbourne Road, Newport, needs further investigation, especially in light of new MHF planning tools implemented by the Minister for Planning in response to the recommendations of the MHF Advisory Committee Report. These properties are located within the current outer MHF advisory area. 519 (in two zones) and 521 Melbourne Road, Newport has a child care centre currently under construction following VCAT approval and will therefore require careful consideration before any rezoning.	Progressing
22.	The strategic background work currently underway and Municipal wide approach to addressing car parking issues be continued in order for the Council to determine and apply a Parking Overlay to meet car parking requirements as required.	A strategic direction in the Hobsons Bay Integrated Transport Strategy related to car parking is to prioritise an integrated approach focused on responsible and sustainable provision. The strategy recommends development of a suite of integrated car parking policies. Additional strategic work is required to support the implementation of a Parking Overlay.	Outstanding
23.	Priority is given to completing the strategic work associated with applying a Parking Overlay in Newport, Altona and Williamstown, given the amount of work already undertaken on these activity centres.	The Integrated Transport Strategy direction focuses on an 'all modes of transport' approach to transport planning in Hobsons Bay, with car parking only a component.	Outstanding

No	Recommendations	Actions	Status
		<p>This approach is consistent with state planning framework and Plan Melbourne which has moved away from 'car based neighbourhoods'.</p> <p>Elements of the parking strategies for Newport, Altona and Williamstown will be addressed through Structure Planning and Activity Centre Planning</p>	
24.	The sites at 87-93 Stevedore Street Williamstown and 31-39 McLister Street Spotswood which are in the PUZ and are in private ownership and for which planning permit has been issued in respect of each site, be rezoned as an anomaly once substantial works have commenced on these projects.	<p>Amendment C93 rezoned the land at 87-93 Stevedore Street Williamstown.</p> <p>The works at 31-39 McLister Street, Spotswood have not yet commenced. Rezoning of the site will be undertaken to reflect the use of the land once development has commenced.</p>	Progressing
25.	That the land at 91 Champion Road North Williamstown which is in the PUZ but in private ownership be rezoned to the underlying zone as part of the next anomalies amendment.	The land is in Council ownership and is currently leased, therefore no action is required.	Resolved
26.	The Feasibility Assessment on the Burns Road Industrial Estate be completed.	The Feasibility Assessment for the Burns Road Industrial Estate was completed in 2014.	Complete
27.	The Council seek review of the Population Density Controls with a view to re-establishing their strategic justification and logical application.	Council has continually advocated for a review of the population density controls including at the MHF Advisory Committee Hearing and with the preparation of new planning controls around MHFs. Council will continue to advocate for a review of the controls however, it appears that a change in their application is not supported by the Victorian government.	Ongoing
28.	The land, (Stonehenge), to the west of the Rifle Range Estate be rezoned once built out	The Rifle Range Estate has not been fully developed. Once	Ongoing

No	Recommendations	Actions	Status
	or earlier if a satisfactory amendment is prepared by the landowner.	development of the site is complete, Council will consider the most appropriate zoning.	
Effectiveness of the overlay recommendation			
29.	The Council's <i>Heritage Study (Amended 2010)</i> be comprehensively reviewed to ensure robust guidance of the municipality's heritage assets and its recommendations incorporated into the planning scheme via an Amendment to replace and update local policy and the overlay.	As outlined in recommendation 10, the Heritage Study was reviewed and the associated amendment has been sent to the Minister for Planning for authorisation to prepare and exhibit The proposed amendment implements the review of the Heritage Study which assessed the contributory dwellings and some overlays to ensure robust guidance on heritage assets.	Progressing
30.	The purpose of Schedule 1 (on Westgate Bridge approaches) is investigated with a view to establishing its intended purpose and reassessing its effectiveness and application with a view to its enhancement or removal as determined appropriate.	As the Western Distributor Authority has requested to keep this overlay to support the development of the West Gate Tunnel Project, no further action is required.	Resolved
31.	Design and Development Overlay, Schedule 3 (DDO3 on 65 Nelson Place, Williamstown) be removed from the planning scheme as it is obsolete.	In early 2017 the Minister for Planning introduced significant planning reform which introduced some design requirements within the zones. Council are currently considering how the zones should be applied within Hobsons Bay and what new design and height requirements may apply. A review of all DDO will occur once the new zones work has been finalised.	Outstanding
32.	A review of the wording of DDO4 and DDO8 (both on Foreshore Height Limitation) to clearly express the objectives of the controls be identified as further strategic work pending the completion of work on the new zones and	In early 2017 the Minister for Planning introduced significant planning reform which introduced some design requirements within the zones. Council are currently considering how the zones	Progressing

No	Recommendations	Actions	Status
	confirmation from DTPLI that the controls are permanent.	should be applied within Hobsons Bay and what new design and height requirements may apply. A review of all DDO will occur once the new zones work has been finalised. Similar to DDO3, a review of the DDO4 and DDO8 will occur once the new zones work has been finalised.	
33.	Following completion of work of the new zones, an amendment re-drafting the wording of DDO5 and DDO9 (both protecting the Newport Lakes) be undertaken with a view to determine whether broader application of both overlays is warranted.	As with DDO3, DDO4 and DDO8, DDO5 and DDO9 will be reviewed following the implementation of the reformed residential zones.	Progressing
34.	The DDO11 is reviewed with a view to considering the introduction of mandatory height controls and the introduction of a developer contribution as supported by the Council's CHWP.	Amendment C105 implemented mandatory height controls as recommended by the Former Port Phillip Woollen Mill Advisory Committee.	Complete
35.	All overlay schedules be reviewed to ensure they are achieving the intended purpose without leading to unnecessary planning permits due to a lack of appropriate exemptions should an issue in their application arise.	Based on the above mentioned planning reform, consideration on this matter has been deferred until the completion of the new residential zones. Additionally, all planning overlays need to be reviewed to ensure consistent wording and expression, especially following expected planning reform from the state.	Ongoing
36.	The Council respond to specific issues raised by Melbourne Water (MW) as necessary over the next review period and ensure it seeks advice from MW as part of the next review to ensure the effectiveness of the overlay schedules is continually monitored.	Action has been taken to address this matter. Council officers have undertaken mapping of drains to assist with the progress of this project and will contact	Ongoing

No	Recommendations	Actions	Status
		Melbourne Water to further ground truth the mapping.	
37.	Work on potentially contaminated land be listed as further strategic work. This work should include the identification of potentially contaminated land in the municipality which would support the development of local policy. This may be required in the light of proposed state changes to the existing policy and regulatory framework for contaminated environments.	Council has developed an internal process for dealing with potentially contaminated land in Hobsons Bay. Council is working with developers and the EPA to identify sites.	Progressing
Effectiveness of Particular Provisions			
38.	Following completion of the <i>Open Space Strategic Plan 2013-2023</i> , a planning scheme amendment be undertaken to include a strategically justified percentage contribution for public open space in the schedule at Clause 52.01.	The Open Space Strategy was adopted by Council in June 2018. The next steps will be to prepare a formal planning scheme amendment to incorporate the findings into the scheme.	Progressing
39.	The <i>Guidelines for Alterations and Additions to Dwellings in Heritage Areas in Hobsons Bay</i> and <i>Guidelines for Infill Development in Heritage Areas in Hobsons Bay</i> be reviewed as part of the stage two MSS review with a view to updating them as required and to maintain effective guidance particularly in relation to alterations and additions of commercial heritage buildings and basement parking in heritage areas.	As these areas of the Planning Scheme are strongly linked to the Heritage Study, their revision should be undertaken following the completion of the Amendment mentioned in recommendations 10 and 29.	Outstanding
Including Completed Strategic Work in the Planning Scheme recommendations			
40.	<i>Improved Housing Choices for Residents on Low Income (Affordable housing) Policy Statement (2011)</i> be exhibited as part of the Stage Two MSS review with a view to including it under 'Guidelines for Decisions Makers' in the proposed PPF.	The Affordable Housing Policy Statement was updated in 2016 and has been included in the revised MSS which will be incorporated as part of the PPF translation.	Progressing
41.	<i>Climate Change Policy 2013</i> be listed under 'Guidelines for Decisions Makers' in the proposed PPF.	Implementation of Plan Melbourne via Amendment VC106 introduced sustainable	Progressing

No	Recommendations	Actions	Status
		principles into the planning schemes. Amendment VC127 introduced an updated Victorian Coastal Strategy 2014. The MSS review will include a local framework into the planning scheme complementing the state policy.	
42.	The <i>Community Health and Wellbeing Plan 2013-2017</i> be listed under 'Guidelines for Decisions Makers' in the proposed PPF.	The Community Health and Wellbeing Plan was superseded by Hobsons Bay 2030 Community Vision. This will be addressed via the PPF translation.	Progressing
43.	The <i>Disability Access and Inclusion Strategy 2013-2017</i> be listed under 'Guidelines for Decisions Makers' in the proposed PPF.	Council is reviewing the Social Planning Policy Framework which will bring together all existing social policies including the <i>Disability Access and Inclusion Strategy</i> . The PPF translation will include the newly adopted Social Policy.	Progressing
44.	The <i>Western Melbourne Transport Strategy 2012-2030</i> be listed as 'Background Document' in the proposed PPF.	The Western Melbourne Transport Strategy is currently under review. The PPF translation will include the latest version of The Western Melbourne Transport Strategy.	Progressing
Matters identified for further work by Council			
45.	Finalisation of the Housing Strategy.	As above.	Progressing
46.	Finalisation of the NC Study review.	As above.	Progressing
47.	Finalisation of the AC Strategy review.	As above.	Progressing
48.	Finalisation of the Burns Road Feasibility Assessment.	As above.	Complete

No	Recommendations	Actions	Status
49.	An update of the <i>Interim Management of Land use Planning Around MHF Guidelines</i> , with a view to their inclusion in the planning scheme at stage two of the MSS review under 'Guidelines for Decision Makers'.	The Interim Management of Land use Planning Around MHF Guidelines were updated and adopted on 14 October 2014. They will require another review in light of State Government changes.	Complete
50.	A local planning policy on planning around MHFs in Hobsons Bay be prepared in the absence of State direction on this matter and the consequent policy vacuum.	Council has been advocating for a State approach on this matter which resulted in an Advisory Committee being established. The Minister for Planning recently issued a new Ministerial Direction and planning policy in the Scheme. Further reform is anticipated in the near future.	Progressing
51.	The preparation of a PSA for the Draft Local Planning Policy on Discretionary Uses in Residential Areas.	With the translation to the PPF a new local policy cannot be considered, however alternative locations for this guidance is being investigated.	Outstanding
52.	The preparation of a PSA for the Draft Local Planning Policy on External Security Devices (roller shutters) on Commercial Premises.	Recently released Urban Design Guidelines for Victoria principles support active frontages and passive surveillance.	Resolved
53.	The preparation of a PSA for the Draft Local Planning Policy on crossovers.	A draft policy has been completed. With the advent of the PPF translation a local policy can no longer be considered.	Complete
54.	A review of the <i>Landscape Design Guidelines 1999</i> .	A draft policy has been completed and it will replace the existing reference document in the planning scheme if it can be incorporated into the PPF.	Progressing
55.	The preparation of a local housing standards guide which addresses the quality of urban	Recently adopted Victorian Urban Design Guidelines and Better Apartment Design Standards provide necessary	Resolved

No	Recommendations	Actions	Status
	design outcomes and the internal amenity of dwellings.	direction. In addition, the Housing Strategy is being prepared which along with schedules to the new residential zones will guide built form.	
56.	The preparation of a DCP(s)	DCPs were prepared for the former Port Phillip Woollen Mill (Precinct 20) site and Precinct 15 (Altona North Strategic Development Site). Municipal wide DCPs are yet to be completed as this is dependent on further strategic work including a community services and infrastructure plan and 10 year capital works plans.	Progressing
57.	The preparation of an Integrated Transport Plan.	The Integrated Transport Plan was adopted in 2017.	Complete
58.	Contribute to the preparation of municipal economic strategy.	The Economic Development Strategy was adopted in 2016.	Complete

Appendix 2: Planning Scheme Amendments since 2014

AMENDMENT NUMBER	DESCRIPTION	DATE GAZETTED
Gazetted Amendments		
C101	The amendment changes the Hobsons Bay Heritage Study Amended 2010 to include 179 Melbourne Road, Williamstown (St Stephen's Uniting Church) as a contributory place within the Heritage Overlay (HO27) and makes consequential changes to the Hobsons Bay Planning Scheme to refer to the amended study.	17 July 2014
C97	The amendment corrects zoning and overlay anomalies and text errors.	11 September 2014
C93	The amendment rezones land at 87-93 Stevedore Street, Williamstown from Public Use Zone 6 (Local Government) to General Residential Zone – Schedule 2 and applies an Environmental Audit Overlay to the land.	21 May 2015
C105	The amendment makes the following changes to reflect the recommendations of the Former Port Phillip Woollen Mills Advisory Committee (May 2011): <ul style="list-style-type: none"> • replace existing indicative height limits with mandatory heights across the site ranging from 10 metres to 25 metres • apply a Development Contributions Plan Overlay, Schedule 1 to the land • include dimensioned measurements on the development plan at Clause 1.0 of DDO11 • introduce application requirements for emergency management for the whole site and a coastal hazard vulnerability assessment 	18 June 2015
C108	The amendment applies the Industrial 3 Zone to Commonwealth (Unzoned) land.	15 October 2015
C96	The amendment rezones lots 222-238 and 240-258 Kororoit Creek Road, Williamstown North from Industrial 3 Zone to General Residential Zone, Schedule 3, applies the Environmental Audit Overlay and a new schedule to the Design and Development Overlay.	5 November 2015
C102 (Part 1)	The amendment rezones land at 31a and 79a Cypress Avenue, Brooklyn and 75 Esplanade, Altona to correct mapping anomalies. It revises the Municipal Strategic Statement and Local Planning Policy Framework to correct	3 December 2015

AMENDMENT NUMBER	DESCRIPTION	DATE GAZETTED
	references to commercial and residential zones, and revises Clause 22.11 Outdoor Advertising Signage Policy.	
C110	The amendment incorporates the Port Phillip Woollen Mill Development Contributions Plan 2015-25 into the Hobsons Bay Planning Scheme by amending Clause 21.03, Schedule 1 to Clause 45.06, the Schedule to Clause 52.01 and the Schedule to Clause 81.01.	21 July 2016
C111	The amendment facilitates the delivery of the level crossing removal at Kororoit Creek Road, Williamstown North.	12 October 2017
C107	The amendment deletes part of Heritage Overlay (HO202) from the Altona Refinery, updates the reference to the amended Hobsons Bay Heritage Study 2016 and deletes an incorrect cross reference.	24 May 2018
C109	The amendment facilitates the use and development of 290-298 Millers Road, Altona North for mixed commercial uses by rezoning land to Commercial 2, applying the Environmental Audit Overlay (EAO), applying the Design and Development Overlay 13 (DDO13) and amending Schedule 13 to the overlay and strategic directions for the land and prohibiting gaming on the land.	28 June 2018
GC51	Changes the planning provisions for sites that are owned by the Victorian Government, including sites that have been determined to be surplus to government requirements. The amendment rezones land at 30-436 Blackshaws Road, Altona North, from Public Use Zone 2 to Residential Growth Zone Schedule1 and applies Development Plan Overlay – Schedule 1 (DPO1).	19 January 2017
GC65	The amendment facilitates development of the West Gate Tunnel Project and applies Schedules 15 and 16 to the Design and Development Overlay.	7 December 2017
C88	The amendment applies to the land generally bounded by the West Gate Freeway, New Street, Blackshaws Road and Kyle Road in Altona North and South Kingsville. It introduces a Comprehensive Development Zone, Development Contribution Plan Overlay, Environmental Audit Overlay and deletes the HO166.	24 September 2018
GC110	Introduced a new Environmentally Sustainable Development (ESD) local planning policy into the Hobsons Bay Planning Scheme.	18 October 2018
Commissioned – Not Yet Gazetted		

AMENDMENT NUMBER	DESCRIPTION	DATE GAZETTED
C92	The amendment updates the Heritage Study and introduces new precincts and individually listed properties. The amendment is with the Minister for Planning for authorisation to exhibit.	Not applicable
C112	<p>The amendment implements the findings of Problem Gambling - Electronic Gaming Machines (EGMs) Policy Statement 2015 and applies to all land within Hobsons Bay municipality. It does this by:</p> <ul style="list-style-type: none"> amending the Municipal Strategic Statement at Clause 21.03 and Clause 21.08 to modify policy and insert the Hobsons Bay Problem Gaming – Electronic Gaming Machines (EGMs) Policy Statement, 2015 and the Integrated Municipal Public Health and Wellbeing Plan - The Hobsons Bay 2030 Community Vision together with the Council Plan 2017-21 as reference documents inserting a new Clause 22.12 Gaming Policy amending the Schedule to Clause 52.28 to update the shopping complexes and strip shopping centres where gaming machines are prohibited <p>The amendment has been approved by the Minister for Planning and is awaiting gazettal.</p>	Not applicable
C113	The amendment corrects zoning and overlay anomalies and text errors. Council recently received authorisation to prepare and exhibit the amendment.	Not applicable
C116	<p>The Amendment proposes the removal of all restrictive covenants that apply to 430-436 Blackshaws Road, Altona North and 122 Woods Street, Newport by amending the Schedule to Clause 52.02.</p> <p>The Amendment C116 was split into two parts on 9 October 2018. Part 1 that applies to 430-436 Blackshaws Road, Altona North has been adopted by Council and sent to the Minister for approval. Part 2 that applies to 122 Woods Street, Newport will be considered by a Panel.</p>	Not applicable
Withdrawn/ Not progressed		
C94	The amendment proposed interim site specific heritage controls for 16-20 Kanowna Street, Williamstown known as the former Nugget Factory. The Minister for Planning did not authorise the amendment under Section 20(4) of the <i>Planning and Environment Act 1987</i> .	Not applicable
C95	The amendment proposed interim site specific heritage controls for 56 Douglas Parade, Williamstown known as the	Not applicable

AMENDMENT NUMBER	DESCRIPTION	DATE GAZETTED
	former Bates Bakery. Key heritage features were demolished prior to amendment progressing.	
C98	An application for the combined planning scheme amendment and permit was received for the remainder of Precinct 16 on 1 March 2013. Council requested further information to support the application. Given that information is now outdated Council requested that the application be withdrawn on 19 January 2018. The amendment has subsequently been closed.	Not applicable
C99	The amendment proposed to apply permanent site specific heritage controls to the Former Nugget Factory, land at 16-20 Kanowna Street, Williamstown to ensure that the heritage value of the existing building was appropriately protected. Council abandoned the amendment on 23 September 2014 given the Victorian Civil and Administrative Tribunal (VCAT) issued an order for demolition of the building.	Not applicable
C103	An application for rezoning of the former TAFE site, 80-90 Champion Road, Newport, from the Public Use Zone Schedule 2 to Industrial 3 Zone was received on 11 August 2014. Request for further information was sent on 10 November 2014. The amendment was closed following further discussion with the State Government regarding the future of this site.	Not applicable
C104	The proposed amendment considered interim controls for the former Port Phillip Woollen Mill site pending the approval of Amendment C105, permanent controls implementing the findings of the Former Port Phillip Woollen Mills Advisory Committee. The amendment C105 was approved by the Minister for Planning on 18 June 2015 therefore interim controls were not required.	Not applicable

Appendix 3: The 2018 Planning Scheme Review submissions

NAME	ISSUES RAISED	RESPONSE
Councillors	Provision of electric vehicle charging points within new development.	The Environmentally Sustainable Design (ESD) policy will incorporate this matter.
	Buildings greater than four to five storeys must be limited to the Pier Street Precinct, which needs to be defined within the planning scheme. Amendment C51 was abandoned few years ago which would have limited the height.	Hobsons Bay Activity Centre Strategy Technical Report includes a hierarchy for future structure plans based on their needs. Council's Strategic Planning Work Plan will align with the Activity Centre Strategy. Further work will be required undertaking a new structure plan for Altona to justify height controls.
	Restrict height along the foreshore in Altona.	The height controls along the foreshore are defined in the existing DDO4 which currently affects both Altona and Williamstown foreshores. These height controls vary between two and three stories.
	Impacts of sea level rise.	Council is a member of Association of Bayside Municipalities, which is working with the state government to establish holistic response to sea level rise. In addition Council is introducing a planning scheme amendment for an Environmental Sustainable Design Policy in the planning scheme. This policy will look at buildings reducing their emissions which has a direct impact on emissions and sea level rise.
	Focus future land use and clean-up of heavy industrial land. The responsibility should be on the existing owners to clean up before the land can be used again or sold.	Planning tools are implemented to address use and development on identified contaminated land. EPA regulation, policies and guidelines provide the framework for the management/clean-up of contaminated land. Review of the ILMS may also consider future land use of industrial land in Hobsons Bay.
	Update on the ILMS and recommended actions.	The ILMS is a 15 year Strategy. It is anticipated that Council will commence a review of the ILMS prior to the next Planning Scheme Review in 2022.
	Consider revitalisation of Laverton particularly around the train station including providing job opportunities.	Following the implementation of the level crossing in Laverton, Council should investigate preparing a structure plan to revitalise Laverton and encourage commercial and residential redevelopment.

NAME	ISSUES RAISED	RESPONSE
	Advocate for more both private and public high schools.	Council continues to advocate for more high schools in Hobsons Bay, however this is not a matter that the planning scheme can address.
	Provide more squash courts in Hobsons Bay.	The sports needs analysis has addressed provision of squash courts in Hobsons Bay.
Council staff	Review the ILMS and IDDG.	Refer to above comments.
	Review Heritage Guidelines for Infill Development and Infill Development and Alterations and Additions.	This work will need to be undertaken following the adoption of the revised Heritage Study 2017.
	A rolling implementation of structure plans.	Officers are preparing Newport and Spotswood structure plans. Activity Centre Technical Report and Strategy will direct the implementation of future structure planning in Hobsons Bay.
	Prepare an Urban Design Strategy which aims to improve streetscapes and gateways for the municipality.	The Urban Design Strategy will contribute to the implementation of the Activity Centre Strategy and subsequent structure plans.
	Review of the Tourism Strategy.	The Tourism Strategy is currently being reviewed to ensure strategic framework which facilitates tourism is current.
	Prepare a Community Services and Infrastructure Plan (CSIP).	The plan is currently in development and will direct management and provision of community services and infrastructure.
	Prepare a Landscape Strategy.	The strategy is currently in development. This document will assist Statutory Planning with planning permit assessment.
	If Council decide to participate with the Infrastructure Design Manual, incorporate it into the Planning Scheme	The Infrastructure Design Manual is currently being considered by Council as an appropriate tool to designate infrastructure consistently across the municipality. Should Council decide to adopt this option, the Scheme should be updated to reference the Infrastructure Design Manual.
Advocates	<p>Neighbourhood character study and associated policies at clauses 22.07 to 22.10 is dated. As a result permit applicants and their advocates are critical of:</p> <ul style="list-style-type: none"> the extent of change, especially medium density development, in Altona, Nth Altona, Brooklyn and Newport the lack of an existing landscaping treatment 	Neighbourhood Character Study is currently being reviewed and new residential zones will address some landscape treatment requirements.

NAME	ISSUES RAISED	RESPONSE
	It was put to the Tribunal at a recent heritage hearing that Council's Guideline documents are 'dated' and less weight should attach.	The Heritage Study was reviewed last year to remove and add new properties where required. Review of the guidelines is identified as future work for Hobsons Bay.
	The Guidelines both capture generally principles rather than prescribed.	The Guidelines for Alterations and Additions Guidelines to Dwellings in Heritage Areas in Hobsons Bay and Guidelines for Infill Development in Heritage Areas in Hobsons Bay need to be reviewed.
	In regards to heritage overlays, there is an issue where there are two overlays that attach to a site. For example, if a property comes within the Electra Street heritage precinct and also the Government Survey Heritage Precinct.	Review of the heritage overlays will need to be considered in the future.
	Housing Strategy is required to categorise housing change areas such as minimal, incremental and substantial change areas.	Housing Background Report has been finalised and the strategy will be adopted this year to address this issue.
Transport for Victoria	Rail Metro tunnel 2 is currently being investigated which will substantially reduce travel time from Newport to the CBD.	Draft Newport Structure Plan has considered the potential metro tunnel 2 project and future implications on Newport Neighbourhood Centre.
	Bus Transport for Victoria and Public Transport Victoria will continue to develop and review buses services within Hobsons Bay.	Council support the continuous review of bus services particularly in areas of Hobsons Bay where buses are the only form of public transport provided.
	Land Use The integration between land use zoning and current and future transport services is crucial, for improving connectivity and providing better access for residents and thus improving liveability. Facilitate development within 400 to 800 metres around public transport to generate activity and demand for public transport services. Integration of cycling and walking facilities is encouraged.	Council's Integrated Transport Plan supports integration of all forms of transport in Hobsons Bay. Activity Centre Strategy Technical Report, Housing Strategy Background Report and Structure Plans support residential development within 400 to 800 metres from the public transport.
	Clause 21.09 It is recommended that transport objectives and strategies address the need for new development not to preclude the potential for the provision of future transport services.	The PPF translation will address these comments.
	New development should also take into consideration proximity to	Hobsons Bay Integrated Transport Plan supports improved access to

NAME	ISSUES RAISED	RESPONSE
	transport services and enhance access to existing transport services.	sporting and community facilities where possible.
	Community facilities including health, entertainment and sporting facilities to be located within proximity to public transport services and walking/cycling paths.	
	Developers should be encouraged to consult with Transport for Victoria prior to re-zoning land.	Consultation with relevant authorities during the planning scheme amendment process will continue to be undertaken.
	Transport for Victoria should be consulted in conjunction with VicRoads and other authorities to improve the connectivity of the bicycle network.	Council is currently reviewing the local bicycle plan and consultation with all key authorities will form part of the review process.
Wyndham City Council	A mapping error at Clause 22.07 of the Hobsons Bay Planning Scheme which includes land within Wyndham LGA.	The error will be addressed via Amendment C113, which addresses anomalies within Hobsons Bay Planning Scheme.
	Wyndham City Council is currently undertaking implementation of the new zones. Based on the latest information the residential areas which have an interface with Hobsons Bay will remain within General Residential Zone.	The amendment implementing the new zones has not yet been exhibited. Council will have an opportunity to review the new zones once the amendment is exhibited as per the <i>Planning and Environment Act 1987</i> requirements.
Brimbank City Council	Implementation of the Brooklyn Evolution Project, which seeks to improve the amenity of the Brooklyn Industrial Estate and reduce off-site impacts. Operations of this estate directly affect Brooklyn residents.	Where required Council should provide feedback to Brimbank Council regarding the off-site impacts affecting Brooklyn residents.
Maribyrnong City Council	Strategic plans which have implications for your municipality include: <ul style="list-style-type: none"> Maribyrnong Economic and Industrial Strategy, 2011: represents Council's strategy for future direction of Maribyrnong's key industrial precincts, including the Yarraville Ports and Yarraville Crawley precincts, which are proximate to Hobsons Bay Maribyrnong Open Space Strategy, 2014: amongst other things, the strategy seeks to create a continuous linear open space system along the Stony Creek and Maribyrnong River corridors Maribyrnong Housing Strategy, under preparation 	Note. Council will consider these key pieces of strategic work, where required, in future planning.

NAME	ISSUES RAISED	RESPONSE
	and expected to be completed latter half of 2018: work undertaken to date forecasts significant population growth (~30,000 people) in the next 10-15 years	
	<p><i>Any perceived strategic 'gaps' in the Hobsons Bay Planning Scheme</i></p> <p>The issues that Maribyrnong Council is currently facing and planning for includes the growing population, housing affordability, contaminated land, interfaces of industrial and residential areas, funding for infrastructure, lack of community and active recreation facilities and environmental policies. It is considered that Hobsons Bay may be facing similar issues within its municipality and actively working towards effectively planning for these strategic gaps.</p>	Noted. Similarly, Council is currently finalising the Housing Strategy and other strategic work outlined in the submission which will address the gaps in planning framework.
	<p><i>The impact of referral triggers and responses under Clause 66 of the Hobsons Bay Planning Scheme</i></p> <p>Although not impacted by the referral trigger and responses under Clause 66 of the Hobsons Bay Planning Scheme, Council is appreciative of the opportunity to comment on projects that may impact on the Maribyrnong municipality. Further to this, Maribyrnong supports the relationship the two Councils have in identifying and collaborating on issues that impact on the two Councils such as protecting significant industrial land that is located within both municipalities.</p>	Noted. Hobsons Bay is happy to collaborate with Maribyrnong on issues that affect both Councils.
	<p><i>The effectiveness or otherwise of any Overlays that address issues of interest to your organisation</i></p> <p>It is noted that the recent state initiatives and reform on form and content of planning schemes has implications for a number of overlays used in the Maribyrnong and Hobsons Bay planning schemes (such as the Design and Development Overlay). Maribyrnong Council is likely to explore this in its planning scheme review and would be interested in potentially discussing this further with you.</p>	Noted. Council officers are open to collaborating with Maribyrnong City Council on matters that may affect both Councils.
Police	No issues raised.	Not applicable.

NAME	ISSUES RAISED	RESPONSE
Viva Energy	<p>In its response (Action 1) to the MHF Advisory Committee Report, the Victorian Government will prepare and introduce into the SPPF a new policy that:</p> <ul style="list-style-type: none"> • Articulates the importance of MHFs to the Victorian economy • Explains the need to manage land to avoid sensitive uses, or uses that could encourage large numbers of people to live and work close to a MHF, encroaching on MHFs • Identifies how separation distance requirements should be managed for existing and new MHFs. <p>We agree with the recommendations made in the MHF Advisory Committee's Report and wish to re-state and highlight these areas that are of particular relevance with the review of the Hobsons Bay Planning Scheme.</p> <p>Regarding pipelines, the Victorian Government plans to respond to the recommendations of the Review of Victoria's Electricity and Gas Network Safety Framework in early 2018. It will consider the MHF Advisory Committee recommendations and advice as part of that process.</p>	<p>Hobsons Bay has submitted and presented at the MHF Advisory Committee Hearing, stating Council's position on this matter.</p> <p>Council has no jurisdiction regarding the SPPF, and therefore it is outside the scope of this review. However, Council is working collaboratively with DELWP regarding the development of tools to implement the Minister's response to the Advisory Committee Report and some measure are now in place.</p>
	Continuous and uninterrupted operation of the terminal (24 hours, 365 days per year) is necessary to sustain supply of fuel.	Hobsons Bay Municipal Strategic Statement recognises the industrial operations within the municipality.
	MHF Advisory Committee recommendations related to pipelines.	SPPF is outside Council's jurisdiction and is outside the scope of this review.
	MHF Advisory Committee recommendations regarding Clause 51.10 Uses with adverse amenity potential.	Refer to above comments.
	MHF Advisory Committee recommendations regarding referral and notice provisions under Clause 66.	Refer to above comments.
	MHF Advisory Committee recommendations on Clause 65, decision guidelines.	Refer to above comments.
	MHF Advisory Committee recommendations on Clause 40	Refer to above comments.

NAME	ISSUES RAISED	RESPONSE
	Environmental Significance Overlays (ESO).	
EPA	Consider incorporating reverse buffers within the planning scheme and providing more protection to industry around sensitive use encroachment. Council should carry out municipal-wide buffer assessment.	The ILMS recognises the importance of viable and ongoing industry within the municipality and, as a Reference Document in the planning scheme, is considered in land use decision making. Council where practical applies the reverse buffer practice. The State Planning Policy Framework and Clause 53.10 need to be amended to address this matter appropriately.
	Update the plan within Clause 21.02-5 Strategic Framework Plan to include MHF sites and EPA Licence sites.	Practice note related to the MSS states that: The strategic framework plan provides the 'big picture' or vision of the municipality and may show: <ul style="list-style-type: none"> • main features and land uses • areas that are of significant environmental value • areas where environmental risk must be managed • growth opportunities or constraints strategic redevelopment sites existing and future infrastructure Industrial areas are shown on the plan already. Specifying EPA Licence sites and MHF sites would not be an appropriate use of the MSS based on the directions of the planning practice note.
	Undertake a stocktake of contained land to inform the application of an EAO.	Council is currently evaluating potentially contaminated sites in Hobsons Bay.
	Future rezoning should consider industrial and sensitive interfaces to avoid conflict.	It is Council practice to consider industrial and sensitive interfaces when assessing planning scheme amendments.
	Update the ILMS.	The review of the ILMS is identified and will commence prior to the 2022 planning scheme review.
Department of Economic Development, Jobs, Transport and Resources	Land Use Framework Plan (LUFP) is a strategic document providing direction for jobs, housing, infrastructure, major transport improvements, open space and urban forests. It is anticipated that LUFP for western region will be completed in 2018.	Council will continue its involvement in the preparation of the LUFP.
Energy Safe Victoria (ESV)	ESV would support a new plan or specific policy in Hobsons Bay Planning Scheme which identifies the location of the existing pipelines and	The MHF Advisory Committee has identified that planning around pipelines is a State significant issue where the Minister for Planning

NAME	ISSUES RAISED	RESPONSE
	<p>provides direction on appropriate land uses in their vicinity.</p> <p>ESV encourages Victorian Councils to work collaboratively with pipeline licensees to enable strategic planning and planning decisions regarding pipeline infrastructure.</p>	<p>should consult with Minister for Energy.</p> <p>Based on these recommendations Council should postpone any further work on land use planning around pipelines until further direction is received from the State Government at which level this matter is best addressed.</p>

Appendix 4: Analysis of the effectiveness of the Planning Scheme findings

This section discusses the effectiveness of each section of the planning scheme including the MSS (to be translated to PPF) and local planning policies (to be translated to PPF), zones, overlays, particular provisions and incorporated documents. It also identifies strategic planning policy that can be considered for inclusion in the planning scheme.

The Municipal Strategic Statement

The policy neutral MSS review was implemented in 2012. The Planning Scheme Review 2014 recommended the alignment of the thematic framework for the local and State policy, in anticipation of the government's proposed PPF initiative.

Submissions from Council and external stakeholders confirmed the previous review findings which identify that the MSS requires an update and review. The updated MSS along with all local policies will be incorporated into the PPF and other parts of the Scheme during the translation process. With regard to the LPPF, the following findings were made:

Clause 21.01: Introduction and Clause 21.02 Hobsons Bay Key Issues and Strategic Vision

These clauses provide an introduction, vision and identify key issues. Both clauses require updating as part of the MSS renewal and translation to Municipal Planning Strategy at Clause 02.

Clause 21.03: Settlement, Clause 21.06: Built Environment and Heritage, Clause 21.07 Housing

These clauses are most frequently used in planning permit assessments and VCAT submissions.

The MSS renewal will strengthen and clarify built form guidelines consistent with the local and state policy. Further review may be required as part of the implementation of the updated Activity Centre Strategy and Housing Strategy and the translation to the new PPF.

A review of the Landscape Design Guidelines is being undertaken and should be incorporated into the planning scheme following their adoption.

Clause 21.04: Open space

The Hobsons Bay Open Space Strategy was adopted on 12 June 2018. The strategy provides future direction for provision, management, protection and design of open spaces. The Open Space Strategy will be included as a reference document in the Scheme.

Clause 21.05: Environment

The MSS renewal and subsequent translation to the PPF will incorporate the directions of the adopted sustainability policy including the Biodiversity Strategy and Community Greenhouse Strategy.

Clause 21.08: Economic Development

This clause is used regularly in report writing and VCAT submissions. The MSS renewal and PPF translation process will update the clause to reflect the principles set out in the Hobsons Bay Economic Development Strategy.

Clause 21.09 Transport and Mobility

This clause should include the findings of Hobsons Bay Integrated Transport Plan and Disability Access and Inclusion Strategy.

The MSS renewal and PPF translation process will ensure the clause is consistent with the State's direction particularly the integration of land use planning and development as outlined in the *Transport Integration Act 2010*.

Clause 21.10: Infrastructure

Similarly, this clause needs to be reviewed to include recently adopted Council policy and translated into the new PPF.

The Local Planning Policies

Local planning policies provide guidance on requirements for permit applications related to built form in heritage, industrial and residential areas and on advertising signs. As part of the PPF translation all local planning policies will be incorporated into either the PPF or another part of the Scheme.

Clause 22.01 – Heritage

The policy is generally effective, particularly in conjunction with the HO. Identified policy weaknesses include additions and infill of commercial buildings and basement parking and alterations. As this policy is used regularly, its transition to the PPF or other parts of the Scheme will have to be carefully considered.

Clause 22.02 – Industry

Amendment C33, which implemented the ILMS 2008 into the Hobsons Bay Planning Scheme updated this clause. This Clause is considered to duplicate other parts of the Scheme and will be required to be removed as part of the PPF translation.

Clause 22.03 (no content)

Clause 22.04 - Altona Meadows Urban Design

The policy achieves single dwelling residential development in this area however, strategic justification for this policy may now be out of date based on the recent SPPF changes.

Review of this policy should be deferred until the completion of work on the new residential zones with consideration given to incorporating some of its provisions in a schedule to the zone. Additionally, further investigation is necessary to enable the specific matters outlined in Clause 22.04 to be translated into the PPF.

Clause 22.05 - Williamstown Commercial Area – Car Parking

The review of Clause 52.06 in 2012 via Amendment VC90 supersedes this local policy. Council's direction on car parking policy has altered from suburb based to a holistic municipality wide direction. Deletion of the policy is recommended.

Clause 22.06 - Mixed Use Policy – Altona Activity Centre

The Altona Activity Centre policy is in accordance with the Altona Beach Urban Design Framework 2008. As outlined in the 2014 review, this policy is based on Pier Street Altona Shopping Centre Outline Development Plan 1999 which was superseded by the Altona Beach Urban Design Framework 2008. Based on this, the clause should be removed as part of the MSS revision and the PPF translation. A new structure plan to support this policy should be undertaken. This would form part of the rolling program for structure plans and align with recommendations of the Activity Centre Strategy.

Clauses 22.07 Hobsons Bay West Neighbourhood Character Policy; 22.08 Hobsons Bay North Neighbourhood Character Policy; 22.09 Hobsons Bay South Neighbourhood Character Policy and 22.10 Hobsons Bay East Neighbourhood Character Policy`

These clauses are regularly used. The strategic policy informing the local framework was prepared in 2002 and adopted in 2006. A review of the Neighbourhood Character Study is underway and has identified that there will need to be more changes to this Clause. The incorporation of these clauses into the Scheme as part of the PPF translation will have to be carefully considered, as the information contained in these clauses is used on a regular basis to support Council's position.

Clauses 22.11 - Outdoor Advertising Signage Policy

Council is currently reviewing the Outdoor Advertising Signage Policy adopted in 1999, which is outdated. The review is progressing and revised policy will be incorporated into the planning scheme via the translation of the PPF. Changes to Clause 52.05 through Amendment VC148 will affect the translation of this Clause.

The Zones

Residential zones

Residential areas within the Hobsons Bay Planning Scheme comprise mainly of General Residential Zone with one property zoned Residential Growth. The current application of zones is not optimal for facilitating housing diversity and direction on where development is anticipated.

Implementation of the reformed zones will ensure suitable residential zones are applied in the municipality.

Industrial Zones

No changes are proposed to the schedules of these zones however, the review of the ILMS may necessitate change in the future.

Commercial Zones

The reformed Commercial 2 Zone (C2Z) in July 2013 included notable changes, particularly regarding the supermarkets. The purpose of the reformed commercial zones was to encourage competition between supermarkets. Application of the (C2Z) to a former industrial site if approved, will allow Council to address a gap in full scale supermarkets and limited choice for shopping opportunities.

Regarding the rezoning of land at 511 and 515 Melbourne Road, Newport, to C2Z these properties are located within the Major Hazard Facility outer advisory buffer and more sensitive uses may not be appropriate at this location based on recent case studies, particularly Amendment C109. Further investigation is necessary to address the zoning.

A VCAT decision [P463/2016] allowed for development of a childcare centre at 519-521 Melbourne Road, Newport. The subject site is currently in two zones, General Residential and Commercial 2 Zone. Further strategic review is required prior to any rezoning of this site.

No change is proposed to the schedules of these zones.

New Commercial 3 Zone is not currently in the Hobsons Bay Planning Scheme however it may be applied in the future following further consideration.

Public Use Zone

Land at 31-39 McLister Street, Spotswood is currently zoned in the Public Use Zone and has been identified as in private ownership. The parcel should be rezoned as an anomaly once it is developed.

Land located at 87-91 Stevedore Street, Williamstown was rezoned via Amendment C93 and no further action is necessary.

The land in 91 Champion Road, Williamstown North is Council owned subject to a Crown Grant, therefore the zoning is applicable and no further action is required.

Public Park and Recreation Zone

With respect to Public Park and Recreation Zone (PPRZ), Council is undertaking Amendment C113 to the planning scheme to correct a number of anomalies related to PPRZ land.

No change is proposed for this schedule as it is operating satisfactorily however, recently adopted Open Space Strategy may require changes to this zone when the policy is incorporated into the planning scheme.

Public Conservation and Resources Zone

No change is proposed for this schedule as it is operating satisfactorily.

Special Use Zones

Special Use Zones 2, 3 and 4 relate to petrochemical industry which are also defined as Major Hazard Facilities. Review of these zones is recommended following the implementation of the MHF policy led by the State Government.

The unserviced subdivision known as “the Burns Road Estate” is referenced in Special Use Zone 4. The area cannot be developed at current densities and needs to be restructured in order to be used for any purpose. The Burns Road Estate project has progressed. In addition the review should include looking into the historical population density controls that still apply to development which restricts the number of employees that can work in the area.

Comprehensive Development Zone

The 2014 review identified a need for the land on Kororoit Creek Road currently zoned Comprehensive Development Zone to be rezoned once it is fully developed. This has not yet occurred therefore no changes are proposed.

The Overlays

Environmental Significance Overlay

The Environmental Significance Overlay (ESO) was implemented into the Hobsons Bay Planning Scheme in 2013. The Biodiversity Strategy identified more land that has ecological significance and should be considered for the application of the ESO. Further investigation should be undertaken prior to the commencement of a planning scheme amendment.

Heritage Overlay

Heritage review has been recently undertaken to make corrections to the application of individually listed dwellings, to expand heritage precincts and introduce new heritage precincts. In 2017, Council resolved to seek authorisation and exhibition of the amendment.

The feedback received from an advocate to Council raised a need to review the application of two heritage overlays to a single property such as precinct based HO and individually listed HO. It is anticipated this work will require extensive financial and staff resources therefore future investigation may be required before commencing with the review.

Design and Development Overlays

Hobsons Bay Planning Scheme comprises of 13 Design and Development Overlay (DDO) Schedules including:

Schedule 1: Westgate Bridge approaches

The previous review discusses the history of this schedule, acknowledging the purpose of the schedule was to allow for the construction of the West Gate Distributor process. During the West Gate Tunnel Advisory Committee Hearing the state authorities recognised the need to retain the schedule.

The review of Schedule 1 should be deferred until the West Gate Tunnel project is completed.

Schedule 2: Birmingham Street area

Schedule 2 should be retained as it is designed to protect amenity. Analysis planned to be undertaken to inform the Spotswood Structure Plan may identify a need to review DDO2 as part of implementation of the structure plan.

Schedule 3: 65 Nelson Place, Williamstown

This schedule is not used. It is understood that DDO3 relates to a specific proposal for the site before it was subdivided. It is obsolete and should be removed.

Schedule 4: Foreshore Height Limitation

This schedule is used regularly however it may require rewording regarding the mandatory height controls. The decision of the VCAT in *Cope v Hobsons Bay City Council* permitted a third level of construction notwithstanding that the overlay refers to a 'two storey limit'. As outlined in the 2014 review, preference for a mandatory height control has been expressed

as this provides greater clarity and is easier to communicate to applicants and members of the public.

General Residential Zone and this DDO provide conflicting height controls which is currently being addressed through the implementation of the reformed zones.

The review of this schedule should be deferred until the implementation of the new residential zones which should provide more clarity around heights.

Schedule 5: Newport Lakes Residential Development

Newport Lakes Residential Development Schedule is regularly and should be retained. The 2014 review suggested that the application of DDO5 should be extended as it protects views, vistas and character of Newport Lakes.

The review of this schedule should be deferred until the implementation of the new residential zones.

Schedule 8: Foreshore Height Limitation

Similar to DDO4, this schedule was identified as being essential but in need of rewording. DDO8 should not be reviewed prior to the introduction of the new residential zones.

General Residential Zone and this DDO provide conflicting height controls which is currently being addressed through the implementation of the new zones.

Schedule 9: Mason Street, Newport

Comparable with DDO5 it was considered that there may be value in broadening its application. Schedule 9 promotes and protects visual and physical linkages around Newport Lakes and protects the lake from the impact of development, but has a limited application. The schedule is required and should be considered for review following the implementation of the new residential zones.

Schedule 10: The former Caltex Terminal

This schedule was prepared to provide direction on future redevelopment of Precinct 16 as identified in the ILMS. It was introduced via Amendment C82 in 2013. The DDO10 is still relevant, however the new GRZ and DDO10 provide conflicting height controls which is currently being addressed by the DEWLP.

Schedule 11: Precinct 20 – Former Port Phillip Woollen Mills and Surrounds

The schedule was introduced via Amendment C86 in 2011. In 2015, the schedule was revised and Amendment C105 introduced new requirements which better reflected the recommendations of the Former Port Phillip Woollen Mills Advisory Committee. Similarly to DDO10, DEWLP is addressing the inconsistencies between the zone and DDO provisions.

Additionally, Amendment C113 considered by Council on 12 June 2018, amends Section 1 of Schedule 11 to the Design and Development Overlay at Clause 43.02 by including 23 Ann Street, Williamstown and 9-13 Aitken Street, Williamstown.

Schedule 13: Part Precinct 9 – Former Cabots site 302-303 Millers Road, Altona North

This schedule was recently reviewed via Amendment C109 to the Hobsons Bay Planning Scheme. The amendment is with the Minister for Planning awaiting approval. No changes are required to this schedule.

Schedule 14: Land at 222-238 and 240-258 Kororoit Creek Road, Williamstown North

This schedule was introduced via Amendment C96 to facilitate redevelopment of part of Precinct 13 as defined in the ILMS.

The requirements of the schedule are still relevant therefore no changes are required.

Schedule 15: West Gate Tunnel Project

This schedule was introduced in December 2017 via Amendment GC65, to protect the future development of the West Gate Tunnel project. No changes are required to this schedule.

Schedule 16: West Gate Tunnel Project

This schedule was introduced in December 2017 via Amendment GC65, to protect the future development of the West Gate Tunnel project. No changes are required to this schedule.

Development Plan Overlay

Schedule 1: 430-436 Blackshaws Road, Altona North

This schedule was implemented via Amendment GC51 in 2017. No changes required. Amendment VC148 has modified the notice and exemption in the DPO and the third purpose of the overlay to address issues raised in *Saunders v Frankston CC (Red Dot)* [2009] VCAT decision.

Land Subject to Inundation and Special Building Overlay

As mentioned above the mapping of inundation is an issue and has progressed. The overlays were introduced by Melbourne Water and will be updated as required. Council is currently undertaking climate change mapping which could lead to future planning scheme amendment to address the risk issues associated with flooding and climate change.

It should be noted that no response has been received from Melbourne Water regarding the review.

Public Acquisition Overlay

The last two planning scheme reviews stated that the schedules to this overlay have worked well. No evidence to the contrary has been provided in this review so no change is recommended.

Environmental Audit Overlay

No changes are required, however Council should continue efforts to identify contaminated land in Hobsons Bay.

Development Contributions Plan Overlay

Schedule 1: Former Port Phillip Woollen Mills

The schedule was implemented via Amendment C110 in 2016. No changes are required.

Particular Provisions

Clause 52.28 Gaming

Schedules 3 and 4 to Clause 52.28 were combined and included via Amendment VC133 in 2017. Additionally, Hobsons Bay Amendment C112 included new local policy at Clause 22.12 and reviewed the activity centres defined in the schedule to Clause 52.28. Therefore

no changes are required to this schedule. Amendment VC148 modified this Clause to allow for translation of the local policy into the new PPF.

Incorporated documents

Since the 2014 Planning Scheme Review there have been six documents incorporated into the Scheme:

- Altona North Comprehensive Development Plan, August 2018
- Altona North Development Contributions Plan, August 2018
- Kororoit Creek Road, Williamstown North Level Crossing Removal Project Incorporated Document, June 2017
- Outer Suburban Arterial Roads – Western Package Incorporated Document, June 2017
- Port Phillip Woollen Mill Development Contributions Plan 2015-25, April 2016 (Amended July 2017)
- West Gate Tunnel Project Incorporated Document, December 2017

The 2014 review identified completion of the Housing Strategy, Neighbourhood Character Study and Activity Centre Strategy as priority strategic work to be incorporated in to the planning scheme. These strategies are underway and will be incorporated during the application of the new residential zones.