

# LATROBE PLANNING SCHEME

## AMENDMENT C137latr

### EXPLANATORY REPORT

#### Who is the planning authority?

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

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

#### Land affected by the amendment

The amendment affects land within the Morwell Activity Centre (MAC) Study Area which is generally bounded by Fleming Street to the north, McDonald Street and White Street to the east and south east, Elgin Street to the south and Jane Street and Maryvale Crescent to the west and south west (see Figure 1 below). The amendment also affects residential land to the north west of the transit city boundary along Princes Drive, Morwell and to the south east of the transit city boundary along Commercial Road, Morwell (see Table 2 in the Appendix).



Figure 1 – MAC Study Area

#### What the amendment does

The amendment proposes to implement the land use and development directions from the Morwell Activity Centre Plan background reports and Morwell Activity Centre Plan (Latrobe City Council, 2022). The Morwell Activity Centre Plan (MACP) forms the basis of the amendment which will guide future decision making as it relates to planning and design matters in the MAC. Generally, the amendment introduces new zones, overlays and local planning policy into the Latrobe Planning Scheme to improve clarity and certainty for stakeholders about the role of the MAC in delivering increased housing, retail and employment opportunities.

Specifically, the amendment proposes to:

- Introduce Schedule 2 to Clause 37.08 (Activity Centre Zone) (Morwell Activity Centre) (ACZ2) to include the MACP, define four precincts within the centre and prescribe the form of development in each precinct and sub-precinct to meet the objectives of the MAC.

#### *Rezoning changes*

- Rezone Commercial 1 Zone (C1Z) land within the MAC to the ACZ2.
- Rezone Mixed Use Zone (Schedule 1) (MUZ1) land within the MAC to ACZ2 with the exception of 2-6 and 8 Latrobe Road, 14, 16, 18, 21, 23 Collins Street, 2-10 Fleming Street, 50, 52, 54, 56 Church Street, 1-2/4 and 6-8 Victor Street, 5, 7, 9 and 11 James Street, 23, 25, 27 and 29 Hoyle Street, 5, 6, 7, 8, 9, 10 and 12 Hopetoun Avenue, Morwell.
- Rezone 2-6 and 8 Latrobe Road, 14, 16, 18, 21, 23 Collins Street, 50, 52, 54, 56 Church Street, 1-2/4 and 6-8 Victor Street, 5, 7, 9 and 11 James Street, 23, 25, 27 and 29 Hoyle Street, 5, 6, 7, 8, 9, 10 and 12 Hopetoun Avenue, Morwell from MUZ1 to Residential Growth Zone (Schedule 3) (RGZ3).
- Rezone 1-3, 5, 7, 9, 11, 1-3/13, 15, 17 and 19 Maryvale Crescent, Morwell from Neighbourhood Residential Zone (Schedule 4) (NRZ4) to ACZ2.
- Rezone 141 Princes Drive, Morwell from MUZ1 and RGZ3 to ACZ2.
- Rezone 1-4/89, 91, 93, 95 Princes Drive and 1A Davey Street from RGZ3 to General Residential Zone (Schedule 1) (GRZ1) to acknowledge its location outside the Morwell Transit City boundary.
- Rezone 97 and 99 Princes Drive, Morwell from Residential Growth Zone (Schedule 1) (RGZ1) to GRZ1 to acknowledge its location outside the Morwell Transit City boundary.
- Rezone 107, 109, 111, 113, 115, 117, 119, 121 and 123 & 1/123 Princes Drive, Morwell from (GRZ1) to (RGZ3) to acknowledge its location within the Morwell Transit City boundary.

#### *Overlays*

- Amend Schedule 2 to Clause 45.09 (Parking Overlay) (Morwell Activity Centre) (PO2) to include new objectives and design standards for parking and includes the MACP and the *Morwell Activity Centre Plan Transport Assessment and Parking Plan* (Movement and Place Consulting, 2021) as policy documents and amend the map to where the PO applies.

#### *Overlay changes*

- Delete the PO2 from 44-46, 50-52, 1-2/81, 1-2/83, 93-99 Elgin Street, Morwell, 258, 260-268 Commercial Road, Morwell and 271-275 Princes Drive, Morwell where it has been incorrectly applied to residential land.
- Delete the PO2 from 2-6 and 8 Latrobe Road, 14, 16, 18, 21, 23 Collins Street, 50, 52, 54, 56 Church Street, 1-2/4 and 6-8 Victor Street, 5, 7, 9 and 11 James Street, 23, 25, 27 and 29 Hoyle Street, 5, 6, 7, 8, 9, 10 and 12 Hopetoun Avenue, Morwell due to being rezoned from MUZ1 to RGZ3.
- Apply the PO2 to the rear of 65 Church Street, Morwell and 5, 7, 9, 11, 1-3/13, 15, 17 and 19 Maryvale Crescent, Morwell to ensure appropriate provision of car parking spaces in the MAC.
- Apply the Environmental Audit Overlay (EAO) to 23-25 Ann Street, 148-152 and 220 Commercial Road, 14, 77 and 134 George Street, 6-8, 137-139, 145-147, 157-159, 171, 199-201, 271-275, 229-233 Princes Drive, 39-57 Church Street and 54-60, 122-125 Buckley Street, Morwell to identify potentially contaminated land.

#### *Planning Policy Framework*

- Amend Clause 11.01-1L (Latrobe settlement patterns) to include the MACP and various background reports as policy documents.
- Amend Clause 11.03-1L (Activity centres) to identify the role of Morwell and Moe as sub regional retail centres and Churchill as a large town centre and include the *Latrobe City Centre Retail Strategy* (Essential Economics, 2019) as a policy document.

- Amend Clause 17.03-1L (Sustainable industry) to correct an error to reference Area 6 instead of Area 8 as shown on the Morwell to Traralgon Structure Plan in Clause 11.03-2L (Morwell to Traralgon Structure Plan).

#### *Operational Provisions*

- Amend the Schedule to Clause 72.03 (What Does This Planning Scheme Consist of?) to delete reference to the Planning Scheme Overlay Map 80PO.
- Amend the Schedule to Clause 72.08 (Background Documents) to include the MACP and various background reports as background documents including:
  - i. Morwell Activity Centre Plan (Latrobe City Council, 2022)
  - ii. Morwell Activity Centre Plan Community Infrastructure Assessment (Latrobe City Council, March 2022)
  - iii. Morwell Activity Centre Plan Economic Assessment (Latrobe City Council, March 2022)
  - iv. Morwell Activity Centre Background Report Planning Context Report (Latrobe City Council, March 2022)
  - v. Morwell Transport Assessment and Parking Plan (Movement and Place Consulting, June 2021)
  - vi. Morwell Activity Centre Urban Design and Built Form Plan (Hansen Partnership, June 2021)
  - vii. Morwell Activity Centre Plan Urban Design and Built Form Discussion Paper (Hansen Partnership, June 2021)
- Amend the Schedule to Clause 74.01 (Application of Zones, Overlays and Provisions) to include the Morwell Activity Centre.

#### *Maps*

- Amend Latrobe Planning Scheme Zoning Maps 75, 76, 80 and 81.
- Amend Latrobe Planning Scheme Parking Overlay Maps 75PO, 76PO and 81PO.
- Delete Latrobe Planning Scheme Parking Overlay Map 80PO.
- Amend Latrobe Planning Scheme Environmental Audit Overlay Maps 75EAO and 76EAO.

### **Strategic assessment of the amendment**

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

The amendment is required to implement the strategic directions set out within the MACP in relation to land use, built form and development, landscape and public realm and access and movement. The MACP forms the basis of the amendment which will guide future decision making as it relates to planning and design matters in the MAC. Generally, the amendment is required to introduce new zones, overlays and local planning policy into the Latrobe Planning Scheme to improve clarity and certainty for stakeholders about the role of the MAC in delivering increased housing, retail and employment opportunities.

The MAC is an important sub-regional retail centre, as a part of the broader Latrobe City (networked city). Morwell is the last of the four main towns within Latrobe City to have an Activity Centre Plan prepared for its commercial centre. The need to undertake activity centre planning for Morwell has been identified as further strategic work within the Latrobe Planning Scheme for a number of years, including the recently completed Latrobe City Retail Strategy (Essential Economics, 2019). Current policy supports the development of a network of activity centres and the need to facilitate the growth of the Morwell, Moe, Traralgon and Churchill Town Centres.

The MACP seeks to address long term ambitions for Morwell's growth and sustainability as well as supporting its reactivation by removing unnecessary planning permit triggers, providing direction on preferred land uses and built form outcomes, facilitate improvements to the public realm and to consolidate and define the activity centre core.

### *Morwell Activity Centre and the Activity Centre Zone*

The amendment is required to rezone most of the land within the MAC to ACZ2. This is the appropriate tool to apply across most of the MAC as it consolidates built form, design and development guidance within one control and removes the need to apply an overlay (i.e. DDO). The ACZ2 is consistent with the requirements of the ACZ parent provision that requires a framework plan for the activity centre and a statement of the activity centre land use and development objectives to be achieved. The objective of the ACZ seeks to encourage a mixture of uses and intensive development of the Activity Centre as a focus for business, shopping, working, housing, leisure, transport and community facilities and to support sustainable urban outcomes that maximise the use of infrastructure and public transport. The ACZ encourages and supports a mixture of uses to maximise the proximity of Morwell Train Station.

### *Rezoning MUZ1 to RGZ3 on the Activity Centre Zone Periphery*

- The amendment is required to rezone land on the periphery of the proposed ACZ2 from MUZ1 to RGZ3 to give effect to the built form and land use objectives of the MACP while recognising its location within the Morwell Transit City Boundary. As the majority of the existing land uses within the remaining MUZ1 are residential and sit within the Transit City boundary, the RGZ3 is the most appropriate zone as the zone promotes housing intensification in locations close to jobs, services and facilities serviced by public transport including activity centres and provides a transition between the intensive activity centre and other residential areas as outlined in Planning Practice Note 91.

See Appendix Table 1 for a list of affected properties and the proposed changes.

### *Residential Zoning Corrections*

The amendment is required to correct zoning which applies along Princess Drive and Davey Street (Morwell West) to reflect the correct schedule and to identify the location of sites within the Transit City boundary of Morwell. These changes are appropriate as they improve the operation of the planning scheme by aligning residential zones with the broader precinct or directly abutting zone.

See Appendix Table 2 for a list of affected properties and the proposed changes.

### *Applying the Environmental Audit Overlay (EAO)*

The amendment is required to apply the EAO to several sites within which are identified as having high potential for contamination based on previous and currently known land uses. The EAO requires an environmental audit to be prepared prior to that land being used for a 'sensitive use', such as developing housing, building a primary school or an early childhood centre. The application of the EAO is considered appropriate for those sites as having a high potential for contamination in accordance with *Ministerial Direction 1 – Potentially Contaminated Land*.

### *Parking Overlay*

The amendment proposes to amend Clause 45.09 (Parking Overlay) (PO2) to implement additional parking objectives and improve the policy around design standards for car parking within the MAC. In addition, the parking overlay mapping has been adjusted to include all the proposed ACZ2 land and to remove the parking overlay from residentially zoned land.

See Appendix Table 3 for a list of affected properties and the proposed changes.

### *Operational provisions*

#### *Schedule to Clause 72.03 (What does this planning scheme consist of?)*

The Schedule to Clause 72.03 lists all the maps contained within the Latrobe Planning Scheme, the Schedule has been amended to reflect the changes proposed by the amendment.

### *Schedule to Clause 72.08 (Background documents)*

The Schedule to Clause 72.08 tables all the background documents which have informed the development of the Latrobe Planning Scheme. The Schedule has been amended to include the MACP and various background reports as background documents.

### *Schedule to Clause 74.01 (Application of zones, overlays and provisions)*

The Schedule to Clause 74.01 provides a general explanation of the controls on the use and development of land within the Latrobe Planning Scheme and the relationship between the MPS. The Schedule has been amended to include the application of the Activity Centre Zone to the MAC.

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

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

The amendment seeks to facilitate the rejuvenation and redevelopment of the MAC as an important sub-regional retail centre by providing further guidance on land use, built form and development, landscape and public realm and access and movement requirements;

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

The amendment seeks to facilitate improvements to the public realm and access to public transport increasing pedestrian permeability and passive surveillance within the activity centre by offering more diverse housing, shopping, employment and recreational opportunities.

(d) To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value;

The amendment seeks to enhance the significant landmarks and heritage areas within the MAC by identifying and increasing knowledge and access to them and by ensuring development respects the character of heritage buildings and providing transitional setbacks to ensure that there is little overshadowing.

(f) To facilitate development in accordance with the objectives set out in paragraphs (a), (b), (c), (d) and (e);

The amendment ensures that clear directions are set for each precinct allowing for a more efficient and fair process to facilitate development and achieve greater activity within the area.

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

By facilitating the development of the MAC as an important sub-regional retail centre, the amendment encourages the sustained growth of the area. In turn, this promotes job opportunities and greater economic activity as the economy of Latrobe City transitions away from coal based industries.

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

#### *Environment*

The amendment will give statutory effect to the MACP which considers Environmentally Sustainable Design objectives relating to new development. The amendment will assist in improving the built environment by ensuring integrated development that incorporates high quality design and energy efficiency in the MAC. It will also increase active transport by facilitating greater walkability and better public transport access reducing the reliance on automobiles.

A review of all land within the study area has been undertaken to attempt to identify potentially contaminated land based on current and previous land uses in accordance with Planning Practice Note 30: Potentially Contaminated Land. The Environmental Protection Agency (EPA) has been consulted and their views have been considered in finalising the Potential Land Contamination Report (Morwell Activity Centre Plan - Planning Context Report, Appendix 3, Latrobe City Council, 2022).

## *Social*

The amendment is expected to have a positive social impact by improving the range of commercial, employment and housing opportunities available in the centre. It promotes healthy lifestyle options and could reduce social isolation by increasing social interaction through increased foot traffic and increased public events/activities.

## *Economic*

The amendment will assist in promoting economic growth by stimulating private and public investment in Morwell, increasing competitiveness in the retail environment and providing a range of direct and indirect employment opportunities.

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

The land affected by the amendment is not affected by the Bushfire Management Overlay and is not located within a designated bushfire prone area. Therefore, the amendment is not required to address bushfire risk.

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

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

The amendment is consistent with *Ministerial Direction 11 - Strategic Assessment Guidelines* as outlined in this report.

The amendment is consistent with *Ministerial Direction 15 – the planning scheme amendment process* under section 12(2) of the Act.

The amendment is consistent with *Ministerial Direction No. 1 - Potentially Contaminated Land* and *Ministerial Direction 19 – The Preparation and Content of Amendments that may Significantly Impact the Environment, Amenity and Human Health*.

A Potentially Contaminated Land Report (Morwell Activity Centre Plan - Planning Context Report, Appendix 3, Latrobe City Council, 2022) has been prepared in accordance with Ministerial Direction 1 and 19. The EAO is proposed to be applied to sites identified by the report as having a medium to high potential for land contamination based on current and previous land uses.

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

The amendment directly supports the following Clauses of the State Planning Policy Framework:

#### Clause 11 (Settlement)

- Provides a planning framework for the MAC;
- Focuses investment and growth in Latrobe City (a regional city);
- Encourages development and investment opportunities along existing and planned transport infrastructure;
- Promotes and capitalise on opportunities for urban renewal and infill redevelopment;
- Ensures retail, office-based employment, community facilities and services are concentrated in central locations;
- Creates vibrant and prosperous town centres that are clearly defined and provide commercial service activities that respond to changing population and market conditions;
- Ensures effective planning and management of the land use and development of an area;

- Encourages the concentration of major retail, residential, commercial, administrative, entertainment and cultural developments into activity centres that are highly accessible to the community;
- Supports an activity centre with a focus for high-quality development, activity and living;
- Supports the role and function of the centre in the context of its classification, the policies for housing intensification, and development of the public transport network;
- Provides clear direction on preferred locations for investment;
- Encourages a diversity of housing types at higher densities in and around activity centres;
- Reduces the number of private motorised trips by concentrating activities that generate high numbers of (non-freight) trips in highly accessible activity centres;
- Improves access by walking, cycling and public transport to services and facilities;
- Supports the continued growth and diversification of activity centres to give communities access to a wide range of goods and services, provide local employment and support local economies;
- Encourages economic activity and business synergies; and
- Improves the social, economic and environmental performance and amenity of activity centres.

#### Clause 12 (Environmental and Landscape Values)

- Facilitates development that will house increased population growth within the MAC capitalises on opportunities for a larger population to live within a relatively small ecological footprint. In addition, by improving pedestrian permeability it will encourage greater physical activity reducing car usage; and
- Provides for greater connections to the existing parkland and facilitate greater walkability.

#### Clause 13 (Environmental Risk and Amenity)

The amendment supports the objective and strategies by:

- Ensures use or development of land is compatible with adjoining and nearby land uses and that any adverse off-site impacts are avoided or otherwise minimised through land use separation, siting, building design and operational measures; and
- Identifies risk of harm to the environment, human health, and amenity through the application of the EAO to potentially contaminated land.

#### Clause 15 (Built Environment and Heritage)

- Ensures that new land uses and development responds to the built form and prevailing town identity context of the centre;
- Ensures all land uses and development appropriately responds to its surrounding landscape and character, valued built form and cultural context;
- Protects places and sites with significant heritage, architectural, aesthetic, natural, scientific and cultural value;
- Facilitates functional, accessible, safe and diverse physical and social environments, through the appropriate location of use and development and through high quality buildings and urban design;
- Encourages built form that provides and enhances passive surveillance;
- Encourages all retail outlets to provide active street frontages, including low level signs to street frontages and minimising blank walls to street facades;

- Improves the visual appearance of key transport routes, main road approaches to urban centres, streets and town entrances through urban design and landscaping;
- Supports upgrades to degraded areas;
- Protects and enhancing heritage areas and significant landmarks; and
- Supports low energy forms of transport, such as walking and cycling, to promote healthy lifestyles and physical activity.

#### Clause 16 (Housing)

- Facilitates well located, integrated and diverse housing that meets the community needs. In particular higher density housing within the MAC that is well located in relation to jobs, services and public transport;
- Encourages medium and high-density housing typologies in and within 400 metres of the Primary Activity Centre of Morwell; and
- Encourages multi-level residential development in the form of low scale apartments, townhouses, shop tops and units.

#### Clause 17 (Economic Development)

- Protects and strengthening existing and planned employment areas;
- Encourages development that meets the community's needs for retail, entertainment, office and other commercial services;
- Provides an adequate supply of commercial land in appropriate locations;
- Ensures that the centre has opportunities for commercial, social, cultural and residential growth by providing a framework for the location and management of that growth within the centre;
- Facilitates tourism development, such as accommodation and hospitality, that supports visitation to Latrobe's events and attractions, including its industrial heritage; and
- Encourages commercial tourism development to locate within urban areas.

#### Clause 18 (Transport)

- Encourages and facilitating growth and development within the MAC which is well served by public transport;
- Improves walking and cycling networks to support use of the public transport system as well as to provide alternative, accessible, safe and comfortable transport modes, reducing related greenhouse gas emissions and supporting health and wellbeing;
- Advocates for better network-wide efficiency and coordinated operation;
- Ensures the appropriate number of car parking spaces having regard to the demand likely to be generated, the activities on the land and the nature of the locality;
- Promotes the efficient use of car parking spaces through the consolidation of car parking facilities;
- Ensures that car parking does not adversely affect the amenity of the locality; and
- Ensures that the design and location of car parking is of a high standard, creates a safe environment for users and enables easy and efficient use.

#### Clause 19 (Infrastructure)

- Encourages arts, cultural and entertainment facilities within the MAC and new facilities at locations well served by public transport;



- Identifies future gaps in social and cultural infrastructure and supporting their development within the MAC;
- Supports a network of public open spaces within the MAC and facilitating opportunities to enhance their use and accessibility;
- Supports the development of community facilities that are multi-functional;
- Supports recreation and community facilities that are compatible with the needs, character and socio-economic profile of the local area;
- Locates community centres close to schools, public transport, civic areas and parks; and
- Supports the creation of a network of public plazas and pocket parks within MAC.

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

The amendment directly supports the Vision of the Municipal Planning Strategy by:

- Supporting job creation and industry diversification to enable economic growth in Latrobe City.
- Improving the liveability and connectedness of Latrobe City.
- Providing a connected, engaged and safe community environment, which is improving the wellbeing of all Latrobe City citizens.
- Growing the civic pride of our municipality and solidify Latrobe City's image as a key regional city.

The amendment directly supports the strategic directions of the Municipal Planning Strategy by:

- Facilitating the development of the MAC as an important sub-regional retail centre which aims to ensure the long-term viability and sustainable growth of the area, creating greater economic activity and job opportunities as the economy of Latrobe City transitions away from coal-based industries.
- Supporting the development of a network of activity centres that satisfy a range of local and regional retail, entertainment, commercial, government and community service needs in accordance with the Latrobe City Retail Centre Hierarchy.
- Facilitating the growth and viability of Latrobe's Activity Centres.
- Creating vibrant, high quality, walkable, safe and active retail areas.
- Protecting places of heritage, cultural and social significance.
- Encouraging a substantial increase in housing density and diversity to maximise access to existing services, transport and infrastructure in Substantial Change Areas.
- Enabling the community to prosper from the transition to a low carbon future by supporting the diversification of employment opportunities.
- Facilitating the growth of service sector jobs targeting regional health services, tertiary education, retail, entertainment and government administration.
- Facilitating infrastructure that encourages alternative transport options including walking and bicycle transport options.
- Supporting a range of health, social and recreational facilities including the expansion of educational facilities.
- Supporting hubs of integrated community services.

- Encouraging community facilities to locate in or near activity centres and be accessible by public transport.
- Encouraging the provision of a connected open space network that extends from urban to rural areas and has both north-south and east-west linkages.
- Encouraging the development of linear parks, habitat corridors and linkages between key open spaces, community destinations and employment precincts to improve connectivity.

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

The amendment makes proper use of the Victoria Planning Provisions by introducing changes to the planning scheme which will give statutory effect to the MACP:

- The Activity Centre Zone (ACZ) has been developed to improve and simplify the planning of activity centres by avoiding the need for often complex layering of conventional zones and overlays. The ACZ provides a simpler planning structure in the centre, which has been tailored via the schedule to implement the preferred land use and built form outcomes for the activity centre. Additionally, the ACZ encourages a mixture of uses and the intensive development and delivery of a diversity of housing at higher densities to make optimum use of the facilities and services.

Correcting zone and overlays to ensure the planning scheme is orderly and fit for purpose. It also improves planning processes by removing controls that are redundant.

- Minimises duplication with other relevant legislation or planning scheme provisions by not including additional policy to support the objectives and guidelines for Precinct 5 of the MACP . It was determined that the vast majority of policy direction for Precinct 5 in relation to land use and development is contained within the current NRZ4 and RGZ3, recently applied through Amendment C105.

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

The EPA were provided with a copy of the Potentially Contaminated Land Report and provided feedback. The changes requested by the EPA have been integrated into the Potentially Contaminated Land Report. The EPA considered their advice sufficient for the amendment to proceed. Further consultation with EPA will be undertaken as part of the exhibition process.

Additionally, consultation has been undertaken with selected referral agencies/authorities in the preparation of the MACP and their comments have been incorporated in the documents. The views of agencies/authorities will be sought through exhibition of the amendment.

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

The amendment complies with the relevant requirements of the Transport Integration Act 2010 specifically Part 2, Division 2 - Integration of transport and land use by recognising the need to:

- Promote forms of transport which have the least impact on the natural environment and reduce the overall contribution of transport-related greenhouse gas emissions;
- Improve access and accommodation for coaches, buses and taxis;
- Provide car parking spaces for commuters;
- Upgrade facilities at the train and bus station;
- Provide safe and direct pedestrian access into, within and through the precinct; and
- Encourage the location of housing, employment and services in close proximity to a major rail and bus transport interchange.

## Resource and administrative costs

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

It is expected that the new planning scheme provisions will have a positive impact on the resource and administrative costs of the Latrobe City Council, in terms of greater clarity and simplicity of the proposed provisions for the MAC. Additionally, more streamlined permit requirements within the ACZ2 are likely to have positive impacts on the resource and administrative costs of the responsible authority.

- **Where you may inspect this amendment**

The amendment can be inspected free of charge at the Latrobe City Council website at:

[https://www.latrobe.vic.gov.au/Property/Development/Planning\\_Scheme\\_Amendments/Current\\_Planning\\_Scheme\\_Amendments](https://www.latrobe.vic.gov.au/Property/Development/Planning_Scheme_Amendments/Current_Planning_Scheme_Amendments)

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

The service centres of the planning authority Latrobe City Council located at:

- 141 Commercial Road, Morwell Vic 3840;
- 63 Elgin Street, Morwell Vic 3840 (Morwell Library);
- 34-38 Kay Street, Traralgon Vic 3844;
- 9-11 Philip Parade, Churchill Vic 3842; and
- 1-29 George Street, Moe Vic 3825.

The amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at [www.planning.vic.gov.au/public-inspection](http://www.planning.vic.gov.au/public-inspection).

## Submissions

Any person who may be affected by the amendment may make a submission to the planning authority. Submissions about the amendment must be received by **28 November 2022**.

A submission must be sent to:

Strategic Planning Department  
Latrobe City Council  
PO Box 264  
Morwell VIC 3840

or

Attention: Strategic Planning Department

[latrobe@latrobe.vic.giv.au](mailto:latrobe@latrobe.vic.giv.au)

**ATTACHMENT 1 - Mapping reference table**

<b>Location</b>	<b>Land /Area Affected</b>	<b>Mapping Reference</b>
Morwell Primary Activity Centre	Morwell Primary Activity Centre	Latrobe C137latr znMap75 Exhibition
Morwell Primary Activity Centre	Morwell Primary Activity Centre	Latrobe C137latr znMap76 Exhibition
Morwell Primary Activity Centre	Morwell Primary Activity Centre	Latrobe C137latr znMap80 Exhibition
Morwell Primary Activity Centre	Morwell Primary Activity Centre	Latrobe C137latr znMap81 Exhibition
Morwell Primary Activity Centre	23-25 Ann Street, 148-152 Commercial Road, 6-8, 137-139, 145-147, 157-159, 171, Princes Drive, Morwell.	Latrobe C137latr eaoMap75 Exhibition
Morwell Primary Activity Centre	220 Commercial Road, Morwell, 14, 77 and 134 George Street, Morwell, 199-201, 271-275, 229-233 Princes Drive, Morwell, 39-57 Church Street, Morwell, 54-60 and 122-125 Buckley Street, Morwell.	Latrobe C137latr eaoMap76 Exhibition
Morwell Primary Activity Centre	5, 7, 9, 11, 1-3/13, 15, 17 and 19 Maryvale Crescent, Morwell, 2-6 and 8 Latrobe Road, Morwell.	Latrobe C137latr poMap75 Exhibition
Morwell Primary Activity Centre	271-275 Princes Drive, Morwell and 258, 260-268 Commercial Road, Morwell, 14, 16, 18, 21, 23 Collins Street, Morwell, 50, 52, 54, 56 and rear of 65 Church Street, Morwell, 1-2/4 and 6-8 Victor Street, 5, 7, 9 and 11 James Street, 23, 25, 27 and 29 Hoyle Street, 5, 6, 7, 8, 9, 10 and 12 Hopetoun Avenue, Morwell	Latrobe C137latr poMap76 Exhibition
Morwell Primary Activity Centre	44-46 & 50-52 Elgin Street, Morwell.	Latrobe C137latr poMap80 Exhibition
Morwell Primary Activity Centre	258, 260-268 Commercial Road, Morwell, 1-2/81, 1-2/83 and 93-99 Elgin Street, Morwell.	Latrobe C137latr poMap81 Exhibition

**APPENDIX Table 1 - Rezoning MUZ1 to RGZ3 on the proposed Activity Centre Zone periphery**

Land Affected	Current Land Use	Current Zone	Proposed Zone	Mapping Reference	Impact of Change
2-6 and 8 Latrobe Road, Morwell	St Marys Anglican Church (Heritage Overlay HO65), Single Dwelling and Car Park	MUZ1	RGZ3	Latrobe C137latr znMap75 Exhibition	<ul style="list-style-type: none"> <li>• Art Gallery/Museum now a Section 2 Use.</li> <li>• Food &amp; drink premises (other than Convenience restaurant and Take Away food premises) now a Section 2 Use.</li> <li>• Office (other than Medical centre) now a Section 2 Use.</li> <li>• Shop (other than Adult sex product shop, Bottle shop and Convenience shop) now a Section 2 use.</li> <li>• Industry (other than Car wash) now prohibited.</li> <li>• Retail premises (other than Food and drink premises, Market, Plant nursery and Shop) now prohibited.</li> <li>• Warehouse (other than Store) now prohibited.</li> <li>• Amusement parlour, Animal training, Bottle shop, Cinema based entertainment facility, Domestic Animal boarding, Horse husbandry, Motor racing track, Nightclub, Saleyard and Transport terminal now Prohibited.</li> <li>• Parking Overlay Schedule 2 to be removed.</li> <li>• Rescode A3 &amp; B6 – Now includes a minimum street setback for new development now 3 metres – Porches, pergolas and verandahs that are less than 3.6m high and eaves may not encroach not more than 2.5m into the setback of this standard.</li> <li>• Rescode B13 – Now includes one canopy tree</li> </ul>
14 Collins Street, Morwell	Single Dwelling	MUZ1	RGZ3	Latrobe C137latr znMap76 Exhibition	
16 Collins Street, Morwell	Dwelling with Commercial Premises (vehicle canvas & upholstery)	MUZ1	RGZ3		
18 Collins Street, Morwell	Single Dwelling	MUZ1	RGZ3		
21 Collins Street, Morwell	Single Dwelling	MUZ1	RGZ3		
23 Collins Street, Morwell	Single Dwelling	MUZ1	RGZ3		
50 Church Street & 11 James Street, Morwell	St Andrews Presbyterian Church, Car Park & Hall (Heritage Overlay HO64)	MUZ1	RGZ3		
52 Church Street, Morwell	4 Residential Units	MUZ1	RGZ3		
54 Church Street, Morwell	Vacant land	MUZ1	RGZ3		
56 Church Street, Morwell	Single Dwelling	MUZ1	RGZ3		
1-2/4 Victor Street, Morwell	2 Dwellings	MUZ1	RGZ3		
6-8 Victor Street, Morwell	Light of Hidayah Mosque & Car Park	MUZ1	RGZ3		
5 James Street, Morwell	Single Dwelling	MUZ1	RGZ3		

7 James Street, Morwell	Single Dwelling	MUZ1	RGZ3	<p>per 25 square metres within the front setback garden area for new development.</p> <ul style="list-style-type: none"> <li>• Rescode A20 &amp; B32 – Now includes a 1.2m front fence height limit.</li> <li>• Now includes a 13.5 metre maximum building height above natural ground level.</li> </ul>
9 James Street, Morwell	Single Dwelling	MUZ1	RGZ3	
23, 25, 27 and 29 Hoyle Street, Morwell	Single Dwellings	MUZ1	RGZ3	
5 Hopetoun Avenue, Morwell	Dwelling converted to Office	MUZ1	RGZ3	
6-8 Hopetoun Avenue, Morwell	2 Dwellings (Dual Occupancy) currently being demolished	MUZ1	RGZ3	
7 Hopetoun Avenue, Morwell	3 Units converted to Medical Centre	MUZ1	RGZ3	
9 Hopetoun Avenue, Morwell	Dwelling converted to medical Centre	MUZ1	RGZ3	
10 Hopetoun Avenue, Morwell	Single Dwelling	MUZ1	RGZ3	
12 Hopetoun Avenue, Morwell	Single Dwelling	MUZ1	RGZ3	

**APPENDIX Table 2 - Residential Zoning Corrections**

Land Affected	Current Land Use	Current Zone	Proposed Zone	Mapping Reference	Impact of Change	Reason for Change
1-4/89 Princes Drive and	4 Residential Units	RGZ3	GRZ1	Latrobe C137latr znMap75 Exhibition	<ul style="list-style-type: none"> <li>Office (other than Medical centre) is now prohibited</li> <li>A permit is now required to construct or extend one dwelling on a lot between 300- 500m2</li> <li>A permit is now required to construct or extend a fence within 3 m of a street if the fence is associated with one dwelling on a lot less than 300m2 or is between 300-500m2 or the fence exceeds the maximum height specified in Clause 54.06-2.</li> <li>Reduces the maximum building height above natural ground level from 13.5m to 11m.</li> <li>Rescode A3 &amp; B6 – No longer requires a 3m minimum street setback for new development</li> <li>Rescode B13 – now</li> </ul>	Amendment C105latr which was completed in 2019 rezoned the land to RGZ3 however on further review the property technically sit outside the Transit City Boundary, therefor the property is proposed to be rezoned to GRZ1 (Incremental change - 5 minute neighbourhoods).
91, 93, 95 Princes Drive and 1A Davey Street, Morwell	Single Dwellings	RGZ3	GRZ1			

					<p>requires the addition of at least 50% planted or grassed landscape area within front setback.</p> <ul style="list-style-type: none"> <li>Rescode A10 &amp; B17 – Now requires a new building not on or within 200mm of one side boundary to be set back from that side boundary at least 1.5 metres plus 0.3 metres for every metre of height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.</li> </ul>	
97 & 99 Princes Drive, Morwell	Single Dwellings	RGZ1	GRZ1		<ul style="list-style-type: none"> <li>Office (other than Medical centre) is now prohibited.</li> <li>A permit is now required to construct or extend one dwelling on a lot between 300-500m<sup>2</sup>.</li> <li>A permit is now required to construct or extend a fence within 3 m of a street if the fence is associated with one dwelling on</li> </ul>	<p>Amendment C84latr completed in 2014 rezoned residential land within the transit city boundaries of the main towns to RGZ1 (Transit City Areas). 97 &amp; 99 Princess Drive were rezoned as part of Amendment C84latr however on further review the properties technically sit outside the Transit City Boundary, therefore the properties are proposed to be rezoned to GRZ1 (Incremental change - 5 minute</p>



					<p>a lot less than 300m<sup>2</sup> or is between 300-500m<sup>2</sup> or the fence exceeds the maximum height specified in Clause 54.06-2.</p> <ul style="list-style-type: none"> <li>• Reduces the maximum building height above natural ground level from 13.5m to 11m.</li> <li>• Rescode A3 &amp; B6 – No longer requires a minimum street setback of 3m no longer required.</li> <li>• Rescode B13- Now requires one canopy tree in front setback with no less than 50% planted or grassed landscape area.</li> <li>• Rescode A10 &amp; B17 – Now requires a new building not on or within 200mm of one side boundary should be set back from that side boundary at least 1.5 metres plus 0.3 metres for every metre of</li> </ul>	neighbourhoods).
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					height over 3.6 metres up to 6.9 metres, plus 1 metre for every metre of height over 6.9 metres.	
107, 109, 111, 113, 115, 117, 119 and 121 Princes Drive, Morwell	Single Dwellings	RGZ1	RGZ3		<ul style="list-style-type: none"> <li>• Is placed into the correct Schedule 3 allocated to the Morwell Transit City.</li> <li>• Reduces the maximum building height above natural ground level from 16.5m to 13.5m.</li> </ul>	Amendment C105latr which was completed in 2019 failed to rezone a portion of land within the Morwell Transit City boundary to the new Schedule 3 instead it was left in the old RGZ1 which was reallocated to Traralgon Transit City Precinct.
123 & 1/123 Princes Drive, Morwell	2 Dwellings	RGZ1	RGZ3			

**APPENDIX Table 3 - Parking Overlay (PO2) changes**

Land Affected	Current Land Use	Current Zone	Proposed Zone	Impact of Change	Reason for Change
44-46, Elgin Street, Morwell	Greek Orthodox Church (Heritage Overlay HO60)	NRZ4	NRZ4	<ul style="list-style-type: none"> <li>• Parking Overlay Schedule 2 to be removed.</li> <li>• A permit can no longer be granted to reduce (including to zero) the number of car parking spaces required.</li> <li>• Local car parking rates no longer apply and default back to car parking rates as per Clause 52.06-5.</li> </ul>	<p>Amendment C941atr and C991atr introduced the Parking Overlay to the Traralgon and Morwell Activity Centres in 2016.</p> <p>The Car parking Framework Review for Morwell and Traralgon August 2014 which informed the Amendments states at section 7.2 that the Parking Overlay was to incorporate all of the Commercial 1 Zone land (C1Z, B1Z, B2Z &amp; B5Z), Public Use Zone land (PUZ2 &amp; PUZ7) and Mixed Use Zone land (MUZ) to the south of the railway line, as well as the Mixed Use Zone land (MUZ) located on the north side of the railway line.</p> <p>The Morwell Activity Centre Parking Precinct as shown on Map 1 to the Schedule to Clause 45.09 (Morwell Activity Centre) does not include these properties. It is considered that the PO2 has been incorrectly applied to the land.</p>
50-52, Elgin Street, Morwell	Returned and Services League of Australia Morwell Branch	NRZ4	NRZ4		
1-2/81, 1-2/83 Elgin Street, Morwell,	4 Residential Units	NRZ4	NRZ4		
93-99 Elgin Street, Morwell,	Sacred Heart Primary School	NRZ4	NRZ4		
260-268 Commercial Road, Morwell	Sacred Heart Church, grounds and associated buildings.	NRZ4	NRZ4		
258 Commercial Road, Morwell	Church Car Park	NRZ4	NRZ4		
271-275 Princes Drive, Morwell	Service Station	RGZ3	RGZ3		
2-6 and 8 Latrobe Road, Morwell	St Marys Anglican Church (Heritage Overlay HO65), Single Dwelling and Car Park	MUZ1	RGZ3		

14 Collins Street, Morwell	Single Dwelling	MUZ1	RGZ3	longer considered to form part of the Morwell Activity Centre, therefore the application of the PO2 is no longer considered relevant.
16 Collins Street, Morwell	Commercial Premises (vehicle canvas & Upholstery) and Dwelling	MUZ1	RGZ3	
18 Collins Street, Morwell	Single Dwelling	MUZ1	RGZ3	
21 Collins Street, Morwell	Single Dwelling	MUZ1	RGZ3	
23 Collins Street, Morwell	Single Dwelling	MUZ1	RGZ3	
50 Church Street & 11 James Street, Morwell	Morwell St Andrews Presbyterian Church, Car Park & Hall (Heritage Overlay HO64)	MUZ1	RGZ3	
52 Church Street, Morwell	4 Residential Units	MUZ1	RGZ3	
54 Church Street, Morwell	Vacant land	MUZ1	RGZ3	
56 Church Street, Morwell	Single Dwelling	MUZ1	RGZ3	
1-2/4 Victor Street, Morwell	2 Dwellings	MUZ1	RGZ3	
6-8 Victor Street, Morwell	Light of Hidayah Mosque & Car Park	MUZ1	RGZ3	
5 James Street, Morwell	Single Dwelling	MUZ1	RGZ3	
7 James Street, Morwell	Single Dwelling	MUZ1	RGZ3	
9 James Street, Morwell	Single Dwelling	MUZ1	RGZ3	
23, 25, 27 and 29 Hoyle Street, Morwell	Single Dwellings	MUZ1	RGZ3	
5 Hopetoun Avenue, Morwell	Dwelling converted to Office	MUZ1	RGZ3	
6-8 Hopetoun Avenue, Morwell	2 Dwellings (Dual Occupancy) currently being	MUZ1	RGZ3	

	demolished				
7 Hopetoun Avenue, Morwell	3 Units converted to Medical Centre	MUZ1	RGZ3		
9 Hopetoun Avenue, Morwell	Dwelling converted to medical Centre	MUZ1	RGZ3		
10 Hopetoun Avenue, Morwell	Single Dwelling	MUZ1	RGZ3		
12 Hopetoun Avenue, Morwell	Single Dwelling	MUZ1	RGZ3		
Rear portion of 65 Church Street Morwell	GovHub Building	MUZ1	ACZ2	<ul style="list-style-type: none"> <li>• Parking Overlay Schedule 2 to be applied.</li> <li>• A permit can be granted to reduce (including to zero) the number of car parking spaces required.</li> <li>• Local car parking rates now apply.</li> </ul>	Amendment C1131art was completed in 2019 which rezoned land from Residential Growth Zone Schedule 1 – Transit Cites (RGZ1) to Mixed Use Zone Schedule 1 (MUZ1) to facilitate the development of the GovHub building. The additional land however was not included within the PO2 at the time. The amendment proposes to correct this to ensure appropriate provision of car parking spaces in the MAC.
5 Maryvale Crescent, Morwell	Single Dwelling	NRZ4	ACZ2		Property has been rezoned from Neighbourhood Residential Zone Schedule (NRZ4) to Activity Centre Zone Schedule 2 – Morwell Activity Centre (ACZ2).  To ensure appropriate provision of car parking spaces in the MAC to PO2 is proposed to be
7 Maryvale Crescent, Morwell	Motel	NRZ4	ACZ2		
9 Maryvale Crescent, Morwell	Single Dwelling	NRZ4	ACZ2		
11 Maryvale Crescent, Morwell	Single Dwelling	NRZ4	ACZ2		
1-3/13 Maryvale	3 Residential	NRZ4	ACZ2		

Crescent, Morwell	Units				applied.
15 Maryvale Crescent, Morwell	Single Dwelling	NRZ4	ACZ2		
17 Maryvale Crescent, Morwell	Single Dwelling	NRZ4	ACZ2		
19 Maryvale Crescent, Morwell	Single Dwelling	NRZ4	ACZ2		