

MONASH PLANNING SCHEME

AMENDMENT C170MONA

EXPLANATORY REPORT

Who is the planning authority?

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

The amendment has been made at the request of the Department of Health.

Land affected by the Amendment

The amendment applies to the Victorian Heart Hospital and surrounds as shown in the maps forming part of this amendment.

What the amendment does

The amendment:

- Applies Design and Development Overlays to the flight paths of Helicopter Emergency Medical Services (HEMS) helipads at the Victorian Heart Hospital.

More specifically, the amendment:

- Inserts new Schedule 17 and 18 to Clause 43.02 – Design and Development Overlay into the Monash Planning Scheme for land surrounding the Victorian Heart Hospital within the Monash Planning Scheme

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment is required to protect flight paths used by HEMS operations from encroachment by future development that could prejudice the safety or efficiency of the helipad at the Victorian Heart Hospital.

Flight path protection for HEMS operations is crucial for the delivery of trauma services to the most critically ill and injured patients across Metropolitan Melbourne and the State of Victoria.

Controls on new buildings and works within the flight paths are essential to protect the long term viability of the helipad and associated flight paths. Without such protection uncontrolled development in the vicinity of the helipad could jeopardise its safety and efficiency, and could potentially result in closure of the helipad to the detriment of Victoria's emergency medical system.

The amendment ensures that proposed developments that exceed the heights specified in the Design and Development Overlays are referred to the Department of Health so it can

assess whether a proposal affects the operational airspace and safety of helicopter operations.

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

The amendment provides for the fair, orderly, economic and sustainable use and development of land as it facilitates the protection of the flight paths used by HEMS helicopters to enable the continuation of this vital health service to Victorians.

The amendment will ensure the ongoing safety and viability of the Victorian air ambulance network thereby protecting public utilities and other assets and enabling the orderly provision and coordination of public utilities and other facilities for the benefit of the community.

The amendment seeks to balance the present and future interests of all Victorians by ensuring the on-going timely, safe and efficient operation of the Victorian air ambulance network.

In the absence of such protection, inappropriate or uncontrolled development in the vicinity of a helipad could put at risk the safety and efficiency of helipads and could potentially result in the closure of a helipad to the detriment of Victoria's emergency medical services.

The amendment is being assessed by the Minister for Planning as opposed to the local council because the protection of flight paths to hospital helipads is of State/Regional significance and a major issue of public interest. For this reason, an exemption from the notification requirements of the *Planning & Environment Act* is appropriate under section 20(4) of the Act.

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

The amendment seeks to protect existing and planned helipad facilities at hospitals. The amendment does not seek to create new heliport facilities where broader environmental, social and economic effects may need to be considered.

The application of the planning controls will not have any environmental effects.

The protection of the flight paths will have significant social benefits through the protection of human health and safety.

The protection of flight paths will support the economic viability of hospitals as it will avoid expensive retrofitting solutions to relocate helipads in the future.

Does the Amendment address relevant bushfire risk?

The amendment does not affect bushfire risk.

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

Ministerial Direction - The Form and Content of Planning Schemes

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

Direction No. 9 Metropolitan Strategy

The amendment is consistent with *Direction No. 9 Metropolitan Strategy* including Principle 7 of Plan Melbourne 2017 - 2050, "Strong and healthy communities".

Direction No. 11 Strategic Assessment of Amendments

The amendment has been prepared having regard to *Direction No. 11 Strategic Assessment of Amendments and Planning Practice Note 46: Strategic Assessment Guidelines for Planning Scheme Amendments*.

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

The amendment is consistent with Clause 11 Settlement by protecting community access to health infrastructure.

The amendment is consistent with Clause 19.02-1S Health facilities as it assists the integration of the health facility with the local community.

Helipads, like 'airfields', are aviation assets that require protection of flight paths/access to the helipad from inappropriate development to ensure the safe and ongoing operation of HEMS. The amendment is consistent with the approach taken by Clause 18.04-1S of the Planning Policy Framework which relates to planning for airfields.

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

The amendment and associated HEMS operations are not contrary to any existing local policies.

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

The amendment makes use of the most appropriate Victorian Planning Provision tool to achieve the desired built forms assessment and is consistent with the approach utilised under Amendment GC49 which introduced similar Design and Development Overlays to protect flight paths used by HEMS operations.

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

The following agencies were consulted, with virtual briefing sessions held in May and June 2021:

- Department of Environment, Land, Water and Planning
- Monash City Council
- Monash University
- Suburban Rail Loop Authority
- Commonwealth Scientific and Industrial Research Organisation (CSIRO)

Briefings were offered to Telstra and the Victorian Planning Authority, however these were not taken up.

Where practicable, the views of the consulted agencies were taken into account during the preparation of the amendment.

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

The requirements of the *Transport Integration Act 2010* do not affect this amendment.

Resource and administrative costs

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

The amendment will result in an increase in the number of planning permit applications received by councils due to the new provisions within their planning schemes. Any extra applications that are generated are considered to be warranted in the interest of protecting the hospital helicopter flight paths.

Where you may inspect this Amendment

The amendment can be inspected free of charge at the [Monash City Council website](https://www.monash.vic.gov.au) at <<https://www.monash.vic.gov.au>>

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

Monash Municipal Offices
293 Springvale Road
Glen Waverly VIC 3150

The amendment can also be inspected free of charge at:

- the [Department of Environment, Land, Water and Planning website](https://www.planning.vic.gov.au/schemes-and-amendments/browse-amendments) at <<https://www.planning.vic.gov.au/schemes-and-amendments/browse-amendments>>
- the [Victorian Health Building Authority website](https://www.vhba.vic.gov.au/event/webinar-protecting-victorian-heart-hospital-helipad-flight-paths) at <<https://www.vhba.vic.gov.au/event/webinar-protecting-victorian-heart-hospital-helipad-flight-paths>>

Submissions

Any person who may be affected by the amendment make a submission to the planning authority. Submissions about the amendment must be received by 15 August 2022.

A submission must be sent to:

Email: vhba.psafeedback@health.vic.gov.au – include subject line ‘Amendment C170mona’

Post:
Executive Director High Value High Risk
Victorian Health Building Authority
Level 9, 35 Collins Street
Melbourne, Victoria, 3000

ATTACHMENT A - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Monash	Land bounded by the provided map.	