

Planning and Environment Act 1987

WHITTLESEA PLANNING SCHEME

AMENDMENT C183

EXPLANATORY REPORT

v03 01/09/2015

Who is the planning authority?

This amendment has been prepared by the Growth Areas Authority (now known as the Metropolitan Planning Authority), who is the planning authority for this amendment.

The amendment has been made at the request of the Metropolitan Planning Authority (the MPA) and Whittlesea City Council.

Land affected by the amendment

The amendment applies to land included in the English Street PSP area and comprises approximately 143 hectares as shown in Map 1 below. The PSP is bound by Donnybrook Road to the north, the Melbourne-Sydney rail corridor to the east and Merri Creek to the south and west.

Map 1- Land affected by the amendment



What the amendment does

The amendment inserts two new incorporated documents titled *English Street Precinct Structure Plan* and *English Street Development Contributions Plan* into the Whittlesea Planning Scheme and rezones the land to Urban Growth Zone Schedule 4 to facilitate the development of the land. The amendment also removes the Environmental Significance Overlay Schedule 3 (ESO3) from the amendment area and applies a Public Acquisition Overlay (PAO2) to facilitate the widening of Donnybrook Road.

Specifically the amendment:

- Incorporates two new documents into the planning scheme by listing them in the Schedule to Clause 81.01:
 - English Street Precinct Structure Plan, April 2015
 - English Street Development Contributions Plan, April 2015
- Inserts Schedule 4 to the Urban Growth Zone (UGZ4) to the Whittlesea Planning Scheme and applies UGZ4 to part of the amendment area. The schedule sets out the land use and development controls for the precinct and requires land use and development within the amendment area to be generally in accordance with the English Street PSP;
- Rezones land identified as Growling Grass Frog Conservation Area 34 in the *Biodiversity Conservation Strategy* along the Merri Creek from Farming Zone (FZ) to Rural Conservation Zone (RCZ1);
- Inserts a new Schedule 1 to the Rural Conservation Zone;
- Inserts Schedule 10 to the Incorporated Plan Overlay (IPO10) to the Whittlesea Planning Scheme and applies IPO10 to land zoned RCZ1 which is identified as Conservation Area 34 in the Biodiversity Conservation Strategy along the Merri Creek
- Inserts Schedule 15 to the Development Contributions Plan Overlay (DCPO15) in the Whittlesea Planning Scheme and applies the DCPO15 to land within the amendment area, to provide for development contributions for transport and community infrastructure;
- Applies Public Acquisition Overlay (PAO2) to land south of Donnybrook Road to allow for the widening and construction of the ultimate carriageway and intersections for Donnybrook Road;
- Removes the Environmental Significance Overlay Schedule 3 (ESO3) from the amendment area. The overlay is no longer required as the incorporated English Street PSP designates areas of environmental significance in the Merri Creek;
- Amends the area affected by ESO4 to align with the RCZ1;
- Remove the exemption for non-native vegetation removal in Schedule 4 to the ESO;
- Amends the Land Subject to Inundation Overlay (LSIO) to reflect updated mapping provided by Melbourne Water;
- Removes the Rural Flood Overlay (RFO) from the amendment area as this provision is no longer required and is adequately dealt with via the LSIO and PSP provisions;
- Amends the Schedule to Clause 52.01 to provide for public open space contributions for land in the English Street PSP area when land is subdivided; and
- Amends the Schedule to Clause 52.17 to identify vegetation that can be removed without the need for a planning permit.

Strategic assessment of the amendment

Why is the amendment required?

Commented [MPA1]: MPA 01/09/2015-1 – Change proposed a result of discussions with DELWP in relation to resolution of the zoning of Laffan Reserve. The need to retain a permit trigger on non-native vegetation has prompted the retention and amendment of ESO4. See also below.

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Commented [MPA6]: MPA 01/09/2015-2 – Change proposed a result of discussions with DELWP in relation to resolution of the zoning of Laffan Reserve. The need to retain a permit trigger on non-native vegetation to conform with the requirements of the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors* (DEPI, June 2013) has prompted the retention and amendment of ESO4. See also below.

The amendment introduces planning provisions to implement the State Planning Policy Framework with regard to the growth of Melbourne by facilitating new urban development and associated infrastructure provision and conservation & open space outcomes.

The amendment incorporates the English Street Precinct Structure Plan (PSP) and the English Street Development Contributions Plan (DCP) into the Whittlesea Planning Scheme and introduces the statutory tools to allow for the urban development of the precinct in accordance with State Planning Policy Framework. The Precinct Structure Plan will yield approximately 1,100 lots and have a future population estimated at 3,000 people and provide for approximately 700 local jobs.

The North Growth Corridor Plan identifies land within the PSP area as 'urban – land use to be determined' and 'biodiversity values'. The amendment will implement these land use designations and ensure the area develops in an integrated way, the amendment provides an overall structure for the area providing certainty in the development decisions and clarity as to the cost and location of services.

The amendment complements, and in some cases replaces, existing provisions of the scheme. In particular the amendment streamlines and integrates processes for native vegetation management, infrastructure provision and housing diversity on smaller lots.

The amendment does not duplicate any management provisions for land use and development in other acts or regulations.

The amendment is also required to apply a development contributions plan over the English Street Precinct that levies development and community infrastructure contributions.

The amendment is required to provide a transparent method for new development to assist the local community in meeting the cost of new shared development and community infrastructure in the area. The amendment will provide additional clarity to the development investment community on the costs of urban development in the area.

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

The amendment will facilitate residential and commercial development by introducing planning provisions that apply fairly and transparently to all affected landowners. The amendment facilitates this development in a location where existing services and infrastructure can be easily expanded.

Proposed planning provisions will protect and conserve the natural, cultural and scientific assets contained within the Merri Creek corridor and its tributaries.

The amendment will facilitate the development of land within the Urban Growth Boundary of Metropolitan Melbourne and will provide for the efficient and sustainable servicing of the land.

The amendment implements the objectives of planning in Victoria under Section 4 of the *Planning and Environment Act 1987* through a Precinct Structure Plan, Development Contributions Plan and associated statutory tools that have been prepared to facilitate development that:

- *Provides for the fair, orderly, economic and sustainable use of land identified for urban purposes through a logical and practical urban structure;*

The amendment will facilitate the development of new homes, jobs and services for the residential existing and the future community. The amendment will facilitate a residential development in close proximity to the existing Donnybrook Railway Station providing housing near public transport. The amendment will also seek to provide for 700 local jobs within the PSP area.

Proposed planning provisions will protect and conserve the natural assets within the Merri Creek corridor including the Growling Grass Frog habitat.

The amendment applies consistent controls across the precinct for residential and commercial development and proportionally levies development for development and community infrastructure to ensure the fair and equitable provision of works, services and facilities are provided.

- *provide for the protection of natural and man-made resources and the maintenance of ecological processes and genetic diversity*

Development in the area will contribute funds towards maintenance of threatened ecological processes in line with Victoria's obligations set out in the endorsed program report for Melbourne Growth Corridors under the *Environment Protection and Biodiversity Act 1999*. A Growling Grass Frog Conservation Area (Conservation Area 34) applies to the Merri Creek for the purposes of protecting and enhancing the Growing Grass Frog population in Victoria.

The PSP provides for appropriate buffers and cross sections to ensure the habitat can be maintained and protected for the future.

- *secures a pleasant, efficient and safe working, living and recreational environment for new and existing residents and visitors to Victoria:*

The amendment supports the upgrade to the existing and future arterial road network to accommodate the proposed development within the PSP. The PSP outlines an integrated road network that ensures connectivity throughout the neighbourhoods. The amendment provides a high level of amenity and access to sporting and passive recreation areas.

- *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*

A desktop cultural heritage assessment has not prepared for the precinct. The MPA has undertaken a Cultural Heritage Impact Assessment along Merri Creek to establish high valued aboriginal cultural areas and the preferred location for the future bridge crossing from the English Street PSP area and the Craigieburn North Employment Area PSP. This report has been made available to the public by way of a background report. The report has also been endorsed by the Registered Aboriginal Party (RAP), the Wurundjeri tribe. A further Cultural Heritage Management Plan (CHMP) will need to be prepared for the proposed bridge works across the Merri Creek as well as any other future planning permit applications for subdivision within the precinct, in accordance with the *Aboriginal Heritage Act 2006*.

- *Protects public utilities and other assets and enables the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community.*

Land will be set aside for the proposed road network, including a local arterial road (English St) and infrastructure such as a bridge connecting the future community to the west (Craigieburn North Employment Area) as well as key intersections crossing Donnybrook Road, connecting the community to the north (Lockiebie Precinct).

The urban structure will take advantage of available capacity in existing public utilities and has been prepared in line with the Integrated Water Management Plan. All households will be connected to sewer, potable water, gas and telecommunications.

- *to facilitate development in accordance with the above objectives*

The primary goal of the amendment is to facilitate development in accordance with the objectives noted above. The amendment will provide a net community benefit in the context of the objectives listed at Section 4 of the Act which reflect the objectives set out in the Growth Areas Authority's Precinct Structure Planning Guidelines.

The amendment allows for further urban development in Melbourne that will improve the supply of housing in the short to medium term, provide for a robust neighbourhood structure and leave a legacy of funded local infrastructure projects.

- *Balances the present and future interests of all Victorians by planning a new urban area of high amenity, with good access to services and recreation facilities.*

The amendment achieves this objective by facilitating the development of a diverse range of housing in a high amenity environment with good access to services and employment for existing and future generations.

The PSP identifies land within the precinct for arterial road upgrades, sports facility upgrades (to Laffan Reserve) and the provision of utilities. The new community contributes to the cost of this new infrastructure in line with the new community's use of them. By doing so the benefits of the infrastructure can be up front alleviating the need for costly public spending in the future to 'reclaim' privately developed land for public purposes.

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

Environmental Effects

The Biodiversity Conservation Strategy, 2013 and the objectives of the English Street PSP will provide strategic protection and a clear framework for the management of native vegetation and Growling Grass Frog habitat through the combination of retention and enhancement works. The PSP contains Conservation Area 34 as per the Biodiversity Conservation Strategy which seeks to protect the habitat of the nationally listed Growling Grass Frog.

The Rural Flooding Overlay (RFO) is being removed from the amendment area and a revision made to the LSIO at the request of Melbourne Water due to revised 1 in 100 year flood data.

Land is set aside in the PSP area to cater for retardation of water in heavy storms to avoid flooding. Water will be treated to be a quality fit for return to the natural watercourses and appropriate for the habitat of the Growling Grass Frog.

The PSP area is currently within a designated Bushfire Prone Area, until the land is developed to a more urban environment the management of bushfire risk will be required.

Aurecon was commissioned by the MPA to undertake an assessment of any potential sources of contamination within the precinct. The purpose of the study was to assess the suitability of land for the development of industrial sensitive uses. All land within the PSP area was identified as either identified as 'medium' or 'low' risk.

A full list of the identified risks and affected properties can be found within the report.

Development proponents will be required to undertake their own risk assessments or environmental audits and any associated remediation.

Despite identifying potential sources of minor contamination, Aurecon concluded with appropriate assessment and remediation, contamination should not be a constraint to the future development of sensitive uses.

In addition to the above the amendment provides for an urban structure that will encourage positive environmental effects by:

- Providing options for alternative modes of transport via walking, cycling and nearby bus links, therefore reducing carbon emissions;
- Supporting a subdivision layout with appropriate solar orientation to reduce reliance on fossil fuels for heating, cooling and lighting;
- Promoting the conservation, reuse and recycling of water through the use of Class A recycled water; and

Social and Economic Effects

There remains significant demand for new housing in this part of Melbourne. Provision for new residential land supply will improve affordability and choice for homebuyers and investors.

Provision of the a potential community facility and potential local convenience centre with associated commercial land will add to the variety of tenancies and locations available to new local businesses and expanding existing local businesses. The PSP will provide for 700 jobs creating increased opportunity local jobs for the new existing and new community.

The Local Convenience Centre has been designed and located to maximise pedestrian and cyclist access and the use of public transportation which will assist residents in maintaining a healthy lifestyle and provide them with a range of non private vehicle transport options.

Further, opportunities for recreation and the development of social groups will emerge as a result of the provision of a potential new community facility which will be located in proximity to Merri Creek and its natural environs.

Providing for new population growth in the northern growth corridor will add to the economic well-being of the community. Increases in demand for goods and services will translate into more local jobs and economic activity.

New public and private sector investment will be significantly boosted in the immediate and surrounding areas.

In addition to the above, the amendment is expected to have positive social and economic effects through urban development including:

- Providing future residents with a high amenity neighbourhood with recreation facilities such as the Laffan Reserve, playing fields, shared paths and dedicated bicycle lanes;
- Housing diversity that will cater for different household sizes and types;
- The generation of employment in the construction industry;
- Increased employment opportunities (approximately 700 jobs) for the future population of English Street PSP through the identified future employment areas in the neighbouring Craigieburn North PSP.

Does the amendment address relevant bushfire risk?

The precinct is a designated Bushfire Prone Area under Regulation 810 of the *Building Regulations 2006*. As such, all buildings must be constructed to a bushfire attack level of at least 12.5 in accordance with Regulation 811 of the *Building Regulations 2006*. The Department of Transport, Planning and Local Infrastructure advises that this addresses requirements in relation to bushfire protection.

The Country Fire Authority will be consulted during the preparation of precinct structure plan and amendment documents.

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

The amendment complies with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

The amendment also complies with the following relevant Ministerial Directions:

Direction No. 1 Potentially Contaminated Land

Ministerial Direction No. 1 does not strictly apply to most of the land affected by the amendment as the amendment is proposing to rezone land that has typically been used for various agricultural uses rather than industrial uses.

A precautionary desktop environment site assessment has been carried out for all of the land whether or not it meets the definition of 'potentially contaminated land'. The assessment identified areas subject to historical localised land uses that are potentially subject to contamination. A total of 10 properties are within the precinct area. All properties were identified at either a 'medium' or 'low' risk. The properties were identified to contain a history of residential, farming, small scale agriculture uses as well as dirt racetracks. No properties were identified as a high contamination risk.

The amendment (via the UGZ schedule) requires further investigation, assessment and remediation of all land within the precinct prior to use for sensitive land uses (e.g. housing, junior schools and child care) for those uses identified as a 'medium risk'.

Direction No 9 - Metropolitan Strategy

Direction 9 has been considered in preparing this amendment and the amendment complies with this direction. The amendment will facilitate the development of land within the urban growth boundary of Metropolitan Melbourne. The implementation of the PSP will facilitate the

future development of the land in an efficient and sustainable manner, so that community services and physical infrastructure are available from early in the life of the new community.

- *Initiative 2.1.1 Apply the reformed residential zones*

The English Street PSP will apply the Residential Growth Zone, which will allow for a range of densities and housing types. The Small Lot Housing Code set out in the UGZ4 Schedule will simplify the approval process for lots less than 300 sqm.

- *Initiative 2.1.4 Develop more diverse housing in growth areas*

The PSP requires subdivision to provide a range of lot sizes capable of accommodating a wide range of housing types. The PSP itself will be the tool to encourage diversity in housing in areas of high amenity (i.e.: close to Donnybrook railway station and Merri Creek). The UGZ4 Schedule facilitates the use of the Small Lot Housing Code encouraging the delivery of smaller lots in prompt time frames.

- *Initiative 2.2.3 Deliver housing close to jobs and transport*

The PSP will generate approximately 700 future local jobs and housing in close proximity to the Donnybrook railway station. The proposed road network will be capable of accommodating a bus network which will provide further transport options north and south of the precinct.

- *Initiative 3.3.1 Improve roads in growth areas and outer suburbs*

A new transport network will be delivered through this amendment, including the funding for the purchase of the future road reserve and construction of the first carriageway and upgrading of intersections. The application of the PAO2 to part of the precinct south of Donnybrook Road will ensure the future widening of Donnybrook Road will be facilitated when required. The English Street DCP will help fund part of these new roads.

- *Initiative 4.3.1 Implement design guidelines to promote walking and cycling neighbourhoods for healthy living*

The amendment requires new development to deliver a planned pedestrian and cycle network, therefore encouraging health and wellbeing in the future community. The PSP seeks to deliver a shared path along Merri Creek and provides for off-road shared paths as well as a pedestrian bridge linking to the Laffan Reserve sports fields in the adjacent Craigieburn North precinct.

- *Initiative 4.5.2 Provide new neighbourhood parks and open space*

Merri Creek is located along the western and southern boundary of the PSP and Laffan Reserve (located in the adjacent Craigieburn North PSP) will be available to the future community of English Street PSP and the wider community. The PSP also identifies a mixture of passive open space areas throughout the precinct, ensuring a variety of recreational opportunities are available for the future community.

- *Initiative 5.2.1 Increase the protection and restoration of biodiversity areas*

Growling Grass Frog Habitat (Category 1) will be protected through expanding the existing Rural Conservation Zone (RCZ) and applying an Incorporated Plan Overlay Schedule 10 (IPO10) to the land. The Growling Grass Frog is a nationally threatened species that is protected and managed through the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*. The *Biodiversity Conservation Strategy for Melbourne's Growth Corridors, June 2013* identified Merri Creek and its surrounds as designated Conservation Area 34.

- *Initiative 5.2.2 Protect the values of our waterways*

An appropriate drainage scheme will be implemented for the precinct to divert stormwater to natural wetlands and retarding basins. Water Sensitive Urban Design (WSUD) measures within developments will ensure storm water itself is treated to a quality fit for return to the natural watercourse. The MPA and Melbourne Water are continuing to resolve the proposed drainage scheme for the PSP area with the developer and council.

The construction of wetlands and retarding basins for the Growling Grass Frog will assist in improving the water quality of the area and control water flows back into the Merri Creek.

The amendment will identify land along Merri Creek as an area for long term conservation. It will also prevent developable land being located in areas prone to flood.

Direction No. 11 - Strategic Assessment of Amendments

This direction seeks to ensure a comprehensive strategic evaluation of a planning scheme amendment. This explanatory report addresses the requirements outlined in this direction.

Direction No. 12 - Urban Growth Areas

Part 6 of Ministerial Direction 12 requires that when preparing an amendment to introduce or change provisions in a schedule to the UGZ, a planning authority must evaluate and include in the explanatory report a discussion about:

- *How the amendment implements any Growth Area Framework Plan applying to the land*

The *North Growth Corridor Plan* applies to the land and identifies the English Street PSP area predominantly for 'Urban Land Use – to be determined'. At the time of preparing the growth corridor plans for Melbourne the surrounding site constraints of environmental values and potential public utility facilities resulted in further investigation work being required for the future land use. During the PSP process, it has been determined that the land would be appropriate for a mixed residential and employment area.

The North Growth Corridor Plan also designates land along Merri Creek along the southern and western edge of the PSP as containing 'Biodiversity Values'. This is consistent with the *Biodiversity Conservation Strategy for Melbourne's Growth Corridors*, June 2012.

The PSP and amendment are generally consistent with the North Growth Corridor Plan in setting aside land for environmental values and designating the remaining land as residential and commercial within the PSP area.

- *How does the amendment accord with the Precinct Structure Planning Guidelines (October 2009)?*

- Objective one: To establish a sense of place and community

The precinct will have a strong sense of place based on the natural elements of the Merri Creek corridor to the southern and western boundaries of the PSP.

Given the relatively small population of the English Street PSP area the precinct will deliver a potential local convenience centre, community facility and local jobs creating a self contained residential precinct.

Funding will be allocated via the DCP for the upgrade of the Laffan Reserve within the Craigieburn North PSP. The surrounding network of local town centres and education facilities nominated in the incorporated Lockerbie PSP (north of the precinct) and Merrifield PSP (west of the PPS) have sufficient capacity to support the projected population within English Street.

- Objective two: To create greater housing choice, diversity and affordable places to live

The amendment applies the Residential Growth Zone. The PSP will seek a delivery of range of housing options at a variety of densities within the precinct, with higher densities considered appropriate near the existing rail corridor and along the Merri Creek.

The Small Lot Housing Code (SLHC) removes the need of a planning permit for lots less than 300 square metres, subject to compliance with the SLHC. This is expected to encourage an increased provision of small lots and streamline the provision of new housing.

- Objective three: To create highly accessible and vibrant activity centres

The PSP does not nominate any local town centres. As previously noted, the projected population of the precinct does not provide sufficient demand to support a local town centre.

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Surrounding centres nominated in the incorporated Lockerbie PSP and the Merrifield major town centre are close to the English Street Precinct and will support the needs of future residents. A potential Local Convenience Centre is proposed in the precinct to provide local and essential services for the new community.

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- o Objective four: To provide for local employment and business activity

The north-east portion of the PSP area is designated for future commercial use in the PSP. Significant employment areas are located west of the precinct in the Merrifield Employment area and the future Craigieburn North Employment Area. In addition to home based occupations, surrounding local town centres and schools will be the employment generators in proximity to the precinct. The PSP anticipates creating approximately 700 jobs in the precinct.

- o Objective five: To provide better transport choices

The road and path network within the precinct has been planned to integrate with the existing and future transport network in the surrounding area. The Hume Highway and proposed Outer Metropolitan Ring Road provide excellent car access to metropolitan Melbourne and Regional Victoria. The existing Donnybrook Railway Station is within a short distance to the north.

The road network will deliver off-road shared paths to allow the community to cycle and walk to key destinations in the precinct and an opportunity to utilise sustainable transport modes.

Local bus services can be accommodated on the key north-south secondary arterial road as well as the east-west local road network.

- o Objective six: To respond to climate change and increased environmental sustainability

The precinct has been planned with the potential for future road networks to provide bus capable networks as well as on-road and off-road cycle networks, providing alternative and sustainable transport options for future employees.

The amendment sets aside significant amounts of land for the conservation of the Growing Grass Frog corridor along the Merri Creek in accordance with the Biodiversity Conservation Strategy. The conservation area protects almost all of the scattered trees within the precinct.

- o Objective seven: To deliver accessible, integrated adaptable community infrastructure

The PSP and DCP provide for upgraded sports fields including a pavilion at the Laffan Reserve, which is to be accessed via a pedestrian bridge linking to the English Street precinct. The PSP will include a Local Convenience Centre which will establish important services and facilities for future residents and employees.

- *How the provisions give effect to the intended outcomes of the precinct structure plan*

Most provisions in the incorporated document and associated ordinance are designed to be implemented at the subdivision development stage. At this point requirements and guidelines are either designed into subdivision plans (e.g. spatial outcomes), implemented through permit conditions (e.g. development and biodiversity contributions), implemented through referral authority agreements (e.g. essential services) or required to be applied as restrictions on title (e.g. bushfire protection, small lot housing code).

This provides for a single permission after approval of the PSP which is central to providing certainty and clarity and timeliness in the planning process. Additionally, flexible applied zones that follow the pattern of development rather than lead it allow flexibility when the PSP is followed through in the detail of subdivision and land use layouts.

The reformed Residential Growth Zone will be applied to the precinct facilitating residential and associated land uses in a manner similar to existing growth area precincts. The PSP remains the guiding document for neighbourhood development. The Commercial 1 Zone will allow for the development of employment and residential activities and is complemented

by floor space controls which limit retail activity to a scale appropriate to the provision of convenience retailing to serve the English Street residential and employment community.

- *How a translation of the provisions can be achieved, once development anticipated by the precinct structure plan is substantially complete.*

As discussed above, most outcomes will be delivered through subdivision permits prior to translation of the PSP to standard provisions. Subdivision permits will implement most of the non-standard provisions.

An assessment of how development has proceeded and where public land uses have been established closer to the time of translation will provide a better guide to where zone boundaries should be settled.

Other than the UGZ, standard provisions are used to implement the plan including open space contributions through Clause 52.01 and Development Contributions through Schedule 15 to Clause 45.06. These will stay in place until all relevant contributions are collected.

All elements of the PSP guidelines are used in the PSP to set out the relevant standards and controls for achieving the PSP guideline objectives.

S46m(1) - Direction on Development Contributions Plan

This direction seeks to direct planning authorities in relation to the preparation and content of a Development Contributions Plan. The English Street DCP has been prepared in accordance with the intent and provisions of this direction. The DCP sets out approximately \$34 million of local infrastructure works for the precinct.

The development contribution rates as per the net developable hectare at September 2014 are approximately \$244,000 for residential land and \$172,000 for commercial land.

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

The amendment represents an integrated decision making process that balances the conflicting objectives of the relevant State planning policies as follows:

- Clauses 11.01 Activity centres, 11.02 Urban growth, 11.03 Open space - The amendment incorporates a precinct structure plan. These plans set out an orderly structure for development of the precinct including bringing zoned land supply to the market, providing land with good proximity to existing and planned amenities and services, and infrastructure.
- Clause 12.01 Biodiversity - Offsets for vegetation removal and habitat areas for nationally and state significant species will be provided in accordance with the Biodiversity Conservation Strategy. The amendment reinforces existing protection of land for the ongoing conservation and enhancement of the Merri Creek corridor as a significant existing natural asset
- Clause 16.01 Integrated housing - Housing in the precinct will be fully serviced. New residents will have access to existing services and employment opportunities in the community in adjacent developed neighbourhoods and through provision of new infrastructure in the precinct. The precinct structure plan sets out a range of housing densities that can be accommodated in the precinct.
- Clause 17.01 Commercial - The amendment provides for a local convenience centre for the catchment within the PSP as well as designates land for commercial use, generating approximately 700 local jobs. The precinct is well located to the existing Kalkallo township providing access to key services, as well being in close proximity to the future activity centre network of the Lockerbie PSP to the north and the Merrifield major town centre and currently developing Merrifield employment precinct to the west.
- Clause 18.01 Land use and transport planning, 18.02 Movement networks - The precinct is strongly integrated with the existing and planned arterial road network and Principal

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Public Transport Network. The proposed road network provides a robust structure for traffic and transport movement within and through the precinct. Rail transport is currently provided by the existing Melbourne-Sydney rail corridor providing VLine services for the community.

- Clause 19.02 Community infrastructure, 19.03 Development infrastructure - A comprehensive development contributions plan has been prepared for the English Street precinct and forms part of this amendment. This amendment provides the strategic basis for the DCP including roads, intersections, bicycle paths, contribution towards the upgrade of existing sports facilities and open space. Water, sewer and drainage services are readily connectable from adjacent development into the precinct.

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

The amendment is supported by the Whittlesea Local Planning Policy Framework (LPPF), in particular Clause 21.06-1, as it provides for the residential development of land that draws on the natural features of the site and incorporates this into the future development. Further, the development of the land will be managed in a way that effectively integrates the landscape, and avoids inappropriate incursions into environmentally sensitive areas.

The amendment is consistent with and has been prepared in accordance with the Local Planning Policy Framework.

Municipal Strategic Statement

- *Clause 21.03 Council Vision and Strategic Framework.* The land use planning objectives are linked to wider corporate objectives of the City of Whittlesea. These are expressed in the Community Plan. The Community Plan lists key strategic directions of which strategic planning is a key one.

To achieve this direction the Community Plan outlines the following actions:

- *Respect heritage, environment and rural assets and protect them for the future.*
The amendment will protect and enhance the environment of the Merri Creek Growling Grass Frog habitat in line with the approved Biodiversity Conservation Strategy.
- *Ensure ease of movement within, as well as to and from, the municipality.*
The amendment sets aside land for a future road networks, a bridge crossing, cycle and walking linkages that will connect the future community to existing townships as well as new communities to the north, east and south.
- *Provide for a range of well-planned future communities, in appropriate locations.*
The PSP will provide for approximately 1,100 dwellings in close proximity to existing and planned jobs. Furthermore, the proximity of the existing Donnybrook railway station provides close and convenient connections to Melbourne via existing VLine services.
- *Encourage sustainable and quality development that provides choices for diverse community.*
The precinct is close to the existing Donnybrook railway station and supported by an existing road network. The PSP seeks to deliver a road network that will support a future bus service as well as provide opportunity for cycling and walking to key destinations, reducing reliance on vehicles.
- *Protect and enhance the municipality's amenity and assets.*
Merri Creek and its associated environmental environs are protected through the expansion of the existing Rural Conservation Zone (RCZ) and application of the Incorporated Plan Overlay Schedule 10 (IPO10).

The PSP also provides guidance on appropriate treatments and buffers adjacent to conservation areas to ensure they are retained and protected into the long run.

- *Integrate physical, social, environmental, and economic issues into planning for the community.*

The PSP seeks to deliver a future community that will provide housing, jobs, opportunity for recreation as well as access to surrounding area. The PSP will deliver approximately 1,100 dwellings and approximately 700 local jobs for the future community. The PSP seeks to deliver a unique sense of place, leveraging off the environs of the Merri Creek and proposed wetlands and retarding basins proposed throughout the neighbourhood.

The Municipal Strategic Statement's emphasis on integrated strategic planning is consistent with the direction of the Community Plan.

Local Planning Policies

21.05 – Environmental Assets

The proposed amendment and PSP sets aside land for the retention and protection of land along Merri Creek, defined as Growling Grass Frog Conservation Area 34 in the Biodiversity Conservation Strategy for Melbourne's Growth Corridor, June 2012. The expansion of the existing Rural Conservation Zone and applied Incorporated Plan Overlay Schedule 10 (IPO10) will ensure the habitat and environs of the creek are retained. Proposed wetlands and retarding basins will ensure stormwater is managed, collected and cleaned in an appropriate manner fit for travelling back into Melbourne's natural waterways. The PSP delivers a 'conservation interface' to ensure development is considerate of the abutting natural environs.

21.09 – Housing

The City of Whittlesea is expected to attract continued growth, the introduction of PSP will provide an additional 1,100 dwellings for the future community contributing to housing opportunities for existing and new residents. The PSP requires proposed developments to deliver a variety of housing types and densities across the precinct catering for all aspects of the community.

21.10 – Economic Development

The proposed amendment will deliver a portion of the PSP for commercial use, providing access for the community to 700 jobs. The delivery of a potential community facility and potential local convenience centre will provide a range of services and facilities for the proposed community.

21.11 – Transport

The PSP sets aside land for a future road network that can deliver safe, effective and direct traffic movements throughout the precinct. Furthermore, the road network will have the capacity to provide future bus networks throughout the precinct as well as provides on-road and off-road cycle networks for sustainable transport modes. The precinct is in close proximity to the existing Donnybrook Railway Station providing public transport to Melbourne for the future residents. The English Street DCP will collect funds to contribute towards the proposed overpass over the existing rail network, improving efficiency of both the rail network and the existing road network as well as a bridge connecting the PSP to the precinct to the south (Craigieburn North Employment Area) as well as deliver key intersections connecting the precinct to the north (Lockeble PSP area).

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

The amendment meets the form and content requirements of the Victorian Planning Provisions. Importantly, the application of the UGZ, RCZ & IPO are considered appropriate tools to guide future use and development of the site through the specification of conditions and requirements for permits.

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

The English Street PSP and DCP have been prepared in consultation with relevant agencies including Yarra Valley Water, Department of Environment, Land, Water and Planning

(DELWP), Department of Economic Development, Jobs, Transport and Resources (DEDJTR), Department of Education and Training (DET), Country Fire Authority (CFA), VicRoads, PTV and Melbourne Water.

City of Whittlesea has also been consulted and is supportive of the amendment. The MPA will continue to work with relevant state agencies during the consultation of the amendment and propose revisions to the amendment package to resolve submissions should any issues be raised.

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

The Metropolitan Planning Authority is an 'interface body' under the *Transport Integration Act 2010*. Under Section 25 of that Act:

(1) An interface body must have regard to the transport system objectives when exercising powers and performing functions under any interface legislation which are likely to have a significant impact on the transport system.

(2) An interface body must have regard to the decision making principles in making decision under any interface legislation which are likely to have a significant impact on the transport system.

The amendment is likely to have a minor impact on the transport system at a local level. It will require upgrades to nearby parts of the road network and will allow the creation of a new local road network.

The proposed additions and changes to the existing transport system in and adjacent to the precinct will meet the transport system objectives by:

- Providing for an interconnected road system that responds to the likely level of use generated by the precinct and hence facilitating investment in housing and local retail services in the area;
- enabling efficient access to existing and planned employment and services in and around the North Growth Corridor through connections to the arterial road network and planned extensions to bus services;
- ensuring the road network minimises impacts on the site's topography, native vegetation and water flow regimes;
- designing roads that are of a suitable scale and compatible with the expected travel demand and that provide a suitable scale and impact in relation to likely adjoining development;
- infrastructure provided for through the Development Contributions Plan will generally be provided as sufficient demand arises for the relevant infrastructure item and provides the opportunity for the efficient construction of items concurrent with subdivisional development;
- Integrating the construction of bus stop facilities with the development process to minimise construction costs and provide the opportunity to optimise the location of bus stops and design of roads in relation to bus routes and associated facilities; and
- Integrating relevant government bodies involved in the provision of transport infrastructure and services in the decision making process of the 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 have minimum impact on the resources and administrative costs of the responsible authority. The incorporation of the PSP and DCP in the Whittlesea Planning Scheme will facilitate the future orderly and proper planning of the area.

Further, the UGZ4 has been structured in such a way that the ultimate translation to conventional Victorian Planning Provisions zones can occur in a timely and efficient manner once the land has been developed.

The amendment will reduce the initial number of planning permits that would otherwise be required to facilitate development by:

- Incorporating the requirements of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* under an endorsed program.

Where you may inspect this Amendment

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

City of Whittlesea 25 Ferres Boulevard, South Morang MELTON VIC 3752 www.whittlesea.vic.gov.au	Metropolitan Planning Authority Level 29, Collins Street MELBOURNE VIC 3000 www.mpa.vic.gov.au
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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 Tuesday 9 June 2015. A submission must be sent to: Metropolitan Planning Authority, Level 25, 35 Collins Street, Melbourne, 3000 or to amendments@mpa.vic.gov.au and reference 'Submission to Amendment C183'.

Panel hearing dates

In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:

- directions hearing: week beginning of 13 July 2015*
- panel hearing: week beginning of 17 August 2015*

*note: dates are subject to change