



*City of*  
**Whittlesea**

# **MINUTES**

## **OF ORDINARY ADJOURNED COUNCIL MEETING**

**HELD ON**

**TUESDAY 1 MARCH 2016**

**AT 6:02PM**

**IN COUNCIL CHAMBER, 25 FERRES  
BOULEVARD, SOUTH MORANG**



---

## COUNCILLORS

---

STEVAN KOZMEVSKI	MAYOR, SOUTH WEST WARD
KRIS PAVLIDIS	SOUTH WEST WARD
DARRYL SINCLAIR	SOUTH WEST WARD
ADRIAN SPINELLI	SOUTH WEST WARD
NORM KELLY	DEPUTY MAYOR, SOUTH EAST WARD
SAM ALESSI	SOUTH EAST WARD
KEN HARRIS	SOUTH EAST WARD
MARY LALIOS	SOUTH EAST WARD
REX GRIFFIN	NORTH WARD
RICKY KIRKHAM	NORTH WARD
CHRISTINE STOW	NORTH WARD



---

## SENIOR OFFICERS

---

DAVID TURNBULL

CHIEF EXECUTIVE OFFICER

RUSSELL HOPKINS

DIRECTOR COMMUNITY SERVICES

STEVE O'BRIEN

DIRECTOR PLANNING AND MAJOR PROJECTS

NICK MANN

DIRECTOR INFRASTRUCTURE

MICHAEL TONTA

ACTING DIRECTOR CORPORATE SERVICES

GRIFF DAVIS

DIRECTOR ADVOCACY AND COMMUNICATIONS

NARELLE WILLIAMSON

GOVERNANCE OFFICER



## ORDER OF BUSINESS

The Chief Executive Officer submits the following business:

1.	OPENING.....	6
	1.1 MEETING OPENING AND PRAYER.....	6
	1.3 PRESENT.....	6
2.	APOLOGIES.....	6
6.	OFFICERS' REPORTS.....	7
6.1	PLANNING AND MAJOR PROJECTS.....	7
	6.1.10 SUBMISSION TO GC28 DONNYBROOK/WOODSTOCK PSP.....	7
13.	CLOSURE.....	43

**Note:**

**In these Minutes, Resolutions adopted by Council are indicated in bold text.**

**1. OPENING**

**1.1 MEETING OPENING AND PRAYER**

The Chief Executive Officer opened the meeting with a prayer at 6.02pm.

**1.3 PRESENT**

**Members:**

Cr Stevan Kozmevski	Mayor (South West Ward)
Cr Kris Pavlidis	Councillor (South West Ward)
Cr Darryl Sinclair	Councillor (South West Ward)
Cr Adrian Spinelli	Councillor (South West Ward)
Cr Norm Kelly	Deputy Mayor (South East Ward)
Cr Sam Alessi	Councillor (South East Ward)
Cr Mary Lalios	Councillor (South East Ward)
Cr Ricky Kirkham	Councillor (North Ward)
Cr Rex Griffin	Councillor (North Ward)
Cr Christine Stow	Councillor (North Ward)

**Officers:**

Mr David Turnbull	Chief Executive Officer
Mr Steve O'Brien	Director Planning and Major Projects
Mr Russell Hopkins	Director Community Services
Mr Nick Mann	Director Infrastructure
Mr Michael Tonta	Acting Director Corporate Services
Mr Griff Davis	Director Advocacy and Communications
Mrs Narelle Williamson	Governance Officer

**2. APOLOGIES**

An apology was received on behalf of Cr Ken Harris who requested that leave be granted for this meeting.

**COUNCIL RESOLUTION**

**MOVED:** *Cr Kelly*  
**SECONDED:** *Cr Sinclair*

**THAT the Councillor's apology be received and leave be granted.**

**CARRIED**

## 6. OFFICERS' REPORTS

### 6.1 PLANNING AND MAJOR PROJECTS

#### 6.1.10 SUBMISSION TO GC28 DONNYBROOK/WOODSTOCK PSP

**File No:** 191604

**Attachments:**

- 1 Submission Response Table
- 2 Locality Plan
- 3 Future Urban Structure
- 4 PSP Instruction Sheet
- 5 Town Centre Plan
- 6 Conservation Area Concept Plans
- 7 Interim Intersection Designs

**Responsible Officer:** Director Planning & Major Projects

**Author:** Senior Urban Designer

### REPORT

#### EXECUTIVE SUMMARY

The Donnybrook/Woodstock Precinct Structure Plan (PSP) area is a nominated growth area within the State Government's *Northern Growth Corridor Plan* (2012). The development of the PSP commenced in 2013, and has been prepared and project managed by the Metropolitan Planning Authority (MPA), in collaboration with Council officers. The PSP has been informed by extensive background technical reports and consultation with landowners within the precinct area. Generally, the drafting of the PSP and associated planning provisions is sound, and subject to the changes identified within this report, it is recommended that the proposed Amendment be supported.

Proposed Whittlesea Planning Scheme Amendment GC28 (the proposed Amendment) seeks to incorporate the PSP along with associated zoning and overlay changes into the Whittlesea Planning Scheme. Unlike previous Precinct Structure Plans (PSPs), the proposed Amendment does not include a Development Contributions Plan. This is because the MPA intends to apply the new Infrastructure Contributions Plan methodology to the land. This methodology is the result of the ongoing reforms in the area of development contributions over recent years. It will be one of the first PSPs to employ the new system. However, the new system is not fully finalised at this point, and an interim approach has been proposed. This is proposed to be replaced by the new system, once it is finalised in the coming months.

The MPA are the Planning Authority for the proposed Amendment. Notwithstanding this, Council will be responsible for the implementation of the outcomes of the plan through the subsequent permit approvals process and through the delivery of infrastructure over time.

Statutory exhibition of the proposed Amendment was undertaken from 13 November, 2015, to 21 December, 2015. This included mail outs to landowners and affected parties, along with notices in the Government Gazette and the Whittlesea Leader, and an information drop in session at the Wollert Community Centre on Tuesday 24 November, 2015.

This report discusses key strategic issues with the proposed Amendment and provides responses to landowner and State Agency submissions received to date as part of this process, and is proposed to form the basis of a formal submission to the MPA.

Generally, the key themes discussed in this report are:

- Development contributions and infrastructure
- Town Centre design elements and configuration
- Biodiversity Conservation areas
- Local park locations
- Drainage alignments and asset locations
- Housing density requirements
- Treatment of the APA gas pipelines

This report recommends Council adoption of the Officer response to submissions detailed in this report (*Attachment 1*) and for this to form part of Council's submission to the MPA for the PSP. It is noted that submissions to the amendment closed on 21 December, 2015. The Panel Directions Hearing has been scheduled for 7 April, 2016 and the Panel Hearing will commence on 16 May, 2016.

## INTRODUCTION

The PSP covers approximately 1785 hectares of land located within Melbourne's Northern Growth Corridor and is located approximately 35km from Melbourne's Central Business District. The land within the PSP is bound by Donnybrook Road to the south, E6 road reservation to the north, Melbourne-Sydney railway to the west and Merriang Road to the east (*Attachment 2*). Part of the PSP (approximately 100 hectares) is located with the Shire of Mitchell. This land is north of the Merri Creek.

The precinct's views to the foothills of the Great Dividing Range, Melbourne's Central Business District and the Quarry Hills provide a distinctive landscape framework. This is enhanced by the presence of numerous waterways, stony rises, River Red Gum trees and the prominent Hayes Hill. Dry stone walls and heritage structures provide a direct link to historic rural land use and add to the visual interest and cultural identity of the area. Existing businesses, like the Donnybrook Hotel and the Donnybrook Cheese Farmhouse, have also been recognised on the plan. Further enhancement of these existing features is proposed through the precinct development to ensure retention and prosperity as the area develops.

Land within the precinct was brought into the Urban Growth Boundary (UGB) in 2010 and the land was identified within the *Northern Growth Corridor Plan (2012)* as suitable for residential development by the State Government.

The precinct covers 54 properties and two road reserves. Most of these properties are owner / occupied and are currently being used for farming or rural residential purposes. Currently, approximately 65% of the residential area is under the control of developers.

It is anticipated that at full build out the precinct is likely to accommodate a population of over 45,000 residents and provide for approximately 3,300 new jobs. The Precinct will provide for integrated residential development with centralised neighbourhood and convenience town centres, a range of community and recreational uses and a variety of housing types. Further details of the plan are discussed later in the report.

The purpose of this report is to consider the proposed Amendment, and its associated documents, with the aim of providing a submission to the process being managed by the MPA, which also incorporates responses to submissions received to the exhibited draft PSP.

**BACKGROUND**

The PSP process commenced in 2013 and has been underpinned by a series of background studies by appropriately qualified consultants engaged by the MPA, as outlined below:

- Retail and Employment Demand Analysis (Essential Economics, 2014 and 2015).
- Community Infrastructure Demand Analysis (Capire, 2014 and 2015).
- Whole of Water Cycle Assessment (Arup, 2014).
- Post Contact Heritage Assessment (Context, 2013).
- Arboriculture Analysis (Treetec, 2013).
- Environmental, Hydrological and Geotechnical Assessment (Meinhardt, 2013).
- Utilities and Infrastructure Assessment (Cardno, 2014).
- Landscape Visual Analysis (City of Whittlesea, 2015).
- Transport Modelling (GTA Consultants, 2014).
- Transport Infrastructure Functional Design (One Mile Grid, 2014).
- Growling Grass Frog Habitat Assessment and Mapping (Ecology Australia, 2014).
- Donnybrook Station Development Concepts (Opus, 2015).

These studies have underpinned the preparation of the PSP and associated planning provisions. The preparation of these documents has been managed by the MPA with input from Council officers. Throughout the preparation of the PSP, informal consultation with land owners and State Government Agencies on various iterations of the draft layouts has occurred. In addition to this, Council and MPA officers have made themselves available to land owners on an as requested basis over the past three years. From a process perspective, the draft plans were circulated to gauge landowner and stakeholder opinions on four separate occasions. The only version that is being seriously entertained by the MPA, and the Minister, is the currently exhibited version of the plan (*Attachment 3*).

The MPA also conducted a consultation process with State Government agencies, prior to the formal public exhibition of the proposed amendment in early 2015. Following the consideration of agency feedback, minor changes were made prior to the formal exhibition period. The proposed Amendment was then placed on formal exhibition between 13 November, 2015, and 21 December, 2015. Submissions received to the amendment have been forwarded by the MPA to Council for consideration. All submissions received at the time of preparation of this report are detailed in *Attachment 1*, which also include an officer response.

**CONTENT OF AMENDMENT GC28**

The proposed Amendment has been prepared in order to incorporate the PSP into the Whittlesea and Mitchell Planning Schemes. The Amendment is required in order to make technical changes to the respective Planning Schemes in order to implement the strategic intent of the PSP and apply zones and overlays to the subject land relevant to the intent of the PSP. The specific statutory changes to the Planning Scheme as a result of this proposed Amendment are detailed in *Attachment 4*.

## **EXHIBITION OF AMENDMENT GC28**

Amendment GC28 was placed on statutory exhibition by the MPA between the 13 November and 21 December, 2015. Notification packages were sent to all affected property owners and occupiers, State Government Departments, statutory authorities and prescribed Ministers. The notification packages also included a newsletter which provided recipients with details of Amendment GC28, details of a landowner meeting, and steps for making a submission to the Amendment.

## **KEY FEATURES OF THE PLAN – DONNYBROOK / WOODSTOCK PRECINCT STRUCTURE PLAN**

The PSP is a detailed document which sets in place the guidelines and requirements which will guide subdivision development and infrastructure provision within the Precinct.

The Future Urban Structure for the PSP defines the proposed layout of the precinct by nominating the location of various land uses and key infrastructure. This includes residential, town centres, conservation, community uses, open space and the accompanying transport network to support future development. The plan at full development will provide for over 45,000 residents and approximately 3,300 new jobs. The key elements of the plan are detailed below.

PSPs are typically accompanied by a Development Contributions Plan (DCP) which provides the basis for the collection of contributions towards the delivery of transport and community infrastructure within the precinct. In this instance, a DCP has not been exhibited with the PSP due to the State Government's proposed reforms in the area of development contributions, which is discussed later in the report.

### **Land Use Overview**

The PSP is a predominantly residential area defined by its central town centres, each providing a focal point for surrounding pedestrian neighbourhood catchments. Clearly defined green networks provide connectivity and opportunities for recreation and active transport.

Development in Donnybrook / Woodstock has been designed to encourage incorporation of existing natural features including: Merri and Darebin Creeks, stony rises, cultural heritage features and existing significant River Red Gum Trees within open space network which will provide for place making opportunities. A range of lot sizes and housing types are proposed to encourage diverse residential neighbourhoods and provide housing choice and a sense of identity for future communities.

### **Town Centres and Housing**

Integrating retail, commercial, education and other community facilities within Town Centres (*Attachment 5*) are the focus for creating convenient and vibrant neighbourhood community hubs. A fundamental driver in the preparation of the future urban structure of the PSP was to create a network of town centres that service the local community. The proposed centres have been located to maximise the potential for future residents to have access within walking distance for the neighbourhood catchment. They have been collocated with a range of community uses so to as to minimise car use and promote active travel to access local services. Each of these town centres have been designed to include a range of future retail and community facilities as described below. It is envisaged that these centres will serve the immediate community and also help to generate local employment opportunities.

- **Local Town Centre 1 (LTC1 – Koukoura Drive)** contains a total of 27,700m<sup>2</sup> of retail and commercial floorspace that includes provision for two supermarkets (including one full line supermarket), a potential discount department store and a variety of speciality retail. Land that can accommodate the future development of an integrated community facility with space for library services and community meeting spaces, indoor recreation facility (multipurpose courts), sporting fields (netball, tennis and lawn bowls), aged and youth services, skate park and a central community plaza has also been included within the centre. This town centre also nominates land for office space along Koukoura Drive. This centre is proposed to be the largest within the Precinct and has accordingly been located to have good access to the primary road network and will be adequately separated from the future Metropolitan Activity Centre (similar scale as Epping Central and Broadmeadows) in the adjoining Lockerbie PSP area to the west so as not to compromise retail catchments.
- **Local Town Centre 2 (LTC2 – Patterson Drive)** contains a total of 15,500m<sup>2</sup> of retail and commercial floorspace that includes provision for two supermarkets (including one full line supermarket) and speciality retail / office and includes provision for a community centre that is co-located with a future Government P-6 School and Non-Government P-12 School with sporting fields (ovals and outdoor hardcourts for netball) with associated pavilion. It is understood that the non-government school site is likely to commence early in the development of land within the PSP which will help to create some early delivery of services and an anchor to begin community development initiatives.
- **Local Town Centre 3 (LTC3 – Lockerbie East)** contains a total of 6,700m<sup>2</sup> of retail and commercial floorspace that includes a supermarket and speciality retail / office with provision for a future Government P-6 School, Non-Government P-6 School, community centre and sporting fields (ovals and outdoor hardcourts for netball) with associated pavilion. This centre is vital in providing a local community hub for the future residential community north of Cameron Street. There is potential for this community to become socially isolated and devoid of services due to the distance to other centres proposed within the PSP and significant infrastructure issues. The Melbourne-Sydney rail line and the long term timing of the Gunns Gully Road rail overpass will be a barrier for this community to access local retail and services proposed within the Lockerbie Town Centre in the short to medium term.
- **Local Town Centre 4 (LTC4 – Darebin Creek)** contains a total of 2,500m<sup>2</sup> of retail and commercial floorspace that includes a small supermarket and some speciality retail and office with provision for a future Government P-6 School, Non-Government P-6 School, community centre and sporting fields (rectangular pitches) with associated pavilion. This centre will help provide an anchor for community development initiatives in the eastern most part of the Precinct
- **Local Convenience Centre 1 (LCC1 – Donnybrook Farmhouse)** contains a total of 1,000m<sup>2</sup> of retail floorspace that includes limited speciality retail with potential to integrate with the existing Cheese Farm operations, provision for a future Government P-6 School and a Non-Government P-6 School, community centre and sporting fields (rectangular pitches) with associated pavilion.
- **Local Convenience Centre 2 (LCC2 – Donnybrook Station)** contains a total of 2,500m<sup>2</sup> of retail floorspace that includes a small supermarket and speciality retail/office co-located with upgraded train station. This centre will complement similar proposed uses proposed immediately to the west of the train station within the Lockerbie PSP and will provide convenience retail for future rail commuters.

- **Local Convenience Centre 3 (LCC3 – Lockerbie Station)** contains a total of 2,000m<sup>2</sup> of retail and commercial floorspace that includes speciality retail/commercial co-located with the future train station. This centre will be complimentary to the future Metropolitan Activity Centre for the region which is proposed to be located immediately to the west of the proposed train station as part of the Lockerbie PSP.
- **Local Convenience Centre 4 (LCC4 – Hayes Hill)** contains a total of 500m<sup>2</sup> of retail floorspace that includes limited speciality retail co-located with a heritage park and Hayes Hill.
- **Local Convenience Centre 5 (LCC5 – Woodland)** contains a total of 2,000m<sup>2</sup> of retail and commercial floorspace that includes speciality retail co-located with sporting fields (rectangular playing fields) with associated pavilion and future Government (P-6) School. This centre will provide convenience retail to the north-eastern part of the PSP.

The exhibited configuration and locations of the Town Centres has been reviewed and supported by Essential Economics (retail and commercial experts). The retail and commercial framework has evolved with the various iterations of the urban structure, taking into account changes in population projections and density to arrive at the final floor space allocation/retail hierarchy.

In general, the PSP encourages higher residential densities in proximity to the proposed town centres and for comparatively lower residential densities throughout the remainder of the precinct. Overall, diversity in housing types is encouraged to meet the likely needs of the future community.

### **Transport Network**

The PSP aims to facilitate the future delivery of an integrated public transport network. The opportunity to build upon the existing Donnybrook Station and future Lockerbie Station and integrate with the bus network has been a primary consideration in the development of the transport network with the future urban structure. The train stations provide an opportunity to develop a highly diverse range of mixed use housing options within, and around, the Metropolitan Activity Centre.

A road hierarchy has been developed having regard to the framework in the *Northern Growth Corridor Plan* which identifies an arterial grid based network. Donnybrook Road, Merriang Road, Patterson Drive, Gunns Gully Road, Cameron Street and Koukoura Drive have been identified as potential future arterial roads. These have been planned to cater for the interim and ultimate scenario with land being secured to enable duplication (or in the case of Donnybrook Road and Gunns Gully Road, triplication) when required in the future. A distributed connector and key local road network will support the arterial roads and help to provide choices for road users and reduce congestion. The E6 corridor is preserved on the eastern and northern boundary of the plan and the connecting arterial roads provide the potential of up to three interchanges. The implementation, timing and staging of the E6 is a VicRoads responsibility.

A network of off-street walkways and cycle paths along connector roads, creek corridors, utilities easements and proposed green links will provide a choice of active travel options. This will help to deliver a healthy and connected community. These connections are nominated to be delivered by developers at the time of development.

### **Provision of Community Infrastructure and Open Space**

The PSP proposes a series of community centres within the precinct to provide a range of local services to support the future residential population. The types of facilities that are distributed across the precinct are proposed to include:

- Maternal and child health;
- Kindergarten;
- Youth spaces;
- Indoor sports courts;
- Seniors services;
- Library;
- Space for non-government organisations; and
- Community health providers and community meeting spaces.

Local parks and sporting reserves have been located within walking distance of all residents. Where possible, they have been located adjacent/proximate to waterways, vegetation and conservation areas and existing encumbered utilities easements, to create a comprehensively connected network.

Provision for a series of sporting reserves have been identified in the precinct and can accommodate the delivery of structured sports. Reserves have been designed to accommodate the development of either ovals (dual) or rectangular pitches (triple) at full competition standards. This will facilitate the future delivery of sports such as Australian Rules football, cricket, soccer, netball, tennis, rugby, field hockey, lacrosse and others subject to future demand for specific sports. In addition, one site has been earmarked for the provision of multipurpose indoor and outdoor active recreation uses.

In addition to the larger structured sports reserves, an extensive network of local parks have been nominated to ensure that residents are within walking distance of passive recreation opportunities. These local parks have been located to preserve heritage features and significant natural features such as River Red Gums and stony rises where possible. These features will help to ensure that the local parks have instant character and are pleasant places for local residents.

### **Protection and Enhancement of Biodiversity and Natural Features**

The PSP lies within the locally and regionally significant River Red Gum Grassy Woodland area of the Northern Plains. In response, local parks have been nominated to maximise the protection of trees and other natural features and serve as passive open space for the local community. They have also been located to connect with the broader open space and biodiversity conservation network.

In addition to the local parks, Federally recognised Conservation Areas have been nominated through the State Government's *Biodiversity Conservation Strategy*. These Conservation Areas are proposed to be developed to support the conservation of the Growling Grass Frog and the retention of Grassy Eucalypt Woodland as well as a variety of other indigenous grasses. The State Department of Environment, Land, Water and Planning (DELWP) are responsible for any modifications to these conservation areas, generally. Federal approval is also required for any reduction to the net area. This is discussed further later in this report.

### **Heritage**

The Wurundjeri Tribe Land Cultural Heritage Council has identified the waterways and stony rises as areas of cultural sensitivity as defined by Aboriginal Heritage Regulations. These areas frequently contain Aboriginal cultural material within the wider region. Where possible these sites have been incorporated within the open space network. Further, more complex and detailed assessments may be required from developers later in the planning process.

European heritage places have also been protected within the PSP. The area contains dry stone walls as a marker of the historical farming uses of the land. The dry stone walls have local heritage significance and are currently protected under Clause 52.37 of the Planning Scheme. The PSP aims to retain as much of the significant dry stone walls in areas with compatible land uses such as road reserves, open space and within subdivision layouts.

Two sites within the precinct are proposed to be covered by a Heritage Overlay (HO184 and HO185) as part of this Amendment and are proposed to be incorporated into the future urban structure to continue the heritage protection of these sites. Other areas of historic value have been identified in the PSP. A Heritage Conservation Management Plan will be required to be submitted as part of an application that includes a heritage significant site to ensure values are incorporated into any proposed development or subdivision.

### **Integrated Water Management**

The PSP has been developed with a strong focus on integrated water cycle management and water sensitive urban design. As a result, water treatment is proposed to occur at various points along waterways, with assets (retarding basins, wetlands, sediment treatment ponds). These assets, which have been sited to avoid impacting upon significant natural features, will ensure that flood risks are appropriately managed and that water is treated to best practice levels prior to it entering the Darebin Creek and the Merri Creek. Generally, the higher order assets are the responsibility of Melbourne Water. Open space reserves have been located to be adjoining waterways and water assets to take advantage of opportunities to harvest stormwater where possible which will assist in minimising impacts on waterways, help make reserves more drought resistant and reduce operating costs in the future. All homes in the Precinct will have access to recycled water for irrigation purposes.

### **Melbourne Water – Drainage Scheme**

As stated above, existing waterways and flow paths can be found throughout the Donnybrook Woodstock precinct area, these include the Merri Creek, Darebin Creek and their associated tributaries. Through the development of the PSP area there are obligations to manage and mitigate potential floods risks. This process is driven and determined by Melbourne Water. Fundamentally the drainage alignment and asset location generally align with the existing overland flow path or flood prone areas as the natural low point of the land.

Throughout the evolution of the plan, the drainage requirements have been identified and refined through ongoing discussions with Melbourne Water, MPA and landowners. It is noted that the initial version of the PSP (April 2014) nominated the existing corridor without input from Melbourne Water or Department of Environment, Land, Water and Planning (DELWP). As such, the first consultation draft version of the PSP did not include drainage scheme information but rather just included the existing waterway alignments. The PSP was subsequently updated to incorporate requirements from Melbourne Water and DELWP and resulted in defined stormwater treatment areas and drainage corridors being nominated on the plan. The initial drainage proposal was questioned by some landowners who raised concerns regarding the distribution of drainage infrastructure and associated land take.

At the request of the landowners, Melbourne Water committed to reviewing the drainage strategy to identify the potential for any rationalisation of the alignments and land take. In this review the drainage assets were resized and reshaped to develop the most efficient configuration while still remaining as close as practicable to the existing drainage alignment. This drainage strategy has been reflected in the exhibited PSP. Through the submissions received, there are still some landowner issues associated with the exhibited proposal. These will need to be resolved through discussion and negotiation between the landowner and Melbourne Water. Ultimately, the approval of a drainage scheme is the responsibility of Melbourne Water.

With respect to the delivery of the Drainage Services Scheme, all developers pay a levy to provide the land and infrastructure required by the scheme. As part of this, Melbourne Water compensates landowners who provide land for drainage assets (e.g. retarding basins and wetlands) that were not previously encumbered as flood prone land.

### **Utilities**

Utilities, such as sewer, water, recycled water, telecommunications, electricity and gas are controlled by the relevant service providers. In general terms, the trunk and branch infrastructure are provided by the service authorities. In a Growth Area context, the infrastructure associated with the trunk and branch infrastructure is typically implemented by a developer at the time of construction via a negotiated agreement with the relevant service authority. The local connection to private dwellings from the branch is the responsibility of the individual developer.

Using sewer as an example, the trunk infrastructure represents the primary supply line for the provision of this service to the broader precinct. The alignment runs along the Donnybrook Road and from this point branch sewers extend into the development area through various landholdings to service the PSP area. As noted above, the local sewer connections are then provided by the developers to service the individual properties. The "local" connections are incorporated within the road cross sections as with all other local services.

Ultimately the alignment and location of all trunk and branch services are the responsibility of the relevant authority and is heavily dependent on the timing and staging of development.

### **Gas Pipeline**

The APA Gas-Net group have one high pressure gas pipeline easement that dissects the precinct in a north-south direction. In consultation with APA and Energy Safe Victoria, the land use plan has been tested against the relevant Australian Standard and been the subject of a Safety Management Study.

### **Yarra Valley Water Infrastructure**

The expansion of the northern growth corridor has required service authorities to upgrade and expand facilities to meet future demands. Yarra Valley Water (YVW) is in the process of delivering significant infrastructure to cater for such demand with the construction of the Amaroo branch sewer.

The Amaroo branch sewer will be constructed along the eastern side of the rail line along the full extent of the PSP area and will connect the Wallan and Aurora treatment plants. Further, a new treatment plant will be constructed within the northern quarries area.

In addition to the upgrade of sewer infrastructure further improvements are required to secure the future water supply. A key component of this is the construction of water storage tanks at Hayes Hill. Preliminary discussion between YVW and the landowner have commenced to secure a site.

### **Donnybrook Road Service Corridor**

In Growth Areas, the arterial and connector road networks play a key role in locating utility services. Donnybrook Road has been nominated to accommodate key upgrades to trunk water and sewer infrastructure along with telecommunications and gas supply.

However the existing Donnybrook Road reservation is not wide enough to locate all services and being a declared road, VicRoads is responsible for future acquisition of land required for widening and duplication of Donnybrook Road. VicRoads have not given any indication on the likely timing for any upgrades to Donnybrook Road.

As a result, a services corridor has been proposed along the northern edge of Donnybrook Road to locate the trunk sewer and non-drinking water transfer mains.

**DEVELOPMENT CONTRIBUTIONS AND INFRASTRUCTURE**

The exhibited PSP does not currently provide for the collection of contributions towards projects required to ensure development that service the Precinct such as is commonly the case through a Development Contributions Plan. This is due to the State Government reform of the contributions system which has been ongoing for several years, but is not yet finalised. It is noted that Council have made various submissions to the State Government as part of this process.

While this is being finalised, the MPA have proposed a requirement for developers to enter into binding legal agreements with Council that have the effect of securing agreed infrastructure contributions to go towards higher order infrastructure as nominated throughout the PSP. This provision would be replaced by the new Infrastructure Contribution Plan (ICP) system, once brought into effect.

In general terms, the ICP system is proposed to work by levying a flat monetary rate for contributions towards a generic allowable list of items, with some additional items listed as potential 'supplementary items' that may attract further contributions. This differs from the DCP system which is a floating rate based determined by estimating the cost of the allowable and required infrastructure and dividing this amount by the net developable area that is proposed to rely on that infrastructure.

It is noted that earlier versions of the PSP package did include a DCP. While this is no longer proposed, the list of items to be potentially funded from the new ICP system will essentially be the same.

Key infrastructure items include:

- Land required for community centres and construction costs.
- Land required for future arterial roads and interim construction costs.
- Road bridge construction over waterways and railway line.
- Signalised intersections.
- Land required for sporting fields and construction costs.

Specialist infrastructure design and needs assessment studies were conducted to inform the nominated infrastructure items.

It is acknowledged while the State Government DCP review is taking place, there is no certainty on the amount of contributions expected. Without knowing what funding will be available and what items will be covered in the new system, it is difficult to form a recommendation on the matter. Whatever collection methodology is used, it is paramount that the future residents of the precinct can be provided with necessary infrastructure in a reasonable time horizon.

**COUNCIL SUBMISSION**

Whilst Council is not the Planning Authority for this Amendment, Council will be responsible for the implementation of the plan through the permit approvals process and through the delivery of infrastructure contained within the Infrastructure Contribution Plan once approved. It is therefore important that Council provides a submission to the proposed amendment to ensure that key strategic issues are flagged and taken into account by the MPA and Minister for Planning in the consideration of the proposed amendment.

Given the size and complexity of the proposed amendment, Council's submission is proposed to consist of two parts within this report. The first, relates to providing recommendations on a series of key strategic issues. These will be discussed in the subsequent section of this report.

The second part responds to the submissions received. With respect to resolution of submissions received, it is important to note in the current PSP process that the MPA will ultimately decide the basis upon which the proposed amendment will be considered by the Minister for Planning.

The nature of submissions received from individual landowners generally relates to site specific matters that in the majority of cases do not affect the documents at a strategic level. These are detailed within *Attachment 1*.

With a document of this scale there will inevitably be issues relating to administrative matters such as typographical errors, wording changes and document structure which will likely need to be 'tidied up' as part of finalisation of the document. This report has sought to focus on the more substantive issues and will not be focusing on these administrative matters which will not have any impact on the content or intent of the document. These will be addressed in due course as the document is ultimately finalised by the MPA.

## **STRATEGIC ISSUES**

For the purposes of this section, it is assumed that any strategic items / issues not discussed in this section or in the response to submissions in *Attachment 1* are considered addressed within the exhibited PSP. Based on an officer assessment of the exhibited amendment and initial review of submissions received, a number of strategic issues that warrant discussion have been identified. These are discussed in turn below with accompanying officer recommendations.

The issues to be discussed include:

- Distribution of Non-Residential Uses and Net Developable Areas
- Drainage Infrastructure and Utilities
- Infrastructure Contributions
- District Open Space
- Existing Uses
- Retail Distribution
- Biodiversity Conservation Areas Modifications and Tree Protection
- Transport Infrastructure

### **Distribution of Non-Residential Uses and Net Developable Areas**

To ensure the sustainability of new communities, infrastructure services must be provided proximate to their immediate area. Future residents require local access to retail, schools, community facilities, sporting reserves and informal open space. These uses are often located in hubs and central to the neighbourhood to minimise the distance that residents need to travel to access essential infrastructure/services and maximise opportunities for multiple purpose trips and active travel. Ensuring that neighbourhood catchments are adequately serviced in this regard is critical.

Throughout the Amendment consultation period the distribution, hierarchy and location of the proposed town centres have generally been supported; only two submissions received do not support the town centre locations. This is discussed later in the report.

Some submissions have questioned the amount of non-residential uses on some holdings and make suggestions about alternative land use configurations for these uses. Generally, these uses have been identified central to the local neighbourhood catchment and / or are trying to capitalise on co-location with other uses and unique place making opportunities (like waterways, existing activity or conservation) which will also fit into the broader road network.

Whilst there are a number of different ways to calculate net developable area (NDA), for the purpose of this PSP and applying the consistent approach of the MPA process for all PSP's, NDA relates to all land minus non-residential uses which include:

- Higher order transport infrastructure.
- Schools (both Government and Non-Government);
- Community facilities;
- Sporting reserves;
- Local parks;
- Cultural heritage areas;
- Drainage corridors and water management assets;
- Biodiversity conservation areas;
- Utility easements;
- Existing developed land (associated with established business); and
- Other constrained land.

On average, the net developable area for landowners is 56.33%, this means that a little over half of the holding is suitable for residential and commercial development.

Properties that have a higher development rate than 56.33% will have more land than the majority of landowners within the precinct for wholly residential development. It is noted that development with non-residential uses nominated within holdings are often capitalised as a selling point of difference to entice buyers. In addition to this, many of the non residential uses attract compensation at full market rate.

**Officer Recommendations:**

- **Support the design of the future urban structure and land uses, including the distribution, hierarchy and location of the proposed local community hub configuration.**

**Drainage Infrastructure and Utilities**

It has been submitted that the proposed location and sizing of drainage infrastructure is inequitable. As noted above, the overall drainage scheme is designed and administered by Melbourne Water as the relevant authority. In developing a Drainage Scheme Melbourne Water will balance their technical requirements and objectives to provide for an efficient and cost effective scheme for the PSP area. The topography of the land and its location relative to the broader catchment will, to a large degree, dictate the extent of drainage infrastructure required on any particular landholding. Inevitably, discussions between landowners and Melbourne Water occur as part of finalisation of the Drainage Scheme. Officers have no fixed view regarding the drainage infrastructure proposed throughout the precinct. It is acknowledged that negotiations between Melbourne Water and affected landowners may achieve an alternative outcome to that currently proposed for the land. Any subsequent agreement could then be reflected in the ultimate Drainage Scheme. In this context there is no in principle objection to a review of the drainage infrastructure to ensure an appropriate outcome is achieved. Ultimately, any review, or agreement to amend the current version of the Drainage Scheme, is a matter for Melbourne Water.

Further to the above, a submission was received stating that the distribution of key utility services was inequitable. Ultimately the alignment and location of all trunk and branch services are the responsibility of the relevant authority and is heavily dependent on the timing and staging of development.

Each authority has different requirements that drive their locational criteria and implementation. In many cases trunk services are implemented through funding agreements between the authority and developers/landowners to bring forward works to allow for

development to occur earlier than would otherwise be possible. These works are then subject to reimbursement depending on the nature of the agreement. In many instances, the ultimate location of utility services may differ from that identified in a Structure Plan due to the development sequencing occurring at the time of development/subdivision.

To this end, it is noted that the utilities plan (Plan 15) within the PSP includes the notation *“alignments and sizes of utilities shown on this plan are indicative and subject to confirmation by the relevant authority”*.

Notwithstanding the above, there is no in principle objection to reviewing the proposed utility services plan to confirm the appropriateness of the infrastructure location and potential flexibility for future changes to alignments at the time of implementation.

#### **Officer Recommendations:**

- **Request that a review of the proposed drainage infrastructure and waterway corridor is undertaken by Melbourne Water in consultation with the affected landowners.**
- **Request the MPA undertake a review of the utilities services plan to confirm the appropriateness of the infrastructure location and potential flexibility for future changes to alignments at the time of implementation.**

#### **Infrastructure Contributions**

The State Government is currently in the final stages of its review of the development contributions system. As a result of this, the MPA have signalled their intention to apply the outcomes of this review to the proposed Amendment. Putting aside the submissions made, and ongoing involvement in the reform process by Council, the main issue with applying it in this Precinct relates to the timing of resolution of this issue and the current lack of detail. This includes uncertainty around the:

- amount developers will be levied;
- what items will be allowable;
- what items are eligible for additional supplementary levies;
- whether community infrastructure will continue to be capped;
- approach for securing public land;
- timing of the resolution for the new system; and
- the process for any transitional arrangements to the new system.

While there is some idea about the likely or potential outcomes of some of the above points, nothing can be considered locked in until a final decision is made. Council is fortunate that that specific designs and cost estimates of infrastructure items were prepared when the Amendment was originally proposed to be developed under the old DCP system. As a result, there is a general understanding of the likely cost of the required infrastructure. Notwithstanding this, work is continuing to finalise these matters.

Without having access to the most recent cost estimates or knowing the amount that developers will be levied, it is difficult for Council to measure whether it will collect enough funds to deliver the items foreshadowed to be funded from the future Infrastructure Contributions Plan, whether unfunded projects or shortfalls, if any, exist and whether additional funding sources can be secured in relation to these.

The proposed amendment triggers a requirement for a district sporting reserve based on generally accepted provision ratios, half of which was located in the adjoining Lockerbie PSP (approved in 2012). The other half is proposed to be located in this PSP (which was envisaged back in 2012 as part of the Lockerbie process). However, there has been some uncertainty as to whether district and regional open space were to be allowable items in the new system and if so, whether it would be under the Standard Levy or via a Supplementary Levy. This raises the question of how it would reasonably be achieved otherwise, and this creates further unknowns as to the implementation of the exhibited PSP.

In addition to this, it has been foreshadowed through the reform process that major bridge structure would most likely be eligible for a 'Supplementary Levy' which would be over and above any new standard levy. There are two such bridges in the proposed PSP, one over the Melbourne-Brisbane rail line and the Merri Creek into the City of Hume and another further north over the Merri Creek into the Shire of Mitchell.

In the current DCP system, contribution to some community infrastructure items are capped at \$900 per lot. This cap has been foreshadowed to continue in some shape or form (albeit in a more streamlined fashion). This element of the reform has been opposed by Council and the local government sector more broadly because it creates significant shortfalls to Council. Understanding whether this cap is to stay or not, and what the cap is likely to be, is a key consideration for Council given that there are items proposed for this PSP which would be affected by it such as a library, youth centre, senior citizen programs and an indoor recreation facility.

In relation to land, Council notes that the MPA propose to use its relatively new Public Land Equalisation Method (PLEM) to determine reimbursement values applied to land required for DCP projects. This method seeks to apply a 'weighted' value to land on any given parcel that gives up more than the average amount of land in its Main Catchment Area for DCP projects. It works by applying a lower 'per property broad hectare' value to land up to the average provision across the precinct and the higher 'site specific' value to land above that amount to arrive at a blended average value for land on each over contributing property.

Broadly, the method to fund land assembly in DCPs has been a vexed one for some time. On one hand landowners are seeking to maximise their return on giving up otherwise developable land. On another, the State Government has the political imperative to keep the overall DCP charge at a level that is considered reasonable. Further, local government is concerned about ultimately collecting enough contributions to fund the land required for public purposes as a direct result of development.

This dynamic is complicated by the inability of a DCP pursuant to the Act to achieve consistency, or override the provisions for compensating land under the *Land Acquisition and Compensation Act 1986*. The result is often that local government, as the administrator of the DCP is potentially left to fund the difference.

It is not disputed that the PLEM attempts to achieve some fairness for landowners by overcompensating those hit hardest in DCP land take (albeit, not at the maximum amount across the board). However, there is still a concern that the PLEM does not address the principal concern – namely the assumptions in relation to implementation upon which a DCP is built.

While it seems very likely that the PLEM method will feature in the reformed system, it remains uncertain how the new ICP system will approach this issue from both an administrative perspective and in terms of the legislative dichotomy that currently exists between the Planning and Environment Act 1987 and the Land Acquisition and Compensation Act 1986. While widely understood, it is an issue that is yet to be resolved. Given the risks that land assembly places on Council, this remains a significant issue of concern that requires further clarification and resolution as part of the proposed Amendment.

Further, gaining a better understanding of the timing for the finalisation of the review and the specific process for the implementation of its recommendations is a crucial input to Council's support for finalising the PSP prior to the implantation of the ICP system. Without this information, the proposed Amendment carries some potentially significant risk.

The exhibited Amendment seeks to address these risks and unknowns by proposing a requirement to enter into a legal agreement that is attached to the title of the land (pursuant to Section 173 of the *Planning and Environment Act 1987*). This agreement would need to satisfy Council that it adequately makes provision for the delivery of items listed in the relevant section PSP and does not compromise the orderly planning of the area. While this does offer a level of control and protection for Council that has enabled the exhibition process to proceed, it is questionable whether this is appropriate for the purposes of advertising the PSP for approval.

#### **Officer Recommendations:**

- **Request that the most recent cost estimates for infrastructure are provided to Council.**
- **Request confirmation on what items will be eligible for a Supplementary Levy.**
- **Request further information from the MPA on their proposed implementation approach for the ICP into the PSP.**
- **Support the items nominated within the Precinct Infrastructure Plan (within the PSP) as being suitable to be funded under an Infrastructure Contribution Plan.**
- **Request that the proposed Amendment is not finalised until the broader development contributions reforms are resolved given the potential impact on Council's financial and servicing obligations.**

#### **District Open Space**

In recent years, there has been significant conjecture about the definition and funding of different provision levels of active open space. From a definition perspective, terminology has changed from the implementation of Councils earlier Structure Plans to the current PSPs. For the purpose of clarity the following definitions are applied to assist in consideration of the issues:

- Local Open Space – Neighbourhood catchment
- District Open Space – Suburb / PSP wide catchment (for uses such as aquatic centres, higher order playing fields, indoor facilities, "non-traditional" sports)
- Regional Open Space – Corridor wide/across PSPs catchment (possibly beyond municipal boundaries – for instance velodromes and major stadiums)

Until relatively recently, the concept of including the land (but not the construction) for district and regional categories within Development Contribution Plans was a common outcome. Locally, this occurred in the earlier *Mernda Strategy Plan DCP* and the *Epping North East DCP*.

Through the Growth Corridor Plan process, the need for a Regional Active Open Space reserve, 30 hectares in size, was identified for the Northern Growth Corridor. As mentioned previously the Lockerbie PSP and DCP included half of this reserve within the precinct, which now serves a district function rather than regional, with the remaining 15 hectares foreshadowed to be nominated to be delivered within the this precinct.

In recent years, the view that district and regional land should be included in DCPs and in the new ICP system has been challenged by the MPA on the basis that they are not 'basic and essential', and do not meet the nexus and apportionment tests that underpin development contributions (both in the current and the proposed new system). With respect to this view, it is noted that the use and provision ratio for the district facility proposed in the Precinct is likely to almost be entirely contained within the precinct, meaning that there is no nexus and apportionment issue. The notion that residents of an area do not deserve to have reasonable proximate access to these types of facilities within the suburb they live because it is not basic or essential should not be given any credence. To do so would essentially be agreeing that we are happy to pursue a metropolitan area with skewed access to facilities and services in the long term. At the most basic level, the land for these facilities needs to be secured as part of the urbanisation of the land otherwise they are unlikely to ever occur. To the extent that 'Regional' has a broader corridor context it is important to clearly delineate that the proposed purpose of this open space is 'District' i.e. the need is totally generated within/by the PSP catchment.

Despite broader reservations on this issue, the MPA has included this item as foreshadowed in the Lockerbie PSP process. The inclusion of the Woodlands Regional Sporting Reserve SR-06B (incorrectly nominated as regional open space and should be titled District Sporting Reserve) is supported.

#### **Officer Recommendations:**

- **Support the inclusion of Regional Sporting Reserve SR-06B within the Precinct Infrastructure Plan.**
- **Request that the title of SR – 06B be corrected from 'Regional' to 'District' Sporting Reserve to accurately reflect its function.**

#### **Existing Uses**

The Donnybrook area consists of several existing business and services. To ensure that these activities could be considered through this process, the MPA and Council officers have made themselves available to discuss the plan with local businesses and relevant stakeholders whenever it was requested.

As such, the PSP aims to acknowledge the current activities of these businesses and provide opportunities for further development of the sites. However, it is noted that potentially more could be done to ensure these activities are adequately reflected within the PSP.

For instance, the Donnybrook Cheese Farm is an example of a successful business within the precinct area that has strongly indicated a desire to continue to operate. The landowner of the Cheese Farm has also identified a desire to expand the existing facility and create a cultural hub for the future residents of Donnybrook that celebrates the agricultural, cultural and family history of the area.

The landowner has communicated that the facility would be likened to other successful examples such as Farm Vigano in South Morang or the Collingwood Children's Farm, an outcome that would be of great benefit to the broader community. These examples of community hubs are successful due to their celebration of the local history. It is noted that these hubs do not rely on supermarkets or large scale commercial uses, but are a cultural destination in their own right. However, to facilitate the delivery of the proposed cultural hub, the PSP could further assist in the integration of ancillary retail/commercial uses (e.g., cafés, delicatessen, educational and other community uses) within the nominated retail provision. The proposed cultural hub is supported and encouraged from a community development perspective but is considered independent of any proposal to amend the retail hierarchy. To this end, it is considered appropriate that the PSP is updated to reflect the significance of this site and the future role it will play in generating community connection to the area.

**Officer Recommendations:**

- **Request that the Donnybrook Cheese Farm is reflected in the Precinct Structure Plan to enable creation of a cultural hub for the community.**
- **Support the future expansion of the Donnybrook Cheese Farm into a cultural hub.**
- **Provide wording in the PSP to highlight the Donnybrook Cheese Farm precinct as an opportunity to encourage innovative place creation outcomes.**
- **Request that the MPA review the Local Convenience Centre 1 Concept Plan to facilitate greater integration of the proposed cultural hub.**

**Retail Provision**

As outlined previously in this report in the 'Key Features of the Plan' section, one of the central priorities in developing the PSP is the creation of a network of town centres that meet the needs of the local community. The centres have been strategically distributed (*Attachment 5*) from a neighbourhood catchment perspective to be within walking distance for each of the neighbourhood areas and are far enough away from each other so not to comprise each centre's retail viability. As well as being adequately spaced, it is also important that an appropriate hierarchy is defined to ensure that any one centre does not develop to a level so as to affect the viability of other neighbouring planned centres. This has also been weighed against development restrictions associated with existing and future constraints (e.g. gas pipeline buffers, arterial roads, vegetation, waterway and heritage).

In addition to the two main centres proposed, a series of smaller centres of varying sizes has been proposed in centralised catchments and at other key strategic locations such as the existing Donnybrook Railway Station. The centres have been co-located with a range of community uses and are connected by a shared path network as outlined in the previous section of this report titled 'Non-Residential Uses'.

This distribution is intended to meet *Standard 3* of the MPA 'PSP Guidelines' which nominates the desired provision requirements for the location of town centres within a precinct. The Standard describes that '*80-90% of households should be within 1km of a town centre of sufficient size to allow for provision of a supermarket*'. It is noted that the Standard does not differentiate on the size/scale of supermarket that is delivered.

The intent of the dispersed town centres is to create a neighbourhood focal point that will minimise car dependency and promote active travel. To this end, the centres have been located away from arterial roads, such as Donnybrook Road, and have been placed centrally to the future community. This is a standard approach applied to all Whittlesea PSPs. Community facilities (such as schools and CACs) and/or open spaces are co-located with retail to provide for multi-purpose hubs. This makes it even more critical that these hubs are located centrally to the residential neighbourhood catchments to provide equity of access to services and facilities as well as a community heart for each neighbourhood.

The retail/hub hierarchy and locations have been generally supported by the majority of landowners and government agencies, however two submissions have been received that seek a change to the exhibited PSP. The most significant submission proposes to reduce the retail centre provision in the north-west centre on Cameron Street (LTC3) from the current 6,700m<sup>2</sup> that incorporates a supermarket and speciality shops to a local convenience centre of 1,000m<sup>2</sup> of retail. In association with the above it is proposed to increase the size of the local convenience centre (LCC1) in the Donnybrook Cheese Farm precinct to 5,000m<sup>2</sup> including shifting its location to Donnybrook Road, on the edge of the PSP residential catchment.

It is not considered appropriate to move local centres from their central neighbourhood location to arterial roads to benefit a commercial outcome. Alteration to the spatial and size distribution of the retail network will undermine the overall hierarchy for the precinct and may render some centres unviable as well as the detrimentally impacting on the establishment of local community hubs. To this end, moving the retail hierarchy would also have significant implications to the distribution of schools and community facilities as these are incorporated with the retail to create the local community hubs. Therefore any such proposal should not be considered in isolation and is likely to require a review and redistribution of the overall PSP retail hierarchy.

Swapping the retail hierarchy of LTC3 and LCC1 would leave a large section of the north-west of the plan area with limited access to an appropriate level of locally accessible retail services. In terms of an existing growth area example, it would be akin to a development area of an approximate size of Laurimar not having access to a local town centre and services. Further, the hub in this location has been designed to accommodate a range of non-residential uses including a P-6 school, a non-government P-6 school, a community facility and sports reserve. Diminishing the status and function of the centre will impact on the implementation and viability of this hub.

The provision of a larger town centre on Donnybrook Road would substantially impact on the exhibited retail/hub locations given its proposed scale and location in proximity to the Town Centre proposed at the Donnybrook Train Station (LCC2) to the west and the Town Centre to the east located at the junction of Patterson Drive and Hayes Hill Boulevard (LTC2). To this end, it is considered that this proposal has not adequately addressed the impacts on the broader plan area. What is proposed is a substantial change and will have flow-on impacts to the rest of the plan.

As part of the above submission, concerns were raised in relation to the viability of the LTC3 with respect to the attributed retail floorspace allocation and proximity to Lockerbie PTC. The exhibited LTC3 has been allocated a total retail floorspace of 4,500m<sup>2</sup> which includes an allocation of 2,500m<sup>2</sup> for a supermarket. On this matter, it is considered that there may be an opportunity to investigate an increase in the floorspace allocation for this centre to allow for a full line supermarket, with the aim of further strengthening the role of the centre within the north west precinct and broader retail hierarchy.

Further to the above, another submission has been received by the adjoining landowner that requests provision of retail on their parcel. The submission questions why they have not received any nomination of retail considering their overall parcel size as they are one of the larger landholders in the precinct. As noted above, the PSP had been designed to create local community hubs that contain retail areas and local community assets. The locations of the community hubs have been distributed to ensure that residents are in proximity to a local centre that can service their daily needs. This proposal to alter the town centre locations should also not be supported based on the same issues/comments noted above.

The town centres that have been exhibited as part of the proposed Amendment have been reviewed and tested by retail experts and deemed viable to cater for the future community. As such, the exhibited town centre location and distribution should be supported.

**Officer Recommendations:**

- **Support the exhibited town centre distribution central to neighbourhood catchments and linked to community facilities and schools.**
- **Request the MPA investigate the potential to increase the retail floorspace allocation for LTC3 to provide for one full line supermarket.**

**Biodiversity Conservation Areas Modifications and Tree Protection**

The State Government's *Biodiversity Conservation Strategy* (BCS) Conservation Areas identified within the PSP are classified into three categories; Nature Conservation (River Red Gums and native grasses), Open Space (River Red Gums) and Growling Grass Frog (Growling Grass Frog habitat) (*Attachment 6*). These areas have been nominated for conservation due to their nationally significant environmental value. The Federal Minister for Environment approved the Biodiversity Conservation Strategy in September 2013, and since that date, any change to the extent and boundaries of these areas must be approved by the Federal Minister for Environment.

There are approximately 1200 remnant River Red Gums within the PSP and currently, the BCS nominates approximately 75% of the River Red Gums in the precinct for protection within their conservation areas and nominates the rest for removal with the payment of offsets. The MPA, with officer support, has identified the remaining 240 trees to be retained within local parks throughout the precinct to increase retention rates and create instant local amenity for new residents. This approach results in an overall retention rate of approximately 90%.

Through the exhibition of the PSP amendment, some landowners have requested modifications to the conservation areas nominated on their property. These modifications range from alteration to the boundary to accommodate a road alignment through to the significant reduction of conservation area to enable additional residential development.

In the case of modifying the boundary of a Conservation Area to accommodate infrastructure (such as roads, drainage assets and bridges) it is considered appropriate and necessary to support the modification. In these instances, all other viable options have been investigated and have proven unsuitable. Modification to the edges of the conservation boundary and works with the conservation area are required to enable infrastructure to be delivered that will facilitate a connected and well serviced community. These modifications are relatively minor in comparison to the size of the substantive proposed reserves and have been located as sensitively as possible.

However, in relation to the whole sale reduction of Conservation Area to accommodate additional developable land, it is not considered appropriate. One submission from a single landowner advocates for the potential removal of up to 350 very significant River Red Gums and isolates nominated retained trees from the broader Merri Creek environs. A reduction to this area could be explored if the majority of the trees were identified for protection located within a Local Conservation Area and a contiguous link was provided between the trees to the Merri Creek.

Should the State and Federal Government ultimately consider that this part of this land is not of national environmental significance, one option to avoid the wholesale loss of ancient River Red Gum trees would be to support the establishment of a Local Conservation Reserve (as proposed in the Wollert PSP).

In addition to the conservation areas and local parks, further protection measures should be included in the PSP to ensure that significant River Red Gums are retained and incorporated into the subdivision layout where possible. It is requested that Requirements and Guidelines be included to ensure a minimum 80% retention rate for scattered trees that are of a medium size or larger (similar approach to the Wollert PSP).

**Officer Recommendation**

- **Support the current plan based protection measures for River Red Gums contained within the exhibited PSP through use of Conservation Areas and local parks.**
- **Request tree protection requirements be included to mandate no less than 80% retention of medium, large or very large River Red Gums within the PSP.**
- **If a reduction to the Biodiversity Conservation Strategy Open Space (Red Gum) reserve in the north of the precinct is substantially altered, request that this land be nominated as a Local Conservation Reserve.**

**Transport Infrastructure**

The overall proposed road network in the precinct has taken advantage of existing road reserves where possible and has been planned to achieve a modified grid network with links into the broader road network for the northern growth corridor. This will ensure that the network will ultimately be easy to navigate and will offer multiple routes to key destinations.

The arterial road network in the precinct has been designed to provide links to future destinations both within and around the precinct. These roads have been planned to protect the opportunity for three full interchanges at Donnybrook Road, Gunns Gully Road and Patterson Drive with the E6 corridor should it be delivered to a freeway status. The arterial road network provides the overarching structure for the PSP area and to this end spacing for arterial roads is critical. In standard practice their provision is based on an approximate 1.6km spacing (mile grid). The subsequent lower order road network/hierarchy is developed around the arterial road structure.

The proposed road network was the result of transport modelling and analysis conducted by specialist consultants engaged by the MPA. This modelling focused on testing overall vehicle movements on particular roads as well as the overall functionality of planned intersections. This process considered various scenarios and the staged delivery of the network over a 30 year period. The intention of the modelling exercise was to inform the sizing and classification of the roads and the design of the intersections.

A significant amount of capacity has been built into the roads and intersections to perform in peak periods. For example, in some instances where a road has been modelled on the higher end of the scale to justify four lanes, it has been increased to six. Further, many intersections have been designed to be built to a duplicated or triplicated nature upfront to provide additional capacity. This approach has been the subject of significant debate from a variety of stakeholders throughout the process with some arguing that this represents an unjustified oversizing of infrastructure. Conversely, others have suggested that this is a sensible approach to planning for the future given the network will be rolled out over a relatively long period of time. Overall, officers are comfortable that the result of that ongoing debate has landed at a generally acceptable position in the proposed amendment. However, there are two instances where further revisions may be considered.

The first relates to the design of intersections based on the provision of the interim intersection on the ultimate alignment of the intersection. Examples of this can be found in *Attachment 7*. Where the interim road has been designed with a split carriageway (i.e. central median) the interim on ultimate intersection design is appropriate and will be able to be delivered in the interim period. However, there is concern that an interim on ultimate intersection for a road that is declared by VicRoads (a Public Acquisition Overlay is required to secure land for the ultimate road cross section) or where the arterial road in the ultimate is currently split over property boundaries, for example Patterson Drive, there will be difficulty securing land in the interim, and as a result will prohibit the delivery of the interim intersection on the ultimate alignment. It is considered appropriate that intersections along the future Patterson Drive not be designed and delivered as 'interim-on-ultimate'.

The hierarchy of the road network has been questioned by some landowners, with some submissions questioning the status of key roads that have been shown in the PSP urban structure. As noted above, the exhibited PSP has been informed by traffic analysis and modelling and supported by VicRoads.

Submitters have raised concern regarding the role and function of Cameron Street that runs between Koukoura Drive and Patterson Drive. The MPA nominated this section of Cameron Street, with guidance from VicRoads, as a 4 lane arterial with a total reservation width of 34 metres. It provides a key east-west link to two of the larger town centres in the precinct. Notwithstanding this it has been modelled that the daily vehicle movement will only generate approximately 3,000 to 8,800 vehicles per day (vpd) which does not warrant the need for an arterial road nomination. Given the extremely low modelled volumes there is an opportunity to review the nature and function of the cross-section, similar to the approach taken for Boundary Road in the Wollert PSP, to make it more pedestrian/bicycle friendly and as a key feeder road into the town centres.

It is recommended that Cameron Street be nominated as a Boulevard Connector to provide for a central median that enhances the landscape amenity and still allows for a single traffic lane in each direction with on street parking. This result will create a better urban design outcome for pedestrians and cyclists, with wider verges, more substantial street trees, less land take and will still allow potential duplication in the future should traffic volumes warrant.

Conversely there has been a submission that has requested that north south connector road between Donnybrook Road and LTC3 be upgraded to an arterial road on basis that it has been nominated as a potential bus route, connects a Local Convenience Centre to a Local Town Centre and other community uses.

It is noted in this instance that the traffic analysis and model of the daily vehicle movement ranges from 2,500 to a 9,100vpd. These ultimate modelled volumes do not warrant arterial road status. The Austroad standards recommend that for a 2 lane arterial, the road should be projected to carry volumes over 18,000vpd and for a 4 lane arterial, the road should be projected to carry volumes over 36,000vpd. It is also noted that arterial roads generally require restricted access, have larger land take requirements, have higher construction costs and ultimately become the responsibility of VicRoads. All connector streets throughout Whittlesea are designed to accommodate bus routes and in many instances also contain town centres and schools.

As noted above, the arterial network has been designed around the general mile grid spacing requirements. There are a number of other connector roads that complement the arterial road network that are distributed throughout the PSP area. Alteration to this configuration would require a review of the overall road hierarchy and subsequent land use distribution. This is problematic considering that the traffic warrants and regional connections do not justify arterial road status.

As an example, Hazelglen Drive in Laurimar, a Council connector road, carries approximately 13,000vpd at its western (Plenty Road) end and 6,000vpd at its eastern (Yan Yean Road) end.

The classification of roads also has implications for the location of schools and community facilities. VicRoads, Department of Education and Training and the Catholic Education Office do not support the location of schools on arterial roads. To this end, any change to the status of the road would impact on the distribution of the educational facilities within the precinct, which would necessitate further review.

With respect to Koukoura Drive, preliminary discussion with the landowner/developer has proposed to deliver the interim treatment incorporating the central median up front (with one traffic lane either side) rather than a two lane carriageway without the central median. This approach is considered a good outcome as the ultimate infrastructure including street trees and lighting, utility services and kerb/drainage requirements will be delivered from the outset and contribute positively to the public realm and streetscape, and should be supported.

**Officer Recommendations:**

- Request that where intersections are nominated on a VicRoads declared road or cross property boundaries that “traditional” interim intersections are provided.
- Request that intersections along the future Patterson Drive not be designed and delivered as ‘interim-on-ultimate’.
- Request that the future Cameron Street is downgraded to a boulevard connector street.
- Support the connector road network as exhibited in the Precinct Structure Plan.
- Support the provision of Koukoura Drive on its ultimate alignment in the interim.

**SUBMISSIONS TO THE AMENDMENT**

A total of 12 landowner submissions and nine agency submissions have been submitted to the MPA. It is noted that there are several expected, outstanding submissions at the time of preparation of this report.

The nature of submissions received from individual landowners, interest groups and Government agencies range from detailed site specific matters to broad strategic concerns.

Given the extent of submissions received and the specific nature of some issues raised, a table has been prepared which includes a summary of each submission, officer response and where relevant specific officer recommendations. This table is found at Attachment 1. It is proposed that the officer recommendations will form part of the Council submission to the Amendment.

To assist with providing a conceptual overview of the submission received, the key themes raised in submissions have been summarised below into the relevant categories:

- **Development/Infrastructure Contributions Plan**
  - Uncertainty regarding the proposed timing and detail of the revised DCP/ICP process.
  - Concern that the PSP Amendment may be approved without a DCP/ICP.
  - Request for additional items to be funded by the DCP/ICP.
  - Clarification sought on the project scope for items included within Draft Precinct Infrastructure Plan Projects document.
- **Town Centre design elements and configuration**
  - Concern with the high level of detail shown on the Urban Design Framework Plans for the town centres.
  - Suggested changes to land use and access arrangements.
  - Questions on the town centre viability and request changes to town centre hierarchy.
- **Biodiversity Conservation Areas**
  - Request to modify areas and boundary alignments.
  - Support for the MPA/DELWP review of the Open Space Conservation Areas.
  - Clarification sought for the appropriate interface treatment for development adjacent to Conservation Reserves.
  - Clarification sought on the requirements for preparing a Conservation Interface Plan as required by DELWP.
  - Concern on the extent and categorisation of the designated conservation open space area.
  - Seek to locate drainage assets and local parks within Growling Grass Frog reservations.

- **Local Park locations**
  - Request to modify areas and local park locations.
  - Concerns for extent of land take required for local parks.
- **Drainage alignments and asset locations**
  - Request to modify areas and boundary alignments.
  - Concerns for extent of land take required for drainage assets.
  - Calls for independent review of Melbourne Waters Drainage Services Schemes.
- **Housing density requirements**
  - Clarification sought on the nomination of medium density areas.
  - Request for addition of higher densities as strategic locations, eg Donnybrook Train Station.
  - Concern with the requirements and guidelines that specify particular density targets.
- **Treatment of the APA gas pipelines**
  - Concern over the potential changes to APA buffers requirements
- **Minor edits and points of clarification**

#### **ADMINISTRATIVE ERRORS**

It is noted that there are several typographical and plan based errors within the document that should be updated prior to a formal contributions plan being released. Given the nature these changes are administrative and do not impact on the intent of the PSP document, it is not intended to detail these changes within the report but rather provide the information to the MPA directly to amend as necessary.

#### **PROCESS FROM HERE**

Pending resolution of this report, Council officers will provide a formal position/submission on Amendment GC28 to the MPA.

The MPA will take into account submissions received, including Councils, and make recommendations to the Minister for Planning, who will make the ultimate decision on the proposed Amendment and the associated process. Broadly, the Minister will have a number of options before him to advance the amendment as per normal statutory practice:

- The Minister can recommend that a Panel, or similar, is convened to hear submissions and make recommendations to the Minister for his ultimate decision (considered the most likely outcome);
- The Minister can consider and approve an amendment under Section 20(4) of the *Planning and Environment Act 1987*. Under this provision the Minister can exempt himself from any of the notice provisions of the Act and approve an amendment;
- The Minister can abandon the amendment.

It is noted that Planning Panels Victoria has advised that a Planning Panel will be convened on the week commencing the 16 May, 2016, with a Directions Hearing scheduled for the 7 April, 2016.

#### **FINANCIAL IMPLICATIONS**

The long term financial implications have been identified within the PSP's Infrastructure Plan. In the short to immediate term, if a Planning Panel is ultimately appointed to consider submissions and provide recommendations on the PSP, costs will apply to cover Council's legal representation at Panel and for any expert witness statements, if required.

**POLICY STRATEGY AND LEGISLATION**

The PSP is being prepared by the MPA in accordance with their PSP Guidelines and will provide for a well-designed community integrating natural features with educational, community and retail facilities. As such, it is considered that the plan will meet the direction of creating places and spaces for people to connect, and that the plan has also utilised the principles of good urban design in order to create a place which helps the existing and future community to connect with each other and their surrounds

**LINKS TO THE COUNCIL PLAN**

<b>FUTURE DIRECTION</b>	<b>Places and spaces to connect people</b>
<b>Theme</b>	<b>Planning our space</b>
<b>Strategic Objective</b>	<b>Our urban design helps build connection to place and the community</b>

**DECLARATIONS OF CONFLICTS OF INTEREST**

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible Officer reviewing this report, having made enquiries with the relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

**CONCLUSION**

Amendment GC28 seeks to incorporate the Donnybrook/Woodstock Precinct Structure Plan along with associated zoning and overlay changes into the Whittlesea Planning Scheme. The PSP has been driven by the MPA in collaboration with the City of Whittlesea.

Amendment GC28 was placed on statutory exhibition by the Metropolitan Planning Authority and submissions have been received from landowners and State agencies. It is important that Council also provide a submission to the Amendment so that Council’s views can be considered by the Metropolitan Planning Authority and the Minister for Planning during the subsequent assessment process.

The preparation of the Donnybrook/Woodstock Precinct Structure Plan has been a challenging process given the wide range of issues and stakeholder interests affecting the precinct. The Donnybrook/Woodstock Precinct Structure Plan represents a positive attempt to implement the framework set by the overarching Northern Corridor Plan. Notwithstanding, Council officers have reviewed the documents and have identified a range of strategic issues that need to be considered and resolved including responses to submissions received in the finalisation of the Precinct Structure Plan and Development Contributions Plan. To this end it is recommended that Council resolve to provide in principle support to the exhibited Donnybrook/Woodstock Precinct Structure Plan subject to the following:

- That Council support the design of the future urban structure and land uses, including the distribution, hierarchy and location of the proposed local community hub configuration.
- That Council request that a review of the proposed drainage infrastructure and waterway corridor is undertaken by Melbourne Water in consultation with the affected landowners.
- That Council request the Metropolitan Planning Authority undertake a review of the utilities services plan to confirm the appropriateness of the infrastructure location and potential flexibility for future changes to alignments at the time of implementation.

- That Council request that the most recent cost estimates for infrastructure are provided to Council.
- That Council request confirmation on what items will be eligible for a Supplementary Levy.
- That Council request further information from the Metropolitan Planning Authority on their proposed implementation approach for the Infrastructure Contributions Plan into the Precinct Structure Plan.
- That Council support the items nominated within the Precinct Infrastructure Plan (within the Precinct Structure Plan) as being suitable to be funded under an Infrastructure Contribution Plan.
- That Council request that the proposed Amendment is not finalised until the broader development contributions reforms are resolved given the potential impact on Council's financial and servicing obligations.
- That Council support the inclusion of Regional Sporting Reserve SR-06B within the Precinct Infrastructure Plan.
- That Council request that the title of SR – 06B be corrected from 'Regional' to 'District' Sporting Reserve to accurately reflect its function.
- That Council request that the Donnybrook Cheese Farm is reflected in the future urban structure to enable creation of a cultural hub for the community.
- That Council support the future expansion of the Donnybrook Cheese Farm into a cultural hub.
- That Council request wording in the Precinct Structure Plan to highlight the Donnybrook Cheese Farm precinct as an opportunity to encourage innovative place creation outcomes.
- That Council request that the Metropolitan Planning Authority review the Local Convenience Centre 1 Concept Plan to facilitate greater integration of the proposed cultural hub.
- That Council support the exhibited town centre distribution central to neighbourhood catchments and linked to community facilities and schools.
- That Council request the Metropolitan Planning Authority investigate the potential to increase the retail floor space allocation for LTC3 to provide for one full line supermarket.
- That Council support the current plan based protection measures for River Red Gums contained within the exhibited Precinct Structure Plan through use of Conservation Areas and local parks.
- That Council request tree protection requirements be included to mandate no less than 80% retention of medium, large or very large River Red Gums within the Precinct Structure Plan.

- That Council request that if a reduction to the Biodiversity Conservation Strategy Open Space (Red Gum) reserve in the north of the precinct is substantially altered, request that this land be nominated as a Local Conservation Reserve.
- That Council request that where intersections are nominated on a VicRoads declared road or cross property boundaries that “traditional” interim intersections are provided.
- That Council request that intersections along the future Patterson Drive not be designed and delivered as ‘interim-on-ultimate’.
- That Council request that the future Cameron Street is downgraded to a boulevard connector street.
- That Council support the connector road network as exhibited in the Precinct Structure Plan.
- That Council support the provision of Koukoura Drive on its ultimate alignment in the interim.

Further it is recommended that Council’s response to the submissions be forwarded to the Metropolitan Planning Authority in conjunction with this Council report to constitute Council’s submission to the amendment.

<b>RECOMMENDATION</b>
-----------------------

THAT Council resolve to:

1. Provide in principle support to Planning Scheme Amendment GC28 subject to the following;
  - a. That Council support the design of the future urban structure and land uses, including the distribution, hierarchy and location of the proposed local community hub configuration.
  - b. That Council request that a review of the proposed drainage infrastructure and waterway corridor is undertaken by Melbourne Water in consultation with the affected landowners.
  - c. That Council request the Metropolitan Planning Authority undertake a review of the utilities services plan to confirm the appropriateness of the infrastructure location and potential flexibility for future changes to alignments at the time of implementation.
  - d. That Council request that the most recent cost estimates for infrastructure are provided to Council.
  - e. That Council request confirmation on what items will be eligible for a Supplementary Levy.
  - f. That Council request further information from the Metropolitan Planning Authority on their proposed implementation approach for the Infrastructure Contributions Plan into the Precinct Structure Plan.
  - g. That Council support the items nominated within the Precinct Infrastructure Plan (within the Precinct Structure Plan) as being suitable to be funded under an Infrastructure Contribution Plan.

- h. That Council request that the proposed Amendment is not finalised until the broader development contributions reforms are resolved given the potential impact on Council's financial and servicing obligations.
- i. That Council support the inclusion of Regional Sporting Reserve SR-06B within the Precinct Infrastructure Plan.
- j. That Council request that the title of SR – 06B be corrected from 'Regional' to 'District' Sporting Reserve to accurately reflect its function.
- k. That Council request that the Donnybrook Cheese Farm is reflected in the future urban structure to enable creation of a cultural hub for the community.
- l. That Council support the future expansion of the Donnybrook Cheese Farm into a cultural hub.
- m. That Council request wording in the Precinct Structure Plan to highlight the Donnybrook Cheese Farm precinct as an opportunity to encourage innovative place creation outcomes.
- n. That Council request that the Metropolitan Planning Authority review the Local Convenience Centre 1 Concept Plan to facilitate greater integration of the proposed cultural hub.
- o. That Council support the exhibited town centre distribution central to neighbourhood catchments and linked to community facilities and schools.
- p. That Council request the Metropolitan Planning Authority investigate the potential to increase the retail floorspace allocation for LTC3 to provide for one full line supermarket.
- q. That Council support the current plan based protection measures for River Red Gums contained within the exhibited Precinct Structure Plan through use of Conservation Areas and local parks.
- r. That Council request tree protection requirements be included to mandate no less than 80% retention of medium, large or very large River Red Gums within the Precinct Structure Plan.
- s. That Council request that if a reduction to the Biodiversity Conservation Strategy Open Space (Red Gum) reserve in the north of the precinct is substantially altered, request that this land be nominated as a Local Conservation Reserve.
- t. That Council request that where intersections are nominated on a VicRoads declared road or cross property boundaries that "traditional" interim intersections are provided.
- u. That Council request that intersections along the future Patterson Drive not be designed and delivered as 'interim-on-ultimate'.
- v. That Council request that the future Cameron Street is downgraded to a boulevard connector street.
- w. That Council support the connector road network as exhibited in the Precinct Structure Plan.
- x. That Council support the provision of Koukoura Drive on its ultimate alignment in the interim.

2. Adopt the officer recommendations to submissions received to the Amendment GC28 at Attachment 1.
3. Submit the Council report to the Metropolitan Planning Authority noting 1. and 2. above as Council's formal submission to Planning Scheme Amendment GC28.

<b>MOTION</b>
---------------

**MOVED:** *Cr Kelly*  
**SECONDED:** *Cr Kirkham*

THAT Council resolve to:

1. Provide in principle support to Planning Scheme Amendment GC28 subject to the following;
  - a. That Council support the design of the future urban structure and land uses, including the distribution, hierarchy and location of the proposed local community hub configuration.
  - b. That Council request that a review of the proposed drainage infrastructure and waterway corridor is undertaken by Melbourne Water in consultation with the affected landowners.
  - c. That Council request the Metropolitan Planning Authority undertake a review of the utilities services plan to confirm the appropriateness of the infrastructure location and potential flexibility for future changes to alignments at the time of implementation.
  - d. That Council request that the most recent cost estimates for infrastructure are provided to Council.
  - e. That Council request confirmation on what items will be eligible for a Supplementary Levy.
  - f. That Council request further information from the Metropolitan Planning Authority on their proposed implementation approach for the Infrastructure Contributions Plan into the Precinct Structure Plan.
  - g. That Council support the items nominated within the Precinct Infrastructure Plan (within the Precinct Structure Plan) as being suitable to be funded under an Infrastructure Contribution Plan.
  - h. That Council request that the proposed Amendment is not finalised until the broader development contributions reforms are resolved given the potential impact on Council's, and any affected landowners, financial and servicing obligations.
  - i. That Council support the inclusion of Regional Sporting Reserve SR-06B within the Precinct Infrastructure Plan.
  - j. That Council request that the title of SR – 06B be corrected from 'Regional' to 'District' Sporting Reserve to accurately reflect its function.
  - k. That Council request that the Donnybrook Cheese Farm is reflected in the future urban structure to enable creation of a cultural hub for the community.

- l. That Council support the future expansion of the Donnybrook Cheese Farm into a cultural hub.
  - m. That Council request wording in the Precinct Structure Plan to highlight the Donnybrook Cheese Farm precinct as an opportunity to encourage innovative place creation outcomes.
  - n. That Council request that the Metropolitan Planning Authority review the Local Convenience Centre 1 and LTC3 Concept Plans to facilitate greater integration of the proposed cultural hub, in line with Metropolitan Planning Authority Guidelines.
  - o. That Council request that the Metropolitan Planning Authority review the retail hierarchy across the PSP to ensure it is in line with Metropolitan Planning Authority Guidelines.
  - p. That Council request the Metropolitan Planning Authority investigate the potential to increase the retail floorspace allocation for LTC3 to provide for one full line supermarket.
  - q. That Council support the current plan based protection measures for River Red Gums contained within the exhibited Precinct Structure Plan through use of Conservation Areas and local parks.
  - r. That Council request tree protection requirements be included to mandate no less than 80% retention of medium, large or very large River Red Gums within the Precinct Structure Plan.
  - s. That Council request that if a reduction to the Biodiversity Conservation Strategy Open Space (Red Gum) reserve in the north of the precinct is substantially altered, request that this land be nominated as a Local Conservation Reserve.
  - t. That Council request that where intersections are nominated on a VicRoads declared road or cross property boundaries that “traditional” interim intersections are provided.
  - u. That Council request that intersections along the future Patterson Drive not be designed and delivered as ‘interim-on-ultimate’.
  - v. That Council request that the future Cameron Street is downgraded to a boulevard connector street.
  - w. That Council support the connector road network as exhibited in the Precinct Structure Plan, with the exception of the North South connector road from Donnybrook Road to Gunns Gully Road, west of Patterson Drive, for which Council requests that the Metropolitan Planning Authority and VicRoads undertake a review of the classification of that road and the potential for its funding to be included within the approved contributions plan.
  - x. That Council support the provision of Koukoura Drive on its ultimate alignment in the interim.
2. Adopt the officer recommendations to submissions received to the Amendment GC28 at Attachment 1, subject to amendment of the relevant recommendations to reflect 1.h, 1.n, 1.o. and 1.w. above.
  3. Submit the Council report to the Metropolitan Planning Authority noting 1. and 2. above as Council’s formal submission to Planning Scheme Amendment GC28.

**EXTENSION OF SPEAKING TIME**

Cr Lalios requested an extension of speaking time.

**COUNCIL RESOLUTION**

**MOVED:**                    *Cr Kelly*  
**SECONDED:**            *Cr Sinclair*

**THAT Council resolve to extend the speaking time for Cr Lalios for a further two minutes.**

**CARRIED**

**EXTENSION OF SPEAKING TIME**

Cr Alessi requested an extension of speaking time.

**COUNCIL RESOLUTION**

**MOVED:**                    *Cr Griffin*  
**SECONDED:**            *Cr Spinelli*

**THAT Council resolve to extend the speaking time for Cr Alessi for a further two minutes.**

**CARRIED**

**AMENDMENT**

Moved:                    Cr Alessi  
 Seconded:                Cr Spinelli

**THAT Council resolve to amend paragraph o. by adding the following sentence to the end of the existing paragraph:**

- o.     That the review investigate the allocation of retail floorspace for these centres to determine whether they adequately cater for their catchments.

**CARRIED**

**MOTION**

**MOVED:**                    *Cr Lalios*  
**SECONDED:**            *Cr Kelly*

**THAT Council resolve to amend paragraph n. as follows:**

- n.     That Council request that the Metropolitan Planning Authority review the Local Convenience Centre 1 Concept plan and relocate the LTC3 to south of the Donnybrook Cheese Farm, to facilitate greater integration of the proposed cultural hub and review the size allocated for LCC1 to ensure its viability in line with Metropolitan Planning Authority Guidelines.

**AMENDMENT**

**MOVED:** *Cr Alessi*  
**SECONDED:** *Cr Pavlidis*

**THAT Council resolve to amend paragraph n. with the addition of the words “but not to front Donnybrook Road” so that the paragraph would read as follows:**

- n. That Council request that the Metropolitan Planning Authority review the Local Convenience Centre 1 Concept plan and relocate the LTC3 to south of the Donnybrook Cheese Farm, but not to front Donnybrook Road, to facilitate greater integration of the proposed cultural hub and review the size allocated for LCC1 to ensure its viability in line with Metropolitan Planning Authority Guidelines.

**CARRIED**

**MEETING ADJOURNED**

**MOVED:** *Cr Kozmevski*

The Mayor adjourned the meeting at 7.09pm to consider a procedural matter.

**MEETING RESUMED**

**MOVED:** *Cr Kozmevski*

The meeting resumed at 7.13pm

**SUBSTANTIVE MOTION**

**MOVED:** *Cr Laliou*  
**SECONDED:** *Cr Kelly*

THAT Council resolve to amend paragraph n. as follows:

- n. That Council request that the Metropolitan Planning Authority review the Local Convenience Centre 1 Concept plan and relocate the LTC3 to south of the Donnybrook Cheese Farm, but not to front Donnybrook Road, to facilitate greater integration of the proposed cultural hub and review the size allocated for LCC1 to ensure its viability in line with Metropolitan Planning Authority Guidelines.

**LOST**

The amendments were put and carried and became the Substantive Motion

**SUBSTANTIVE MOTION**

**MOVED:** *Cr Kelly*  
**SECONDED:** *Cr Kirkham*

THAT Council resolve to:

1. Provide in principle support to Planning Scheme Amendment GC28 subject to the following;
  - a. That Council support the design of the future urban structure and land uses, including the distribution, hierarchy and location of the proposed local community hub configuration.
  - b. That Council request that a review of the proposed drainage infrastructure and waterway corridor is undertaken by Melbourne Water in consultation with the affected landowners.
  - c. That Council request the Metropolitan Planning Authority undertake a review of the utilities services plan to confirm the appropriateness of the infrastructure location and potential flexibility for future changes to alignments at the time of implementation.
  - d. That Council request that the most recent cost estimates for infrastructure are provided to Council.
  - e. That Council request confirmation on what items will be eligible for a Supplementary Levy.
  - f. That Council request further information from the Metropolitan Planning Authority on their proposed implementation approach for the Infrastructure Contributions Plan into the Precinct Structure Plan.
  - g. That Council support the items nominated within the Precinct Infrastructure Plan (within the Precinct Structure Plan) as being suitable to be funded under an Infrastructure Contribution Plan.
  - h. That Council request that the proposed Amendment is not finalised until the broader development contributions reforms are resolved given the potential impact on Council's, and any affected landowners, financial and servicing obligations.
  - i. That Council support the inclusion of Regional Sporting Reserve SR-06B within the Precinct Infrastructure Plan.
  - j. That Council request that the title of SR – 06B be corrected from 'Regional' to 'District' Sporting Reserve to accurately reflect its function.
  - k. That Council request that the Donnybrook Cheese Farm is reflected in the future urban structure to enable creation of a cultural hub for the community.
  - l. That Council support the future expansion of the Donnybrook Cheese Farm into a cultural hub.
  - m. That Council request wording in the Precinct Structure Plan to highlight the Donnybrook Cheese Farm precinct as an opportunity to encourage innovative place creation outcomes.

- n. That Council request that the Metropolitan Planning Authority review the Local Convenience Centre 1 and LTC3 Concept Plans to facilitate greater integration of the proposed cultural hub, in line with Metropolitan Planning Authority Guidelines.
  - o. That Council request that the Metropolitan Planning Authority review the retail hierarchy across the PSP to ensure it is in line with Metropolitan Planning Authority Guidelines.
  - p. That Council request the Metropolitan Planning Authority investigate the potential to increase the retail floorspace allocation for Local Town Centre 3 to provide for one full line supermarket.
  - q. That Council support the current plan based protection measures for River Red Gums contained within the exhibited Precinct Structure Plan through use of Conservation Areas and local parks.
  - r. That Council request tree protection requirements be included to mandate no less than 80% retention of medium, large or very large River Red Gums within the Precinct Structure Plan.
  - s. That Council request that if a reduction to the Biodiversity Conservation Strategy Open Space (Red Gum) reserve in the north of the precinct is substantially altered, request that this land be nominated as a Local Conservation Reserve.
  - t. That Council request that where intersections are nominated on a VicRoads declared road or cross property boundaries that “traditional” interim intersections are provided.
  - u. That Council request that intersections along the future Patterson Drive not be designed and delivered as ‘interim-on-ultimate’.
  - v. That Council request that the future Cameron Street is downgraded to a boulevard connector street.
  - w. That Council support the connector road network as exhibited in the Precinct Structure Plan, with the exception of the North South connector road from Donnybrook Road to Gunns Gully Road, west of Patterson Drive, for which Council requests that the Metropolitan Planning Authority and VicRoads undertake a review of the classification of that road and the potential for its funding to be included within the approved contributions plan.
  - x. That Council support the provision of Koukoura Drive on its ultimate alignment in the interim.
2. Adopt the officer recommendations to submissions received to the Amendment GC28 at Attachment 1, subject to amendment of the relevant recommendations to reflect 1.n, 1.o. and 1.w. above.
  3. Submit the Council report to the Metropolitan Planning Authority noting 1. and 2. above as Council’s formal submission to Planning Scheme Amendment GC28.

**MOTION**

**MOVED:** *Cr Alessi*  
**SECONDED:** *Cr Spinelli*

THAT Council resolve to amend paragraph n. with the addition of the following sentence at the end of the paragraph:

- n. That a Local Town Centre in this precinct is not to have direct access from Donnybrook Road.

**LOST**

**COUNCIL RESOLUTION**

**MOVED:** *Cr Kelly*  
**SECONDED:** *Cr Kirkham*

THAT Council resolve to:

1. Provide in principle support to Planning Scheme Amendment GC28 subject to the following;
  - a. That Council support the design of the future urban structure and land uses, including the distribution, hierarchy and location of the proposed local community hub configuration.
  - b. That Council request that a review of the proposed drainage infrastructure and waterway corridor is undertaken by Melbourne Water in consultation with the affected landowners.
  - c. That Council request the Metropolitan Planning Authority undertake a review of the utilities services plan to confirm the appropriateness of the infrastructure location and potential flexibility for future changes to alignments at the time of implementation.
  - d. That Council request that the most recent cost estimates for infrastructure are provided to Council.
  - e. That Council request confirmation on what items will be eligible for a Supplementary Levy.
  - f. That Council request further information from the Metropolitan Planning Authority on their proposed implementation approach for the Infrastructure Contributions Plan into the Precinct Structure Plan.
  - g. That Council support the items nominated within the Precinct Infrastructure Plan (within the Precinct Structure Plan) as being suitable to be funded under an Infrastructure Contribution Plan.
  - h. That Council request that the proposed Amendment is not finalised until the broader development contributions reforms are resolved given the potential impact on Council's, and any affected landowners, financial and servicing obligations.

- i. That Council support the inclusion of Regional Sporting Reserve SR-06B within the Precinct Infrastructure Plan.
- j. That Council request that the title of SR – 06B be corrected from ‘Regional’ to ‘District’ Sporting Reserve to accurately reflect its function.
- k. That Council request that the Donnybrook Cheese Farm is reflected in the future urban structure to enable creation of a cultural hub for the community.
- l. That Council support the future expansion of the Donnybrook Cheese Farm into a cultural hub.
- m. That Council request wording in the Precinct Structure Plan to highlight the Donnybrook Cheese Farm precinct as an opportunity to encourage innovative place creation outcomes.
- n. That Council request that the Metropolitan Planning Authority review the Local Convenience Centre 1 and Local Town Centre 3 Concept Plans to facilitate greater integration of the proposed cultural hub, in line with Metropolitan Planning Authority Guidelines.
- o. That Council request that the Metropolitan Planning Authority review the retail hierarchy across the PSP to ensure it is in line with Metropolitan Planning Authority Guidelines. That the review investigate the allocation of retail floorspace for these centres to determine whether they adequately cater for their catchments.
- p. That Council request the Metropolitan Planning Authority investigate the potential to increase the retail floorspace allocation for Local Town Centre 3 to provide for one full line supermarket.
- q. That Council support the current plan based protection measures for River Red Gums contained within the exhibited Precinct Structure Plan through use of Conservation Areas and local parks.
- r. That Council request tree protection requirements be included to mandate no less than 80% retention of medium, large or very large River Red Gums within the Precinct Structure Plan.
- s. That Council request that if a reduction to the Biodiversity Conservation Strategy Open Space (Red Gum) reserve in the north of the precinct is substantially altered, request that this land be nominated as a Local Conservation Reserve.
- t. That Council request that where intersections are nominated on a VicRoads declared road or cross property boundaries that “traditional” interim intersections are provided.
- u. That Council request that intersections along the future Patterson Drive not be designed and delivered as ‘interim-on-ultimate’.
- v. That Council request that the future Cameron Street is downgraded to a boulevard connector street.
- w. That Council support the connector road network as exhibited in the Precinct

Structure Plan, with the exception of the North South connector road from Donnybrook Road to Gunns Gully Road, west of Patterson Drive, for which Council requests that the Metropolitan Planning Authority and VicRoads undertake a review of the classification of that road and the potential for its funding to be included within the approved contributions plan.

- x. That Council support the provision of Koukoura Drive on its ultimate alignment in the interim.
- 2. Adopt the officer recommendations to submissions received to the Amendment GC28 at Attachment 1, subject to amendment of the relevant recommendations to reflect 1.h, 1.n, 1.o. and 1.w. above.
- 3. Submit the Council report to the Metropolitan Planning Authority noting 1. and 2. above as Council's formal submission to Planning Scheme Amendment GC28.

**CARRIED**

**13. CLOSURE**

**THERE BEING NO FURTHER BUSINESS THE MAYOR DECLARED THE MEETING CLOSED AT 7.46PM.**

**CONFIRMED THIS 15<sup>TH</sup> DAY OF MARCH 2016.**

**CR STEVAN KOZMEVSKI  
MAYOR**