

WYNDHAM PLANNING SCHEME

AMENDMENT C243

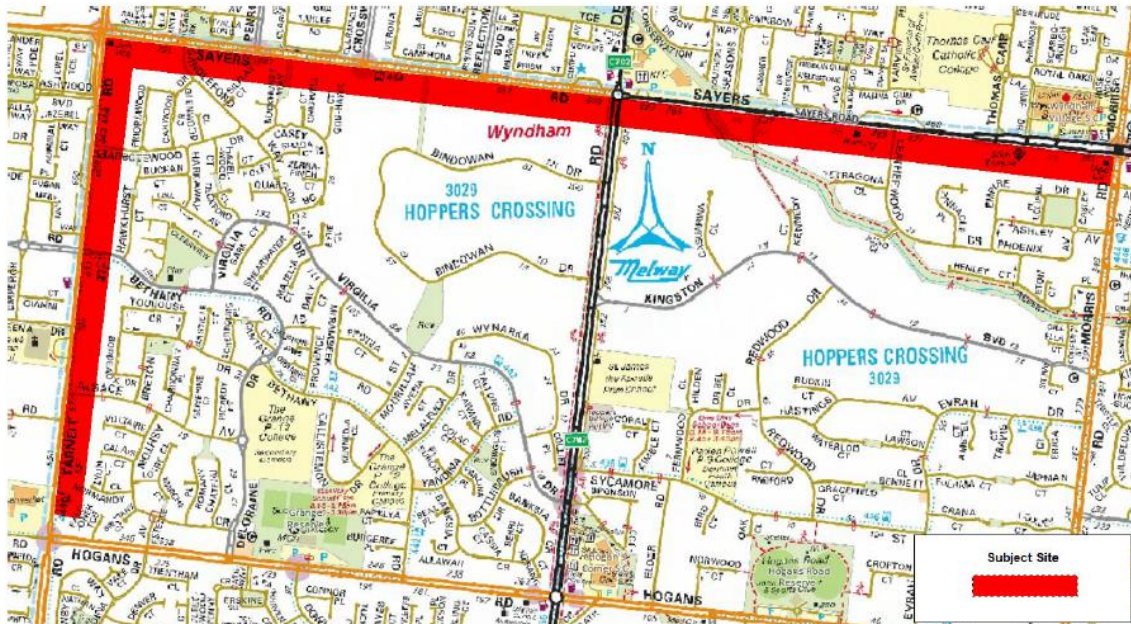
EXPLANATORY REPORT

Who is the planning authority?

This Amendment has been prepared by the Wyndham City Council, which is the planning authority for this Amendment. The Amendment has been made at the request of Wyndham City Council.

Land affected by the Amendment

The Amendment applies to the front 12 metres of 72 properties on the south side of the Sayers Road, between Tarneit Road and Morris Road, Hoppers Crossing, and 25 properties on the east side of Tarneit Road, between Sayers Road and Hogans Road, Hoppers Crossing.



A mapping reference table is attached at Attachment 1 to this Explanatory Report.

What the Amendment does

The Amendment applies a Public Acquisition Overlay (PAO) to 72 properties on the south side of the Sayers Road, between Tarneit Road and Morris Road, Hoppers Crossing, and 25 properties on the east side of Tarneit Road, between Sayers Road and Hogans Road, Hoppers Crossing, in order to facilitate the construction of a future service road.

Specifically, the Amendment:

- Amends the Public Acquisition Overlay maps 11PAO and 12PAO to include land required for the 'Tarneit and Sayers Roads service road'

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment is required to acquire land for the construction of a future service road over the next decade to safely manage vehicle access onto Tarneit and Sayers Roads. The Amendment reserves land for a public purpose and designates Wyndham City Council as the acquiring authority for this land.

Tarneit and Sayers Road provide important road links for traffic movements through Hoppers Crossing. Development of residential growth areas in the north and west of the municipality will see traffic movements along these routes increase significantly in the future. Wyndham City Council has determined that a service road is required to allow the portions of Tarneit and Sayers Road, within the Amendment area, to continue to operate in a safe and efficient manner.

The area is currently in two zones - General Residential Zone 1 and Low Density Residential Zone and comprises over 100 large residential lots of at least 4,000sqm each in area. Historically, these lots formed the outside edge of Wyndham's urban development. They have remained largely untouched given the restrictive covenants that apply to the land, preventing more than one dwelling on the lot or further subdivision. However, an increasing number of covenants are being removed, and commercial and higher density residential development (up to 30 dwellings) have been proposed on some sites.

The development of the lots with commercial and higher residential density development will increase the number of traffic movements onto Tarneit and Sayers Road. Vehicle access arrangements are an important consideration, as Tarneit and Sayers Roads are critical roads to Wyndham's future arterial road network, forming part of the Principal Public Transport Network (PPTN). They are both high volume roads that currently provide an arterial road function within the road network and it is important that safe and a high level of service is provided.

In order for Tarneit and Sayers Roads to continue to meet the Australian Standards for road design, and operate in a safe and efficient manner, alternative access to Tarneit and Sayers Roads for this area need to be established. The work is supported by a traffic impact assessment "*Service Road Access Review - Tarneit Road and Sayers Road*" Ratio (2019), which determined a series of service roads as the most appropriate mechanism to preserve the safe and efficient operation of the road. This will ensure that all vehicles entering and exiting the properties gaining access to Tarneit and Sayers Roads will do so at coordinated access points. Service road concept plans have been prepared which identify the service road design, identify public transport and parking infrastructure to be provided, and confirm the extent of land required.

A PAO is required to facilitate the development of a service road identified as the most appropriate road management strategy to manage safe vehicle access onto Tarneit and Sayers Roads. Given the relatively undeveloped nature of the land, the precinct has the capacity to provide a service road arrangement which would provide the best outcome for the precinct. Twelve metres is required at the front of the property to provide for a future service road. Land owners will be compensated by Council for the acquisition of the land required for the service road and impacts on existing uses and development.

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

The Amendment implements the objectives of planning in Victoria as set out in Section 4 of the *Planning and Environment Act 1987*:

Section 4 (1)(a) "*To provide for the fair, orderly, economic and sustainable use, and development of land*" This will be achieved through the facilitation of a service road which will allow for safe access onto arterial roads, continued access to residential and commercial properties, and orderly land use and development.

Section 4 (1)(c) "*To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria*" The Amendment and development of the service road will result in improved road connections, thereby reducing congestion and improving safety for vehicles, freight, cyclists and pedestrians.

Section 4 (1)(e) "*To protect public utilities and other assets and enable the orderly provision and co-ordination of public utilities and other facilities for the benefit of the community*" The Amendment will facilitate the construction of public road infrastructure, which will be an asset for the benefit of the local community. It is important to maintain continuing access to services outside property boundaries including telecommunications, water, gas and electricity. The service road in the proposed location avoids such existing services and ensures that costly relocation is not required.

Section 4 (1)(f) “To facilitate development in accordance with the objectives set out in paragraphs (a), (c), and (e)” This will be achieved by facilitating development of an important component of the local road system.

Section 4 (1)(g) “To balance the present and future interests of all Victorians” The project anticipates future growth in the municipality and impacts on the road network, whilst seeking to provide for an equitable outcome for all road users.

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

The project will consider the short and long term environmental, social and economic impacts to the community at each stage of the service road project and be developed in accordance with the requirements of *the Planning and Environment Act 1987, Land Acquisition and Compensation Act 1986, and Road Management Act 2004*. The provision of service roads to replace direct access aligns with the objectives and best practice guidelines of the Wyndham Planning Scheme and Austroads Guide to Traffic Management.

The impact of the service road on individual property parcels has undergone an initial assessment. Constraints identified to date include the direct impact of the future service road on existing buildings, septic tanks in the front yards of properties, trees and car parking associated with non-residential uses such as childcare, places of assembly, medical centres and multi-dwelling developments.

Environmental Effects

The development of the service road will have positive environmental benefits in reducing congestion along the arterial roads. Cars more safely exiting properties will not disrupt traffic flow, resulting in less cars idling in slow moving traffic and a reduction in CO2 emissions. There will be more space for cycling and public transport, with concept design of the service road including footpaths and provision of a dedicated cycle lane in both directions.

The construction of the service road will have an impact on planted trees which will be replanted in accordance with the targets of Council’s *City Forest and Habitat Strategy (2018-2040)* and any native vegetation losses offset in accordance with Clause 52.17 of the Planning Scheme. The service road will also impact on existing septic systems, which will be relocated in response to further Land Capability Assessments.

During detailed design council will undertake further environmental assessments and mitigate amenity and other environmental impacts as required by the planning scheme.

Social Effects

Land owners and residents will be impacted in the short term by the construction of the service road. However, Council must balance these impacts within the context of the need to safely manage traffic and upgrade local road infrastructure in anticipating future urban development.

Ensuring the safe and efficient operation of the road network has social and community benefits.

Development of the lots in the precinct will lead to increased traffic volumes and the number of turning movements at each access proposed to the individual lots. Service roads improve the safety and efficiency of arterial roads. Lower speeds in the service road will result in improved access and travel experiences for local residents.

The service road will be designed and constructed to ensure that environmental values and amenity impacts will be properly addressed and managed through subsequent Construction Environmental Management Plans.

Economic Effects

The Amendment will have economic benefits for the local population, through the improvement of traffic flow and unimpeded access to employment opportunities and services.

The Amendment identifies land that is to be acquired for the service road project. The enshrining of planning controls within the Planning Scheme will provide certainty to land owners who wish to develop their land and will enable planning applications to be considered and approved consistent with the controls.

Impacts associated with the acquisition of land will be managed through compensation procedures under the *Land Acquisition and Compensation Act 1986*.

Does the Amendment address relevant bushfire risk?

The land is located in an established residential area of Wyndham, which is not a designated a Bushfire Prone Area. Council will engage with the relevant fire authority during the exhibition of the Amendment.

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

The Amendment has been prepared to be consistent with the Ministerial Direction on the Form and Content of Planning Schemes, and the requirements of 'Ministerial Direction No. 15 – The Planning Scheme Amendment Process'.

The Amendment is compliant with 'Ministerial Direction No. 9 – Metropolitan Strategy'. The amendment will not compromise State planning policy, but rather supports the policy objectives '3.1 - Transform Melbourne's transport system to support a productive city', and '3.2 - Improve transport in Melbourne's outer suburbs' in ensuring integration between land use and transport, which connects people to jobs and services and goods to market.

A strategic assessment of the Amendment has been undertaken and is outlined in this Explanatory Report, as required by 'Ministerial Direction No. 11 – Strategic Assessment of Amendments'.

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

The Amendment has been considered against the following clauses of the Planning Policy Framework.

Clause 11 Settlement

Planning is to anticipate and respond to the needs of existing and future communities, including recognising the need for, and as far as practicable, contribute towards land use and transport integration. The Amendment achieves this through the pre planning for the service road in anticipation of current and future growth in the precinct and wider area, and the demands this will place on the local road network.

Clause 15 Built environment and heritage

The Amendment is consistent with the objectives of this clause relating to urban design, and energy and resource efficiency. The Amendment creates an urban environment that is safe, healthy, functional and enjoyable, ensures development supports public realm amenity and safe access to walking and cycling environments and public transport, and promotes integration of land use and transport.

Clause 18 Transport

Planning should ensure an integrated and sustainable transport system which provides access to social and economic opportunities, facilitates economic prosperity, contributes to environmental sustainability coordinates reliable movements of people and goods, and which is safe to users.

The Amendment directly implements the objectives of this clause in relation to the transport system, by:

- Maximising the use of existing infrastructure
- Managing the road system to achieve integration, choice and balance by developing an efficient and safe network and making the most of existing infrastructure.
- Ensuring that road space complements land use and is managed to meet community and business needs.

Clause 19 Infrastructure

Planning should ensure that the growth and redevelopment of settlements is planned in a manner that allows for the logical and efficient provision and maintenance of infrastructure, including the setting aside of land for the construction of future transport routes. As the municipality grows, it is important for infrastructure to be developed to keep pace and address the community's needs. The Amendment facilitates the development of a service road to support the functions of the arterial roads for the benefit of the broader local and regional community.

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

Clause 21.01-1 Municipal Profile

Wyndham is one of metropolitan Melbourne's designated growth corridors. It is estimated that by 2040, the City could host 425,000 people in 151,000 dwellings. The key planning issues which Council needs to address in the future include rapid population growth, liveability, infrastructure and transport.

Population growth creates heavy demands on all forms of infrastructure and services. Major growth will impose significant demands on the environment, infrastructure, urban character and employment. Council will need to guide the overall form of growth and its key infrastructure and land use elements. Council will need to invest at least \$1.5 billion in infrastructure to service the City's projected growth. Infrastructure provision is not keeping pace with levels of growth and has deteriorated with rapid population growth. Both road and rail transport will face increasing capacity constraints as demands increase. The Amendment addresses this issue through the acquisition of land to develop infrastructure which supports the current and future demands placed on the road network.

Clause 21.06 - Built Environment and Heritage

It is acknowledged that there is insufficiently defined character and thematic urban design in some of Wyndham's development. Urban areas often lack visual appeal due to ineffective landscaping. This is evident at some major entrances and along sections of key arterial roads. Key issues include improving the presentation of urban areas and entrances, particularly from major roads, gateways and waterways. This will be achieved by improving the quality of development through improved design, siting and landscaping, and ensure that urban design and landscaping is addressed in managing the visual amenity of gateways, transport routes, the coast, waterways, streets and places.

The service road has been designed to incorporate pedestrian and landscaping opportunities, including medium and large canopy trees, and retain landscaping setbacks within each property. A planting regime will ensure replacement vegetation contributes positively to resident and road user experiences.

Clause 21.08 - Economic Development

Wyndham has a diverse local economy. Currently, two thirds of residents leave the municipality for work every day. This places significant stress on roads and public transport, impacts on expenditure leakage from local economic activity and has significant health implications arising from long commute times.

The service road will generate employment primarily during the construction period and will improve links across the municipality, providing wider employment opportunities for local residents, while maintaining safe access for visitors to businesses along Tarneit and Sayers Roads.

Clause 21.09-1 - Integrated Transport Networks

Wyndham's transport network will experience pressure from rapid population growth. While the demand for transport will be met primarily through private car use, strategies to facilitate major increases in use of public transport are required. Both road and rail transport will face increasing capacity constraints as demands increase. Key issues include - Providing improved and accessible transport options and Maintaining and enhancing existing road infrastructure.

Council seeks to improve and upgrade transport infrastructure to meet existing and future population by provide for an integrated, safe and efficient transport network, ensuring new development is

provided with safe and efficient vehicular access, and ensuring that the planning and design of transport corridors is sympathetic to and not at the expense of the natural environment and landscape.

The roads form part of the local cycle network and the PPTN. The ultimate cross-sections for Tarneit and Sayers Roads will incorporate dual carriage ways, centre medians, landscaping including canopy tree planting, and opportunities for shared paths and cycle lanes. Public transport infrastructure to incorporate the bus network has been included in the design of the service road.

There are no local planning policies that are specifically relevant. No changes are sought to the LPPF.

How does the Amendment support or implement the Municipal Planning Strategy?

N/A

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

The Amendment is required to facilitate the development of a service road as the most appropriate road management strategy to manage safe vehicle access onto Tarneit and Sayers Roads. A service road in Tarneit and Sayers Roads will address road safety issues, support traffic movements and provide an efficient transport link across the municipality.

The Public Acquisition Overlay (PAO) has been selected as the most appropriate planning control given current commercial and residential development pressures along Tarneit and Sayers Roads. The PAO identifies the land which is proposed to be acquired for the public purpose of the development of a future service road. The PAO will reserve land on Tarneit and Sayers Roads, and ensure that changes to the use or development of the land in this part of Wyndham City will not prevent construction of a future road. It designates Council as the acquiring authority and will require a permit for any use and development of land, allowing Council to consider how proposed uses and development may impact on the delivery of a future service road.

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

Council has commenced and will continue to engage with City West Water and VicRoads as service and roads authorities respectively. VicRoads supports the Amendment and the development of a service road to safely manage access onto the arterial roads. The Amendment will undergo full exhibition including notice to any servicing authority or government agency which may have an interest in the application.

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

The Amendment is consistent with the provisions of the *Transport Integration Act 2010*. It contributes to the development of a transport system, and implements the Transport System Objectives and Decision-Making Principles of the Act by:

- Integrating transport and land use through the acquisition of land for the purpose of a service road, while having regard to the future use of land and growth in expected traffic movements.
- Enhancing the useability of the transport network by:
 - o Maintaining traffic flow and increasing efficiency for road users on the arterial network, through the inclusion of public transport infrastructure and a dedicated cycle/shared path, ensuring equitable access for all road users.
 - o Maintaining safe access to land, by reducing conflict points for residents turning into and out of properties, and ensuring that changes to use and development of the land do not prejudice the ability to provide the service road.
 - o Improving amenity for residents through separation of through traffic on the arterial roads and reduced speeds in the service road.
- Supporting environmental sustainability through an appropriate offset and tree replacement regime and providing for safety, health and wellbeing, through the inclusion of different modes of sustainable transport options, including pedestrian, cycle and bus infrastructure.

- Fostering economic prosperity and competition and supporting financial sustainability of local business on Tarneit and Sayers Roads and in the wider area by improving efficiency of the road network and retaining access to markets.
- Improving efficiency, coordination and reliability in the road network, and integrating decision making by working with Vic Roads and the Department of Transport in the coordination of the service road delivery with improvements to the arterial road network, minimising inconvenience and disruption to the transport system.
- Extensive engagement with land owners and residents, to continue part of the exhibition of the Amendment.

There are no applicable Statements of Policy Principles.

Resource and administrative costs

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

The Amendment introduces a control which requires a planning permit for uses and development of the land and will result in an increase in planning permit applications. This can be met with existing Council staffing/resources. This will be removed by a further amendment once the service road as been developed.

Where you may inspect this Amendment

Submissions

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

Wyndham City Council Civic Centre
45 Princes Highway, Werribee

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.planning.vic.gov.au/public-inspection

Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by Monday 23rd September 2019.

A submission must be sent to: Wyndham City Council Civic Centre - 45 Princes Highway, Werribee VIC 3030 or via email mail@wyndham.vic.gov.au with reference Amendment C243.

Panel hearing dates

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

- Directions hearing in the week of Monday 4 November 2019
- Panel hearing commencing in the week of Monday 2 December 2019.

ATTACHMENT 1 - Mapping reference table

Location	Land /Area Affected	Mapping Reference
Hoppers Crossing	387-423 Sayers Road	12PAO
Hoppers Crossing	423-471 Sayers Road 489-537 Sayers Road 547 Sayers Road 569-591 Sayers Road 404 Derrimut Road (where this has frontage to Sayers Road) 609-687 Sayers Road 693-743 Sayers Road 747-771 Sayers Road 785- 797 Sayers Road 673-689 Tarneit Road 645-665 Tarneit Road 587-625 Tarneit Road 551-573 Tarneit Road	11PAO