

WYNDHAM PLANNING SCHEME
AMENDMENT C242WYND
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 SJB Planning Pty Ltd on behalf of Oreana Property Group Pty Ltd.

Land affected by the Amendment

The Amendment applies to the land at 842 Sayers Road, Tarneit, which is located to the immediate north west of the Sayers Road-Tarneit Road intersection, in Tarneit.

The land has an area of approximately 3.23 hectares and is currently vacant.



Figure 1: Land affected by the Amendment (shown in red)

What the amendment does

The Amendment rezones the land from the General Residential Zone – Schedule 1 (GRZ1) to the Mixed Use Zone (MUZ), and facilitates the use and development of the land as originally intended by the approved Ridgeland Outline Development Plan.

Specifically, the Amendment makes the following change to the Wyndham Planning Scheme:

- Amends Wyndham Planning Scheme Map 11 to rezone the site from the GRZ1 to the MUZ.

Strategic assessment of the Amendment

Why is the Amendment required?

The Amendment facilitates the development of the land as a mixed-use precinct, which is the desired outcome expressed in the approved *Ridgeland Outline Development Plan* (the 'Development Plan') (Council ref: DP0041/08, as amended).

The Development Plan sets the framework for the integrated development of 61.63ha of land at the corner of Sayers Road and Tarneit Road (known as the Ridgeland project) and gives effect to the principles established in the wider *Cowies Hill Local Structure Plan* which was prepared for exhibition with the land's rezoning (from Rural to Residential 1) under Amendment C32 (approved on 26 March 2002).

At that time, the Wyndham Planning Scheme contained local policy Clause 22.01 '*Werribee West, Wyndham North and Point Cook Growth Area Planning Policy*'. The policy included a concept plan which was intended to provide a guide to future development within the Wyndham North growth front, noting that the land was earmarked for 'commercial' (see Figure 2 below).

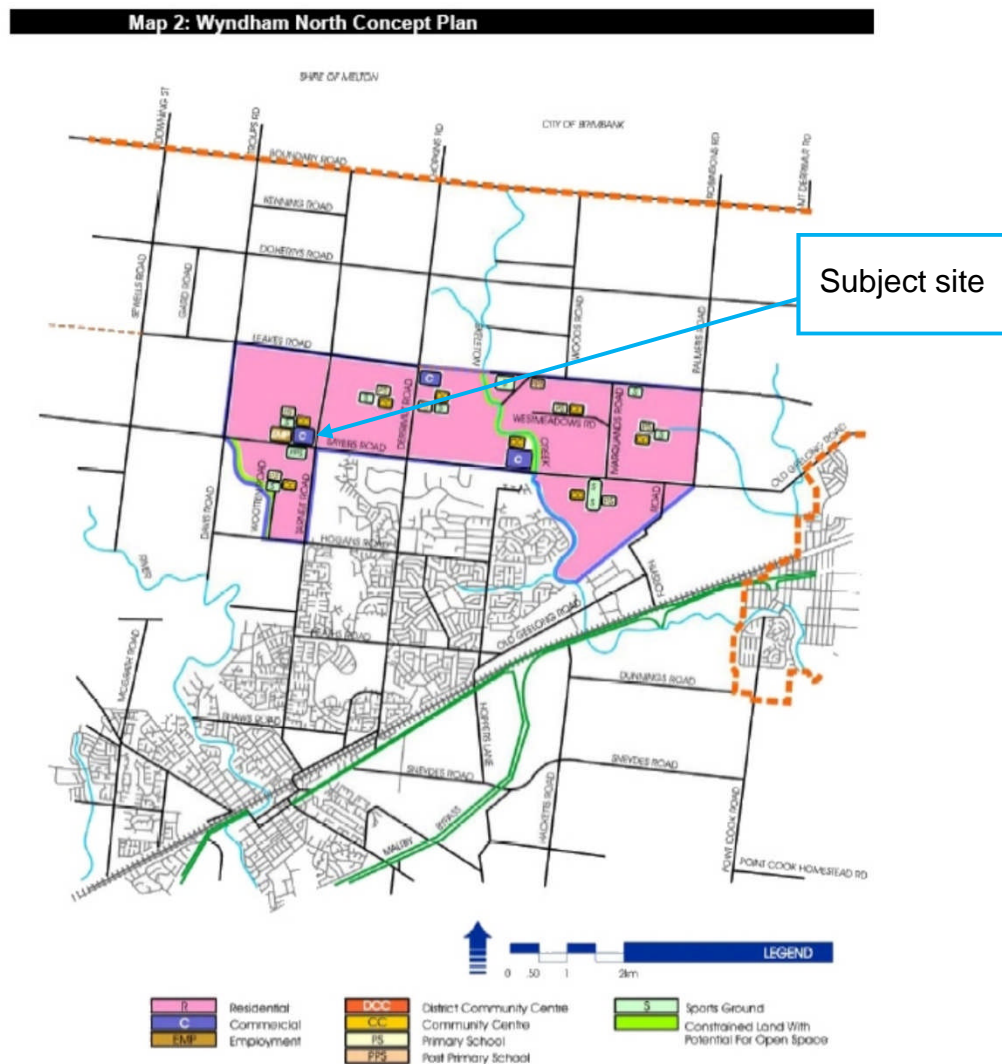


Figure 2: Wyndham North Concept Plan

This policy remained in the Wyndham Planning Scheme until the approval of Amendment C192 (approved 28 May 2015). Amendment C192 implemented a comprehensive review of the scheme in

2013 and, amongst other things, resulted in the introduction of a new Municipal Strategic Statement (MSS) and the deletion of all existing local policies.

Whilst the land is not specifically earmarked as an activity centre in the current MSS policies at Clause 21.08, the Amendment is consistent with the intent of the policy which seeks to satisfy a range of retail, commercial, community and residential needs, in identified locations. The mixed-use zoning (which is in the Victoria Planning Provisions suite of residential zones as opposed to a commercial zoning) ensures that the retail hierarchy expressed in Clause 21.08 is not undermined, by requiring planning permission for the use of the land for retail and office.

The expected mixed-use planning outcome for the land under the Development Plan is summarised below and should be read in conjunction with Figures 3 and 4:

- The Cowies Hill Local Structure Plan identified the site as one of a number of smaller mixed-use centres to provide a service and employment related role for the Cowies Hill community.
- This description and function was said to be consistent with the Council's Activity Centres Policy (Clause 22.04) at the time, and indeed the 1998 Activity Centre Strategy, which identified a 'local centre' at Tarneit /Sayers Roads. Under this policy framework, a local centre allowed for a retail gross leasable floor area of up to 5,000 square metres.
- It was anticipated that the land would be developed as a mixed-use precinct comprising 3,200 square metres of retail, 2,260 square metres of office, and 6,720 square metres of residential (including some quantum of 'home based business functions' or, in other words, 'shop top housing').
- The shape, location and orientation of the mixed-use site demands a responsive built form, particularly with regard to the intersection of Tarneit and Sayers Roads and the allocated Open Space reserve.

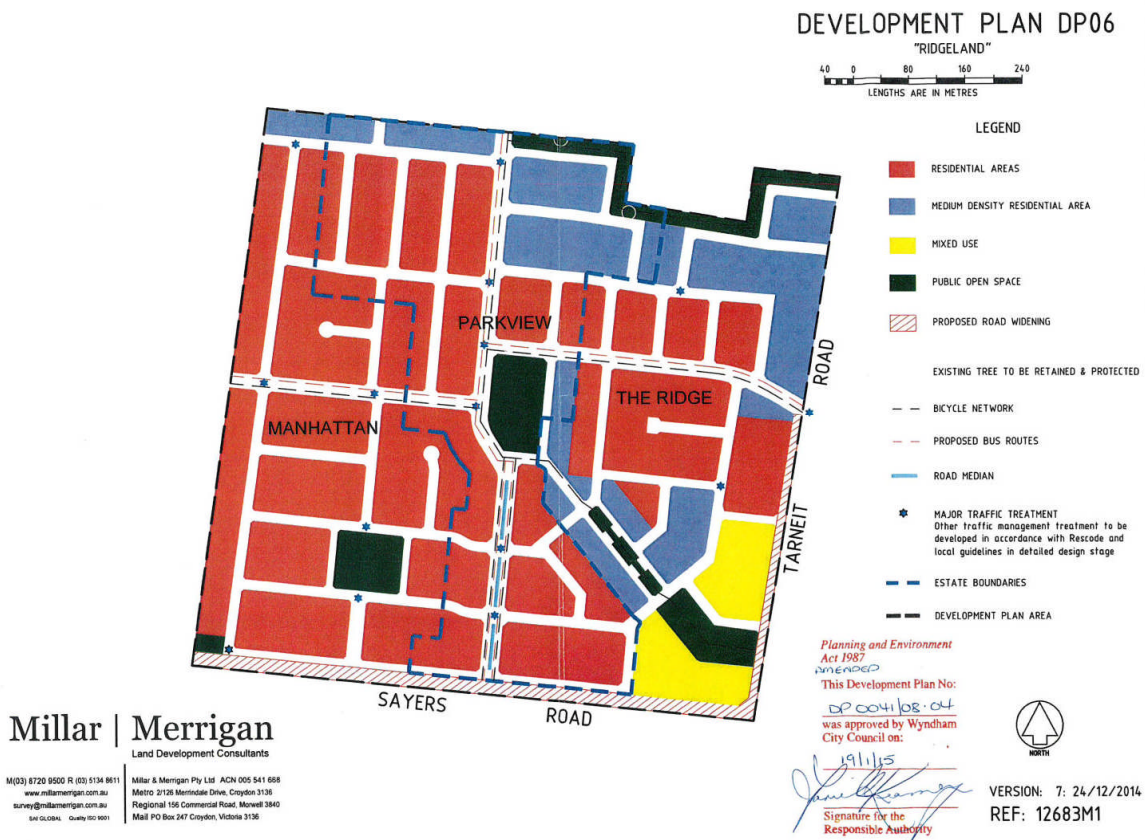
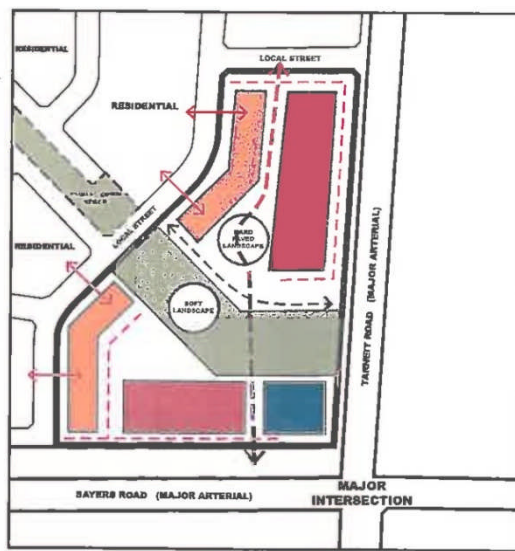


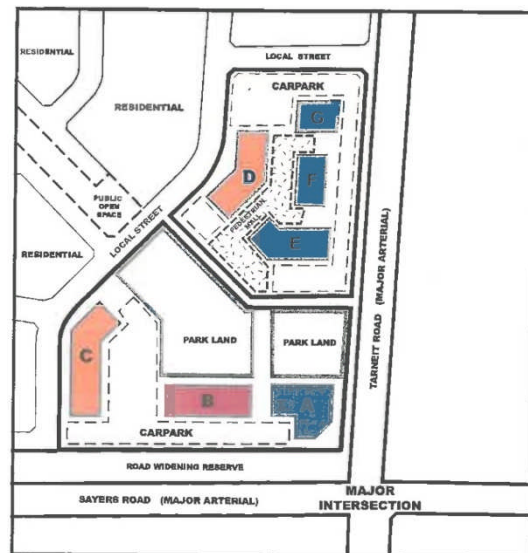
Figure 3: Approved Development Plan (as amended)



LEGEND

Residential Interface Provide complementary uses to address opposite residential areas	Focal Point Create differential surface treatment to articulate potential focal points
Public Open Space Linkage Provide parkland to create a connection between Public Open Spaces	Local Street Provide vehicle and bicycle access
Major Street Bridge Provide retail and office opportunities to utilize street exposure	Pedestrian Mall Provide pedestrian access only circulation route to allow permeability & encourage shop front activity
Corner Definition Enhance and define corner with dominant built-form (up to 3 storeys)	Carparking Provide on-grade car parking at perimeter to meet pedestrian / vehicle context, as well as providing customer convenience

Figure 27 - Design Response - Mixed Use Precinct



PRELIMINARY DEVELOPMENT SUMMARY

Site Area:	2.4 ha approx.
Total Gross Floor:	14106 sqm approx
Total Carpark Spaces on Grade:	370 spaces approx
Total Retail:	3200 sqm approx
Total Office:	2280 sqm approx.
Total Home Office:	6720 sqm approx

AREA CALCULATION

BUILDING A:	OFFICE (1400 sqm) G/F RETAIL (930 sqm)
BUILDING B:	RESTAURANT (1800 sqm)
BUILDING C:	HOME OFFICE (3780 sqm)
BUILDING D:	HOME OFFICE (2060 sqm)
BUILDING E:	OFFICE (800 sqm) G/F RETAIL (860 sqm)
BUILDING F:	G/F RETAIL (540 sqm)
BUILDING G:	CHEMIST (570 sqm)

Figure 28 - Indicative Mixed Use Precinct Concept

Figure 4: Extracts relating to the land from the approved Development Plan

The relevant purposes of the MUZ are to provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality, and to providing housing at higher densities.

The Amendment is consistent with Development Plan and critical to the delivery of the mixed-use precinct envisaged in the plan, noting that both retail premises and offices are Section 2 uses in the MUZ, whereas in the GRZ1 they are prohibited. In addition, a mandatory building height is not specified in the MUZ, whereas in the GRZ1 the 'default' mandatory building height (for a dwelling or residential building) is 11 metres and no more than 3 storeys.

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

The Amendment implements the following objectives set out at Section 4 of the *Planning and Environment Act 1987 (the Act)*:

- (a) to provide for the fair, orderly, economic and sustainable use, and development of land
- (c) to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria
- (g) to balance the present and future interests of all Victorians.

The Amendment provides the opportunity for retail, office and complementary residential uses within the *Ridgeland Outline Development Plan* area. Office uses will provide residents, both within the Ridgeland project and the broader Tarneit locality, with the opportunity to live and work in the same locality, subsequently promoting the objectives of sustainability.

A mixed-use zoning allows retail and associated commercial uses to be established that would provide services that would improve the amenity of the area.

The rezoning facilitates the provision of a mixed-use precinct in this location, consistent with the strategic directions of Wyndham City Council and consistent with the objectives of planning in Victoria.

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

The Amendment has positive environmental benefits as it reduces the distance residents need to travel for goods and services, by providing a mixed-use precinct within the *Ridgeland Outline Development Plan* area and the broader Tarneit locality, and improves the accessibility to retail facilities of residents wishing to use alternative modes of transport to the car, such as cycling or walking.

Flora and fauna and archaeological assessments were previously provided and considered as part of the previous rezoning of the land as well as the preparation of the *Ridgeland Outline Development Plan*.

The Amendment facilitates several positive social and economic outcomes including:

- Ensuring sustainable development principles are met by promoting living and working in the same locality.
- Utilising existing and proposed community infrastructure, services and facilities.
- Providing local shops and community facilities which will integrate well within the surrounding residential development.

These social and economic outcomes result in net community benefit for residents within the *Ridgeland Outline Development Plan* area.

Does the Amendment address relevant bushfire risk?

The Amendment rezones land in an establishing urban area to reflect its future identified use a mixed-use precinct. The Amendment is not in a Bushfire Prone Area or Bushfire Management Overlay and will not increase bushfire risk.

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

The environmental properties of the site have been considered in the previous rezoning of the land (from Rural to Residential 1) and are considered satisfactory in relation to the requirements of Ministerial Direction No. 1 – Potentially Contaminated Land.

The Amendment also complies with the requirements of Ministerial Direction 9 – Metropolitan Strategy *Plan Melbourne: 2017-2050* (Strategy). The Amendment is consistent with the directions contained in the Strategy, particularly Direction 5.1, which seeks to create a city of 20-minute neighbourhoods where there is greater housing choice, opportunities for local businesses and new jobs and better access to local services and facilities. The Strategy recognises that the application of the MUZ can facilitate diverse housing and a greater mix of uses at varying densities.

The Amendment is consistent with the requirements of Ministerial Direction – Strategic Assessment of Amendments as detailed in this explanatory report.

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

The Amendment is consistent with the objectives of the Planning Policy Framework (PPF).

The following clauses of the PPF are considered relevant:

- **Clause 11.01-1S Settlement** - seeks to ensure that land use and development policies and practices integrate relevant environmental, social and economic factors in the interests of net community benefit and sustainable development. The Amendment will provide retail and office services and facilities that will be available for public use for both existing and future populations of the surrounding community.
- **Clause 11.02-1S Supply of Urban Land** - seeks to ensure that growth areas continue to provide land and supporting infrastructure to meet forecast demand. The Amendment facilitates the provision of an appropriately located mixed use precinct.

- **Clause 15.01-1R Urban Design - Metropolitan Melbourne** - aims to achieve high quality urban design and architecture that contributes positively to urban character and sense of place and promotes attractiveness of towns and cities within broader strategic contexts. The centre will be subject to a detailed development plan application.
- **Clause 17.01-1R Diversified economy** - Metropolitan Melbourne seeks to facilitate investment in Melbourne's outer areas to increase local access to employment. The application of the MUZ will increase the potential for provision of land for employment generating uses locally, such as office and retail.
- **Clause 17.02-1S Business** - the proposed rezoning provides for the growing retail need and provides net community benefit through the increase in retail offer, accessibility and infrastructure use. These objectives will be best achieved when the land is zoned appropriately.

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

The Amendment is consistent with the objectives of the Local Planning Policy Framework (LPPF).

The following clauses of the LPPF are considered relevant:

- **Clause 21.01 Municipal Profile** recognises that economic growth and job creation must keep pace with population growth. The Amendment facilitates the provision of an appropriately located mixed use centre consistent with this strategic direction.
- **Clause 21.07 Housing** seeks to provide variety and choice in housing densities and encourages medium density housing, especially within close walking distance of existing and planned fixed rail stations, defined Activity Centres and bus routes. The Amendment will facilitate the development of medium density housing as part of the broader development of the mixed-use precinct.
- **Clause 21.08 Economic Development** seeks to establish a network of activity centres which satisfy a range of retail, commercial, community and residential needs. The Amendment is consistent with the policy in providing for these needs on the subject land as identified in the *Ridgeland Outline Development Plan*. Despite the land not specifically being earmarked as an activity centre, the proposed mixed-use zoning (as opposed to a commercial zoning) also ensures that the retail hierarchy expressed in Clause 21.08 is not undermined, by requiring planning permission for the use of the land for retail and office.

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

The Amendment makes proper use of the Victoria Planning Provisions by applying the most appropriate planning zone to the land to give effect to the *Ridgeland Outline Development Plan* (approved development plan).

The MUZ encourages a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality. It also provides for housing at higher densities and encourages development that responds to the existing or preferred neighbourhood character of the area.

The existing Development Plan Overlay – Schedule 6 (DPO6) will continue to apply to the land. Any planning permit granted must be generally in accordance with the approved development plan noting that an 'Indicative Design Response' and a 'Mixed Use Precinct Concept' forms part of the approved development plan.

An amendment to the development plan will be required under the provisions of DPO6 to facilitate the issue of a planning permit/s, should an alternative development outcome for the land be pursued.

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

The Amendment does not introduce any referral requirements and is not relevant to any other agency.

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

The Amendment has limited impact on the transport network as it only rezones land consistent with its future use as a mixed-use precinct as identified in the approved *Ridgeland Outline Development Plan*, and is not considered to be contrary to requirements of the Transport Integration Act 2010.

Resource and administrative costs

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

The new planning provisions are unlikely to impact on the resource and administrative costs of the responsible authority.

Where you may inspect this Amendment

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

- Wyndham City Council
45 Princes Highway
Werribee, Victoria, 3030

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.