Planning Panels Victoria

Wyndham Planning Scheme Amendment C266wynd Update to the Wyndham Municipal Planning Strategy

Panel Report

Planning and Environment Act 1987

19 September 2025



How will this report be used?

This is a brief description of how this report will be used for the benefit of people unfamiliar with the planning system. If you have concerns about a specific issue you should seek independent advice.

The planning authority must consider this report before deciding whether to adopt the Amendment.

[section 27(1) of the Planning and Environment Act 1987 (the PE Act)]

For the Amendment to proceed, it must be adopted by the planning authority and then sent to the Minister for Planning for approval.

The planning authority is not obliged to follow the recommendations of the Panel, but it must give its reasons if it does not follow the recommendations. [section 31 (1) of the PE Act, and section 9 of the *Planning and Environment Regulations 2015*]

If approved by the Minister for Planning a formal change will be made to the planning scheme. Notice of approval of the Amendment will be published in the Government Gazette. [section 37 of the PE Act]

Planning Panels Victoria acknowledges the Wurundjeri Woi Wurrung People as the traditional custodians of the land on which our office is located. We pay our respects to their Elders past and present.

Planning and Environment Act 1987

Panel Report pursuant to section 25 of the PE Act

Wyndham Planning Scheme Amendment C266wynd

Update to the Wyndham Municipal Planning Strategy

19 September 2025

Michael Ballock, Chair

MBellow

Dianne King, Member

Contents

		Pa	ge
Execu	ıtive sı	ummary	6
1	Intro	duction	8
_	1.1	The Amendment	
	1.2	Background	
	1.3	The Panel's approach	
	1.4	Versions of the Amendment	
2	Strate	egic issues	12
	2.1	Planning context	12
	2.2	Strategic justification	
3	The V	Vyndham Plan	15
	3.1	Density targets	
	3.2	Out of sequence development	
	3.3	Place Intervention Logic (PIL)	
	3.4	The Wyndham Plan as a background document	
4	Chan	ges to Clause 02	27
	ndix A		
• •	ndix B		
• •	ndix C		
• •	ndix D		
Appe	ndix E	Panel recommended version of Clause 74.02 Schedule	59
List	of Ta	ıbles	
		Pa	ge
Table	1	Chronology of Events	10
Table	2	Planning context	12
	_		
List	of Fi	gures	
	J		ge
Figure	1 د	The City of Wyndham	_
i igui (_ <u>-</u>	THE City of vv yridinant	0

Glossary and abbreviations

Council Wyndham City Council

DTP Department of Transport and Planning

LAFP Local Area Framework Plan
MPS Municipal Planning Strategy

NDHa net developable hectare

PE Act Planning and Environment Act 1987

PILs Place Intervention Logics

Practitioner's Guide Practitioner's Guide to Victoria's Planning Schemes

PSP Precinct Structure Plan

PSP Guidelines Precinct Structure Planning Guidelines: New Communities in Victoria

UDF Urban Design Framework
Wyndham Plan the Wyndham Plan, 2023

Overview

Amendment summary	
The Amendment	Wyndham Planning Scheme Amendment C266wynd
Common name	Update to the Wyndham Municipal Planning Strategy
Brief description	Update the Municipal Planning Strategy to align with the Wyndham Plan 2023 to provide a strategic framework to guide future development within the City of Wyndham. The Amendment also updates the Clause 72.08 Schedule (Background documents) to include the Wyndham Plan 2023
Subject land	The City of Wyndham
The Proponent	City of Wyndham
Planning Authority	City of Wyndham
Authorisation	24 May 2025, with conditions
Exhibition	20 June to 22 July 2024
Submissions	Number of Submissions: 20 Opposed: 10
	Refer to Appendix A

Panel process	
The Panel	Michael Ballock (Chair), Dianne King
Directions Hearing	PPV Hearing Room 2 and by video, 7 July 2025
Panel Hearing	PPV Hearing Room 2 and by video, 4, 5 and 6 August 2025
Parties to the Hearing	Refer to Appendix B
Citation	Wyndham PSA C266wynd [2025] PPV
Date of this report	19 September 2025



Executive summary

Wyndham Planning Scheme Amendment C266wynd (the Amendment) seeks to update Clause 2.0 of the Municipal Planning Strategy (MPS) to align with the Wyndham Plan 2023 (Wyndham Plan) to provide a strategic framework to guide future development within the City of Wyndham. The Amendment also updates the Clause 72.08 Schedule to include the Wyndham Plan as a background document.

Key issues raised in submissions included:

- requests for changes to the Wyndham Planning Scheme provisions and the Wyndham Plan
- housing density targets in the Wyndham Plan
- the role of activity centres
- clarification on how current precinct structure plans (PSPs), urban design frameworks (UDFs) and development plans would be impacted
- financing out of sequence development
- terms used in the proposed changes
- the role and function of Place Intervention Logics (PILs).

The Panel considers the support for housing densities including focusing increased density around the Wyndham City Heart, selected activity centres, railway and bus interchanges and along Derrimut Road Boulevard is strategically justified and provides an appropriate basis for the delivery of 20-minute neighbourhoods and greater housing choice across Wyndham. However, the dwelling density targets set out in the Wyndham Plan lack a clear strategic basis.

The proposed changes to the strategic directions of Clause 02.03-1 to deal with out of sequence development are appropriate. However, the text dealing with out of sequence development in the Wyndham Plan is more definitive in that it canvasses situations where Council may or may not support permits which is inappropriate in a background document.

The Panel does not support the use of the term PIL within the MPS and concludes that a more appropriate terminology is Local Area Framework Plan which aligns with established practice. Nevertheless, the Panel is satisfied that the Clause 74.02 (Further Strategic work) Schedule should include a requirement to prepare Local Area Framework Plans to deliver 20-minute neighbourhoods as proposed by Council in addition to the development of a sequencing policy.

While the Wyndham Plan provides the strategic justification for the Amendment, the cumulative effect of the content of the Wyndham Plan and the issues around density, out of sequence development and PILs makes the Wyndham Plan, in its current form, unsuitable for inclusion in the Planning Scheme as a background document.

The Panel supports the proposed changes to Clause 02 including Council's post exhibition changes in response to submissions.

The Panel concludes:

- The Wyndham Plan provides appropriate strategic justification for the Amendment.
- Notwithstanding the above, the Wyndham Plan in its current form should not be identified as a Background document including because:
 - The density targets are not appropriate.
 - The out of sequence provisions in the Wyndham Plan are not appropriate.

- Council's Final Version of Clause 02 is appropriate subject to replacing the term 'Place Intervention Logic' with the term 'Local Area Framework Plan'.
- The exhibited out of sequence provisions in Clause 02.03-1 are appropriate.
- The inclusion of work on a sequencing policy in the Clause 74.02 Schedule is appropriate.
- The identification of preparation of Local Area Framework Plans for the Wyndham City Heart, Urban Pulses, Village Pulses and Derrimut Road Boulevard (including their catchments) as further strategic work is justified.

Recommendations

Based on the reasons set out in this report, the Panel recommends that Council:

- 1. Adopt Wyndham Planning Scheme Amendment C266wynd as exhibited with the following changes:
 - <u>a)</u> Replace Clause 02 with the Panel recommended version in Appendix D of this report.
 - b) Amend Clause 72.08 Schedule to remove the reference to the Wyndham Plan.
 - c) Replace Clause 74.02 Schedule with the Panel recommended version in Appendix E of this report.

1 Introduction

1.1 The Amendment

(i) Amendment description

The purpose of the Amendment is to update the MPS to align with the Wyndham Plan to provide a strategic framework to guide future development within the City of Wyndham. The Amendment also updates the Clause 72.08 Schedule to include the Wyndham Plan in the Wyndham Planning Scheme as a background document.

Specifically, the Amendment proposes to:

- amend the following sections of the MPS at:
 - Clause 02.01 Context
 - Clause 02.02 Vison
 - Clause 02.03-1 Settlement
 - Clause 02.03-6 Housing
 - Clause 02.04 Strategic Framework Plan
- amend the Clause 72.08 Schedule (Background documents) to insert the Wyndham Plan 2023
- amend the Clause 74.02 Schedule (Further strategic work) to include relevant further strategic work as identified in the Wyndham Plan.

(ii) The subject land

The Amendment applies to all land in the City of Wyndham as outlined in Figure 1.

Figure 1 The City of Wyndham



1.2 Background

The Wyndham Plan was adopted by Council on 24 October 2023 to help deliver the *Wyndham 2040 Community Vision*, to connect people and places and encourage development in areas supported by infrastructure and services. The Wyndham Plan underwent an extensive community engagement program and was intended to provide a strategic planning framework and the foundations of the Council's future strategies, plans, policies and responses to emerging issues for managing land use and development for the next 10 to 20 years.

On 24 May 2024, Council received authorisation to prepare the Amendment from the Minister (under delegation). The authorisation was subject to conditions requiring changes to the Explanatory Report and Clauses 02.02, 02.03 and 02,04. In addition, the authorisation contained the following comments:

DTP officers are not wholly supportive of the use of language within the MPS that is not 'plain English' such as 'the Wyndham Heart' and 'Wyndham City Pulses,' especially since there are suitable alternative descriptors that are commonly used throughout the Victoria Planning Provisions. It is acknowledged that this has been discussed with the Council at length and that while the Council have made some changes in this regard, the Council's position is to utilise language from the Wyndham Plan (2023) to ensure strong links between the background document and the MPS.

Council submitted it had addressed all conditions of authorisation including the reference to Ministerial Direction No 9 Metropolitan Strategy.

Table 1 Chronology of events

Date	Event
24 October 2023	Council adopts the Wyndham Plan
27 February 2024	Council resolves to seek authorisation for Amendment
24-May 2024	Council received authorisation to prepare and exhibit the Amendment
20 June to 22 July 2024	Exhibition of Amendment
27 August 2024	Council considered the submissions received in response to the exhibition of the Amendment and determined to refer all submissions to a Planning Panel
11 September 2024	Panel appointed to hear and consider submissions
3 February 2025	First Panel Directions Hearing
May to July 2025	Council undertakes further consultation with submitters
7 July 2025	Second Panel Directions Hearing
4, 5 and 6 August 2025	Panel Hearings

1.3 The Panel's approach

Key issues raised in submissions were:

- requests for changes to the Wyndham Planning Scheme provisions and the Wyndham Plan
- housing density targets in the Wyndham Plan
- the role of activity centres.
- clarification on how current PSPs, UDFs and development plans would be impacted
- financing out of sequence development
- terms used in the proposed changes
- the role and function of PILs.

The Panel has assessed the Amendment against the principles of net community benefit and sustainable development, as set out in Clause 71.02-3 (Integrated decision making) of the Planning Scheme.

The Panel considered all written submissions made in response to the exhibition of the Amendment and submissions, evidence and other material presented to it during the Hearing. All submissions and materials have been considered by the Panel in reaching its conclusions, regardless of whether they are specifically mentioned in the report.

This report deals with the issues under the following headings:

- Strategic issues
- The Wyndham Plan
- Changes to Clause 02.

1.4 Versions of the Amendment

The Panel directed Council to circulate a 'Day 1' version of the Amendment documentation before the commencement of the Hearing, and a Final Version with its closing submissions. Council circulated:

Day 1 amendment documents (Document 19)

• Final Version amendment documents with its Part C submission (Document 25).

The Day 1 version incorporated changes in response to submissions. The Final Version incorporated further changes in response to evidence and matters raised during the Hearing.

Except where stated otherwise, the Panel supports the changes in the Day 1 and Final Version, which provide greater clarity and improve the operation of the controls.

Parties were given the opportunity to provide written comments on the Final Version following the close of the Hearing. Only one party:

• 1228 Leakes Road Land Pty Ltd and SIG Oak Pty Ltd (Leakes Road and SIG) elected to do so(Document 26).

The Panel has had regard to all comments on the Final Version in developing its recommended version. The Panel's recommended version of Clause 02 in Appendix D uses Council's Day 1 version as the starting point.

2 Strategic issues

2.1 Planning context

This chapter identifies planning context relevant to the Amendment which are summarised in Table 2.

Table 2 Planning co

Table 2 Planning context	
	Relevant references
Victorian planning objectives	- section 4 of the PE Act
Municipal Planning Strategy	- Clause 2
Planning Policy Framework	- Clause 02.01 Context, Clause 02.02 Vision, Clause 02.03 Settlement, Clause 02.04 Strategic framework
	 Clause 11.01-1S Settlement, Clause 11.01-1R Settlement – Metropolitan Melbourne, Clause 11.01-1L Settlement, Clause 11.02-1S Supply of urban land, Clause 11.02-2S Sequencing of development, Clause 11.03-1S Activity centres, Clause 11.03-1R Activity centres, Clause 11.03-1L Activity centres, Clause 11.03-6S Regional and local places
	 Clause 16.01-1S Housing supply, Clause 16.01-1R Housing supply – Metropolitan Melbourne, Clause 16.01-1L Housing supply
	 Clause 18.02-3S Public transport, Clause 18.02-3R Principal public transport network
	- Clause 19.03-2S Infrastructure design and provision. Clause 19.03-2L Infrastructure design and provision
Other planning strategies and policies	- West Growth Corridor Plan
Planning scheme provisions	- Comprehensive Development Zone
	- Land Subject to Inundation Overlay
	- Parking Overlay
Planning scheme	- Wyndham Planning Scheme Amendment C273wynd
amendments	- Wyndham Planning Scheme Amendment C269wynd
	- Wyndham Planning Scheme Amendment C267wynd
Ministerial directions	- Ministerial Direction 11 - Strategic Assessment of Amendments
	 Ministerial Direction 15 – The Planning Scheme Amendment Process Ministerial Direction 18 – Victorian Planning Authority Advice on Planning Scheme Amendments
Planning practice notes and guidance	- Planning Practice Note 46: Strategic Assessment Guidelines, September 2022
	- Precinct Structure Planning Guidelines: New Communities in Victoria 2021 (PSP Guidelines)
	- Practitioner's Guide to Victoria's Planning Schemes (Practitioner's Guide)

2.2 Strategic justification

(i) The issue

The issue is whether the Wyndham Plan provides appropriate strategic justification for the Amendment.

(ii) Evidence and submissions

Council submitted that the Amendment proposes to update the MPS to:

- align with the vision and strategic directions in the Wyndham Plan and to better align with State level policy included in the Planning Policy Framework supporting 20 minute neighbourhoods
- introduce some of the content of the Wyndham Plan into the Planning Scheme to guide decision making, including the "six big ideas" for Wyndham and a number of high level strategic directions.

Council added that the Wyndham Plan also applies State policy in a local context; it is strategically aligned and derived from this State policy.

Mr Glossop gave evidence that the Wyndham Plan, which is intended to deliver the *Wyndham 2040 Community Vision*, provides the strategic framework for the Amendment. He added that the Wyndham Plan:

...establishes 'six big ideas' which are intended to transform Wyndham (said to be a '2 hours city') into a municipality of 20-minute cities. A 20-minute city is one principally based around an activity centre and transport hierarchy, where new, higher density housing is located where they are accessible (ideally by public transport) to services and jobs.

Planning our cities in this way is the cornerstone of metropolitan planning strategy, anticipated by Clause 11.03-1S (Activity centres), Clause 16.01-1 (Housing supply), Clause 16.01-1R (Housing supply – Metropolitan Melbourne) and Clause 16.01-1L (Housing location), as well as Plan for Victoria and Plan Melbourne 2017-2050.

More specifically, the concept of a 20-minute city is embedded in the Victorian planning system, most obviously by Plan Melbourne 2017-2050 (Direction 5.1)4, Clause 15.01-4R (Healthy neighbourhoods – Metropolitan Melbourne) and Clause 18.01-3R (Sustainable and safe transport – Metropolitan Melbourne).

Mr Glossop concluded that the Amendment was strategically justified.

The submission by Leakes Road and SIG opposed the inclusion of the Wyndham Plan as a background document without several changes to its content. This matter is discussed in the following chapter of this report. However, the submission acknowledged that the "Wyndham Plan is the fundamental basis for the proposed Amendment."

Mr Fetterplace gave evidence on behalf of Leakes Road and SIG. He concluded that, subject to changes to Clause 02.03-1 and the Clause 74.02 Schedule, the Amendment was strategically justified.

The submission by Ranfurlie Asset Management Pty Ltd (Ranfurlie) opposed the inclusion of the Wyndham Plan as a background document. It submitted that:

...there is no strategic justification to include the Wyndham Plan as a background document, nor is there a sound strategic basis to introduce into the planning scheme new concepts such as "pulses" and "PILs."

Mr Negri gave evidence on behalf of Ranfurlie and supported the broad concepts in the Wyndham Plan but had:

...concerns with how it is reflected in the MPS and how this will subsequently be interpreted to guide future development.

Peet Ltd submitted that it supported the Wyndham Plan and the Amendment:

...as an important step in outlining the future strategic direction for Wyndham and aligning this with broader State objectives for the implementation of the '20 minute neighbourhood' concept.

Nevertheless, Peet Ltd stated it opposed the inclusion of density targets and the regulation of out of sequence development.

(iii) Discussion

There are two questions that arise from submissions for the Panel. The first is whether the Wyndham Plan provides appropriate strategic justification for the Amendment. The second is whether the Wyndham Plan should be referenced in the Planning Scheme as a background document. The latter question is dealt with in Chapter 3 of this report.

The Amendment proposed changes to the MPS which are based on what the Wyndham Plan identifies as its six big ideas, which are:

- A Wyndham City Heart that transforms Wyndham from a 2-hour to a 20-minute city.
- Creation of Wyndham City Pulses that foster the development of 20-minute neighbourhoods.
- A Wyndham Transport Network that better connects people and places.
- A Derrimut Road Boulevard that will integrate transport and development and connect the central parts of Wyndham.
- Liveable Residential Neighbourhoods that deliver quality residential development.
- Celebration of our Green Lungs, Coast and Country to connect people with Wyndham's rural areas and natural environment.

The language used in the Wyndham Plan, which Mr Negri called "bespoke terminology and concept" is proposed to be included into the MPS. However, all three experts agreed that the broad principles of the Wyndham Plan, including a 20-minute city, increasing densities in established areas and particularly around activity centres and improving connectivity are consistent with regional and State planning policy. Nevertheless, there was disagreement about the content and details in the Wyndham Plan.

Given the Wyndham Plan's links to State policy, the Panel agrees with Mr Glossop that the Amendment is strategically justified. The document provides the strategic framework, consistent with the Plan for Victoria, for the Amendment.

(iv) Conclusions and recommendation

For the reasons set out in this report, the Panel concludes that the Amendment:

- is supported by, and implements, the relevant sections of the Planning Policy Framework
- is consistent with the relevant Ministerial Directions and Practice Notes
- is well founded and strategically justified
- should proceed subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

The Panel recommends Council:

Adopt Wyndham Planning Scheme Amendment C266wynd as exhibited with the changes recommended in this report.

3 The Wyndham Plan

3.1 Density targets

(i) The issues

The issues are whether:

- the density targets are strategically justified
- the density targets in the Wyndham Plan are appropriate for a background document.

(ii) Background

The following density targets are included in the Wyndham Plan:

- average 25-30 dwellings/net developable hectare (NDHa) in all new residential developments in urban growth areas
- 40-60 dwellings/NDHa within 50 metres of green and transport corridors adjacent to or leading to a major activity centre within the city pulses
- 40-90 dwellings/NDHa within 400 metres of existing and future train stations (up to 5-6 storeys)
- up to 60 dwellings/NDHa within 800 metres of existing and future activity centres (generally up to 5-6 storeys).

These targets do not form part of the proposed changes to the Wyndham Planning Scheme however, there are references in the Final Version of Clause 02 encouraging medium and high density urban development around activity centres serviced by rail and bus interchanges and the proposed Derrimut Road Boulevard.

(iii) Evidence and submissions

Mr Glossop supported the flexibility of the Day 1 version with regard to dwelling density over the use of measurable density targets within the Wyndham Plan. His evidence was that, as a background document, the Wyndham Plan will guide future strategic work to be undertaken that may inform future planning scheme amendments.

Mr Fetterplace's evidence supported Council's aspiration to encourage and pursue higher densities across the municipality however, he considered that:

- there was no strategic basis for the density targets
- there was lack of clarity on how and they will be applied
- density targets for new PSP areas should be aligned with the PSP Guidelines and State policy.

Mr Negri supported the Wyndham Plan's targets for distribution of growth and the strategic directions proposed within the MPS for housing density. His evidence however, did not support the dwelling density targets, which exceed the targets at Clause 11.03-2S and were inconsistent with the PSP Guidelines. He considered the targets were arbitrary and lacked robust strategic analysis. When included within a background document, they could however assist with understanding the preferred density for areas nominated in the MPS for increased density.

Mr Stephen's evidence was that the dwelling density targets were ambitious but appropriate for long-term (15 plus year) outcomes.

Council submitted that dwelling density targets are aspirational and acknowledged that further analysis was needed before they could be translated into the Planning Scheme. Council submitted that Panel need not turn their mind to the density targets within the Wyndham Plan because as a background document, they cannot be relied upon in decision making.

(iv) Discussion

The Panel considers that the proposed language in the Final Version of Clause 02 in support of housing densities including focusing increased density around the Wyndham Heart, railway and bus interchanges and along Derrimut Road Boulevard is strategically justified. These changes to Clause 02 are consistent with Plan for Victoria, the Housing Statement and provides an appropriate basis for the delivery of 20-minute neighbourhoods and greater housing choice across Wyndham.

By contrast, the dwelling density targets set out in the Wyndham Plan lack a clear strategic basis. The Panel has not been provided with robust evidence or analysis to demonstrate that the nominated figures are achievable or appropriate in all circumstances, nor that they are aligned with infrastructure delivery.

The Panel agrees with the evidence of Mr Fetterplace and Mr Negri, that the dwelling density targets are not strategically justified and are inconsistent with State Planning Policy and the PSP Guideline density targets. Further they risk creating uncertainty in delivering the strategic directions within the proposed MPS by including them within a background document. These targets risk creating conflict with existing or approved PSPs.

The Wyndham Plan should be confined to providing strategic context, rather than embedding untested density metrics that are more appropriately addressed in a future planning scheme amendment or through the PSP process.

(v) Conclusion

The Panel concludes that the density targets in the Wyndham Plan are not appropriate for a background document.

3.2 Out of sequence development

(i) The issues

The issues are whether:

- the out of sequence provisions in Clause 02.03-1 are appropriate
- the out of sequence provisions in the Wyndham Plan are appropriate for a background document
- the inclusion of work on a sequencing policy in the Clause 74.02 Schedule is appropriate.

(ii) Background

The Wyndham Plan includes the following in relation to out of sequence development:

It is proposed that out of sequence development in Wyndham can only be supported by Wyndham City Council where the costs of out of sequence development are borne by the proponents causing a subdivision or development to be out of sequence. The costs to the community and to Council resulting from out of sequence development are so great that they undermine the capacity for the people of Wyndham to sustain the quality of life they have sought through the Wyndham 2040 Community Vision. To address out of sequence development it is proposed to adopt the following actions:

- Council will implement State Government strategies identified at Clause 11.01 Victoria of the Planning Policy Framework through the Wyndham Plan and in particular Clause 11.01-1S Settlement that identifies Victoria will, among other strategies:
 - Develop sustainable communities through a settlement framework offering convenient access to jobs, services, infrastructure and community facilities.
 - Encourage a form and density of settlements that supports healthy, active and sustainable transport.
 - Limit urban sprawl and direct growth into existing settlements.
- Council will give effect to State Government strategy and policy on sequencing of development through the Wyndham Plan and its implementation. In particular, Council will seek to actively implement Clause 11.02-3S Sequencing of development of the Planning Policy Framework within the Wyndham Planning Scheme and all Planning Schemes. It will do this by defining a preferred development sequence in areas of growth to better coordinate infrastructure planning and funding.
- Council will prepare a definition of what constitutes out of sequence development and develop criteria to be used to assess future applications for subdivision in Wyndham's greenfield growth areas.
- Council will support the pipeline of PSPs that are anticipated to proceed to delivery in the
 period to 2040 where they will be appropriately supported by infrastructure to service the
 communities they will create, including the committed delivery of the public transport
 services discussed below.
- Council will consider not supporting PSPs that are located more than three kilometres from an existing (i.e. operational) train station unless a local bus service operating on a minimum service level frequency of 20-minutes at peak periods is available to connect residents living within and beyond this distance to the nearby train station. Council will consider not supporting PSPs on the basis that developments located more than three kilometres from an existing train station without a public transport connection to it are contrary to orderly and proper planning.
- Council will consider its support or non-support of PSPs from the perspective of
 delivering affordable living outcomes (those that factor both housing and transport costs)
 for existing and future residents of Wyndham and weighing the implications of such a
 decision on additional housing supply and the impacts on existing public transport
 infrastructure and services, and the local and regional road network if the public transport
 services discussed above are not provided.
- Alternatively, Council may support proposals in accordance with an agreement registered on title that phases development of a PSP with the committed delivery of the public transport service described above.
- Council will consider refusing planning permits for new subdivisions that are located more
 than three kilometres from an existing (i.e. operational) train station unless a local bus
 service operating on a minimum service level frequency of 20-minutes at peak periods is
 available to connect residents living within and beyond this distance to the nearby train
 station. Permits will be considered for refusal on the basis that developments located
 more than three kilometres from an existing train station without a public transport
 connection to it are contrary to orderly and proper planning.
- Council will consider refusing planning permits for subdivision applications that are not aligned with either the green (0-4 years) or orange (5-10 years) project designations in the Wyndham North and Wyndham West Development Contribution Plan Project Implementation Programs (DCP PIPs) that are prepared annually by Council. Council will do this on the basis that such developments increase infrastructure demand and 'bring forward costs' on Council and the State Government. Council will also consider entering into Section 173 agreements to address bringing forward costs if requested by developers should developers seek to enter into such agreements. The purpose of such agreements is for developers to fund 'bring forward costs' that out of sequence developments will impose on Council and the State Government by forward funding these additional infrastructure costs.

Council's Day 1 version of Clause 02.03-1 (Settlement) contains the following:

The geographic spread of development fronts across the municipality has presented challenges for the provision of infrastructure and services. Careful and transparent

management of development sequencing is required in Wyndham to align development with the provision of infrastructure and services.

Council's strategic directions for urban growth are to:

- Prioritise and encourage development in locations that are supported by infrastructure and services.
- Create a central city area (Wyndham City Heart) to support Wyndham's future population
 of more than 500,000 people consistent with the area's designation as a National
 Employment and Innovation Cluster (NEIC).
- Plan for each Wyndham City Pulse, the Wyndham City Heart and the proposed Derrimut Road Boulevard and their respective catchments through an integrated and holistic planning approach appropriate to its scale.
- Encourage medium and high density urban development, in and around activity centres serviced by rail and bus interchanges (Urban and Neighbourhood Pulses) and in the future, the proposed Derrimut Road Boulevard.
- Create concentrated, vibrant, attractive, high amenity urban places including high amenity public realm that can attract investment and enable people to come together, meet, connect with one another or just relax and enjoy.
- Manage the sequence of development in Wyndham's growth areas to align with infrastructure planning and funding, ensuring a coordinated and timely provision of services
- Require proponents causing subdivision or development to be out of sequence to bear the additional costs of the infrastructure required to service the out of sequence development associated with bringing development forward.
- Create compact, contained and diverse urban environments which are well connected, serviced and designed.
- Advocate to State and Federal Governments and agencies for changes to the State transport network and development of associated infrastructure.
- Facilitate diverse employment close to where people live, particularly within urban centres.

(iii) Evidence and submissions

Council submitted it had made a number of changes to the exhibited version of Clause 02.03-1 which were contained in the Day 1 version. It highlighted that the change focused on the additional costs of bringing development forward and, in response to a question from the Panel, clarified the reference to additional costs were the costs of finance to fund the provision of infrastructure.

Council added that it had:

...not sought to implement those parts of the Wyndham Plan which relate to its "traffic light" system, ... However, it does seek to implement the policy relating to bring forward costs.

Council submitted that the policy has a sound strategic basis because out of sequence development is not orderly planning and its approach is pragmatic and consistent with the Victorian Planning Authority Guidance Note, *Infrastructure Coordination: Infrastructure and Development Staging*. It added that:

... the proposed strategic direction is consistent with Council's long-established Development Contribution Plan Project Implementation Program process (in place for over 7 years), namely to allow out of sequence development in certain circumstances if proponents agree to fund the 'bring forward costs' of out of sequence development. Council understands there is broad support by the development industry with that approach as it provides developers with a level of certainty that Council will be willing to entertain out of sequence development in certain circumstances.

Mr Stephens's agreed with the principle of the logical sequencing of urban development where out of sequence development may result in additional costs to governments and the community. He added that it would be appropriate to consider any costs to the community from out of sequence development in decision making. He acknowledged that determining what is out of sequence development is a challenge and concluded that the wording of Clause 02.02-1 could be clearer.

Council agreed with this assessment and proposed the following change to the seventh dot point of the strategic directions of the Day 1 version of Clause 02.03-1 in its Final Version:

Require proponents causing subdivision or development to be out of sequence to bear the additional costs of the infrastructure associated with bringing development forward.

Mr Glossop considered the Day 1 version of Clause 02.03-1 was "benign and does not tie the Council or the community into any particular outcome." He observed that Clause 11.02-3S (Sequencing of development) addressed this issue albeit at a high level.

Council submitted that all current PSPs in the City of Wyndham were prepared prior to the publication of the PSP Guidelines. As a result, there is often little direction in development sequencing. Consequently, it is appropriate that out of sequence development criteria are clarified and that its approach to development sequencing is transparent. For this reason, it proposed to include the following in the Clause 74.02 Schedule:

Prepare a development sequencing criteria and policy for development in growth areas to be used for the assessment of subdivision and development applications.

Council added it was unrealistic to contemplate reviewing existing PSPs to include sequencing criteria. Its approach of developing a policy and criteria was more realistic and would provide the Council with the ability to make decisions about development sequencing in an open and transparent way.

Leakes Road and SIG submitted that the out of sequence guidelines in the Wyndham Plan were inappropriate from a strategic perspective and for inclusion in the Wyndham Plan. The changes in the Day 1 and Final Versions did not resolve its concerns.

Mr Fetterplace observed that Council proposed to manage out of sequence development through the strategic directions of Clause 02.03-1. In addition, the Wyndham Plan provided further detail on Council's approach to assessing out of sequence development.

He considered the Day 1 Clause 02.03-1 strategic directions seventh dot point conflicted with existing State policy for new development to make a contribution to the provision of infrastructure and should be deleted. He added:

In new growth area's it is not always possible for urban development to commence immediately adjacent an existing urban interface or infrastructure item. Nor is unusual for development to commence on a number of development fronts or in non-contiguous locations within an approved PSP area for a number of reasons. These include existing land ownership patterns, environmental constraints and access to services

Bring forward costs associated with development sequencing are generally born by the developer up front and development contributions are balanced, via a DCPs (or similar) as part of delivery over time.

Mr Fetterplace said sequencing of development was best managed through the PSP process and recommended the Wyndham Plan should be amended to remove the criteria for out of sequence development and replace it with text that reinforces the role of PSPs to guide staging and implementation. He also recommended removing the action to prepare a development sequencing policy from the Clause 74.02 Schedule.

Peet Ltd acknowledged that the Day 1 changes to the Amendment resolved some of its concerns. However, the work proposed in the Clause 74.02 Schedule and the development sequencing proposals in the Wyndham Plan were premature. In addition, the proposals lacked clear direction and it was unclear how they would assist decision making. Peet Ltd proposed the references to out of sequence development in the MPS and the Clause 74.02 Schedule be deleted until they "have a proper strategic basis."

(iv) Discussion

The Panel accepts Council's submission that the proposed strategic directions are consistent with its past practice and that it is intended to capture the finance costs in providing infrastructure for out of sequence development. The Panel does not agree with Mr Fetterplace's view that this is inconsistent with Clause 11.02-3S because what is proposed is not related to the cost of the infrastructure but to the cost to the community of providing that infrastructure in advance of the level of development necessary to fund its provision.

The Panel also agrees with Mr Glossop that the strategic directions of Clause 02.03-1 do not lock Council into a specific course of action. In the Panel's view this enables Council to take a pragmatic approach to allowing development to proceed in a manner that does not disadvantage the community by incurring additional costs.

The Panel accepts Council's submission that the development of a sequencing policy will transparently fill a gap in existing PSPs and that it is appropriate to list that further strategic work in the Clause 74.02 Schedule. The Panel notes that the Practitioner's Guide includes the following:

Where a list of further strategic work is provided in a planning scheme, it should comprise a concise list of work the Council intends to undertake in the next review cycle (about 4 years). The work must have a land use and development focus and must relate to matters that can be implemented through a planning scheme.

In the Panel's view what Council has proposed it consistent with these guidelines and it is appropriate that the development of a sequencing policy should occur within the next review cycle.

However, the text in the Wyndham Plan is more definitive in that it canvasses situations where Council may or may not support permits. The Panel acknowledges that Council submitted that it has no intention of implementing the traffic light system. Nevertheless, this discussion remains in the Wyndham Plan which goes well beyond explaining why the particular requirements of Clause 02.03-1 are in the Planning Scheme. In the Panel's view these elements are inappropriate in a background document.

(v) Conclusions

The Panel concludes:

- The out of sequence provisions in Clause 02.03-1 are appropriate.
- The inclusion of work on a sequencing policy in the Clause 74.02 Schedule is appropriate.
- The out of sequence provisions in the Wyndham Plan are not appropriate for a background document.

3.3 Place Intervention Logic

(i) The issues

The issues are whether:

- the reference to PIL serves a useful purpose
- PILs should be included in the Clause 74.02 Schedule
- the PIL terminology is appropriate.

(ii) Background

PILs are proposed to be referenced in the Clause 74.02 Schedule (further strategic work).

Council is in the process of preparing the first PIL (for Tarneit) which will be subject to public consultation.

(iii) Evidence and submissions

Council submits that PILs are an important tool to deliver the vision of the Wyndham Plan, particularly the big ideas such as a city heart, pulses and the Derrimut Road corridor. They will be broad framework plans to bridge between high level strategy and detailed PSPs.

Mr Glossop supported PILs in principle and saw them as the "next step" in implementing the Wyndham Plan's strategic aims. He recognised they are not part of the statutory framework but can be used to test ideas (like sequencing and density) before they are translated into statutory controls. Mr Glossop considered there was a risk of PILs being treated as operative policy and stressed they must remain as background/future work until formalised through an amendment.

The evidence of Mr Negri was that PILs duplicate or undermine PSPs and lack a clear statutory basis. He recommended removal of PIL references from the Wyndham Plan until a clearer statutory or strategic justification was demonstrated.

The evidence of Mr Fetterplace was that PILs could complicate sequencing and density implementation already governed by PSPs. He did not support the inclusion of PIL references in the Planning Scheme.

Council's Final Version of the Amendment varied the language used in the Clause 74.02 Schedule to provide further clarity around the purpose of a PIL and how it would be prepared.

The submission by Leaks Road and SIG following circulation of Council's Final Version of the Clause 74.02 Schedule maintained its concerns regarding the inclusion of PILs within the Wyndham Plan and Clause 74.02.

(iv) Discussion

The Panel understands from the evidence of Mr Glossop that a PIL is a new local planning tool developed by Wyndham City Council and born out of the Wyndham Plan. The Panel acknowledges that a PIL is not a statutory plan such as a PSP, Activity Centre Structure Plan or UDF but rather a future framework to guide how different parts of Wyndham evolve, based on local input and broader city goals.

The Panel supports Council's intent to undertake further strategic work to better plan for Wyndham's growth across broader catchments or networks of places such as the Wyndham City Heart, Urban Pulses, Village Pulses and Derrimut Road Boulevard including their surrounding catchments. Given the scale and ongoing growth of the municipality, this approach is considered

logical. The inclusion of such work within the Clause 74.02 Schedule will allow Council to undertake further strategic planning to inform future planning scheme amendments and is consistent with the municipality's strategic directions.

The Panel is not persuaded by submissions that inclusion of the PILs within the Clause 74.02 Schedule will duplicate or undermine PSPs. The Practitioner's Guide clearly identifies that further strategic work does not form part of the MPS, nor can it be considered by the responsible authority in decision making. Any framework plans prepared through this process would be subject to scrutiny if they are to inform future planning scheme amendments.

The Panel understands the acronym PIL was derived from the language of the Wyndham Plan and intended to signify a remedy to aid in the delivery of 20-minute neighbourhoods. The Practitioner's Guide directs that the scheme content should be written in clear, concise and plain English. Where the Victoria Planning Provisions already provide a terminology, such as Structure Plan or Framework Plan, Council should adopt those terms.

The Panel accepts Mr Negri's evidence that a more appropriate terminology is Local Area Framework Plan (LAFP). This aligns with established practice, Council's final version of the Clause 74.02 Schedule (in part) and recognises that Council may prepare LAFPs that extend beyond a narrowly defined area to broader catchments or networks of places.

On this basis, the Panel is satisfied that the Clause 74.02 Schedule include a requirement to prepare LAFPs to deliver 20-minute neighbourhoods, in the refined form presented in Council's Final Version. This will provide the necessary signal of Council's intent to progress the further strategic work required to manage growth and deliver 20-minute neighbourhoods, while ensuring that such work will be grounded in evidence, aligned with State policy and subject to proper community and stakeholder engagement.

(v) Conclusions and recommendation

The Panel concludes:

- The term Place Intervention Logic lacks clarity and does not accord with the Practitioner's Guide. The established term Local Area Framework Plan should be adopted in place of PILs.
- The identification of the preparation of Local Area Framework Plans for the Wyndham City Heart, Urban Pulses, Village Pulses and Derrimut Road Boulevard (including their catchments) in the Clause 74.02 Schedule is appropriate and strategically justified.

The Panel recommends:

Replace Clause 74.02 Schedule with the Panel recommended version in Appendix E.

3.4 The Wyndham Plan as a background document

(i) The issue

The issue is whether the Wyndham Plan is an appropriate background document.

(ii) Background

Submissions referenced the Practitioner's Guide which identifies:

6.4.2 Policy composition

Policy Documents

Background documents provide information to explain the context in which a particular policy has been framed. A background document may explain why particular requirements are in

the planning scheme, substantiate a specific issue or provide background to a provision. As background documents are not part of the planning scheme, the substantive planning elements of the document (such as built form guidelines or the like) will have been included in the planning scheme in either a local policy or a schedule.

Where a background document is directly related to a policy in Clauses 10 to 19 it may be referenced in that specific policy as well as the schedule to clause 72.08. If a background document relates to a substantial number of policies (such as a Regional Growth Plan) it should not be repetitively referenced in the PPF. The schedule to clause 72.08 enables a consolidated list of local background documents to be maintained in the planning scheme.

. . .

6.6.2 How to refer to a background document

What is a background document?

A background document provides information that helps to understand why a particular policy or control has been included in the planning scheme. Background documents were previously referred to as 'reference documents.'

A background document is not part of the planning scheme and must not be directly relied on for decision making. If a background document contains content that is necessary for decision making (such as strategies or decision guidelines) then these must be extracted and placed in the relevant policy or control.

When should a document be mentioned as a background document?

If a document gives useful information that will help a user understand the planning scheme, it may be suitable for mention as a background document. These documents are however, most relevant at the planning scheme amendment stage and are generally not needed at the decision making stage. As with incorporated documents, avoid referencing background documents wherever possible to keep the scheme user-friendly and self-contained.

A background document can explain why a particular policy or provision is in the planning scheme. For example, a flora and fauna study that documents the reasons for applying an Environmental Significance Overlay may be usefully referenced as the basis for the statement of environmental significance in the overlay.

A background document must relate directly to a specific policy or provision. A document that includes a lot of information that is not directly relevant to the specific provision of the scheme will not generally be suitable for mention as a background document.

Do not make a document a background document if the substantive elements of the document have been included in the scheme and require no further explanation.

Avoid general references to a type or source of document, including under policy documents in the PPF. Instead, if needed, name the actual documents that informed the policy.

How is a document made a background document?

A background document is one that is referred to in the planning scheme but is not incorporated under Clause 72.04.

To refer to a background document, use the same format prescribed for an incorporated document in Chapter 6.6.1 above.

A planning scheme amendment is required to amend a background document reference.

Where a background document has directly informed the creation of a provision, then it may be referenced directly by that provision as well as being listed in the Clause 72.08 schedule. Where a background document has informed numerous provisions, such as a Regional Growth Plan or a housing strategy, then the document only needs to be listed in the Clause 72.08 or its schedule rather than being repetitively referenced throughout a series of provisions. If a document has already been referenced by the VPP, it does not have to be referenced again at the local level in a policy or a schedule.

To make the background document list easier to use, the schedule to clause 72.08 should be compiled alphabetically.

(iii) Evidence and submissions

Council submitted that the Wyndham Plan is an appropriate background document. In referencing the Practitioner's Guide, it added that a background document, listed in the Clause

72.08 Schedule, will "not form part of the Planning Scheme" but will provide the strategic context for the Amendment.

In addition, as made clear in the Practitioner's Guide, a background document cannot be used to guide decision making. In support of this proposition Council referenced the report of the Glen Eira C220glen (PSA) Panel observing:

While a strategic plan adopted by Council may be given some limited weight under section 60(1A)(g) of the *Planning and Environment Act 1987*, that power exists irrespective of a document's status as a background document in the Planning Scheme. The inclusion of a background document in the schedule to Clause 72.08, recognises that the document has informed the history and strategic context of certain provisions in the Planning Scheme.

Council identified that a number of submissions sought changes to the Wyndham Plan. It said the Panel process was not the appropriate place to seek changes to a background document because it does not form part of the Planning Scheme. Nevertheless, it was open to the Council to make changes to its strategic document as the need arises.

Council recommended that the Panel adopt the approach similar to that taken by the Wyndham C267wynd Panel, that:

- (a) the role and purpose of a background document is to provide context as to why certain provisions have been included in the Planning Scheme
- (b) it is not the Panel's role to recommend changes to a background document.

Council observed that while both Mr Negri and Mr Fetterplace sought changes to the Wyndham Plan neither suggested:

...that the Wyndham Plan does not provide context for the Amendment or express any *in principle* objection to it being included as a background document.

Council submitted that Mr Glossop supported the inclusion of Wyndham Plan a background document. Mr Glossop's evidence referenced the Practitioner's Guide which informed his decision to support the inclusion of the Wyndham Plan as a background document because:

- (a) it has a role to play in future strategic planning work
- (b) has no substantive role in guiding the exercise of discretion for planning permits.

Mr Glossop added that some of the outcomes detailed in Section 8 (Goals and Targets) sat outside the realm of the Planning Scheme. However, the Wyndham Plan was helpful in setting the context for the big ideas and notifying landowners of Council's future direction. Mr Glossop supported the Wyndham Plan as a background document subject to the following changes:

- change the description of Place Intervention Logics to be consistent with the proposed ordinance
- remove references to any reallocation of Development Contribution Plan (DCP) funds to pay non-DCP projects.

Leakes Road and SIG submitted that the Wyndham Plan formed the fundamental justification for the Amendment but that it contained a number of inappropriate elements including dwelling density targets, out of sequence development and PILs. The submission referenced the following provisions of Clause 72.08:

A background document may:

- have informed the preparation of, or an amendment to, this planning scheme
- provide information to explain the context within which a provision has been framed
- assist the understanding of this planning scheme.

Leakes Road and SIG concluded that:

...on the face of these provisions that, inter alia, a decision maker can consider a background document to assist with interpreting a provision of the Scheme.

Background Documents are therefore important, and they should not escape detailed assessment and scrutiny before their inclusion as such, particularly in a context such as this where the relevant document, *the Wyndham Plan*, is the fundamental basis for the proposed Amendment.

Further, it submitted that the Wyndham Plan should not include key targets or metrics that have not been robustly justified, particularly because, as the basis for this Amendment and as a background document it may inform future planning scheme amendments. The submission proposed that following elements of the Wyndham Plan be removed:

- the dwelling density targets
- the criteria for out of sequence development
- reference to PILs.

Mr Fetterplace recommended the Wyndham Plan be amended because of its role as a background document. He recommended a review of the:

- proposed density targets
- sequencing criteria
- the PILs role, process and approach to implementation.

Ranfurlie submitted that it is important to review the role of the Wyndham Plan and its contents because it is proposed to be a background document. However, it added that the Wyndham Plan should not be included as a background document because it lacks an evidence base and introduced concepts such as pulses and PILs which were foreign to the Planning Scheme.

Mr Negri's evidence that some of the terms used in the Wyndham Plan were bespoke terminology and not plain English and should not be used in the Planning Scheme. He acknowledged that promoting higher density around activity centres was a sound strategic objective. Nevertheless, there is a risk:

... that the specific housing targets contained in a background document will be used to assist the understanding of this planning scheme by defining the density targets for the specific locations nominated in the Municipal Planning Strategy.

Peet Ltd submitted that the density targets should be removed from the Wyndham Plan, or it be removed as a background document.

(iv) Discussion

While there was some discussion in the Hearing about whether the Panel could or should amend a background document Council submitted that the Panel should not involve itself in proposing amendments to the background document, it argued that was the responsibility of the Council and that it was:

...not uncommon for a Council to make changes to a strategic document incidentally to a planning scheme amendment process, because the process necessarily involves some level of analysis of the strategic documents underpinning the amendment. As a result, a Council, acting as Council rather than as Planning Authority, may decide to make a change to that strategic document (whether to correct an error, amend it for consistency or to make a more substantive change). However, that is a matter for the Council and its processes, not a matter for a panel considering changes to the planning scheme through a planning scheme amendment.

The Panel agrees with Council's submission that it is not the Panel's role to consider the merits of changes to the Wyndham Plan which is consistent with the conclusions of the Wyndham C267wynd Panel. However, it is appropriate for the Panel within the scope of the Amendment to consider the suitability of the Wyndham Plan as a background document.

The Panel notes that the Wyndham Plan contains material that does not directly relate to the Planning Scheme. Council argued that this was inconsequential. The Practitioner's Guide states the following:

A document that includes a lot of information that is not directly relevant to the specific provision of the scheme will not generally be suitable for mention as a background document

Unfortunately, the Practitioner's Guide does not provide any further guidance on how much is 'a lot.' Nevertheless, parts of the Wyndham Plan are not directly relevant to the specific provisions of the Planning Scheme.

All three opposing submissions advocated for changes to the Wyndham Plan focused on the issues of density, out of sequence development and PILs. Leakes Road and SIG, supported by the evidence of Mr Fetterplace and Peet wanted these elements removed as a precondition of including the Wyndham Plan as a background document. Ranfurlie argued that the document was unsuitable as a background document, although Mr Negri concluded that with significant change it could be included in the Planning Scheme.

The Panel has considered the issues relating to density, out of sequence development and PILs and concluded that some of the content in the Wyndham Plan is unsuitable for a background document.

In the Panel's view, the cumulative effect of the content of the Wyndham Plan and the issues around density, out of sequence development and PILs makes the Wyndham Plan, in its current form, unsuitable for inclusion in the Planning Scheme as a background document.

(v) Conclusion and recommendation

The Panel concludes the Wyndham Plan is not an appropriate background document.

The Panel recommends:

Amend Clause 72.08 Schedule to remove the reference to the Wyndham Plan.

4 Changes to Clause 02

(i) The issue

The issue is whether the proposed changes to Clause 02 are appropriate.

(ii) Evidence and submissions

Council submitted that in response to submissions it made a number of post exhibition changes to the following Clauses:

- 02.01 Context
- 02.02 Vison
- 02.03-1 Settlement
- 02.03-6 Housing
- 02.04 Strategic Framework Plan.

These changes were reflected in the Day 1 version of the Amendment documents (Document 19).

Leakes Road and SIG, Ranfurlie and Peet submitted that the changes included in the Day 1 version of the Amendment documents did not resolve all of their concerns. In response to Council's Final Version, Leakes Road and SIG stated that its concerns had not been addressed and it maintained its position that the seventh dot point of the strategic directions of Clause 02.03-1 and the further strategic work relating to the development of sequencing criteria should be deleted.

Mr Negri observed that the Amendment included the introduction of "bespoke terminology" including the following:

- Wyndham City Heart
- Urban Pulse
- Neighbourhood Pulse
- Village Pulse
- Place Intervention Logic.

He stated that these terms:

...are not plain English terms. 'Heart' appears to be used as a metaphor for the city. 'Pulse' appears to be used as a metaphor for an activity centre.

He referenced the Ministerial Direction on the Form and Content of Planning Schemes and the Practitioner's Guide, both of which state that a planning scheme should be written in plain English. He stated:

The Wyndham City Heart is an attempt to describe a strategic precinct comprising three activity centres, an employment precinct and a mixed restricted retail/industrial precinct. I accept that there is a benefit in preparing a cohesive plan for this strategic precinct. In my view, referring to this precinct as Wyndham City would provide a simple, plain English descriptor of the strategic precinct.

Activity centre is a commonly used descriptor in the VPP, Plan Melbourne and other planning documents. It should be applied as an alternative to 'Pulse' to provide a simple plain English descriptor.

Council submitted that the expression Wyndham City Heart was used to describe this collection of activity centres and their connections and associated residential areas. From this perspective heart has a plain English meaning, as the core or centre of something. Council acknowledged that the term pulse was more problematic but it:

...was part of the narrative and "talks to the community." But perhaps more importantly, it is the collective noun used to describe the centres (other than the Wyndham City Heart) that will play a central role in supporting 20-minute neighbourhoods. Council added that the pulse title does not apply to all activity centres in the municipality and therefore it is a convenient term that created the idea of connectivity to the heart. It submitted that there was:

... no real disadvantage in using it, especially where the ordinance clearly explains the link between the expression "urban pulse" and "neighbourhood pulse" and the various types of activity centres identified in Plan Melbourne.

Mr Glossop supported the use of the terms and stated that the:

...objective of creating a heart is that it takes on an equivalent 'central city' role within the municipality. It is the preferred location for business, community and transport investments, supported by the highest density housing. The goal of connecting what are currently three disparate Major Activity Centres is to have them operate synergistically rather than in competition with one another, as is currently said to be occurring. I think the concept is innovative and sets an appropriate framework for the structure planning to come.

He added that the pulses were intended to replicate 20 minute neighbourhoods and reflect the level of activity within each centre. He stated that the identification of the pulses reflected the existing activity centre hierarchy and was appropriate.

(iii) Discussion

In terms of the changes to Clause 02 the Panel notes that the only issue raised by the parties was whether the seventh dot point in the strategic directions of Clause 02.03-1 should be deleted. The strategic directions of Clause 02.03-1, the further strategic work relating to the development of sequencing criteria in the Clause 74.02 schedule and the PILs have been discussed above and will not be repeated here.

The only remaining issue in relation to Clause 02 is then the use of the words 'heart' and 'pulse'.

In the Panel's view, heart is an acceptable and plain English term which in this context refers to a precinct which incorporates activity centres, an employment precinct and a mixed restricted retail/industrial precinct. The Panel agrees with Council that Mr Negri's alternative of "Wyndham City" would be confusing and that the addition of the word heart identifies the precinct as the core of the municipality.

The use of the term pulse is a more difficult issue. The term itself is plain English, unlike Place Intervention Logic and applies to select activity centres. From this perspective the Panel accepts Council's submission that pulse differentiates activity centres that are part of the 20-minute neighbourhoods which have a connection to the heart. The Panel understands that English is an evolving language and that Council advised of the community support for the terminology in the development of the Wyndham Plan. The Panel acknowledges that the terms heart and pulse are defined by planning terms in Clause 02.02 and for these reasons the proposed changes to the Planning Scheme are supported.

(iv) Conclusion and recommendation

The Panel concludes that the proposed Final Day changes to Clause 02 are appropriate.

The Panel recommends:

Replace Clause 02 with Panel recommended version in Appendix D.

Appendix A Submitters to the Amendment

Submitter	Represented by
1	Moorabool Shire Council
1	Country Fire Authority
3	Worksafe
4	Lotus Oaks Development Pty Ltd
5	Greater Western Water
6	Casaccio Egg Farm
7	Department of Energy, Environment and Climate Action
8	Development Victoria
9	Lignum Field and 1 and 4 Lignum Road
10	ZL International Investment Pty Ltd
11	Dennis Family Corporation
12	1228 Leakes Road Land Pty Ltd
13	Fountainstone Group
14	Ranfurlie Asset Management Pty Ltd
15	Dahua Group
16	Peet Ltd
17	SIG Oak Pty Ltd
18	Frasers Property Australia
19	Brimbank City Council
20	Department of Transport and Planning (Transport)
21	Abiwood MTC Pty Ltd

Appendix B Parties to the Panel Hearing

Submitter	Represented by
Wyndham City Council	Juliet Forsyth and Tara Hooper of Counsel instructed by Kim Piskuric of Harwood Andrews, calling the following expert evidence: - Planning from John Glossop of Glossop Town Planning - Economics from Sean Stephens of Ethos Urban
1228 Leakes Road Land Pty Ltd and SIG Oak Pty Ltd	Nick Sutton of Norton Rose Fulbright, calling the following expert evidence: - Planning from Marco Negri of Contour
Ranfurlie Asset Management Pty Ltd	Nicola Collingwood of Counsel instructed by Jarryd Gray of Minter Ellison, calling the following expert evidence: - Planning from Jonathan Fetterplace of A Different City
Peet Ltd	Paul Beeson of HWL Ebsworth Lawyers

Appendix C Document list

No.	Date	Description	Provided by
1	24 Jan 25	Letter confirming resignation of the previous Panel Chair	Planning Panels Victoria (PPV)
2	10 Feb 25	Hearing adjournment letter	PPV
3	12 Feb 25	Proposed directions	Council
4	04 Jul 25	Proposed orders and correspondence on post exhibition changes	Council
5	14 Jul 25	Further submission from Leakes Road Pty Ltd and SIG Oak Pty Ltd on post exhibition changes	Norton Rose Fulbright
6	14 Jul 25	Email from Leakes Road Pty Ltd and SIG Oak Pty Ltd confirming expert witness (Direction 7)	Norton Rose Fulbright
7	14 Jul 25	Email from Ranfurlie Asset Management Pty Ltd confirming expert witness (Direction 7)	Minter Ellison
8	15 Jul 25	Panel Directions and Hearing Timetable version 1	PPV
9	15 Jul 25	Email from Peet confirming no expert witness being called (Direction 7)	HWL Ebsworth
10	15 Jul 25	Email about previous work undertaken by the Panel Chair	Council
11	16 Jul 25	Response from the Panel Chair to Council's email (D10)	PPV
12	16 Jul 25	Amended Hearing Timetable and distribution list	PPV
13	18 July 25	Consolidated and redacted post-exhibition submissions (Direction 5)	Council
14	21 Jul 25	Attachment 1 a) Post-exhibition changes – May 2025 consultation version Attachment 2 b) 24 October 2023 Council meeting minutes Council officer report c) Wyndham Plan engagement report (and addendum) d) Council's response to submissions regarding the Wyndham Plan e) Wyndham Housing Density Review f) The Wyndham Plan (October 2023) Attachment 3 g) Tracked changes on Explanatory Report Attachment 4 h) East Werribee Employment Precinct Structure Plan i) Plan Melbourne 2017-2050 Draft Western Metro Land Use Framework Plan	Council

No.	Date	Description	Provided by
		2013)/Refresh (September 2024)	-
		k) West Growth Corridor Plan	
		 City of Wyndham Activity Centres Strategy 2016 	
		m) Tarneit Major Town Centre UDF (December 2023)	
		n) Principal Public Transport Network 2017 (map)	
		 o) Network Development Plan – Metropolitan Rail (2012) and Metropolitan Train Network Map (August 2018) 	
		p) Wyndham Bus Network	
		 q) East Werribee Employment Precinct Structure Plan 2013 	
		r) Wyndham Integrated Transport Strategy 2023	
		s) VPA Precinct Structure Planning Guidelines	
		t) Wyndham 2040 Vision	
		Attachment 5	
		 u) Table summarising submissions and Council responses 	
15	28 Jul 25	Expert evidence statement of Marco Negri	Minter Ellison
16	28 Jul 25	Expert evidence statement of Jonathon Fetterplace	Norton Rose Fulbright
17	28 Jul 25	Expert evidence statement of John Glossop	Council
18	28 Jul 25	Expert evidence statement of Sean Stephens	Council
19	31 Jul 25	Day 1 version of the Amendment documents	Council
20	01 Aug 25	Part B submission	Council
		Attachment 1	
		 a) VPA Guidance Note – Infrastructure Coordination - Infrastructure and Development Staging (February 2025) 	
		Attachment 2	
		b) Wyndham C267wynd Panel Report (20 December 2024)	
21	04 Aug 25	Submission on behalf of 1228 Leakes Road Land Pty Ltd & SIG Oak Pty Ltd	Norton Rose Fulbright
		Attachment 1	
		a) Glen Eira C220glen Panel Report (22 June 2022)	
		Attachment 2	
		 b) VCAT Decision Vivace Property Group Pty Ltd v Glen Eira CC [2022] VCAT 919 	
		Attachment 3	
		c) Council Meeting Agenda (C265wynd)	
		Attachment 4	
		d) Council Meeting Minutes (C265wynd) – 23 April 2024	

No.	Date	Description	Provided by
22	4 Aug 25	Submission on behalf of Ranfurlie Asset Management	Minter Ellison
23	5 Aug 25	Submission on behalf of Peet Ltd	HWL Ebsworth
24	5 Aug 25	Submission on behalf of Ranfurlie Asset Management Pty Ltd Attachment 1 a) Peet No. 1895 Pty Ltd v Wyndham CC [2023] VCAT 168	Minter Ellison
25	6 Aug 25	Part C Submission Attachment 1 a) Tracked changes on Explanatory Report – (closing) version Attachment 2 b) Activity Centre Table Attachment 3 c) Clause 02 tracked changes – closing) version d) Clause 02 clean – (closing) version e) Schedule to Clause 74.02 tracked changes – (closing) version f) Schedule to Clause 74.02 clean – (closing) version	Council
26	8 Aug 25	g) Schedule to Clause 72.08 clean –(closing) version Response to Council's Part C Final Version of the ordinance	Norton Rose Fulbright

Appendix D Panel recommended version of Clause 02

Colour Legend:

- Black Existing ordinance content
- Orange Existing text that was proposed for removal in the exhibition version
- Green Content from the exhibited version
- Red Post-exhibition changes, including new changes and text proposed to be removed from the exhibited version (shown with a red strikethrough)
- <u>Purple</u> Day 1 deletions
- Blue— Day 1 insertions

02.01 10/02/2022--/--/----C258wynd Proposed C266wynd

CONTEXT

Wyndham stands on the Lands of the Bunurong and Wadawurrung Peoples as Traditional Owners of the land on which Wyndham is being developed. The City of Wyndham is located on the coastal plain to the west of Melbourne, between the metropolitan area and Geelong. It is adjacent to the municipalities of Greater Geelong, Moorabool, Melton, Brimbank and Hobsons Bay.

Wyndham covers an area of 542 square kilometres.

Wyndham has strong industrial and technology districts, major retail precincts, key activity centres, established agricultural land and important tourist attractions. Werribee South is one of the most significant market garden regions in the State, while Laverton North is a key major industrial area.

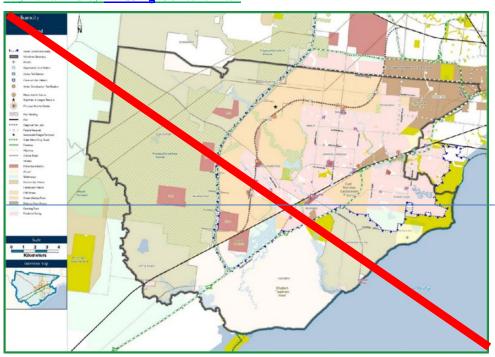
Wyndham has a number of significant rivers and waterway corridors, such as Skeleton Creek, Werribee River, Lollypop Creek, Little River, a small section of Kororoit Creek, the Port Phillip Bay coastline and the habitats and wetlands of Point Cook and the Western Treatment complex. Wyndham contains several biological assets and its native grasslands are considered highly significant. Wyndham also has four dominant Ecological Vegetation Classes (EVC's), coastal salt marsh, plains grassy woodland, floodplain riparian woodland and plains grassland.

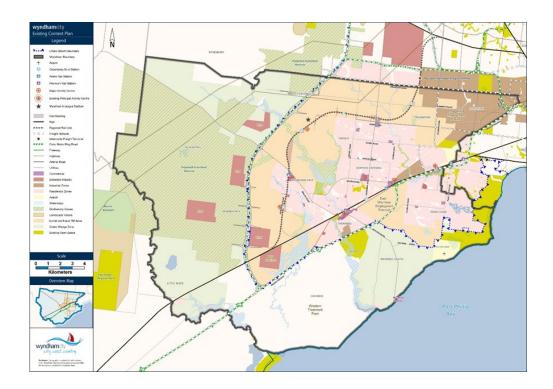
Wyndham is one of metropolitan Melbourne's designated growth corridors. The City comprises the suburbs of Werribee, Hoppers Crossing, Point Cook, Laverton, Laverton North, Williams Landing, Truganina, Tarneit and Wyndham Vale, which are all within the Urban Growth Boundary.

Werribee South, Cocoroc, Little River, Mambourin, Quandong, Eynesbury and Mount Cottrell are predominantly outside the growth area.

Wyndham is the largest growing municipality in Victoria, adding 13,216 residents between 2015-2016. The population is forecast to grow from 217,122 people to 435,832 by 2036 has one of the highest population growth rates among Victorian municipalities and is one of Australia's fastest-growing areas. In 2020, Wyndham was home to 283,294 residents, with projections indicating it will reach a population of 512,591 people by 2041 In 2021, Wyndham was home to 296,190 residents, with projections indicating it will reach a population of 472,120 people by 2036.

Wyndham City Existing Context Plan





02.02 10/02/2022--/--/----C258wynd Proposed C266wynd

VISION

The Wyndham City Plan 2017-21 sets out the priorities to guide the work of Council over a four-year period. Its themes, strategies and initiatives provide a roadmap for Council's Annual Integrated Plan and Budget. Wyndham Plan 2023 will deliver the Wyndham 2040 Community Vision to connect people and places and encourage development in areas supported by infrastructure and services. The Wyndham Plan 2023 comprises four pillars (connectivity, concentration, capacity and choice) and six 'Big Ideas' which include objectives to support the delivery of the Wyndham 2040 Community Vision. The six 'Big Ideas' for Wyndham are identified on Map 1 at Clause 02.04 and areas follows:

Wyndham City's planning vision is for a healthy, liveable city that:

- Is future-focused and plans for sustainable development.
- Embraces diversity and is welcoming and inclusive.
- Consists of connected, vibrant neighbourhoods that provide for the cultural, social, economic and recreational needs of the community.
- Encourages a healthy and active lifestyle.
- Supports the diverse educational needs of the community.
- Empowers the community to lead.
- 1. Wyndham City Heart (central urban location of Wyndham to deliver jobs, housing, services, and facilities) to transform Wyndham from a 2-hour to a 20-minute city.
- 2. Wyndham City Pulses (major activity centres, neighbourhood centres and rural villages located at the centre of communities) to deliver 20-minute neighbourhoods.
- 3. Wyndham Transport Network (to better connect people and places).
- 4. <u>Derrimut Road Boulevard (proposed as the City's iconic boulevard concept to integrate transport and development and connect the central parts of Wyndham).</u>
- 5. <u>Liveable Residential Neighbourhoods (deliver quality residential development and link people to the places they need).</u>
- 6. Green Lungs, Coast and Country (to celebrate and connect people with Wyndham's rural areas and natural environment)

02.03 10/02/2022 C258wynd

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STRATEGIC DIRECTION

Settlement

Urban Growth

Population growth in Wyndham is a significant issue requiring careful planning and management to ensure equitable and timely delivery of services, jobs and infrastructure to support a liveable community.

Growth Corridor Plans have been developed at the metropolitan level, setting the strategic direction for the future urban development of land within Melbourne's Urban Growth Boundary. Precinct Structure Plans (PSPs) are progressively being prepared and completed for all of the growth areas within the West Growth Corridor being, Wyndham West (urban area west of the Werribee River); East Werribee Employment Precinct; and Wyndham North.

Development of concentrated urban centres and the proposed Derrimut Road Boulevard to service large areas of suburban development is required consistent with Map 1 at Clause 02.04 is required to provide a range of housing densities and to service large areas of suburban development, delivering infrastructure and services closer to where people live.

The geographic spread of development fronts across the municipality has presented challenges for the provision of infrastructure and services. Careful and transparent management of development sequencing is required in Wyndham to align development with the provision of infrastructure and services. Management of development fronts and defining a preferred sequence of development and what constitutes out of sequence development is required to limit urban sprawl and direct growth to concentrated urban centres, Derrimut Road Boulevard and activity centres that are supported by infrastructure and services.

Council's strategic directions for urban growth are to:

- Prioritise and encourage development in locations that are supported by infrastructure and services.
- Align residential growth with key infrastructure and the delivery of economic and employment growth.
 - Create a central city area (Wyndham City Heart) to support Wyndham's future population of more than 500,000 people consistent with the area's designation as a National Employment and Innovation Cluster (NEIC).
- Plan for each Wyndham City Pulse, the Wyndham City Heart and the proposed Derrimut Road Boulevard and their respective catchments through an integrated and holistic planning approach appropriate to its scale.
- Encourage medium and high density dense urban development, especially in and around activity centres serviced by rail and bus interchanges (Urban and Neighbourhood Pulses) and in the future, the proposed Derrimut Road Boulevard.
- Create concentrated, vibrant, attractive, high amenity urban places including high amenity public realm that can attract investment and enable people to come together, meet, connect with one another, or just relax and enjoy.
- Provide for growth on a scale and form consistent with maintaining the containment, compactness, accessibility and affordability of key growth areas.
 - Prepare a Structure Plan [Place Intervention Logic (PIL)] as defined in The Wyndham Plan 2023 for the Wyndham City Heart, Urban Pulses, Neighbourhood Pulses, Village Pulses and Derrimut Road Boulevard.
- Manage the number of development fronts at any one time to assist in the timely provision
 of infrastructure.

Manage the number of development fronts at any one time to assist in the timely provision of infrastructure.

Manage the sequence of development in Wyndham's growth areas to align with infrastructure planning and funding, ensuring a coordinated and timely provision of services.

- * Define the sequencing for development in growth areas and criteria to be used for the assessment of subdivision and development applications.
- Require proponents causing subdivision or development to be out of sequence to bear the additional costs of the infrastructure required to service the out of sequence development associated with bringing development forward.
- Create compact, contained and diverse urban environments which are well connected, serviced and designed.
- Develop infrastructure in partnership with state and federal governments.

Advocate to State and Federal Governments and agencies for changes to the State transport network and for development of associated infrastructure in partnership with state and federal governments.

- Protect industrial and residential activities from encroaching on each other.
- Providing jobs closer to where people live especially in the new employment corridor.

Facilitate diverse employment close to where people live, particularly within urban centres

Activity centres

Activity centres provide a range of functions including retail, commercial, community, cultural, transport, education, social, entertainment, leisure and civic services. Activity centres also support higher density housing. These roles are vital to community and business development, and to growth and diversification of local employment.

Wyndham has identified an activity centre hierarchy that contains a network of existing, planned and proposed activity centres. These activity centres are identified on Map 1 and Map 5 at Clause 02.04.

Wyndham City Heart

'Wyndham City Heart' is central to the activity centre network. It includes the following three key activity centres and two precincts:

Werribee City Centre (Major Activity Centre)

Wyndham is committed to the reinvigoration and redevelopment of the Werribee City Centre as its principal activity centre and as a major retail, commercial and residential hub. Map 6 to Clause 02.04 indicates council's preferred outcomes for the development of the centre.

The vision for the development of the Werribee City Centre is for a vibrant city centre that takes full advantage of its immediate connections to both the East Werribee Employment Precinct and the Werribee River. Activated street frontages combined with multi-level commercial, retail and residential uses will secure Werribee City Centre as a major employment centre.

East Werribee Employment Precinct (EWEP)

The EWEP will consist of diverse land uses including international education research, health, medical technology, pharmaceuticals, science, business services, high-tech manufacturing, information technology, and higher density housing.

The vision for EWEP includes high-quality public realm comprising tree lined streets, local parks and botanical gardens as well as places for recreation, leisure and cultural pursuits.

Pacific Werribee (Werribee Plaza) (Major Activity Centre)

Pacific Werribee is the largest retail centre in Wyndham comprising over 100,000 square

metres of leasable floor space. It has the potential to develop a broad mix of uses consistent with the major activity centre classification.

Hoppers Crossing Town Centre (Major Activity Centre)

The vision for Hoppers Crossing town centre is for improved urban amenities including public spaces, parks and services. An increase in employment and business opportunities will be encouraged at Hoppers Crossing town centre.

Old Geelong Road Precinct

The Old Geelong Road Precinct includes a mix of restricted retail homemaker stores and light industrial including manufacturing, engineering and service repair centres. It also accommodates churches, gymnasiums, play centres and indoor sports. Capacity for future development exists along Old Geelong Road east of Skeleton Creek.

The vision for the Old Geelong Road Precinct is to undertake urban revitalization within walkable distances of Hoppers Crossing train station, subject to the preparation of an Urban Design Framework or Structure Plan for this area.

Other major activity centres in the hierarchy include existing major activity centres at Point Cook and Williams Landing, as well as future major activity centres at Tarneit, Riverdale and Manor Lakes. Future neighbourhood level activity centres will be located in highly accessible locations at Tarneit West, Truganina and Mambourin.

Council's strategic directions for activity centres and precincts are to:

- Consolidate activity centres as the focus for retail and commercial activity.
- Create functional, attractive and accessible activity centres connected to surrounding communities, including cycling and walking routes.
- Develop a network of activity centres supporting a range of retail, commercial, community and residential uses.
- Prepare an Urban Design Framework (UDF) or Structure Plan for each of the activity centres within the central city area (Wyndham City Heart) and each of the Urban Pulses and Neighbourhood Pulses.

Wyndham City Pulses

Wyndham City Pulses' are points throughout Wyndham that are existing and future hubs of activity serving the surrounding residential neighbourhoods. They include major activity centres neighbourhood centres and rural villages located at the centre of communities.

Wyndham City Pulses will be connected to the Wyndham City Heart via the Wyndham Transport Network and are divided into three categories:

Wyndham City Pulses	Description	Includes
<u>Urban pulses</u>	District level neighbourhoods comprising one or two major activity centres to provide daily and higher order services to surrounding residential catchment areas	Manor Lakes Riverdale Tarneit Williams Landing Point Cook
Neighbourhood pulses	20-minute neighbourhoods (Neighbourhood Activity Centres) that will service the daily needs of surrounding residential catchment areas through small local shopping centres.	Mambourin Tarneit West Truganina Point Cook South

Village pulses	Rural townships that will service most of the daily needs of surrounding rural catchment	Little River Werribee South
	areas, but not higher order needs.	

Council's strategic directions for activity centres and precincts are to:

- Consolidate activity centres as the focus for retail and commercial activity.
- Create functional, attractive and accessible activity centres connected to surrounding communities, including cycling and walking routes.
- Develop a network of activity centres supporting a range of retail, commercial, community and residential uses.
- Prepare an Urban Design Framework (UDF) or Structure Plan for each of the activity centres within the central city area (Wyndham City Heart) and each of the Urban Pulses and Neighbourhood Pulses that do not have an approved Structure Plan or equivalent strategic plan in place or where the existing plan is outdated.

Local places

Derrimut Road Boulevard

Derrimut Road Boulevard is the main north-south city axis of Wyndham, linking Tarneit train and bus interchange to the north and future public transport hub in East Werribee to the south. Council is advocating to convert it It is planned to be the city's iconic boulevard which is serviced by an innovative public transport system and is suitable for higher density and mixeduse development.

Council's strategic directions for the proposed Derrimut Road Boulevard are to:

- Advocate to State agencies, seeking support for the development of a boulevard corridor.
- Prepare a corridor strategy for Derrimut Road investigating the necessary changes required to the transport network in support of delivering a boulevard.
- Prepare an Urban Design Framework or Structure Plan for Derrimut Road Boulevard or specific portions of the boulevard.
- Unite elements of the boulevard and strengthen connection between the inner suburbs of Wyndham and its urban growth areas to the north.
- Act as a major landscaped greenway supporting higher density housing serviced by nearby local neighbourhood activity centres.

<u>Little River Little River, Eynesbury Station, Werribee South Township and Wyndham Harbour</u>

<u>Little River, Eynesbury Station, Werribee South Township and Wyndham Harbour are all small settlements located in the rural Green Wedges of Wyndham.</u>

Little River is partly located within the municipalities of Wyndham and Greater Geelong. The town provides a basic level of services to residents and is remote from employment and services areas. The townships of Little River and Werribee South provide basic level services to residents and are remote from employment and service areas. The Werribee South Township retains a distinctly coastal feel and the proximity of the township to the intensive agricultural precinct results in a sensitive residential-rural interface.

Growth of Little River is constrained by the location of Avalon Airport and lack of access to reticulated sewage.

Council's strategic directions for Little River Little River are to:

• Provide for limited consolidation in the Little River area, subject to resolution of airport noise from Avalon Airport, infrastructure constraints and development of a township plan.

• Manage the development of Little River to avoid overdevelopment, protect adjoining rural precincts from development impacts and prevent further expansion of the township into the surrounding rural precincts.

Eynesbury Station Council's strategic directions for Werribee South Township are to:

- Plan the township in a way that protects agricultural land and retains the potential for infill development and infrastructure upgrades.
- Avoid overdevelopment, protect the adjoining rural precincts from development impacts and prevent further expansion into the surrounding rural precincts.

Eynesbury Station has a total site area of 7420 hectares and it lies partly within the municipalities of Melton and Wyndham. Eynesbury Station will be developed ensuring The portion of Eynesbury Station located within Wyndham will be planned to ensure the retention of productive agricultural useuses, that environmental problems are addressed and the there is protection of heritage and environmental assets. A residential community has been developed on the balance of the land.

Werribee South Township

The Werribee South Township retains a distinctly coastal feel, with strands of cypress pines lining the Werribee South Coastal Reserve. The proximity of the township to the intensive agricultural precinct results in a sensitive residential rural interface.

Council's strategic directions for the Werribee South Township are to:

- Plan the township in a way that protects agricultural land and retains the potential for infill development and infrastructure upgrades.
- Manage the development to avoid overdevelopment, protect the adjoining rural precincts from development impacts and prevent further expansion into the surrounding rural precincts.

Wyndham Harbour

Wyndham Harbour is one of the largest marinas on Port Phillip Bay with a residential community. The harbour comprises a breakwater, marine berths, boat storage, commercial uses, dwellings, car parking and public beaches.

Council's strategic directions for Wyndham Harbour Wyndham Harbour are to:

- Encourage tourism and new transport initiatives through the Wyndham Harbour development.
- Prevent further expansion of the Harbour into the surrounding rural precincts.
- Contain urban development within the boundaries of the Special Use Zone.

Green Wedges

There are two designated Green Wedges in Wyndham: Werribee South Green Wedge and Western Plains South Green Wedge. These two areas make up a large percentage of Wyndham's land area and accommodate a diverse range of land uses.

Land uses range from intensive agriculture to dry cropping, grazing and quarrying. Coastal parks and biodiversity in grasslands and wetlands are key values of Wyndham's Green Wedges.

Sustainable management of Green Wedges requires an understanding and consideration of the relationships between land uses, both within and adjoining the Green Wedge areas.

Council's strategic directions for the Green Wedges are to:

- Protect Wyndham's Green Wedges from inappropriate development and urban intrusion.
- Create physical buffers or use natural barriers to ensure protection of the Green Wedge.
- Maintain a strategic buffer between the Werribee South Green Wedge and urban development north of the RAAF base.

Activity centres

Activity centres provide a range of functions including retail, commercial, community, cultural, transport, education, social, entertainment, leisure and civic services. These roles are vital to community and business development, and to growth and diversification of local employment.

Wyndham is committed to the reinvigoration and redevelopment of the Werribee City Centre as its Principal Activity Centre and as a major retail, commercial and residential hub. Map 6 to Clause

02.04 - the Werribee City Centre Activity Land Use and Built Form Map indicates council's preferred development of the centre.

The vision for the development of the Werribee City Centre is for a vibrant city centre that takes full advantage of its immediate connections to both the Werribee Employment Precinct and the Werribee River. Activated street frontages combined with multi-level commercial, retail and residential uses will secure Werribee City Centre as a major employment centre.

Precinct Structure Planning for Wyndham North and Wyndham West provides for commercial and retail activities centres, community facilities and home based employment opportunities.

Wyndham's other activity centres are identified on Map 1 - Strategic Framework Plan and Map 5 - Activity Centres Map at Clause 02.04 and include:

- Werribee Plaza the largest retail centre in Wyndham comprising 70,000 square metres of leasable floor space.
- Williams Landing Activity Centre with a capacity to house 6,500 residents and is supported by a rail station and bus exchange with an integrated retail and commercial activity centre.
- Point Cook Town Centre comprising of about 30,000 square metres retailing, 5,000 square metres of office space and an integrated Community Learning Centre and Library.
- Hoppers Crossing which has up to 20,000 square metres of retail uses.
- Old Geelong Road Precinct, Hoppers Crossing with a mix of restricted retail homemaker stores and light industrial including manufacturing, engineering and service repair centres. It also accommodates churches, gymnasiums, play centres and indoor sports. Capacity for future development exists along Old Geelong Road east of Skeleton Creek.
- Woodville Park centre which provides for a range of mixed use developments.

New activity centres are planned for the growth areas including Manor Lakes (expansion of existing centre), Sanctuary Lakes, Tarneit Central (formerly Rose Grange), East Werribee, Truganina, Tarneit, Riverdale, Ballan and Westbrook.

Council's strategic directions for activity centres are to:

- Consolidate activity centres as the focus for retail and commercial activity.
- Create functional, attractive and accessible activity centres connected to surrounding communities, including cycling and walking routes.
- Develop a network of activity centres supporting a range of retail, commercial, community and residential uses.

02.03-2 10/02/2022 C258wynd

Environmental and landscape values

Biodiversity

Wyndham has a large number of threatened and endangered species that are classified as either vulnerable, endangered or depleted. Since European settlement, over 99 per cent of the native vegetation in Wyndham has been altered, degraded or cleared.

Wyndham has important wetlands listed under the Ramsar Convention including the Western Treatment plant lagoons, Point Cook and Cheetham Wetlands that provide habitat for many birds including internationally protected migratory species, and flora and fauna species such as the critically endangered Growling Grass Frog. There are coastal areas and foreshores that require ongoing management and protection.

The *Biodiversity Conservation Strategy* (Department of Environment and Primary Industries, 2013) defines how conservation objectives will be achieved within Melbourne's growth corridors. It includes land along the Werribee River, Lollypop and Davis Creeks to be reserved as habitat corridors for the Growling Grass Frog and commits to the development of two nature conservation areas outside the Urban Growth Boundary. The Western Grassland Reserve is one of these areas, and 78 per cent of its 15,000 hectares is within Wyndham.

Council's strategic directions for biodiversity are to:

- Protect and restore biodiversity and natural habitats.
- Protect and manage areas of natural biodiversity as identified on Map 2 (Conservation Map) at Clause 02.04.

Significant environments and landscapes

Wyndham's landscapes include coastal and basalt plains, extensive grasslands, waterways, wetlands, swamps, dry stone walls and windbreaks shown on Map 3 Special Places and Landscapes Map at Clause 02.04. These landscapes require protection from loss and decline to ensure Wyndham's identity and character is maintained.

Council's strategic directions for significant environments and landscapes are to:

- Protect Wyndham's natural environment and landscape with respect to growth, land use and the impacts of climate change.
- Protect and enhance the distinctive sense of place, cultural identity and landscape within the growth areas of Wyndham.

Coastal areas

Wyndham City includes significant stretches of coastline fronting Port Phillip Bay. There is a need to strike a balance between public use and the coastal and marine environment to ensure that the coastline is protected. The *Werribee South Green Wedge Policy and Management Plan* (Wyndham City Council, 2017) sets out a vision and guiding principles for many of these areas.

Council's strategic directions for coastal areas are to:

- Manage urban encroachment on the coast and its impacts on environmental values along the coast.
- Provide for tourism opportunities along the coast.
- Manage the needs for coastal infrastructure to adapt to climate change and sea level rise.
- Managing economic, environmental and social pressures on the agricultural precincts.

02.03-3 10/02/2022 C258wynd

Environmental risks and amenity

Sustainability

Built form and urban infrastructure contribute substantially to energy demand. Built form impacts on the energy efficiency of buildings, particularly through solar orientation and access. Consolidated urban areas provide for shorter travel distances, walking and cycling to more sustainably support people's access to services, social connections, recreation opportunities, education and employment.

Council's strategic directions for sustainability are to:

 Promote environmental sustainability through built form, urban infrastructure and consolidation.

Climate change

The potential future effects of global climate change include changes in temperature, rainfall, drought, water resources, fire, winds, storms and sea level rise. Planning strategies in Wyndham are designed to help minimise the City's per capita contribution to global warming.

Council's strategic directions for climate change are to:

- Apply the 'precautionary principle' when planning for the City to help avoid serious or irreversible climate change effects.
- Minimise the City's contribution to climate change and gas emissions.
- Minimise the impacts of climate change on Wyndham's natural and built environment.

Floodplains

The catchments of the various rivers and streams within Wyndham include areas of flood prone land where flooding has caused substantial damage to the natural and built environment. Floodplains need to be preserved to minimise the deterioration of environmental values and the long-term flood risk to floodplain production, assets and communities.

Council's strategic directions for flood plains are to:

- Protect the community from the economic, social and environmental risks associated with flooding.
- Maintain the natural environmental processes within floodplains.

Bushfire

There are areas of the municipality prone to bushfires. *The Wyndham Municipal Fire Management Plan* (2020-2023) sets out measures for the protection of life and property from the threat of fire.

Council's strategic directions for bushfire are to:

- Identify areas prone to bushfire.
- Apply design, siting and subdivision standards in bushfire prone areas aimed at minimizing risks.
- Ensure that new use and development include adequate fire protection measures.

Amenity protection

Care is required in siting and designing non-residential uses in residential zones to avoid loss of privacy and amenity, while still providing convenience to residents living nearby.

Council's strategic direction for amenity protection is to:

- Provide protection for residential areas and guide uses that have the potential to change the function and character of residential areas.
- Avoid development of defacto commercial strips in residential areas.

• Ensure that planning and development of sensitive uses avoid compromising the operation of existing lawful commercial, industrial and other uses with potential adverse off-site impacts.

02.03-4 10/02/2022 C258wynd

Natural resource management

Agriculture

The Intensive Agriculture Precinct (IAP) at Werribee South comprises of about 3000 hectares that generates a large percentage of the total annual Victorian vegetable production.

In the City's north and north-west, beyond the urban areas, there is extensive dryland cropping and grazing. Parts of these areas, mainly in Tarneit and Wyndham Vale, have been identified for future urban use.

Many of the City's remaining dryland farming areas are likely to form part of a long-term Green Wedge, including about 11,000 hectares of native grasslands suitable for future restoration. Other farming areas may be suitable for renewable energy or quarrying uses, if well buffered.

Council's strategic directions for agriculture are to:

- Minimise the loss of productive agricultural land.
- Retain productive land identified on the Coastal and Werribee South Precinct Map 4 at Clause 02.04 for agricultural purposes.
- Minimise the impacts of incompatible uses on farming operations.
- Protect the Werribee South market gardens as an area of State agricultural significance.
- Support the role of rural areas beyond the Urban Growth Boundary to protect and restore biodiversity and viable future rural land uses.

Waterways

Council has identified the need to protect its waterway corridors and waterway view sheds for their environmental, landscape character, heritage, cultural and economic values. The *Wyndham Waterways Strategy Plan* (Thompson Berrill Landscape Design, 2003) and the *Kororoit Creek Regional Strategy* 2005-2030 (Land Design Partnership, 2006) guide future land use and development associated with the major waterways. The waterway corridors provide biodiversity links in estuarine environments. Environmental buffers beyond the waterway corridors provide protection between identified environmental values and development sites.

Council's strategic directions for waterways are to:

- Promote waterways as significant environmental assets, requiring enhancement and protection.
- Ensure that development provides an appropriate interface with waterways and open space and retains connectivity.
- Protect waterways, aquatic areas, wetlands, swamps, catchments, riparian land and waterway valleys.

02.03-5 10/02/2022 C258wynd

Built environment and heritage

Urban design

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

Siting, design, mass and scale of buildings, are important in preserving the character and historical attributes of urban areas. Major entrances, key arterial roads and streetscapes are important to the character of urban areas and should be addressed in the consideration of new use and development.

Signs have a major impact on urban amenity given Wyndham's diverse business activities, with strip shopping centres and stand-alone retail centres.

Council's strategic directions for urban design are to:

- Improve the presentation of all urban areas and entrances, particularly from major roads, gateways and waterways.
- Support new development that preserves the character and historical attributes of urban areas by improved design, siting and landscaping.
- Minimise detrimental impacts of signs on the visual environment.

Heritage

Wyndham's heritage places consist of remnants of the municipality's Indigenous past and early European settlement of the Western Plains. These heritage assets help our understanding of the past, enrich the present and will be of value to future generations.

The Wyndham North Heritage Strategy (Heritage Alliance, 2013) addresses an area that has historically been associated with agricultural uses, but that has more recently been included within the Urban Growth Boundary.

Dry stone walls were among the first European constructions on the western basalt plains. In Wyndham they are of historical and aesthetic significance, and in some cases social and archaeological or scientific significance, for their association with and physical demonstration of the process of survey, subdivision, alienation and development of land from the period of first land sales to the late nineteenth century.

Urban development occurring in Wyndham's growth fronts pose a threat to the conservation of dry stone walls.

Council's strategic direction for heritage is to:

Manage heritage places and dry stone walls to ensure their preservation.

Heat island effects

Heat island effects are the product of high summer temperatures, lack of canopy or surface vegetation and heat absorbent surfaces of buildings and pavements. Together, they are a serious environmental health risk, especially in heat wave conditions.

Council's strategic direction for addressing heat island effects is to:

Define urban design responses to alleviate heat island impacts.

Liveability

Wyndham's liveability is centred on making it a connected, people-friendly place where there are employment, recreation and living options. A priority is to maintain liveability alongside sustained population growth.

Wyndham's high birth rate has implications in planning for the needs of children, young people and their families. Major growth provides opportunities to build a strong community for the good health, wellbeing and safety of residents.

Council's strategic directions for liveability are to:

• Plan for liveable, connected and healthy communities in a variety of housing typologies. Create employment nodes close to where people live.

02.03-6 10/02/2022-/--/----C258wynd Proposed C266wynd

Housing

Residential development

In addition to the expected population growth in the greenfield areas, the 2011 population of Werribee is projected to increase from about 41,912 residents in 2016 to over 98,900 people by the year 2041 supporting an additional 20,000 dwellings. The rapid population growth of Wyndham requires more housing and a diversity of housing stock to ensure overall community needs are metWyndham aims to address its growing population's housing needs through the provision of more diverse, and affordable housing.

Areas for accelerated population growth at higher densities have been identified near rail stations, particularly around the Werribee and Hoppers Crossing rail stations. In Werribee City Centre, near the Werribee River, there is potential for taller residential development addressing the park and river, without impacting on the natural attributes. Increased residential densities in this location and the addition of a civic component will revitalize the town centre those within the 'Wyndham City Heart', around other activity centres serviced by existing and proposed rail and bus interchanges and proposed Derrimut Road Boulevard.

Wyndham seeks to deliver well-planned, accessible, and vibrant communities, supporting 20-minute neighbourhoods. New growth areas provide opportunities for higher density housing around new activity centres, especially transit based centres.

Council's strategic directions for residential development are to:

- Accommodate a projected population of about 425,000 people by 2040.
 - Accommodate a projected population of about 501,634 by 2041.
- Identify the Werribee City Centre as a key commercial and residential centre for Melbourne's west.
 - Identify the 'Wyndham City Heart' as a key commercial and residential centre for Wyndham.
- Promote multi-level development near rail stations.
 - Promote multi-level development near rail stations.
- Encourage higher density development in activity centres.
 - Encourage higher density development in and around activity centres that are well serviced by infrastructure.
- Identify the Princes Highway corridor as an area where higher scale and higher density residential development may occur.
 - Identify the 'Wyndham City Heart', Princes Highway corridor and Derrimut Road Boulevard as areas where higher scale and higher density residential development may occur.
- Ensure a diverse range of housing typologies in on well located land to support new residential development on land that is well-serviced by public transport, infrastructure and services.
- Ensure newly created and developing residential neighbourhoods are designed and developed as accessible, liveable, integrated and vibrant environments connected to their nearest activity centre.

Housing diversity

Key characteristics of local housing include Currently there is a dominance of separate dwellings, a small proportion of renters and growing levels of unaffordable housing. Access within Wyndham and access to affordable housing is becoming of increasing concern.

There is presently a mismatch between declining average household sizes and a lack of smaller dwellings. There is a need for housing to be built to 'universal' standards with designs that are accessible and adaptable to all stages in the life cycle.:

Greenfield areas are dominated by small lot sizes, with many having single dwelling covenants potentially restricting future land use flexibility. Opportunity exists to define priority areas for development for multi-unit housing, based on development capacity and neighbourhood character.

- for a range of housing to be built with designs that are accessible and adaptable to all stages in the life cycle.
- to define priority areas for development for multi-unit housing and stacked housing, based on <u>development capacity and neighbourhood character.</u>
- to increase supply and diversity of social housing in infill and greenfield areas.

There is a need for an increased supply and diversity of social housing in infill and greenfield areas.

Council's strategic direction for housing diversity is to:

- Increase the supply of one to three bedroom dwellings and the diversity of housing.
 Increase the supply of one and two bedroom dwellings in locations that are supported by infrastructure and services.
- Encourage increased density and diversity of housing typologies to be delivered across each development with a focus on medium density in key locations supported by essential urban infrastructure.

Neighbourhood character

The Wyndham Neighbourhood Character Scoping Study (Planisphere, 2012) identified five broad neighbourhood character types in the established residential areas of Hoppers Crossing, Werribee, Tarneit, Truganina, Wyndham Vale, Point Cook, Little River and Werribee South.

Contemporary Garden – comprising modern residential estates with establishing gardens.

Garden Suburban – comprising the formally established residential areas of Wyndham, with a mixture of older buildings located around linear street patterns and pockets of established vegetation.

Garden Court – comprising street patterns of winding roads and cul de sacs, with a range of dwellings types set in garden surrounds. In some areas, an established tree canopy as well as wide grass verges at the street edge, creates a strong landscape character.

Bush Garden – comprising informal streets with a predominate native landscape setting. Built form is hidden in larger lots behind well-established gardens and canopy trees.

Coastal Garden – comprising informal streets with coastal landscaping and vegetation surrounding buildings. Streets have views of the nearby coastal foreshore and market gardens.

Council's strategic directions for neighbourhood character are to:

- Protect areas with identified neighbourhood character values.
- Balance the tension in policy between urban consolidation objectives and the desire to respect residential amenity and neighbourhood character.
- Minimise the loss of backyard areas and established vegetation.

02.03-7 10/02/2022 C258wynd

Economic development

Economic growth

Wyndham has a diverse local economy, including major industrial and logistics development in

Laverton North, intensive agriculture at Werribee South, busy commercial precincts, an extensive new housing market, and a major tourism precinct. About one third of Wyndham's resident workforce is employed within the municipality meaning that two thirds leave the municipality for work.

Attracting new investment to the region is critical to the city's long-term economic future. The 925ha East Werribee Employment Precinct (EWEP) is a designated National Employment and Innovation Cluster with the potential to generate investment and expand employment opportunities.

The Wyndham A-League Stadium will provide employment, tourism and development opportunities and attract investment.

The West Growth Corridor Plan (Victorian Planning Authority, 2012) outlines significant employment nodes for future development:

- The EWEP between Werribee and Point Cook.
- South of Boundary Road between the Outer Metropolitan Ring Road and planned extension of Forsyth Road.
- The area immediately west of the Regional Rail Link between Wyndham Vale station and a potential future station at Tarneit West (Davis Road).
- The area bounded by Bulban Road, the Regional Rail Link and Outer Metropolitan Ring Transport Corridor.

Council's strategic directions for economic growth are to:

- Provide sufficient land to attract investment and generate additional jobs.
- Promote Wyndham as a place for long term business attraction and expansion.
- Create an employment corridor along the Werribee metropolitan rail line to provide jobs close to where people live.

Industry

The Laverton North and Truganina industrial precincts, located within the western industrial node, are major manufacturing and logistics hubs offering a large supply of land.

Laverton North Industrial Precinct is the largest industrial precinct in the city with a capacity for significant investment and industrial development. The Truganina Employment PSP comprises 662 hectares located at the north-eastern edge of Wyndham to the immediate west of the existing Laverton North Industrial Precinct. It is anticipated that between 10,000 and 15,000 new jobs will be delivered in the Truganina Employment Precinct.

There are also several sites with licences for extractive industry within the municipality which should be protected.

Council's strategic directions for industry are to:

- Protect industrial precincts from intrusion by inappropriate land uses that put pressure on lawful existing industrial activities.
- Encourage the growth of Laverton North and the Truganina employment precinct for industrial development.

Tourism

Wyndham is home to a range of tourism experiences including the Werribee Open Range Zoo, Werribee Park Mansion, National Equestrian Centre and the Point Cook Coastal Park. New opportunities exist for tourism investment including water based activities, accommodation, sporting and recreational activities, wild life tours and celebrating culture and art.

Council's strategic direction for tourism is to:

Promote use and development that supports local tourism, recreation, culture and art that

will build Wyndham's reputation as a place to visit and be a source of community pride

Gaming

There are currently limited facilities for cultural and arts activities in Wyndham. Conversely, the city is well represented by electronic gaming machines (EGMs). Problem gambling can cause significant community harm and planning is required to ensure that any proposed new gaming venues are established in appropriate areas. Activity centres and shopping areas are highly accessible locations and may not be appropriate for gaming venues.

Council's strategic direction for gaming is to:

 Ensure that the negative impacts of gambling on the health and wellbeing of the community are minimised.

02.03-8 10/02/2022 C258wynd

Transport

Integrated transport networks

Wyndham's transport network experiences pressure from rapid population growth. Demand for transport is often met through private car use, with road and rail transport facing increasing capacity constraints as demand increases. Effective resolution of major passenger and freight transport planning issues requires significant regional co-operation.

Wyndham's reliance on cars for transport displaces active transport options like walking, cycling and public transport. The application of safer design principles and treatments can encourage

people to leave cars at home, improving activity levels, overall health, safety and wellbeing and the pressure on health and hospital services. Public transport and transport options that meet the needs of the young, elderly and disabled are especially critical.

Council's strategic directions for integrated transport networks are to:

- Provide improved and accessible transport options.
- Maintain and enhance existing road infrastructure.
- Link the walking and cycling network

02.03-9

Infrastructure

Open space

Open space in Wyndham ranges from major sports reserves to linear parks along waterways and small parks in residential areas. The quality of existing public open spaces and their connectivity to surrounding areas requires improvement.

Council's strategic directions for open space are to:

- Develop an integrated and accessible open space network.
- Design urban development to connect and capitalise on links such as road, drainage reserves and waterway corridors.
- Provide for the recreation needs of communities while preserving natural features, sustaining biodiversity and healthy waterways.
- Have parks and open spaces that will connect people to the outdoors and are inviting destinations for residents and visitors.

Waste management

The Wyndham Refuse Disposal Facility is identified within the *Statewide Waste and Resource Recovery Infrastructure Plan* (Sustainability Victoria,2018) as a regionally significant landfill site. It receives municipal, commercial and industrial waste (both solid inert and putrescible) from across Metropolitan Melbourne and the wider regional area and is expected to continue for more than 60 years

Council's strategic directions for waste management are to:

- Provide long term security of well sited, designed and managed landfills such as the Wyndham Refuse Disposal Facility and protect against conflicting land uses.
- Provide alternate waste and resource recovery treatments in growth area planning.

Community facilities

The provision of cost-effective infrastructure is a major challenge. The PSP process aims to ensure growth areas are sufficiently supplied with different types of community infrastructure by planning for and setting aside sufficient land parcels for the 'foundation blocks' of community centres, active open space reserves and government schools.

There will be extra demand for frontline health care, hospital and emergency services and social and emergency housing solutions. Council contributes to physical and social infrastructure and the *Disability Access and Inclusion Strategy 2013-2017* (Wyndham City Council, 2013) has been developed to build a diverse, inclusive, well designed and accessible local community.

Council's strategic directions for community facilities are to:

- Align infrastructure provision with population and housing growth.
- Deliver facilities that support the health and well-being of the community.
- Support the development of the Wyndham A-League Stadium Training Precinct for community use.

Development infrastructure

Urban growth requires significant infrastructure investment. While State government will continue to provide major infrastructure, Council and developers will need to invest in infrastructure to service projected growth. Infrastructure funding will be needed if long term infrastructure requirements are to be met for major local roads, pathways, open space, and key community and recreation facilities.

Council's strategic directions for development infrastructure are to:

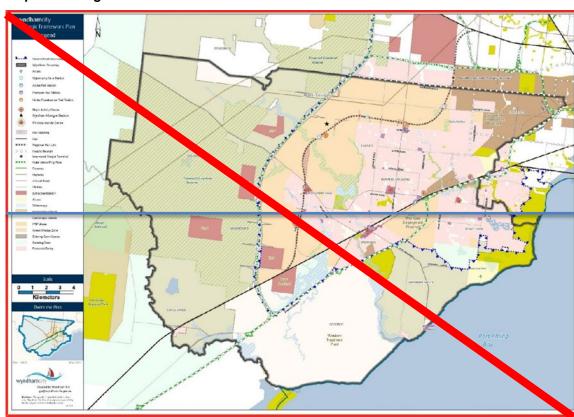
- Provide adequate physical infrastructure to accommodate future growth.
- Stage new growth so that it aligns with the provision of urban infrastructure.
- Minimise any adverse environmental and health impacts of new physical infrastructure

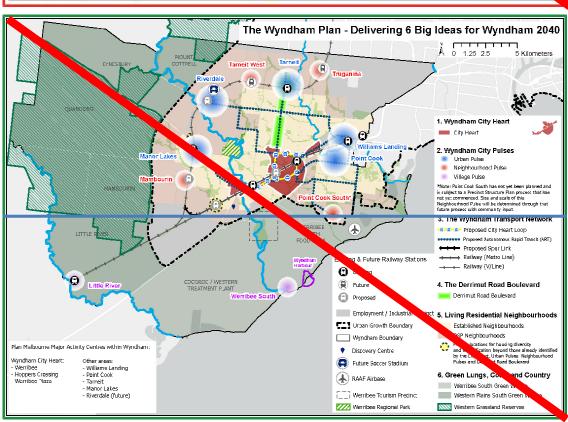
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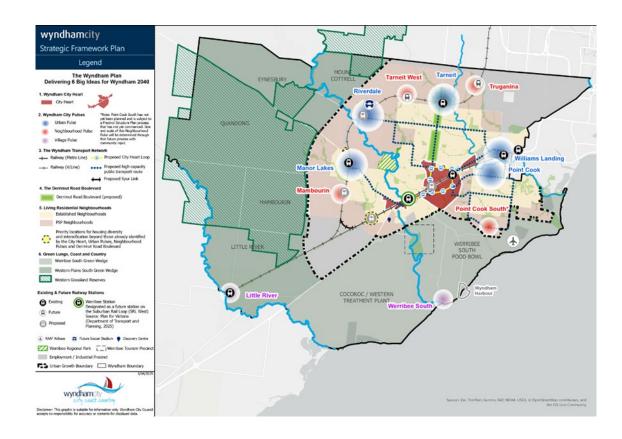
STRATEGIC FRAMEWORK PLAN

The plans contained in Clause 02.04 are to be read in conjunction with the strategic directions in Clause 02.03.

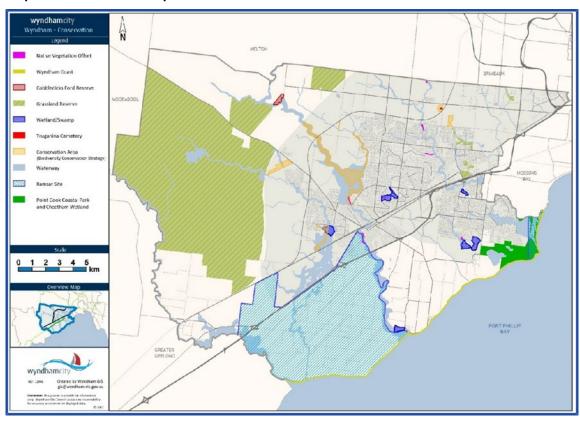
Map 1 - Strategic Framework Plan



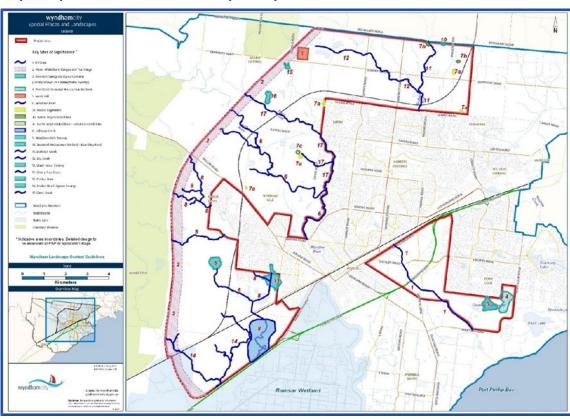




Map 2 - Conservation Map



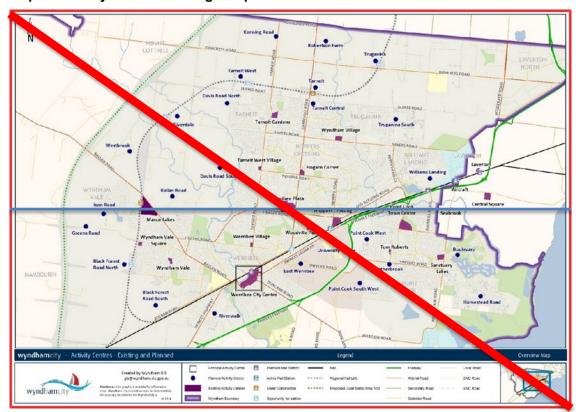
Map 3 - Special Places and Landscapes Map

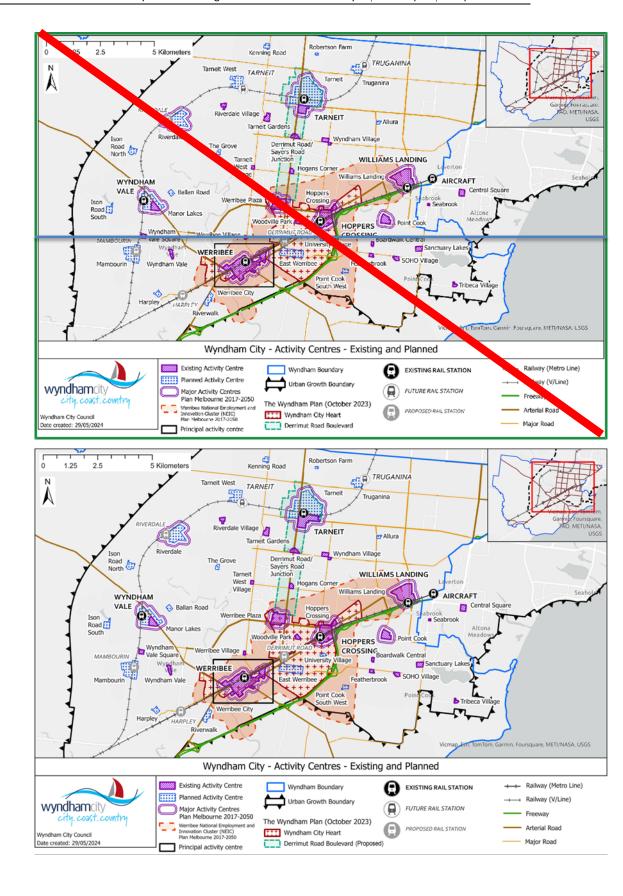


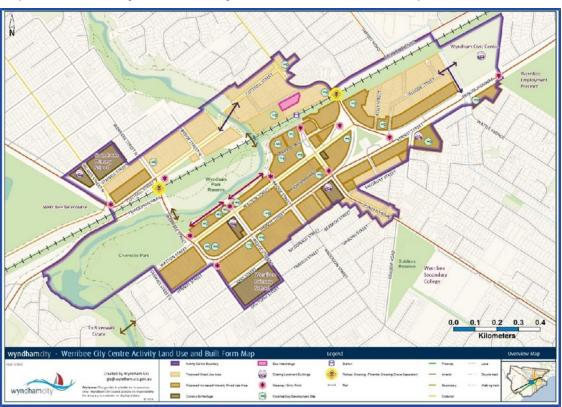


Map 4 - Coastal and Werribee South Precincts Map









Map 6 - Werribee City Centre Activity Land Use and Built Form Map

Appendix E Panel recommended version of Clause 74.02 Schedule

30/07/2018

SCHEDULE TO CLAUSE 74.02 FURTHER STRATEGIC WORK

1.0 Further strategic work

--/--/ Proposed C266wynd

- Develop a structure plan for the Werribee South Township to establish long term treatment of the boundary and agricultural buffer.
- Investigate mechanisms to protect and enhance the Werribee South Coastal Reserve and adjoining agricultural land.
- Investigate the application of SLO to protect the landscape values of the Green Wedge coastline.
- Develop landscape planning controls for significant boulevards and avenues, registered significant trees in the public realm environment and public realm trees over 35cm Diameter at Breast Height.
- Investigate mechanisms to protect and enhance sites of significance in the Green Wedges including potential vegetation planning controls.
- Develop a Management Plan for Wyndham's Section of the Western Plains South Green Wedge.
- Consider the application of the Bushfire Management Overlay to areas identified by the Municipal Fire Management Plan.
- Update the flooding overlay(s) to identify areas at risk of inundation.
- Investigate application of an ESO in Little River, Williams Landing Wetlands and Grassland reserves and along Wyndham's section of Kororoit Creek.
- Implement the recommendations of the Wyndham Heritage Study 1997 Volumes 1 and 2 (Context in association with Dr Carlotta Kellaway, 1997), City of Wyndham Review of Heritage Sites of Local Interest (Peter Andrew Barrett, 2004) and the Wyndham North Heritage Strategy (Heritage Alliance, 2013).
- Review the Sign Policy to address signage in gateway locations.
- Undertake further housing studies, including a housing strategy and neighbourhood character study, review of strategies to manage preferred locations for medium density housing and means to encourage and guide delivery of housing diversity to meet community needs.
- Prepare design guidelines for medium density development to improve the standard of building design and landscaping.
- Investigate the areas around the Werribee Town Centre and within growth areas for increased medium density housing opportunities.
- Review Residential Design Guidelines: Rear Loaded Lots (Wyndham City Council, 2010).
- Prepare an activity centres planning framework to identify the potential role of Wyndham's network of activity centres to provide employment, services, housing and urban spaces.
- Develop design guidelines for commercial facilities in support of key tourist locations.
- Develop a strategy to reinforce tourism through planning for urban development and renewal.
- Develop an industrial land use strategy to investigate and identify preferred uses and options to guide non-industrial uses and development in industrial land.
- Prepare industrial design guidelines for existing and proposed industrial areas in the city.
- Review the Little River Strategic Land Use Position Statement.
- Identify areas of constrained land that are not expected to be able to be developed over the life of the Growth Corridor Plan.
- Prepare Local Area Framework Plans for each of the Wyndham City Heart, Urban Pulses, Village Pulses and the proposed Derrimut Road Boulevard including their surrounding catchments to deliver 20-minute neighbourhoods.
- Prepare future strategic work to identify the future use and development of the land identified as priority locations for housing diversity and intensification on Map 1 of Clause 02.04, including mixed use development within these areas.
- Prepare a development sequencing criteria and policy for development in growth areas to be used for the assessment of subdivision and development applications.