

## BASS COAST PLANNING SCHEME

### AMENDMENT C152

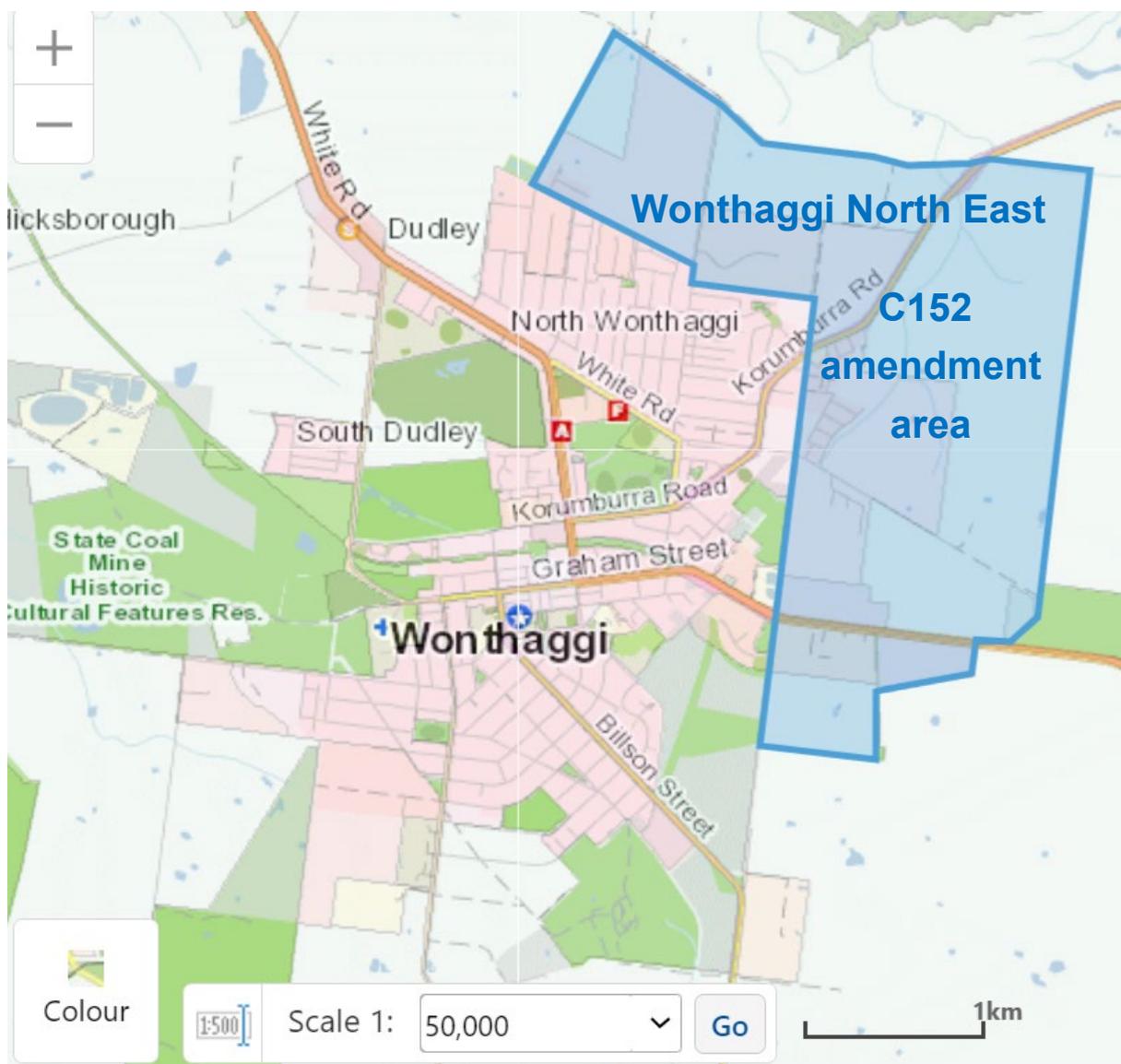
#### EXPLANATORY REPORT: DRAFT FOR CONSULTATION

##### Who is the planning authority?

This draft amendment has been prepared by the Victorian Planning Authority (VPA) and is released for public consultation via a process comparative to the exhibition and notice process detailed at sections 17,18 and 19 of the *Planning and Environment Act 1987*.

##### Land affected by the Amendment

The Amendment applies to land on the northern and eastern outskirts of Wonthaggi as shown below.



##### What the amendment does

Draft Amendment C152 to the Bass Coast Planning Scheme proposes to facilitate:

- the planned expansion of Wonthaggi into the rural hinterland
- the funding of associated road upgrades and new community and sports facilities

- the protection and management of natural resources
- the development and protection of conservation.

Specifically, the following changes to the Bass Coast Planning Scheme are proposed:

- Incorporate and bring into operation:
  - the Wonthaggi North East Precinct Structure Plan
  - the Wonthaggi North East Development Contributions Plan
  - the Wonthaggi North East Native Vegetation Precinct Plan.
- Insert:
  - Clause 37.07 Urban Growth Zone (UGZ) and Schedule 1 to Clause 37.07 (UGZ1)
  - Clause 45.06 Development Contributions Plan Overlay (DCPO) and Schedule 1 to Clause 45.06 (DCPO1)
  - Schedule 2 to Clause 43.03 Incorporated Plan Overlay (IPO2).
- Amend:
  - Clause 21.07 High growth regional centre
  - Schedule 21 to the Development Plan Overlay
  - Schedule to Clause 34.01 Commercial 1 Zone (C1Z)
  - Schedule to Clause 53.01 Public open space contributions and subdivision
  - Schedule to Clause 52.16 Native vegetation precinct plan
  - Schedule to Clause 72.03 What Area is Covered by this Planning Scheme
  - Schedule to Clause 72.04 Documents Incorporated in this Planning Scheme
  - Schedule to Clause 72.08 Background Documents.
- Rezone:
  - Land in the Farming Zone (FZ) and Commercial 2 Zone (C2Z) generally north of Inverloch Road and south of Heslop Road to UGZ1
  - Land in the FZ and C2Z generally south of Inverloch Road to Industrial 3 Zone (IN3Z)
- Apply:
  - the DCPO1 to all land in the amendment area except declared roads.
  - the Environmental Audit Overlay to the whole of the following land:
    - KORUMBURRA-WONTHAGGI ROAD ST CLAIR 3995 (proposed Lot 1 on PS728726 which is currently part of Lot 1 on LP74840)
    - 30 OATES ROAD NORTH WONTHAGGI 3995 (Lot 1 on LP211687)
    - 26 OATES ROAD NORTH WONTHAGGI 3995 (Lot 2 on LP211687)
    - 60 OATES ROAD NORTH WONTHAGGI 3995 (Lot 1 on PS648351).
  - The Public Acquisition Overlay to parts of the following land:
    - KORUMBURRA ROAD NORTH WONTHAGGI 3995 (CA 33B on PP3866)
    - KORUMBURRA-WONTHAGGI ROAD ST CLAIR 3995 (part of proposed Lot 2 on PS728726 which is currently part of Lot 1 on LP74840)
    - 5261 BASS HIGHWAY WONTHAGGI 3995 (Lot 2 on PS628069)
    - BASS HIGHWAY WONTHAGGI 3995 (Lot 4 on PS628069)
    - 5266 BASS HIGHWAY WONTHAGGI 3995 (Lots 1 and 2 on PS500715)
    - BASS HIGHWAY WONTHAGGI 3995 (PC371263)
    - BASS HIGHWAY WONTHAGGI 3995 (Lot 3 on TP85819)
    - 5 CARNEYS ROAD WONTHAGGI 3995 (Lot 1 on TP100022).

## **Strategic assessment of the Amendment**

## **Why is the amendment required?**

Victoria has experienced considerable population growth in recent years that is expected to continue. It is expected that some of this population growth – and jobs to support it – will be accommodated in regional centres across the state. The *Gippsland Regional Growth Plan May 2014* (the Regional Growth Plan) identifies the Wonthaggi township as a regional centre in which to promote growth. The *Wonthaggi Strategic Framework Plan* (the Framework Plan) identifies farmland around the northern and eastern edges of Wonthaggi as the preferred area for town growth.

A planning scheme amendment is required to allow implementation of this policy by making currently rural land available for transformation to urban land while planning for local infrastructure delivery and local ecosystem protection.

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

### *To provide for the fair, orderly, economic and sustainable use and development of land.*

The Precinct is identified in the Regional Growth Plan and Strategic Framework Plan as suitable for urban growth and represents a logical and orderly extension of Wonthaggi. The area is readily serviceable with power and water from existing sources with developers required to fund the new infrastructure for future households and businesses in the area.

The amendment includes areas of industrial employment as well as retail and commercial opportunities providing services for residents and opportunities for business growth. The new population will also contribute to the economic sustainability of Wonthaggi through generating new demand for goods and services supplied in the town.

Parks, a school, community facilities and retail/employment opportunities are planned close to new homes and business for easy access. New neighbourhoods will have main road access to central Wonthaggi with a further link road traversing the north and east of Wonthaggi.

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

Two waterway corridors are to be constructed to protect water quality flowing into the Powlett River and provide habitat for birds and animals. A conservation tree reserve along MCGibbonys Road intersects the two waterways providing a network of open space for long term protection and maintenance of local ecology.

Some native vegetation in the area will be permitted to be removed only where replacement plantings of like kind are secured in other areas with similar ecosystem characteristics.

### *To secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria*

The Wonthaggi North East PSP regulates the subdivision of land to create pleasant residential neighbourhoods with good access to jobs, services and recreation within and around the existing township, new neighbourhood centres and employment areas.

The provision of land for open space, tree reserve and drainage corridors protection will assist in creating a sense of place within the precinct, as well as providing for passive recreation spaces.

Industrial land is consolidated around the existing industrial precinct on the south side of Inverloch Road to enable safe and direct access to the main road network and maintain a separation from residential areas.

### *To conserve and enhance those buildings, areas or other places which are of scientific, aesthetic, architectural or historical interest, or otherwise of special cultural value.*

Background studies informing the amendment have identified areas of high, medium and low significance for areas of Aboriginal cultural heritage. Development proponents are required to comply with the *Aboriginal Heritage Act 2006* in relation to any matters of aboriginal significance on the land. Specific areas within the precinct are identified within the PSP as requiring 'further investigation for archaeological assessment'.

### *To protect public utilities and other assets and enable the orderly provision and coordination of public utilities and other facilities for the benefit of the community.*

The Wonthaggi North East DCP provides a framework for how local roads, recreation spaces and community facilities will be funded for construction.

Drainage infrastructure will be upgraded to cater for urban development and allow for natural flows into stormwater quality treatment and drainage assets.

Drinking water, sewer services and power requirements will be managed through the conventional processes of referring subdivision permits to the relevant supply and distribution authorities to determine the relevant needs at each stage of subdivision. No changes are proposed to the electricity facility on Korumburra Road.

### To balance the present and future interests of all Victorians.

The PSP identifies land within the precinct for connector road upgrades, connectivity to existing and future planned employment nodes, community sports facilities, local parks, and the provision of upgraded utility networks. Implementation of the PSP via the amendment will deliver increased community facilities and housing opportunities to accommodate the future population growth of Victoria.

Infrastructure required to service the precinct will be largely funded by contributions from development within the precinct area – to be collected using the Wonthaggi North East DCP. Funding for main road upgrades over time will be provided by Regional Roads Victoria as demand arises. By doing so, those benefitting from the infrastructure upgrade will contribute most of the infrastructure cost relieving existing ratepayers of that impost.

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

#### Environmental impacts

Development of the land following the amendment will alter the existing farming landscape of the precinct by changing stormwater flows, increasing the urban population, increasing traffic flows and bringing housing closer to bushfire threats.

These matters are mitigated through the proposed amendment to facilitate productive, pleasant and safe new neighbourhoods. In particular:

- Land is set aside specifically to cater for retardation of water to avoid flooding, and stormwater is being treated to a quality fit for return to the natural watercourses. The amendment will trigger the need for referral to the relevant floodplain management authority to ensure development is undertaken in a manner that mitigates flood impacts.
- A land capability assessment has been carried out for the land to determine any contamination potential – many farming properties have residual low-impact contamination associated with the conventional farming practices. The assessment identified areas subject to historical localised contamination. The amendment applies the Environmental Audit Overlay across properties identified as having a high risk of potential contamination which will ensure that further work is undertaken for properties prior to use for a sensitive purpose. Properties identified with a medium risk of contamination are required to carry out a proportionate assessment and clean up any discovered contamination before new development commences.

The PSP will embrace the natural landscape and cultural heritage features of the precinct by facilitating appropriately scaled and responsive development on the Precinct edges, safeguarding views to and from key points of interest, creating habitat corridors along the drainage corridors maintaining significant native vegetation and conserving places of Aboriginal cultural heritage.

#### Social and economic effects

The Amendments makes provision for new residential land supply which will improve affordability and choice for homebuyers and investors. The Amendment intends to allow for the delivery of an average dwelling density of approximately 11 dwellings per hectare and has assisted with the planning for facilities for future and current residents within the precinct and surrounding communities. The level and quantity of existing and planned urban amenities represents significant public and private investment in development that will support a strong urban community.

Proposed social infrastructure items include:

- A new community centre and village hub
- A government primary school
- Local parks
- A new sporting reserve
- Bus capable roads

The anticipated employment creation for the precinct is 1,657 jobs spread across retail, community services, education, home-based business and within the commercial and industrial employment areas.

A 'Village Hub' – with shops, business, a community centre, school and sports reserve – is planned on the new connector street that links the whole the area.

The Amendment will provide a broad range of lot sizes to be provided at the time of subdivision so as to maximise opportunities for a community with a diverse range of household size, type and income levels.

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

The employment areas will service the population in the precinct and beyond.

Additional opportunities for recreation and social groups will emerge as a result of the provision of new public outdoor spaces, new community facilities and local centres.

### **Does the Amendment address relevant bushfire risk?**

Bushfire protection measures have been implemented through the Wonthaggi North East PSP to ensure the safety of the community. These measures include using edge-roads and setting back homes to provide a break between low-risk potential grass fires in new natural waterway environments.

A small part of the precinct is covered by the Bushfire Management Overlay associated with the Wonthaggi Bushland Reserve. This overlay is maintained and requires a higher than usual level of bushfire resistant design for subdivision and buildings.

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

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

The amendment also complies with the following relevant Ministerial Directions:

#### *Direction No. 1 Potentially Contaminated Land*

Yes - see discussion above under *Environmental impacts*.

#### *Direction No. 11 - Strategic Assessment of amendments*

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

#### *Direction No. 12 - Urban Growth Areas*

Parts 4, 5, and 6 of Ministerial Direction 12 requires that when preparing an amendment to introduce or change provisions in a schedule to the UGZ, a planning authority must evaluate and include in the explanatory report a discussion about:

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

The Regional Growth Plan identifies Wonthaggi as an area where growth is supported. The Wonthaggi Strategic Framework Plan identifies land to the north and east of the Wonthaggi township as suitable for future urban growth.

- *How does the amendment accord with the Precinct Structure Planning Guidelines*

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

The amendment enables the development of the Wonthaggi North East precinct to evolve from farming land into a well serviced urban community with improved connectivity to existing urban areas.

The PSP will offer the future community distinct residential neighbourhoods that create a strong sense of place and community by ensuring development is safe and diverse, provides a high standard of urban design and amenity, while protecting environmentally sensitive areas.

The PSP will also plan and respond to the existing built environment and land uses, by providing appropriate infrastructure to key roads and highways, ensuring appropriate development with the interface to the existing residential development and the farming land to the north and east.

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

An important new approach to housing diversity has been developed and introduced through recent PSPs. New provisions in the PSP deliver a comprehensive guide to delivering diversity that provides

for a range of densities across the area. This allows for increased choice to homebuilders and purchasers to build a house of the size they want in the location they want while meeting policy goals seeking higher dwelling densities in growth areas. This amendment will enable the development of the land to accommodate an increase in housing provision with an estimated density of 11 dwellings per developable hectare, consistent with this objective.

Objective three: To create highly accessible and vibrant activity centres

The Village Hub and Northern Local Convenience Centres' are proposed within the precinct. The Village Hub is located centrally within the precinct to maximise the accessibility of this centre by the new population, whilst the Northern Local Convenience Centre is co-located with a community centre to maximise efficiency of services.

These centres will ensure accessibility to services and facilities for the future community.

Objective four: To provide for local employment and business activity

The anticipated employment creation for the precinct is 1,657 jobs spread across retail, community services, education and within the industrial and commercial employment areas. This diverse employment mix will support the delivery of a range of goods and services to support residents, workers, visitors and businesses.

Objective five: To provide better transport choices

The Precinct is well-served by major roads including Korumburra-Wonthaggi Road and the Bass Highway, enabling particularly strong regional connections for the precinct.

The precinct will improve the existing road network by providing new local roads linking to the existing Wonthaggi Township. The cycle and walking trail network deliberately aims at providing access to key local destinations including the two local centres, employment land, open space and the existing township.

A connector street linking through the whole precinct will provide a new route around Wonthaggi and be capable of accommodating a safe and fast bus route.

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

The PSP aims to locate residential lots within proximity of a potential Public Transport Route where possible. The provision for shared path facilities also encourages the use of sustainable transport modes within the precinct.

All of the elements planned for the precinct, as described in the response to objectives above and below, have sustainability and climate change adaptability built into their design, including reduced travel times to key services and multiple mode and route options for travel including by means other than the currently dominant private car mode.

Significant stands of native vegetation are retained to maintain local ecological processes, while 13% of the area will be set aside for new managed open space.

Objective seven: To deliver accessible, integrated adaptable community infrastructure

Two community hubs featuring a school, open space and community services will be developed on to provide neighbourhoods within the precinct with excellent local services, facilities and community infrastructure. These will be linked via a strong public transport and path network.

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

Most provisions in the incorporated documents and associated ordinance are designed for implementation at the subdivision development stage. At this point requirements and guidelines are either designed into subdivision plans (e.g. spatial outcomes), implemented through permit conditions (e.g. development and biodiversity contributions), implemented through referral authority agreements (e.g. essential services) or required to be applied as restrictions on title (e.g. section 173 agreements for infrastructure).

This provides for a single permission after approval of the PSP, which is central to providing certainty, clarity and efficiency in the planning process.

Additionally, flexible applied zones that follow the pattern of development rather than lead it allow flexibility when the PSP is followed through in the detail of subdivision and land use layouts.

Where land is already zoned for development purposes, appropriate overlays are applied to implement the outcomes of the PSP, such as the development plan overlay which includes requirements from the PSP.

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

Most outcomes encouraged by the incorporated documents and ordinances introduced into the Scheme by this amendment will be delivered through subdivision permits prior to translation of the PSP to standard provisions. Subdivision permits will implement most of the non-standard provisions.

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

However, the Urban Growth Zone Schedule uses standards zone provisions with the exception of a specific requirement to address residual contamination issues. As this specific matter will be addressed in the first phase of development, translation to standard zones and overlays should be relatively straightforward.

#### *Direction No. 11 Strategic assessment of amendments*

This explanatory report addresses the requirements of this direction.

#### *S46m(1) – Direction on Development Contributions Plan*

This direction seeks to direct planning authorities in relation to the preparation and content of a development contributions plan. The Wonthaggi North East DCP is informed by this direction.

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

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

*Clauses 11.01 Activity centres, 11.02 Urban growth, 11.03 Open space* – The amendment incorporates a PSP to direct how the precinct should accommodate residential growth and the relevant infrastructure to support this growth. The PSP sets out an orderly structure for development of the precinct including the location and function of varying activity centres taking into account the existing and planned network of activity centres in the region; introducing land for residential and employment uses to supply and encourage urban growth; and, providing developable land with good proximity to existing and future planned amenities, services, and infrastructure.

*Clause 12.01 Biodiversity* – The amendment will incorporate the Wonthaggi North East NVPP into the Planning Scheme, which identifies vegetation to be protected (retained) or removed in the Precinct.

*Clause 13.03 Soil degradation, Clause 13.05 Bushfire* – The amendment ensures land that has been identified as potentially contaminated will require further investigation if proposed to be developed for a sensitive use.

The response to bushfire risk in the precinct will be principally managed through the Bushfire Management Overlay and PSP requirements for subdivision design and site-management during development to minimise the potential spread of any grassfires.

*Clause 15.01 Urban environment, Clause 15.02 Sustainable design, Clause 15.03 Heritage* – The amendment delivers a PSP that guides urban development so that it provides for a liveable and diverse community that integrates and is well connected to existing and establishing communities. The PSP provides a Future Urban Structure that outlines a well-designed subdivision pattern and transport network that fosters more sustainable modes of transport, a safe public environment, a network of public open space, and a diverse housing stock to attract a diverse community.

The PSP encourages the development of the precinct so that it builds on the natural landscape and topography. The PSP also builds upon the heritage features of the precinct by encouraging the enhancement and additional protection of heritage features.

*Clause 16.01 Integrated housing* – New residents will have access to existing services and employment opportunities within the community and in the established Wonthaggi Township. The PSP sets out provisions to facilitate a range of potential housing types and densities. The full range of housing types, sizes and configurations may establish in large areas of the precinct without the need for a land use permit.

*Clause 17.01 Commercial* – The amendment provides for two new local centres and a new employment area to the north and south of the Bass Highway providing essential services and potential employment opportunities for residents within the precinct.

*Clause 18.01 Land use and transport planning, 18.02 Movement networks* – The precinct's road network will integrate with the existing and planned arterial road network. The proposed road network provides a robust structure for traffic and transport movement within and through the precinct, whilst being responsive to environmental and topographical constraints.

*Clause 19.02 Community infrastructure, 19.03 Development infrastructure* – A comprehensive Development Contributions Plan (ICP) will be implemented via this amendment.

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

Municipal Strategic Statement:

*Clause 21.03 Settlement and Housing:* Provides for a diversity of housing types and densities, including increased housing density around activity centres.

*Clause 21.04 Economic Development:* Provides local employment opportunities to meet the needs of the local population.

*Clause 21.05 Infrastructure:* Provides for the co-ordinated provision of infrastructure and the collection of infrastructure contributions.

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

The amendment meets the form and content requirements of the Victoria Planning Provisions.

The General Residential Zone and Development Overlay are retained in parts of the growth area already under development with the exception of the industrial area. The Development Plan Overlay in the industrial area is replaced with the Incorporated Plan Overlay to directly implement the PSP.

Areas currently in the Farming Zone north of Inverloch Road and east of Fuller Road are zoned UGZ1 to enable the boundaries of the various broad land use areas i.e. residential, mixed use, business and local centre, to be efficiently settled during the subdivision process generally in accordance with the precinct structure plan.

The DCPO is used to levy contribution to infrastructure development. The NVPP provisions are used to provide a strategic, landscape-wide approach to native vegetation management.

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

The amendment has been prepared in consultation with affected agencies. Amongst others key relevant agencies include Bass Coast Shire Council, Department of Environment, Land, Water and Planning (DELWP), Department of Transport (DoT) and Regional Roads Victoria (RRV), Department of Education and Training (DET), South Gippsland Water (SGW), Heritage Victoria (HV), Aboriginal Victoria (AV), Environmental Protection Authority (EPA), and Country Fire Authority (CFA).

These bodies will have a further opportunity to submit during the consultation period.

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

The Victorian Planning Authority in itself and acting as a planning authority is an 'interface body' under the *Transport Integration Act 2010*. Under Section 25 of that Act:

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

The amendment is likely to have a significant impact on the transport system at a local level. It will require upgrades to nearby parts of the regional road network and will allow the creation of a new local road network that will set the future pattern of development in the precinct. It will contribute to the development of the bus network in the area.

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

- Providing for an interconnected road system that responds to the likely level of use generated by the precinct and hence facilitating investment in housing and local retail services in the area.
- Enabling efficient access to existing and planned employment and services in and around the local area and region through connections to the arterial road network and planned extensions to bus services.

- Ensuring the road network minimises impacts on the site's topography, native vegetation and water flow regimes.
- Designing roads that are of a suitable scale and compatible with the expected travel demand and that provide a suitable scale and impact in relation to likely adjoining development.
- Integrating relevant government bodies involved in the provision of transport infrastructure and services in the decision making process of the amendment.

### **Resource and administrative costs**

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

The new provisions will have an appreciable impact on the resources and administrative costs of the responsible authority – particularly in relation to infrastructure contribution management and the staging of development.

However, the amendment has made many strategic decisions about the land use and layout of the area, infrastructure and service delivery and the management of natural systems and ecology. Setting these decisions in the planning scheme now will relieve the responsible authority of a significant decision-making and administrative burden – when compared to a site-by-site approach which might otherwise have been chosen.

The amendment also makes use of standard VPP provisions wherever possible to maintain familiar and understandable planning controls for council and agency officers and development proponents.

### **Where you may inspect this Amendment**

The Amendment is available for public inspection, free of charge on the Bass Coast Shire Council website, the Victorian government's Engage Victoria website and the VPA's website under 'regional'.

Any person who may be affected by the draft amendment may make a submission to the VPA by email or regular post. Submissions about the draft amendment must be received by 3 December 2020.

Email: [amendments@vpa.vic.gov.au](mailto:amendments@vpa.vic.gov.au)

Post:

Victorian Planning Authority

c/- Wonthaggi North East Precinct Structure Plan

Level 25, 35 Collins Street

Melbourne VIC 3000

### **VPA Projects Standing Advisory Committee (VPA SAC)**

As part of the VPA – Fast-Track Program, if required, the Bannockburn Growth Plan project will be subject to the VPA Projects Standing Advisory Committee (VPA SAC). The VPA SAC will advise the Minister for Planning and the VPA on referred projects and plans and associated draft planning scheme amendments.

While the VPA will seek to resolve any issues raised, unresolved submissions or particular matters requiring further consideration will be referred to the VPA SAC. The SAC will contact submitters and then determine the best way to consider unresolved matters - this may include round table discussions, written submissions or a public hearing.

The VPA SAC will provide advice on the draft amendment to the VPA and the Minister for Planning. The VPA will then make recommendations to the Minister for Planning, who will consider the appropriate approval pathway for an amendment to the Golden Plains Planning Scheme (the Scheme).