

CARDINIA PLANNING SCHEME
GREATER GEELONG PLANNING SCHEME
MARIBYRNONG PLANNING SCHEME
AMENDMENT GC[insert amendment number]
EXPLANATORY REPORT

Who is the planning authority?

This Amendment has been prepared by the Minister for Planning who is the planning authority for this amendment.

The Amendment has been made at the request of Kaufland Australia Pty Ltd.

Land affected by the Amendment

The Amendment applies to:

- land at 795 Princes Highway, Pakenham;
- land at 140-156 Colac Road, Highton; and
- land at 81-85 Ashley Street, Braybrook.

What the Amendment does

The Amendment seeks to facilitate the development of three Kaufland supermarkets via planning approval in the form of an incorporated document for each store.

This is sought as part of a coordinated planning and assessment process for an initial network of Kaufland stores across Victoria.

The Amendment proposes the following changes:

- Incorporates the document “Kaufland Supermarket and complementary uses, 795 Princes Highway, Pakenham, Incorporated Document, **insert gazettal date**” into the Cardinia Planning Scheme;
- Incorporates the document “Kaufland Supermarket and complementary uses, 140-156 Colac Road, Highton, Incorporated Document, **insert gazettal date**” into the Geelong Planning Scheme;
- Incorporates the document “Kaufland Supermarket and complementary uses, 81-85 Ashley Street, Braybrook, Incorporated Document, **insert gazettal date**” into the Maribyrnong Planning Scheme;
- Applies the Specific Controls Overlay (Clause 45.12) to the land described above;
- Lists the incorporated document relevant to that scheme in the schedule to the Specific Controls Overlay (Clause 45.12);
- Updates the schedule to Clause 72.03 to introduce the new Specific Controls Overlay maps in each scheme; and
- Lists the incorporated document relevant to that scheme in the schedule to Clause 72.04.

Why is the Amendment required?

The amendment is required to facilitate the development of three Kaufland supermarkets and complimentary uses in Pakenham, Highton and Braybrook.

The amendment will enable the coordinated consideration and assessment of each specific site proposal as part of Kaufland Australia’s broader Victorian entry proposal.

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

The Amendment seeks to implement the objectives of planning in Victoria by:

- Providing for the fair, orderly, economic and sustainable use, and development of land. s4(1)(a) the Act;
- Securing a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria. s4(1)(c) the Act;
- Facilitating development in accordance with the objectives set out above. s4(1)(f) the Act; and
- Balancing the present and future interests of all Victorians. s4(1)(g) the Act.

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

Environmental effects

The amendment is not expected to create any undue environmental effects, with the potential for efficiency benefits to be gained generally from the efficient use of land.

Social effects

The amendment is expected to facilitate social benefit through improved competition and associated pricing pressures, access to a greater range of groceries, and creation of local employment opportunities.

Economic effects

The amendment is expected to facilitate economic benefit arising from additional investment in Victoria, and additional employment generation across Melbourne.

Does the Amendment address relevant bushfire risk?

This land affected by the amendment is not prone to bushfire risk and bushfire planning provisions are not likely to be relevant.

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

Ministerial Direction No.1 Potentially Contaminated Land

Environmental site investigations have been undertaken by Kaufland and the amendment, which does not seek to facilitate any sensitive uses, complies with this direction.

Ministerial Direction No. 9 Metropolitan Planning Strategy

The amendment has been prepared with regard to Ministerial Direction No. 9 – Metropolitan Strategy and is generally consistent with Plan Melbourne, including in relation to objectives for employment generation.

Ministerial Direction on the form and content of Planning Schemes

The amendment will comply with the Ministerial Direction on the form and content of Planning Schemes.

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

The amendment supports the Planning Policy Framework including in the following ways.

Clause 11 - Settlement

Clause 11 provides strategic guidance for responding to the needs of existing and future communities through the provision of appropriately zoned and serviced land for commercial, retail, and industrial uses, among other considerations. In addition, clause 11 seeks to promote growth, attract investment and create jobs. The amendment supports clause 11 by seeking to facilitate a commercial

development complementary to the mix of land uses in the areas surrounding the respective land parcels, that will seek to service the current and future needs of the local community through creating jobs and investment in the area, in addition to convenient access to daily shopping needs.

Clause 15 – Built Environment and Heritage

Clause 15 seeks to create urban environments that are liveable, safe, functional and provide a sense of place whilst minimising detrimental impact on neighbouring properties. The amendment seeks to support this clause by facilitating a development layout and building design reflective of a contemporary and appropriately activated and articulated commercial design.

Clause 17 – Economic Development

Clause 17 encourages development which meets community needs for retail, office and other commercial services. It also seeks to avoid out-of-centre development for single use unless there is a net community benefit for the region served, which is anticipated in light of economic assessment work undertaken. The amendment seeks to facilitate a development outcome that is highly supportive of planning objectives for economic development.

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

Cardinia

The amendment specifically supports local planning objectives in the following ways:

Clause 21.03 – Settlement and Housing

The proposal will strengthen the ability for nearby residents to do their weekly shopping locally, and will positively contribute to the viability of the Lakeside Boulevard Activity Centre, where the site is located.

Clause 21.01 – Key Issues & Strategic Vision & Clause 21.04 – Economic Development

The development will positively contribute to growth of jobs for the local community and will attract new businesses to Cardinia.

Clause 21.06 – Particular Uses & Development

Through a quality building design, the development will positively contribute to the urban realm within the surrounding context.

Clause 21.05 – Infrastructure & Clause 22.04 Highway Development

The development will contribute to safe and efficient movement along Princes Highway and will protect the visual amenity of the Highway.

Geelong

The amendment specifically supports local planning policy objectives in the following ways:

Clause 21.07 – Economic Development and Employment

The development is located within the Waurin Ponds sub-regional retail activity centre, and the proposal is congruent with this policy and locating in this location.

Clause 22.01 – Discretionary Uses in Residential Areas

The development is compatible with the residential character, scale and amenity of the surrounding neighbourhood, and provides for accessible non-residential uses which serve the needs of the local community.

Clause 22.03 – Assessment Criteria for Retail Planning Applications

The development will contribute to ensuring all major retail use within the municipality provides a clear net community benefit.

Clause 22.63 – Increased Housing Diversity Areas

The development is located in an area identified as a 'high opportunity area', and is aligned with this policy to evolve the character of the areas through more intensive development.

Maribyrnong

The amendment specifically supports local planning policy objectives in the following ways:

Clause 21.08 – Economic Development

Clause 21.08 seeks to protect and maintain the employment and economic development role of Core Employment Areas. It also seeks to ensure that commercial development in Core Employment Areas is high-quality and attractive. The amendment will support Clause 21.08 by facilitating an employment generating use and development that will maintain the role of the Core Employment Area. The development will also be high-quality, attractive and will provide for an improved interface with residential estates to the north and east.

Clause 21.09 – Transport

Clause 21.09 promotes modes of transport other than private motor vehicle use and encourages the development of a safe, efficient and accessible transport network. The amendment supports Clause 21.09 facilitating a use and development that will encourage walking and cycling through the provision of safe and efficient pedestrian links and bicycle parking. The proposal also provides for safe and efficient movement and interaction of vehicles throughout the site and the surrounding road network.

Clause 21.11-3 – Local Areas (Central West Major Activity Centre, Braybrook)

Clause 21.11-3 encourages use and development that fulfils the role of the Central West Major Activity Centre. The amendment supports Clause 21.11-3 by facilitating a use and development that will help establish the role of the Central West Major Activity Centre as a Core Employment Area. The Development will also be high-quality, attractive and will improve the interfaces of the Central West Major Activity Centre with non-employment land to the north and east.

Clause 22.08 – Licensed Premises

Clause 22.08 supports reasonable opportunities for licensed premises to trade in appropriate locations, while seeking to ensure that a licensed premises would not cause unreasonable impacts on the amenity of the surrounding area. The amendment supports Clause 22.08 by facilitating a small licensed premises (packaged liquor) as part of a much larger retail offering in an appropriate location. The proposal will not have an unreasonable impact on the amenity of the surrounding area.

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

The proposal makes proper use of the Victoria Planning Provisions by applying the Specific Controls Overlay and updating the schedule to Clause 72.03 and Clause 72.04.

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

The views of relevant agencies will be incorporated through appropriate engagement and participation through the planning approval process.

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

Based on technical review and assessment undertaken by consultants engaged by Kaufland, the Amendment is not expected to have a significant impact on the transport system, as defined by section 3 of the *Transport Integration Act 2010*.

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

It is not anticipated that the planning provisions proposed by the Amendment would have any significant impact on the administrative costs of the responsible authority.

Where you may inspect this Amendment

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

- Department of Environment, Land, Water and Planning
- Cardinia Council municipal offices;
- Greater Geelong Council municipal offices; and
- Maribyrnong Council municipal offices.

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